

**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION
MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, OCTOBER 14, 2013

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, October 14, 2013 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
 - Texas Coastal Citizen Planner Program: October 9 – December 18, 2013; Courtyard Marriott NASA / Clear Lake, Nassau Bay, Texas.

4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 9, 2013.

5.0 New Business:

5.1 Consideration to approve six month plat extension request by David Broussard on behalf of Breaux Machine Works for the **BREAUX MACHINE WORKS FINAL PLAT**.

5.2 Consideration to approve **ZONING CASE P13-143**: Request by the City of Tomball to amend Section 38.2 (“Use Charts”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating a new land use called “Fortune Telling and Similar Activities,” permitting it only with a Conditional Use Permit in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 (“Definitions”) by creating a definition for “Fortune Telling and Similar Activities.”

- Conduct a Public Hearing on **ZONING CASE P13-143**

5.3 Consideration to approve **ZONING CASE P13-148**: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

- Conduct a Public Hearing on **ZONING CASE P13-148**

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a plac readily accessible to the general public at all times, on the 10th day of October 2013 by 5:00 p.m., remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer_____

Doris Speer

City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

- Texas Coastal Citizen Planner Program: October 9 – December 18, 2013; Courtyard Marriott NASA / Clear Lake, Nassau Bay, Texas.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

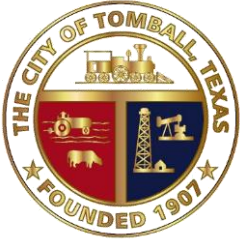
Brandy Pate, Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Letter from the City Manager

Citizen Planner Registration Flyer



City of Tomball

*Gretchen Fagan
Mayor*

*George Shackelford
City Manager*

October 1, 2013

Good afternoon,

Last week, City staff met with an outside consultant to discuss training for the Planning & Zoning Commission and the Board of Adjustments. We discussed providing an overview of the Comprehensive Plan, Strategic Plan and Zoning Ordinance, including governance and legal issues. We are developing that training course and will get it scheduled very soon.

Last week Rebeca Guerra attended a Code Enforcement training where she obtained handouts on issues surrounding zoning and legal topics pertinent to Texas zoning cases. A copy of those handouts are attached for your review.

In addition, just yesterday, Craig Meyers received an e-mail from Texas A&M University regarding training for local officials in the Houston region. This training centers around municipal planning and is designed especially for City Councilmembers, Planning & Zoning Boards, Economic Development Boards and Neighborhood Councils. The training begins on October 9th and is held weekly (except for a few exceptions) through December 18th. The meetings will be held at the Courtyard Marriott NASA/Clear Lake (18100 Saturn Lane, Nassau Bay, Texas 77058) on Wednesday evenings from 6:30 pm to 9:00 pm. The Registration Flyer is attached to this email and includes a website that outlines the details of the coursework.

After a review of the curriculum, Course Segments 2, 3, and 4 (Legal Foundations of Land Use Planning, Local Official's Roles and Responsibilities and Plan Implementation and Development Review) appear to be the most applicable to your role. Those Course Segments are held on October 16th, October 30th and November 6th, however you are free to attend any or all of the courses being offered. If you are interested in attending, please let Craig Meyers know and he will coordinate your registration. Craig can be reached at cmeyers@tomballtx.gov or 281.290.1412. The City can cover the cost of the registration and your mileage to/from the classes. Please let us know at your earliest convenience if you are interested and we apologize for the last minute notice of this training opportunity.

Thank you,

George T. Shackelford
City Manager
City of Tomball
281.290.1006

401 MARKET STREET • TOMBALL, TEXAS 77375 • 281-351-5484

Does your new council person
know the basics?

Site
Plan?

Special Use
Permit?

Takings?

Zoning?

Join the Texas Coastal Citizen Planner Program!

Local officials face an overwhelming task making decisions that can change a community. Give your local officials the planning skills and knowledge necessary to help shape your community's future.

What they need to know ...

Texas Coastal Citizen Planner is an introductory 8 course training for local elected and appointed officials. This program will cover planning concepts every local official needs to know:

- Planning principles and trends for a positive vision of community and quality of life
- How planning tools can be used to improve development proposals
- The legal and technical aspects of local planning tools
- How planning recommendations are implemented using local laws
- Planning policies and mitigation tools for coastal hazards
- and more...

REGISTRATION IS NOW OPEN!

Start Date: October 9, 2013

Where: Houston and Port Aransas

Website: CitizenPlanner.tamu.edu



TEXAS COASTAL WATERSHED
P R O G R A M



AT TEXAS A&M UNIVERSITY

TEXAS A&M
AGRI LIFE
EXTENSION

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 9, 2013.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

09.09.13 P&Z Minutes

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, SEPTEMBER 9, 2013



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Tague. Other members present were:

Commissioner Walicki
Commissioner Torres
Commissioner Beauvais
Commissioner Roquemore

Others present:

Community Development Director – Craig Meyers
City Secretary – Doris Speer
City Attorney – Loren Smith
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Assistant City Planner – Rodney Schmidt

Draft

2.0 No public comments were received.

3.0 No reports or announcements were presented.

4.0 Motion was made by Commissioner Beauvais, second by Commissioner Roquemore, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 12, 2013, as corrected to show Commissioner Roquemore's absence as excused.

Discussion/Action of the Following Items:

5.0 New Business:

5.1 Consideration to approve **ZONING CASE P13-117:** Request by Cecilio Cano to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 5 acres of land, legally described as Lot 271, Tomball Outlots within the City of Tomball, Harris County, Texas, generally located westerly of South Persimmon

Road, northerly of Agg Road, from the Light Industrial District to the Agricultural District.

- Chair Tague opened the Public Hearing on **ZONING CASE P13-117** at 6:05 p.m.
- Staff report was presented by Rebeca Guerra, recommending approval of request.
- Frederico Fano and Art Fano, 1100 S. Persimmon, spoke in opposition to the change in designation from Light Industrial to Agricultural District.
- Applicant Cecilio Cano and his son, George Cano, 4406 Brandemere Way Street, Houston, Texas 77066, presented information regarding his family's request to build a home on the property.
- No additional public comments being received, Chair Tague closed the public hearing at 6:14 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Walicki, to approve Zoning Case P13-117. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Walicki	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Tague	<u>Nay</u>

Motion carried, 3 votes Aye, 2 votes Nay.

6.0 Motion was made by Commissioner Torres, second by Commissioner Beauvais, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the _____ day of _____ 2013.

Doris Speer, TRMC, CMC
City Secretary

Barbara Tague
Chair

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

Consideration to approve six month plat extension request by David Broussard on behalf of Breaux Machine Works for the **BREAUX MACHINE WORKS FINAL PLAT**.

Background:

The Breaux Machine Works Preliminary Plat was approved unanimously by the Planning and Zoning Commission with contingencies on December 10, 2012.

The Breaux Machine Works Final Plat was approved unanimously by the Planning and Zoning Commission with contingencies on May 13, 2013.

The owner is contemplating potential changes to the plat through land acquisition and are requesting additional time to finalize.

Origination:

David Broussard

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Brandy Pate, Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Plat Extension Request Letter - Breaux Machine Works Final Plat

Brandy Pate

From: Lori Lakatos
Sent: Wednesday, October 09, 2013 4:21 PM
To: Brandy Pate
Subject: FW:

Brandy,

FYI

Lori

From: David Broussard [mailto:david_broussard1950@yahoo.com]
Sent: Wednesday, October 09, 2013 2:54 PM
To: Lori Lakatos
Subject:

Ms Lakatos

This email shall serve as our request for an extension of the final submission of Breaux Machine Works Plat. As you are aware, we are working on some changes at this time.

Thanks

David S. Broussard, P.E

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

Consideration to approve **ZONING CASE P13-143**: Request by the City of Tomball to amend Section 38.2 (“Use Charts”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating a new land use called “Fortune Telling and Similar Activities,” permitting it only with a Conditional Use Permit in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 (“Definitions”) by creating a definition for “Fortune Telling and Similar Activities.”

- Conduct a Public Hearing on **ZONING CASE P13-143**

Background:

Origination:

City of Tomball

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Brandy Pate, Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Notice of Public Hearing

P13-143 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
OCTOBER 14, 2013
&
CITY COUNCIL
OCTOBER 21, 2013**



Notice is Hereby Given that a Public Hearing will be held by the Planning & Zoning Commission of the City of Tomball on **Monday, October 14, 2013, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 21, 2013, at 6:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the Planning & Zoning Commission and City Council will consider the following:

ZONING CASE P13-143: Request by the City of Tomball to amend Section 38.2 (“Use Charts”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating a new land use called “Fortune Telling and Similar Activities,” permitting it only with a Conditional Use Permit in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 (“Definitions”) by creating a definition for “Fortune Telling and Similar Activities.”

ZONING CASE P13-148: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

Persons interested in this case will be given an opportunity to be heard. Action by the Planning & Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Should the Planning & Zoning Commission vote to table a decision/recommendation on this case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a decision/recommendation is forwarded to the City Council by the Planning & Zoning Commission. The application is available for public inspection Monday through Friday, holidays excepted, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Rodney Schmidt, at (281) 290-1410, rschmidt@tomballtx.gov.

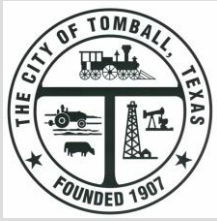
CERTIFICATION

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Brandy Pate

Brandy Pate
Senior Administrative Assistant
P&Z Commission Secretary

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Text Amendment Staff Report

Planning & Zoning Commission Hearing Date: October 14, 2013

ZONING CASE P13-143: Request by the City of Tomball to amend Section 38.2 (“Use Charts”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating a new land use called “Fortune Telling and Similar Activities,” permitting it with a Conditional Use Permit (CUP) in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 (“Definitions”) by creating a definition for “Fortune Telling and Similar Activities.”

BACKGROUND

On August 28, 2013, an individual contacted the City of Tomball inquiring whether a psychic, astrology, and palm/tarot card/crystal reading land use was a permitted use within City limits. City staff informed this individual that the proposed land use was not listed in Section 38.2 (“Use Charts”) of the Zoning Ordinance and would need to be added in order to be allowed within the City. Consequently, the City is initiating the addition of this unlisted land use per Section 38.1 (“Conformance With The Use Charts”) of the Zoning Ordinance.

PROPOSED AMENDMENTS

Section 38.2 “Use Charts”

Types of Land Uses	Residential Zoning Districts							Non-Residential Zoning Districts							OT&MU	Parking Ratio (Also see Section 39)
	AG	SF-20-E	SF-9	SF-6	D	MF	MHP	O	GR			C	LI			
Personal & Business																
Fortune Telling and Similar Activities													C			1 space: 300 sf

Section 45.2 “Definitions”

Fortune Telling and Similar Activities: A use involving the foretelling of the future in exchange for financial or other valuable consideration. Fortune telling shall be limited to uses where the fortune is told through astrology, tarot card reading, crystal gazing, palmistry, or any similar means.

ANALYSIS

City staff is recommending that this land use be permitted with a Conditional Use Permit in the Light Industrial District. Based on research done by City staff of other zoned municipalities, it would appear that the most appropriate zoning classification for this land use is the Light Industrial District. This district provides robust adjacency considerations in the form of deeper building setbacks and screening/buffering requirements which are ideal for such a use. Moreover, in the City of Tomball, most of the industrially-zoned properties are adjacent to either residential zoning districts or uses. Requiring a CUP will further protect neighboring properties because they allow for

additional adjacency considerations to be incorporated into the design of the site and operation of the business.

The United States Fourth Circuit Court of Appeals upheld the right of a local government to allow fortune telling businesses with a Conditional Use Permit in Industrial zoning districts on February 26, 2013, (*Patricia Moore-King v. County of Chesterfield, Virginia*). The case ruling states, “With respect to an occupation such as fortune telling where no accrediting institution like a board of law examiners or medical practitioners exists, a legislature may reasonably determine that additional regulatory requirements are necessary.” City staff concurs with the Fourth Circuit Court of Appeals’ determination that fortune telling businesses require “additional regulatory requirements.” In this situation, the most appropriate “additional regulatory requirements” appear to be allowing this land use only in the Light Industrial District with a CUP.

The City’s authority to place particular uses in specific zoning districts is a well-established police power granted to it by the Tenth Amendment of the U.S. Constitution. The courts have established in several rulings (but more specifically in *City of Renton v. Playtime Theatres, Inc.*) that this power must be exercised in a way that is “content-neutral” in its application of time, place, and manner. In addition, it must provide an avenue for any lawful land use to be established somewhere within that municipality. City staff is recommending that Fortune Telling and Similar Activities be located in the Light Industrial District with a CUP because of the potential effects on an area rather than the content of the specific land use. Moreover, the land use is being given an opportunity to be established in an appropriate zone within the City. Consequently, it would appear that this recommendation is content-neutral, while still protecting a substantial property right.

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on September 30, 2013; no public comments have been received as of October 9, 2013.

RECOMMENDATION

Approval of the proposed amendments.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 14, 2013

Data Sheet

Topic:

Consideration to approve **ZONING CASE P13-148**: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

- Conduct a Public Hearing on **ZONING CASE P13-148**

Background:

Origination:

City of Tomball

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Brandy Pate, Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Notice of Public Hearing

P13-148 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
OCTOBER 14, 2013
&
CITY COUNCIL
OCTOBER 21, 2013**



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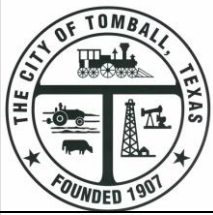
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Brandy Pate

Brandy Pate
Senior Administrative Assistant
P&Z Commission Secretary

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Text Amendment Staff Report

Planning & Zoning Commission Hearing Date: October 14, 2013

ZONING CASE P13-148: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

BACKGROUND

On July 15, 2013, City Council discussed allowing detached single-family residences on any existing 25-foot wide platted lots in the Old Town Area bound by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion. During this meeting, City Council deliberated allowing this provided all new detached single-family residences access the property from an alleyway, if available, and that they provide at least two off-street parking stalls. Per City Council’s direction, Staff is bringing forth this proposed amendment to help accomplish the City Council’s overall vision for the Old Town Area.

PROPOSED AMENDMENTS

Section 34.4 (“Area Regulations for Residential Uses”)

D. Non-Conforming Lots: Except in the Old Town Area, where a lawfully existing lot having less area, depth, or width than herein required existed in separate ownership on the effective date of Ord. No. 2004-09, the foregoing regulations relating to the size of such lot shall not prohibit the erection of a single-family dwelling thereon.

E. Non-Conforming Lots in the Old Town Area: For platted, non-conforming lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion, the following standards shall apply to allow for single-family detached residential uses only:

1. Size of Lots:

- a. Minimum Lot Area – Two thousand five hundred (2,500) square feet.
- b. Minimum Lot Width – Twenty-five (25) feet.
- c. Minimum Lot Depth – One hundred (100) feet.

2. Size of Yards:

- a. Minimum Front Yard – Fifteen (15) feet.

- b. Minimum Side Yard – Five (5) feet for interior lots and corner lots.
 - c. Minimum Rear Yard – Ten (10) feet.
 - d. Encroachment by building eaves and air conditioning compressors – Building eaves and air conditioning compressors may encroach no more than three (3) feet beyond building lines into the required rear and side yards.
- 3. Minimum Floor Area: Eight hundred (800) square feet of heated and/or air-conditioned floor area.
- 4. Maximum Heights
 - a. Two (2) stories / Thirty-five (35) feet for the main building.
 - b. One (1) story / Fifteen (15) feet for accessory buildings.
- 5. Alley Access: Lots which are adjacent to an alley shall provide vehicular access only from said alley. Alleys, in their entirety, shall meet minimum City standards or shall be improved, in their entirety, in order to meet minimum City standards.
- 6. Off-Street Parking: A minimum of two (2) off-street parking spaces shall be provided on the same lot as the main structure. For the purposes of this Subsection, the first two parking spaces contained in covered garages for each dwelling unit shall not be considered as off-street parking spaces. The minimum dimensions of each parking space shall be in accordance with Section 39.1; provided, however, two spaces shall not be less than twelve (12) feet by forty (40) feet, if aligned linearly. All driveways and parking areas shall be concrete or asphalt. If a lot is adjacent to an alley, all required off-street parking shall be provided within the rear of the lot and shall be accessed only from the alley.
- 7. Garages: A garage shall be provided on the same lot as the main structure. Those lots which are adjacent to an alley, and that have provided two off-street parking spaces which are accessible only from said alley, are exempt from this Subsection.
- 8. Architectural Requirements
 - a. Color Variation: New single-family detached residences shall not be predominantly painted in the same color as the structures adjacent or across from the lots in which they are constructed.
 - b. Roof Variation: New single-family detached residences shall not have the same roofline as the structures adjacent or across from the lots in which they are constructed.
 - c. Building Façade: The architectural style and scale of new single-family detached residences within the Old Town Area, as described in this Section, shall be constructed in the Colonial, Greek Revival, Creole, Arts & Crafts, or other similar style which is historically accurate, to the greatest extent possible, in order to preserve the unique character of Tomball's downtown area. To this end, a

Building Façade Plan shall be submitted as part of a Single-Family Site Plan Application consistent with requirements set forth in Section 34.6.

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on September 30, 2013; no public comments have been received as of October 9, 2013.

RECOMMENDATION

Staff recommends **APPROVAL** of Zoning Case P13-148.