

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
MARCH 14, 2013 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6
SANTA FE, TEXAS**

MINUTES

The meeting was called to order at 7:00 p.m. by Mayor Ralph Stenzel.

Roll Call: Present: Mayor Ralph Stenzel
Mayor Pro-tem Pat McCrary
Councilmember Jeff Tambrella
Councilmember Wanda Wagner
Councilmember Joe Carothers
City Attorney Ellis J. Ortego
City Manager Joe Dickson
City Secretary Janet L. Davis
Absent: Councilmember Bubba Jannett, excused

The invocation was given by and the pledge of allegiance to the U. S. Flag and to the Texas Flag was led by City Manager Joe Dickson.

Mayor's and City Manager's Report:

a. The minutes of 2/28/13 were approved as presented.

Planning and Zoning Business:

Old Business:

1. Consideration and possible action: First reading of an ordinance amending the text of Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, Article 8, Performance Standards, Section 8.03, Noise, by providing a table of allowable noise levels measured by decibels; and providing for severability
Community Services Director Diana Steelquist said this proposed ordinance is in response to concerns brought up by the public during the annexation public hearings last year. She said we have reviewed our current ordinances pertaining to noise and the Planning and Zoning Commission is recommending we adopt noise levels outlined by the Center for Disease Control's table of noise levels. The table indicates when certain decibel levels for specified periods of time become a health and safety issue. The Commission felt this is a more scientific, quantifiable method for determining noise levels and this proposed amendment would change the performance standards and guidelines for businesses in this section of the zoning ordinance. This amendment is less restrictive than the current 65 decibels allowed. At the public hearing for this proposed amendment last month, Council heard from a business owner in the area proposed for annexation next year stating his concerns about the prohibition of noise from a commercial operation between the hours of 9 p.m. and 7 a.m. According to City Attorney Ellis Ortego, new property annexed into the city and operating a business at that time would be considered a legal, non-conforming

use and would not be required to comply with the city's regulations. Ms. Steelquist said existing businesses in town or new businesses that come into town would be subject to these regulations. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to pass the first reading of an ordinance amending the text of Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, Article 8, Performance Standards, Section 8.03, Noise, by providing a table of allowable noise levels measured by decibels; and providing for severability. The motion passed the roll call vote unanimously.

New Business: None

City Business (Other):

Old Business: None

New Business:

1. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 6, Health and Sanitation, Section 4, Noise, Code of Ordinances, by adding clarifications and exceptions; providing for penalties and severability

Community Services Director Diana Steelquist said there are two areas of city standards that regulate noise control. The previous amendment was in the zoning ordinance and this amendment is in the general code under Health and Sanitation. This proposed amendment clarifies the existing regulations by adding more information as to where noise originates, and it also includes language about exceptions for urgent public necessity. Motion by Councilmember Carothers, seconded by Councilmember McCrary to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 6, Health and Sanitation, Section 4, Noise, Code of Ordinances, by adding clarifications and exceptions; providing for penalties and severability. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Public hearing and First reading of an ordinance amending Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Neighborhood Commercial (NC) to Highway Commercial (HC) for 6.94 acres located at 12311 FM 1764, being Abst 1, Page 11, Part of Lot 18 (18-1), Thamans 1st Subdivision, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said this is a rezoning request from Mike Villanueva. His son-in-law wants to start a boudin wholesale manufacturing business on this property at the southwest corner of FM 1764 and Ave. L in the existing metal building. She said a restaurant is allowed in the Neighborhood Commercial District, but the property must be zoned Highway Commercial for a wholesale business use. Ms. Steelquist said the Planning and Zoning Commission held a public hearing, and Mr. Bruce Novelli, the owner of the property on the southeast corner of FM 1764 and Ave. L, stated his family's concerns about the possible uses allowed in an HC District. She said Mr. Novelli's concerns were addressed by Mr. Villanueva during the Commission's public hearing, and the proposed zone is the property's highest and best use. Ms. Steelquist said the Planning and Zoning Commission recommended approval of the zone change from NC to HC. Mayor Stenzel opened the public hearing at 7:15 p.m. There

were no comments from the public. Motion by Councilmember Carothers, seconded by Councilmember Tambrella to pass the first reading of an ordinance amending Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Neighborhood Commercial (NC) to Highway Commercial (HC) for 6.94 acres located at 12311 FM 1764, being Abst 1, Page 11, Part of Lot 18 (18-1), Thamans 1st Subdivision, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

Announcements: Pancake Breakfast with Easter Bunny on March 23 at Red Cap between 7 a.m. and 10 a.m.; Easter Egg Hunt on March 23 at the Joe A. Tambrella park beginning at 10:30 a.m.; and Knights of Columbus fish fry continues each Friday through Lent between 4 p.m. and 7 p.m.; Santa Fe Area Historical Foundation Museum open this Sunday between 2 p.m. and 5 p.m.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
The next regular meeting is tentatively scheduled for March 28, 2013, and a suggestion to change the time for regular meetings has been made.

Motion by Councilmember Tambrella, seconded by Councilmember Carothers to adjourn. The motion passed and the meeting adjourned at 7:20 p.m.

RALPH STENZEL, MAYOR

ATTEST:

Janet L. Davis, City Secretary