



PLANNING & ZONING COMMISSION

**MINUTES OF A
SPECIAL & REGULAR MEETING
HELD MONDAY, JUNE 4, 2018
AT 5:30 PM**

**CITY HALL
COUNCIL CHAMBERS & 2ND FLOOR
CONFERENCE ROOM
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS**

Joint Work Session

1. The Joint Work Session began at 6:29pm with the following people in attendance:

Chairman Rhonda Neel
Commissioner Richard Sasson
Commissioner Dick Clark
Becky Summers, Development Coordinator
Aubrey Harbin, City Planner/Director of CDD
City Council

Commissioner Brett Banfield
Commissioner Joe Matranga
Commissioner Eric Guenther
Mary Kay Fischer, City Attorney
Morad Kabiri, City Manager

Harbin explained the North American Industry Classification System (NAICS) is a reference book that updates every five years. She said the Permitted Use Table references the 2012 NAICS and needed to be changed to cite the 2017 NAICS. She further explained that City staff would like to change the Zoning Ordinance to say “current” version of NAICS instead of using a specific year.

Harbin said NAICS #425 Wholesale Electronics markets and Agents and Brokers was inadvertently omitted during the last review and needed to be added. She stated use #447 Gasoline Stations included uses such as truck stops and was currently allowed in Community Shopping Center (CSC) districts. Harbin recommended expanding the category to six digits NAICS #447190 Other Gasoline Stations and requiring a Specific Use Permit in CSC.

Sasson said the Ordinance Subcommittee looked into the proposed changes in detail and agreed with staff’s recommendations.

Harbin stated staff would like to add an exception to residential setbacks involving entry stairs. She said several homeowners had approached staff, and two have applied for variances with the Zoning Board of Adjustment, following Hurricane Harvey. She explained that people raising their homes needed to add entry stairs but the extension encroaches the front build line in most cases. Harbin said staff wanted to find a way to

decrease the hardship in these cases drafted an exception using the City of Galveston as a guide. Harbin said the subcommittee vetted the proposal very well.

The Joint Work Session ended at 6:37pm.

Joint Public Hearing

1. The Joint Public Hearing was called to order at 7:09pm with the same people in attendance.
2. Receive comments from the public, both oral and written, regarding:

- A. **Zone change request** for 2.504 acres out of Lot 12 Block 2 of Friendswood Subdivision, as recorded in Volume 238, page 14, of the Office of the County Clerk of Galveston County, Texas, located at **213 E. Heritage Dr.**, Friendswood, Galveston County, Texas, **to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD)**

Harbin explained the facility has an existing Specific Use Permit (SUP) from 1974 but when Hurricane Harvey damaged the building more than 50%, the site became required to come into compliance with current codes. She said the City's Permitted Use Table no longer allows the use in residential districts with a SUP and the zoning would need to be changed to a Planned Unit Development (PUD). She stated the site and building would remain the same. Harbin also said the original restrictions from the SUP would be integrated into the PUD. She said upon zoning approval, the owners would bring the interior into compliance.

Ric Pearson/agent explained the facility was bringing the zoning into compliance as the City's codes had changed over time. He said the owner would be remodeling the interior and that the building fit in with the neighborhood.

Phil Ratisseau/citizen said everyone knows the facility had five feet of water inside during the hurricane. Ratisseau said the facility had not planned at all for evacuation and told Council not to go through that again.

- B. Proposed amendments to **Appendix C, Zoning Ordinance Section 7.P.5. North American Industry Classification System (NAICS) Codes to change version reference from "1997" to the "current" North American Industry Classification System (NAICS) Codes; and Section 7.P.6. Permitted Use Table to update the reference to the 2017 NAICS Codes; to add NAICS Use #425 Wholesale Electronics markets and Agents and Brokers; and to add NAICS Use #447190, Other Gasoline Stations (gas stations without convenience stores; truck stops; and marine service stations)**

Harbin recapped the Joint Work Session and stated the proposed changes included updating to the 2017 NAICS, adding 425 to the PUT, and expanding 447 to 447190.

No public comments.

- C. Proposed amendments to **Appendix C, Zoning Ordinance Section 7.Q.3. Area and**

Height exceptions, to allow stairs of an elevated house to encroach the front building line in certain situations

Harbin read the proposed exception: Stairs in Certain Situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of 10 feet from the front property line, if:

1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current City floodplain standards; and
2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and
3. The stairway, at its widest point, shall not exceed 10 feet.

No public comments.

3. The Joint Public Hearing adjourned at 7:17pm.

Regular Meeting

1. The Regular Meeting was called to order at 7:20pm with the same people in attendance minus the City Attorney, City Manager, and Council.
2. Communication from the public/committee liaisons
(To comply with the provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects to be placed on a later regular Commission agenda for discussion and/or possible action.)

No public comments.

3. Consent agenda
These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner or citizen so requests in which case the item would be removed from the consent agenda and considered separately.

- a. **Minutes from May 17, 2018 regular meeting**
- b. **Friendswood Plaza Reserve B Replat**

Motion to approve: Banfield

Second: Guenther

Vote: 6 to 0 Unanimous

Motion passed

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Consideration and possible action regarding a **zone change request** for 2.504 acres out of Lot 12 Block 2 of Friendswood Subdivision, as recorded in Volume 238, page 14, of the Office of the County Clerk of Galveston County, Texas, located at **213 E. Heritage Dr.**, Friendswood, Galveston County, Texas, **to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD) Communities (with on-site nursing), and #623312 - Assisted Living Facilities for the Elderly, without on-site nursing (assisted living and memory care)**

Motion to approve: Matranga

Second: Clark

Vote: 6 to 0 Unanimous

Motion passed

Matranga asked if the six restrictions listed in the SUP were being maintained in the proposed PUD. Harbin said the ones that were still applicable are. He asked if changing the zoning to a Planned Unit Development could have unintended consequences. Harbin explained the PUD would be more restrictive than the Specific Use Permit since the facility would be tied to a site plan and use.

Sasson said he understood the zone change request to be more of an administrative approval since the facility already exists in that location.

Guenther asked if the facility was a non-conforming use. Harbin said it was a non-conforming use and structure until the building was destroyed more than 50%.

5. Consideration and possible action regarding proposed amendments to **Appendix C, Zoning Ordinance Section 7.P.5. North American Industry Classification System (NAICS) Codes to change version reference from “1997” to the “current” North American Industry Classification System (NAICS) Codes; and Section 7.P.6. Permitted Use Table to update the reference to the 2017 NAICS Codes; to add NAICS Use #425 Wholesale Electronics markets and Agents and Brokers; and to add NAICS Use #447190, Other Gasoline Stations (gas stations without convenience stores; truck stops; and marine service stations)**

Motion to approve: Sasson

Second: Clark

Vote: 6 to 0 Unanimous

Motion passed

6. Consideration and possible action regarding proposed amendments to **Appendix C, Zoning Ordinance Section 7.Q.3. Area and Height exceptions, to allow stairs of an elevated house to encroach the front building line in certain situations**

Motion to approve: Matranga

Second: Clark

Vote: 6 to 0 Unanimous

Motion passed

7. Consideration and possible action regarding future **Planning and Zoning Commission meeting dates**

Harbin said the next regular meeting would be Thursday, June 21st.

7. Communications from
 - a. Commissioners – Neel said the next meeting will be her last meeting on the Commission.
 - b. Staff – Harbin said new commissioners were on Council's agenda tonight and would become effective in July. She said another commissioner would become effective in September when Banfield leaves. Harbin announced Councilperson Branson would be the new Council liaison to the Commission.
8. The meeting was adjourned at 7:40pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary