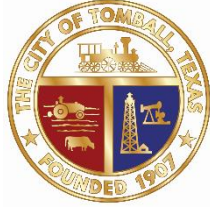


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**Monday, December 9, 2024
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, December 9, 2024, at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with an attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- A. Call to Order
- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - [D.1](#) Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 11, 2024.
 - [D.2](#) Consideration to Approve the Minutes of the Special Planning and Zoning Commission Meeting of November 13, 2024.
 - [D.3](#) Consideration to Approve the Minutes of the Special Planning and Zoning Commission Meeting of November 14, 2024.
- E. New Business Non-Action Items (for informational purposes only)
 - [E.1](#) Minor Plat of **Isidrows Tomball**: A subdivision of 10.1572 acres of land, being a replat of Lots 372 and 373, corrected map of Tomball Outlots, recorded in Volume 4, Page 75, H.C.M.R., located in the Jesse Pruett Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

E.2 Minor Plat of **Kleimann and Hitchcock One**: A Plat of a 0.3818-acre tract of land in the Joseph House Survey, Abstract No. 34, in Harris County, Texas.

F. New Business

F.1 Consideration to approve Final Plat of **Interchange 249 Business Park Partial Replat No. 5**: A subdivision of 3.9420 acres, (171,713 square feet), being a replat of Lot 100, Block 2, Interchange 249 Business Park Partial Replat No. 2, Film Code No. 703892, H.C.M.R., situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

F.2 Conduct a public hearing and consideration to approve **Zoning Case Z24-20**: Request by Indus Equities LLC, represented by Windrose Land Services, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.800 acres of land legally described as being a 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375 from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 14615 FM 2920, within the City of Tomball, Harris County, Texas.

F.3 Discussion and action regarding updates to the City of Tomball's adopted building codes.

G. Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of the meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 6th day of December 2024 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1019 for further information.

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

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 11, 2024.

Background:

Origination: Community Development

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: ____ No: ____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
 Staff Member Date City Manager Date

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

MONDAY, NOVEMBER 11, 2024



6:00 P.M.

draft

- A. The meeting was Called to Order by Chairman Anderson at 6:01 p.m. Other Members present were:
Commissioner Tana Ross
Commissioner Colleen Pye
Commissioner Susan Harris

Commissioner Scott Moore – Excused Absence

Others present:

Craig Meyers – Community Development Director
Benjamin Lashley – Assistant City Planner
Kim Chandler – Community Development Coordinator
Tommy Ramsey – City Attorney

- B. No Public Comments were received.

- C. Reports and Announcements:

Craig Meyers, Community Development Director announced the following:

- Upcoming Meetings:
 - Wednesday, November 13, 2024
 - Town Hall Discussion regarding the Final Plat of Tomball Hills Addition, Lot 24, Block 4, Replat No. 2.
 - Thursday, November 14, 2024
 - Special P&Z Meeting - Approval of a certificate regarding the Final Plat of Tomball Hills Addition, Lot 24, Block 4, Replat No 2.
 - Monday, December 9, 2024
 - Regular CIPAC Meeting @ 5:30 p.m.
 - Regular Planning & Zoning Meeting @ 6:00 p.m.

- City Council Denied **Zoning Case Z24-14:** Request by International Commercial Development Enterprise LLC, represented by Ernesto Quintanilla, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 4.339 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the General Retail (GR) zoning district. The property is located at 16000 FM 2920 Road within the City of Tomball, Harris County, Texas.
- City Council Denied **Zoning Case Z24-15:** Request by International Commercial Development Enterprise LLC, represented by Ernesto Quintanilla, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 11.40 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the Duplex Residential (D) zoning district. The property is located at 16000 FM 2920 Road within the City of Tomball, Harris County, Texas.
- Applicant Withdrew at City Council on First Reading **Zoning Case Z24-16:** Request by Mike Matheson, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.0402 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No.1 from Office (O) to the General Retail (GR) zoning district. The property is located at 1211 Rudel Drive, within the City of Tomball, Harris County, Texas.

D. Approval of Minutes:

Motion was made by Commissioner Harris, second by Commissioner Pye, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 9, 2024.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

E. New Business Non-Action Items:

- E.1 Minor Plat of **Island Xpress Tomball:** A subdivision of 1.800 acres, (78,407.57 Square Feet), situated in the John M. Hooper Survey, Abstract No. 375, City of Tomball, Harris County, Texas.

Benjamin Lashley, Assistant City Planner, presented with Staff Approval with conditions.

F. New Business:

- F.1 Consideration to approved Final Plat of **Leong Estates:** A subdivision of 1.9959 acres, (86,941.69 Square Feet), located in the J. House Survey, Abstract 34, Harris County, Texas, City of Tomball.

Benjamin Lashley, Assistant City Planner, presented with Staff Approval with conditions.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion was made by Commissioner Ross, second by Commissioner Harris, to approve with no conditions.

Motion Approved (Unanimously).

- F.2 Conduct a public hearing and consideration to approve **Zoning Case Z24-18**: Request by John and Tracy Randall, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 36.408 acres of land legally described as being three tracts of land situated in the Jesse Pruett Survey, Abstract No. 629 from Single-Family Estate Residential (SF-20-E) to the Light Industrial (LI) zoning district. The property is located at 21725 Hufsmith Kohrville Road, within the City of Tomball, Harris County, Texas.

Craig Meyers, Community Development Director, presented the case and staff recommendation of approval.

Tracy Randall, Owner, (21725 Hufsmith Kohrville Road, Tomball, TX 77375), spoke on behalf of the request.

The Public Hearing was opened by Chairman Anderson at 6:21 p.m.

Dane Dunagin (535 E. Hufsmith Road, Tomball, TX 77375), spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed by Chairman Anderson at 6:22 p.m.

Motion was made by Commissioner Harris, second by Commissioner Ross, to approve **Zoning Case Z24-18**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Anderson	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Pye	<u>Aye</u>

Motion Approved (Unanimously).

G. Adjournment

Motion was made by Commissioner Ross second by Commissioner Pye, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 6:24 p.m.

PASSED AND APPROVED this _____ day of 2024.

Kim Chandler
Community Development Coordinator/
Commission Secretary

Richard Anderson
Commission Chairman

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Consideration to Approve the Minutes of the Special Planning and Zoning Commission Meeting of November 13, 2024.

Background:

Origination: Community Development Department

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

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

WEDNESDAY, NOVEMBER 13, 2024



6:00 P.M.

draft

- A. The meeting was Called to Order by Chairman Anderson at 6:00 p.m. Other Members present were:
 - Commissioner Scott Moore
 - Commissioner Colleen Pye
 - Commissioner Susan Harris
 - Commissioner Tana Ross

Others present:

- Craig Meyers – Community Development Director
- Benjamin Lashley – Assistant City Planner
- Kim Chandler – Community Development Coordinator
- Loren Smith – City Attorney
- David Esquivel – City Manager
- Jessica Rogers – Assistant City Manager
- Luisa Taylor – Director of Special Projects
- Albert Chambers – Police Lieutenant
- Shon Davis – Police Captain
- Matthew Maglitto – Police Detective

City Council Members Present:

- Lori Klein-Quinn – City Mayor
- John Ford - Council 1
- Dane Dunagin - Council 3
- Lisa A. Covington - Council 4
- Randy Parr - Council 5

- B. No Public Comments were received.
- C. No Reports or Announcements were heard.
- D. New Business
 - D.1 Town Hall Discussion regarding the Final Plat of Tomball Hills Addition, Lot 24, Block 4, Replat No. 2.

F. Adjournment

Motion was made by Commissioner Ross second by Commissioner Moore, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 7:37 p.m.

PASSED AND APPROVED this _____ day of 2024.

Kim Chandler
Community Development Coordinator/
Commission Secretary

Richard Anderson
Commission Chairman

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Consideration to Approve the Minutes of the Special Planning and Zoning Commission Meeting of November 14, 2024.

Background:

Origination: Community Development Department

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

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

THURSDAY, NOVEMBER 14, 2024



5:00 P.M.

draft

- A. The meeting was Called to Order by Chairman Anderson at 5:03 p.m. Other Members present were:
Commissioner Susan Harris
Commissioner Tana Ross

Commissioner Scott Moore – Excused Absence
Commissioner Colleen Pye – Excused Absence

Others present:

Craig Meyers – Community Development Director
Benjamin Lashley – Assistant City Planner
Kim Chandler – Community Development Coordinator
Bridgette Begle – City Attorney
Jessica Rogers – Assistant City Manager
Luisa Taylor – Director of Special Projects
John Willard – Police Officer

- B. No Public Comments were received.
- C. No Reports or Announcements were heard.
- D. New Business

D.1 Approval of a certificate regarding the Final Plat of Tomball Hills Addition, Lot 24, Block 4, Replat No 2 in accordance with Texas Local Government Code Section 212.009(d) – “If the municipal authority responsible for approving plats fails to approve, approve with conditions, or disapprove a plat within the prescribed period, the authority on the applicant's request shall issue a certificate stating the date the plat was filed and that the authority failed to act on the plat within the period.”

Motion was made by Commissioner Ross, second by Commissioner Harris, to approve a certificate regarding the Final Plat of Tomball Hills Addition, Lot 24, Block 4, Replat No 2 in accordance with Texas Local Government Code Section 212.009(d).

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Anderson	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>

Motion Approved (Unanimously).

F. Adjournment

Motion was made by Commissioner Harris second by Commissioner Ross, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 5:06 p.m.

PASSED AND APPROVED this _____ day of 2024.

Kim Chandler
Community Development Coordinator/
Commission Secretary

Richard Anderson
Commission Chairman

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Minor Plat of **Isidrows Tomball**: A subdivision of 10.1572 acres of land, being a replat of Lots 372 and 373, corrected map of Tomball Outlots, recorded in Volume 4, Page 75, H.C.M.R., located in the Jesse Pruett Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved no conditions

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

CITY OF TOMBALL

Plat Name: Isidrows Tomball

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: December 9, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the Community Development Department and Engineering Division approved this minor plat at the administrative level.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ISIDROWS, LLC, ACTING BY AND THROUGH MONICA ELIDA LOHOLABERRY CONDINANZO, MEMBER, BEING OFFICERS OF ISIDROWS, LLC, OWNERS IN THIS SECTION AFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 10.1572 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF ISIDROWS TOMBALL, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS, OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. & A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS HAVE A NET DRAINAGE OPENING AREA OF A SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND 15 FEET WIDE ON EACH SIDE OF THE CENTERLINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED AND DEPICTED UPON IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGEWAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTAMONY WHEREOF, THE ISIDROWS, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY MONICA ELIDA LOHOLABERRY CONDINANZO, ITS MEMBER, THEREUNTO AUTHORIZED, THIS DAY OF 20__.

ISIDROWS, LLC
BY: MONICA ELIDA LOHOLABERRY CONDINANZO
MEMBER

STATE OF TEXAS
COUNTY OF HARRIS
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MONICA ELIDA LOHOLABERRY CONDINANZO, MEMBER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS DAY OF 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____

THIS IS TO CERTIFY THAT THE PLANNING & ZONING COMMISSION OF THE CITY OF TOMBALL HAS APPROVED THIS PLAT AND SUBDIVISION OF ISIDROWS TOMBALL IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS DAY OF 2024.

CRAIG MEYERS
COMMUNITY DEVELOPMENT DIRECTOR

I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON 2024, AT 00:00 CLOCK P.M., AND DULY RECORDED ON 2024, AT 00:00 CLOCK P.M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

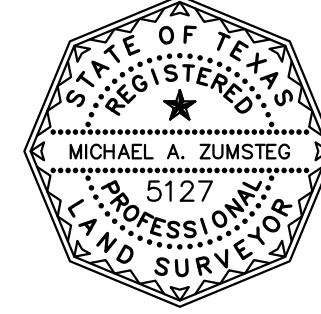
WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

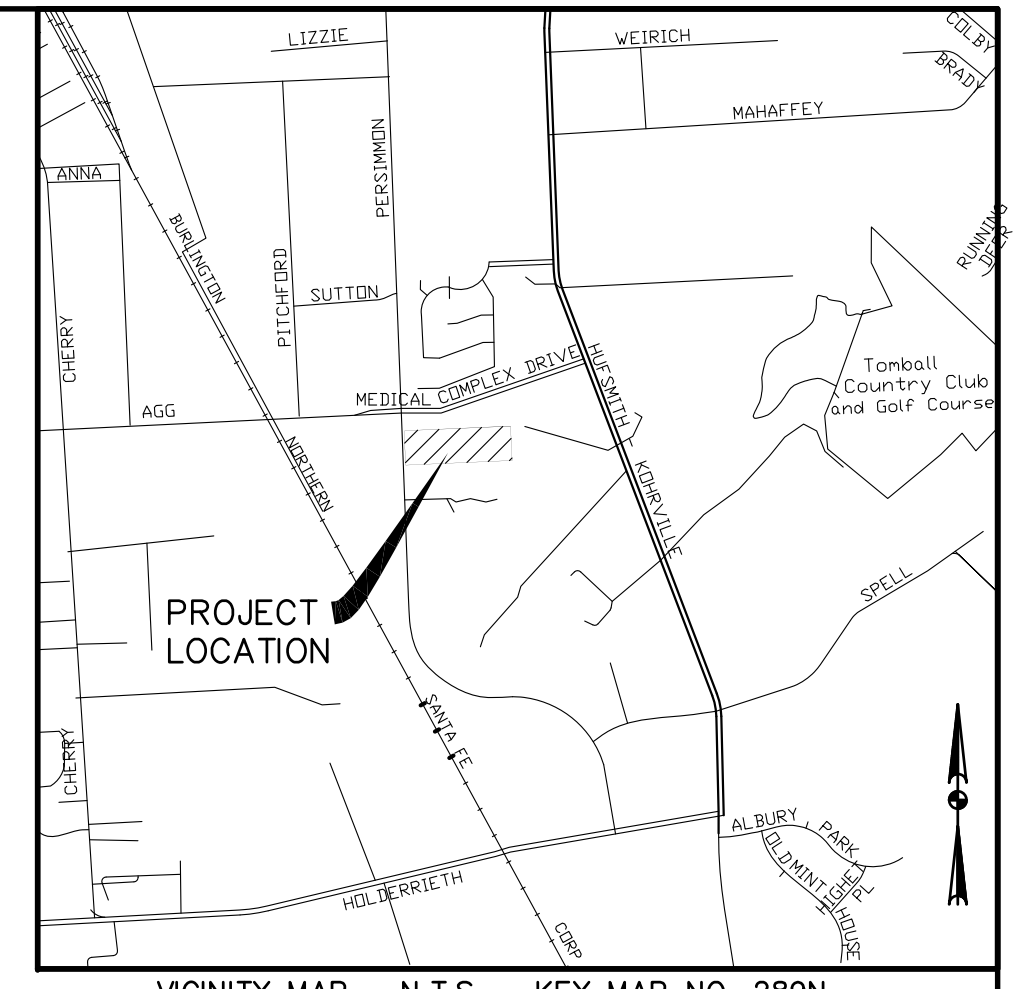
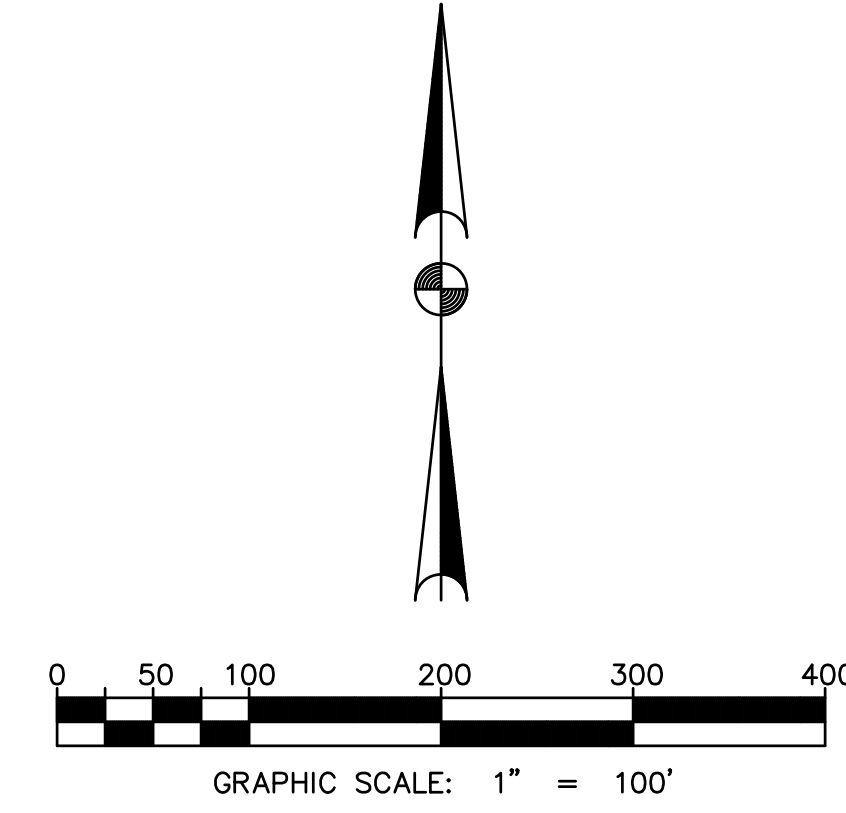
BY: DEPUTY

I, MICHAEL A. ZUMSTEG, AM AUTHORIZED (OR REGISTERED) UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTH (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

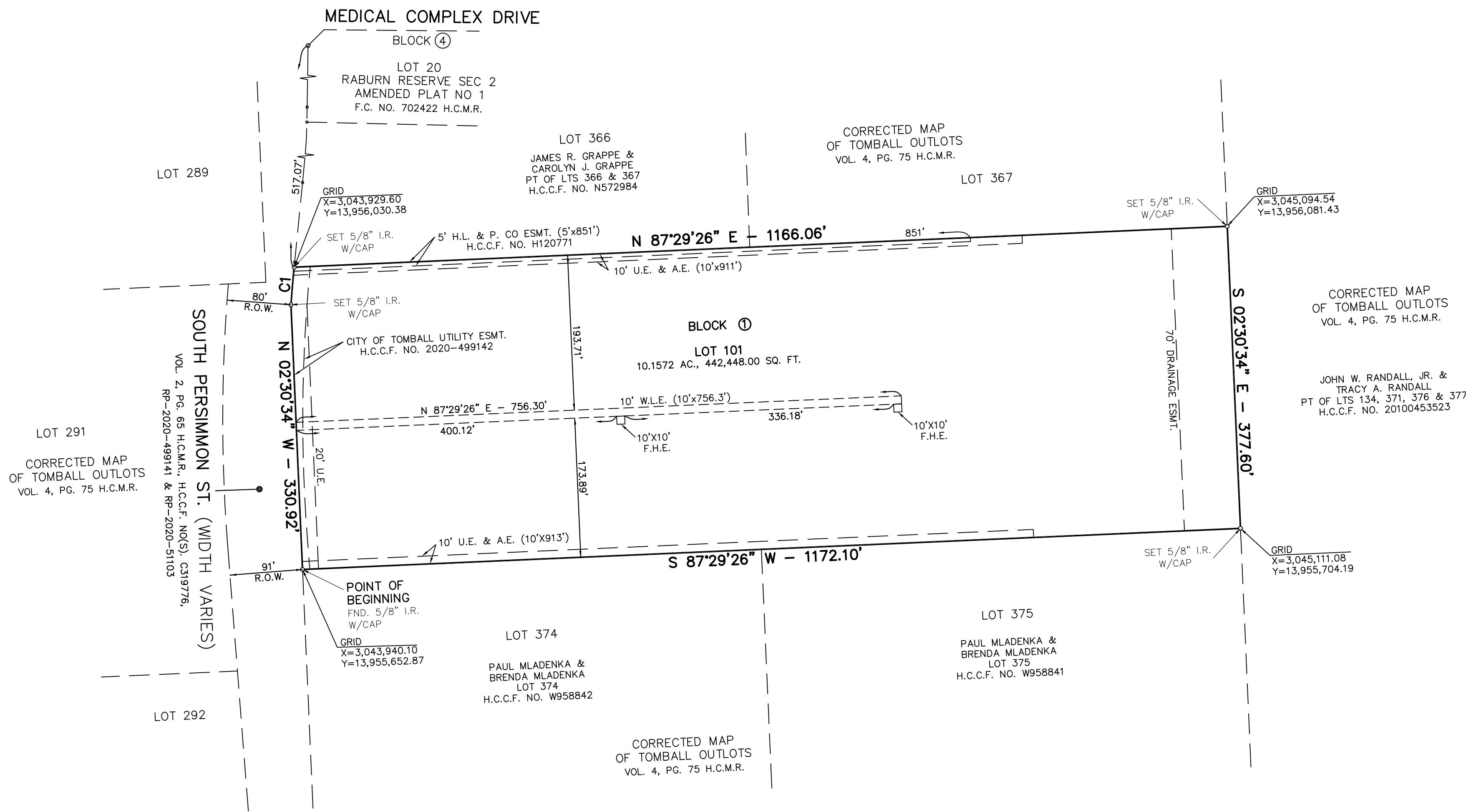
MICHAEL A. ZUMSTEG, R.P.L.S.
TEXAS REGISTRATION No. 5127



- LEGEND:
PG. - PAGE
AC. - ACRE
E - EAST
W - WEST
N - NORTH
S - SOUTH
FND. - FOUND
VOL. - VOLUME
NO. - NUMBER
I.R. - IRON ROD
ESMT. - EASEMENT
F.C. - FILM CODE
SQ. FT. - SQUARE FEET
B.L. - BUILDING LINE
R.O.W. - RIGHT-OF-WAY
A.E. - AERIAL EASEMENT
U.E. - UTILITY EASEMENT
W.L.E. - WATER LINE EASEMENT
F.H.E. - FIRE HYDRANT EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
H.C.C.F. - HARRIS COUNTY CLERK'S FILE
H.C.M.R. - HARRIS COUNTY MAP RECORDS
H.C.D.R. - HARRIS COUNTY DEED RECORDS
C.O.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT
C.O.T.W.L.E. - CITY OF TOMBALL WATER LINE EASEMENT
O.P.R.O.R.P. - OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
Ø - INDICATES SET 5/8" IRON ROD WITH CAP.



JESSE PRUETT SURVEY, A-629



- 1- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROUNDS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF IT'S RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- 2- ACCORDING TO FEMA FIRM PANEL NO. 48201C0230L (EFFECTIVE DATE JUNE 18, 2007), THIS PROPERTY IS IN UNSHADED ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- 3- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- 4- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- 5- NO BUILDING OR STRUCTURE SHALL HAVE A FINISHED FLOOR LESS THAN 12 INCHES ABOVE THE CROWN OF THE STREET.
- 6- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- 7- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- 8- ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY FROM AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOOD FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.

ISIDROWS TOMBALL

A SUBDIVISION OF 10.1572 ACRES OF LAND, BEING A REPLAT OF LOTS 372 AND 373 CORRECTED MAP OF TOMBALL OUTLOTS, RECORDED IN VOLUME 4, PAGE 75 H.C.M.R., LOCATED IN THE JESSE PRUETT SURVEY, ABSTRACT NO. 629, CITY OF TOMBALL, HARRIS COUNTY, TEXAS.

101 LOT 1 BLOCK

DATE: NOVEMBER, 2024 SCALE: 1" = 100

REASON FOR REPLAT: TO CREATE ONE RESTRICTED RESERVE

OWNER:
ISIDROWS, LLC
2900 N. OCEAN DR, APT. 301, HOLLYWOOD, FL 33019

SURVEYOR:
CENTURY ENGINEERING, INC.
3030 S. GESSNER SUITE 100, HOUSTON, TEXAS 77063
OFFICE: (713) 780-8871 FAX: (713) 780-7662
e-mail: dmasiatte@centuryengineering.com
T.B.P.E. FIRM REGISTRATION NO. F-380 T.B.P.L.S. FIRM REGISTRATION NO. 100965-0

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1960.00'	01°22'33"	47.07'	N 04°51'40" E	47.06'

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Minor Plat of **Kleimann and Hitchcock One**: A Plat of a 0.3818-acre tract of land in the Joseph House Survey, Abstract No. 34, in Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

CITY OF TOMBALL

Plat Name: Kleimann and Hitchcock One

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: December 9, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the Community Development Department and Engineering Division approved this minor plat at the administrative level.

STATE OF TEXAS
COUNTY OF HARRIS

I, Carl Kleimann, hereinafter referred to as owner of the 0.3818 acre tract described in the above and foregoing plat of "KLEIMANN & HITCHCOCK 1", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind ourselves and our heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owner has dedicated and by these presents dedicate to the use of the public for public utility purposes an unobstructed aerial easement five feet in width from a plane twenty feet above the ground upward, located adjacent to all public utility easements shown hereon.

FURTHER, owner does hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private walkways crossing such drainage facilities.

FURTHER, owner does hereby dedicate to the public a strip of land 25 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage course located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain into this easement except by means of an approved drainage structure.

WITNESS our hand, this ____ day of _____, 2024.

Carl H. Kleimann

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Carl H. Kleimann, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said owner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2024.

Notary Public in and for the State of Texas

My Commission expires on the ____ day of _____, 20__.

I, Tony P. Swonke, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, and other points of reference have been marked with iron rods or pipes having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that

Tony P. Swonke
Registered Professional Land Surveyor No. 4767



This is to certify that the Planning & Zoning Commission of the City of Tomball has approved this subdivision and plat of "KLEIMANN & HITCHCOCK 1", in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this ____ day of _____, 2024.

Craig Meyers
Director of Community Development

I, Teneshia Hudspeth, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the ____ day of _____, 20__, at ____ o'clock __ M., and was duly recorded on the ____ day of _____, 20__, at ____ o'clock, __ M. and filed under Film Code No. _____ of the Map Records of Harris County, Texas.

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DATE AND DATE LAST ABOVE WRITTEN.

Teneshia Hudspeth
Clerk of the County Court
Harris County, Texas

Deputy

FLOOD INFORMATION: According to FEMA Firm Panel No. 48201C0230 L (Dated June 18, 2007), this property is in Zone "X" and not in the 0.2% Annual Chance Flood Plain.

- Note #1 All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- Note #2 All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- Note #3 No building or structure shall be constructed across any pipelines building lines, and/or easements. Building setback lines will be required, adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- NOTE #4: This plat does not attempt to amend or remove any valid restrictions or covenants.
- NOTE #5: The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building line required by the City of Tomball Code of Ordinances at the time of the development of the property.
- NOTE #5: A ten-foot-wide City of Tomball utility easement is hereby dedicated by this plat and centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter.
- NOTE #6: Zoning has been adopted by the City of Tomball. The property owner is advised to reference said ordinance for land uses and property development standards.

METES & BOUNDS: BEGINNING at a 3/4-inch iron pipe found lying in the North line of Lot 2 in Block 1 of KINSEY SITES (Film Code No. 463106, HCMR). Said point marks an angle point in the South line of Public Tract "A" of COUNTRY MEADOWS EAST (Film Code No. 392120, HCMR), and the most easterly corner of this 0.3818 acre tract, hereafter called "the subject tract";

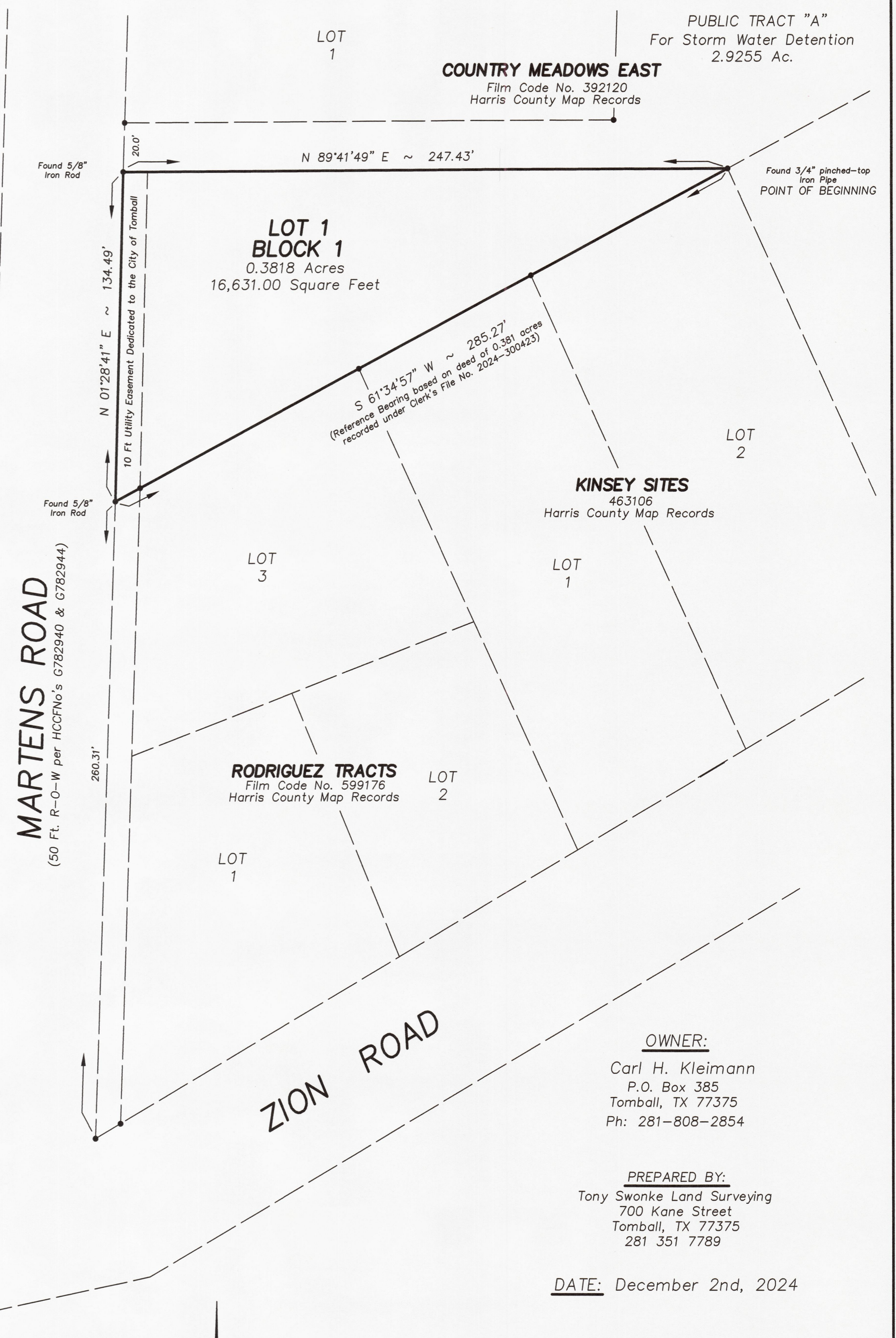
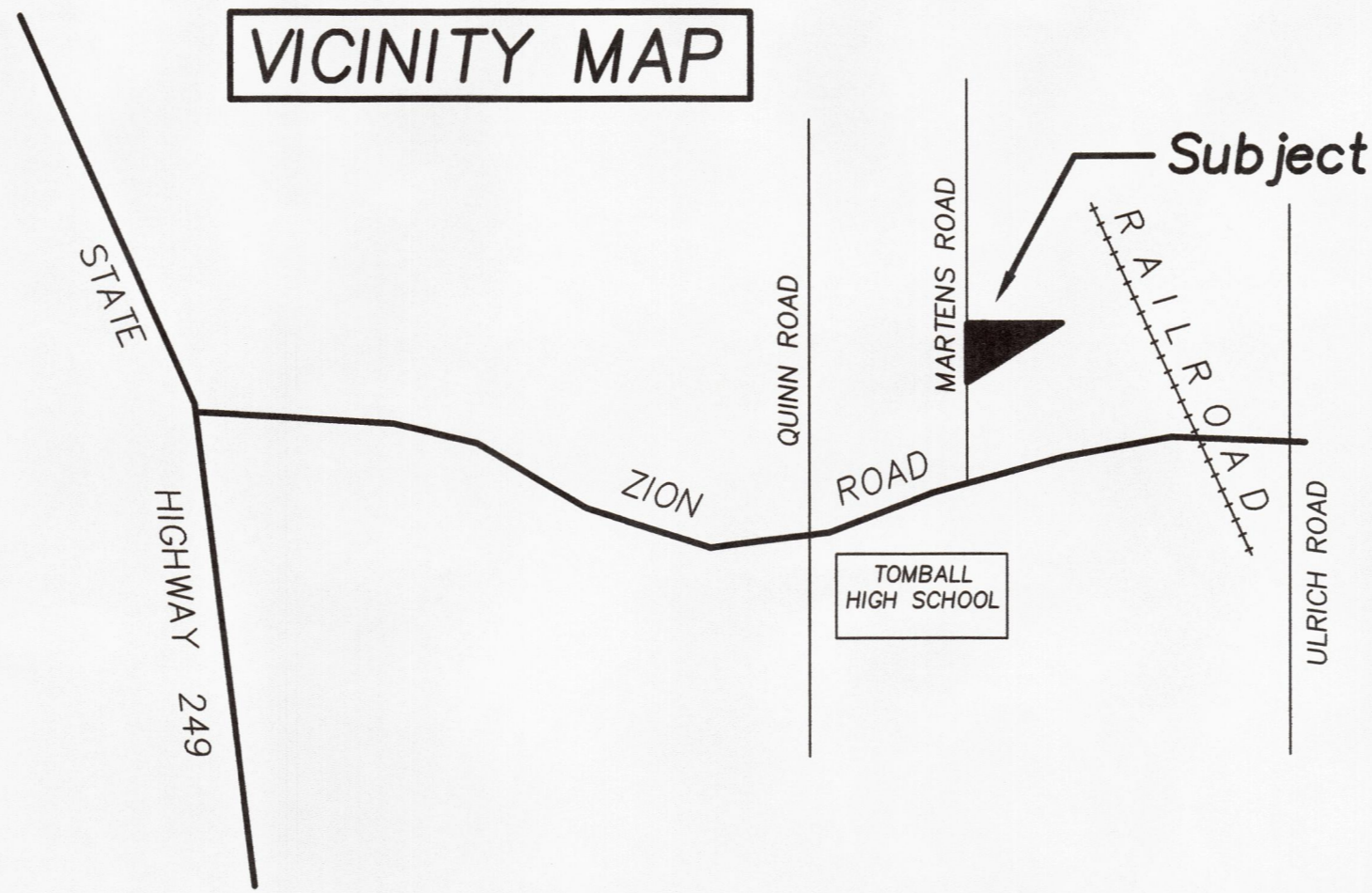
THENCE South 61°34'57" West (Reference Bearing based on deed of subject tract recorded under Clerk's File No. 2024-300423), with the northwesterly line of said KINSEY SITES, and RODRIGUEZ TRACTS (Film Code No. 599176 (Harris County Map Records), a distance of 285.27 feet to a 5/8-inch iron rod found lying in the East right-of-way of Martens Road (50-foot-wide R-O-W) and marking the Southwest corner of the subject tract;

THENCE North 01°28'41" East, with the East line of Martens Road, a distance of 134.49 feet to a 5/8-inch iron rod found marking the Northwest corner of the subject tract, and the Southwest corner of said Public Tract "A" of COUNTRY MEADOWS EAST;

THENCE North 89°41'49" East, departing the East line of Martens Road, a distance of 247.43 feet to the POINT OF BEGINNING and containing 0.3818 acres of land.

PUBLIC EASEMENT:

Public easements denoted on this plat are hereby dedicated to the use of the public forever. Any public utility, including the City of Tomball, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.



OWNER:
Carl H. Kleimann
P.O. Box 385
Tomball, TX 77375
Ph: 281-808-2854

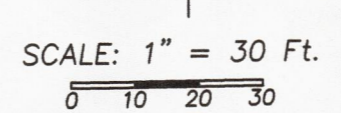
PREPARED BY:
Tony Swonke Land Surveying
700 Kane Street
Tomball, TX 77375
281 351 7789

DATE: December 2nd, 2024

KLEIMANN AND HITCHCOCK ONE

A plat of a 0.3818 acre tract of land in the Joseph House Survey, Abstract No. 34, in Harris County, Texas.

Containing: 1 Lot / 1 Block



Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Consideration to approve Final Plat of **Interchange 249 Business Park Partial Replat No. 5**: A subdivision of 3.9420 acres, (171,713 square feet), being a replat of Lot 100, Block 2, Interchange 249 Business Park Partial Replat No. 2, Film Code No. 703892, H.C.M.R., situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

CITY OF TOMBALL

Plat Name: Interchange 249 Business Park Partial Replat No 5

Plat Type: Final

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: December 9, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

The Community Development Department and Engineering Division approves this Plat with the following conditions.

- Engineered construction plans must be submitted to and approved by the City of Tomball illustrating how all required public improvements associated with this development will be constructed (i.e. streets/utilities).
- Prior to the recordation of this final subdivision plat all required public improvements associated with this development must be installed in accordance with the approved construction plans and/or suitable financial guarantee must be furnished to the city covering the overall costs of the remaining improvements as deemed acceptable by the City Engineer (Sec. 212.0106 of Texas Local Government Code).

STATE OF TEXAS
COUNTY OF HARRIS

We, 101 PECAN GROVE TOMBALL, L.P., a Texas limited partnership, acting by and through Potomac Management, LLC, a Texas limited liability company, its general partner, acting by and through Lewis E Brown, Jr., Manager, Owner, hereinafter referred to as Owners of the 1.4305 acre tract described in the above and foregoing map of INTERCHANGE 249 BUSINESS PARK REPLAT NO 5 make and establish said subdivision of said property according to all liens, dedications, restrictions, and notations on said plat and hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements, the aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easement that are designated with aerial easements (u.e. and o.e.) as indicated and depicted hereon whereby the aerial easements totals twenty-one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements, the aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements, or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easement, from a plane sixteen (16'0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (u.e. and o.e.) as indicated and depicted hereon, whereby the aerial easements totals thirty feet (30'0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, 101 PECAN GROVE TOMBALL, L.P., a Texas limited partnership, acting by and through Potomac Management, LLC, a Texas limited liability company, its general partner, has caused these presents to be signed by Lewis E Brown, Jr., Manager.

thereunto authorized, this the _____ day of _____, 20_____.

101 PECAN GROVE TOMBALL, L.P., a Texas limited partnership

By: Potomac Management, LLC a Texas limited liability company, its general partner

By: Lewis E Brown, Jr.
Manager

STATE OF TEXAS
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Lewis E Brown, Jr., Manager of 101 PECAN GROVE TOMBALL, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for the
State of Texas
My Commission Expires: _____

I, Robert Kness, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown, all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.



Robert Kness
Registered Professional Land Surveyor
Texas Registration No. 6486

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of INTERCHANGE 249 BUSINESS PARK PARTIAL REPLAT NO 5 in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this the _____ day of _____, 20_____.

By: Richard Anderson
Chair

I, Tenechia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20____, at _____ o'clock____M., and duly recorded on _____, 20____, at _____ o'clock____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

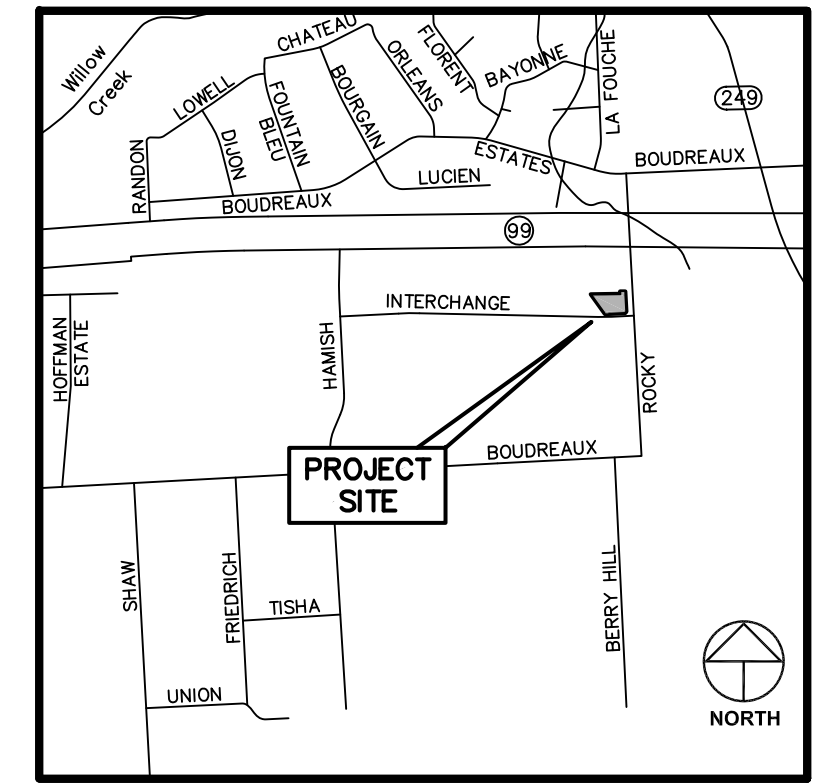
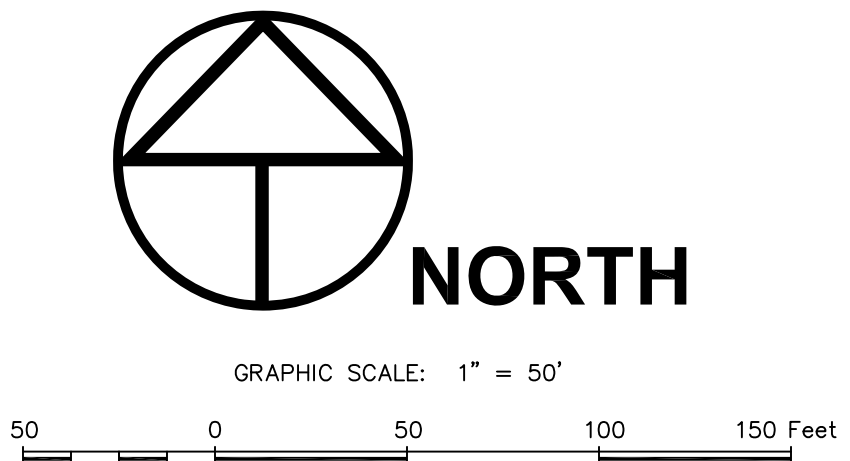
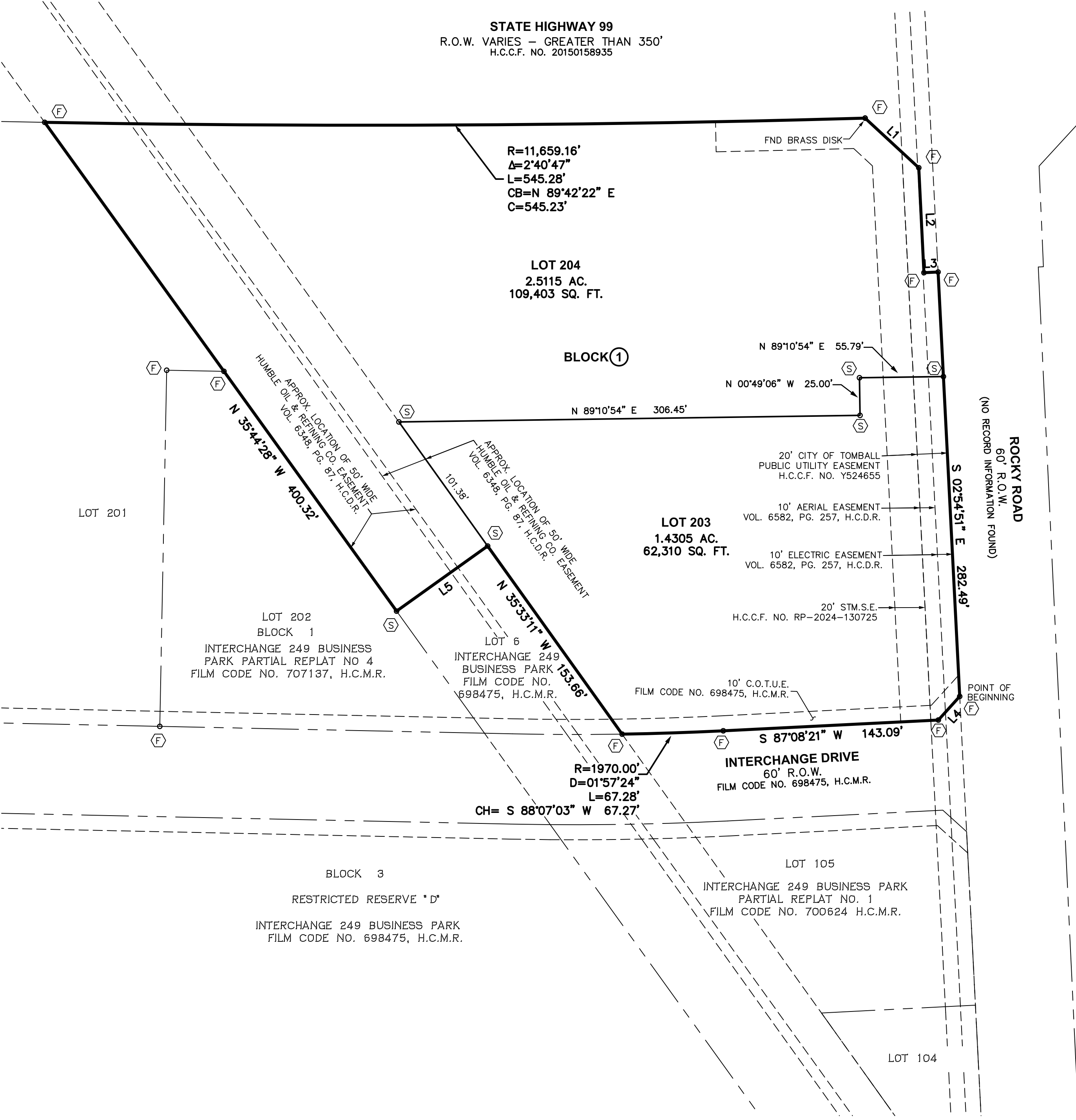
Witness my hand and seal of office, at Houston, the day and date last above written.

Tenechia Hudspeth
County Clerk
Of Harris County, Texas

By: Deputy

LINE	BEARING	DISTANCE
L1	S 47°13'03" E	48.58'
L2	S 02°48'59" E	69.85'
L3	N 87°08'19" E	9.43'
L4	S 42°08'21" W	21.19'
L5	S 54°26'49" W	74.40'

STATE HIGHWAY 99
R.O.W. VARIES - GREATER THAN 350'
H.C.C.F. NO. 20150158935



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NOS. 48201C0220L REVISED/DATED JUNE 18, 2007, AND 48201C0240M REVISED/DATED OCTOBER 16, 2021, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHARED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.999936999.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHALL BE FIVE FEET FROM THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.
- THE ACREAGE AND SQUARE FOOTAGE PRECISION IS SHOWN HEREON AS REQUIRED UNDER TOMBALL CODE OF ORDINANCES, CHAPTER 40, SECTION 40-29 (3) BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES DESCRIBED AND DO NOT INCLUDE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
- SUBJECT TO TERMS, CONDITIONS AND STIPULATIONS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. RP- 2022-89246.
- SUBJECT TO A BLANKET EASEMENT GRANTED TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. RP-2022-186764.

INTERCHANGE 249 BUSINESS PARK PARTIAL REPLAT NO 5

A SUBDIVISION OF
3.9420 AC. / 171,713 SQ. FT.
BEING A REPLAT OF LOT 100, BLOCK 2,
INTERCHANGE 249 BUSINESS PARK PARTIAL
REPLAT NO 2; FILM CODE NO. 703892; H.C.M.R.
SITUATED IN THE
AUGUSTE SENECHAL SURVEY; ABSTRACT NO. 722,
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 BLOCK 2 LOTS
DECEMBER 2024
REASON FOR REPLAT: TO CREATE TWO (2) LOTS

Owner
101 PECAN GROVE TOMBALL, L.P., a Texas limited partnership
4311 Oak Lawn, Suite 300
Dallas, TX 75219

Surveyor
WINDROSE
LAND SURVEYING | PLATTING
FIRM REGISTRATION NO. 10108800
713.658.2281 | WINDROSESERVICES.COM
5353 W SAM HOUSTON PKWY N, SUITE 150, HOUSTON TX 77041

- ABBREVIATIONS**
- FND - FOUND
 - H.C.C.F. - HARRIS COUNTY CLERK FILE
 - H.C.D.R. - HARRIS COUNTY DEED RECORDS
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS
 - IP - IRON PIPE
 - IR - IRON ROD
 - NO. - NUMBER
 - PG. - PAGE
 - R.O.W. - RIGHT-OF-WAY
 - AC - ACRES
 - SQ. FT. - SQUARE FEET
 - VOL. - VOLUME
 - ESMT. - EASEMENT
 - C.O.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT
 - STM.S.E. - STORM SEWER EASEMENT
 - U.E. - UTILITY EASEMENT
 - Ⓢ - SET 5/8" IRON ROD MARKED "WINDROSE"
 - Ⓡ - FND 5/8" IRON ROD MARKED "WINDROSE"

Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 9, 2024

Topic:

Conduct a public hearing and consideration to approve **Zoning Case Z24-20**: Request by Indus Equities LLC, represented by Windrose Land Services, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.800 acres of land legally described as being a 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375 from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 14615 FM 2920, within the City of Tomball, Harris County, Texas.

Background:

The subject property currently has an approximately 13,000 square foot building on site, with over half of the property being undeveloped. The property was once home to the Gospel Assembly Church but has been unoccupied in recent years. This request aims to allow for the development of a multi-tenant retail center and car wash.

Origination: Indus Equities LLC, represented by Windrose Land Services

Recommendation:

Staff recommends approval of **Zoning Case Z24-20**.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley (Assistant City Planner)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 9, 2024
&
CITY COUNCIL
DECEMBER 16, 2024**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 9, 2024, at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, December 16, 2024, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case Z24-19: Request by Anna M. Rumfolo, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.2907 acres of land legally described as being a 4.1037 acre tract of land situated in the Chauncy Goodrich Survey, Abstract No. 311 and 1.187 acres of the abandoned portion of Old Tomball-Waller Road from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 15920 FM 2920, within the City of Tomball, Harris County, Texas.

Zoning Case Z24-20: Request by Indus Equities LLC, represented by Windrose Land Services, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.800 acres of land legally described as being a 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375 from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 14615 FM 2920, within the City of Tomball, Harris County, Texas.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Benjamin Lashley, at (281) 290-1477 or at blashley@tomballtx.gov.

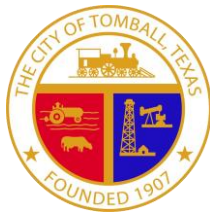
C E R T I F I C A T I O N

I hereby certify that the above notice of the meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 6th day of December 2024 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Benjamin Lashley

Benjamin Lashley
Assistant City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1019 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



**City of Tomball
Community Development Department**

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z24-20

11/20/2024

The Planning & Zoning Commission will hold a public hearing on **December 9, 2024 at 6:00 PM**, in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by Indus Equities LLC, represented by Windrose Land Services, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.800 acres of land legally described as being a 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375 from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 14615 FM 2920, within the City of Tomball, Harris County, Texas.

This hearing is open to any interested person. Opinions, objections, and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only the area which is highlighted in green on the map is being considered for **re-zoning**. The hatched area is the notification area. All owners of property within 300-feet of the subject property, as indicated by the most recently approved city tax roll, are required to be notified. Whether approved or denied by the Planning & Zoning Commission, this case will be heard by the City Council for First Reading with public hearing on **December 16, 2024 at 6:00 PM** in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions please contact Benjamin Lashley, Assistant City Planner, by telephone (281-290-1477) or by email address blashley@tomballtx.gov.

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

CASE #: Z24-20

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

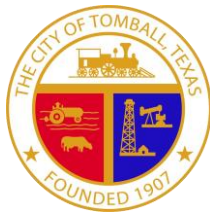
Email: blashley@tomballtx.gov

I am in favor

I am opposed

Additional Comments:

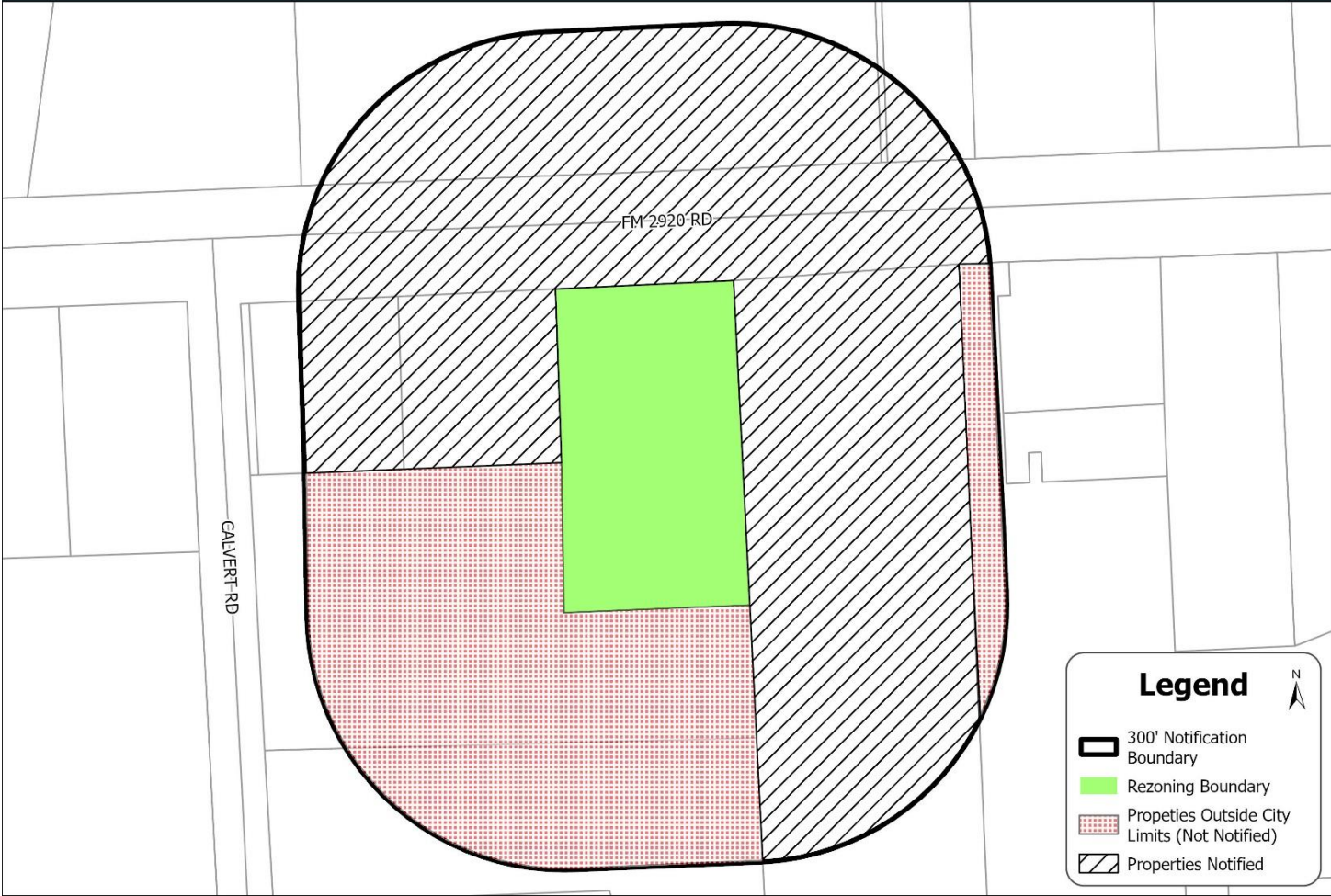
Signature: _____

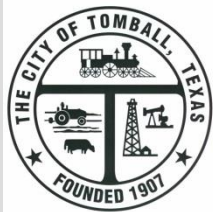


City of Tomball
Community Development Department

Z24-20

 **Notification Boundary**





**Rezoning
Staff Report**

Planning & Zoning Commission Public Hearing Date: December 9, 2024
City Council Public Hearing Date: December 16, 2024

- Rezoning Case:** Z24-020
- Property Owner(s):** Indus Equities, LLC
- Applicant(s):** Windrose Land Services
- Legal Description:** A 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375
- Location:** 14615 FM 2920 (Exhibit “A”)
- Area:** 1.800 acres
- Comp Plan Designation:** Corridor Commercial (Exhibit “B”)
- Present Zoning:** Agricultural (AG) District (Exhibit “C”)
- Request:** Rezone from the Agricultural (AG) to the Commercial (C) District

Adjacent Zoning & Land Uses:

- North:** Commercial (C) / Undeveloped land
- South:** Tomball’s Extraterritorial Jurisdiction (ETJ) / PT Welding & Custom Fabrication
- East:** Commercial (C) / Undeveloped land
- West:** Commercial (C) and Tomball’s ETJ / Moore Supply Co. and undeveloped land

BACKGROUND

The subject property currently has an approximately 13,000 square foot building on site, with over half of the property being undeveloped. The property was once home to the Gospel Assembly Church but has been unoccupied in recent years. This request aims to allow for the development of a multi-tenant retail center and car wash.

ANALYSIS

Comprehensive Plan Recommendation: The property is designated as “Corridor Commercial” by the Comprehensive Plan’s Future Land Use Map. The Corridor Commercial category is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares.

According to the Comprehensive Plan, land uses should consist of regional commercial businesses, professional offices, multi-family, retail, entertainment, dining, hotels, and brew pubs/distilleries. Appropriate secondary uses include private gathering spaces, local utility series, government facilities, and transportation uses.

The Comprehensive Plan identifies the following zoning districts as compatible with the Corridor Commercial category: Office (O), General Retail (GR), Commercial (C), Mixed Use (MU), and Multi-family (MF). Also identified in the Comprehensive Plan is development guidance, which focuses on providing primary access from an arterial street while incorporating safe and comfortable pedestrian enhancements.

Staff Review Comments: The request to rezone the subject property to the Commercial (C) district is in conformance with the Future Land Use Plan. Furthermore, the subject property will have frontage onto FM 2920 which is designated as a Major Arterial on Tomball’s Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within the Commercial District. The approval of the requested rezoning will promote a new development that is consistent with the type of development patterns and character endorsed by the Future Land Use Plan for this area.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site and within the city limits were mailed notification of this proposal on November 20, 2024. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City Staff recommends approval of Zoning Case Z24-020.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location

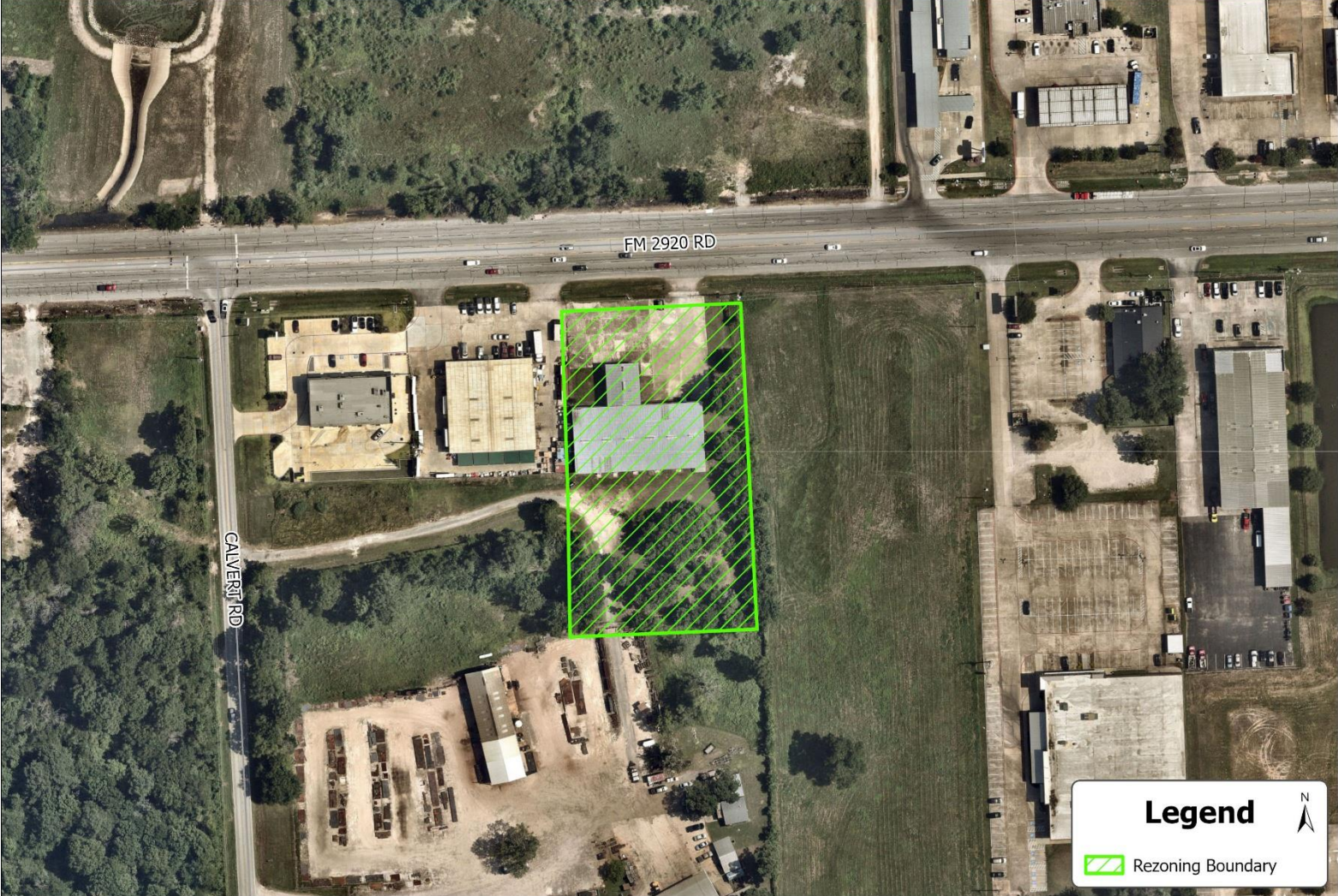


Exhibit "B"
Future Land Use Plan



Future Land Use

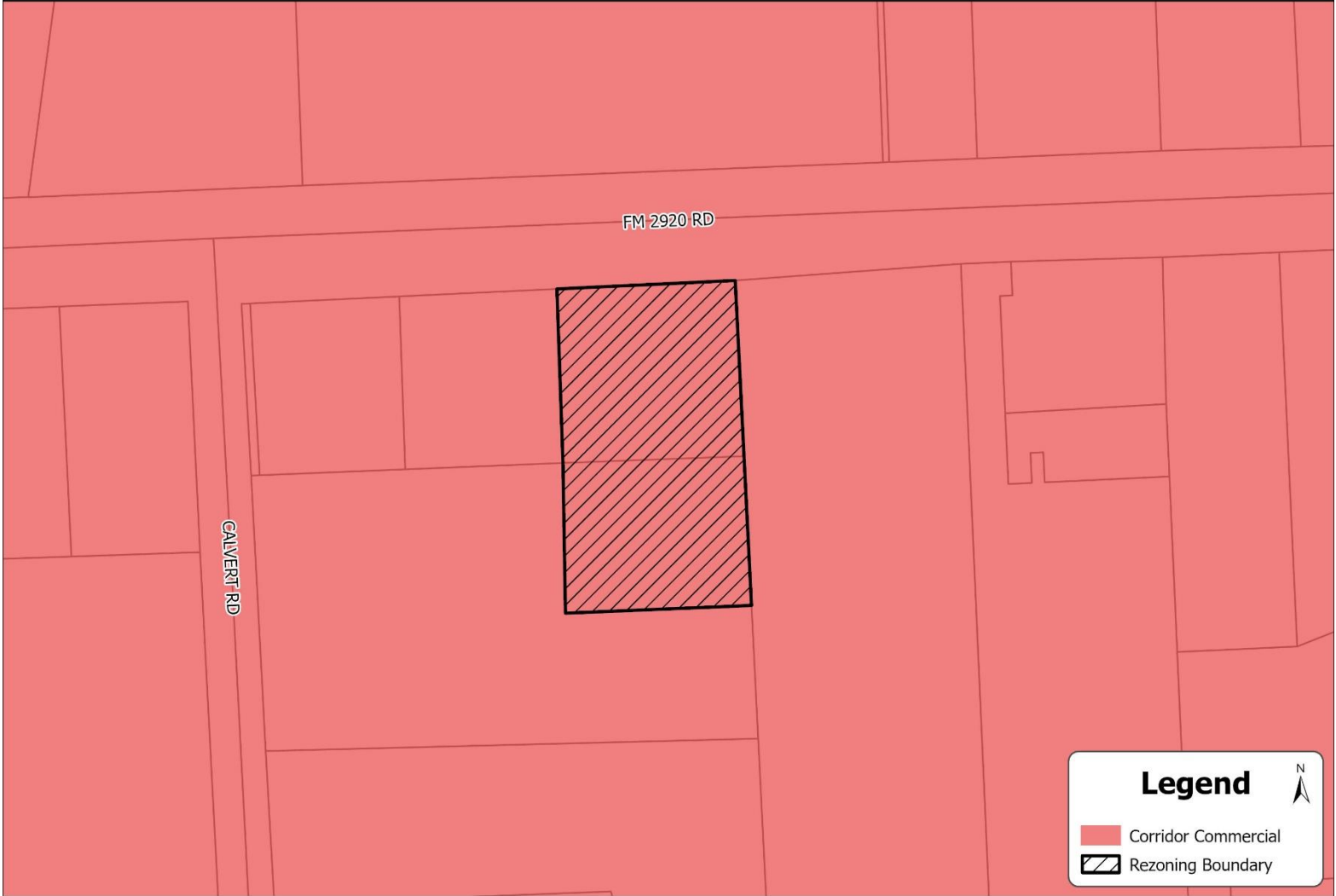
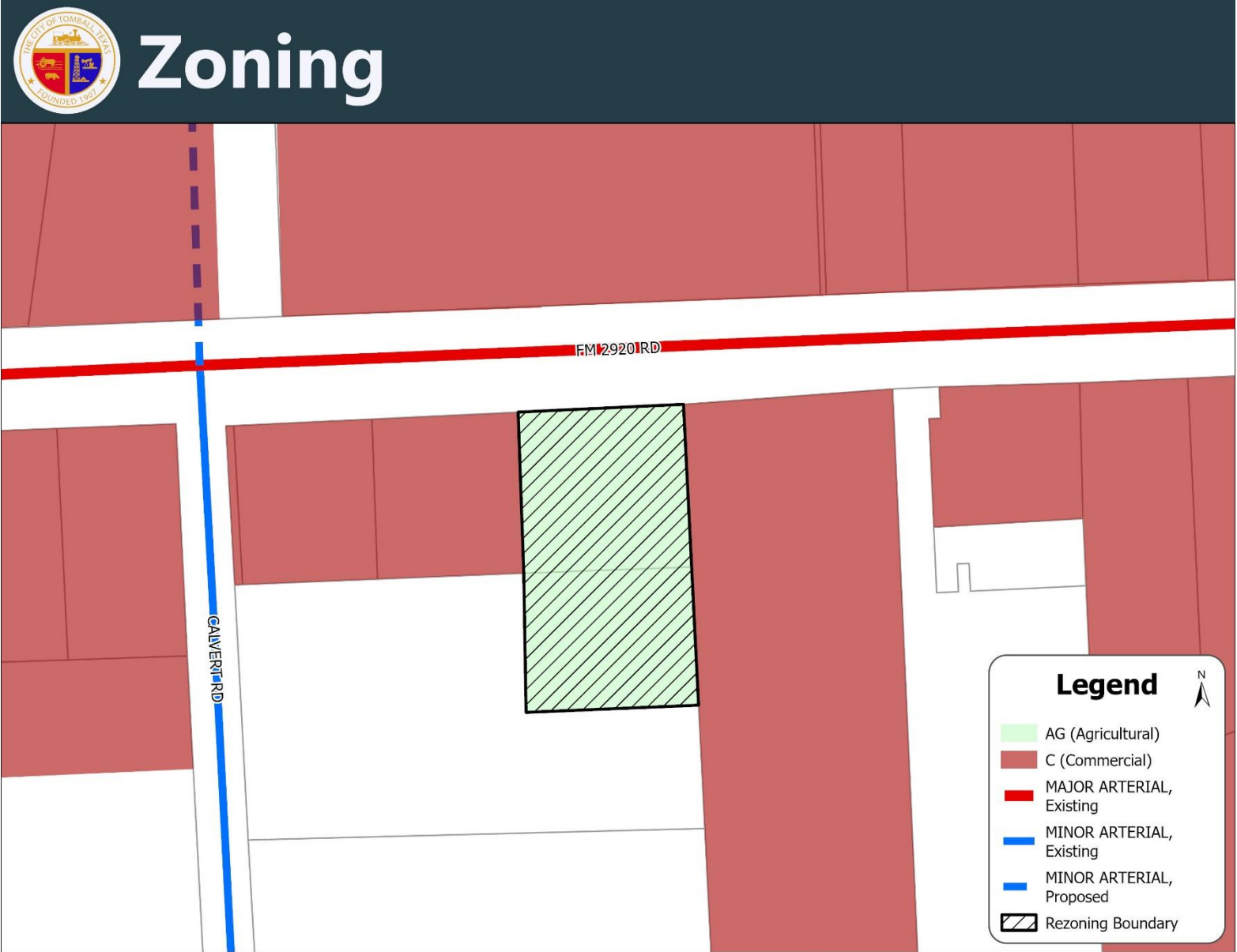


Exhibit "C"
Zoning Map



Subject Site



Neighbor (North)



Neighbor (South)



Neighbor (East)



Neighbor (West)



Exhibit "E" Rezoning Application

Revised: 08/25/2023



APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION REQUIREMENTS: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant

Name: Windrose Land Services Title: Project Manager
 Mailing Address: 5353 W Sam Houston Pkwy N, Suite 150 City: Houston State: TX
 Zip: 77041 Contact: Lucy Magana
 Phone: (713) 458-2281 Email: lucy.magana@windroseservices.com

Owner

Name: Indus Equities LLC Title: _____
 Mailing Address: 14518 Winding Springs Dr City: Cypress State: TX
 Zip: 77429 Contact: Nandu Konat
 Phone: (713) 591-5146 Email: nandu.konat@gmail.com

Engineer/Surveyor (if applicable)

Name: Windrose Land Services Title: Platting Manager/ Surveyor
 Mailing Address: 0430410000184 City: Houston State: TX
 Zip: 77041 Contact: Matthew Carpenter
 Phone: (713) 458-2281 Fax: () Email: matt.carpenter@windroseservices.com

Description of Proposed Project: To create 1 commercial Lot and rezone from AG to Commercial.

Physical Location of Property: 14615 F.M. 2920, Tomball, TX, 77377
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: John. M. Hooper Survey, Abstract No. 375
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: (C) : Commercial

Revised: 08/25/2023

Current Use of Property: Parcel ending in 184 is a Church - Not in use & the other parcel ending in 183 is land only.

Proposed Zoning District: (C) : Commercial

Proposed Use of Property: Express Car Wash - Repurpose building to retail/ office

HCAD Identification Number: _____ Acreage: 1.800

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Lucy Magana 10/7/24
Signature of Applicant Date

[Signature] 10/7/24
Signature of Owner Date

Revised: 08/25/2023

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- **Application Fee: \$1,000.00 (standard zoning) or \$1,500.00 (PD zoning)**
- **Completed application form**
- ***Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Revised: 08/25/2023

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (300) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.



WINDROSE

LAND SURVEYING | PLATTING

October 7, 2024

City of Tomball
401 Market Street
Tomball, TX 77375
blashley@tomballtx.gov

To Whom It May Concern:

I am enclosing a copy of a proposed plat of **Island Xpress Tomball**. The purpose of the zoning change request is to plat **to create 1 Commercial Lot**. It is currently empty land on HCAD parcel 0430410000184 and HCAD 0430410000183 is a church building, not currently in use. The proposed use of the property would be an Express Car Wash and repurpose building to retail/ office.

If you have any questions or comments, please contact **Lucy Magana at 713-297-8315**.
lucy.magana@windroseservices.com.

Thank you,

Lucy Magana

Lucy Magana

PLATTING PROJECT MANAGER

WINDROSE LAND SURVEYING

5353 W. Sam Houston Pkwy N, Suite 150 Houston, TX 77041

O: [\(713\) 458-2281](tel:7134582281) | D: [\(713\)-297-8315](tel:7132978315)

WINDROSESERVICES.COM | FIRM REGISTRATION NO. 10108800

JOSEPH HOUSE SURVEY
 ABSTRACT NO. 24
 JOHN M. HOOPER SURVEY
 ABSTRACT NO. 375

OSTENSIBLE SURVEY LINE

F.M. 2920
 120' R.O.W.
 VOL. 1420, PG. 54, H.C.D.R.
 ASPHALT



LEGEND

- * SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS PROJECT
- BO - BOLLARD
 - HC - HANDICAP
 - GM - GAS METER
 - GV - GAS VALVE
 - FDH - FIRE HYDRANT
 - WM - WATER METER
 - WV - WATER VALVE
 - WCV - IRRIGATION CONTROL VALVE
 - GI - GRATE INLET
 - MI - MANHOLE
 - CL - CLEANOUT
 - TP - TELEPHONE PEDESTAL
 - EB - ELECTRIC BOX
 - TSB - TRAFFIC SIGNAL BOX
 - LP - LIGHT POLE
 - TLP - TRAFFIC LIGHT POLE
 - GL - GROUND/SPOT LIGHT
 - PP - POWER POLE
 - PP/T - POWER POLE W/TRANSFORMER
 - PP/LT - POWER POLE W/LIGHT
 - PP/CT - POWER POLE W/CONDUIT
 - MP - METER POLE
 - SP - SERVICE POLE
 - GA - GUY ANCHOR
 - OP - OVERHEAD POWER LINE
 - BWF - BARBED WIRE FENCE
 - WIF - WROUGHT IRON FENCE
 - WF - WOOD FENCE
 - CF - CHAINLINK FENCE
 - GP - GATE POST
 - FP - FOR PLANS
 - APPROX. - APPROXIMATE
 - H - HIGHBANK
 - S - SKIN
 - PLM - PIPELINE MARK
 - UC - UNDERGROUND
 - CL - CATHODE PROTECTION
 - MON - MONITORING
 - P - PIN FLAG/PIN
 - TC - TOP OF CURB
 - TO - TOP OF GUTTER
 - TOG - TOP OF GRADE
 - FL - FLOW LINE
 - HB - HIGHBANK
 - SM - SANITARY SEWER
 - SSM - STORM SEWER
 - CMF - CORRUGATED METAL FENCE
 - CF - CORRUGATED FENCE
 - RF - REINFORCED CONCRETE
 - TEL - TELEPHONE
 - SMT - SOUTHWEST
 - WB - WATER
 - UG - UNDERGROUND
 - FO - FOUND
 - H.C.C.F. - HARRIS COUNTY CORNER
 - H.C.D.R. - HARRIS COUNTY DEED RECORD
 - H.C.M.A. - HARRIS COUNTY METEOROLOGICAL AREA
 - IF - IRON PIPE
 - IR - IRON ROD
 - NO - NUMBER
 - PA - PAGE
 - R.O.W. - RIGHT-OF-WAY
 - SQ. FT. - SQUARE FEET
 - VOL. - VOLUME
 - F.C. - FILM CODE
 - BL - BUILDING LINE
 - U.E. - UTILITY EASEMENT
 - T - TREE/SHRUB

SURVEYOR'S CERTIFICATION

TO: ALAMO TITLE INSURANCE
 INDUS EQUITIES LLC
 GOSPEL ASSEMBLY CHURCH

I DO HEREBY CERTIFY TO THE ABOVE LISTED THAT THIS SURVEY WAS MADE ON THE GROUND AND WAS PERFORMED UNDER MY SUPERVISION AND CORRECTLY REPRESENTS THE PROPERTY LEGALLY DESCRIBED HEREIN. IF ANY FACTS FOUND AT THE TIME OF THIS SURVEY SHOW THE IMPROVEMENTS TO BE IN VIOLATION OF ANY ORDINANCES, ORDINANCES, OR ORDINANCES THERE ARE NO VISIBLE ENCROACHMENTS APPARENT ON THE GROUND SHOWN. THIS SURVEY SUBSTANTIALLY CONFORMS TO THE CURRENT PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION OF SURVEYS, TO THE BEST OF MY KNOWLEDGE.

STATE OF TEXAS
 REGISTERED
 MATTHEW CARPENTER
 6942
 PROFESSIONAL
 LAND SURVEYOR

M. Carpenter

CALLLED 3.4315 ACRES
 PAUL HANKS AND WIFE,
 MARIAN S. HANKS
 H.C.C.F. NO. 1178746

RP-2023-365920
09/25/2023 ER \$34.00

GENERAL WARRANTY DEED
(With Vendor's Lien Retained)

NOTICE OF CONFIDENTIALITY RIGHTS:
IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THE STATE OF TEXAS §
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned, GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization (the "Grantor", whether one (1) or more), whose mailing address is P.O. Box 578, Humble, Tx 77341 for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration to the Grantor in hand paid by INDUS EQUITIES LLC, a Texas limited liability company (the "Grantee", whether one (1) or more), whose mailing address is 14518 Winding Springs Dr., Cypress, Texas 77429, the receipt and sufficiency of which is hereby acknowledged; and

THE FURTHER CONSIDERATION of the sum of ONE MILLION ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,100,000.00), paid by AMERICAN FIRST NATIONAL BANK, a national banking association (the "Lender"), the receipt and sufficiency of which is hereby acknowledged and confessed, said sum having been advanced at the special insistence and request of the Grantee as part of the purchase price of the Property (as herein defined), and which sum is included in and as evidence of which the Grantee has executed and delivered its certain promissory note of even date herewith in said sum payable to the order of the Lender, due in accordance with the terms and at the interest rate therein stipulated, and providing for acceleration of maturity in the event of default and for attorney's fees, the payment of which note is secured by the Vendor's Lien and superior title herein retained and further secured by a Deed of Trust of even date herewith executed by the Grantee to WALTER A. SCHROEDER, TRUSTEE, for the benefit of the Lender, reference to which is hereby made for all purposes:

has, subject to the exceptions hereinafter set forth, GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY, unto the Grantee, all that certain lot, tract or parcel of land, located in Harris County, Texas (the "Land"), to-wit:

See Exhibit "A", which is attached hereto and incorporated herein by reference for all purposes

together with all improvements lying and situated on the Land, all easements, hereditaments and appurtenances belonging to or inuring to the benefit of the Grantor and pertaining to the Land, if any,

WAS106.061

FILED BY
ALAMO TITLE COMPANY
(HOUSTON)
ATC/H 23130039-RW

RP-2023-365920

and all right, title and interest of the Grantor in and to any land lying in the bed of any street, road or access way, open or proposed, in front of, at a side of or adjoining the Land to the centerline thereof (such Land, improvements and other interests being collectively referred to as the "Property").

THIS CONVEYANCE IS MADE by the Grantor and accepted by the Grantee subject to any and all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, as well as any and all restrictions, covenants, conditions, easements and reservations of record now in effect, relating to the Property. The current ad valorem taxes on the Property having been prorated, the Grantee assumes payment of all taxes for the current year.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its heirs and assigns, forever; and the Grantor does hereby bind itself and its heirs, executors and administrators, to WARRANT AND FOREVER DEFEND all and singular the Property unto the Grantee, its heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

BUT IT IS EXPRESSLY AGREED and stipulated that a Vendor's Lien as well as superior title in and to the Property are retained against the Property until the above described note and all interest thereon are fully paid according to their face and tenor, effect and reading, when this Deed shall become absolute. Said Vendor's Lien and superior title herein retained are hereby TRANSFERRED, ASSIGNED, SOLD and CONVEYED to the Lender, its successors and assigns, the payee named in the above described note, without recourse on the Grantor.

WHEN this Deed is executed by more than one (1) person, or when the word Grantor or Grantee is more than one (1) person, this instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to an entity other than a natural person, the words "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns." Reference to any gender shall include either gender and in the case of a legal entity other than a natural person, shall include the neuter gender, all as the case may be.

The contract between Grantor as the seller and Grantee as the buyer may contain various matters which are to be performed after closing or limitations as to warranties, and to the extent that said contract provides for such limitations or contemplates that such post closing matters shall be performed or remain in effect after closing, such matters shall survive this conveyance and such limitations and matters shall be deemed incorporated herein by reference, provided however, that the warranty of title contained in this Deed is hereby expressly excluded from any such limitations referenced in this paragraph.

(Signature(s) appear on following page.)

WAS1506.061

RP-2023-365920

COPY

-3-

EXECUTED on 9/17, 2023

GOSPEL ASSEMBLY CHURCH

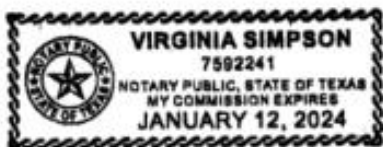
By: Rev Chad Wright
Rev. Chad Wright, Pastor and Trustee
Chairman

By: [Signature]
Johnny Ramirez, Trustee

By: [Signature]
Timothy Gidcum, Trustee

THE STATE OF TEXAS §
COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Rev. Chad Wright, the Pastor and Trustee Chairman of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.



Virginia Simpson
Notary Public, State of Texas

WAS1506.061

RP-2023-365920

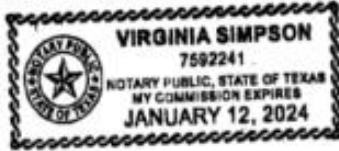
UNOFFICIAL COPY

-4-

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Johnny Ramirez, the Trustee of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.

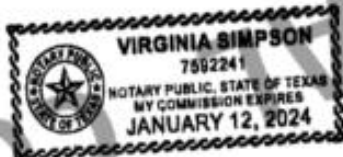


Virginia Simpson
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Timothy Gidcum, the Trustee of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.



Virginia Simpson
Notary Public, State of Texas

After recording, please return to:

RP-2023-365920

COPY UNOFFICIAL

WS1506.061

EXHIBIT A

A TRACT OR PARCEL CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND, SITUATED IN THE JOHN M. HOOPER SURVEY, ABSTRACT NO. 375, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.800 ACRE TRACT CONVEYED TO GOSPEL ASSEMBLY CHURCH, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NUMBER (NO.) Y941823, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE (NAD83):

COMMENCING AT A CAPPED 5/8 INCH IRON ROD STAMPED "E.I.C. SURVEYING" FOUND AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 2920 (CALLED 120' WIDE) AS RECORDED UNDER VOLUME (VOL) 1420, PAGE (PG.) 64, HARRIS COUNTY DEED RECORDS (H.C.D.R.) AND THE EASTERLY R.O.W. LINE OF CALVERT ROAD (70' WIDE) AS RECORDED UNDER FILM CODE (F.C.) NO. 678950, FOR THE NORTHWEST CORNER OF LOT ONE, BLOCK ONE, DUNNCO TOMBALL, MAP OR PLAT THEREOF RECORDED UNDER F.C. NO. 678950, HARRIS COUNTY MAP RECORDS (H.C.M.R.);

THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 357.94 FEET TO A 1/2 IRON ROD FOUND, FOR THE NORTHEAST CORNER OF LOT TWO, BLOCK ONE, OF SAID DUNNCO TOMBALL AND THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, CONTINUING WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "TEAM 281-491-4525" FOUND FOR THE NORTHWEST CORNER OF A CALLED 5.750 ACRE TRACT CONVEYED TO BDC FAMILY LIMITED PARTNERSHIP, AS RECORDED UNDER H.C.C.F. NO. RP-2017-63823, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 59 MIN. 55 SEC. EAST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT AND SAID 1.800 ACRE TRACT, A DISTANCE OF 376.95 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST EASTERLY NORTHEAST CORNER OF A CALLED 3.4315 ACRE TRACT CONVEYED TO PAUL HANKS AND WIFE, MARIAN S. HANKS AS RECORDED UNDER H.C.C.F. NO. T178748, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 41 MIN. 03 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER OF SAID 3.4315 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 59 MIN. 55 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, PASSING AT A DISTANCE OF 178.80 FEET A 5/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT TWO AND THE MOST NORTHERLY NORTHEAST CORNER OF SAID 3.4315 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 376.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

EXHIBIT A - LEGAL DESCRIPTION
T:\P\FISCAL\Lab004-LegalDescription (11-07)

RP-2023-365920

RP-2023-365920
Pages 6
09/25/2023 08:17 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$34.00

COPY UNOFFICIAL

RP-2023-365920

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS



WINDROSE

LAND SURVEYING | PLATTING

DESCRIPTION OF 1.800 ACRES OR 78,408 SQ. FT.

A TRACT OR PARCEL CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND, SITUATED IN THE JOHN M. HOOPER SURVEY, ABSTRACT NO. 375, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.800 ACRE TRACT CONVEYED TO GOSPEL ASSEMBLY CHURCH, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NUMBER (NO.) Y941823, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE (NAD83):

COMMENCING AT A CAPPED 5/8 INCH IRON ROD STAMPED "E.I.C. SURVEYING" FOUND AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 2920 (CALLED 120' WIDE) AS RECORDED UNDER VOLUME (VOL.) 1420, PAGE (PG.) 64, HARRIS COUNTY DEED RECORDS (H.C.D.R.) AND THE EASTERLY R.O.W. LINE OF CALVERT ROAD (70' WIDE) AS RECORDED UNDER FILM CODE (F.C.) NO. 678950, FOR THE NORTHWEST CORNER OF LOT ONE, BLOCK ONE, DUNNCO TOMBALL, MAP OR PLAT THEREOF RECORDED UNDER F.C. NO. 678950, HARRIS COUNTY MAP RECORDS (H.C.M.R.);

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THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, CONTINUING WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "TEAM 281-491-4525" FOUND FOR THE NORTHWEST CORNER OF A CALLED 5.750 ACRE TRACT CONVEYED TO BDC FAMILY LIMITED PARTNERSHIP, AS RECORDED UNDER H.C.C.F. NO. RP-2017-63823, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 59 MIN. 55 SEC. EAST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT AND SAID 1.800 ACRE TRACT, A DISTANCE OF 376.95 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST EASTERLY NORTHEAST CORNER OF A CALLED 3.4315 ACRE TRACT CONVEYED TO PAUL HANKS AND WIFE, MARIAN S. HANKS AS RECORDED UNDER H.C.C.F. NO. T178746, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 41 MIN. 03 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER OF SAID 3.4315 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 59 MIN. 55 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, PASSING AT A DISTANCE OF 176.80 FEET A 5/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT TWO AND THE MOST NORTHERLY NORTHEAST CORNER OF SAID 3.4315 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 376.95 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND.


MATTHEW CARPENTER
R.P.L.S. NO. 6942
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



07/28/2023
DATE:

Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: December 9, 2024

Topic:

Discussion and action regarding updates to the City of Tomball's adopted building codes.

Background:

Origination: Community Development Department

Recommendation:

Staff recommends approval

Party(ies) responsible for placing this item on agenda: Craig T. Meyers, P.E

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

International Building Codes (IBC) 2021 Edition Update



Purpose of building codes

- Promotes higher quality construction
 - Reduces potential hazards
 - Provides higher safety standards for the public and first responders
- Protects investments
- Promotes energy conservation/lower utility bills



Why update codes?

- Updated technology and methods
- ISO Building Code Effectiveness Grading Schedule
 - Scores municipalities on codes (loss risks) and provides them to insurance providers, can affect insurance premiums
 - Municipalities with effective, well-enforced codes should demonstrate lower losses and lower insurance rates
- Industry standard
 - Streamlines permitting process
 - Many nearby communities are on newer codes



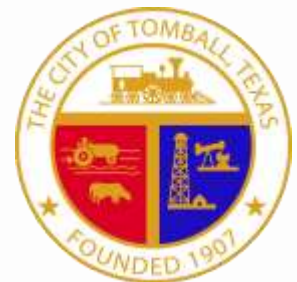
Comparable cities

Municipality	Building Code	Fire Code
Bellaire	2021	2021
Humble	2018	2018
West University Place	2021	2021
Katy	2021	2021
Stafford	updating to 2024	updating to 2024
Pearland	2021	2021
Webster	2021	2021
Friendswood	2018	2018
Jersey Village	2018	2018
Conroe	2009	2009



Why the urgency?

- ISO review of the City
 - Prior BCEGS rating of Class 4
 - Current BCEGS rerating of Class 9 (lower number is better)



Proposed updates

- 2023 National Electric Code
- 2021 International Code Council (ICC) Editions
 - International Residential Code
 - International Building Code
 - International Mechanical Code
 - International Plumbing Code
 - International Fuel Gas Code
 - International Energy Conservation Code
 - International Swimming Pool and Spa Code
 - International Property Maintenance Code
 - International Existing Building Code
 - International Performance Code
 - International Solar Energy Provisions Code



What has been done so far?

- Purchased updated code books
- Training on 2021 codes
 - Building Officials, Plan Reviewers, and Inspectors
- Informed the development community of the proposed update



Significant code changes

- Outlined in background information
- Mostly just clarifications
- Allows for new technology
- Consistency with state-mandated Energy Conservation Code (2021 IECC)
- 2021 codes have become the industry standard
 - Anticipate little to no impact on permitting matters



Adoption schedule

- City Council Workshop
 - December 2, 2024
- Planning & Zoning Commission
 - December 9, 2024
- Regular City Council
 - December 16, 2024 - first reading of ordinance
 - January 6, 2025 - second reading of ordinance



ORDINANCE NO. 2024-41

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 10- BUILDINGS AND BUILDING REGULATIONS, BY REPEALING ARTICLE I. - IN GENERAL, ARTICLE II. – BUILDING CODE, ARTICLE III. – RESIDENTIAL CODE, ARTICLE IV. – AIR CONDITIONING AND MECHANICAL WORK, ARTICLE V. – ELECTRICITY; AND ARTICLE VI. – PLUMBING AND GAS AND REPLACING WITH A NEW ARTICLE 1 – IN GENERAL; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

WHEREAS, the City Council of the City of Tomball, Texas, finds that it is in the best interest of the health, safety and welfare of the citizens to update regulations pertaining to building codes as set forth herein; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The facts and matters contained in the preamble to this ordinance are hereby found to be true and correct.

Section 2. Chapter 10 – Buildings and Building Regulations of the Code of Ordinances is amended by adding a new Article I. – In General, to read as follows:

“Sec. 10-1. International codes adopted.

The following International Code Council Editions including listed appendix chapters ("the building codes") are hereby adopted by reference as though they were copied herein fully:

- (a) 2021 International Residential Code® (for one and two-family dwellings only)

- (b) 2021 International Building Code® (for all other residential and commercial construction)
 - (1) Appendix C, Group U—Agricultural Buildings
 - (2) Appendix F, Rodent proofing
 - (3) Appendix G, Flood-Resistant Construction
 - (4) Appendix J, Grading
- (c) 2021 International Mechanical Code®
- (d) 2021 International Plumbing Code®
 - (1) Appendix B, Rates of Rainfall for Various Cities
 - (2) Appendix C, Structural Safety
 - (3) Appendix D, Degree Day and Design Temperature
 - (4) Appendix E, Sizing of Water Piping System
- (e) 2021 International Fuel Gas Code®
- (f) 2021 International Energy Conservation Code®
- (g) 2021 International Swimming Pool and Spa Code®
- (h) 2021 International Property Maintenance Code®
- (i) 2021 International Existing Building Code®
- (j) 2021 International Performance Code®
 - (1) A: Risk Factors of Use and Occupancy Classifications
 - (2) B: Worksheet for Assigning Specific Structures
 - (3) C: Individually Substantiated Design Method
 - (4) D: Qualification of Characteristics for Design and Review
 - (5) E: Use of Computer Models

(k) 2021 International Solar Energy Provisions Code®

(l) 2023 National Electric Code® published by the National Fire Protection Association

Sec. 10-2. Amendments to the International Residential Code.

(a) Section R103 of said code adopted in section 10-1 is hereby amended to provide as follows:

R103 Department of Building Safety. The enforcement of this code shall be under the administrative and operational control of the Building Official. The Building Official shall have such duties and shall be selected and serve in the position at the pleasure of the City Manager and may be removed without cause by the City Manager. The Building Official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the Building Official and may be removed without cause by Building Official.

(b) Section R105 of said code is hereby amended by adding a new section R105.10 to provide as follows:

R105.10 Liability Insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the City evidence of comprehensive general liability insurance, issued by a company licensed to do business in Texas, for the duration of the permit, and shall furnish certificates of insurance to the City as evidence thereof. The certificates shall provide that the insurance shall not be canceled, reduced, or changed without 30 days advance notice to the City.

Comprehensive general liability insurance covering all risks associated with the work, with a minimum limit as currently established or as hereafter adopted by resolution of the City Council from time to time, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.

(c) Section R108.2 of said code is amended to provide as follows:

R108.2 Schedule of permit fees. Fees shall be charged in accordance with the City's master fee schedule, as it may be amended from time to time.

(d) Section R108.6 of said code is hereby amended to provide as follows:

R108.6 Work commencing before permit issuance. The fee for work commenced without a permit shall be double the fee set forth in the master fee schedule adopted by the City.

(l) Table R301.2(1) of said code is completed to provide as follows:

<u>Ground Snow Load</u>	<u>Wind Speed (mph)</u>	<u>Seismic Design Category</u>	<u>Subject to Damage From</u>				<u>Winter Design Temp</u>	<u>Ice Shield Underlay Required</u>
			<u>Weathering</u>	<u>Frost Line Depth</u>	<u>Termite</u>	<u>Decay</u>		
<u>0</u>	<u>110 b or c</u>	<u>A</u>	<u>Negligible</u>	<u>6"</u>	<u>Very heavy</u>	<u>Slight to moderate</u>	<u>32</u>	<u>No</u>
<u>Flood Hazards</u>					<u>Air Freezing Index</u>		<u>Mean Annual Temp</u>	
<u>FIRM and FBFM as adopted by City Code Section 10-395 Firm and FBFM</u>					<u>9</u>		<u>69.9</u>	

(m) Section R313.2 has been deleted in its entirety.

(o) Section P2603.5.1 of said code is hereby amended to provide as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be not less than six inches (6") below finished grade at the point of septic tank connection. Building sewers shall not be less than eighteen inches (18") below grade.

Sec. 10-3. Amendments to the International Building Code.

(a) Section 101 of the building code adopted in section 10-1 is hereby amended by adding a new Section 101.4.7 and amending Section 101.4.1 to read as follows:
101.4.7 Existing buildings. This code shall apply to alterations, repairs, renovations and additions to existing buildings as follows:

(1) If, within any 12-month period, alterations, additions, renovations, repairs, or any combination thereof, costing in excess of 50 percent of the then physical value of the building, or involving 50 percent or more of the square footage of the building, are made to an existing building in the floodplain, such building and associated mechanical, electrical, plumbing and fuel gas equipment, fixtures and appurtenances shall be made to conform to the requirements of this code applicable to new buildings in regards to the Design Flood Elevation.

(2) If an existing building is damaged by fire or otherwise in excess of 50 percent of its then before such damage is repaired, it shall be made to conform to the requirements of this code applicable to new buildings, except in regard to slab height where the structure is located outside the floodplain, the footprint is not modified, and the slab is intact.

(3) For the purpose of this section the physical value of the building shall be its appraised value as shown on the county's latest tax roll. Alternatively, upon filing an appeal to the Floodplain Manager, a professional market appraisal for the pre-event evaluation, assessed post-event, may be submitted for review.

(b) Section 103 of said code is hereby amended to provide as follows:

103. Department of Building Safety. The enforcement of this code shall be under the administrative and operational control of the Building Official. The Building Official shall have such duties and shall be selected and serve in the position at the pleasure of the City Manager and may be removed without cause by the City Manager. The Building Official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the Building Official and may be removed without cause by the Building Official.

(c) Section 104 of said code is hereby amended to provide as follows:

104. Duties and Power of Building Official.

104.1 General. The Building Official is hereby authorized and directed to enforce all of the provisions of this code. The Building Official shall have the power to render interpretations of this code and to adopt and enforce written rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Any reference in this code to the code official shall mean the Building Official or the Building Official's designee.

104.3 Notices and orders. Whenever any work is being done contrary to the provisions of this code, the Building Official may order the work stopped by notice in writing served on any persons

engaged in the doing or causing such work to be done, and any such persons shall stop work until authorized in writing by the Building Official to proceed with the work.

(d) Section 105 of said code is hereby amended by adding a new section 105.8 to provide as follows:

105.8 Liability Insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the City evidence of comprehensive general liability insurance, issued by a company licensed to do business in Texas, for the duration of the permit, and shall furnish certificates of insurance to the City as evidence thereof. The certificates shall provide that the insurance shall not be canceled, reduced, or changed without 30 days advance notice to the City.

Comprehensive general liability insurance covering all risks associated with the work, with a minimum limit as currently established or as hereafter adopted by resolution of the City Council from time to time, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.

(e) Section 109.4 of said code is hereby amended to provide as follows:

109.4 Work commencing before permit issuance. The fee for work commenced without a permit shall be double the fee set forth in the master fee schedule adopted by the City.

(f) Section 111.1 of said code is hereby amended to provide as follows:

111.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of this code, or other ordinances of the City shall not be valid.

(g) Section 113.1 of the code is hereby amended to provide as follows:

113.1 General. Appeals of orders, decisions, or determinations made by the City's Building Official in interpreting or applying this code shall be to the City Council. The City Council may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration.

(h) Appendix J of said code is hereby adopted and the following sections are amended as follows:

J106.1 Maximum Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 3 horizontal to 1 vertical (33 percent) unless the applicant furnishes a soils report justifying a steeper slope.

Exceptions:

A cut surface may be at a slope of 2 horizontal to 1 vertical (50 percent) provided that all the following are met:

1.1. It is not intended to support structures or surcharges.

1.2. It is adequately protected against erosion.

1.3. It is no more than 8 feet (2438 mm) in height.

1.4. It is approved by the Building Official.

A cut surface in bedrock shall be permitted to be at a slope of 1 horizontal to 1 vertical (100 percent).

J107.6 Maximum Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 3 horizontal to 1 vertical (33 percent) shall be justified by soils reports or engineering data.

Sec. 10-4. Payroll records.

For purposes of enforcing this article, the inspector, or his designated representative, may examine the payroll records for the preceding 12 months of the master, during normal business hours. Should the master fail or refuse to make a full, true and accurate disclosure of his payroll records, the inspector may, after written notification by certified mail, withhold the issuance of permits to that master until such time as there has been a full, true and accurate disclosure of the payroll records. Violation of this section will be subject to the penalty as provided in section 1-14 of this Code.

Sec. 10-5. Suspension, withholding or revocation.

(a) When given a ten-day notice by registered or certified mail, and after a hearing before a board appointed by the City Council, where the person notified may be represented by an attorney at law of his choice, the holder of a license or certificate issued under the provisions of this article may have his license or certificate revoked or suspended by the City for any of the following reasons:

- (1) Habitual drunkenness or the use of narcotics.
 - (2) Conviction of a crime involving moral turpitude.
 - (3) Adjudication of insanity.
 - (4) Fraud or misrepresentation in obtaining a registration or permit.
 - (5) Violating on more than one occasion, either willfully or maliciously, or by reason of incompetence, any provision of this article or the International Standard Mechanical Code or amendments thereto.
 - (6) Conviction of defrauding any person from whom he has rendered or contracted to render service.
 - (7) Securing permit for mechanical work not actually performed by the master or by licensed employees under his control, supervision and direction. This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this article by entering into any simulated scheme, transaction or device, whereby mechanical work will be done by persons who are not employees of the master, or employees of his employer.
 - (8) Securing a permit under any pretext for any installation concerning which applicant has no valid contract. This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this article by simulated scheme, transaction or device, or performing mechanical work without a valid permit.
- (b) The City may withhold the issuing or renewal of a license or registration certificate to an applicant by the same process used for revocation or suspension as described in subsections (a)(1) through (8) of this section.

Sec. 10-6. Appeals.

Appeals of orders, decisions, or determinations made by the City's Building Official in interpreting or applying building regulations shall be to the City Council. The City Council may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration.

Section 3. Chapter 10 – Buildings and Building Regulations of the Code of Ordinances is amended by repealing Article I. - In General, Article II. – Building Code, Article III. – Residential Code, Article IV. – Air Conditioning and Mechanical Work, Article V. – Electricity; and Article VI. – Plumbing and Gas, as follows:

ARTICLE I. IN GENERAL

Sec. 10-1. Fencing of swimming pools, related structures.

(a) Definitions. The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Poolside means the side of an object nearest to a swimming pool.

Private residential swimming pool means any swimming pool located on private property under the control of the head of household there residing, the use of which is limited to swimming or bathing by members of such head's family or their invited guests.

Public swimming pool means any swimming pool, other than a private residential swimming pool, used or designed to be used collectively by numbers of persons for swimming or bathing operations, whether the admission of such persons is free of charge or not.

Swimming pool or related structure means any structure, basin, chamber or tank containing an artificial body of water or other liquid having a depth of two feet or more at any point, including but not limited to private residential swimming pools, public swimming pools, oil vats, detention ponds, ponds, and any and all bodies of water or other liquid used for swimming, diving or recreational bathing. Expressly excluded from this definition are stock tanks and other open structures having at least one side with a 3:1 slope.

(b) Enclosure required. Every person in possession of land within the corporate limits of the city, either as owner, purchaser under contract, lessee, tenant, or licensee, upon which is situated a swimming pool or related structure shall, except as hereinafter set forth, at all times maintain upon the lot or premises on which the swimming pool or related structure is located, and completely surrounding the swimming pool or related structure, lot or premises, a fence, wall

~~or other solid structure designed to prevent small children from inadvertently wandering into the swimming pool or related structure.~~

~~(1) Such fence, wall or other solid structure shall not be less than four feet in height, with no openings therein, other than self latching doors or gates, of a width greater than four inches, and without a fixed or detachable stile or ladder.~~

~~(2) All gates or doors opening into such enclosure shall be equipped with self-closing and self-latching devices capable of automatically closing such gates or doors.~~

~~(3) The self latching devices shall be fixed to the gates or doors not less than 30 inches in height above the highest surface below such gate or door.~~

~~(c) When permit not required. If a swimming pool or related structure is in a patio, in a court or in a room which can be reached only through the living quarters of the person in possession of the land, there need be no other enclosure and such gates or doors as may be in such living quarters enclosure need not be equipped as required by subsection (b) of this section.~~

~~(d) Exemption permit. If a swimming pool or other related structure is so remote from populated areas that the space surrounding the pool would be a deterrent to keep small children from inadvertently wandering into the swimming pool or other structure, then upon determination by the city that the pool is located a sufficient distance away from populated areas, the city may issue a permit to the landowner exempting him from this section, such permit to be renewable every year from the date of issuance. Upon the date of issuance, the landowner must submit sufficient evidence that the area surrounding the pool has not become populated. If the area becomes populated, the city shall revoke the permit and require compliance with this section within 30 days following such revocation.~~

~~(e) Use of structure. A single family dwelling house or accessory building may be used as part of the enclosure required by this section, whether fence, wall or other solid structure, around a private residential swimming pool.~~

~~(f) Inspection, approval. The final inspection and approval of a swimming pool for which a building permit is issued by the city shall be withheld until all requirements of this section have been complied with by the owner, purchaser under contract, lessee, tenant, or licensee, and so certified by the city administrator, or his duly authorized agent.~~

~~(g) Compliance. It shall be unlawful for any person to maintain any swimming pool in the city which is not enclosed in accordance with the requirements of this section or which does not have a valid permit exempting it from the operation of this section.~~

~~(Code 1978, § 5-2; Code 1993, § 14-2)~~

~~Secs. 10-2 — 10-20. Reserved.~~

ARTICLE II. BUILDING CODE

~~Sec. 10-21. International Building Code adopted.~~

~~The International Building Code, 2015 edition, hereinafter sometimes referred to as the "code," as published by the International Code Council, Inc., is hereby adopted. A copy of said~~

~~code is made a part hereof for all purposes, an authentic copy of which shall be kept on file with the city secretary.~~

~~(Code 1993, § 14-35; Ord. No. 2005-13, § 1(14-35), 12-19-2005; Ord. No. 2014-10, § 1(14-35), 5-5-2014; Ord. No. 2019-31, § 1, 11-18-2019)~~

~~State law reference(s) — International Building Code as the commercial building code in this state, V.T.C.A., Local Government Code § 214.216.~~

~~Sec. 10-22. Amendments to the International Building Code.~~

~~(a) Section 101 of the building code adopted in section 10-21 is hereby amended by adding a new Section 101.2.2 and amending Section 101.4.1 to read as follows:~~

~~101.2.2 Existing buildings. This code shall apply to alterations, repairs, renovations and additions to existing buildings as follows:~~

~~(1) If, within any 12-month period, alterations, additions, renovations, repairs, or any combination thereof, costing in excess of 50 percent of the then physical value of the building, or involving 50 percent or more of the square footage of the building, are made to an existing building in the floodplain, such building and associated mechanical, electrical, plumbing and fuel gas equipment, fixtures and appurtenances shall be made to conform to the requirements of this code applicable to new buildings in regards to the Design Flood Elevation.~~

~~(2) If an existing building is damaged by fire or otherwise in excess of 50 percent of its then physical value before such damage is repaired, it shall be made to conform to the requirements of this code applicable to new buildings, except in regards to slab height where the structure is located outside the floodplain, the footprint is not modified and the slab is intact.~~

~~(3) For the purpose of this section physical value of the building shall be its appraised value as shown on the county's latest tax roll. Alternatively, upon filing for an appeal to the floodplain manager, a professional market appraisal for the pre-event evaluation, assessed post-event, may be submitted for review.~~

~~(4) If the occupancy classification of any existing building is changed (i.e. B-occupancy is changed to A-occupancy), the building shall be made to conform to the requirements of this code applicable to the new occupancy classification. If the occupancy classification of only a portion of an existing building is changed and that portion is separated from the remainder as stipulated in Chapter 3, then only such portion need conform to the requirements imposed by this Section.~~

~~101.4.1 Electrical. The provisions of the National Electrical Code, 2017 edition, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.~~

~~(b) Section 103 of said code is hereby amended to provide as follows:~~

~~103. Department of Building Safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the city manager~~

~~and may be removed without cause by city manager. The building official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the building official and may be removed without cause by the building official.~~

~~(c) Section 104 of said code is hereby amended to provide as follows:~~

~~104. Duties and Power of Building Official.~~

~~104.1 General. The building official is hereby authorized and directed to enforce all of the provisions of this code. The building official shall have the power to render interpretations of this code and to adopt and enforce written rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Any reference in this code to the code official shall mean the building official or the building official's designee.~~

~~104.3 Notices and orders. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall stop work until authorized in writing by the building official to proceed with the work.~~

~~(d) Section 105 of said code is hereby amended by adding a new section 105.8 to provide as follows:~~

~~105.8 Liability Insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the city evidence of comprehensive general liability insurance, issued by a company licensed to do business in Texas, in the following amounts, for the duration of the permit, and shall furnish certificates of insurance to the city as evidence thereof. The certificates shall provide that the insurance shall not be canceled, reduced, or changed without 30 days advance notice to the city.~~

~~Comprehensive general liability insurance covering all risks associated with the work, with a minimum limit as currently established or as hereafter adopted by resolution of the city council from time to time, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.~~

~~(e) Section 109.4 of said code is hereby amended to provide as follows:~~

~~109.4 Work commencing before permit issuance. The fee for work commenced without a permit shall be double the fee set forth in the fee schedule adopted by the city.~~

~~(f) Section 111.1 of said code is hereby amended to provide as follows:~~

~~111.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein.~~

~~Issuance of certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the city. Certificates presuming to give authority to violate or cancel the provisions of this code, or other ordinances of the city shall not be valid.~~

~~(g) Section 113.1 of the code is hereby amended to provide as follows:~~

~~113.1 General. Appeals of orders, decisions, or determinations made by the city's building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration.~~

~~(h) Section 113.2 and 113.3 of the code are hereby deleted in their entirety.~~

~~(i) Section 114 of said code is hereby deleted in its entirety and the penalty provision in section 1-14 of the City Code is substituted in its place.~~

~~(j) Section 903.2, entitled "Where Required" is hereby amended to read as follows:~~

~~903.2 Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described by Sections 903.2.1 through 903.2.12, as interpreted by the fire code official.~~

~~(k) Appendices:~~

~~(1) The following appendices contained in this code are deleted in their entirety:~~

~~Appendix A, Employee Qualifications;~~

~~Appendix B, Board of Appeals;~~

~~Appendix D, Fire Districts;~~

~~Appendix E, Supplementary Accessibility Requirements;~~

~~Appendix H, Signs;~~

~~Appendix I, Patio Covers;~~

~~Appendix K, Administrative Provisions;~~

~~Appendix L, Earthquake Recording Instrument; and~~

~~Appendix M, Tsunami-Generated Flood Hazard.~~

~~(2) The following appendices are hereby adopted:~~

~~Appendix C, Group U—Agricultural Buildings;~~

~~Appendix F, Rodentproofing; and~~

~~Appendix G, Flood-Resistant Construction.~~

~~(3) Appendix J of said code is hereby adopted and the following sections are amended as follows:~~

~~J106.1 Maximum Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than 3 horizontal to 1 vertical (33 percent) unless the applicant furnishes a soils report justifying a steeper slope.~~

~~Exceptions:~~

~~A cut surface may be at a slope of 2 horizontal to 1 vertical (50 percent) provided that all the following are met:~~

~~1.1. It is not intended to support structures or surcharges.~~

1.2. It is adequately protected against erosion.

1.3. It is no more than 8 feet (2438 mm) in height.

1.4. It is approved by the building official.

A cut surface in bedrock shall be permitted to be at a slope of 1 horizontal to 1 vertical (100 percent).

J107.6 Maximum Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 3 horizontal to 1 vertical (33 percent) shall be justified by soils reports or engineering data.

(Code 1993, § 14 36; Ord. No. 2005 13, § 1(14 36), 12 19 2005; Ord. No. 2014 10, § 1(14 36), 5 5 2014; Ord. No. 2019 31, § 2, 11 18 2019)

Secs. 10 23—10 47. Reserved.

ARTICLE III. RESIDENTIAL CODE

Sec. 10 48. International Residential Code adopted.

The International Residential Code, 2015 edition, hereinafter sometimes referred to as the "code," as published by the International Code Council, Inc., is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the city secretary.

(Code 1993, § 14 325; Ord. No. 2001 25, § 1, 1 7 2002; Ord. No. 2007 13, § 3(14 325), 11 5 2007; Ord. No. 2014 10, § 4(14 325), 5 5 2014; Ord. No. 2019 31, § 3, 11 18 2019)

State law reference(s)—International Residential Code as the municipal residential building code in the state, V.T.C.A., Local Government Code § 214.212.

Sec. 10 49. Conflicts.

Upon any conflict with the provisions of the residential code adopted by section 10 48 and the provisions of this Code, state law or city ordinances, rules or regulations, the provisions of this Code of Ordinances, state law or city ordinances, rules or regulations shall prevail and be controlling.

(Code 1978, § 11 17; Code 1993, § 14 326)

Sec. 10 50. Enforcement.

The code adopted by section 10 48 shall be enforced by the building official.

(Code 1978, § 11 18; Code 1993, § 14 327; Ord. No. 2019 31, § 4, 11 18 2019)

Sec. 10-51. Amendments to the International Residential Code.

(a) Section R103 of the residential code adopted in section 10-48 is hereby amended to provide as follows:

R103 Department of Building Safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the city manager and may be removed without cause by city manager. The building official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the building official and may be removed without cause by building official.

(b) Section R104 of said code is hereby amended to provide as follows:

Section R104 General. The building official is hereby authorized and directed to enforce all of the provisions of this code. The building official shall have the power to render interpretations of this code and to adopt and enforce written rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

Section R104.3 Notices and orders. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall stop work until authorized in writing by the building official to proceed with the work.

(c) Section R105.5 of said code is hereby amended to provide as follows:

R105.5 Expiration. No construction schedule. Every permit issued shall become invalid unless the work at the site authorized by such permit is commenced within 180 days after its issuance. The building official is authorized to grant, in writing, an extension or extensions of such permit, provided the maximum term of said permit shall not exceed one and one-half (1½) years. If any permitted work is not completed within this limitation, then the permit shall become invalid and must be reissued in order to resume work, together with payment of fees for such reissued permit.

(d) Section R105 of said code is hereby amended by adding a new section R105.10 to provide as follows:

R105.10 Liability Insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the city evidence of comprehensive general liability insurance, issued by a company licensed to do business in Texas, in the following amounts, for the duration of the permit, and shall furnish certificates of insurance to the city as evidence thereof. The certificates shall provide that the insurance shall not be canceled, reduced, or changed without 30 days advance notice to the city.

Comprehensive general liability insurance covering all risks associated with the work, with a minimum limit as currently established or as hereafter adopted by resolution of the city council from time to time, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.

(e) Section R108.2 of said code is amended to provide as follows:

~~R108.2 Schedule of permit fees. Fees shall be charged in accordance with the City's fee schedule, as it may be amended from time to time.~~

~~(f) Section R108.6 of said code is hereby amended to provide as follows:~~

~~R108.6 Work commencing before permit issuance. The fee for work commenced without a permit shall be double the fee set forth in the fee schedule adopted by the city.~~

~~(g) Section R110.1 of said code is hereby amended to provide as follows:~~

~~Section R110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein.~~

~~Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid.~~

~~(h) Section R112.1 of said code is hereby deleted and new section 112.1 is substituted therefor as follows:~~

~~112.1. General. Appeals of orders, decisions, or determinations made by the City's building official in interpreting or applying this code shall be to the Zoning Board of Adjustments. The Zoning Board of Adjustments may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration.~~

~~(i) Section R112.3 of said code is hereby deleted in its entirety.~~

~~(j) Section R113 of said code is deleted in its entirety and the penalty provision in section 1-14 of the City Code is substituted in its place.~~

~~(k) Appendices:~~

~~(1) The following appendices contained in said code are deleted in their entirety:~~

~~Appendix A, Sizing and Capacities of Gas Piping;~~

~~Appendix E, Manufactured Housing Used As Dwellings;~~

~~Appendix F, Radon Control Methods;~~

~~Appendix G, Piping Standards for Various Applications;~~

~~Appendix H, Patio Covers;~~

~~Appendix I, Private Sewage Disposal;~~

~~Appendix J, Existing Buildings and Structures;~~

~~Appendix K, Sound Transmission;~~

~~Appendix L, Permit Fees;~~

~~Appendix M, Home Day Care — R-3 Occupancy;~~

~~Appendix N, Venting Methods;~~

Appendix O, Automatic Vehicular Gates;

Appendix P, Sizing of Water Piping System;

Appendix R, Light Straw Clay Construction;

Appendix S, Strawbale Construction; and

Appendix T, Recommended Procedure for Worst Case Testing of Atmospheric Venting Systems Under N1102.4 or N1105 Conditions <5ACH 50;

(2) The following appendices contained in said code are adopted in their entirety:

Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed For Use With Type B Vents;

Appendix C, Exit Terminals of Mechanical Draft and Direct Vent Venting Systems; and

Appendix D, Recommended Procedure for Safety Inspection of an Existing Appliance Installation.

(1) Table R301.2(1) of said code is completed to provide as follows:

<u>Ground Snow Load</u>	<u>Wind Speed (mph)</u>	<u>Seismic Design Category</u>	<u>Subject to Damage From</u>				<u>Winter Design Temp</u>	<u>Ice Shield Underlay Required</u>
			<u>Weathering</u>	<u>Frost Line Depth</u>	<u>Termite</u>	<u>Decay</u>		
<u>0</u>	<u>110 b or c</u>	<u>A</u>	<u>Negligible</u>	<u>6"</u>	<u>Very heavy</u>	<u>Slight to moderate</u>	<u>32</u>	<u>No</u>
<u>Flood Hazards</u>					<u>Air Freezing Index</u>		<u>Mean Annual Temp</u>	
<u>FIRM and FBFM as adopted by City Code Section 10-395 Firm and FBFM</u>					<u>9</u>		<u>69.9</u>	

(m) Section P2603.5.1 of said code is hereby amended to provide as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be not less than six inches (6") below finished grade at the point of septic tank connection. Building sewers shall not be less than eighteen inches (18") below grade.

(Code 1993, § 14-328; Ord. No. 2001-25, §§ 2, 3, 1-7-2002; Ord. No. 2007-13, § 3(14-328), 11-5-2007; Ord. No. 2014-10, § 4(14-328), 5-5-2014; Ord. No. 2019-31, § 5, 11-18-2019)

Secs. 10-52 — 10-75. Reserved.

ARTICLE IV. AIR CONDITIONING AND MECHANICAL WORK

Sec. 10-76. International Mechanical Code adopted.

The International Mechanical Code, 2015 edition, hereinafter sometimes referred to as the "code," as published by the International Code Council, Inc., is hereby adopted. A copy of said code is attached hereto and made a part hereof for all purposes, an authentic copy of which has been filed with the city secretary.

(Code 1993, § 14-65; Ord. No. 2001-24, § 1, 1-7-2002; Ord. No. 2007-13, § 1(14-65), 11-5-2007; Ord. No. 2014-10, § 2(14-65), 5-5-2014; Ord. No. 2019-31, § 6, 11-18-2019)

Sec. 10-77. Amendments to the International Mechanical Code.

(a) Section 103 of the mechanical code adopted in section 10-76 is hereby amended to provide as follows:

103 Department of Mechanical Inspection. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the City Manager and may be removed without cause by City Manager. The building official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the building official and may be removed without cause by the building official. Any reference in this code to the code official shall mean the building official or the building official's designee

(b) Section 104.1 of said code adopted in section 10-76 is hereby amended to provide as follows:

Section 104.1 General. The building official is hereby authorized and directed to enforce all of the provisions of this code. The building official shall have the power to render interpretations of this code and to adopt and enforce written rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

(c) Section 104.6 of said code adopted in section 10-76 is hereby amended to provide as follows:

Section 104.6 Notices and orders. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall stop work until authorized in writing by the building official to proceed with the work.

(d) Sections 106.4.3 and 106.4.4 of said code are deleted in their entirety and a new section 106.4.3 is substituted therefor as follows:

106.4.3 Expiration. Every permit issued shall become invalid unless the work at the site authorized by such permit is commenced within 180 days after its issuance. The building official is authorized to grant, in writing, an extension or extensions of such permit, provided the maximum term of such permit shall not exceed one and one-half (1½) years. If any permitted work is not completed within this limitation, then the permit shall become invalid

~~and must be reissued in order to resume work, together with payment of fees for such reissued permit.~~

~~(e) Section 106 of said code is amended by adding a new section 106.5.4 to provide as follows:~~

~~106.5.4 State License. All persons performing work within the city governed by this code shall be licensed by the State of Texas, and shall submit to the city proof of insurance as required by the state or by statute.~~

~~(f) Section 106.5.2 of said code is hereby deleted as fees shall be charged in accordance with the city's fee schedule, as it may be amended from time to time.~~

~~(g) Section 106.5.3 of said code is hereby deleted in its entirety.~~

~~(h) Section 109 of said code is hereby amended to provide as follows:~~

~~109. Means of Appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to the Zoning Board of Adjustments. The Zoning Board of Adjustments may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.~~

~~(i) Section 108 of said code is hereby deleted in its entirety and the penalty provision in section 1-14 of the City Code is substituted in its place.~~

~~(j) Appendices:~~

~~(1) Appendix A, Chimney Connector Pass Throughs, is hereby adopted in its entirety.~~

~~(2) Appendix B, Recommended Permit Fee Schedule, is hereby deleted in its entirety.~~

~~(Code 1993, § 14-66; Ord. No. 2001-24, § 2, 1-7-2002; Ord. No. 2007-13, § 1(14-66), 11-5-2007; Ord. No. 2014-10, § 2(14-66), 5-5-2014; Ord. No. 2019-31, § 7, 11-18-2019)~~

~~Sec. 10-78. Work done by homeowners.~~

~~A homeowner shall be permitted to do mechanical work on the dwelling he resides in, provided a permit is acquired for such work and the work is inspected and approved by the city.~~

~~(Code 1978, § 5-34; Code 1993, § 14-67; Ord. No. 2007-13, § 1(14-67), 11-5-2007)~~

~~Sec. 10-79. Work restricted.~~

~~No mechanical work shall be performed by any person not the holder of a state license, if it is required by the state to have a license, and having complied with all requirements of the state for the performance of such work.~~

~~(Code 1978, § 5-39; Code 1993, § 14-72; Ord. No. 2007-13, § 1(14-68), 11-5-2007)~~

~~Sec. 10-80. Issuance of permits restricted.~~

~~A holder of a master mechanical installer's license who is employed as a master for a person shall take out mechanical permits only for that person, and shall supervise, direct and control the mechanical work for which the mechanical permit is obtained. A master who is engaged in the~~

~~mechanical business for himself shall take out mechanical permits for his business only and no mechanical permit shall be taken out by any master that he does not supervise, direct and control the mechanical work for which the permit was obtained.~~

~~(Code 1978, § 5-41; Code 1993, § 14-73; Ord. No. 2007-13, § 1(14-69), 11-5-2007)~~

~~Sec. 10-81. Misuse of city registration.~~

~~No master mechanical installer shall assign or in any other way convey his registration, the use thereof, or any rights thereunder, to anyone by power of attorney or any other process, or become involved in any type of agreement, assignment or use whereby the master will not have supervision, direction and control of the mechanical work for which the mechanical permit is obtained by the master.~~

~~(Code 1978, § 5-42; Code 1993, § 14-74; Ord. No. 2007-13, § 1(14-70), 11-5-2007)~~

~~Sec. 10-82. Supervision of work.~~

~~All mechanical work performed within the city shall be done under the control, supervision, direction and responsibility of a master. Any other worker who performs the mechanical work under the supervision, control and responsibility of the master shall be an employee of the master.~~

~~(Code 1978, § 5-43; Code 1993, § 14-75; Ord. No. 2007-13, § 1(14-71), 11-5-2007)~~

~~Sec. 10-83. Payroll records.~~

~~For purposes of enforcing this article, the mechanical inspector, or his designated representative, may examine the payroll records for the preceding 12 months of the master, during normal business hours. Should the master fail or refuse to make a full, true and accurate disclosure of his payroll records, the mechanical inspector may, after written notification by certified mail, withhold the issuance of mechanical permits to that master until such time as there has been a full, true and accurate disclosure of the payroll records. Violation of this section will be subject to the penalty as provided in section 1-14 of this Code.~~

~~(Code 1978, § 44; Code 1993, § 14-76; Ord. No. 2007-13, § 1(14-72), 11-5-2007)~~

~~Sec. 10-84. Suspension, withholding or revocation.~~

~~(a) When given a ten-day notice by registered or certified mail, and after a hearing before a board appointed by the city council, where the person notified may be represented by an attorney at law of his choice, the holder of a license or certificate issued under the provisions of this article may have his license or certificate revoked or suspended by the city for any of the following reasons:~~

- ~~(1) Habitual drunkenness or the use of narcotics.~~
- ~~(2) Conviction of a crime involving moral turpitude.~~
- ~~(3) Adjudication of insanity.~~
- ~~(4) Fraud or misrepresentation in obtaining a registration or permit.~~

~~(5) Violating on more than one occasion, either willfully or maliciously, or by reason of incompetence, any provision of this article or the International Standard Mechanical Code or amendments thereto.~~

~~(6) Conviction of defrauding any person from whom he has rendered or contracted to render service.~~

~~(7) Securing permit for mechanical work not actually performed by the master or by licensed employees under his control, supervision and direction. This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this article by entering into any simulated scheme, transaction or device, whereby mechanical work will be done by persons who are not employees of the master, or employees of his employer.~~

~~(8) Securing a permit under any pretext for any installation concerning which applicant has no valid contract. This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this article by simulated scheme, transaction or device, or performing mechanical work without a valid permit.~~

~~(b) The city may withhold the issuing or renewal of a license or registration certificate to an applicant by the same process used for revocation or suspension as described in subsections (a)(1) thru (8) of this section.~~

~~(Code 1978, § 5 45; Code 1993, § 14 77; Ord. No. 2007 13, § 1(14 73), 11 5 2007)~~

~~Secs. 10 85 – 10 111. Reserved.~~

ARTICLE V. ELECTRICITY¹

DIVISION 1. GENERALLY

Sec. 10 112. Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Apprentice electrician means the person undertaking electrical work under the direct, constant, personal supervision and control of either a licensed master electrician or a licensed journeyman electrician.~~

~~Electrical inspector means the building official or his designee as electrical inspector of the city charged with the enforcement of this article and all provisions of this Code and the pertaining city ordinances.~~

~~Electrical work means the installing, maintaining, altering, repairing or erecting of any electrical wiring, apparatus, devices, appliances, fixtures or equipment for which a permit is required by the provisions of this article, except poles and guy anchors installed by any electric, telephone, telegraph, signal and/or public service company as a part of its distribution system.~~

~~Journeyman electrician means those persons with four years substantiated electrical experience undertaking electrical work under the supervision, direction, and control of a licensed master electrician and who has been properly registered with the city. The term "journeyman electrician," however, shall not include an "apprentice electrician," and nothing in this definition shall be construed as prohibiting an apprentice electrician from doing electrical work under the direct, constant, personal supervision and control of either a licensed master or a licensed journeyman electrician.~~

~~Master electrician means the holder of a master electrician's license as provided in this article. (Code 1993, § 14-100; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-100), 11-5-2012)~~

~~Sec. 10-113. Liability for damages.~~

~~The provisions of this article shall not be construed to relieve from or lessen the responsibility of any party owning, operating, or controlling any electric wiring, apparatus, devices, appliances, fixtures or equipment for damages to person or property caused by any defect therein, nor shall the city be held as assuming by this section any such liability by reason of the inspection authorized in this article, or the certificates of approval issued as provided in this article, or otherwise.~~

~~(Code 1993, § 14-101; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-101), 11-5-2012)~~

~~Sec. 10-114. Unfranchised public utilities.~~

~~(a) No person or public service company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electric energy, or for the operation of signals or the transmission of intelligence on, over or under the streets, in the city, without first obtaining from the city council a franchise right or grant for the particular installation so desired to be made, and any such installation so made under such franchise or grant shall be in strict conformity with all pertaining rules, regulations and ordinances of the city.~~

~~(b) Any installation of duct, conduit or wires under the public streets shall be in accordance with this article and other city ordinances covering the use of public places and streets.~~

~~(Code 1993, § 14-103; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2002-05, § 3, 3-18-2002; Ord. No. 2012-20, § 1(14-103), 11-5-2012)~~

~~Secs. 10-115—10-141. Reserved.~~

~~DIVISION 2. ELECTRICAL INSPECTOR~~

Sec. 10-142. Office established.

The office of the electrical inspector is hereby established in and for the city and shall be the city's building official or his designee.

(Code 1993, § 14-115; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-115), 11-5-2012)

Sec. 10-143. Appointment.

The electrical inspector shall be the city's building official or his designee.

(Code 1993, § 14-117; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-116), 11-5-2012)

Sec. 10-144. Office may be combined.

The chief electrical inspector may be the same person as the city building official.

(Code 1993, § 14-118; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-117), 11-5-2012)

Sec. 10-145. Conflict of interest.

It shall be unlawful for the electrical inspectors to engage in the business of the sale, installation or maintenance of electrical wiring, apparatus, devices, appliances, fixtures or equipment either directly or indirectly. They shall have no financial interest in any concern engaged in such business in the city at any time while holding the office of electrical inspector for the city.

(Code 1993, § 14-119; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-118), 11-5-2012)

Sec. 10-146. Interfering with electricians in business.

(a) It shall be unlawful for any person connected with the electrical inspection department of the city in any way whatsoever to solicit business of any kind for any master electrician, or assist or encourage the solicitation of any business for any master electrician.

(b) It shall be unlawful for any person connected with the electrical inspection department of the city to prevent or to assist in preventing any person from doing business with any master electrician whose license has not been suspended or revoked.

(Code 1993, § 14-120; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-119), 11-5-2012)

Sec. 10-147. Duties:

The electrical inspector shall, upon application, cause to be issued permits for the installation and alteration of electrical wiring, devices, appliances, fixtures, apparatus and equipment, and final inspections, and shall be responsible for inspection of all new electrical installations and re-inspections of all electrical installations, as provided for in this article.

(Code 1993, § 14-121; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-120), 11-5-2012)

Sec. 10-148. Right of entry:

The electrical inspector or his designee shall have the right to enter any building in the discharge of his official duties or for the purpose of making any inspection or re-inspection of the installation of electrical electric wiring, apparatus, devices, appliances, fixtures, and electrical equipment.

(Code 1993, § 14-122; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-121), 11-5-2012)

Sec. 10-149. Disconnect service:

The electrical inspectors are hereby empowered, in emergencies, to disconnect and to order the discontinuance of electrical services to any electric wiring, apparatus, device, appliance, fixture or equipment found to be dangerous to life or property within the provisions of this article until such wiring, apparatus, device, appliance, fixture or equipment and its installation has been made safe.

(Code 1993, § 14-123; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-122), 11-5-2012)

Sec. 10-150. Decision of questions:

The electrical inspector shall decide all questions not provided for in this article pertaining to the installation, operation, or maintenance of electric wiring and apparatus, subject to appeal to the city council.

(Code 1993, § 14-124; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-123), 11-5-2012)

Sec. 10-151. Review of decisions:

Any person aggrieved by any action of an electrical inspector may within ten days after such action file a petition, in writing, with the city council and thereupon the city council will render a decision within 15 days. The city council shall have the right to sustain, modify or reverse the action of any electrical inspector, provided, that until such time as the electrical inspector's action is reversed or modified by the city council, such action shall remain in effect. The decision of the city council shall be final.

~~(Code 1993, § 14-125; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-124), 11-5-2012)~~

Sec. 10-152. Records.

~~The electrical inspector shall keep complete records of all permits issued, inspections and re-inspections made, and other official work performed in accordance with the provisions of this article.~~

~~(Code 1993, § 14-126; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-125), 11-5-2012)~~

Secs. 10-153 – 10-170. Reserved.

DIVISION 3. ELECTRICIANS

Subdivision I. In General

Sec. 10-171. Work restricted.

~~No electrical work shall be performed by any person not holding a license required by the provisions of this division.~~

~~(Code 1993, § 14-140; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-140), 11-5-2012)~~

Sec. 10-172. Homeowners.

~~A homeowner shall be permitted to do electrical work on the dwelling he resides in, provided a permit is acquired for such work and the work is inspected and approved by the electrical inspector.~~

~~(Code 1993, § 14-141; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-141), 11-5-2012)~~

Sec. 10-173. Supervision of work.

~~All electrical work performed within the city shall be under the control, supervision, direction, and responsibility of a master electrician licensed by the state. A journeyman or apprentice electrician shall perform the actual work under the supervision, control and responsibility of a master electrician.~~

~~(Code 1993, § 14-147; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2002-05, § 4, 3-18-2002; Ord. No. 2004-11, § 2, 12-6-2004; Ord. No. 2012-20, § 1(14-147), 11-5-2012; Ord. No. 2014-10, § 3(14-147), 5-5-2014)~~

Secs. 10-174 – 10-210. Reserved.

Subdivision II. Master Electrician

Sec. 10-211. License required.

Except as otherwise provided by this article, it shall be unlawful for any person to perform or contract for electrical work within the city unless such person is licensed by the state as a master electrician.

(Code 1993, § 14-185; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2004-11, § 2, 12-6-2004; Ord. No. 2012-20, § 1(14-185), 11-5-2012; Ord. No. 2014-10, § 1(14-185), 5-5-2014)

Sec. 10-212. Insurance.

(a) For any permits to be issued, the applicant must provide evidence of holding a comprehensive general liability insurance policy (including products liability and completions operations coverage) with minimum limits as currently established or as hereafter adopted by resolution of the city council from time to time. This policy must be issued by a carrier with a rating of B+ or better in the last published edition of Best's Insurance Reports Property Casualty Volume (published by A. M. Best Company, Oldwiche, New Jersey 08858). Proof of the coverage shall be provided in the form of a certificate issued by an authorized agent or employee of the company issuing the policy, that specifies coverage and identifies the insured. Each certificate shall provide that not less than 30 days' written notice shall be given to the city in the event of reduction or cancellation of the policy prior to the expiration date specified on the certificate, or lapse by nonrenewal.

(b) These insurance requirements would not apply to any permits obtained by homeowners as outlined in section 10-172.

(Code 1993, § 14-194; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2014-10, § 3(14-193), 5-5-2014)

Sec. 10-213. Issuance of permits restricted.

A master electrician shall take out electrical permits only under his own license, and shall supervise, direct and control the electrical work for which the electrical permit is obtained.

(Code 1993, § 14-195; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-194), 11-5-2012)

Sec. 10-214. Misuse of license.

No master electrician shall assign or in any other way convey his license, its use, or its rights, to anyone by power of attorney or any other process, or become involved in any type of agreement, assignment or use whereby the master electrician will not have supervision, direction and control of the electrical work for which he has obtained electrical permits.

(Code 1993, § 14-196; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-195), 11-5-2012)

~~Secs. 10 215—10 236. Reserved.~~

Subdivision III. Journeyman Electrician

~~Sec. 10 237. License required.~~

~~No person shall undertake any work as a journeyman electrician unless such person has first obtained the appropriate current state electrician license.~~

~~(Code 1993, § 14 210; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2004 11, § 2, 12 6 2004; Ord. No. 2012 20, § 1(14 210), 11 5 2012; Ord. No. 2014 10, § 3(14 210), 5 5 2014)~~

~~Sec. 10 238. Display.~~

~~Every journeyman electrician shall carry his license while performing the acts which this license entitles him to perform.~~

~~(Code 1993, § 14 15; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 210), 11 5 2012)~~

~~Secs. 10 239—10 269. Reserved.~~

Subdivision IV. Apprentice Electrician Registration

~~Sec. 10 270. License required.~~

~~No person shall undertake any work as an apprentice electrician unless such person has first obtained the appropriate current state electrician license.~~

~~(Code 1993, § 14 230; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2004 11, § 2, 12 6 2004; Ord. No. 2012 20, § 1(14 230), 11 5 2012; Ord. No. 2014 10, § 3(14 230), 5 5 2014)~~

~~Sec. 10 271. Display.~~

~~Every apprentice electrician shall carry his license while performing the acts which this license entitles him to perform.~~

~~(Code 1993, § 14 234; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 234), 11 5 2012)~~

~~Secs. 10 272—10 290. Reserved.~~

DIVISION 4. PERMITS AND INSPECTIONS

Sec. 10 291. Permit required.

No wiring, poles, duct line, apparatus, devices, appliances, fixtures or equipment for the transmission, distribution or utilization of electrical energy for any purpose shall be installed within the city limits, nor shall any alteration or addition be made to any such existing wiring, poles, duct lines, apparatus, devices, appliances, fixtures or equipment without first securing a permit.

(Code 1993, § 14 245; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 245), 11 5 2012)

Sec. 10 292. Exceptions — Enumerated.

(a) No permit shall be required for replacing fuses or lamps or the connection of portable equipment to suitable permanently installed receptacles or for repairs to portable appliances.

(b) No permit shall be required for replacing flush or snap switches, receptacles, light fixtures or minor repairs on permanently connected electrical appliances, replacement of small motors of same voltage, amperage, horsepower, but not to exceed three horsepower.

(c) No permit shall be required for the installation, maintenance or alteration of wiring poles and down guys, apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the primary side of the source of power at a voltage over 50 volts and of more than 500 watts.

(d) No permit shall be required for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment to be installed by an electric public service company for the use of such company in the generation, transmission, distribution, sale or utilization of electrical energy. However, an electric public service company shall not do any wiring on a customer's premises other than wiring which is a part of the company's distribution system, including metering equipment wherever located and transformer vaults in which company's transformers are located, nor shall any of its employees do any work other than that done for such company as hereinbefore provided for, by virtue of this exception.

(e) No permit shall be required for the installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized electrical training school or college.

(f) No permit shall be required for the installation and maintenance of railway crossing signal devices when such is performed by due authority of the railroad and in accordance with the standards of the American Railroad Association.

(Code 1993, § 14 246; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 246), 11 5 2012)

Sec. 10 293. Same — Compliance.

Where no permit is required for the installation or repair of wiring, apparatus, devices, or equipment for the transmission, distribution, or utilization of electrical energy for any purpose, the

~~wiring, apparatus, devices or equipment shall be installed or repaired in conformity with the provisions of the version National Electrical Code adopted by Council.~~

~~(Code 1993, § 14-247; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-247), 11-5-2012)~~

Sec. 10-294. Emergencies:

~~The electrical inspector may issue and enforce any rules or regulations he may deem necessary covering the granting of emergency permits.~~

~~(Code 1993, § 14-251; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-251), 11-5-2012)~~

Sec. 10-295. Application:

~~(a) To obtain an electrical permit, the applicant shall first file an application in writing. Each application shall:~~

~~(1) Identify and describe the work to be covered by the permit.~~

~~(2) Describe the location of the proposed work by street address.~~

~~(3) Show the use or occupancy of the building.~~

~~(4) Be accompanied by plans and specifications as required by the electrical inspector. However, a permit may be issued covering part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been made complying with all pertinent requirements of this article. The holder of such permit may proceed without assurance that the permit covering the work in the entire building or structure will be granted.~~

~~(5) Be signed by the master electrician.~~

~~(b) The permit, when issued, shall be issued to the applicant to cover the proposed work as described and detailed. Any changes or additions must be covered by additional permits at the time changes are made.~~

~~(Code 1993, § 14-252; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2002-05, § 6, 3-18-2002; Ord. No. 2012-20, § 1(14-252), 11-5-2012)~~

Sec. 10-296. Checking of plans and specifications:

~~The application, plans, and specifications filed by an applicant for an electrical permit shall be checked by the electrical inspector. The issuance of a permit based upon these plans and specifications shall not prevent the electrical inspector from requiring the correction of errors. Such plans may be reviewed by other departments of the city to check compliance with laws and ordinances under their jurisdiction.~~

~~(Code 1993, § 14-253; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2002-05, § 7, 3-18-2002; Ord. No. 2012-20, § 1(14-253), 11-5-2012)~~

Sec. 10 297. Fees.

- ~~(a) Before any permit shall be issued, under the provisions of this division, the applicant shall pay fees according to the established schedule adopted by resolution of the city council from time to time.~~
- ~~(b) Ordinary fees will be doubled for any permit issued after the work has been started or after the work has been partially completed or concealed.~~
- ~~(c) In case it becomes necessary to make a re inspection of any work, fees will be charged according to the established schedule.~~

~~(Code 1993, § 14 254; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 254), 11 5 2012)~~

Sec. 10 298. Temporary installations.

~~No permit for temporary use shall be valid for a longer period than 90 days unless required for construction purposes. At the end of 90 days, the electrical inspector may issue written instructions to the electric public service company to disconnect service to the temporary installation. A letter addressed to "occupant" at the address of the temporary installation shall be deemed as being sufficient to notify the owner, if name and address of owner is not known to the electrical inspector.~~

~~(Code 1993, § 14 255; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 255), 11 5 2012)~~

Sec. 10 299. Display.

~~Any permit for electrical work shall be displayed in a visible location.~~

~~(Code 1993, § 14 261; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 261), 11 5 2012)~~

Sec. 10 300. Expiration.

~~Every permit issued shall expire and become null and void if the building or work authorized by such permit is not commenced within 60 days from the date of the permit or if the building or work authorized by the permit has been suspended for a period of 180 days. Before such work can be restarted, a new permit shall be obtained.~~

~~(Code 1993, § 14 262; Ord. No. 2000 30, § 2, 1 2 2001; Ord. No. 2012 20, § 1(14 262), 11 5 2012)~~

Sec. 10 301. Refusal to finish installation.

~~Any electrical contractor who accepts payment for electrical work, then refuses to finish the work for which a permit was issued, shall, after written notification by the electrical inspector, and~~

~~after being reviewed by the city council, be prohibited from pulling permits or performing new work within the city limits until such work is completed.~~

~~(Code 1993, § 14-263; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-263), 11-5-2012)~~

~~Sec. 10-302. Suspension or revocation.~~

~~The electrical inspector may, in writing, suspend or revoke an electrical permit issued under the provisions of this division whenever the permit is issued in error or on the basis of incorrect information supplied or when in violation of any ordinance, regulation or any of the provisions of this article.~~

~~(Code 1993, § 14-264; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-264), 11-5-2012)~~

~~Sec. 10-303. Certificate of approval.~~

~~When the electrical work is found to be in compliance with this article, the electrical inspector shall give approval to the public utility company authorizing connection of the electrical service.~~

~~(Code 1993, § 14-269; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-269), 11-5-2012)~~

~~Sec. 10-304. Death of master electrician.~~

~~After the death of a master electrician, for a period of 60 days, any person engaged in the electrical contractor business shall have the privilege of completing any work currently authorized under the master electrician's license.~~

~~(Code 1993, § 14-272; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2012-20, § 1(14-272), 11-5-2012; Ord. No. 2014-10, § 3(14-272), 5-5-2014)~~

~~Sec. 10-305. Electrical code adoption.~~

~~(a) With the passing of the ordinance from which this article derives, the 2017 edition of the National Electrical Code, NFPA 70, prepared by the National Fire Protection Association, Inc., will be adopted.~~

~~(b) In case of conflict between the provisions of the National Electrical Code and the provisions of this article, this article shall prevail. In the case of a conflict between the National Electrical Code and any other code adopted by this article, the most restrictive provision shall prevail.~~

~~(Code 1993, § 14-285; Ord. No. 2000-30, § 2, 1-2-2001; Ord. No. 2007-13, § 2, 11-5-2007; Ord. No. 2012-20, § 1(14-284), 11-5-2012; Ord. No. 2014-10, § 3(14-284), 5-5-2014; Ord. No. 2019-31, § 8, 11-18-2019)~~

Sec. 10 306. Reserved.

Editor's note(s) — Ord. No. 2019 31, § 9, adopted Nov. 18, 2019, repealed § 10 306, which pertained to special provisions and derived from the 1993 Code; Ord. No. 2000 30, adopted Jan. 2, 2001; Ord. No. 2012 20, adopted Nov. 5, 2012; Ord. No. 2012 42, adopted Oct. 15, 2012; Ord. No. 2012 49, adopted Nov. 19, 2012.

Secs. 10 307 — 10 332. Reserved.

ARTICLE VI. PLUMBING AND GAS

DIVISION 1. GENERALLY

Sec. 10 333. Compliance with plumbing license law required.

Before any person shall do any work or make any connections with the sewer or gas system in the city, or do any plumbing work connected or intended to be connected with the sewer or gas system, he shall be licensed as provided in the state plumbing license law, V.T.C.A., Occupations Code ch. 1301.

(Code 1978, § 19-1; Code 1993, § 14-390)

Secs. 10 334 — 10 356. Reserved.

DIVISION 2. CODES

Sec. 10 357. International Plumbing Code adopted.

The International Plumbing Code, 2015 edition, hereinafter sometimes referred to as the "code," as published by the International Code Council, Inc., and as amended herein, is hereby adopted. A copy of said code made a part hereof for all purposes, an authentic copy of which has been filed with the city secretary.

(Code 1993, § 14 405; Ord. No. 2001 26, § 1, 1-7-2002; Ord. No. 2007 13, § 4(14 405), 11-5-2007; Ord. No. 2014 10, § 5(14 405), 5-5-2014; Ord. No. 2019 31, § 10, 11-18-2019)

Sec. 10 358. Amendments to the International Plumbing Code.

(a) Section 103 of the plumbing code adopted in section 10 357 is hereby amended to provide as follows:

103 Department of Plumbing Inspection. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the City Manager and may be removed without cause by City Manager. The building official may appoint deputies to assist him/her. Said deputies shall serve at the pleasure of the building

~~official and may be removed without cause by the building official. Any reference in this code to the code official shall mean the building official or the building official's designee.~~

- ~~(b) Section 104 of said code is hereby amended by adding a new section 104.8, to provide as follows:~~

~~104.8 Stop Work Orders. Whenever any work is being done contrary to the provisions of this code, the Building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall stop work until authorized in writing by the building official to proceed with the work. The building official shall issue all necessary notices or orders to ensure compliance with this code.~~

- ~~(c) Sections 106.5.3 and 106.5.4 of said code are deleted in their entirety and a new section 106.5.3 is substituted therefor as follows:~~

~~106.5.3 Expiration. Every permit issued shall become invalid unless the work at the site authorized by such permit is commenced within 180 days after its issuance. The building official is authorized to grant, in writing, an extension or extensions of such permit, provided the maximum term of said permit shall not exceed one and one half (1½) years. If any permitted work is not completed within this limitation, then the permit shall become invalid and must be reissued in order to resume work, together with payment of fees for such reissued permit.~~

- ~~(d) Section 106.6.1 of said code is hereby amended to provide as follows:~~

~~106.6.1 Work commencing before permit issuance. The fee for work commenced without a permit shall be double the fee set forth in the fee schedule adopted by the City.~~

- ~~(e) Section 106.6.3 of said code is deleted in its entirety.~~

- ~~(f) Section 106.6.2 of said code is hereby amended to provide as follows:~~

~~106.6.2 Fee schedule. Fees shall be charged in accordance with the City's fee schedule, as it may be amended from time to time.~~

- ~~(g) Section 106 of said code is amended by adding a new section 106.6.4, which provides as follows:~~

~~106.6.4 State License. All persons performing work in the City governed by this code shall be licensed by the State of Texas, and shall submit to the City proof of insurance as required by the State or by statute.~~

- ~~(h) Section 109 of said code is hereby amended to provide as follows:~~

~~109. Means of Appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to Zoning Board of Adjustments. The Zoning Board of Adjustments may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.~~

- ~~(i) Section 108 of said code is deleted in its entirety and the penalty provision in section 1-14 of the City Code substituted in its place.~~

- ~~(j) Section 305.4.1 of said code is hereby amended to provide as follows:~~

~~305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than six inches (6") below finished grade at the point of septic tank connection. Building sewers shall be installed not less than eighteen inches (18") below grade.~~

~~(k) Section 903.1 of said code is hereby amended to provide as follows:~~

~~903.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than six inches (6") above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than seven feet (7') above the roof.~~

~~(l) Appendices.~~

~~(1) Appendix A, Plumbing Permit Fee Schedule, is deleted in its entirety~~

~~(2) The following appendices contained in the code are adopted in their entirety:~~

~~Appendix B, Rates of Rainfall for Various Cities;~~

~~Appendix C, Structural Safety;~~

~~Appendix D, Degree Day and Design Temperature; and~~

~~Appendix E, Sizing of Water Piping System.~~

~~(Code 1993, § 14-406; Ord. No. 2001-26, § 1, 1-7-2002; Ord. No. 2007-13, § 4(14-406), 11-5-2007; Ord. No. 2014-10, § 5(14-406), 5-5-2014; Ord. No. 2019-31, § 11, 11-18-2019)~~

Secs. 10-359 — 10-368. Reserved.

Section 4. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption hereof, as provided by law and the City’s Home Rule Charter.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE ____ DAY OF _____ 2024.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

SECOND READING:

READ, PASSED, AND ORDAINED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE ____ DAY OF _____ 2024.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

LORI KLEIN QUINN, Mayor
City of Tomball

ATTEST:

Tracy Garcia, City Secretary
City of Tomball

2021 International Building Code

Overview of Changes

The scope of the International Building Code (IBC) applies to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, and removal or demolition of buildings and structures. The IBC establishes the minimum requirements to safeguard the public health, safety and general welfare through structural strength, proper exits, and sanitation. The IBC is also designed to provide safety for firefighters and emergency responders from fire and other hazards associated with the building's environment.

The 2021 IBC continues to establish minimum regulations for building systems using prescriptive and performance-related provisions. The code changes in this cycle result in technical consistency with the other *International Codes*.

New in the 2021 IBC Edition

- **404.5 Smoke control** in atriums. In the evaluation of whether a smoke control system is required for an atrium condition, vertical opening protection consisting of a combination of both the atrium and a shaft enclosure is now recognized.
- **406.2.4 Floor surfaces** in parking garages. The mandate for a sloping floor in the vehicle areas of parking garages has been reinstated in the IBC for those garages classified as Group S-2 occupancies.
- **407.6.1 Activation of automatic-closing doors.** In Group I-2 occupancies, the closing of automatic-closing doors on hold-open devices must now also occur upon activation of the fire alarm system or automatic sprinkler system.
- **411.5 Puzzle room exiting.** Puzzle rooms are now regulated in a manner consistent with traditional special amusement areas. Special means of egress requirements have been established for puzzle rooms.
- **414.2.3 Fire wall use for control areas.** The scoping limitations of a fire wall's use to create separate buildings have been expanded through a new allowance for the number of control areas permitted.
- **424 Play structures.** The interior finish materials of play structures are now regulated for flame spread purposes.
- **506.3.2 Allowable area frontage increase.** The methodology for establishing the permissible allowable area increase for frontage has been simplified by using a table.

2021 International Residential Code Overview of Changes

The *International Residential Code* (IRC) is a standalone code that regulates the construction of detached one-and-two family dwellings and townhouses not more than three stories in height. There have been significant changes made to the IRC since the initial 2000 edition. This overview is intended to highlight the significant changes contained in the 2021 IRC.

New In the 2021 Edition

- **301.2(2) Ultimate Design Wind Speed** has been aligned with IBC and ASCE 7 maps.
- **302.5.1 Opening Protection** has been clarified to state that doors separating the garage and dwelling must be self-latching, as well as self-closing.
- **310.1.1 Operational constraints and opening control devices** clarifies that window opening control devices and fall prevention devices, complying with ASTM 2090, shall be allowed on emergency escape and rescue windows. The height of the mechanism is restricted to not more than 70" above the finished floor.
- **311.7 Stairways** clarifies that stairways not within or attached to a building, porch, or deck are not regulated by this section. *(Example: A stairway in the yard leading to a firepit area would not have to meet the riser height, tread depth, handrail, etc., requirements that a stairway inside of the house must meet.)*
- **314.3 Location** is modified with a new location requirement for smoke alarms to address areas with high ceilings adjacent to hallways serving bedrooms. *(In the hallway and in the room open to the hallway, where the ceiling height of a room open to a hallway serving bedrooms exceeds that of the hallway by 24" or more.)*
- **315.2.2 Alterations, repairs and additions** is modified to require that carbon monoxide alarms be installed when there are repairs to, or replacement of, fuel fired mechanical systems.
- **323.1.1 Sealed Documents.** This is a newly added section requiring storm shelter construction documents be prepared and sealed by a registered design professional. There is an exception to this for systems that are listed and labeled to indicate compliance with ICC-500.
- **326 Habitable Attics** is modified to limit the area of a habitable attic to not greater than one-third of the floor area of the story below. The allowable area is allowed to be increased to not greater than one-half of the floor area of the story below when located within a dwelling unit equipped with a fire sprinkler system.
- **609.4.1 Garage door labeling** has been added to require that all garage doors have a permanent label provided by the manufacturer. The label shall identify the door manufacturer, the model/series number, the wind pressure rating, the installation instruction drawing reference number, and the applicable test standard.
- **N1101.14 (R401.3) Certificate** is modified by requiring additional information related to the building thermal envelope, solar energy, Energy Rating Index, and the code edition be added to the energy certificate.
- **Table N1102.1.3 (R402.1.3) Minimum R-Values and Fenestration Requirements** is modified by increasing the Ceiling R-Value requirements from R38 to R49.

- **N1104.3 (R404.3) Exterior lighting controls** have been added to require automatic shutoff of all permanently installed exterior lighting fixtures, where the total permanently installed exterior lighting power is greater than 30 watts.
- **G2415.5 Fittings in concealed locations.** Plugs and caps have been added to the list of threaded fittings approved for concealed locations.
- **G2447.2 Prohibited location** has been modified by deleting the exception allowing a commercial cooking appliance in a dwelling unit when the installation is designed by an engineer, the appliance must now also be listed as a domestic cooking appliance.
- **P2905.3 Hot water supply to fixtures** was added. The developed length of hot water piping, from the source of hot water to the fixtures that require hot water, shall not exceed 100'. Water heaters and recirculating system piping shall be considered sources of hot water.
- **E3601.8 Emergency disconnects (230.85)** is added to require all one- and two-family dwellings to have an emergency disconnect in a readily accessible outdoor location.
- **E3606.5 Surge protection (230.67)** is added requiring all services supplying one- and two-family dwelling units to be provided with a surge-protection device at the service panel. This section will also be applicable when the service equipment is replaced.
- **E3901.4.2 [210.52(C)(2)] Island and peninsular countertops and work surfaces** is modified to determine that the number of required receptacle outlets is based off the area of countertop surface. *(One receptacle outlet for the first 9 sq. ft., or fraction thereof. One receptacle outlet for each additional 18 sq. ft., or fraction thereof.)*

2021 International Plumbing Code Overview of Changes

The *2021 International Plumbing Code (IPC)* contains many changes that provide clarity of content and resolve common interpretation problems. The scope of the 2021 IPC continues to encompass the initial design of the plumbing system, the installation and construction of plumbing systems, and the maintenance of operating systems. All plumbing systems which are provided for utilization by and for the general safety and well-being of the occupants of a building are intended to be governed by the code. Plumbing installations associated with one-and-two family dwellings are regulated by the *International Residential Code*.

New in the 2021 Edition

- **202 Public or Public Utilization.** The definitions of “public” and “private” are simplified to make a clearer distinction as to which plumbing fixtures are intended to be configured for public use.
- **403.1.1 Fixture calculations.** The minimum fixture quantities for multiple-user toilet facilities designed to serve all genders must be calculated 100 percent based on total occupant load.
- **403.2 Separate facilities.** Designs for multiple-user facilities serving both sexes are possible.
- **407.2 Bathtub waste outlets and overflows.** Bathtubs are no longer required to have an overflow outlet.
- **606.1 Location of full-open valves.** Multiple tenant buildings must have a main water shutoff valve for each tenant space.
- **708.1.6 Cleanout equivalent.** Removable traps and removable fixtures with integral traps are acceptable as equivalent to cleanouts.

2021 International Mechanical Code Overview of Changes

The latest code change cycle resolved common interpretation problems and provided clarity of content to the 2021 *International Mechanical Code* (IMC). The code was also changed to reflect current design, construction and inspection methods. In order to keep the IMC up to date on new technology, requirements to assist designers, installers and inspectors as the demand for new energy sources increase.

The 2021 IMC is primarily intended to be a commercial code. Therefore, mechanical installations associated with one-and-two family dwellings are regulated by the *International Residential Code*.

New in the 2021 Edition:

- **401.4 Intake opening location.** A new type of factory-built combination exhaust and intake air fitting is introduced that does not require separation between the two openings.
- **502.20 Manicure and pedicure stations.** The code now requires the continuous operation of nail salon exhaust systems during business hours.
- **504.4.1 Termination location.** New text was added to address the possibility of dryer exhaust air being reintroduced into a building interior.
- **506.3.7 Prevention of grease accumulation in grease ducts.** A new exception exempts factory-built grease ducts from the duct slope prescriptions of the code, relying instead on the slope requirements stated in the product listing and manufacturer's installation instructions.
- **602.2.1.8 Pipe and duct insulation within plenums.** This revision addresses the practice of using pipe insulation materials to protect piping that does not meet the required fire performance requirements.
- **1105.9 Means of egress.** Revised egress requirements for machinery rooms from the IBC were added to the IMC to prevent such requirements from being overlooked.

2021 International Fuel Gas Code Overview of Changes

The *2021 International Fuel Gas Code* (IFGC) consolidates all code changes from the fuel gas related installations into one convenient document. It is a compilation of fuel gas related text from the International Mechanical Code, the International Plumbing Code, and the National Fuel Gas Code. The code is designed to complement the family of International Codes, including the International Mechanical Code, the International Plumbing Code, the International Fire Code, and the International Building Code.

The IFGC regulates fuel gas distribution piping systems, gas-fired appliance installation and gas-fired appliance venting systems for structures other than one-and-two family dwellings. Fuel gas installations associated with one-and-two family dwellings are regulated by the International Residential Code.

New in the 2021 Edition:

- **307.2 Fuel-burning appliances.** The termination of concealed condensate piping shall be marked to indicate whether the piping is connected to the primary drain or the secondary drain.
- **403.8.3 Threaded joint sealing.** the text was revised to require the use of thread joint sealants (aka, joint compounds, pipe dope, pipe tape). In the past, the code addressed pipe thread sealants but never required them to be used.
- **404.5 Fittings in concealed locations.** Plugs and caps have been added to the list of fittings approved for installation in concealed spaces.
- **618.6 Furnace plenums and air ducts.** New text clarifies the intent to prohibit pulling return air from the mechanical room.

2021 International Energy Conservation Code Overview of Changes

The International Energy Conservation Code (IECC) establishes regulations for the design of energy-efficient residential and commercial buildings and structures, as well as portions of factory and industrial occupancies designed for human comfort.

The State of Texas is divided into climate zones which are used in determining applicable requirements for residential and commercial energy efficiency. Insulation, window and skylight requirements for the thermal envelope for both residential and commercial buildings are based on the climate zones. The performance criteria for compliance with residential energy efficiency requirements using simulated energy analysis are also addressed.

New in the 2021 Edition

- **R402.1.3 Insulation Minimum R-Values.** Is modified by increasing the ceiling R-value from R38 to R49.
- **R402.4.6 Electrical and communication outlet boxes (air-sealed).** Is a newly added section that requires all electrical and communication outlet boxes installed in the building thermal envelope to be sealed, tested, and marked for compliance with NEMA OS 4.
- **R404.2 Interior lighting controls.** Is a newly added section requiring all permanently installed interior lighting fixtures to be controlled with a dimmer, an occupant sensor control, or another control that is installed or built into the fixture. Bathrooms, hallways, exterior lighting, and lighting designed for safety or security are exempt from this section.
- **R404.3 Exterior lighting controls.** Is a newly added section requiring automatic shutoff of all permanently installed exterior lighting fixtures, where the total permanently installed exterior lighting power is greater than 30 watts.

2021 International Property Maintenance Code

Overview of Changes

The 2021 *International Property Maintenance Code* (IPMC) continues to emphasize protection of health, safety and welfare while providing code requirements that are enforceable in the diverse types of buildings that exist. Providing a safe means of egress, preventing hazardous structural conditions and reducing health hazards by providing a clean, sanitary environment are the key components of the code.

The IPMC applies to all existing structures, including residential and nonresidential property and addresses the following areas:

- Administration, enforcement and penalties associated with the code
- Determination and assignment of responsibility for code compliance among the owner, operator and occupant of a property
- Minimum property maintenance conditions for existing structures and premises in regard to structural safety, sanitation, health and comfort
- Regulating the use of existing dwelling through the establishment of occupancy limitations
- Maintenance of means of egress and fire safety, with appropriate references to the *International Fire Code*

2023 National Electric Code Overview of Changes

The National Electrical Code (NEC) is published by the National Fire Protection Association and updated every three years by issuing a new edition.

2023 Edition of the NEC

The 2023 NEC contains several changes, most of which are designed to provide clarity for existing code provisions. However, there are some new provisions and changes included in the 2020 NEC.

New in the 2020 Edition

- **210.8(A) Dwelling Units** now requires ground-fault circuit-interrupter (GFCI) protection for up to 250-volt receptacles in the areas previously identified as requiring GFCI protection for 125-volt receptacles.
- **210.8(A)(11) Indoor damp and wet locations.** GFCI protection is now required for indoor damp and wet locations not included in the other specific locations requiring protection.
- **210.52(C)(2) Island and peninsular countertops and work surfaces** is modified to determine that the number of required receptacle outlets is based off the area of countertop surface. *(One receptacle outlet for the first 9 sq. ft., or fraction thereof. One receptacle outlet for each additional 18 sq. ft., or fraction thereof.)*
- **230.67 Surge protection** is added requiring all services supplying one- and two-family dwelling units to be provided with a surge-protection device at the service panel. This section will also be applicable when the service equipment is replaced.
- **230.85 Emergency disconnects** is added to require all one- and two-family dwellings to have an emergency disconnect in a readily accessible outdoor location.