

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, April 13, 2021

Rockport Service Center, 3751 State Highway 35 Bypass
and

Via Video Conferencing Application ZOOM

A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings was granted by Governor Greg Abbott. These actions were being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Due to the COVID-19 pandemic, the attorney general has said: "statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials." Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register at the meeting. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.

On the 13th day of April 2021, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the Training Room of the Rockport Service and via video conferencing application ZOOM, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Patrick R. Rios

Mayor Pro-Tem J.D. Villa, Ward 2

Council Member Michael Saski, Ward 1 – *Via: ZOOM*

Council Member Bob Cunningham, Ward 3

Council Member Andrea Hattman, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Ric Young

Warren Hassinger

Kim Hesley

G. Maynard Green

Ruth Davis

Diana Severino-Saxon

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Secretary Teresa Valdez
Director of Public Works & Building Services Mike Donoho
Community Planner Amanda Torres
Director of Finance Katie Griffin
Assistant to City Manager Kimberly Henry
Parks & Leisure Services Director Rick Martinez
Chief of Police Greg Stevens
Information Technology Director Bob Argetsinger
Police Officer Rachael Marshman

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Rios at 6:33 p.m. on Tuesday, April 13, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and via video conferencing application ZOOM.

2. Pledge of Allegiance.

Council Member Hattman led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Fair Housing Month – April.

Mayor Rios proclaimed April as Fair Housing Month in Rockport. Mayor Rios read the Proclamation.

Mayor Rios took a Point of Personal Privilege and presented and read a Proclamation proclaiming April 11-17, 2021 as National Public Safety Telecommunicators Week in Rockport, Texas.

4. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read by the Mayor and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

There were no citizen comments.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

5. **Deliberate and act on approval of Regular Meeting Minutes of March 23, 2021.**
6. **Deliberate and act on request from Rockport Center for the Arts for use of the festival site beginning June 21, 2021, through July 8, 2021, for the 52nd Annual Rockport Art Festival.**
7. **Deliberate and act on 2nd quarter Report from Rockport Center for the Arts for Fiscal Year 2020-2021 marketing expenditures.**
8. **Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 27, 2021, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 29, 2021, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 24th Annual Festival of Wines and Food.**
9. **Deliberate and act on a Resolution of the City of Rockport, Texas, finding that AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal Counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel.**
10. **Deliberate and act on approval of an Interlocal Cooperation Agreement between Aransas County, Texas, the City of Rockport, and the Aransas County Navigation District for the Bay Shore Drive Resiliency Project and authorizing the Mayor to negotiate and execute all necessary documents.**
11. **Deliberate and act on a Resolution approving a License and Maintenance Agreement between the City of Rockport and the Aransas County Navigation District and authorizing the Mayor to negotiate and execute all necessary documents.**

Mayor Rios called for requests to remove any item from the Consent Agenda for separate discussion.

MOTION: Mayor Pro-Tem Villa moved to approve the Consent Agenda, as presented. Council Member Hattman seconded the motion. Motion carried unanimously.

Public Hearings

With a quorum of the member present, the meeting of the Rockport Planning & Zoning

Commission was called to order at 6:50 p.m. on Tuesday, April 13, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas,

Mayor Rios opened the Public Hearings at 6:52 p.m.

- 12. Conduct a Joint Public Hearing with the Planning and Zoning Commission to consider a request to rezone property to B-1 (General Business), located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; and 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to build a family-friendly restaurant with a bar and other entertainment amenities; currently zoned R-2 (2nd Single Family Dwelling District).**

City Manager Kevin Carruth explained the process the City must follow when a zoning change request is brought to the City. Mr. Carruth stated every property owner in the City has the right to submit a request for a zoning change, and as long as they check all the administrative boxes staff has a ministerial duty to move it forward – this does not mean the City likes or dislikes the requested change. Mr. Carruth listed the steps: 1) A Joint Public Hearing between the City Council and the Planning and Zoning Commission; 2) Planning and Zoning Commission meeting to consider the request and make a recommendation to City Council; 3) City Council meeting to consider the first reading of an Ordinance for granting the request or denying the request – if the Planning and Zoning Commission recommended denial it takes a super majority vote of Council to approve the request; and 4) City Council meeting to consider the second and final reading of an Ordinance granted the request for rezoning. Mr. Carruth explained there are four opportunities for the public to provide input on a rezoning request and this is not a fast-track process. Mr. Carruth expressed during this process there are opportunities for vetting, for changes, or the application can be withdrawn, and records show that requests for rezoning are not automatically approved or rubberstamped; often times denied or changed and some approved. Mr. Carruth stated he has seen postings on social media and elsewhere and he did not know whether it was ignorance of the brain or malice of the heart but they beneath this community and not appropriate and if they would allow the process to work it will turn out with what is best for the community.

Mayor Rios said he thinks a lot of people were expecting to come to the Council meeting tonight and see the Council vote on these requests. Mayor Rios stated the Council will not be taking action on the rezoning requests tonight; these are strictly Public Hearings.

Council Member Cunningham stated since these are Public Hearings and the Council cannot take action, neither can they engage with the persons making comments.

Mayor Rios stated this is the process that is followed on all zoning change requests. Mayor Rios said he enjoys the input, he likes hearing from the public, and one of the things that is interesting on this is the amount of input is substantial, but almost 40% of the comments received on Item 13 have come from people who are not residents or taxpayers within the City of Rockport. Mayor

Rios added because of social media, the City has received comments from all over, back East, out West, and many different parts of the country. Mayor Rios expressed as a Council they have to consider the taxpayers and residents of Rockport and he appreciates the input, but the Council is obligated to follow their duty to the citizens of Rockport.

The following addressed the City Council and voiced opposition to the requested rezoning of 3361 Loop 1781 stating it is residential area and if the zoning is changed to B-1 there are other uses allowed such as carnivals and amusement parks which should not be in the middle of a residential area, flooding, traffic – would be a very dangerous place for a driveway, light pollution:

- 1) Brenda Rodriguez – 10 Copano Ridge Road, Rockport, Texas
- 2) Pam Sijansky – 111 Copano Ridge Road, Rockport, Texas
- 3) Mike Lee – 229 Dead Ends Drive, Rockport, Texas
- 4) Shelly Steckler - 3352 Loop 1781, Rockport, Texas
- 5) Rebecca Bagby – 213 Dead Ends Drive, Rockport, Texas

Mayor Rios read comments received from the following in opposition to the rezoning request:

- 1) Sharon Mihalski – 217 Dead Ends Drive, Rockport, Texas
- 2) Victoria Johnson – 230 Sparks Colony Road, Rockport, Texas
- 3) Michael McKain – 90 Copano Ridge Road, Rockport, Texas

The following addressed the City Council and voiced support of the requested rezoning of 3361 Loop 1781 stating the development being built is first class, will increase the property values of everyone in the area, will provide a convenient and family-friendly venue for local residents, and the developer would not do anything that would hurt his clients or homeowners.:

- 1) Bradley Blanton, developer – 529 Oliver Road, Victoria, Texas
- 2) Bradley Pruitt – 3291 Loop 1781, Rockport, Texas

Mayor Rios stated the Planning and Zoning Commission will consider the rezoning request at the Monday, April 19, 2021 meeting, starting at 5:30 p.m. at the Rockport Service Center. Mayor Rios said there is limited seating due to social distancing protocols, but citizens can join the meeting via ZOOM.

13. Conduct a Joint Public Hearing with the Planning and Zoning Commission to consider a request for a Planned Unit Development located at 417 South Fulton Beach Road; also known as 14.10 acres out of a portion of Block 1, a portion of Block 2, and all of Gibbs Street lying between Blocks 1 and 2, Gibbs Addition, City of Rockport, Aransas County, Texas; to develop property as a high-density single family residential subdivision to be sold as a condo regime; currently zoned R-6 (Hotel/Motel District).

The following addressed the City Council and voiced opposition to the rezoning request of 417 South Fulton Beach Road stating too high density of homes being proposed – will take away from the small town charm that Rockport is known for, flooding and wetlands in this area, destruction of the windswept and heritage oaks, increased traffic flow and congestion- streets not designed for heavy traffic, will alter the functioning wetland system affecting Little Bay and its economic value; light and noise pollution, and it does not meet City code requirements for a Planned Unit Development:

- 1) Jennifer Mullins – 427 South Fulton Beach Road, Rockport, Texas
- 2) Elizabeth Lyons – 115 Port Avenue, Rockport, Texas
- 3) Edward Bellion – 1804 Baywood Drive, Rockport, Texas
- 4) Jennifer Vander Pluym – 1909 Shores Lane, Rockport, Texas
- 5) Earl Matthew – 81 Griffith Drive, Rockport, Texas
- 6) Ben Smith, legal counsel for Robert Hewitt – 401 South Fulton Beach Road, Rockport, Texas
- 7) Kyle Alston – 403 Traylor Boulevard, Rockport, Texas
- 8) Kimber Clark – 510 Scott Street, Rockport, Texas
- 9) Charlie Belaire – 1802 Baywood Drive, Rockport, Texas
- 10) Christine Ritter – 1901 Cochran Lane, Rockport, Texas

Mayor Rios read comments received from the following in opposition to the rezoning request:

- 1) Candace Sargent – 214 Portia Avenue, Rockport, Texas
- 2) Teresa Henkel – 2002 Crescent Loop, Rockport, Texas
- 3) Penelope Hong – 2001 Cape Ann Street, Rockport, Texas
- 4) Robert Hewitt – 401 South Fulton Beach Road, Rockport, Texas
- 5) Elizabeth Johns – 45 Primrose Circle, Rockport, Texas
- 6) Kelea Youngblood – 11105 Shady Hollow Drive, Austin, Texas
- 7) Benjamin Clark – 510 Scott Street, Rockport, Texas
- 8) Tommy Williams – 202 Highlands Street, Rockport, Texas
- 9) Judith Brownell – 4 Pelican Drive, Rockport, Texas
- 10) Randall Kiss – 2301D West Market Street, Rockport, Texas
- 11) MaryClare Kane – 38 Primrose Circle, Rockport, Texas
- 12) Marsha Castona – 916 Mission Street, Rockport, Texas
- 13) Debra Wendell Evans – 1309 Mesquite Street, Fulton, Texas
- 14) Ethelyn Kuldell – 113 Palmetto Avenue, Fulton, Texas
- 15) Rita Wendell – 1309 Mesquite Street, Fulton, Texas
- 16) Gail Roaten – Rockport, Texas
- 17) Richard Gibbons – 2011 Silver Moon Drive, Missouri City, Texas
- 18) Pattie Beebe – 2012 Crescent Court, Rockport, Texas
- 19) Kristie Rutledge – 1411 Dana Drive, Rockport, Texas
- 20) Stephen Rice – 51 Lake Shore Circle, Rockport, Texas
- 21) Alex Beebe – 2012 Crescent Court, Rockport, Texas
- 22) Virginia Easton Smith – 1413 Dana Drive, Rockport, Texas
- 23) Sarah Clark – 580 Scott Street, Rockport, Texas
- 24) Patty Albin – 180 Whistler's Cove Road, Rockport, Texas
- 25) DeEtte Porter – 104 Saint Andrews Street, Rockport, Texas
- 26) Kathy Kane – 109 Boardwalk Avenue, Rockport, Texas
- 27) Matthew McCauley – 130 Marion Drive, Rockport, Texas
- 28) Donna Beaty – 1402 North Live Oak Street, Rockport, Texas
- 29) Kit Brooking – 69 Portia Avenue, Rockport, Texas
- 30) Andrew Kane – 2106 Lakeview Drive, Rockport, Texas – Mr. Kane also remarked he did his best to share information with citizens and he was very proud that once again the citizens have shown up in force. Mr. Kane said he was embarrassed of the

Mayor chastising citizens by saying “ignorance of the brain or malice of the heart” and he thought it was inappropriate and wanted to point that out.

Mayor Rios declared he wanted to point out that he did not say that, and this is another instance when Mr. Kane has misquoted the Mayor and there have been other instances.

Mayor Rios informed everyone there will be a meeting of the Planning and Zoning Commission on Monday, April 19, 2021, at 5:30 p.m. to consider this request. Mayor Rios reminded everyone the City Council does not bring proposals or ideas to the table on what to do with property; it is done by property owners and it is their right to come forward and ask for changes.

At 8:25 p.m., Mayor Rios closed the Public Hearing.

At 8:25 p.m., the Rockport Planning & Zoning Commission adjourned.

The City Council took a recess from 8:25 p.m. until 8:35 p.m.

Regular Agenda

- 14. Deliberate and act on second and final reading of an Ordinance extending a moratorium, for 120 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the Ordinance was passed was open to the public as required by law; and providing an effective date.**

Mayor Rios said there had been no changes in format or content since Council approved the first reading of the Ordinance on March 23, 2021.

MOTION: Mayor Pro-Tem Villa moved to approve the second & final reading of an Ordinance extending a moratorium, for 120 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the Ordinance was passed was open to the public as required by law; and providing an effective date. Council Member Hattman seconded the motion. Motion carried 4:0; Council Member Saski did not respond via ZOOM for the roll call vote.

- 15. Hear and deliberate on draft amendments to Code of Ordinances Chapter 118 - Zoning concerning recreational vehicle parks.**

Community Planner Amanda Torres stated it has become increasingly popular for RV parks development in Rockport and staff recommended a moratorium on this type of development while evaluating the location and regulations dictating the development of RV and manufactured housing parks. Ms. Torres said the City has hired urban planning consulting firm Urban Dynamics, LLC to draft possible revisions to the RV park and manufactured housing regulations.

Bryce Cox, President of Urban Dynamics, LLC gave a PowerPoint presentation (below) via ZOOM on the proposed changes to the regulations.



Recreational Vehicle Park Ordinance

Draft Date: April 1, 2021

Prepared for:
City of Rockport, Texas

Prepared by:
Urban Dynamics LLC
New Braunfels, TX

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Introduction

All text which is **red** denotes an addition of new text. All text which is ~~red with strikethrough~~ denotes removal of existing text. Black text denotes **existing** unchanged text. Any **existing** text which has been omitted shall be considered unchanged. Section headings and italicized text under headings is for document organization and reference only and is not intended to be adopted or codified.

Modifications to Definitions

(The following is text modifying definitions in Sec.118-3 for Manufactured Home Park, RV, and RV Park)

Sec. 118-3. Definitions.

Manufactured Home Park. A parcel or contiguous parcels of land divided into two or more manufactured home spaces and available on a rental basis. ~~May coexist with a Recreational Vehicle Park.~~

~~**Recreational Vehicle.** Abbr. RV. A vehicle which is built on a single chassis, is four hundred (400) square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty vehicle, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.~~

Recreational Vehicle. Abbr. RV. A vehicular unit, which is designed for living or sleeping and/or recreational purposes and equipped with wheels which is either self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van.

Recreational Vehicle Park. Abbr. RV park. A parcel or contiguous parcels of land divided into two or more recreational vehicle spaces and available on a rental basis. ~~May coexist with a Manufactured Home Park.~~

Establishing the Recreational Vehicle Park District

(The following is text establishing the RV Park District)

Sec. 118-4. Districts and general provisions.

4.1 Districts Established. Zoning districts as herein set forth are established. The city is hereby divided into the following districts:

R-1	1st Single-Family Dwelling District
R-2	2nd Single-Family Dwelling District
R-2B	Zero Lot Line Single-Family District
R-2M	Manufactured Housing District
R-3	Duplex Dwelling District
R-4	1st Multi-Family Dwelling District
R-5	2nd Multi-Family Dwelling District

R-6	Hotel/Motel District
R-7	Residential and Office District
R-8	Recreational Vehicle Park District
B-1	General Business District
B-2	Central Business District
I-1	Light Industrial District
I-2	Heavy Industrial District
P.U.D.	Planned Unit Development District

Reindexing Zoning District Codification

(The following is text for reindexing the section numbering for all the zoning districts to allow all zoning districts to be adjacent to each other when codified into the code of ordinances.)

- Sec.118-6.1 R-1 1st Single-Family Dwelling District
- Sec.118-6.2 R-2 2nd Single-Family Dwelling District
- Sec.118-6.3 R-2B Zero Lot Line Single-Family District
- Sec.118-6.4 R-2M Manufactured Housing District
- Sec.118-6.5 R-3 Duplex Dwelling District
- Sec.118-6.6 R-4 1st Multi-Family Dwelling District
- Sec.118-6.7 R-5 2nd Multi-Family Dwelling District
- Sec.118-6.8 R-6 Hotel/Motel District
- Sec.118-6.9 R-7 Residential and Office District
- Sec.118-6.10 R-8 Recreational Vehicle Park District
- Sec.118-6.11 B-1 General Business District
- Sec.118-6.12 B-2 Central Business District
- Sec.118-6.13 I-1 Light Industrial District
- Sec.118-6.14 I-2 Heavy Industrial District
- Sec.118-6.15 P.U.D. Planned Unit Development District

Sec.118-7 through 118-19 *Reserved.*

Recreational Vehicle Park District Regulations

(The following is text for creating the new district base regulations)

Sec. 118-6.10 Recreational Vehicle Park District (R-8)

10.1 Use Regulations. The purpose of this district is to provide for recreational vehicle parks. Land and premises may be used only for:

1. Recreational Vehicle Parks
2. Restaurants, cafes, food catering services.
3. Offices, banks, libraries, museums, etc.
4. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
5. Bed and breakfast.
6. Religious, educational, and philanthropic institutions

- 7. Public parks, public buildings (except detention centers, penal and mental institutions).
- 8. Golf courses and golf clubs, but no commercial miniature courses or driving ranges.

10.2 Area and Yard Regulations.

10.2.1 Area of the Lot. The minimum area of the lot shall be 4 acres.

10.2.2 Width of the Lot. The minimum width of the lot shall be fifty (50) feet.

10.2.4 Yard Area and Building Setbacks.

10.3 Height of the Building. No building shall exceed thirty five (35) feet in height. See Article 3 Definitions and Article 20 District area, yard and height regulations.

10.4 Parking Regulations. Parking Regulations for permitted uses are contained in Article 21 [section 118-21]

10.5 Accessory Use Regulations. Accessory uses, which are auxiliary or incidental to the primary used of a building or premises, as contained in Article 22

Adding RV Park District to Lot Dimensions Table

(The following text is for adding the new RV Park District to the lot dimensions and setbacks table)

Table 20
(Refer to Exceptions enumerated in Article 20 [section 118-20])

Areas & Densities	R-1	R-2	R-2B	R-2M	R-3	R-4	R-5	R-6	R-7	R-8	B-1	B-2	I-1	I-2
Lot Area Minimum (sq.ft.) – PER LOT	7000	5000	5000	5000	7000	5000	5000	5000	5000	4 acres	n/a	n/a	n/a	n/a
Lot Area Minimum (sq.ft.) – PER DWELLING UNIT	7000	5000	5000	5000	3500	3500	2200	2200 ^{*1}	2200 ^{*2}	n/a	n/a	n/a	n/a	n/a
Lot Width Minimum (ft.)	50	50	50	50	50	50	50	50	50	50	50	n/a	n/a	n/a
Yard, minimum – FRONT	20	25	25	25	25	25	25	25	25 ^{*6}	25	20	n/a	20	20
Yard, minimum – REAR	20	20	10	20	20	20	20	20	10	20	n/a	n/a	n/a	n/a

Yards, minimum – SIDE INTERIOR *3	5	5	10/0	5	5	5	5	5	5	10	n/a	n/a	n/a	n/a
Yards, minimum – SIDE EXTERIOR *3	15	15	15	15	15	15	15	15	15	10	n/a	n/a	n/a	n/a
Living Area (sq.ft.)	800	600	600	600	500	500	500	500 *4	500 *5	n/a	500	n/a	n/a	n/a
Height, Maximum (ft.)	35	35	35	35	35	35	35	45	35	35	45	35	45	45

Addition of Parking Requirements for RV Parks

(The following text is for adding parking requirements for the RV Park Land Use)

Sec. 21.1.1

<i>USE</i>	<i>REQUIREMENT</i>
Recreational Vehicle Park	2 per designated RV space/slip

Addition of Accessory Uses for Recreational Vehicle Park District

(The following text is for establishing accessory uses for the RV Park district and any associated requirements.)

22.1.3 In R-6 and, R-7 and R-8 Districts:

1. Any use listed above in 22.1.2, **except that 1) servants/guest quarters shall not be located in the R-8 district.**
2. Subordinate uses for hotels, motels and bed and breakfast establishments. Such facilities shall include but not be limited to, retail shops, restaurants, clubs and lounges, and shall be wholly or partially within the primary structure and not built or used as a detached structure or facility.
3. Piers, boat docks and related marine facilities may be detached from the main structure and are to be used only by the occupants and their guests.
4. **Subordinate uses for Recreational Vehicle Parks may also include the following:**
 - a. **Temporary boat and trailer parking for occupants only**
 - b. **Campgrounds**
 - c. **Park manager living quarters**
 - d. **Rental RV's and Cabins taking up no more than ten percent (10%) of the total gross area.**
 - i. **HUD code manufactured housing may be used as rental cabins.**

22.2.2 Except, as otherwise allowed in this subsection, fences in R-1 through R-7 districts shall not exceed six (6) feet in height, and fences in R-8 districts shall not exceed eight (8) feet in height. Fences adjacent to city parks or public space shall not exceed eight (8) feet in height. Fences on a property

adjacent to business or industrial districts shall not exceed the maximums allowed for the adjacent district, whichever is higher. For the purpose in this subsection, when a street right-of-way divides two districts, it is considered to be a separation between the districts, and a property on one side of the street is not considered adjacent to the district on the other.

Removal of RV Parks from CUP List

(the following text is for removing rv parks from the list of specific uses that require a conditional use permit.)

Sec.118-23.10

10. ~~Recreational Vehicle/~~Manufactured Housing Parks in any district when complying with ~~recreational vehicle/~~manufactured housing park standards addressed in Article 24 of this ordinance [section 118-24 of this Code].

Modification to Manufactured Housing Parks Special Conditions

(The following text is for removing recreational vehicle references from the Manufactured Housing Parks Special Conditions Sec.118-24.2.13)

24.2.13 *Regulation of ~~Recreational Vehicle/~~Manufactured Housing Parks.*

1. *General Provisions.* The following general provisions are required for the development or the expansion of ~~RV/~~Manufactured Housing Parks ~~within the R-1 up through and including the R-7 zoning districts.~~

2. Mobile Homes, as defined, are prohibited within ~~RV/~~Manufactured Housing Parks inside the city limits of the City of Rockport unless such mobile home existed prior to annexation. Replacement of an existing mobile home shall be with a HUD-Code Manufactured Home. Replacement of an existing HUD-Code Manufactured Home shall be with a HUD-Code Manufactured Home of equal size, but not less than 320 square feet, or larger, and be a newer model.*

* NOTE: Newer model is defined as a manufactured home with a manufactured date being not more than ten (10) years prior to the calendar year it is to be placed on the property.

3. Upon application, the installation of a ~~Recreational Vehicle/~~Manufactured Home Park shall be permitted as determined appropriate by the City through a conditional-use permit (CUP), including a Planned Unit Development (PUD) that may contain a ~~RV/~~Manufactured Home Park. An application to install a HUD CODE Manufactured Home for use and occupancy as a residential dwelling is deemed approved and granted unless the City denies the application in writing within forty-five (45) days from receipt of the application setting forth the reason.

4. This section shall not affect the applicability of any deed restriction that is otherwise valid.

5. *Specific Provisions.* In addition to CUP approval, land used as a ~~RV/~~Manufactured Home Park shall be developed according to the following criteria.

6. The above described park may include Manufactured Homes, ~~RVs/Travel Trailers and Campgrounds or any combination thereof~~. Other uses, in addition to the uses described herein, shall be conditioned or amended, as the case may be, by Special Permit.

~~7. Parks containing a combination of Manufactured Homes, RVs/Travel Trailers or Campgrounds must designate separate areas for each classification. No mixture of Manufactured Homes, RVs/Travel Trailers, campgrounds or other approved uses is permitted in any designated area (Density control).~~

8. The **manufactured housing** park area shall consist of at least four (4) acres in size. The number and location of external access drives shall be approved by the Zoning Administrator and the Director of Public Works.

9. Scaled plans and specifications showing details of the proposed park layout shall be submitted and reviewed by city staff prior to any zoning approval and/or building permit activity. Future additions to the park shall be processed in the same manner as an original proposal.

10. There shall be no minimum lot/space area except that each ~~RV~~/Manufactured Housing unit shall be located on each space so that there is at least twenty (20) feet unobstructed clearance between units, side-to-side and end-to-end and ten (10) feet unobstructed clearance between units and adjacent permanent structures or lots. No unit shall be closer than ten (10) feet from any internal road and no closer than twenty (20) feet from any external access road.

11. Manufactured Housing ~~and RVs/Travel Trailers~~ located in the park shall be connected to city water and wastewater systems if available.

12. Interior access drives shall be maintained with a hard surface, with approved drainage and be of sufficient width in each area to conform with the type of unit to be assigned to the area, as determined by the Zoning Administrator. Parking on interior access drives shall be permitted only if sufficient clearance exists for one (1) car passage in addition to parking.

~~13. A service building to provide necessary sanitation and laundry facilities shall be provided. Such building(s) shall be conveniently located and shall provide fixtures as required by the Plumbing Code.~~

~~13 14.~~ The park shall conform to all other City of Rockport regulations and codes ~~relating to planning and zoning, building, gas, mechanical, plumbing, electrical installations and tie-downs for windstorm compliance~~. All manufactured housing units unoccupied during hurricane season (June 1 to November 30) must be tied down (see Building Code) ~~or removed from the park~~. Lot spaces shall be labeled with numbers to augment identification by 911 operations. Fire hydrants shall be required as specified by the ~~Director of Public Works City Manager or his/her designee~~ and shall be included in the park layout plans submitted for approval.

~~14 15.~~ Out-side lighting shall be in accordance with the city's Light Nuisance Ordinance.

~~15 16.~~ Storage, collection and disposal of refuse shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazard or air pollution. Pets shall be leashed (Animal Control Ordinance).

~~16-17.~~ The property owner/operator shall at all times operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary and orderly condition at all times.

~~17-18.~~ There shall be at least one (1) recreation area which shall be accessible from all spaces. The site or sites of such recreation area or areas shall total not less than eight percent (8%) of the gross site area of the park.

~~18-19.~~ The park shall be screened from a public place or public right-of-way and adjacent occupied property by a solid screening fence in accordance with subsection 22.2 of this ordinance. Planted vegetation may be allowed as an alternate screening device by the Tree and Landscape Regulations in Chapter 106, Rockport Code of Ordinances.

Recreational Vehicle Park District Special Conditions

(The following is text for creating special conditions for the Recreational Vehicle Park District)

Sec.118.24.2.14 Regulation of Recreational Vehicle Parks

1. **General Provisions.** The following general provisions are required for the development or the expansion of Recreational Vehicle Parks. Unless otherwise specified in the city's code of ordinances, occupancy of recreational vehicles in the city limits is restricted to recreational vehicle parks.
2. The minimum RV slip/space size shall be forty (40) feet wide by sixty (60) feet deep. Additionally, each RV unit shall be located on each space so that there is at least twenty (20) feet unobstructed clearance between units, side-to-side and end-to-end and ten (10) feet unobstructed clearance between units and adjacent permanent structures. No slip/space shall encroach into required minimum yard setbacks.
3. **Interior Access Drives.**
 - a. Interior access drives shall be of asphalt, concrete or other city approved hard surface, with approved drainage.
 - b. An interior access drive or internal street shall be provided to each RV space. Each street shall have a minimum width of twenty-four (24) feet. The internal streets shall be continuous and connect with other internal streets or with public streets. All dead-end interior drives shall provide a cul-de-sac or other approved turnaround at the dead end. No internal street ending in a cul-de-sac or other approved turn around shall exceed 500 feet in length.
4. **Parking.** The following requirements are in addition to Sec. 118-21 *Parking Regulations* of this ordinance:
 - a. Parking required for each RV space shall be provided adjacent to the space or within a reasonable proximity as to prevent the occurrence of parked vehicles impeding traffic flow or emergency service access.
 - b. Parallel parking along interior access drives or internal streets shall be permitted on only one side of the street for roadways with a minimum width of thirty (30) feet and on both sides of the street for roadways with a minimum width of thirty-six (36). Parallel parking

- is not permitted on roadways with a width less than thirty (30) feet unless otherwise approved by the City Manager or his/her designee.
5. Recreational Vehicles located in the park shall be connected to city water and wastewater systems if available.
 6. Fire hydrants shall be required as specified by the City Manager or his/her designee and shall be included in the park layout plans submitted for approval.
 7. Slips/spaces shall be labeled with numbers to augment identification by emergency service operations. Identification numbering shall be a minimum of three (3) inches tall, in a contrasting color with the background with a reflective finish, placed in a way to be plainly seen from the access road and protected from vehicular damage.
 8. The park shall conform to all other applicable City of Rockport regulations and codes.
 9. Storage, collection, and disposal of refuse shall be conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazard or air pollution and shall be provided and buffered in accordance with the Vegetation regulation in Chapter 106, Rockport Code of Ordinances.
 10. A service building to provide necessary sanitation and laundry facilities shall be provided. Such building(s) shall be conveniently located and shall provide fixtures as required by the city adopted building codes.
 11. *Total Open Space Requirement.* RV parks shall provide a minimum of twenty percent (20%) open space of the total gross site area of the park. The minimum required open space may be inclusive of the required recreational areas, landscaping buffers, and other natural or landscaped areas.
 12. *Recreation Area Required:*
 - a. There shall be at least one (1) recreation area which shall be easily accessible to all park users.
 - b. *Size of Recreation Area.* Not less than eight percent (8%) of the gross site area of the RV park shall be devoted to recreational facilities, generally provided in a central location. In large parks, this may be decentralized. Recreation areas include space for community recreation buildings and facilities including but not limited to play fields, sports courts, playgrounds, and swimming pools, but not including vehicle parking areas.
 13. *Screening & Buffering.* The following requirements are in addition to regulations in Sec. 118-22.2 *Fence Regulations* and Chapter 106 *Vegetation* of the Rockport Code of Ordinances:
 - a. The park shall be screened from the public right-of-way and adjacent residentially zoned property by a solid screening wall comprised of a durable low-maintenance material traditionally used in wall construction, including but not limited to stone, masonry products, and pre-cast concrete.
 - b. A minimum fifteen (15) foot deep landscaping buffer shall be provided between any public right-of-way and required screening wall. This buffer shall include a mixture of trees, shrubs, planting beds and other living landscaping to soften the visual impact of the screening wall and enhance the street view aesthetics.
 - c. *Alternative screening compliance.* Where existing dense natural vegetation is preserved, the city manager or his/her designee may allow for alternative fencing and landscaping design that provides for year around screening of the RV park from public right-of-ways and adjacent residentially zoned property.
 14. The property owner/operator shall at all times operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary and orderly condition at all times.

Mr. Cox reviewed the proposed changes to the regulations. Mr. Cox complimented City staff stating they are very knowledgeable.

Mayor Pro-Tem Villa said as everyone knows, he is not a fan of RV parks in the City, and he thinks the City has too many already.

Council Member Cunningham said the proposed ordinance does not address “grandfathering – where existing RV parks are not affected by this unless they want to expand” and he thinks that should be addressed in the Ordinance. Council Member Cunningham asked if there had been any effort/study to see if the proposed rules are economically feasible in our area.

Ms. Torres stated the proposed ordinance does mention discontinuing of use and that is covered in that section. Ms. Torres answered that staff, and the consultant was not considering economics in this; they considered comments from citizens, especially when staff heard a lot of dissent about RV parks.

Council Member Cunningham said it sounded like this was being driven by the largest RVs and not the standard RV. Council Member Cunningham commented that he wondered how we accommodate the standard RV; this will affect the price point and rule out others – looking to higher end RV parks and let the County have the lower end parks. Council Member Cunningham said the people who have less money will get ruled out with what the park will charge; we are intentionally creating a program oriented toward a higher end.

Mayor Rios stated he thinks this may be an economic boom to the developers who have one of these parks.

Director of Public Works and Building Services Mike Donoho stated the City is trying to establish an ordinance where we take control of the types of RV parks, not discounting what we already have. Mr. Donoho said they should be required to connect to City utilities; they will be quality parks.

City Manager Kevin Carruth said before the City implemented the Moratorium on RV parks, staff was receiving five to six proposals every month. Mr. Carruth stated if we implement changes and the market changes, we know we have stretched it too far. Mr. Carruth added this will ensure the City has better quality RV parks, specifically utilities.

Council Member Cunningham said a lot of the City’s workforce live in RVs. Council Member Cunningham stated he does not have an issues with safety – distance between RVs; he is really focusing on pad sizes – are we expecting too much.

Council Member Hattman stated personally she thinks workforce citizens are focusing on an actual home, not here to keep living in an RV. Council Member Hattman said we are looking at the City and what is best for the whole, and we should not be focusing on RV living for our workforce.

Ms. Torres said she needed guidance from the Council whether to move forward with the proposed

Ordinance. Ms. Torres stated a Public Hearing will be held and the Planning & Zoning Commission will also have to review the proposed Ordinance.

Mayor Rios stated he wanted to move forward with this; we have had a Moratorium long enough.

Mr. Donoho asked that if any of the Council had additional questions or recommendations to provide them to the City Manager and then staff will ask Mr. Cox to address them.

Mayor Pro-Tem Villa stated he agreed with the Mayor; get the ball rolling.

Council Member Hattman said she agreed with moving forward.

Mr. Cox stated he understood what he needed to address. Mr. Cox expressed he appreciated the opportunity to work with the City and the City is lucky they have such smart staff.

16. Deliberate and act on a Resolution determining that conditions exist within the Rockport Cultural Arts District/Heritage District of the City which are detrimental to the public health, safety, and welfare of the community and constitutes a blighted area.

Community Planner Amanda Torres stated the Rockport Cultural Arts District would like to pursue a Downtown Revitalization grant and this Resolution is a requirement of the grant application. Ms. Torres said Mary Afuso, Regional Disaster Recovery Manager with Coastal Bend Council of Governments is assisting with the grant application and she is present tonight if anyone has any questions.

Council Member Cunningham asked if there is an advantage for going through the Coastal Bend Council of Governments.

Ms. Torres answered the Rockport Cultural Arts District had previously worked with the Coastal Bend Council of Governments, so they were continuing to utilize them.

City Manager Kevin Carruth stated this is a new service of the Coastal Bend Council of Governments and we will be the first to utilize this service.

MOTION: Mayor Pro-Tem Villa moved to approve a Resolution determining that conditions exist within the Rockport Cultural Arts District/Heritage District of the City which are detrimental to the public health, safety, and welfare of the community and constitutes a blighted area. Council Member Hattman seconded the motion. Motion carried unanimously.

17. Deliberate and act to authorize an interlocal agreement with the Coastal Bend Council of Governments to provide grant writing, administrative services and fiscal services for the Texas Department of Agriculture Downtown Revitalization Program and authorizing the Mayor to negotiate and execute all necessary documents.

Community Planner Amanda Torres stated since the Coastal Bend Council of Governments is helping develop the grant application an agreement has to be in place for them to access the grant

portal.

MOTION: Mayor Pro-Tem Villa moved to authorize an interlocal agreement with the Coastal Bend Council of Governments to provide grant writing, administrative services and fiscal services for the Texas Department of Agriculture Downtown Revitalization Program and authorizing the Mayor to negotiate and execute all necessary documents. Council Member Hattman seconded the motion. Motion carried unanimously.

18. Deliberate and act on a resolution authorizing the submission of a Texas Community Block Grant program application to the Texas Department of Agriculture for the Downtown Revitalization Program; and authorizing the Mayor of Rockport to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Department of Agriculture Downtown Revitalization Program.

Community Planner Amanda Torres said this was the formal Resolution authorizing submission of the grant.

MOTION: Council Member Hattman moved to approve a Resolution authorizing the submission of a Texas Community Block Grant program application to the Texas Department of Agriculture for the Downtown Revitalization Program; and authorizing the Mayor of Rockport to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Department of Agriculture Downtown Revitalization Program. Mayor Pro-Tem Villa seconded the motion.

Mayor Pro-Tem Villa asked if the Resolution had to specifically state the Mayor was authorized representative or could it also state the City Manager?

Mary Afuso, Regional Disaster Recovery Manager with Coastal Bend Council of Governments stated the language is recommended by the granting agency.

Motion carried unanimously.

19. Hear and deliberate on status of COVID-19 and response efforts.

Assistant to the City Manager Kimberly Henry said the County is entering the final week of second doses of vaccinations. Ms. Henry stated some individuals received text messages and emails and were given incorrect information; the correct information is listed on the flyer posted on the City's website. Ms. Henry added that Patricia Arnold with Aransas County is working to get the local pharmacies added to the State list of vaccination sites.

Council Member Cunningham said he saw some guidance from the Centers for Disease Control and Prevention (CDC) that deep cleaning of areas was not necessary. Council Member Cunningham asked if the City was still doing that and why. Council Member Cunningham added that it was recommended to wipe touch points.

Director of Public Works and Building Services Mike Donoho said the City continues to use a mister at lunch and in the evening on touch points and is no longer doing the fogging. Mr. Donoho said most staff are wiping down their own desks, and the City is continuing regular housekeeping.

20. Reports from Council.

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Rockport Cultural Arts District, Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Mayor Pro-Tem Villa said he helped at the vaccinations.

Council Member Cunningham said he is in the middle of an election. Council Member Cunningham stated there is a forum on April 14, 2021, at 6:30 p.m. at the Women's Club.

Mayor Rios said he and the City Manager attended the Police Chief's Association Conference in Fort Worth where the City's Police Department received Best Practices Recognition for the second year in a row. Mayor Rios stated the City is 1 in 40 received in the State. Mayor Rios congratulated the Rockport Police Department for the hard work and expressed the City should be very proud of them. Mayor Rios said they also visited with Pete Geren with the Sid Richardson Foundation and presented him with a Hurricane Harvey bowl and City coin for everything they did for the City of Rockport following the hurricane. Mayor Rios added that later that afternoon they met with Bill Baker and Sasha Bass; the Bass Foundation had provided a \$150,000 grant for the rebuilding of the Rockport Center for the Arts.

City Manager Kevin Carruth said Information Technology staff, Bob and Tommy had replaced all the microphones being used for the meetings, and they had also placed a camera at the podium. Mr. Carruth stated they are still tweaking some things, but they had put a lot of work into it.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 21. Section 551.071 – Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ameresco.**

An Executive Session was not held.

Open Session

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

22. Adjournment.

At 9:45 p.m., Council Member Cunningham moved to adjourn. Motion was seconded Mayor Pro-Tem Villa. Motion carried unanimously.



ATTEST:


Teresa Valdez, City Secretary

APPROVED:


Patrick R. Rios, Mayor