



NOTICE OF POSSIBLE QUORUM OF BIG SPRING CITY COUNCIL

Notice is hereby given of the possibility of a quorum of Big Spring City Council at the following event:

Planning & Zoning
September 06, 2022, 5:30 p.m.
307 East 4th Street, Big Spring, Texas

A quorum of the City Council members may be in attendance. This is not a regularly scheduled meeting of the Big Spring City Council, but this notice is being posted in compliance with the Texas Open Meetings Act. As a governmental body, the Big Spring City Council will not deliberate, take any formal action on any items discussed, nor will meeting minutes be produced for this notice.

I hereby certify that this notice was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and Posted on Friday, September 02, 2022, 4:30 p.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this notice is posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.

Angela Brown

Angela Brown, Administrative Assistant



PLANNING & ZONING COMMITTEE AGENDA

Tuesday, September 06, 2022

Notice is hereby given that the Planning & Zoning Committee of the City of Big Spring, Texas will meet in Regular Session on Tuesday, September 06, 2022, at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

PLANNING & ZONING COMMITTEE MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no Talking during the meetings.

Take all conversations outside so that others can hear.

Thank you!

Open Session

1. Call to Order

Schooler

Public Hearings, Announcements and Presentations

Public Hearings- The Commission will take Input on Items Requiring Public a Hearing Prior to Any Action.

Consent Items

- | | | |
|--|-----|----------|
| 2. Approval of the Planning & Zoning Meeting
Minutes of the Regular meeting of June 21, 2022 | 4-6 | Schooler |
|--|-----|----------|

Old Business

New Business

- | | | |
|---|------|-------------------|
| 3. Discussion- Concerning a possible addition to the
Zoning Ordinance on homeless shelters and similar
uses. | 7-11 | Bowles/
Walker |
|---|------|-------------------|

Commission Input

- | | |
|----------|-----|
| 4. Input | All |
|----------|-----|

- | | |
|-------------------|----------|
| 5. Adjourn | Schooler |
|-------------------|----------|

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building located outside 310 Nolan Street. Given by order of the City Council and
Posted on Friday, September 02, 2022 at _____ a.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.

Angela Brown
Angela Brown, Public Works Coordinator

PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT LESA GAMBLE AT 264-2501 or abrown@mybigspring.com. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.

Agenda Removal Notice - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

September __, 2022 at _____ a.m./p.m. By:



PLANNING & ZONING COMMISSION AGENDA MINUTES

Tuesday, June 21, 2022

Notice is hereby given that the Planning & Zoning Commission of the City of Big Spring, Texas met in Regular Session on Tuesday, June 21, 2022 at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

Attendees included: Chairperson Kevan Schooler
 Member Tammy Depauw
 Member Dale Avant
 Member Kelley Harris

Attendees included by telecommunications:
 Member Aubrey Weaver Jr.

Open Session

1. Call to Order

Chairperson Schooler called the Planning & Zoning Commission regular session to order at 5:30 p.m. on Tuesday, June 21, 2022.

Public Comment

2. Public Comment- **Jeremey Longoria spoke on several issues.**

Public Hearing

3. Public Hearing- Regarding the Zone Change from S2 to Heavy Industrial (HI) for the property at LT 1 BLK 1 MID TEX CORNELL CORRECTIONS PRISON LOCATED @ 1801 WEST I-20 025 026 027 028.01 BLK 1/TRACT 1, 11.06 ACRES.

Motion to open public hearing was made by Member Avant and 2nd by Member Harris, vote was 6 ayes

Motion to close public hearing was made by Chairperson Schooler, 2nd by Member Avant, vote was 6 ayes.

Consent Items

4. Approval of the Planning & Zoning Commission Minutes of the Regular meeting of May 03, 2022.

Motion to approve the minutes with changes from the meeting on May 03, 2022, was made by Member Avant and 2nd by Member Depauw
Vote was 6 ayes 0 Nays

Old Business

New Business

5. Discussion- Concerning a possible addition to the Zoning Ordinance authorizing homeless shelters and similar public services within the City Limits. Bowles
5-10 Walker

Mr. Bowles explained the need to and “Homeless Shelter” to the City Zoning Ordinances.

Mr. Walker explained the steps to making this possible. The use “Homeless Shelter” is not listed in the current Zoning Ordinance.

Committee has asked for legal guidance and staff to work on issue to make this possible.

6. Discussion and Consideration- Regarding the Zone Change from S2 to Heavy Industrial (HI) for the property at LT 1 BLK 1 MID TEX CORNELL CORRECTIONS PRISON LOCATED @ 1801 WEST I-20 025 026 027 028.01 BLK 1/TRACT 1, 11.06 ACRES.

Motion to accept was made by Member Weaver, 2nd by Member Avant, vote was 6 ayes 0 Nays

Commission Input

6. Input

All

7. Adjourn

Schooler

Motion to adjourn was made by Member Avant, 1st by Member Stewart, 2nd by Member Harris, vote was 6 ayes 0 nays

X

Chairperson Kevan Schooler



Memo

Meeting Date: September 6, 2022

To: Planning & Zoning Commission

From: Shane Bowles, Public Works Director

Subject: Discuss potential amendment to the City's zoning regulations.
Homeless shelters & Transitional Housing

Location: N/A - code amendments only

Contact: Shane Bowles, Public Works Director, 432-264-2501

Analysis

Following a public inquiry, City staff began to research "homeless shelters" and similar public service uses to gain a better understanding of how this use is administered in other Texas cities and in other states. The city zoning code does not list "homeless shelter" as a permitted use. Therefore, staff has taken this opportunity to bring forward a discussion under the New and Unlisted Uses section of the code; the process is described clearly in the regulations. A discussion was held with the P&Z in June and the Commission agreed to hold a workshop to discuss this topic during a regularly scheduled meeting. Below are some potential discussion items.

Ideas for discussion on the topic of “homeless shelter” into City Zoning Code

The city's zoning code contains the following language when it becomes necessary to consider new and unlisted uses.

SECTION 3-4. - Classification of New and Unlisted Uses.

It is recognized that new types of land use will develop, and forms of land use not anticipated may seek to locate in the City of Big Spring. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted land use shall be made as follows:

(a) The Building Official shall refer the question concerning any new or unlisted land use to the Planning and Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of the facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage, and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.

(b) The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or zoning districts within which such use shall be permitted.

(c) The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall by resolution approve the recommendation of the Planning and Zoning Commission or make such determination concerning the classification of such use as is determined based upon its findings.

Definitions:

"Homeless shelter" means a lodging facility that provides lodging with or without meals, or lodging and meals, on a temporary basis to more than five persons, who are homeless, and are not related by blood, marriage, or adoption to the head of the household or the owner or operator of the facility; whether or not the facility is operated for profit or charges for the services it offers.

"Transitional housing" means a facility owned by a public housing authority, nonprofit organization or other public interest group, that provides housing to persons on a temporary basis for a duration not to exceed twenty-four (24) months in conjunction with job training, self-sufficiency training, life skills training, human services counseling, or other similar services. Transitional housing is not a transient accommodation. Transitional housing does not include group homes.

Considerations:

1. A homeless shelter or transitional housing shall not be permitted within one thousand (1,000) feet of another homeless shelter.

2. A homeless shelter or transitional housing shall not be permitted within one thousand (1,000) feet of a school or daycare.

3. Measurements of distance under this section are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building site of the homeless shelter and the nearest point of the building associated with such uses as listed in item 2.

4. SUP only - not SUP with term; nowhere by right. Application can only be made for property in the HC, LI, and HI Districts.

5. Specific Use permits issued for a homeless shelter shall expire without any further action by the city council when: the use for which the permit was issued changes to another use; the facility ceases to operate for one hundred eighty days or more; or the occupancy changes.

- An application shall include an operational plan of the homeless shelter. The operational plan shall provide a description of the intended use and sufficient details to adequately describe the intended operations of the center.
- The operational plan may include the following:
 - i. An organizational tree including an estimated total number of professional staff and volunteers that will work at the shelter;
 - ii. The estimated number of beds to be provided;
 - iii. The estimated average population per month;
 - iv. A description of the services to be provided, such as job placement, drug and alcohol treatment, and other rehabilitative or training services;
 - v. A description of the population expected to be served, for example women, women and children, single men, families, etc.;
 - vi. Expected length of stay per person;
 - vii. Parking 1 space/40 beds, plus 1 space for each employee (based on maximum number of employees working at one time)
 - viii. State license. Applicable state license or certification shall be provided prior to the issuance of an operations permit by the City Building Official.
 - ix. Homeless shelters are subject to the City's nuisance regulations codified in Chapter 36 of the Big Spring City Code.

Any other information that could be helpful to explain the operation and compatibility of the proposed shelter with the proposed location.

ATTACHMENT A

Attachment A to P & Z Report for 9-06-2022

These following are excerpts from the City Code

GROUP CARE HOME—A type of dwelling unit in which food, shelter and minor medical treatment under the direction and supervision of a physician, or services which meet some need beyond boarding or lodging, are provided to four (4) or more residents of that dwelling unit, including care provided to more than four unrelated foster children, but not including such care provided to any family member residing with his family in a one-family dwelling. Residents in these facilities depend on staff to provide them with various degrees of assistance in everyday living but are not considered dangerous to themselves or others and require only occasional or temporary services by professional medical or nursing personnel which are provided through individual arrangement with the residents. Group care home includes any facility which requires a license issued by the Texas Department of Health or its successor as a personal care facility.

GROUP MEDICAL CARE HOME—A type of dwelling unit in which a continuum of nursing or medical care services is provided to four (4) or more persons with terminal or incapacitating illness, or with conditions which require regular nursing services or attending physician services, regardless of whether people who may also be cared for without reliance on nursing or medical services also reside in that dwelling unit. A group medical care home includes any facility which requires a license issued by the Texas Department of Health or its successor as a special care facility.

GROUP SECURE CARE HOME—A secure care home for persons for which supervision or security is required to ensure that they do not leave the facility, or because the residents are considered dangerous to themselves or to others, except for prisons or correctional facilities.

Attachment A to P&Z Report for 9-06-22 workshop

These are excerpts from the City Code

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