



**AGENDA  
PUBLIC HEARING  
FREEPORT CITY PLANNING COMMISSION  
TUESDAY, APRIL 27, 2021 at 6:00 P.M.**

**Planning Commission**

**Members:**

Eric Hayes  
Andrew H. Dill

Nicole Mireles

Melanie Oldham  
Keith Stumbaugh

**THE CITY PLANNING COMMISSION OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON TUESDAY, THE 27 DAY OF APRIL 2021, AT 6:00 P.M., AT THE FREEPORT POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD, FREEPORT TEXAS FOR THE FOLLOWING PURPOSES:**

**BECAUSE OF THE PUBLIC HEALTH THREAT, SEATING WILL BE POSITIONED TO MEET THE REQUIREMENTS OF THE CDC, AND ATTENDEES WILL BE REQUIRED TO WEAR A FACE MASK.**

**THE GENERAL PUBLIC MAY ALSO JOIN THE PUBLIC MEETING REMOTELY BY TELECONFERENCE BY DIALING:**

**(US): (425) 436-6312 AND USING ACCESS CODE 5678901**

**OR**

**AUDIO VISUAL CONFERENCE CALLS USING:**

**PCs, Macs®, Chromebooks™, iOS and Android™ phones and tablets.**

**International dial-in numbers: [https://fccdl.in/i/planning\\_comm\\_042721](https://fccdl.in/i/planning_comm_042721)**

**For users wanting to view and listen to the Planning Commission meeting via a web browser go to [https:// join.freeconferencecall.com/planning\\_comm\\_042721](https://join.freeconferencecall.com/planning_comm_042721)**

**Enter access code 5678901 and the online meeting ID: [planning\\_comm\\_042721](https://join.freeconferencecall.com/planning_comm_042721)**

**For additional assistance connecting to the meeting text 'Call Me' to the Dial-In number above and you will be called into the conference. Message and rates may apply.**

**THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:**

**CALL TO ORDER:** *The Chairperson will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

- **INVOCATION:** (Planning Commission Member)
  
- **PLEDGE OF ALLEGIANCE:** (Planning Commission Member)

**PLANNING COMMISSION BUSINESS**

**REGULAR SESSION:**

1. Consideration of approval of the minutes of previous meeting minutes for March 23, 2021

**OPEN PUBLIC HEARING:**

**PUBLIC HEARING:**

1. Discuss Re-plat of Lots 38,39 and the East Half of Lots 37, Block 2 of Riverside Terrace Subdivision recorded in Volume 5, page 288 of the Brazoria County Plat Records in the Abstract 62 City of Freeport Brazoria County, Texas November 2020

**CLOSE PUBLIC HEARING:**


2. Take Action on Public Hearing Re-plat of Lots 38,39 and the East Half of Lots 37, Block 2 of Riverside Terrace Subdivision recorded in Volume 5, page 288 of the Brazoria County Plat Records in the Abstract 62 City of Freeport Brazoria County, Texas November 2020

Items not necessarily discussed in the order they appear on the agenda. The Planning and Zoning Board at its discretion may take action on any or all the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

**ADJOURN:**

**ACCESSIBILITY STATEMENT** This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 233-3526.

CERTIFICATE I certify the foregoing notice was posted in the official glass case at the rear door of the City Hall, with 24 hours a day public access, 200 West 2<sup>nd</sup> Street, Freeport Texas, before 6:00 p.m., in accordance with Open Meetings Act.

  
Yvette Ruiz  
Planning / Zoning Coordinator  
City of Freeport, Texas

**State of Texas**

**County of Brazoria**

**City of Freeport**

BE IT REMEMBERED that the Planning Commission of Freeport, Texas met on Tuesday, March 23, 2021 at 6:00 p.m. at Freeport Council Chambers, 430 N. Brazosport Blvd, Freeport Texas for the purpose of considering the following agenda items:

Planning Commission:                      Eric Hayes  
    Nicole Mireles  
    Andrew Dill  
    Keith Stumbaugh  
    Melanie Oldham

Staff:    Yvette Ruiz- Planning  
    Tim Kelty- City Manager  
    Billy Shoemaker-Building Official  
    Laura Tolar- Asst. City Secretary

Visitors:                                        Olga Ramirez  
    David McGinty

**CALL TO ORDER**

Nicole Mireles called the meeting to order at 6:02 pm.

**INVOCATION**

Andrew Dill offered the Invocation.

**PLEDGE OF ALLEGIANCE**

Nicole Mireles led the Pledge of Allegiance.

**SWEAR IN NEW PLANNING COMMISSION MEMBER**

Keith Stumbaugh was sworn in by Yvette Ruiz.

**PLANNING COMMISSION BUSINESS**

**REGULAR SESSION**

**Consideration of approval of the minutes of previous meeting minutes for 1-26-2021**

On a motion by Andrew Dill and seconded by Eric Hayes with all present, voting “Aye” motion passes the approval of previous meeting minutes for 1-26-2021.

**Work session with Kendig Keast to discuss Zoning and Subdivision Ordinance.**

Zoning and Subdivision Regulation update was presented.

**ADJOURN**

On a motion by Andrew Dill and seconded by Eric Hayes with all present voting “Aye” Nicole Mireles adjourned the meeting at 7:05 pm

---

Nicole Mireles - Chairman  
City of Freeport, Texas

---

Yvette Ruiz  
City of Freeport, Texas



# Zoning and Subdivision Regulation Update

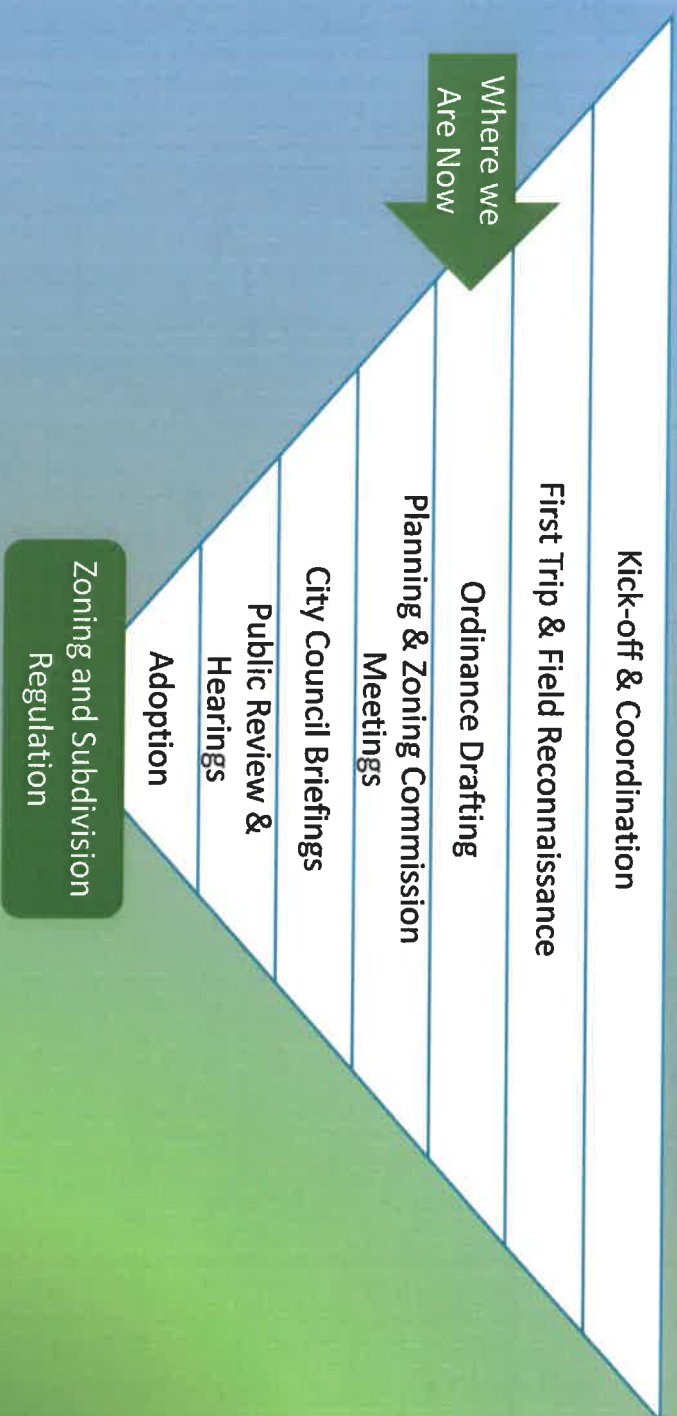
City of Freeport, TX

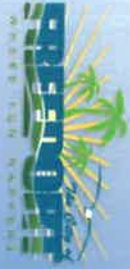
Steering Committee Presentation  
Monday, March 22, 2021



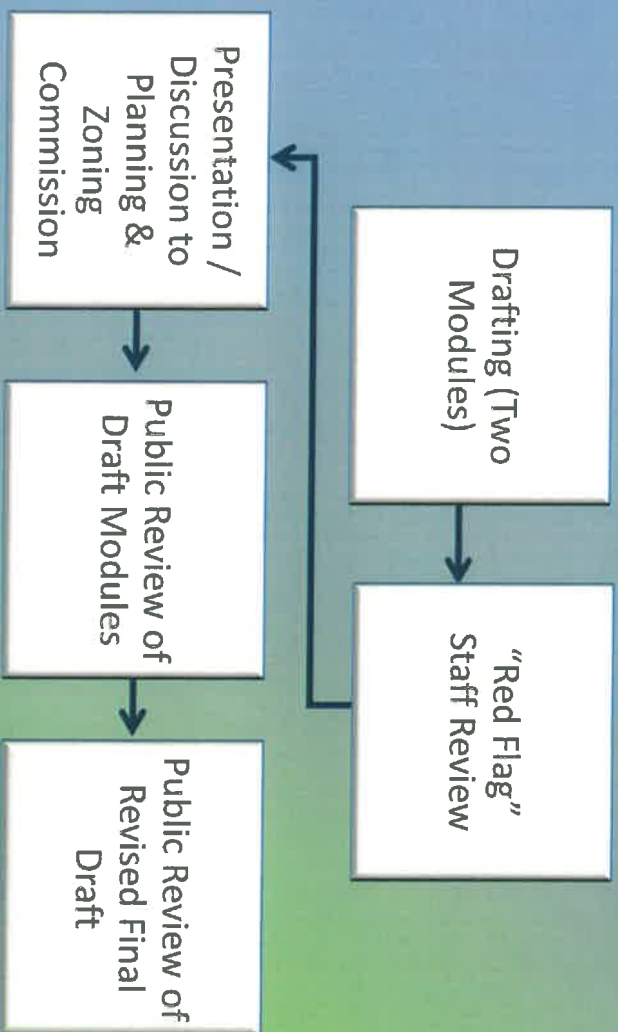


# Project Process

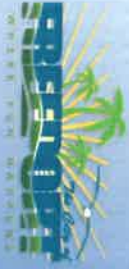




# Project Process







# Code of Ordinances: Land Development

## Revise Code

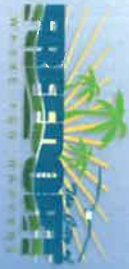
- ✓ Chapter 154, Subdivisions
- ✓ Chapter 155, Zoning Code



## Primary Project Goals



- ✓ Implement the recommendations outlined in the City's 2019 Master Plan- The Future City Report into the newly revised Ordinances.
- ✓ Reorganize Ordinances to make more user-friendly.
- ✓ Insure that the revised Ordinances conform to federal and state statutes.
- ✓ Revise vague, unclear, confusing, and conflicting language to insure consistency throughout the Ordinances.
- ✓ Modify definitions section to ensure that all essential words are defined.
- ✓ Insert appropriate illustrations and diagrams where appropriate.



# How will the Ordinances be Organized?

## Chapter 154, Zoning

1. What is my property zoned?
2. What uses are permitted?
3. Where and how much can I build?
4. What are the building/site design standards?
5. What are the steps in the process?
6. From whom do I receive approval?
7. How are things measured or defined?

## Chapter 155, Subdivision Regulation

1. What are the general standards?
2. Where do I find the technical standards?
3. What are the public acceptance standards?
4. What are the steps in the process?
5. From whom do I receive approval?
6. How are things measured or defined?



## Ordinance Improvements

- ✓ Use of font types, sizes, and tabs to establish visual hierarchy
- ✓ Keep similar provisions together (e.g. districts, standards, procedures, etc.)
- ✓ Fewer Zoning Districts equaling less administrative process
- ✓ Fewer Land Uses equaling less administrative process
- ✓ By-right development options
- ✓ Alternative redevelopment standards for infill development



# Project Schedule

Deliverables and Meetings	Date	Location / Time	Status
<b>2020</b>			
<i>Phase I: Project Initiation and Orientation</i>			
Kick-Off Teleconference with City Staff	Thurs, October 29	Teleconference / 3:00 pm	COMPLETE
Set up enCodePlus™	November – December	–	COMPLETE
<b>2021</b>			
Virtual Stakeholder Listening Sessions	Wed, February 10	Video-conferences / 3:00 pm; 4:00 pm; 5:00 pm and 6:00 pm	COMPLETE
Deliverable: Summary of Stakeholder Listening Sessions	Fri, February 19	–	COMPLETE
Work Session with Steering Committee	Mon, March 22	Video-conference / 11:00 am	Tentative
Work Session with Planning Commission	Tues, March 23	Video-conference / 6:00 pm	Tentative
Deliverable: Preliminary Draft of Subdivision Ordinance	Fri, April 2	–	In Progress
Work Session with Steering Committee	Mon, April 12	Teleconference / 11:00 am	Tentative
Work Session with Planning Commission	Tues, April 13	Video-Conference / 6:00 pm	Tentative
Deliverable: Revised Draft of Subdivision Ordinance	Fri, April 23	–	Tentative
City Council Briefing	Mon, May 3	Video-Conference / 6:00 pm	Tentative
Deliverable: Preliminary Draft of Zoning Ordinance	Fri, May 7	–	Tentative
Work Session with Steering Committee	Mon, May 17	Teleconference / 11:00 am	Tentative
Work Session with Planning Commission	Tues, May 18	Video-Conference / 6:00 pm	Tentative
Deliverable: Revised Draft of Zoning Ordinance and Memorandum with denoted with recommended map changes	Fri, May 28	–	Tentative
Meeting with Staff and Steering Committee for Final Review	Fri, June 4	Teleconference / 11:00 am	Tentative
Presentation of Zoning/Subdivision Ordinances to Planning Commission	Tues, June 8	Video-Conference / 6:00 pm	Tentative
Deliverable: Public Hearing Draft of Subdivision Ordinance and Zoning Ordinance	Fri, June 25	–	Tentative
City Council Public Hearing	Mon, July 5	Video-Conference / 6:00 pm	Tentative
Adoption by City Council (Second Reading)	Mon, July 19	–	Tentative
Deliverable: Final Published Version of Zoning/Subdivision Ordinances	Wed, July 21	–	Tentative



**KENDIG KEAST**  
COLLABORATIVE



## Stakeholder Feedback Summary

- ✓ “Listening Sessions” to invite responses to identify key land use and regulatory issues currently facing the City.
- ✓ Held on February 10<sup>th</sup>
- ✓ Sessions were broken into four groups
  - Developers, Builders, Contractors and Trade Professional
  - Design Professionals, Surveyors, Engineers, and Architects
  - Realtors, Business Owners, and Business Leaders
  - General Residents



# Stakeholder Feedback Summary



## Keys Themes / Concerns

- ✓ This project should strive to ensure conflicting provisions are removed from the ordinances and to ensure that the ordinances have key details added so that important issues are not left open to interpretation.
- ✓ Substantial discussion occurred concerning the City's current minimum dwelling size requirement. The majority of the participants supported revisiting the existing standard.





# Stakeholder Feedback Summary



## Keys Themes / Concerns

- ✓ There was considerable conversation regarding consolidating existing small lots that are currently underutilized.
- ✓ Developing downtown and along the waterfront would be very beneficial to the City.
- ✓ Online access to updated zoning map and application submittal software was desired by the participants.

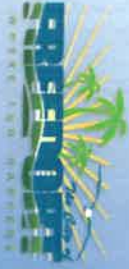






## Stakeholder Feedback Summary

- ✓ **Streamlined process needed:** The processes need to be streamlined, especially when multiple applications are required for a project.
- ✓ **Technology for applications:** Other surrounding communities use online based technology to submit applications, plats, and other land development applications. This allows applicants to track the status of their applications.
- ✓ **Clarity about submittal requirements:** There needs to be more clarity on what exactly is needed for submittals so everything required can be submitted at the beginning and there aren't any surprises halfway through the process.
- ✓ **Public Access to Updated Zoning Map:** Access to an updated zoning map on the City's website would be beneficial so interested parties could see a property's zoning classification without having to ask City Staff.
- ✓ **Conflicting ordinances:** Many ordinances are conflicting which puts City staff in a difficult position.
- ✓ **Land development provisions are in several places:** Land development code provisions are split up into so many different chapters of the City Code that it is difficult to understand what the requirements are, even sometimes for City Staff.



## Stakeholder Feedback Summary

- ✔ **Conflicting ordinance make staff's job difficult:** Our City's Building Official has a really difficult job with how the code is written today because there are so many conflicts within different land development ordinances. I am glad that I do not have his job.
- ✔ **Current lot width requirements are adequate:** The current 50 ft minimum lot width works well and the City should not allow anything to be built on a smaller lot than 50 ft.
- ✔ **Unconsolidated lots:** There are a lot of 25 ft wide lots recorded that have been development and never consolidated.
- ✔ **Marketable housing types:** There is not much of a market for duplex development in Freeport, however there is potential for condos or townhouses downtown and on the waterfront.
- ✔ **Shortage of housing types:** There is a shortage of three-bedroom two-bathroom homes in the City.
- ✔ **Minimum dwelling unit size is too large:** The City's current minimum dwelling unit size of 1,300 sq ft is too large. Many home buyers in the area desire three bedroom and two bath homes. Additionally, the cost of building materials has risen since the City adopted the 1,300 sq ft requirement. Being able to build a 1,200 sq ft or smaller house would help keep housing cost more affordable.



## Stakeholder Feedback Summary

- ✔ **Minimum dwelling unit size excludes housing organizations:** The standard a Habitat for Humanity home is 1,200 sq ft which means that the City has effectively prohibited this organization for assisting with its housing needs.
- ✔ **Minimum dwelling unit size necessitates variances often:** There is a variance process to lessen the square footage requirement, but it would be preferred to be able to build without this step.
- ✔ **Minimum lot width could be reduced in some places:** In some places having a minimum lot width of 25 ft would be fitting as there are some homes in our community that have been built vertically.
- ✔ **Minimum dwelling size captures most in demand size:** The City's current minimum dwelling size is appropriate to ensuring that its largest market demand is met which is for 1,300-1,700 sq ft homes. There is however a market for 1,200 sq ft homes.
- ✔ **Surrounding communities dwelling sizes:** I have seen communities that have some really attractive cottage style homes that are less than 1,300 sq ft. The City should consider permitting this style of housing.
- ✔ **Cost of homes is out of reach:** There are a lot of young couples in our community that would like to buy a home, but they can not afford a home that costs \$250,000.
- ✔ **Garage requirement is good:** The garage requirement for new single-family construction is beneficial so people do not overcrowd the streets with parked cars.
- ✔ **Minimum Lot Size.** The smallest lots the City should allow to develop is 6,500-7,000 sq ft.



## Stakeholder Feedback Summary

- ✓ **Minimum dwelling size captures most in demand size:** The City's current minimum dwelling size is appropriate to ensuring that its largest market demand is met which is for 1,300-1,700 sq ft homes. There is however a market for 1,200 sq ft homes.
- ✓ **Housing affordability:** The average home renter in Freeport does so because they can not afford to buy a home. Why do have we set a minimum home size requirement of 1,300 sq ft when there are people in our community that would be able to afford to buy a home and invest in our community if this requirement did not exist.
- ✓ **Interest of HOAs in the community:** Developments would need to be very high end for people to accept having an HOA.
- ✓ **Some support for HOAs:** There are existing subdivisions within the City that wish they had an HOA so there is some support for this concept.
- ✓ **Marketability of duplexes:** Duplexes could have a market in the City, but it would be preferred if one unit was owner occupied. Most duplexes in City are not tenant owned, but are rentals.
- ✓ **City needs stronger enforcement:** The City needs stronger code enforcement to get individuals or property management companies to clean up their properties.



## Stakeholder Feedback Summary

- ✓ **Downtown needs a catalyst project:** Everyone would like to see development downtown; however, we need a catalyst project to get things started and I am not sure what that would be.
- ✓ **Limited Parking Downtown:** Parking downtown is very limited. Parking structures are cost prohibitive and thus are not an option.
- ✓ **Small businesses Downtown:** The City desires retail uses downtown, but they need to work with small business owners to make this happen.
- ✓ **Lack of industrial land:** There is a lack of available industrial land for light industrial uses such as warehousing and storage. There is a demand for industrial property near DOW Chemicals, but not much industrial zoned land is available.
- ✓ **Controlled growth:** Development and growth can be good, but it needs to be controlled in some way either through City regulations or HOAs.
- ✓ **Potential of mixed use developments:** Mixed Use development potential is something that is growing throughout our state and I believe it will make its way to Freeport. We need to plan for where this can occur in our City and for us, this means the downtown and waterfront. I believe there is some high-end potential there. We just need a catalyst project.



# Steering Committee Comments and Discussion

?

