

HAL LAWLER
Chairman
DONNA O'CONNER
Commissioner At Large A
NICK BARRERA
Commissioner At Large B
TREY KENDRICK
Commissioner District 1
RICHARD WARREN
Commissioner District 2
Vice Chairman



JO ANN PITZER
Commissioner District 3
MARK FOLLIS
Commissioner District 4
LOU ANN MARTIN
Commissioner District 5
CHRISTINA TSCHAPPAT
Commissioner District 6

**LA PORTE PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, JANUARY 16, 2020
REGULAR SESSION 6 P.M.**

CITY COUNCIL CHAMBER

LA PORTE CITY HALL, 604 WEST FAIRMONT PARKWAY, LA PORTE, TEXAS, 77571

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5021) two (2) working days prior to the meeting for appropriate arrangements.

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS**
- 3. PUBLIC COMMENT** (Generally limited to five (5) minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)
- 4. CONSIDER APPROVAL OF THE MEETING MINUTES:**
 - a. Approve the minutes of the meeting held on December 19, 2019.
- 5. FINAL PLAT:**
 - a. Consider approval of a Final Plat for Artesia Village, a single family residential development consisting of 82 lots on 19.2 acres, located on the east side of SH 146.
- 6. CHAPTER 106 (ZONING) AMENDMENTS:** Open Public Hearing to receive input on an ordinance amending Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (Limited to 5 minutes per person)
 - d. Question and Answer
- 7. ADJOURN PUBLIC HEARING**
- 8. CONSIDERATION:** Consider recommendation to City Council on amendments to Chapter 106 "Zoning" of the Code of Ordinances.
- 9. DISCUSSION:**
 - a. Possible changes to allowed uses in R-1
 - b. Update on City Council Actions
- 10. ADMINISTRATIVE REPORTS**
- 11. COMMISSION COMMENTS** on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
- 12. ADJOURN**

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Lee Woodward, City Secretary, at 281-470-5019.

CERTIFICATION

I do hereby certify that a copy of the January 16, 2020 Planning and Zoning Commission agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

_____ Title: _____

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____

**City of La Porte, Texas
Planning and Zoning Commission**



January 16, 2020

AGENDA ITEM 4

Consider approval of the Meeting Minutes:

- a. December 19, 2019

*Ian Clowes, City Planner
Planning and Development Department
City of La Porte, Texas*

**Planning and Zoning Commission
Minutes of December 19, 2019**

Commissioners Present: Chairman Hal Lawler, Nick Barrera, Donna O'Conner, Christina Tschappat, Richard Warren, Jo Ann Pitzer, Mark Follis, Trey Kendrick, Lou Ann Martin

Commissioners Absent: None

City Staff Present: Assistant City Attorney Clark Askins, City Manager Corby Alexander, Assistant City Manager Jason Weeks, Planning & Development Director Teresa Evans, City Planner Ian Clowes, Planning Technician Chase Stewart

1. CALL TO ORDER:

Chairman Lawler called the meeting to order at 6:02 p.m.

2. ROLL CALL OF MEMBERS:

All Commissioners were present at the meeting

3. Public Comment Part 1 (6:00 pm):

- **Chuck Rosa, 812 S Virginia St.** – Voiced personal opinions of the Planning and Zoning Commission.

4. Public Comment Part 2 (6:12 pm) (by request of the public, a second public comment section was opened after the approval of the four (4) final plats)

- **Diane Thompson, 2303 Eagle Lane** – Spoke about a Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda. More specifically, the property owner and the troubles her neighborhood has experienced with that owner.
- **Wyatt Smith, 10905 Spruce Dr.** – Asked questions about the General Plan process and how it relates to a Special Conditional Use Permit (SCUP). The Commission advised the speaker to meet with staff outside of the meeting for specific information
- **John Jones, 814 Hackberry St.** – Has questions about a Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda, specifically detention work adjacent to the property. Will contact staff directly, outside of the meeting for more information.
- **Robert Moore, 507 Fairway Dr.** – Expressed concerns about the Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda, specifically any potential flooding effects of a new development.

5. Consider Approval of Meeting Minutes:

- a) November 21, 2019 Minutes

Motion by Commissioner Kendrick to approve the proposed meeting minutes with the condition that a minor correction to one of the motions be corrected.

Second by Commissioner Warren

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to approve passes, 9-0

6. Final Plat (6:12 pm):

- a) Consider approval of a Final Plat for the Morgan’s Landing Section 6, a single family residential development consisting of 39 lots on 7.78 acres located off of Bay Area Blvd.
- b) Consider approval of a Final Plat for the Morgan’s Landing Section 7, a single family residential development consisting of 70 lots on 16.44 acres located off of Bay Area Blvd.
- c) Consider approval of a Final Plat for the Morgan’s Landing Section 8, a single family residential development consisting of 55 lots on 16.94 acres located off of Bay Area Blvd
- d) Consider approval of a Final Plat for Bay Landing Circle; a street dedication located within the Morgan’s Landing Subdivision.

Motion by Commissioner Barrera to approve the four Morgan’s Landing Final Plats in a single motion.

Second by Commissioner Follis

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to approve passes, 9-0

7. Zone Change #19-92000007 (6:29 pm): Open a public hearing on a request for approval of Zone Change Request #19-92000007 by Pablo Abel Garza, applicant and owner; for approval of a zone change from General Commercial (GC) to Low Density Residential (R-1), on a 0.23 acre tract of land located at 11813 Fieldcrest Dr., and legally described as Lots 32 and 33, Block 2, Pinegrove Valley Subdivision, Harris County, La Porte, TX

- a. **Staff Presentation:** Ian Clowes, City Planner, presented the Zone Change request #19-92000007.
- b. **Applicant Presentation:** N/A
- c. **Public Comment:** Jaqueline Yates, 11717 N L St. – Staff received a comment response sheet from the citizen in favor of the zone change.

- d. **Question and Answer:** Commissioner Follis was in favor of the zone change and suggested that the nature of the surrounding properties could benefit from a similar zone change. Expressed support of a potential comprehensive plan update to address this.

Motion by Commissioner Tschappat to approve zone change request #19-92000007

Second by Commissioner Barrera **Motion to approve carried**

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None **Motion to approve passes, 9-0**

8. **Future Land Use Map Amendment (6:36 pm):** Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 0.23 acre tract of land located at 11813 Fieldcrest Dr., and legally described as Lots 32 and 33, Block 2, Pinegrove Valley Subdivision, from “Commercial” to ‘Low Density Residential’.

Motion by Commissioner Kendrick to approve the Future Land Use Map Amendment (Commercial to Low Density Residential)

Second by Commissioner Warren **Motion to approve carried**

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None **Motion to approve passes, 9-0**

9. **Zone Change #19-92000008 (6:40 pm):** Open a public hearing on a request for approval of Zone Change Request #19-92000008 by Monica Rogers, applicant; on behalf of MLMR Properties, LLC, owner; for approval of a zone change from Low Density Residential (R-1) to Neighborhood Commercial (NC), on a 0.39 acre tract of land legally described as a portion of Restricted Reserve “A”, Block 1, Willmont Commercial Park Subdivision Amending Plat, Harris County, La Porte, TX.

a) **Staff Presentation:** Ian Clowes, City Planner, presented the zone change request #19-92000008.

b) **Applicant Presentation: Monica Rogers, 10105 W Fairmont Pkwy** – Provided context to the proposed development. Currently owns the property, but is in the process of selling the portion in question to a developer to construct a drive-thru convenience store.

c) **Public Comments:** N/A

d) **Question and Answer:** Commissioner Tschappat asked what the proposed development for the property would be if the zone change was approved.

Motion to deny passes, 6-2

- 11. Future Land Use Amendment (7:26 pm):** Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 3.38 acre tract of land located at 11007 Fairmont Pkwy., and legally described as Tract 1H, Abstract 625 R, Pearsall Survey, from “Mid-High Density Residential” to “Business Industrial”.

Motion by Commissioner Follis to approve the Future Land Use Map Amendment (“Mid-High Density Residential” to “Business Industrial”)

Second by Commissioner Kendrick

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Follis, Kendrick, Martin

Nays: Chairman Lawler

Abstain: Commissioner Pitzer

Motion to approve passes, 7-1

- 12. Zone Change #19-92000010 (7:28):** Open a public hearing on a request for approval of Zone Change Request #19-92000010 by Ryan Sweezy, applicant; on behalf of Texas Cargoways, LLC, owner; for approval of a zone change from Mid Density Residential (R-2) to Planned Unit Development (PUD), on a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1, Dawson Subdivision, Harris County, La Porte, TX.

a) Staff Presentation: Ian Clowes, City Planner, presented the zone change request #19-92000010. Since Special Conditional Use Permit (SCUP) #19-91000009 is being requested in correlation to this Planned Unit Development (PUD) zone change request, Ian Clowes, City Planner, also outlined the SCUP requirements proposed by City staff.

b) Applicant Presentation: Ryan Sweezy, 2302 E Lawther St. – Answered questions about the proposed development subject to approval of the Planned Unit Development (PUD) zone change and the subsequent approval of a Special Conditional Use Permit (SCUP).

c) Public Comments:

Ray Roberson, 9018 Carlow Ln - Staff received a comment response sheet from the citizen in support of the Zone Change request.

Victor Peres, 2401 Andrews Ct – Spoke in favor of approval.

d) Question and Answer: Commissioner Pitzer has questions about the quality of the project based off of pictures from an existing operation in Pasadena. Commissioner Tschappat asked about the construction of an office and what it would be made out of. Commissioner Barrera had questions about room for maneuverability of larger items being stored to get in and out of the site.

Motion by Commissioner Follis to approve the zone change request #19-92000010
Second by Commissioner Kendrick **Motion to approve carried**

Ayes: Commissioners Barrera, Follis, Kendrick,

Nays: Commissioners Pitzer, Tschappat, Warren and Chairman Lawler

Abstain: Commissioners Martin and O’Conner

Motion to approve fails, 3-4

- 13. Future Land Use Amendment (8:03 pm):** Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1 Dawson Subdivision, from “Mid-High Density Residential” to “Commercial”.

Motion by Commissioner Warren to deny the Future Land Use Map Amendment (“Mid-High Density Residential” to “Commercial”)

Second by Commissioner Pitzer **Motion to deny carried**

Ayes: Commissioners O’Conner, Tschappat, Warren, Pitzer, and Chairman Lawler

Nays: Commissioners Follis, Kendrick, and Barrera

Abstain: Commissioner Martin

Motion to deny passes, 5-3

- 14. SCUP REQUEST #19-91000009 (8:11):** Open a public hearing on a request for approval of Special Conditional Use Permit (SCUP) #19-91000009 by Ryan Sweezy, applicant; on behalf of Texas Cargoways, LLC, owner; to allow for a boat and recreational vehicle (RV) storage facility, to locate on a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1, Dawson Subdivision, Harris County, La Porte, TX.

a) Staff Presentation: Ian Clowes, City Planner, presented the Special Conditional Use Permit (SCUP) request #19-91000009 requirements during the staff presentation portion for zone change #19-92000010.

b) Applicant Presentation: Ryan Sweezy 2302 E Lawther St. – Answered questions about the proposed development.

c) Public Comments:

Ray Roberson, 9018 Carlow Ln - Staff received a comment response sheet from the citizen in support of the Special Conditional Use Permit (SCUP) request.

Chuck Rosa, 812 S Virginia St. – Voiced opposition to the way the Commission voted for the Special Conditional Use Permit (SCUP) related items (zone change and future land use map amendment).

d) Question and Answer: N/A

Motion by Commissioner Follis to approve the Special Conditional Use Permit request #19-91000009 with all of staffs conditions and 3 additional (Hours of Operation expansion from 6am to 10pm, 30' screening buffer from Canada Rd., and minimum 60' driveway length to avoid queuing in public Right-of-Way)

Second by Commissioner Kendrick **Motion to approve carried**

Ayes: Commissioners Tschappat, Follis, Kendrick, Barrera, and Chairman Lawler

Nays: Commissioners Pitzer and Warren

Abstain: Commissioners Martin and O'Conner

Motion to approve with conditions passes, 5-2

15. SCUP Request #19-19000008:

- The Special Conditional Use Permit (SCUP) request #19-91000008 was pulled from the meeting agenda before the start of the meeting at the discretion of the applicant.

16. Future Land Use Map Amendment:

- The Future Land Use Map amendment request was pulled from the meeting agenda before the start of the meeting at the discretion of the applicant.

17. Discussion (8:21 pm)

- a) City Planner, Ian Clowes, informed the Commission on the status of the proposed Chapter 106 updates. The proposed updates are scheduled for a vote at the January Planning and Zoning Commission agenda. All recommended Chapter 106 updates will be forwarded to the City Council for consideration.

18. Adjourn (8:30 pm):

Motion by Commissioner Warren to adjourn the meeting.

Second by Commissioner Kendrick **Motion to adjourn carried**

Ayes: Commissioners Barrera, O'Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to adjourn passes, 9-0

Respectfully submitted,

Chase Stewart
Planning Technician

Passed and Approved on _____, 2020.

Hal Lawler
Chairman, Planning and Zoning Commission

Trey Kendrick
Secretary, Planning and Zoning Commission

**City of La Porte, Texas
Planning and Zoning Commission**



January 16, 2020

AGENDA ITEM 5

Consider approval of a Final Plat for Artesia Village, a subdivision consisting of 82 patio home lots on 19.2 acres located on the east side of SH 146.

***Ian Clowes, City Planner
Planning and Development Department
City of La Porte, Texas***

Planning and Development Department Staff Report

ISSUE

Consider applicant's request to approve the Final Plat for Artesia Village.

DISCUSSION

Applicant's Request.

The applicant, Ryan Moeckel of Texas Engineering and Mapping Co., requests approval of the Final Plat for the Artesia Village subdivision. The attached exhibit is the proposed final plat. The 19.2 acre site will consist of 82 patio home lots ranging in size from 5,125 square feet to 7,000 square feet.

Background Information.

The site is currently zoned Planned Unit Development (PUD), with an approved Special Conditional Use Permit (SCUP), and is vacant. The preliminary plat for this subdivision was approved on January 17, 2019. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-2, Mid Density Residential	Town Homes
South	PUD, Planned Unit Development	Proposed Multi-family Project
West	PUD, Planned Unit Development	SH 146/Port Crossing Commerce Park
East	PUD, Planned Unit Development	City Golf Course

ANALYSIS

Residential Requirements.

Section 106-333(a) includes the various zoning requirements for residential development (see the attached Exhibit C).

1. Single family special lot line developments (Patio Homes) require a minimum lot area of 4,500 square feet. The proposed Artesia Village Final Plat is in compliance with this requirement.

2. The code requires a minimum 40 foot lot width. The proposed Artesia Village Final Plat is in compliance with this requirement.
3. Yard setbacks are as follows: front-20 feet, sides-0 feet, and rear-10 feet. Front setbacks have been called out on the final plat document. All setbacks will be verified at the time building permits are issued for each house.
4. The maximum height allowed for a single family detached structure is 35 feet and will be verified with the issuance a of building permit for each house.
5. The minimum site area per unit for single family special lot line developments is 7,300 square feet. The proposed Artesia Village subdivision is proposed at 10,199 square feet per unit. The maximum dwelling units per acre is 6.0 while the proposed subdivision is at 4.27 D.U./acre, which is less dense than the code allows. The proposed subdivision is in compliance with these code requirements.
6. The maximum lot coverage is 60% and will be verified at the time building permits are issued for each house.

Staff finds that the proposed final plat is in compliance with the residential requirements set forth in Section 106-33(a) of the City's Code of Ordinances as well as the approved general plan.

Detention.

The applicant has provided the required drainage for the subdivision. There will be one detention pond located on the east side of the subdivision. The proposed pond will tie into the proposed development to south. The functionality of these dentition facilities have been detailed in a drainage report submitted to city staff and reviewed by the City Engineer.

Parkland Dedication and Park Development Fees.

Section 86.25 of the City's Development Ordinance requires one acre of parkland be dedicated for every 93 proposed dwelling units. In this case, the applicant does not propose to dedicate any parkland to the city. The ordinance also allows for a cash payment in lieu of that dedication. The ordinance requires payment of \$490 per dwelling unit to satisfy the cash payment in lieu of land dedication. This payment is due at the time of building permit for each individual dwelling unit.

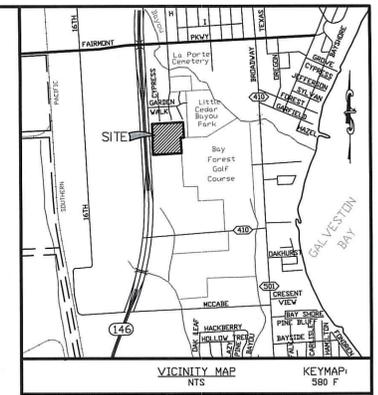
In addition to the cash payment in lieu of land dedication, the applicant is responsible for payment of a park development fee at the time of building permit. Section 86.25 (b) (3) of the Development Ordinance requires payment of a \$318 fee per dwelling unit. As a result, at the time of building permit issuance for each lot the applicant will be responsible for payment of $\$482 + \$318 = \$800$ to cover the cash payment in lieu of land dedication and park development fee.

RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the Final Plat for Artesia Village with the condition that any and all outstanding staff comments be addressed prior to recordation of the plat.

ATTACHMENTS

- Exhibit A: Final Plat of Artesia Village
- Exhibit B: Area Map
- Exhibit D: Application



STATE OF TEXAS :
COUNTY OF HARRIS:

We, Jabez LB1, LLC, a Texas limited liability company acting by and through Michael J. Pizzitola, Jr., Vice President; hereinafter referred to as Owners of the 19.172 acre tract described in the above and foregoing map of **ARTESIA VILLAGE**, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said map or plat, and do hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners do hereby covenant that all parcels of land designated as lots on this plat are originally intended for the residential homes thereon and shall be restricted for the same under the terms and conditions of such restrictions filed separately.

IN TESTIMONY WHEREOF, Jabez LB1, LLC, a Texas limited liability company, has caused these presents to be signed by Michael J. Pizzitola, Jr., Vice President, thereunto authorized this ____ day of _____, 2020.

Jabez LB1, LLC,
a Texas limited liability company

By: _____
Michael J. Pizzitola, Jr.,
Vice President

STATE OF TEXAS:
COUNTY OF HARRIS:

BEFORE ME, the undersigned authority, on this day personally appeared Michael J. Pizzitola, Jr., Vice President of Jabez LB1, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2020.

Notary Public in and for the State of Texas

My Commission Expires _____ Notary Public

NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE COORDINATES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99988144202.
- 2.) SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING DESIGNED FOR AND CONTAINING NOT MORE THAN TWO SEPARATE UNITS WITH FACILITIES FOR LIVING, SLEEPING, COOKING, AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OF NOT MORE THAN 900 SQUARE FEET ALSO SHALL BE CONSIDERED SINGLE FAMILY RESIDENTIAL. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL.
- 3.) A ONE FOOT RESERVE IS HEREBY ESTABLISHED WITHIN THE STREET RIGHT OF WAY ADJACENT TO ALL UNRESTRICTED RESERVES OR UNPLATTED ACREAGE. SAID ONE FOOT RESERVE SHALL BE DEDICATED TO THE PUBLIC AND SHALL BE REMOVED AND THEREAFTER BE VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES ONLY UPON PROPER PLATTING OF THE ADJACENT UNRESTRICTED RESERVE OR ACREAGE.
- 4.) ALL PUBLIC RIGHTS-OF-WAY AND EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTS, AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE PUBLIC FACILITIES. IN ACCORDANCE WITH SECTION 62-103 OF THE CITY'S CODE OF ORDINANCES.
- 5.) THE BUILDING LINE (B.L.) WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 86, CODE OF ORDINANCE, CITY OF LA PORTE, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
- 6.) ALL SUBDIVISION COMMON AREAS AND RESERVES INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, PARKS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, MAINTENANCE ASSOCIATION, OR UTILITY DISTRICT AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF LA PORTE.
- 7.) SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF LA PORTE'S PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF LA PORTE'S PUBLIC IMPROVEMENT CRITERIA MANUAL AND CONSTRUCTION DETAILS AND SCUP DATED DECEMBER 11, 2017.
- 8.) NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF LA PORTE, TEXAS FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS REQUIRED BY THE CITY'S CODE OF ORDINANCES, IS SUBMITTED TO AND APPROVED BY THE CITY.
- 9.) ALL STREETS WITHIN THE SUBJECT SUBDIVISION ARE PUBLIC STREETS.
- 10.) DRIVEWAY LOCATION - FOR THE LOT ON THE INSIDE OF A KNUCKLE OR 90-DEGREE TURN, DRIVEWAY MUST BE PLACED ON THE LOT FRONTAGE ALONG THE INSIDE APPROACH LANE PRIOR TO THE RIGHT TURN, TO AVOID SIGHT OBSTRUCTION SAFETY HAZARDS.
- 11.) IN ACCORDANCE WITH CENTERPOINT ENERGY SERVICE STANDARDS, ARTICLE 406-52, ELECTRIC METERS SHALL BE LOCATED IN AN AREA ACCESSIBLE WITHOUT CUSTOMER ASSISTANCE AND NOT BLOCKED BY FENCES, WALLS, OR GATES.
- 12.) ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTS, AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY.
- 13.) ALL HABITABLE STRUCTURES SHALL HAVE A MINIMUM FINISHED FLOOR ELEVATION AT LEAST ONE FOOT ABOVE TOP OF THE CURB.
- 14.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS FILED IN HARRIS COUNTY CLERK'S FILE NOS. L826773 AND RP-2018-572515 OF THE HARRIS COUNTY DEED RECORDS.

This is to certify that the Planning and Zoning Commission of the City of La Porte, Texas, has approved this plat and subdivision of ARTESIA VILLAGE in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the

recording of this plat, this ____ day of _____, 2020.

By: _____
Director, Planning and Development

By: _____
City Planner

By: _____
City Engineer

By: _____
City Secretary

I, Brian Nesvadba, registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be, marked with five- eighths inch iron rods not less than thirty (30) inches in length and that this plat complies with the requirements as specified in the City of La Porte Development Ordinance.

Brian Nesvadba, R.P.L.S.
Texas Registration No. 5776



I, Diane Trautman, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2020, at _____ O'clock _____ M., and duly recorded on _____, 2020, at _____ O'clock _____ M., and at Film Code No. _____ of the Map Records of Harris County, for said county.

WITNESS my hand and seal of office, at Houston, the day and date last above written.

Diane Trautman
County Clerk
of Harris County, Texas

By: _____
Deputy

FINAL PLAT ARTESIA VILLAGE

A SUBDIVISION OF 19.172 ACRES OF LAND
IN THE J. HUNTER SURVEY,
ABSTRACT NO. 35,
CITY OF LA PORTE,
HARRIS COUNTY, TEXAS

82 LOTS - 3 BLOCKS - 6 RESERVES

~ OWNERS ~

JABEZ LB1, LLC
A Texas limited liability company
1038 Texan Trail
Grapevine, Texas 76051
PHONE: 817.849.5100

~ SURVEYOR ~

TEXAS ENGINEERING AND MAPPING COMPANY
12810 Century Drive
Stafford, Texas 77477



PHONE: 281.491.2525 FAX: 281.491.2535
SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. P-2906
JOB NO. 1419-1

DECEMBER 4, 2019

LINE	BEARING	DISTANCE
L1	N 89°10'02" E	16.48'
L2	S 03°03'45" E	15.00'
L3	N 48°12'34" W	14.14'
L4	N 33°15'03" E	20.00'
L5	N 76°04'03" E	42.30'
L6	S 46°32'17" E	32.48'
L7	N 86°47'26" E	104.00'
L8	S 69°22'18" E	36.37'
L9	S 41°47'28" W	14.14'
L10	N 41°47'28" E	14.14'

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	90°40'58"	25.00'	39.57'	S 47°52'05" E - 35.57'
C2	90°00'00"	25.00'	39.27'	N 41°47'26" E - 35.36'
C3	30°23'52"	25.00'	13.26'	N 18°24'30" W - 13.11'
C4	150°56'33"	50.00'	131.72'	N 41°51'51" E - 96.80'
C5	30°23'52"	25.00'	13.26'	S 77°51'49" E - 13.11'
C6	29°55'35"	25.00'	13.06'	N 71°58'27" E - 12.91'
C7	272°06'30"	50.00'	237.46'	S 13°03'55" W - 69.40'
C8	62°10'55"	25.00'	22.13'	N 81°58'18" W - 25.82'
C9	90°08'49"	25.00'	39.33'	S 41°51'51" W - 35.40'
C10	90°00'00"	25.00'	39.27'	N 48°12'34" W - 35.36'
C11	30°27'58"	25.00'	13.29'	S 71°33'27" W - 13.14'
C12	150°55'56"	50.00'	131.71'	N 48°12'34" W - 96.80'
C13	30°27'58"	25.00'	13.29'	N 12°01'25" E - 13.14'
C14	90°00'00"	25.00'	39.27'	N 48°12'34" W - 35.36'
C15	89°19'02"	25.00'	38.97'	S 42°07'56" W - 35.14'
C16	90°08'49"	25.00'	39.33'	N 41°51'51" E - 35.40'
C17	89°51'11"	25.00'	39.21'	S 48°08'09" E - 35.31'
C18	90°00'00"	25.00'	39.27'	S 41°47'26" W - 35.36'
C19	90°00'00"	25.00'	39.27'	N 48°12'34" W - 35.36'
C20	90°08'49"	50.00'	78.67'	N 41°51'51" E - 70.80'
C21	90°00'00"	50.00'	78.54'	N 48°12'34" W - 70.71'

LEGEND

- A.E. - AERIAL EASEMENT
- B.L. - BUILDING LINE
- ESMT - EASEMENT
- FND - FOUND
- H.C.C.F. - HARRIS COUNTY CLERK'S FILE
- H.C.D.P.R. - HARRIS COUNTY DEED RECORDS
- H.C.M.R. - HARRIS COUNTY MAP RECORDS
- H.C.P.C. - HARRIS COUNTY COMMISSIONERS COURT
- IP - IRON PIPE
- IR - IRON ROD
- P.O.B. - POINT OF BEGINNING
- R.O.W. - RIGHT OF WAY
- S.S.E. - SANITARY SEWER EASEMENT
- SQ. FT. - SQUARE FEET
- U.E. - UTILITY EASEMENT
- W.L.E. - WATER LINE EASEMENT
- W/ - WITH
- ① - BLOCK NUMBER

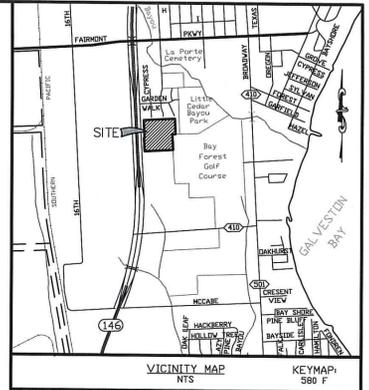
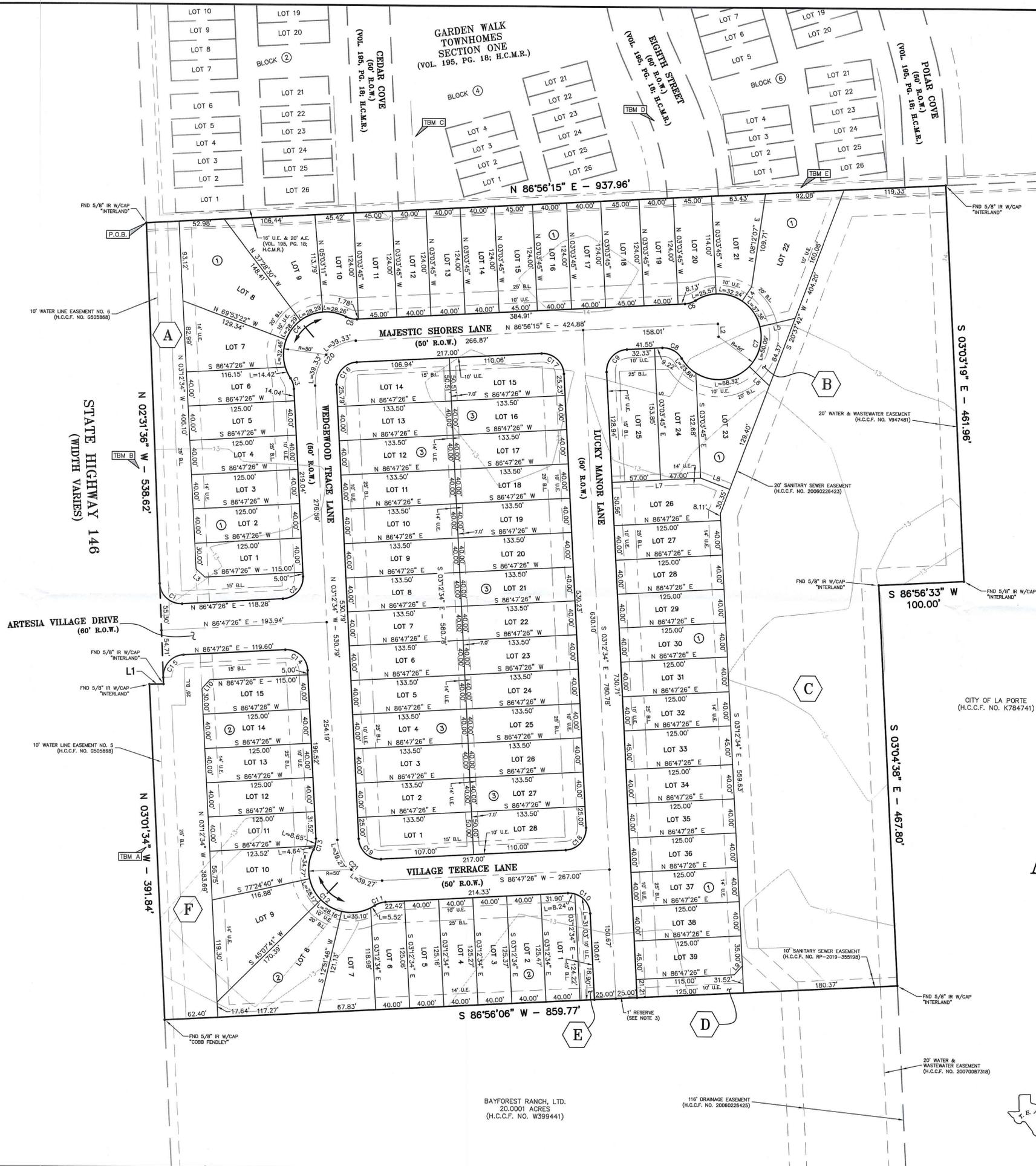
BENCHMARK: FLOODPLAIN REFERENCE MARK NO. 060015 IS A BRASS DISC STAMPED "RM 060015" LOCATED ON THE SOUTHWEST CORNER OF A BRIDGE ON SOUTH 8TH STREET AT STREAM NO. 7216-00-00 0.15 MILES SOUTH OF FARMONT PARKWAY; IN KEYMAP NO. 580 F AND IN THE SAN JACINTO & GALVESTON BAY WATERSHED. ELEVATION=13.80' (NAVD 1988, 2001 ADJUSTMENT)

- TBM A: BOX CUT ON H2-INLET ON THE EAST SIDE OF STATE HIGHWAY 146, AS SHOWN. ELEVATION = 12.55'
- TBM B: BOX CUT ON H2-INLET ON THE EAST SIDE OF STATE HIGHWAY 146, NORTH OF TBM A, AS SHOWN. ELEVATION = 12.56'
- TBM C: BOX CUT ON BACK OF CURB ON EAST SIDE OF CEDAR COVE, NORTH OF SITE, AS SHOWN. ELEVATION = 12.72'
- TBM D: BOX CUT ON CURB ON WEST SIDE OF 8TH STREET, NORTH OF SITE, AS SHOWN. ELEVATION = 12.49'
- TBM E: BOX CUT ON CURB NEAR NORTHEAST CORNER OF SITE, AS SHOWN. ELEVATION = 13.47'

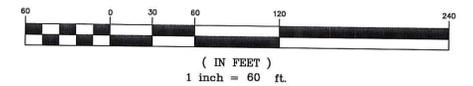
RESTRICTED RESERVE TABLE		
A	RESTRICTED TO LANDSCAPE / OPEN SPACE	0.5002 ACRE (21,787 SQ. FT.)
B	RESTRICTED TO LANDSCAPE / OPEN SPACE	0.0449 ACRE (1,954 SQ. FT.)
C	DETENTION	4.2402 ACRE (184,701 SQ. FT.)
D	RESTRICTED TO LANDSCAPE / OPEN SPACE	0.0625 ACRE (2,721 SQ. FT.)
E	RESTRICTED TO LANDSCAPE / OPEN SPACE	0.0457 ACRE (1,992 SQ. FT.)
F	RESTRICTED TO LANDSCAPE / OPEN SPACE	0.6602 ACRE (29,151 SQ. FT.)

OPEN SPACE CALCULATIONS

REQUIRED: 82 LOTS X 300 SQ.FT. = 24,600 SQ.FT.
 PROVIDED = 57,737 SQ.FT.



GRAPHIC SCALE



FINAL PLAT
ARTESIA VILLAGE

A SUBDIVISION OF 19.172 ACRES OF LAND
 IN THE J. HUNTER SURVEY,
 ABSTRACT NO. 35,
 CITY OF LA PORTE,
 HARRIS COUNTY, TEXAS

82 LOTS - 3 BLOCKS - 6 RESERVES

~ OWNERS ~

JABEZ LB1, LLC
 A Texas limited liability company
 1038 Texan Trail
 Grapevine, Texas 76051
 PHONE: 817.848.5100

~ SURVEYOR ~

TEXAS ENGINEERING AND MAPPING COMPANY
 12810 Century Drive
 Stafford, Texas 77477
 PHONE: 281.491.2525 FAX: 281.491.2535
 SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. F-2906
 JOB NO. 1419-1
 DECEMBER 4, 2019



BAYFOREST RANCH, LTD.
 20.0001 ACRES
 (H.C.C.F. NO. W399441)

116' DRAINAGE EASEMENT
 (H.C.C.F. NO. 20060226425)

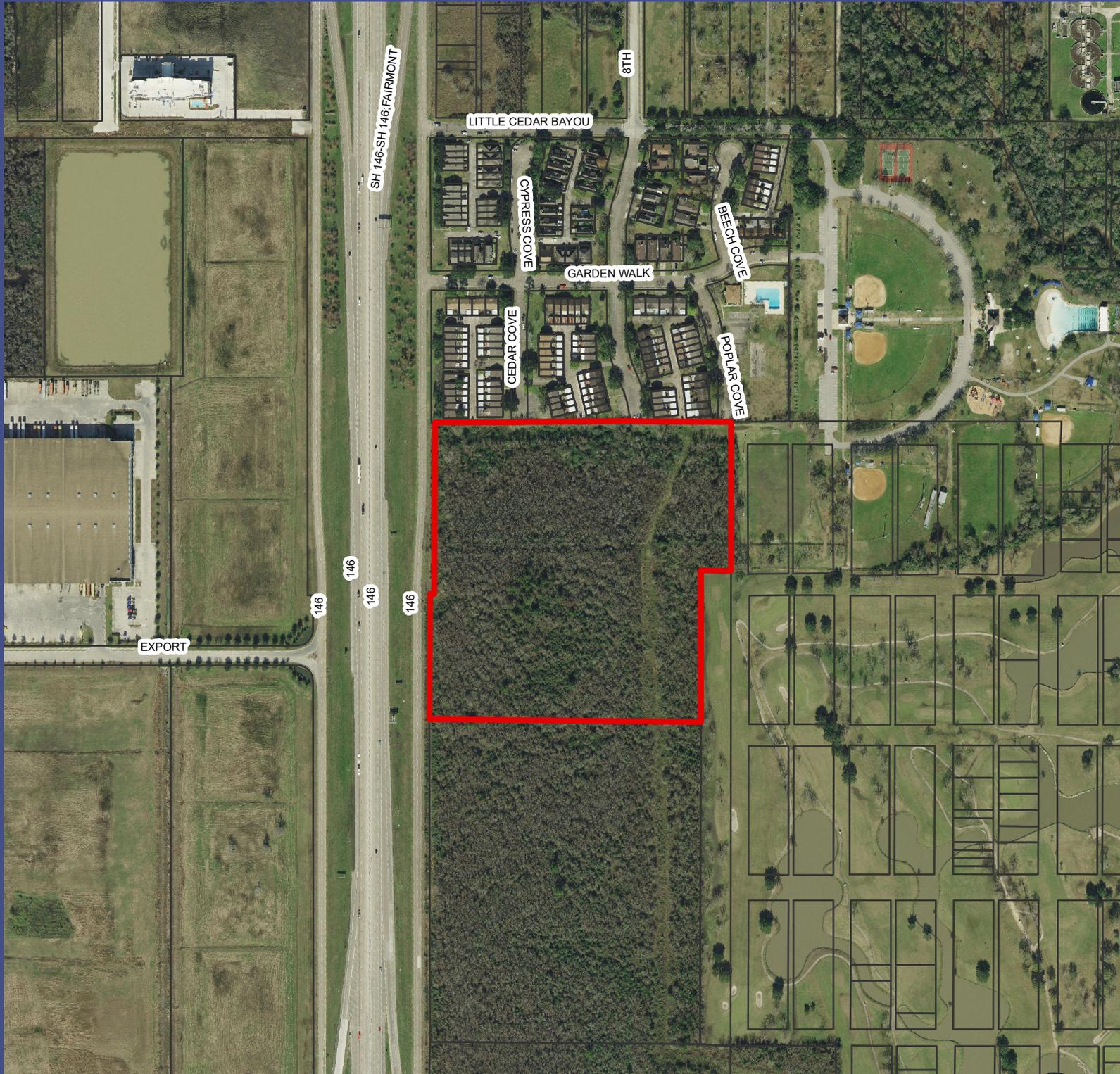


EXHIBIT B

AERIAL MAP

FINAL PLAT

**Artesia Village
East SH 146**

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 421 feet



**JANUARY 2020
PLANNING DEPARTMENT**

City of La Porte
604 W. Fairmont Pkwy.
La Porte, TX 77571

Planning & Development Department
SUBDIVISION PLAT APPLICATION
(5 or More Lots)

Phone: 281.470.5073
Fax: 281.470.5005
www.laportetx.gov

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER NAME: Jabez LB1, LLC PHONE 1: 817-849-5100
PHONE 2: n/a FAX #: n/a
E-MAIL: Robert.Heck@dannenbaum.com
MAILING ADDRESS: 1038 Texas Trail, Grapevine, Texas 76051

2. AGENT/CONTRACTOR REPRESENTING PROPERTY OWNER:

AGENT/CONTRACTOR NAME: Texas Engineering and Mapping Co. - Ryan Moeckel PHONE 1: 281-491-2525
PHONE 2: 832-595-7926 FAX #: 281-491-2535
E-MAIL: rmoeckel@team-civil.com
MAILING ADDRESS: 12718 Century Drive, Stafford, Texas 77477

3. PROPERTY DESCRIPTION:

PARCEL NO(s) (13-digit HCAD Tax ID #): 040-278-001-0007
SUBJECT PROPERTY ADDRESS (If existing): 0 State Highway 146, La Porte, TX 77571 (according to HCAD account info)
SUBJECT PROPERTY LEGAL DESCRIPTION 19.172 acres of land on the J. Hunter Survey, Abstract No. 35, City of La Porte, Harris County, Texas

4. INFORMATION SPECIFIC TO APPLICATION:

TYPE OF PLAT: GENERAL PRELIMINARY FINAL
PROPOSED NAME: Artesia Village # SECTIONS: n/a # LOTS: 82
AUTHORIZED SIGNATURE: *RMoeckel* DATE: 12-4-19

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLANS
- SUBMIT CORRECT APPLICATION FEE (Refer to Application Fee Schedule for applicable fees)

(STAFF USE ONLY):

DATE RECEIVED: _____ RECEIVED BY: _____
PROJECT NUMBER: _____ - _____
SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: _____

**City of La Porte, Texas
Planning and Zoning Commission**



January 16, 2020

AGENDA ITEM 6-8

Proposed Chapter 106 ordinance updates based on the
Annual Review.

*Ian Clowes, City Planner
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department Staff Report

BACKGROUND

The Planning and Zoning Commission is tasked with conducting an annual review of Chapter 106 “Zoning”. To do so, the Commission created a subcommittee comprised of four (4) members of the Planning and Zoning Commission. Along with staff support, the subcommittee has conducted a number of meetings to determine areas of Chapter 106 that may require certain amendments. Throughout the multi-month process, staff periodically brought the working document to the full Commission as a discussion item. The first phase of recommended amendments consisted of a number of changes that were considered top priorities based on Council and staff feedback. This phase was brought to the Commission as a Public Hearing in November of 2019. This item is the second phase of recommended changes as agreed upon by the subcommittee. Attached is the final draft document with the final proposed changes to Chapter 106 for the current annual review period.

REQUESTED ACTION

Staff requests the Planning and Zoning Commission consider recommendation of the proposed Chapter 106 amendments to City Council.

2019/2020 Chapter 106 Amendments – Part 2

- ISSUE: Self-Storage Sec. 106-310** – Boat and RV storage are currently included with mini warehousing and self-storage under NAICS 531 Real Estate and should be separated into individual categories.

		**	NC	MS	GC	MU	BI	LI	HI
531	Real Estate		P	P	P	P	P	P	P
531130	Lessors of Miniwarehouses and Self-Storage Units (Not including Boat and RV Storage)		€	€	€ P	€ P	€ P	P	P
531130	Boat and RV Storage				C	C	C	P	P

- ISSUE: Grassed/Dust Free Sec. 106-444 (b) (3)** - The “surface to control dust” requirement can be fairly subjective. Additionally, grassed surfaces are rarely adequate surfaces for outside storage.

(b) *Outdoor storage.* Open and outdoor storage as an accessory or principal use provided that:

- (1) The area is screened from view of neighboring residential uses or an abutting residential district in compliance with [section 106-444\(a\)](#) (Special use performance standards).
 - (2) Storage is screened from view from the public right-of-way in compliance with [section 106-444\(a\)](#) (Special use performance standards)
 - (3) Storage area ~~is grassed or surfaced to control dust~~ must be paved with either concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment). New technologies in paving materials can be considered and approved at the discretion of the Planning and Development Director or his/her designee.
- ISSUE: Parking Space Definition Sec. 106-1** – The current definition for parking space does not specify the type of surfacing material that is required.

Section 106-1

Parking space means a surfaced area, ~~designed to control dust and moisture~~ paved with either concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment), enclosed or unenclosed, sufficient in size to store one automobile together with a surfaced driveway connecting the parking space with the street or alley permitting ingress and egress of an automobile. A parking space or any requisite maneuvering area incidental thereto shall not occupy any public right-of-way. ~~New technologies in parking lot surfacing can be considered and approved at the discretion of the Planning and Development Director or his/her designee.~~

Section 106-835 (f)

Surfacing. All areas for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. ~~Except in the case of single-family and two-family dwellings in the Large Lot (LLD) zoning district, &~~ Driveways and stalls shall be surfaced with standard concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment) ~~in conformance with the public improvements criteria manual (PICM),~~ except in the case of single family homes in the Large Lot (LLD) zoning district. For developments in the LLD zoning district, the first forty feet (40') of the driveway from the public right of way is required to be paved using standard concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment). New technologies in parking lot surfacing can be considered and approved at the discretion of the Planning and Development Director or his/her designee.

4. **Landscape Maintenance Sec 106-800** – Currently the code does not specifically state that all required landscaped must be maintained throughout the existence of the building.

Sec. 106-800. - Landscaping.

- (a) Landscaping is required along the front property line and along the side property lines in a minimum four feet wide planting strip. Corner lots shall be treated as having two front property lines. A certified site plan and/or separate landscape plans shall be submitted in conjunction with building permit applications. A landscape legend on the site plan shall include type, size, and number of plantings existing and proposed at site. Approval of landscape requirements is a condition of building permit approval. The perimeter landscaping requirements of this subsection are not applicable in the Main Street District Overlay.
- (b) All required landscaping shall be maintained throughout the useful life of the development.

5. **MSD Residential Sec. 106-948 (f) (2)** – There have been a number of recent challenges lately to which architectural features can be described as pre 1930's.

Current Section of Code:

(f) *Redevelopment principles for single-family dwellings.*

- (1) Homes shall be no more than two stories in height.
- (2) Houses should be designed to incorporate characteristics in pre 1930's residential construction. Colors common during the time should be utilized.
- (3) The primary material (minimum of 90%) shall be brick, stone, stucco, block, wood siding or synthetic wood (such as Hardiplank).
- (4) Sheet metal siding, plywood, and EIFS (Exterior Insulation Finishing System), synthetic stucco, and burglar bars shall not be used.
- (5) Where original doors and/or windows were blocked or covered, those openings should be restored to their original appearance.

(6) The use of aluminum window frames is prohibited.

Proposed Changes:

- (1) Homes shall be no more than two stories in height.
- (2) Houses should be designed to incorporate characteristics in pre 1930’s residential construction. **Common characteristic examples would be carpenter gothic features, decorative peak trusses, single or two story porches with pillars or porticos, gable roofs, window shutters, decorative period lighting, etc.** Color schemes common during the time should be utilized **and are subject to approval by the Planning Director (ex. Contrasting, bold, and earth tones are suggested).**
- (3) The primary material (minimum of 90%) shall be ~~brick, stone, stucco, block~~, wood siding or synthetic wood (such as Hardiplank).
- (4) Sheet metal siding, plywood, and EIFS (Exterior Insulation Finishing System), synthetic stucco, aluminum window frames, and burglar bars ~~shall not be used~~ **are not permitted.**
- (5) ~~Where o~~Original doors and/or windows ~~that~~ were blocked or covered, ~~those openings should~~ **shall** be restored to their original appearance **and functionality.**
- (6) **A garage is not required, but there shall be sufficient space reserved for 2 car stalls on the property. If a garage is desired, it shall be detached and offset to either the side or rear yard, adhering to single-family detached area requirements.**
- (7) **Detached garages must utilize a uniform façade to the primary living structure on the property and cannot exceed a single-story in height.**
- (8) **Placement of carports anywhere on site is not permitted.**
- (9) **If a property is utilizing alleyway access to rear-offset garage, the alleyway must be improved to-and-through the property lines and built to City of La Porte specifications.**
- (10) **The Planning and Development Director or his/her designee shall approve the final design elements.**

6. **ISSUE: Multi-tenant Parking Sec. 106-839** – Multi-tenant structures often have many different land uses come and go over the years, making it hard for developers to plan for enough parking.

Sec. 106-838

2017 NAICS Code	2017 NAICS Title	MINIMUM NUMBER OF REQUIRED PARKING SPACES (combination)
N/A	Shopping Center	One space per 200 square feet of gross floor area for shopping centers under 25,000 square feet and one space per 250 square feet of gross floor area for shopping centers that are 25,000 square feet or larger

7. **ISSUE: SCUP vs. CUP** – Chapter 106 refers to Conditional Use Permits (CUP) as well as Special Conditional Use Permits (SCUP) which are functionally the same thing.

Recommendation: Staff recommends changing all references to CUP to SCUP.

Sec. 106-216. - General conditions for all special conditional uses in all zoning districts.

- (a) A special conditional use permit may be granted by the city council for the construction of a building and/or the establishment of a use as described in this or any other section, upon a tract of land in single ownership or under unified control.

Sec. 106-659. - Special regulations and procedures.

- (a) *Procedure for establishing or developing a planned unit development district development.*

- (1) An application for a **special** conditional use permit shall be filed and processed based upon procedures established by sections [106-216](#) (General conditions for all **special** conditional uses in all zoning districts), [106-217](#) (Conditions for approval), and [106-218](#) (Amendments).

- (2) An application for a general plan shall be filed and processed simultaneously with the **special** conditional use permit and shall be subject to the requirements of this chapter and the City Development Ordinance Number 1444 on file in the city secretary's office.

- 8. **ISSUE: Tree Preservation Sec. 106-801 (d)** – This section states that tree protection/mitigation is not applicable to individual single family lots. This could be misinterpreted by developers to include large developments that contain individual single family lots.

Sec. 106-801. - Tree preservation.

- (a) It is the intent of this section to encourage the preservation of existing trees within the city and to prohibit their unwarranted destruction. The city encourages site planning which furthers the preservation of trees and natural areas by the following methods: To protect trees during construction; to facilitate site design and construction which contributes to the long term viability of existing trees; and to control premature removal of trees; require on-site replacement of trees that must be removed and require off-site replacement of trees that cannot be replaced on-site, either by direct planting as outlined in [section 106-802](#) (tree replacement) or through a contribution to the tree fund established in [section 106-803](#) (tree fund) of this chapter. It is the further intent of this section to achieve the following objectives:

- (1) Protect healthy trees and preserve the natural, environmental, and aesthetic qualities of the city to the degree possible.
 - (2) Protect and increase the value of residential and commercial properties within the city.
 - (3) Discourage premature clear-cutting of property.
 - (4) Maintain and enhance a positive image for the attraction of new developments to the city.

- (b) It shall be unlawful for any person to cause or permit the destruction of any healthy, native tree (herein referred to as a "protected tree") within the city if such tree has a trunk which exceeds six inches in diameter (or 18.84-inch circumference) at a point 18 inches above the natural ground level. Provided, however, it shall not be a violation of this provision if a tree is removed and/or destroyed if the tree is obviously diseased or determined to be diseased

by an arborist or in the opinion of the planning director or his designated representative, said tree constitutes a hazard to pedestrian and/or vehicular traffic along any such right-of-way.

- (c) No person, firm or corporation desirous of developing or improving any parcel of property, shall remove or cause the removal of any tree from said property without first obtaining a clearing permit which would allow clearing of buildable areas only.
- (d) The provisions of this section are not applicable to ~~individual single family lots single family subdivisions of less than 5 acres.~~

9. **ISSUE: Shipping Containers** – It is no longer legal for the city to regulate façade treatments for any type of building. Additionally, the Building Department has had a difficult time regulating the construction of homes that utilize shipping containers.

Sec. 106-334 – Special use performance standards; residential

~~(b)~~ Shipping containers. Single-family homes comprised and/or constructed of one or more shipping containers are ~~prohibited. permitted within all residential zoning districts with the following conditions:~~

~~(1) Any and all exposed container parent material shall be clad with one or a combination of the following materials: Masonry materials, stucco, wood siding, synthetic wood (such as hardie board), or alternative materials with approval from the planning director. No portion of the original shipping container exterior is allowed to be visible at any time.~~

~~(2) Homes constructed out of shipping containers are not permitted in the Main Street or Main Street Overlay (MSD/MSDO) zoning districts.~~

DIVISION 2. - ACCESSORY BUILDINGS, USES AND EQUIPMENT

Sec. 106-741. - General provisions.

- (a) No accessory buildings, uses or structures shall be erected or located in any required yard other than the rear yard except:
 - (1) A detached private garage as defined, may be permitted in side yards, provided:
 - a. It complies with all the requirements of this section;
 - b. It shall be five feet or more from side lot lines; and
 - c. The side yard does not abut a street right-of-way.
 - (2) Accessory buildings built on a skid foundation, no larger than 120 square feet and no more than one story in height may be located in utility easements in required rear yards, except that they may not be located closer than three feet from a side or rear property line or closer than six feet from any other structure.
- (b) Accessory buildings, uses and structures, with the exception of those on residential large lots, shall not exceed 15 feet in height, shall be three feet or more from all lot lines, shall be six feet or more

from any other building or structure on the same lot, and shall not be located upon any utility easement.

- (c) Utilization of shipping containers as an accessory use/structure in any residential zoning district is prohibited.
- (d) Private garage structures with vehicular access doors facing public alleys, as defined in the public improvement construction policy and standards, shall be 20 feet or more from the alley right-of-way. Detached garages located in rear yards of corner lots shall be set back a minimum ten feet from the property line abutting the side street right-of-way.
- (e) Detached private garages, as defined, may be 20 feet in height, or the height of the principal structure, whichever is less.
- (f) *Floor area.* See [section 106-416](#) (Special regulations).
 - (1) *Generally.* No accessory building, or carport garage for single-family dwellings shall occupy more than 25 percent of a rear yard, nor exceed 1,000 square feet of floor area.
 - (2) *Large lot residential only.* Accessory buildings in single-family residential large lots with one acre or more may not exceed 5,000 square feet of floor area. Accessory buildings with a floor area in excess of 1,000 square feet must be located at least 10 feet from any property line and 20 feet from other structures. All accessory buildings on lots less than one acre - all provisions of this section apply.
- (g) No more than one detached private garage or carport structure on lots less than one acre with single family dwelling.
- (h) Wind generators, for producing electricity or other forms of energy shall not be located in any yards other than the rear yard and must be set back 150 feet from all property lines or the height of the structure, whichever is greater unless a special conditional use permit (SCUP) is granted. Provisions of SCUP should take into consideration size, height, noise, location to adjacent properties, etc.
- (i) Reserved.
- (j) No accessory uses or equipment except for air conditioning structures or condensers may be located in a required side yard except for side yards abutting streets where equipment is fully screened from view.
- (k) *Large lot district.* The property owner of a toolhouse, barn, shed, storage building and/or livestock in the large lot district on a tract one acre in size or larger authorized without a principal structure on the property, shall be responsible for ensuring no one lives in the toolhouse, barn, shed, or storage building without properly permitting the structure for residential habitation, the property is kept in a sanitary condition and the property complies with all applicable city regulations

10. **Warehouse Size Restrictions** – The Mayor convened a subcommittee of current Council Members to discuss possible changes to the code that would help stem the tide of large warehouse construction throughout the city.

		**	NC	MS	GC	MU	BI	LI	HI
42	Wholesale Trade								
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers								
4232	Furniture and Home Furnishing Merchant Wholesalers						€		
4233	Lumber and Other Construction Materials Merchant Wholesalers						p 21	p 19	p 19
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers								
42351	Metal Service Centers and Other Metal Merchant Wholesalers								
42352	Coal and Other Mineral Merchant Wholesalers								p 19
4236	Household Appliances and Electrical and Electronic Goods Merchant Wholesalers						€		
4237	Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers						p 21	p 19	p 19
4238	Machinery, Equipment, and Supplies Merchant Wholesalers							C	p 19
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers			p 18	p 18		€	p 19	p 19
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers			p 18	p 18		€	p 19	p 19
							p 21 4		

423930	Recyclable Material Merchant Wholesalers								P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers						€ p 21	p 19	p 19
423990	Other Miscellaneous Durable Goods Merchant Wholesalers						€ p 21	p 19	p 19
4241	Paper and Paper Product Merchant Wholesalers								
4242	Drugs and Druggists' Sundries Merchant Wholesalers						€ p 21	p 19	p 19
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers								
4244	Grocery and Related Product Merchant Wholesalers								
4245	Farm Product Raw Material Merchant Wholesalers							p 19	p 19
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers						€ p 21	p 19	p 19
424690	Other Chemical and Allied Products Merchant Wholesalers						€ p 21	p 19	p 19
424710	Petroleum Bulk Stations and Terminals							p 19	p 19
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)						€ p 21	p 19	p 19
424810	Beer and Ale Merchant Wholesalers						€	p 19	p 19

**City of La Porte, Texas
Planning and Zoning Commission**



January 16, 2020

AGENDA ITEM 9

- a. Possible changes to allowed uses in R-1
- b. Update on City Council Actions

*Ian Clowes, City Planner
Planning and Development Department
City of La Porte, Texas*