



# PLANNING AND ZONING COMMISSION AGENDA

Regular Meeting  
Tuesday, May 13, 2014  
6:30 p.m.  
City Hall - Council Chamber  
Daniel P. Moore Community Center Complex  
1900 Billy G. Webb Drive  
Portland, Texas

1. **CALL TO ORDER:** Chairperson Naiser
2. **MINUTES:** The Planning and Zoning Commission will consider approval of the minutes of its April 8, 2014 Regular Meeting - Chairperson Naiser
3. **SUBDIVISION FINAL PLAT:** The Planning and Zoning Commission will consider the final plat of Lot 11R Gregory-Portland Independent School Tract – Assistant City Manager
4. **SUBDIVISION FINAL PLAT:** The Planning and Zoning Commission will consider the final plat of Lots 1R and 2R, Block 11, Tier “D”, Town of Portland – Assistant City Manager
5. **ADJOURNMENT:** Chairperson Naiser

## **RULES OF PARTICIPATION FOR ATTENDEES**

- a. Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Chairperson will notify you when it’s your turn speak and direct you to the podium).
- b. Persons who wish to speak must identify themselves and their places of residence.
- c. All comments, requests and proposals must be presented to or through the Chairperson.

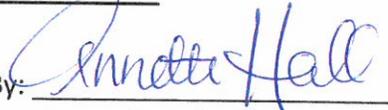
- d. Persons who wish to speak will be given 4 minutes to do so. The Chairperson may permit persons to speak more than once if he/she believes doing so will improve the planning process and facilitate deliberation.

*NOTICE OF ASSISTANCE*

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall at 361-777-4513 or [annette.hall@portlandtx.com](mailto:annette.hall@portlandtx.com) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chambers during the meeting.

**BRaille IS NOT AVAILABLE**

Posted: May 9, 2014 by 5 p.m.  
City Hall

By:   
**Annette Hall**  
**City Secretary**

## MINUTES

### PLANNING AND ZONING COMMISSION

#### APRIL 8, 2014 REGULAR MEETING

The Planning and Zoning Commission conducted its April 8, 2014 Regular Meeting in the Council Chambers of City Hall (1900 Billy G. Webb) that began at 7:00 p.m. It did so in compliance with requirements of the Texas Open Meetings Act, City of Portland City Charter and Unified Development Ordinance. The following persons were in attendance:

#### MEMBERS PRESENT

Craig Forsythe (Vice Chairperson)  
Pete Stricker  
Jerry Browning  
Mark Wendland

#### MEMBERS ABSENT

Marcus Naiser (Chairperson)  
John Rooney  
Theresa Nix

#### STAFF PRESENT

Randy Wright, City Manager  
Brian DeLatte, Director of Public Works and Development

1. **CALL TO ORDER**: Vice Chairperson Forsythe called the meeting to order at 7:00 p.m.
2. **MINUTES**: The Planning and Zoning Commission will consider approval of the minutes of its February 11, 2014 Regular Meeting

Jerry Browning made a motion to accept the minutes of the February 11, 2014, Regular Meeting. Mark Wendland seconded the motion.

The motion passed (4-0).

3. **PUBLIC HEARING**: The Planning and Zoning Commission will conduct a Public Hearing to solicit comments from citizens and other interested parties concerning possible Unified Development Ordinance Text Amendments. A general description of possible Unified Development Ordinance Text Amendments follows:
  - Revisions to Section 406. Permitted Use Table.
  - Revisions to Section 707. Fences.
  - Revisions to Section 711. Off-Street Parking and Loading.
  - Addition of Section 713. Exterior Lighting.
  - Revisions to Section 1003. Defined Terms.

Vice Chairperson Forsythe opened the Public Hearing at 7:02 p.m.

Director of Public Works and Development, Brain DeLatte, presented and reviewed the following Text Amendments to the UDO:

- Section 406. Permitted Use Table.
  - Modifying Community Home to be allowed by right in all residential districts
  - Modifying Pawn Shop to only be allowed by right in Industrial district; eliminating SUP's in all other districts
  
- Section 707. Fences.
  - Combine Code of Ordinances Section 4-2 and UDO Section 707
  - Divide Section 707 Subsection A into its three components:
    - Front yard fencing is prohibited
      - Exception: 36" picket fences in OT-1 and OT-2
    - Chain link fencing is prohibited
      - Exception: Nonresidential lots in OT-2
    - Double frontage fencing is unchanged
      - Prohibited materials and maintenance requirements remain unchanged
  
- Section 711. Off-Street Parking and Loading
  - Clarifying the Parking Module table
  - Clarifying that maintenance of off-street parking includes all portions of parking lots (parking lots, driveways, access aisles, and loading areas)
  
- Section 713. Exterior Lighting.
  - Adding lighting specifications to reduce glare-producing lighting and encourage sustainable lighting solutions
    - Aimed and shielded to prevent glare
    - Full cut-off fixtures
    - Encourages LED and solar-powered lighting where feasible
  
- Section 1003. Defined Terms.
  - Updating the definition of Community Home
  
- Public Notification
  - Published in The Coastal Bend Herald on March 18, 2014
  - Revisions sent to Developers Roundtable and Corpus Christi Builders Association

Mr. DeLatte indicated that there has been no public comment regarding the proposed modifications.

Vice Chairperson Forsythe asked if any member of the audience wished to offer any comment regarding the proposed changes. Hearing none, Mr. Forsythe closed the Public Hearing at 7:22 p.m.

4. **UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS**: The Planning and Zoning Commission will consider recommending Unified Development Ordinance Text Amendments to the City Council—Director of Public Works and Development

Mr. Wendland asked if any existing swimming pools or light poles that did not meet these new requirements would require compliance. Mr. DeLatte answered that they would only be required to come into compliance if major structural modifications are made.

Mr. Browning made a motion to recommend to City Council the adoption of the text amendments as proposed. Mr. Stricker seconded the motion.

The motion passed (4-0).

5. **SUBDIVISION FINAL PLAT**: The Planning and Zoning Commission will consider the final plat of Chiquita Ranch, Block 1, Lot 1 – Director of Public Works and Development

Mr. DeLatte presented the following plat application:

**EXECUTIVE SUMMARY**

A final plat has been submitted for 7714 CR 2004. The lot is located outside of the city limits, but within the extraterritorial jurisdiction (ETJ). The lot is currently undeveloped and is being platted for the delivery of water service to a proposed single-family residence. While the property is not zoned, it would meet single-family residential lot standards. Staff analysis shows that the final plat meets Unified Development Ordinance requirements and approval is recommended.

**PRIOR ACTIONS OR REVIEWS**

None

**DETAILS / STAFF ANALYSIS**

The property is being platted for the delivery of water service to the lot. Water is available to the lot upon the applicant's compliance with all City regulations, including Resolution #548 (*Policy Governing the Provision of Utility Service Beyond City Limits*). The delivery of water service is contingent upon the recordation of the final plat, and as such the property must not be occupied prior to the plat's recordation. This subdivision plat was reviewed and found to be in conformance with City of Portland regulations.

Mr. Stricker made a motion to approve the plat of Chiquita Ranch, Block 1, Lot 1 subject to the following conditions:

Adopt a motion that approves the final plat of Lot 1, Block 1, Chiquita Ranch, subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees
- (3) Recordation of the plat before occupying the property

Mr. Browning seconded the motion. The motion passed (4-0).

6. **ADJOURNMENT:**

Vice Chairperson Forsythe adjourned the meeting at 7:29 p.m.

APPROVED:

\_\_\_\_\_  
Chairperson Marcus Naiser

ATTEST:

\_\_\_\_\_  
Brian DeLatte, P.E.  
Director of Public Works and Development



<b>AGENDA TITLE</b>	<b><u>SUBDIVISION FINAL PLAT</u></b> The Planning and Zoning Commission will consider the final plat of Lot 11R Gregory-Portland Independent School Tract
<b>MEETING DATE</b>	5/13/2014
<b>DEPARTMENT</b>	Building and Development
<b>SUBMITTED BY</b>	Brian DeLatte, P.E.

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**EXECUTIVE SUMMARY**

A final plat has been submitted for a replat of Lot 11R of the Gregory-Portland Independent School Tract located in the 1800 Block of Billy G. Webb. As the property is already platted, all utility, drainage, and access requirements have already been met. Staff analysis shows that the final plat meets Unified Development Ordinance requirements and approval is recommended.

**PRIOR ACTIONS OR REVIEWS**

None

**DETAILS / STAFF ANALYSIS**

The property is being platted in advance of development of the lot. Water, wastewater, drainage, and access requirements have already been met for the lot. A utility easement is being dedicated along the southeast boundary by this plat for the extension of wastewater through the site. Additionally, this redevelopment renders the access easement along the southeast boundary useless; it is being abandoned by this plat. This subdivision plat was reviewed and found to be in conformance with City of Portland regulations.

**ATTACHMENTS**

- Final Plat of Lot 11R of the Gregory-Portland Independent School Tract

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**RECOMMENDED ACTION**

Adopt a motion that approves the final plat of Lot 11R of the Gregory-Portland Independent School Tract , subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees





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<b>AGENDA TITLE</b>	<b><u>SUBDIVISION FINAL PLAT</u></b> The Planning and Zoning Commission will consider the final plat of Lots 1R and 2R, Block 11, Tier "D", Town of Portland
<b>MEETING DATE</b>	5/13/2014
<b>DEPARTMENT</b>	Building and Development
<b>SUBMITTED BY</b>	Brian DeLatte, P.E.

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**EXECUTIVE SUMMARY**

A final plat has been submitted for a replat of Lots 1R and 2R, Block 11, Tier "D", Town of Portland, located at the southeast corner of Moore Avenue and Fourth Avenue. There are two houses located on the subject property that are currently nonconforming with respect to the district dimensional standards. This plat does not rectify the nonconformity, which is believed to be in excess of 70 years old.

**PRIOR ACTIONS OR REVIEWS**

None

**DETAILS / STAFF ANALYSIS**

The property is being platted in advance of the potential sale of one of the houses. The plat does not conform to current district dimensional standards for the OT -2, Olde Town Mixed Use District. However, this nonconformity has existed in excess of 70 years. Staff recommends waiving the district dimensional standards and approving the plat.

**ATTACHMENTS**

- Final Plat of Lots 1R and 2R, Block 11, Tier "D", Town of Portland

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**RECOMMENDED ACTION**

Adopt a motion that approves the final plat of Lots 1R and 2R, Block 11, Tier "D", Town of Portland, subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees
- (3) Waiver of district dimensional standards of the side yard line
- (4) Water service and driveway access for each lot must not cross lot lines

# LOTS 1R AND 2R, BLOCK 11

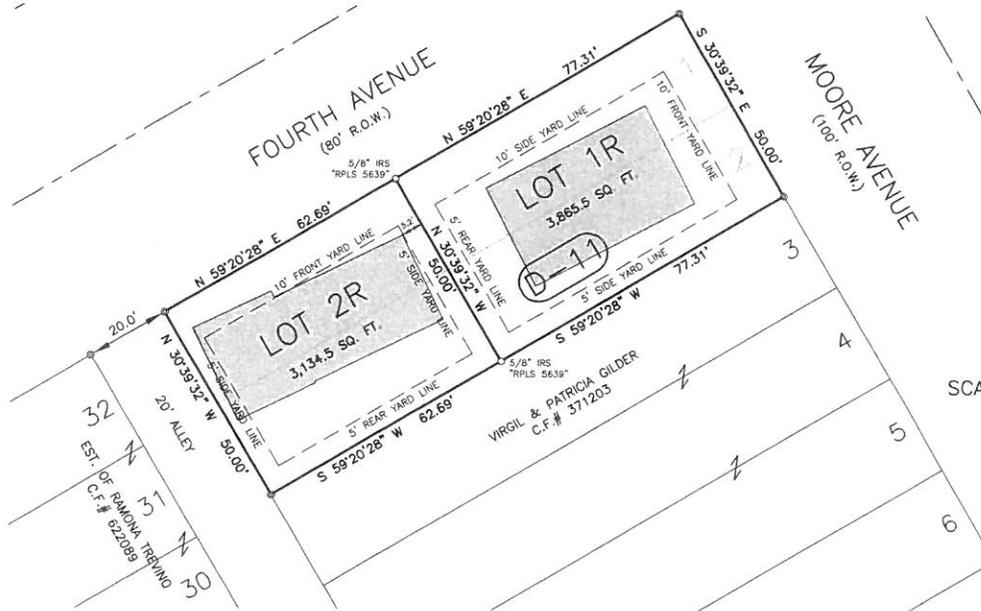
BEING A REPLAT OF LOTS 1 AND 2,  
BLOCK 11, TIER "D", TOWN OF PORTLAND  
ACCORDING TO MAP RECORDED IN VOLUME 1, PAGE 5-A,  
MAP RECORDS, SAN PATRICIO COUNTY, TEXAS

**NOTES:**

- 1) YARD REQUIREMENTS ARE DEPICTED AS PER THE CITY OF PORTLAND ZONING ORDINANCE (OT-2, Olde Town Mixed Use).
- 2) FOUND 5/8" IRON RODS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
- 3) BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE GRID, TEXAS COORDINATE SYSTEM OF 1927, SOUTH ZONE.



PORTLAND, TX VICINITY MAP  
(N.T.S.)



SCALE: 1" = 20'

STATE OF TEXAS  
COUNTY OF SAN PATRICIO

I, PRISCILLA GUERRA, HEREBY CERTIFY THAT I AM THE OWNER OF LOTS 1R AND 2R, SHOWN ON THIS MAP; THAT I HAVE HAD SAID LAND SURVEYED AS SHOWN; THAT STREETS AS SHOWN ARE DEDICATED TO THE PUBLIC FOREVER; THAT ALL EASEMENTS ARE DEDICATED TO THE PUBLIC FOR FOR THE INSTALLATION, OPERATION AND USE OF THE PUBLIC UTILITIES; THAT THIS MAP WAS MADE FOR THE PURPOSE OF DESCRIPTION AND DEDICATION.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

PRISCILLA GUERRA, OWNER

STATE OF TEXAS  
COUNTY OF SAN PATRICIO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PRISCILLA GUERRA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

NOTARY PUBLIC IN AND FOR SAN PATRICIO CO., TEXAS

STATE OF TEXAS  
COUNTY OF SAN PATRICIO

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY APPROVED BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF PORTLAND, PROVIDED, HOWEVER, THIS APPROVAL SHALL BE INVALID AND NULL UNLESS THIS PLAT BE FILED WITH THE COUNTY CLERK WITHIN SIX (6) MONTHS HEREAFTER.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

STATE OF TEXAS  
COUNTY OF SAN PATRICIO

I, GRACIE ALANIZ-GONZALES, CLERK OF THE COUNTY COURT IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014 AT \_\_\_\_\_ O'CLOCK \_\_\_\_M AND DULY RECORDED IN VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ (M.R.S.P.C.T.).

WITNESS MY HAND AND SEAL OF THE COUNTY COURT, IN AND FOR SAID COUNTY AT OFFICE IN SINTON, TEXAS, THE DAY AND YEAR LAST WRITTEN.

No. \_\_\_\_\_ GRACIE ALANIZ-GONZALES, COUNTY CLERK  
FILED FOR RECORD AT SAN PATRICIO COUNTY, TEXAS  
\_\_\_\_\_ O'CLOCK \_\_\_\_M. \_\_\_\_\_, 2014

STATE OF TEXAS  
COUNTY OF SAN PATRICIO

I, GREGORY A. HAUGER, A REGISTERED PROFESSIONAL LAND SURVEYOR FOR THE STATE OF TEXAS, OF KING & PETRUS SURVEYING AND ENGINEERING, INC., HEREBY CERTIFY THAT THE FOREGOING PLAT WAS PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IS TRUE AND CORRECT AND THAT ALL CORNERS WERE FOUND OR SET AS SHOWN.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

GREGORY A. HAUGER  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 5639