



RICHMOND

EST. **TEXAS** 1837

Where History Meets Opportunity

Planning & Zoning Commission Meeting

City Commission Room | 600 Morton Street, Richmond, Texas 77469

Monday, October 3, 2022, at 5:00 P.M.

<i>Position 1:</i>	<i>Katherine M. Graeber – Kubelka (Chair)</i>
<i>Position 2:</i>	<i>Juan Martinez</i>
<i>Position 3:</i>	<i>Aimee Frederick</i>
<i>Position 4:</i>	<i>David Randolph</i>
<i>Position 5:</i>	<i>Noell Myska (Vice Chair)</i>

This meeting may be viewed by using the following Zoom meeting link:

Join Zoom Meeting

<https://us06web.zoom.us/j/82718060457?pwd=YUF5TVNrNUVhaEE5eTVjUW94ZmFvQT09>

Meeting ID: 830 1630 3062

Passcode: 883621

+13462487799,,83016303062#,,,,*883621# US (Houston)

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Dial by your location

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+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

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+1 646 931 3860 US

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Find your local number: <https://us06web.zoom.us/j/82718060457?pwd=YUF5TVNrNUVhaEE5eTVjUW94ZmFvQT09>

A QUORUM OF THE CITY COMMISSION MAY BE PRESENT AT THIS MEETING.

AGENDA

- A1. Call to Order, Determine Quorum, Declare Meeting Open.
- A2. Recite the Pledge of Allegiance to the U. S. Flag and the Texas Flag.
- A3. Public comments. (Public comment is limited to a maximum of 3 minutes per item. Time may not be given to another speaker. No Deliberations with the Commission).

CONSENT AGENDA

- B1. Review and approve minutes from the September 6, 2022, regular meeting (a copy is enclosed).
- B2. Next Planning and Zoning Commission meeting is Monday, November 7, 2022, at 5:00 p.m.

REGULAR AGENDA

Plat Applications

- C1. Review and recommendation of a final report to City Commission for a Preliminary Plat – Williams Ranch Business Park – 73.295 acres of land – 2 Blocks – 0 Lots – 5 Reserves. The subject site is located along the north side of Highway 59 and to the south of Williams Ranch and east of Del Webb residential subdivisions.

Other

- C2. Discussion on zero lot line development and other related regulations.
- C3. Discussion on Parking within Downtown and Olde Town districts.
- C4. Development related staff update.
- C5. Excuse from attendance at regular Planning and Zoning Commission Meeting.
- C6. Consider agenda item requests by Commissioners for November 7, 2022, regular meeting.

C7. **EXECUTIVE SESSION**

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A) (Open Meetings Law), "The Planning and Zoning Commission may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections;" 551.071 Consultation with Attorney.

E1. Executive Session for Consultation with Attorney.

C8. Adjournment.

In compliance with Americans with Disabilities Act, City of Richmond will provide reasonable accommodations for persons attending Planning and Zoning Commission meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Secretary's Office at 281-342-5456 for accommodations.



RICHMOND

EST. **TEXAS** 1837

Where History Meets Opportunity

Planning & Zoning Commission Meeting Minutes

City Commission Room | 600 Morton Street, Richmond, Texas 77469

Monday, August 15, at 5:00 P.M.

The Planning and Zoning Commission for the City of Richmond, Texas met in a joint meeting with City Commission on Monday, August 15, 2022, at 4:30 p.m. A quorum was present, with the following members in attendance:

Katherine M. Graeber-Kubelka (Chair)
Juan Martinez
Aimee Frederick
Noell Myska
David Randolph

A6. Joint Meeting of the City Commission and the Planning and Zoning Commission. (Mayor).

- (a) Call to Order Planning and Zoning Commission Meeting, Quorum Determined and Meeting Declared Open. (Kubelka)

Commissioner Kubeka called the meeting to order at 4:35 p.m.

- (b) Public Hearing to receive comments for or against a request by Chetan Dave/Steve Helm of Excelsior Partners LLC, representing River Ranch, Ltd / Larry K. Siller & Nathan C. and Teresa G. Young and the Young 2012 Descendant to conditionally rezoning an approximately 14.3294 acres tract of land from General Commercial (GC) to General Residential (GR), and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located at 2055 Richmond Parkway, north of Richmond Parkway and the Fountains at Jane Long Farms subdivision, west of the Ayala subdivision, and east of the Liberty Center retail development. (Mayor)

Hearing no public comments, the agenda item was closed.

- (c) (Planning and Zoning Commission) Review and consider a making a recommendation to the City Commission on the request by Chetan Dave/Steve Helm of Excelsior Partners LLC, representing River Ranch, Ltd./Larry K Siller & Nathan C. and Teresa G. Young and the Young 2012 Descendant Trust, to conditionally rezone an approximately 14.3294 acres tract of land from General Commercial (GC) to General Residential (GR), and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located at 2055 Richmond Parkway, north of Richmond Parkway and the

Fountains at Jane Long Farms subdivision, west of the Ayala subdivision, and east of the Liberty Center retail development. (Kubelka)

Mr. Garcia explained that it is a conditional rezoning and described the site's location and zoning history. He further explained that no site plan has been submitted. Staff recommends forwarding a recommendation of denial to the City Commission and the proposed rezoning does not ensure or reflect the City's planning objective. He explained that the proposed rezoning of general residential is not consistent with the future land use map.

Commissioner Frederick made a statement regarding the families that come to her business but do not reside in Richmond. According to her, these families and children love Richmond, and they dream of living here. However, they find it difficult to afford safe, secure, and family-oriented communities. Furthermore, she explained that our Comprehensive Master Plan explains that the City should offer a variety of housing types, prices, and locations to accommodate our community's varied needs. Those with modest dual incomes can't afford the housing in the area communities of Mandola and Veranda, and the city should explore what solutions it can offer. She concluded explaining that built to rent homes are coming, and urged the commissions to prioritize and seriously consider the design and construction of slightly smaller family homes and minimum lots, including cottages, townhomes, and various living options.

Several lengthy discussions were held regarding the properties in our city and ETJ, as well as the homes and apartments therein.

Mr. Smith, City Attorney, explained that the Planning and Zoning Commission is to be guided by the UDC. He explained that the Planning and Zoning Commission doesn't have the authority to approve the use that is not approved within the zoning.

The applicant addressed the commission and discussed the development.

The Planning and Zoning Commission convened in an Executive Session at 5:16.

At 5:51 p.m., the Planning and Zoning Commission returned to the City Commission meeting.

Commissioner Randolph moved to forward Staff's recommendation of denial to the City Commission. The motion was seconded by Commissioner Myska. The vote for the motion was unanimous. Commissioner Frederick voted nay.

(d) (Planning and Zoning Commission) Adjourn Planning and Zoning Meeting. (Kubelka)

Commissioner Kubelka adjourned the meeting at 5:53 p.m.

Approved:

Katherine M. Graeber-Kubelka (Chair)



RICHMOND

EST. **TEXAS** 1837

Where History Meets Opportunity

Planning & Zoning Commission Meeting Minutes

City Commission Room | 600 Morton Street, Richmond, Texas 77469

Monday, September 6, at 5:00 P.M.

The Planning and Zoning Commission for the City of Richmond, Texas met in a regular meeting on Monday, September 6, 2022, at 5:00 p.m. A quorum was present, with the following members in attendance:

Katherine M. Graeber-Kubelka (Chair)
Juan Martinez
Aimee Frederick
Noell Myska
David Randolph

Staff in attendance: Mason Garcia, Planning Director; Helen Landaverde, Planner II; Howard Christian, Assistant City Manager; Christine Cappel, Administrative Manager; and Gary Smith, City Attorney.

Commissioner Kubelka introduced agenda A2, Recite the Pledge of Allegiance to the U. S. Flag and the Texas Flag. Pledge of Allegiance to the U.S. Flag and Texas Flag was recited.

Commissioner Kubelka introduced agenda A3, Public comments, and asked if there were any public comments. Hearing no public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda item B1., Review and approve minutes from the August 1, 2022, meeting. Commissioner Myska moved to approve the minutes. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item B2., stating that the next Planning and Zoning Commission meeting would be on Tuesday, October 3, 2022, at 5:00 p.m.

Commissioner Kubelka introduced agenda item C1., Review and recommendation of a final report to City Commission for a Final Plat – Harvest Green Section Forty-One – 14.8 acres of land – 2 Blocks – 63 Lots – 3 Reserves. The subject site is part of the Harvest Green General Plan and it is located east of Harlem Drive and south of the proposed Harvest Home Drive Street Dedication and Reserves Sec 3. Mr. Garcia explained only 9 lots are in the City’s Extra-Territorial Jurisdiction (ETJ) of those, 3 are partially within our ETJ, and the rest of the section is outside of our ETJ. He concluded by recommending approval with conditions listed in the report. Commissioner Myska moved to forward Staff’s recommendation of a conditional approval to the City Commission. The motion was seconded by Commissioner Frederick. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C2., Review and recommendation of a final report to City Commission for a Short Form Final Plat – Harvest Home Drive Street Dedication Sec 3 – 9.858 acres of land – 1 Block – 0 Lots – 3 Reserves. The subject site is a section within the Harvest Green General Plan located on the east side of Harlem Road and south of Oyster Creek. Mr. Garcia explained that only a portion of this plat is within our ETJ, the other portions are outside of the City’s ETJ. Mr. Garcia recommended approval with conditions listed in the report. Commissioner Myska moved to forward Staff’s recommendation of a conditional approval to the City Commission. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C3., Review and recommendation of a final report to City Commission for a Replat – Morton Cemetery Section 8 – 0.069 acres of land – 9 Blocks – 60 Lots – 0 Reserves. The subject site is located at 403 North 2nd Street, south of Jane Long Street and north of Commerce Street. Mr. Garcia explained the applicant is proposing to replat the subject property without vacating the previous plat for the purpose of renumbering the existing 60 spaces, and the proposed replat will neither add more lots nor reduce the number of lots. Mr. Garcia recommended approval with conditions listed in the report. Commissioner Frederick moved to forward Staff’s recommendation of a conditional approval to the City Commission. The motion was seconded by Commissioner Myska. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C4., Review and recommendation of a final report to City Commission for a Short Form Final Plat – Plantation Plaza – 3.9949 acres of land – 1 Blocks – 0 Lots – 1 Reserve. The subject site is located at 1421 FM 359 street along the western side of FM 359. Mr. Garcia explained that the subject site contains two strip centers, as well as multiple metals buildings at the rear of the property. Mr. Garcia recommended approval with conditions listed in the report. Commissioner Frederick moved to forward Staff’s recommendation of a conditional approval to the City Commission. The motion was seconded by Commissioner Randolph. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C5a., Public hearing to receive comments for or against a request by Mario E. Lanza, of M Lanza Engineering, PLLC, representing Elite Line Properties LLC to rezone an approximate 10.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359. Hearing no public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda item C5b., Consideration of the approval of a final report to City Commission on agenda item C5a., above. Ms. Landaverde explained that this property was annexed into the City on August 15, 2022, and as a result it was automatically rezoned to general residential. The applicant is seeking a rezoning to suburban commercial to allow for the construction of the proposed 21 office warehouses. As Ms. Landaverde explained the project, the warehouses will be located on FM 359, an arterial street that is suitable for commercial use. Continuing, she explained that this project is in line with the Comprehensive Master Plan for the City and with the West Fort Bend Management District. Ms. Landaverde recommended Staff’s recommendation for approval of the proposed zone change of the subject site from General Residential (GR) to Suburban Commercial (SC), and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide an amendment thereto. Following a question-and-answer period with the Commissioners, Commissioner Myska moved to forward Staff’s recommendation of approval to the City Commission. The motion was seconded by Commissioner Frederick.

Commissioner Kubelka introduced agenda item C6a., Public hearing to receive comments for or against a request by Kyle Molitor, of Kimley-Horn & Associates, Inc., representing property owner Charles Klein to rezone an approximate 22.00 -acre tract of land from General Residential (GR) to Suburban Commercial (SC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359. Hearing no public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda item C6b., Consideration of the approval of a final report to City Commission on agenda item C6a., above. Ms. Landaverde explained that this property was annexed into the City on August 15, 2022, and as a result it was automatically rezoned to general residential. The applicant is proposing a charter school. She explained that this use would need have an approved Conditional Use Permit, and an approved variance because they do not meet the criteria for having a charter school at that location per the Unified Development Code (UDC). If the rezone is approved for suburban commercial, the proposed charter school would be permitted by right. Continuing, she explained that this project is in line with the Comprehensive Master Plan for the City. Ms. Landaverde recommended Staff's recommendation for approval of the proposed zone change of the subject site from General Residential (GR) to Suburban Commercial (SC), and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide an amendment thereto. A brief presentation about the school and its philosophy was given by the applicant followed by Talia Delos Santos, P.E. from Kimley-Horn. Ms. Santos explained TxDOT has requested another signal in the area as a result of a Traffic Impact Analysis (TIA). Following a question-and-answer period with the Commissioners, Commissioner Martinez moved to forward Staff's recommendation of approval to the City Commission. The motion was seconded by Commissioner Randolph.

Commissioner Kubelka introduced agenda item C7., Discuss Single Family Rental Community and Multifamily Development. Mr. Garcia discussed provisions and requirements within the UDC that pertain to multifamily development. His explanation continued by noting that the UDC does not include provisions allowing for these developments, and that they may need to be expanded or modified in order to accommodate single family parcels and rental communities with on-site maintenance and management. A lengthy discussion on build-to-rent housing continued with the Commissioners, as well as consideration of mixed-use zoning and new designations for multifamily housing.

Commissioner Kubelka introduced agenda item C8., Development related staff update.

The pre-application projects discussed included the following proposed projects:

- 315 Austin Street (OT) – Restaurant
- 105 Collins Road (GC) – Reopening of carwash and additional vehicle rental
- NE corner of Circle Seven Rd and Richmond Parkway (ETJ) – C-Store & Retail Space
- 111 Long Dr (GR) – Assisted Living
- 3821 Richmond Parkway (ETJ) – Riverpark West Recreation Center and swimming pool
- 513 FM 359 Rd (ETJ) – Proposed strip center
- 1500 Pultar Rd (ETJ) – Fort Bend Women's Center
- North of US 59 east of the East of Cortland Apartment Complex (ETF/WEFBMD) – Proposed office and medical office buildings

Projects under review discussed included the following proposed projects:

- SE Veranda Section 36 Phase II (ETJ) – Landscape

- 902 Richmond Parkway (ETJ) – Knile School
- 139 FM 359 (OT) – Business Park Warehouse

Commissioner Kubelka introduced agenda item C9., Excuse from attendance at regular Planning and Zoning Commission Meeting. All commissioners were in attendance.

Commissioner Kubelka introduced agenda item C10., Consider agenda item requests by Commissioners for October 3, 2022, regular meeting. Commissioner Frederick would like to discuss the Single-Family Rental Community and Multifamily Development along with what can be done about the parcel sizes in Olde Town. Commissioner Myska requested a general map of large parcels that are left in the City proper.

Commissioner Kubelka introduced agenda item C11., Adjournment. There being no further business to be brought before the Planning and Zoning Commission, Commissioner Kubelka adjourned the meeting at 7:05 p.m.

Approved:

Katherine M. Graeber-Kubelka (Chair)



PLANNING AND ZONING COMMISSION
Staff Report: Plat Application

Agenda Date: October 3, 2022
Agenda Item: C1.

Plat Name: Williams Ranch Business Park – Preliminary Plat
Applicant: Ryan Moeckel | McKim & Creed
Project Description: A subdivision of 73.295 acre tract of land located in the Jane H. Long League, A-55, Fort Bend County, Texas.
Zoning Designation: NA / ETJ

Reviewers: City of Richmond Development Review Committee (DRC)
Project Planner: Mason A. Garcia, Planning Director

Background/Review Notes

- *The subject site is located along the north side of US 59 and to the south of Williams Ranch and east of Del Webb residential subdivisions. Williams Ranch Section 6 and Del Webb Richmond Section 12-A and B and Section 13-B, residential subdivisions.*
- *The subject site is part of the Williams Ranch Municipal Utility District No. 1.*
- *The subject property is in the City’s ETJ and West Fort Bend Management District.*
- *The proposed Preliminary Plat includes five (5) reserves, zero (0) lots, in two (2) blocks.*
- *The applicant is proposing to extend Andado Lane to U.S. Highway 59.*
- *The subject site is proposed to be developed as: (1) light industrial (multi-building warehouses measuring approximately 650,000 square feet) which will include commercial (offices measuring approximately 97,500 square feet); and (2) multi-family units (approximately 380 units; 285 one (1) bedrooms units and 95 two (2) bedroom units. (Conceptual site plan attached).*

The proposed plat conforms to:

Approved Preliminary Plat YES NO N/A
Approved by City Commission on Click or tap to enter a date.

Development Plan YES NO N/A
Approved by City Commission Click or tap to enter a date.

UDC Division 6.3.500 Subdivision and Plat Approvals YES NO N/A

UDC Decision Criteria

Section 6.3.500 (F): The administering body may approve or conditionally approve plats only if it finds that the plat:

1. Conforms to any and all applicable provisions of this UDC.

The subject property is in the City's ETJ. The City of Richmond does not regulate zoning and/or land use restrictions for properties in the ETJ. Sites within the ETJ are required to meet all standards of Chapter 4 Site Design as well as Division 6.3.500 Subdivision and Plat Approvals.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties). The applicant is required to mitigate adverse impacts.

2. Promotes the public health, safety and general welfare.

There is development adjacent to the subject property, to the east and northwest side (residential subdivision Williams Ranch and Del Webb). The applicant is proposing a mixed-use development on the subject site consisting of commercial uses, light industrial (warehouses) and multi-family residential. The subject property is in the City's ETJ and zoning and/or land use restrictions for properties in the ETJ are not regulated. The subject property is also in the West Fort Bend Management District.

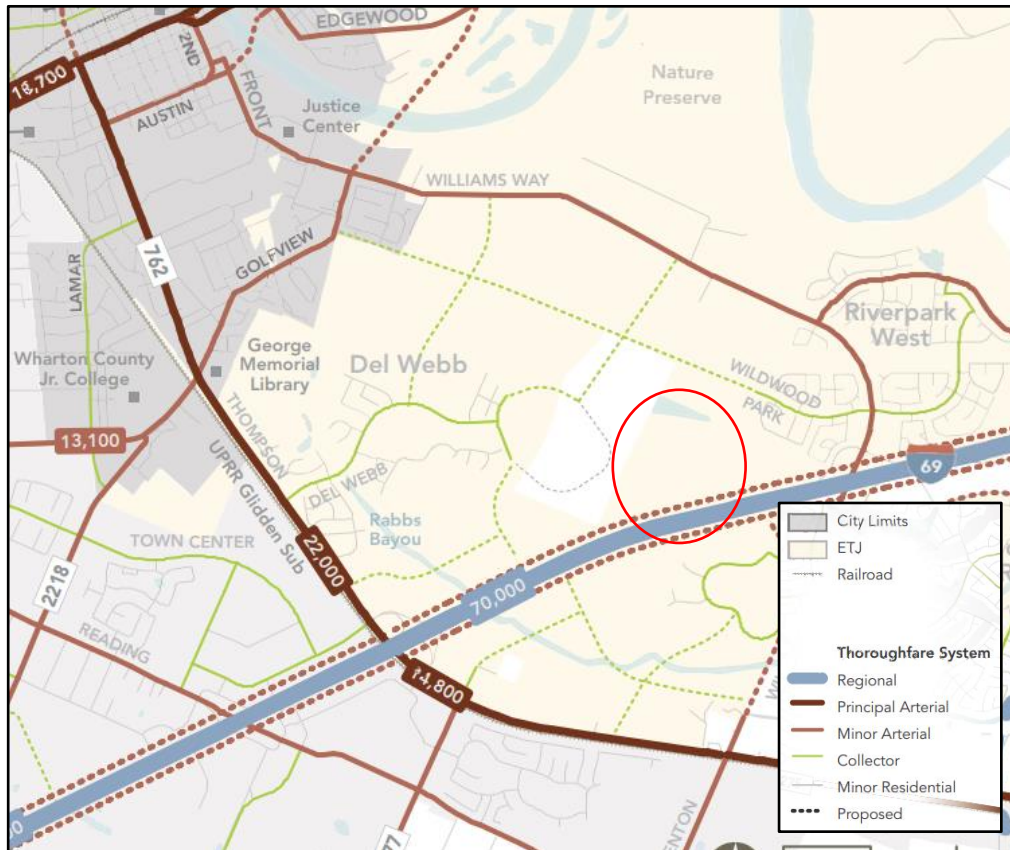
The proposed development may not preserve and enhance the character and quality of stable residential neighborhoods as per Sec.1.1.102.3.C of the UDC. The proposed development may not foster a convenient, compatible and efficient relationship among the surrounding land uses. The proposed development is partially consistent with the City's the Future Land Use Plan in the Comprehensive Plan, which has designated General Commercial zoning district for the subject property.

The proposed development is consistent with West Fort Bend Management District's Rules and Regulations.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

3. Provides for the proper arrangement of streets in relation to existing or proposed streets and conforms to the City's Thoroughfare Plan (as adopted in the Comprehensive Master Plan) for the extension of roads, streets, and public highways within the City, taking into account access to and extension of public utilities

The proposed preliminary plat provides for the proper arrangement of streets in relation to existing streets. The applicant is proposing to extend Andado Lane, local county street, to U.S. Highway 59, principal arterial. The proposed development would further the Thoroughfare Plan's proposed extension of the minor arterial along U.S. Highway 59 (see below). Arterial streets typically facilitate large volumes of traffic for major land use concentrations, such as commercial and light industrial uses.



4. Provides for the efficient movement of vehicular and pedestrian traffic.

The subject site is 73.295 acres. There is development adjacent to the subject property, to the east and to the northwest side (residential). The applicant is proposing to extend the existing Andado Lane, local county street, to U.S. Highway 59, could result in traffic related concerns for the abutting residential neighborhood; however, offsite connectivity for the proposed development would provide traffic related benefits (easier access to arterial streets). The proposed development could require a higher street qualification for Andado Lane such as a collector street.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

5. Ensures adequate and appropriately placed utilities.

The applicant has submitted a preliminary Drainage and Utility Layout Plan showing drainage and detention ponds (see attachments submitted with the plat application). The Engineering Department has no further comments regarding the preliminary Drainage and Utility Layout Plan.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

6. Provides access for firefighting apparatus as determined by the Fire Chief;

The applicant is proposing to extend the existing Andado Lane, local county street, to U.S. Highway 59 to allow for access to the property.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

7. Provides light and air and avoids congestion;

The applicant is proposing a total of five (5) reserves. Three (3) reserves will be restricted to drainage and detention:

- Reserve A will be approximately 2.9879 acres
- Reserve D will be approximately 7.2423 acres
- Reserve E will be approximately 9.3956 acres

The combined size of the restricted reserves will measure approximately 19.6258 acres.

Two (2) reserves will be unrestricted:

- Reserve B will be approximately 13.8193 acres
- Reserve C will be approximately 38.4538 acres

The combined size of the unrestricted reserves will measure approximately 52.2731 acres.

The subject property is in the City's ETJ and West Fort Bend Management District. Although the City does not regulate zoning and/or land use restrictions for properties in the ETJ, the West Fort Bend Management District development standards and applicable development standards for properties in the ETJ will apply at the development permit review stage. The City of Richmond reviews development permits/plan for properties in the West Fort Bend Management District.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

8. Facilitates the orderly and efficient layout and use of the land;

The subject site is 73.295 acres. The property is large enough to facilitate the orderly and efficient layout and use of the land. The applicant is proposing a commercial, light industrial, and multi-family residential uses on the property. The proposed development is consistent with the West Fort Bend Management District Rules and Regulations.

The proposed development is partially consistent with the Comprehensive Plan. The property is in the ETJ. The Future Land Use Plan designates the subject property as General Commercial. In the Comprehensive Plan the classifications of General Commercial “include a broad range of retail, restaurant, entertainment, office, institutional, and service uses. Sites and buildings are relatively large in scale and serve the local and regional trade areas.” Light industrial uses and multi-family uses are not permitted in General Commercial.

Any proposed development on the subject site will be required to meet all current and adopted codes of the City of Richmond (for ETJ properties) and the West Fort Bend Management District. The applicant is required to mitigate adverse impacts.

9. Delineates and labels all building and lot lines for all residential and nonresidential uses, including required setbacks; and

The subject property is in the City’s ETJ and West Fort Bend Management District. Properties in the City’s ETJ do not have zoning. In accordance with Texas Local Government Code 212.044, the City of Richmond has chosen to regulate and apply the following standards (Section 1.1.202) in its ETJ: Site Design; Subdivision Design and Land Development; Parking; Environmental Quality and Resource Protection; Landscaping; Streets, Sidewalks and Trails; Infrastructure; and Signs.

The proposed preliminary plat does not indicate conformance to Sec. 4.1.104.C.1. of the UDC requiring the provision of appropriate buffers between areas of different uses. The proposed preliminary plat shows the required lot lines and setbacks for properties in the West Fort Bend Management District.

10. Advances the goals and policies of the *Comprehensive Master Plan* and the purposes of this UDC, including, if applicable, current and future streets, alleys, parks, playgrounds, and public utilities.

The Future Land Use Plan adopted as part of the Comprehensive Plan designates the subject property as General Commercial. The proposed preliminary plat is partially in conformance with the Comprehensive Plan’s Future Land Use Plan and Thoroughfare Plan. The proposed general commercial uses (offices) would be permitted if the property was annexed into the City. The proposed light industrial and multi-family uses would not be permitted and would require an approved Conditional Use Permit and/or approved zone change if the property was annexed into the City.

The land uses for the adjacent properties (in the ETJ) to the east and northwest are residential; Williams Ranch Section 6 and Del Webb Richmond Section 12-A and B and Section 13-B, residential subdivisions. The Future Land Use Plan recommends General Residential for these properties. The properties to the west and south of the subject property are vacant and undeveloped. The Future Land Use Plan recommends General Commercial for these properties.

Texas Local Government Code Approval Procedure for Plats

Sec. 212.0091 Approval Procedure: Conditional Approval or Disapproval Requirements.

- (a) A municipal authority or governing body that conditionally approves or disapproves a plan or plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.
- (b) Each condition or reason specified in the written statement:
 - (1) must:
 - (A) be directly related to the requirements under this subchapter; and
 - (B) include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable; and
 - (2) may not be arbitrary.

Texas Local Government Code Standards for Approval (Plats)

Sec. 212.010. STANDARDS FOR APPROVAL. (a) The municipal authority responsible for approving plats shall approve a plat if:

- (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

The proposed preliminary plat partially meets this criterion. The Future Land Use Plan designates the subject property as General Commercial. The proposed general commercial uses (offices) would be permitted if the property was annexed into the City. The proposed light industrial and multi-family uses would not be permitted in General Commercial zoning district and would require an approved Conditional Use Permit and/or approved zone change if the property was annexed into the City.

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

The proposed preliminary plat meets this criterion.

- (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

Not applicable

- (4) it conforms to any rules adopted under Section 212.002: to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

The proposed preliminary plat meets this criterion.

- (b) However, the municipal authority responsible for approving plats may not approve a plat unless the plat and other documents have been prepared as required by Section 212.0105 (water and sewer requirements in certain counties), if applicable.

The proposed preliminary plat meets this criterion.

Staff Comments

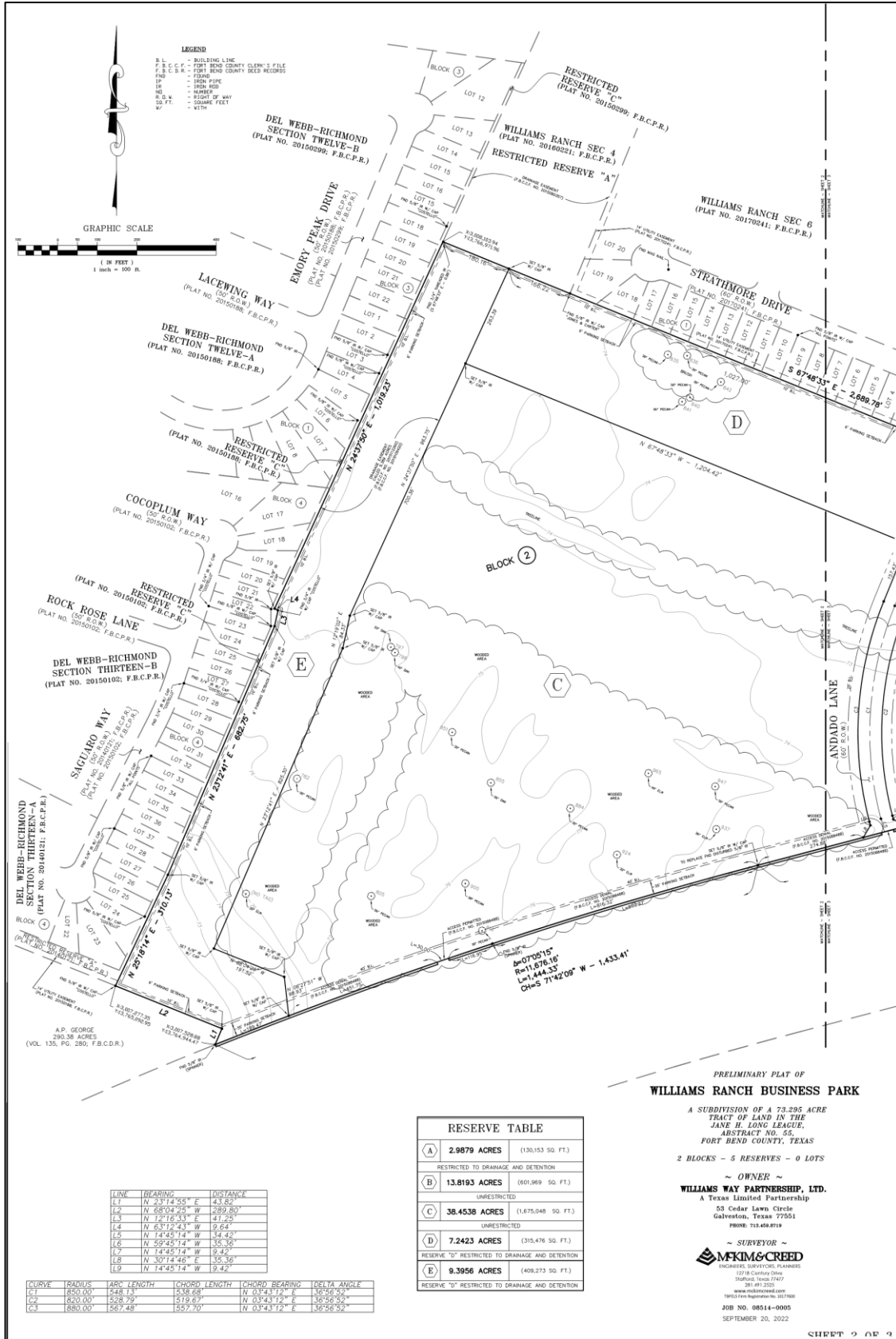
Comments to ensure accuracy, clarity and conformance to Section 6.3.502 of the UDC:

1. Revise the last row of the Reserve Table currently the Reserve "D" is identified when the use for Reserve "E" needs to be provided in this row.
2. Revise City Secretary Signature block to the current City Secretary LaSha Gillespie.
3. Revise to indicate UDC buffer between areas of different uses as per Sec. 4.1.104C.1. UDC.

- Planning and Zoning Commission recommends approval of this preliminary plat.
- Planning and Zoning Commission recommends disapproval of this preliminary plat.



RICHMOND
EST. **TEXAS** 1837



LEGEND
 B.L. - BUILDING LINE
 F.B.C.P. - FORT BEND COUNTY CLERK'S FILE
 F.C.S.R. - FORT BEND COUNTY DEED RECORDS
 F.S. - FISHING
 I.P. - IRON PIPE
 I.R. - IRON ROD
 W.P. - WOOD PIPE
 S.F. - SQUARE FEET
 S.F. - SQUARE FEET
 W.T. - WOOD TIE
 W.T. - WOOD TIE

GRAPHIC SCALE
 1 INCH = 100 FT.

A.P. GEORGE
 390.38 ACRES
 (VOL. 135, PG. 280, F.B.C.D.R.)

LINK	BEARING	INSTANCE
L1	N 23°14'55" E	43.52'
L2	N 68°04'25" W	289.80'
L3	N 72°16'53" E	41.26'
L4	N 63°12'43" W	9.64'
L5	N 14°45'14" W	34.42'
L6	N 59°45'14" W	35.36'
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L8	N 30°14'46" E	35.36'
L9	N 14°45'14" W	9.42'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	850.00'	546.13'	519.66'	N 03°43'12" E	36°56'52"
C2	850.00'	528.79'	519.67'	N 03°43'12" E	36°56'52"
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RESERVE TABLE		
(A)	2.9879 ACRES	(130,153 SQ. FT.)
RESTRICTED TO DRAINAGE AND DETENTION		
(B)	13.8193 ACRES	(601,969 SQ. FT.)
UNRESTRICTED		
(C)	38.4538 ACRES	(1,675,048 SQ. FT.)
UNRESTRICTED		
(D)	7.2423 ACRES	(315,476 SQ. FT.)
RESERVE "D" RESTRICTED TO DRAINAGE AND DETENTION		
(E)	9.3956 ACRES	(409,273 SQ. FT.)
RESERVE "E" RESTRICTED TO DRAINAGE AND DETENTION		

PRELIMINARY PLAT OF
WILLIAMS RANCH BUSINESS PARK
 A SUBDIVISION OF A 73.285 ACRE TRACT OF LAND IN THE JANE H. LONG LEAGUE, ABSTRACT NO. 55, FORT BEND COUNTY, TEXAS
 2 BLOCKS - 5 RESERVES - 0 LOTS

~ OWNER ~
WILLIAMS WAY PARTNERSHIP, LTD.
 A Texas Limited Partnership
 53 Cedar Lawn Circle
 Galveston, Texas 77551
 PHONE: 713.628.8119

~ SURVEYOR ~
MFK&CREED
 SURVEYING SERVICES PLANNERS
 10718 Carthage Drive
 Houston, Texas 77047
 281.491.2325
 www.mfkandcreed.com
 19455 Williams Way
 Houston, Texas 77058
 JOB NO. 08514-0005
 SEPTEMBER 20, 2022

STATE OF TEXAS :
COUNTY OF FORT BEND:

We, Williams Way Partnership, Ltd., a Texas Limited Partnership, acting by and through Joan W. McLeod, as its sole General Partner; hereinafter referred to as Owners of the 73.295 acres shown hereon and described in the above and foregoing map of **WILLIAMS RANCH BUSINESS PARK**, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said map or plat and do hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tank into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land twenty (20' 0") feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Richmond, Fort Bend County, or any other governmental agency, the right to enter upon said easement at any times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners do hereby acknowledge the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas," and do hereby covenant and agree and shall comply with this order as adapted by Fort Bend County Commissioners' Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF THE, Williams Way Partnership, Ltd., a Texas Limited Partnership, has caused these presents to be signed by

Joan McLeod, as its sole General Partner, thereunto authorized, this ____ day of _____, 2022.

Williams Way Partnership, Ltd.
a Texas Limited Partnership

BY: _____
Joan W. McLeod, as its sole General Partner

STATE OF TEXAS :
COUNTY OF FORT BEND :

BEFORE ME, the undersigned authority, on this day personally appeared Joan W. McLeod, sole General Partner of Williams Way Partnership, Ltd., a Texas Limited Partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2022.

Notary Public in and for the State of Texas _____
Notary

My Commission Expires: _____

STATE OF TEXAS
COUNTY OF FORT BEND

This Plat of **WILLIAMS RANCH BUSINESS PARK** approved by the City Manager of the City of Richmond, Texas.

This the ____ day of _____, 2022.

Terri Vela, City Manager

STATE OF TEXAS
COUNTY OF FORT BEND

This Plat of **WILLIAMS RANCH BUSINESS PARK** approved on _____ by the City of Richmond City Commission, and signed this the ____ day of _____, 2022, provided, however, this approval shall be invalid, and null, and void, unless this plat is filed with the County Clerk of Fort Bend County, Texas, within one (1) year hereafter.

Rebecca K. Hoas, Mayor

Laura Scarlato, City Secretary

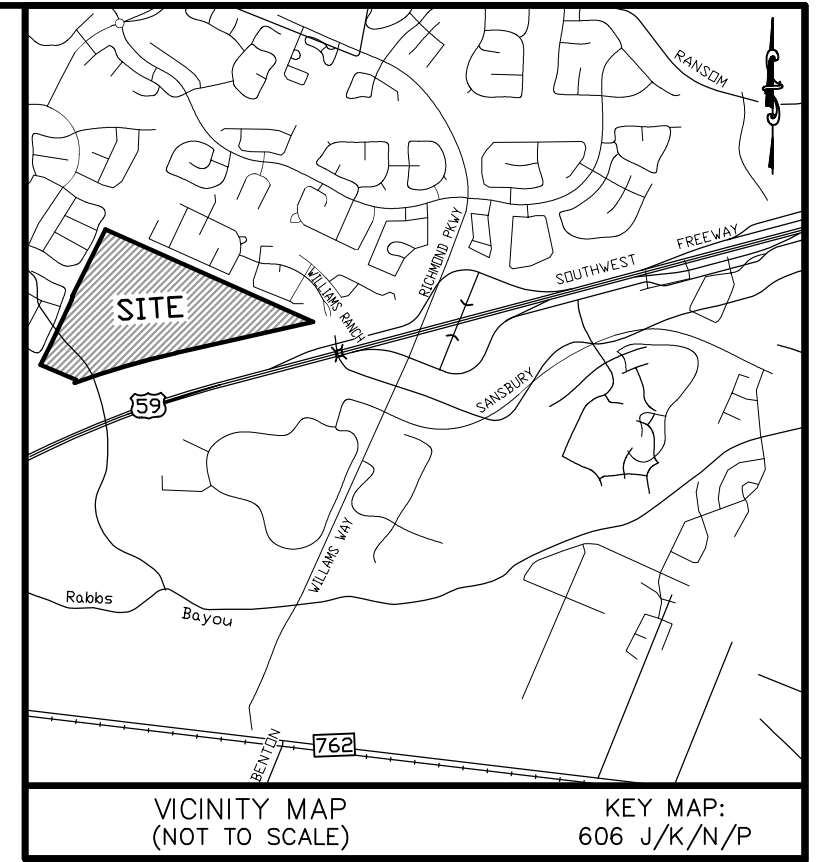
I, Walter K. Bogardus, a Professional Engineer registered in the State of Texas, do hereby certify that this plat meets the requirements of Fort Bend County to the best of my knowledge.

Walter K. Bogardus, P.E.
Texas Registration No. 119534



I, Robert Chris Kelly, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown, all boundary corners, angle points, points of curvature and other points of reference have been marked with iron rods having an outside diameter of five-eighths (5/8) inch and a length of three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

Robert Chris Kelly, R.P.L.S.
Texas Registration No. 6833



I, J. STACY SLAWINSKI, P.E., FORT BEND COUNTY ENGINEER, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE FORT BEND COUNTY COMMISSIONERS' COURT; HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OR SUBDIVISION WITHIN THE WATERSHED.

J. STACY SLAWINSKI, P.E.,
FORT BEND COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF FORT BEND COUNTY, TEXAS THIS ____ DAY OF _____, 2022.

VINCENT M. MORALES, JR., COMMISSIONER
PRECINCT 1

GRADY PRESTAGE, COMMISSIONER
PRECINCT 2

KP GEORGE, COUNTY JUDGE

W. A. "ANDY" MEYERS, COMMISSIONER
PRECINCT 3

KEN R. DEMERCHANT, COMMISSIONER
PRECINCT 4

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____, 2022, AT ____ O'CLOCK ____M., IN PLAT NUMBER(S) _____ OF THE PLAT RECORDS OF SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT RICHMOND, TEXAS THE DAY AND DATE LAST ABOVE WRITTEN.

BY: _____
LAURA RICHARD, COUNTY CLERK
FORT BEND COUNTY, TEXAS

BY: _____
DEPUTY

- NOTES:
- BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING CORRECTED SCALE FACTOR OF 0.99987312463.
 - THE MINIMUM FINISHED SLAB ELEVATION SHALL BE 77.20 FEET ABOVE MEAN SEA LEVEL (NAVD '88 DATUM). IN ADDITION, NO TOP OF SLAB ELEVATION SHALL BE LESS THAN 24 INCHES ABOVE THE LOWEST TOP OF CURB ADJACENT TO THE LOT IN WHICH IT LIES. IN THE ABSENCE OF A CURB, THE TOP OF SLAB ELEVATION SHALL BE NO LESS THAN 24 INCHES ABOVE THE HIGHEST NATURAL GROUND ALONG THE PERIMETER OF THE BUILDING FOUNDATION AND 12" ABOVE ANY DOWN GRADIENT ROADWAY OR DRAINAGE RESTRAINT, AS DETERMINED BY THE FUTURE SITE PLAN, WHICHEVER IS HIGHER.
 - BENCHMARK: ELEVATIONS ARE BASED ON GPS OBSERVATIONS IN THE FIELD USING NGS C.O.R.S. (NAVD '88, GEOID 12A)
 - ALL OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT IS WITHIN THE LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, THE FORT BEND COUNTY DRAINAGE DISTRICT, THE CITY OF RICHMOND'S EXTRA TERRITORIAL JURISDICTION, WILLIAMS RANCH MUD NO 1, AND FORT BEND COUNTY, TEXAS.
 - THE DRAINAGE SYSTEM FOR THIS SUBDIVISION WITHIN FORT BEND COUNTY IS DESIGNED IN ACCORDANCE WITH THE FORT BEND DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING WITH INTENSE RAINFALL EVENTS.
 - ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
 - ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
 - ACCORDING TO THE FORT BEND COUNTY OUTDOOR LIGHTING ZONE MAP, THIS PLAT LIES IN LIGHTING ZONE 3 (L23).
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR FORT BEND COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 49157-C-0265 1 EFFECTIVELY DATED APRIL 2, 2014, THIS PROPERTY LIES IN SHADED ZONE "X" AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
 - NO ABOVE GROUND EVIDENCE WAS FOUND MARKING THE EXISTENCE OF ANY PIPELINES CROSSING THIS PLAT.
 - - INDICATES A SET 5/8" IR W/ CAP STAMPED "MCKIM&CREED", UNLESS OTHERWISE NOTED.
 - SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5 FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON THE CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH THE A.D.A.
 - SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT PER THE CITY OF RICHMOND UNIFIED DEVELOPMENT CODE "UDC", PER SECTION 4.5.201, WITHIN ALL ROAD RIGHTS-OF-WAY DEDICATED TO THE PUBLIC.
 - SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL TO OBTAIN A DEVELOPMENT PERMIT. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.
 - SUBJECT PROPERTY TO CONFORM TO CITY OF RICHMOND UNIFIED DEVELOPMENT CODE SECTION 4.4.300 FOR LANDSCAPE BUFFERING.
 - PER THE WEST FORT BEND MANAGEMENT DISTRICT'S STANDARDS, A 35-FOOT PARKING SETBACK SHALL BE ALONG HIGHWAY 59 AND A 6-FOOT PARKING SETBACK SHALL BE ALONG ALL OTHER SIDE/REAR BOUNDARY LINES OF THIS TRACT.

DISTRICT NAMES	
COUNTY ASSISTANCE DISTRICT	N/A
WCID	N/A
MUD	WILLIAMS RANCH MUD 1
FWSD	N/A
LID	N/A
MANAGEMENT DISTRICT	WEST FORT BEND MANAGEMENT DISTRICT
SCHOOL	LAMAR CISD
FIRE	N/A
IMPACT FEE AREA	N/A
CITY OR CITY ETJ	RICHMOND ETJ
UTILITIES CO.	CENTERPOINT

PRELIMINARY PLAT OF WILLIAMS RANCH BUSINESS PARK

**A SUBDIVISION OF A 73.295 ACRE
TRACT OF LAND IN THE
JANE H. LONG LEAGUE,
ABSTRACT NO. 55,
FORT BEND COUNTY, TEXAS**

2 BLOCKS - 5 RESERVES - 0 LOTS

~ OWNER ~

WILLIAMS WAY PARTNERSHIP, LTD.
A Texas Limited Partnership

**53 Cedar Lawn Circle
Galveston, Texas 77551**

PHONE: 713.459.8719

~ SURVEYOR ~

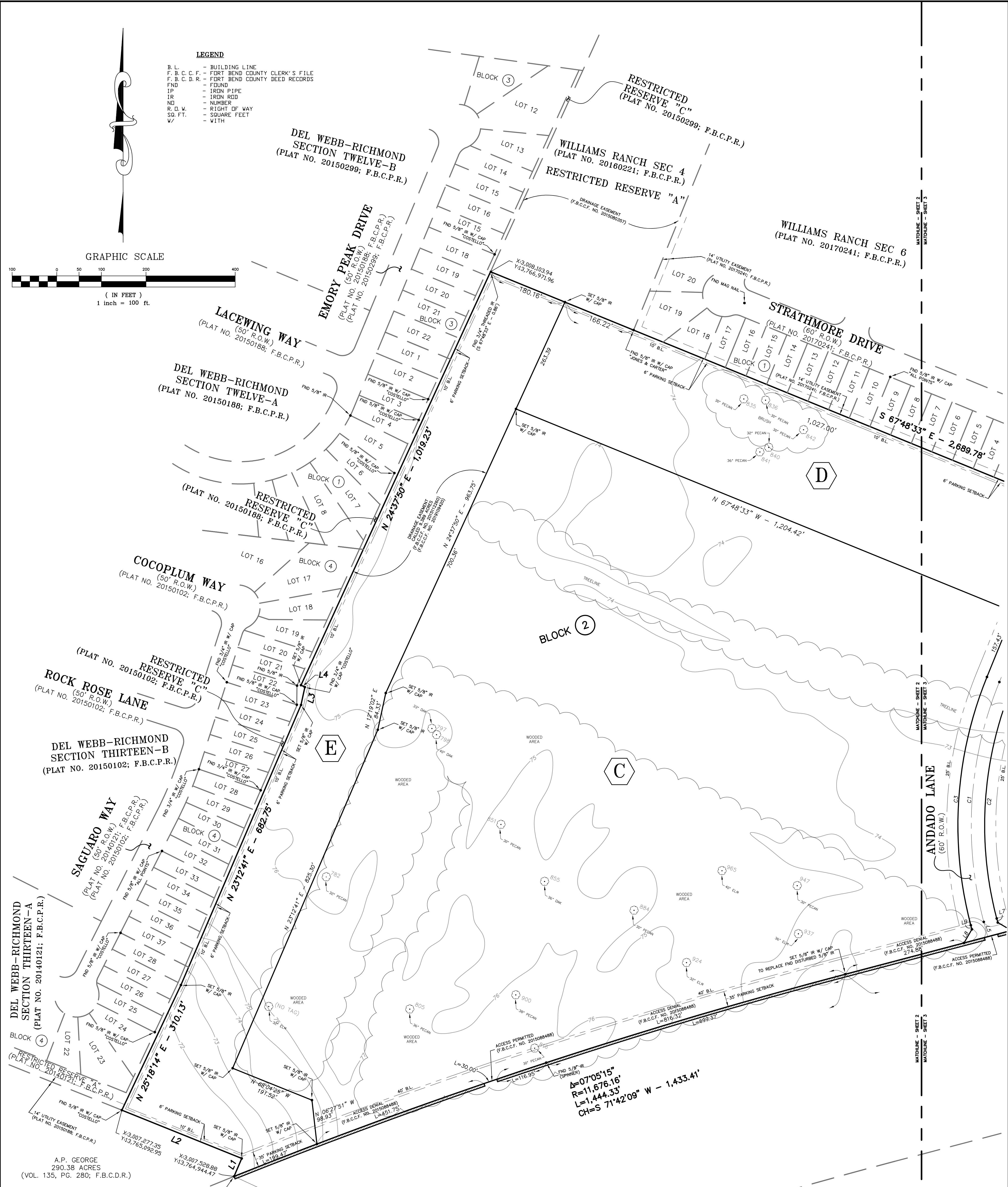
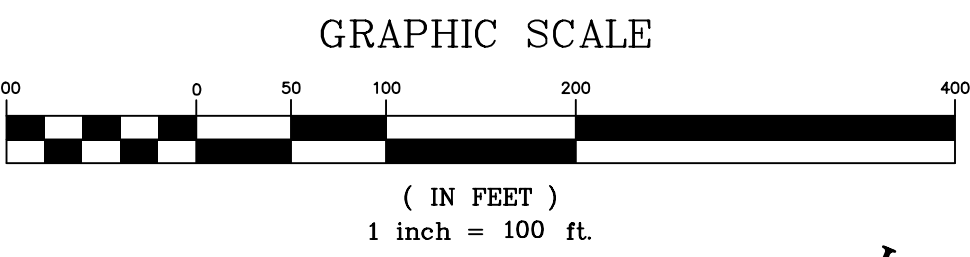


ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600

JOB NO. 08514-0005

SEPTEMBER 20, 2022

- LEGEND**
- B. L. - BUILDING LINE
 - F. B. C. C. F. - FORT BEND COUNTY CLERK'S FILE
 - F. B. C. D. R. - FORT BEND COUNTY DEED RECORDS
 - FND - FOUND
 - IP - IRON PIPE
 - IR - IRON ROD
 - ND - NUMBER
 - R. D. W. - RIGHT OF WAY
 - SQ. FT. - SQUARE FEET
 - W. - WITH



A.P. GEORGE
290.38 ACRES
(VOL. 135, PG. 280; F.B.C.D.R.)

$\Delta = 07^{\circ}05'15''$
 $R = 11,676.16'$
 $L = 1,444.33'$
 $CH = S 71^{\circ}42'09'' W - 1,433.41'$

LINE	BEARING	DISTANCE
L1	N 23°14'55" E	43.82'
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**PRELIMINARY PLAT OF
WILLIAMS RANCH BUSINESS PARK**

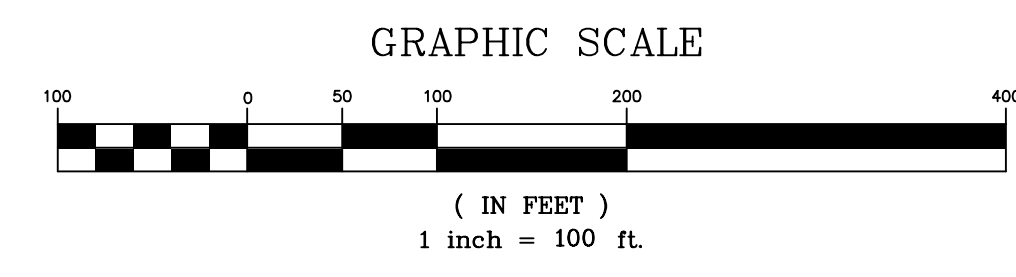
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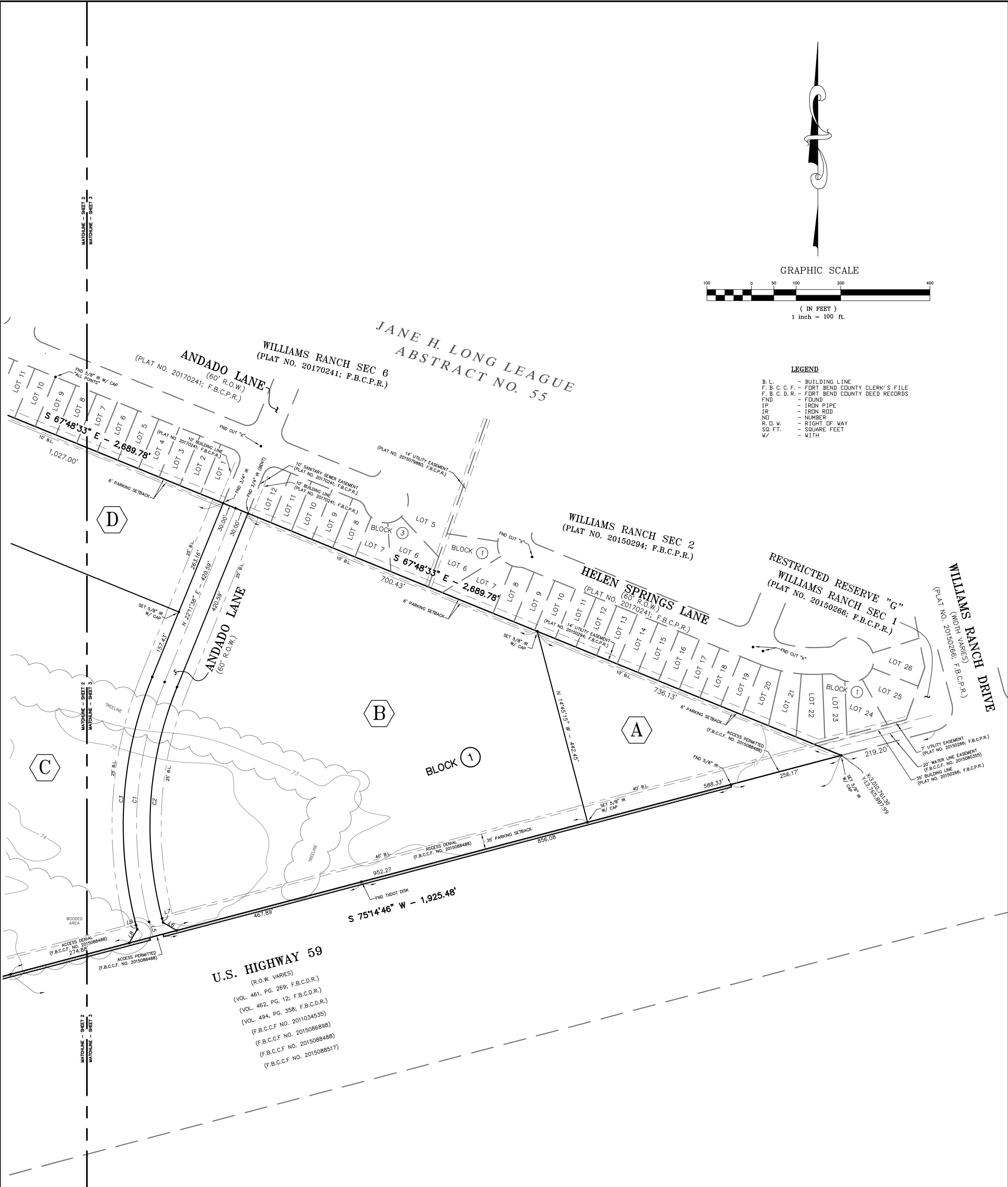
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 - W/ - WITH



U.S. HIGHWAY 59
(R.O.W. VARIES)
(VOL. 461, PG. 269; F.B.C.D.R.)
(VOL. 462, PG. 12; F.B.C.D.R.)
(VOL. 494, PG. 358; F.B.C.D.R.)
(F.B.C.C.F. NO. 2011034535)
(F.B.C.C.F. NO. 2015086898)
(F.B.C.C.F. NO. 2015088486)
(F.B.C.C.F. NO. 2015088517)

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JOB NO. 08514-0005
SEPTEMBER 20, 2022



PLANNING AND ZONING COMMISSION

Discussion on Zero Lot Line Development

Agenda Date: October 3, 2022

Agenda Item: C2.

Agenda Item Subject: Zero Lot Line Development.

Project Description: This report is intended to provide a discussion on Zero lot line Zoning with a focus on provisions and requirements within the Unified Development Code (UDC).

Presenter: Mason A. Garcia, Planning Director

INTRODUCTION

The City of Richmond is continuously growing and changing. The city has begun to contemplate varying types of development which may help Richmond to continue being a desirable destination for residents. With these new possibilities there will be necessary changes and modifications that will be made to the Unified Development Code (UDC) to ensure these housing types are permitted. We will examine zero lot line development along with other aspects of the zoning designation that are different from the currently offered zoning designations.

DEVELOPMENT POLICY AND REGULATIONS

The City of Richmond Comprehensive Master Plan (Plan) considers the importance of residential development in creating a successful community. Goal H.6 of the Plan is to “**Offer a variety of housing types, price points, and locations to meet the diverse needs of Richmond’s current and prospective employees.**”

The UDC defines Single Family detached dwellings as the following:

Single-Family Attached means dwelling units located in a single building where each unit is constructed on an individual lot or land that is designated as a limited common element in a declaration of condominium; and contains:

1. Two but not more than six dwelling units that are designed so that individual units have individual ground-floor access and are separated from each other by unpierced common walls from foundation to roof (e.g., side-by-side duplexes, triplexes, and townhouses); or
2. Two dwelling units that are designed so that individual units:
 - a. May or may not have individual exterior doors, but provide no direct access between the first floor and second floor unit (access may be through a common interior foyer that provides access to both units or through separate exterior doors); and
 - b. Are separated from each other by a floor (e.g., over-under duplexes).

The phrase single-family attached does not include multi-family.

Single-Family, Detached means dwelling units that are:

1. Located in individual buildings that are constructed on:
 - a. Individual lots; or
 - b. Land that is designated as a limited common element in a declaration of condominium;
2. Separated from each other by outside walls; and
3. Intended for the use of a single housekeeping unit.

The phrase "single-family, detached" does not include "duplexes," "triplexes," or "townhouses."

Zero Lot Line means a piece of residential real estate in which the structure comes up to, or very near to, the edge of the property line. Rowhouses, garden homes, patio homes, and townhomes are all types of properties that may be zero-lot-line homes.

The report will focus on different variations of Single Family Detached and their applicability to the zero lot line zoning designation. Please see the table below for our current standards on GR, General Residential single-family detached development.

<p>LANDUSE ALLOWANCE</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> • Single Family Detached are allowed as a as use by right in the GR, General Residential and SR, Suburban Residential District and Limited Use in the following Zoning Districts and prohibited in all other: <ol style="list-style-type: none"> 1. OT, Olde Town District <ol style="list-style-type: none"> a. The use existed on the effective date of this UDC or is located within an existing building that was either constructed as a residence or matches the general residential character of the OT district. 2. DN, Downtown <ol style="list-style-type: none"> a. The use existed on the effective date of this UDC. 3. MU, Mixed Use District only as a Planned Development. <ol style="list-style-type: none"> a. It shall be designed as part of an overall planned development.
<p>LOT SIZE AND INTENSITY REQUIREMENTS</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> • Setback requirements apply <u>General Residential</u> Standard Neighborhood: <ul style="list-style-type: none"> Minimum Area of Development: N/a Minimum Lot size: 70-foot-wide and 12,000 square feet. Front Setback: 30' Interior Side Setback: 5' Street Side Setback: 15' Rear Setback: 30' Maximum Building Height: 35 Feet • Setback requirements apply <u>General Residential</u> Planned Residential Neighborhood (Planned General 1):

	<p>Minimum Area of Development: 15 ac. Minimum Lot size: 50-foot-wide and 8,200 square feet. Front Setback: 25' Interior Side Setback: 5' Street Side Setback: 15' Rear Setback: 20' Maximum Building Height: 35 Feet</p> <ul style="list-style-type: none"> Setback requirements apply <u>General Residential</u> Planned Residential Neighborhood (Planned General 2): <ul style="list-style-type: none"> Minimum Area of Development: 10 ac. Minimum Lot size: 50-foot-wide and 6,000 square feet. Front Setback: 25' Interior Side Setback: 5' Street Side Setback: 15' Rear Setback: 15' Maximum Building Height: 35 Feet <p><u>Mixed-Use</u></p> <ul style="list-style-type: none"> Setback requirements apply for <u>Mixed Use</u> developments: <ul style="list-style-type: none"> Minimum Area of Development: 5 ac. Front: 40' Street Side: 40' Interior Side: 25' Rear: 30'
DENSITY / INTENSITY REQUIREMENT	<p><u>General Residential</u></p> <ul style="list-style-type: none"> GR, Standards Neighborhood lots 2.77/ acre GR, Planned Residential Neighborhood (Planned General 1) 3.61/acre GR, Planned Residential Neighborhood (Planned General 2) 4.28 / acre
PARKING REQUIREMENT	<p><u>General Residential</u></p> <p>2 spaces per dwelling unit</p>
LANDSCAPING REQUIREMENT	<p><u>General Residential</u></p> <ul style="list-style-type: none"> Yards are required on all sides of the house along with one large tree in the front yard
BUILDING DESIGN STANDARDS	<p><u>General Residential</u></p> <ul style="list-style-type: none"> All front doors must face the street

POLICY & DISCUSSION

Above are the requirements provided for general residential development in the GR, General Residential Zoning District Designation. Zero lot line zoning affords for housing to be built on smaller lots, due to the inclusion of a single side of the structure to be at or near the side lot line. Many cities have regulations for this type of development whether large or small, but the regulations associated with the zoning may vary widely.

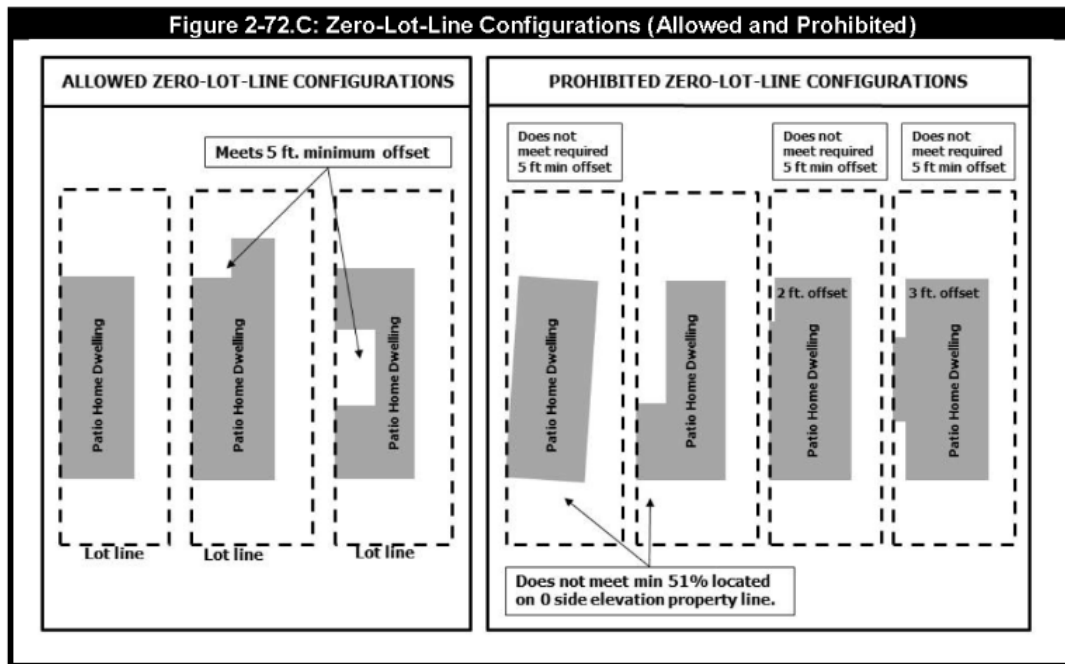
We will review several cities and their different regulations associated with the zero-lot line development.

First, we have our neighboring City of Sugar Land. They have a multitude of zero lot line zoning developments which are designated R1-Z. Many of these proposed developments are 5,000 square feet and up. While these are somewhat close to our 6,000 square foot general residential zoning, they offer a look at how nearby cities are handling this item. The R1-Z district is a type of zero lot line single family residential zoning district. The zoning description given by the Zoning Ordinance notes that “zero Lot Line Single-Family Residential District provides for the development of Single-Family Detached Dwellings in areas where reduced area and Setback requirements may be accommodated. The district requires homes to be located on one Side Lot Line to consolidate Yard space and enhance privacy in exchange for an increase in Lot Coverage.” Included below are the current applicable requirements for this particular zoning designation. Also, please see the image provided which indicates layouts that are permitted.

		R-1Z
Minimum Lot Area		5,000 sq. ft.
Minimum Lot Width		50 ft. (a)
Minimum Lot Depth		100 ft.
Minimum Front Yard (Setback)		20 ft.
Minimum Side Yard	Residential Use (See Figures 2-72.A & 2-72.B)	(e)
	Nonresidential Use	25 ft.
Minimum Street Side Yard (Setback)		20 ft.
Minimum Rear Yard (Setback)		10 ft. (h)
Maximum Lot Coverage		50%
Maximum Height of Principal Structures		(i)
Maximum F.A.R.		0.71
Additional Regulations		(j)

The following items go in conjunction with the Table shown Above:

- a. For Corner Lots, Minimum Lot Width is an additional 10 feet.
- e. Zero feet on one side. 10 feet on second side. Zero-foot side must abut required 10-foot Yard on adjacent lot. A 3-foot maintenance easement adjacent to the lot line and within the 10-foot side yard shall be delineated on the plat, and there shall be a right to access the 0 building line side from the maintenance easement for maintenance purposes (see Figure 2-72.C).
- i. Two and one-half stories, but not more than 35 feet from finished grade.
- j. Required siting - Walls along the 0 Side Yard must be a maximum of 6 inches from the property line to provide building construction tolerance. At least 51% of the length of the 0 side elevation at the ground floor must be located at the property line or a maximum of 6 inches from the property line. Any offset areas of the 0 side elevation must be offset from the property line by a minimum of 5 feet (see Figure 2-72.C).



Next, we will discuss another Texas City which has a multitude of zero Lot Line developments. This development provides for a possible aesthetically pleasing development with conformity to applicable regulations. Plano, a suburb city outside of Dallas, provides for this type of zoning yet refers to this as patio home zoning. The description for the district is stated in the ordinance as “The PH (patio home) district is intended to provide for areas of detached, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development.” The regulations applicable to the district are broken down in a table below.

Description	Standard Requirements	Stormwater Incentive Option 1 Requirements	Stormwater Incentive Option 2 Requirements
Minimum Lot Area	4,000 square feet	3,800 square feet	3,600 square feet
Minimum Lot Width			
Interior Lot	40 feet	40 feet	40 feet
Corner Lot	45 feet	45 feet	45 feet
Minimum Lot Depth	90 feet	90 feet	85 feet
Minimum Front Yard	20 feet, except as provided in Sec. 9.900.4 and in Sec. 13.500.2	15 feet, except as provided in Sec. 13.500.2	10 feet, except as provided in Sec. 13.500.2
Minimum Side Yard			
Interior Lot	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3
Corner Lot	15 feet on street side	15 feet on street side	15 feet on street side
Maximum Side Yard	N/A	N/A	N/A
Minimum Rear Yard	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4
Minimum Floor Area per Dwelling Unit	800 square feet	800 square feet	800 square feet
Maximum Height	2 story, 35 feet, except as in Sec. 13.600	2 story, 35 feet, except as in Sec. 13.600	2 story, 35 feet, except as in Sec. 13.600
Maximum Coverage	60% total for principal and accessory buildings (See Sec. 13.500.4A)	60% total for principal and accessory buildings (See Sec. 13.500.4A)	60% total for principal and accessory buildings (See Sec. 13.500.4A)
Minimum Usable Open Space	10% in accordance with Sec. 9.900.7	10% in accordance with Sec. 9.900.7	10% in accordance with Sec. 9.900.7
Minimum Usable Open Space designated as Stormwater Quality Area (ZC 2017-026; Ord. No. 2017-11-3)	N/A	5% in accordance with Sec. 9.900.4	10% in accordance with Sec. 9.900.4

The above table references additional materials which can be found in Exhibit “A-1”. The provisions of 9.900.4 go in depth with regards to requirements for area, yard and bulk regulations. Exhibit “A-1” goes on to explain situations in which the side yard, front and rear yards may change based on specific situations. This attachment helps to differentiate specific separate layouts for the proposed patio home district. In it you will find the provision of maintenance easements which help for homeowners to access the portion of their home through neighboring yards for maintenance or otherwise. The size of the applicable front yard depends on whether the driveway is positioned along the front of the home or in the rear and accessed via alley. Exhibit “A-2” discusses “Yard Regulations”. This section provides greater detail regarding the setbacks contingent on lot location, additional structures (patios), calculations on how to derive the correct building line setbacks and otherwise. Exhibit “A-3” provide for the Usable Open Space requirements that are in addition to the regulations spelled out in Section 9.900.4. The intent is for usable open space to provide for outdoor living and or recreation in an open area or recreational facility. Article 16 in Exhibit A-1 is a link to the 16-page parking requirements for the city, while Article 20 within the document goes into specifics regarding screening walls and barriers at the front property line. This zoning designation allows for the use of alleys in the development of the zero-lot line zoning. This helps provide a human scale front of the property while allowing for cars and garages to be located at the rear.

Following this item up we will talk about a Houston area that has a numerous development which are akin to zero lot line development but not named as such as the City of Houston does not have zoning. These developments vary greatly as many have been constructed prior to the current codes and some are more recently built. Due to the nature of the City of Houston Development Code we will focus on development on Local Streets as these will be the most similar to our specific situation in Richmond. Below is a Table that connects to the building line requirements.

Single-family residential	20 feet, if the lot meets the standards of section 42-156(b)
	10 feet, if the lot meets the standards of section 42-156(b) or section 42-157(b)
	5 feet, if the lot meets the standards of section 42-157(c)
	zero feet, if the lot meets the standards of section 42-157(d)

Sec 42-181. - Single-family residential lot size. Discusses the minimum lot size for single family residential within the city of Houston as 3,500 square feet. Lot minimum width standards are as follows:

(a)The minimum width of any lot along a street or shared driveway shall be 20 feet.

(b)The minimum width of any lot within the city may be 15 feet if the subdivision plat conforms to the following performance standards:

(1) The average width of all lots within the subdivision plat is greater than or equal to 18 feet. A lot with a width greater than 30 feet shall be counted as 30 feet for purposes of the average lot width calculation of this subsection;

(2) If the subdivision plat contains one or more blockfaces in their entirety, the average lot width of each blockface within the subdivision plat is greater than or equal to 18 feet; and

(3) If a subdivision plat includes a lot with a width of less than 20 feet, any subsequent replat of a lot within the subdivision plat shall maintain an average lot width that is greater than or equal to 18 feet. The average lot width for each subsequent replat shall be based on all lots within the original subdivision plat containing a lot with a width less than 20 feet. The subdivision plat and all subsequent replats of lots within the subdivision plat shall contain a plat notation stating the requirements of this item. Parking of 2 spaces is required for structures over 900 square feet while only 1 space for parking of 900 square feet or less.

The city of Houston although it does not contain zoning it does have civic clubs which may adopt deed restrictions for specific properties. Civic clubs within the Greater Heights contain deed restrictions for some sites. These restrictions work in a manner similar to zoning ensuring that the development conforms to the

character of the current neighborhood. Although, deed restrictions are not enforced by the City of Richmond, they are enforced by Home Owner’s Associations and deeds may expire.

Last we will examine the San Antonio Zero lot line zoning designation. This Zoning type identified as Zero lot line within the City of San Antonio zoning district is RM-4 – RM-6 these zoning types focus on smaller lots as well as the following description contained in the statement of purpose *“These districts provide areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur.*

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)
Zoning District	LOT DIMENSIONS						BUILDING ON LOT				BUILDING		
	Lot Size (min)	Lot Size (max)	Density (max) (units/acre)	Street Frontage (min)	Width (min)	Width (max)	Front Setback (min) * * * *	Front Setback (max)	Side Setback (min)	Rear Setback (min)	Height (max) (feet/#of stories)†1	Size - Individual Building Size (max)	Size - Aggregate Building Size (max)
RM-6 1, 13	6,000		7	15	15	150	10	—	5	20	35/3	—	—
RM-5 1, 13	5,000		9	15	15	100	10	—	5	10	35/3	—	—
RM-4 1, 13	4,000		11	15	15	80	10	—	5	10	35/3	—	—

Note (1) - column (A): See sections [35-372](#), [35-373](#), [35-515](#), and [35-516](#) of this chapter for standards applicable to zero lot line dwellings and uses other than detached single-family dwellings.

Note (13) - Construction of two (2) to four (4) units on lots one-third (1/3) of an acre in size or smaller, shall have a front entry oriented to the primary street in which the lot is addressed on. A front walkway from the door shall also be provided. These provisions shall only apply to the primary structure that abuts the primary street.

Subsection 35-373 provides a more complete set of restrictions attached in Exhibit “B-1” restrictions:

Included is subsection 35-515 which considers the access of the portion of the housing within the neighboring yard and provides regulations for required easements. Please see below.

(1) **Maintenance Easement.** For zero lot line subdivisions, a minimum five-foot wide maintenance easement shall be provided through deed restrictions on the lot adjacent to the zero lot line. This easement shall be kept free of permanent obstructions such as tool sheds or fences without a gate. When filing an application for a building permit for a zero lot line development, the subdivider shall provide the city with two (2) copies of deed restrictions establishing the maintenance easements. One (1) copy of these deed restrictions shall be recorded by the applicant prior to issuance of the building permit. Along with the required building permit filing fees, an additional fee shall be provided by the subdivider to cover the recording costs of these deed restrictions.

(2) **Plat Annotation.** The following notation shall appear on the plat: "_____ foot wide maintenance easements are established within the lots adjacent to all non-attached zero lot lines. Such easements shall extend for the depth of the lot and are included in the deed restrictions for all affected properties."

Currently Richmond has provisions for the installation of Single-Family Attached within out GR, General Residential and SR, Suburban Residential Zoning Districts. While this is not wholly unsimilar to the zero lot line zoning designations shown above they are not detached dwellings and the inclusion (if constructed) of these properties sporadically throughout the above-mentioned zoning districts may take away from the general character of current development. There are certain provisions to protect neighboring properties such as buffer-yard requirements, but we may want to ensure that as written the code reflects the needs and desires of the community.

DISCUSSION POINTS

- The above mentioned items were not a comprehensive list of items covered by each zoning designation but rather a starting point for which discussion and ideas may begin.
- The zero lot line zoning designation comes in many forms and can be adapted to provide for smaller lots while housing size can be adjusted to maximize housing square footage or smaller housing for different price points.
- The use of alleys within the zero lot line zoning designation provides for a different aesthetic for communities which may attract a new type of buyer.
- Would the inclusion of this zoning meet the housing needs of prospective and future residents of Richmond?
- Will the creation of an additional multi-family zoning designation meet the needs of the developer while ensuring City of Richmond is using the best practices.
- Where will the location of these zoning designations best meet Richmond’s needs.

-----End of Report-----

9.900 PH, Patio Home District

(ZC 2017-009 & 96-58; Ord. No. 2017-6-5 & 96-10-29)

.1 Purpose

The PH district is intended to provide for areas of detached, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development.

.2 Permitted Uses

See the residential districts use table in Sec. [14.100](#) for a complete listing.

.3 Area, Yard, and Bulk Requirements

(ZC 2017-009 & 2006-02; Ord. No. 2017-6-5 & 2006-4-24)

The following area, yard, and bulk requirements apply to all development in the PH district unless otherwise expressly stated:

Description	Standard Requirements	Stormwater Incentive Option 1 Requirements	Stormwater Incentive Option 2 Requirements
Minimum Lot Area	4,000 square feet	3,800 square feet	3,600 square feet
Minimum Lot Width			
Interior Lot	40 feet	40 feet	40 feet
Corner Lot	45 feet	45 feet	45 feet
Minimum Lot Depth	90 feet	90 feet	85 feet
Minimum Front Yard	20 feet, except as provided in Sec. 9.900.4 and in Sec. 13.500.2	15 feet, except as provided in Sec. 13.500.2	10 feet, except as provided in Sec. 13.500.2
Minimum Side Yard			
Interior Lot	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3	5 feet, except as noted in Sec. 9.900.4 and Sec. 13.500.3
Corner Lot	15 feet on street side	15 feet on street side	15 feet on street side
Maximum Side Yard	N/A	N/A	N/A
Minimum Rear Yard	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4	10 feet, except as provided in Sec. 9.900.4 and Sec. 13.500.4
Minimum Floor Area per Dwelling Unit	800 square feet	800 square feet	800 square feet
Maximum Height	2 story, 35 feet, except as in Sec. 13.600	2 story, 35 feet, except as in Sec. 13.600	2 story, 35 feet, except as in Sec. 13.600
Maximum Coverage	60% total for principal and accessory buildings (See Sec. 13.500.4A)	60% total for principal and accessory buildings (See Sec. 13.500.4A)	60% total for principal and accessory buildings (See Sec. 13.500.4A)
Minimum Usable Open Space	10% in accordance with Sec. 9.900.7	10% in accordance with Sec. 9.900.7	10% in accordance with Sec. 9.900.7
Minimum Usable Open Space designated as Stormwater Quality Area (ZC 2017-026; Ord. No. 2017-11-3)	N/A	5% in accordance with Sec. 9.900.4	10% in accordance with Sec. 9.900.4

.4 Miscellaneous Area, Yard, and Bulk Requirements

(ZC 2017-026; Ord. No. 2017-11-3 & ZC 2017-009; Ord. No. 2017-6-5 & ZC 2006-02; Ord. No. 2006-4-24)

PH subdivisions shall be developed in conformance with Standard Requirements, Stormwater Incentive Option 1 Requirements, or Stormwater Incentive Option 2 Requirements.

- A.** All PH subdivisions shall comply with the following standards:
- i.** A minimum separation of 10 feet shall be provided between patio homes.
 - ii.** Houses may develop as zero lot line homes. If developed with a zero lot line, one side yard setback shall be zero feet and the opposite side yard setback shall be a minimum of 10 feet.
 - iii.** A house on a lot where the zero side abuts an alley may be pulled back from the alley so long as a minimum separation of 10 feet is provided between houses.
 - iv.** If houses are developed as zero lot line homes, a minimum 6-foot wide maintenance easement shall be placed on the adjacent lot to enable the property owner to maintain his house on the zero side yard setback side.
 - v.** Side yards and maintenance easements shall be placed on the subdivision plat.
 - vi.** Patio homes with roof overhangs are allowed when lots have been platted with a 6-foot wide nonencroachment easement and the final plat for the subdivision was approved prior to October 28, 1996.
 - vii.** Each patio home shall have a 2-car garage. The garage space shall not be eliminated by enclosing the garage with a stationary wall.
- B.** If developed in accordance with Standard Requirements, a PH subdivision may amend setbacks as follows:
- i.** The front yard setback may be reduced to 10 feet or 15 feet provided that:
 - a.** The driveway and garage are accessed from an alley; and
 - b.** The open yard area of either the rear or non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.
 - ii.** The front yard setback may be reduced to 15 feet for lots without an alley provided that:
 - a.** The garage sets back 20 feet from the front property line; and
 - b.** The open yard area of either the rear or non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.
 - iii.** The maximum front yard setback is 25 feet and a minimum lot depth of 65 feet, as measured from the front building line to the rear lot line, is maintained.
- C.** Per Section 5.6 of the Subdivision Ordinance and the Stormwater Quality Requirements, if Stormwater Quality Requirements and Permanent BMPs are applicable, a

PH subdivision must be developed in accordance with Stormwater Incentive Option 1 or 2 Requirements if:

- i. The minimum gross area of the subdivision is 10 acres; and
- ii. The subdivision provides a stormwater quality area per Section [9.900.3](#) above, and the provided stormwater quality areas are shown on a site-specific stormwater quality management plan per Section 5.6 of the Subdivision Ordinance or in the city's Stormwater Quality Requirements; and
- iii. A PH subdivision developed under either of these requirements shall have front or rear entry garages. Correspondingly, garages shall be set back a minimum of 20 feet from the front or rear property lines.

.5 Parking Requirements

Two off-street spaces per dwelling unit plus one-half space per dwelling unit for visitor parking within 600 feet of each dwelling unit are required. The visitor parking requirements may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors. (See [Article 16](#))

.6 Maintenance Requirements for Common Areas

A property owners association is required for continued maintenance of common land and facilities. The requirements for the property owners association are outlined in Article V of the Subdivision Ordinance.

.7 Usable Open Space Requirements

Except as provided below, any subdivision developed under the PH standards of this ordinance shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger. Usable open space shall not be required for a PH development if it contains 50 or fewer lots and the property contiguous (abutting or separated only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit PH development. Properties separated by rights-of-way, drainage, or utility easements in excess of 60 feet in width shall not be considered as contiguous. Usable open space shall comply with the supplementary regulations in Sec. [13.800](#). (ZC 06-02; Ord. No. 2006-4-24)

.8 Walls

A wall may be erected on the front property line provided such wall is of at least 50% open construction. Such walls must meet all other applicable requirements for walls contained in [Article 20](#).

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- .5 Where residential lots have frontage on streets at opposite ends of the lot, a screening wall or other permanent barrier shall be constructed on the property line so that access is denied to one of the adjacent streets.

13.300 Lot Area and Dimensions

.1 General

Regulations governing lot dimensions, as specified in [Article 9](#) and [Article 10](#), shall apply to all lots except that a lot having less area, width, or depth than herein required which was an official “lot of record” prior to the adoption of this ordinance may be used for a single-family dwelling, and no lot existing at the time of passage of this ordinance shall be reduced in area, width, or depth below the minimum requirements set forth herein. (ZC 2010-06; Ordinance No. 2010-8-7)

- .2 Independent living facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, colleges, universities, trade schools, and public, private, and parochial schools located in any residential district shall have a minimum site area of 2 acres. (ZC 2000-83; Ordinance No. 2000-11-30)

13.400 Floor Area Ratio

- .1 The maximum floor area ratio of a lot or tract on which a building is located shall not exceed any applicable requirements of [Article 9](#) and [Article 10](#), except where an existing building at the effective date of this ordinance may have a higher floor area ratio than herein prescribed, such building shall be considered a conforming use.
- .2 In the case where excess right-of-way is dedicated by plat for the purpose of construction of an overpass and where such right-of-way exceeds the normal right-of-way required by the Thoroughfare Plan for the adjacent street, development which occurs on the property from which the excess right-of-way was dedicated may utilize the dedicated excess right-of-way in computing floor area ratio and lot coverage.

13.500 Yard Regulations

.1 General

Regulations governing yard requirements, as specified in [Article 9](#) and [Article 10](#), shall apply to all lots unless otherwise specified in the ordinance.

.2 Front Yard Regulations

- A. Where the frontage on one side of a street between 2 intersecting streets is divided by 2 or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage. See [Figure 13-1](#).

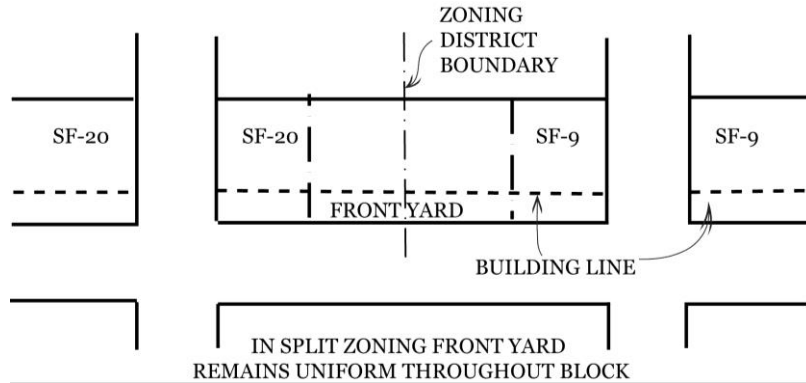


Figure 13-1: Front Yards on Split-Zoned Blocks

- B. Where a building line has been established by plat approved by the Planning & Zoning Commission and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by such plat.
- C. Except as herein provided, the front yard shall be open and unobstructed from a point 40 inches above the general ground level of the graded lot to the sky. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed 4 feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than 40 inches above the average grade of the yard. See [Figure 13-2](#).

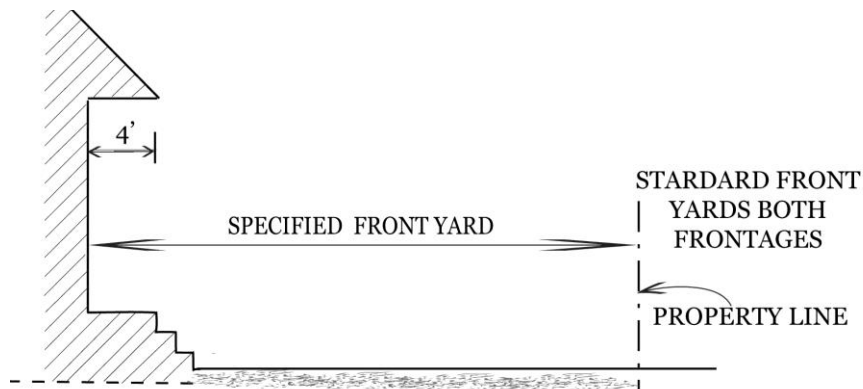


Figure 13-2: Front Yard Measurement

- D. Porch and patio covers that extend greater than 4 feet, with or without posts or columns, that were erected in the front yard setback of single-family dwellings before April 12, 2004, are considered to be existing nonconforming structures subject to [Article 7](#).
- E. For nonresidential or multifamily developments, screening walls or fences required under the provisions of Sec. [20.100](#) shall be constructed to the full 6 to 8-foot height along the entire property line, except where visibility triangles or easements are needed. For public and parochial schools, private primary and secondary schools, and day care centers, fences and berms may be a combined maximum height of 60

inches above grade provided that the fence material is wrought iron or chain link. (ZC 2004-22; Ordinance No. 2004-6-31)

- F. For existing through lots, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only an accessory building may be built on the line thus established. The main building must observe the front yard requirements for both streets. See [Figure 13-3](#).
- G. In the case of existing through lots which are bounded on 3 sides by streets, all yards between the main building and a street shall be regulated as front yards unless a front, side, and rear building line have been established by plat.

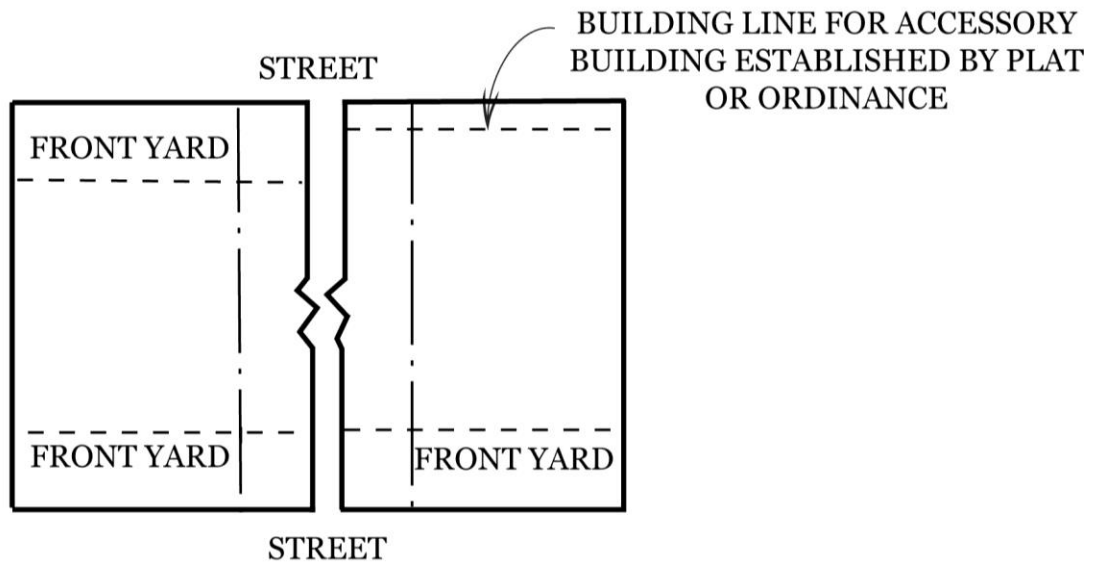


Figure 13-3: Front Yards on Through Lots

- H. If buildings along the frontage of any street between 2 intersecting streets in any residential district have observed an average setback which is greater or lesser in dimension than the minimum front yard or setback established for the district in which the street frontage is located, and if no front building line has been established by plat, then the average setback of all buildings fronting upon such street between 2 intersecting streets shall establish the minimum front yard requirement. All vacant lots shall be assumed to have a minimum front yard specified for the district in computing the average front yard. These provisions shall not be interpreted as requiring a setback or front yard of more than 10 feet greater than the front setback observed by any building on a contiguous lot. The provisions shall be superseded on any lot where a minimum building line has been established by plat or ordinance and the front yard or setback provisions of such plat or ordinance shall be observed. See [Figure 13-4](#).

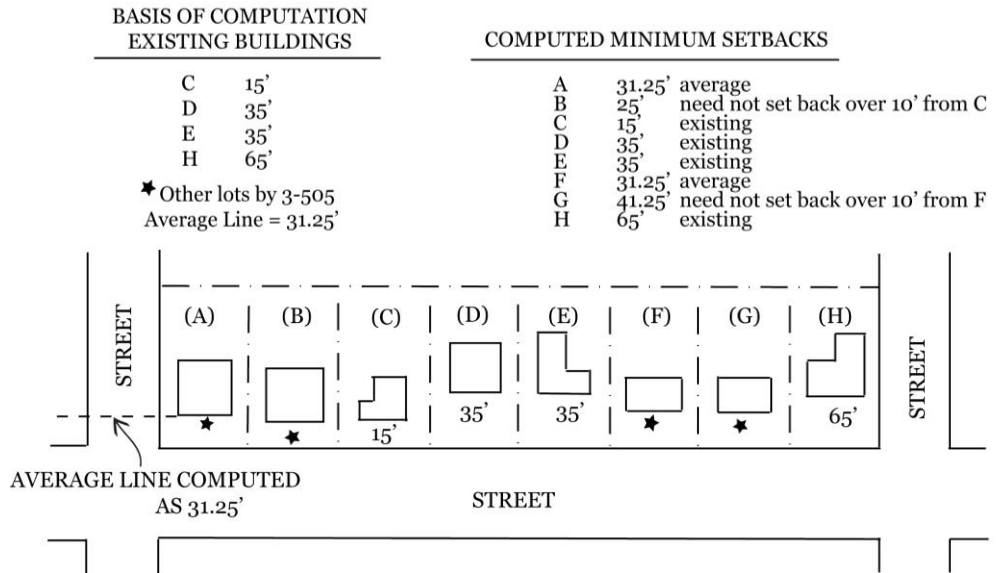
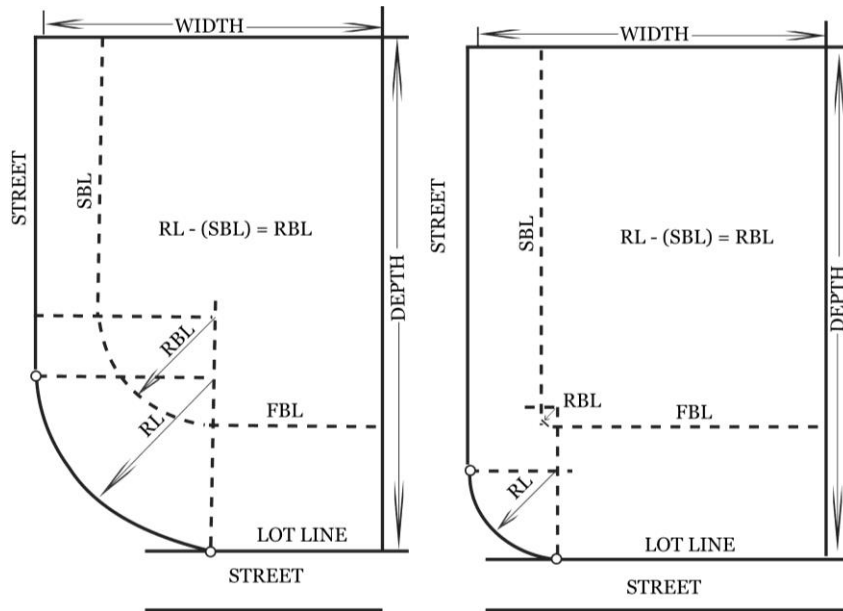


Figure 13-4: Front Setback Averaging

- I. In all districts except BG, CB-1, UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. [13.500.2N](#). (ZC2020-012; Ord. No. 2021-1-13)
- J. Vehicle fueling station pump islands shall not be located closer than 39 feet to the front property line. Canopies for pump islands shall have a minimum setback of 20 feet from the front property line when the canopy thickness is 3 feet or less. An increased setback of 10 feet will be required for each additional foot or portion of a foot in excess of 3 feet. (ZC 2017-014; Ord. No. 2017-7-9)
- K. Except in the BG, CB-1, UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision must be clear at elevations between 30 inches and 9 feet above the average grade of the street. (ZC2020-012; Ord. No. 2021-1-13)
- L. For corner lots with a curved corner lot line, the building line shall be established as provided in [Figure 13-5](#).



DETERMINATION OF BUILDING LINE RADIUS OF LOTS WITH CURVED CORNER

RL = RADIUS OF LOT LINE
 SBL = SIDE BUILDING LINE
 FBL = FRONT BUILDING LINE
 RBL = RADIUS OF BUILDING LINE

Figure 13-5: Building Line on Corner Lot

- M. In residential developments except those in the PH and UR districts, minimum required front yards may be reduced by a maximum of 5 feet when such yards front on the bulb portion of a cul-de-sac. In no case shall the required front yard be reduced to less than 25 feet under this provision. See [Figure 13-6](#).

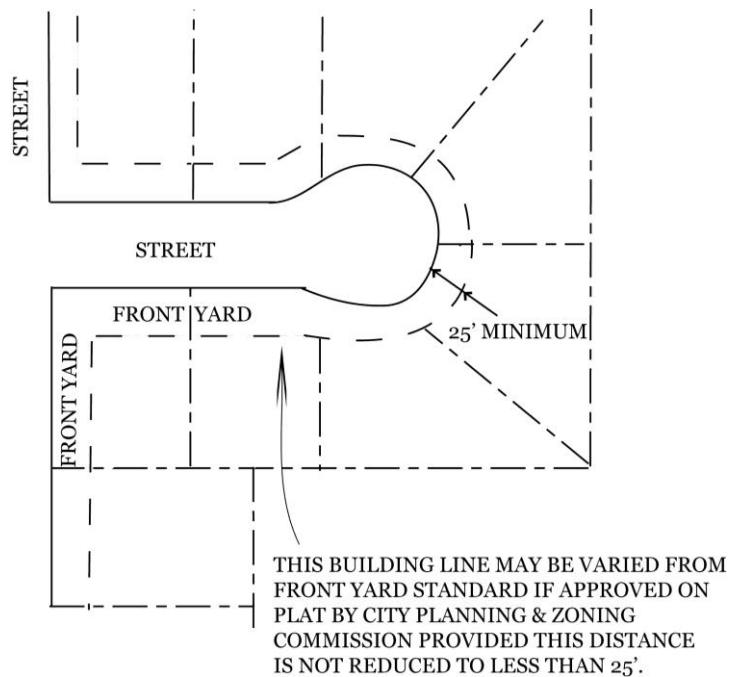


Figure 13-6: Front Yard Reduction on Cul-de-Sac

- N. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet. (ZC2020-012; Ord. No. 2021-1-13)
- O. Except where staggered setbacks are permitted and used, residential building lines shall be uniform for all contiguous lots along a block face. Uniform residential building lines may be altered on a block face where there is a separation of 15 feet or more between residential lots created by intersecting alleys, creeks, and public or private open space. The building line may be staggered for lots fronting on an eyebrow or bulb portion of a cul-de-sac in the SF-9, SF-7, SF-6, and 2F districts. When these setbacks are staggered, the maximum setback shall be 35 feet in the SF-9, SF-7, and 2F districts and 30 feet in the SF-6 district. A minimum lot depth of 70 feet, as measured from the front building line to the rear lot line, shall be maintained.
- P. Attached front accessory buildings, including garages and carports, shall have a front setback from the street or access way not less than that of the main building or 20 feet, whichever is greater. Detached accessory buildings shall be located behind the main building.
- Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback. (ZC2020-012; Ord. No. 2021-1-13)
- R. Exterior balconies or individual room entrances for hotels and motels shall be a minimum of 200 feet from residential districts, unless they are located in an interior courtyard or physically separated from the residential district by a portion of the building or another building. (ZC 2014-37 and 96-29; Ordinance No. 2015-1-10 and 96-11-29)
- S. A below-grade, open parking structure is allowed in the front yard setback for all nonresidentially zoned properties. No portion of the below-grade parking structure shall extend above the general ground level of the graded lot, as stated in Sec. [13.500.2C](#). Surface parking may be constructed on top of the below-grade parking. Additional landscaping shall be provided per Sec. [17.100.5](#). (ZC 96-68; Ordinance No. 97-2-15)

.3 Side Yard Regulations

- A. On a corner lot used for single-family or two-family dwellings, both street exposures shall be treated as front yards on all lots platted after the effective date of this ordinance, except that where one street exposure is designated as a side yard by a platted building line which provides a side yard of 15 feet or more, the building line provisions on the plat shall be observed. On lots which were official lots of record prior to the effective date of this ordinance, the minimum side yard adjacent to a side street shall comply with the side yard requirements of the subject zoning district. (See also Sec. [13.500.20](#).)

- B. On a corner lot used for nonresidential or multifamily purposes, both street exposures shall be treated as front yards on all lots platted after the effective date of this ordinance. On such lots which were official lots of record prior to the effective date of this ordinance and which did not provide a platted building line, the minimum side yard adjacent to a side street shall comply with the side yard requirements of the subject zoning district.
- C. The side setback shall be increased 10 feet for lots siding to a secondary or major thoroughfare Type D or above as shown on the Thoroughfare Plan, if not separated by an alley. The lot width shall be increased 10 feet to correspond to the increased setback. The increased setback and lot width shall not be required if a minimum of 10 feet of right-of-way is dedicated for landscaping. The increased setback shall not apply to existing lots and valid Phase II land studies submitted and approved by April 10, 1995. (*ZC 94-122; Ordinance No. 95-4-30*)
- D. The minimum interior side yard requirements in a nonresidential planned development district shall be established on the site plan.
- E. Nonresidential uses in residential districts shall comply with the side yards requirements of the subject zoning district.
- F. Every part of a required side yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features projecting not to exceed 12 inches into the required side yard and roof eaves projecting not to exceed 36 inches into the required side yard. A fence may be constructed on the property line adjacent to a side yard.
- G. Mechanical equipment such as air-conditioning compressors, swimming pool pumps and filters, and similar devices may be installed in the side yard at a maximum height of 60 inches above the ground level of the graded lot to the sky.
- H. Where a side property line divides a nonresidential district from a residential district, a minimum 10-foot side yard shall be provided on the nonresidential lot side adjacent to such residential district.
- I. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet. (*ZC2020-012; Ord. No. 2021-1-13*)
- J. In single-family residential districts, one side yard may be reduced down to zero if the other side yard is increased by at least the same amount. A minimum 3-foot maintenance easement may be required on the lot adjacent to the reduced side yard. In any case where a side yard is reduced according to this paragraph, side yards shall be shown on the subdivision plat.
- K. Where residential lots are platted such that the side of one lot abuts the rear of another lot, the side building line adjacent to the street shall be platted at the same depth as the adjacent front building line, unless an alley is constructed between the 2 lots so as to provide a minimum 15-foot separation between the building lines.

- L. For LI-1 and LI-2 districts in proximity to districts permitting residential uses by right, the side yard shall be a minimum of 50 feet, as measured from the boundary line of the nearest district permitting residential uses by right (except CB-1 and CE districts).
- M. Vehicle fueling station pump islands shall not be located closer than 39 feet to any side property line. Canopies for pump islands shall have a minimum setback of 20 feet from the side property line when the canopy thickness is 3 feet or less. An increased setback of 10 feet will be required for each additional foot or a portion of a foot in excess of 3 feet. *(ZC 2017-014; Ord. No. 2017-7-9)*
- N. Car washes shall be set back a minimum of 50 feet from any side yard adjacent to a residential district.
- O. Where a single-family or duplex residential structure is legally constructed within the allowable building area of a lot and a subsequent change to the building setback standards results in the structure extending into the setback area, the structure shall be classified as nonconforming. Additions and alterations may be made to these structures provided that the addition or alteration does not extend beyond a line tangent to the existing structure and parallel with the setback line. *(ZC 92-79; Ordinance No. 93-5-43)*
- P. A lot that is used for single-family and two-family dwellings that sides to a street shall have the same side building line along the street as required for a corner lot in that district. *(Ordinance No. 93-9-7)*
- Q. Exterior balconies or individual room entrances for hotels and motels shall be a minimum of 200 feet from residential districts, unless they are located in an interior courtyard or physically separated from the residential district by a portion of the building or another building. *(ZC 2014-37 and 96-29; Ordinance No. 2015-1-10 and 96-11-29)*

.4 Rear Yard Regulations

- A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, UMU, NBD, and RCD, main residential buildings must be constructed at least 10 feet away from the rear property line, and the main residential building and all accessory buildings must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line. *(ZC2020-012; Ord. No. 2021-1-13)*
- B. Every part of a required rear yard shall be open and unobstructed to the sky from a point 40 inches above the ground level of the graded lot, except for permitted accessory buildings and the ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features projecting not to exceed 4 feet into the required rear yard. A fence may be constructed on the property line adjacent to a rear yard.
- C. The minimum rear yard requirement in a nonresidential planned development district shall be established on the site plan.
- D. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures

must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet. *(ZC2020-012; Ord. No. 2021-1-13)*

- E. In LI-1 or LI-2 districts, a rear yard is not specified except where the boundary line of an LI-1 and LI-2 district is in proximity to a residential district, the rear yard shall be a minimum of 50 feet as measured from the boundary line of the nearest district permitting residential uses by right (except CB-1 and CE districts).
- F. Car washes shall be set back a minimum of 50 feet from any rear yard adjacent to a residential district.
- G. Where a single-family or duplex residential structure is legally constructed within the allowable building area of a lot and a subsequent change to the building setback standards results in the structure extending into the setback area, the structure shall be classified as nonconforming. Additions and alterations may be made to these structures provided that the addition or alteration does not extend beyond a line tangent to the existing structure and parallel with the setback line. *(ZC 92-79; Ordinance No. 93-5-43)*
- H. The rear setback shall be increased 15 feet for lots backing to a secondary or major thoroughfare Type D or above as shown on the Thoroughfare Plan, if not separated by an alley. Lot depth shall be increased 10 feet to correspond to the increased setback. The increased setback and lot depth shall be reduced proportionally if a minimum of 10 feet of right-of-way is dedicated for landscaping. The increased setback shall not apply to existing lots and valid Phase II land studies submitted and approved by April 10, 1995. *(ZC 94-122; Ordinance No. 95-4-30)*
- I. Exterior balconies or individual room entrances for hotels and motels shall be a minimum of 200 feet from residential districts, unless they are located in an interior courtyard or physically separated from the residential district by a portion of the building or another building. *(ZC 2014-37 and ZC 2011-37 and 96-29; Ordinance No. 2015-1-10 and 96-11-29)*

13.600 Height Regulations

The height regulations herein specified shall apply to all buildings and structures unless otherwise specified in the ordinance. When height requirements are stated in stories and feet, the more restrictive requirement shall apply. *(Ordinance No. 95-4-27)*

- .1 In all zoning districts and planned developments, water standpipes and tanks; religious facility architectural features; bell towers; domes and spires on government facilities, school buildings, and institutional buildings; the roofs of auditoriums and sanctuaries of one story construction; and public safety structures may be erected to exceed the district's maximum height. Side and rear yards shall be increased by 2 additional feet, and the front yard shall be increased by one additional foot, for each foot that such structures exceed the district's maximum height where adjacent to residential districts. The increase in the required yard shall apply only to the portion of the structure that causes the increased yard requirements. See Sec. [13.500.3](#) and [13.500.4](#) for additional side and rear yard setbacks in nonresidential zoning districts. *(ZC2021-011; Ord. No. 2021-7-6; ZC 2010-06; Ordinance 2010-8-7; ZC 2001-49; Ordinance No. 2002-1-25)*

- .2 Publicly-owned sports lighting, communication antennas or communication structures, utility poles and towers, and water tanks are exempt from height restrictions.

13.700 Lot Coverage

The maximum percentage of any lot which may hereafter be covered by the main building and all accessory buildings shall not exceed the lot coverage requirements herein specified, except where an existing building at the effective date of this ordinance may have a greater percentage of a lot covered than herein prescribed, such building shall be considered a conforming use.

13.800 Usable Open Space

(ZC 2006-02; Ord. No. 2006-4-24)

.1 Intent

The intent of usable open space is to provide for outdoor living and/or recreation in an open area or recreational facility. Where required by this ordinance, usable open space shall comply with the standards of this section:

.2 Area Required

- A. The minimum required area of usable open space for a development shall be according to the area, yard, and bulk standards of the respective zoning district.
- B. At the time of site plan and/or subdivision plat approval, the Planning & Zoning Commission and/or City Council may give full or partial credit to the minimum required area of usable open space as follows:
- i. The required usable open space area may be reduced up to one-third for offsite dedicated open space that meets the development's needs in terms of adjacency, accessibility, usability, and design integration. The credit for the offsite usable open space is a discretionary decision of the Planning & Zoning Commission and/or City Council based generally upon the following:
 - a. 15% or more of the site's boundary is adjacent to park land.
 - b. The park land is suitable, as defined by the intent for usable open space, for use by residents.
 - c. There are defined pedestrian connections between the development and the park land.
 - d. The design of the development provides a significant visual connection to the park land.
 - ii. For multifamily residential development in the Multifamily Residence-1 (MF-1), Multifamily Residence-2 (MF-2), and Multifamily Residence-3 (MF-3) zoning districts only, the required usable open space may be reduced through the use of credits for certain improvements. A credit of 3 square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within 10 feet of a pool, developed and equipped children's play areas, and usable portions of recreational buildings. No credit may be applied for tennis courts.
 - iii. For multifamily residential development in the MF-1, MF-2, and MF-3 zoning districts only, the combined credit for areas calculated at a 3-to-one basis and

for public parks shall not exceed 50% of the total usable open space for an individual lot or parcel of land.

.3 General Standards

- A. Usable open space may include landscaping, walks, patios, pools, tennis courts and other recreational facilities, water features, and decorative objects such as art work or fountains.
- B. Usable open space shall not include rooftops; accessory buildings, except those portions of any building designed specifically for recreational purposes; parking areas; driveways; turnaround areas; or rights-of-way or easements for streets or alleys, drainage or floodway facilities or electrical transmission lines.
- C. Usable open space shall not have a slope exceeding 10%. (*ZC 2017-026; Ord. No. 2017-11-3*)
- D. At that time of site plan and/or subdivision plat approval, the Planning & Zoning Commission and/or City Council may give full or partial credit for usable open space that exceeds the maximum 10% slope if it is determined that such areas are environmentally or aesthetically significant and their preservation would enhance the development.

.4 Dimensional Standards

- A. Multifamily residential development in the MF-1, MF-2, and MF-3 zoning districts shall have no usable open space dimension less than 15 feet.
- B. Patio home and single-family attached development in the Patio Home (PH), Single-Family Residence Attached (SF-A), MF-1, MF-2, and MF-3 zoning districts, and patio home or single-family development in the Retail zoning district with the corresponding specific use permit (SUP) shall comply with the following dimensional standards:
 - i. All residential lots must be located within 600 feet of usable open space as measured along a street. The Planning & Zoning Commission may increase this distance to 1,200 feet if the shape of the subdivision is irregular or if existing vegetation on the site will be preserved by an increase in the distance.
 - ii. A primary usable open space area 20,000 square feet or larger shall be provided. This primary usable open space must be a minimum of 50 feet wide and must abut a street on a minimum of 25% of the area's perimeter.
 - iii. If additional open space is needed to meet the minimum area of required usable open space, secondary usable open space areas must be provided. The minimum area for a secondary usable open space shall be 7,500 square feet or larger. This secondary usable open space must be a minimum of 25 feet wide and must abut a street for a minimum frontage distance of 25 feet. Secondary usable open space areas greater than 15,000 square feet shall have a minimum of 2 access points to public streets. Each access point must abut a street for a minimum frontage distance of 25 feet.

.5 Exhibit Required

Where usable open space is required by this ordinance, a usable open space plan shall be submitted as part of any preliminary site plan or site plan application. The usable open space plan shall contain the following:

- A. A table with calculations that indicate compliance with minimum required area of usable open space.
- B. Graphic representation of compliance to general and dimensional standards for usable open space.
- C. If requesting usable open space credits, a statement with graphic depiction of the credits is requested.

13.900 Accessory Building Regulations

.1 General

A. Use of Accessory Building

In a residential zoning district, an accessory building may not be used for commercial purposes, with the exception of coops for backyard hens kept in accordance with the Code of Ordinances, and may not be rented. (*ZC2021-020; Ord. No. 2021-9-25*)

B. Height and Yard Requirements

- i. Where the accessory building is attached to a main building, it shall be subject to, and must conform to, all regulations applicable to the main building except as provided within this section.
- ii. Accessory buildings shall not be erected in any required front yard.
- iii. Carports and detached accessory buildings, except garages, shall not be located closer than 3 feet to any side or rear lot line.
- iv. Detached accessory buildings enclosed on 3 or more sides shall not be located closer than 10 feet to the main building.
- v. Garages entered from an alley shall be set back from the lot line adjacent to the alley a minimum of 20 feet.
- vi. Accessory buildings may not be placed in the required side yard setback if the side yard lot line abuts a street.
- vii. In no instance shall an accessory building be located within an easement or right-of-way.
- viii. Detached accessory buildings located in a required rear or side yard shall not exceed 10 feet in height. If the detached accessory building is located less than 10 feet from the rear or side lot line, a 6-foot solid fence or wall shall be built on the rear or side lot line to screen the building. No screening shall be required at the point of entry for a carport.

.2 Accessory Building Regulations for Shopping Centers

In shopping centers, the maximum number of kiosks to be permitted shall be limited to one per 50,000 square feet or portion thereof of floor area. In no case shall more than 10 kiosks be permitted in one shopping center.

Zero Lot Line Development.

Purpose. The purpose of the zero lot line regulations is to provide for single-family attached or detached residential structures with one (1) zero side setback area. The intent is to allow a single-family structure to be placed on a side lot line in order to provide a more usable side yard on the other side.

(1)

Zero lot line development shall comply with 310-1 of this article with the exception of the minimum side setbacks in Column (j).

(2)

A zero lot line may only be located on an interior side property line.

(3)

The zero lot line for each lot shall be denoted on the subdivision plat.

(4)

For zero lot line subdivisions, a minimum five-foot wide maintenance easement shall be provided through deed restrictions on the lot adjacent to the zero lot line. This easement shall be kept free of permanent obstructions such as tool sheds or fences without a gate. When filing an application for a building permit for a zero lot line development, the subdivider shall provide the city with two (2) copies of deed restrictions establishing the maintenance easements. One (1) copy of these deed restrictions shall be recorded by the applicant prior to issuance of the building permit. Along with the required building permit filing fees, an additional fee shall be provided by the subdivider to cover the recording costs of these deed restrictions.

The following notation shall appear on the plat:

"Foot wide maintenance easements are established within the lots adjacent to all nonattached zero lot lines. Such easements shall extend for the depth of the lot and are included in the deed restrictions for all affected properties."

(5)

Dwelling units shall be constructed on the zero lot line on one (1) side of the lot and a side setback shall be provided on the other side of the said lot subject to the following conditions:

A. The minimum width of the side setback opposite the zero lot line shall be ten (10) feet.

B. A zero setback shall not be permitted when the zero lot line abuts a non-zero lot line development, in which case, a minimum side setback of five (5) feet shall be required.

C. There shall be no openings in any exterior wall located upon or oriented towards the zero side yard of the subject property. Exception: an alcove or atrium with doors or windows may be recessed into the dwelling structure if such recessed area is separated from the zero side yard by means of a solid wall not less than eight (8) feet in height. Said wall shall be constructed of the same material as exterior walls of the unit.

(6)

The zero-lot line for an existing legally permitted zero-lot line residence may be maintained on any addition to the residence, so long as the maintenance easement requirement indicated above is maintained.



PLANNING AND ZONING COMMISSION

Staff Update: Parking in DN and OT district.

Agenda Date: October 3, 2022

Agenda Item: C3.

Agenda Item Subject: Discussion on Parking within DN, Downtown and OT, Olde Town district.

NO ACTION FROM THE PLANNING AND ZONING COMMISSION IS REQUIRED ON THIS AGENDA ITEM.

Presenter: Mason A. Garcia, Planning Director

SUMMARY

“Parking is one of the primary shapers of US communities and has been for a center” (Steuteville, Robert. “Great Idea: Rethinking Parking.” CNU, 5 June 2017). This aspect of urban planning involves consideration of several aspects included economic, environmental and development itself. Providing the appropriate amount of parking is crucial to businesses along with placemaking. Demand for each development should be considered on carefully due to the varying nature of uses which have different peak demand times, layouts and alternative options. Changes to parking requirements within the OT district have been adopted in years past. At two previous commission meetings in June and July staff provided the commission with information pertaining to the existing building and uses and the parking requirements of the UDC. Change on the staff level has provided an opportunity for this item to be rediscussed as inputs from commissioners may be given regarding these items. The following items are up for rediscussion:

- Discuss existing Parking situation within Downtown district based on on-street parking availability, existing vacancy, the scale of land uses, and future vision for downtown district.
- Discuss current parking requirements.
- Discuss parking requirements in general for most relevant land uses.
- Discuss possibilities for alternate approaches to parking requirements in DN district.
- General discussion about parking in OT district (current land-use map attached).

-----End of Report-----

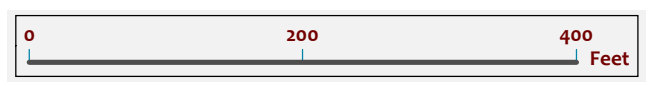
Building	FBCAD ID	GFA	PFA	Status	Type
Fire Station	R112640	7580	6443	vacant	Restaurant
Fire Fox Studios	R112685	2940	2499	vacant	Office
Hi Tech car care	R112683	3840	3264	Open	Retail
Hi Tech car care (Corner)	R112684	1950	1658	Open	Retail
Lawyers Office (Richard Tate)	R112641	7345	6243	Open	Office
Junker Law	R112642	1460	1241	Open	Office
Identity homes (Lawyer office)	R112643	2379	2022	Open	Office
George Foundation	R112646	15322	13024	Open	Office
Mason Lodge	R112644	4872	4141	Open	Assembly
Josephs Coffee	R112692	3875	3294	Open	Retail
Josephs Guns	R112687	3499	2974	Open	Retail
Joseph's Rear	R112691	6516	5539	vacant	Vacant
Old Theatre	R112688	9292	7898	vacant	Vacant
Old Irwin Law	R339092	1905	1619	vacant	Vacant
Dr Maza	R112689	5049	4292	open	Office
Maverick Steel	R347625	1750	1488	vacant	Office
Rosen Law	R112690	5200	4420	open	Office
Trough	R112695	1188	1010	open	Retail
Boutique	R112690	2150	1828	open	Retail
Barbque	R112697	1150	978	vacant	Vacant
Corner (101 S. 3rd)	R112696	1380	1173	vacant	Vacant
Lone Star	R112701	5225	4441	open	Restaurant
Old Exchange (Office)	R112699	6507	5531	open	Office
Old Exchange (Sales)	R112700	6507	5531	open	Retail
Unwined	R112700	2625	2231	open	Restaurant
Post Office (Combined parcel)	R112705	4131	3511	open	Retail
Sandy McGees	R112706	6832	5807	open	Restaurant
City Hall	R112709	5238	4452	open	Office
McFarlene House	R112657	2200	1870	open	Office
St Johns Church	R112656	2800	2380	open	Assembly
St Johns Church Office	R112660	7306	6210	open	Office
St Johns School	R112659	20504	17428	open	School
Zurovec	R112648	2617	2224	open	Retail
Scherer	R112647	11542	9811	open	Office
Moore	R187776	1200	1020	vacant	Office
Little Creek	R112654	15600	13260	vacant	Vacant
Wendt	R112649	4180	3553	open	Retail
Barber	R112655	780	663	open	Retail
Retail/ office	R112653	901	766	open	Retail
Total			167736		



LEGEND

- CITY LIMITS
- EXTRATERRITORIAL JURISDICTION

RICHMOND DOWNTOWN PARKING



Area based on FBCAD data | GFA: Gross Floor Area | PFA: Parking Floor Area (85% of GFA)

Parking ratio for sites without on-site parking: **1.7 spaces per 1,000 PFA**
 Parking ratio within DT (on-st and off-st) = **2.4 spaces per 1,000 PFA**
 Parking ratio excluding Vacant buildings: **3.1 spaces per 1,000 PFA**

- Total On-street Parking = **157 Spaces**
- Total Parking Lot spaces = **211 Spaces**
- Potential peripheral spaces = **25 Spaces**
- Potential on-site 1 per Block = **7 Spaces**
- Total Spaces = 400**



Shared Parking Calculation (UDC Requirement)	WeekDay			WeekEnd		Area	Parking
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)		
Office	14	287	29	29	14	57350	287
Restaurant	11	57	114	57	114	18923	114
Retail	8	106	136	151	106	30275	151
Vacant	0	0	0	0	0	30467	0
Total	33	449	278	237	234		552
Parking available = 362		Delta	-87				

Shared Parking Calculation	WeekDay			WeekEnd	
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)
Office	5%	100%	10%	10%	5%
Restaurant	10%	50%	100%	50%	100%
Retail	5%	70%	90%	100%	70%
Entertainment	10%	40%	100%	80%	100%

Shared Parking Calculation (4 Spaces per 1,000)	WeekDay			WeekEnd		Area	Parking
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)		
Office	11	229	23	23	11	57350	229
Restaurant	8	38	76	38	76	18923	76
Retail	6	85	109	121	85	30275	121
other	12	49	122	97	122	30467	122
Total	37	401	329	279	294		548
Parking available = 362		Delta	-39				

Shared Parking Calculation (3 & 5 spaces per 1,000 PFA)	WeekDay			WeekEnd		Area	Parking
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)		
Office	9	172	17	17	9	57350	172
Restaurant	9	47	95	47	95	18923	95
Retail	8	106	136	151	106	30275	151
other	9	37	91	73	91	30467	91
Total	35	362	339	289	301		509
Parking available = 362		Delta	0				

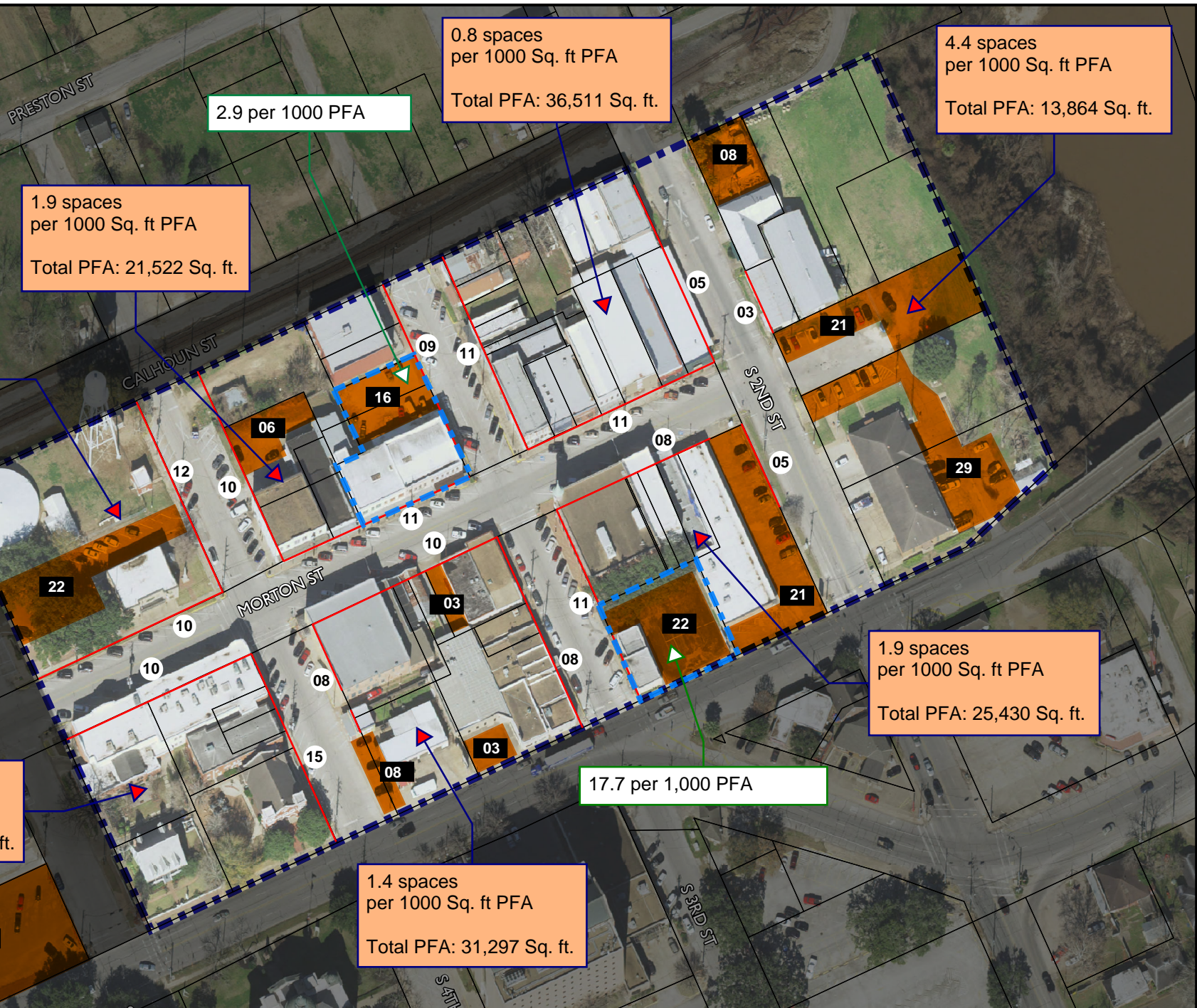
LEGEND

- CITY LIMITS
- EXTRATERRITORIAL JURISDICTION

RICHMOND DOWNTOWN PARKING



Area based on FBCAD data | GFA: Gross Floor Area | PFA: Parking Floor Area



Parking ratio for sites without on-site parking: **1.7 spaces per 1,000 PFA**
 Parking ratio within DT (on-st and off-st) = **2.4 spaces per 1,000 PFA**
 Parking ratio excluding Vacant buildings: **3.1 spaces per 1,000 PFA**

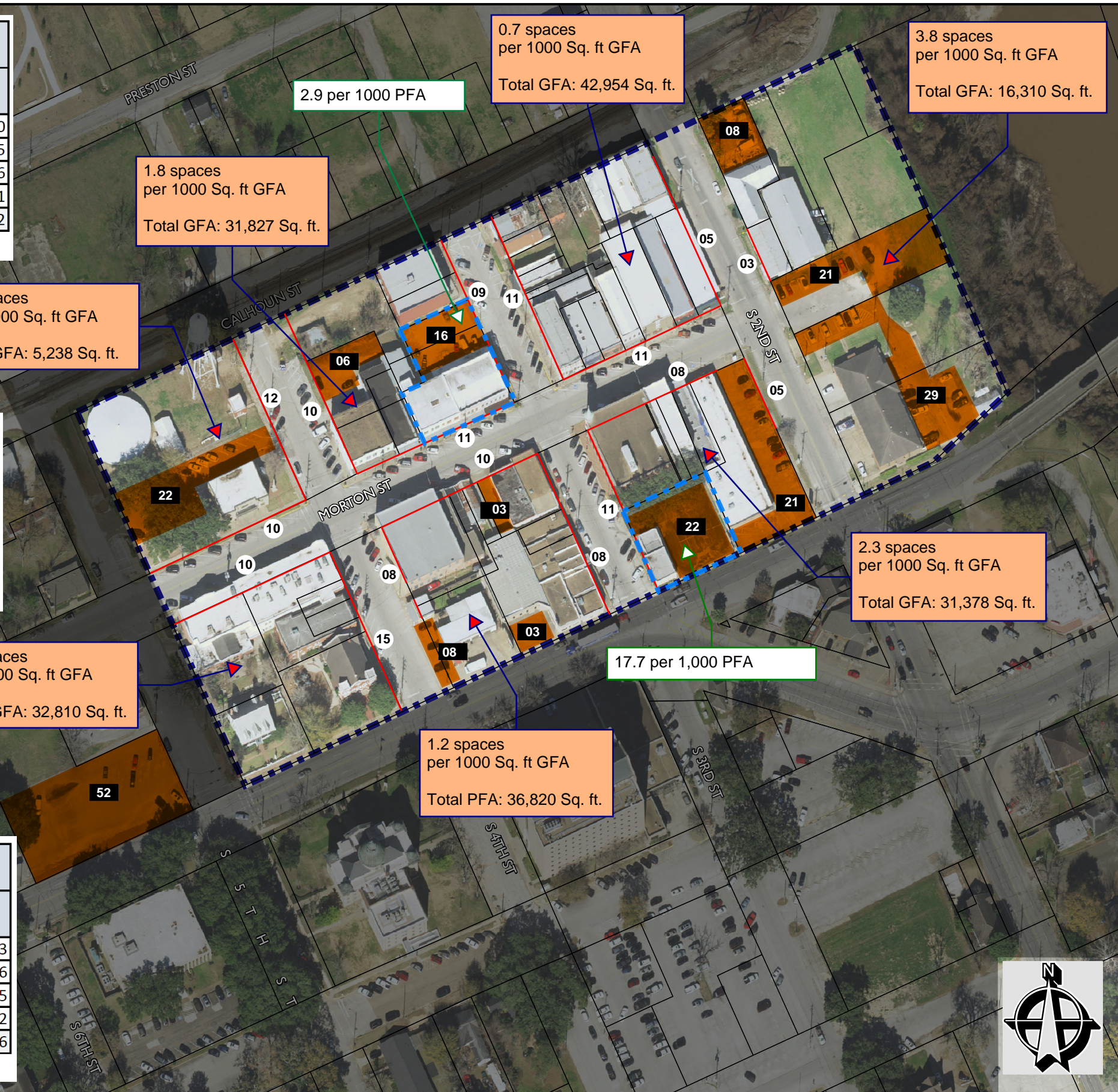
Total On-street Parking = **157 Spaces**
 Total Parking Lot spaces = **211 Spaces**
 Potential peripheral spaces = **25 Spaces**
 Potential on-site 1 per Block = **7 Spaces**
Total Spaces = 400



Shared Parking Calculation (3 & 5 spaces per 1,000 GFA)	WeekDay			WeekEnd	
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)
Office	10	202	20	20	10
Restaurant	9	47	95	47	95
Retail	8	106	136	151	106
other	9	37	91	73	91
Total	36	392	342	292	302
Parking available = 362		Delta	-30		

Shared Parking Calculation	WeekDay			WeekEnd	
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)
Office	5%	100%	10%	10%	5%
Restaurant	10%	50%	100%	50%	100%
Retail	5%	70%	90%	100%	70%
Entertainment	10%	40%	100%	80%	100%

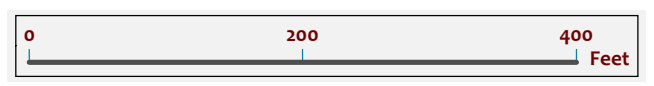
Shared Parking Calculation (4 Spaces per 1,000 GFA)	WeekDay			WeekEnd	
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)
Office	13	270	27	27	13
Restaurant	8	38	76	38	76
Retail	6	85	109	121	85
other	12	49	122	97	122
Total	39	441	334	283	296
Parking available = 362		Delta	-79		



LEGEND

- CITY LIMITS
- EXTRATERRITORIAL JURISDICTION

RICHMOND DOWNTOWN PARKING



Area based on FBCAD data | GFA: Gross Floor Area | PFA: Parking Floor Area (85% GFA)

Parking ratio for sites without on-site parking: **1.5 spaces per 1,000 GFA**
 Parking ratio within DT (on-st and off-st) = **2.0 spaces per 1,000 GFA**
 Parking ratio excluding Vacant buildings: **2.7 spaces per 1,000 GFA**

Total On-street Parking = **157 Spaces**
 Total Parking Lot spaces = **211 Spaces**
 Potential peripheral spaces = **25 Spaces**
 Potential on-site 1 per Block = **7 Spaces**
Total Spaces = 400



OT
Parking

Landuse

- Commercial
- Residential
- Medical
- School
- Public/ Govt
- Mixed (Res + Commercial)
- Church





C4. DEVELOPMENT UPDATES TO PLANNING AND ZONING COMMISSION

October 2022

The following table provides an overview of Planning Department activities from September 1, 2022 through September 29, 2022:

PRE-APPLICATION CONFERENCES		
LOCATION	LAND USE	DESCRIPTION
<ul style="list-style-type: none"> 105 2nd St. (DN) H.O.D. 	Bible Study	<ul style="list-style-type: none"> Staff met with the applicant to discuss site requirements and regulations. The site is currently not in use. The applicant is working towards drawing up documents for a site development plan review.
<ul style="list-style-type: none"> 2616 Precinct Line Rd ETJ 	Place of worship	<ul style="list-style-type: none"> The applicant discussed constructing an addition to the current building. The applicant was provided with UDC requirements for the site.
<ul style="list-style-type: none"> SW corner of Williams Way Blvd and US 59 (ETJ) 	Pitstop Express	<ul style="list-style-type: none"> The applicant discussed the use of the site as a gas station and c-store along with an associated retail space. Staff provided information regarding UDC standards and requirements that applies to the subject site.

SITE DEVELOPMENT PLAN REVIEWS		
LOCATION	LAND USE	DESCRIPTION
<ul style="list-style-type: none"> 5115 FM 359 (ETJ) 	Move- it Richmond	<ul style="list-style-type: none"> The subject site is located at 5115 FM 359 and is part of the Move-It Richmond facility. Staff is in the process of reviewing the 2nd submittal for a proposed 2 building addition, with one covered structure for parking.
<ul style="list-style-type: none"> 2021 E Hwy 90A (GC) 	Fashion - retail	<ul style="list-style-type: none"> The subject site is located along the northside of E. highway 90A. The applicant is proposing an approximate 12,000 square foot retail center for wedding apparel.
<ul style="list-style-type: none"> 4120 Richmond Parkway (ETJ) 	Retail Center	<ul style="list-style-type: none"> The subject site is located at the northwest corner of Richmond Pkwy and Highway 59. The applicant is proposing a retail center.

<ul style="list-style-type: none"> ▪ 4720 FM 359 (ETJ) 	<p>Foster Creek Vet Clinic (Parking & Det. Pond)</p>	<ul style="list-style-type: none"> ▪ <i>The subject site is located at 4720 FM 359 and is the Foster Creek Vet Clinic. Staff is reviewing the 2nd submittal of a proposed parking and pond expansion to account for additional mitigation and increase in small amounts of impervious cover.</i>
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----- End of Report -----