



MEMORANDUM

TO: Cate Black, Planning Commission Chair
Planning Commission

FROM: Dustin Henry, AICP – Coastal Resources and Floodplain Manager
Development Services Department

DATE: June 2, 2020

RE: **Comments from the GLO and from Other Departments & Utility Providers**

Comments from the Texas General Land Office

The General Land Office (GLO) requires local governments to forward a copy of a complete application for a Beachfront Construction Certificate/Dune Protection Permit for their review¹. When making the determination whether to approve an activity proposed in a Beachfront Construction Certificate/Dune Protection Permit application, a local government is required to review and consider the application and its consistency with state and local laws regarding dune protection and beach access, and additionally to consider the comments of the General Land Office.²

Development Services Department staff include a copy of the GLO comment letter on a proposed activity as an attachment to the staff report prepared for applications that are presented to the Planning Commission. Staff have customarily also copied the GLO comments in their entirety as recommended conditions of approval in staff reports to the Planning Commission.

Staff has recently become aware that this practice occasionally presents the Planning Commission with a conundrum, as occasionally some comments from the GLO are written as a suggestion or recommendation to the applicant, and do not necessarily reference a rule of the Texas Administrative Code or requirement of the City's Dune Protection and Beach Access Plan.

Moving forward, staff will continue to include a copy of the GLO comment letter as an attachment to the staff report; however, we will discontinue the practice of copying and pasting all GLO comments as recommended conditions of approval in staff reports. Only those comments that reference applicable TAC rules or requirements of the City's Dune Protection and Beach Access Plan will be incorporated into the staff report as recommended conditions of approval.

Comments from Other Departments & Utility Providers

The Director of Development Services, other City Departments, the county, and service or utility providers that may be affected by the project have the authority to review applications and add requirements to the submittal when it is reasonably foreseeable that additional information will be needed to resolve questions of compliance with the requirements of the Land Development Regulations or of other policies or plans of the City.³ When staff receives comments from the aforementioned reviewers, they are incorporated as recommended conditions of approval in staff reports for applications that go before the Planning Commission.

Planning Commission approval of an application is often times the first of several required approvals for a proposed development. As such, it is appropriate for the applicant to be informed at that time of any additional issues that need to be addressed prior to the issuing of the final building permit. Please note, these issues may not be related to Beachfront permitting but are being provided for the applicant's information.

¹ [31 Tex. Admin. Code § 15.3\(s\)\(6\)](#)

² [31 Tex. Admin. Code § 15.3\(s\)\(7\)](#) and [City of Galveston Dune Protection and Beach Access Plan § \(k\)\(2\)\(k\)](#)

³ [LDR Sec. 13.303\(E\)](#)