

## ACTION FORM BRYAN CITY COUNCIL

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| <b>DATE OF COUNCIL MEETING:</b> March 6, 2012  |  | <b>DATE SUBMITTED:</b> February 15, 2012 |  |
| <b>DEPARTMENT OF ORIGIN:</b> Development Services  |  | <b>SUBMITTED BY:</b> Randy Haynes        |  |
| <b>MEETING TYPE:</b>   | <b>CLASSIFICATION:</b>                             | <b>ORDINANCE:</b>                        | <b>STRATEGIC INITIATIVE:</b>               |
| <input type="checkbox"/> BCD   | <input checked="" type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1ST READING     | <input type="checkbox"/> DIVERSITY         |
| <input type="checkbox"/> SPECIAL   | <input type="checkbox"/> CONSENT                   | <input type="checkbox"/> 2ND READING     | <input type="checkbox"/> EDUCATION         |
| <input checked="" type="checkbox"/> REGULAR  | <input type="checkbox"/> STATUTORY                 |  | <input checked="" type="checkbox"/> GROWTH |
| <input type="checkbox"/> WORKSHOP  | <input type="checkbox"/> REGULAR                   |  | <input checked="" type="checkbox"/> IMAGE  |
|  |  |  | <input type="checkbox"/> INFRASTRUCTURE    |
|  |  |  | <input type="checkbox"/> PUBLIC SAFETY     |
| <b>AGENDA ITEM DESCRIPTION:</b> Consideration of an ordinance to amend Chapter 130 (Zoning) of the City of Bryan Code of Ordinances, by adding definitions for “assisted living facility” and “personal care home” uses as well as “personal care services” and determining in which zoning district said uses will be permitted, and by amending existing definitions for “nursing home”, “medical facilities or clinics” and “group home or community home” uses.  |  |  |  |
| <b>SUMMARY STATEMENT:</b> During the joint meeting held in November, 2010, between the City Council and the Planning and Zoning Commission (P&Z), the P&Z was directed to establish a subcommittee to study and report on the subject of personal care homes and how they relate to zoning, the general development and future growth of Bryan as well as the safety and welfare of its citizens.  |  |  |  |
| A P&Z subcommittee was formally appointed, and met four times between February and July 2011. Following a report of the subcommittee findings presented to the full P&Z on August 4, 2011, the Commission unanimously approved a resolution accepting the report and adopting its findings and recommendations. The resolution is attached to this Council Action Form.  |  |  |  |
| The ordinance under consideration during the City Council’s regular meeting on March 6, 2012, if approved, will amend zoning regulations relating to personal care homes, as recommended by the P&Z. In addition to defining assisted living facilities and personal care homes, the proposed text amendment contains language altering several related definitions to clarify the ordinance and/or to reflect changes in Texas law that have occurred since the passage of the current version. Summarizing the changes proposed, the text amendment will:  |  |  |  |
| <ul style="list-style-type: none"> <li>• Add a definition of personal care home;</li> <li>• Add a definition of assisted living facility;</li> <li>• Specify in which zoning districts assisted living facilities and personal care homes will be allowed, those being all residential zoning districts;</li> <li>• Require that all personal care homes participate in a no-cost municipal registration system;</li> <li>• Specify that all assisted living facilities and personal care homes invite and allow site visits by advocacy groups such as the Area Agency on Aging;</li> <li>• Alter the definition of Group Home, aligning it with current Texas law;</li> <li>• Limit the number of automobiles that may be parked at and around assisted living facilities, personal care homes and group homes in residential neighborhoods; and</li> <li>• Limit the type and size of signage allowed at assisted living facilities, personal care homes and group homes in residential neighborhoods.</li> </ul> |  |  |  |
| During its meeting on February 2, 2012, the P&Z unanimously recommended approving the proposed text amendments.  |  |  |  |
| <b>STAFF ANALYSIS:</b>   |  |  |  |
| <b>A. PROS:</b>  |  |  |  |

1. The proposed amendment would permit by right in residential zoning districts a type of personalized living arrangement and choice that appears to be preferred by a significant number of people and that generally cannot be duplicated in a larger scale nursing home operation.
2. The proposed amendment will align the zoning ordinance with current State law.
3. The proposed amendment will enhance safety preparedness by establishing a registry of residential homes that may house individuals who would require additional assistance during an emergency.
4. The proposed amendment represents reasonable accommodation in the Zoning Ordinance to a constitutionally protected class of citizens.

**B. CONS:**

1. Accommodation of this type of business model may make Bryan more attractive to those disabled residents currently living in areas with fewer healthcare options thus increasing the population of citizens unable to care for themselves.
2. Will allow by right a use that some consider primarily an un-regulated, for-profit commercial rather than residential use to exist within residential zoning districts.

**STAFF'S RECOMMENDATION (Including Rationale and Justification):** Staff concurs with the P&Z and recommends approving the proposed text amendment to the Bryan Code of Ordinances concerning personal care facilities. Staff believes these small-scale assisted-living arrangements for zoning purposes are much closer in terms of land use to a residence ordinarily occupied by a family rather than any other land use.

**OPTIONS (In Suggested Order of Staff Preference):**

1. approve ordinance amendment, as recommended by the P&Z;
2. approve ordinance amendment, with modifications (which may require City Council consideration at a future City Council meeting); or
3. do not approve this ordinance amendment at this time and provide direction to staff.

**ATTACHMENTS:**

1. draft ordinance;
2. excerpt from the P&Z's regular meeting minutes of February 2, 2012;
3. staff memorandum to the P&Z; and
4. P&Z resolution on personal care homes (separate PDF document).

**FUNDING SOURCE:** N/A

**APPROVALS** Lindsey Guindi, 2/16/12; Joey Dunn, 2-16-12; Hugh R. Walker, 02/17/2012

**APPROVED FOR SUBMITTAL: CITY ATTORNEY** Janis K. Hampton, 02/19/2012

**APPROVED FOR SUBMITTAL: CITY MANAGER** Kean Register, 02/15/2012

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY ADDING DEFINITIONS FOR “ASSISTED LIVING FACILITY”, “PERSONAL CARE HOME”, AND “PERSONAL CARE SERVICES”; AMENDING THE DEFINITIONS OF “GROUP HOME/COMMUNITY HOME”, “MEDICAL FACILITIES OR CLINICS” AND “NURSING HOME”; PERMITTING PERSONAL CARE HOMES BY RIGHT IN AGRICULTURAL – OPEN DISTRICT (A-O), RESIDENTIAL DISTRICT – 7000 (RD-7), RESIDENTIAL DISTRICT – 5000 (RD-5), MULTIPLE-FAMILY RESIDENTIAL DISTRICT (MF), MIXED USE – RESIDENTIAL DISTRICT (MU-1), MIXED USE DISTRICT (MU-2), AND SOUTH COLLEGE – RESIDENTIAL DISTRICT (SC-R); PERMITTING PERSONAL CARE HOMES WITH ONE OR TWO RESIDENTS BY RIGHT IN THE RESIDENTIAL-NEIGHBORHOOD CONSERVATION DISTRICT (R-NC); PERMITTING PERSONAL CARE HOMES WITH THREE RESIDENTS WITH APPROVAL OF A CONDITIONAL USE PERMIT IN THE RESIDENTIAL – NEIGHBORHOOD CONSERVATION DISTRICT (R-NC); PERMITTING ASSISTED LIVING FACILITIES BY RIGHT IN OFFICE DISTRICT (C-1), RETAIL DISTRICT (C-2), COMMERCIAL DISTRICT (C-3), DOWNTOWN NORTH DISTRICT (DT-N), DOWNTOWN SOUTH DISTRICT (DT-S), DOWNTOWN CIVIC DISTRICT (DT-C), AND SOUTH COLLEGE – BUSINESS DISTRICT (SC-B) AND PERSONAL CARE HOMES WITH APPROVAL OF A CONDITIONAL USE PERMIT IN OFFICE DISTRICT (C-1), RETAIL DISTRICT (C-2), COMMERCIAL DISTRICT (C-3), DOWNTOWN CIVIC DISTRICT (DT-C), AND SOUTH COLLEGE – BUSINESS DISTRICT (SC-B); PERMITTING GROUP HOMES/COMMUNITY HOMES BY RIGHT IN SOUTH COLLEGE – RESIDENTIAL (SC-R) ZONING DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THIS ORDINANCE WAS PASSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, which divides the City of Bryan into various zoning districts and allows land uses within each of those districts; and

**WHEREAS**, the City Council recognizes the need from time to time to amend the Zoning Ordinance so as to provide for new forms of land use that either were not or could not have been anticipated at the time zoning regulations were adopted; and

**WHEREAS**, the Comprehensive Plan calls for periodic reevaluation of the current zoning code to provide for an efficient development process and to facilitate orderly, efficient, attractive, development and redevelopment in City of Bryan; and

**WHEREAS**, on November 9<sup>th</sup>, 2010, City Council directed that the Planning and Zoning Commission appoint a subcommittee to review issues pertaining to personal care services and related zoning uses and to submit findings and recommendations identifying possible benefits and consequences of adding the uses to the Zoning Ordinance to City Council; and

**WHEREAS**, on August 4<sup>th</sup>, 2011 the subcommittee presented their findings to the full Planning and Zoning Commission; and

**WHEREAS**, the Planning and Zoning Commission recommended during its February 2, 2012 regular meeting that the City's zoning regulations be amended to include definitions and regulations for residential personal care uses as well as amended the definitions of group home/community home, medical facilities or clinics, and nursing homes; and

**WHEREAS**, the City Council has held a public hearing on the proposed amendment for which notice was published at least fifteen days prior to the hearing date;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

1.

That Section 130-3 (Definitions) of the Bryan Code of Ordinances is amended by adding the following definitions:

*Assisted Living Facility* means a residential establishment licensed under Chapter 247 of the Texas Health and Safety Code (or its successor statute) that provides food, shelter and Personal Care Services to persons unrelated to the proprietor of the establishment.

*Personal Care Home* means a residential establishment that provides food, shelter and Personal Care Services to three or less persons unrelated to the proprietor of the establishment.

*Personal Care Services* means (1) the assistance with feeding, dressing, moving, bathing, or other personal needs or maintenance, (2) the administration of medication by a person licensed or otherwise authorized in this state to administer the medication or provides assistance with or supervision of the administration of medication, or (3) general supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence, regardless of whether a guardian has been appointed for the person.

2.

That Section 130-3 (Definitions) is amended by deleting the definition of group home/community home and adding a new definition for group home/community home, to read as follows:

~~*Group home/community home* shall mean to qualify as a group/community home, an entity must provide the following services to persons with disabilities who reside in the home:-~~

~~Food and shelter;~~

~~Personal guidance;~~

~~Care;~~

~~Habitation services; and~~

~~Supervision.~~

~~It must be a community based residential home operated by the Texas Department of Mental Health and Mental Retardation or a community center organized under section 3.01 of the Texas Mental Health and Mental Retardation Act, or an entity subject to the Texas Non Profit Corporation Act (Vernon's Ann. Civ. St. art. 1396 1.01 et seq.), or an entity certified by the Texas Department of Human Services as a provider under the medical assistance program serving persons in intermediate care facilities for persons with mental retardation. The home must have not more than six persons with disabilities and two supervisors residing in the home at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another. The home may not be established~~

~~within one half mile of an existing group/community home. For purposes of this definition, "person with a disability" means a person whose ability to care for himself or herself, perform manual tasks, learn, work, walk, see, hear, speak, or breathe is substantially limited because the persons has:~~

~~An orthopedic, visual, speech, or hearing impairment;~~

~~Alzheimer's disease;~~

~~Pre senile dementia;~~

~~Cerebral palsy;~~

~~Epilepsy;~~

~~Muscular dystrophy;~~

~~Multiple sclerosis;~~

~~Cancer;~~

~~Heart disease;~~

~~Diabetes;~~

~~Mental retardation;~~

~~Autism; or~~

~~Emotional illness.~~

*Group Home or Community Home* means a residential establishment licensed by the State of Texas, where not more than six physically or mentally impaired or handicapped persons are provided food and shelter, as well as supervised care and rehabilitation by not more than two persons residing in the home at the same time. The limitation on the number of persons applies regardless of the legal relationship of those persons to one another. The home must be operated by (1) the Texas Department of Mental Health and Mental Retardation; (2) a community center organized under Subchapter A, Chapter 534, Texas Health and Safety Code, that provides services to persons with disabilities; (3) an entity subject to the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes); (4) an entity certified by the Texas Department of Human Services as a provider under the medical assistance program serving persons in intermediate care facilities for persons with mental retardation; or (5) an Assisted Living Facility licensed under Chapter 247, Texas Health and Safety Code, provided that the exterior structure retains compatibility with the surrounding residential dwellings.

3.

That Section 130-3 (Definitions) is amended by deleting subparagraph (1) from the definition of "Medical facilities or clinics" and renumbering the remaining subparagraphs accordingly.

*Medical facilities or clinics.*

~~(1) Convalescent, rest or nursing home shall mean a health facility used for or customarily occupied by persons recovering from illness or suffering from infirmities of age, and furnished meals or continuing nursing care for compensation.~~

4.

That Section 130-3 (Definitions) is amended by deleting the definition of "Nursing Home" and adding a new definition for "Nursing Home", to read as follows:

~~*Nursing home (retirement home)* shall mean a home where elderly or handicapped persons are provided with lodging, meals and nursing care~~

*Nursing Home* means a residential establishment licensed under Chapter 242 of the Texas Health and Safety Code (or its successor statute), that furnishes food and shelter to persons unrelated to the proprietor of the establishment and provides minor treatment under the direction and supervision of a

physician licensed by the Texas Medical Board, or other services that meet some need beyond the basic provision of food, shelter, and laundry.

5.

That Sections 130-9(b) (A-O, Agricultural-Open District, Permitted uses), 130-10(b) (RD-7, Residential District-7000, Permitted uses), 130-12(b) (MF, Multiple-Family Residential District), 130-22(b) (SC-R, South College-Residential District, Permitted uses), and 130-30(b) (MU-2, Mixed Use District, Permitted uses) are amended by adding “Personal Care Homes” to the list of permitted uses.

6.

That Section 130-31(b) (R-NC, Residential-Neighborhood Conservation District, Permitted uses) is amended by adding “Personal Care Homes with 1 or 2 residents” to the list of permitted uses.

7.

That Section 130-31(c) (R-NC, Residential-Neighborhood Conservation District, Conditional uses) is amended by adding “Personal Care Homes with 3 residents” to the list of uses permitted with Conditional Use Permit approval.

8.

That Sections 130-13(b) (C-1, Office District, Permitted uses), 130-17(b) (DT-N, Downtown North District, Permitted uses), 130-18(b) (Downtown South District, Permitted uses), 130-19(b) (DT-C, Downtown Civic District, Permitted uses), and 130-21(b) (SC-B, South College-Business District, Permitted uses), are amended by adding “Assisted Living Facilities” to the list of permitted uses.

9.

That Sections 130-13(c) (C-1, Office District, Conditional uses), 130-19(c) (DT-C, Downtown Civic District, Conditional uses), and 130-21(c) (SC-B, South College-Business District, Conditional uses), are amended by adding “Personal Care Homes” to the list of uses permitted with Conditional Use Permit approval.

10.

That Section 130-22(b) (SC-R, South College-Residential District, Permitted uses) is amended by adding “Group Homes/Community Homes” to the list of permitted uses.

11.

That Section 130-34 (Special and supplementary regulations) is amended by adding a new subparagraph (k) to read as follows:

*(k) Group Home and Personal Care Home requirements.*

(1) Personal Care Homes are required to contact the local office of Area Agency on Aging (or successor agency) and provide their contact information.

(2) Ten business days prior to opening, Group Homes and Personal Care Homes must register with the City. Proof of notification to the Area Agency on Aging (or successor agency) is required for registration of Personal Care Homes. There is no fee associated with the registration.

(3) Additional requirements for Group Homes and Personal Care Homes located in residential districts:

a. Residents of Group Homes and Personal Care Homes may not keep for the use of the residents of the home, either on the premises of the home or on the public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.

b. Group Homes and Personal Care Homes are allowed one sign, not exceeding one square foot in area, non-illuminated, and mounted flat against the wall of the principal building.

12.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

13.

That the Code of the City of Bryan, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

14.

That if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

15.

That it is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meetings was given.

16.

It is the intention of the City Council that this ordinance shall become a part of the Bryan City Code and it may be renumbered and codified therein accordingly

17.

That a person who violates any section of this ordinance is guilty of a misdemeanor and upon conviction is punishable in accordance with Section 1-14 of the City of Bryan Code.

18.

That the City Secretary is directed to publish this ordinance in a newspaper of general circulation in the City of Bryan in compliance with the provisions of the City Charter, which publication shall be sufficient if it contains the title of this ordinance, the penalty provided therein for violation thereof, and the effective date of the ordinance.

That this ordinance shall take effect from and after its final passage and publication as required by law. The effective date of this Ordinance will be \_\_\_\_\_.

PRESENTED AND GIVEN first reading the 6<sup>th</sup> day of March, 2012 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 20<sup>th</sup> day of March, 2012 by a vote of \_\_\_ yeses and \_\_\_ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Jason P. Bienski, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Janis K. Hampton, City Attorney



**EXCERPT FROM THE PLANNING AND ZONING COMMISSION'S FEBRUARY 2, 2012  
REGULAR MEETINGS MINUTES:**

- 9. Proposed Text Amendments to Bryan Code of Ordinances Chapter 130 M. Zimmermann**  
*A proposal to amend the text of Bryan Code of Ordinances Chapter 130, Zoning, by adding definitions for “assisted living facility” and “personal care home” uses as well as “personal care services” and determining in which zoning district said uses will be permitted, and by amending existing definitions for “nursing home”, “medical facilities or clinics” and “group home or community home” uses.*

Mr. Zimmermann presented background information (on file in the Development Services office).

Responding to a question from Commissioner Hickle, Mr. Zimmermann stated that planning literature suggests that group homes should be scattered throughout residential districts rather than concentrated in any single neighborhood or single block to help prevent the emergence of de facto social services districts in which aspects of an institutional atmosphere would be recreated. Staff suggests that the Commission consider a minimum 1,000-foot separation between personal care homes in addition to restrictions on the number of motor vehicles and signage. Mr. Zimmermann reminded that all of these restrictions are merely proposed for consideration and that it would be up to the Commission to recommend a draft ordinance to City Council.

The public hearing was opened.

Mr. Lloyd Joyce, 3924 Park Meadow, spoke in opposition to the text amendment. He stated that the Commission should try to protect neighborhoods and to keep businesses out of them.

Ms. Tommie Powers, 806 East 29<sup>th</sup> Street, spoke in favor of the text amendment, stating that she operated a personal care home and that being in a home setting is better for the patients than being in a facility. She stated she has not received any complaints from neighbors.

Commissioner Gutierrez stated that he lived in the neighborhood and that he appreciated the work they were doing for the City and the aging population.

Mr. Joseph Powers, 404 South Haswell Street, spoke in favor of the text amendment, stating that he operated a personal care home and that he considers his business to be a home. He stated his objection to a separation requirement between care homes.

The public hearing was closed.

Commissioner Bond stated that he had been to Mr. Powers' home on East 29<sup>th</sup> Street and commended the Powers for their service.

**Commissioner Hickle moved to recommend approval to the City Council for the proposal to amend the text of Bryan Code of Ordinances Chapter 130, adding definitions for “assisted living facility,” “personal care home” and “personal care services” and determining in which zoning district said uses will be permitted and by amending existing definitions for “nursing home”, “medical facilities or clinics” and “group home or community home” uses, with the stipulation that there be no minimum 1,000-foot separation required between personal care homes and existing group homes or personal care homes. Commissioner Bond seconded the motion.**

Chairperson Beckendorf asked if there was any discussion.

Commissioner Hickle commended staff for their work on the amendment, and thanked the Joyce's and the Powers for their input. He stated that the Commission wants to protect neighborhoods, but the separation requirement is too restrictive.

Commissioner Bond echoed Commissioner Hickle. He stated that the elderly should be given the option to live in a place like a home.

Commissioner Gutierrez asked whether the section regarding the motor vehicle restriction should be removed. Commissioner Gonzalez suggested that the language regarding the motor vehicle restriction may be too vague. After Mr. Zimmermann recited the proposed section Commissioner Gonzalez agreed that the proposed language seemed to be sufficient.

**The motion passed with a unanimous vote.**

**PLANNING AND ZONING COMMISSION  
MEMORANDUM**

**February 2, 2012**



**Proposed text amendments to the Zoning Ordinance adding two new uses, defined as “Assisted Living Facility” and “Personal Care Home” and determining in which zoning districts these new uses should be permitted, and amending the definitions of “Group Home/Community Home”, “Medical facilities or clinics” and “Nursing home”.**

**BACKGROUND:**

During the joint meeting held in November, 2010, between the City Council and the Planning and Zoning Commission, the P&Z was directed to establish a subcommittee to study and report on the subject of personal care homes and how they relate to zoning, the general development and future growth of Bryan as well as the safety and welfare of its citizens. The subcommittee was formally appointed, and between February and July 2011 met 4 times. Following a report of the subcommittee findings presented to the full P&Z on August 4, 2011, the full commission unanimously approved a resolution accepting the report and adopting its findings and recommendations.

For consideration during the regular meeting of the Commission, February 2, 2012, is a proposed text amendment to the Zoning Ordinance that, if ultimately passed by the City Council, will place into effect the findings of the P&Z relating to personal care homes. In addition to adding language establishing the status of assisted living facilities and personal care homes, the proposed text amendment contains language altering several related definitions to clarify the ordinance or to reflect changes in Texas law that have occurred since the passage of the current version.

Summarizing the changes proposed, the text amendment will:

- Add a definition of personal care home;
- Add a definition of assisted living facility
- Specify in which zoning districts assisted living facilities and personal care homes will be allowed, those being all residential zoning districts;
- Require that all personal care homes participate in a no-cost municipal registration system
- Specify that all assisted living facilities and personal care homes invite and allow site visits by advocacy groups such as the Area Agency on Aging;
- Alter the definition of Group Home, aligning it with current Texas law.
- Establish a minimum distance allowed between assisted living facilities, group homes or personal care homes.
- Limit the number of automobiles that may be parked at and around assisted living facilities, personal care homes and group homes in residential neighborhoods.
- Limit the type and size of signage allowed at an assisted living facilities, personal care homes and group homes in residential neighborhoods.

The P&Z agenda item includes a public hearing on the subject of the proposed amendment and should a motion be made, Commissioner discussion of details in the amendment and as always, the opportunity to direct changes be made before final passage.