



**CITY OF MISSOURI CITY
PLANNING AND ZONING COMMISSION AGENDA**

Notice is hereby given of a meeting of the Planning and Zoning Commission of the City of Missouri City to be held on **January 8, 2020 at 7:00 p.m. at City Hall, Council Chambers, 2nd Floor**, 1522 Texas Parkway, Missouri City, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. ROLL CALL

3. READING OF MINUTES

- A.** Consider approving the minutes of the December 11, 2019 Planning and Zoning Commission Meeting.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairman of the Planning and Zoning Commission
- (2) Planning and Zoning Commissioners

B. STAFF REPORTS

- (1) Development Services
 - a. Director
 - i. National Planning Conference 2020: April 25th – 28th
- (2) Engineering
 - a. City Engineer

5. PUBLIC COMMENT

This is an opportunity for the public to address the Planning and Zoning Commission on items/concerns not on the agenda. Public comments shall be limited to three (3) minutes per individual and to ten (10) minutes per subject. Public comments may address items that are not on the agenda.

6. PLATS

A. CONSENT AGENDA

- (1) Consider approving a final plat for Waffle House of Missouri City

7. ZONING MAP AMENDMENTS

None.

8. ZONING TEXT AMENDMENTS

A. ZONING BOARD OF ADJUSTMENT

- (1) Public hearing to receive comments for or against possible amendments to Section 18, Board of Adjustment, of Appendix A, Zoning of the City Code of the City of Missouri City, Texas.
- (2) Consider approving a preliminary report on item 8.A.(1).

B. UTILITY EQUIPMENT

- (1) Discuss an amendment to Subsection 9.6.B.3.e. of Appendix A, Zoning of the City Code of the City of Missouri City, Texas, regarding the outside storage of major recreational or utility equipment.

9. OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION OR THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

A. CHAPTER 82, SUBDIVISION ORDINANCE PLANS AND PLATS

- (1) Discuss amendments to Chapter 82, Subdivision, of the City Code of the City of Missouri City, Texas, regarding plans and plats.
- (2) Consider approving a final report to City Council on item 9.A.(1)

10. CLOSED EXECUTIVE SESSION

The Planning and Zoning Commission may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.

11. RECONVENE

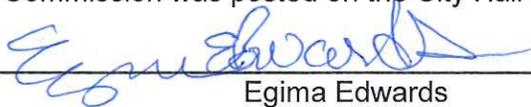
Reconvene into Regular Session and Consider Action, if any, on items discussed in executive session.

12. ADJOURN

In compliance with the Americans with Disabilities Act, the City of Missouri City will provide reasonable accommodations for persons attending Planning and Zoning Commission meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact the Development Services Department at 281-403-8541.

CERTIFICATION

I certify that a copy of the January 8, 2020 agenda of items to be considered by the Missouri City Planning and Zoning Commission was posted on the City Hall bulletin board on January 3, 2020.



Egima Edwards
Planning Technician



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: January 8, 2020

AGENDA ITEM SUBJECT: Final Plat of Waffle House of Missouri City

AGENDA ITEM NUMBER: 6.A.(1)

PROJECT PLANNER: Gretchen M. Pyle, Interim Planning Specialist

APPROVAL:  **Otis T. Spriggs, AICP, Director, Development Services**

 **Shashi K. Kumar, P.E., CFM, City Engineer/Public Works Director**

PERMIT NUMBER: PLAT1900196

PROPERTY ID: 0077-00-000-0526-907 / 0077-00-000-0518-907

LOCATION: Highway 6, north and west of Trammel Fresno Road, adjacent to an Arby's Restaurant and a Public Storage Facility

ZONING DISTRICT DESIGNATION: LC-3, retail district

DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: N/A

RECOMMENDED ACTION:

The Planning and Zoning Commission should **APPROVE**.

A final plat application must be in the form and contain the information and documents as required by the Platting Manual of the City of Missouri City, as adopted in September 2019 and in accordance with Section 82-95 of the Code of Ordinances of the City of Missouri City. The applicable sections of the Platting Manual are referenced in the comments below, except where indicated otherwise.

In accordance with Section 82-36 of the Code of Ordinances of the City of Missouri City, after the commission has approved a final plat and all conditions to such approval have

been met, such final plat shall be recorded into the applicable county plat records. Following recordation, final recorded documents shall be submitted to the city in accordance with the schedule of required copies.

A. PROCEDURAL AND/OR SUBSTANTIVE DEFICIENCIES:

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
 - a. Please update the year to 2020 in all signature blocks with the submission of a mylar for signature.
2. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/Engineering Division
None
3. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/GIS Division
None

B. STANDARD PLAT NOTES:

The final plat shall contain all standard notes in accordance with Section 3.C.(10).

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
None
2. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/Engineering Division
None

-----END OF REPORT-----

COUNTY OF FORT BEND §

We, OCC II, LP, acting by and through _____, being an officer of OCC II, LP, owners, hereinafter referred to as owner of the 0.6913 acre tract of land described in the above and foregoing map of WAFFLE HOUSE IN MISSOURI CITY, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions and notations on said maps or plat and 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 ourself, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' - 6") for ten feet (10' - 0") perimeter ground easements or seven feet, six inches (7' - 6") for fourteen feet (14' - 0") perimeter ground easements or five feet, six inches (5' - 6") for sixteen feet (16' - 0") perimeter ground easements, from a plane of sixteen feet (16' - 0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (I.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' - 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' - 0") for ten feet (10' - 0") back-to-back ground easements or eight feet (8' - 0") for fourteen feet (14' - 0") back-to-back ground easements, or seven feet (7' - 0") for sixteen feet (16' - 0") back-to-back ground easements, from a plane of sixteen feet (16' - 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (I.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' - 0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gulches, swines, draws, sloughs, or other natural drainage courses located in said subdivisions, as easements for drainage purposes, giving Fort Bend County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, we do hereby acknowledge the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas", and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, OCC II, LP, has caused these presents to be signed by _____ of OCC II, LP, thereunto authorized, attested by its Secretary _____ and its common seal hereunto affixed this ____ day of _____, 2019.

OCC II, LP

BY: _____

Notary Public in and for the State of Texas

My Commission Expires: _____

I, Scott R. Sheridan, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch and a length of not less than three feet; and that the plat boundary corners have been tied to the nearest survey corner.

PRELIMINARY. THIS DOCUMENT IS NOT TO BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL DOCUMENT.

SCOTT R. SHERIDAN
TEXAS RPLS No. 6171

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF WAFFLE HOUSE OF MISSOURI CITY IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MISSOURI CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2019.

SONYA BROWN-MARSHALL
CHAIRMANTIMOTHY R. HANEY
VICE CHAIRMAN

I, Scott R. Sheridan, do hereby certify that all existing encumbrances, such as various types of easements both public and private, fee strips and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents all of the contiguous land which the subdivider owns or has a legal interest in.

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NOTES:

1. ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (2011 ADJUSTMENT) EPOCH 2010.00. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 0.999999986.

2. THE SURVEYOR HAS NOT PERFORMED AN ABSTRACT OF TITLE. THERE MAY BE OTHER MATTERS WHICH APPLY NOT REFLECTED UPON THIS SURVEY.

3. THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CITY PLANNING LETTER PREPARED BY TITHE HOUSTON HOLDINGS WITH A GF NUMBER OF 7910-19-2602, DATED AUGUST 14, 2019.

4. THE SUBJECT PROPERTY LIES WITHIN ZONE "C". PER FEMA, AS SCALED ON FLOOD INSURANCE RATE MAP No. 481570226L, MAP DATED APRIL 2, 2014, THIS INFORMATION IS FOR FLOOD INSURANCE PURPOSES ONLY AND WILL NOT IDENTIFY ANY SPECIFIC POSSIBLE FLOODING HAZARDS.

5. ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF MISSOURI CITY, TEXAS.

6. THIS SITE LIES WITHIN FORT BEND COUNTY MUD No. 48.

7. ACCORDING TO MISSOURI CITY'S ZONING MAP, THIS PROPERTY IS ZONED LC-3.

8. THIS PROPERTY IS SUBJECT TO COVENANTS, RESTRICTIONS AND GRANT OF EASEMENTS PER F.B.C.C.F. No. 4 2012109420, 2012136399, 2014103729, 2014128445, 2014131779, 2016031094, 2019021165 AND PLAT No.s 20120041 AND 20160247.

9. THIS PROPERTY IS SUBJECT TO A WAIVER OF APPRAISAL FOR THE BENEFIT OF FORT BEND COUNTY MUD No. 48.

10. SUBJECT PROPERTY ABUTS A NON-ACCESS OR LIMITED-ACCESS ROAD, HIGHWAY OR FREEWAY. THIS COMPANY DOES NOT INSURE THE RIGHT OF INGRESS AND EGRESS TO AND FROM SAID ROAD, HIGHWAY OR FREEWAY AND ASSUMES NO LIABILITY IN CONNECTION THEREWITH.

20. DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE

11. DRAINAGE FACILITIES ARE TO BE OWNED, OPERATED AND MAINTAINED BY THE OWNERS AND NOT THE CITY OF MISSOURI CITY.

12. ANY DRAINAGE EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDING, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS OF MAINTENANCE OF DRAINAGE FACILITY AND ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN INTO THIS EASEMENT EXCEPT BY MEANS OF APPROVED DRAINAGE STRUCTURE.

13. SHARED ACCESS AND PARKING FACILITIES SHALL BE PROVIDED AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-159 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY.

14. IN ACCORDANCE WITH THE CENTERPOINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 62-7, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.

15. SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SUBSECTION 82-164 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY.

16. ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY UTILITY COMPANIES CONTACTED.

17. THERE ARE NO EXISTING AND/OR PROPOSED PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION.

18. REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.

19. THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500 FEET FOR RESIDENTIAL AND 300 FEET FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.

20. DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE

PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY.

21. ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.

22. THE CITY OF MISSOURI CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, SIDEWALKS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS AND OPEN SPACE; AND THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR SUCH MAINTENANCE OF DRIVEWAYS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS AND OPEN SPACES AS REQUIRED BY SECTION 3.C.14) OF THE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (SEPTEMBER 2019).

23. NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNITS, SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SUBSECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.

24. ALL SLAB ELEVATIONS SHALL BE ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION AS ESTABLISHED BY FEMA AS PER SECTION 3.C (11) OF THE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (SEPTEMBER 2019), PER AN EMAIL FROM DAVID SEXTON WITH ALLAN ROSEY, LLC. THE MINIMUM SLAB ELEVATION IS 70.00 FEET.

METES & BOUNDS DESCRIPTION OF

a 0.6913 of an acre (30,114 square feet) tract of land, out of and being part a called 10.37 acres described in deed to PS LPT Properties Investors under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2011131145; also being the East 29.07 feet of Reserve "B" of Oyster Creek Crossing, Section 1, a map or plat thereof recorded under plat number 20120041 of the Fort Bend County Plat Records (F.B.C.P.R.), with said 30,114 square foot tract of land being further described in metes and bounds as follow:

COMMENCING at an iron rod with cap found stamped "COTTON" on the Southwest right-of-way (R.O.W.) line of State Highway Number 6 (SH No. 6), width varies per volume 147, page 354 of the Fort Bend County Deed Records (F.B.C.D.R.), and at an angle point of the called 10.37 acres, from which a 1 inch iron bar found bears N 51°46'16" E, 0.39 feet and a Texas Department of Transportation (TxDOT) monument bears S 65°29'38" E, 0.67 feet;

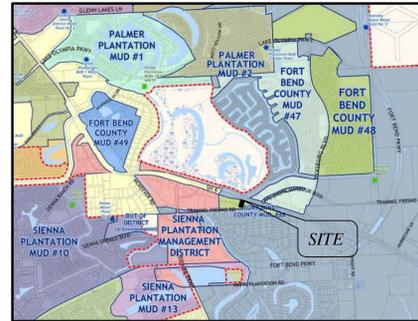
THENCE: S 72°53'58" E, along and with the Southwest R.O.W. line of SH No. 6, an Northeast line of the called 10.37 acres, at a distance of 72.85 feet, pass an "X" cut in concrete found at the North corner of Reserve "B" of Oyster Creek Crossing, Section 1, same being the North Corner of Reserve "B" of the replat of Oyster Creek Crossing, Section 1, a map or plat thereof recorded under plat number 20160247 F.B.C.P.R., continuing along and with said Southwest R.O.W. line, the Northeast line of the 10.37 acres, the Northeast line of the Reserve "B" of Oyster Creek Crossing, Section 1 and the Northeast line of Reserve "B" of said replat, a total distance of 203.78 feet to a point on the Southwest R.O.W. line of SH No. 6, on the Northeast line of Reserve "B" of Oyster Creek Crossing, Section 1, being the Northeast corner of Reserve "B" of the Replat of Oyster Creek Crossing, Section 1 Reserve "B", at the North corner and **POINT OF BEGINNING** of the herein described tract of land, from which an iron rod with unreadable cap bears N 10°57'05" E, 0.48 feet;

THENCE: S 72°53'58" E, continuing along and with the Southwest R.O.W. line of SH No. 6, the Northeast line of the Replat of Oyster Creek Crossing, Section 1 Reserve "B", a Northeast line of the called 10.37 acres and the Northeast line of this tract, at a distance of 29.07 feet, pass the Northeast corner of Reserve "B" of Oyster Creek Crossing, Section 1, continuing a total distance of 130.93 feet to a 5/8 inch iron rod with cap stamped "FMS" set on the Southwest R.O.W. line of SH No. 6, on the Northeast line of the called 10.37 acres, at the most North corner of the Final Plat of Oyster Creek Crossing, Section 4 and at the East corner of this tract;

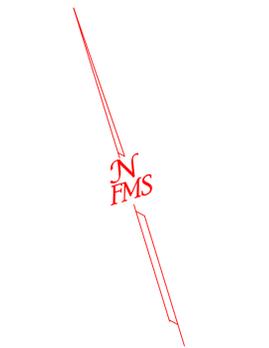
THENCE: S 17°06'05" W, departing from the Southwest R.O.W. line of SH No. 6 and the Northeast line of the called 10.37 acres, along and with an interior line of Oyster Creek Crossing, Section 4 and the Southeast line of this tract, a distance of 230.00 feet to a 5/8 inch iron rod with cap stamped "FMS" set at an angle point of Oyster Creek Crossing, Section 4, at the South corner of the herein described tract;

THENCE: N 72°53'58" W, along and with an interior line of Oyster Creek Crossing, Section 4 and the Southwest line of his tract, at a distance of 101.85 feet, pass the South corner of Reserve "B" of Oyster Creek Crossing, Section 1, continuing a total distance of 130.93 feet to a 5/8 inch iron rod with cap stamped "FMS" set on the interior line of Oyster Creek Crossing, Section 4, on the Southwest line of Reserve "B" of Oyster Creek Crossing, Section 1, at the South corner of Reserve "B" of the Replat of Oyster Creek Crossing, Section 1 Reserve "B", same being the West corner of this tract;

THENCE: N 17°06'05" E, long and with the Southeast line of Reserve "B" of the Replat of Oyster Creek Crossing, Section 1 Reserve "B" and the Northwest line of this tract a distance of 230.00 feet to the **POINT OF BEGINNING** and containing a calculated area of 0.6913 of an acre of land.



VICINITY MAP
SCALE: 1"=2640' (1/2 MILE)



SCALE: 1"=40'

FMS JOB No. 60219

FINAL PLAT

OF

WAFFLE HOUSE OF MISSOURI CITY

A SUBDIVISION OF 0.6913 OF AN ACRE OF LAND
SITUATED IN THE ELIJAH ROARK SURVEY,
ABSTRACT 77, & ALSO BEING A PARTIAL REPLAT OF
RESERVE B OF THE REPLAT OF OYSTER CREEK
CROSSING SECTION ONE
CITY OF MISSOURI CITY
FORT BEND COUNTY
TEXAS

0 LOTS
1 BLOCK
1 RESERVE (0.6913 OF AN ACRE)

DECEMBER 9, 2019

SHEET 2 OF 2

PROJECT BENCHMARK

NATIONAL GEODETIC SURVEY (NGS)
MONUMENT WITH A PID NUMBER OF AW2364,
BEING A BRASS DISK STAMPED
"M 1214 1973".

PUBLISHED ELEVATION: 65.1 FEET, NAVD 88.

TBM "A"

TEMPORARY BENCHMARK "A" IS A BOX CUT SET
IN CONCRETE, LOCATED APPROXIMATELY
S 10°22' W 21.61' FROM NORTHEAST CORNER
OF SUBJECT PROPERTY

ELEV: 73.27 NAVD 88

ABBREVIATIONS

C.C.F.N. COUNTY CLERK FILE NUMBER
CPP CORRUGATED PLASTIC PIPE
F.B.C.C.F. No. FORT BEND COUNTY CLERK'S FILE NUMBER
F.B.C.P.R. FORT BEND COUNTY PLAT RECORDS
F.L.E. FLOW LINE ELEVATION
F.O.C. FIBER OPTIC CABLE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCING
P.R.F.B.C.Tx PLAT RECORDS OF FORT BEND COUNTY TEXAS
PVC POLYVINYL CHLORIDE
RCP REINFORCED CONCRETE PIPE
R.E. RIM ELEVATION

SURVEYOR:

F.M.S. SURVEYING
19701 STATE HIGHWAY 6,
MANVEL, TEXAS 77578
CONTACT: JASON P. SHERIDAN
PHONE: (281) 519-8530, EXT. 102
TBPLS FIRM # 10040400

www.fmsurveying.com

FMS JOB No. 60219

DRAFTING: PRELIM: JPS, ALTA RC





PLANNING AND ZONING COMMISSION STAFF REPORT

AGENDA DATE: January 8, 2020

AGENDA ITEM SUBJECT: Board of Adjustment – Zoning Text Amendment (ZTA) – preliminary report

AGENDA ITEM NUMBER: 8.A.

PROJECT PLANNER: Otis T. Spriggs, AICP, Director, Development Services

RECOMMENDED ACTION:

The Planning and Zoning Commission should adopt this as its Preliminary Report and call a second public hearing for the consideration of a Final Report for a recommendation to forward to the City Council.

BACKGROUND:

The 86th Regular Session of the Texas Legislature concluded with several bills that have an impact on our planning jurisdiction. Described below is a bill that requires further action (H.B. 2497). This item was considered on the Commission's December 11, 2019 agenda for discussion purposes only.

The bill requires amendments to Section 18. Board of Adjustment of the city's zoning ordinance. These proposed amendments are included as an attachment to this report. The bill is summarized below.

H.B. 2497 (Cyrier/Hughes) – Board of Adjustment: this bill: (1) requires the city council to approve rules adopted by the board of adjustment; (2) allows the following persons to appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project: (a) a person aggrieved by the decision; or (b) an officer, department, board, or bureau of the city affected by the decision; (3) allows the following persons to appeal to the board of adjustment a decision by an administrative official that is related to a specific application, address, or project: (a) a person who files an application that is the subject of the decision; (b) a person who is the owner of property or representative of the owner that is the subject of the decision; (c) a person who is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or (d) any officer, department, board, or bureau of the city affected by the decision; (4)

requires that a decision made by an administrative official be appealed to the board of adjustment not later than the 20th day after the date the decision is made; and (5) requires the board of adjustment to decide an appeal described in (4) at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed. (Effective September 1, 2019.)

Next Steps: Consideration of the final report and make final recommendations to be considered by the City Council by late March, 2020.

February 12, 2020: P&Z Commission public hearing and final report
March 2, 2020: City Council public hearing and 1st reading of ordinance
March 16, 2020: City Council 2nd reading of ordinance

-----**END OF REPORT**-----

ORDINANCE NO. O-20-___

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING SECTION 18, BOARD OF ADJUSTMENT, OF APPENDIX A OF THE MISSOURI CITY CODE ENTITLED "THE CITY OF MISSOURI CITY ZONING ORDINANCE"; AMENDING RULES REGARDING THE ZONING BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, House Bill 2497, which amended regulations regarding the powers and procedures of municipal zoning boards of adjustment, was passed by the 86th Texas Legislature with an effective date of September 1, 2019; and

WHEREAS, the Missouri City Zoning Ordinance must be amended in order to comply with the statutory changes imposed by House Bill 2497; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Missouri City have each conducted, in the time and manner and after notice required by law and the City of Missouri City Zoning Ordinance, public hearings on certain proposed amendments to the City of Missouri City Zoning Ordinance; and

WHEREAS, all persons appearing at such public hearings who desired to speak on such proposed amendments were afforded that opportunity and their comments were duly noted and considered; and

WHEREAS, the Planning and Zoning Commission of the City of Missouri City has issued its final report to the City Council of the City of Missouri City; and

WHEREAS, the City Council of the City of Missouri City now deems it appropriate and in the best interest of the residents of the City to bring the regulations in the Missouri City Zoning Ordinance regarding the powers and procedures of the Missouri City Zoning Board of Adjustment and Appeals into compliance with state law; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. As required by law, the City Council of the City of Missouri City conducted a public hearing on the amendments to the Missouri City Zoning Ordinance as set forth herein and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The Missouri City Code is hereby amended by deleting subsections 18.2 and 18.3 of Section 18 of Appendix A thereof and substituting therefor new subsections 18.2 and 18.3 of Section 18 of Appendix A to provide as follows:

**“APPENDIX A
ZONING**

. . . .

SECTION 18. BOARD OF ADJUSTMENT

. . . .

Section 18.2. - Powers.

A. *Hearing appeals.*

1. The board of adjustment shall have the power to hear appeals of a decision by an administrative official in the enforcement of this ordinance that is not related to a specific application, address, or project, provided that such appeal is brought by:

- a. any person aggrieved by such decision; or
- b. any officer, department, board, or bureau of the city affected by such decision.

2. The board of adjustment shall have the power to hear appeals of a decision by an administrative official in the enforcement of this ordinance that is related to a specific application, address, or project, provided that such appeal is brought by:

- a. a person who:
 - (1) filed the application that is the subject of such decision;
 - (2) is the owner or representative of the owner of the property that is the subject of such decision;
 - (3) is aggrieved by such decision and is the owner of real property within 200 feet of the property that is the subject of such decision;or
- b. any officer, department, board, or bureau of the city affected by such decision.

A notice of appeal to the board of adjustment specifying the grounds thereof shall be filed with the officer from whom the appeal is taken and the board of adjustment not later than the 20th day after the date the decision to be appealed is made. The officer from whom the appeal is taken shall transmit to the board all the papers constituting the record upon which the action appealed was taken.

. . . .

Section 18.3. - Hearing.

- A. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed. Upon the hearing, any party may appear in person or by agent or by attorney.

- B. In the exercise of the above-mentioned powers, the board of adjustment may reverse and affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision and determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.”

Section 4. Repeal. All ordinances or parts of ordinances in conflict herewith, if any, shall be and are hereby repealed only to the extent of such conflict.

DRAFT

Section 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this ____ day of _____, 2019.

PASSED, APPROVED and ADOPTED on second and final reading this ____ day of _____, 2019.

Yolanda Ford, Mayor

ATTEST

APPROVED AS TO FORM:

Maria Jackson, City Secretary

James Santangelo, Assistant City Attorney
for E. Joyce Iyamu, City Attorney

APPENDIX A – ZONING

SECTION 18. - BOARD OF ADJUSTMENT

Section 18.2. - Powers.

A. Hearing appeals.

1. The board of adjustment shall have the power to hear appeals by any person aggrieved or by any officer, department, board, or bureau of the city affected by any of a decision of by an administrative official in the enforcement of this ordinance. Such that is not related to a specific application, address, or project, provided that such appeal shall be taken within 15 days is brought by filing with the:

a. any person aggrieved by such decision; or

b. any officer from whom the appeal is taken and the department, board, or bureau of the city affected by such decision.

2. The board of adjustment, a shall have the power to hear appeals of a decision by an administrative official in the enforcement of this ordinance that is related to a specific application, address, or project, provided that such appeal is brought by:

a. a person who:

(1) filed the application that is the subject of such decision;

(2) is the owner or representative of the owner of the property that is the subject of such decision;

(3) is aggrieved by such decision and is the owner of real property within 200 feet of the property that is the subject of such decision;
or

b. any officer, department, board, or bureau of the city affected by such decision.

A notice of appeal to the board of adjustment specifying the grounds thereof shall be filed with the officer from whom the appeal is taken and the board of adjustment not later than the 20th day after the date the decision to be appealed is made. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

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Section 18.3. - Hearing.

A. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same ~~within a reasonable time at the next meeting for which notice can be~~ provided following the hearing and not later than the 60th day after the date the appeal is filed. Upon the hearing, any party may appear in person or by agent or by attorney.

B. In the exercise of the above-mentioned powers, the board of adjustment may reverse and affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision and determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

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City of Missouri City

PUBLIC HEARING

A public hearing will be held by the Planning & Zoning Commission of Missouri City, Texas to receive comments for or against proposed amendments to the City's Code of Ordinances/Zoning Ordinance regarding:

- (1) Powers & Procedures of the Zoning Board of Adjustment & Appeals**

The public hearing is scheduled:

DATE: Wednesday, January 8, 2020

TIME: 7:00 PM

**PLACE: City Council Chamber (2nd Floor of City Hall)
1522 Texas Parkway (FM 2234). Missouri City, Texas**

Specific information is available at City Hall, Missouri City, Texas, Monday through Friday from 8:00 AM to 4:00 PM, or you may call 281-403-8541.



**PLANNING AND ZONING COMMISSION
DISCUSSION ITEM**

AGENDA DATE: January 8, 2020

AGENDA ITEM SUBJECT: Utility Equipment – Zoning Text Amendment - Discussion

AGENDA ITEM NUMBER: 8.B.

PROJECT PLANNER: Otis T. Spriggs, AICP, Director, Development Services

RECOMMENDED ACTION:

The Planning and Zoning Commission should call a public hearing for the consideration of a preliminary report.

BACKGROUND:

On February 3, 2003, Ordinance O-03-04 adopted Subsection 9.6.B.3.e of Appendix A, Zoning of the City Code of the City of Missouri City, referencing Subsection 12.2.I of the City Code of Missouri.

Section 9.6.B.3.e. provides that except in multifamily developments, the outside storage of major recreational or utility equipment shall be permitted if said equipment is “*parked on a hard surface, as provided in [sub]section 12.2.I of the City of Missouri City Zoning Ordinance.*”

This reference to subsection 12.2.I has been determined to be in error. The correct subsection is 12.2.J which provides as follows:

Sec. 12.2. - Standards for off-street parking.

J. Drives and parking spaces must be hard-surfaced and dust-free; except in instances where the adjacent street is unpaved, in which case the drives and parking spaces shall be hard-surfaced to city specifications within one year after such adjacent street to which property has driveway access is paved, provided, however, any unpaved drive or unpaved parking space existing on January 19, 1981, shall be considered a nonconforming structure subject to the provisions of section 16 hereof.

Next Steps: Continue consideration of said amendments to Subsection 9.6.B.3.e, and prepare for recommendations before the City Council by April, 2020.

February 12, 2020: P&Z Commission public hearing and preliminary report
March 11, 2020 P&Z Commission public hearing and final report
April 6, 2020: City Council public hearing and 1st reading of ordinance
April 20, 2020: City Council 2nd reading of ordinance

-----**END OF REPORT**-----

ORDINANCE NO. O-20-____

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, ENTITLED "THE CITY OF MISSOURI CITY, TEXAS ZONING ORDINANCE" BY AMENDING SUBSECTION 9.6.B. OF SECTION 9 OF APPENDIX A; PROVIDING FOR RULES AND REGULATIONS FOR PARKING, STORAGE OR USE OF MAJOR RECREATIONAL OR UTILITY EQUIPMENT; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Missouri City have each conducted, in the time and manner and after the notice required by law and the Zoning Ordinance of the City, a public hearing on certain proposed amendments to the City of Missouri City Zoning Ordinance; and

WHEREAS, all persons appearing at such public hearings who desired to speak on such proposed amendments were afforded that opportunity and their comments were duly noted and considered; and

WHEREAS, after its public hearing, the Planning and Zoning Commission made its recommendation and final report to the City Council; and

WHEREAS, the Planning and Zoning Commission has recommended and the City Council now deems it appropriate to approve the proposed amendments; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. As required by law, City Council conducted a public hearing on this Ordinance and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The Code of Ordinances of the City of Missouri City, Texas, is hereby amended by amending Subsection 9.6.B of Section 9 of Appendix A thereof to provide as follows:

"APPENDIX A

ZONING

. . . .

SECTION 9. SUPPLEMENTARY DISTRICT REGULATIONS

. . . .

9.6. Parking, storage, or use of major recreational or utility equipment.

-
- B. Storage. No major recreational or utility equipment shall be parked or stored in a residential district except as follows:
1. Enclosed storage in single-family and condominium developments. Storage of major recreational or utility equipment shall be permitted if in a garage or other enclosed building or enclosed structure. Any such garage, building or structure must be constructed:
 - a. In accordance with a building permit;
 - b. With similar materials, proportions of materials, colors, style and design as the primary structure on the lot;
 - c. Located on a concrete slab capable of withstanding the weight of the major recreational or utility equipment; and
 - d. Be served by a concrete driveway.
 2. Enclosed storage in multifamily developments. Storage of boats and recreational vehicles shall be permitted only if such boats and recreational vehicles are owned by residents, and if they are stored within the interior of a fully-enclosed structure constructed with similar materials, colors, style, and design as the primary structure on the lot.
 3. Outside storage. Except in multifamily developments, outside storage of major recreational or utility equipment shall be permitted if said equipment is:
 - a. Behind the principal structure;
 - b. Within a side or rear yard which is fenced and screened;
 - c. Not obstructing required side yard access;
 - d. Not visible from adjacent properties when viewed from a height of six feet above ground level; and
 - e. Parked on a hard surface, as provided in [sub]section 12.2.† of the City of Missouri City Zoning Ordinance.

Section 3. Repeal. Any ordinance or any part of an ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 4. Penalty. Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same

notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED on first reading this ____ day of _____, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this ____ day of _____, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: January 8, 2020

AGENDA ITEM SUBJECT: Chapter 82, Subdivision Ordinance – Subdivision Text Amendment

AGENDA ITEM NUMBER: 9.A.

PROJECT PLANNER: **Jennifer Thomas Gomez, AICP**, Planning Manager

APPROVAL:  **Otis T. Spriggs, AICP**, Director, Development Services

RECOMMENDED ACTION:

The Planning and Zoning Commission should adopt this as its Final Report and forward to the City Council for consideration and adoption thereof.

BACKGROUND:

Texas House Bill 3167 was signed by the governor on June 14, 2019 and became effective on September 1, 2019. The law provides for approval procedures for land development applications processed by a municipal or county government.

On September 3, 2019, the City Council approved an emergency ordinance to provide for an interim procedure to align the city's land development application processes with the new law. The Council has, since that time, extended these interim procedures through January 2020.

Over the last several months staff has worked to generate proposed amendments primarily to Chapter 82, Subdivisions of the City's Code of Ordinances, also known as the subdivision ordinance, to allow for the permanent implementation of regulations consistent with the new law.

An ordinance has been drafted and is being finalized for consideration by the City Council, tentatively scheduled for their January 21st regular meeting agenda.

A survey, arranged by the City of Denton, of 61 Texas cities, including Missouri City, has been included as an attachment and provides how communities processes and codes are impacted by this new law.

Further, a draft flow chart of Missouri City's plat review cycle has been included to depict the overall process.

The proposed amendments are summarized as including the following:

(1) Provide definitions for *plans* and *plats* to clarify the applicable city processes that are subject to the law.

A ***plat*** is defined by the legislation to include general plans (*conceptual plans*), *preliminary plats*, *final plats*, and *replats* including *amending plats*. The addition of this definition would not substantively change what the city has previously considered as a ***plat***. The Commission is the municipal authority responsible for reviewing and providing action on a ***plat***.

A ***plan*** is defined by the legislation as including *subdivision development plans* (*subdivision plans*), *subdivision construction plans*, *site plans*, *land development applications* and *site development plans*. The proposed amendment provides context for these categories of a ***plan*** and would provide for the following:

- *Subdivision (construction) plans* includes all construction plans submitted for the development of streets, alleys, curbs and gutters, sidewalks, bike paths, utilities and other public improvements. These plans are generally submitted to the city for a Major Construction Improvement or MCI permits and are intended for public improvements.
- *Land development applications* include building permit applications for civil only, commercial ground up construction, commercial parking lot, detention pond, flatwork, floodplain work, grading, and parkland dedication. These plans are generally submitted to the city as a building permit application for private improvements.
- *Site development plans* include a full set of construction plans that would include general civil, grading, site plans, drainage plans and traffic control plans. These sets of plans would be submitted as part of an application for an MCI permit or a building permit.

With the exception of parkland dedication proposals, ***plans*** are generally reviewed by various city departments and acted on at the administrative (staff) level. Parkland dedication proposals are considered before the Parks Board, the Commission and determined by City Council as provided below.

(2) Create/publish submittal packets to include submittal schedules, applications, and checklists.

The city has previously published a *plat* submittal packet that includes a submittal schedule coordinated with the Commission's regularly scheduled meetings. The packet also included all *plat* applications and checklists.

The city has not previously provided a submittal packet or schedule for *plan* applications. Previously *plans* could be submitted to the city on any business day and would be reviewed within timeframes established administratively.

A submittal schedule would be used to determine the designated date(s) on which an application can be submitted to the city. An application would be deemed as either received or filed on the date submitted to the city. If an application is filed, the time clock for action would start.

A checklist would be provided to all applicants and used administratively as a quality control tool to determine whether or not an application is complete. Such quality control review would be completed within 5 business days.

An incomplete application (i.e. – lacking items required by the checklist) or an application submitted on a date other than a designated submittal date would not be accepted and is subject to disapproval by the Commission or staff, as applicable.

(3) Establish that certain *plans*, *plats* or related applications be approved, approved with conditions, or disapproved within 30 days of the date such is filed with the city.

In accordance with the new law, if the Commission or staff fails to take action on a *plan* or *plat* within the proscribed 30-day timeframe, the city, on the applicant's request, must issue a certificate indicating the date the *plan* or *plat* was filed and that the city failed to act within that period. This would effectively approve the application as submitted.

The establishment of a submittal schedule would be a critical tool to assist the city in meeting this requirement.

(4) Provide that an applicant may seek a 30-day extension period on an initial action of a plan, plat or related application.

The new law allows for an applicant to request a one-time extension, of up to 30-days, on the proscribed 30-day timeframe.

The proposed amendment would provide that any request for an extension must be in writing and submitted 10 or more days before the city takes action on a *plan* or *plat* application.

The Commission must approve the extension for a **plat** application and certain **plans**. The request for an extension for all other **plans** must be approved by staff.

- (5) Provide that an applicant may submit a written response to an approved with conditions or disapproved plan, plat or related application. Such written response applications must be approved or disapproved within 15 days of the date the application is submitted.**

In accordance with the new law, if the Commission or staff fails to disapprove a written response to conditions of approval or disapproval on a **plan** or **plat** application within the proscribed 15-day timeframe, the **plan** or **plat** is approved.

This requirement by the new law, changes how the city has processed previous responses to conditions on approval. This amendment would require a written response to a plat and certain plan applications to come back before the Commission as the municipal authority responsible for reviewing and providing action on a **plat**. All other **plan** applications would be acted on administratively.

Further, the proposed amendment would complete the **plan** or **plat** application after this response with an approval, project moves forward; or a disapproval, a new application must be submitted.

- (6) Provide for the acceptance and review of minor modifications to a plan, plat or related application to be made prior to an action being taken on such application.**

The proposed amendment allows for minor changes to be made to a **plan** or **plat** application, as a result of the new requirements on written response applications.

These minor changes would be defined as “minor modifications” and would allow for an enhancement, refinement, or clarification to be made to a **plan** or **plat** application. A minor modification may include but would not be limited to: typos; a percent increase or decrease in areas that might impact utility capacity; changes in an alignment, or adjustment to a designated use which does not require notice to be posted.

A minor modification may be made after the application is submitted or filed and at least 7 days or more before the Commission acts or at least 10 days or more before action is taken by staff.

A major modification, anything that is not considered to be minor, would be subject to disapproval.

- (7) Provide requirement for a preliminary application conference.**

The city has consistently provided for pre-development/pre-application conferences. This proposed amendment would make such conferences mandatory prior to the submission of all **plan** and **plat** applications.

A preliminary conference allows for an applicant and their development team to meet with city staff including but not limited to representatives from the Planning Division, Engineering Division, Building/Permitting Division and Fire Marshal's office. The meeting discusses a proposed project/application with the team and informs of applicable city processes, codes/regulations, and other pertinent items that might affect a development.

(8) Provide conditions for the submission of a conceptual plan and provide that such conceptual plan must be approved prior to the Planning and Zoning Commission's consideration of a preliminary plat within the development.

The proposed amendment would revise the requirements for the submission of a conceptual plan. A conceptual plan would now be required if a developer is seeking to subdivide:

- A tract of land utilizing a sequence of preliminary plats or multiple preliminary plats;
- A tract of land of 5 acres or more, if such may have an impact on drainage, access, or require a utility easement on an adjacent property within 200 feet; or
- A tract of land of any size that is zoned as a nonresidential district including CF, community facilities and PD, planned development districts and that is intended to be subdivided into three or more parts.

A conceptual plan would be required to be approved completely by the Commission before a preliminary plat can be considered. Previously, a preliminary plat could be considered by the Commission, sometimes on the same meeting agenda, after a conceptual plan had been approved or approved with conditions.

(9) Alternative Approval Processes

The new law provides for an alternative approval process for a plan or plat that allows for a shorter approval period than proscribed.

For plat applications, the city provides certain exemptions from platting (See Section 82-33); and an Abbreviated Platting Procedure, which allows for the requirement for a preliminary plat to be waived under certain conditions (See Section 82-122).

(10) Provides the types of actions and associated timeframes for the Parks Board and Planning and Zoning Commission's consideration of a parkland dedication proposal.

Parkland dedication proposals are proposed to be included in the definition of land development applications and thus would be subject to the new requirements. Proposed amendments pertaining to the parkland dedication proposals would establish the following:

- Parkland dedication proposals must be reviewed and a recommendation made by the Parks Board within 30 days of the submission of the proposal to the city;
- Parkland dedication proposals must be reviewed and a recommendation made by the Commission to City Council within 30 days of the submission of the proposal to the Commission.
- The Parks Board and the Commission must approve, approve with conditions or disapproval a parkland dedication proposal.
- If either the Parks Board or the Commission fails to submit a recommendation within the prescribed period, the recommendation will be deemed a negative recommendation (disapproval).

-----**END OF REPORT**-----



**DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division**

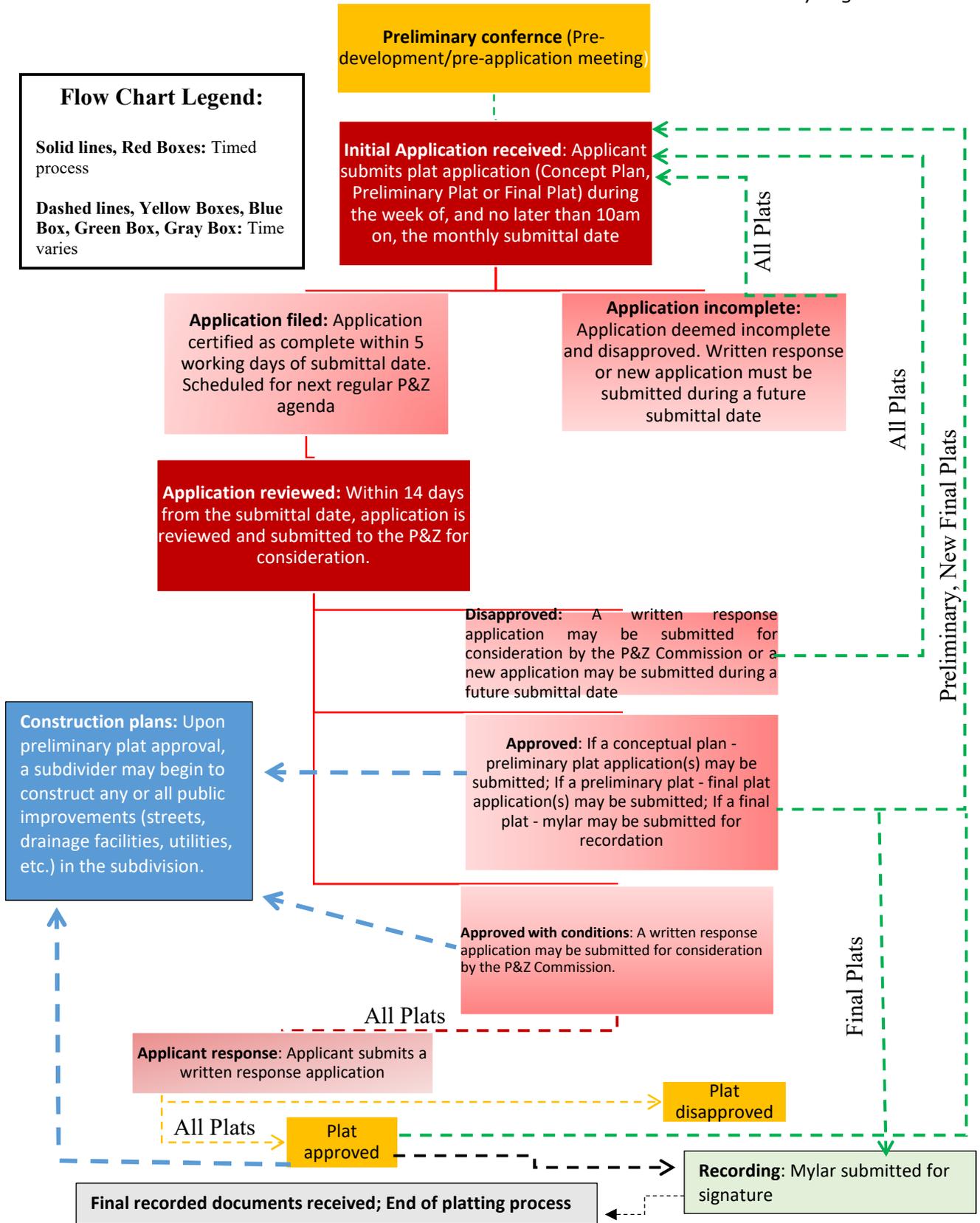
1522 Texas Parkway
Missouri City, Texas 77489
281-403-8600 (Office) ■ 281-208-5551 (Fax)
www.missouricitytx.gov

Flow Chart Legend:

Solid lines, Red Boxes: Timed process

Dashed lines, Yellow Boxes, Blue Box, Green Box, Gray Box: Time varies

**DRAFT
Plat/Subdivision Flow Chart**



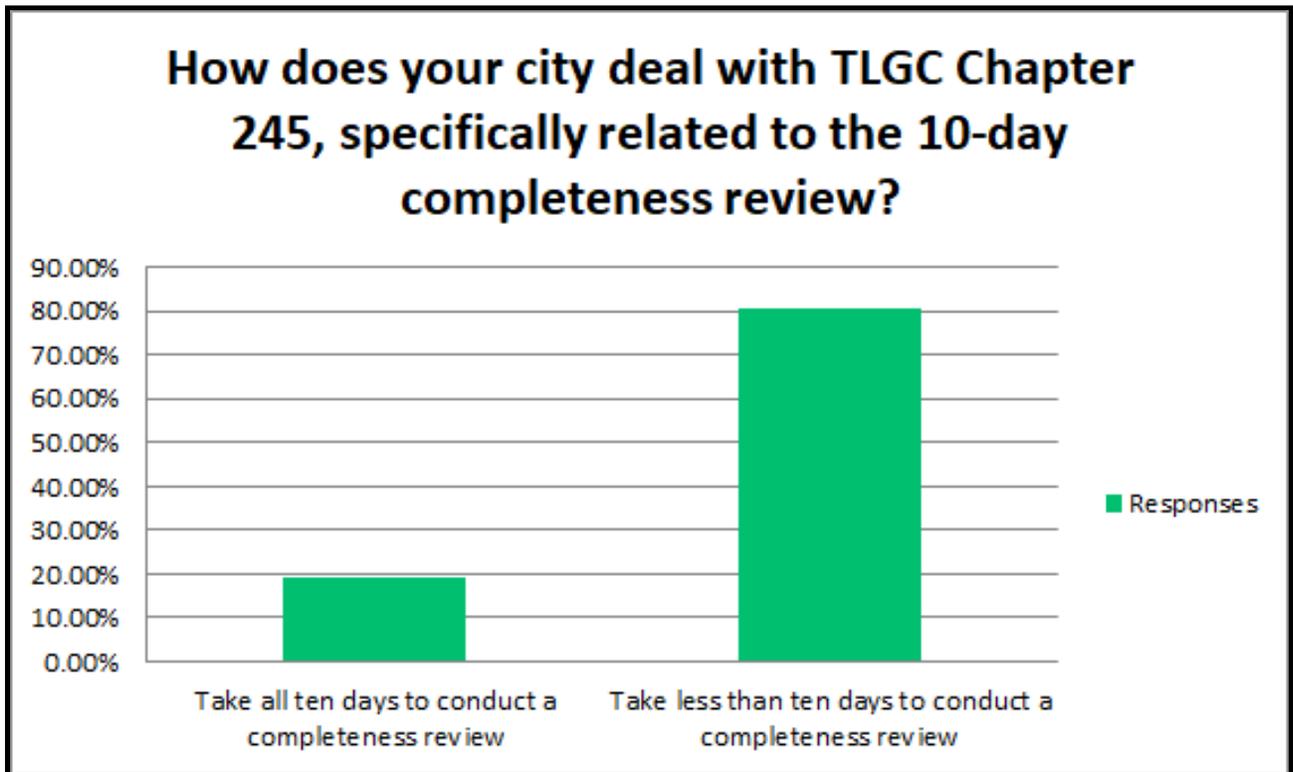
HB3167 Survey of Texas Cities (Created by the City of Denton, Texas) November 2019

Question 1:

Participating Cities: 61

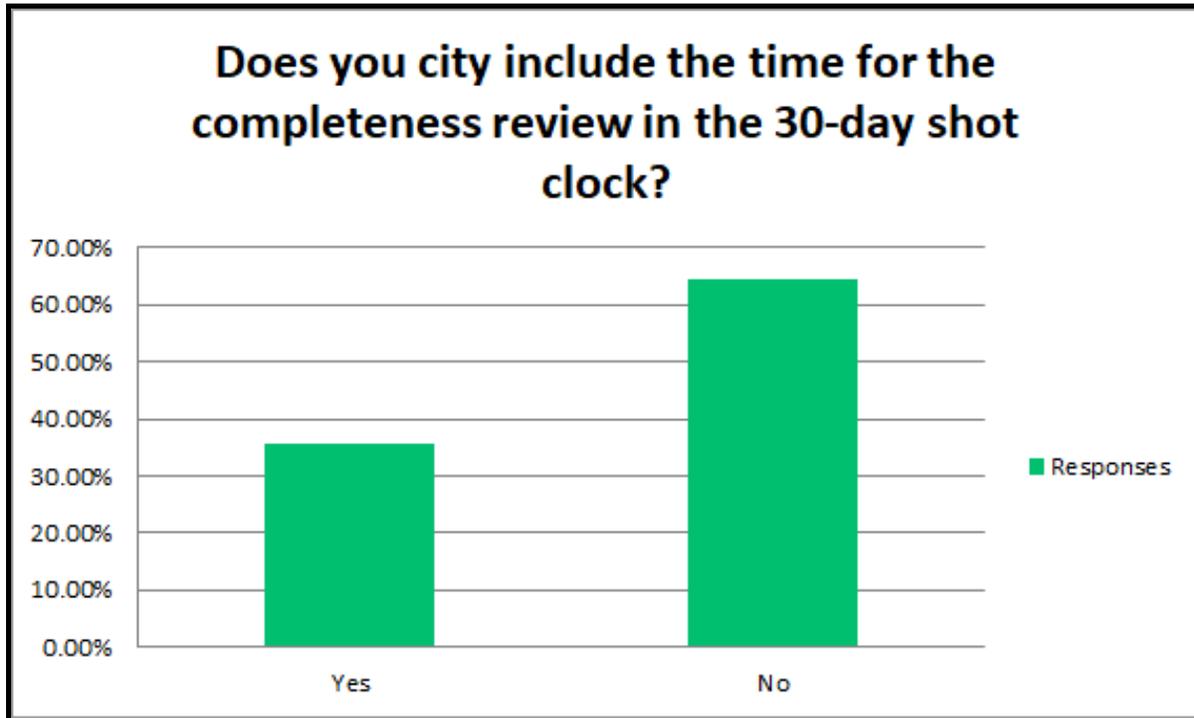
Allen Anna Argyle Arlington Austin Baytown Brenham Brownsville
Buda Celina Cibolo College Station Colleyville Corinth Decatur
El Paso Farmers Branch Fate Fort Worth Frisco Gainesville Garland
Georgetown Granbury Grand Prairie Harker Heights Harlingen
Horseshoe Bay Houston Irving Kaufman Lago Vista Lockhart Lorena
Lufkin Manor Marble Falls McKinney Midland Midlothian Missouri City
Mont Belvieu New Braunfels Northlake Odessa Pasadena Pflugerville
Richland Hills Rockwall Rosenberg Round Rock San Angelo Sanger
San Marcos Santa Fe Stafford Tyler Victoria Waco Webster Wharton

Question 2:

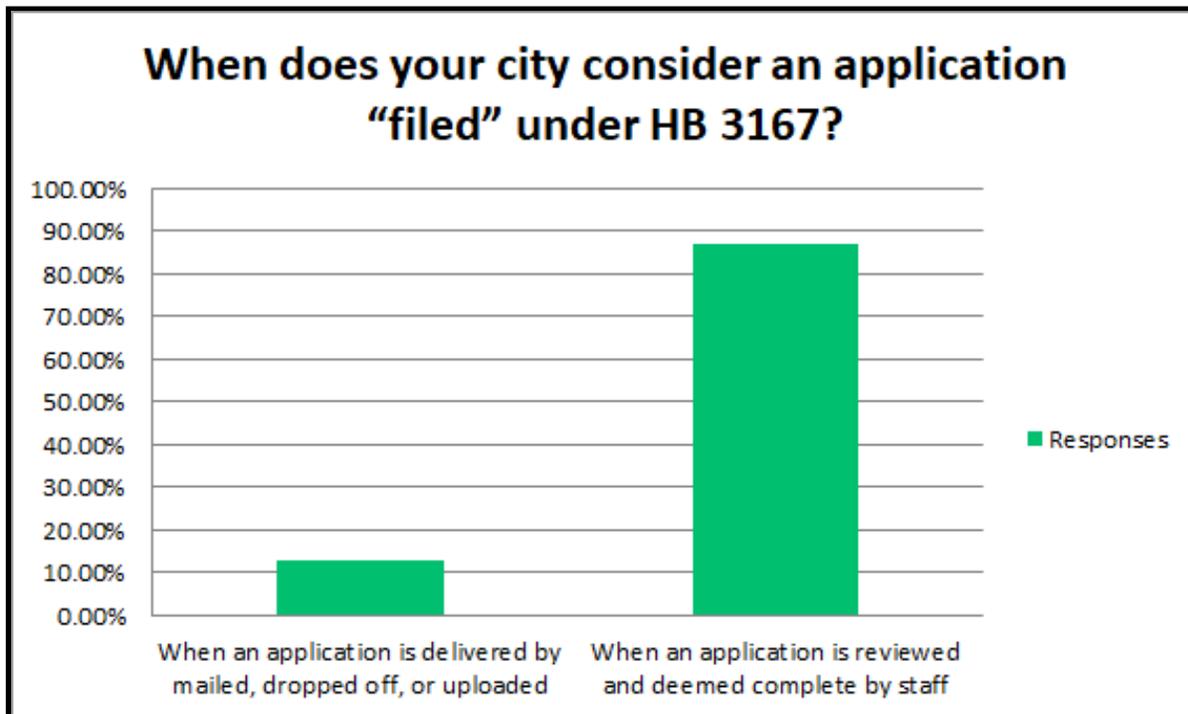


HB3167 Survey of Texas Cities
(Created by the City of Denton, Texas)
November 2019

Question 3:



Question 4:

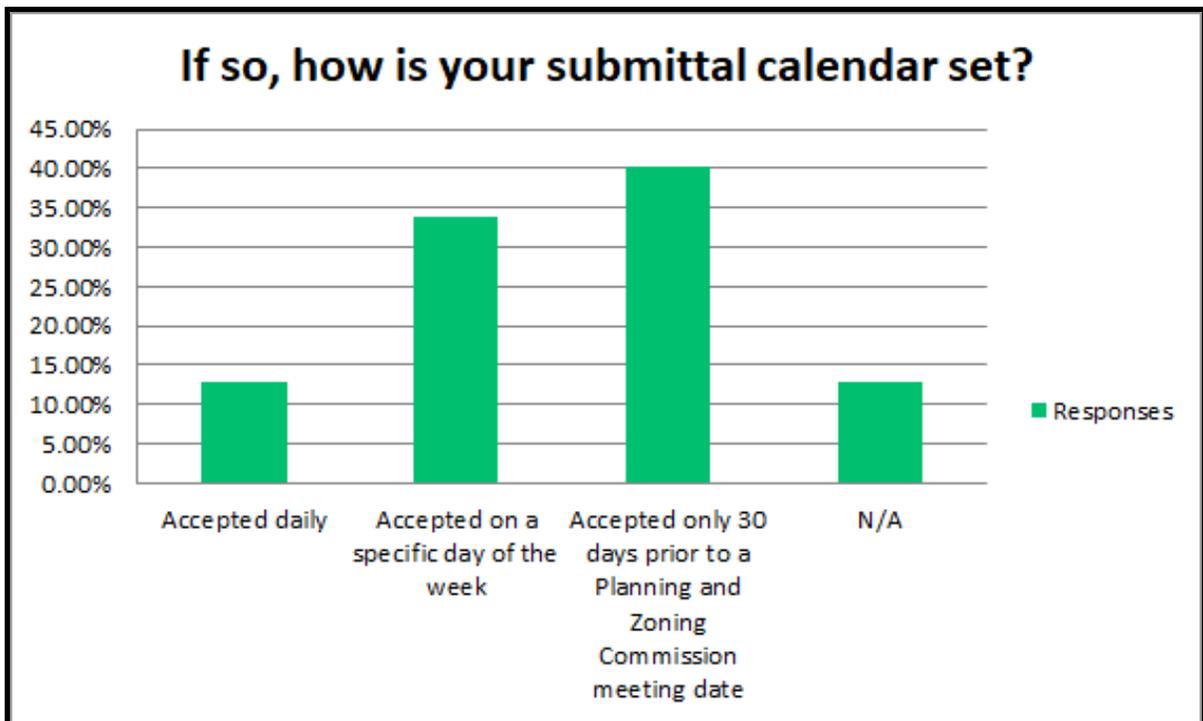


HB3167 Survey of Texas Cities (Created by the City of Denton, Texas) November 2019

Question 5:

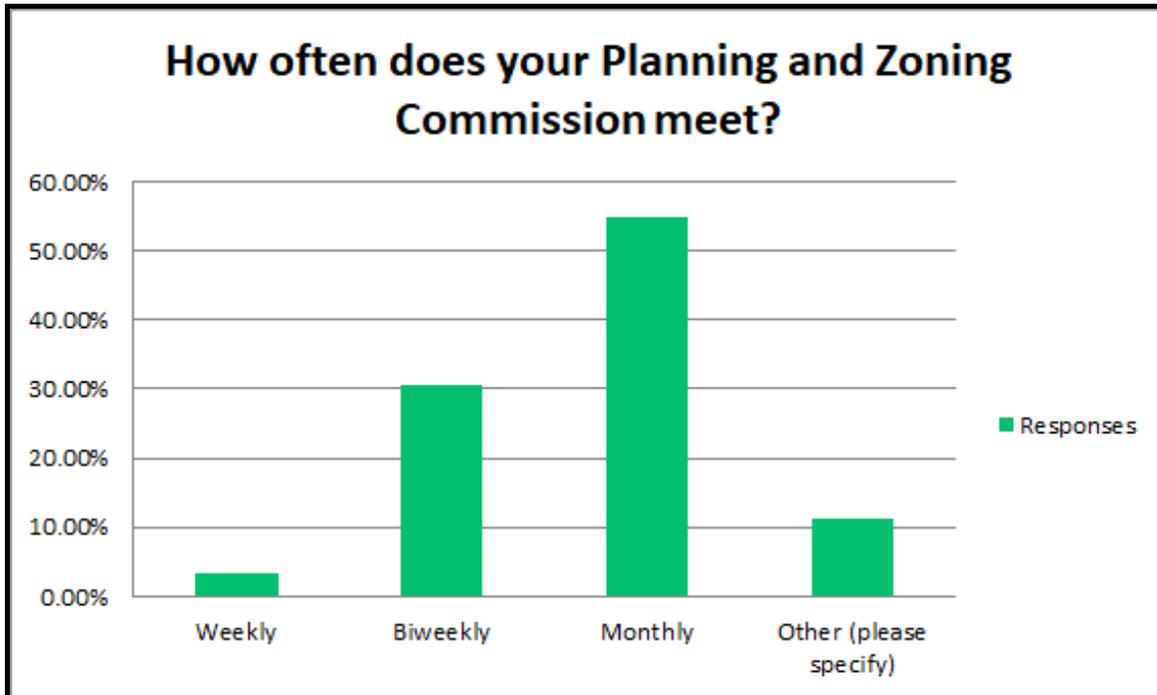


Question 6:

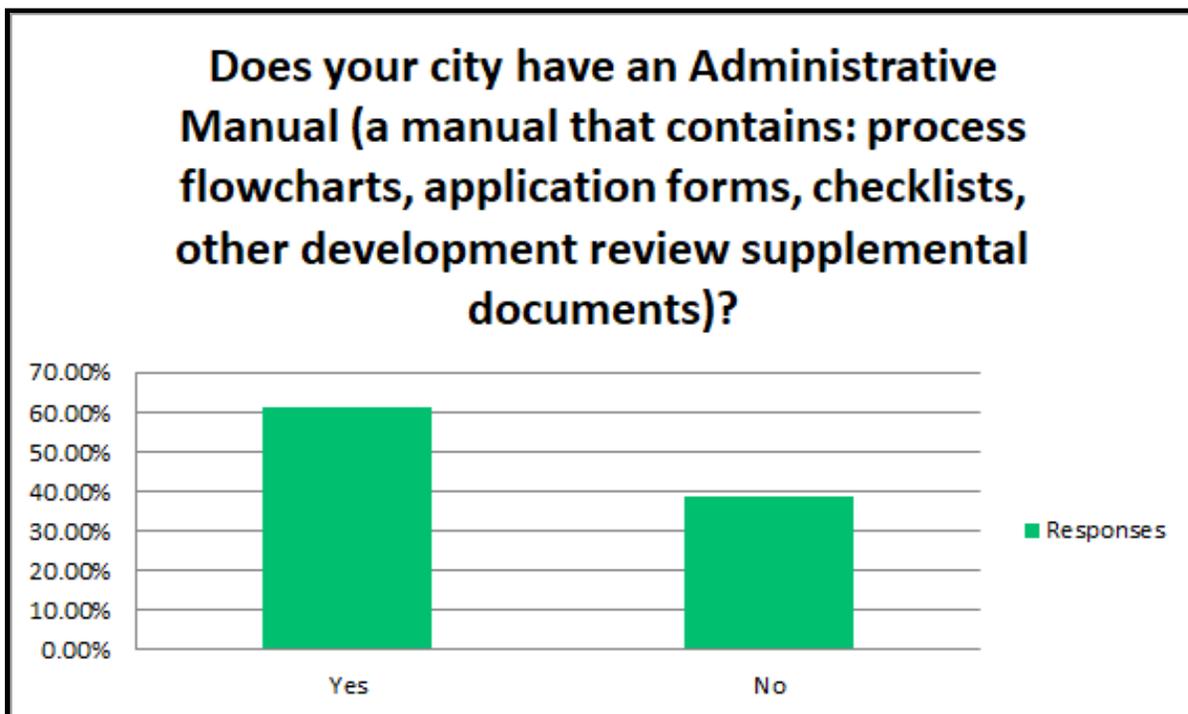


HB3167 Survey of Texas Cities
(Created by the City of Denton, Texas)
November 2019

Question 7:

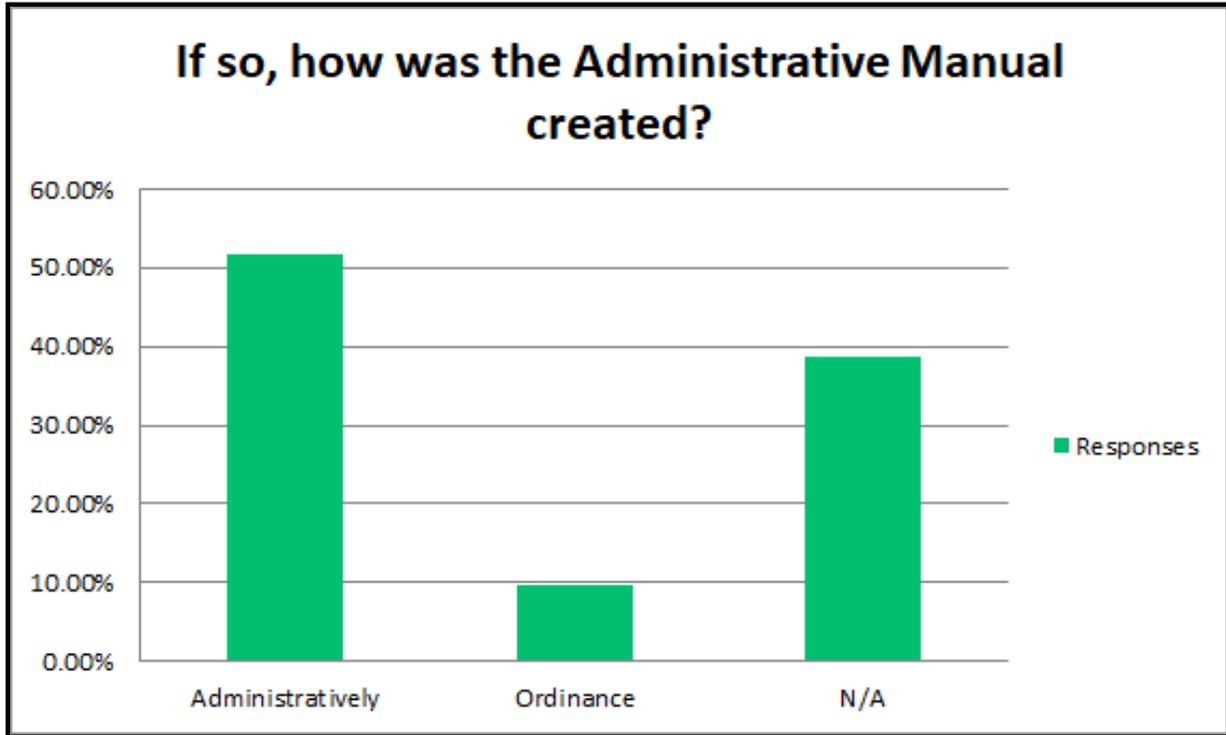


Question 8:



HB3167 Survey of Texas Cities
(Created by the City of Denton, Texas)
November 2019

Question 9:



Question 10:

