

AGENDA REQUEST
City of Bunker Hill Village
Planning and Zoning Commission

Agenda Date:	April 25, 2023
Agenda Item:	V
Subject:	Discussion on Proposed Amendments including Synthetic Turf & Solar Panels
Exhibits:	<i>Synthetic Turf</i> - City of Piney Point <i>Solar Panels</i> - Installation Requirements - Front and Side View of House on Dunnam Lane - Solar Panel Ordinance – City of Spring Valley <i>Construction of Utility Service Lines</i>
Presenter(s):	Karen Glynn, Acting City Secretary/ Community Development

Executive Summary

There are several items that have recently come to Staff's attention. Staff is seeking the input of the Planning and Zoning Commission on the following items that do not currently have a City ordinance:

A. Synthetic Turf

The City has received requests to install synthetic turf. Staff met with the Drainage Committee to review the use of synthetic turf and how it will work in conjunction with the City's Code of Ordinances regarding lot coverage and drainage. The Drainage Committee and Staff are recommending that synthetic turf should not be considered as "grass" but could be considered as pervious, if properly installed. The City does limit the amount of coverage to 55% of the lot which includes both impervious and pervious coverage. Staff has sought input from other Cities in drafting requirements. As an example, some cities require the use of "green" turf only – other colors are not permitted – and restrict its use in the front yard.

The City of Piney Point references Turf Permits on their website.

B. Solar Panels

The City has received several inquiries regarding the regulation of solar panels recently installed on the roof of a home on Dunnam Lane. Per state law, the City cannot restrict solar panels, but may be able to regulate. The City currently follows standards as set forth by the 2020 National Electrical Code and CenterPoint Energy.

At the April 18, 2023 City Council Meeting, Council directed solar panel consideration to this Commission for further discussion. Items for consideration include:

1. Should solar panels be restricted from being placed on the front roof of the house.
2. Should equipment be required to be screened as is required for generator installation.

C. Construction of Utility Service Lines

Section 4-7 of the City's Development Code reads:

Underground utilities.

All utility service lines for electricity, telephone, gas, cable television and any other such service for individual lots shall be underground unless federal or state law or regulations require otherwise.

(Ord. No. 14-444, § 3, 10-21-14)

The City Council heard an appeal from a resident requesting that he not be required to make his electrical service line underground as this is simply repairing the panel and not a new service.

As part of the permitting process, the City's standard has been that when an electrical panel is being replaced, the incoming electrical service must then be put underground from the point of service (pole) from Centerpoint. Section 4-7 of the City's Ordinance has been in-place since 2014 but possibly prior. It is staff's assumption that this ordinance was put in place to better protect the service lines during storms to prevent unnecessary outages due to limbs or wind. This practice has consistently been enforced when work is being done on the electrical panel.

The City Council voted 4-1 to approve the appeal. City Council also discussed a possible change to the code to allow for situations where improvements only include installation of a new panel. Suggestions included a grandfather provision for older homes. However, Council understood the need to install underground service lines for safety purposes. Council concurred that unground service lines be required for new construction and remodels resulting in changes to the electrical panel and service.

Recommended Action

This is a discussion item only. Staff is seeking the input from the Planning and Zoning Commission regarding these possible code updates.



Synthetic Turf Permit

**** All Forms Listed Must Be Completed Fully.**

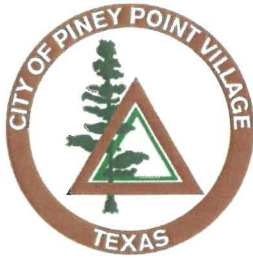
1. Permit Application
2. Copy of Survey Required
3. Area Calculation Form
4. Home Owner Affidavit Form
5. Home Owner Association Approval (if applicable)
6. Person Responsible for Project Form
7. Authorized Work Hours Form
8. Memorial Village Water Authority Approval
9. Tree Disposition Form
10. Provide Detail Turf Specification (Dimensions and Material Type)
11. Engineered Drainage Plan
12. Two Complete Sets of Plans Required
13. List Codes to be Used
14. All Applications are to be **dropped-off** to the city.

Helpful Notes

- Synthetic Turf permit requests require plan review by the plan examiner, city engineers, and the City Forester.
- Area calculations are calculated into the lot coverage.
- Drainage plans must be approved prior to the issuance of a turf permit.
- No inlets directly in the artificial turf area can be covered up.
- All inlets are to remain open and unobstructed, so please design accordingly.

Plan Examiners

- Jason Bienek
- Cary Moran
- Aaron Croley with HDR Engineering Co.



Building, Planning & Development Department
PERMITS AND INSPECTIONS DIVISION
7676 Woodway Dr, Suite 300
Houston, Texas 77063
Phone: (713) 782-1757 / Fax: (713) 782-3178
bldgofficial@pineypt.org

PERMIT APPLICATION REQUEST

(ALL INFORMATION IS REQUIRED)

PROPERTY OWNER INFORMATION

DATE: _____
SITE ADDRESS: _____
LOT: _____ BLOCK: _____ SUBDIVISION: _____
PROPERTY OWNER: _____
MAILING ADDRESS: _____ STATE: _____ ZIP: _____
PHONE NUMBER: _____ MOBIL: _____
FAX NUMBER: _____ E-MAIL: _____

CONTRACTOR INFORMATION

CONTRACTOR COMPANY NAME: _____
CONTACT NAME: _____ STATE LICENSE# _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE NUMBER: _____ MOBIL: _____
FAX NUMBER: _____ E-MAIL: _____

TOTAL COST OF IMPROVEMENTS: \$ _____

TYPE OF PERMIT

- | | | |
|--|---|--|
| <input type="checkbox"/> ACCESSORY STRUCTURE | <input type="checkbox"/> ELECTRICAL | <input type="checkbox"/> NEW SINGLE FAMILY |
| <input type="checkbox"/> ADDITION | <input type="checkbox"/> FENCE | <input type="checkbox"/> PLUMBING |
| <input type="checkbox"/> DECKING | <input type="checkbox"/> FIRE SPRINKLER | <input type="checkbox"/> REMODEL |
| <input type="checkbox"/> DEMOLITION | <input type="checkbox"/> GENERATOR | <input type="checkbox"/> ROOF |
| <input type="checkbox"/> DRAINAGE | <input type="checkbox"/> HVAC | <input type="checkbox"/> SWIMMING POOL |
| <input type="checkbox"/> DRIVEWAY/FLATWORK | <input type="checkbox"/> IRRIGATION SPRINKLER | <input type="checkbox"/> OTHER |

IF OTHER, PLEASE SPECIFY: _____

JOB DESCRIPTION / DETAILED SCOPE OF WORK

(Job description and detailed scope of work is required.)

SIGNATURE OF APPLICANT

PRINT NAME OF APPLICANT

(Signatures are required for all applications.)
(NOT REQUIRED)

SIGNATURE OF HOMEOWNER

PRINT NAME OF HOMEOWNER

(Homeowner signatures are required for all new single-family homes, additions, and renovations.)

THE UNDERSIGNED, IN ACCORDANCE WITH PROVISIONS OF THE BUILDING AND ZONING ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, HEREBY APPLIES FOR THE PERMIT DESCRIBED HEREIN. APPLICANT HEREBY CERTIFIES THAT ALL PROVISIONS OF THE BUILDING LAWS AND ORDINANCES WILL BE COMPLIED WITH AND THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND CORRECT.

NOTE: No use of any building is permitted without a Certificate of Occupancy, including the storage of any items. Use of building prior to issuance of a Certificate of Occupancy will require the gas and electric to be terminated. Not to exclude other penalties. The City of Piney Point Village has the right to include the current resident/home owner in every aspect of the building permitting process.

Area Calculations Form

Property Address: _____ **Date:** _____

Type of Permit: _____

Area of Lot: _____ **Square Footage:** _____

Lot Coverage Calculations

	Existing Area	Proposed Area	Total Area
Main Structure (Total Covered Area)			
Accessory Structure			
Driveways, Walkways & Sidewalks			
Pool and Pool Decking			
Total Lot Coverage			

Percent of Lot Coverage by Main Structure:

Area of Main Structure/ (divided by)	Area of Lot =	30% Max Coverage

Percent of Lot Coverage by Main Structure:

Total Lot Coverage/ (divided by)	Area of Lot =	50% Max. Coverage

Reference, City of Piney Point Code of Ordinances, Chapter 74- Section, 244. Regulations. (g)

The undersigned, in accordance with the provisions of the Zoning Ordinance of the City of Piney Point Village, hereby certifies that all statements made herein are true and correct.

Signature of Property Owner and/or Applicant: _____

Name of Company: _____

The City of Piney Point Village

7676 Woodway Suite #300

Houston, Texas 77063

(713) 782-1757 phone (713) 782-3178 fax

THE STATE OF TEXAS § DEED RESTRICTION AND DEVELOPMENT PLAT
COUNTY OF HARRIS § AFFIDAVIT FOR RESIDENTIAL BUILDING PERMIT

ADDRESS OF PROPERTY: _____

TYPE OF PERMIT: _____

Before me, the undersigned authority, on this day personally appeared _____ (Type or legibly print name of Affiant) who being first duly sworn by me, on her/his oath deposed and said the following:

"This affidavit is given in connection with the application for a building permit that is attached hereto. I am eighteen years or older, and I am of sound mind. I have personal knowledge of the facts set forth in this affidavit including, without limitation, personal knowledge of the title to the real property to which the building permit application appertains, of the plans and specifications for the work to be performed under the building permit, if issued, and of the intended use of the improvements to be constructed thereunder.

(a) (Each Affiant must initial (1) or (2) as applicable):

- (1) _____ I am owner of the real property to which this building permit application appertains.
(2) _____ I am the duly designated agent of the owner or owners of the real property to which this building permit application appertains, and I have been expressly authorized by the owner or owners to make this affidavit on their behalf.

(b) (Each Affiant must initial this term):

_____ The building permit application to which this affidavit appertains is for the repair, remodeling or construction of a single family detached residence or auxiliary structure thereto (e.g., a garage) that is designed and intended for single family residential use exclusively.

(c) As used in this part (c), the term "deed restrictions" means any and every restriction or covenant running with and affecting the use and enjoyment of the land that is contained in or incorporated by reference in a properly recorded plan, plat, re-plat, deed or any other instrument affecting a subdivision or portion thereof inside its boundaries that relates in any manner to the property to which this building permit application appertains. The term shall not include any covenant or restriction that has expired through lapse of time by its own terms without renewal, revival or extension. Additionally, the term shall not include any covenant or restriction to the extent, that it has expressly been declared invalid by final order of a court of competent national origin of persons who may enjoy the use of the property. (If there are no deed restrictions, then the Affiant shall initial item (1) below; if there are deed restrictions then the Affiant must initial and complete item (2) below.)

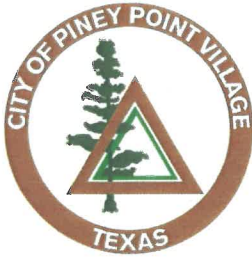
- (1) _____ I am personally familiar with the title to the real property to which this building permit application appertains, and I swear that this property is not encumbered by any deed restrictions.
(2) _____ I am personally familiar with the title to the real property to which this building application appertains, and I have personal knowledge that this real property is encumbered by deed restrictions, which provide in part as follows:
(3) _____ Nothing on the submitted plans will violate any deed restrictions.

Uses authorized: _____
Setbacks: _____
Front: _____ Back/rear: _____
Side/interior: _____ Side Street: _____
Minimum/maximum lot size: _____ Minimum/minimum house size: _____
Number of stories authorized: _____ Number of structures authorized: _____

Application – Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned authority on this _____ day of _____, 20____, to certify witness my hand and seal of office.

Notary Public in and for the State of TEXAS



Building, Planning & Development Department
PERMITS AND INSPECTIONS DIVISION
7676 Woodway Dr, Suite 300
Houston, Texas 77063
Phone: (713) 782-1757 / Fax: (713) 782-3178
bldgofficial@pineypt.org

Important Contractor
Notification & Acknowledgement
NO WORK ON SUNDAYS

Sec. 10-1. - Time limitations on building activities.

(a) It shall be unlawful for any person to cause, permit or perform any construction, renovation, alteration, repair or demolition of any building or structure, or any excavation related thereto ("building activities"), within the city, except between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays, and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. All building activities are strictly prohibited on Sundays and Holidays. Holidays shall include Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Years Day.

(b) The provisions of subsection (a) shall not apply to any construction, renovation, alteration, repair, demolition or related excavation which is conducted by a governmental entity, or for which a city permit is not required.

(c) The city building official is hereby authorized and directed to issue stop work orders as are necessary to assure compliance with the provisions of this section.

(d) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined as prescribed in section 1-11.

(Ord. No. [20.02.24.B](#), § 1, 2-24-20)

Cross reference— Environment, [ch. 26](#).

Sec. 10-6. - Penalty for violation of chapter.

Any person who shall violate or cause to be violated any provision of this chapter, including a provision of a code adopted by this chapter, or who shall fail to comply with any of the requirements of this chapter or any code adopted by this chapter, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as provided in [section 1-11](#) of the City Code. Each such person shall be deemed guilty of a separate offense for each violation and for each day during which any violation is committed or continued.

(Ord. No. [20.02.24.B](#), § 1, 2-24-20)

I have read all of the contractor work hours for the City of Piney Point Village and acknowledge the required work hours and violations. I am aware that no work shall be performed on Sundays for projects that are currently under construction.

Date: _____

Print Name of Applicant: _____

Signature of Applicant: _____

Project Address: _____

Project Type: _____



MEMORIAL VILLAGES WATER AUTHORITY
 8955 GAYLORD DRIVE, HOUSTON, TEXAS 77024-2903
 PH: 713-465-8318 Email: Info@MVWA.ORG FAX: 713-465-8387

APPLICATION FOR CONSTRUCTION PROJECT APPROVAL

(TYPE OR PRINT) Incomplete or illegible applications may be delayed in processing.

Date: _____

PROJECT LOCATION

APPLICANTS NAME: _____ ADDRESS: _____

RETURN ADDRESS: _____ CITY OF: Hedwig – Hunters Creek – Piney Point
(If different than project address)

City, State, Zip: _____ SIGN: _____
 (HM) _____ (Ofc) _____ (Cell) _____

THIS APPLICATION IS FOR: (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fence Construction
<small>(Submit plans)</small> | <input type="checkbox"/> Driveway/sidewalk
<small>(Submit plans)</small> | <input type="checkbox"/> Drainage Plan
<small>(Submit plans)</small> |
| <input checked="" type="checkbox"/> Other - Describe: <u>Synthetic Turf</u>
<small>(Submit construction plans if applicable)</small> | | |

COMMENTS: _____

NOTE: ALL PLANS SHALL SHOW LOCATION OF EXITING WATER METER(S), SANITARY SEWER CLEANOUTS, MANHOLES, FIRE HYDRANTS, WATER VALVES and EASEMENTS.

DO NOT WRITE BELOW THIS LINE

DO NOT WRITE BELOW THIS LINE

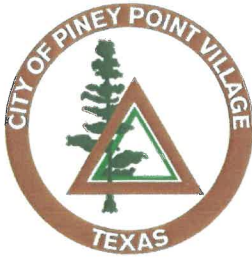
MVWA ACTION TAKEN

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> APPROVED | <input type="checkbox"/> APPROVED as noted | <input type="checkbox"/> RE-SUBMIT as noted | <input type="checkbox"/> DENIED as noted |
| <input type="checkbox"/> Fence Construction | - _____ | | |
| <input type="checkbox"/> Driveway/sidewalk | - _____ | | |
| <input type="checkbox"/> Drainage Plan | - _____ | | |
| <input type="checkbox"/> Other | - _____ | | |

Acknowledgement by Owner/Representative

MVWA Official

Print Name, Initial & Date (at the time form is picked up)



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PERMITS AND INSPECTIONS DIVISION
 7676 Woodway Dr, Suite 300
 Houston, Texas 77063
 Phone: (713) 782-1757 / Fax: (713) 782-3178
 bldgofficial@pineypt.org

Tree Disposition Plan

Date: _____

Project Address: _____

SQ FT of Property: _____

Contractor Name: _____

Phone: _____ Fax: _____ E-Mail: _____

Owner: _____

Phone: _____ Fax: _____

The following items must be attached:

- Trees Removed YES _____ NO _____
- Tree Survey (signed by a certified forester)
 - Specie, Trees 3" > DBH
 - Narrative/Report on Trees
(i.e. removals, replacements, treatments)
- Proposed Site Plan

Project (Please circle one of the following)

New Single Family Dwelling Remodel/Addition Pool
 Garage Demolition Tree Removal **Other: Synthetic Turf**

I hereby certify that I have completed the above information to the best of my ability. I understand that any information submitted in error will result in Tree Disposition Plans and Surveys being returned and an additional re-checking fee being assessed.

Signature: _____ Date _____

Name (Print): _____ Title _____

City Forester: _____ Date _____

NO OTHER TREE REMOVALS WITHOUT REVISED TDP AND CITY APPROVAL.

City Urban Forester – Cary Moran – (832) 952-1136 – cary@pineypt.org



New Building Codes

International Residential Code

- IRC 2018

International Fire Code

- IFC 2018

International Plumbing Code

- IPC 2018

International Mechanical Code

- IMC 2018

International Energy Code Council

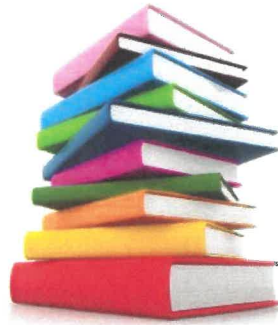
- IECC 2018

National Electrical Code

- NFPA 70 2020

For All Code Information

Please go to www.municode.com



Go to:

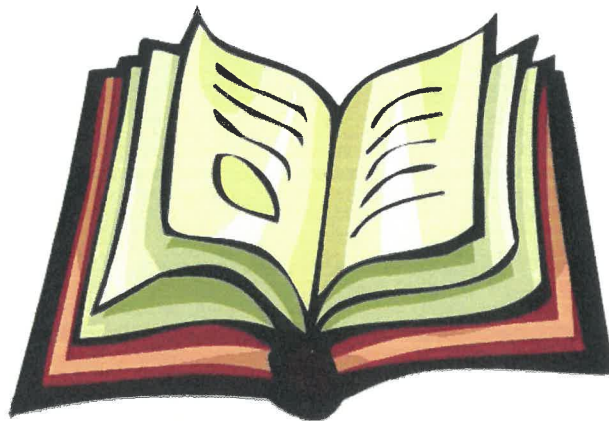
Municode Library

Click on:

State of Texas

Go To:

Piney Point Village

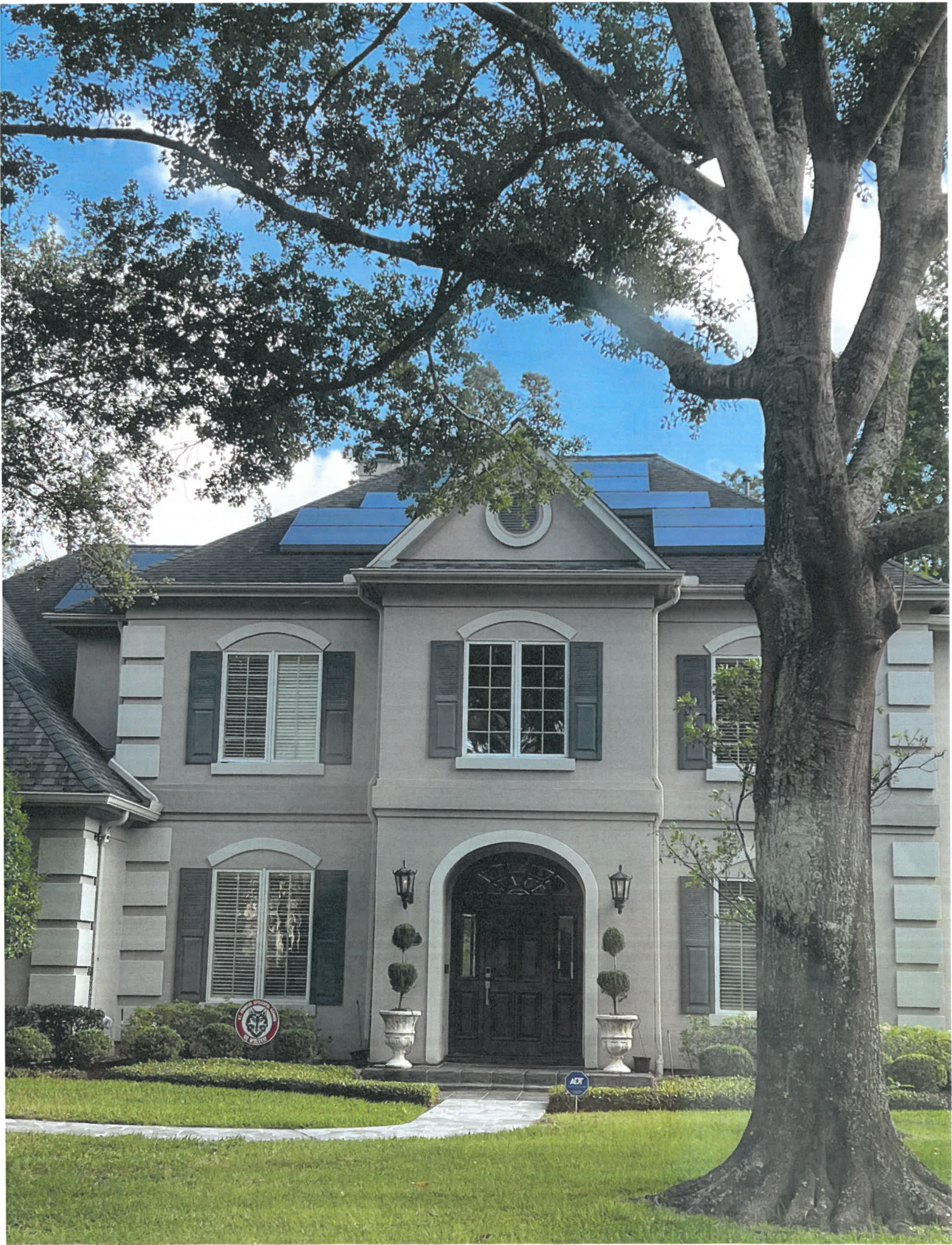


CITY OF BUNKER HILL
SOLAR PANEL INSTALLATION

The City of Bunker Hill has adopted the [2020 National Electrical Code](#) as produced by NFPA70.

- a. All wiring shall meet all requirements outlined in this code.
- b. All services supplying dwelling units must meet Article 230.67 Surge Protection
- c. IN ADDITION, the City allows ONLY copper conductors beyond the electric meter. NO ALUMINUM CONDUCTORS ALLOWED.
- d. The City of Bunker Hill does not control any deed restrictions or Home Owner Association requirements if they exist. Homeowners must determine if there are any requirements from these entities.
- e. Solar Panel design and installation shall meet or exceed wind load ratings for the type of structure it is being installed onto. At no time may a solar panel installation decrease the structural strength of a structure.
- f. A Solar Panel Permit is required to be obtained prior to beginning your work.
- g. [CenterPoint Energy Service Standards](#)

[REGISTER OR APPLY TO PURCHASE PERMITS](#)





ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

* * * * *

WHEREAS, the City of Spring Valley Village, Texas (the "City") adopted regulations related to the location and installation of solar panels within the City on November 14, 2017; and

WHEREAS, the Texas Legislature, in its 87th session, approved Senate Bill 398 restricting and municipal regulation of solar panels; and

WHEREAS, the City Council of the City finds that the regulations contained herein are in the best interest of the health, safety and welfare of the public; and

WHEREAS, the Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council adopt the amendments to the zoning regulations contained herein as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Zoning Commission that such amendments be approved; now, therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Subsection 02.19, Solar Panels, of Section 5, Building and Use Restrictions in Dwelling District "A" of Exhibit A, Zoning Regulations, of Chapter 12, Planning and Zoning, is hereby amended by deleting the language struck through below and adding the language underscored below, Subsection 05.02.19, Solar Panels, to read as follows:

"05:02.19 - Solar Panels:

.01 Solar panels are permitted structures subject to the regulations set forth herein.

.02 Definitions . For the purposes of this section, the following words and phrases shall have the meanings ascribed to them below:

.01 Solar Panel shall mean a structure containing one (1) or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system. The term shall not include individually powered outdoor solar lights, such as garden lights, accent lights, security lights, or flood lights.

.03 All solar panels and the installation of solar panels shall comply with all provisions of the city's Code of Ordinances, including building codes and tree regulations, and shall be installed only after issuance of a building permit.

.04 Roof-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall be permitted on the roof of a building provided that the panels do not extend higher than or beyond the roofline ~~are not visible from any front or side adjacent street;~~

.02 Solar panels shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof;

.03 Solar panels shall be permitted on the roof slope of an accessory building or structure, subject to the regulations in subsections .05.02 and ~~.05.04~~ below; and

.04 The frame, support panels and all visible piping or wiring shall be in a silver, bronze, or black tone commonly available in the marketplace; and

~~.045~~ Solar panels on flat roofs shall not exceed the maximum height permitted in the applicable zoning district.

.05 Ground-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall not constitute the primary use of the property;

.02 Solar panels shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures;

~~.03 Solar panels shall not be located between a property line abutting a street and a structure~~ within a fenced yard or patio; and

~~.04 Solar panels shall be screened from view of the street or adjacent properties by an opaque screening in fence. Such fencing shall comply with the city's fencing regulations~~ not be taller than the fence line;

~~.05 The maximum height of solar panels shall not exceed six (6) feet in height; and~~

~~.06 To the extent possible, all conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.~~

.06 Solar panels incorporated into building materials such as roof shingles or tiles, windows, siding, or other architectural features integral to a building's design and are reasonably indistinguishable from traditional building materials may be installed on any roof or façade of the building. The eligibility of any solar panel under this section shall be within the discretion of the building official.

.07 Exceptions . The city council, upon application, may approve a location for roof-mounted or ground-mounted solar panels not permitted by this section. Prior to granting such approval, the city council shall conduct a public hearing regarding the alternate location. Written notice of

the public hearing shall be mailed to property owners of real property, as they appear on the most recent tax roll of the city, situated within two hundred (200) feet of the exterior boundary of the property on which the solar panel is requested at least ten (10) days prior to the date of the hearing. Notice of the public hearing shall also be published in the city's official newspaper at least ten (10) days prior to the date of the hearing.

Section 3. Any person, corporation or entity who or which shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance 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 Spring Valley Village, 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.

PASSED, APPROVED AND ORDAINED, this the ____ day of _____, 2021.

Marcus Vajdos
Mayor

ATTEST:

Roxanne Benitez
City Secretary