



NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, DECEMBER 1, 2022, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

#### DECLARATION OF A QUORUM AND CALL TO ORDER

1. Approval of the Meeting Minutes for November 3, 2022.

#### PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance rezoning 0.3937 acres from the Commercial General District to the Central Business District, for property located at the Southeast corner of E. Peach St. at S. Velasco St., Hwy 288B, Angleton, TX; situated on Lot(s) One (1), Two (2), Three (3), and the west ½ of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas
3. Discussion and possible action on an Ordinance amending the Code of Ordinances of the City of Angleton, Texas, by amending and revising Chapter 8.5 Food and Food Establishments Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally, and Sec.8.5-63. Unrestricted And Restricted Mobile Food Unit Regulations as contained in "Exhibit A"; Adopting Sec 8.5-66. Mobile Food Courts as contained in "Exhibit B"; providing for the regulation of food and food establishments; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

#### REGULAR AGENDA

4. Consideration of approval of a final plat for Smart Storage, for a 12.390-acre subdivision.
5. Presentation, discussion, and possible comment on a Site plan, for Angleton Park Place Sections 4-6; Presentation of Site plan, 70.838 acre tract in the southeast area of Angleton, Texas (60 ft. Lot option). No action is required.
6. Presentation, discussion, and possible comment on a potential Rezoning Request, for a potential industrial development site located on 15.482 vacant acres on the North side of Hwy. 220, east of Shanks Road, for property currently zoned PD District. No action is required.

## ADJOURNMENT

## CERTIFICATION

I, Otis T. Spriggs, AICP, Development Services Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, [www.angleton.tx.us](http://www.angleton.tx.us), in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, November 28, 2022, by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Otis T. Spriggs

Otis T. Spriggs, AICP

Development Services Director

*In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending City Council meetings. The facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary at 979-849-4364, extension 2115 or email [citysecretary@angleton.tx.us](mailto:citysecretary@angleton.tx.us).*



**DRAFT**

Item 1.

**CITY OF ANGLETON  
PLANNING AND ZONING COMMISSION  
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515  
THURSDAY, NOVEMBER 03, 2022 AT 12:00 PM**

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**MINUTES**

**THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON PLANNING AND ZONING COMMISSION IN THE ORDER THEY OCCURRED DURING THE MEETING. THE PLANNING AND ZONING COMMISSION OF ANGLETON, TEXAS CONVENED IN A REGULAR MEETING ON THURSDAY, NOVEMBER 03, 2022, AT 12:00 PM, IN THE ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.**

**DECLARATION OF A QUORUM AND CALL TO ORDER**

With a quorum present, Chair Garwood called the Commission Meeting to order at 12:00P.M.

**PRESENT**

- Chair William Garwood
- Commission Member Henry Munson
- Commission Member Bonnie McDaniel
- Commission Member Ellen Eby
- Commission Member Deborah Spoor
- Commission Member Michelle Townsend

**ABSENT**

Commission Member Regina Bieri

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**DECLARATION OF A QUORUM AND CALL TO ORDER**

**1. Approval of the Meeting Minutes for November 03, 2022**

Motion was made by Commission Member Ellen Eby to approve the minutes subject to corrections; Motion was seconded by Commission Member Michelle Townsend.

Commission Action: Motion Carried unanimously, 6-0 vote.

**2. Presentation and primer discussion on Planning and Zoning issues, the role of the Planning and Zoning Commission, matters related to public meeting procedures, City Code of Ordinances, and Zoning Code procedures. Discussion may include rules on agenda matters which may require recommendations and findings of fact to be forwarded to City Council for final adoption. No action is required.**

Judith ElMasri, *Randle Law Office Ltd., L.L.P.*, introduced herself under her role as City Attorney. She noted that this is her first time being invited before the commission. She noted that she watches the P&Z Commission on video at times. Ms. ElMasri added that Grady Randle, her boss wrote the handout of articles (attached) which has been modified over time; it is provided as a general primer. She stated that she is merely providing the Commission with information that she hasn't been given the benefit of providing before.

Ms. ElMasri added that the handout/information is provided about the City and what the general authorities are, as well as information about who's in Building/Development Services and their roles. In the rear of the document are the criminal penalties along with penal code provisions. Ms. ElMasri reminded the P&Z Commission that the City has a new Charter, as amended with over 80 provisions. Also, Section 28.22 of the city code reference is also provided in the packet, including term-limitations and vacancies.

The job of the Planning and Zoning Commission was reviewed regarding the administrative body needing the majority to vote on matters. The draft of P&Z procedures/guidelines and bylaws were also provided.

Ms. ElMasri noted the importance of the Texas government code, the Texas open meetings law, and the public meetings act. All our records and documents are subject to public information. She added that the Texas open meetings law is a handy reference. *Roberts Rules of Order* was discussed and recommended. A "walking quorum" was explained, regarding discussions that occur as a chain-reaction (*having an indirect meeting of a quorum of 4 or more people outside the meeting room*). Simple majority voting actions are allowed. Ms. ElMasri reiterated that she is mentioning these areas, not that there is an issue locally, but because these are hot topics around the state. She asked that the Commission take time to look at the draft procedures and to note whether they are workable or not. This will serve towards transparency. She ended by saying that joint meetings are allowed with City Council.

## PUBLIC HEARINGS AND ACTION ITEMS

3. **Conduct a public hearing, discussion and possible action on a Zoning Text Amendment request to amend the Code of Ordinances, Section 28-81(b)- Use Regulations (Charts), and Section 28-112, Definitions (adding Microblading Studio), and adding "Microblading Studio" as a S.U.P., Specific Use Permit allowance within the Central Business District (CBD), Light Industrial (LI), C-MU, Commercial- Mixed Use(C-MU), Commercial- General (C-G), and Commercial- Office/Retail (C-OR) Zoning Districts.**

Mr. Spriggs gave staff summary comments and introduced the text amendment agenda item. He added that Staff will be bringing a series of code text amendments, due to innovative and technological advances. He stated the department received a petition for a microblading studio, which is a service that provides for temporary tattoos for cosmetic purposes.

The current Zoning statues do not allow for tattoo parlors or uses within the Central Business District (Downtown). Staff is requesting Commission consideration for the microblading use to be allowed as an accessory use to a cosmetic studio, as a Specific Use Permit.

This procedure does not use the same method as a tattoo studio but uses a similar application, but on a lighter level with a 2-3 year life span. The use is regulated by the state, and professionals have to obtain a state license similar to tattooing.

Staff is recommending that the Planning & Zoning Commission approve this text amendment to allow microblading as a Specific use in the Commercial districts listed in the use chart.

**The public hearing was opened by Chair Garwood without objection.**

**The public hearing was conducted and closed by Chair Garwood without objection.**

**Planning and Zoning Commission Deliberation:**

Commission Member Bonnie McDaniel commented that once we open this up, what other options do we have that we may not want: Is there any negative side to this?

Mr. Spriggs noted that staff looked at several surrounding cities like Pearland, who have allowed similar regulations as this, but we are aware of no negative ramifications.

**Public Input:** Jennifer Bell, owner of the Beau Bazaar Salon, clarified that she is just adding the service to her hair salon that has been there since 2016. One of her employees has the license to do the makeup type of services.

Mr. Spriggs added that this is specifically for this address by SUP permit only. Any other address would have to petition or request the same process and approval to operate.

Motion was made by Commission member Ellen Eby to amend the Code Ordinances to amend the language as reflected on the agenda, as recommended by staff and to forward it to Council. Motion was seconded by Commission Member Debra Spoor.

**Roll call vote:**

Commission Member Henry Munson- Aye; Commission Member Bonnie McDaniel- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Michelle Townsend- Aye; Chair William Garwood- Aye.

Motion Carried unanimously, 6-0 vote.

**4. Conduct a public hearing, discussion, and take possible action on an application for a Special Use Permit (SUP) pursuant to Sec. 28-63 of the Code of Ordinances to consider a request submitted by Jennifer Bell, Beau Bazaar Salon, to allow for a Specific Use Permit for a Microblading Studio for property located at 115 E. Mulberry Street, Angleton, TX.**

Mr. Spriggs presented the request and staff summary comments noting the location and conditions of approval.

Chair William Garwood asked if staff had an opinion on the typical requirement of time limitations on certain Specific Use Permits. Mr. Spriggs commented that staff did not support a time limitation in this instance, due to a lack of public concern, ease of permitting, and noted that all owners within 200 ft. were notified.

**The public hearing was opened by Chair Garwood without objection.**

**The public hearing was closed by Chair Garwood without objection.**

**Planning & Zoning Commission Discussion:**

Commission Member Michelle Townsend asked for clarification on the address at 115 E. Mulberry of whether there were other businesses at this address (Should this be a suite number?) The applicant clarified the Suite is "C".

**Commission Action:**

Motion was made by Commission Member Michelle Townsend to approve the S.U.P. permit pursuit to the adoption of the text amendment by City Council, for Beau Bazaar Salon SUP permit for a microblading use, at 115 E. Mulberry St., Suite C. Motion was seconded by Commission Member Henry Munson.

**Roll call vote:**

Commission Member Henry Munson- Aye; Commission Member Bonnie McDaniel- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Michelle Townsend- Aye; Chair William Garwood- Aye.

Motion Carried unanimously, 6-0 vote.

**REGULAR AGENDA**

5. **Consideration of approval of a final plat for Smart Storage, for a 12.390-acre subdivision.**

**This item was pulled from the agenda**

6. **Presentation, discussion, and possible comment on a Site plan, for Angleton Park Place Sections 4-6; Presentation of Site plan, 70.838 acre tract in the southeast area of Angleton, Texas. No action is required.**

The applicant's Engineer, Miguel Saucedo appeared on behalf of Mike Morgan in his absence. Miguel Saucedo explained that Mike Morgan is doing a feasibility study for this land, which is south of his existing subdivision Angleton Park Place Sections 1-3. He would like to see if this is something the City is interested in, or if you would give

feedback on what your expectations are for the land. He added that it will be a Manufactured Home rental park, with sub-lots which will be rented. There will be amenities for both communities on both sides of Gifford Rd. One of the positives, is that Mr. Morgan would build the entire cross section of Gifford Road extension from E. Phillips Road to the frontage of his subdivision.

Commission Member Debra Spoor asked are we looking at 335 mobile homes? She stated that she heard a discussion that we are fully occupied; What number would we assume would be the number of residents per lot for a mobile home (for load on the sewer system)? She noted that this will be a fairly high density.

Mr. Spriggs clarified that the question is, what is the total number of family members per lot? Engineer Miguel Saucedo stated that the mobile homes would be double wide or standard width ( 3 or 4 bedrooms).

Engineer Miguel Saucedo noted that there is an interest in getting City services to both tracts. The acreage on east of Gifford is in the City, the side on the left is in the County.

Commission Member Debra Spoor expressed concern about high density and the load on our water and sewer services. Engineer Miguel Saucedo asked Ms. Spoor would she be more tolerable at a lower density like the existing Angleton Park Place. Ms. Spoor replied yes, with a large lot more conducive to actual homes. It would bring more enhancement to the southern half of our city.

Mr. Spriggs asked the applicant to comment on the status of whether they wish is to annex? Engineer Miguel Saucedo noted that Mike Morgan is asking for city utilities, if allowed he would annex. The conclusion was an "SF-7" Residential District would be more acceptable at a 60 ft. lot layout.

Commission Member Bonnie McDaniel commented on the limitation of available taps in terms of utility capacity. She added that we must pick and choose favorites: We have to ration our resources.

**7. Presentation, discussion, and possible comment on a conceptual site plan, for a Rent-to Build Community on Cahill Road. The proposed project consists of 5.17 acres Rental Community, 30 Rental Townhouse Units & Amenity Center. No action is required.**

Lisa Pelletier appeared before the P&Z Commission, representing her developers. She is an Angleton resident and realtor. She noted that inventory was a problem recently. With the explosion of subdivisions here, they love it down here. She added that on the subject 5+ acres, our city is lacking high end rental properties. Starter families is who she is marketing for, due to home costs. There are no rentals in Angleton that are new. We are talking of 30 homes, not as AirBnb., with splash pad amenities, and with an HOA,

averaging 1750 sq.ft. (\$2000 and up rent). This will be a townhome look with rear yards, and separate driveways. She noted that “BTR”, *build to rents* are popular.

Ms. Pelletier noted that Cahill Road would be extended to Gifford Rd. possibly.

### **Commission Discussion:**

Who owns the property to the East, Commission Member Debra Spoor asked? Ms. Pelletier stated that they would be purchasing the property. Commission Member Debra Spoor asked, “Have you talked with City people?” And, you show detention area, what is the trees are an issue. Engineer Miguel Saucedo stated that they will comply with the Heritage Tree Ordinance. The pond will take some trees out, but they will be replaced at the proper ratio. Some of the oaks will be preserved.

Commission Member Bonnie McDaniel expressed concerns about the roadway being extended without curb and gutter. She added that taps and capacity is also an issue of concern. Engineer Miguel Saucedo explained that the road along the frontage will have to be concrete, as an alternative they would go out of the way to extend further to Gifford and to Shanks. We could do either/or; or provide the connectivity. Commission Member Debra Spoor expressed concerns about children safety to school (sidewalks).

Commission Member Ellen Eby expressed concerns about lot sizes, and the placement of utilities.

Engineer Miguel Saucedo stated it will be one lot, laid out with approximate sizes of 41x80 deep units. Utilities will be in a 20-ft. easement along the front. Ordinance was changed for homes, these would be more PD/ MF style. The applicant was advised to speak with the neighbors.

Commission Member Bonnie McDaniel asked about the status of the Comprehensive Plan, of any updates and a seriously look at good land use, which would address a lot of the Commission’s concerns.

Mrs. Spriggs noted that the City Manager Mr. Whitaker has made it a priority to obtain resources and update to the plan.

## **ADJOURNMENT**

**Chair Garwood adjourned the meeting at 1 P.M.**

**These minutes were approved by Angleton Planning and Zoning Commission on this the XX day of XX 2021, upon a motion by Commission Member XX, seconded by Commission Member XX. The motion passed on X-X vote.**

**CITY OF ANGLETON, TEXAS**

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**William Garwood**



Chair

ATTEST:

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Michelle Perez, TRMC  
City Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 0.3937 ACRES SITUATED ON LOT(S) ONE (1), TWO (2), THREE (3), AND THE WEST ½ OF LOT (4), IN BLOCK TWENTY (20), OF THE CITY OF ANGLETON, A SUBDIVISION IN BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS; FROM THE COMMERCIAL GENERAL DISTRICT (C-G) TO THE CENTRAL BUSINESS DISTRICT (CBD); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on December 1, 2022; and

**WHEREAS**, the City Council conducted a public hearing on December 13, 2022; and

**WHEREAS**, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

**WHEREAS**, the Planning and Zoning Commission, on December 1, 2022, made findings of fact that rezoning of the property to the CBD zoning district would be consistent with the zoning adjacent property, the recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

**WHEREAS**, the City Council, on December 13, 2022, adopted by reference the findings of fact made by the Planning and Zoning Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**SECTION 1:** That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

**SECTION 2:** That the 0.3937 situated on Lot(s) One (1), Two (2), Three (3), and the west ½ of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas be rezoned from the Commercial General District (C-G) to the Central Business District (CBD).

**SECTION 3:** That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning

district classification.

**SECTION 4:** That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

**SECTION 5:** That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

**SECTION 6:** That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

**SECTION 7:** That this Ordinance shall be effective not less than 10 days from the date of its passage and in accordance with the time set forth in the City Charter and the City Secretary is directed to cause the descriptive caption of this Ordinance to be published in the official newspaper of the City, at least once within ten days after the passing of the Ordinance.

**SECTION 8:** That this Ordinance shall be in full force and effect from and after \_\_\_\_\_.

PASSED AND APPROVED this 13th day of December, 2022.

\_\_\_\_\_  
Jason Perez  
Mayor

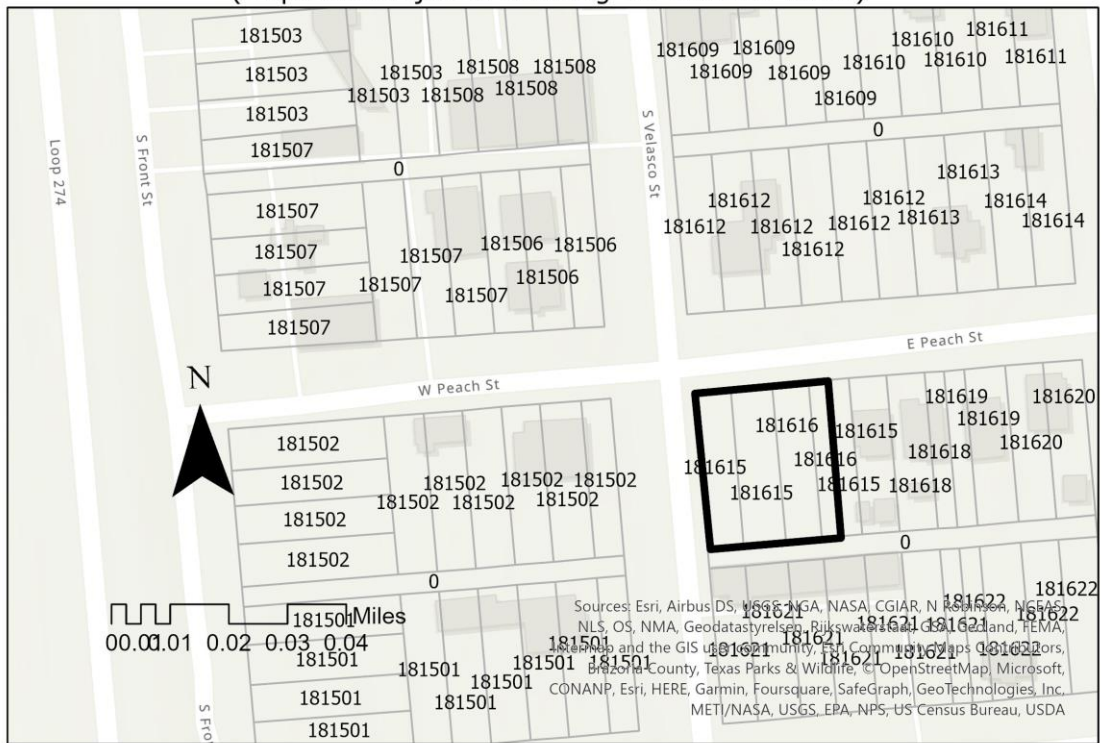
ATTEST:

\_\_\_\_\_  
Michelle Perez, TRMC  
City Secretary

### Exhibit A

Lot(s) One (1), Two (2), Three (3), and the west 1/2 of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas

(Properties Subject to Rezoning are Outlined Below)

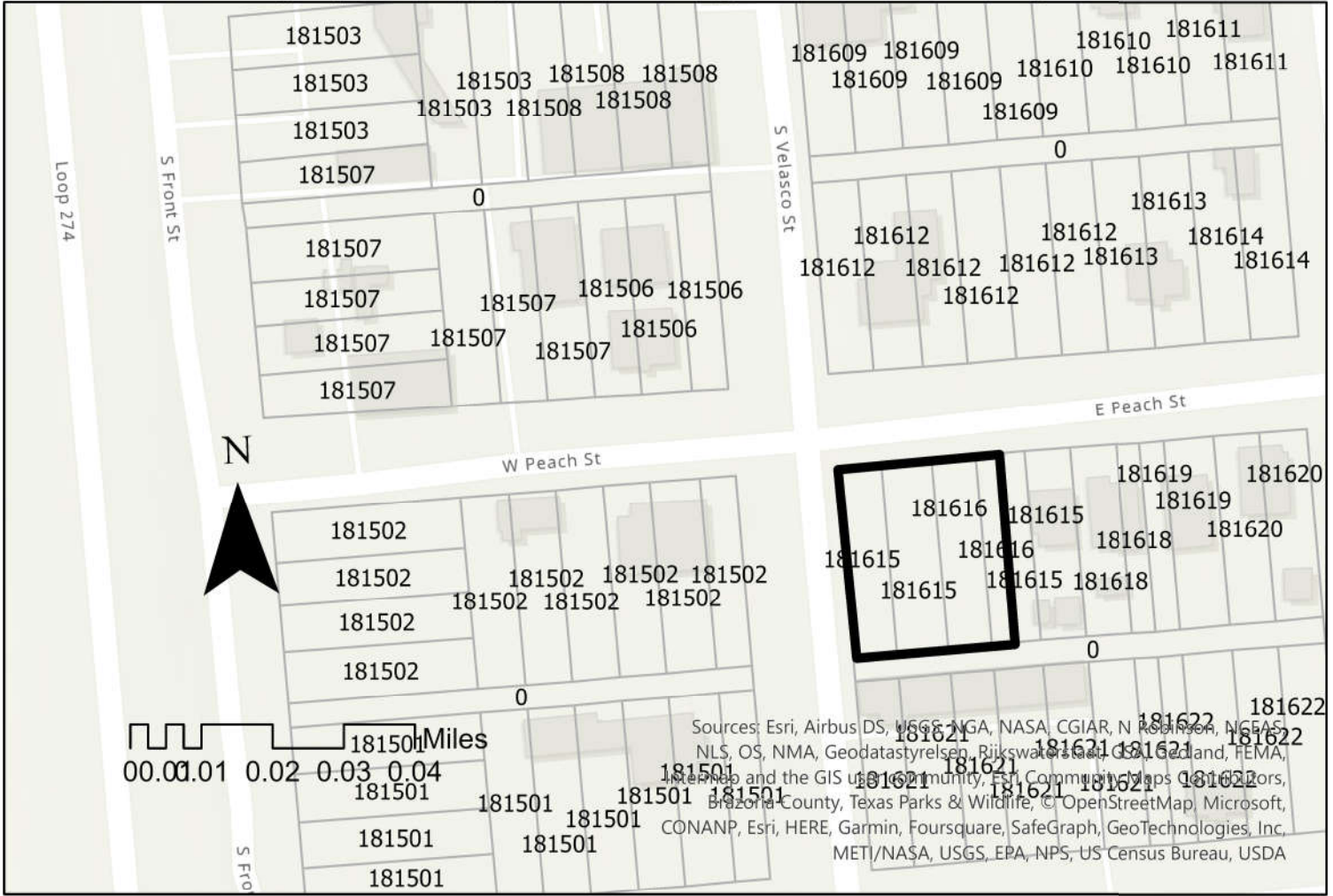


# Exhibit A

Lot(s) One (1), Two (2), Three (3), and the west 1/2 of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas

Item 2.

(Properties Subject to Rezoning are Outlined Below)



# Zoning MAP

Item 2.



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastwreken, Rijkwsterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Brazoria County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Fourquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 1, 2022

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance rezoning 0.3937 acres from the Commercial General District to the Central Business District, for property located at the Southeast corner of E. Peach St. at S. Velasco St., Hwy 288B, Angleton, TX; situated on Lot(s) One (1), Two (2), Three (3), and the west ½ of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas

**AGENDA ITEM SECTION:** Public Hearing and Action Item

**BUDGETED AMOUNT:** N/A **FUNDS REQUESTED:** N/A

**FUND:** N/A

### EXECUTIVE SUMMARY:

This is a request from Mike and Megan Mainer to rezone approximately 0.3937 acres of land located at the Southeast corner of E. Peach St. at S. Velasco St., Hwy 288B, Angleton, TX; ANGLETON, BLK 20 LOT 1-4. (321 S. Velasco St., adjacent), from the Commercial General District to the Central Business District.

The applicant's primary purpose of this request to rezone the subject property is to promote conformity to the spirit and intent of the Comprehensive and Land Use Plan as well as the City of Angleton Livable Centers Downtown Study recommendations for infill development.

### Review Criteria and Findings of Fact:

In making a determination regarding a requested zoning change, the planning and zoning commission and the city council shall consider the following factors:

- a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. *(Staff concurs appropriateness is achieved).*
- b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; *(There will be no negative impact on said capacity of public improvements).*

- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; (*Opportunities for infill development are adequate in the surrounding area.*)
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change (*Positive and consistent downtown growth and promotion is occurring.*)
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (*This rezoning will be a catalyst for other downtown reinvestment.*)
- f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. (*No factors will negatively affect the public health, safety, morals or general welfare.*)

Future Land Use Map





The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property requested to be rezoned as appropriate for downtown activity. The downtown category is described in the plan as:

*The downtown land use category represents a substantial blend of uses found only in the central core of a community including residential, office/retail and public/institutional. The category is recognition that a myriad of uses are both appropriate and necessary for success of the Downtown District. The appropriate mix of uses may include government facilities and offices, retail, office and low to medium density residential activity. Places of worship, meeting halls and other public/semi-public facilities are equally appropriate to this particular category. The dynamic mix of uses will continue to provide downtown Angleton a character that is unique in comparison to other areas of the community.*

*The subject site is also part of the footprint highlighted as part of the Angleton Livable City Center Study which was adopted as part of the Comprehensive Plan by City Council. Action item 13 of the Economic Recommendations facilitates downtown commercial and redevelopment opportunities in this area of downtown Angleton. Infill development is encouraged. The creation of the Greater Peach Street District resulting from the Peach street farmers market (PSFM) area expansion, acts as a catalyst for small business and infill development in downtown.*

### Existing Land Use and Zoning

**North:** Single Family Home, zoned Commercial-General (C-G)

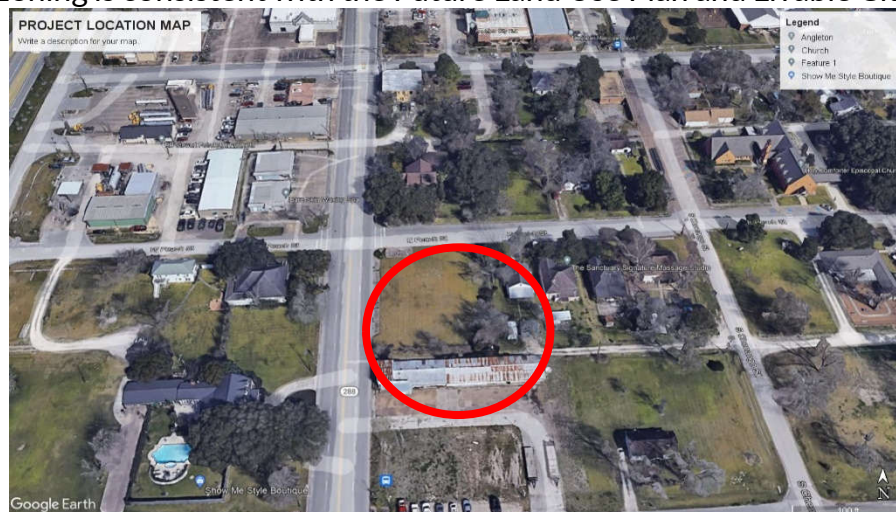
**West:** J. Ray Gayle Law Office, zoned Commercial-General (C-G)

**South:** Monarch Hair Studio, zoned Commercial-General (C-G)

**East:** Single Family Home, zoned Commercial-General (C-G)

### Conclusion

The proposed rezoning is consistent with the Future Land Use Plan and Livable City Center Study.



# SITE PHOTOS

Item 2.



**VIEW LOOKING SOUTH AT PROJECT SITE**



**VIEW LOOKING SOUTH AT PROJECT SITE**



**VIEW LOOKING NORTH ON S. VELASCO, SITE ON RT.**



**VIEW LOOKING SOUTH AT ADJACENT HOME**



**VIEW LOOKING WEST ACROSS S. VELASCO**



**VIEW LOOKING SOUTHWEST @HOMES NEXT DOOR**



**VIEW LOOKING NORTH AT PROJECT SITE**



**VIEW LOOKING NORTH ACROSS E. PEACH ST.**



**VIEW LOOKING WEST ALONG E. PEACH STREET**



**VIEW LOOKING WEST ALONG E. PEACH STREET**

**RECOMMENDATION:**

Staff recommends approval of the ordinance rezoning an approximate 0.3937 acres of land from the Commercial General District (C-G) to the Central Business District (CBD).

**SUGGESTED MOTION:**

I move we recommend approval of the ordinance rezoning an approximate 0.3937 acres of land from the Commercial General District (C-G) to the Central Business District (CBD) to City Council for final action and approval.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 1, 2022

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Discussion and possible action on an Ordinance amending the Code of Ordinances of the City of Angleton, Texas, by amending and revising Chapter 8.5 Food and Food Establishments Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally, and Sec.8.5-63. Unrestricted And Restricted Mobile Food Unit Regulations as contained in "Exhibit A"; Adopting Sec 8.5-66. Mobile Food Courts as contained in "Exhibit B"; providing for the regulation of food and food establishments; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** N/A      **FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:** At the request of the City Manager, Staff is introducing text amendment changes to the Food Truck Ordinance for consideration. This will enable greater flexibility for food truck permits in the City of Angleton. Food Truck Courts is also addressed for your consideration, as we are experiencing an increase in interest and demand for more flexibility in mobile food unit vending.

**BACKGROUND AND HISTORY:**

**City Council Discussion and Feedback:** April 26, 2022.

City Manager Chris Whitaker and Judith ElMasri, City Attorney presented the item for discussion to City Council. Details on duration of permits was discussed and measures for provided for solidity in scheduling was discussed. Parking/Surfacing requirements, dining/seating, noise impact and abatement, lighting and security, restroom definitions and requirements (permanent), access to a commercial kitchen were discussed.

**Town Hall: Food Court Ordinance:** June 28, 2022

At this meeting, City leadership staff gathered input from community stakeholders and the City's mobile food truck businesses to explore proposed amendments and revisions to the Angleton Code of Ordinances Chapter 8.5 – Food and Food Establishments. The proposed re-write of the existing Food Truck Ordinance enables greater flexibility for food truck permits and addresses consideration of food truck courts. Public input on the proposed ordinance was gathered by City staff members and presented to the City Council for consideration and we are now seeking possible action and adoption of the new guidelines.

Link to the Town Hall Meeting (6/28/2022) video can be accessed here:

<https://angletontx.new.swagit.com/videos/176488?ts=2>

### Summary of Public Comments/Notes:

- Present were business owners, Council Representation, City Manager, and D.S. staff including the Health Department.
- Defined: Food Courts involving food trucks
- Stipulations with drink standards
- Easier to obtain and maintain permits for a longer duration
- Allowance for flexibility in business hours.
- Roadside food vendor was defined.
- Section 8.5-10: A permit is not required for a beverage stand for a child age 17 or under.
- Operating on (M-S); Sundays was considered and added.
- Restroom written agreement if business is within 150 ft., during hours of operation.
- New regulations for Mobile Food Courts are proposed.
  1. Hookups for electricity and potable water.
  2. Restroom provision
  3. Not allowed on blocks
  4. Subject to the Noise Requirements
  5. Trash/Waste disposal
  6. Parking lots must be concrete or asphalt
  7. Unit separation by 10 Feet.
  8. Food Court use has to be within allowable restaurant zoning district
  9. Site Plan requirements; City Council appeal process.
  10. Seating (Setback requirements of 10 ft.).
  11. MFU will be inspected and permitted. (6 months)
  12. Alcohol sales within a permit building per TABC requirements.



**Text Amendment Summary of Changes:**

*Food Court and Road Food Vendor terms are now defined in the definitions Section 8.5-2 (See Exhibit A) as follows:*

*Mobile food court* means a property used or developed to accommodate one or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary use, accessory use, or temporary use (less than 30 days).

*Roadside Food Vendor* means a person who operates a mobile retail food store from a temporary location adjacent to a public road or highway. Food is not prepared or processed by a roadside food vendor. Roadside food vendors are classified as mobile food units (MFU).

**Secs. 8.5-66. Mobile Food Courts (Added Section, See Exhibit B)**

(a) Mobile Food Court Requirements.

(1) Mobile food court site shall be designed and intended for the use of mobile food units as the primary use of the property.

Items 1-12 outlined above in this report are detailed in Exhibit B.

**RECOMMENDATION:** The Planning and Zoning Commission should conduct the public hearing, receive public comments and feedback, hold discussion and consider taking action to approve the proposed Mobile Food Unit/Court text amendments and forwarded to city council for approval subject to any recommended changes or conditions.

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, BY AMENDING AND REVISING CHAPTER 8.5 FOOD AND FOOD ESTABLISHMENTS ARTICLE I. IN GENERAL, SECTION 8.5-2. DEFINITIONS, ARTICLE II. PERMIT, SECTION 8.5-10. REQUIRED, SECTION 8.5-11. DURATION, ARTICLE III. INSPECTIONS, SECTION 8.5-20. ANNUAL INSPECTIONS, REINSPECTIONS, AND NEW INSPECTIONS, ARTICLE V. TEMPORARY AND MOBILE FOOD ESTABLISHMENTS, SECTION 8.5-62. MOBILE FOOD ESTABLISHMENTS; GENERALLY AND SEC.8.5-63. UNRESTRICTED AND RESTRICTED MOBILE FOOD UNIT REGULATIONS AS CONTAINED IN “EXHIBIT A”; ADOPTING SEC 8.5-66. MOBILE FOOD COURTS AS CONTAINED IN “EXHIBIT B”; PROVIDING FOR THE REGULATION OF FOOD AND FOOD ESTABLISHMENTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

**WHEREAS**, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to amend and revise Chapter 8.5 Food and Food Establishments, Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally and Sec.8.5-63. Unrestricted and Restricted Mobile Food Unit Regulations and adopt the amended ordinances as contained in “Exhibit A”; and

**WHEREAS**, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to adopt Chapter 8.5 Food and Food Establishments, Article V. Temporary and Mobile Food Unit Establishments, Section 8.5-66 Mobile Food Courts as contained in “Exhibit B”; and

**WHEREAS**, the City of Angleton is a home rule city acting pursuant to its charter and City Council now finds the need to amend and revise Chapter 8.5 to promote the public health, safety and welfare of its citizens; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**SECTION 1.** All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

**SECTION 2.** The City of Angleton, Code of Ordinances, Chapter 8.5 Food and Food Establishments, Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally and Sec.8.5-63. Unrestricted and Restricted Mobile Food Unit Regulations are hereby amended and revised to read as contained in “Exhibit A”.

**SECTION 3.** The City of Angleton adopts Chapter 8.5 Food and Food Establishments, Article V. Temporary and Mobile Food Unit Establishments, Section 8.5-66 Mobile Food Courts as contained in “Exhibit B”.

**SECTION 3.** Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense

**SECTION 4.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**SECTION 5.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances 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 Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 6.** That this Ordinance shall be effective and in full force immediately upon its adoption.



**PASSED AND APPROVED THIS THE 12TH DAY OF APRIL 2022.**

CITY OF ANGLETON, TEXAS

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Jason Perez  
Mayor

ATTEST:

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Michelle Perez, TRMC  
City Secretary

**“EXHIBIT A”**

## Sec. 8.5-2. Definitions.

For purposes of this chapter, the words, terms and phrases set forth in the Texas Food Establishment Rules (TFER) as definitions shall have the meanings set forth therein. Additionally, the following words, terms and phrases shall have the meanings set forth below except where the context clearly indicates a different meaning:

*Authorized agent or employee* means an employee(s) of the City of Angleton.

*Caterer* means any person or entity that transports complete meals from an approved establishment to another location for consumption but shall not include persons operating restaurants that routinely deliver food on order or persons that deliver a product or distribute a product to vending machines.

*Commissary or central preparation facility* means a facility that mobile food service establishments use to dispose of waste and to obtain supplies.

*Food establishment or food service establishment* means an operation that stores, prepares packages, serves, vends, or otherwise provides food for human consumption as follows:

- (1) A restaurant, retail food store, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, ending location, (machine), self-service food market, conveyance used to transport people, institution, or food bank;
- (2) An establishment that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout order, or delivery service that is provided by common carriers; and
- (3) Includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on- or off-premises; and regardless of whether there is a charge for the food.
- (4) Food establishment does not include an establishment that offers only prepackaged foods that are not time/temperature controlled for safety food, a produce stand that only offers whole, uncut fresh fruits and vegetables, a food processing plant, a cottage food industry, an area where cottage food is prepared, sold or offered for human consumption, a bed and breakfast limited facility as defined in the TFER, or a private home that receives catered or home-delivered food.

*Mobile food court* means a property used or developed to accommodate one or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary use, accessory use, or temporary use (less than 30 days).

*Mobile food unit (MFU)* means a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to, catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile ~~Food~~ ~~Units~~ must completely retain their mobility at all times. A mobile food unit does not include a stand or a booth. A roadside food vendor is classified as a MFU.

*Mobile food unit - additional permit* means a mobile food unit operated by an existing permitted food establishment that provides an additional source of food service and also includes multiple mobile food units operated by the same owner. The owner is legally considered to be the person holding the food establishment's permit or the food permit(s) for the multiple mobile food units.

*Nonprofit organization* means an incorporated organization which exists for educational or charitable reasons, and from which its shareholders or trustees do not benefit financially. Nonprofit status must be verified by submission of supporting documentation, such as an IRS form 501c.

*Person in charge* means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

*Public property.* The term "public property" shall mean any property open or devoted to public use or owned by the city, including, but not limited to, sidewalks, streets, rights-of-way, parks, and municipal buildings. This definition does not include property owned by any county entity.

*Public rights-of-way.* The term "public rights-of-way" shall mean the surface, the air space above the surface, and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, parkway, waterway, easement, or similar property in which the city or the State of Texas now or hereafter holds any property interest.

*Regulatory authority* means the City of Angleton, Texas.

*Roadside Food Vendor means a person who operates a mobile retail food store from a temporary location adjacent to a public road or highway. Food is not prepared or processed by a roadside food vendor. Roadside food vendors are classified as mobile food units.*

*Temporary food establishment* is a food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration. This may include a stand or a booth.

*Texas Food Establishment Rules ("TFER")* means the rules promulgated by the Texas Department of State Health Services with an effective date of October 11, 2015, and set forth in 25 Texas Administrative Code, Chapter 228, Subchapters A—J, and as such rules may be hereafter amended.

*Time/temperature control for safety food (TCS)* means a food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

### **Sec. 8.5-10. Required.**

- (a) *Required permit.* A food establishment, caterer, temporary food establishment, mobile food unit, child care center or group residence that provides food service shall only be operated

with a valid permit issued by the city. Permits are not transferable from place to place or person to person, except that, mobile food service establishments may retain the same license when moving from place to place as long as the vehicle remains the same. A valid permit shall be posted in public view in every establishment. Each and every food establishment, whether under one roof or not, shall be considered a separate establishment, and a permit must be obtained for each establishment. Each such establishment is subject to the requirements in this chapter. A valid permit must be posted at a clearly visible and accessible location near the entrance, or part of the premises most commonly approached by the public, of every food establishment regulated by this chapter. A permit is not required for the operation of a beverage stand operated by a child age 17 or under. Additional requirements for a mobile food unit permit are listed below in section.

(b) *Filing of application.* Any person desiring to operate an establishment covered by this article shall make written application and pay the nonrefundable fee set out section 8.5-12, or as amended or stipulated in fee schedule approved by city council. Such application shall include, but not be limited to, the following:

- (1) The applicant's full name, post office address and street address;
- (2) Whether such applicant is an individual, firm or corporation and, if a partnership, the name of each partner and his address;
- (3) The location and type of the proposed food service establishment;

~~(4)~~ (i) if the permit is for a mobile food unit, in addition to the requirements listed in this section, the application must include: Dates of event for the food service establishment;

(A) type of vehicle to be used for the proposed mobile food unit;

(B) a menu listing of all food items to be sold;

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(C) a notarized statement from the owner of a central preparation facility stating the mobile food unit uses the facility as its base of operation; and

(D) a copy of the most recent health inspection of the central preparation facility which must be maintained on the mobile unit at all times.

(E) Dates of event for the food service establishment

~~(54)~~ The signature of the applicant; and

~~(65)~~ All other information deemed necessary by the city.

~~(e)€~~ *Texas Food Establishment Rules.* All of the food uses described in this article shall be governed by all applicable Texas Food Establishment Rules.

(d) *Filing of a food manager certificate.* A copy of the certified food manager certificate must be submitted with the license application or renewal.

(e) *Exemption.* Temporary food establishments and establishments that serve, sell, or distribute only prepackaged non-TCS foods are exempt from this section.

(f) *Inspection.* After the application has been submitted and all fees paid, the regulatory authority shall inspect the food service establishment for compliance with this chapter. If the establishment complies with this chapter, the regulatory authority shall issue the license.

Mobile food units must comply with all requirements listed under 25 Texas Administration Code 288.221 and under Article V of this Chapter, as amended.

- (g) *Administrative rules.* The city manager reserves the right to develop checklists, application forms, and other forms as necessary to administer the requirements of this article.

#### **Sec. 8.5-11. Duration.**

Permits shall be issued annually and shall extend from the date of issuance or renewal, as applicable. Annual renewal applications must be submitted at least 30 days prior to the expiration date of the permit. A permit shall be issued only if the establishment is in complete compliance with this chapter.

A mobile food unit (commonly known as a "food truck") permit shall be issued on an annual basis. A MFU that operates for a period of no more than three consecutive days in conjunction with a single event or celebration may obtain a temporary food establishment permit instead of a mobile food unit permit, however, a temporary food establishment permit may not be used in the place of a mobile food unit permit if the operator intends to operate their mobile food unit outside of a single event.

#### **Sec. 8.5-20. Annual inspections, reinspections, and new inspections.**

- (a) The city shall inspect each food establishment, including mobile food units, within the City of Angleton routinely on an annual basis, or as often as necessary to enforce this chapter.

#### **Sec. 8.5-62. Mobile food establishments; generally.**

- (a) *General requirements.*

- (1) *Designation of a central preparation facility.* Mobile food service establishments, including caterers and mobile food units that serve TCS foods shall operate from a central preparation facility, commissary, or other fixed food service establishment that is permitted and regularly inspected by the city or some other regulatory authority.
- (2) *Central preparation facility authorization.* A signed letter of authorization is required, to verify the facility use and to confirm that food and drink items will be provided to the operator for sale if the central preparation facility is not owned by the mobile unit operator.
- (3) *Central preparation facility inspection report.* A copy of the most current health inspection of the central preparation facility must be maintained on the mobile unit at all times.
- (4) *Food preparation.* Food prepared in a private home may not be used or offered for human consumption from a mobile food service establishment.
- (5) *Vehicle registration and insurance.* Mobile food service establishments must comply with all state and local laws pertaining to vehicle registration and insurance.
- (6) *Certified food manager.* Mobile food service establishments must have a certified food manager on site when preparing or selling food. Limited service mobile food units, as classified below, are exempt from this requirement.

(7) *Readily Movable.* Mobile food units must be mobile at all times. A MFU shall not be set on cinder blocks, have any flat tires, or be permanently attached to any outside equipment unless the equipment is for the specific purpose of fixing said MFU to make it readily movable once again.

**Sec. 8.5-63. Unrestricted and restricted mobile food unit regulations.**

(a) *Unrestricted mobile food units.* The following requirements apply to all unrestricted mobile food units:

(1) *Location.* Unrestricted mobile food ~~establishments~~units may operate at the following locations:

- a. At any construction site in any zoning districts as a mobile meal and snack commissary with periodic brief stops at construction sites;
- b. At school and church carnivals, special event, or conferences;
- c. At any catered event;
- d. On properties zoned Commercial-General (C-G), Commercial/Office Retail (C-OR), Central Business District (CBD), and Light Industrial (LI); and
- e. At public parks and other public facilities, subject to the approval of the parks and recreation director, city manager, as applicable, or their designee, and upon the execution of an agreement that would indemnify the City of Angleton and would assign the operator responsibility for any damages that may occur to city property, facilities, and to the health and well-being of the general public.

f. At a mobile food court in compliance with the zoning requirements in subsection (a)(1)(d) of this section.

INCLUDE SUNDAYS

(2) *Operation.*

a. Mobile Food Units may operate Monday through Saturday at any time except between the hours of 11pm-5am, subject to the restrictions in section (a)(1) of this section.

FORMAL OR INFORMAL AGREEMENT?

b. A mobile food unit must have a written agreement from a business within 150 feet for employees of the mobile food unit to have use of flushable restrooms (or other facilities as approve by the city) during hours of operation.

c. All mobile food units must be removed daily, unless otherwise stated in this subsection, and report to their central preparation facility for daily supplying, cleaning, or servicing operations.

(3) *Duration of events.* Unrestricted mobile food units ~~establishments are generally classified as a temporary use, except as specified below~~ permitted to operate under a temporary food establishment permit must operate in accordance with the following:

- a. Events may last for up to five hours before being removed from the site and are permitted for up to ~~two~~three days per week; unless the exception criteria spelled out below are applicable;



- b. The unit must be removed from the site daily and may not become a permanent use unless the use complies with all subdivision and zoning requirements that would regulate the establishment of a permanent use;
  - c. The only exceptions to the duration of event requirements are:
    - 1. A multi-day special event hosted by the City of Angleton, or by a church, a school, or a charitable organization, subject to the approval of a site plan that demonstrates that a multi-day event can be conducted in a manner that would comply with all requirements of this article and not disrupt adjoining businesses or properties; and
    - 2. At a block party, a special street event conducted in a public right-of-way upon, a national holiday, or at any other function that is not expressly permitted in this article by the city council.
- (b) *Restricted mobile food units* shall be subject to:
- (1) All of the requirements set out in section 8.5-63, subsection (a), with respect to location, operating hours, duration, and approval criteria.
  - (2) All of the requirements set out in section 8.5-63, subsection (a)(4)d, fire protection requirements for unrestricted mobile food units, shall be applicable to the degree that they pertain to the operation of any restricted mobile food units.

**“Exhibit B”**

**Secs. 8.5-66. Mobile Food Courts.**

(a) Mobile Food Court Requirements.

(1) Mobile food court site shall be designed and intended for the use of mobile food units as the primary use of the property.

(2) Each site at the mobile food court on which a mobile food unit will be located and operated shall be provided hookups for electricity and potable water. Each individual food truck is not permitted to operate a generator at the site unless emergency circumstances necessitate the need for the use of a generator on a temporary basis not to exceed two hours within any given six-hour period of time.

(3) Permanent restrooms located within a permitted building or structure must be provided on-site within the food truck court for the use of the mobile food unit’s and the mobile food court’s customers, operators and employees. Alternatively, the mobile food court may have a written agreement from a business within 150 feet for use of flushable restrooms (or other facilities as approved by the city). A written agreement must be on file with the City.

a. All restrooms must be kept in sanitary and healthy conditions and must be equipped with sinks, soap, paper towels, toilet paper and running water. Such restroom(s) must remain open and available for use at all times during which the mobile food court is being used.

FORMAL OR INFORMAL AGREEMENT?

(4) The owner of the mobile food court and the operator of a mobile food unit must enter into a **written agreement** for the use of the mobile food court. Said agreement must be filed with the City prior to the mobile food unit’s operation in the mobile food court.

(5) Mobile food courts shall only be allowed to engage in sales operations **Monday through Sunday**, between the hours of **8:00am to 11:00 pm**, unless otherwise granted permission by the City Manager or their designee.

ARE THESE HRS CORRECT? WAS 8PM INTENDED TO BE 8AM

(6) All mobile food units participating in a mobile food court shall remain fully mobile and operational.

(7) Mobile food courts shall be subject to the noise requirements of Chapter 13 of the Code of Ordinances and no amplified sound shall be permitted after 10:00 pm, unless otherwise granted permission by the City Manager or their designee.

(8) Mobile food courts shall provide containers of sufficient size and number for the disposal of trash and recyclables resulting from the mobile food court’s operation and sales. The containers shall be identified as being for the disposal of trash and recyclables.

(9) Mobile food courts must be finished with concrete or asphaltic materials on which any mobile food trucks may park and operate. Customer parking must also be finished with concrete or asphaltic surface materials.

KALICHI IS PROHIBITED BY CITY CODE. COULD THIS BE REVISED TO ALLOW AN EXCEPTION FOR FOOD COURTS TO BE LESS RESTRICTIVE? THE IDEA IS TO DRUM UP MORE FOOD TRUCK PRESENCE, THEREFORE A SOLUTION MAY BE USE OF PAVERS THAT ALLOW GRASS GROWTH OR SOME OTHER HYBRID SOLUTION THAT WILL NOT REQUIRE DRAINAGE DETENTION.



(10) Mobile food units shall be separated from existing buildings, parking lots and other mobile food units by a minimum of ten (10) feet, or as otherwise determined by the Fire Marshal.

(11) Mobile food courts must adhere to the City’s zoning and commercial regulations.

(12) Any permanent structure will require a site plan amendment, building permit and be subject to any applicable ordinances and regulations.

(13) Seating for customers may be provided but may not be within 10 feet of any road, parked cars, structures on the property or mobile food units.

IS REQUIREMENT OF A PERMANENT STRUCTURE A STATUTORY REQUIREMENT?

(b) Inspections. Mobile food courts and mobile food units operating on the property may be inspected from time to time by appropriate city personnel. Mobile food courts and mobile food units shall immediately be made available for inspection upon request of such city personnel.

(c) Alcohol. No alcohol sales shall be permitted on the property unless a permanent structure is constructed on the property and is in compliance with all TABC, zoning and food establishments rules, in addition to any other requirements as determined by the City Manager or their designee.

(d) Permits. Each mobile food court shall be required to receive a permit to operate from the City Manager or their designee. As part of the request for a permit, the following information, at a minimum, shall be provided:

- (1) The name and address of the owner and operator;
- (2) A legal description of the property to be used as a mobile food court;
- (3) If the applicant represents a corporation, association, partnership or any other business entity, the names and addresses of the officers, partners or principals;
- (4) The address and name under which the mobile food court will be operated; and
- (5) Any other information reasonably required by the City Manager or their designee to document the use and operation of the mobile food court.

(e) Duration of Permit. A permit to operate a mobile food court shall remain valid only up to a maximum of six (6) months unless otherwise granted written permission from the City Manager or their designee. A mobile food court permit may be revoked at any time prior to its expiration for failure to adhere to any and all required city, county, state or federal laws and ordinances or for any other reason the City Manager or their designee believes to be in the best interest of the public health, safety and welfare of its citizens.

(f) Responsibility of Owner. Mobile food courts shall be responsible for identifying and obtaining all applicable permits and shall be responsible for conforming to all applicable city, county, state and federal regulations. The owners of the mobile food courts shall be responsible for ensuring

that any mobile food unit which operates as part of the mobile food court obtains all necessary permits prior to operation and conforms to all applicable city, county, state and federal regulations.

Sec. 8.5-67—8.5-79. Reserved.

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, BY AMENDING AND REVISING CHAPTER 8.5 FOOD AND FOOD ESTABLISHMENTS ARTICLE I. IN GENERAL, SECTION 8.5-2. DEFINITIONS, ARTICLE II. PERMIT, SECTION 8.5-10. REQUIRED, SECTION 8.5-11. DURATION, ARTICLE III. INSPECTIONS, SECTION 8.5-20. ANNUAL INSPECTIONS, REINSPECTIONS, AND NEW INSPECTIONS, ARTICLE V. TEMPORARY AND MOBILE FOOD ESTABLISHMENTS, SECTION 8.5-62. MOBILE FOOD ESTABLISHMENTS; GENERALLY AND SEC.8.5-63. UNRESTRICTED AND RESTRICTED MOBILE FOOD UNIT REGULATIONS AS CONTAINED IN “EXHIBIT A”; ADOPTING SEC 8.5-66. MOBILE FOOD COURTS AS CONTAINED IN “EXHIBIT B”; PROVIDING FOR THE REGULATION OF FOOD AND FOOD ESTABLISHMENTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

**WHEREAS**, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to amend and revise Chapter 8.5 Food and Food Establishments, Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally and Sec.8.5-63. Unrestricted and Restricted Mobile Food Unit Regulations and adopt the amended ordinances as contained in “Exhibit A”; and

**WHEREAS**, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to adopt Chapter 8.5 Food and Food Establishments, Article V. Temporary and Mobile Food Unit Establishments, Section 8.5-66 Mobile Food Courts as contained in “Exhibit B”; and

**WHEREAS**, the City of Angleton is a home rule city acting pursuant to its charter and City Council now finds the need to amend and revise Chapter 8.5 to promote the public health, safety and welfare of its citizens; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**SECTION 1.** All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

**SECTION 2.** The City of Angleton, Code of Ordinances, Chapter 8.5 Food and Food Establishments, Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally and Sec.8.5-63. Unrestricted and Restricted Mobile Food Unit Regulations are hereby amended and revised to read as contained in “Exhibit A”.

**SECTION 3.** The City of Angleton adopts Chapter 8.5 Food and Food Establishments, Article V. Temporary and Mobile Food Unit Establishments, Section 8.5-66 Mobile Food Courts as contained in “Exhibit B”.

**SECTION 3.** Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense

**SECTION 4.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**SECTION 5.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances 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 Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 6.** That this Ordinance shall be effective and in full force immediately upon its adoption.

**PASSED AND APPROVED THIS THE 12TH DAY OF APRIL 2022.**

CITY OF ANGLETON, TEXAS

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Jason Perez  
Mayor

ATTEST:

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Michelle Perez, TRMC  
City Secretary

**“EXHIBIT A”**

## Sec. 8.5-2. Definitions.

For purposes of this chapter, the words, terms and phrases set forth in the Texas Food Establishment Rules (TFER) as definitions shall have the meanings set forth therein. Additionally, the following words, terms and phrases shall have the meanings set forth below except where the context clearly indicates a different meaning:

*Authorized agent or employee* means an employee(s) of the City of Angleton.

*Caterer* means any person or entity that transports complete meals from an approved establishment to another location for consumption but shall not include persons operating restaurants that routinely deliver food on order or persons that deliver a product or distribute a product to vending machines.

*Commissary or central preparation facility* means a facility that mobile food service establishments use to dispose of waste and to obtain supplies.

*Food establishment or food service establishment* means an operation that stores, prepares packages, serves, vends, or otherwise provides food for human consumption as follows:

- (1) A restaurant, retail food store, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, ending location, (machine), self-service food market, conveyance used to transport people, institution, or food bank;
- (2) An establishment that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout order, or delivery service that is provided by common carriers; and
- (3) Includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on- or off-premises; and regardless of whether there is a charge for the food.
- (4) Food establishment does not include an establishment that offers only prepackaged foods that are not time/temperature controlled for safety food, a produce stand that only offers whole, uncut fresh fruits and vegetables, a food processing plant, a cottage food industry, an area where cottage food is prepared, sold or offered for human consumption, a bed and breakfast limited facility as defined in the TFER, or a private home that receives catered or home-delivered food.

*Mobile food court* means a property used or developed to accommodate one or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary use, accessory use, or temporary use (less than 30 days).

*Mobile food unit (MFU)* means a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to, catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile ~~Food~~ ~~Units~~ must completely retain their mobility at all times. A mobile food unit does not include a stand or a booth. A roadside food vendor is classified as a MFU.

*Mobile food unit - additional permit* means a mobile food unit operated by an existing permitted food establishment that provides an additional source of food service and also includes multiple mobile food units operated by the same owner. The owner is legally considered to be the person holding the food establishment's permit or the food permit(s) for the multiple mobile food units.

*Nonprofit organization* means an incorporated organization which exists for educational or charitable reasons, and from which its shareholders or trustees do not benefit financially. Nonprofit status must be verified by submission of supporting documentation, such as an IRS form 501c.

*Person in charge* means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

*Public property.* The term "public property" shall mean any property open or devoted to public use or owned by the city, including, but not limited to, sidewalks, streets, rights-of-way, parks, and municipal buildings. This definition does not include property owned by any county entity.

*Public rights-of-way.* The term "public rights-of-way" shall mean the surface, the air space above the surface, and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, parkway, waterway, easement, or similar property in which the city or the State of Texas now or hereafter holds any property interest.

*Regulatory authority* means the City of Angleton, Texas.

*Roadside Food Vendor means a person who operates a mobile retail food store from a temporary location adjacent to a public road or highway. Food is not prepared or processed by a roadside food vendor. Roadside food vendors are classified as mobile food units.*

*Temporary food establishment* is a food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration. This may include a stand or a booth.

*Texas Food Establishment Rules ("TFER")* means the rules promulgated by the Texas Department of State Health Services with an effective date of October 11, 2015, and set forth in 25 Texas Administrative Code, Chapter 228, Subchapters A—J, and as such rules may be hereafter amended.

*Time/temperature control for safety food (TCS)* means a food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

### **Sec. 8.5-10. Required.**

- (a) *Required permit.* A food establishment, caterer, temporary food establishment, mobile food unit, child care center or group residence that provides food service shall only be operated

with a valid permit issued by the city. Permits are not transferable from place to place or person to person, except that, mobile food service establishments may retain the same license when moving from place to place as long as the vehicle remains the same. A valid permit shall be posted in public view in every establishment. Each and every food establishment, whether under one roof or not, shall be considered a separate establishment, and a permit must be obtained for each establishment. Each such establishment is subject to the requirements in this chapter. A valid permit must be posted at a clearly visible and accessible location near the entrance, or part of the premises most commonly approached by the public, of every food establishment regulated by this chapter. A permit is not required for the operation of a beverage stand operated by a child age 17 or under. Additional requirements for a mobile food unit permit are listed below in section.

(b) *Filing of application.* Any person desiring to operate an establishment covered by this article shall make written application and pay the nonrefundable fee set out section 8.5-12, or as amended or stipulated in fee schedule approved by city council. Such application shall include, but not be limited to, the following:

- (1) The applicant's full name, post office address and street address;
- (2) Whether such applicant is an individual, firm or corporation and, if a partnership, the name of each partner and his address;
- (3) The location and type of the proposed food service establishment;

~~(4)~~ (i) if the permit is for a mobile food unit, in addition to the requirements listed in this section, the application must include: Dates of event for the food service establishment;

(A) type of vehicle to be used for the proposed mobile food unit;

(B) a menu listing of all food items to be sold;

(C) a notarized statement from the owner of a central preparation facility stating the mobile food unite uses the facility as its base of operation; and

(D) a copy of the most recent health inspection of the central preparation facility which must be maintained on the mobile unit at all times.

(E) Dates of event for the food service establishment

~~(54)~~ The signature of the applicant; and

~~(65)~~ All other information deemed necessary by the city.

~~(e)€~~ *Texas Food Establishment Rules.* All of the food uses described in this article shall be governed by all applicable Texas Food Establishment Rules.

(d) *Filing of a food manager certificate.* A copy of the certified food manager certificate must be submitted with the license application or renewal.

(e) *Exemption.* Temporary food establishments and establishments that serve, sell, or distribute only prepackaged non-TCS foods are exempt from this section.

(f) *Inspection.* After the application has been submitted and all fees paid, the regulatory authority shall inspect the food service establishment for compliance with this chapter. If the establishment complies with this chapter, the regulatory authority shall issue the license.



Mobile food units must comply with all requirements listed under 25 Texas Administration Code 288.221 and under Article V of this Chapter, as amended.

- (g) *Administrative rules.* The city manager reserves the right to develop checklists, application forms, and other forms as necessary to administer the requirements of this article.

**Sec. 8.5-11. Duration.**

Permits shall be issued annually and shall extend from the date of issuance or renewal, as applicable. Annual renewal applications must be submitted at least 30 days prior to the expiration date of the permit. A permit shall be issued only if the establishment is in complete compliance with this chapter.

A mobile food unit (commonly known as a "food truck") permit shall be issued on an annual basis. A MFU that operates for a period of no more than three consecutive days in conjunction with a single event or celebration may obtain a temporary food establishment permit instead of a mobile food unit permit, however, a temporary food establishment permit may not be used in the place of a mobile food unit permit if the operator intends to operate their mobile food unit outside of a single event.

**Sec. 8.5-20. Annual inspections, reinspections, and new inspections.**

- (a) The city shall inspect each food establishment, including mobile food units, within the City of Angleton routinely on an annual basis, or as often as necessary to enforce this chapter.

**Sec. 8.5-62. Mobile food establishments; generally.**

- (a) *General requirements.*

- (1) *Designation of a central preparation facility.* Mobile food service establishments, including caterers and mobile food units that serve TCS foods shall operate from a central preparation facility, commissary, or other fixed food service establishment that is permitted and regularly inspected by the city or some other regulatory authority.
- (2) *Central preparation facility authorization.* A signed letter of authorization is required, to verify the facility use and to confirm that food and drink items will be provided to the operator for sale if the central preparation facility is not owned by the mobile unit operator.
- (3) *Central preparation facility inspection report.* A copy of the most current health inspection of the central preparation facility must be maintained on the mobile unit at all times.
- (4) *Food preparation.* Food prepared in a private home may not be used or offered for human consumption from a mobile food service establishment.
- (5) *Vehicle registration and insurance.* Mobile food service establishments must comply with all state and local laws pertaining to vehicle registration and insurance.
- (6) *Certified food manager.* Mobile food service establishments must have a certified food manager on site when preparing or selling food. Limited service mobile food units, as classified below, are exempt from this requirement.

(7) *Readily Movable.* Mobile food units must be mobile at all times. A MFU shall not be set on cinder blocks, have any flat tires, or be permanently attached to any outside equipment unless the equipment is for the specific purpose of fixing said MFU to make it readily movable once again.

**Sec. 8.5-63. Unrestricted and restricted mobile food unit regulations.**

(a) *Unrestricted mobile food units.* The following requirements apply to all unrestricted mobile food units:

(1) *Location.* Unrestricted mobile food ~~establishments~~units may operate at the following locations:

- a. At any construction site in any zoning districts as a mobile meal and snack commissary with periodic brief stops at construction sites;
- b. At school and church carnivals, special event, or conferences;
- c. At any catered event;
- d. On properties zoned Commercial-General (C-G), Commercial/Office Retail (C-OR), Central Business District (CBD), and Light Industrial (LI); and
- e. At public parks and other public facilities, subject to the approval of the parks and recreation director, city manager, as applicable, or their designee, and upon the execution of an agreement that would indemnify the City of Angleton and would assign the operator responsibility for any damages that may occur to city property, facilities, and to the health and well-being of the general public.

f. At a mobile food court in compliance with the zoning requirements in subsection (a)(1)(d) of this section.

(2) *Operation.*

a. Mobile Food Units may operate Monday through Saturday at any time except between the hours of 11pm-5am, subject to the restrictions in section (a)(1) of this section.

b. A mobile food unit must have a written agreement from a business within 150 feet for employees of the mobile food unit to have use of flushable restrooms (or other facilities as approve by the city) during hours of operation.

c. All mobile food units must be removed daily, unless otherwise stated in this subsection, and report to their central preparation facility for daily supplying, cleaning, or servicing operations.

(3) *Duration of events.* Unrestricted mobile food units ~~establishments are generally classified as a temporary use, except as specified below~~ permitted to operate under a temporary food establishment permit must operate in accordance with the following:

- a. Events may last for up to five hours before being removed from the site and are permitted for up to ~~two~~three days per week; unless the exception criteria spelled out below are applicable;

- b. The unit must be removed from the site daily and may not become a permanent use unless the use complies with all subdivision and zoning requirements that would regulate the establishment of a permanent use;
  - c. The only exceptions to the duration of event requirements are:
    - 1. A multi-day special event hosted by the City of Angleton, or by a church, a school, or a charitable organization, subject to the approval of a site plan that demonstrates that a multi-day event can be conducted in a manner that would comply with all requirements of this article and not disrupt adjoining businesses or properties; and
    - 2. At a block party, a special street event conducted in a public right-of-way upon, a national holiday, or at any other function that is not expressly permitted in this article by the city council.
- (b) *Restricted mobile food units* shall be subject to:
- (1) All of the requirements set out in section 8.5-63, subsection (a), with respect to location, operating hours, duration, and approval criteria.
  - (2) All of the requirements set out in section 8.5-63, subsection (a)(4)d, fire protection requirements for unrestricted mobile food units, shall be applicable to the degree that they pertain to the operation of any restricted mobile food units.

**“Exhibit B”****Secs. 8.5-66. Mobile Food Courts.****(a) Mobile Food Court Requirements.**

(1) Mobile food court site shall be designed and intended for the use of mobile food units as the primary use of the property.

(2) Each site at the mobile food court on which a mobile food unit will be located and operated shall be provided hookups for electricity and potable water. Each individual food truck is not permitted to operate a generator at the site unless emergency circumstances necessitate the need for the use of a generator on a temporary basis not to exceed two hours within any given six-hour period of time.

(3) Permanent restrooms located within a permitted building or structure must be provided on-site within the food truck court for the use of the mobile food unit’s and the mobile food court’s customers, operators and employees. Alternatively, the mobile food court may have a written agreement from a business within 150 feet for use of flushable restrooms (or other facilities as approved by the city). A written agreement must be on file with the City.

a. All restrooms must be kept in sanitary and healthy conditions and must be equipped with sinks, soap, paper towels, toilet paper and running water. Such restroom(s) must remain open and available for use at all times during which the mobile food court is being used.

(4) The owner of the mobile food court and the operator of a mobile food unit must enter into a written agreement for the use of the mobile food court. Said agreement must be filed with the City prior to the mobile food unit’s operation in the mobile food court.

(5) Mobile food courts shall only be allowed to engage in sales operations Monday through Sunday, between the hours of 8:00am to 11:00 pm, unless otherwise granted permission by the City Manager or their designee.

(6) All mobile food units participating in a mobile food court shall remain fully mobile and operational.

(7) Mobile food courts shall be subject to the noise requirements of Chapter 13 of the Code of Ordinances and no amplified sound shall be permitted after 10:00 pm, unless otherwise granted permission by the City Manager or their designee.

(8) Mobile food courts shall provide containers of sufficient size and number for the disposal of trash and recyclables resulting from the mobile food court’s operation and sales. The containers shall be identified as being for the disposal of trash and recyclables.

(9) Mobile food courts must be finished with concrete or asphaltic materials on which any mobile food trucks may park and operate. Customer parking must also be finished with concrete or asphaltic surface materials.

(10) Mobile food units shall be separated from existing buildings, parking lots and other mobile food units by a minimum of ten (10) feet, or as otherwise determined by the Fire Marshal.

(11) Mobile food courts must adhere to the City's zoning and commercial regulations.

(12) Any permanent structure will require a site plan amendment, building permit and be subject to any applicable ordinances and regulations.

(13) Seating for customers may be provided but may not be within 10 feet of any road, parked cars, structures on the property or mobile food units.

(b) Inspections. Mobile food courts and mobile food units operating on the property may be inspected from time to time by appropriate city personnel. Mobile food courts and mobile food units shall immediately be made available for inspection upon request of such city personnel.

(c) Alcohol. No alcohol sales shall be permitted on the property unless a permanent structure is constructed on the property and is in compliance with all TABC, zoning and food establishments rules, in addition to any other requirements as determined by the City Manager or their designee.

(d) Permits. Each mobile food court shall be required to receive a permit to operate from the City Manager or their designee. As part of the request for a permit, the following information, at a minimum, shall be provided:

(1) The name and address of the owner and operator;

(2) A legal description of the property to be used as a mobile food court;

(3) If the applicant represents a corporation, association, partnership or any other business entity, the names and addresses of the officers, partners or principals;

(4) The address and name under which the mobile food court will be operated; and

(5) Any other information reasonably required by the City Manager or their designee to document the use and operation of the mobile food court.

(e) Duration of Permit. A permit to operate a mobile food court shall remain valid only up to a maximum of six (6) months unless otherwise granted written permission from the City Manager or their designee. A mobile food court permit may be revoked at any time prior to its expiration for failure to adhere to any and all required city, county, state or federal laws and ordinances or for any other reason the City Manager or their designee believes to be in the best interest of the public health, safety and welfare of its citizens.

(f) Responsibility of Owner. Mobile food courts shall be responsible for identifying and obtaining all applicable permits and shall be responsible for conforming to all applicable city, county, state and federal regulations. The owners of the mobile food courts shall be responsible for ensuring

that any mobile food unit which operates as part of the mobile food court obtains all necessary permits prior to operation and conforms to all applicable city, county, state and federal regulations.

Sec. 8.5-67—8.5-79. Reserved.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 1, 2022

**PREPARED BY:** Otis T. Spriggs, AICP

**AGENDA CONTENT:** Consideration of approval of a final plat for Smart Storage, for a 12.390-acre subdivision.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** N/A **FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:** An application has been submitted for the Final Subdivision Plat for Smart Storage, 12.390 acres in the J. De J. Valderas Survey, Abstract No. 380 into two lots with variances. The subject property is located on the northwest corner of Henderson Road and Galaznik Road (Attachments 1 & 2) and consists of 12.390 acres in the Commercial General (CG) zoning district.

The preliminary plat was submitted and considered at the planning and zoning commission meeting on September 1, 2022. The commission approved the preliminary plat based the correct assumption that all major issues must be resolved prior to the submission of the final plat and forwarded it to Council for final action.

**Action of City Council.** The City Council approved the preliminary plan and agreed to have the requested variances be considered as variances during the final plat stage:

1. Variance is requested to allow the utility plan to be submitted at the time the first tract is considered for development.
2. Variance is requested to provide utility and drainage plans, heritage tree preservation and the geotechnical report at the time each tract is developed.

**Staff/Engineers Review:**

The City Engineer has reviewed the Final Plat and has noted no objection. Final review and approval by the Angleton Drainage District (A.D.D.) shall be required of the Property Owner. Extension of public utilities must be coordinated with the City prior to site construction.

**RECOMMENDATION:** The planning commission should approve the final plat subject to the city engineer comments and approve the variances for the public improvements to be submitted and approved prior to construction.



October 28, 2022

Mr. Otis Spriggs  
Director of Development Services  
City of Angleton  
121 S. Velasco  
Angleton, TX 77515

Re: On-Going Services  
Smart Storage Angleton Final Plat – 1<sup>st</sup> Submittal Review  
Angleton, Texas  
HDR Job No. 10336228

Dear Mr. Spriggs:

HDR Engineering, Inc. (HDR) has reviewed the plat for the above referenced subdivision within the City of Angleton and offers the following comments:

1. Provide review and approval correspondence from Angleton Drainage District (A.D.D). If no approval letter is to be provided by A.D.D., provide correspondence from their office that states the plat/plan was received and that no comments were offered for the property accordingly.
2. The Property Owner shall coordinate with the City on extension of public utilities prior to site development of the lots shown on the plat.
3. The Property Owner shall coordinate with the City on providing the necessary development review documents as noted in the variance approvals in the October 11, 2022 City Council Meeting prior to development of the lots shown.

HDR takes no objection to the proposed Smart Storage Angleton Final Plat with the exceptions noted. Please note, this does not necessarily mean that the entire drawings, including all supporting data and calculations, has been completely checked and verified; however, the drawings and supporting data are signed, dated, and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which therefore conveys the surveyor's responsibility and accountability.

If you have any questions, please feel free to contact us at our office (713)-622-9264.

Sincerely,

HDR Engineering, Inc.

Javier Vasquez, P.E., CFM  
Civil Engineer

cc: Files (10336228)

Attachments



PLANNING AND ZONING COMMISSION AND CITY COUNCIL:

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BY THE PLANNING AND ZONING COMMISSION, CITY OF ANGLETON, TEXAS.

BILL GARWOOD, CHAIRMAN, PLANNING AND ZONING COMMISSION

MICHELLE PEREZ, CITY SECRETARY

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BY THE CITY COUNCIL, CITY OF ANGLETON, TEXAS.

JASON PEREZ, MAYOR

MICHELLE PEREZ, CITY SECRETARY

STATE OF TEXAS § COUNTY OF BRAZORIA §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BY MICHELLE PEREZ, CITY SECRETARY, CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC STATE OF TEXAS

ANGLETION DRAINAGE DISTRICT ACCEPTED THIS THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BY THE ANGLETON DRAINAGE DISTRICT. THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- 1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.

THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN, BOARD OF SUPERVISORS BOARD MEMBER

BOARD MEMBER

OWNER'S ACKNOWLEDGEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT DANIELLE CLARK, ASSIGNEE OF SMART STORAGE ANGLETON, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HERENAFOVE DESCRIBED PROPERTY AS SMART STORAGE ANGLETON, A SUBDIVISION IN THE JURISDICTION OF THE CITY OF ANGLETON, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND PUBLIC PARKLAND SHOWN THEREON. THE STREETS, ALLEYS AND PARKLAND ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF ANGLETON. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANGLETON'S USE THEREOF. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE.

OWNER'S ACKNOWLEDGEMENT:

STATE OF TEXAS § COUNTY OF BRAZORIA §

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DANIELLE CLARK, ASSIGNEE SMART STORAGE ANGLETON, LLC

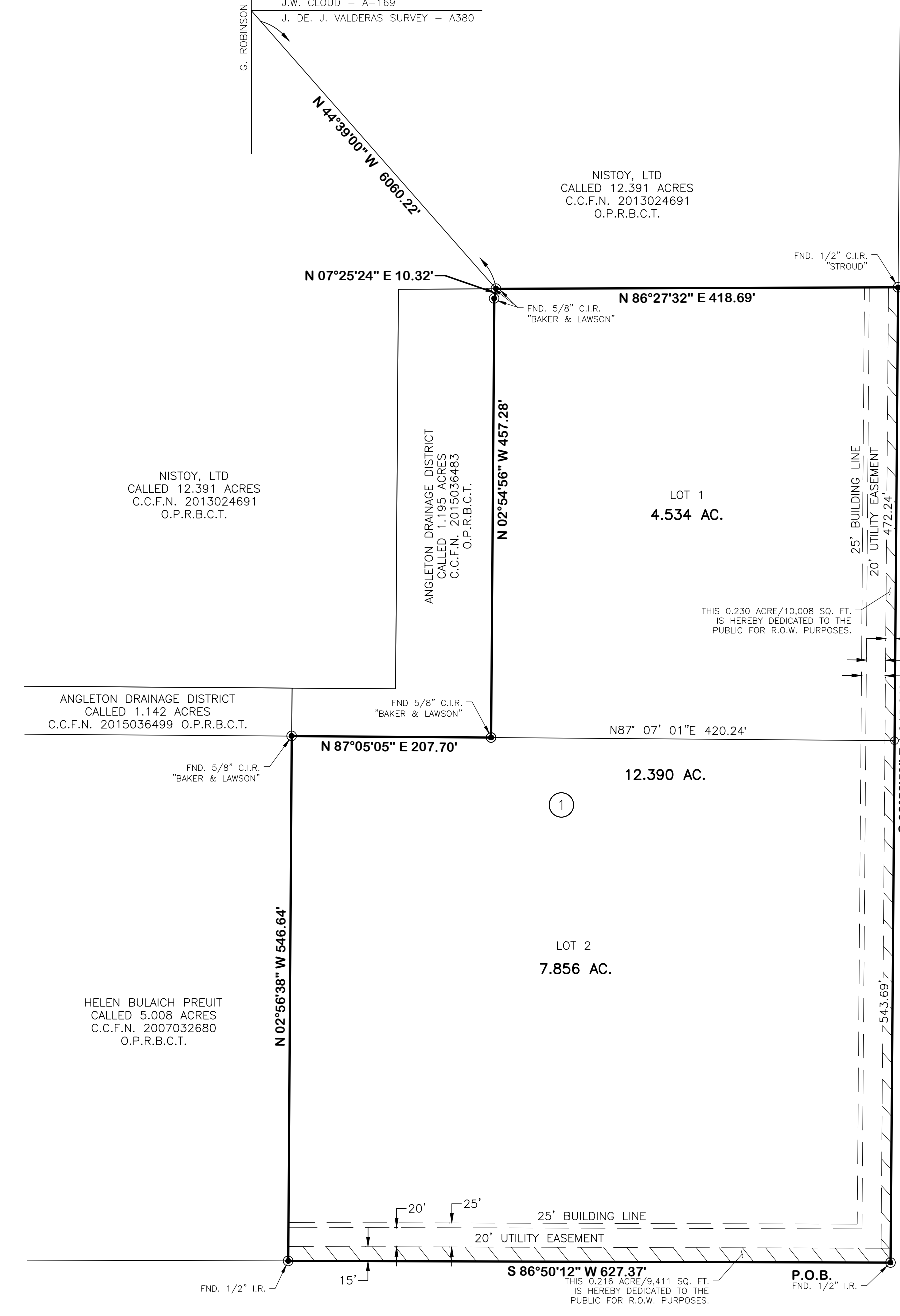
STATE OF TEXAS § COUNTY OF BRAZORIA §

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DANIELLE CLARK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

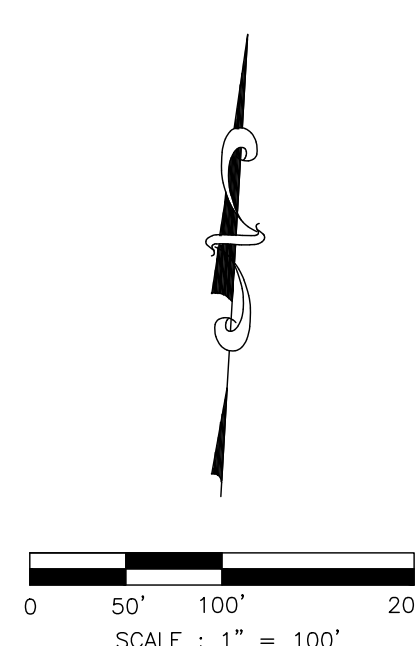
MY COMMISSION EXPIRES



HELEN BULAICH PREUIT CALLED 5.008 ACRES C.C.F.N. 2007032680 O.P.R.B.C.T.
ANGLETION DRAINAGE DISTRICT CALLED 1.142 ACRES C.C.F.N. 2015036483 O.P.R.B.C.T.
NISTOY LTD CALLED 12.391 ACRES C.C.F.N. 2013024691 O.P.R.B.C.T.
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NISTOY LTD CALLED 12.391 ACRES C.C.F.N. 2013024691 O.P.R.B.C.T.

FIRE LANE AND FIRE EASEMENT
THAT THE UNDERSIGNED DOES HEREBY COVENANT AND AGREE THAT THEY SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A HARD ALL-WEATHER SURFACE AND THAT THEY SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING OF MOTOR VEHICLES, TRAILERS, BOATS, OR OTHER IMPEDIMENTS TO THE ACCESS OF FIRE APPARATUS. THE MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANES, STATING "FIRE LANE, NO PARKING." THE POLICE OR HIS DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANES AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.
DRAINAGE AND DETENTION EASEMENT
THIS PLAT IS HEREBY ADOPTED BY THE OWNERS AND APPROVED BY THE CITY OF ANGLETON (CALLED "CITY") SUBJECT TO THE FOLLOWING CONDITIONS WHICH SHALL BE BINDING UPON THE OWNERS, THEIR HEIRS, GRANTEEES AND SUCCESSORS: THE PORTION OF BLOCK 1, AS SHOWN ON THE PLAT IS CALLED "DRAINAGE AND DETENTION EASEMENT." THE DRAINAGE AND DETENTION EASEMENT WITHIN THE LIMITS OF THIS ADDITION, WILL REMAIN OPEN AT ALL TIMES AND WILL BE MAINTAINED IN A SAFE AND SANITARY CONDITION BY THE OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE AND DETENTION EASEMENT. THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID EASEMENT OR FOR ANY DAMAGE TO PRIVATE PROPERTY OR PERSON THAT RESULTS FROM CONDITIONS IN THE EASEMENT, OR FOR THE CONTROL OF EROSION, NO OBSTRUCTION TO THE NATURAL FLOW OF STORMWATER RUN-OFF SHALL BE PERMITTED BY CONSTRUCTION OF ANY TYPE OF BUILDING, FENCE, OR ANY OTHER STRUCTURE WITHIN THE DRAINAGE AND DETENTION EASEMENT AS HERENAFOVE DEFINED, UNLESS APPROVED BY THE CITY ENGINEER. PROVIDED, HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO ERRECT OR CONSIDER ERRECTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE STORM DRAINAGE THAT MAY BE OCCASIONED BY THE CITY SHALL HAVE THE RIGHT TO ENTER UPON THE DRAINAGE AND DETENTION EASEMENT AT ANY POINT, OR POINTS, TO INVESTIGATE, SURVEY OR TO ERRECT, CONSTRUCT AND MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR DRAINAGE PURPOSES. EACH PROPERTY OWNER SHALL KEEP THE DRAINAGE AND DETENTION EASEMENT CLEAN AND FREE OF DEBRIS, SILT, AND ANY SUBSTANCE WHICH WOULD RESULT IN UNSANITARY CONDITIONS OR OBSTRUCT THE FLOW OF WATER, AND THE CITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTION AND SUPERVISION OF MAINTENANCE WORK BY THE PROPERTY OWNER TO ALLEVIATE ANY UNDESIRABLE CONDITIONS WHICH MAY OCCUR. THE NATURAL DRAINAGE THROUGH THE DRAINAGE AND DETENTION EASEMENT IS SUBJECT TO STORM WATER OVERFLOW AND NATURAL BANK EROSION TO AN EXTENT WHICH CANNOT BE DEFINITELY DEFINED. THE CITY SHALL NOT BE HELD LIABLE FOR ANY DAMAGES OF ANY NATURE RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA, OR RESULTING FROM THE FAILURE OF ANY STRUCTURE, OR STRUCTURES, WITHIN THE EASEMENT.

FIELD NOTES FOR 12.390 ACRE
DESCRIPTION OF A CALLED 12.390 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF THE 12.390 ACRE TRACT AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2022031274 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HERINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 12.390 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):
BEGNING AT A 1/2-INCH IRON ROD, FOUND FOR THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING LOCATED AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF COUNTY ROAD 340 (ALSO KNOWN AS GALAZNIK ROAD, 60' WIDE) WITH THE NORTH R.O.W. LINE OF COUNTY ROAD 341 (ALSO KNOWN AS HENDERSON ROAD, 60' WIDE);
THENCE SOUTH 86°50'12" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTH LINE OF SAID HENDERSON ROAD, A DISTANCE OF 627.37 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SOUTHWEST CORNER OF A CALLED 5.008 ACRE TRACT AS RECORDED IN C.C.F.N. 2007032680 OF THE O.P.R.B.C.T.;;
THENCE NORTH 02°56'38" WEST, ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST LINE OF SAID 5.008 ACRE TRACT, A DISTANCE OF 546.64 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR CORNER, SAME BEING THE SOUTHWEST CORNER OF A CALLED 1.142 ACRE TRACT AS RECORDED IN C.C.F.N. 2015036499 OF THE O.P.R.B.C.T., THE SOUTHWEST CORNER OF A CALLED 1.195 ACRE TRACT AS RECORDED IN C.C.F.N. 2015036483 OF THE O.P.R.B.C.T. AND THE NORTHEAST CORNER OF SAID 5.008 ACRE TRACT;
THENCE NORTH 87°05'05" EAST, CONTINUING ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SOUTH LINE OF SAID 1.195 ACRE TRACT, A DISTANCE OF 207.70 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR AN INTERIOR CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SOUTHWEST CORNER OF SAID 1.195 ACRE TRACT;
THENCE NORTH 02°54'56" WEST, CONTINUING ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST LINE OF SAID 1.195 ACRE TRACT, A DISTANCE OF 457.28 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR THE SOUTHWEST OUTBACK CORNER TO THE NORTHEAST OF THE ABOVE REFERENCED TRACT OF LAND AND SAID 1.195 ACRE TRACT;
THENCE NORTH 07°25'24" EAST, ALONG SAID OUTBACK LINE TO THE NORTHEAST OF THE ABOVE REFERENCED TRACT OF LAND AND SAID 1.195 ACRE TRACT, A DISTANCE OF 10.32 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING IN A SOUTHEASTERLY LINE OF A CALLED 12.391 ACRE TRACT OF LAND AS RECORDED IN C.C.F.N. 2013024691 OF THE O.P.R.B.C.T. FOR THE NORTHEAST CORNER OF SAID 1.195 ACRE TRACT;
THENCE NORTH 86°27'32" EAST, ALONG THE NORTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING A SOUTHERLY LINE OF SAID 12.391 ACRE TRACT, A DISTANCE OF 418.69 FEET TO A 1/2-INCH IRON ROD, STAMPED "STROUD", FOUND FOR THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING IN THE WEST R.O.W. LINE OF SAID GALAZNIK ROAD FOR THE MOST SOUTHERLY NORTHEAST CORNER OF SAID 12.391 ACRE TRACT;
THENCE SOUTH 02°52'59" EAST, ALONG THE EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE WEST R.O.W. LINE OF SAID GALAZNIK ROAD, A DISTANCE OF 1,015.93 FEET TO THE FRONT OF BEGINNING OF SAID GALAZNIK ROAD, CONTAINING 12.390 ACRE OF LAND, MORE OR LESS.



SCALE: 1" = 100'

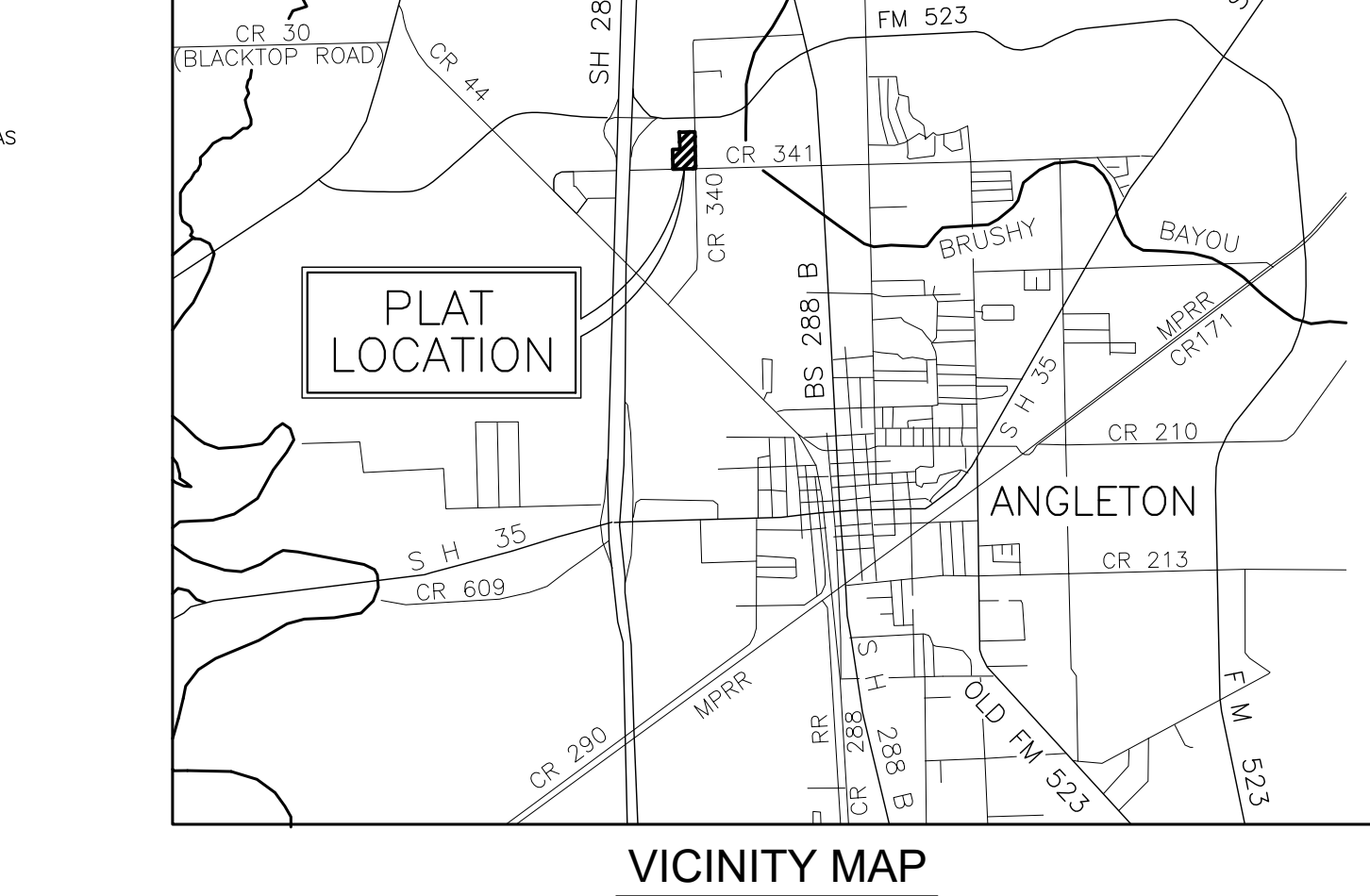
KALEDA PROPERTIES LLC CALLED 13.01 ACRES C.C.F.N. 2015049086 O.P.R.B.C.T.
KALEDA PROPERTIES LLC CALLED 10.00 ACRES C.C.F.N. 2015049086 O.P.R.B.C.T.

DESCRIPTION OF A CALLED 12.390 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF THE 12.390 ACRE TRACT AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2022031274 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HERINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 12.390 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):

FIELD NOTES FOR 12.390 ACRE
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THENCE NORTH 07°25'24" EAST, ALONG SAID OUTBACK LINE TO THE NORTHEAST OF THE ABOVE REFERENCED TRACT OF LAND AND SAID 1.195 ACRE TRACT, A DISTANCE OF 10.32 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING IN A SOUTHEASTERLY LINE OF A CALLED 12.391 ACRE TRACT OF LAND AS RECORDED IN C.C.F.N. 2013024691 OF THE O.P.R.B.C.T. FOR THE NORTHEAST CORNER OF SAID 1.195 ACRE TRACT;
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THENCE SOUTH 02°52'59" EAST, ALONG THE EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE WEST R.O.W. LINE OF SAID GALAZNIK ROAD, A DISTANCE OF 1,015.93 FEET TO THE FRONT OF BEGINNING OF SAID GALAZNIK ROAD, CONTAINING 12.390 ACRE OF LAND, MORE OR LESS.

- NOTES:
1. THE PURPOSE OF THIS PLAT IS TO PLAT 12.390 ACRES INTO 2 LOTS AND 1 BLOCK.
2. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
3. FLOOD ZONE STATEMENT: ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 4803900435K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, THE PROPERTY SURVEYED LIES FULLY WITHIN ZONE"X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT COVER THE PROPERTIES' STRUCTURES OR THE RISKS FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
4. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN HEREON.
5. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLANNING STATUTES AND IS SUBJECT TO FINES AND WITHOLDING OF UTILITIES AND BUILDING PERMITS.
6. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
7. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
8. NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
9. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
10. SIDEWALKS SHALL BE REQUIRED PER ANGLETON LDC SEC. 23.14 - SIDEWALKS AND ACCESSIBILITY.
11. THE TRACT IS SUBJECT TO A BLANKET PIPELINE EASEMENT RECORDED UNDER VOL. 348, PG. 128 B.C.D.R. THE EASEMENT IS NOT PLOTTABLE.
12. IF DEVELOPMENT OF TRACT 1 OCCURS FIRST, IT WILL REQUIRE EXTENDING WATERLINE FROM C.R. 341 (HENDERSON ROAD) WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 2. IT WILL ALSO REQUIRE EXTENDING SANITARY SEWER WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 2. SIMILARLY, TRACT 2 IS DEVELOPED FIRST, IT WILL REQUIRE EXTENDING WATERLINE FROM C.R. 341 (HENDERSON ROAD) WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 1. IT WILL ALSO REQUIRE EXTENDING SANITARY SEWER WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 1 AS IT IS EXTENDED TO SERVE TRACT 2.

OWNER: DANIELLE CLARK SMART STORAGE 470B THIS WAY STREET LAKE JACKSON, TX 77566



LEGEND
A.D.D. = ANGLETON DRAINAGE DISTRICT
C.C.F.N. = COUNTY CLERK'S FILE NUMBER
O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY, TEXAS
D.R.B.C.T. = DEED RECORDS BRAZORIA COUNTY TEXAS.
B.L. = BUILDING LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
B.M. = BENCHMARK
D.D.E. = DRAINAGE AND DETENTION EASEMENT
G.B.L. = GARAGE BUILDING LINE
F.N.D. = FOUND
I.R. = IRON ROD
I.P. = IRON PIPE
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
S.T.M.S.E. = STORM SEWER EASEMENT
VOL. Pg. = VOLUME, PAGE
SYMBOLS
O = SET 5/8" I.R. W/CAP "BAKER & LAWSON"
o = FOUND MONUMENT (AS NOTED)
+ = (TBM) TEMPORARY BENCHMARK

STATE OF TEXAS § COUNTY OF BRAZORIA §
KNOW ALL MEN BY THESE PRESENTS: THAT I, MIGUELANGELO SAUCEDA, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN PROVIDED IN THIS PLAT. TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE ANGLETON LDC, EXCEPT FOR ANY VARIANCES THAT WERE EXPRESSLY GRANTED BY THE CITY COUNCIL. THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.
SIGNED: MIGUELANGELO SAUCEDA DATE
PROFESSIONAL ENGINEER TEXAS REGISTRATION NO. 121992

STATE OF TEXAS § COUNTY OF BRAZORIA §
KNOW ALL MEN BY THESE PRESENTS: THAT I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.
SIGNED: DARREL HEIDRICH DATE
REGISTERED PROFESSIONAL LAND SURVEYOR LAND SURVEYOR NO. 5378

FINAL PLAT
SMART STORAGE ANGLETON
A 12.390 ACRE
2 LOT 1 BLOCK SUBDIVISION
BEING ALL OF A CALLED 12.390 ACRE TRACT AS RECORDED IN C.C.F.N. 2022031274 O.P.R.B.C.T.
LOCATED IN THE J. DE J. VALDERAS SURVEY ABSTRACT NO. 380 CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS

B&L BAKER & LAWSON, INC. ENGINEERS • PLANNERS • SURVEYORS
4005 TECHNOLOGY DR., SUITE 1530 ANGLETON, TEXAS 77515 OFFICE: (979) 849-6681
PROJECT NO: SCALE: 1" = 100' DRAWN BY: AD
DRAWING NO: 15282 PLAT DATE: 09/30/2022 CHECKED BY: DH

Ms. Danielle Clark  
Smart Storage Angleton  
105 Loganberry St.  
Lake Jackson, Texas 77566

June 21, 2022

Mr. Walter Reeves  
Director of Development and Planning  
City of Angleton  
121 S. Velasco  
Angleton, Texas 77515

Re: Completeness Determination for Minor Plat Application  
12.390 Acres in NW Quadrant of Henderson and Carr Road

Dear Mr. Reeves,

I have reviewed your "Completeness Determination" for the references plat dated May 16, 2022. The purpose of the plat is to subdivide a 12.390 acre tract into two tracts consisting 4.533 acres on the north part and 7.860 acres on the south part. There are no plans for a specific development on either tract. I am requesting variances for the following Sections of the City of Angleton Land Development Code (LDC):

**Sec. 23- 117.A.3 – Preliminary Utility Plans**

I have not provided a utility plan because extension of utilities will be determined by a planned development. There is a 16-inch waterline along Henderson which is adjacent to the south tract and an 8-inch sanitary sewer which can be extended about 200 feet from FM 523 south to the northeast corner of the north lot. On site lift stations can be utilized if sanitary sewer depth is an issue. These design issues can be resolved when the first tract is developed. At that time utilities will be extended to serve both tracts.

I request a variance to provide a utility plan at the time the first tract is developed.

**Sec. 23-117.A.5 - Utility and Drainage Report**

These reports will be prepared with each tract as they are developed. Detention not required for 4 acre tract, as per Angleton Drainage District. Utilities were discussed above.

I request a variance to provide a utility and drainage plans at the time that each tract is developed.

**Sec. 23-117.A.6 - Geotechnical Report**

Geotechnical studies are normally prepared based on a boring plan determined by planned development. I do not have a planned layout for each tract at this time.

I request a variance to provide a geotechnical report at the time that each tract is developed.

**Sec. 23-117.A.12 - Heritage Tree Preservation Plan**

Heritage tree preservation plans are prepared when there is a proposed site plan. Heritage trees can be planned around to save or removed and compensated per the Land Development Code. I do not have a planned layout for each tract at this time.

I request a variance to provide a heritage tree preservation plan at the time that each tract is developed.

I will provide current tax certificates if the above requested variances are approved. If you have any questions or require further information, please contact Baker & Lawson, Inc.

Sincerely,

A handwritten signature in cursive script that reads "Danielle Clark".

Danielle Clark, Owner

PLANNING AND ZONING COMMISSION AND CITY COUNCIL:  
 APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING AND ZONING COMMISSION, CITY OF ANGLETON, TEXAS.

BILL GARWOOD, CHAIRMAN, PLANNING AND ZONING COMMISSION  
 MICHELLE PEREZ, CITY SECRETARY

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE CITY COUNCIL, CITY OF ANGLETON, TEXAS.  
 JASON PEREZ, MAYOR

MICHELLE PEREZ, CITY SECRETARY  
 STATE OF TEXAS & COUNTY OF BRAZORIA §  
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MICHELLE PEREZ, CITY SECRETARY, CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC STATE OF TEXAS  
 ACCEPTED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE ANGLETON DRAINAGE DISTRICT.  
 THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
  - THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
  - THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
  - THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.
- THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.
- THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN, BOARD OF SUPERVISORS \_\_\_\_\_ BOARD MEMBER \_\_\_\_\_  
 BOARD MEMBER \_\_\_\_\_

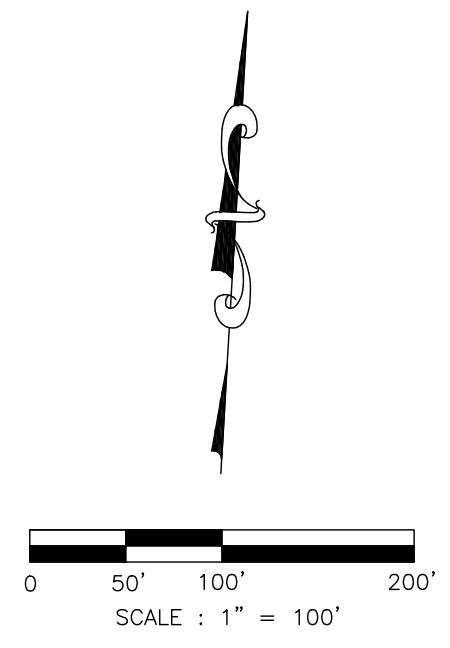
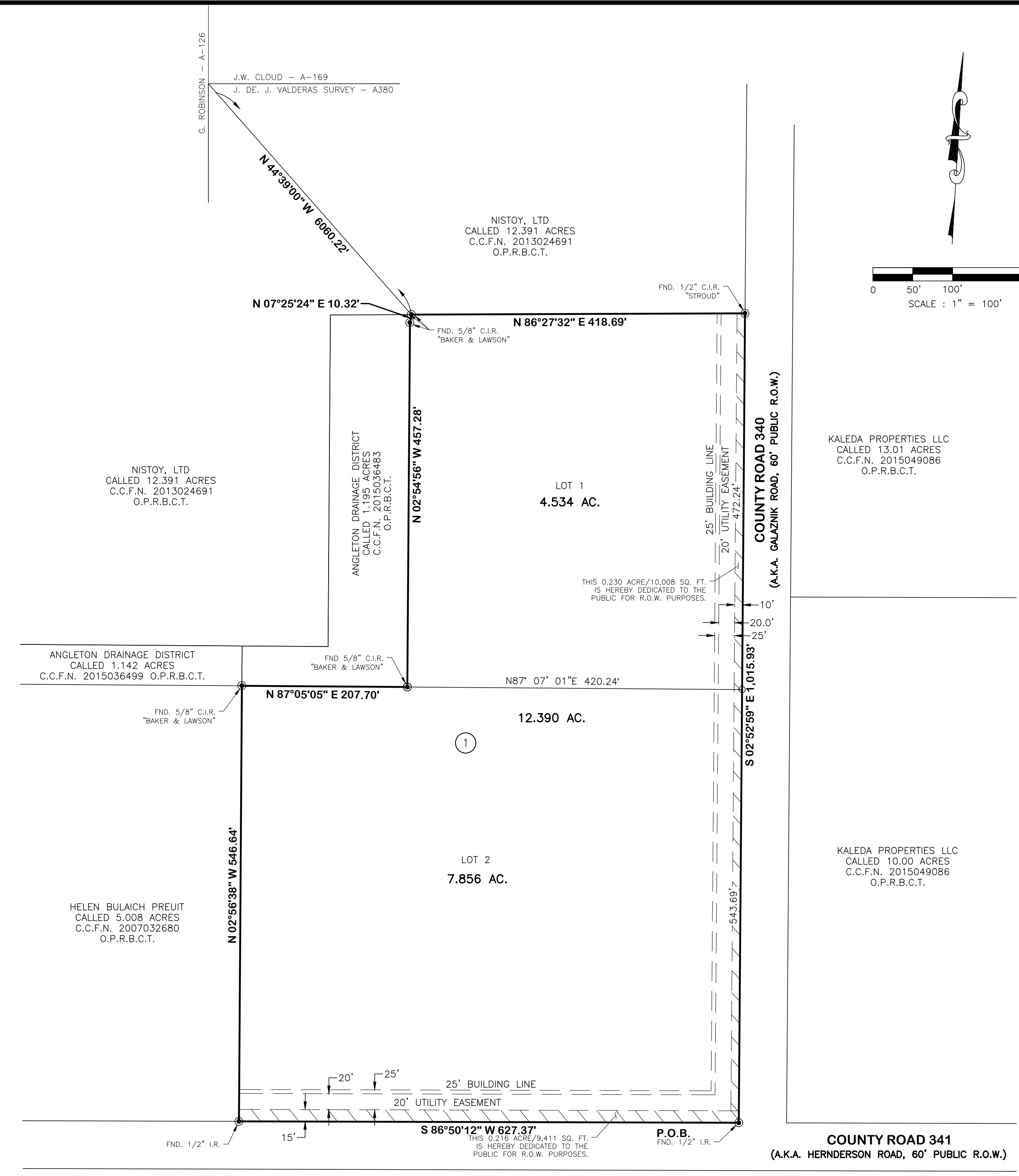
**OWNER'S ACKNOWLEDGEMENT:**  
 NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT DANIELLE CLARK, ASSIGNEE OF SMART STORAGE ANGLETON, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HERENAFORE DESCRIBED PROPERTY AS SMART STORAGE ANGLETON, A SUBDIVISION IN THE JURISDICTION OF THE CITY OF ANGLETON, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND PUBLIC PARKLAND SHOWN THEREON, THE STREETS, ALLEYS AND PARKLAND ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF ANGLETON. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANGLETON'S USE THEREOF. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENHANCE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE.

**OWNER'S ACKNOWLEDGEMENT:**  
 STATE OF TEXAS & COUNTY OF BRAZORIA §  
 THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DANIELLE CLARK, ASSIGNEE  
 SMART STORAGE ANGLETON, LLC  
 STATE OF TEXAS & COUNTY OF BRAZORIA §  
 BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DANIELLE CLARK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES \_\_\_\_\_



**LEGEND**

A.D.D. = ANGLETON DRAINAGE DISTRICT  
 C.C.F.N. = COUNTY CLERK'S FILE NUMBER  
 O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY, TEXAS  
 D.R.B.C.T. = DEED RECORDS BRAZORIA COUNTY TEXAS.  
 B.L. = BUILDING LINE  
 U.E. = UTILITY EASEMENT  
 D.E. = DRAINAGE EASEMENT  
 B.M. = BENCHMARK  
 D.D.E. = DRAINAGE AND DETENTION EASEMENT  
 G.B.L. = GARAGE BUILDING LINE  
 FND = FOUND  
 I.R. = IRON ROD  
 I.P. = IRON PIPE  
 P.O.B. = POINT OF BEGINNING  
 R.O.W. = RIGHT-OF-WAY  
 S.T.M.S.E. = STORM SEWER EASEMENT  
 VOL. = VOLUME, PAGE

**SYMBOLS**

○ = SET 5/8\"/>

**FIELD NOTES FOR 12.390 ACRE**

DESCRIPTION OF A CALLED 12.390 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF THE 12.390 ACRE TRACT AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2022031274 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HEREINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 12.390 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):

BEGINNING AT A 1/2-INCH IRON ROD, FOUND FOR THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING LOCATED AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF COUNTY ROAD 340 (ALSO KNOWN AS GALAZNIK ROAD, 60' WIDE) WITH THE NORTH R.O.W. LINE OF COUNTY ROAD 341 (ALSO KNOWN AS HENDERSON ROAD, 60' WIDE);

THENCE SOUTH 86°50'12\"/>

THENCE NORTH 02°56'38\"/>

THENCE NORTH 87°05'05\"/>

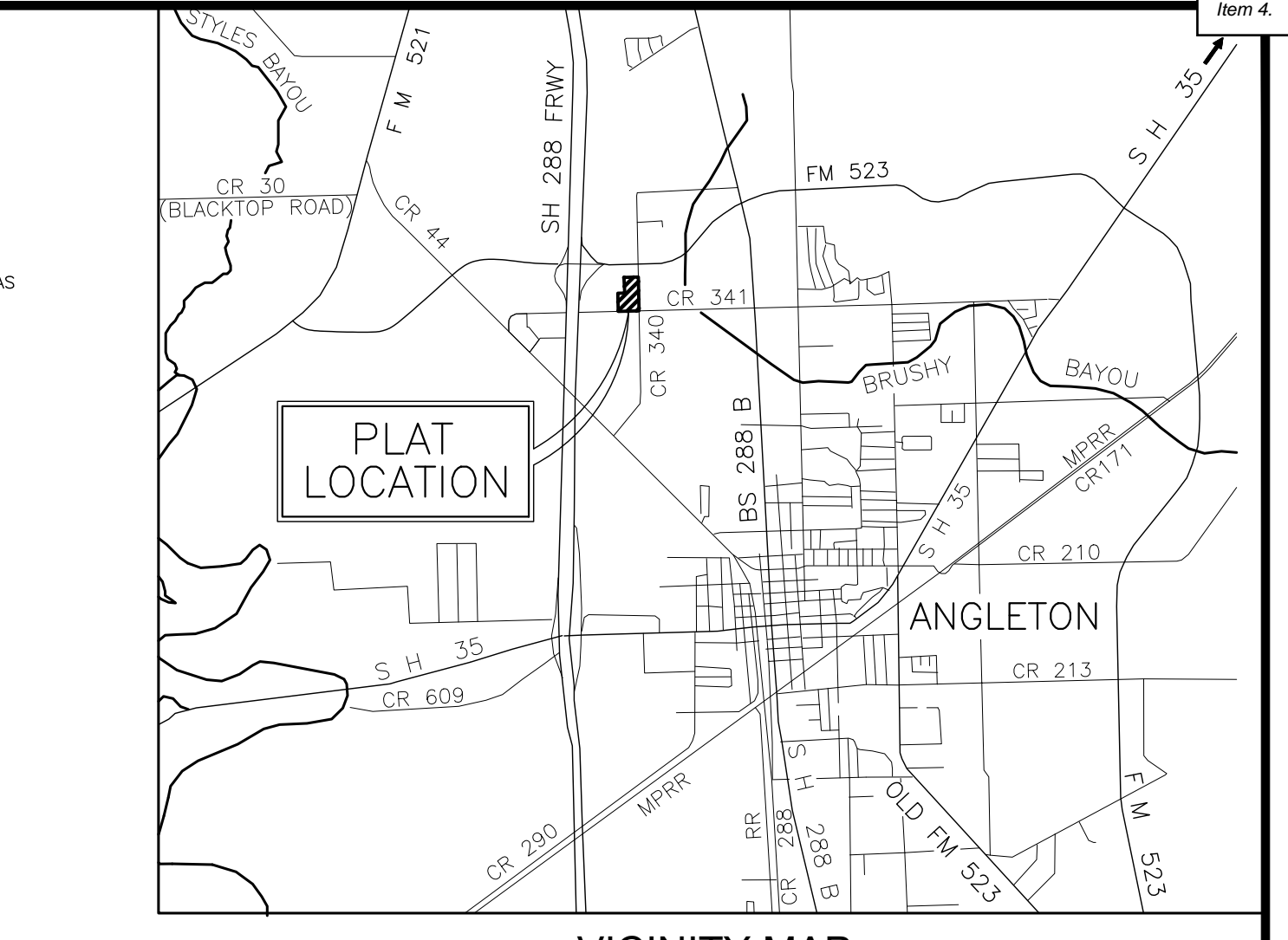
THENCE NORTH 02°54'56\"/>

THENCE NORTH 07°25'24\"/>

THENCE NORTH 86°27'32\"/>

THENCE SOUTH 02°52'59\"/>

- NOTES:**
- THE PURPOSE OF THIS PLAT IS TO PLAT 12.390 ACRES INTO 2 LOTS AND 1 BLOCK.
  - ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
  - FLOOD ZONE STATEMENT: ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 48039C0435K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, THE PROPERTY SURVEYED LIES FULLY WITHIN ZONE\"X\" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT COVER AND/OR STRUCTURES PROTECTED BY THE FLOOD DAMAGE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
  - THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN HEREON.
  - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
  - NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
  - NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
  - NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
  - NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
  - SIDEWALKS SHALL BE REQUIRED PER ANGLETON LDC SEC. 23.14 - SIDEWALKS AND ACCESSIBILITY.
  - THE TRACT IS SUBJECT TO A BLANKET PIPELINE EASEMENT RECORDED UNDER VOL. 348, PG. 128 B.C.D.R. THE EASEMENT IS NOT PLOTTABLE.
  - IF DEVELOPMENT OF TRACT 1 OCCURS FIRST, IT WILL REQUIRE EXTENDING WATERLINE FROM C.R. 341 (HENDERSON ROAD) WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 2. IT WILL ALSO REQUIRE EXTENDING SANITARY SEWER WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 2. SIMILARLY, TRACT 2 IS DEVELOPED FIRST, IT WILL REQUIRE EXTENDING WATERLINE FROM C.R. 341 (HENDERSON ROAD) WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 1. IT WILL ALSO REQUIRE EXTENDING SANITARY SEWER WITHIN THE RIGHT OF WAY OF C.R. 340 (GALAZNIK ROAD) TO SERVE TRACT 1 AS IT IS EXTENDED TO SERVE TRACT 2.



**VICINITY MAP**  
 NTS

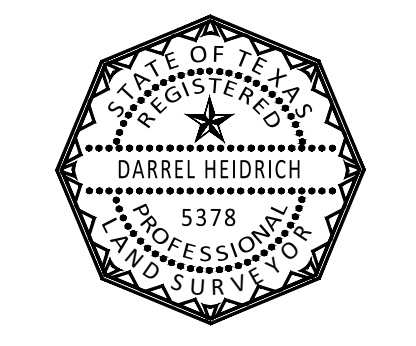
STATE OF TEXAS & COUNTY OF BRAZORIA §  
 KNOW ALL MEN BY THESE PRESENTS: THAT I, MIGUELANGEL SAUCEDA, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN PROVIDED IN THIS PLAT. TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE ANGLETON LDC, EXCEPT FOR ANY VARIANCES THAT WERE EXPRESSLY GRANTED BY THE CITY COUNCIL. THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

SIGNED: MIGUELANGEL A SAUCEDA DATE: \_\_\_\_\_  
 REGISTERED PROFESSIONAL ENGINEER  
 TEXAS REGISTRATION NO. 121992



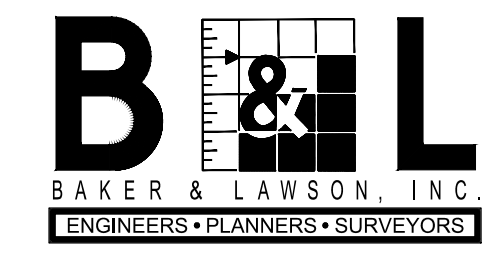
STATE OF TEXAS & COUNTY OF BRAZORIA §  
 KNOW ALL MEN BY THESE PRESENTS: THAT I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

SIGNED: DARREL HEIDRICH DATE: \_\_\_\_\_  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 LAND SURVEYOR NO. 5378



**FINAL PLAT**  
**SMART STORAGE ANGLETON**  
 A 12.390 ACRE  
 2 LOT 1 BLOCK SUBDIVISION  
 BEING ALL OF A CALLED 12.390 ACRE TRACT  
 AS RECORDED IN C.C.F.N. 2022031274  
 O.P.R.B.C.T.

LOCATED IN THE  
 J. DE J. VALDERAS SURVEY  
 ABSTRACT NO. 380  
 CITY OF ANGLETON,  
 BRAZORIA COUNTY, TEXAS



4005 TECHNOLOGY DR., SUITE 1530  
 ANGLETON, TEXAS 77515  
 OFFICE: (979) 849-6681  
 TBPELS No. 10052500 REG. NO. F-825

PROJECT NO:	SCALE: 1" = 100'	DRAWN BY: AD
DRAWING NO: 15282 PLAT	DATE: 09/30/2022	CHECKED BY: DH

A:\00005\15282\15282-CONSTRUCTION-SURVEY\09-30-22\15282 PLAT.DWG: 10/12/22 4:30pm Dwg



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 1, 2022

**PREPARED BY:** Otis T. Spriggs, AICP, Development Services Director

**AGENDA CONTENT:** Presentation, discussion, and possible comment on a Site plan, for Angleton Park Place Sections 4-6; Presentation of Site plan (60 ft. Option), 70.838 acre tract in the southeast area of Angleton, Texas. No action is required.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** None

**FUNDS REQUESTED:** None

**FUND:** None

**PROPERTY LOCATION:** Located 1000 ft south of the intersection of Phillips and Gifford Road. The property is currently owned by Verly L. & Elizabeth Vermillion (PID:161684)

**CURRENT ZONING CLASSIFICATION:** None. ETJ.

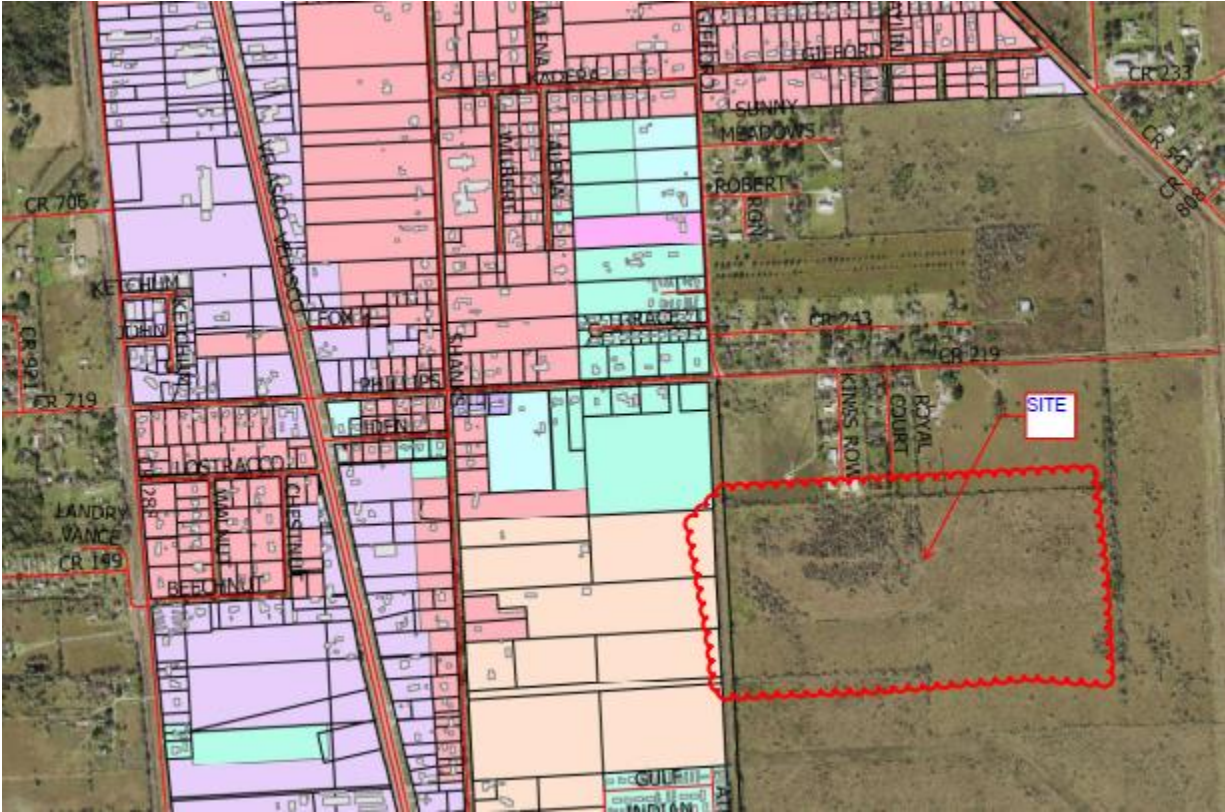
**EXECUTIVE SUMMARY:**

Section 28-26 provides a process whereby developers can present projects to the Planning and Zoning Commission and City Council and receive actionable comments from both bodies.

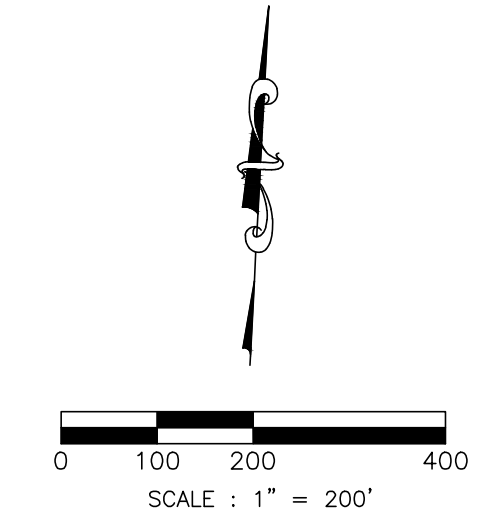
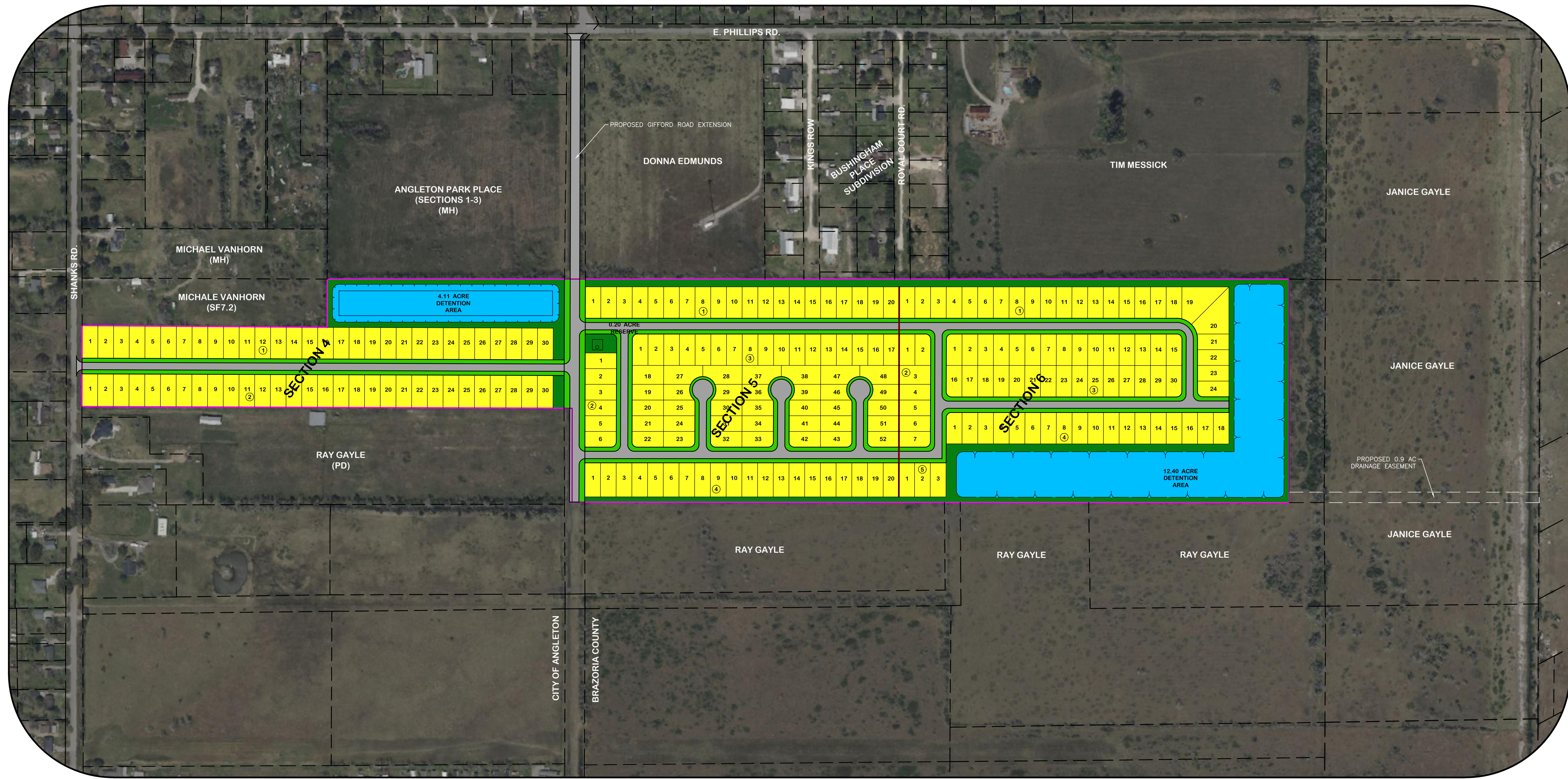
The site plan depicts a manufactured home park, with rental spaces. The development will likely be divided into three sections with land dedicated for green space, roadways, rental lots, drainage and detention. A proposed 80’ ROW taking is planned for Gifford Road. The applicant proposes to construct a 36’ wide road within the proposed ROW. The applicant is returning with this discussion to seek feedback on a 60 ft. lot width option.

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Commission provide comment on the proposed project.



***Vicinity Map***

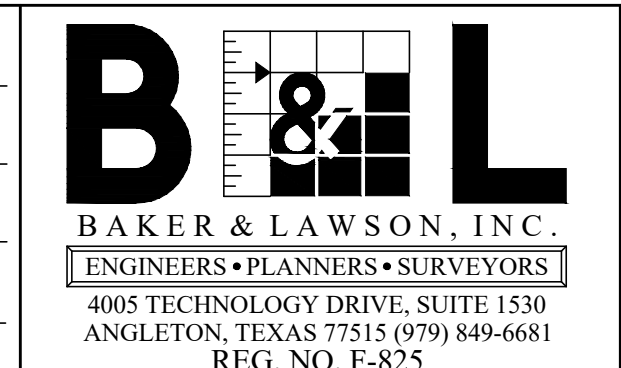


- DETENTION AND DRAINAGE
- ROW
- LOTS
- ROAD
- LIFT STATION

DESCRIPTION	LOTS	TOTAL AREA	LOT AREA	RESERVES	ROW
SECTION 4	60	16.84 AC	10.20 AC	4.11 AC	2.53 AC
SECTION 5	98	34.49 AC	16.72 AC	12.60 AC	5.17 AC
SECTION 6	82	18.20 AC	13.99 AC	0.00 AC	4.21 AC
GIFFORD ROAD		1.31 AC			1.31 AC
<b>TOTAL</b>	<b>240</b>	<b>70.84 AC</b>	<b>40.92 AC</b>	<b>16.70 AC</b>	<b>13.22 AC</b>

NO.	DATE	DESCRIPTION	APPROVED
REVISIONS			

DESIGNED: MS  
 DRAWN: \_\_\_\_\_  
 CHECKED: \_\_\_\_\_  
 DATE: \_\_\_\_\_



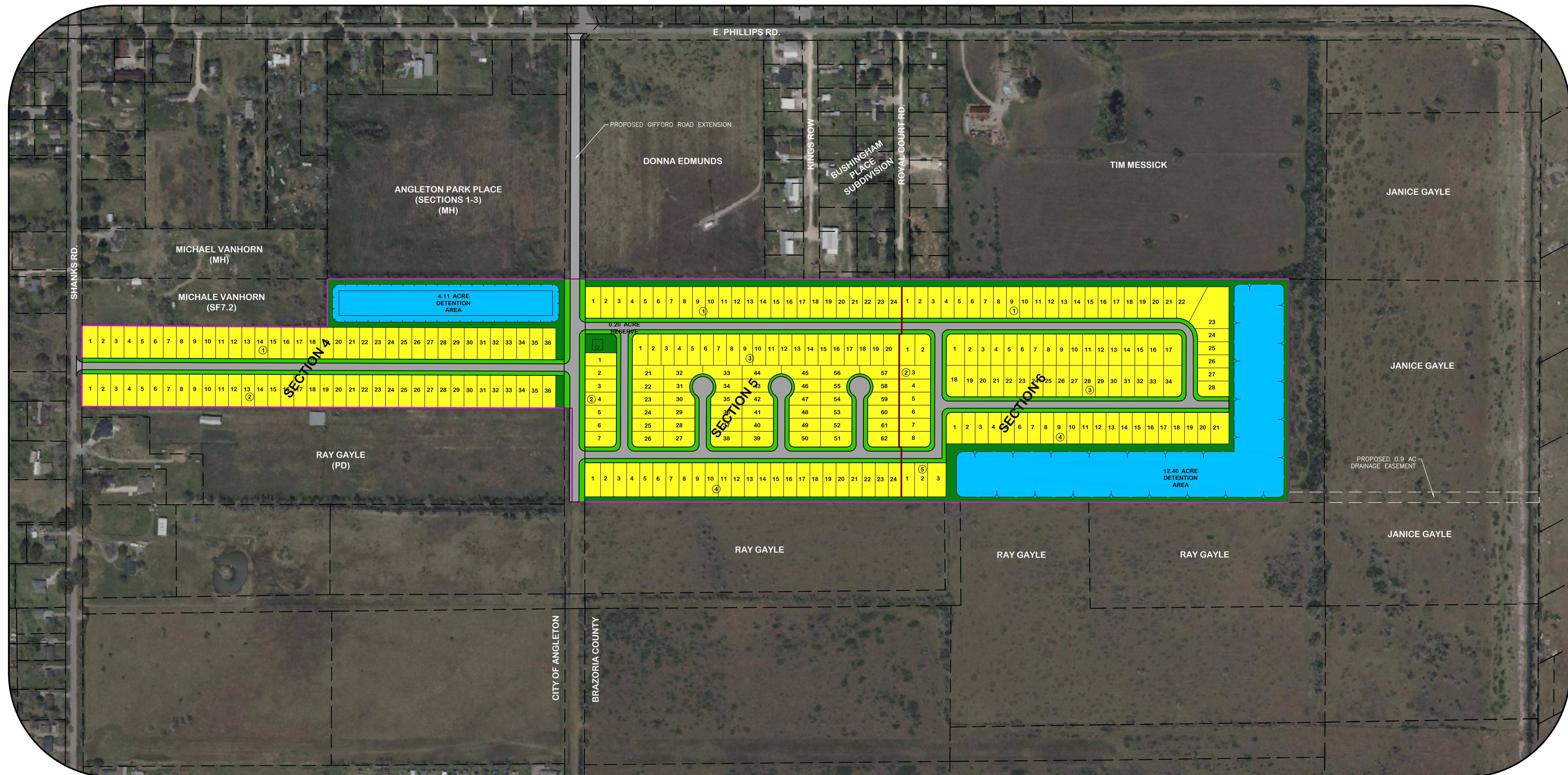
CITY OF ANGLETON  
 BRAZORIA COUNTY

OWNER:  
**MIKE MORGAN**

PLAN: 1" = 200'  
 PROFILE: \_\_\_\_\_  
 HORIZONTAL: \_\_\_\_\_  
 VERTICAL: \_\_\_\_\_

**ANGLETON PARK PLACE  
 (SECTIONS 4, 5, AND 6)  
 70.838 ACRE 240 LOTS**

CONCEPT PLAN  
 (60' WIDE LOTS)  
 PROJECT NO. 15474



DESCRIPTION	LOTS	TOTAL AREA	LOT AREA	RESERVES	ROW
SECTION 4	72	16.84 AC	10.25 AC	4.06 AC	2.53 AC
SECTION 5	117	34.54 AC	16.71 AC	12.59 AC	5.24 AC
SECTION 6	94	18.15 AC	13.97 AC	0.00 AC	4.18 AC
GIFFORD ROAD		1.31 AC			1.31 AC
<b>TOTAL</b>	<b>283</b>	<b>70.84 AC</b>	<b>40.93 AC</b>	<b>16.65 AC</b>	<b>13.26 AC</b>

NO.	DATE	DESCRIPTION	APPROVED
REVISIONS			

DESIGNED MS  
 DRAWN  
 CHECKED  
 DATE

**B & L**  
 BAKER & LAWSON, INC.  
 ENGINEERS • PLANNERS • SURVEYORS  
 4905 TECHNOLOGY DRIVE, SUITE 1530  
 ANGLETON, TEXAS 77515 (979) 849-6681  
 REG. NO. F-825

CITY OF ANGLETON  
 BRAZORIA COUNTY

OWNER:  
**MIKE MORGAN**

PLAN: 1" = 200'  
 PROFILE:  
 HORIZONTAL:  
 VERTICAL:

**ANGLETON PARK PLACE  
 (SECTIONS 4, 5, AND 6)  
 70.838 ACRES, 283 LOTS**

CONCEPT PLAN  
 (50' WIDE LOTS)  
 PROJECT NO. 15474





## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 1, 2022

**PREPARED BY:** Otis T. Spriggs, AICP, Development Services Director

**AGENDA CONTENT:** Presentation, discussion, and possible comment on a potential Rezoning Request, for a potential industrial development site located on 15.482 vacant acres on the North side of Hwy. 220, east of Shanks Road, for property currently zoned PD District. No action is required.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** None

**FUNDS REQUESTED:** None

**FUND:** None

**PROPERTY LOCATION:** North side of Hwy. 220, east of Shanks Road. The property is currently owned by SBRUSCH JOYCE JEAN & JOHN MACEK & ELAINE AKERS (PID:161699); Legal Description: A0134 E WALLER BLOCK 5 TRACT 6-6A1 (SD E/2) ACRES 15.482 (ANGLETON).

**CURRENT ZONING CLASSIFICATION:** PD District (Holding District/No Ordinance).

### EXECUTIVE SUMMARY:

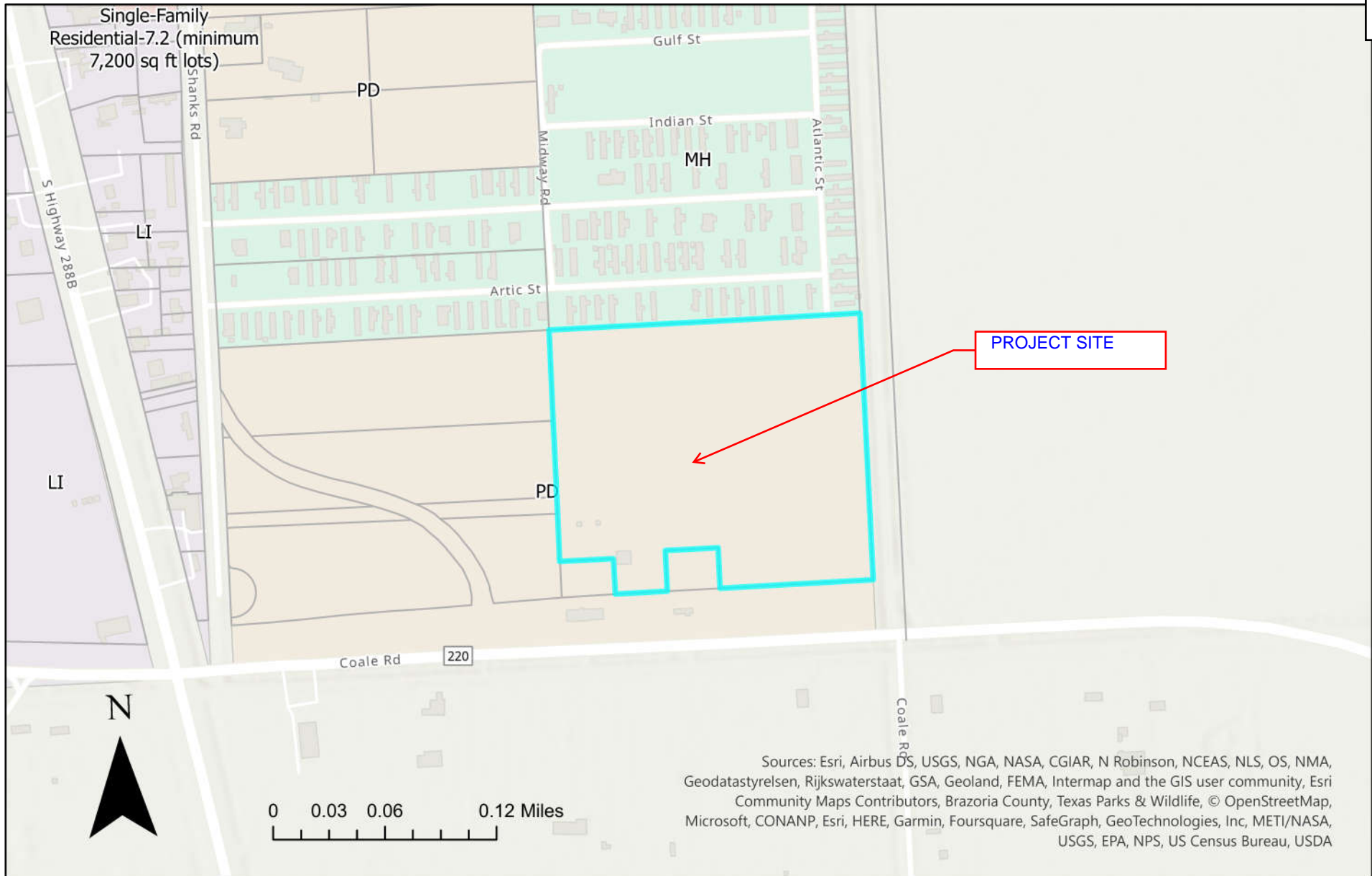
Section 28-26 provides a process whereby developers can present projects to the Planning and Zoning Commission and City Council and receive actionable comments from both bodies.

Mr. Robert Campbell, Operations Manager for Sollock Metal Works, LLC. is seeking to purchase the subject property for the purpose of rezoning it to an industrial classification to suit their business needs.

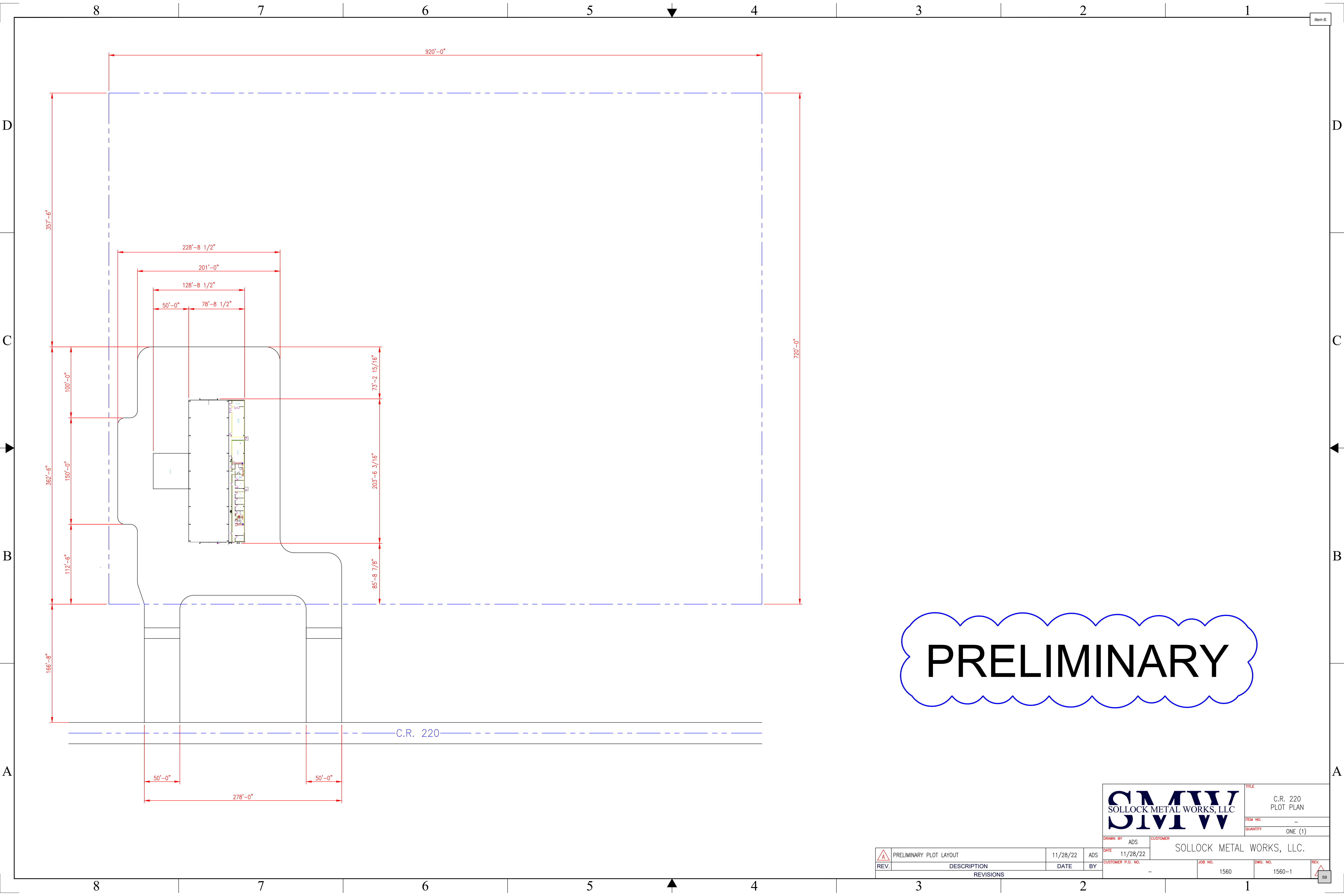
On Wednesday, November 9, 2022, staff facilitated a Development Angleton Working Group meeting (D.A.W.G.) and held preliminary discussions on the property and the development opportunities and procedures. Right of way access requirements (i.e. driveway, site distance) and coordination with Brazoria County were discussed. Drainage and utilities were also discussed. The applicant was advised to develop a conceptual layout of the property.

### RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission hold the discussion and provide comments on the proposed project.



POTENTIAL DEVELOPMENT/REZONING: North side of Hwy. 220, East of Shanks Rd.



PRELIMINARY

<b>SOLLOCK METAL WORKS, LLC</b>		<b>SOLLOCK METAL WORKS, LLC</b>		TITLE	C.R. 220 PLOT PLAN
DRAWN BY		DATE		ITEM NO.	-
ADS		11/28/22		QUANTITY	ONE (1)
CUSTOMER		SOLLOCK METAL WORKS, LLC.			
REV.	DESCRIPTION	DATE	BY	CUSTOMER P.O. NO.	JOB NO.
3	PRELIMINARY PLOT LAYOUT	11/28/22	ADS	-	1560
REVISIONS			DWG. NO.	REV.	59
			1560-1	1	1