



## **PLANNING AND ZONING COMMISSION MEETING AGENDA**

Notice is hereby given of a **Regular Meeting** of the La Porte **Planning and Zoning Commission** to be held on **Thursday, June 15, 2017** at 6:00 p.m. at City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS.**
- 3. CONSIDER APPROVAL OF THE MEETING MINUTES:**
  - a. April 20, 2017 Meeting
  - b. May 18, 2017 Meeting
- 4. PUBLIC HEARING:** Open Public Hearing to receive input on an ordinance amending Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte, amending the sections 106-741 and 106-771 regarding carports.
  - a. Staff/Applicant Presentation
  - b. Public Comments (for, against, or question)
  - c. Question and Answer
- 5. SUBCOMMITTEE REPORT**
  - a. Mobil Food Vendor Subcommittee Meeting Schedule
- 6. ADMINISTRATIVE REPORTS**
- 7. COMMISSION COMMENTS** on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
- 8. 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 Patrice Fogarty, City Secretary, at 281-470-5019.

### **CERTIFICATION**

I certify that a copy of the Thursday, June 15, 2017, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

Title: \_\_\_\_\_

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



**June 15, 2017**

## **AGENDA ITEM 3a**

Consider approval of the Meeting Minutes from  
April 20, 2017

*Ian Clowes, City Planner*

*Planning and Development Department*

*City of La Porte, Texas*

**Planning and Zoning Commission  
Minutes of April 20, 2017**

**Commissioners Present:** Richard Warren, Trey Kendrick, Larry Stockham, Wyatt Smith, Nick Barrera, Helen LaCour and Chairman Hal Lawler

**Commissioners Absent:** Lou Ann Martin, Mark Follis

**City Staff Present:** Assistant City Manager Traci Leach, Assistant City Attorney Clark Askins, Director of Planning and Development Richard Mancilla, City Planner Ian Clowes, and Planning Technician Ryan Cramer

**1. Call to Order.**

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

**2. Roll call of members.**

Commissioners Helen LaCour, Mark Follis and Lou Ann Martin were not present for roll call but Commissioner LaCour arrived late.

**3. Consider approval of the meeting minutes:**

**a. January 31, 2017 Meeting**

**Motion** by Commissioner Kendrick to approve with a correction reflecting Wyatt Smith's attendance

Second by Commissioner Smith. **Motion carried.**

**Ayes:** Commissioners Smith, Barrera, Kendrick, Warren, Stockham, and Chairman Lawler

**Nays:**

**4. Major Development Site Plans:**

**a. Consider a request by Aaron Renden of ATR Engineering, on behalf of DCT Industrial Operating Partnership; for approval of a major development site plan for a proposed warehouse distribution facility on a 13.22 acre parcel located at 9703 State Highway 225**

**a. Staff Presentation**

Planning Technician Ryan Cramer gave staff's presentation.

Commissioner Smith asked if it was part of any industrial districts, Planning Technician Cramer said that it was not. Through annexation it is actually part of the City's jurisdiction.

The commissioners discussed the legality of denying a major site plan application.

**b. Applicant Presentation**

There was no applicant presentation.

**c. Question and Answer**

There were no questions.

**Motion** by Commissioner Kendrick with the condition that all of the Engineering Manager's comments be satisfied.

Second by Commissioner Smith. **Motion carried.**

**Ayes:** Commissioner, Kendrick, Warren, Barrera, Smith, Stockham and Chairman Lawler

**5. Discussion items**

**a. Discussion on proposed changes to Chapter 106 regarding Carports**

City Planner Clowes started the discussion by introducing the subject and showing the carport regulations for comparable cities.

The Commission discussed how restrictive they wanted to make the carport ordinance.

**b. Discussion on a proposed Food Truck ordinance for the City of La Porte**

City Planner Clowes started the discussion by introducing the subject and describing the basis for the agenda item.

Commissioners Kendrick and Smith were concerned about the effect on local restaurants as well as the lack of tax revenue from the purchases.

The Commission decided to move forward with creating a committee, but it would have to wait as creating a committee was not on the agenda.

**6. Administrative reports.**

City Planner Clowes introduced Richard Mancilla, the new Planning Director.

**7. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.**

Commissioner Stockham thanked everyone for the discussion on carports as it is important to the community.

**8. Adjourn**

**Motion** by Commissioner Warren to adjourn.

**Second** by Commissioner Barrera. **Motion Carried.**

**Ayes:** Commissioners Warren, Kendrick, Stockham, Barrera, LaCour, Smith, and  
Chairman Hal Lawler

**Nays:** None

Chairman Lawler adjourned the meeting at 7:26 p.m.

Respectfully submitted,

\_\_\_\_\_  
Trey Kendrick  
Secretary, Planning and Zoning Commission

Passed and Approved on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Hal Lawler  
Chairman, Planning and Zoning Commission

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



**June 15, 2017**

## **AGENDA ITEM 3b**

Consider approval of the Meeting Minutes from  
May 18, 2017

*Ian Clowes, City Planner*

*Planning and Development Department*

*City of La Porte, Texas*

**Planning and Zoning Commission  
Minutes of May 18, 2017**

**Commissioners Present:** Vice Chairman Richard Warren, Lou Ann Martin, Nick Barrera, Larry Stockham, and Wyatt Smith

**Commissioners Absent:** Chairman Hal Lawler, Trey Kendrick, Mark Follis, and Helen LaCour

**City Staff Present:** Assistant City Attorney Clark Askins, Planning and Development Director Richard Mancilla, City Planner Ian Clowes, and Planning Technician Ryan Cramer

**1. Call to Order.**

Vice Chairman Richard Warren called the meeting to order at 6:00 p.m.

**2. Roll call of members.**

Commissioners Hal Lawler, Trey Kendrick, Mark Follis, and Helen LaCour were not present for roll call.

**3. Consider approval of the meeting minutes: February 16, 2017 Meeting**

**Motion** by Commissioner Stockham to approve

Second by Commissioner Smith. **Motion carried.**

**Ayes:** Commissioners Smith, Martin, Stockham, Barrera, and Vice Chairman Warren

**Nays:** None

**4. Consider approval of the meeting minutes: March 16, 2017 Meeting**

**Motion** by Commissioner Stockham to approve

Second by Commissioner Smith. **Motion carried.**

**Ayes:** Commissioners Smith, Martin, Stockham, Barrera, and Vice Chairman Warren

**Nays:** None

**5. Discussion Item:** Discussion on proposed Ordinance language for Chapter 106 amendments regarding Carports

City Planner Clowes went over the background information regarding the history of the carport amendment discussion. He then presented the commission with the proposed revised language for sections 106-741 and 106-771. City Planner Clowes provided visual diagrams to the commission explaining the proposed changes.

Commissioner Stockham asked what the required front setback for the home/primary structure for large lot single family was. City Planner Clowes stated that it was between 25 and 30 feet.

The commissioners voiced a desire to add language that would allow homes on large lots that are setback less than 100 feet to have carports adjacent to the home, similar to what is allowed on smaller lots. City Planner Clowes stated that he would work with legal to come up with language that would permit that.

The commission decided to move forward with a public hearing for the proposed changes at the next meeting of the Planning and Zoning Commission.

## **6. Formation of Mobile Food Vendor Ordinance Subcommittee**

City Planner Clowes gave a brief background on the reasoning as to why the city has decided to begin looking into adoption of a Mobile Food Vendor Ordinance. At the April 20, 2017 P&Z Meeting the recommendation by the commission was to form a subcommittee of the P&Z to work on a determining a path forward.

Commissioners Smith, Stockham, Warren, and Barrera all stated that they would be willing to serve on the subcommittee.

**Motion** by Commissioner Martin to form the Mobile Food Vendor Ordinance subcommittee.

**Second** by Commissioner Smith. **Motion Carried.**

**Ayes:** Commissioners Smith, Martin, Stockham, Barrera, and Vice Chairman Warren  
**Nays:** None

## **7. Administrative reports.**

None.

## **8. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.**

Commissioner Smith had questions regarding code enforcement and when and how the city mows properties that are in violation. City Planner Clowes explained the code enforcement process. Commissioner Smith suggested that the city should serve as an example by making sure they maintain their own grass.

## **9. Adjourn**

**Motion** by Commissioner Smith to adjourn.

**Second** by Commissioner Barrera. **Motion Carried.**

**Ayes:** Commissioners Smith, Martin, Stockham, Barrera, and Vice Chairman Warren  
**Nays:** None

Vice Chairman Warren adjourned the meeting at 6:48 p.m.

Respectfully submitted,

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Trey Kendrick  
Secretary, Planning and Zoning Commission

Passed and Approved on \_\_\_\_\_, 2017.

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Richard Warren  
Vice Chairman, Planning and Zoning Commission

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



**June 15, 2017**

## **AGENDA ITEM 4a**

Proposed Ordinance language for Chapter 106 regarding Carports

*Ian Clowes, City Planner*

*Planning and Development Department*

*City of La Porte, Texas*

## Planning and Development Department Staff Report

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### BACKGROUND

Staff was asked to look into possible amendments to Chapter 106 that would further regulate when and where carports could be constructed within the city. At the April 20, 2017 meeting of the Planning and Zoning Commission, staff presented a number of different options regarding proposed language for amendments. From the discussion that resulted, staff has crafted language for the proposed amendment. The draft version was presented to the commission on May 18, 2017. At that time the council requested some additional language allowing carports on large lots to be located less than 100 feet back if the home was setback less than 100 feet. That added language is in italics.

#### Proposed Language:

#### 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) Carports as defined, may be permitted in side yards on property less than one (1) acre in size and zoned or utilized for residential use as long as the carport is located entirely behind the front most face of the principal building, but in no case may a carport encroach the required front yard building line. All carports located within a side yard shall comply with the side setback requirements applicable to the principal building.
  - (3) Accessory structures, including carports, shall be permitted anywhere on property one (1) acre or greater in size and zoned or utilized for residential use, so long as such accessory structures: (1) are set back at least one hundred (100) feet from the front property line **or located entirely behind the front most face of the principal building, which ever distance is less**; (2) are no closer than five feet (5') to a common property line; and (3) do not encroach on any dedicated easements.
  - ~~(2 4)~~ 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.

**Sec. 106-771. - Yard requirements**

~~(4) Front and Side yard carports. Front and Side yard carports shall be permitted for single-family detached homes subject to the following requirements of Sec. 106-741 of this Chapter.~~

- ~~a. Carports in a required front or side yard shall not be located closer than five feet from any front or side property line.~~
- ~~b. Carports located on corner lots shall not be located closer than 25 feet from an intersection. This distance shall be measured from the intersection of property lines common with street right-of-way lines.~~
- ~~c. The maximum width of a carport located in a required front or side yard shall be 25 feet.~~

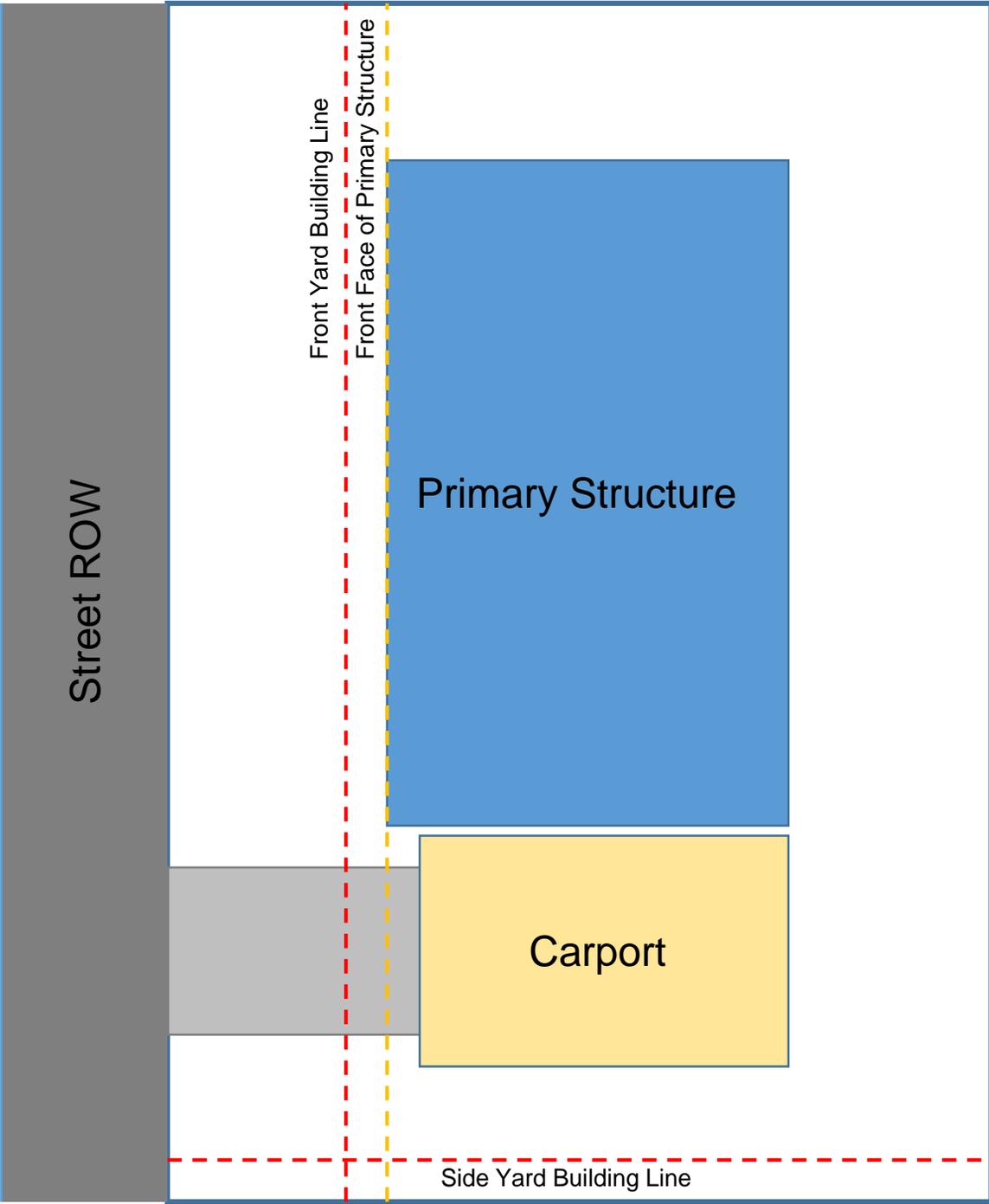
**REQUESTED ACTION**

Staff recommends the Planning and Zoning Commission recommend approval of the proposed amendments to Section 106-741 and 106-771 of Chapter 106, "Zoning" of the City of La Porte Code of Ordinances.

**ATTACHMENTS**

Exhibit A: Diagram illustrating proposed changes

# PERMITTED



Street ROW

Front Yard Building Line

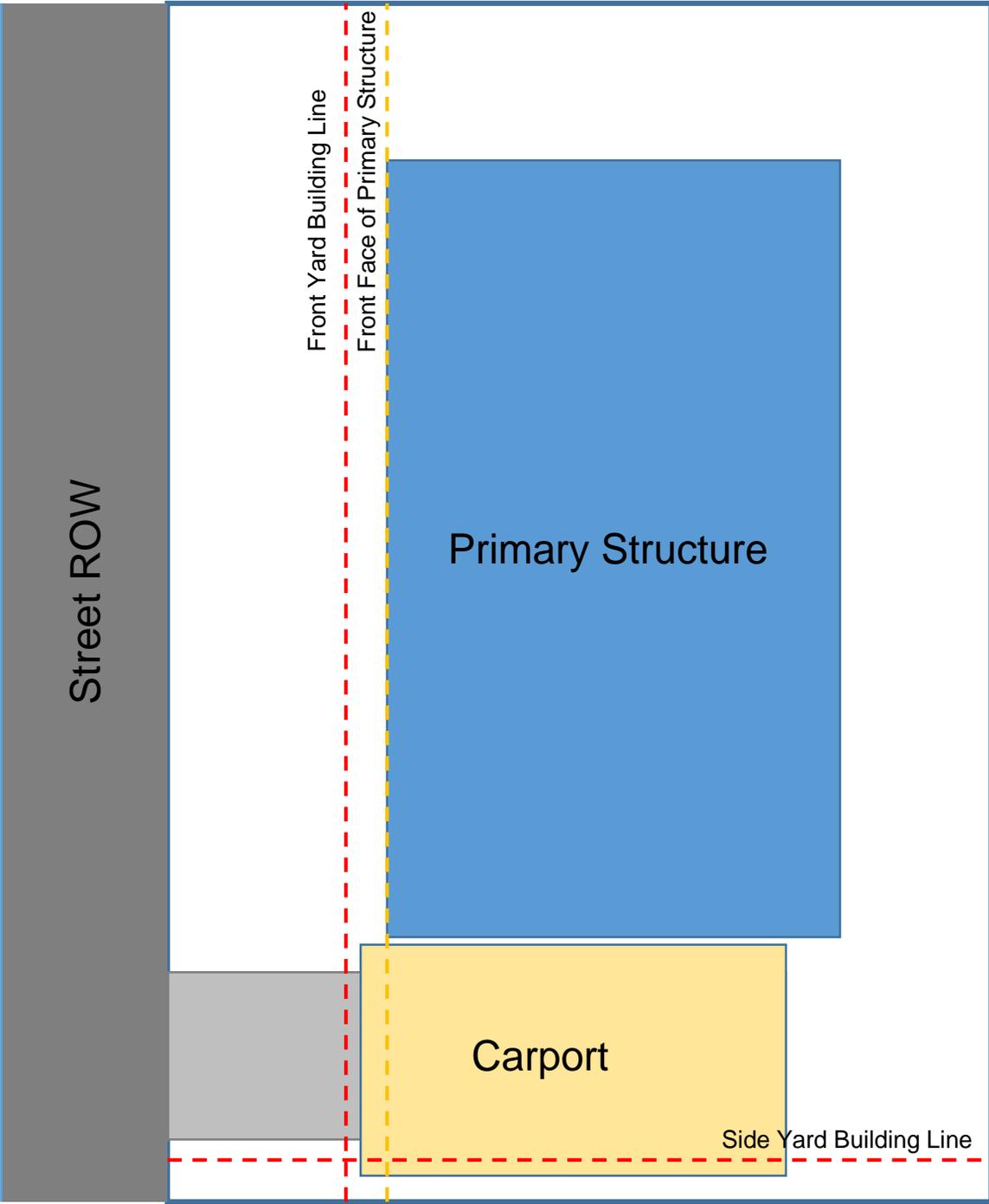
Front Face of Primary Structure

Primary Structure

Carport

Side Yard Building Line

**NOT PERMITTED**



Street ROW

Front Yard Building Line

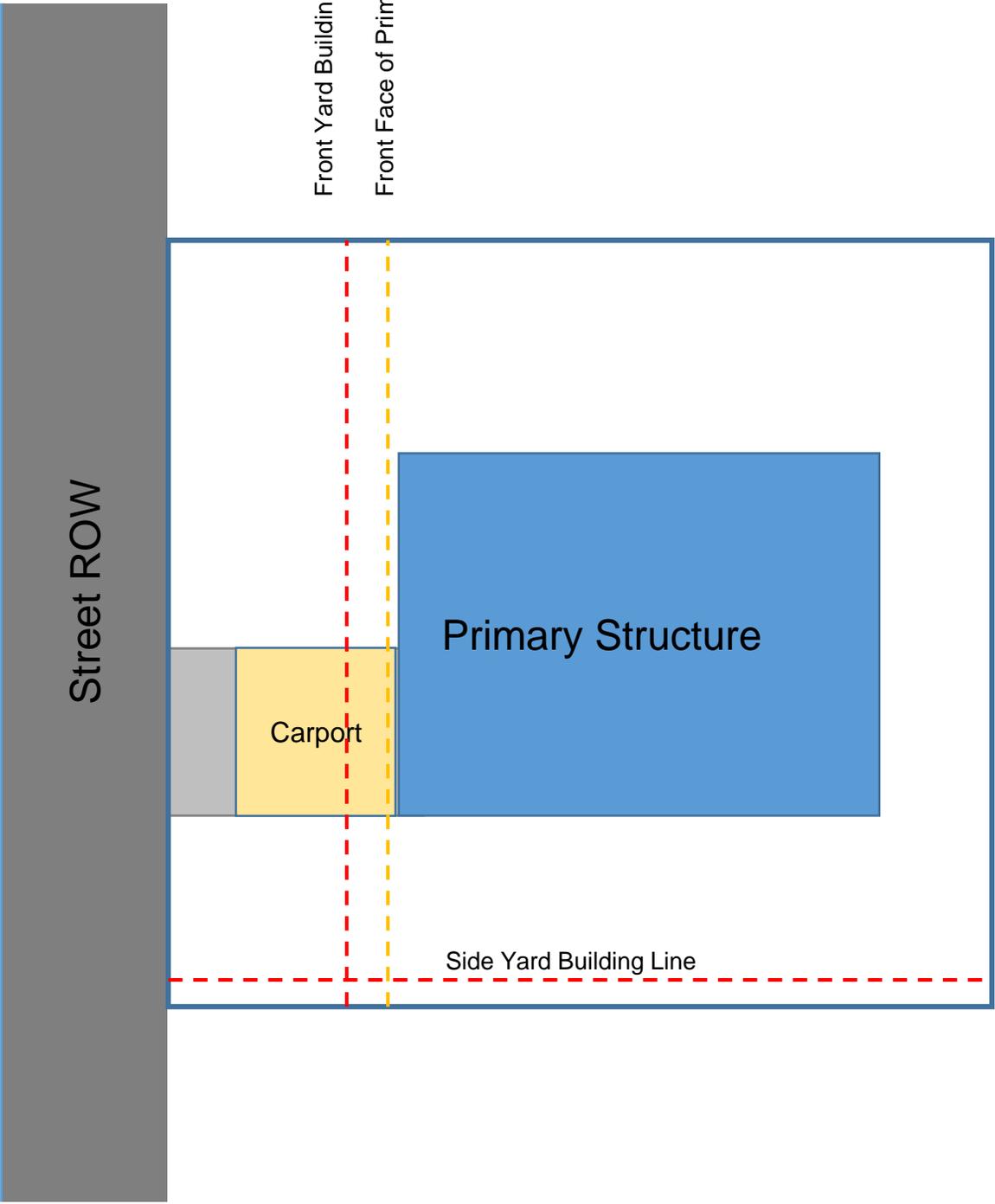
Front Face of Primary Structure

Primary Structure

Carport

Side Yard Building Line

**NOT PERMITTED**



Street ROW

Carport

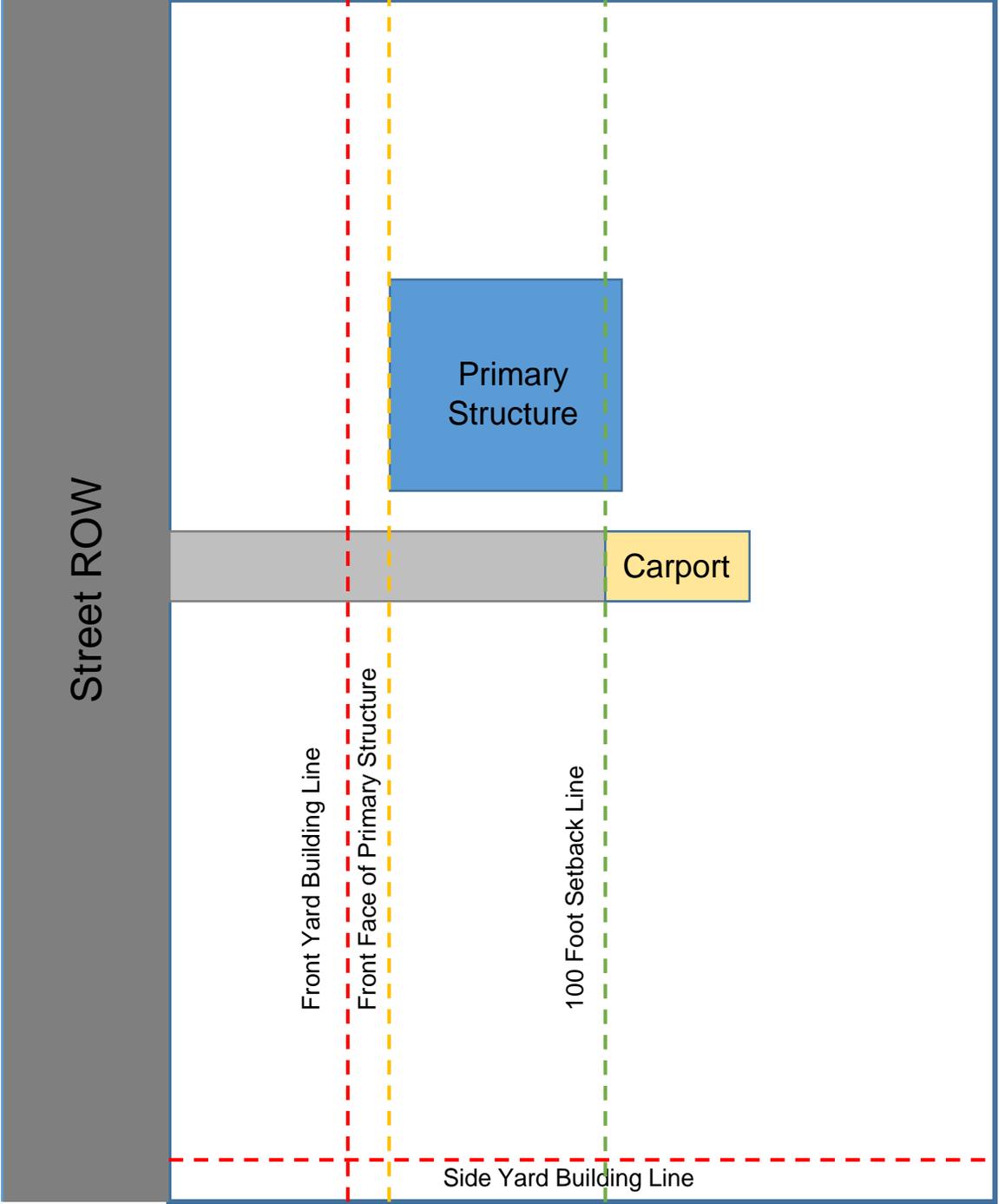
Primary Structure

Front Yard Building Line

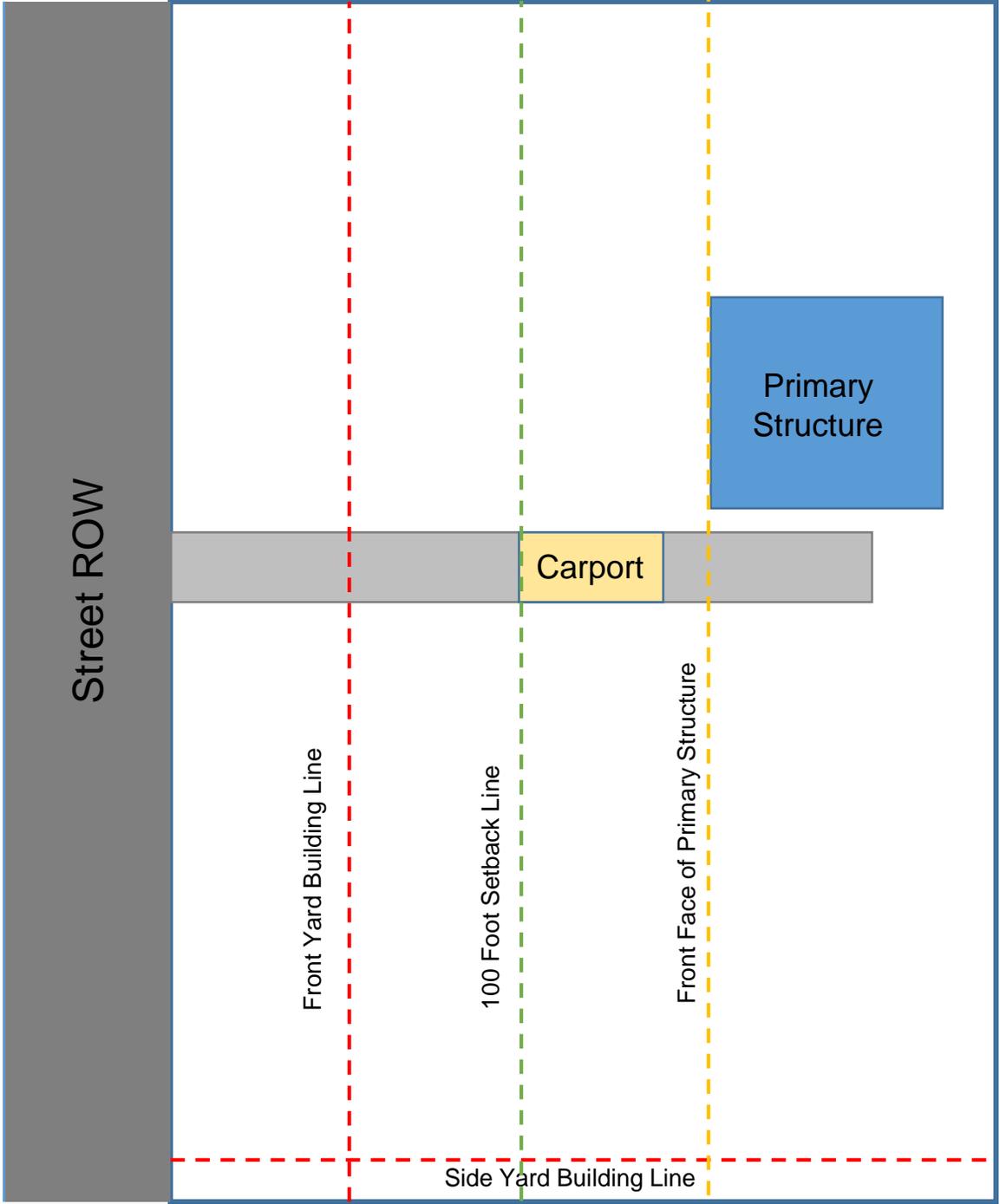
Front Face of Primary Structure

Side Yard Building Line

# PERMITTED – Large Lot

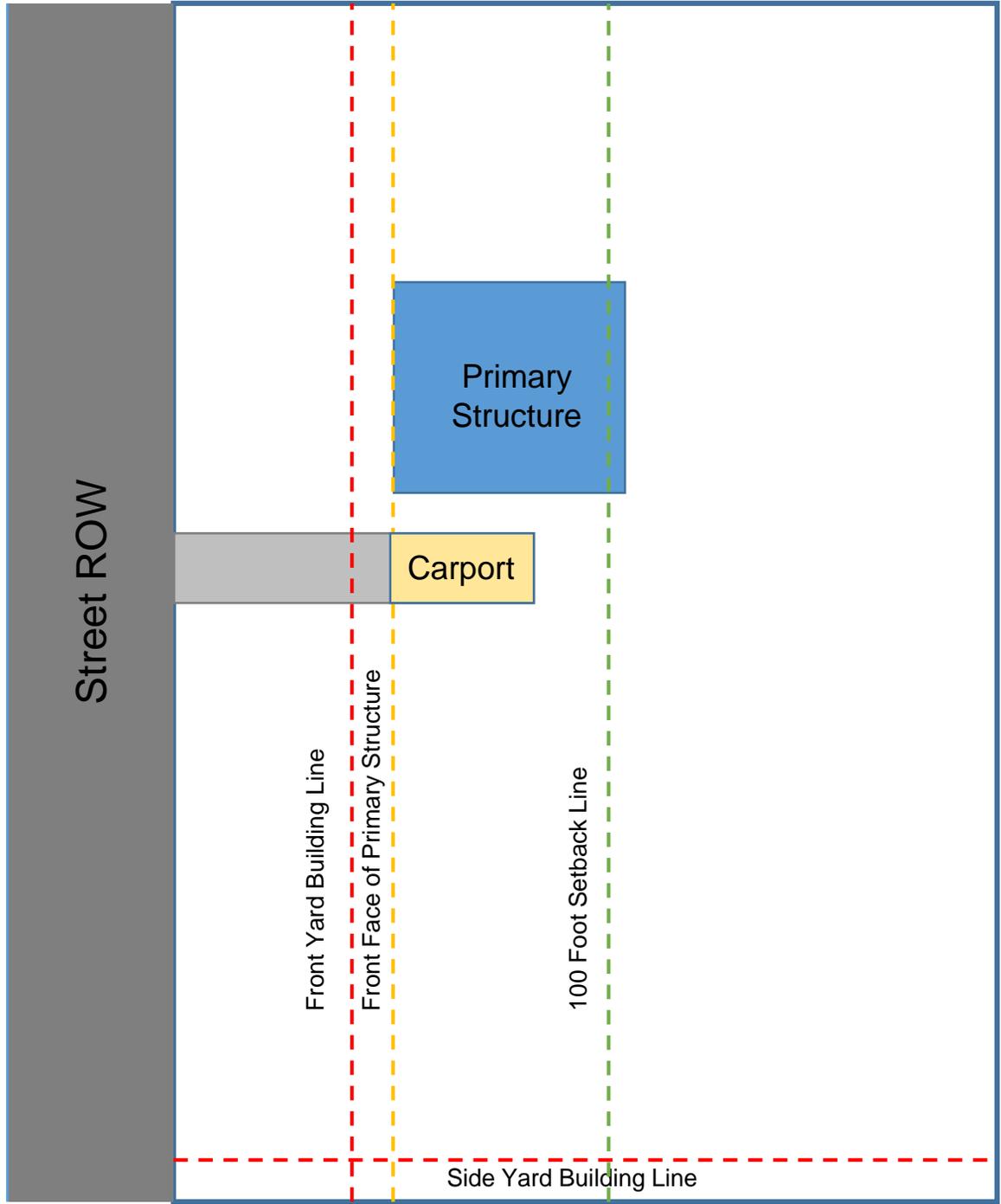


# PERMITTED – Large Lot





# PERMITTED – Large Lot





# NOT PERMITTED – Large Lot

