

**Joint Workshop
Zoning Commission and Planning Board Meeting**

On Tuesday, July 17, 2007 at 5:15 p.m. the Zoning Commission and Planning Board met in a joint scheduled meeting. Board members present were Tom Medlin, Perry O'Brien, Gilbert Torres, Bert Dahl, Yvonne Chatelain, Commissioner Haney, Jose Boix and Dickie Campbell. Staff members present were James McWhorter, Larry Iles and Don Carroll. No citizens were present.

APPROVAL OF MINUTES. No minutes needed to be approved. Chairperson Tom Medlin presided over the meeting. He indicated a quorum was present and called the meeting to order.

ITEM NO. 1. Joint workshop on the proposed revisions to the Land Use Plan as submitted.

Mr. Carroll provided an overview of the rationale and nexus for the proposed recommended changes. This was chronicled in memos to Mayor, Planning Board and Zoning Commission. He also advised the Boards that a reconnaissance was performed by Staff and Peter Boecher, expert witness/consultant in Planning and Landscape Architect. Mr. Boecher recommendations to the City Land Use Plan (attached). Mr. McWhorter provided an overview of the two changes being recommended. The first is the industrial area on the north side of Dickinson Bayou. When this area was first annexed, it was adopted and designated as water front/conservation/recreational use along Dickinson Bayou. Now that Staff has had a chance to review the area, speak to the property owners, and see how it is currently being used. This analysis has led Staff to realize that may be a far reaching use. Staff felt that the best would be to make this a transitional land use area. The Land Use Plan is a long term goal for the area and when an area is annexed the existing businesses are grandfathered. The proposed revision is due to changes in dynamics in the area that are in conflict with land uses located in Moses Lake/HWY. 146 area. Technical corrections of conflict regarding business, light industrial growth areas and neighborhood growth reserve area and established neighborhood bound by HWY. 146, FM 1764, HWY. 3 and FM 1765. Dickinson Bayou and Industrial Transition Zones. Mr. Carroll explained that this would mitigate the existing conditions and have mixed uses that may be compatible, which also may be in demand due to the market forces, also have the leverage to encourage them to want to make them wants to reach that investment expectation by complying with those enhanced performance standards. This would be a good method to help the City address the problematic situation of incompatibility uses as the status is now. This will help address those opportunities that are out there and over time it should evolve into the corrective measures. This appears to be the best fit for this area. Mr. McWhorter asked for input or questions from the Board. Mr. Boise asked about the language about what will be allowed and Mayor Doyle suggested that the language and zone name be looked at. Discussion followed concerning dynamics of areas and opportunities. Board was in agreement with changes.

Mr. McWhorter provided an overview of second change cited in the Land Use Plan is south of E. F. Lowry near the new road called Willow Street. There is a small amount of land called neighborhood growth runs behind the business called the Wood Shop and Bp Pipeline which is business and light industrial growth. This does not appear to be the highest and best use for this property it appears to be better suited for business and light industry. It does have a lot of pipelines and is encumbered with Bp Pipeline storage tanks. The utility yard for City is next to Orchid Street plant. The area is not conducive to neighborhood growth. Drainage not good and the land would have to build up. Most of this land is owned by the Kohfeldts and they are marketing. Potential buyers are questioning the use as residential. Land Plan and development use needs to be reconciled. Perry O'Brien agreed with Staff assessment. Mr. Carroll pointed out that residential development must maintain a 60-foot set back due to pipelines and the flooding issue.

Mr. McWhorter also advised the Boards that Staff has been working on 3-types of RV Parks and placement in City. Staff has received several inquiries concerning possible developing. Mr. Carroll advised the Board that per Mayor Doyle and Planning Board a moratorium to be enacted on RV Parks in order to complete the formulation process for enhanced urban design standards for RV Park sites (memo attached). General discussion followed. Staff will continue to go forward with setting up standards and procedures for RV Parks.

There being no further business, a motion was made to adjourn by Perry O'Brien/Bert Dahl All Members present voted aye.


Donald Carroll, Secretary

Tom Medlin, Chairperson

CITY OF TEXAS CITY, TEXAS

INSPECTIONS DEPARTMENT • OFFICE: (409) 643-5946 • FAX: (409) 949-3001



April 30, 2007

Mayor:
Matthew T. Doyle

Commissioners:
Mike Land
Dee Ann Haney
Tommy Clark
Dedrick D. Johnson, Sr.
Donald B. Singleton
Carl Sullivan

Vernon Henry & Associates
Peter Bocher
1800 West Loop So. Ste. 1750
Houston, TX 77027

Dear Sir:

The Mayor has instructed Staff to revisit our Land Use Plan along the north shoreline of Dickinson Bayou and east of Highway 146. This area is currently identified as Waterfront Conservation. The problem with this designation is the fact that there are several existing land uses that were there prior to the City's annexation of the this area and those uses are in conflict with the current land use designations allowed under Waterfront Conservation. I have made a color copy of the map (land use area) and I have tried to identify those areas that are problematic for us in the context of administration and enforcement of our Land Use/Zoning Ordinance program.

All of the uses listed are legal non-conforming uses with an anticipated life of another 30 plus years. We will conduct land use studies for this area in order to present the City administration with possible alternatives that could mitigate the conflict. We will also seek your technical assistance and advice once we arrive at the best alternative solution. I have enclosed copies of the related documentation and maps of the are in question for your review. Please provide me your fee for your technical assistance.

If you have any questions please do not hesitate to contact me at (409) 6430-5925 or James McWhorter at (409) 64305935.

Sincerely,

Donald R. Carroll
City Planner

DRC:jv
enclosures
cc Mayor

"QPS - Quality Public Service"

June 7, 2007

Mr. Donald R. Carroll, City Planner
Mr. James F. McWhorter, P.E., City Engineer
City of Texas City
928 5th Avenue North
P.O. Drawer 2608
Texas City, Texas 77592-2608

Re: Land Use Plan Revision
North of Dickinson Bayou and East of State Highway 146

Gentlemen:

Pursuant to our site visit and subsequent discussion, we recommend that the referenced area with various industrial uses be given a new land use classification, ***Dickinson Bayou Transition Zone***, with the following description:

This zone is located on the north side of Dickinson Bayou east of 29th Street and south of Avenue R. Land uses within this zone include all uses except industrial warehousing and heavy industry. This zone will require enhanced performance standards, i.e. setbacks, parking, landscaping and screening that are intended to provide a more attractive waterfront environment.

This new zone will also provide a future land use pattern that is more compatible with future residential development to the north. In adding this new zone to the land use map, the *Activity Corridor* east of State Highway 146 and south of F.M. 517 should be enlarged to adjoin the limits of the Dickinson Bayou Transition Zone. All remaining land within the corporate limit east of the highway and north of the bayou can remain a *Neighborhood Growth Area*.

With the addition of this new transition-type zone, the current description for the ***Industrial Transition Zone*** should be modified as follows:

This zone is located parallel with and adjacent to the south side of Texas Avenue. Any proposed development within the Industrial Transition Zone should be limited to nonresidential uses. Typical land uses for this zone could consist of outdoor storage, office professional, commercial, and industrial warehousing. This zone will require enhanced performance standards, i.e. setbacks, parking, landscaping, and screening. The intent for the enhanced performance standards is to provide reasonable aesthetics and visual screening to the industrial land use south of 5th Avenue South.

Thank you for the opportunity to assist in this matter. Please let us know when we can be of further assistance.

Sincerely,



Peter S. Boecher, AICP, ASLA
Vice President

PB/gs

MEMO

TO: Mayor Doyle and City Commissioners
FROM: Don Carroll, City Planner
DATE: July 17, 2007
RE: Moratorium for RV Parks

Per Mayor Doyle and Planning Board's request, Staff is recommending a moratorium be enacted in order to give the city administration enough time to complete the formulation process for enhanced urban design standards for RV Park sites.

Staff has been working on these guideline standards for the last couple of months. We are needing a little more time for finalization. We have also experienced an increased frequency of requests to build RV parks and with inadequate design standards, the Mayor and Board has mandated this moratorium be put in place. The moratorium time line should not exceed 90 days and may be terminated even sooner.

The City's goals are to establish performance standards that will yield a superior design; ensure that RV parks built in Texas City are located in appropriate sites and compliment the pending Master Planned projects that are now scheduled to be built throughout Texas City.

DRC:jv

Planning Board Meeting

On Monday, August 6, 2007 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were Mayor Doyle, Commissioner Haney, Jose Boix, Harold Fattig and Dickie Campbell. Staff members present were James McWhorter, Larry Iles and Don Carroll. Citizen present were David Hamilton, Cooky Oberg, Jill Jahn, and Darlene Wood.

APPROVAL OF MINUTES. A motion to approve the minutes of July 2, 2007 was made by Commissioner Haney/Jose Boix. All members present voted aye. Mayor Doyle presided over the meeting. Mayor Doyle indicated a quorum was present and called the meeting to order.

ITEM NO. 1. Staff requests revisions to Thoroughfare Plan. (Action)

Mr. McWhorter provided an overview of the Staff requested revisions to the City Thoroughfare Plan. City Thoroughfare Plan is part of the Master Land Use Plan and is just an overlay showing the thoroughfares in the City. In our last amendment we added a thoroughfare on the north side of Dickinson Bayou. The area we are talking about changing is where the plan shows Hughes Road as a thoroughfare from I45 to the City limits. The road would have to cross through LaMarque and a portion of the County to get to FM 1764. This thoroughfare is not on the City of LaMarque's thoroughfare plan. We have had a lot of citizen input as to their concern about building this thoroughfare through Santo Park and that it would be used as an exit for Largo Mar. Mr. McWhorter advised that it is not necessary for the City to have this as a dedicated thoroughfare at this time. Staff requests that this be removed from the plan. Mayor Doyle pointed out that to implement the City of LaMarque and the County would also have to pay to build it. Mr. McWhorter pointed out that the Largo Mar development is building a road for their subdivision to connect I45. This will then make five roads to I45 from this area and with two of the roads connecting to overpasses. This road is not needed for this development or for connection to I45 for this area. Staff sees no reason to dedicate a thoroughfare for this area and therefore no need to be on the thoroughfare plan. There being no further discussion, a motion to modify the thoroughfare plan to remove Hughes Road from the plan was made by Harold Fattig/Jose Boix. All Members present voted aye.

ITEM NO. 2. Staff requests to workshop proposed revisions to Land Use Plan. (Non-action)

Mr. Carroll reminded the Board that this was discussed at the Joint Workshop on July 17, 2007. The revised Land Use Plan would show a further clarification of the Transition Area by showing Transition Zone (A) to be located south of Texas Avenue and Transition Zone (B) being located in the Dickinson Bayou Area. The two zones are unique and different in their dynamics. Mr. McWhorter stated that Staff would like to go to the City Commission with the revision since it has been work shopped twice. There being no further discussion, Board was in agreement that with the proposed clarification the item was ready to present to Commission.

ITEM NO. 3. Staff to present draft of proposed guidelines for RV Parks. (Non-action)

Mr. McWhorter provided an overview of revisions to proposed guidelines for RV Parks as discussed at Joint Workshop on July 17, 2007. Two types of RV site parks are recommended, Type I - Destination RV Park is based on a longer stay and duration and Type II - Accommodation RV Park which will accommodate a shorter stay. Staff has formulated the revised guidelines based on the concerns raised at the workshop and information provided by industry experts in the field (see attached proposed guidelines). Neither of these parks will be allowed in the Gateway Corridor. Mr. Carroll pointed out that both types of Parks will have high performance standards and that is why the landscaping and ornamental fencing was incorporated in guidelines. Mr. Carroll had received some

further input from Mr. Daniels concerning the site size. Mr. McWhorter brought up that some Cities put a time limit on the duration time a trailer can stay to safeguard that they do not become a permanent living area. Mr. Carroll pointed out that the guidelines are explicit as to not allowing mobile homes into a park. Commissioner Haney pointed out that some individuals do use RV's as their residents. Discussion followed as to whether duration should be done on a case by cases with a developer agreement to limit duration. Mr. Fattig suggested that we make these recommendations as specific as possible so that they do not become subjective this will give us the ability to enforce. Also, that we tie them to any State or Health Standard regulations. Mayor Doyle suggested we followup on duration issues and any possible State or Health regulations. Staff will pursue and followup. Mr. Carroll advised Board that the proposed revisions have also been also sent to the Zoning Board. Mr. McWhorter advised Board that Staff will continue to research and bring back information to Board.

ITEM NO. 5. Other Business- Briefing to Board on other planning related issues (Non-action)

David Hamilton, Holland Road, approached the Board concerning Articles IV for Largo Mar Incorporation development that would allow Largo Mar to govern and revise Zone Number 1 as such boundaries may be amended from time to time and neighboring areas. Mr. Hamilton and citizen felt Don Carrooll stated that the development is going to adhere to the City standards and guidelines for the City. Mr. Carroll and the Mayor stated that the City could not or would not pass responsibility on to anyone else to make changes without City review and approval. Citizens present also requested the Planning Board review a document requesting for a Neighborhood Preservation Status. Mayor Doyle advised that this area is zoned for residential but at some time in the future the current owners may want to be included in the MUD District. Mr. McWhorter further explained that the MUD regulations are developed by the State and that citizens or an area would have to request to be a part of the MUD. Mr. Carroll advised Board that the document presented would become a part of the records but this was no action to be voted on.

There being no further business, a motion was made to adjourn by Harold Fattig/Jose Boix. All Members present voted aye.



Donald Carroll, Secretary

Mayor Doyle, Chairperson

APPROVAL OF MINUTES

On Monday, October 1, 2007 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were Eloise O'Bryant, Jose Boix and Harold Fattig. Staff members present were James McWhorter, Larry Iles and Don Carroll. Citizen present were Nello Cassarino, and Douglas Flake.

APPROVAL OF MINUTES. A motion to approve the minutes of September 17, 2007 was made by Jose Boix/Harold Fattig All members present voted aye. Chairperson Eloise O'Bryant presided over the meeting. The chairperson indicated a quorum was present and called the meeting to order.

ITEM NO. 1. Nello Cassarino requests review of proposed business plan for H&C 888, Inc. to evaluate nonconforming use status for business located at 14001 FM 3436. (Action)

Mr. McWhorter provided the Board with an overview of the request. He advised the Board that this is just north of Dickinson Bayou in the area that was annexed in August 2005. When we annexed the area, several businesses were already located there, one was a trampoline and sports manufacturing facility. About six months ago they sold the facility to H&C 888, Inc. which is a seafood company to be used for indoor storage of frozen seafood. The new owners did come to the City to see if this would be an allowable nonconforming use. Staff was told that it was to be used totally for storage of frozen seafood and equipment with no processing to be done at the facility. Staff determined that a certificate of occupancy had not been issued and requested that the owner come before the Board and outline the business plan for the facility. Mr. Nello Cassarino addressed the Board. He explained that the facility was purchased for storage due to concern for protection from potential storms. This facility was ideal for their purpose due to the elevation which gave them added protection and it was already set up to handle 18-wheeler traffic. The facility has an ideal space to set up for freezers. We will not have any public/retail service as the original owners did. Staffing for this facility will be three employees. They are requesting permitting for modification to the facility for the refrigeration. Mr. Carroll addressed the Board and pointed out to the Board that Staff had approved conceptually the use but since the Board is looking at some Special District Projects coming into that area increased scrutiny in this area required that this applicant provide the Planning Board with an overview of his development intent. And so it may be feasible for him to at some point in time get the property rezoned because once those developments come in he may not be able to get the property rezoned should he need or desire to expand his facility in the future. Mr. Fattig asked what would be the zoning classification? Mr. McWhorter responded indoor warehouse (E-4). At this time it is open space - grandfathered as nonconforming use. Should the facility be damaged, 50% or more, by fire or storm at the current use it could not be rebuilt or expanded. So the applicant may want to pursue rezoning. Mr. Iles discussed the electrical needs. Discussion followed concerning the land use. There being no further discussion, **a motion to allow nonconforming use with the applicant understanding the stipulations noted by Staff was made by Jose Boix/Harold Fattig. All Members present voted aye.**

ITEM NO. 2 Work shop of proposed revisions to Zoning District and performance standards for Dickinson Bayou Transition Area. (Action) Mr. Carroll provided the Board with an overview of request and provided the Board with a memo addressing proposed revisions (see attached). He pointed

out that the words to be deleted from the Dickinson Bayou Transition Zone was “industrial warehousing (attached copy). The existing businesses are grandfathered. Staff will be working with them to get them in alignment with the current standards as the businesses expand, modify or develop. Mr. McWhorter advised the Board that the Land Use Plan is the vision or guidelines and the Zoning is the law. The Land Use Plan was previously approved by the Board at the last workshop. Also presented was the first draft for the Zoning Ordinance as presented it will not allow for heavy industry or chemical processing to be expanded. Any current facilities can remain but they cannot expand. Barge and marine facilities will be allowed and may be used to help clear the waters. Several barges have already been removed. Discussion followed. There being no further discussion, **a motion to approve proposed revisions was made by Harold Fattig/Jose Boix. All Members present voted aye.**

ITEM NO. 3. Other Business- Briefing to Board on other planning related issues (Non-action)

Douglas J. Flake requests site plan review for (excavation of a 87 foot x 200 foot x 9 foot deep pond with a 3:1 slope) to be located at 6618 Avenue T. (Action) Mr. Carroll reminded the Board that Mr. Flake had previously addressed the Board concerning the excavation of a pond with variances. Mr. Flake has redesigned his pond to meet the requirements for set back and Staff has no objections to current proposal. There being no further discussion, **a motion to approve request as presented was made by Harold Fattig/Jose Boix. All Members present voted aye.**

There being no further business, a motion was made to adjourn by Mayor Doyle/Dickie Campbell. All Members present voted aye.

Eloise O'Bryant, Chairperson

Donald Carroll, Secretary

PROPOSED ZONING DISTRICT FOR THE DICKINSON BAYOU TRANSITION AREA

Zoning District + CIMU, Commercial/Industrial/Mixed Use

Principal uses allowed are: D, O-P, E, E-4, F, F-1, PI, G, G-2 (Residential housing when and where appropriate may be allowed. Must be reviewed on a case by case basis and obtain Planning Board, Zoning and City Commission approval).

Area and height regulations in accordance with each established Zoning district provision. (No change)

Impervious cover not to exceed 85% with the remaining area to be landscaped in accordance with Section 40-63.

(d) Area and height regulations.

- | | | |
|------|--|-----------------|
| (1) | Minimum lot area..... | 10,000 sq. feet |
| (2) | Minimum lot width..... | 80 feet |
| (3) | Minimum lot depth..... | 150 feet |
| (4) | Minimum front yard..... | 40 feet |
| (5) | Minimum rear yard..... | 40 feet |
| (6) | Minimum side yard..... | 10 feet |
| | If adjacent to any district zoned for residential use..... | 70 feet |
| | If adjacent to street..... | 50 feet |
| (7) | Minimum distance between detached structures..... | 30 feet |
| (8) | Maximum lot coverage by structures..... | 60% |
| (9) | Maximum lot covers by structures, driveways,
and parking..... | 85% |
| (10) | Maximum height | 50 feet |
| | If proposed use is adjacent to property with a residential dwelling
the maximum height of structure | 35 feet |

Screening - fences, walls, berms and/or heavy landscape and foliage may be used for screening if property adjacent or in near proximity to existing residents. The design and amount of screening will be determined based on proposed activity, distance to residents and density of residents.

Landscape requirements at 15% of area to be developed.

PROPOSED ZONING DISTRICT FOR THE DICKINSON BAYOU TRANSITION AREA

Zoning District + CIMU, Commercial/Industrial/Mixed Use

Principal uses allowed are: D, O-P, E, E-4, F, F-1, PI, G, G-2 (Residential housing when and where appropriate may be allowed. Must be reviewed on a case by case basis and obtain Planning Board, Zoning and City Commission approval).

Area and height regulations in accordance with each established Zoning district provision. (No change)

Impervious cover not to exceed 85% with the remaining area to be landscaped in accordance with Section 40-63.

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| (5) | Minimum rear yard..... | 40 feet |
| (6) | Minimum side yard..... | 10 feet |
| | If adjacent to any district zoned for residential use..... | 70 feet |
| | If adjacent to street..... | 50 feet |
| (7) | Minimum distance between detached structures..... | 30 feet |
| (8) | Maximum lot coverage by structures..... | 60% |
| (9) | Maximum lot covers by structures, driveways,
and parking..... | 85% |
| (10) | Maximum height | 50 feet |
| | If proposed use is adjacent to property with a residential dwelling
the maximum height of structure | 35 feet |

Screening - fences, walls, berms and/or heavy landscape and foliage may be used for screening if property adjacent or in near proximity to existing residents. The design and amount of screening will be determined based on proposed activity, distance to residents and density of residents.

Landscape requirements at 15% of area to be developed.