

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING  
HELD ON MONDAY, February 17, 2014 AT 9:00 AM IN THE SOUTH MEETING ROOM OF  
THE SAN ANGELO CONVENTION CENTER, 500 RIO CONCHO DRIVE, SAN ANGELO,  
TEXAS**

**PRESENT:** Teri Jackson, Mark Crisp, Valerie Priess, Darlene Jones, John Young,  
Sammy Farmer,

**ABSENT:**

**STAFF:** AJ Fawver, Interim Director of Development Services  
Kevin Boyd, Planner  
Roxanne Johnston, Planner

**I. Open Session:**

A. Call to order and establish that a quorum is present.

The meeting was called to order at 9:02 am, and six members were in attendance.

**II. Consent Agenda:**

*The Commission may request for a Consent Agenda item to be moved to the Regular Agenda for presentation and public comment. Otherwise the consent agenda will be considered in one vote.*

A. Consideration of approving the January 27, 2014 Planning Commission meeting minutes.

Motion, to approve the consent agenda as presented, was made by Valerie Priess and seconded by Mark Crisp. The motion was unanimously approved, 6-0.

**III. Request for Approval of Preliminary Plat with request for variance from Subdivision Ordinance regulations. [Planning Commission has authority for final approval; appeals may be directed to City Council.]**

A. Preliminary Plat, Lake Park, a request for approval of a preliminary plat and variance request for the creation of a double-frontage lot as prohibited in Chapter 9, Section I.C of the Subdivision Ordinance on the following properties:

<u>Proponent:</u>	Maurizio Laquaniello
<u>Representative:</u>	Dunaway Associates, Brooks Baca
<u>Size and location:</u>	4320, 4424 & 4436 North Bryant Boulevard Frontage Road, located approximately 125 feet northeast of the intersection at North Bryant Boulevard Frontage Road; more specifically 8.9360 acres situated in the SA & MG RR Co Survey, Abstract 1954, Survey 0011; 17.020 acres situated in the SA & MG RR Co Survey, Abstract 1954, Survey 0011; and being 6.0900 acres of Blocks 9 & 10 of the George Short Subdivision located northwest San Angelo.

Roxanne Johnston, Planner, came forward to present the case, consistent with the staff recommendation of approval. Ms. Johnston reminded the Commission members that the creation of double frontage lots is discouraged in the Subdivision Ordinance, and pointed out where the proposed such lots were located on the draft plat. Motion, to approve the subdivision plat, along with the requested variance, was made by Mark Crisp and seconded by Sammy Farmer. The motion passed unanimously, 6-0.

**IV. Requests for Zone Change. [Planning Commission makes recommendation; City Council has final authority for approval.]**

**A. Z14-02: B&W Trailer Co., Inc.**

**A request for approval of a zone change from Single-Family Residential (RS-1) to Heavy Commercial (CH) to specifically allow for uses as defined in Section 315.D of the Zoning Ordinance on the following property:**

**1616 and 1620 Upton Street, located at the northwest corner of the intersection at Upton Street and North Marie Street; more specifically located in the Bell Addition, Block 1, Lots 8-10, in east San Angelo.**

Roxanne Johnston, Planner, came forward to present the case, consistent with the staff recommendation of denial. Three notifications were returned in favor of the request, with one returned in opposition. The subject properties border a residential neighborhood and one residential unit is located in the middle of the block. An apartment complex is situated southeast across the Upton Street. The Vision Plan map calls for future commercial development. The notification map illustrated those properties in favor and opposition of the request.

There was a concern of fencing the property –which involved views from the single residence being blocked in the event of construction. Ms. Johnston mentioned that a fence could be constructed regardless of the zoning, but that fencing would be required with the current request for certain. The opposition letter was very detailed against the request; primarily because the respondent was a family member of the owner of the residence and was concerned with fencing that would potentially block the residence’s views. Ms. Johnston went over the area photos.

The zone change request was for CH, which - though consistent with current trends in development - staff was not recommending due to residential use proximity. Ms. Johnston explained that though area development had been stagnant in the area, introducing potential CH uses would be an extreme zoning next to residential.

Teri Jackson asked about the residences in the area. Ms. Johnston replied that the lone residence was wedged between the applicant’s lots- aside from the two lots the house sat upon, it was surrounded on three sides by properties owned by the applicant.

Sammy Farmer instructed staff to refer back to the Vision Plan Map, which Ms. Johnston did.

Mark Crisp asked if Light Manufacturing (ML) zoning would be less intensive. Ms. Johnston said no; and although there was ML nearby, it would be much more intense in the area and did not fit in with the Vision Plan Map.

Domingo Fernandez, applicant, came forward to speak in favor of the zone change. He stated that he owned much of the entire block. He also stated that he went to speak with surrounding property owners and many were in favor of the request, and that he asked to purchase the lone house in the middle of the block. He wanted to use the lots for parking, which was necessary for his business. Mr. Crisp asked if there would be any storage placed on the lot to which he replied "no."

Mark Hernandez came forward to speak against the zone change. He was the author of the letter in opposition and discussed with the board that his mother recently passed and that his sister would continue to live on the property situated in the middle of the block. The family, he stated, does not intend on selling the property at this time. He asked that no fencing would be used to enclose the property – for obstruction of views and safety concerns.

Ms. Johnston, mentioned that the board could recommend a less intensive zoning to accomplish the same goal of allowing parking, in particular.

Domingo Fernandez returned to the podium. He mentioned that he would be ok with a less intensive commercial zoning and agreed with the Commission's recommendation of CG zoning.

The motion to modify the zone change to CG as opposed to CH was proposed during Commission discussion.

Motion, by Mark Crisp to recommend the zone change be changed from RS-1 to CG, rather than the requested CH. The motion was seconded by Sammy Farmer, and carried unanimously, 6-0.

**B. Z 14-01: Louis J. Blaneck Jr.**

**A request for approval of a zone change from Light Manufacturing (ML) to General Commercial (CG) to allow for activities allowed within CG zoning districts shown in Section 310 of the Zoning Ordinance, on the following property:**

**1805 and 1806 Harbor Court, located approximately 166 feet and 212 feet south of the intersection of Harbor Court and West Avenue N, respectively; more specifically occupying the T.J.A.K Addition, Section 2, Tracts F & G, in south central San Angelo.**

Kevin Boyd, Planner, presented this case consistent with the staff recommendation of approval.

Using maps, Mr. Boyd illustrated the subject area and showed area uses. Staff's recommendation of approval takes into account the compatibility with the area. He explained how this request was consistent with the Vision Plan, and explained how development had been trending towards commercial development as opposed to uses associated with current zoning. The site had been vacant for approximately 20 years. He further explained that the proximity of the railroad no longer necessitated the uses associated with the ML zoning as it had in the past.

Louis Blaneck, applicant, came forward to speak in favor of the zone change and to give the Commission members a background.

Motion, to approve as presented, by Teri Jackson and seconded by Sammy Farmer. The motion passed unanimously, 6-0.

There was a call for a short 10 minute break, and the meeting broke at 9:40 am.

The meeting was called back to order at 9:50.

**V. Discussion and possible action regarding recommendations of the Citizen Housing Committee for amendments to the City Code of Ordinances relating to placement of "RV Park/Campgrounds", "Group Living", "Manufactured Housing Parks", and mobile homes.**

AJ Fawver, Interim Director of Development Services, presented this information. She discussed the results of the housing committee, explaining that there were policy change proposals and also the update on where the policies currently stood.

Ms. Fawver explained the history of the need for changes in the ordinance and how definitions needed to be remedied, as the existing ordinance is weak in some respects in terms of clarity. She reminded the group that staff was asked by Planning Commission in January 2013 to do research on other cities to see what their RV/campground policies were, in response to several applications filed. Then, she further explained, in April of the same year, staff was directed to work with a newly created housing committee to gain clarity. In November, a moratorium was put into effect in order to give the city time to review the requests. No applications, she explained, have been taken in the interim period. City Council voted unanimously to approve the moratorium. In December, discussion in Council had to do with difficulties of monitoring and policing existing parks. She went into the history of existing parks and that each one had different criteria/policies based on the authorizing ordinances or permits for each respective site. In January, Ms. Fawver discussed with Council the calendar for moving forward and that there was discussion with the Council to extend the moratorium.

The final meeting of the housing committee was on the 12<sup>th</sup> of Feb and that the products provided in the background report and available online were recommended by the committee. If the moratorium extension is approved, it would expire May 16, 2014, and she explained that with all of the components involved, the second hearing to adopt these ordinances must be held at the regularly scheduled April 15th meeting; that all material would need to be finalized then in order to meet the moratorium guidelines.

Darlene Jones asked Ms. Fawver to update the Commission on what the Housing Committee meetings entailed and explain who were involved. Ms. Fawver explained that notes reflected that the committee began meeting in April of 2013 and until this past week (Feb 12, 2014). Ms. Fawver explained that, until December, Jeff Hintz had served as the Planning Division representative on this committee and that she was somewhat unfamiliar with the group and meetings prior to her involvement in December, and asked Ms. Jackson as a committee member to expand upon the comments based upon her involvement. Ms Jackson explained that one person on the committee owned an RV park, in response to a question asked by Mr. Crisp.

Ms. Fawver briefly covered the existing ordinances to remind the Commission what is in place today. There are currently limited uses in the Zoning Ordinance regarding RV/Campground - addressing it as vacation stays and not temporary housing, and that it also addresses the types of housing that can be placed in them. Standards for the Manufactured Housing Parks are listed/outlined in the Zoning Ordinance, she explained, which addresses sizes of the lots and also the definitions. Campground/RV Parks were only mentioned 3 times specifically in the current Zoning Ordinance. One criticism of the existing Ordinance is that the length of stay allowed in these parks is not specifically addressed with a time limit. She explained that enforcement, and consistency, are reoccurring concerns which have been brought up. Bringing old and new parks into consistent compliance of regulations would be a challenge, and by making sure that neighboring areas had separation of uses or mitigating factors in place to lessen the potential nuisances, they can be better integrated. She stressed that consistency with size and enforcement was something that needed to be addressed. Property values and quality of life were brought up in reference to these camps. Policy of how compliance could be monitored was mentioned. Turning to the report that was available to the Commission members and public, Ms. Fawver invited comments/feedback on the proposals within the drafts as she went through her presentation.

She began by addressing the proposed amendments by the committee to the Zoning Ordinance. She highlighted differences between proposed changes and existing wording in the Zoning Ordinance. The Planning Commission, she explained, would help determine future "workforce living" in several other zoning district listed in the proposed Zoning Ordinances, through the hearing process for Special Uses as opposed to allowing it by right. She discussed Group Living as being the category within which workforce living would be contained. Time limits for how long Group Living could be limited to were discussed. She talked about density and size limitations on the parks, and explained how these limitations were addressed in proposals for both the Zoning and Subdivision Ordinance amendments. A limit of 10 acres of useable land had been proposed as the minimum size, with a maximum 10 spaces per acre for density. The existing requirements are 3 acres with 8 units/acre. Screening was a big concern, so requirements have been put in place within the proposal. Screening along streets and against residential zoning districts would be required.

RV Campgrounds listed as non-residential use, so the commercial aspect would be required to be screened. Specifics of what the screening would consist was discussed by Ms. Fawver, including berms, drought resistant landscaping and other types of materials recommended by the committee, from which the owner could select. A buffer of 100' was discussed, she said, explaining some of the committees' discussions on the matter. These areas could also function as walking trails. Lighting on the site should be directed within the property and not outside, and traffic would be regulated by limiting access to the parks through neighborhoods or on local streets. The permanence of accessory buildings would be prohibited, as outlined in the draft. A 12 month period vs. a calendar year would be how the time would be monitored. Length of stay would be addressed in a combination of ways, recognizing that different needs should be addressed such as those looking to build a home. As such, percentages for spaces exempt from the 6 month maximum stay, for inclusion within the 6 month maximum requirement, and a percentage for spaces in which rentals or cabins could be placed were covered. Per resident and not per space would be how the limitations for length of stay as proposed.

Motor vehicles within the site would be required to have current licensing and be operational in order to keep junk vehicles out. Types of vehicles are also included in the proposal such as RVs and service vehicles. Dry camping would be allowed with exceptions not to exceed 3 working days. Uses of generators were discussed and are included in the proposal.

External generators would be limited to 3 days. Layouts of spaces would have to be provided within the park by the operators so that inspections can be conducted to monitor compliance. One parking space would be the minimum for each RV space. Ms. Fawver explained that the new proposal lists things alphabetical in order to be easier to use.

Ms. Jackson asked that the standards for Campground/RV were shown again. This slide explained the required separation within the park against area uses.

Ms. Fawver discussed Specific Use Standards for MHPs. 10 acre minimum size - consistent with the proposal for RV Parks - would be required; an Annual Operators Permit would be required in addition to site plan requirements. She reviewed the other features of this proposed amendment. She focused for a moment on a small change in wording that would make a large impact for existing parks, that is, to look at calculations based upon spaces in the park instead of units, as the current ordinance does. This would allow owners to base placement and market in relation to their total capacity, not the number of units in the park at the time, making all parks more viable for RV placement. She also reviewed the size requirements for spaces.

She paused to ask for questions, and then moved on to proposed amendments to the Subdivision Ordinance. The chief intent to ensure that parks are involved in the subdivision process, which, under the current ordinance, they are often not. Also, to make sure that definitions were consistent in order to be helpful to all. Minimum dimensions for spaces, the size of the park, and the definition of a subdivision were covered. Ms. Fawver showed, in red, the proposed changes within current ordinances. Proposed amendments to Chapter 4 would allow parks to be classified as a minor subdivision. Design policies for subdivisions would be proposed to mimic access requirements currently in place, requiring that each space have direct abutting access to an improved internal street. Primary access would be required, but not off of a secondary or local street. Proposed signage should be approved by the city to ensure consistency in proposed signs.

Ms. Fawver paused for questions before moving on to the next section. A proposed Annual Operator's Permit would be required for the operation of all parks. The fees will cover the site plan and inspections of the site by 7-9 different divisions within the City. The proposals submitted will vary in time. The proposed application process includes the application and the fee as well as a very detailed site plan to enable the reviewer to analyze components of the plan for compatibility and certify full compliance. The process for annual permit will reflect the one submitted with new requests. The City Council will have the final decision for permit renewals. Deadlines will be set for the expiration of annual operator's permit. Renewals of these permits will be approved administratively and can be appealed to City Council. A variance process will also be included, to request exceptions from the requirements, which would be heard by the Planning Commission and receive final approval from the City Council. The criteria for the variance request will reflect existing variance criteria for other variance requests, for consistency and equity in application. Written notices of findings of the staff will be required to be shared with the park owners, citing violations and nonconforming features, at which point there are avenues for these issues to be addressed with the owner.

Ms. Fawver paused again for questions before moving on to the next section, proposed changes to the current interlocal agreement in effect between the city and the county, naming the city as the authority for subdivision regulation within the ETJ. Legislation requires cities to reach an agreement. In the current agreement, the ETJ zone is identified by a metes and bounds description, which does not take into account annexations that occur over time. The state of Texas dictates the prescribed distance for ETJs, in this case, 3.5 miles. The proposal asks to reference the interlocal code rather than a metes and

bounds description. It proposes that the county would handle addressing within the ETJ as they would within the county, for consistency's sake and as consideration for the city handling all of the processing. The city is proposing that each subdivision request within the ETJ be shared with the county for comment, in order to establish better lines of communication between both entities. She then asked to take questions.

Teri Jackson asked whether the contents of this report was going to City Council on the following day. Ms. Fawver explained no, only the consideration to extend the moratorium would be heard at that time.

Darlene Jones asked whether the city will be able to deal with the potential code compliance issues that these amendments will introduce. Ms. Fawver mentioned that this item will receive greater priority, the amendments seeks to divide the tasks among the various departments rather than just one group.

Darlene Jones expressed concern over variance requests. Dan Saluri, Assistant City Attorney, explained that the expansion of the parks is sure to generate some need for variances, but that these would be handled on a case by case basis utilizing the public hearing process, and criteria which must be applied and met.

Sammy Farmer commended the staff and committee on their hard work. For existing parks he mentioned his concern that paving requirements for existing parks seems to create a financial hardship. Dan Saluri mentioned that it is uncertain that the variance would be approved in every case, but an additional option is to give a timeframe to come into compliance in order to offset those financial hardships in further compliance.

AJ Fawver added that the variance from the permitting process would be handled similarly to variance requests from the zoning ordinance. The existing parks will be given consideration if they are legal nonconforming, unless the use is completed vacated for an entire year and removed, at which time it will lose its legal nonconforming status.

Sammy Farmer mentioned that with the proposed amendments, new requests will be reduced, and asked where the minimum size of ten acres came from. Ms. Fawver asked Teri Jackson, as a committee member, where this came from in the committee discussions. She mentioned that it initially began with the RV parks and that it was felt that all parks should be treated in an equal manner. Darlene Jones stated that it is better to have larger parks in fewer places than many smaller ones spread throughout the city. John Young stated his concern that the proposed regulations would discourage parks. Sammy Farmer mentioned he does not foresee a huge demand in these types of requests. He mentioned that the demand in the industry has tapered off, the industry has shifted a bit in the past year.

Valerie Priess mentioned that the proposed amendments will lessen the demand for small request, particularly. Teri Jackson, mentioned that the intent is to maintain a beautiful city.

Steve Eustis, mentioned that he needed more time to explain his case than three minutes. He has experience selling properties with this type of use. He commended the staff and committee for their hard work on the amendment. He then reiterated that he needed more time to review the document. His concern is for existing parks. The new code is more extensive. The existing parks will have to go for internal review and receive final approval from the board, and he expressed concern about the existing residents. He also asserted that improvements to existing parks will face financial hardships in meeting the proposed code. AJ Fawver mentioned that under the legal nonconforming provision, many of the existing parks may be exempted from meeting some of the proposed amendments, unless it

is vacant for an entire year and completely removed, constituting abandonment. Only new expansions would be certain to have to meet these requirements. Dan Saluri and AJ Fawver talked about the process allowing for documentation and historical recordkeeping which would be made possible in order to benefit both legal nonconforming properties and enforcement staff, and that the legal nonconforming protection applies unless there is a present threat to the public safety, health or welfare.

Steve Eustis emphasized that the amendment should explicitly state the terms of the nonconforming protections, as they were difficult to understand. Ms. Fawver suggested that staff add a section to the proposed chapter explaining it in greater detail. Ms. Fawver polled the Commission members, and there was clear consensus on this item.

Valerie Priess asked to be excused from the meeting and left at 11:32 pm.

Steve Eustis, questioned further on the proposed variance procedure. Dan Saluri stated that any person can go forward and request a variance, regardless of whether it was a new or existing park. Mr. Eustis also has concerns over length of stay, he provided an example of permanent living within an existing park and expressed that he felt the time period should be re-examined.

AJ Fawver stated that approval of the proposed amendment will establish an effective timeline for any new request, where one does not currently exist under the ordinance.

Steve Eustis asked which department does what associated with this amendment. Ms. Fawver clarified that the building official would be responsible for maintaining the approval records, and that several city divisions would be tasked with the site plan reviews and documentation/certification. Mr. Eustis expressed his belief that he and others should have additional meetings to review the ordinances. Ms. Fawver explained that the documents are all available on the city's website, and that there will be public hearings on the matter at the City Council level, in addition to discussion items that are likely with the Council. She explained that there is a tight timeframe, and reiterated that the City Council meetings tend to be the best attended and most visible, allowing for more public input; in addition, the schedule of bringing the items to the Council in March was something which the Council supported.

Steve Eustis discussed his belief that a ten acre limit would prevent "mom and pop" operations. He also mentioned concern that most people would not be able to handle ten acres initially. AJ Fawver asked for clarification from Mr. Eustis about his lot size question and then answered, explaining that the entire ten acre lot is not required to be occupied at one time; rather, it allows for the phasing of a park, developing pieces at a time as demand occurs.

Russell Gully came forward to speak and had questions regarding the proposed density and how it would be figured - would it be figured cumulatively (as in 10/acre for 10 acres allows for 100 units to be placed as the owner desires, so long as they meet separation and setback requirements) or individually (as in 10 acres must be spaced with 10 on each acre). Ms. Fawver explained to the Commission members the question, and there was discussion about the ability to cluster units and plan pieces of the park for various functions. Darlene Jones stated allowing for clustering will be more beneficial. Ms. Fawver polled the various Commission members, and there was clear consensus on this item being clarified.



Russell Gully stated that the clause on drought resistant plant should be taken out of proposal. Ms. Fawver explained that it was a committee recommendation. The Commission discussed briefly, and there was clear consensus on removing the item.

Mr. Gully questioned why access to parks would be limited, and not allowed from residential streets. Ms. Fawver answered the question by explaining that there was concern by the committee about caring for existing neighborhoods and eliminating cut-through traffic. Teri Jackson reiterated that the constant movement of big trucks would be an issue of concern. AJ Fawver mentioned that the variance process is available, if a truly unique situation arose in which this should potentially be overlooked based on the siting of a park. Russell Gully also had concerns over length of stay. Teri Jackson mentioned that is temporary stay.

Ms. Fawver polled the Commission members about their view on the length of stay maximum of six months. Teri Jackson and Darlene Jones expressed that the length of stay as written should be recommended. John Young, Mark Crisp, and Sammy Farmer expressed that they felt the length of stay - particularly, the number of 15% of the spaces as being exempt from that regulation - should potentially be raised to a higher percentage.

Lance Lacy came forward to speak on the matter. He added that the public has not had enough time to go through the materials being proposed. Ms. Fawver again explained that the last committee meeting was on February 12th and that staff worked that evening to have the amendments posted on the website by February 13th. The fees are a big concern with this amendment in his mind. If it is a public protection issue, the citizens of the city should cover that cost. Mr. Lacy noted his concern over any transfer fee. Teri Jackson and Darlene Jones noted that the fees are administrative, and Ms. Fawver confirmed that the fees are administrative in nature and are articulated as such in the drafts.

Greg Huling came forth to speak and mentioned that he has an existing park in the city. Based on the information mentioned, he would be covered under the legal non-conforming measure of the proposed amendment. He states that the city should take the approach that the federal government takes on car bags. AJ Fawver mentions that all existing parks would have the opportunity to utilize the legal nonconformity provision, so long as they were established according to the rules when they were put into place.

Darlene Jones is interested in asking the board to postpone any recommendation; she stated that she feels uncomfortable recommending approval based on the responsibility for enforcement of these new measures.

Ms. Fawver asked the Commission members to listen to the items she had noted consensus on and they confirmed that these notes did reflect their desires.

Lindsey Flage came forward to speak on the matter, as a committee member. She commended the board, city staff, and the public. She mentioned that a lot of consideration has been put forth in putting the plan together and that public awareness is important. The six month stay issue is tied to the issue being that of temporary housing, which was the initial charge of the committee.

The Planning Commission discussed additional avenues for continued dialogue. Ms. Fawver mentioned the timeline staff discussed with Council at the February 4th meeting and that staff has committed to bringing the matters to Council in March. At the next discussion with Council, she will share the Commission's comments and ask for direction as to how to conduct the process moving forward, within the timeline. She asked the Planning Commission if they would commit to a special meeting, if the directive is to revisit this with that group. They indicated that they would.

**VI. Discussion and update on the subject of livestock and related structures on lots without primary structures.**

Ms. Fawver reminded the Commission of their previous discussions with staff on this matter. As an update, she let them know that Planning staff had met with staff from the Code Compliance and Animal Services divisions, and will be compiling the issues fleshed out in that meeting for the Commission members. As the Planning Division becomes fully staffed, this will allow more flexibility for discussion.

**VII. Discussion and update on pending Vision Map amendment studies.**

There are three pending amendment studies underway, two will be passed on to Council at future meetings, and one is in the beginning stages and will be back to the Commission at a future date. The division has been short staffed and activity has increased, impacting the time in which these can be completed.

Teri Jackson left the meeting at 12:26 pm.

**VIII. Election of chairperson and vice-chairperson for 2014.**

This was tabled until the next meeting when a full commission is present.

**IX. Future meeting agenda.**

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on Monday, March 17 of 2014, in Council Chambers (South Meeting Room) of McNease Convention Center at 500 Rio Concho Drive.

**X. Adjournment.**

Motion, to adjourn, was made by Sammy Farmer. The motion was seconded by Mark Crisp, and the meeting was adjourned at 12:28 pm.

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Darlene Jones, Chairperson  
Planning Commission