

## PLANNING & ZONING COMMISSION DRAFT MINUTES OF SEPTEMBER 10, 2012

### AGENDA PUBLIC HEARING ITEM: #16-TA120901, Text Amendment, Article 4, "Permissible Uses", and Article 30, "Definitions," of the Unified Development Code.

Senior Planner Mary Elliott presented the case report and a Power Point presentation to the Commission a request for the approval of a Text Amendment to Article 4, "Permissible Uses," and Article 30, "Definitions," of the Unified Development Code to amend Article 4, Permissible Use Charts, to add a section to Article 4 to address Correctional Facilities, to revise, clarify and amend Article 30 for definitions and cross references. The owner is the City of Grand Prairie Planning Department and the applicant is Mary Elliott, AICP.

Mrs. Elliott stated the amendments are being proposed by the Director of Planning and Development and the Planning Division. The following is a summary of the changes:

- Remove Central Business District-One (CBD-1), Central Business District-Two (CBD-2), Central Business District-Three (CBD-3), and Central Business District-Four (CBD-4) Overlays from Article 4, *Permissible Use Charts*, since the *Use Charts* were removed from these overlay districts. The Central Area (CA) District will remain.
- Revise the definition of Boarding Home in Article 30, "Definitions" to reflect House Bill 216, which was passed with the 81<sup>st</sup> Legislature, Regular Session, 2009. The language for the revised definition is from the "Texas Boarding House Model Standards" as created by the Health and Human Services Commission (HHSC) and incorporated into the Health and Safety Code Chapter 254, "Boarding Home Facilities."
- Amend the Bail Bond use from Article 4, *Permissible Use Charts* to remove this use from the Central Area (CA) District. Add this use to the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts with Specific Use Permit approval.
- Add the Correctional Facilities and Halfway House uses to Article 4, "Permissible Uses" to require a Specific Use Permit for these uses in the Heavy Commercial (HC), Light Industrial (LI) and Heavy Industrial (HI) Districts with Specific Use Permit approval. Establish guidelines for these uses under Article 4, Section 13 "Correctional Facilities."
- Amend the Air/Heliport use to allow this use by right in the Heavy Industrial (HI) District.
- Add cross references to Article 30, "Definitions" for uses that are categorized as sexually oriented businesses.
- Remove the references to sector plans in Article 30, "Definitions" for the Air Installation Compatible Use Zone (AICUZ), since it references the Northeast, DalView and South Central Sector Plans, which are no longer in use.
- Remove the cross references Article 30, "Definitions" for *Dependent Mobile Homes*, *Independent Mobile Homes*, *Mobile Home Park*, *Mobile Home Subdivision* *Mobile Home and Dwelling* since they reference Article 7 "Special Districts," Section 4 "Mobile Parks/Subdivisions," which has been removed from the Unified Development Code.
- Remove the definition of Group Home from Article 30, "Definitions." Add a definition for

Registered Group Homes that addresses residential care facilities that are licensed by the State of Texas.

Mrs. Elliott stated after consideration of these amendments on July 10, 2012 by the City Council Development Committee, CCDC directed staff to initiate the preparation of an ordinance amending Article 4, "Permissible Uses" and Article 30, "Definitions" of the Unified Development Code for submittal to the Planning and Zoning Commission for a recommendation to the City Council.

Mrs. Elliott stated the Development Review Committee (DRC) recommends approval of the proposed amendments to Article 4, "Permissible Uses" and Article 30, "Definitions" of the Unified Development Code as depicted in the ordinance.

Chairman Garrett asked if Correctional Facilities were ever noted in the Used Charts and is there a need to do so at this time.

Mrs. Elliott replied Correctional Facilities, run by entities other than the City of Grand Prairie for adult inmates, were not listed in the Use Charts. There is a need to address Correctional Facilities at this time since there have been recent inquiries. The proposed guidelines will require an analysis of properties within 1000 feet of the proposed correctional facility, will require notification of property owners within 1000 feet of the subject property, and will require Specific Use Permit (SUP) approval in the Heavy Commercial (HI), Light Industrial (LI) and Heavy Industrial (HI) Districts.

Commissioner Moser asked about the Boarding House definition, how it was different from the previous definition and how it is applied.

Mrs. Elliott stated that the Boarding House definition is taken directly from Health and Safety Code Chapter 254, "Boarding Home Facilities." The new definition provides a more detailed description of what constitutes as a boarding home. The term "boarding home" is used as an umbrella term that describes group homes, community homes, assisted living or foster homes, regardless of whether they are licensed by the state.

Mr. Alcorn clarified that the term boarding homes has evolved to mean something different from the traditional boarding homes that the term has been associated with in the past.

Chairman Garrett noted there were no other questions for staff, opened the public hearing, and asked for speakers. There being no speakers and no further discussion on the case, Commissioner Arredondo moved to close the public hearing and recommend approval of case TA120901 as presented by staff. The action and vote being recorded as follows:

Motion: Arredondo

Second:

Ayes: Adams, Arredondo, Garrett, Moser, Philipp and Wooldridge.

Nays: None

Approved: **6-0**

Motion: **carried.**