

MINUTES OF THE MEETING OF THE PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, AT CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS ON THE 7TH DAY OF APRIL, 2016 AT 6:00 PM.

Members present: Woods; Barry; Johnston; Durda; Cummings
Members absent: Hiton; Anderson
City staff present: Kulhavy; Ridley; Moss; Woodham

1. CALL TO ORDER

- a. *This meeting was called to order by Chairman Johnston. [6:01PM]*

2. PLEDGE OF ALLEGIANCE

- a. **U.S. Flag**
b. **Texas Flag**

3. INVOCATION

Commissioner Barry led the invocation

4. CONSIDER the preliminary plat of Texas Grand Ranch, Section 3B located in the ETJ of the City of Huntsville.

Aron Kulhavy opened the floor for consideration by the Commission. A joint workshop with the City Council and the Planning Commission was held beforehand to discuss the plat with the staff of Texas Grand Ranch.

Chairman Johnston questioned what the unrestricted reserves, E and F, would be used for.

Renee Howes, Grand Ranch Representative, responded stating that the reserves have not been identified for use. Reserves could possibly be used as drill sites or a pocket park. Ultimately it is unknown at this time what the reserves will be used for.

- i. Commissioner Woods made a motion to approve the preliminary plat of Texas Grand Ranch, Section 3B located in the ETJ of the City of Huntsville. Second was by Commissioner Cummings. The vote was unanimous.

4. CONSIDER the final plat of Texas Grand Ranch, Section 3A located in the ETJ of the City of Huntsville.

Aron Kulhavy introduced the final plat for section 3A and pointed out the variations between its preliminary plat and final plat: the unrestricted reserves, E and F, mentioned in Section 3B, were removed from Section 3A because of the CCN boundaries of the city of Huntsville and the water system installations. With those lots being within the CCN, the city would have rights to serve water to those lots. The Commission was presented an updated copy of section 3A final plat, with changes made to bloc 6 – lot 162, 163, and 164 with the elimination of a drainage easement.

Commissioner Woods made a motion to approve the final plat of Texas Grand Ranch, Section 3A located in the ETJ of the City of Huntsville. Second was by Commissioner Barry. The vote was unanimous.

6. PUBLIC HEARING regarding amending Article 4: Use Regulations, Table 4-1: Use Table; Section 4.203, Mobile Homes and Manufactured housing Units; Article 5: Lot and Setback Regulations, Table 5-1: Lot and Building Setback Regulations; and Section 5.400, Residential Lots of the City of Huntsville Development Code.

Chairman Johnston opened the public hearing. [6:14 PM]

Aron Kulhavy gave an overview, per the discussion form, of the proposed changes to the Development Code to define the development requirements for the construction of new manufactured home parks and some additional requirements for the new placement of manufactured homes on lots outside of manufactured homes parks. He explained that staff is

recommending that the proposed upgrades for existing mobile/manufactured home parks and existing mobile/manufactured homes located inside of parks and outside of parks will be done by municipal code which will be addressed in Agenda Item No. 8. The updated Development Code which was adopted by City Council in August of 2015 prohibited manufactured housing units from being placed in Neighborhood Conservation Districts and has the requirement that new manufactured home parks be permitted with Conditional Use Permit. There currently are not any development/construction standards for new manufactured home parks. These proposed changes to the Development Code will define the development/construction standards for new manufactured home parks and also add some requirements for the placement of new manufactured homes on lots outside of manufactured home parks. Kulhavy briefly outlined the proposed revisions to the Code.

Kulhavy then stated that staff has been asked to revisit the Development Code prohibition of RVs as permanent residences within the City limits also. Since the adoption of the updated Development Code, staff has received two applications for the use of an RV as a permanent residence outside of an RV park. Both of these applications were denied. Mayor Brauning has requested that staff present, for Commission review, the possibility of delaying the implementation of this section of the Code for a period of 2-3 years. This will allow parks and other places in town that allowed RVs to be located for more than 90 days to notify people that they will not be able to do so at a set date in the future. Staff has presented revised language to allow for the continued placement of RVs as permanent residences until the date of January 1, 2018 to implement this section of the Code. The date has been arbitrarily set by staff and Commission may make recommendations as appropriate for this date. Kulhavy concluded his presentation by stating the staff recommends denial of the RV provision revision to the Development Code.

Chairman Johnston then asked for any public comments in support of the proposed changes to the Development Code as presented. There were none.

Chairman Johnston then asked for any public comments in opposition of the proposed changes to the Development Code as presented. **Charles Smither, Jr.** was the only speaker in opposition stating that he disapproved of the process and the proposed ordinance. He feels that the public should be more involved in the process.

The Commissioners then discussed the proposed revisions to the Development Code. The discussion clarified the following:

- If approved, there will not be any limitations set on the construction material for the required storage buildings.
- There is only one existing RV Park located within the City Limits and it operates under the 90 day rental period requirement and without permanent utility connections.
- Any existing RV currently in place and in use as a permanent residence is “grandfathered” and allowed to remain in place.
- In the review and consideration of the proposed changes to the Development Code, City Council may approve or reject the revisions; they may not add to the revision language. Additional Code revision language must come back to the Planning Commission for consideration and recommendation.
- In comparison to the surrounding communities’ manufactured home placement criteria, Huntsville, along with Longview, has the most liberal placement allowance.
- Manufactured homes provide economical housing for citizens. They are especially a viable housing option for SHSU students. Manufactured Home Parks/Subdivisions need to be developed and maintained to ensure safe and sanitary living environment for the residents.

Chairman Johnston closed the public hearing. [6:35 PM]

7. **CONSIDER** amending Article 4: Use Regulations, Table 4-1: Use Table; Section 4.203, Mobile Homes and Manufactured housing Units; Article 5: Lot and Setback Regulations, Table 5-1: Lot and Building Setback Regulations; and Section 5.400, Residential Lots of the City of Huntsville Development Code.

The Commission reviewed each one of the proposed revisions to the Development Code. The Commissioners agreed with the language in each of the revisions regarding manufactured homes and manufactured home parks/subdivisions. The Commission did not agree with the proposed revision to extend the allowance for RVs to be used as permanent residences until a future date. Aron Kulhavy stated that the Commission making a motion to approve the proposed revisions to the Development Code per Staff recommendation would take care of this.

Commissioner Woods made a motion to approve and forward the proposed Development Code revisions to City Council per Staff recommendations. (Approval of all revisions except 4.205.F) Second was by Commissioner Barry. The vote was unanimous.

8. **CONSIDER** recommending adoption of an ordinance amending Chapter 30 MANUFACTURED HOMES AND RECREATIONAL VEHICLES of the Code of Ordinances of the City of Huntsville.

Aron Kulhavy pointed out that this ordinance will be part of the Municipal Code of Ordinances of the City of Huntsville and not the Development Code. The ordinance does not require Commission review and approval, however due to it covering the same subject matter as the previous Development Code discussion, review by the Planning Commission is appropriate. Kulhavy noted that this is not a public hearing agenda item, however the Chairman may take public comments at his discretion. Due to the subject matter, Staff recommends that public comments are allowed. Kulhavy then gave an overview of the provision of the ordinance per the discussion form making note of the 1 year and 5 year time frame for the required time frame.

The **Commissioners** discussed the provisions of the proposed ordinance at length with accessibility for residents and emergency vehicles being the main topic of conversation. The Commission would like to have the requirement of some level of improvement of the streets/driveways within the existing parks within 1 year. The Commission also feels that 5 years is too long to allow for the total required upgrade of existing parks, preferring a 3 year time frame.

Chairman Johnston opened the floor for public comments.

Charles Smither, Jr. stated that the goal of safety for the existing parks is fine. He has a problem with the proposed Municipal Ordinance and the Development Code both covering basically the same subject with different requirements and gave the example of the Municipal Code sight triangle definition and the Development Code sight triangle being entirely different.

Keith Olsen expressed his appreciation and thanked the Commission for their work.

In reply to Mr. Smither's concern, the **Commission** indicated that there is sufficient definition of existing mobile/manufactured homes and parks and new manufactured homes and parks/subdivision in the proposed ordinance and in the Development Code for there not to be any interpretation issues.

Aron Kulhavy proposed that the proposed ordinance be revised to use a Building Code definition for firefighting access during construction for the 1 year upgrade street/accessibility requirement. He also indicated that the ordinance will be revised for 3 year completed upgrade in lieu of 5 year. Kulhavy noted that upon adoption of the ordinance by City Council, there will be a period of time to allow for staff notification of park owners of the required upgrades. The clock will be ticking for the upgrades from the date of official notification to existing park owners.

Commissioner Cummings moved to recommend adoption of the ordinance with the discussed 1 year accessibility and 3 year upgrade completion revisions to City Council. Second was by Commissioner Barry. The vote was unanimous.

9. CONSIDER the minutes of the February 18, 2016 meeting.

Commissioner Woods moved to accept the minutes of the February 18, 2016 Planning Commission meeting as presented. Second was by Commissioner Barry. The vote was unanimous.

10. CONSIDER the minutes of the March 3, 2016 meeting.

Commissioner Woods moved to accept the minutes of the March 3, 2016 Planning Commission meeting as presented. Second was by Commissioner Durda. The vote was unanimous.

11. PUBLIC COMMENTS

There were not any public comments.

12. ITEMS OF COMMUNITY INTEREST

- i. Main Street Music Festival will be April 21st and 28th.
- ii. Wine Down and Shop Small Main Street event will be May 5th.
- iii. Numerous SHSU Events are occurring this coming weekend including the Spring Training Football Game & Bearkats vs. SFA Baseball.
- iv. Aron Kulhavy will be participating in the annual L.E.A.P. Republicans vs. Democrats football game on Saturday.

13. ADJOURNMENT

Commissioner Woods moved to adjourn. Second was by Commissioner Barry. The vote was unanimous. [7:34 PM]