



MEETING MINUTES
OCTOBER 16, 2025

SEABROOK PLANNING & ZONING
COMMISSION
MEETING

Chairman Gary Renola called the Seabrook Planning & Zoning Commission to order at 6:00 p.m. in the Council Chambers in Seabrook City Hall. Present were Gary Renola, Scott Reynolds, Edward Klein, and Jared Justus. Also present were Sean Landis, Deputy City Manager/Planning & Zoning Director and Ranya Botros, Community & Economic Development Coordinator.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

There were no public comments.

2. NEW BUSINESS

- 2.1 Consider and take all appropriate action for an amendment to Appendix A, "Comprehensive Zoning", Article III. "Establishment of Zoning Districts and Associated Regulations". By modifying Sections 3.02.13, 3.03.13, 3.04.11, 3.05.11, 3.06.13, 3.07.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03 (H), and 3.13.13 all Titled "Supplementary Regulations", by creating regulations and a prohibition against the use of "Hazardous Materials" as a construction method of a fence; to include, but not limited to, the prohibition and restricted use of Barbed Wire, Concertina Wire, Razor Wire, Electrically Charged Wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.

Motion:	To Approve
Made By:	P&Z Member Klein
Seconded By:	P&Z Member Justus
Vote:	Passed unanimously by all present.

3. ROUTINE BUSINESS

- 3.1 Approve minutes from the September 18, 2025, regular P&Z meeting.

Motion:	To Approve
Made By:	P&Z Member Justus
Seconded By:	P&Z Member Reynolds
Vote:	Passed unanimously by all present.

- 3.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis, Deputy City Manager/Planning & Zoning Director gave an update on Planning & Zoning actions sent to City Council for its action or review.

- 3.3 Establish future agenda items and meeting dates.

The next regular meeting is scheduled for November 20, 2025.

Motion:	To Adjourn
Made By:	P&Z Member Klein
Seconded By:	P&Z Member Reynolds

Vote: Passed unanimously by all present.

The Commission adjourned at 6:20 p.m.

APPROVED:

Day T. Rendo
Chair

DATE:

11/20/25

ATTEST:

Ranya Botros
Ranya Botros
Community & Economic Development Coordinator

Exhibit A

Planning and Zoning Meeting

March 18, 2021

Examples of Hazardous Fencing (Projections)



Examples of Hazardous Fencing (Projections)



Examples of Hazardous Fencing (Razor Wire/Concertina Wire)



Examples of Hazardous Fencing (Electric Fence)



Examples of Hazardous Fencing (Barbed Wire)



Examples of Hazardous Fencing (Barbed Wire)



Examples of Hazardous Fencing (Barbed Wire)



Recommendation

It is unlawful for any person to erect, maintain, or permit a fence that;

A. Is electrically charged in any manner, except a single-strand wire shall be permissible that is designed to conduct electricity through an approved low-voltage regulator along the fence's interior within 18 inches of finished ground level for the purposes of securing pets within a fenced yard.

B. Has barbed wire constructed within or attached to it.

C. Has razor/concertina wire within or attached to it.

D. Has constructed within it or attached to it barbs, projections, broken glass, or anything reasonably capable of causing harm to persons or animals.

Not included LI or C-3 Zoning District.



Exhibit B

Planning and Zoning Commission Meeting

June 17, 2021

Recommendation

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

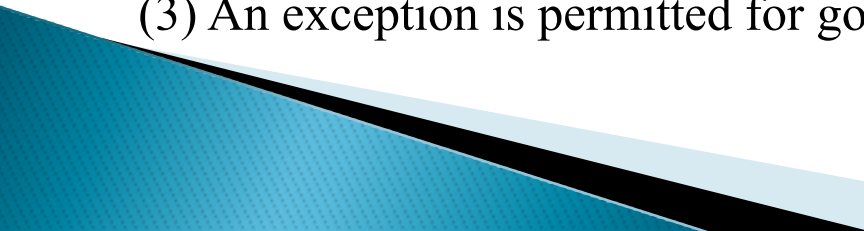
(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) *Elevation Measurement.* In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the top of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(a) An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.

(3) An exception is permitted for governmental uses.



Code Sections to be Modified

- } Section 3.02.13 (R-LD)– Low density single-family residential district.
(Min Lot Size 14,000 sq. ft.)
 - } Section 3.03.13 (R-1)– Single-family detached residential district.
(Min Lot Size 7,500 sq. ft.)
 - } Section 3.04.11 (R-2)– Single-family detached residential district (small lots).
(Min Lot Size 6,000 sq. ft.)
- 

Exhibit C

Planning and Zoning Commission Meeting

July 15, 2021

Code Sections to be Modified

- Section 3.02.13 (R-LD)– Low density single-family residential district.
(Min Lot Size 14,000 sq. ft.)
 - Section 3.03.13 (R-1)– Single-family detached residential district.
(Min Lot Size 7,500 sq. ft.)
 - Section 3.04.11 (R-2)– Single-family detached residential district (small lots).
(Min Lot Size 6,000 sq. ft.)
 - Section 3.05.11 (R-3) – Medium Density Residential District (Multi-Family)
- 

Recommendation

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

- (1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.
 - (2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.
 - (3) An exception is permitted for governmental uses.
- 

Code Sections to be Modified

- Section 3.06.13, (“C-1”) – Light Commercial
 - Section 3.07.13, (“C-2”)– Medium Commercial
 - Section 3.08.13, (“C-3”)– Heavy Commercial
 - Section 3.09.12, (“146-S”) – SH146 South Commercial District
 - Section 3.10.13, (“WAD”) – Waterfront Activity District
 - Section 3.11.10, (“MMU”), – Marine Oriented Mixed Use District
 - Section 3.12.03 (H) (“OS”), – Old Seabrook District
 - Section 3.13.13 (“MH”), – Mobile Home Manufactured Housing District
 - Section 3.14.14 (“LI”),– Light Industrial District
 - Section 3.16.12, (“146-M”)– SH146 Main Commercial District
- 

Recommendation

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) *Elevation Measurement.* In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.



Exhibit D



Agenda Briefing

Date of Meeting: September 7, 2021

Submitting Department: Planning and Permits

Date Submitted: N/A

Prepared By: Sean Landis

Presenter: Sean Landis/Gary Renola

Will there be a guest/visitor presenter who is not an employee?: ☒ Yes ☐ No

What is this person's first and last name and affiliation to this item?: Gary Renola

Subject:

CONSIDER AND TAKE ALL APPROPRIATE ACTION ON AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III. "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", BY ADDING ADDITIONAL SUPPLEMENTARY PROVISIONS FOR FENCING BY REVISING SECTIONS 3.02.13 ("R-LD"), 3.03.13 ("R-1"), 3.04.11 ("R-2"), 3.05.11 ("R-3"), 3.06.13 ("C-1"), 3.07.13 ("C-2"), 3.08.13 ("C-3"), 3.09.12 ("146-S"), 3.10.13 ("WAD"), 3.11.10 ("MMU"), 3.12.03 (H) ("OS"), 3.13.13 ("MH"), 3.14.14 ("LI"), AND 3.16.12 ("146-M") ALL UNDER THE SUBTITLE "SUPPLEMENTARY REGULATIONS" TO SUCH SECTIONS, TO CREATE PROHIBITION OF THE USE OF HAZARDOUS MATERIALS FOR FENCING CONSTRUCTION; TO INCLUDE, BUT NOT LIMITED TO, BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND/OR ANY OTHER MATERIALS DESIGNED OR CAPABLE OF CAUSING UNREASONABLE HARM TO PERSONS OR ANIMALS.

Type of Item: ☒ Ordinance ☐ Resolution ☐ Contract/Agreement ☒ Public Hearing ☐ Discussion & Direction

Executive Summary:

AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III. "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", BY ADDING ADDITIONAL SUPPLEMENTARY PROVISIONS FOR FENCING BY REVISING SECTIONS 3.02.13 ("R-LD"), 3.03.13 ("R-1"), 3.04.11 ("R-2"), 3.05.11 ("R-3"), 3.06.13 ("C-1"), 3.07.13 ("C-2"), 3.08.13 ("C-3"), 3.09.12 ("146-S"), 3.10.13 ("WAD"), 3.11.10 ("MMU"), 3.12.03 (H) ("OS"), 3.13.13 ("MH"), 3.14.14 ("LI"), AND 3.16.12 ("146-M") ALL UNDER THE SUBTITLE "SUPPLEMENTARY REGULATIONS" TO SUCH SECTIONS, TO CREATE PROHIBITION OF THE USE OF HAZARDOUS MATERIALS FOR FENCING CONSTRUCTION; TO INCLUDE, BUT NOT LIMITED TO, BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND/OR ANY OTHER MATERIALS DESIGNED OR CAPABLE OF CAUSING UNREASONABLE HARM TO PERSONS OR ANIMALS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Background/Issue (What prompted this need?):

April 20, 2021, City Council Meeting:

Staff presented the following Planning and Zoning Recommendation to City Council.

To modify Sections 3.03.13, 3.04.11, 3.05.11, 3.06.13, 3.07.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03 (H), and 3.13.13 all Titled “Supplementary Regulations”, by creating a prohibition against the use of “Hazardous Materials” as a construction method of a fence; to include, but not limited to the prohibition of Barbed Wire, Concertina Wire, Razor Wire, Electrically Charged Wire, and the use of Glass or other Sharp Objects.

The Planning and Zoning Commission recommended the following language:

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, broken glass, or any other materials designed or capable of causing unreasonable harm to persons or animals, as determined by the building official.

(2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence’s interior within 18 inches of finished ground level, as determined by the building official.

(3) An exception is permitted for governmental uses or for related uses upon permit from the building official prior to construction.

Council felt the proposed recommendation was too restrictive and requested that the Planning & Zoning Commission revisit the item.

The Planning and Zoning Commission has revisited the topic and is now recommending the following:

Modifying Sections 3.02.13, 3.03.13, and 3.04.11, 3.05.11 all Titled “Supplementary Regulations”, by creating a prohibition against the use of “Hazardous Materials” as a construction method of a fence; to include, but not limited to the prohibition of Barbed Wire, Concertina Wire, Razor Wire, Electrically Charged Wire, and the use of other Sharp Objects.

The Planning and Zoning Commission is recommending the adoption of the following language:

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.

(2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence’s interior within 18 inches of finished ground level.

(3) An exception is permitted for governmental uses.

The Planning and Zoning Commission is recommending modifying Sections 3.06.13, 3.07.13, 3.08.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03, 3.13.13, 3.14.14, and 3.16.12 all Titled “Supplementary Regulations”, by creating a

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

regulations relating to the use of “Hazardous Materials” as a construction method of a fence; to include, but not limited to the use of Barbed Wire, Concertina Wire, Razor Wire, Electrically Charged Wire, and the use of other Sharp Objects.

The Planning and Zoning Commission is recommending the adoption of the following language:

It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

The Planning and Zoning Commission recommended approval of this action unanimously at their July 15, 2021 Meeting.

Ayes: Darrell Picha, Rosebud Caradec, Guy Rodgers, Gary Renola.

Nays:

Absent: Greg Aguilar, Scott Reynolds.

Budget Analysis/Funding Comments: N/A

Expenditure Required: \$N/A

Budgeted Amount: \$N/A **Source of Funds/Funding Account:** N/A

Not Budgeted: If approved, the following will be included in the next Budget Amendment and \$N/A will be added to Revenue Account: N/A and \$N/A added to Expenditure Account: N/A

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

1295 Form Required? ☐ Yes ☒ No

Name of Applicant (if applicable) : N/A

Legal Description/Location (if applicable): N/A

Supporting Materials Attached:

1. Staff Presentation
2. Planning and Zoning Commission Official Report
3. Ordinance 2021-13
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

Recommended Placement on Agenda: New Business

Recommended Action:

The Planning and Zoning Commission recommended approval of this action unanimously at their July 15, 2021 Meeting.

Ayes: Darrell Picha, Rosebud Caradec, Guy Rodgers, Gary Renola.

Nays:

Absent: Greg Aguilar, Scott Reynolds.

Reviewed by Department Director, if applicable ☐

Reviewed by Finance Director, if applicable ☐

Reviewed by City Attorney, if applicable ☐

Reviewed by Deputy City Manager ☐

Reviewed by City Manager ☐

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Exhibit E

ORDINANCE NO. 2021-13
PROHIBITION OF USE OF HAZARDOUS MATERIALS IN FENCING
CONSTRUCTION

AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III. "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", BY ADDING ADDITIONAL SUPPLEMENTARY PROVISIONS FOR FENCING BY REVISING SECTIONS 3.02.13 ("R-LD"), 3.03.13 ("R-1"), 3.04.11 ("R-2"), 3.05.11 ("R-3"), 3.06.13 ("C-1"), 3.07.13 ("C-2"), 3.08.13 ("C-3"), 3.09.12 ("146-S"), 3.10.13 ("WAD"), 3.11.10 ("MMU"), 3.12.03 (H) ("OS"), 3.13.13 ("MH"), 3.14.14 ("LI"), AND 3.16.12 ("146-M") ALL UNDER THE SUBTITLE "SUPPLEMENTARY REGULATIONS" TO SUCH SECTIONS, TO CREATE PROHIBITION OF THE USE OF HAZARDOUS MATERIALS FOR FENCING CONSTRUCTION AS PROVIDED HEREIN, TO INCLUDE, BUT NOT LIMITED TO, BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND/OR ANY OTHER MATERIALS DESIGNED OR CAPABLE OF CAUSING UNREASONABLE HARM TO PERSONS OR ANIMALS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances relating to land use and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and is of the opinion and has issued its final report that the amendments hereto are necessary for the public safety, health and welfare and for protection of the residents; and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Seabrook have studied the present provisions of the Code of Ordinances of the City of Seabrook and have determined the need to update the provisions relative to permitted land uses for safety of the public; and

WHEREAS, the Planning and Zoning Commission, after further review as requested by City Council, has recommended approval of this amendment at its meeting of July 15, 2021 and has made its final report; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with the Comprehensive Zoning Ordinance and law; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III. "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", BY ADDING ADDITIONAL SUPPLEMENTARY PROVISIONS FOR FENCING BY REVISING SECTIONS 3.02.13 ("R-LD"), 3.03.13, ("R-1"), 3.04.11 ("R-2"), 3.05.11 ("R-3"), 3.06.13 ("C-1"), 3.07.13 ("C-2"), 3.08.13 ("C-3"), 3.09.12 ("146-S"), 3.10.13 ("WAD"), 3.11.10 ("MMU"), 3.12.03 (H) ("OS"), 3.13.13 ("MH"), 3.14.14 ("LI"), AND 3.16.12 ("146-M") ALL UNDER THE SUBTITLE "SUPPLEMENTARY REGULATIONS" TO SUCH SECTIONS, TO CREATE PROHIBITION FOR THE USE OF HAZARDOUS MATERIALS FOR FENCING CONSTRUCTION AS PROVIDED HEREFTER, TO INCLUDE, BUT NOT LIMITED TO, BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND/OR ANY OTHER MATERIALS DESIGNED OR CAPABLE OF CAUSING UNREASONABLE HARM TO PERSONS OR ANIMALS, AS FOLLOWS:

"Sec. 3.02. R-LD Low density single-family residential district.

3.02.13. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

B. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

D. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.

(2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.

(3) An exception is permitted for approved governmental uses.

“Sec. 3.03. - R-1 Single-family detached residential district.

3.03.13. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

B. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

D. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.

(2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.

(3) An exception is permitted for approved governmental uses.

Sec. 3.04. - R-2 Single-family detached residential district (small lots).

.....
3.04.11. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

B. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

D. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

- (1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.
- (2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.
- (3) An exception is permitted for approved governmental uses.

Sec. 3.05. - R-3 Medium density residential district.

3.05.11. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

B. No temporary structures, including recreational vehicles, construction trailers or travel trailers, may be used for on-site dwelling purposes.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

D. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

- (1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals.
- (2) that is electrically charged in any manner. An exception shall be allowed for purposes of securing pets within an approved single-strand wire that is designed to conduct electricity with a low-voltage regulator along the fence's interior within 18 inches of finished ground level.
- (3) An exception is permitted for approved governmental uses.

181 **Sec. 3.06. - C-1 Light commercial district.**
182

183
184 3.06.13. Supplemental regulations:
185

186 A. Lighting: Any light used for security or to illuminate the parking area shall be so
187 arranged as to reflect away from any adjacent residential uses.
188

189 B.

190 C. No temporary structures, including recreational vehicles, construction trailers or travel
191 trailers may be used for on-site dwelling purposes.
192

193 D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.
194

195 **E. It shall be unlawful for any person to use hazardous materials for the construction**
196 **of fencing, by erecting, maintaining, allowing or permitting a fence:**
197

198 **(1) that is constructed to include barbed wire, concertina wire, or any other**
199 **materials designed or capable of causing unreasonable harm to persons or animals within**
200 **six and one-half (6 ½) feet from finished ground level.**
201

202 **(a) Elevation Measurement. In the event that the fence height has been**
203 **elevated through the use of a permitted retaining wall, the fence height is measured from**
204 **the bottom of the retaining wall to the highest point of the fence. If the fence height has not**
205 **been elevated through the use of a permitted retaining wall, the fence height is measured**
206 **from grade to the highest point of the fence.**
207

208 **(2) that is electrically charged in any manner.**
209

210 **(3) An exception is permitted for governmental uses.**
211

212
213 **Sec. 3.07. - C-2 Medium commercial district.**
214

215 *****
216 3.07.13. Supplementary regulations:
217

218 A. Lighting: Any light used for security or to illuminate the parking area shall be so
219 arranged as to reflect away from any adjacent residential uses.
220

221 B. Temporary structures for uses incidental to construction work on the premises which are
222 removed from completion or abandonment of construction work are allowed upon permit from
223 the building official.
224

225 C. No temporary structures, including recreational vehicles, construction trailers, or travel
226 trailers may be used for on-site dwelling purposes.

D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

E. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for approved governmental uses.

Sec. 3.08. – C-3 Heavy commercial district.

.....
3.08.13. Supplementary regulations:

A. Lighting: Any light used for security or to illuminate the parking area shall be so arranged as to reflect away from any adjacent residential uses.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. No temporary structures, including recreational vehicles, construction trailers, or travel trailers may be used for on-site dwelling purposes.

D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

E. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.09. - SH 146 South commercial district (146-S).

3.09.12. Supplementary regulations:

A. No temporary structures, including recreational vehicles, construction trailers, or travel trailers may be used for on-site dwelling purposes.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. Utilities, including, but not limited to, electrical lines, gas lines, telephone lines, and cable television lines, shall be installed underground unless otherwise approved by city council.

D. No trailer or semitrailer may be used for the storage of retail or wholesale merchandise on any property in this district for a period exceeding 72 hours.

E. No trailer, motor vehicle, semitrailer or shipping container may be used for the display, vending or retailing of any merchandise at any time.

F. Outside display of merchandise is permitted except in any of the required parking areas or other restricted areas. No display shall be erected in a manner that obstructs the safe flow of pedestrian or vehicular traffic.

G. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from

the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.10. - WAD Waterfront activity district.

3.10.13. Supplementary regulations:

A. Lighting: Any light used for security or to illuminate the parking area shall be so arranged as to reflect away from any adjacent residential uses.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

E. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.11. - MMU Marine oriented mixed use district.

3.11.10. Supplementary regulations:

A. Lighting: Any light used for security or to illuminate the parking area shall be so arranged as to reflect away from any adjacent residential uses.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. No temporary structures, including recreational vehicles, construction trailers or travel trailers, may be used for on-site dwelling purposes.

D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

E. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.12. - OS Old Seabrook district.

3.12.03. The following regulations apply to townhouses and to all other uses by right and conditional uses allowed in this zoning district.

A. Accessory structures: Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on a site. Accessory structures shall be set back at least five feet from interior side and rear property lines. A minimum distance of not less than five feet shall be maintained between the main structure and accessory buildings. Connecting breezeways shall not exceed eight feet in width from finish wall

to finish wall. Buildings shall be separated by an approved firestop in the roof and walls. No accessory structures or other obstructions including decks, pools, paving, landscaping structures or trees and fountains may be erected on any utility easement.

B. Buffering and screening: Any property classified in this zoning district which adjoins or abuts any property classified in the R-LD, R-1 or R-2 zoning district shall provide a front, side or rear setback as applicable that is at least as deep or wide as that required in such adjoining or abutting districts. Properties in the OS zone which are separated by a street from any R-LD, R-1 or R-2 zone shall also meet these requirements.

C. Outside storage and display:

1. Outside display of merchandise is permitted except in any of the required parking areas or other restricted areas. No display shall be erected in a manner that obstructs the safe flow of pedestrian or vehicular traffic.
2. Plants/flowers and boats for sale or rent may be displayed at all times. All other merchandise may be displayed during business hours only.
3. Temporary permits for outside display in parking areas or other private areas may be issued to a business by the building official. These temporary permits may be for a period of no more than 72 consecutive business hours.
4. Outside storage shall be permitted only when incidental to the commercial use located on the same premises and provided that:
 - a. The storage area may not extend beyond the front line of the building.
 - b. The storage area may not be located in any of the required parking areas.
 - c. All stored merchandise must be behind a screen fence which shall be 100-percent impervious to sight and a minimum of six feet in height. Plants/flowers and boats only are exempt from this requirement.
 - d. Merchandise shall not protrude above the height of the enclosed fence, walls or buildings. Plants/flowers and boats only are excluded from this requirement.
5. No trailer or semitrailer may be used for the storage of retail or wholesale merchandise on any property in this district for a period exceeding 72 hours. Furthermore, no trailer, semitrailer or shipping container may be used for the display, vending or retailing of any merchandise at any time.

D. Animal control: No farm fowl or farm animals shall be kept on the premises.

E. Parking: Parking shall be in accordance with [Article 5](#) of this ordinance. Please see the comprehensive off-street parking regulation matrix. In addition, properties in the Old Seabrook district shall be given the following parking credits when applicable.

1. For all existing buildings, either commercial or to be converted to commercial use:
 - a. Less than one 1,500 sq. ft.; parking may be reduced 20 percent.
 - b. Less than 2,000 sq. ft.; parking may be reduced ten percent.
 - c. Two thousand or more square feet; parking may not be reduced.
2. In no case shall there be fewer than two parking spaces provided.
3. For each additional tenant in any building which is 2,000 square feet or greater, add one additional space to the requirements listed above.
4. All buildings constructed or expanded after passage of this ordinance must meet parking requirements as stipulated in [Article 5](#).
5. Medical facilities with or without beds shall not be eligible for the above credits, but shall maintain parking in accordance with [Article 5](#).
6. Commercial vehicles of business shall be parked at other than mandatory parking spaces during business hours.
7. All fractional parking space calculations shall be counted as a full space.
8. Special exception to parking density, off-street parking and design and standards as listed in [Article 5](#) may be permitted on appeal to the board of adjustment without consideration to hardship.

F. Landscaping: Shall be in accordance with [Article 5](#) of this ordinance.

G. Reserved.

H. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from

the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.13. - MH Mobile home-manufactured housing district.

3.13.13. Supplementary regulations:

A. All mobile homes shall be skirted/screened from base of the unit to grade with a material approved by the building department.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

D. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

E. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.14. Light industrial district.

.....
3.14.14. Supplementary regulations:

A. Use of Red Bluff Road and Todville Road Prohibited: The regular use of Red Bluff Road and/or Todville Road for industrially related traffic shall be prohibited. Site design for land uses permitted within the LI zoning district shall incorporate provisions for avoiding the use of Red Bluff Road and Todville Road for site-related traffic.

B. Lighting: Any light used for security or to illuminate the parking area shall be so arranged as to reflect away from any adjacent residential uses.

C. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

D. No temporary structures, including recreational vehicles, construction trailers or travel trailers may be used for on-site dwelling purposes.

E. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

F. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.

Sec. 3.16. – SH 146 Main commercial district (146-M)
.....

3.16.12. Supplementary regulations:

A. No temporary structures, including recreational vehicles, construction trailers, or travel trailers may be used for on-site dwelling purposes.

B. Temporary structures for uses incidental to construction work on the premises which are removed from completion or abandonment of construction work are allowed upon permit from the building official.

C. Utilities, including, but not limited to, electrical lines, gas lines, telephone lines, and cable television lines, shall be installed underground unless otherwise approved by city council.

D. No trailer or semitrailer may be used for the storage of retail or wholesale merchandise on any property in this district for a period exceeding 72 hours.

E. No trailer, motor vehicle, semitrailer or shipping container may be used for the display, vending or retailing of any merchandise at any time.

F. Outside display of merchandise is permitted except in any of the required parking areas or other restricted areas. No display shall be erected in a manner that obstructs the safe flow of pedestrian or vehicular traffic.

G. It shall be unlawful for any person to use hazardous materials for the construction of fencing, by erecting, maintaining, allowing or permitting a fence:

(1) that is constructed to include barbed wire, concertina wire, or any other materials designed or capable of causing unreasonable harm to persons or animals within six and one-half (6 ½) feet from finished ground level.

(a) Elevation Measurement. In the event that the fence height has been elevated through the use of a permitted retaining wall, the fence height is measured from the bottom of the retaining wall to the highest point of the fence. If the fence height has not been elevated through the use of a permitted retaining wall, the fence height is measured from grade to the highest point of the fence.

(2) that is electrically charged in any manner.

(3) An exception is permitted for governmental uses.”

SECTION 4. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15 “General Penalty and 11.06, “Criminal Enforcement” which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 6. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 7. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED, APPROVED, AND ADOPTED on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 7th day of September 2021.

PASSED, APPROVED, AND ADOPTED, as revised on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 21st day of September 2021.

BY: _____
Thomas G. Kolupski, Mayor

ATTEST:

By: _____
Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney