



# City of Richmond

*Where History Meets Opportunity*

## **Regular City Commission Meeting**

600 Morton Street

Monday, December 21, 2020 at 4:30 P.M

- A7. Review and consider taking action on a replat of Lots 7, 8 & 9 of Block 2, Estates at Lakes of Williams Ranch Sec. 1 as recorded in Plat No. 20180168 of the Fort Bend County Plat Records as Estates at Lakes of Williams Ranch Sec. 1, Partial Replat No. 3 – 1.324 acres of land – 1 Block – 2 Lots – 0 Reserves.



**CITY COMMISSION  
AGENDA ITEM COVER MEMO**

**DATE: December 21, 2020**

**Staff Review:**

City Manager \_\_\_\_\_  
City Attorney \_\_\_\_\_  
Finance \_\_\_\_\_  
Fire Department \_\_\_\_\_  
Police Department \_\_\_\_\_  
Public Works \_\_\_\_\_

**AGENDA ITEM: A7.**

**SUBMITTED BY: Mason Garcia, Associate Planner  
Planning Department**

**SYNOPSIS**

**Review and consider taking action on Estates at Lakes of Williams Ranch Section 1 Partial Replat No. 3, 1.324 acres of land, 2 Lots, 0 Reserves, and 1 Block.**

**The Planning and Zoning Commission recommended approval of this Replat at their December 7, 2020, meeting with a condition that the following comments will be addressed: 1) Provide a copy of the abandonment of easement agreement with CenterPoint Energy; 2) Provide a copy of paid tax certificates as per section 6.3.503.C.3.s. of the Unified Development Code(UDC); and 3) Provide a letter of no objection from CenterPoint Energy 1.4.G. of the Public Infrastructure Design Manual(PIDM).**

**COMPREHENSIVE PLAN 2014 GOALS ADDRESSED**

**D.5. Guide the types, patterns, and designs of housing development using the Future Land Use Plan and development regulations.**

**H.6. Offer a variety of housing types, price points, and locations to meet the diverse needs of Richmond's current and prospective employees.**

**BACKGROUND**

- A Final Plat for Estates at Lakes of Williams Ranch Section 1 was approved by the City Commission on August 21, 2017.**
- Estates at lakes of Williams Ranch Section 1 is situated south of U.S 59 and east of Williams Way Boulevard. The subject site is located along the east side of St. Catherine Way and Alexandra Way Circle intersection.**
- Public hearing requirements for this proposed Replat have been met, a copy of the public hearing notice was published in the Fort Bend Herald on Sunday, November 22, 2020.**

- The proposed Replat will combine three lots, Lots 7, 8, & 9 of Estates at Lakes of Williams Ranch Section 1 in order to create Two (2) Lots, one (1) Block and Zero (0) Reserves.

**BUDGET ANALYSIS**

FUNDING SOURCE	ACCOUNT NUMBER	PROJECT CODE/NAME	FY 2020-21 FUNDS BUDGETED	FY 2020-21 FUNDS AVAILABLE	AMOUNT REQUESTED
N/A	N/A	N/A	N/A	N/A	N/A

BUDGET AMENDMENT REQUIRED? YES \_\_\_\_\_ NO   X  

Requested Amendment: N/A  
 Budgeted funds estimated for FY 2020-21: N/A

Purchasing Review: N/A  
 Financial/Budget Review: N/A

FORM CIQ:   N/A  

FORM 1295   N/A  

**SUPPORTING MATERIALS**

A report has been submitted by the Planning Department for review by the Mayor and City Commission.

**STAFF'S RECOMMENDATION**

Staff recommends approval of this proposed Replat with a condition that the following comments will be addressed: 1) Provide a copy of the abandonment of easement agreement with CenterPoint Energy; 2) Provide a copy of paid tax certificates as per section 6.3.503.C.3.s. of the UDC; and 3) Provide a letter of no objection from CenterPoint Energy 1.4.G. of the PIDM.

City Manager Approval: \_\_\_\_\_



**RICHMOND**  
EST. **TEXAS** 1837

**CITY COMMISSION**  
*Final Report: Plat Application*

**Agenda Date:** December 21, 2020

**Agenda Item:** A7.

**Plat Name:** Estates at Lakes of Williams Ranch Section 1 Partial Replat No. 3

**Applicant:** Randy McClendon | Tejas Surveying, Inc.

**Project Description:** A subdivision of 1.324 acre tract of land in the Joseph Kuykendahl League, A-49, Fort Bend County Texas, being a replat of Lots 7, 8 & 9, Block 2, Estates at Lakes of Williams Ranch Section 1, as Recorded in Plat No. 20180168, F.B.C.P.R.

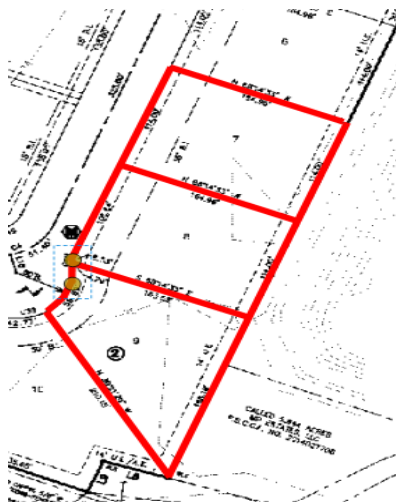
**Zoning Designation:** NA / ETJ

**P&Z Commission Mtg.:** December 7, 2020

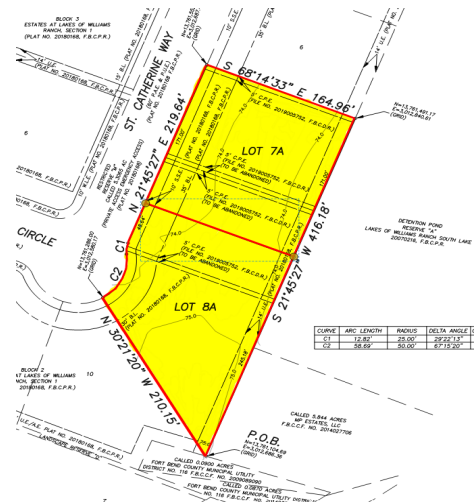
**Project Planner:** Mason Garcia, Associate Planner

**Background/Review Notes**

- A Final Plat for Estates at Lakes of Williams Ranch Section 1 was approved by the City Commission on August 21, 2017.
- Estates at lakes of Williams Ranch Section 1 is situated south of U.S 59 and east of Williams Way Boulevard. The subject site is located along the east side of St. Catherine Way and Alexandra Way Circle intersection
- Public hearing requirements for this proposed Replat have been met, a copy of the public hearing notice was published in the Fort Bend Herald on Sunday, November 22, 2020.
- The proposed Replat will combine three lots, Lots 7, 8, & 9 of Estates at Lakes of Williams Ranch Section 1 in order to create Two (2) Lots, one (1) Block and Zero (0) Reserves.



**Existing Lot Layout**



**Proposed Lot layout**



THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

WE, AHMED MOHAMED ALI AND DILSHAT MYDIN MOHAMED, TRUSTEES OF THE JEFFREY AHMED 2017 TRUST, AND WE AHMED M. ALI AND DILSHAT M. MOHAMED, TRUSTEES OF THE IZMIR LIVING TRUST DATED DECEMBER 30, 2009, HEREBY REFERRED TO AS THE OWNERS OF THE 1.324 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF ESTATES AT LAKES OF WILLIAMS RANCH, SECTION 1, PARTIAL REPLAT NO. 3, 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 OURSELVES, 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 UNOBTSTRUCTED 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') PERIMETER GROUND EASEMENTS; OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS; FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.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 UNOBTSTRUCTED 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') FOR FOURTEEN FEET (14') BACK-TO-BACK GROUND EASEMENTS; OR SEVEN FEET (7') FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS; FROM A PLANE 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 (U.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, CULLETS, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF RICHMOND, FORT BEND COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSES 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 SUBDIVISION AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, CULLET, 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 ADJOINING 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. LIGHT ZONE 2.

IN TESTIMONY WHEREOF, THE JEFFREY AHMED 2017 TRUST HAS CAUSED THESE PRESENTS TO BE SIGNED BY AHMED MOHAMED ALI AND DILSHAT MYDIN MOHAMED, TRUSTEES OF THE JEFFREY AHMED 2017 TRUST DATED DECEMBER 30, 2009 HAS CAUSED THESE PRESENTS TO BE SIGNED BY AHMED M. ALI AND DILSHAT M. MOHAMED, TRUSTEES, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

JEFFREY AHMED 2017 TRUST IZMIR LIVING TRUST DATED DECEMBER 20, 2009

By: AHMED MOHAMED ALI, TRUSTEE Ahmed M. Ali, Trustee

By: DILSHAT MYDIN MOHAMED, TRUSTEE Dilshat M. Mohamed, Trustee

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED AHMED MOHAMED ALI AND DILSHAT MYDIN MOHAMED, TRUSTEES OF THE JEFFREY AHMED 2017 TRUST, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AS THE ACT AND DEED OF SAID TRUST.

GIVEN MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

PRINTED NAME: \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
COMMISSION EXPIRES: \_\_\_\_\_

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED AHMED M. ALI AND DILSHAT M. MOHAMED, TRUSTEES OF THE IZMIR LIVING TRUST DATED DECEMBER 30, 2009, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AS THE ACT AND DEED OF SAID TRUST.

GIVEN MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

PRINTED NAME: \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
COMMISSION EXPIRES: \_\_\_\_\_

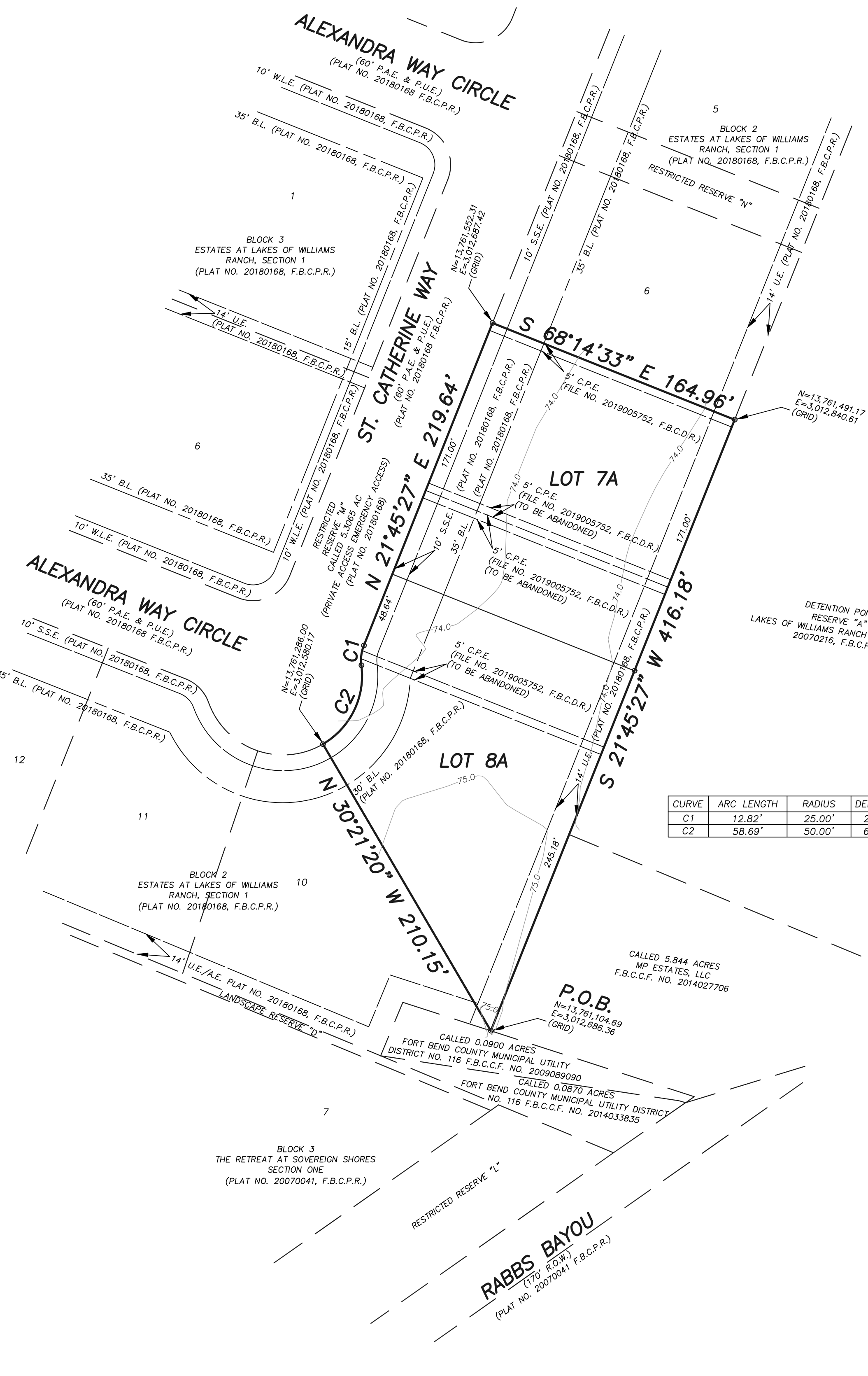
I, RANDY S. McCLENDON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT FERROUS METAL) PIPES OR RODS HAVING A OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET.



RANDY S. McCLENDON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4079

GENERAL NOTES:

- 1. B.L. INDICATES BUILDING LINE; U.E. INDICATES UTILITY EASEMENT; STM.S.E. INDICATED STORM SEWER EASEMENT; W.L.E. INDICATES WATER LINE EASEMENT; S.S.E. INDICATES SANITARY SEWER EASEMENT; D.E. INDICATED DRAINAGE EASEMENT; ESMT. INDICATES EASEMENT; P.A.E. INDICATES PRIVATE ACCESS EASEMENT; P.U.E. INDICATES PUBLIC UTILITY EASEMENT; CPE ESMT. INDICATES CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, ET AL EASEMENT; F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS; F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS; F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS; F.B.C.C. INDICATES FORT BEND COUNTY CLERK.
- 2. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE NO. 4204 (NAD '83). COORDINATES SHOWN HEREON ARE GRID COORDINATES AND MAY BE BROUGHT TO SURFACE COORDINATES BY USING THE COMBINED SCALE FACTOR 0.9998700169.
- 3. THIS PLAT WAS PREPARED TO MEET CITY OF RICHMOND AND FORT BEND COUNTY REQUIREMENTS.
- 4. THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY FORT BEND TITLE CO. OF, NO. 1572010115. EFFECTIVE DATE OCTOBER 21, 2020. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- 5. THIS PLAT LIES WHOLLY WITHIN FORT BEND COUNTY, FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116, FORT BEND COUNTY SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, AND THE ETJ OF THE CITY OF RICHMOND.
- 6. THERE ARE NO PIPELINES NOR PIPELINE EASEMENTS WITHIN THE PLATTED AREA SHOWN HEREON.
- 7. SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5 FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON THE CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH THE ADA.
- 8. ELEVATIONS USED FOR DELINEATING CONTOUR LINES ARE BASED UPON NAVD 1988 DATUM, 1991 ADJUSTMENT.
- 9. THE TOP OF ALL FLOOR SLABS SHALL BE A MINIMUM OF 76.5 FEET ABOVE MEAN SEA LEVEL (NAVD 88 DATUM). IN ADDITION, NO TOP OF SLAB ELEVATION SHALL BE LESS THAN 24 INCHES ABOVE THE LOWEST TOP OF CURB ADJACENT TO THE LOT IN WHICH IT LIES. IN THE ABSENCE OF A CURB, THE TOP OF SLAB ELEVATION SHALL BE NO LESS THAN 24 INCHES ABOVE THE HIGHEST NATURAL GROUND ALONG THE PERIMETER OF THE BUILDING FOUNDATION AND 12" ABOVE ANY DOWN GRADIENT ROADWAY OR DRAINAGE RESTRAINT, WHICHEVER IS HIGHER.
- 10. NATURAL GROUND CONTOURS INDICATED ARE PRIOR TO DEVELOPMENT OF THE TRACT.
- 11. THE DRAINAGE SYSTEM FOR THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING WITH INTENSE RAINFALL EVENTS.
- 12. ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- 13. ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
- 14. ALL LOTS HAVE A MINIMUM 10-FOOT SIDE BUILDING LINE. A MINIMUM DISTANCE OF 20' SHALL BE MAINTAINED BETWEEN RESIDENTIAL BUILDINGS.
- 15. STREETS SHOWN WITHIN THIS SUBDIVISION ARE PRIVATE STREET RESERVES. ALL STREET PRIVATE ACCESS EASEMENTS WIDTHS ARE SIXTY FEET (60') UNLESS OTHERWISE NOTED HEREON.
- 16. THE SUBDIVISION IS LOCATED IN OUTDOOR LIGHTING ZONE "LZ-2", WHICH IS ADMINISTERED BY FORT BEND COUNTY.
- 17. IN ACCORDANCE WITH THE FEMA FLOOD INSURANCE RATE MAP (FIRM) NO. 48157C0265L, MAP REVISION EFFECTIVE DATE APRIL 2, 2014, THIS PROPERTY LIES IN SHADDED ZONE "X", AN AREA WITH REDUCED FLOOD RISK DUE TO A LEVEE, WHICH MAY BE SUBJECT TO OVERTOPPING.
- 18. ALL EASEMENT, OPEN SPACE, OR OTHER COMMON AREAS WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY THE APPLICABLE HOMEOWNERS' ASSOCIATION, MUNICIPAL UTILITY DISTRICT, OR OTHER PERPETUAL PRIVATE ENTRY.
- 19. THIS SUBDIVISION CONTAINS ONE OR MORE PRIVATE ACCESS EASEMENTS THAT HAVE NOT BEEN DEDICATED TO OR ACCEPTED BY THE CITY OF RICHMOND OR ANY OTHER LOCAL GOVERNMENTAL AGENCY AS PUBLIC RIGHT-OF-WAY. THE CITY OF RICHMOND HAS NO OBLIGATION, NOR DOES ANY OTHER LOCAL GOVERNMENTAL AGENCY HAVE ANY OBLIGATION TO MAINTAIN OR IMPROVE ANY PRIVATE ACCESS EASEMENT WITHIN THE SUBDIVISION, WHICH SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS OR HOME OWNERS ASSOCIATION OF THE PROPERTY IN THIS SUBDIVISION.
- 20. BENCHMARK: NGS PID AW4730, BRASS DISC SET VERTICALLY IN THE NORTH BRICK WALL BY THE NORTH ENTRANCE TO THE COUNTY COURTHOUSE, STAMPED 81212, ELEVATION=97.98' (NAVD '88, 1991 ADJ.).
- 21. TM: "X" CUT ON TOP OF THE CURB AT AN INLET ON THE EAST SIDE OF ST. CATHERINE WAY ABOUT 135 FEET NORTHWEST OF THE SOUTHERLY INTERSECTION OF ST. CATHERINE WAY AND ALEXANDER WAY CIRCLE. ELEVATION = 73.31' (NAVD '88, 2001 ADJ.).
- 22. SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL TO OBTAIN A DEVELOPMENT PERMIT. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.
- 23. THIS PROPERTY IS SUBJECT TO RESTRICTIONS RECORDED IN FORT BEND COUNTY CLERK'S FILE NOS. 2006116657, 2006133388, 2006140743, 2006158241, 2007065908, 2007089705, 2008001588, 2008019527, 2008107084, 2009090377, 2010081206, 2010094052, 20111114294, 2012065416, 2012089364, 2013073708, 2013091017, 2013150017, 2014024847, 201031459, 2015074758, 2015081177, 201513303, 2015120980, 2016091015, 2016092628, 201709896, 201711459, 201713306, 2018000431 AND 2019006095 AND IN PLAT NO. 20180168 OF THE PLAT RECORDS OF FORT BEND COUNTY.





# City of Richmond

*Where History Meets Opportunity*

## **Regular Scheduled City Commission Meeting**

600 Morton Street

Monday, December 21, 2020 at 4:30 P.M

- A8. Review and consider taking action on Ordinance No. 2020-30 adopting text amendments to the Unified Development Code to revise land use allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (Pet boarding facilities); The specific sections include:
- 1) Table 2.2.203, Commercial Limited and Conditional Use Standards.
  - 2) Division 7.1.300, Definitions.



**CITY COMMISSION  
AGENDA ITEM COVER MEMO**

**DATE: December 21, 2020**

**Staff Review:**

City Manager \_\_\_\_\_  
City Attorney \_\_\_\_\_  
Finance \_\_\_\_\_  
Fire Department \_\_\_\_\_  
Police Department \_\_\_\_\_  
Public Works \_\_\_\_\_

**AGENDA ITEM: A5. & A8. Review and consider taking action on Ordinance No. 2020-30.**

**SUBMITTED BY: Jose Abraham, Planning Director  
Planning Department**

**SYNOPSIS**

**This is an agenda request to consider a text amendment to the Unified Development Code to revise landuse allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (Pet boarding facilities); The specific sections include:**

- 1) Table 2.2.203, *Commercial Limited and Conditional Use Standards***
- 2) Division 7.1.300, *Definitions***

**Animal Boarding and Veterinarian Services for Small Animals is allowed within non-residential zoning district as a limited use restricts such facilities from being located within 100 feet from any lot line or within 300 feet of any type of public or private school, child-care facility, day care, or public park (except a dog park). In reviewing the basic functioning of such facilities, it appears that a 100 foot setback requirement for the use is excessive considering the intent of the regulation. Staff is proposing to remove the blanket requirement of 100 feet setback from property lines and proposes setback, design requirements, and bufferyard requirements depending on location of the outdoor animal activity areas, type of adjoining landuse, and location of adjoining areas intended for public use within non-residential uses.**

**Planning and Zoning Commission recommended approval of the proposed UDC Text Amendment at their December 7, 2020 regular meeting.**

**COMPREHENSIVE PLAN 2014 GOALS ADDRESSED**

**Goal D.2. of the Comprehensive Plan emphasizes continuous re-evaluation of the City's incentives, policies, and regulations – while at the same time – setting quality and character standards that are compatible with the historic character and future trajectory of the community.**



**Goal D.4. Set aside a balanced mix of residential, civic, and commercial land uses to meet the lifestyle needs of all residents and business owners.**

**Goal D.6.: Ensure infill development will be compatible with existing neighborhoods through appropriate use, site design, and patterns of development.**

### BACKGROUND

Pet boarding facilities are necessary for every community as more and more people own pets (various surveys have suggested that household pet ownership ranges from 50 to 54% across the country). Pet Boarding facilities are a unique type of landuse, given its need within communities and the potential impact it could have on adjoining commercial and residential uses. Therefore, it is important that regulations pertaining to pet boarding facilities are balanced to address the demand as well as to minimize negative impacts of the use. There is a wide range of uses that would come under Animal Boarding and Veterinarian Services for Small Animals such as animal hospitals and clinics, pet boarding facilities, pet resorts, and animal day-care. The spatial needs of these facilities differ and so does their impact on adjoining uses. The impact of such facilities on adjoining uses also vary depending on how individual sites are laid out. Keeping this in mind, staff is proposing to amend the current Limited Use standards. *(Details provided in the Report included in the packet)*

### BUDGET ANALYSIS

FUNDING SOURCE	ACCOUNT NUMBER	PROJECT CODE/NAME	FY 2020-2021 FUNDS BUDGETED	FY 2020-2021 FUNDS AVAILABLE	AMOUNT REQUESTED
N/A	N/A	N/A	N/A	N/A	N/A

BUDGET AMENDMENT REQUIRED? YES \_\_\_\_\_ NO  X

Requested Amendment: N/A

Budgeted funds estimated for FY 2020-2021: N/A

Purchasing Review: N/A

**Financial/Budget Review: N/A**

FORM CIQ:  N/A

FORM 1295  N/A

**SUPPORTING MATERIALS**

**A report has been submitted by the Planning Department for review by the Mayor and City Commission.**

**STAFF'S RECOMMENDATION**

**Staff recommends that the City Commission approve the proposed text amendment as detailed in the attached report and adopt Ordinance No. 2020-30.**

City Manager Approval: \_\_\_\_\_

**CITY COMMISSION**  
*UDC Text Amendment*

**Agenda Date:** December 21, 2020

**Agenda Item:** A5. & A8.

**Agenda item Subject:** Text amendments to the Unified Development Code (UDC), to revise landuse allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (veterinarian and pet boarding facilities).

**OVERVIEW**

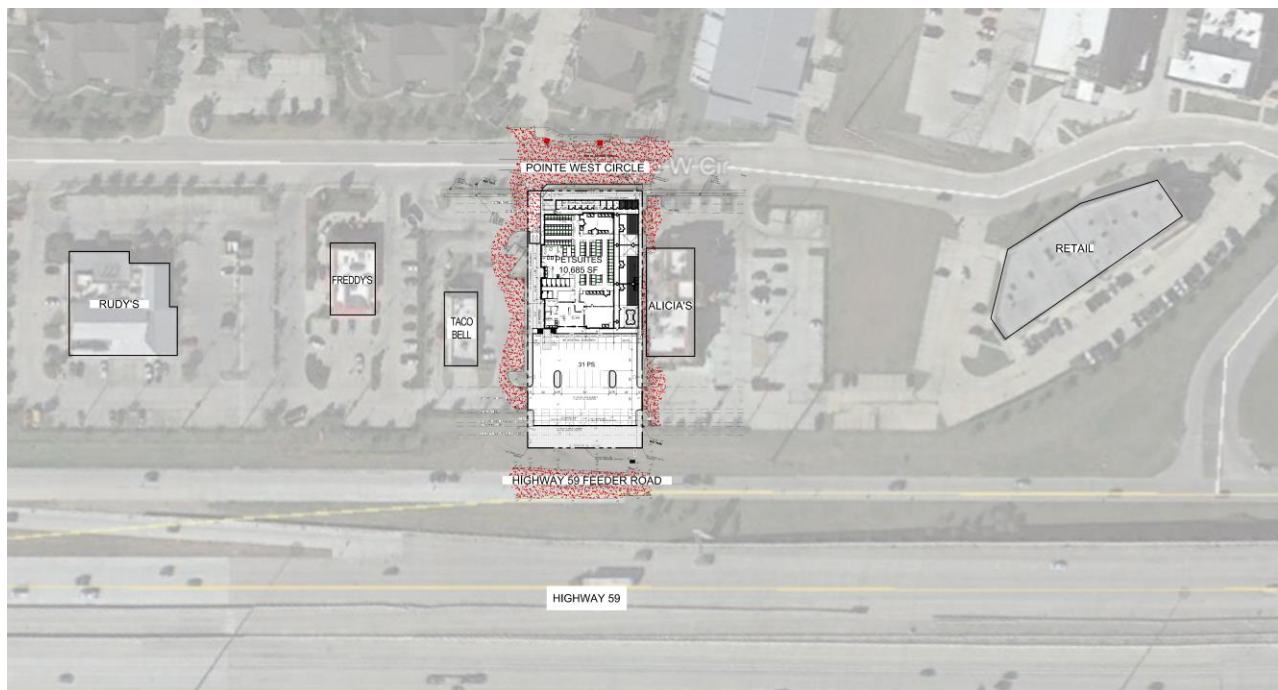
Unified Development Code (UDC) defines Animal Boarding and Veterinarian Services for Small Animals (pet boarding facilities) as: *Veterinary clinics, hospitals, or other facilities that provide care and boarding of small domestic animals. The phrase "animal boarding and veterinarian, small animal" does not include "animal boarding and veterinarian services, large animal."* Currently, pet boarding facilities are allowed within non-residential zoning districts as a Limited Use within Suburban Commercial, General Commercial, Old Towne, Downtown, Industrial, and Mixed-Use districts. Limited Use *"means a use that is allowed in a zoning district, subject to special standards that mitigate its impact on the environment or other uses in the district or that prevent a concentration of the use in a particular area. In some cases, the special standards may prohibit the use from being developed on every property in a district."* Following table provides the current standards for pet boarding facilities as a limited use (*Table 2.2.203, Commercial Limited and Conditional Use Standards*):

Use	District	Location	Design	Other
<b><u>Animal Boarding and Veterinarian Services, Small Animal</u></b>	SC OT DN MU	No boarding facility or dog runs shall be located within 100 feet from any <u>lot line</u> or within 300 feet of any type of <u>public or private school, child-care facility, day care</u> , or public park (except a dog park).	The use is conducted within a fully enclosed <u>building</u> , which is designed with noise resistant materials. Plans and specifications for noise reduction materials shall be approved by the <u>City</u> through the <u>site plan</u> approval process.	No livestock or large animals will be boarded, treated, or kept on the premises.
	GC IN		Outdoor dog runs and animal exercise areas will be screened by a Type C <u>bufferyard</u> around the facilities or at the <u>property lines</u> so as to prevent distracting or exciting the animals ( <i>see <u>Division 4.4.300, Buffering</u></i> ).	

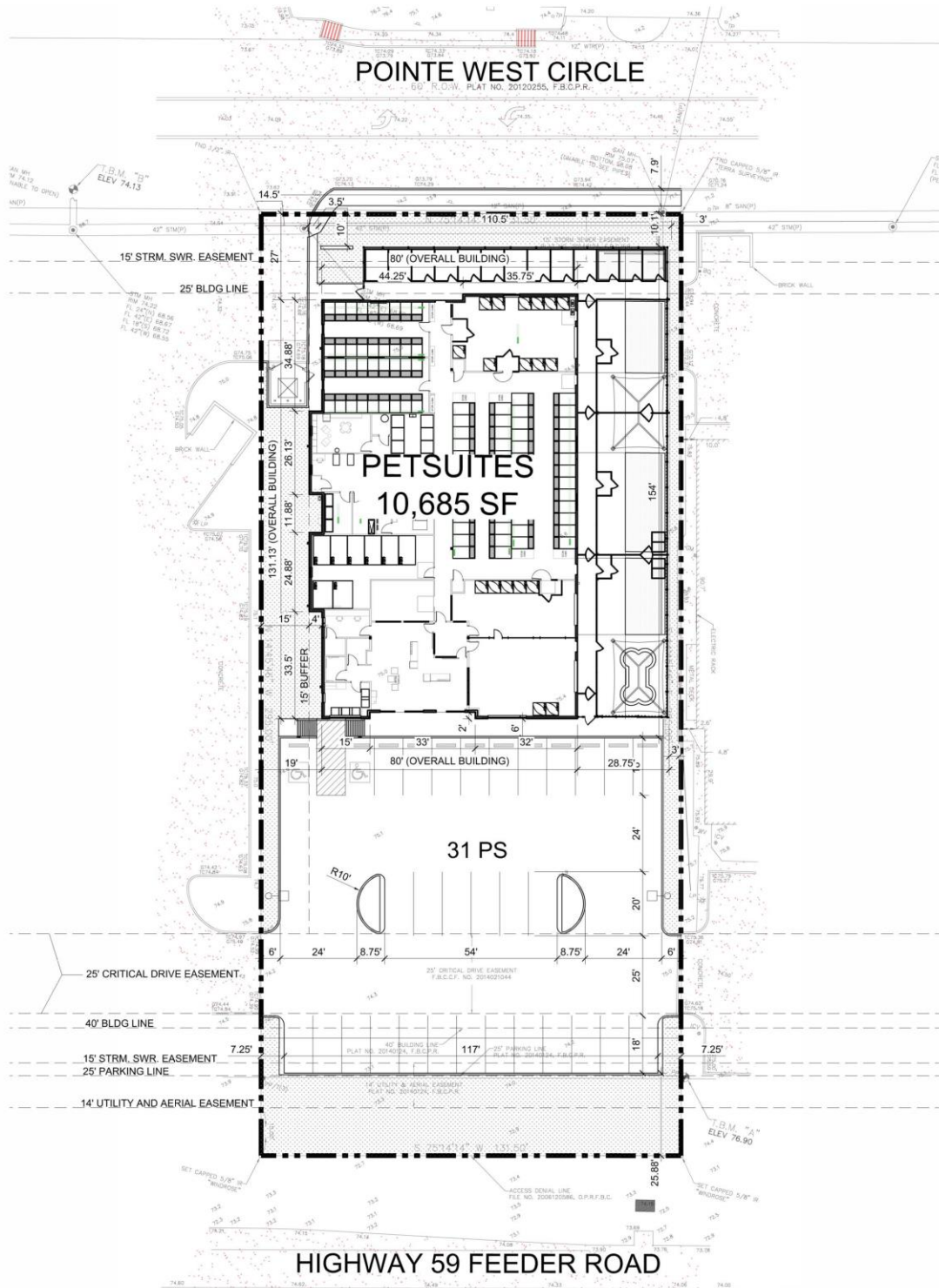
Please note that the UDC restricts such facilities from being located within 100 feet from any lot line or within 300 feet of any type of public or private school, child-care facility, day care, or public park (except a dog park). Please note that the same restriction also applies to Animal Boarding and Veterinarian Services for Large Animals (horses and other livestock). In reviewing the basic functioning of such facilities, it

appears that a 100 foot setback requirement for the use is excessive considering the intent of the regulation.

This issue came to staff’s attention when the design team of “Pet Suites—Pet boarding facility” met with staff for a proposed facility at 20430 Southwest Fwy, the vacant property between Taco Bell and Alicia’s Mexican Restaurant along Southwest Freeway (*Location shown below*). The applicant discussed their proposed site plan and functioning of the facility but could not proceed because of the 100 foot setback requirement. Please see attached information packet provided by the applicant as part of their discussion with staff.



*Proposed Location of Pet Suites*



*Pet suites Proposed Conceptual Site Plan*



*Pet suites in Sienna, Missouri City*

### **ANALYSIS**

Pet boarding facilities are necessary for every community as more and more people own pets (various surveys have suggested that household pet ownership ranges from 50 to 54% across the country). Pet Boarding facilities are a unique type of landuse, given its need within communities and the potential impact it could have on adjoining commercial and residential uses. Therefore, it is important that regulations pertaining to pet boarding facilities are balanced to address the demand as well as to minimize negative impacts of the use. There is a wide range of uses that would come under Animal Boarding and Veterinarian Services for Small Animals such as animal hospitals and clinics, pet boarding facilities, pet resorts, and animal day-care. The spatial needs of these facilities differ and so does their impact on adjoining uses. The impact of such facilities on adjoining uses also vary depending on how individual sites are laid out. Keeping this in mind, staff is proposing to amend the current Limited Use standards.

Staff is proposing amendments to the following specific sections of the UDC:

1. Table 2.2.203, Commercial Limited and Conditional Use Standards
2. *Division 7.1.300, Definitions*

The direction of the proposed amendment can be summarized as follows:

- The UDC provides same design requirements for Suburban Commercial and Mixed-Use Districts as for Olde Town and Downtown Districts. The proposed amendment combines Suburban Commercial & Mixed-Use Districts with General Commercial & Industrial Districts with respect to design requirements. This is based on the distinction in size and general location of properties within different districts.
- The proposed amendment removes the blanket requirement of 100 feet setback from property lines and proposes setback, design requirements, and bufferyard requirements depending on location of the outdoor animal activity areas, type of adjoining landuse, and location of adjoining areas intended for public use within non-residential uses. Please note that no change is being proposed to the building setback requirements of the underlying zoning district. The proposed amendment only provides additional setback and buffering requirements for outdoor animal play areas depending on situation.

The proposed UDC Text Amendment complies with the following policies and goals of the 2014 Comprehensive Master Plan:

- Policy D.2.: Continuously re-evaluate the City's incentives, policies, and regulation – while at the same time- setting quality and character standards that are compatible with the historic character and future trajectory of the community.
- Policy D.4. Set aside a balanced mix of residential, civic, and commercial land uses to meet the lifestyle needs of all residents and business owners.
- Policy D.6.: Ensure infill development will be compatible with existing neighborhoods through appropriate use, site design, and patterns of development.

Public hearing requirements for this proposed text amendment have been met and *Exhibit A (Page 9 of 9)* shows a copy of the public hearing notice published in Fort Bend Herald on **Thursday, December 3, 2020**.

### **Staff Recommendation**

Staff recommends that the City Commission approve the proposed text amendment as detailed in the following section and adopt Ordinance No. 2020-30.

### **Planning and Zoning Commission Recommendation**

Staff presented the proposed amendment to the Planning and Zoning Commission at the December 7, 2020 regular meeting. The Planning and Zoning Commission recommends approval of the proposed text amendment as detailed in the following section.

### **Proposed Text Amendment**

The proposed text amendments pertaining to Table 2.2.203, *Commercial Limited and Conditional Use Standards* and Division 7.1.300, *Definitions* are detailed below. All proposed text edits to the Unified Development Code are indicated in **red font color**.

- **Table 2.2.203, Commercial Limited and Conditional Use Standards**



Use	District	Location	Design	Other
<p><b><u>Animal Boarding, and Veterinarian Services, Small Animal</u></b></p>	<p>SC OT DN MU</p>	<p><del>No boarding facility or dog runs</del> The use shall not be located <del>within 100 feet from any lot line or within 300 feet of any type of public or private school, child care facility, day care, or public park (except a dog park).</del> on a lot that abuts a residential use or residentially zoned property.</p>	<p>The use is conducted within a fully enclosed <u>building</u>, which is designed with noise resistant materials. Plans and specifications for noise reduction materials shall be approved by the <u>City</u> through the <u>site development plan</u> approval process.</p> <p>At least 75 percent of the minimum required parking shall be provided on-site with proximity to building entrance to allow reasonably convenient access to the building.</p>	<p>No livestock or large animals will be boarded, treated, or kept on the premises.</p>
	<p>SC GC MU IN</p>	<p>Outdoor animal activity areas shall not be located in front of the building or within required front yard.</p> <p>The use may function as a component of pet supply stores provided that:</p> <ul style="list-style-type: none"> <li>No outdoor animal activity areas are included if the use is located within a multi-tenant building which includes other non-residential uses.</li> <li>Internal walls shared with other retail uses are designed with noise resistant materials. Plans and specifications for noise reduction materials shall be approved by the City through the site development plan approval process.</li> </ul>	<p><del>Outdoor dog runs and animal exercise areas will be screened by a Type C bufferyard around the facilities or at the property lines so as to prevent distracting or exciting the animals (see Division 4.4.300, Buffering).</del></p> <p><b>When the use abuts a residential use or a residentially zoned property:</b></p> <ol style="list-style-type: none"> <li>Outdoor animal activity areas shall not be located along any side that abuts a residential use or residentially zoned property.</li> <li>Outdoor animal activity areas, shall not be located within the required yards.</li> <li>The use shall be screened by a minimum of Type 'D' Bufferyard from adjoining residential use or residentially zoned property. Irrespective of the selected bufferyard option, a 6 foot masonry fence shall be included within the bufferyard. (see Section 4.4.300, Buffering)</li> <li>Outdoor animal activity areas located along a public street right-of-way shall be enclosed by a 6 foot masonry</li> </ol>	



			<p>fence.</p> <p><b>When the use abuts a non-residential use or a vacant property:</b></p> <p>1) Outdoor animal activity areas located on a side that abuts public areas of a non-residential use (including parking areas, outdoor seating areas, walkways, etc) or a vacant property zoned for non-residential use:</p> <ul style="list-style-type: none"> <li>• Shall be setback a minimum of 15 feet from the property line.</li> <li>• Shall be screened from adjoining public areas of abutting non-residential use with Type ‘B’ Bufferyard screening. Irrespective of the selected bufferyard option, a 6-foot masonry fence shall be included within the bufferyard. (see Section 4.4.300, Buffering)</li> </ul> <p>2) Outdoor animal activity areas located on a side that abuts outdoor areas of an adjoining non-residential use that are not intended for public use:</p> <ul style="list-style-type: none"> <li>• Shall be screened from adjoining non-residential use with Type ‘A’ Bufferyard screening.</li> <li>• A 6 foot Masonry enclosure of the outdoor animal activity area may be used to meet the bufferyard wall requirement. (see Section 4.4.300, Buffering)</li> </ul> <p>3) Outdoor animal activity areas located along a public street right-of-way shall be enclosed by a 6 foot masonry fence along the street right-of-way.</p>	
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- Division 7.1.300, Definitions

**Yard, Required** means singularly and collectively, the front yard, side yard, and rear yard required by this Unified Development Code.

**PLEASE SEE BUFFERYARD CLASSIFICATION PROVIDED BY THE UDC FOR YOUR REFERENCE BELOW (No amendment proposed to the table below- for reference only).**

Table 4.4.301A Bufferyard Classifications						
Type (Opacity)	Width	Required Plantings per 100 Linear Feet				Height of Berm, Wall or Fence <sup>1</sup>
		Large Trees	Small Trees	Evergreen Trees	Shrubs	
<b>Option 1: Landscape Only Bufferyard</b>						
Type A (10%)	10'	1	1	1	5	N/A
Type B (25%)	15'	2	1	3	10	N/A
Type C (50%)	25'	4	3	5	20	N/A
Type D (65%)	40'	4	5	5	25	N/A
<b>Option 2: Landscape with Berm, Wall, or Fence<sup>2</sup></b>						
Type A (10%)	5'	-	1	0	5	6' tall masonry wall
Type B (25%)	10'	1	1	1	15	5' tall masonry wall
Type C (50%)	15'	2	2	3	15	5' fence or 4' berm
Type D (65%)	25'	3	5	5	25	3' berm
<b>TABLE NOTES:</b> N/A - Not Applicable. <sup>1</sup> A berm, wall, or fence is not required for landscape only bufferyards. <sup>2</sup> Plant material, except large trees, must be installed on the outside of the wall or fence facing the street or abutting properties.						

**Exhibit A**

**NOTICE OF PUBLIC HEARING**

**LOCATION/DATE:** The City Commission of the City of Richmond will hold a public hearing on Monday, December 21, 2020, at 4:30 p.m. **In compliance with the recommendation of the CDC and other governmental agencies, to avoid the spread of the COVID19 Virus, the City Commission meeting will be held as a teleconference on Zoom virtual meeting platform.**

**Details to join the Zoom Meeting will be included on the Meeting Agenda posted on the City of Richmond Website; <https://www.richmondtx.gov> and on the City Hall Bulletin Board located at 402 Morton Street, Richmond, TX 77469 .**

Comments may be submitted via email or request made to be contacted by phone during the meeting to make comments during the public hearing to the City Secretary at [lscarlato@richmondtx.gov](mailto:lscarlato@richmondtx.gov)

**PURPOSE:** To receive comments for or against text amendments to the Unified Development Code to revise landuse allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (Pet boarding facilities); The specific sections include:

- 1) Table 2.2.203, *Commercial Limited and Conditional Use Standards*
- 2) *Division 7.1.300, Definitions*

**FOR MORE INFORMATION:** For more information you can contact the City of Richmond Planning Department Office by email at [jabraham@richmondtx.gov](mailto:jabraham@richmondtx.gov) or by phone at 281-232-0559.



# Proposed PetSuites in Richmond: Supporting Information

November 11, 2020

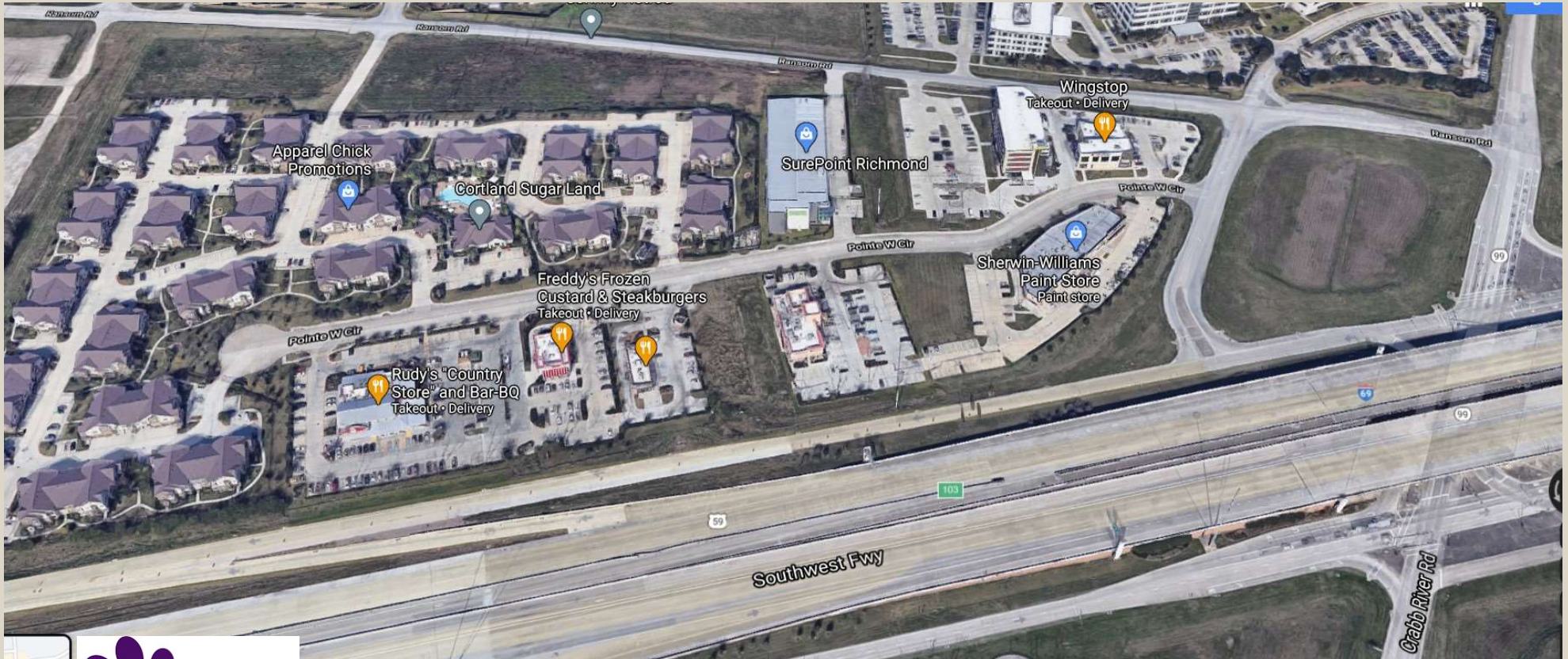


## Table of Contents

- **Proposed site**
- **Houston area PetSuites locations**
  - ✓ **Sienna**
  - ✓ **Long Meadow Farms**
  - ✓ **Pearland**
  - ✓ **Louetta Road**
  - ✓ **Westheimer**
- **Concurrence Letters from Neighbors**
- **Economic & Social benefits to Community**
- **Other Pet Boarding facility in Richmond**



# Proposed Site



# Proposed Site

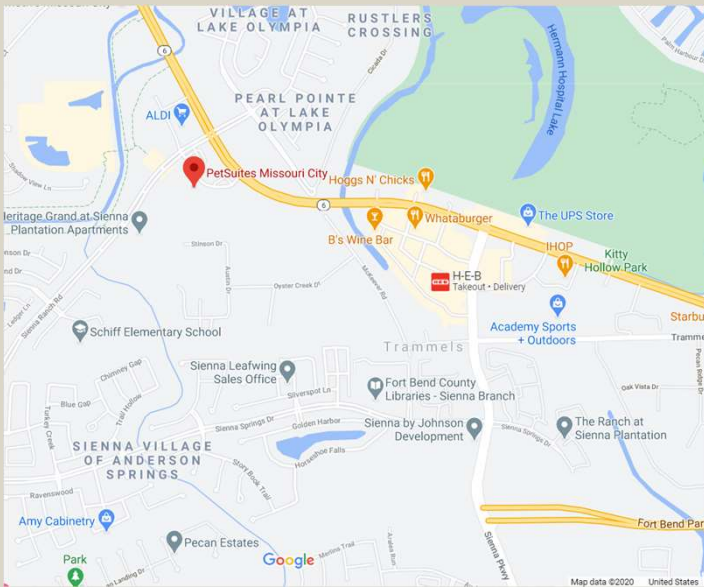


# Proposed Site



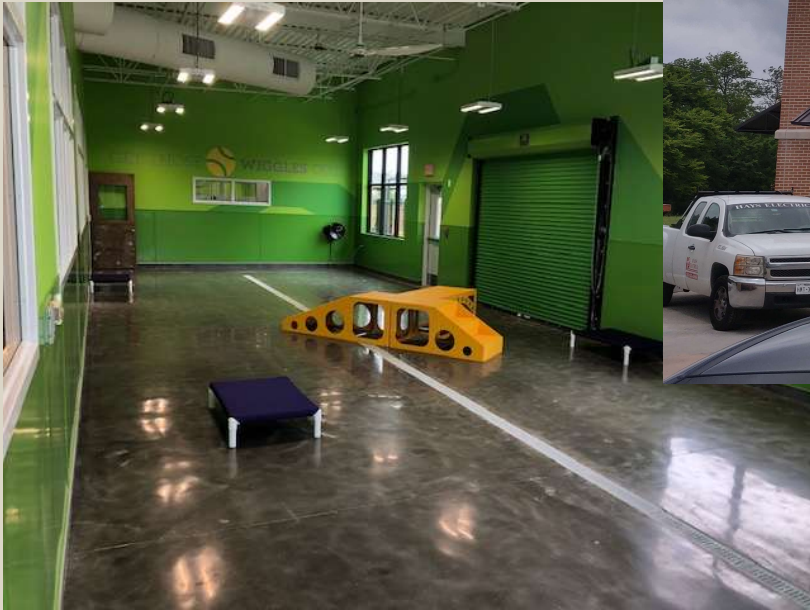


# PetSuites in Sienna

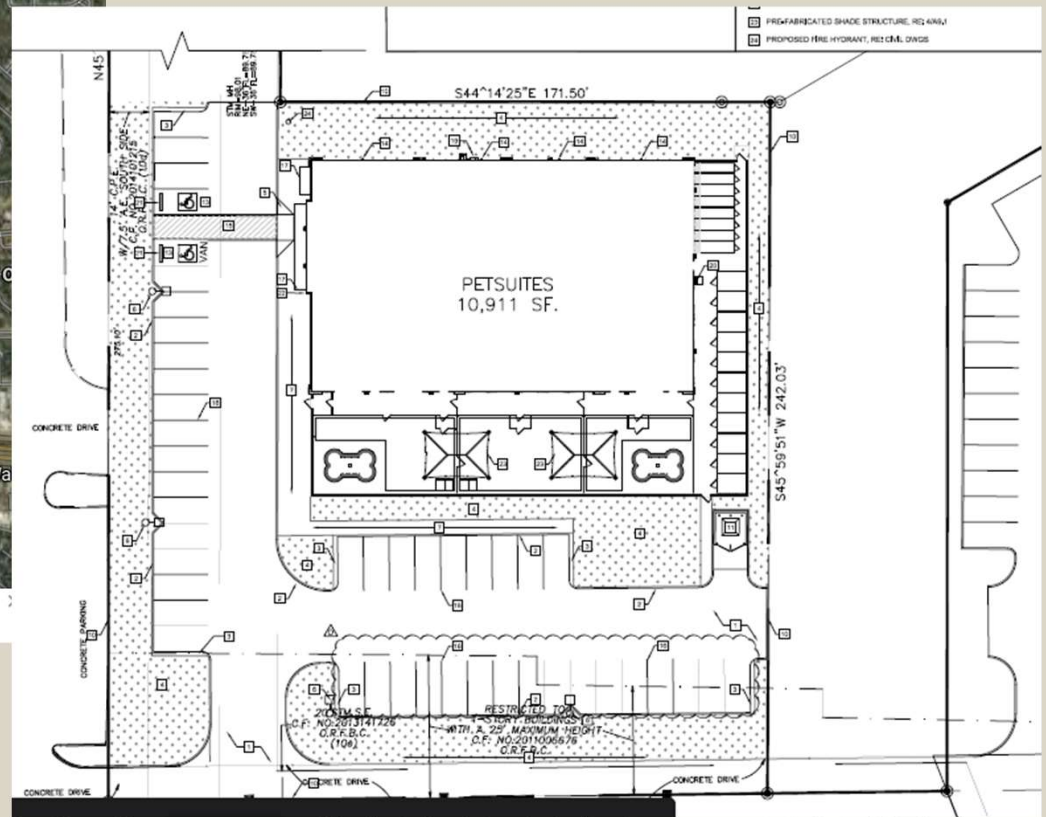
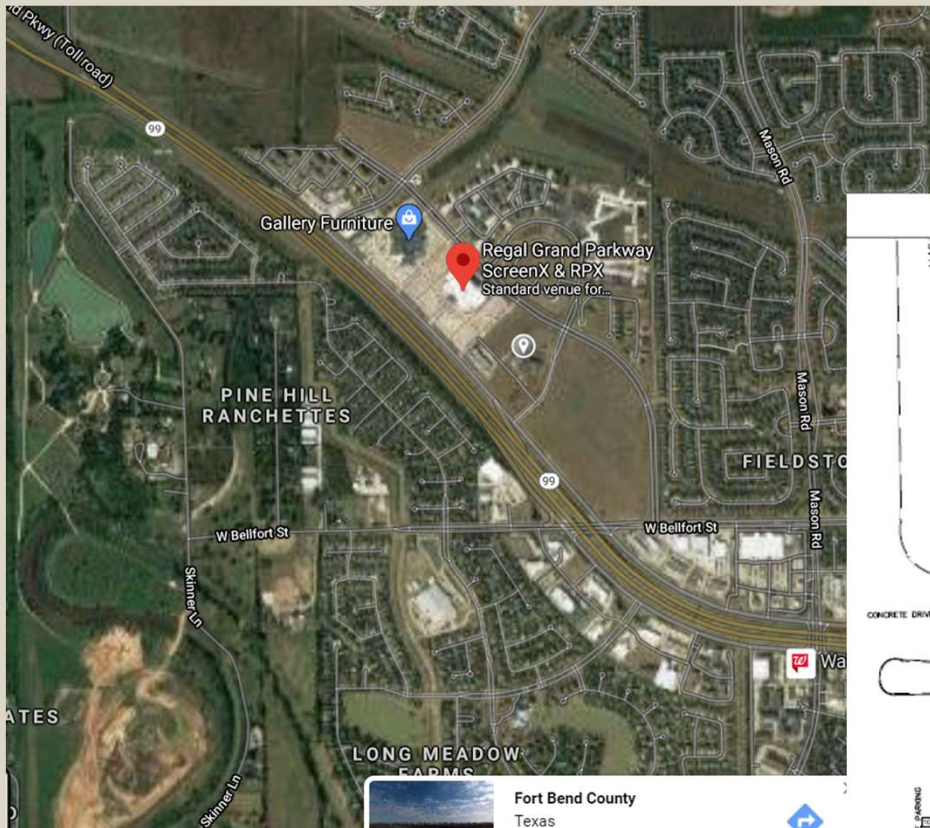


**Opened June 2019**

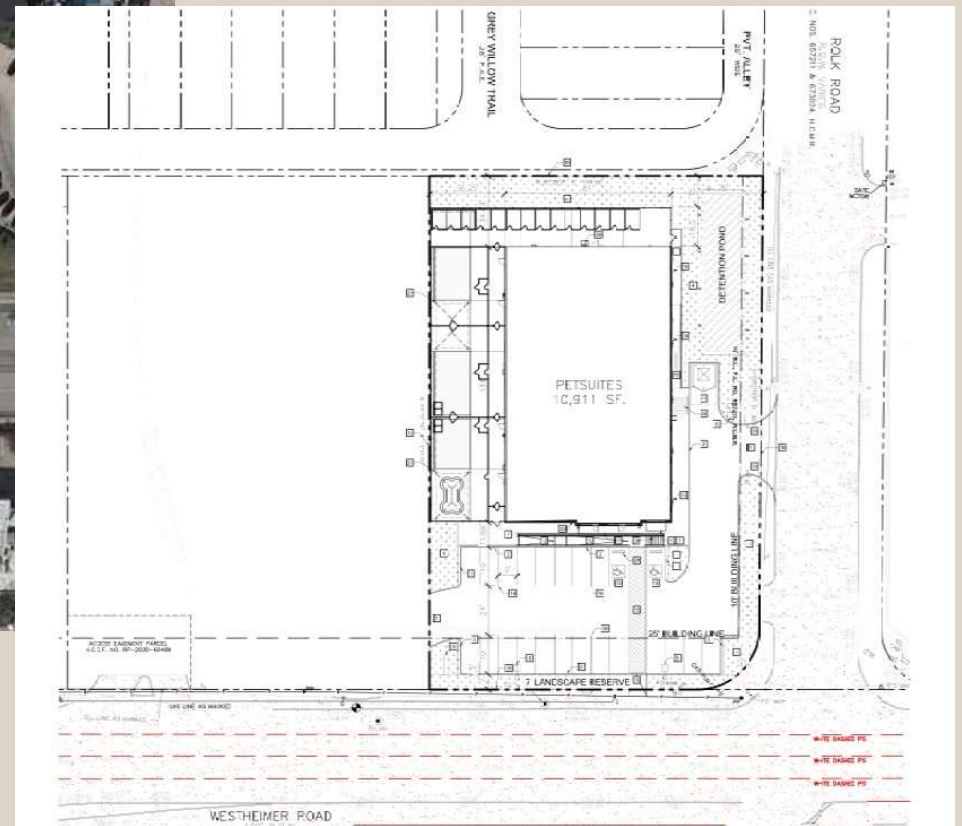
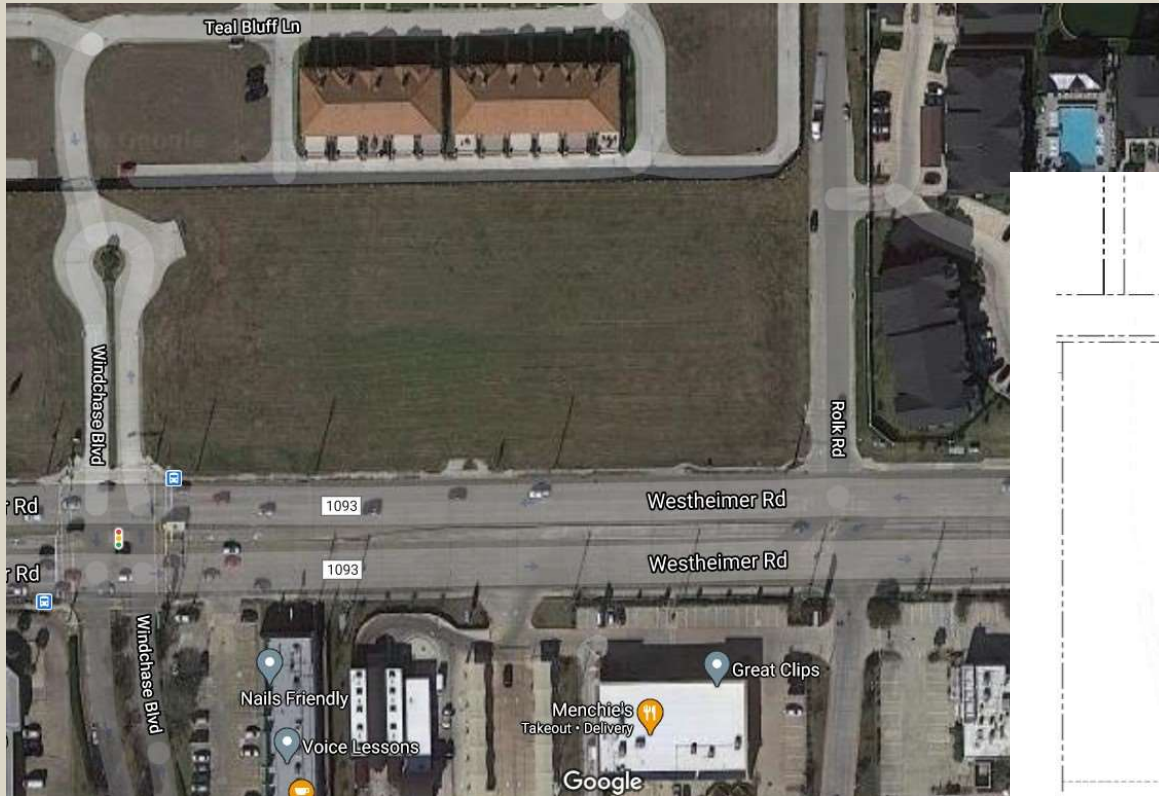
# PetSuites in Sienna



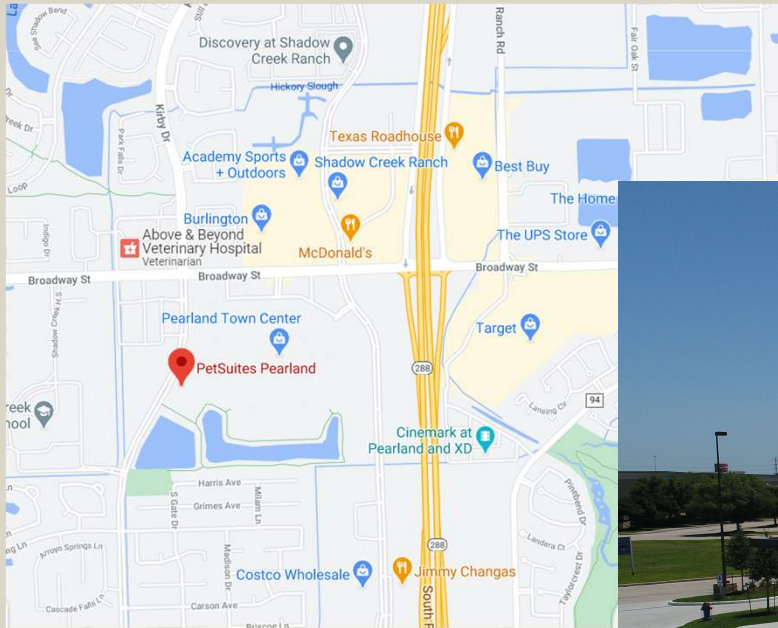
# COMING SOON: PetSuites at Long Meadow Farms, Richmond



# COMING SOON: Westheimer at Rolk, Houston



# PetSuites in Pearland



**Opened August 2020**



# PetSuites on Louetta Road (Spring Klein Area)



# Comparative Analysis

PETSUITES OF AMERICA - Comparative Information of Houston area locations					
Number	Location	Physical Address	Area of Site (acres)	Building Size (SF)	Parking provided
1	Sienna	8320 Copper Creek Ln, Missouri City, TX 77459	1.79	14,825	36 Parking Spaces
2	Long Meadows Farm	5535 Meadow Ranch Pkwy, Richmond, TX 77407	1.29	10,911	28 Parking Spaces
3	Pearland	3205 Kirby Drive, Pearland, TX 77584	1.44	12,000	48 Parking Spaces
4	Spring Klein	6525 Louetta Road, Spring, TX 77379	1.64	10,911	25 Parking Spaces
5	Westheimer	13440 Westheimer Road, Houston, TX 77077	0.92	10,911	23 Parking Spaces
6	<b>Southwest Fwy (Proposed)</b>	20430 Southwest Fwy, Richmond, TX 77469	0.89	10,685	31 Parking Spaces

# Concurrence Letters from neighbours



CORTLAND

September 10, 2020

Ricki Oberoi  
Oberoi Holding Inc.,  
Missouri City, TX 77459

Regarding: Proposed PetSuites at 20430, SW Freeway, Richmond

Ricki,

Thank you for sharing the details of the proposed PetSuites across from our Cortland Community at 5200 Pointe West Circle in Richmond. From our conversation, I understand you will be going through the required approval process with the City of Richmond.

We have reviewed the proposed site plan for this project. We believe this facility will be a very good addition to the community and our CORTLAND residents may benefit therefrom. We have no objections to the proposed facility, and we look forward to your securing the City approval and completing construction. I am also returning the proposed site plan, initiated indicating our concurrence.

Thank you again for reaching out. Please do not hesitate to call me at 713-400-8464 if I can be of further assistance.

Sincerely,

Jacob Seour  
Director of Investments  
CORTLAND





# Concurrence Letters from neighbours



**MAS Restaurant Group, LLC**  
10600 Shadow Wood Dr. Ste. 600  
Houston, TX 77043  
713-980-2860  
www.masrestaurantgroup.com

September 16, 2020

Ricki Oberoi  
Oberoi Holding Inc.,  
Missouri City, TX 77459

Regarding: Proposed PetSuites at 20430, SW Freeway, Richmond

Ricki,

Thank you for sharing the details of the proposed PetSuites adjacent to our Taco Bell restaurant at 20440, SW Freeway in Richmond. From our conversation, I understand you will be going through the required approval process with City of Richmond.

I have reviewed the proposed site plan for this project and have no objections to the proposed facility assuming there will be no impediment to any current access routes into the Taco Bell lot. Taco Bell and PetSuites can both benefit from each other's presence as neighboring facilities. I look forward to you securing City approval and getting the facility built. I am also returning the proposed site plan initialed, indicating our concurrence.

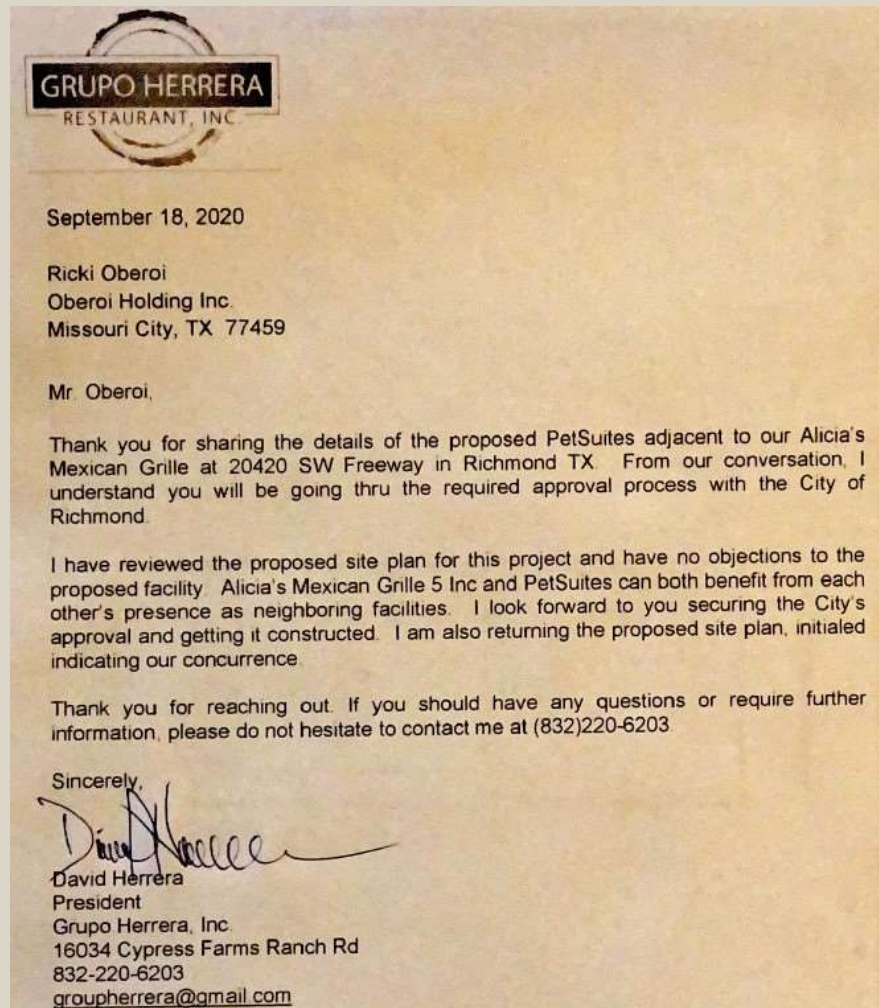
Thank you again for reaching out. Please do not hesitate to call me at 713-980-2860 if I can be of further assistance.

Sincerely,

Chad Motsinger  
Owner and CEO  
Mas Restaurant Group



# Concurrence Letters from neighbours

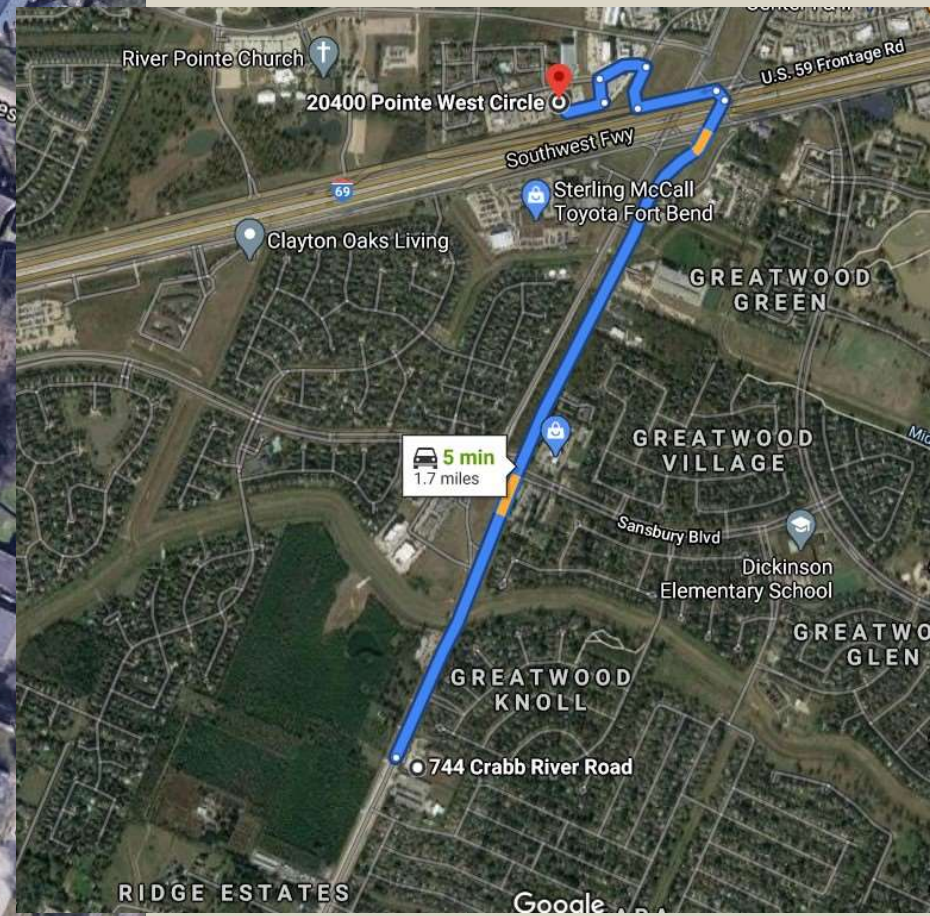
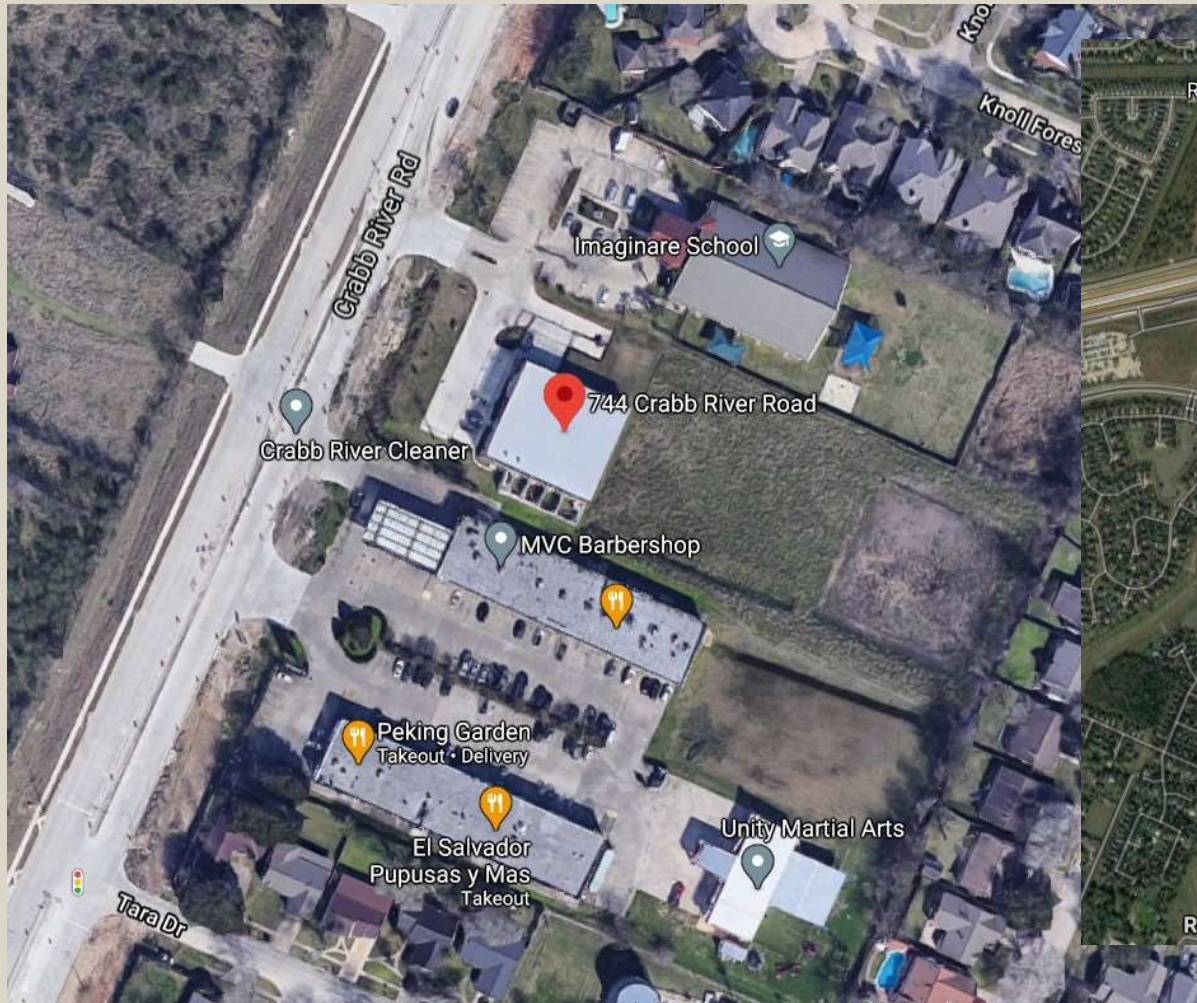


## Economic & Social Benefits to City of Richmond

- **The proposed facility is expected to create 15-20 full time and part time jobs in the community it serves**
- **Provide State of the Art Small Animal Boarding Facility for Community's use**
- **Pet boarding is a large and growing amenity for residents and visitors alike. The huge economic impact on the area will be aided by having a high end pet boarding facility just minutes from communities such as Riverpark, Greatwood & New Territory.**

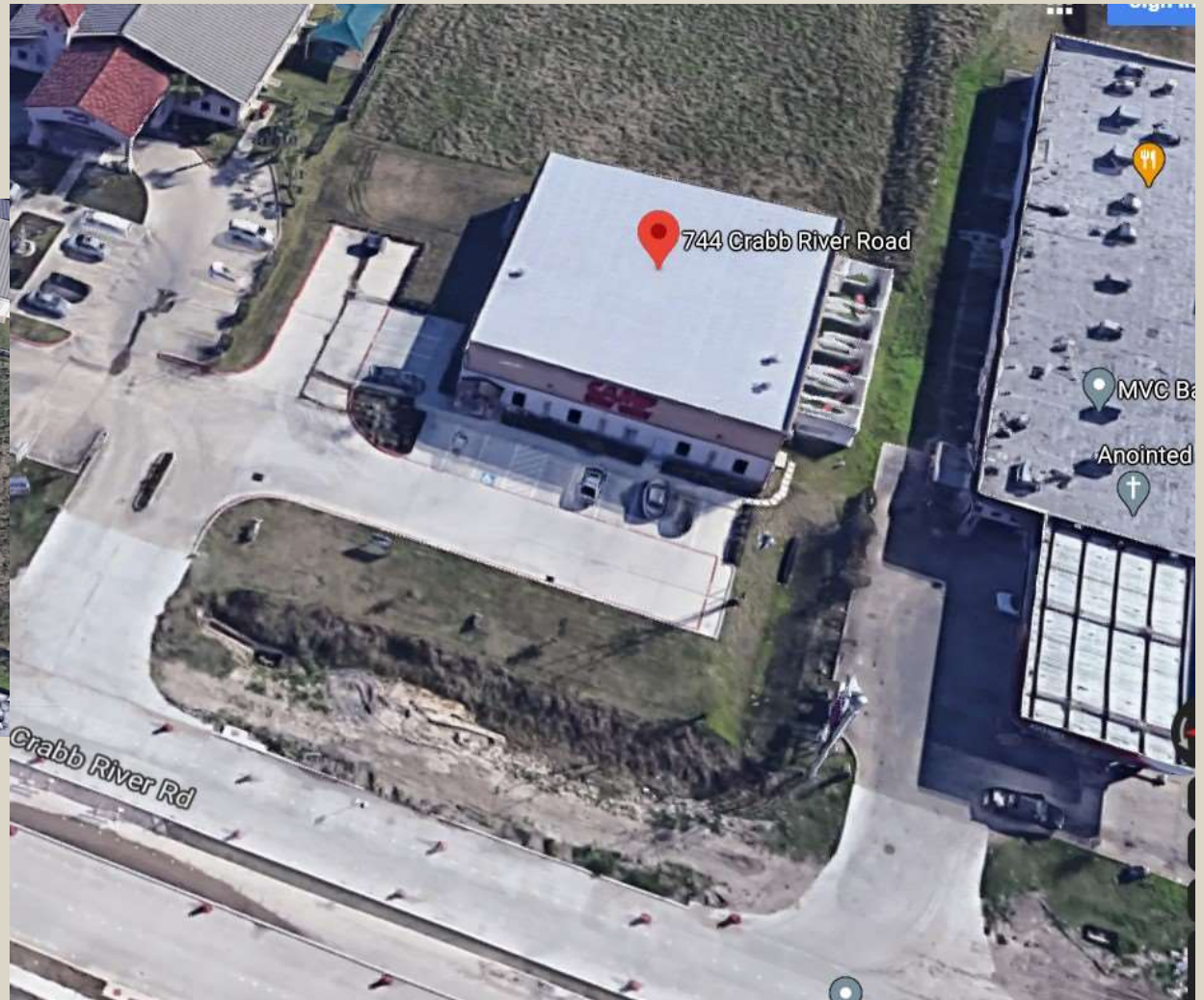
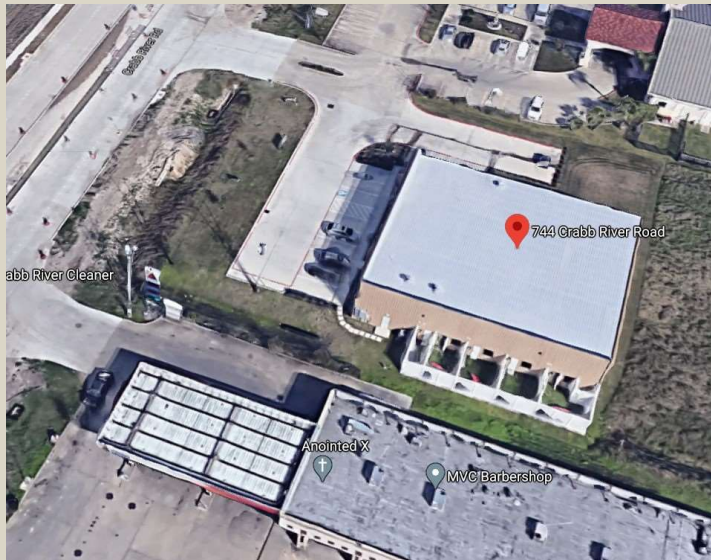


# Existing Pet boarding facility in Richmond (NON PETSUITES FACILITY) *Achieve Ambitions*



# Existing Pet boarding facility in Richmond

**9,000 SF building (per Fort Bend Appraisal District)**



# Similar Boarding Facility



Rob Johnson Interests  
 interests at 11740 Tomball Parkway in northwest

rance leased in Alameda Gulf Freeway, office. Sarah zman repre rd. Bianca Realty Group enant.

**Camp Bow Wow** purchased 0.84 acres for a doggie day care and boarding facility at 11411 N. Sam Houston Parkway, Humble. Mayur Shah of Resolut RE represented the buyer. David Ferguson of BPI Realty represented the seller.

NewQuest Properties represented the landlord. Robert Hantgan of Colliers International represented the tenant.

**KM Home Furniture & Mattress** leased 6,504 square feet at Katy Freeway Plaza, 22121 Katy Freeway, Katy. Eric Broussard and Joaquin Orozco of Resolut RE represented the landlord.

Houston-based **Rapid Express Car Wash** purchased a 0.9-acre parcel in the Walmart-anchored Rudder's Landing shopping center in Bryan for its 13th location in south-central Texas. J. McDermott of NewQuest Properties represented the buyer. Jeremy Richmond of Oldham Goodwin Group represented the seller, Crossfulton Investments. The car wash at 1632 W. Villa Maria Road is expected to open in summer 2021.

**Cellar Door**, a restaurant and wine club, renewed its 4,000-square-foot lease at 829 S. Mason Road in Katy for five years. Phillip Thompson with Thompson Commercial Real Estate represented the tenant. Julian Kwok represented the landlord, Hartman Income REIT.

*katherine.feser@chron.com*  
*twitter.com/kfeser*

*Thank you*

**Sundaresh Kamath, AIA, NCARB, LEED AP**

[sundaresh.kamath@am.jll.com](mailto:sundaresh.kamath@am.jll.com)

+1 713 888 4049



## CITY OF RICHMOND ORDINANCE NO. 2020-30

**AN ORDINANCE OF THE CITY OF RICHMOND, TEXAS, AMENDING CHAPTER 2 “ZONING DISTRICTS AND LAND USES” OF THE “UNIFIED DEVELOPMENT CODE” OF THE RICHMOND CODE TO MODIFY THE PROVISIONS OF TABLE 2.2.203 RELATING TO COMMERCIAL LIMITED AND CONDITIONAL USE STANDARDS FOR BOARDING AND VETERINARIAN SERVICES FOR SMALL ANIMALS AND CHAPTER 7 “MEASUREMENTS AND WORDS” DIVISION 7.1.300 “DEFINITIONS” TO DEFINE THE TERM “REQUIRED YARD;” PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

The Unified Development Code (UDC) was adopted in 2015 with the general purpose of “protecting the public health, safety, morals, and general welfare of the City’s residents, business owners, employees, and visitors, and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.”

The Comprehensive Master Plan in Policy D.2. provides for the continuous reevaluation of the City’s regulations “while at the same time setting quality and character standards that are compatible with the historic character and future trajectory of the community.”

Policy D.4. of the Comprehensive Master Plan states: “Set aside a balanced mix of residential, civic, and commercial land uses to meet the lifestyle needs of all residents and business owners.”

Policy D.6. of the Comprehensive Master Plan states: “Ensure infill development will be compatible with existing neighborhoods through appropriate use, site design, and patterns of development.”

Nationwide pets are found in 50% to 54% of the households and there is an increasing demand for animal care services, including veterinarian care, grooming, boarding, and animal daycare.

The current UDC regulations related to the use of property for such services for small animals significantly restrict the development of property for such services.

A review of the applicable regulations indicates that revisions may allow the development of property for such services while preserving the purposes of protecting the public health, safety, and general welfare of the City’s residents, business owners, employees, and visitors, consistent with Comprehensive Master Plan Policies D.2, D.4., and D.6.

On December 7, 2020, the Planning and Zoning Commission held a public hearing on the



proposed amendments to Chapters 2 and 7 of the Unified Development Code relating to the commercial limited and conditional use standards for boarding and veterinarian care for small animals and the definition of “required yard.”

The City Commission deems it in the public interest to adopt revised commercial limited and conditional use standards for boarding and veterinarian care for small animals and the definition of “required yard,” **Now, Therefore,**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS:**

**Section 1.** That the findings and recitations in the preamble to this ordinance are found to be true and correct.

**Section 2.** That Table 2.2.203 “Commercial Limited and Conditional Use Standards,” of Section 2.2.203 “Commercial Limited and Conditional Use Standards,” of Division 2.2.200 “Limited and Conditional Use Standards,” of Article 2.2 “Land Use, of Chapter 2 “Zoning Districts and Land Uses,” of the “Unified Development Code” of the Code of Ordinances, City of Richmond, Texas is hereby amended to read as follows:

“CHAPTER 2. ZONING DISTRICTS AND LAND USES

. . . .

ARTICLE 2.2 LAND USE

. . . .

Division 2.2.200 Limited and Conditional Use Standards

. . . .

Sec. 4.2.203 Commercial Limited and Conditional Use Standards

- A. **Generally.** The standards of this Section apply to commercial uses that are set out in Table 2.2.104, *Commercial Uses*, as a limited (L) or conditional (C) use.
- B. **Standards.** Set out in Table 2.2.203, *Commercial Limited and Conditional Use Standards*, are the standards that apply to each use.

Use	District	Location	Design	Other
<u>Animal Boarding, and Veterinarian Services, Small Animal</u>	OT DN	<p>The use shall not be located on a lot that abuts a residential use or residentially zoned property.</p>	<p>The use is conducted within a fully enclosed building, which is designed with noise resistant materials. Plans and specifications for noise reduction materials shall be approved by the City through the site development plan approval process.</p> <p>At least 75 percent of the minimum required parking shall be provided on-site with proximity to building entrance to allow reasonably convenient access to the building.</p>	<p>No livestock or large animals will be boarded, treated, or kept on the premises.</p>
	SC GC MU IN	<p>Outdoor animal activity areas shall not be located in front of the building or within required front yard.</p> <p>The use may function as a component of pet supply stores provided that:</p> <ul style="list-style-type: none"> <li>No outdoor animal activity areas are included if the use is located within a multi-tenant building which includes other non-residential uses.</li> <li>Internal walls shared with other retail uses are designed with noise resistant materials. Plans and specifications for noise reduction materials shall be approved by the City through the site development plan approval process.</li> </ul>	<p><b>When the use abuts a residential use or a residentially zoned property:</b></p> <ol style="list-style-type: none"> <li>Outdoor animal activity areas shall not be located along any side that abuts a residential use or residentially zoned property.</li> <li>Outdoor animal activity areas, shall not be located within the required yards.</li> <li>The use shall be screened by a minimum of Type 'D' Bufferyard from adjoining residential use or residentially zoned property. Irrespective of the selected bufferyard option, a 6 foot masonry fence shall be included within the bufferyard. (see Section 4.4.300, Buffering)</li> <li>Outdoor animal activity areas located along a public street right-of-way shall be enclosed by a 6 foot masonry fence.</li> </ol> <p><b>When the use abuts a non-residential use or a vacant property:</b></p> <ol style="list-style-type: none"> <li>Outdoor animal activity areas located on a side that abuts public areas of a</li> </ol>	

			<p>non-residential use (including parking areas, outdoor seating areas, walkways, etc) or a vacant property zoned for non-residential use:</p> <ul style="list-style-type: none"> <li>• shall be setback a minimum of 15 feet from the property line.</li> <li>• Shall be screened from adjoining public areas of abutting non-residential use with Type ‘B’ Bufferyard screening. Irrespective of the selected bufferyard option, a 6-foot masonry fence shall be included within the bufferyard. (see Section 4.4.300, Buffering)</li> </ul> <p>2) Outdoor animal activity areas located on a side that abuts outdoor areas of an adjoining non-residential use that are not intended for public use:</p> <ul style="list-style-type: none"> <li>• Shall be screened from adjoining non-residential use with Type ‘A’ Bufferyard screening.</li> <li>• A 6 foot Masonry enclosure of the outdoor animal activity area may be used to meet the bufferyard wall requirement. (see Section 4.4.300, Buffering)</li> </ul> <p>3) Outdoor animal activity areas located along a public street right-of-way shall be enclosed by a 6 foot masonry fence along the street right-of-way.</p>	
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**Section 3.** That Division 7.1.300 “Definitions,” of Article 7.1 “Measurements, Word Usage, and Definitions,” of Chapter 7, “Measurements and Words,” of “Unified Development Code” of the Code of Ordinances, City of Richmond, Texas is hereby amended to read as follows:

“CHAPTER 7. MEASUREMENTS AND WORDS

ARTICLE 7.1 MEASUREMENTS, WORD USAGE, AND DEFINITIONS

. . . .

Division 7.1.300 Definitions

. . . .

Yard, Required means, singularly and collectively, the front yard, side yard, and rear yard required by this Unified Development Code.”

**Section 4. Severability.** In the event any section, paragraph, subdivision, 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 Commission of the City of Richmond, 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.

**Section 5. Repeal.** Any ordinance or other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

**Section 6. Penalty.** Any person, firm partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction there, shall be punished as above provided.

**Section 7. Effective date.** This Ordinance shall be effective from and after its adoption and publication.

PASSED AND APPROVED this the 21<sup>st</sup> day of December 2020.

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CITY OF RICHMOND

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Rebecca K. Haas, Mayor

ATTEST:

APPROVED AS TO FORM:

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Laura Scarlato, City Secretary

---

Gary W. Smith, City Attorney



# City of Richmond

*Where History Meets Opportunity*

## **Regular Scheduled City Commission Meeting**

600 Morton Street

Monday, December 21, 2020 at 4:30 P.M

- A9. Review and consider taking action on Resolution No. 349-2020, appointment of Planning & Zoning Commission Members.



**Section 2.** Effective Date. This Resolution shall be effective from and after its approval and passage in accordance with the Texas Local Government Code and the City Charter.

**Section 3.** That it is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.

**PASSED AND APPROVED on this 21<sup>st</sup> day of December, 2020.**

**THE CITY OF RICHMOND, TEXAS**

BY: \_\_\_\_\_  
Rebecca K. Haas, Mayor

ATTEST:

\_\_\_\_\_  
Laura Scarlato, City Secretary



Rec'd via email 12/10/20  
@ 12:32 p.m.



City of Richmond  
402 Morton Street  
Richmond, Texas 77469  
Office: 281.342.5456  
Fax: 281.232.8626

Voter ID  
1098495397  
Prec # 1001  
City Limits -  
Country Club  
~~Estates~~

\*\*\* THIS APPLICATION WILL BECOME PUBLIC RECORD \*\*\*

Board Application \_\_\_\_\_  
Committee Application \_\_\_\_\_  
Commission Application  X

Name:  Juan C. Martinez   
(First) (Middle Initial) (Last)

Mailing Address:  702 Fairway Dr., Richmond, TX 77469

Resident of Richmond:  18  (Years)  6  (Months)

Phone:  (713) 206-4084  DOB:  07/02/68

Registered to Vote:  Yes  No

E-mail Address:  juan@jkaganproperties.com

Occupation:  Commercial Real Estate Broker / Property Manager

Education:  Bachelors of Business Administration (University of Houston - Victoria)

Civic / Church / Community / Involvement: \_\_\_\_\_

All Nations Worship Center Congregation (Pastor Robert Delgado)

Hobbies / Interests:  Outdoors, real estate, construction, road trips and cinema

On which **specific** Board / Commission / Committee would you like to serve (please explain):

Planning & Zoning Commission. I have been involved in real estate over one-half of my life and have held my position as a commercial real estate broker / property manager at Jonathan Kagan Properties for 25 years. In my position, I have been directly involved in the procurement, disposition, construction, enhancement and development of commercial real estate assets. I believe that this experience would be favorable and productive in performing the duties of a P&Z member.

Do you have time to commit to this service? That is: to attend meetings, study the matters to be brought before this Board, Commission or Committee and participate in all its activities?

YES       NO

If you have been a member of a Richmond Board, Commission or Committee before, please indicate the Board, Commission or Committee and approximate dates of service: \_\_\_\_\_

Have not been a member of any board.

Have you ever been convicted of a felony or misdemeanor involving moral turpitude? Yes /  No  
(please explain): \_\_\_\_\_

Please list any civic or community endeavors in which you have been involved: None. To date, my primary focus has been on raising my family, putting my kids through college, obtaining a degree at night and developing my career. I am now at a point in life that I am able contribute to my community with my experience and time.

Are you related, by marriage or blood, to any member of the City Commission or City Manager?

No, I am not.

If you are related within the second degree by marriage or third degree by blood, you may be prohibited from serving on a committee. Prohibited degrees of relationship are defined as follows: (Blood) First Degree: Father, Mother, Son, or Daughter. Second Degree: Brother, Sister, Grandfather, Grandmother, Granddaughter, or Grandson. Third Degree: Aunt, Uncle, Nephew, Niece, Great Grandfather, Great Grandmother, Great Granddaughter, or Great Grandson (and the spouses of the above persons are also included in the prohibited degree of relationship). (Marriage) First Degree: Father, Mother, Son, Daughter. Second Degree: Brother, Sister, Grandfather, Grandmother, Granddaughter, Grandson.

I HEREBY AFFIRM THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature: \_\_\_\_\_

Date: 12/10/20

Printed Name: Juan C. Martinez

**Please Note: All applications will be retained for the balance of the calendar year or so long as a person has been appointed. A new application is required each calendar year to indicate your continued interest in appointment to a board, committee or commission.**

**Juan C. Martinez**  
702 Fairway Dr., Richmond TX 77469  
(713) 206-4084 – [juan@jkaganproperties.com](mailto:juan@jkaganproperties.com)

December 10, 2020

Mayor Becky Haas  
Ms. Terri Vela, City Manager  
Mr. Jose Abraham, Planning Director  
City of Richmond  
402 Morton Street  
Richmond, Texas 77469

Reg.: Application for City of Richmond P&Z Commission Member

Dear Madam Mayor, City Manager Vela & Director Abraham:

I am writing this letter to express my interest in serving the City of Richmond as a member of the Planning & Zoning Commission. I have attached my application for your consideration and review.

I am an eighteen-year resident of the City of Richmond and am interested in contributing my time and abilities to assist in promoting the development of our city. My professional experience is in commercial real estate. I am a licensed real estate broker and have worked at my firm (Jonathan Kagan Properties) for the last 25 years. At Jonathan Kagan Properties, I serve as a property manager and broker and am responsible for a portfolio consisting of 600,00+ square feet of retail property valued at upwards of \$100 million dollars.

In my role as broker and property manager, I have been directly involved in the procurement, disposition, enhancement, development and construction of commercial real estate property. I am also the direct liaison between the property owner and over 100+ national and local retail tenants. My duties include the negotiation of purchase, lease and maintenance contracts and the overseeing of the day-to-day operation and maintenance of retail properties. I believe that my experience and understanding of managing, planning, and developing retail properties would be useful to the City of Richmond and productive in performing the advisory duties of a P&Z Member.

Please take my application into consideration and call me at (713) 206-4084 with any questions that you may have.

Thank you,

Juan Martinez

JM/

Enc.

**Voter Registration Certificate**


Your Precinct is 1001

[Back to Voter Database Search](#)

[Precinct Map \(PDF\)](#)

[Early Voting Sites](#)

[Elected Officials for your Precinct and District](#)

VOTER REGISTRATION CERTIFICATE FORT BEND COUNTY				CONGRESS	ST SEN	ST REP	COMMI	JP
	VOID	Gender	Valid From	22	18	26	1	1
	1098495397	M	1/1/2020	SCHOOL	CITY	MUD	LID	ESD
	<b>Birth Date Information</b>	Prec. No	Thru	L6	R1			
	1001	1001	12/31/2021					
Name and Permanent Residence Address:				Alternate Mailing Address:				
MARTINEZ, JUAN CESAR				MARTINEZ, JUAN CESAR				
702 FAIRWAY DR				702 FAIRWAY DR				
RICHMOND TX 77469				RICHMOND TX 77469				
Status: * ACTIVE *								

**Status Codes**

**ACTIVE** - Voter is registered and eligible to vote.

**SUSPENSE** - Voter is still eligible to vote in Fort Bend County, but must submit verification of address at the polls during an upcoming Election Day or by contacting the Elections Administration office in writing.

## Laura Scarlato

---

**Full Name:** Juan C. Martinez  
**Last Name:** Martinez  
**First Name:** Juan  
**Job Title:** Property Manager  
**Company:** Jonathan Kagan Properties

**Business Address:** 3334 Richmond Ave., Suite 203  
Houston, Texas 77098  
United States of America

**Business:** (713) 850-1047  
**Mobile:** (713) 206-4084

**Email:** Juan@jkaganproperties.com  
**Email Display As:** Juan C. Martinez (Juan@jkaganproperties.com)



# City of Richmond

*Where History Meets Opportunity*

## **Regular Scheduled City Commission Meeting**

600 Morton Street

Monday, December 21, 2020 at 4:30 P.M

A10. Review and consider taking action on Resolution No. 350-2020, appointing a member to the Fort Bend Subsidence District.



City of Richmond  
Resolution No. 350-2020

**A RESOLUTION OF THE CITY OF RICHMOND, TEXAS  
PROVIDING FOR THE APPOINTMENT OF A MEMBER TO  
THE FORT BEND SUBSIDENCE DISTRICT AND PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission is authorized to appoint a member to the Fort Bend Subsidence District; and

**WHEREAS**, to qualify as a member of the Fort Bend Subsidence District board, a person must be a resident and qualified voter of the Fort Bend Subsidence District; and

**WHEREAS**, Karl Baumgartner has served as the City of Richmond's appointee to the Fort Bend Subsidence District, his current term expires on January 31, 2021, and he possesses the necessary qualifications for reappointment for a two-year term; and

**WHEREAS**, the City Commission wishes to appoint Karl Baumgartner as its board member to the Fort Bend Subsidence District.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS, THAT:**

**SECTION 1.** The Richmond City Commission hereby reappoints Karl Baumgartner as its representative to the Fort Bend Subsidence District for a term beginning February 1, 2021 and ending January 31, 2023.

**SECTION 2.** This Resolution shall be effective upon adoption by the City Commission.

PASSED AND APPROVED this 21<sup>st</sup> day of December 2020.

APPROVED;

\_\_\_\_\_  
Rebecca K. Haas, Mayor

ATTEST:

\_\_\_\_\_  
Laura Scarlato, City Secretary



## FORT BEND SUBSIDENCE DISTRICT

P.O. Box 427, Richmond, Texas 77406-0427 (281) 342-3273

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November 4, 2020

The Honorable Evalyn W. Moore  
Mayor, City of Richmond  
402 Morton St.  
Richmond, Texas 77469

Dear Mayor Moore:

As General Manager of the Fort Bend Subsidence District, it is my responsibility to notify you when the term(s) of office of a Director(s) on the Fort Bend Subsidence District Board, who is appointed by the mayor of the City of Richmond, is about to expire.

The mayor of the City of Richmond is to appoint one Director to the Fort Bend Subsidence District Board (Sec. 8834.051 (e)). All appointed Directors to the Fort Bend Subsidence District Board must be residents of, and qualified voters in, the District.

The term of office of Mr. Karl Baumgartner will expire on January 31, 2021.

A Director with an expired term will continue to serve until reappointed or replaced.

Please send a letter confirming your appointment(s) and their designated representation (if applicable) to the address listed above, or via email to [wsebesta@subsidence.org](mailto:wsebesta@subsidence.org), as we must have this in writing.

Your interest in and support of the Fort Bend Subsidence District has been of great value to the District, and I look forward to working with you and your staff in the future. Please contact me at 281-486-1105 if you have any questions concerning the Board appointment.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Michael J. Turco', with a long horizontal flourish extending to the right.

Michael J. Turco  
General Manager





# City of Richmond

*Where History Meets Opportunity*

## **Regular Scheduled City Commission Meeting**

600 Morton Street

Monday, December 21, 2020 at 4:30 P.M

- A11. Review and consider taking action on scheduling a workshop meeting to review and discuss City Charter and Commission Rules of Procedure.



**RESOLUTION NO. 291-2019**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS, AMENDING THE RULES OF THE CITY COMMISSION.**

**WHEREAS**, the City Commission of the City of Richmond adopted the Rules of the City Commission to govern the conduct of meetings and the appointment of boards, commissions and committees; and

**WHEREAS**, recent legislation concerning public comment during meetings requires an amendment of the Rules of the City Commission; and

**WHEREAS**, the method of a Commission Member to place an item on the agenda can be clarified; and

**WHEREAS**, the City Commission, upon review of the Rules of the City Commission, desire to make amendments to the Rules of the City Commission; and

**WHEREAS**, the City Commission finds that it is in the public interest to amend the Rules of the City Commission, Now, Therefore,


**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF RICHMOND:**

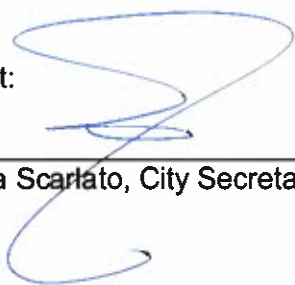
**Section 1.** The facts and findings set forth in the preamble to this Resolution are found to be true and correct.

**Section 2.** The Rules of the City Commission are hereby amended to read as set forth in Exhibit A.

**Section 3.** This Resolution shall be effective immediate upon its passage and adoption.

PASSED AND ADOPTED this 19<sup>th</sup> day of August, 2019.

  
Evalyn W. Moore, Mayor

Attest:  
  
\_\_\_\_\_  
Laura Scarlato, City Secretary

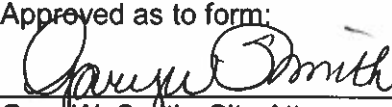
Approved as to form:  
  
\_\_\_\_\_  
Gary W. Smith, City Attorney

EXHIBIT A  
CITY OF RICHMOND  
RULES OF THE COMMISSION

The following rules and regulations are the rules of procedure of the Richmond City Commission. They shall remain in effect unless otherwise changed by formal approval by City Commission. Such action is authorized and is in keeping with Richmond City Charter, Article III, Section 3.12, which states, in part, that the City Commission may determine its rules of procedure.

The Mayor and City Commission will generally conduct each regular and special meeting of the City Commission in compliance with these Rules of the Commission and the provisions of Robert's Rules of Order stated herein; provided that the failure of the Mayor and/or the City Commission to follow these Rules or the applicable provisions of Robert's Rules of Order shall not create any right or violate any right of any member of the Commission or any third party, person or citizen, or create or give rise to any due process claim for or on behalf of any such member of the City Commission or any third party, person or citizen. These rules may be enforced exclusively by the Chair and/or majority vote of the City Commission.

A. **MEETING** - Three types of meetings are recognized:

1. **Regular Meetings** will be held on the date, time and place as set forth in Section 2-1, Richmond Code. The Commission may cancel or reschedule a regular meeting in response to an emergency, holiday schedules, or as useful for a more efficient accomplishment of the public business.
2. **Special Meetings** are subject to call by the Mayor or City Manager. Except in unusual circumstances, these meetings will be held at the City Hall Annex at a stated time. The purpose of such meeting is to act upon matters that should not be delayed until a Regular Meeting. Minutes of such meeting will be maintained as a Special Meeting.
3. **Workshop Meetings** are subject to call by the Mayor, City Manager, or Commission member, subject to a majority will. The time, place and purpose will be stated at each instance. The purpose of such meeting shall be to discuss in-depth or to explore matters of interest to the City, such as a meeting with one of the City's appointed committees, or the Commission may wish to explore a matter in great detail.

B. **AGENDA** - The following stipulations relate to the Agenda for Meetings of the Commission:

1. Pursuant to Sec. 3.12(2), City Charter, the Mayor or Commission Members by motion at a Commission meeting may place items on the agenda of a future meeting. Upon approval of inclusion of an item on the

agenda of a future meeting, the item shall be included on the specified agenda.

2. The Mayor or a Commission Member may submit agenda items to the City Manager for inclusion on the next City Commission meeting agenda. Unless deemed time sensitive or of an urgent nature, agenda items must reach the City Manager's Office at 5:00 p.m. seven (7) days prior to the Regular Meeting. The Mayor or a Commission Member may submit no more than three (3) agenda items per meeting. The City Manager will exercise the City Manager's best judgment in determining which business items are to be placed on the agenda and are the most needed, required, or important for placement on the agenda for consideration by the Commission.

When the Mayor or an individual Commission Member requests that an item be included on the meeting agenda, the City Manager and/or staff shall not be compelled to conduct any research or preparation for such agenda item. Any direction to the staff or request for information relative to said agenda item, other than public records, shall be provided by a majority of the Commission, subsequent to discussion of such item at the meeting. All such agenda items should be limited to issues that are within the authority and jurisdiction of the City.

3. Any Department Head wishing to have an item placed on the agenda shall submit that item to the City Manager's office for approval. Unless deemed time-sensitive or of an urgent nature, agenda items must reach the City Manager's Office at 5:00 P.M. seven (7) days prior to the Meeting. City Manager shall make the determination if an item is time-sensitive or of an urgent nature to be exempt from the seven-day requirement.

4. Commission Agenda Packets for all Regular Meetings will be developed and delivered to Commission members no less than three (3) days preceding meetings, except in the event of an emergency. This should afford ample opportunity for all Commission members to inquire into the nature of each matter to be discussed or personally investigate the matter so as to better inform himself/herself before a Commission Meeting.

5. Commission Agenda Packets shall be exclusively developed for and distributed to the Mayor, City Commission, and City Manager; and the appropriate staff as determined by the City Manager.

6. The City Secretary's Office will assume responsibility for posting a copy of the agenda advising the public of any public meetings as required by law and/or these rules. The agenda shall be posted at least seventy-two (72) hours prior to the time scheduled for the meeting. The agenda will be posted at the designated public site on the bulletin board at city hall. The agenda for an emergency meeting shall be posted not less than two hours prior to the scheduled meeting time, and whenever reasonably possible at least twenty-four (24) hours preceding the time of the meeting. The City Manager and City Secretary will work jointly to assume responsibility for compliance with the Texas Open Meeting Law.

6. The purpose of Workshop Meetings is to explore or discuss city business without taking specific action. The general public can, of course, attend such meeting, if they wish, but the public may not participate in the proceedings unless invited to do so. Occasionally, public hearings may be held at Workshop Meetings for the convenience of the public.

7. Consent Agenda. A section in a City Commission meeting agenda containing routine items (i.e. approval of minutes, acceptance of staff reports) that can be grouped together as one item and passed as one. Any item listed on the Consent Agenda may be pulled by any member to be discussed separately.

**C. COMMISSION PROCEEDINGS** - These procedures shall apply to all meetings of the City Commission.

1. Chair - The Mayor shall be the presiding officer at all meetings of the City Commission and have a voice in all of its proceedings. In event of the absence of the Mayor, the Mayor Pro-Tern, shall be the presiding officer. In the event of the absence of the Mayor and Mayor Pro-Tern, the assembled quorum of Commissioners may elect a presiding officer for that meeting. Such elected presiding officer shall preside over that meeting until the arrival of the Mayor or Mayor Pro-Tern or the adjournment of that meeting.

2. Roll Call - The presiding officer shall take the Chair at the time appointed for Commission to meet, and shall immediately call the City Commission to order. The roll shall then be taken by the City Secretary, who shall enter in the minutes of each meeting the names of members present. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote, take a recess or recesses and cause the City Secretary to inquire as to the attendance of the absent member(s).

3. Addressing the Chair—Commission members shall speak in Commission Meetings only upon being recognized by the Mayor, whose recognition shall not be withheld.

4. Voting - All members of the Commission present shall vote upon every issue, subject or matter properly before the Commission and requiring a Commission vote; provided that, if any member of the Commission has a conflict of interest that fact shall be stated in the minutes, the appropriate affidavit shall be filed, and such member shall abstain from discussion and voting on the issue. If no conflict exists, upon stating the reason for the abstention, the Commissioner is allowed to abstain in accordance with *Richmond City Charter Article III, Section 3.11*. Except as otherwise provided by the Richmond City Charter and statutes, no ordinance, resolution, order, action, matter or issue, shall be passed, approved, adopted, taken or consented to except by a majority vote of the members of Commission present and voting, and not less than two (2) affirmative votes shall be required to pass, approve, adopt, take action on, or consent to any ordinance, resolution, action, matter, issue, or motion (*Richmond City Charter, Article III, Section 3.09*).

5. Recordation of Vote - At the discretion of the Mayor or Chair, any vote on a qualifying motion may be recorded by either a simultaneous voice vote of Commission members or by individual roll call. A roll call vote shall be taken and duly recorded upon request by any member of the Commission or City Manager.

6. Excusal from Attendance - No member shall be excused from attendance at a Regular Commission meeting except by a vote of a majority of the members present in order to comply with *Richmond City Charter, Article III, Section 3.05 (2)*.

D. PARLIAMENTARY PROCEDURE - In conducting all meetings of City Commission, it shall be Commission's intent to follow Robert's Rules of Order to the extent reasonably applicable to a legislative body. The following commonly used procedures will be followed:

**PARLIAMENTARY QUESTIONS, MOTIONS AND THEIR PRECEDENCE:**

	Debatable	Amendable	A Majority Vote (of those present)
1. To take a recess	No	Yes	Yes
2. For the previous question	No	No	Yes
3. To continue to a time certain	Yes	Yes	Yes
4. To amend	Yes	Yes	Yes
5. To offer a substitute amendment	Yes	Yes	Yes
6. To postpone indefinitely	Yes	No	Yes
7. To table	Yes	No	Yes
8. To adjourn to Executive Session	Yes	Yes	Yes
9. To reconvene to Regular Session after Executive Session	No	No	Yes

1. Opening an Item for Discussion - The City Commission shall discuss agenda items prior to their formal consideration by motion. To initiate such discussion, the Mayor or City Manager shall introduce the agenda item by reading the agenda item, announcing the subject matter and agenda item number or the heading of the proposed legislation. After the Mayor or Chair has introduced the agenda item, he or she shall declare it open for discussion. Commission members shall then adhere to the procedures defined herein for general discussion or debate of the pending item.

**2. Handling a Motion** – The three steps by which a motion is normally brought before Commission are as follows: (1) A Commission member makes the motion, (2) another Commission member seconds the motion, and (3) the Mayor or Chair states the question on the motion. Neither the making nor the seconding of a motion places it before the Commission; only the Mayor can do that, by the third step. When the Mayor has stated the question, the motion is pending. It is then open to further debate (parliamentary name given to any form of discussion of merits of a motion), if necessary. Any Commission member who has made a motion that has been duly placed before Commission will have the right to speak first in debate, if so desired, after the Mayor has stated the question.

**3. Amending a Motion** - Amending a motion that is before Commission allows for additional clarification of action pending before Commission. After any motion is made and properly seconded, placing it before the Commission, the Mayor or Chair shall ask if there are any questions or further discussion. If, as a result of the ensuing discussion, the Commission member who made the motion wishes to amend, add to, and/or clarify the motion, he/she shall be permitted to do so before the vote is taken, upon its proper seconding by a Commission member, the amended motion shall be immediately put to a vote.

**4. Close Debate to Vote** - Any Commission member may call for the question on any matter being debated; the issue shall immediately be put to vote. This shall be done by the member calling for the previous question. Passage of the motion to address the previous question shall terminate debate on the motion, amendment, or amended motion, and the matter shall move on immediately. Debate shall normally be closed after every Commission member wishing to speak has been given every opportunity to speak and no Commission member has any additional comments to make. When the debate appears to have closed, the Mayor shall ask if any Commission member has a motion to make. Additionally, any Commission member may terminate debate by calling for the previous question. The effect of this motion is to immediately terminate debate on this motion, amendment, or amended motion and at once take a vote on the immediately pending question. If this is voted down, discussion continues.

**5. Reconsider** - Reconsidering previous Commission action enables a majority of Commission, within a limited time, to bring back for further consideration a motion that has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote. The motion to reconsider has the following unique characteristics:

- a.) It can be made only by a member who voted with the prevailing side. In other words, a motion to reconsider can only be made by

one who voted aye if the motion involved was adopted, or no if the motion was lost.

b.) In a session of one day, such as an ordinary meeting, the motion to reconsider can be made only on the same day the vote to be reconsidered was taken.

c) If the subject matter is one on which a motion to reconsider may be made at a subsequent Commission meeting, the motion to reconsider may be made only at the next regular or special meeting of the Commission. The motion to reconsider may not be made or considered unless it is on the agenda and the request to reconsider is made by a Commission member that previously voted on the prevailing side of the original motion and vote.

6. Adjournment – Adjournment of the meeting is at the discretion of the Mayor or Chair.

E. **DEBATE**

1. Limit Debate - The Mayor and/or a majority of Commission may agree to limit debate on any business before it. That agreement must be formalized by Commission on a roll call vote.

2. Assignment of the Floor for Debate - When a measure is presented for consideration by the Commission, the Mayor or Chair shall recognize the appropriate individual to present the case. If the Commission member who made the motion that is immediately pending claims the floor and has not already spoken on the question, he/she is entitled to be recognized in preference to other members. When two or more Commission members wish to speak, the Mayor shall select the individual who is to speak first. A motion can be made only by that Commission member who has been recognized by the Mayor as having the floor.

3. The Mayor shall not be obligated to recognize any Commission member for a second comment on the subject or amendment until every Commission member wishing to speak has been allowed a first comment.

4. No Commission member who has already had the floor in debate on the immediately pending question is entitled to have the floor again on the same question, so long as any member who has not spoken on that question claims the floor.

5. No member of the Commission shall interrupt another while speaking except to make a point of order or to make a point of personal privilege. When a Commission member has been assigned the floor and has begun to speak, he or she cannot be interrupted by another member or the Mayor except for one of the following purposes, and only then when the urgency of the situation justifies it:

a.) a Call for the Orders of the Day (requiring Commission to conform to its agenda),



- b.) raising a question of privilege,
- c.) a Point of Order (calling of failure to observe these rules), or
- d.) an inquiry that requires an immediate response.

**F. DECORUM**

1. Dilatory & improper Motions -A motion is dilatory if it seeks to obstruct or thwart the will of the assembly as clearly indicated by the existing parliamentary situation. Parliamentary forms are designed to assist in the transaction of business. Even without adopting a rule on the subject, every deliberative assembly has the right to protect itself from the use of these forms for the opposite purpose. It is the duty of the Mayor or Chair to prevent Commission members from misusing the legitimate motions, merely to obstruct business. Whenever the Mayor becomes convinced that one or more members are using parliamentary forms for obstructive purposes, he or she should rule that such motions are out of order,

2. No Commission member shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use language tending to hold a member of the City Commission up to contempt.

**G. COMMITTEES OF THE CITY COMMISSION** - The following provisions relate to the formation and operation of committees that are authorized by the City Commission:

1. Standing Advisory Committees - The Mayor may propose and the City Commission may authorize the creation of standing advisory committees. Each standing advisory committee shall be authorized to study and make recommendation related to issues deemed appropriate. A standing advisory committee may not be created for the purpose of exercising the City Commission's police powers and investigatory authority expressly authorized in the City Charter, nor shall a standing advisory committee be created for any purpose assigned to the Ethics Committee in the City's Ethics Ordinance. A standing advisory committee is advisory in nature only.

The Mayor may name not more than two (2) City Commissioners to each standing advisory committee. The Mayor may nominate and the City Commission may approve up to three (3) members of the public to each standing advisory committee. Public members of each standing advisory committee, if any, serve at the will of the Mayor and City Commission; must be registered to vote in the City of Richmond, with no more than one a resident of the extraterritorial jurisdiction. To maximize citizen participation on standing advisory committees, a public member may not concurrently be appointed to more than one standing advisory committee. A standing advisory committee may be dissolved by a majority vote of the City Commission.

A member of Commission serves a term on the standing advisory committee that is concurrent with the Commissioner's term of office. A

Commission member serving on a standing advisory committee may voluntarily relinquish their appointment.

2. Ad hoc Advisory Committees - The Mayor may establish an Ad hoc Committee of no more than one Commission member and the City Manager or the City Manager's designee to study and make recommendations regarding a short-term or specific concern properly brought before the City Commission. The Mayor may appoint no more than two additional members of the public to an Ad hoc committee if the Mayor determines that an individual's expertise in the matter to be considered will substantially assist the committee in making a recommendation to the City Commission. An ad hoc committee is advisory in nature only and is dissolved immediately upon the committee reporting back to the full City Commission with a recommendation, unless further consideration is requested by the City Commission.

#### **H. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES CREATED BY STATUTE, CHARTER OR ORDINANCE**

- The following provisions govern the procedures for making appointments to boards, commissions and committees created by statute, charter or ordinance:

1. Submission of Application - The City Commission may adopt an application form that a member of the public is to complete for an appointment to any board, commission or committee. The application shall request information necessary for the Mayor and City Commission to make an informed decision regarding the applicant's appointment. The application shall be submitted to the city administrative office reasonably in advance of the meeting during which an appointment is to be considered to afford staff the opportunity to review the application and the qualifications of the applicant. The Commission may request an expedited review of applications as circumstances require. Copies of all applications shall be provided to the Mayor, each member of the City Commission and the City Manager.

The City Secretary shall keep a copy of each application for the balance of the calendar year or so long as a person has been appointed. A single application may be considered for a single appointment and shall specify the board, commission or committee to which appointment is sought. A person appointed to a board, commission or committee who desires to be reappointed to a succeeding term, shall provide a written request to the City Secretary stating the person's desire to be reappointed and confirming the person's continued eligibility. Reappointment is within the discretion of the City Commission.

2. Appointments to Boards, Commissions and Committees by the Mayor - Consistent with the City Charter, the Mayor shall nominate individuals for appointments to all Boards, Commissions and Committees unless the City Charter expressly provides otherwise. Nominations for such appointments shall be individually confirmed by a simple majority vote of the City Commission.

I. **CITIZEN PARTICIPATION AT MEETINGS** - It is the policy of the Richmond City Commission to provide opportunities for comments and participation in such meetings by its citizens. The following procedures shall be utilized to provide for citizen participation:

1. All citizens wishing to speak during any Commission meeting shall complete a "Request to Address Commission" form and state the subject they wish to discuss as provided prior to the meeting. Upon completion, said forms shall be submitted to either the City Secretary or the Mayor. Their names will be added to the minutes of said meeting by the City Secretary as a matter of record.

2. Richmond citizens are encouraged to request discussion of any pertinent issue by City Commission through the inclusion of said issues on meeting agendas in the manner discussed herein. It is the expressed desire of the City of Richmond to specifically address issues that are important to the general good and best interests of the community. However, said issues must be brought forward in a proper and constructive manner to assure their appropriate consideration.

3. A "Citizens Comments" section will be listed on each meeting agenda to allow for general comments on city issues from residents or citizens of the City of Richmond. When properly recognized by the Mayor under this agenda item, a citizen will be limited to three (3) minutes for comments on a given item. A citizen who requests to speak may not give her/his time to another citizen. A citizen who addresses the Commission through a translator shall be given at least six (6) minutes for comments on a given item.

4. As a general rule, Commission and/or the staff shall not respond to questions or comments submitted under the "Citizens Comments" section of any meeting. Responses to said discussion will be considered for proper reply at an appropriate time. Citizens should understand that State law very materially restricts the responses that may be made to such citizen communications.

5. Citizen comments may be about an item on the agenda or about a matter over which the City has jurisdiction and must be made prior to the

close of the "Citizen Comments" period and prior to the City Commission beginning deliberation on the agenda item. Citizens who wish to address a matter not on the agenda at a meeting may do so, but only under "Citizens Comments" as described above.

6. A person involved in an agenda item, i.e. property owner for a plat or rezoning, contractor for a contract, etc., may, at the discretion of the Mayor or Chair of the meeting, participate in the discussion of the item of business in which the person has an interest.

7. The Mayor or Chair of said meeting, may ask the citizens present if they wish to speak for or against any item as listed on the meeting agenda. If so, they may be given an opportunity to do so at the proper time, when duly recognized by the Mayor or Chair of the meeting.

8. As a general rule, citizens may not participate in the discussion of the Commission and staff at Workshop Meetings.

9. In the best interests of the City, the Mayor or Chair of the meeting may choose to alter some or all of these rules governing Citizen Participation, if deemed necessary to exact the appropriate information for consideration by Commission.

10. No member of the public addressing the City Commission shall be permitted to indulge in personalities, use language personally offensive; question motives of members, staff, or the public; charge deliberate misrepresentation; or use language tending to hold a member of Commission, staff, or the public up to contempt; or to utter loud, threatening, personal, or abusive language; or to engage in any other disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of a Commission meeting. A complaint about a person shall not be made during Citizen Comments. This paragraph shall not be interpreted or applied to prohibit public criticism of the Commission, including criticism of any act, omission, policy, procedure, program, or service.

11. The Mayor, chair, or presiding officer shall request that a person who is breaching the rules of decorum or procedures for addressing the Commission, or who is in attendance at the meeting and is violating the rules set forth in 1.10., be orderly and comply with the rules. If after receiving a warning from the Mayor, chair, or presiding officer, the person persists in violating the 1.10. rules, the presiding officer may order him or her to leave the Commission meeting. If a person who is requested to leave the meeting does not leave the meeting, the Mayor, chair, or presiding officer may request any law enforcement officer who is on duty at the meeting or otherwise in attendance to remove that person from the Commission chamber. Any participant that threatens physical harm to another participant by words or actions may be removed from the meeting

without first being warned. Any person who is removed from two meetings due to the person's violation of this section, and such removal is documented by reports of the Richmond Police Department, such person shall be prohibited from attending any public meeting of the City of Richmond for a period of six months.

J. **MISCELLANEOUS**

1. Amending these Rules -A majority vote of City Commission is required to alter, amend, rescind, or supplement these rules. Any proposed alterations, amendments, or supplements shall be submitted in writing at a public meeting and placed on the agenda for a later public meeting. By majority recorded vote of all members elected to the Commission, such proposed alterations, amendments, or supplements may be adopted at the meeting after which the same were originally submitted.