

**CITY OF FREEPORT  
PLANNING COMMISSION  
Tuesday, April 25, 2017 6:00 P.M.  
Freeport Police Department, Municipal Courtroom  
430 North Brazosport Boulevard  
Freeport, Texas**

**AGENDA**

Eddie Virgil, Chairman  
Cindy Cain  
Lesa Girouard

Sandra Loeza  
Johnathan Sublet

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regular meeting on **Tuesday, April 25, 2017 at 6:00 P.M.** at the Freeport Police Department, Municipal Courtroom, and 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Consideration of approving the minutes of March 21, 2017 p21-p23
4. Discuss and consider the need for and whether or not to recommend to the City Council a left turn lane onto Yaupon for west bound traffic on Second Street p24-p31
5. Discuss and consider requesting that the City Council call a joint public hearing with the Planning Commission to consider amending the comprehensive zoning ordinance of the City to add definitions for "open space" and "greenbelt".p32-p37
6. Discuss and consider whether or not to recommend to the City Council that Section 150.011 of the Code of Ordinances be amended to adopt, as a modification of the 2015 edition of the International residential code adopted by Section 150.01 of said Code of Ordinances, a requirement that each dwelling unit shall have a minimum of thousand (1,000) square feet in area with the exclusions included therein.p38-p41

7. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

I, Delia Munoz, City Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall facing the rear parking lot of the building with 24-hour access at 200 West 2<sup>nd</sup> Street, Freeport, Texas on or before **Friday, April 21, 2017 at 5:00 P.M.**

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Delia Munoz, City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Planning Commission & Traffic Commission of the City of Freeport met on Tuesday, March 21, 2017 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

Planning Commission: Eddie Virgil – Chairman  
Johnathan Sublet  
Lesa Girouard  
Cindy Cain  
Sandra Loeza

Staff: Oscar Arevalo, Building Official  
Nat Hickey, Property Manager  
Yvette Ruiz, Building Secretary

Visitors: Simon Virgil, Keith Morgan  
Chris Duncan, Roy Yates  
Jenifer Hawkins, Elda Sanders

Open Meeting.

Eddie Virgil called the meeting to order at 6:00 p.m.

Invocation.

Eddie Virgil offered the invocation.

Consideration of approving the minutes of February 02, 2017

On a motion by Lesa Girouard, seconded by Cindy Cain, with all present voting “Aye”, the Planning Commission unanimously approved the minutes of February 02, 2017.

Discuss and consider approving proposed plat of ( Willowbreeze Farm)

A Subdivision out of a 73.33 acre tract being the same tract conveyed to Llama Llama LLC, a Texas Limited Liability Company as recorded in Clerk’s File No.20016-033631 of the official records of Brazoria County, Texas William McDermott Survey Abstract 341, Brazoria County, Texas February 2017.

On a motion by Lesa Girouard, seconded by Sandra Loeza, with all present voting "Aye", the Planning Commission unanimously approved the Proposed Plat of Willowbreeze Farm a Subdivision of 22.943 acres out of a 73.33 acre tract being the same tract conveyed to Llama Llama LLC. A Texas limited liability company as recorded in clerk's file no. 20016-033631 of the official records of Brazoria County, Texas William McDermott survey abstract 341 Brazoria County, Texas February 2017

Discuss and consider the rezoning of the following property 1003 North Ave B Lot 13,14,15 Block 670 Velasco Town site City of Freeport, Brazoria County Texas according to the map or plat thereof recorded in volume 32, page 14 of the Deed records of Brazoria County Texas p3-p7

On a motion by Johnathan Sublet, seconded by Lesa Girouard, with all present voting "Aye", the Planning Commission unanimously denied the rezoning of the following property 1003 North Ave B Lot 13,14,15 Block 670 Velasco Town site City of Freeport, Brazoria County Texas according to the map or plat thereof recorded in volume 32, page 14 of the Deed records of Brazoria County Texas

Discuss and consider amending the definition of Recreational vehicle contained in section 120.01 of the Code of Ordinances of said City

On a motion by Lesa Girouard, seconded by Jonathan Sublet, with all present voting "Aye", the Planning Commission unanimously denied amending the definition of Recreational vehicle contained in section 120.01 of the Code of Ordinances of said City

Discuss and consider the need for a left turn lane to Yaupon from Second Street west bound traffic of said City.

On a motion by Sandra Loeza, seconded by Cindy Cain, with all present voting "Aye", the Planning Commission unanimously motioned to re agenda the need for a left turn lane to Yaupon from Second Street west bound traffic of said City.

Discuss and consider the proposed ordinance for a new PUD-2 Zoning District.

On a motion by Sandra Loeza, seconded by Jonathan Sublet, with all present voting "Aye" the Planning Commission unanimously approved the proposed ordinance for a new PUD-2 Zoning District.

Discuss and consider approving a proposed re-plat of Jay Haynie a Subdivision 5.983 acre tract known as lot 2 and a 0.998 acre tract known as lot 1 the residual of a called 7.00 acre tract, recorded in County Clerk's file no. 16-006568 both of the Brazoria county official records in the W. & T. Alley survey abstract 2 Brazoria County, Texas March 2017

On a motion by Sandra Loeza, seconded by Lesa Girouard, with all present voting "Aye", the Planning Commission unanimously approved a proposed re-plat of Jay Haynie a Subdivision 5.983 acre tract known as lot 2 and a 0.998 acre tract known as lot 1 the residual of a called 7.00 acre tract, recorded in County Clerk's file no. 16-006568 both of the Brazoria county official records in the W. & T. Alley survey abstract 2 Brazoria County, Texas March 2017

Adjourn

Eddie Virgil adjourned the meeting at 7:00 p.m.

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Eddie Virgil, Chairman  
City of Freeport, Texas

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Yvette Ruiz, Building Secretary  
City of Freeport, Texas

Freeport Police Department  
 430 N BRAZOSPORT BOULEVARD, FREEPORT, TX 77541  
 07/20/2014 to 03/20/2017

**CAD Incidents by Address and Date Range**

Address: 1700 W 2 ND ST

1/12/2017 11:10:14 PM	2017-00000915	
2/1/2017 3:51:02 PM	2017-00002568	
2/24/2017 3:22:14 PM	2017-00004175	
8/29/2015 12:42:00 PM	2015-00024690	NC
9/7/2015 1:15:50 PM	2015-00025535	NC
10/29/2015 7:57:51 AM	2015-00030782	CI
7/23/2014 10:19:55 PM	2014-00017905	NC
<b>Total for Category:</b>		19
<b>Total Incidents for Address:</b>		26

Address: 1700 BLK W 2 ND ST

ACCIDENT

	Opened Date&Time	Event Number	Complaint Number	Disposition Code
<i>Ydupon</i>	8/3/2015 9:57:59 AM	2015-00022126	15-1336	RT
<b>Total for Category:</b>				1
<b>Total Incidents for Address:</b>				1

07/20/2014 to 03/20/2017

### CAD Incidents by Address and Date Range

Address: 1700 W 2 ND ST

**ACCIDENT**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
NDCROSS Street - 3/13/2017 8:05:07 PM	2017-00005348		
<b>Total for Category:</b>			<b>1</b>

**CLOSE PATROLING AREA**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
12/30/2015 10:52:10 AM	2015-00035977		LS
<b>Total for Category:</b>			<b>1</b>

**FLAGGED DOWN**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
4/7/2015 1:09:28 AM	2015-00008944		AP
<b>Total for Category:</b>			<b>1</b>

**INSPECTION**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
2/27/2017 9:41:06 AM	2017-00004355		
<b>Total for Category:</b>			<b>1</b>

**MOTORIST ASSIST**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
1/16/2017 12:45:56 PM	2017-00001187		
12/12/2014 7:53:42 AM	2014-00031939		AP
<b>Total for Category:</b>			<b>2</b>

**SUBJECT CONTACT**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
9/30/2014 10:46:23 PM	2014-00025222		AG
<b>Total for Category:</b>			<b>1</b>

**TRAFFIC STOP**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
10/11/2014 8:17:50 PM	2014-00026248		NC
11/15/2014 4:24:51 AM	2014-00029539		NC
1/11/2015 1:48:56 PM	2015-00000990		NC
1/18/2015 10:00:15 AM	2015-00001604		CI
4/14/2015 11:04:47 PM	2015-00009750		NC
4/29/2015 11:30:08 PM	2015-00011417		NC
1/19/2016 10:13:31 PM	2016-00001456		VW
1/19/2016 10:16:24 PM	2016-00001457		VW
5/9/2016 11:26:57 PM	2016-00011603		VW
5/13/2016 9:05:53 PM	2016-00012019		VW
5/28/2016 10:10:27 PM	2016-00013216		VW
10/19/2016 4:04:45 PM	2016-00025275		NC

### CAD Incidents by Address and Date Range

**TRAFFIC STOP**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
12/15/2014 9:08:54 PM	2014-00032273		NC

**Total for Category:** 1

**Total Incidents for Address:** 3

**Address: 7TH YAUPON**

**FOUND PROPERTY**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
7/12/2015 12:19:47 PM	2015-00019797	15-1171	RT

**Total for Category:** 1

**Total Incidents for Address:** 1

**Address: 800 YAUPON**

**SUBJECT CONTACT**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
3/3/2015 1:23:11 AM	2015-00005469		TM

**Total for Category:** 1

**TRAFFIC STOP**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
3/3/2015 12:25:35 AM	2015-00005465		NC

**Total for Category:** 1

**Total Incidents for Address:** 2

**Address: 900 YAUPON**

**TRAFFIC STOP**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
11/19/2016 6:56:48 PM	2016-00027940		WW

**Total for Category:** 1

**Total Incidents for Address:** 1

**Address: YAUPON**

**911 CALL**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
5/19/2015 5:05:37 PM	2015-00013499		INFORCV

**Total for Category:** 1

**ACCIDENT**

Opened Date&Time	Event Number	Complaint Number	Disposition Code
4/24/2015 8:47:09 PM	2015-00010837		AP
11/19/2015 7:30:00 PM	2015-00032732	15-2110	AP
9/5/2014 4:12:59 PM	2014-00022565		RT
11/8/2014 6:16:38 PM	2014-00028942	140001872	AG
10/4/2016 1:21:44 PM	2016-00023982		TM
1/10/2017 2:48:40 PM	2017-00000726	17-0109	

Y ↓ 4<sup>th</sup>  
 11<sup>th</sup>  
 4<sup>th</sup>  
 BROAD  
 5<sup>th</sup>  
 6<sup>th</sup>



07/20/2014 to 03/20/2017

### CAD Incidents by Address and Date Range

Address: YAUPON

4<sup>th</sup> - 3/17/2016 1:45:12 PM 2016-00006573  
 4<sup>th</sup> - 4/14/2016 8:04:26 PM 2016-00009212

TM  
 DP

**Total for Category: 8**

#### ANIMAL CONTROL

Opened Date&Time	Event Number	Complaint Number	Disposition Code
4/13/2016 7:49:41 PM	2016-00009131		INFORCV
7/20/2016 5:31:30 PM	2016-00017766		APU
7/9/2016 9:37:28 AM	2016-00016810		APU
7/23/2016 9:39:17 PM	2016-00018002		APU
11/8/2016 7:50:36 AM	2016-00026992		APU
11/8/2016 10:36:15 AM	2016-00027010		UTL
11/20/2014 10:47:15 AM	2014-00029961		APU
9/3/2014 12:04:40 AM	2014-00022278		UTL
12/1/2015 12:00:44 PM	2015-00033713		UTL
9/30/2015 3:47:08 PM	2015-00027946		APU
10/5/2015 3:55:59 PM	2015-00028469		UTL
2/4/2016 7:21:32 AM	2016-00002793		UTL

**Total for Category: 12**

#### CITY ORDINANCE VIOLATION

Opened Date&Time	Event Number	Complaint Number	Disposition Code
9/30/2015 11:01:53 PM	2015-00027989		UTL
10/17/2014 11:23:39 PM	2014-00026855		AG
10/18/2014 9:34:01 PM	2014-00026932		AG

**Total for Category: 3**

#### CLOSE PATROL REQUEST

Opened Date&Time	Event Number	Complaint Number	Disposition Code
7/28/2016 5:21:25 PM	2016-00018327		UTL

**Total for Category: 1**

#### CLOSE PATROLING AREA

Opened Date&Time	Event Number	Complaint Number	Disposition Code
1/18/2017 11:02:47 PM	2017-00001406		

**Total for Category: 1**

#### DISTURBANCE

Opened Date&Time	Event Number	Complaint Number	Disposition Code
5/16/2016 4:12:20 PM	2016-00012257		AG

**Total for Category: 1**

#### FLAGGED DOWN

Opened Date&Time	Event Number	Complaint Number	Disposition Code
9/9/2016 4:37:06 PM	2016-00021987		AP

Law Enforcement and TxDOT Use ONLY

FATAL  CMV  SCHOOL BUS  RAILROAD  MAB  SUPPLEMENT  ACTIVE SCHOOL ZONE

Total Num. Units: 2 Total Num. Prsns.: 6 TxDOT Crash ID: 14569178.1 /2015315537



Texas Peace Officer's Crash Report (Form CR-3 1/1/2015)
Mail to: Texas Department of Transportation, Crash Data and Analysis, P.O. Box 149349, Austin, TX 78714. Questions? Call 844/274-7457
Refer to Attached Code Sheet for Numbered Fields

\*=These fields are required on all additional sheets submitted for this crash (ex.: additional vehicles, occupants, injured, etc.)

Crash Date (MM/DD/YYYY) 08/03/2015, Crash Time (24HRMM) 0957, Case ID 201500022126, Local Use, County Name BRAZORIA, City Name FREEPORT (BRAZORIA), Outside City Limit

ROAD ON WHICH CRASH OCCURRED: 1 Rdwy. Sys. LR, Hwy. Num., 2 Rdwy. Part 1, Block Num. 1700, 3 Street W Prefix, Street Name 2ND, 4 Street Suffix ST

INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST INTERSECTING ROAD OR REFERENCE MARKER: At Int. No, 1 Rdwy. Sys. LR, Hwy. Num., 2 Rdwy. Part 1, Block Num., 3 Street Prefix, Street Name YAUPON, 4 Street Suffix

Unit Num. 1, 5 Unit Desc. 1, Parked Vehicle, Hit and Run, LP State TX, LP Num. 1177422, VIN 1GCKRC29K47E560174, Veh. Year 2007, 6 Veh. Color WHI, Veh. Make CHEVROLET, Veh. Model SILVERADO, 7 Body Style BK, Pol. Fire, EMS on Emergency

Table with 25 columns: Person Num., 12 Prsn. Type, 13 Seat Position, Name, 14 Injury Severity, Age, 15 Ethnicity, 16 Sex, 17 Eject., 18 Restr., 19 Airbag, 20 Helmet, 21 Sol., 22 Alc. Spec., Alc. Result, 23 Drug Spec., 24 Drug Result, 25 Drug Category. Rows for BUELNA, RICHARD A; COPELAND, CONNOR; JAMES, TRAVIS; DONNELLY, VERNON.

Owner/Owner/Lessee Name & Address FREEPORT, CITY OF, 200 W 2ND ST FREEPORT, TX 77541, Proof of Fin. Resp. Yes, 26 Fin. Resp. Type 2, Fin. Resp. Name TML GOVERNMENTAL INSURANCE, Fin. Resp. Num. 6427, 27 Vehicle Damage Rating 1 6 - B D - 0, 27 Vehicle Damage Rating 2, Vehicle Inventoried No

Unit Num. 2, 5 Unit Desc. 1, Parked Vehicle, Hit and Run, LP State TX, LP Num. FWB8377, VIN WBAKB4C52CC576688, Veh. Year 2012, 6 Veh. Color WHI, Veh. Make BMW, Veh. Model 745, 7 Body Style P4, Pol. Fire, EMS on Emergency

Table with 25 columns: Person Num., 12 Prsn. Type, 13 Seat Position, Name, 14 Injury Severity, Age, 15 Ethnicity, 16 Sex, 17 Eject., 18 Restr., 19 Airbag, 20 Helmet, 21 Sol., 22 Alc. Spec., Alc. Result, 23 Drug Spec., 24 Drug Result, 25 Drug Category. Rows for CAUDILLO, CATHY MICHELLE; PINA, IZAACK.

Owner/Owner/Lessee Name & Address BACKMAN, DONOVAN, 221 S AVE G AVE FREEPORT, TX 77541, Proof of Fin. Resp. Yes, 26 Fin. Resp. Type 2, Fin. Resp. Name STATE FARM MUTUAL AUTOMOBILE INS. CO., Fin. Resp. Num. 26816, 27 Vehicle Damage Rating 1 1 2 - F C - 1, 27 Vehicle Damage Rating 2, Vehicle Inventoried No

DISPOSITION OF INJURED/KILLED	Unit Num.	Prsn. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HR:MM)

CHARGES	Unit Num.	Prsn. Num.	Charge	Citation/Reference Num.

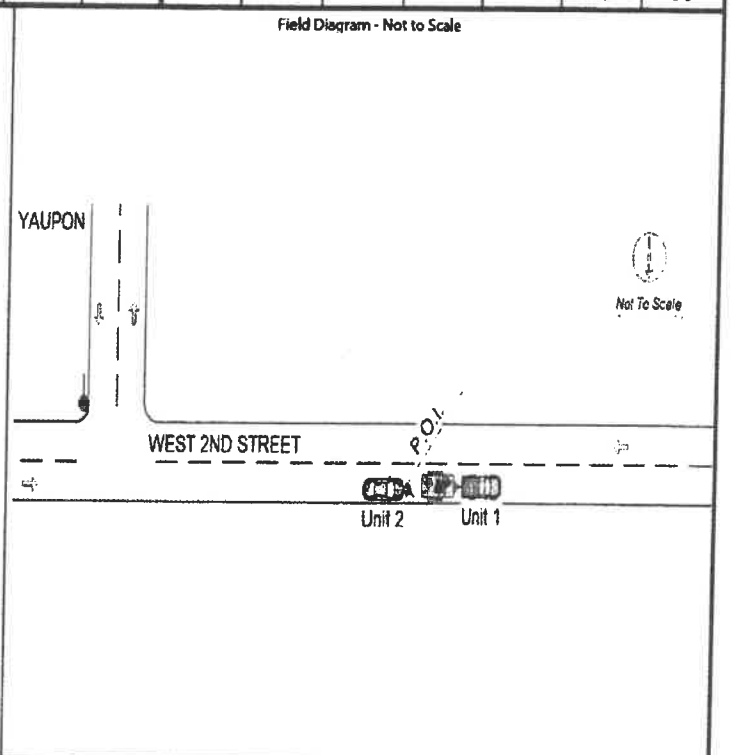
DAMAGE	Damaged Property Other Than Vehicles	Owner's Name	Owner's Address

Unit Num.	<input type="checkbox"/> 10,001+ LBS.	<input type="checkbox"/> TRANSPORTING HAZARDOUS MATERIAL	<input type="checkbox"/> 9+ CAPACITY	CMV Disabling Damage? <input type="checkbox"/> Yes <input type="checkbox"/> No	28 Veh. Oper.	29 Carrier ID Type	Carrier ID Num.
Carrier's Corp. Name	Carrier's Primary Addr.			30 Veh. Type			
31 Bus Type	<input type="checkbox"/> RGWV <input type="checkbox"/> GVWR	HazMat Released <input type="checkbox"/> Yes <input type="checkbox"/> No	32 HazMat Class Num.	HazMat ID Num.	32 HazMat Class Num.	HazMat ID Num.	33 Cargo Body Style
Trailer 1 Unit Num.	<input type="checkbox"/> RGWV <input type="checkbox"/> GVWR	34 Trlr. Type	CMV Disabling Damage? <input type="checkbox"/> Yes <input type="checkbox"/> No	Trailer 2 Unit Num.	<input type="checkbox"/> RGWV <input type="checkbox"/> GVWR	34 Trlr. Type	CMV Disabling Damage? <input type="checkbox"/> Yes <input type="checkbox"/> No
Sequence Of Events	35 Seq. 1	35 Seq. 2	35 Seq. 3	35 Seq. 4			

FACTORS & CONDITIONS	36 Contributing Factors (Investigator's Opinion)				37 Vehicle Defects (Investigator's Opinion)				Environmental and Roadway Conditions						
	Unit #	Contributing	May Have Contrib.		Contributing	May Have Contrib.			38 Weather Cond.	39 Light Cond.	40 Entering Roads	41 Roadway Type	42 Roadway Alignment	43 Surface Condition	44 Traffic Control
	1	50							1	1	97	2	1	1	96

**Investigator's Narrative Opinion of What Happened**  
(Attach Additional Sheets if Necessary)

ON 08/03/2015 AT APPROX 0957 HOURS I, OFFICER SOTO WAS DISPATCHED TO THE 17100 BLOCK OF WEST 2ND IN REFERENCE TO A MINOR ACCIDENT. I LATER ARRIVED AND IDENTIFIED ALL INVOLVED PARTIES. I THEN INITIATED A TRAFFIC ACCIDENT INVESTIGATION. I LATER LEARNED THAT OPERATOR OF UNIT 1 WAS TRAVELING WESTBOUND ON WEST 2ND STREET AS UNIT 2 WAS FOLLOWING BEHIND. WHILE IN TRANSIT UNIT 1 HAD A SMALL TRAILER HITCHED THAT WAS TOWING TREE LIMBS, ONE OF THE TREE LIMBS FELL OFF THE TRAILER WHILE IN TRANSIT. UNIT 2 THEN WAS STRUCK BY THE TREE LIMB CAUSING MINOR COSMETIC DAMAGE.



Time Notified (24HR:MM)	0 9 5 7	How Notified	DISPATCHED	Time Arrived (24HR:MM)	1 0 0 3	Report Date (MM/DD/YYYY)	08/03/2015
Invest. Comp.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Investigator Name (Printed)	Soto, Adam	ID Num.	717		
ORI Num.	T X 0 2 0 0 5 0 0	*Agency	FREERPORT POLICE DEPARTMENT	Service/Region/DA	0 1		

# Freeport Police Department

430 N BRAZOSPORT BOULEVARD, FREEPORT, TX 77541

## Event Report

Event No: 2015-00022126	Status: Closed	Source: ddali	Category: ACCIDENT / MINOR
Address: 1700 BLK W 2 ND ST	Precinct:	Sector:	GEO:
Intersection: YAUPON		ESZ:	Ward:
Law Enf.: FREEPORT POLICE	Fire:	EMS:	
<b>Times Open: 08/03/2015 09:57:59</b>			
Agency:	Dispatch:	Enroute:	Arrival: 08/03/2015 10:03:30
			Departure: 08/03/2015 10:14:07
			Closed: 08/03/2015 10:14:15

### Complaint Numbers

Complaint Number:	Unit:	Reporting DSN:	Agency:
15-1336	717	717	FREEPORT POLICE

### Dispositions

Disposition	Agency:
RT	

### Person(s) Involved

Name	Address	Phone
CAUDILLO, CATHY	221 S AVE G - UNIT 2	
BUELNA, RICHARD	1603 N BRAZOSPORT BLVD - UNIT 1	

### Business

### Vehicle(s)

Plate	State	Make	Model	Color	Type	VIN
FWB8377	TX	BMW	4D	WHITE	MAY	UNIT 2
1177422	TX	CHEV	PK	WHITE	OCT	UNIT 1

### Incident Notes:

\*\*08/03/2015 10:14:05 ddali\*\*  
 717 will have a cr3  
 \*\*08/03/2015 10:14:15 ddali\*\*  
 Disposition: RT  
 \*\*08/03/2015 15:18:15 PKK\*\*  
 Disposition: RT

### Event Log

Date / Time	Activity	Unit	DSN	Dispatcher	Status
08/03/2015 09:59:24	Event open by sending work area			ddali	OPENED
08/03/2015 09:59:50	Vehicle " was added			ddali	VEH ADDED
08/03/2015 09:59:54	VIN set to 'UNIT 1 TRAILER'			ddali	VEHICLE CHG
08/03/2015 10:00:21	VIN set to 'UNIT 2'			ddali	VEHICLE CHG
08/03/2015 10:00:26	Person Address set to 'UNIT 2'			ddali	PERSON CHG
08/03/2015 10:00:42	VIN changed from 'UNIT 1 TRAILER' to 'UNIT 1'			ddali	VEHICLE CHG
08/03/2015 10:00:48	License Number set to '1177422'			ddali	VEHICLE CHG
08/03/2015 10:01:15	Color set to 'WHITE'			ddali	VEHICLE CHG
08/03/2015 10:01:49	Person " was added			ddali	PERSON ADDED
08/03/2015 10:01:52	OLN set to '04781207'			ddali	PERSON CHG
08/03/2015 10:03:30	ARRIVED AT SCENE. Vehicle: 31	717	717	ddali	23
08/03/2015 10:03:30	Reminder Set by 'ddali' for 180 seconds	717	717	ddali	SETCATRMND
08/03/2015 10:08:32	Person Address set to 'UNIT 1'			ddali	PERSON CHG
08/03/2015 10:08:58	Person Name set to 'BUELNA, RICHARD'			ddali	PERSON CHG
08/03/2015 10:09:16	Person Address changed from 'UNIT 1' to '1603 N BRAZOSPORT BLVD - UNIT 1'			ddali	PERSON CHG
08/03/2015 10:09:19	Race set to 'WHITE'			ddali	PERSON CHG
08/03/2015 10:09:21	Sex set to 'M'			ddali	PERSON CHG

# Freeport Police Department

430 N BRAZOSPORT BOULEVARD, FREEPORT, TX 77541

## Event Report

08/03/2015 10:09:25	DOB set to '03/17/1976'			ddali	PERSON CHG
08/03/2015 10:09:28	State set to 'TX'			ddali	PERSON CHG
08/03/2015 10:09:41	Person Name set to 'CAUDILLO, CATHY'			ddali	PERSON CHG
08/03/2015 10:09:56	Person Address changed from 'UNIT 2' to '221 S AVE G - UNIT 2'			ddali	PERSON CHG
08/03/2015 10:09:59	Race set to 'WHITE'			ddali	PERSON CHG
08/03/2015 10:10:00	Sex set to 'F'			ddali	PERSON CHG
08/03/2015 10:10:03	DOB set to '09/01/1989'			ddali	PERSON CHG
08/03/2015 10:10:07	State set to 'TX'			ddali	PERSON CHG
08/03/2015 10:10:11	License State set to 'TX'			ddali	VEHICLE CHG
08/03/2015 10:10:13	License Exp Year set to '2016'			ddali	VEHICLE CHG
08/03/2015 10:10:14	License Type set to 'MAY'			ddali	VEHICLE CHG
08/03/2015 10:10:19	Make set to 'BMW'			ddali	VEHICLE CHG
08/03/2015 10:10:22	Model set to '4D'			ddali	VEHICLE CHG
08/03/2015 10:10:24	Year set to '2012'			ddali	VEHICLE CHG
08/03/2015 10:10:27	Color set to 'WHITE'			ddali	VEHICLE CHG
08/03/2015 10:10:37	License State set to '20'			ddali	VEHICLE CHG
08/03/2015 10:10:40	License State changed from '20' to 'TX'			ddali	VEHICLE CHG
08/03/2015 10:10:41	License Exp Year set to '2015'			ddali	VEHICLE CHG
08/03/2015 10:10:43	License Type set to 'OCT'			ddali	VEHICLE CHG
08/03/2015 10:10:46	Make set to 'CHEV'			ddali	VEHICLE CHG
08/03/2015 10:10:48	Model set to 'PK'			ddali	VEHICLE CHG
08/03/2015 10:10:50	Year set to '2007'			ddali	VEHICLE CHG
08/03/2015 10:14:05	Notes Added			ddali	NOTES ADDED
08/03/2015 10:14:07	IN SERVICE. Vehicle: 31	717	717	ddali	08
08/03/2015 10:14:15	Notes Added			ddali	NOTES ADDED
08/03/2015 10:14:15	Event Closed Disposition: RT			ddali	CLOSED
08/03/2015 15:17:07	Reopen Incident			PKK	REOPENED
08/03/2015 15:18:07	Complaint Number '15-1336' Assigned. Reporting DSN: '717'	717	717	PKK	ASGN CN#
08/03/2015 15:18:14	Records Management Report Opened	717	717	PKK	REC MGT OPEN
08/03/2015 15:18:15	Event Closed Disposition: RT			PKK	CLOSED
08/03/2015 15:18:15	Notes Added			PKK	NOTES ADDED

# THE CITY OF



# FREEPORT

200 West Second St • Freeport, TX 77541

979.233.3526 • Fax 979.233.8867

**Norma Moreno Garcia**  
Mayor

**Jeff Pynes**  
Chief Executive Officer  
City Manager

April 12, 2017

Re: Revision to Zoning Ordinance

**Gilbert Arispe**  
Assistant City Manager

To Planning and Zoning Commission:

The Zoning Ordinance for the City of Freeport was originally adopted in 1964. While the Zoning Ordinance as a whole is a very good document for the City of Freeport there are some things that are not addressed since the concepts are new in nature. The definitions of "Open Space" and "Greenbelt" are such examples. The emphasis in "green" areas and the desire for cities to protect residential areas from commercial development has caused the need to update zoning ordinances. This ordinance change will update the current Zoning ordinance.

Respectfully,

Oscar Arevalo, CBO, Building Official.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, NOW CODIFIED AS CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY TO ADD DEFINITIONS FOR OPEN SPACE AND GREENBELT; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE PLANNING COMMISSION OF SAID CITY OR THE CITY COUNCIL, OR BOTH; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 155.999 OF SAID CODE OF ORDINANCE AND THAT EACH DAY ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, the City of Freeport, Texas ("the City"), is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and is necessary to provide clarification of the meanings of "open space" and "greenbelt."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that the public hearings required by the Zoning Enabling Act of the State of Texas, codified as Chapter 211 of the Texas Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City, have been conducted in the manner and at the time required.

Second, that not less than fifteen (15) days prior to the date of such hearings, public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the date, time and place of such hearings.

Third, that after considering evidence submitted at such hearings, the City Council of the City is of the opinion and finds that the changes in the comprehensive zoning ordinance of the City set forth below will enable the City Council and the Planning Commission thereof to ---.

Fourth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance making the changes in zoning regulations hereinafter mentioned.

SECTION TWO--Comprehensive Zoning Ordinance Amended

The Comprehensive Zoning Ordinance of the City of Freeport, Texas, read, passed and approved as Ordinance No. 1100 on the 3rd day of April, 1964, and now codified as Chapter 155 of the Code of Ordinances thereof, hereinafter called "the Zoning Ordinance," is hereby amended as follows:



There is hereby added to Section 155.002 of the Zoning Ordinance, in alphabetical sequence, the following additional definitions:

"Open Space is any open piece of land that is undeveloped (has no buildings or other built structures) and is accessible to the public. Open Space can include: Greenspace (land that is partly or completely covered with grass, trees, shrubs or other vegetation."

"Greenbelt is an open space of landscaped or undeveloped land, usually surrounding a residential area and designated by easement covenant, deed restriction or zoning ordinance that prohibits development (construction of buildings or other elevated structures) in that area."

SECTION THREE--Ratification and Confirmation.

The City Council of the City of Freeport, Texas, hereby ratifies and confirms any and all action taken by the Planning Commission of said City or the City Council of said City, or both, in connection with the change in zoning classification evidenced by this ordinance, including but not limited to the calling of a public hearing required by said Zoning Enabling Act and the Zoning Ordinance, the giving of public notice of such hearings, the giving of written notice to the owners of property which is the subject of such and to the adjoining property owners, the making of preliminary and final reports with respect to such change and the conducting of the public hearings required by said Act and the Zoning Ordinance.

SECTION FOUR--Penalty

Any person violating the Zoning Ordinance, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefor assessed a fine as prescribed in Section 155.999 of said ordinance; and each day such violation occurs and each day such violation continues shall constitute a separate offense.

SECTION FIVE--Savings Clauses

(a) Nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

(b) This ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

(c) No offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

SECTION SIX--Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FIVE--Effective Date.

This ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of the City.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney  
City of Freeport, Texas

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# THE CITY OF



# FREEPORT

200 West Second St • Freeport, TX 77541

979.233.3526 • Fax 979.233.8867

Norma Moreno Garcia  
Mayor

Jeff Pynes  
Chief Executive Officer  
City Manager

April 12, 2017

Re: Minimum Size of Dwelling Unit

Gilbert Arispe  
Assistant City Manager

To Planning and Zoning Commission:

The 2015 Edition of the International Residential Code adopted by the City of Freeport does not provide a minimum size for a dwelling unit. The popularity of "tiny homes" has prompted several inquiries regarding the construction of extremely small homes. While this may be a new trend in certain areas, there is concern for such homes to cause unhealthy conditions such as overcrowding and also the devaluation of existing homes adjacent to the smaller homes. Many cities have deed restrictions and home owner associations that would prevent the construction of "tiny homes" but that is not the case in Freeport. Zoning restrictions control lot sizes, setbacks, and other situations but not the size of a dwelling unit. This ordinance would set a minimum size for dwelling units in the City to protect property values and also to maintain good health standards.

Respectfully,

Oscar Arevalo, CBO, Building Official.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTION 150.011 OF THE CODE OF ORDINANCES OF SAID CITY TO PROVIDE, AS A MODIFICATION THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE ADOPTED BY SECTION 150.01 OF SAID CODE OF ORDINANCES, A REQUIREMENT THAT EACH DWELLING UNIT SHALL HAVE A MINIMUM OF ONE THOUSAND (1,000) SQUARE FEET IN AREA WITH THE EXCLUSIONS INCLUDED THEREIN; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION OCCURS AND EACH DAY ANY SUCH VIOLATION SHALL CONTINUE SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, the City of Freeport, Texas ("the City"), is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code, respectively; and,

WHEREAS, Chapter 214 of the Local Government Code of Texas and Sections 2.01, 2.02 and Item (u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, Section 150.011 of the Code of Ordinances of the City, providing modifications to the 2015 Edition of the International Residential Code hereby amended to add thereto the following modification:

"Minimum Floor Area Per Dwelling Unit. Each dwelling unit shall Have a minimum of one thousand (1,000) square feet in area Exclusive of porches, garages and carports. The area is to be Measured from the exterior walls of the dwelling unit."

Second, any person violating the Code of Ordinances of the City, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefor assessed a fine as prescribed in Section 10.99 of said Code; and each day such violation occurs and each day any such violation continues shall constitute a separate offense.

Third, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Fourth, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided, however, where the provisions of any International Code amended by this Ordinance conflict with the Standard Unsafe Building Abatement Code, 1985, adopted by Section 150.025 of the Code of Ordinances of the City, or the local amendments thereto contained in Section 150.026 of said Code of Ordinances, the provisions of said Standard Unsafe Building Abatement Code and said amendments thereto shall prevail; and where the provisions of any International Code amended by this ordinance conflicts with the Comprehensive Zoning Ordinance of the City and any amendments thereto, the provisions of the Zoning Ordinance or amendments thereto shall prevail; but where the provisions of any International Code adopted or amended by this ordinance and any other ordinance of the City conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Fifth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Sixth, this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C:\Freeport.TechOrd\TechCd#26-Ord