



City of Richmond

Where History Meets Opportunity

Special Scheduled City Commission Workshop (in person)

600 Morton Street

Richmond, Texas 77469

Tuesday, January 17, 2023, at 4:30 P.M.

And

Join Zoom Meeting

<https://us06web.zoom.us/j/88159783813>

Meeting ID: 881 5978 3813

One tap mobile

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Mayor Rebecca K. Haas

Commissioner Terry Gaul

Commissioner Barry Beard

Commissioner Carl Drozd

Commissioner Alex BeMent

AGENDA

- A1. Call to Order, Quorum Determined and Meeting Declared Open.
- A2. Public comments (Public comment is limited to a maximum of 3 minutes per item. No Deliberations with the Commission. Time may not be given to another speaker.)
- A3. Discussion on Single Family Rental Community and Multifamily Development.
- A4. Discussion on Zero Lot Line Zoning.
- A5. Discussion on Parking in DN and OT district.
- A6, Discussion Infill Development in Olde Town.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

City Commission Meeting Agenda

January 17, 2023

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A7. Adjournment.

If, during the course of the meeting covered by this Agenda, the Commission shall determine that an executive session of the Commission, should be held or is required in relation to any item included in this Agenda, then such executive session, as authorized by the Texas Open Meetings Act, will be held by the Board at the date, hour, and place given in this Agenda concerning any and all subjects and for any and all purposes permitted by Sections 551.071-551.090 of the Texas Government Code, including, but not limited to, Section 551.071 – for purpose of consultation with attorney, on any or all subjects or matters authorized by law.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Richmond City Commission meetings are available to all persons regardless of disability. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary's office at (281) 342-5456 ex. 504 for needed accommodations.

If you have any questions, please let me know.
Terri Vela



City of Richmond

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600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

- A1. Call to Order, Quorum Determined, Meeting Declared Open



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- A2. Public comments (Public comment is limited to a maximum of 3 minutes per item. No Deliberations with the Commission. Time may not be given to another speaker.)



City of Richmond

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Special Scheduled City Commission Workshop

600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

- A3. Discussion on Single Family Rental Community and Multifamily Development.



CITY COMMISSION
Discussion on Single Family Rental Community and Multifamily Development

Agenda Date: January 17, 2023

Agenda Item: A3.

Agenda Item Subject: Single Family Rentals and Multifamily Development.

Project Description: This report is intended to provide a discussion on multi-family development with a focus on provisions and requirements within the Unified Development Code (UDC).

Presenter: Mason A. Garcia, Planning Director

INTRODUCTION

Zoning laws are an important aspect of urban planning they dictate land-use, shape growth and affect development outcomes within the City of Richmond. Discussion on land-use started in the early 1800’s with one of the first comprehensive zoning codes being adopted in New York in 1916. The purpose of zoning is to regulate land-use, ensure sustainable growth and protect neighboring uses. “Demographic growth and the residential building stock are intimately connected, because with a growing population comes increased demand of housing.” (Rice | Kinder, Taking Stock Housing Trends in the Houston Area, 2017). Recently, a new asset class that offers rental of single-family homes communities has started to pop up around Houston and surrounding suburbs. Single family rentals (SFR) also known as build-to-rent encompasses a variety of rental housing options which include developments with single family parcels and lower density rental communities that provide on-site management and maintenance, akin to an apartment complex. While residential home builders and multi-family construction companies alike offer their own unique spin on this housing type there is one common issue Richmond faces. The Unified Development Code (UDC) currently does not have provisions to permit these developments and may need to be expanded or modified to provide flexibility to accommodate such requests. This report will provide discussion points on the Build-To-Rent Housing along with consideration of the current Mixed – Use zoning designation and new zoning designations that may handle multi-family.

DEVELOPMENT POLICY AND REGULATIONS

In recent years demand for affordable housing has exerted pressure on low housing stock in the Houston area. This has driven the market to explore creative ways in which to best serve the needs of the potential residents while generating profit. The result has been a myriad of offerings such as the SFR Single-family dwelling unit. While this has presented a product that is gaining popularity among potential renters the city does not offer a zoning designation to permit this development type. The current zoning designations for which this offering may fit in are in the GR, General Residential and the MU, Mixed-Use zoning districts. This offering is truly a hybrid of both zoning designations and does not fit neatly into either one of the zoning districts? This sentence seems incomplete. Zoning laws are unable to require owner occupied dwellings as

opposed to renter occupied dwellings. Therefore, it is important to consider what practical methods may be used for the allowance of this new type of residence.

The Comprehensive Master Plan notes the importance of diversification to ensure the growth development and enhancement for the City of Richmond. Goal D.2 of the Plan is to “Continuously re-evaluate the City’s incentives, policies and regulations—while at the same time—setting quality and character standards that are compatible with the historic character and future trajectory of the community.”

The UDC defines Single Family dwellings in two distinct categories:

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:

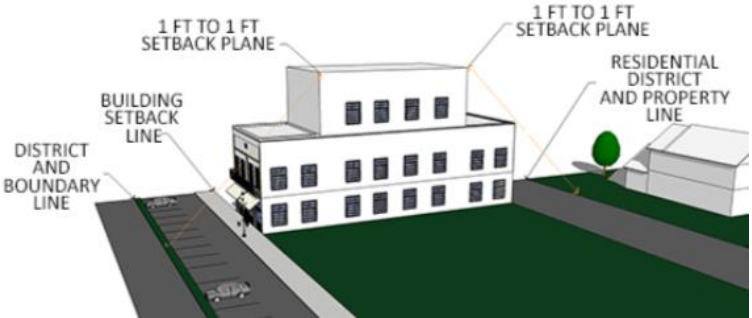
1. Located in individual buildings that are constructed on:
 - a. Individual lots; or
 - b. Land that is designated as a limited common element in a declaration of condominium;
2. Separated from each other by outside walls; and
3. Intended for the use of a single housekeeping unit.

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

This portion discussion will highlight the requirements of the Single Family Detached use within the General Residential and Mixed-Use Districts. The Single Family Detached definition is what many proposed SFR’s look most similar too, but fail to meet the requirements of the GR, General Residential Standards. Please note the following requirements of the GR, General Residential and MU, Mixed Use within the UDC.

<p>LAN DUSE ALLOWANCE</p>	<p><u>General Residential and Mixed-Use</u></p> <ul style="list-style-type: none"> • Single Family Detached are allowed as a use by right in the GR, General Residential and SR, Suburban Residential District and as a 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 for <u>General Residential</u> Standard Neighborhood: <p>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</p> • Setback requirements for <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> • Setback requirements for <u>General Residential</u> Planned Residential Neighborhood (Planned General 2): <p>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>

	<p><u>Mixed-Use</u></p> <ul style="list-style-type: none"> • Setback requirements 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' • Setback requirements for Apartments: <ul style="list-style-type: none"> Minimum Area of Development: 5 ac. Front: 35' Street Side: 25' Interior Side: 15' Rear: 35'
<p>DENSITY / INTENSITY REQUIREMENT</p>	<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 <p><u>Mixed-Use</u></p> <ul style="list-style-type: none"> • The UDC requires that all proposed Multi-family development must be a minimum of five (5) acres and a minimum of 250 feet street frontage. • Minimum lot area per Dwelling unit is 1,500 square feet. • Density and intensity are controlled using Floor Area Ratio (FAR) requirements. FAR measures of the intensity of development of a lot or parcel, which is calculated by dividing the total floor area on the parcel proposed for development by the base site area. • Following are the maximum FAR allowed in the UDC based on number of stories: <ul style="list-style-type: none"> 1 Story – 0.280 2 Story – 0.335 3 Story – 0.358 4 Story – 0.371 • Maximum building height allowed in the MU district is 60 feet. But height for apartment buildings is limited to 35 feet. • <i>(FAR requirement limits the amount of floor area a development can have based on the size of the property and thereby controls total number of units and the height of the building)</i> • If development in the MU district abuts a residential use, UDC requires additional setback planes for buildings.

	<p style="text-align: center;">Figure 3.1.201A Setback Planes</p> 
<p>PARKING REQUIREMENT</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> • 2 spaces per dwelling unit <p><u>Mixed – Use</u></p> <ul style="list-style-type: none"> • One Bedroom & Efficiency Unit: 1.5 Spaces per Unit • Two Bedrooms: 2.0 Spaces per Unit • Three and more Bedrooms: 3.0 Spaces per Unit <p>1. Total number of parking spaces shall not be at a rate lower than 1.1 parking space per bedroom.</p>
<p>LANDSCAPING REQUIREMENT</p>	<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. <p><u>Mixed -Use</u></p> <ul style="list-style-type: none"> • All landscaping requirements in the UDC applies to multi-family developments including parking area planting island and endcaps, screening for parking area, yard planting, tree preservation, and bufferyard planting requirements.
<p>BUILDING DESIGN STANDARDS</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> • All front doors must face the street. <p><u>Mixed-Use</u></p> <ul style="list-style-type: none"> • The UDC provides minimum requirements pertaining to building design for commercial, multi-family and mixed-use developments. The UDC emphasizes 360-Degree Architecture and appropriate building scale. • The UDC requires the use of design features such as varying roof lines, changes in wall planes, dormers, bay windows, primary entrance treatments, covered staircase, balconies, location of garages on the side or rear etc., to avoid a box-like appearance and so that the development is aesthetically pleasing. • All lighting requirements that limit lighting overspill apply to multi-family developments.

POLICY & DISCUSSION

As shown above, the density provided by the GR, General Residential zoning district do not meet the density needs of the proposed development while the Mixed-Use designation does not focus on the residential aspect and also requires “a minimum of 25% nonresidential” *Section 4.1.203.C.3. UDC*. The city recently had an iteration of the Single-Family Rental Community within the Veranda Master Planned Community. The Veranda Section Thirty-Five Plat is within an area covered under a Development Agreement between the City of Richmond and HW 589 Holdings LLC. This agreement affords not only this section but other sections within the Master Planned Community a limited number of lots to deviate from the interim UDC. The interim UDC contained regulations for which development could continue during the preparation of the Unified Development Code until its adoption. Another point to note is the site is not within the Richmond City limits and is in the Richmond Extraterritorial Jurisdiction, which does not adhere to City zoning districts.

Nearby the City of Missouri City was able to bring in a build-to-rent community but this involved the creation of a Planned Unit Development via rezoning. A Planned Unit Development is defined as “A land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in building siting, mixtures of housing types and land uses, usable open spaces and the preservation of significant natural features.” In this model Missouri city took a base zoning designation and afforded the developer certain deviations based on the underlying zoning district. In this case the underlying proposed district was R-4 patio-cluster residential. This patio-cluster residential is a more intense residential zoning district than those currently offered by the City’s UDC. The City of Richmond has two zoning designations dedicated to residential use while City of Missouri City has approximately 10.

In North Texas the City of McKinney has also dealt with similar such demands via rezoning. The applicant had asked for a variance to the front and rear setback requirements to 20’ and the allowance of a front porch encroachment of 10 feet. The rezoning included a multitude of zonings: “PD” - Planned Development District, “H” - Historic Preservation Overlay District, and “TMN” - Traditional McKinney Neighborhood Overlay District. The rezoning ordinance states that the purpose is for the allowance of single family uses and to modify the development standards.

The City of Richmond has few avenues that may be pursued to permit the allowance of a SFR community within the City proper. The creation of a new or multiple zoning districts will be the focus of this discussion. The current options within the city include two single family zoning districts with one mixed-use zoning district. We will examine what modifications could be made for each along with potential advantages and pitfalls.

Residential

The first avenue would be the creation of a zoning district with requirements that propose a reduction of the standards of the General Residential Planned Residential Neighborhood (Planned General 2). These reductions would entail decreasing the following items:

- **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’

Lot and Building Standards

Reducing the minimum lot width and lot size would allow for a denser development but also provide for each dwelling to be platted on its own lot. A reduction in setbacks would provide for more buildable area within each lot.

Utilities

Utilities in this scenario would more than likely be provided and operated by the city.

Building Design Standards

Control of building design standards would still be reviewed by the Building Official but will include the single requirement of the front door to face the street. This may lead to an abundance of dwelling units that are somewhat identical in nature with little architectural detail.

Parking

Parking for this zoning designation would be, as shown above, at two (2) spaces per single Family Dwelling unit.

Platting

This proposed zoning designation would be subject to the current platting process with the inclusion of a preliminary and final platting stage. This option would not only be available to developers looking to rent out units, but also available to other builders looking to construct and sell a smaller residential product. Providing separate lots for a build-to-rent development would also permit a developer at any time to sell individual lots leaving the potential subdivision a mix of rental and owner-occupied lots. This would provide a mix of outcomes in the area; homeowners maintain and update property in an inconsistent manner from person to person, while the developer may also be operating on a different timeline.

Buffering

Buffering requirements may follow the current UDC requirements for the General Residential standards.

Multi-family

The second option would be to create a new multi-family zoning designation. This designation would focus on the horizontal multi-family development unit which would accommodate products as single-family rentals, duplexes, triplexes, and townhomes. Minor changes to the following items would ensure the protection, safety and health of neighboring property while allowing for higher density development. These items include:

Dwellings units / acre: 14

Front: 35'

Street Side: 25'

Interior Side: 15'

Rear: 35'

Max building height: 2 stories or 35'

Lot and Building Standards

Dwelling units per acre would cap the number of residential sites within a given parcel. Reducing front, street side and rear setbacks from MU, Mixed Use to GR, General Residential (Planned General 2) standards would allow for the development to be more appealing to developers while also catering to neighboring property owners by providing common setbacks typically reserved for Single Family developments. Please note interior side setbacks would be applicable to distance between buildings. In this model the developer would be able to offer amenities as they see fit which may include a leasing facility, clubhouse, pool, pet friendly amenities along with other items.

Utilities

Maintenance and Utility management would be fall under the responsibility of the developer and only become the cities responsibility at the street connection.

Building Design Standards

Building design standards may be adopted to follow the current regulations of multi-family buildings which require architectural features and articulation of the proposed dwelling units. This option provides the city greater control over the design of the proposed SFR units.

Parking

Parking standards currently adopted for the multi-family apartment use may also be brought over to have continuity with current approved multi-family requirements. This would ensure that SFR units of different sizes from 1 bedroom to 3 bedroom would be properly parked without over parking the development.

Buffering

Buffering requirements may follow the current UDC requirements for the General Residential standards.

Platting

As this relates to platting this would be a significant difference between both proposals, residential and multi-family. The new multi-family zoning designation would be required to indicate reserves to support the proposal and conform to any regulations and requirements with a new zoning designation.

Landscaping

Development landscaping standards within the UDC currently already apply to any multi-family project. These include landscaping, parking lot landscaping, buffering and tree preservation and protection requirements.

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 city may not enforce through zoning whether a dwelling unit is owner occupied or renter occupied.

- Would an additional Single-family zoning classification provide only single-family rental developers needed accommodations or would this also allow for building of smaller units for sale?
- Will the creation of an additional multi-family zoning designation meet the needs of the developer while ensuring City of Richmond is using best practices?
- Where will the location of these zoning designations best meet Richmond’s needs?

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



City of Richmond

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600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

- A4. Discussion on Zero Lot Line Zoning.



CITY COMMISSION
Discussion on Zero Lot Line Zoning

Agenda Date: January 17, 2023
Agenda Item: A4.

Agenda Item Subject: Zero Lot Line Zoning.
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.

<p>LAND USE 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 as a 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 for <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 for <u>General Residential</u> Planned Residential Neighborhood (Planned General 1): <ul style="list-style-type: none"> Minimum Area of Development: 15 ac.

	<p>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 for <u>General Residential</u> Planned Residential Neighborhood (Planned General 2): 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 for <u>Mixed Use</u> developments: Minimum Area of Development: 5 ac. Front: 40' Street Side: 40' Interior Side: 25' Rear: 30'
<p>DENSITY / INTENSITY REQUIREMENT</p>	<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
<p>PARKING REQUIREMENT</p>	<p><u>General Residential</u> 2 spaces per dwelling unit</p>
<p>LANDSCAPING REQUIREMENT</p>	<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.
<p>BUILDING DESIGN STANDARDS</p>	<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 allowance 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.

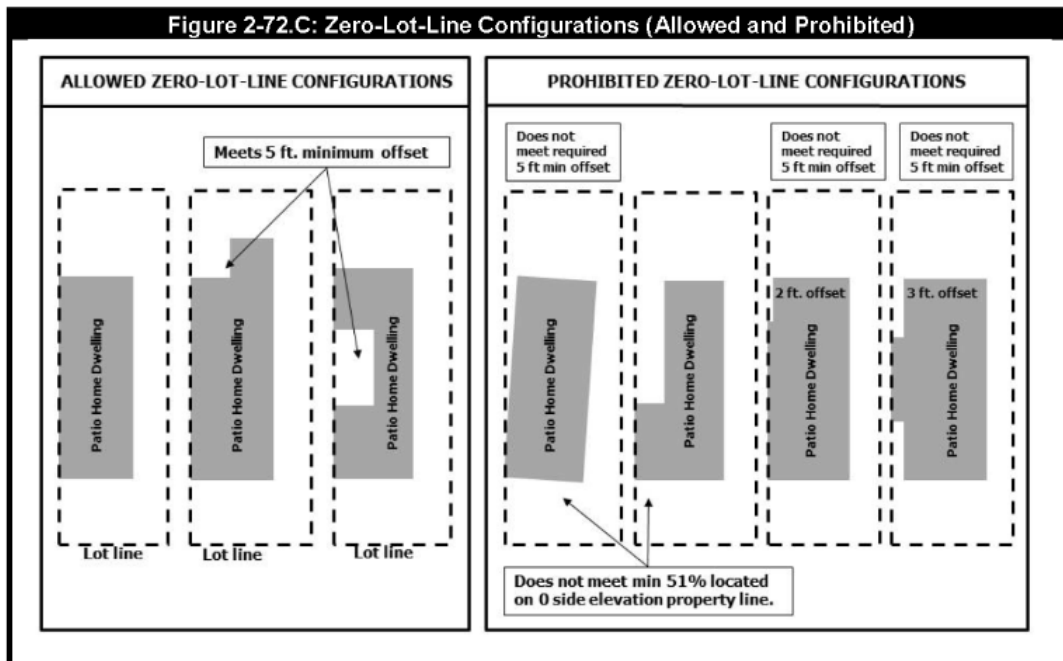
We will review several cities and their different regulations associated with the Zero lot line zoning type.

First, we have our neighboring City of Sugar Land which have a multitude of zero lot line zoning developments designated as R1-Z. The R1-Z district is the Zero Lot Line Single Family Residential. Many of these proposed zero lot line developments are 5,000 square feet and somewhat close to our 6,000 square foot general residential zoning. Sugar Land’s zero lot line developments could assist the City on how nearby cities are handling this item. The R1-Z 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 below 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 three (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 zero-foot (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 six (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 six (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 five (5) feet (see Figure 2-72.C).



Next, we will discuss another Texas city which has a multitude of zero lot line zoning developments and provides for possible aesthetically pleasing development with conformity to applicable regulations. Plano, Texas is a suburb city outside of Dallas that provides for this type of zoning and 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 provision of 9.900.4 go in depth with regards to requirements for area, yard and bulk regulations. Exhibit “A-1” explains situations in which the side yard, front and rear yards may change based on specific property conditions. 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 homeowners to access the portion of their home through neighboring yards for maintenance or otherwise. Also contained is the size of the applicable front yard, 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 or 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 live 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, 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 numerous developments 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's Development Code we will focus on development in the Houston Heights and the regulations set forth by the Joint and Mutual Restrictive Covenant Agreement. Below is a snip which shows the building line requirements, the requirements are also contained in Exhibit B-1.

2.05 NEW CONSTRUCTION. Subject to the provisions of Article 2, Section 2.01 herein, all new construction on the Property, whether new or as an addition to an existing structure, shall comply with the following restrictions:

- (a) **SIDE AND BACK SETBACKS.** No part of a Residence shall be constructed any closer than three (3) feet to each property line of the Property other than the front property line defined in Subsection (b) of this Section 2.05 (see Subsection (c) for the front setback), except that with respect to corner lots, the setback for the property line that faces a street (other than the front property line) shall be ten (10) feet. For purposes of this Section 2.05, "part of a Residence" shall mean any part of a Residence below the roof overhang, except for fireplace chimneys, stairsteps, wheelchair ramps, and bay windows. Roof overhangs shall extend no farther than halfway into any side or back setback area.
- (b) **RESIDENCE TO FACE A STREET.** - Each Residence must be constructed so that its main entrance is incorporated into the elevation of the Residence that faces a street ("the face elevation") and so that no other Residence or significant structure is situated between the Residence and the street that it faces. For purposes of this Agreement, the property line between the face elevation of the Residence and the street that it faces is the "front property line," and the "main entrance" may consist of a porch or stoop that is designed to be entered from the direction of the front property line, even if the entry into the Residence from such porch or stoop is not facing the front property line.
- (c) **FRONT SETBACK.** No part of a Residence shall be constructed any closer than fifteen (15) feet to the Property's front property line as defined in Subsection (b) above.
- (d) **HEIGHT RESTRICTIONS.** No structure shall exceed the following height restrictions (from ground elevation to the highest point of the structure), except that such height restrictions may be exceeded to accommodate architectural embellishments that do not constitute living area, such as chimneys, steeples, and towers, and that are each of a circumference of no greater than thirty-six (36) feet:
 - (i) if the width of the Property (from side property line to side property line) is fifty (50) feet or less, forty (40) feet in height;

- (ii) if the width of the Property is greater than 50 feet, 40 feet in height plus an additional one (1) foot of height for every one (1) foot of setback (from the nearest side property line) in addition to the initial three (3) foot setback required in Subsection (a) above, provided, however, that in no event shall the structure exceed fifty (50) feet in height.
- (e) COMMON WALL CONSTRUCTION PROHIBITED. No Residence shall be constructed to share a common wall with another Residence, nor shall any Residence be constructed so that any exterior wall of such Residence is within six (6) feet of an exterior wall of another Residence; provided, however, that this restriction shall not prohibit the renting or leasing of space within a Residence that is otherwise permitted by this Agreement, nor shall it prohibit the construction of an apartment unit as part of a garage structure appurtenant to a Residence on a single Property that otherwise meets the density requirements of Section 2.06 hereof.
- (f) GARAGE SETBACK. No garage shall be constructed closer to the front property line of the Property than the midway point between the front property line and the opposite property line (*i.e.*, the rear property line), nor shall any garage be constructed so that it is closer to the front property line than the face elevation of the Residence to which it is appurtenant. If the garage is part of the structure of the Residence, the structure shall be constructed so that the garage door and frame comprise no more than half of the width of the first floor of the structure's face elevation as defined in Subsection (b) above.
- (g) RAISED FOUNDATION REQUIRED. Each Residence (but not including a garage or other structure appurtenant to the main Residence) shall be constructed with a pier-and-beam foundation or, if not pier-and-beam, a foundation that otherwise raises the bottom floor of the Residence no less than two (2) feet from ground elevation.
- (h) MINIMUM STREET FRONTAGE. Each Residence shall have a front property line of no less than fifty (50) feet, except that if the length of the front property line of the Property on which the Residence is located is less than fifty (50) feet as of the date that this Agreement is executed with respect to such Property, the minimum front property line shall be such lesser length.
- (i) RESTRICTIONS ON MODIFICATIONS. The provisions of this Section 2.05 shall not be effective to the extent prohibited by Section 207.008 of the Texas Property Code.

2.06 DENSITY. No Residence shall be constructed on the Property if the consequence would be a density of greater than one (1) Residence for every five thousand (5,000) square feet of area of the Property ("the minimum square footage"), except that if the square footage of the Property is less than five thousand (5,000) square feet as of the date that this Agreement is executed with respect to such Property, the minimum square footage shall be such lesser square footage. For this purpose, "Residence" shall not include any garage apartment that is appurtenant to a Residence on the same Property.

2.07 RUBBISH, TRASH, AND GARBAGE. No Property shall be used or maintained as a dumping ground for rubbish or trash, and no garbage or other waste shall be kept except in sanitary containers. All incinerators or other equipment for the storage and disposal of such materials shall be kept in a clean and sanitary condition.

<p>LAN DUSE ALLOWANCE</p>	<p><u>Primary Residential</u></p> <p>The property shall be used for residential purposes or, for residential use and incidental business or commercial use, in the home, provided that the permitted business or commercial use is incidental to the primary residential use of the property and the general public is not invited, and the business or commercial use is limited to office or professional activity excluding, without limitation ant manufacturing (other than home hobbies) or industrial activity. Except as otherwise provided herein, the property shall not be used for any type of business or commercial purpose, or for any industrial purpose whatsoever. Boarding houses or any use of the property for hotel purposes is expressly prohibited herby. No structure of a temporary character, trailer, mobile home, tent, shack, or other outbuilding shall be used on the property at any time as a residence either temporarily or permanently.</p>
<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: 50-foot-wide and 1,000 square feet. Front Setback: 15’ Side Setback: 3’ Street Side Setback: 10’ Rear Setback: 3’ Maximum Building Height: 36 Feet, if property is greater in width than 50’ up to 40’ max building height.
<p>DENSITY / INTENSITY REQUIREMENT</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> No more than 1 residence for every 5,000 square feet of property
<p>PARKING REQUIREMENT</p>	<p><u>General Residential</u></p> <p>2.0 parking spaces for each dwelling unit, except that a secondary dwelling unit not larger than 900 square feet shall provide 1.0 parking spaces.</p>
<p>BUILDING DESIGN STANDARDS</p>	<p><u>General Residential</u></p> <ul style="list-style-type: none"> All residence shall face the street.

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. More regulations regarding this zoning designation can be found in Exhibit C-1.

(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	—	—

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?
- 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 <i>(ZC 2017-026; Ord. No. 2017-11-3)</i>	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](#).

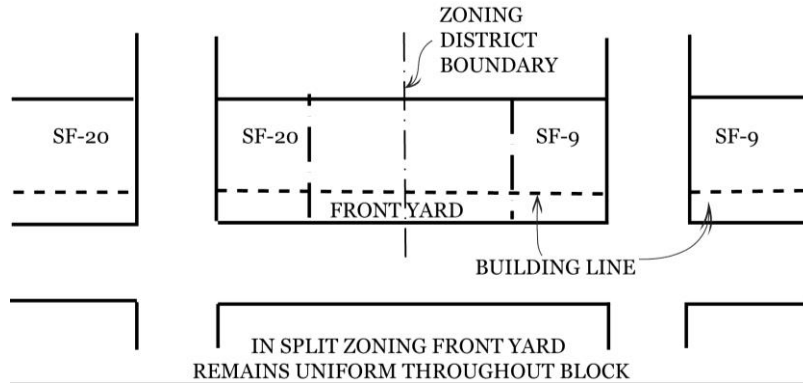


Figure 13-1: Front Yards on Split-Zoned Blocks

- 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](#).

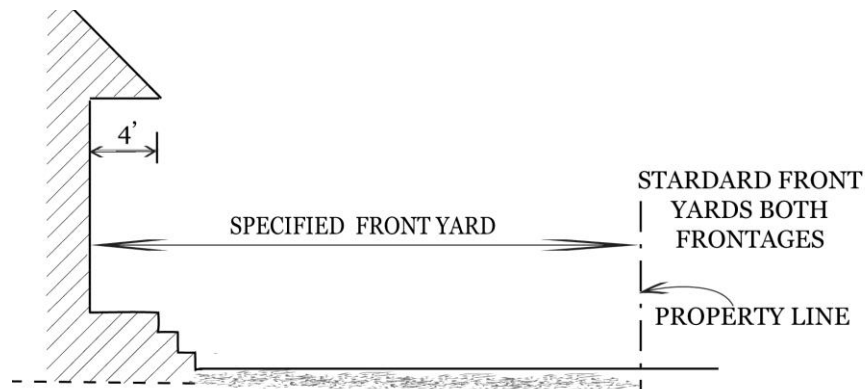


Figure 13-2: Front Yard Measurement

- 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.

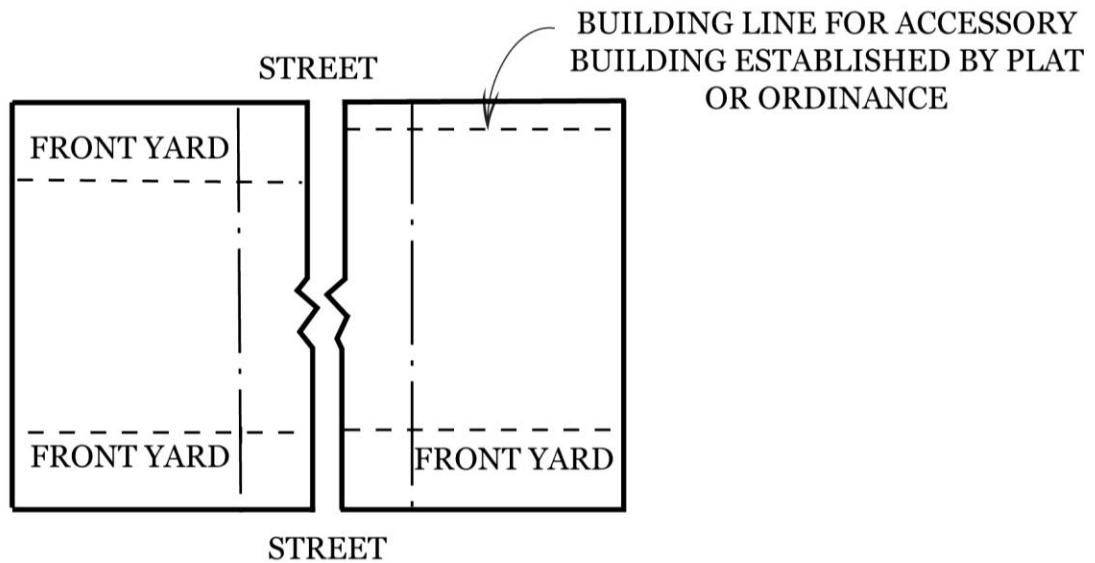


Figure 13-3: Front Yards on Through Lots

- 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](#).

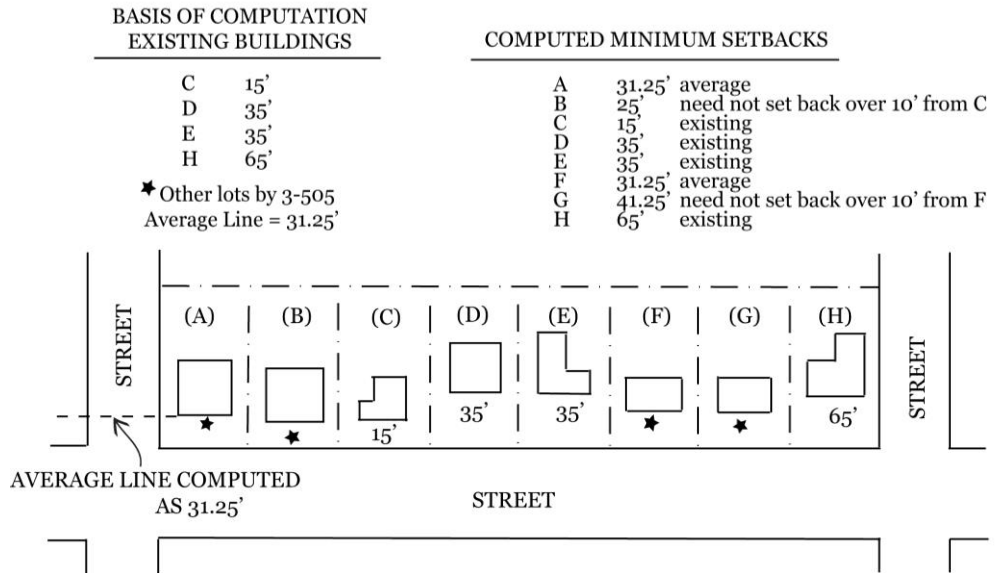
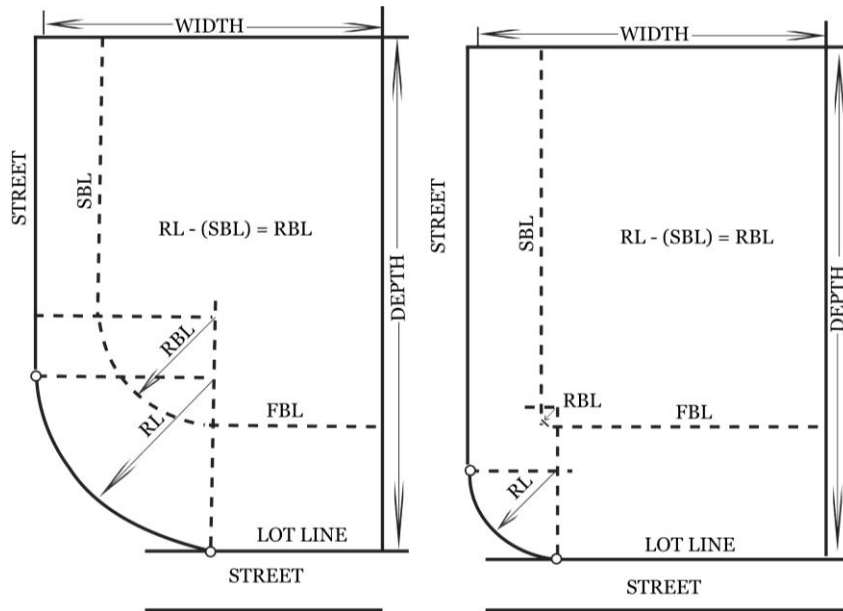


Figure 13-4: Front Setback Averaging

- 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](#).

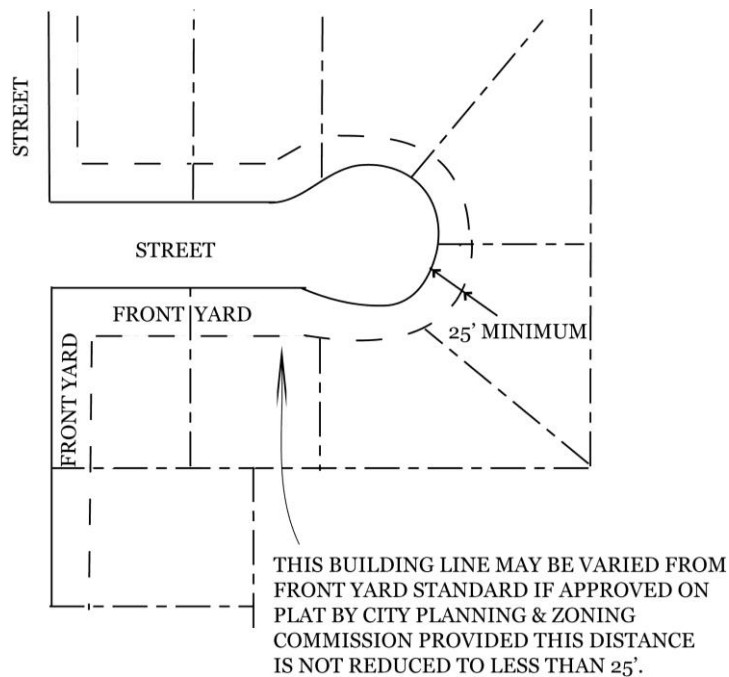


Figure 13-6: Front Yard Reduction on Cul-de-Sac

- 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.

**JOINT AND MUTUAL
RESTRICTIVE COVENANT AGREEMENT
THE HOUSTON HEIGHTS
(PART OF) BLOCK(S) _____ AND _____**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the undersigned persons own, respectively, the property set forth beside his, her, its, or their name(s) on Exhibit "A" attached hereto ("the Property"); and

WHEREAS, the undersigned persons desire to bind themselves in joint and mutual covenants to control the use and development of the Property herein described;

NOW, THEREFORE, it is hereby declared that all of the Property, as defined below, shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions which are for the purpose of protecting value and desirability of the Property, as defined below, and which shall run with the Property and shall be binding on all parties having any right, title, or interest in or to the Property or any part thereof, and their heirs, successors, and assigns, and which restrictions, covenants, and conditions shall inure to the benefit of each Owner, as defined below, of any of the Property:

ARTICLE ONE
DEFINITIONS

1.01 **OWNER.** "Owner" shall refer to the record Owner, whether one or more persons or entities, of the fee simple title to any of the Property, as defined below, whether all or part of said Property be improved or unimproved, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

1.02 **PROPERTY.** "Property" shall refer to any or all of those certain parcels of real property described on Exhibit "A" attached hereto beside the name or names of any person or persons who have executed this Agreement.

1.03 **RESIDENCE.** "Residence" shall mean and refer to a single dwelling unit (constituting a single residential space containing facilities for living, sleeping, cooking, and eating) included within or constituting a house, townhouse, condominium unit, apartment unit, or garage apartment.

ARTICLE TWO
RESTRICTIONS

2.01 **USE.** All of the Property shall be used for residential purposes; or, for primary residential use and incidental business or commercial use, in the home, provided that the permitted business or commercial use is incidental to the primary residential use of the Property and the general public is not invited, and the business or commercial use is limited to office or professional activity specifically excluding, without limitation, any manufacturing (other than home crafts and hobbies) or industrial activity. Except as otherwise provided herein, the Property shall not be used for any type of business or commercial purpose, or for any industrial or manufacturing purpose whatsoever. Boarding houses or use of any of the Property for hotel purposes is expressly prohibited hereby. No structure of a temporary character, trailer, mobile home, tent, shack, or other outbuilding shall be used on the Property at any time as a residence either temporarily or permanently.

2.02 DESTRUCTION OF PREMISES. Should any permanent structure located on the Property be totally destroyed by fire, wind, rain or any other disaster, then in any event, the Owner of said Property shall clean such Property of any and all debris within nine (9) months of the date of such disaster. The Owner may rebuild the destroyed structure in the same or substantially the same dimensions and site, and for the same use as immediately before the destruction.

2.03 SIGNS. No signs of any character shall be allowed on the Property or on any improvement located thereon, except (i) one sign of not more than five feet square advertising the Property or any Residence located on the Property for sale or rent, or (ii) signs of a temporary nature of not more than five square feet for political or garage sale purposes and (iii) plaques or markers or other type of designation erected or affixed on the Property awarded by federal, state, or municipal government or a civic association.

2.04 USE DURING CONSTRUCTION. An Owner and any other person or entity engaged in the construction and sale of Residences on the Property shall have the right during the construction and sales period, to construct and maintain, on a temporary basis, such facilities as may be reasonably necessary or convenient for such construction and sale, including, but not limited to, signs and storage areas.

2.05 NEW CONSTRUCTION. Subject to the provisions of Article 2, Section 2.01 herein, all new construction on the Property, whether new or as an addition to an existing structure, shall comply with the following restrictions:

- (a) SIDE AND BACK SETBACKS. No part of a Residence shall be constructed any closer than three (3) feet to each property line of the Property other than the front property line defined in Subsection (b) of this Section 2.05 (see Subsection (c) for the front setback), except that with respect to corner lots, the setback for the property line that faces a street (other than the front property line) shall be ten (10) feet. For purposes of this Section 2.05, "part of a Residence" shall mean any part of a Residence below the roof overhang, except for fireplace chimneys, stairsteps, wheelchair ramps, and bay windows. Roof overhangs shall extend no farther than halfway into any side or back setback area.
- (b) RESIDENCE TO FACE A STREET. Each Residence must be constructed so that its main entrance is incorporated into the elevation of the Residence that faces a street ("the face elevation") and so that no other Residence or significant structure is situated between the Residence and the street that it faces. For purposes of this Agreement, the property line between the face elevation of the Residence and the street that it faces is the "front property line," and the "main entrance" may consist of a porch or stoop that is designed to be entered from the direction of the front property line, even if the entry into the Residence from such porch or stoop is not facing the front property line.
- (c) FRONT SETBACK. No part of a Residence shall be constructed any closer than fifteen (15) feet to the Property's front property line as defined in Subsection (b) above.
- (d) HEIGHT RESTRICTIONS. No structure shall exceed the following height restrictions (from ground elevation to the highest point of the structure), except that such height restrictions may be exceeded to accommodate architectural embellishments that do not constitute living area, such as chimneys, steeples, and towers, and that are each of a circumference of no greater than thirty-six (36) feet:
 - (i) if the width of the Property (from side property line to side property line) is fifty (50) feet or less, forty (40) feet in height;

- (ii) if the width of the Property is greater than 50 feet, 40 feet in height plus an additional one (1) foot of height for every one (1) foot of setback (from the nearest side property line) in addition to the initial three (3) foot setback required in Subsection (a) above, provided, however, that in no event shall the structure exceed fifty (50) feet in height.
- (e) COMMON WALL CONSTRUCTION PROHIBITED. No Residence shall be constructed to share a common wall with another Residence, nor shall any Residence be constructed so that any exterior wall of such Residence is within six (6) feet of an exterior wall of another Residence; provided, however, that this restriction shall not prohibit the renting or leasing of space within a Residence that is otherwise permitted by this Agreement, nor shall it prohibit the construction of an apartment unit as part of a garage structure appurtenant to a Residence on a single Property that otherwise meets the density requirements of Section 2.06 hereof.
- (f) GARAGE SETBACK. No garage shall be constructed closer to the front property line of the Property than the midway point between the front property line and the opposite property line (i.e., the rear property line), nor shall any garage be constructed so that it is closer to the front property line than the face elevation of the Residence to which it is appurtenant. If the garage is part of the structure of the Residence, the structure shall be constructed so that the garage door and frame comprise no more than half of the width of the first floor of the structure's face elevation as defined in Subsection (b) above.
- (g) RAISED FOUNDATION REQUIRED. Each Residence (but not including a garage or other structure appurtenant to the main Residence) shall be constructed with a pier-and-beam foundation or, if not pier-and-beam, a foundation that otherwise raises the bottom floor of the Residence no less than two (2) feet from ground elevation.
- (h) MINIMUM STREET FRONTAGE. Each Residence shall have a front property line of no less than fifty (50) feet, except that if the length of the front property line of the Property on which the Residence is located is less than fifty (50) feet as of the date that this Agreement is executed with respect to such Property, the minimum front property line shall be such lesser length.
- (i) RESTRICTIONS ON MODIFICATIONS. The provisions of this Section 2.05 shall not be effective to the extent prohibited by Section 207.008 of the Texas Property Code.

2.06 DENSITY. No Residence shall be constructed on the Property if the consequence would be a density of greater than one (1) Residence for every five thousand (5,000) square feet of area of the Property ("the minimum square footage"), except that if the square footage of the Property is less than five thousand (5,000) square feet as of the date that this Agreement is executed with respect to such Property, the minimum square footage shall be such lesser square footage. For this purpose, "Residence" shall not include any garage apartment that is appurtenant to a Residence on the same Property.

2.07 RUBBISH, TRASH, AND GARBAGE. No Property shall be used or maintained as a dumping ground for rubbish or trash, and no garbage or other waste shall be kept except in sanitary containers. All incinerators or other equipment for the storage and disposal of such materials shall be kept in a clean and sanitary condition.

ARTICLE THREE GENERAL PROVISIONS

3.01 ENFORCEMENT. Any Owner or Owners of a Property restricted herein, jointly or severally, and/or The Houston Heights Association, a Texas nonprofit corporation (the "Association"), its successors or assigns shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and

reservations now or hereafter imposed by the provisions of this Agreement against any Property reflected hereby. If restrictions are enforced exclusively by The Houston Heights Association, each Owner, by his execution hereof, shall be deemed to have appointed the Association, its successors and assigns, as Agent and Attorney-in-Fact of such owner, to act in the place, stead, and on behalf of such Owner in the enforcement of any restrictive covenant contained herein. Notwithstanding the foregoing, the Association shall not be required or obligated to bring any such claims or litigation or otherwise enforce the restrictive covenants herein contained or be joined in any proceeding as a necessary party. Failure to enforce any covenant or restriction herein contained shall, in no event, be deemed a waiver of the right to do so thereafter.

3.02 SEVERABILITY. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

3.03 NON-CONFORMING USE. All Owners expressly agree and acknowledge that as to any Property restricted hereby, any non-conforming use, legally and lawfully in existence as of the effective date hereof, that does not comply with the restrictions and covenants set forth herein, shall not be enforceable against the Owner of such Property whose non-conformance falls within the terms and provisions of this paragraph; provided, however, that upon the voluntary discontinuation of a non-conforming use or the abandonment or substantial destruction of the improvements located on the Property whereupon such non-conforming use existed, then in such event(s), these restrictions and covenants shall be of full force and effect and enforceable against such Owner and Property whereupon such non-conforming use existed, and such Owner shall be prevented from re-establishing such non-conforming use after such abandonment, voluntary discontinuation, or substantial destruction of such improvements.

3.04 DURATION AND AMENDMENT. The covenants, conditions, and restrictions of this Agreement shall run with and bind the land, and shall inure to the benefit of, and be enforceable by, the Owner of any Property subject to this Agreement, and his/her/its respective legal representatives, heirs, successors, and assigns (or The Houston Heights Association, as provided in paragraph 3.01 herein), and unless amended or terminated as provided herein, shall be effective for a term of twenty (20) years from the date this Agreement is recorded, after which time said covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years. The covenants, conditions, and restrictions of this Agreement may be amended or terminated only as provided in Chapter 207 of the Texas Property Code. No amendment or termination shall be effective until recorded in the Real Property Records of Harris County, Texas.

3.05 This instrument may be executed in multiple counterparts, all of which shall be considered one and the same instrument.

3.06 This Agreement may be executed and filed of record in multiple originals, all of which, in the aggregate, shall be considered one and the same instrument for purposes of the enforcement or interpretation of any provision hereof.

EXECUTED by the undersigned Owners as of the dates of the respective acknowledgements shown on the attached sheets, and effective for all purposes of the dates of such respective acknowledgements as to that portion of the Property owned by the undersigned persons, respectively.

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.



City of Richmond

Where History Meets Opportunity

Special Scheduled City Commission Workshop

600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

- A5. Discussion on Parking in DN and OT district.



CITY COMMISSION
Discussion on Parking in DN and OT district.

Agenda Date: January 17, 2023

Agenda Item: A5.

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

NO ACTION FROM THE CITY 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 century” (Steuteville, Robert. “Great Idea: Rethinking Parking.” CNU, 5 June 2017). This aspect of urban planning involves consideration of several aspects: economic, environmental, and development in itself. Providing the appropriate amount of parking is crucial to businesses in facilitation of placemaking. Demand for each development should be considered 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 at 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 discussion:

- 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)
- Discuss City of Houston parking requirements for Central Business District and East Downtown

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

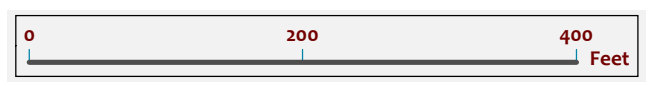
Building	FBCAD ID	GFA	PFA	Status	Type
Fire Station	R112640	7580	6443	vacant	Restaurant
Fire Fox Studios	R112685	2940	2499	vacant	Office
Hi Tech car care	R112683	3840	3264	Open	Retail
Hi Tech car care (Corner)	R112684	1950	1658	Open	Retail
Lawyers Office (Richard Tate)	R112641	7345	6243	Open	Office
Junker 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				

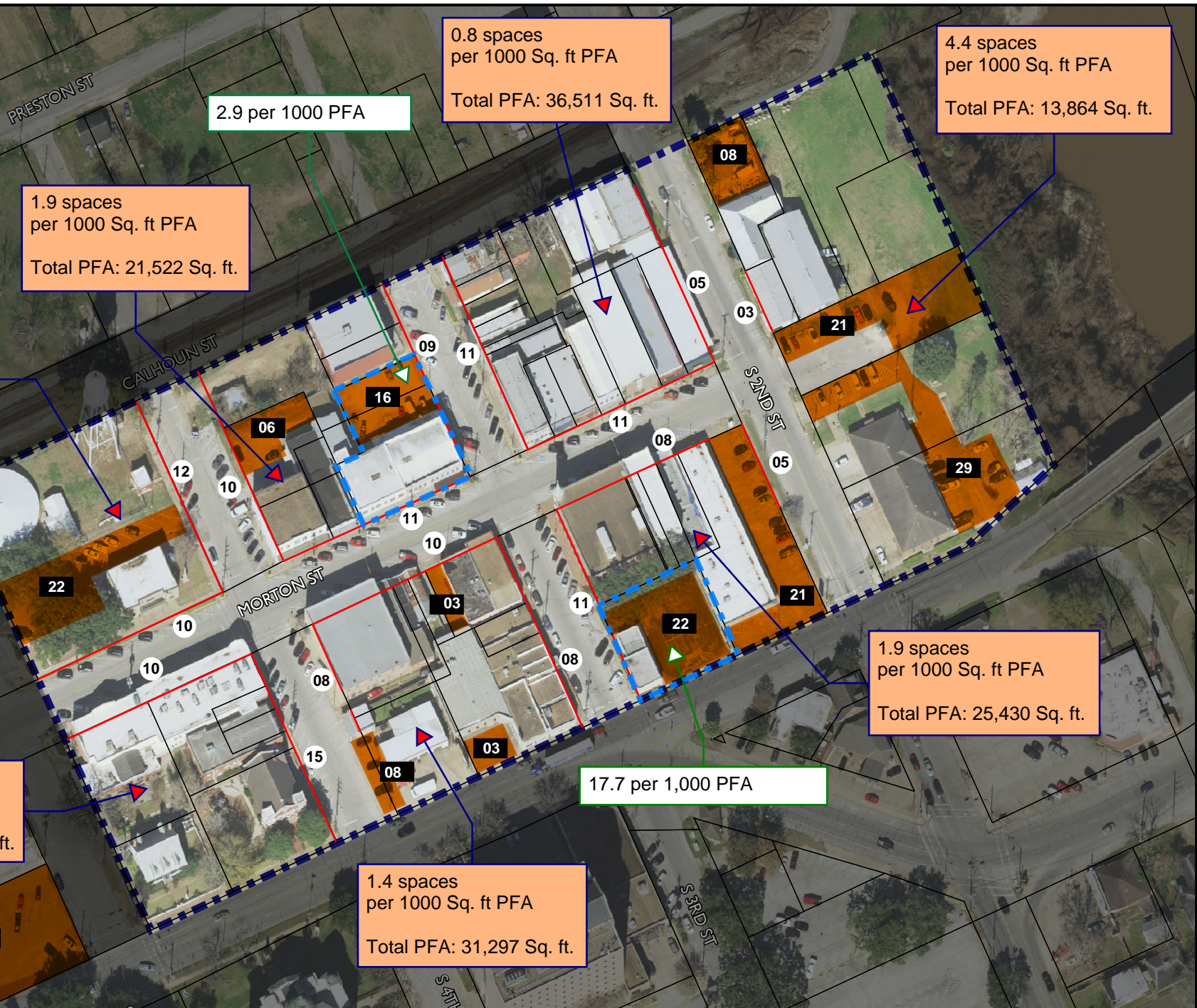
LEGEND

- CITY LIMITS
- EXTRATERRITORIAL JURISDICTION

RICHMOND DOWNTOWN PARKING



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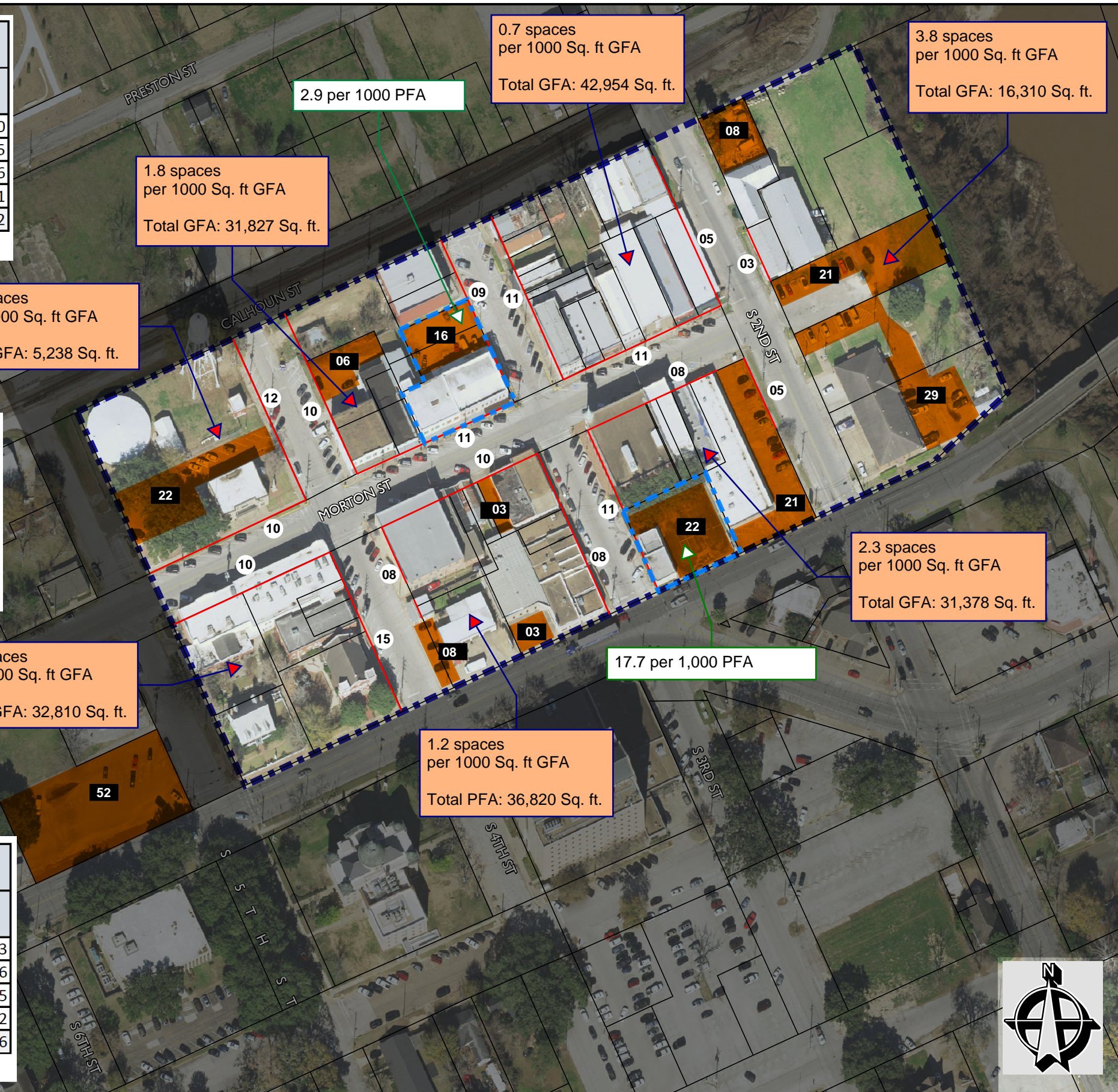
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Total Spaces = 400



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%

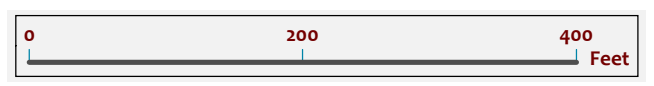
Shared Parking Calculation (4 Spaces per 1,000 GFA)	WeekDay			WeekEnd	
	Night (12 am to 6 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)	Day (6am to 6pm)	Eve (6 pm to 12 am)
Office	13	270	27	27	13
Restaurant	8	38	76	38	76
Retail	6	85	109	121	85
other	12	49	122	97	122
Total	39	441	334	283	296
Parking available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

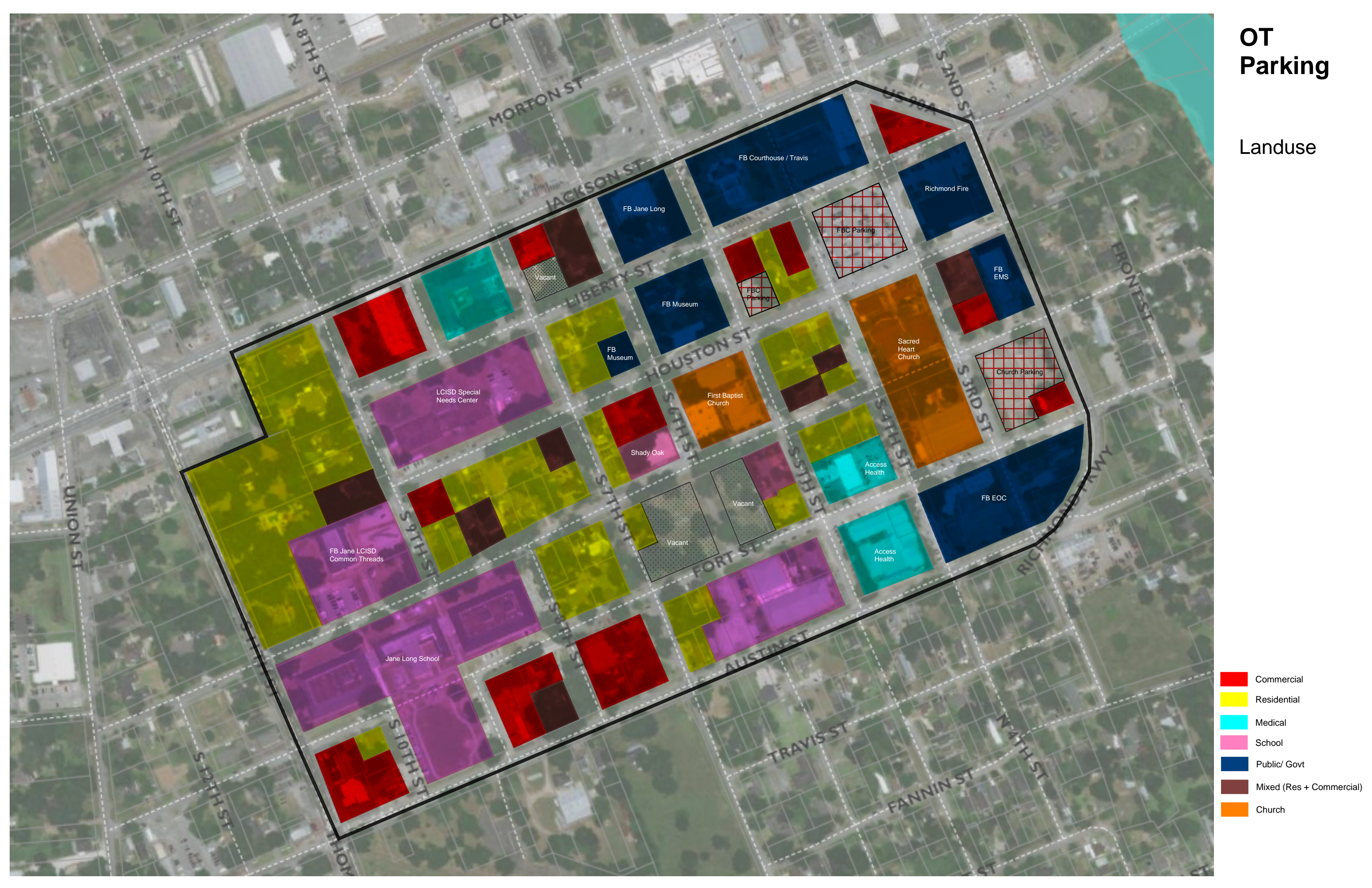
Parking ratio for sites without on-site parking: **1.5 spaces per 1,000 GFA**
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OT Parking

Landuse

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



OFF-STREET PARKING

Building Permit Requirements and Information



PLANNING & DEVELOPMENT DEPARTMENT



When is parking required?

Parking is required with a building permit application for:

- new commercial building or additions
- new residential developments
- any change of use classifications.

How many parking spaces are needed for my development?

Each proposed use requires a different number of parking spaces, based on development size and context. Please refer to the table in Sec. 26-492.

For more information visit the municode site:

<http://bit.ly/muni-h>

(or scan code using your mobile phone camera)



Parking Options

Parking requirements for each use classification [Sec. 26-492](#)

The table shows each use classification and the number of parking spaces required. The definitions describe each classification with more detail.

Shared parking [Sec. 26-500](#)

Different use classifications can share parking supply based on time of day usage.

Special parking area (SPA) [Sec. 26-510](#)

City Council may designate a SPA to accommodate parking needs in certain areas of the city.

Off-site parking [Sec. 26-499](#)

Required parking spaces may be provided off-site up to 500', 800' or 1000' away.

Compact car spaces [Sec. 26-585](#)

Up to 35% of parking spaces may be designated as compact spaces.

Restaurant patios and seating [Sec. 26-492](#)

A patio can be added without requiring additional parking spaces. The patio must be less than 15% of the Gross Floor Area (GFA) of the restaurant.

Unspecified uses [Sec. 26-493](#)

The Director shall determine the number of parking spaces for any use not specified in the code.

Parking variance through the Planning Commission [Sec. 26-561](#)

Parking Reductions

Bicycle reduction [Sec. 26-497](#)

The ordinance allows a 10% vehicle parking reduction with the inclusion of bicycle parking. Applies to all land uses except single family residential.

Parking reduction for historic buildings [Sec. 26-498](#)

A 40% parking reduction is allowed for redeveloping a designated historic building. The building must be a protected landmark or contributing structure with a certificate of appropriateness approval form.

Parking reductions for Transit-Oriented Developments [Sec. 26-503](#)

100% parking reduction for developing along a primary Transit Oriented Street (TOD) and 50% reduction for developing along a secondary TOD Street.

Modification of parking requirements [Sec. 26-504](#)

Up to 5 parking spaces reduction with an application for modification of parking requirements.

Shopping centers with certain use classifications [Sec.26-495](#)

Shopping centers are permitted a 20% reduction for certain uses.

Market based parking area [Sec. 26-471](#)



scan code using your mobile phone camera

100% parking reduction for developing within the boundaries of the Market Based Parking area. Visit: <https://mycity.houstontx.gov/houstonmapviewer/>

Contact Information

Houston Permitting Center
832-394-9494

Monday-Friday, 8 a.m. to 5 p.m.

For more information or questions contact Planning staff at 832-394-8849 or visit the Houston Permitting Center:

www.houstonpermittingcenter.org



The Off-street Parking and Loading ordinance can be found in municode Houston, Chapter 26, Article VIII.



Sec. 26-492. Parking spaces for certain types of use classifications.

The construction of a building or alteration of a building or tract for any of the following types of use classifications shall provide the required number of parking spaces, or the incremental increase in the number of parking spaces in the case of an alteration, as shown below for that use classification.

Use Classification	Required Number of Parking Spaces
Class 1. Office:	
a. Office	2.5 parking spaces for every 1,000 square feet of GFA or 2.75 parking spaces for every 1,000 square feet of UFA
b. Financial facility	4.0 parking spaces for every 1,000 square feet of GFA
Class 2. Residential:	
a. Apartment	1.250 parking spaces for each efficiency dwelling unit
	1.333 parking spaces for each one-bedroom dwelling unit
	1.666 parking spaces for each two-bedroom dwelling unit
	2.0 parking spaces for each dwelling unit with 3 or more bedrooms
b. Single-family residential or manufactured home	2.0 parking spaces for each dwelling unit, except that a secondary dwelling unit not larger than 900 square feet of GFA shall provide 1.0 parking space
c. Special residential	0.3 parking spaces per sleeping room, plus 1.0 parking space per employee on largest shift
d. Retirement community (with kitchen facilities)	0.75 parking spaces per dwelling unit, plus 1.0 space per employee on the largest shift
e. Retirement community (without kitchen facilities)	1.0 parking space for every 6 beds, plus 1.0 parking space per employee on largest shift
f. Hotel or motel	1.0 parking space for each sleeping room up and including 250 rooms;
	0.75 parking spaces for each sleeping room from 251 rooms to 500 rooms;
	0.50 parking spaces for each sleeping room in excess of 500 rooms
Class 3. Health Care Facilities:	
a. Hospital	2.2 parking spaces for each bed
b. Psychiatric hospital	1.0 parking space for every 4 beds and 1.0 parking space for every 4 employees
c. Clinic (medical complex)	2.7 parking spaces for every 1,000 square feet of GFA
d. Clinic (medical or dental)	3.5 parking spaces for every 1,000 square feet of GFA
e. Nursing home	1.0 parking space for every 3 beds and 1.0 parking space for every 4 employees
f. Funeral home or mortuary	0.5 parking spaces for every chapel seat
g. Veterinary clinic	5.0 parking spaces for every 1,000 square feet of UFA
Class 4. Industrial and Commercial Manufacturing:	
a. Multi-tenant (or multi-building project):	
1. At grade (no docks)	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 5,000 square feet of GFA of warehouse space

2. Semi-dock high	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 5,000 square feet of GFA of warehouse space
3. Full-dock high	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 7,000 square feet of GFA of warehouse space
b. Bulk warehouse	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 7,000 square feet of GFA of warehouse space
c. Heavy manufacturing and industrial	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 2,000 square feet of GFA of warehouse space
d. Light manufacturing assembly and research and development	2.5 parking spaces per 1,000 square feet of GFA of office space; and 1.0 parking space per 1,500 square feet of GFA of assembly space
e. Transportation terminal	6.5 parking spaces per 1,000 square feet of GFA of waiting area
f. Truck terminal	1.0 parking space per 2,000 square feet of GFA
g. Mini-warehouse facility	1.0 parking space for every 50 storage units or bays
Class 5. Religious and Educational:	
a. Church	1.0 parking space for every 5 fixed seats in auditorium or sanctuary or, if there are no fixed seats, 1.0 parking space for every 40 square feet of GFA in the main auditorium or sanctuary
b. Nursery school or day care center	1.0 parking space for every employee on duty during the largest shift, plus 1.0 parking space for every 5 children in attendance when the facility is operating at maximum capacity
	1.0 parking space for every employee on duty during the largest shift and 1.0 parking space for every 10 children in attendance when the facility is operating at maximum capacity if a drop-off, drive-in, or drive-through facility is provided
c. School (public, denominational or private):	
1. Elementary school	1.0 parking space per every 12 occupants
2. Junior high school (including a school for 9 th grade only)	1.0 parking space per every 7 occupants
3. Senior high school	1.0 parking space per every 3 occupants
d. College, university, or trade school	1.0 parking space for every 3 employees plus 1.0 parking space for every 10 students residing on campus and 1.0 parking space for every 5 students not residing on campus
e. Library	1.2 parking spaces for every 1,000 square feet of GFA
f. Art gallery or museum	3.0 parking spaces for every 1,000 square feet of GFA of exhibit area or gallery space
Class 6. Recreation and Entertainment:	
a. Golf course	5.0 parking spaces for every green
b. Movie theater	0.3 parking spaces for every seat
c. Bowling alley	5.0 parking spaces per lane
d. Theater, auditorium or arena	1.0 parking space for every 3 seats
e. Tennis or racquet club	3.0 parking spaces per court
f.	5.0 parking spaces for every 1,000 square feet of GFA

	Sports club or health spa	
g.	Roller or ice skating rink	5.0 parking spaces for every 1,000 square feet of GFA
h.	Swimming club	9.0 parking spaces per employee
i.	Park (5 to 10 acres)	1.0 parking space for the first 2 acres and 1.0 parking space for each additional acre and additional parking spaces must be provided for each separate use classification constructed in the park
j.	Park (over 10 acres)	5.0 spaces for the first acre; and 1.0 space for each additional 10.0 acres and additional parking spaces must be provided for each separate use classification constructed in the park
k.	Park pavilion	1.0 parking space for each picnic table
l.	Sports complex	1.0 parking space for every 40 square feet of seating
m.	Miniature golf	1.0 parking space for each hole
n.	Driving range (golf)	1.0 parking space for each tee
o.	Arcade or game room	5.0 parking spaces for every 1,000 square feet of GFA
Class 7. Food and Beverage:		
a.	Take-out restaurant	4.0 parking spaces for every 1,000 square feet of GFA
b.	Dessert shop	6.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA
c.	Small restaurant	8.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA
d.	Neighborhood restaurant	9.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA
e.	Restaurant	10.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA
f.	Tavern or pub	10.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas
g.	Small bar	12.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas
h.	Bar, club or lounge	14.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patios and seating areas
Class 8. Retail Services:		
a.	Supermarket	5.0 parking spaces for every 1,000 square feet of GFA
b.	Furniture store	2.0 parking spaces for every 1,000 square feet of GFA
c.	Retail store	4.0 parking spaces for every 1,000 square feet of GFA
d.	Building materials or home improvement store	4.0 parking spaces for every 1,000 square feet of GFA of retail sales area
e.	Barber or beauty shop	8.0 parking spaces for every 1,000 square feet of GFA
f.	Shopping center (strip) (up to 25,000 square feet of GFA)	4.0 parking spaces for every 1,000 square feet of GFA, plus the incremental increase in the number of parking spaces required by 26-495(a)
g.	Shopping center (neighborhood) (25,000–100,000 square feet of GFA)	4.0 parking spaces per 1,000 square feet of GFA, plus the incremental increase in the number of parking spaces required by 26-495(b)
h.	Shopping center (regional) (over	4.0 parking spaces for every 1,000 square feet of GFA

	100,000 square feet of GFA)	
Class 9. Automobiles:		
a.	Auto sales dealer	5.5 parking spaces for every 1,000 square feet of GFA
b.	Auto repair establishment	5.0 parking spaces for every 1,000 square feet of GFA
c.	Car wash (automated)	2.5 parking spaces for each bay or stall for stacking space
d.	Car wash (all other)	1.0 parking space per bay or stall
e.	Service station	3.0 parking spaces for each service stall and 1.0 space for each employee on duty during largest shift
f.	Auto parts and supply store	4.0 parking spaces for every 1,000 square feet of GFA of retail sales area

(Ord. No. 2013-208, § 2(Exh. A), 3-6-2013)

Sec. 26-499. - Off-site parking.

- (a) A parking space required by this article may be provided on off-site parking facilities if the following conditions are met:
- (1) The off-site parking facilities are located less than 500 feet from the tract where the use classification is located except as provided for in items (2) and (3) of this subsection;
 - (2) Up to 25 percent of the required number of parking spaces may be provided on off-site parking facilities located:
 - a. Less than 800 feet from a tract where the use classification is located if the building for which the off-site parking is being provided contains less than 30,000 square feet of GFA; or
 - b. Less than 1,000 feet from a tract where the use classification is located if:
 - [1] The building for which the off-site parking is being provided contains less than 30,000 square feet of GFA; and
 - [2] The director determines in his or her sole professional judgment that sufficient pedestrian amenities mitigate the impact of the extended distance of the off-site parking facilities.
 - (3) Up to 75 percent of the required number of parking spaces for a freestanding class 7 use under section 26-492 of this Code may be provided on off-site parking facilities located up to 1,000 feet from a tract where the use classification is located if:
 - a. The off-site parking facilities are used only for valet parking services in accordance with this chapter;
 - b. Valet parking services for the off-site parking facilities must be available during all operating hours of the use classification;
 - c. 25 percent or more of the parking spaces required by this article are located either on-site or on off-site parking facilities located within 250 feet of the tract where the use classification is located; and
 - d. The applicant or responsible party submits an annual certification of valet parking in accordance with the requirements of section 26-502 of this Code.
 - (4) The off-site parking spaces required by this article are not already being used to satisfy the parking requirement of a different building or tract.
- (b) All distances shall be measured as the shortest clearly delineated pedestrian route between the property boundary of the tract where the use classification is located to the property boundary of the off-site parking facility as measured along sidewalks and other passageways that are open and accessible to the public at all times.
- (c) When an off-site parking facility is located on a tract that is not owned by an applicant or

responsible party for the property requiring the parking spaces, the applicant or responsible party shall provide to the department a memorandum of lease that complies with the requirements of section 26-501 of this chapter.

(d) Different requirements for off-site parking facilities may be provided for within a special parking area in accordance with division 3 of this article.

(e) This section does not apply to bicycle spaces or loading facilities required by this article.

(Ord. No. 2013-208, § 2(Exh. A), 3-6-2013; Ord. No. 2017-151, § 9, 3-1-2017)

MEMORANDUM OF LEASE (OFF-SITE PARKING AGREEMENT)

THIS MEMORANDUM OF LEASE (this "Memorandum") is executed by and between:

[Name]	[Name]
[Address]	[Address]
LESSOR	LESSEE

1. Lessor and Lessee ("Parties") have entered into a Lease Agreement concerning _____ [# of Spaces] spaces ("Lease") located on a certain property located at _____ [address] more specifically described in "Exhibit A" attached to this Memorandum of Lease ("Leased Tract").

2. The Lease is effective from _____ [date] to _____ [date].

3. The Parties certify that the Lease is intended be a legally binding agreement under the laws of the State of Texas and is entered into for the purpose of complying with the parking requirements of Article 8 of Chapter 26, Code of Ordinances ("Code") by providing for access to off-site parking facilities pursuant to Section 26-499 of the Code.

4. The Parties certify that the parking facilities that are the subject of the Lease are not being used by any person or entity to satisfy the parking requirements of the Code, except by Lessee through the Lease.

5. The Parties acknowledge that the Lease is required to have an effective term of at least one year pursuant to Section 26-501 of the Code.

6. The Parties acknowledge the requirements of Section 26-501(b) of the Code, describing the actions required to be taken by the parties in the event the parking facilities that are the subject of the Leased Tract become unavailable. The Parties acknowledge that a failure to do so may result in the revocation of Lessee's certificate of occupancy.
7. The Parties acknowledge the requirements of Sections 26-501(c) and (d), describing the requirement to submit an annual certification not more than one year from the execution date of this Memorandum of Lease, accompanied by a Memorandum of Lease executed not more than one year after the date of this Memorandum of Lease, certifying that the parking facilities that are the subject of the Leased Tract are still available to be used by the Lessee and that a failure to do so may result in the revocation of applicant's or responsible party's certificate of occupancy.
8. The Parties acknowledge that the acknowledgements of this Memorandum of Lease are intended to be a summary of the regulatory requirements of the Code and not an exhaustive list of all regulations and requirements of the Parties.
9. The Parties intend that this Memorandum of Lease is to remain on file with the Planning and Development Department of the City of Houston, and is accompanied by the non-refundable fee set forth in the City Fee Schedule.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Memorandum upon the dates set forth below.

“LESSOR”

SIGNED: _____

PRINTED: _____

**THE STATE OF TEXAS §
§
COUNTY OF HARRIS §**

This instrument was acknowledged before me on the _____ day of _____, _____, by _____

(Notary Seal)

Notary Public, State of Texas

“LESSEE”

SIGNED: _____

PRINTED: _____

**THE STATE OF TEXAS §
§
COUNTY OF HARRIS §**

This instrument was acknowledged before me on the _____ day of _____, _____, by _____

(Notary Seal)

Notary Public, State of Texas

EXHIBIT A

[LEGAL DESCRIPTION OF LEASED TRACT]

Market-Based Parking

Frequently Asked Questions



PLANNING & DEVELOPMENT DEPARTMENT

What is Market-Based Parking? Market-Based Parking (MBP) describes an area that is exempt from the City's off-street parking regulations. That is, the City doesn't require property owners to provide a minimum amount of parking for their businesses. Instead, MBP allows property owners to determine how much parking is needed to service their customers and provide that amount.

Does this already exist anywhere in Houston? Currently, the only area in Houston that is exempt from the off-street parking regulations is the Central Business District (CBD) downtown area and small portions of east downtown and Midtown. The current boundaries are I-10 East to the north, McGowen Street to the south, Emancipation Avenue to the east, and I-45 South/Bagby Street to the west. (See attached map)

What are the proposed Market-Based Parking boundaries?

The new MBP boundary will include the remaining areas of east downtown (EaDo) to the Houston Belt and Terminal railroad tracks and a large portion of Midtown, excluding the residential area south of McGowen and east of San Jacinto. (See attached map)

Why are the boundaries changing?

The current CBD boundaries create two different off-street parking requirements for EaDo and Midtown. By extending the boundary, we will have a cohesive MBP area. This allows the property owner to provide the exact number of parking spaces they need for their customers in their location, instead of having to provide a number determined by a city-wide analysis.

What rules are changing because of the new boundaries?

The inclusion of EaDo and the commercial portions of Midtown into the MBP area will allow developers to provide parking based on market need and will not be bound by the regular parking requirements that studies suggest can be excessive for many mixed-use areas.

What are the benefits of this change?

- *To support safer pedestrian and bicycle transportation* – The reduction of parking requirements means fewer unattended parking lots, fewer dangerous driveway curb cuts, and more blocks of pedestrian-friendly commercial development in one of the most walkable areas in Houston.
- *Preserve existing buildings* – Under the current requirements, property owners intending to repurpose their property are often forced to demolish a perfectly good building in order to provide the necessary parking spaces. MBP will encourage the rehabilitation and reuse of existing structures, which will increase property values and provide Houstonians with more services within a walkable distance.
- *Allows land to be put to its highest and best use* – Parking lots do not maximize property value for the city, the community or the property owner. Reducing the amount of land that lays in an undeveloped state is best for all. Furthermore, this change will encourage shared parking among area property owners, increasing parking opportunities while reducing the land used for it.

-
- *Encourage other forms of transportation* – The public sector has made significant investments in public transit and busses in this area, providing people who live and visit these areas an array of options for getting around. With these options, in addition to privately-run ride-share and Transportation Network Companies (TNCs) the City’s city-wide parking requirements may be too high for this area. This change allows the property owner to decide how many spaces his/her customers will need, instead of being held to the one-size fits all requirement that is in place across the rest of the City.
 - *Encourage more affordable and attainable housing options* – Parking is expensive. By reducing this cost burden, multi-family developers can construct homes that have a lower price point. This will encourage a variety of housing costs that will serve the different housing needs of Houstonians wanting to live in these neighborhoods.
 - *Create higher density developments* - By allowing the property owner to decide on their specific parking needs, they are encouraged to put their land to more productive use and can construct a larger building that will attract more residents and visitors to the area.

What is the City doing to encourage other forms of transportation? The Planning Department is working closely with METRO on their METRONext Plan. We support their goals of improving mobility, and connectivity to communities, while ensuring a return on investment. Additionally, the Planning Department’s Walkable Places Committee is developing recommendations that will help change development requirements along transit streets. These changes will create better connectivity between the neighborhood and METRO Light Rail stations and bus stops, as well as increase the safety along sidewalks and bike routes.

How can neighborhoods protect their streets from being overrun with additional business-related parking? The City’s Parking Management Division offers a program for neighborhoods to limit spill-over parking. For more information, go to: <https://www.houstontx.gov/parking/resparkingpermits.html>

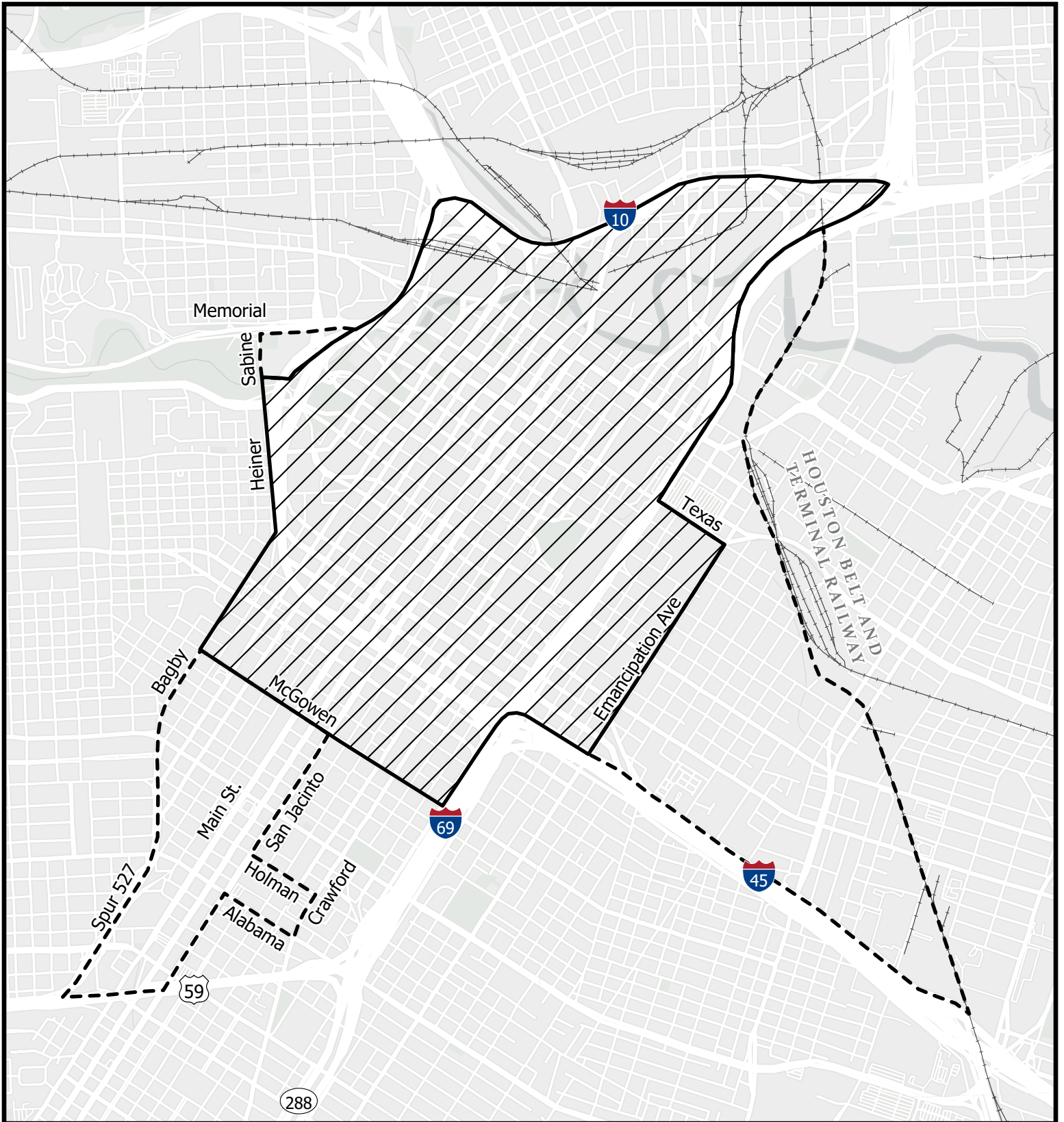
What other cities have this type of parking? In Texas, Austin has a similar program. Dallas and Fort Worth are considering similar programs. Nationally, Los Angeles, Atlanta, St. Paul, MN, Seattle, and San Francisco have, or are in the process of creating comparable programs in their downtown areas.

What initiated the process for the proposed MBP area? The idea of expanding the CBD boundaries began at the Walkable Places Subcommittee. On August 27, 2018, staff held a stakeholder meeting with area neighborhoods organizations to initiate conversation. On October 11, 2018, the Planning Commission held a public hearing on the proposed MBP area, and on October 25, 2018, the Planning Commission approved the proposed MBP boundaries and recommended the item for City Council action.

When does the proposed MBP amendment become effective? That will depend upon City Council’s action to adopt the Chapter 26 ordinance amendment. The effective date has yet to be determined; however, the Planning Department proposes that MBP go into effect 60 to 90 days following City Council approval.

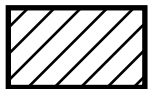
For more information

Hector Rodriguez, Planner Manager
Planning & Development Department
Email Address: hector.rodriguez@houstontx.gov
Office Number: 832.393.6575



Market-Based Parking (MBP)

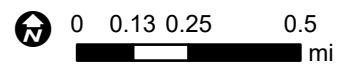
Existing MBP



Proposed MBP



MBP rules apply to all properties on both sides of the following streets: McGowen, San Jacinto, Holman, Crawford (Almeda), Alabama, Bagby, Heiner, and Sabine



This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

Source: COHGIS
Date: June 2019
Reference: pj20704



**PLANNING &
DEVELOPMENT
DEPARTMENT**



City of Richmond

Where History Meets Opportunity

Regular Scheduled City Commission Meeting

600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

A6. Discussion Infill Development in Olde Town.



CITY COMMISSION
Discussion on Infill Development in Olde Town

Agenda Date: January 17, 2023

Agenda Item: A6.

Agenda Item Subject: Infill Development in Olde Town

Project Description: This report is intended to provide a discussion on infill development within Olde Town zoning district with a focus on provisions and requirements within the Unified Development Code (UDC).

Project Planner: Mason A. Garcia, Planning Director

INTRODUCTION

The City of Richmond adopted the Unified Development Code (UDC) in October of 2015. The document provides regulations and requirements for the City of Richmond’s different zoning districts. The UDC is a document which can be modified to ensure it is not only compatible to the City’s need but also allows for development. The Olde Town district consists of the core of the City of Richmond and contains a number of historic structures. This portion of the city is on a gridded street pattern and contains a combination of residential, non-residential, public, institutional and civic buildings. Development within the Olde Town district has been at a more gradual pace compared to other parts of the city. Although there are a number of reasons for this, development standards within the area may be a contributing factor. Comprehensive Plan Goal “F,” focusses on rehabilitating and preserving existing neighborhoods and community assets (partly) by prioritizing redevelopment of blighted, unused, or underutilized tracts. In the report we will discuss the applicable regulations pertaining to the OT, Olde Town district and how they affect infill development within the area.

DEVELOPMENT POLICY AND REGULATIONS

The City of Richmond’s Unified Development Code has been crafted as part of implementation of the policy and strategic directions set out in the Cities Comprehensive Master Plan. The UDC’s provisions are for the general purpose of protecting public health, safety, morals and general welfare of the City’s residents, business owners, employees and visitors. The City has divided the parcels of land into 10 different zoning districts. Each district has a specific set of land use regulations permitted, limited, conditional, and prohibited uses. Due to the age of the Olde Town district and the recency of the UDC some of the applicable regulations do not perfectly capture and work with the current layout of the district. There are also several other factors at play which can affect the ability of these sites for development, and we will briefly discuss those items.

Below is a table which provides the permitted, limited, and conditional uses within the OT, Olde Town district.

Olde Town (OT)		
<i>Permitted Uses</i>	<i>Limited Uses</i>	<i>Conditional Uses</i>
Hospital	Industrialized Housing	Recreation and Fitness, Indoor
Medical Office / Clinic / Medical Lab	Single-Family Detached	Bar or Nightclub
Nursing / Convalescent Home	Duplex	Drive-In / Drive-Through Facility
Recreation and Fitness, Outdoor	Triplex	Parking Garage
Alcohol Beverage Sales	Townhouse	
Animal Grooming Facilities	Live –Work Unit	
Retail Sales and Services	Child-Care, Family Home	
Parking, Stand-Alone	Child-Care, Group Home	
Public Utilities	Child-Care, Residential (foster home/ agency foster home)	
Office, General	Child-Care Facility, Residential (other)	
	Home Business	
	Home Occupation	
	Assisted Living Facility	
	Child Care Facility, Day-Care	
	Place of Public Assembly (event facilities; meeting halls; fraternal organizations; places of worship)	
	Schools, Private	
	Schools, Public	
	Animal Boarding or Veterinarian Services, Small Animal	
	Custom Assembly	
	Nano-brewery	
	Overnight Accommodations (e.g., hotels, motels)	
	Restaurant	
	Microbrewery	
	WTF, Attached	
	WTF, Freestanding Stealth	

As noted in the Table above single family detached use is a limited use within the OT, Olde Town district. The limitations of this use are as follows “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.” The significance of this statement provides that new construction will be single-family attached or certain non-residential uses.

Density, Intensity, Lot and Scale

The setbacks for the Olde Town District are shown below as well as the requirements for the required density, floor area ratio and landscape surface ratio.

Table 3.1.201B Nonresidential and Mixed-Use Setbacks									
Standard	Zoning District								
	SC	GC	OT	DN ³	BP	IN	MU	PI	RV
Front	25'	25'	15'	0'	35'	25'	40'	50'	20'
Interior Side	7'	15'	5'	0'	15'	20'	25'	50'	10'
Street Side	15'	25'	15'	0'	25'	25'	40'	50'	15'
Rear	20'	25'	15'	0'	35'	40'	30'	50'	10'
Residential District Boundary ^{1,2}	15'	20'	N/A	N/A	50'	100'	75'	50'	20'

TABLE NOTES:
N/A - Not Applicable

1. Refer to Subsection D.2.c., *Setback Planes*, of this Section.
2. If a two-story structure is constructed on a lot or parcel that abuts or is contiguous to a residential zoning district or use, there shall be no windows, doors, or other openings constructed on that side of the second story facing the residential district or use.
3. Refer to Subsection E., *DN District Setbacks*, of this Section.

Table 3.1.102A Single-Family Detached Lot and Building Standards							
District and Neighborhood Type	Minimum						Maximum Building Height
	Lot Dimension		Setbacks				
	Area ¹	Width	Front	Interior Side	Street Side	Rear	
Olde Town (OT) District							
Standard Residential Neighborhood (General Lots) ³	6,000 sf.	50'	25'	5'	15' ¹	15'	35'

TABLE NOTES:

1. Minimum street side setback shall be 25 feet if the garage is accessed from the street side.
2. For housing types other than single-family detached dwellings, refer to Table 3.1.102B, *Single-Family Attached and Multi-Family Lot and Building Standards*.
3. In combining non-conforming lots or subdividing large lots within OT District, a plat variance to allow deviation from minimum lot area, not exceeding 10%, may be approved at the City Commission’s discretion provided that:
 - a. No more than two (2) adjoining lots deviate from the minimum lot dimension requirements.
 - b. The plat application is accompanied with a site development plan indicating compliance with all other development regulations that apply to the proposed development.

Table 3.1.201A Nonresidential and Mixed-Use Development Standards										
Standard	Stories	Zoning District								
		SC	GC	OT	DN ¹	BP	IN	MU	PI	RV
Minimum Landscape Surface Ratio (LSR)	N/A	25%	15%	25%	1%	20%	15%	15%	20%	25%
Floor Area Ratio ("FAR")²	1	0.321	0.280	0.335	0.962	0.342	0.518	0.280	0.342	0.321
	2	0.408	0.335	0.431	1.852	0.435	N/A	0.335	0.435	.0408
	3	N/A	N/A	N/A	2.680	0.478	N/A	0.358	0.478	N/A
	4	N/A	N/A	N/A	3.448	N/A	N/A	0.371	N/A	N/A
Density	N/A	N/A	N/A	N/A	See Notes ¹ and ⁴	N/A	N/A	See Note ⁵	N/A	See Note 6
Minimum Area of Parcel Proposed for Development	N/A	N/A	1 ac.	N/A	N/A	1 ac.	5 ac.	5 ac.	1 ac.	2 ac.
Minimum Street Frontage	N/A	80'	200'	N/A	70'	125'	250'	250'	125'	80'
Maximum Building Height³	N/A	35'	45'	35'	60'	45'	60'	60'	45'	35'
TABLE NOTES: N/A - Not Applicable 1. No off-street parking is required in the DN district, except for <u>downtown lofts</u> , <u>townhouses</u> , and <u>live-work units</u> , where the required number of spaces per housing type shall be provided on-site in parking lots that are located behind the principal building (which is built to the street) or in garages that take access from an alley, or on off-site parking lots located within 200 feet of the parcel proposed for development. 2. The FARs account for the landscape surface ratio (including setbacks, bufferyards, on-site drainage, and parking lot landscape areas) and required on-site parking, excluding the DN district. Multiplying the site area by the FAR determines the maximum building size. 3. Refer to Subsection D.2.c., <i>Setback Planes</i> , of this Section. 4. Refer to the maximum gross density for <u>downtown lofts</u> in the downtown DN district. 5. Refer to the maximum gross density for <u>live-work units</u> and <u>multi-family</u> in the MU district. 6. Ten spaces per acre are allowed for recreational vehicle parks.										

As shown above, it becomes clear that the smaller setbacks the Olde Town district were created for the allowance of smaller lots. The reduction in setback requirements from the General Commercial and Suburban Commercial districts³ allows for more development on the property.

Parking Requirements

Below are the requirements for the typical uses that are proposed within the Olde Town district.

Table 4.2.101C Commercial Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Commercial Uses	
Alcohol Beverage Sales	Onsite consumption: 1 space per 75 sf. PFA Offsite consumption: 1 space per 300 sf. PFA
Animal Grooming Facilities	1 space per 400 sf. PFA
Animal Boarding or Veterinarian Services, Large Animal	1 space per 200 sf. PFA
Animal Boarding or Veterinarian Services, Small Animal	1 space per 300 sf. PFA
Bar or Nightclub	1 space per 75 sf. PFA
Custom Assembly	1 space per 400 sf. PFA
Drive-In, Drive-Through Facility	1 space per 75 sf. PFA
Heavy Retail / Home Center	1 space per 400 sf. PFA + 1 space per 1,000 sf. outdoor sales and display area
Mixed-Use	See Subsection 4.2.103C, <i>Mixed-Use and Shared Parking</i> .
Nanobrewery	1 space per 1,000 sf. PFA of brewery or storage + 1 space per 500 sf. PFA of tasting room, restaurant, bar, and activity areas
Nursery / Greenhouse, Retail	1 space per 300 sf. PFA of office or sales floor area + 1 space per 5,000 sf. of outdoor nursery area
Office, General	5 spaces per 1,000 sf. PFA
Overnight Accommodations (hotels, motels)	1 space per guest room + 1 space per 300 sf. PFA of meeting rooms, ballrooms, administrative offices, and areas used for self-service breakfast for guests only + 75% of parking requirements for integrated restaurants and bars that are open to the public
Pawn Shop	1 space per 200 sf. PFA
Restaurant	1 space per 100 sf. dining/bar area + 5 spaces per 1,000 sf. remaining floor area
Retail Sales and Services	1 space per 200 sf. PFA

Table 4.2.101A Residential and Commercial Use of the Home Parking Requirements	
Use	Required Off-Street Parking Spaces
Residential Uses (Housing Types)	
Single-Family Detached	
- Cottage	2 spaces per du.
- Industrialized Housing	2 spaces per du.
- Single-Family Detached	2 spaces per du.
- Manufactured Home	2 spaces per du.
Single-Family Attached	
- Duplex	2 spaces per du.
- Triplex	2 spaces per du.
- Townhouse	2 spaces per du.
- Live-Work Unit	3 spaces per du.

As shown above, the requirements for retail sales and services parking are approximately 1 space for every 200 square feet of parking floor area. The parking floor area is calculated as the total square footage of the building multiplied by .85. The applicant may provide on street parking so long as more than half of the parking space abuts the front or street side yard. In smaller lots with only one frontage this requires all or most parking to be on site. On-site parking may also require parking aisles which can be up to 24 feet in width for access to the onsite parking.

Landscaping

Nonresidential and Mixed Use

Site Landscaping (Table 4.4.401C)

- The UDC requires planting within front and street sides (1 large tree or 3 small trees per 30 ft. measured parallel to the building)
- The UDC requires planting within interior side yard (1 large tree or 2 small trees per 45 ft. measured parallel to the building)
- The UDC requires planting within rear yard (1 large tree or 2 small trees per 30 ft. measured parallel to the building)

Parking Lot Landscaping (Table 4.4.401A)

- Landscaping island through parking lot and within parking islands
- Landscaping screening along edge of all parking lots

Residential

Sec. 4.4.402 Residential Lot Landscaping

- A. **Generally.** Single-family detached and single-family attached residential lots shall be surrounded by yard areas. These yard areas count towards the pervious cover requirements set out in Table 3.1.102, *Lot and Yard Standards for New Residential Neighborhoods*.
- B. **Planting Location.** Required plants shall be installed as specified below. Any plants in excess of the minimum required plants may be installed in any location on the lot provided there is adequate room for healthy growth and stability. Front yards shall be planted as follows:
1. One large tree within the required front yard setback outside of any easement; or
 2. One large tree for the first 50 feet of frontage and one large tree for each additional 25 feet of frontage within the required front yard setback outside of any easement.
- C. **Substitution of Trees.** Small trees may be substituted for large trees if the dimensions of the lot are such that the canopy trees would not have room to grow to a full canopy without conflicting with buildings or each other. For the purposes of this substitution, one large tree equals two small trees.
- D. **Ground Covers and Sod.** Areas of residential lots that are not covered by buildings, driveways, swimming pools, or other improved hard surfaces shall be sodded, or planted or landscaped with permitted groundcovers, unless they are covered by woodlands or other natural areas.

Buffer yards

Table 4.4.301A Bufferyard Classifications						
Type (Opacity)	Width	Required Plantings per 100 Linear Feet				Height of Berm, Wall or Fence ¹
		Large Trees	Small Trees	Evergreen Trees	Shrubs	
Option 1: Landscape Only Bufferyard						
Type A (10%)	10'	1	1	1	5	N/A
Type B (25%)	15'	2	1	3	10	N/A
Type C (50%)	25'	4	3	5	20	N/A
Type D (65%)	40'	4	5	5	25	N/A
Option 2: Landscape with Berm, Wall, or Fence²						
Type A (10%)	5'	-	1	0	5	6' tall masonry wall
Type B (25%)	10'	1	1	1	15	5' tall masonry wall
Type C (50%)	15'	2	2	3	15	5' fence or 4' berm
Type D (65%)	25'	3	5	5	25	3' berm
TABLE NOTES: N/A - Not Applicable. ¹ A berm, wall, or fence is not required for landscape only bufferyards. ² Plant material, except large trees, must be installed on the outside of the wall or fence facing the street or abutting properties.						

The above requirements pertaining to landscaping and buffer yards would be applicable to all development. Due to the City’s cultural and residential character, commercial developments in the City of Richmond are typically proposed adjacent to a residential use. The adjacency to the residential use will require a minimum of 15’ of separation along with the required associated landscaping and possible fencing.

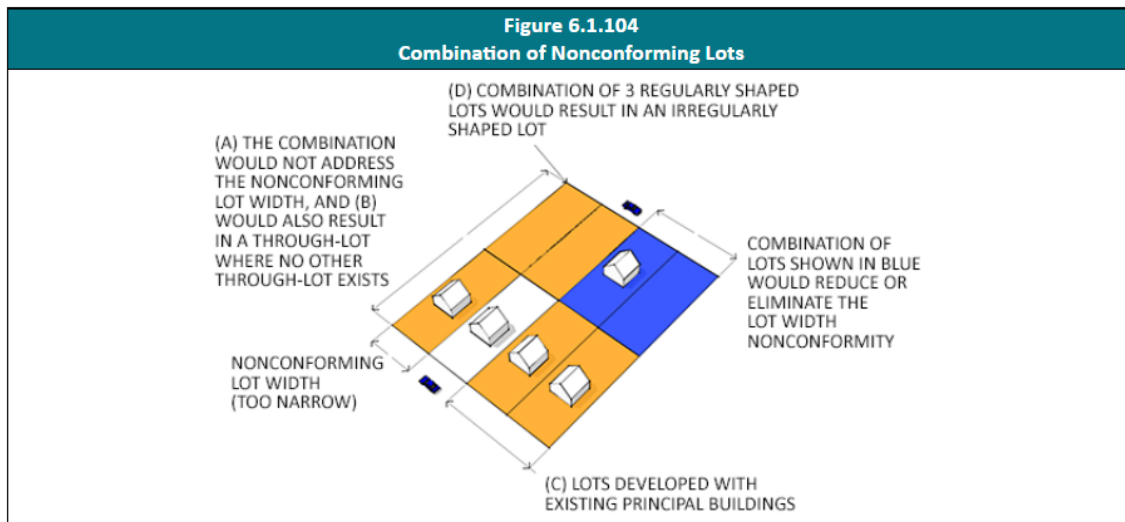
The above stated requirements are all crafted in a way for development to promote health, safety and morals of the surrounding neighbors, but do not take into consideration that many of these lots pre-date the development code. A large portion of the Olde Town district was recorded in the Deed Map of Richmond in 1920. Many of those lots were 30 feet by 100 feet and the above stated regulations would seriously hinder development on lots in their original form. Due to this there are provisions within the UDC which provide relief to nonconforming development.

Development on Nonconforming Lots

The UDC includes provisions for lots that were lawfully created prior to the effective date of the code as detailed in Chapter 6, Division 6.1.104 Nonconforming lots. Two methods are provided to develop on a Nonconforming lot.

1. *Combination of Lots to Increase Conformity.*
 - a. Where a landowner owns more than one abutting lot that does not conform to the dimensional requirements of the zoning district in which they are located, they shall be combined to create fully conforming lots or, if full conformity is not possible, they shall be combined if the combination will increase the degree of conformity (see Figure 6.1.104, *Combination of Nonconforming Lots*).

- b. The City will not require the combination of lots pursuant to Subsection B.1.a, above, if (see Figure 6.1.104, *Combination of Nonconforming Lots*):
1. The combination of lots would not address the nonconformity;
 2. The combination of lots would materially disrupt the lotting pattern of the street, for example, by creating a through lot mid-block on a street segment that does not include any other through lots;
 3. Two or more of the lots are developed with principal buildings, and the combination of lots would require that one or more of the buildings be torn down in order to comply with this UDC; or
 4. The combination of lots would result in regularly shaped lots being combined into a single lot with an irregular shape.



2. *Construction on Legal Lots That Does Not Conform to Dimensional Requirements.* A legal lot that does not meet zoning district requirements with respect to lot area or lot width may be built upon if, as of the effective date of this UDC:
 - a. The lot is a lot of record; and
 - b. The use is permitted in the zoning district in which the lot is located; and
 - c. The lot has sufficient frontage on a public street to provide access that is appropriate for the proposed use; and
 - d. All yards or height standards are complied with, except that the Code Official may authorize a reduction of required yards of up to 10 percent, provided that the Code Official finds that the reduction does not allow a building that would be larger than a building that would be permitted on the minimum conforming lot in the zoning district.

Requirements set forth in Table 3.1.201.A below note that the Olde Town district does not contain minimum parcel area standards as well as street frontage for nonresidential and mixed-use development. (Please see image below)

Table 3.1.201A Nonresidential and Mixed-Use Development Standards										
Standard	Stories	Zoning District								
		SC	GC	OT	DN ¹	BP	IN	MU	PI	RV
Minimum Landscape Surface Ratio (LSR)	N/A	25%	15%	25%	1%	20%	15%	15%	20%	25%
Floor Area Ratio ("FAR") ²	1	0.321	0.280	0.335	0.962	0.342	0.518	0.280	0.342	0.321
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	4	N/A	N/A	N/A	3.448	N/A	N/A	0.371	N/A	N/A
Density	N/A	N/A	N/A	N/A	See Notes ¹ and ⁴	N/A	N/A	See Note ⁵	N/A	See Note 6
Minimum Area of Parcel Proposed for Development	N/A	N/A	1 ac.	N/A	N/A	1 ac.	5 ac.	5 ac.	1 ac.	2 ac.
Minimum Street Frontage	N/A	80'	200'	N/A	70'	125'	250'	250'	125'	80'
Maximum Building Height ³	N/A	35'	45'	35'	60'	45'	60'	60'	45'	35'

TABLE NOTES:
N/A - Not Applicable

- No off-street parking is required in the DN district, except for downtown lofts, townhouses, and live-work units, where the required number of spaces per housing type shall be provided on-site in parking lots that are located behind the principal building (which is built to the street) or in garages that take access from an alley, or on off-site parking lots located within 200 feet of the parcel proposed for development.
- The FARs account for the landscape surface ratio (including setbacks, bufferyards, on-site drainage, and parking lot landscape areas) and required on-site parking, excluding the DN district. Multiplying the site area by the FAR determines the maximum building size.
- Refer to Subsection D.2.c., *Setback Planes*, of this Section.
- Refer to the maximum gross density for downtown lofts in the downtown DN district.
- Refer to the maximum gross density for live-work units and multi-family in the MU district.
- Ten spaces per acre are allowed for recreational vehicle parks.

Development in the OT, Olde Town district that has not been platted but is a lot of record and has the infrastructure in place on the property will need to meet the applicable setbacks. The Code Official may authorize a reduction of the required yards of up to 10% (administrative variance approved by staff).

Drainage requirements

While the flexibility within the Unified Development Code can provide limited relief to a number of nonconforming lots, standards with the Fort Bend County Drainage Criteria Manual (FBDCM) do not have the same flexibility. The Olde Town district was developed without suitable infrastructure to convey water during rainfall events by today’s standards. Due to the limited nature of drainage infrastructure in the district, adherence to the standards provided within the FBDCM can become cost prohibitive.

Onsite Detention

Onsite detention is required when there is an increase in impervious coverage on the lot. This standard requires that a change in undeveloped lots which are currently pervious (i.e. grass) provide onsite detention for the increase in impervious area (i.e. parking, concrete and buildings and detention facility). Calculating for the increase in impervious area is not only subject to all new concrete and building footprint. The detention facility must also be included in the detention calculations. In a hypothetical situation, 3,000

square feet of a 6,000 square foot lot is proposed to be developed. The remainder of the area would be required for the use of detention facilities and will need to be included in the impervious coverage calculations. This increases the area of impervious coverage onsite thereby increasing the minimum detention rate as required by table 6-1 below.

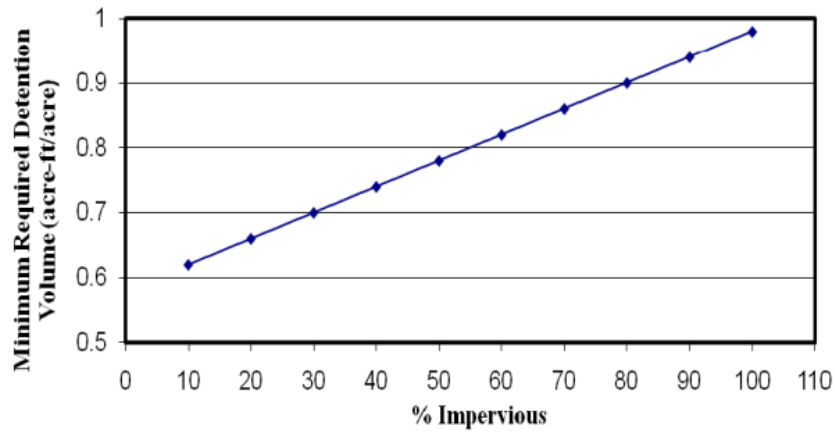


Figure 6-1 Minimum Required Detention Volume for Drainage Areas Less Than 50 Acres

TABLE 6-1
MINIMUM DETENTION RATES FOR
DRAINAGE AREAS LESS THAN 50 ACRES

% Impervious	Minimum Detention Rate (Acre-feet/Acre)
10 %	0.62
20%	0.66
30%	0.70
40%	0.74
50%	0.78
60%	0.82
70%	0.86
80%	0.90
90%	0.94
100%	0.98

Stormwater Conveyance

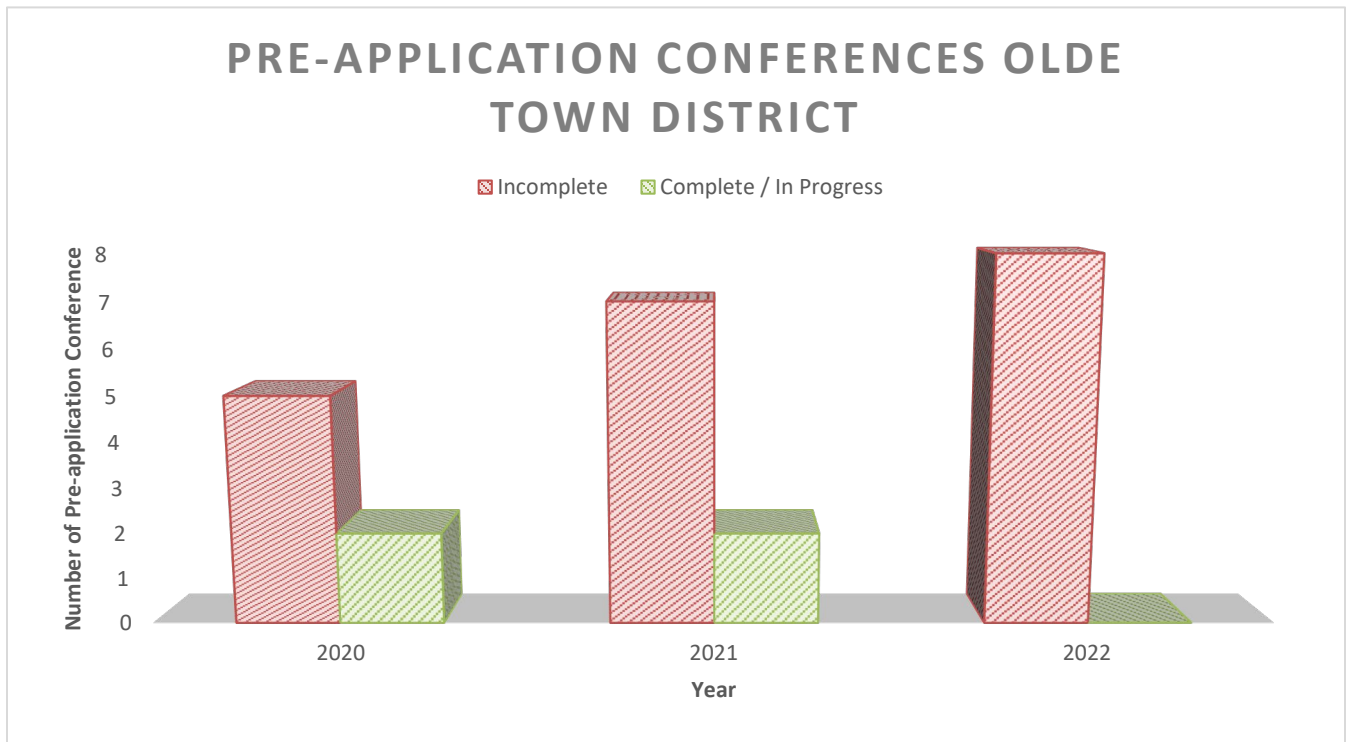
Detention facilities provided onsite is one portion of the Fort Bend Drainage Criteria Manual stormwater management. Once the detention facility has been constructed, appropriate facilities must be in place to move the stormwater into the correctly sized channel or stormwater sewer. In some cases, the lack of appropriate stormwater infrastructure in the Olde Town district places the burden of upgrading stormwater infrastructure on the developer. Generally, this construction would take place in the public right of way or dedicated easements and may vastly increase construction costs, as the proximity to appropriate storm water infrastructure will dictate the cost.

Detached single – family residential development contains requirements which are lesser in nature than the nonresidential mixed-use regulations stated above. In following the Comprehensive Plan’s Goal “F,” which focusses on rehabilitating and preserving existing neighborhoods and community assets (partly) by prioritizing redevelopment of blighted, unused, or underutilized tracts; this land use type may be better suited to develop underutilized tracts of land within the OT district. Currently the UDC requires that any detached single family residential use be previously constructed prior to the adoption of the UDC or be currently in use as a residential property. The construction of new development therefore does not permit single family detached development within the OT, Olde Town district. Would the allowance of new detached single family residential be beneficial to this district as other types of development face significant hurdles?

DEVELOPMENT SUBMISSIONS

The City of Richmond regularly receives pre-application conference requests for development throughout the municipality. The pre-application conference is recommended for all applications for development approval. At the conference the Code Official, and other members of the Development Review Committee, review materials with the applicant. The purpose of the review is to identify issues and advise the applicant on the appropriate applications and approvals required for the project. The Olde Town district in particular has had some challenges that prevent development from progressing. The city has retained files of pre-development meetings over the past three years and has compiled data on the development proposals within the Olde Town district. The city uses this data to define the final outcome of the projects. Then the city can start to identify trends in the data and understand if there is correlation to the data and the pre-application conference outcome.

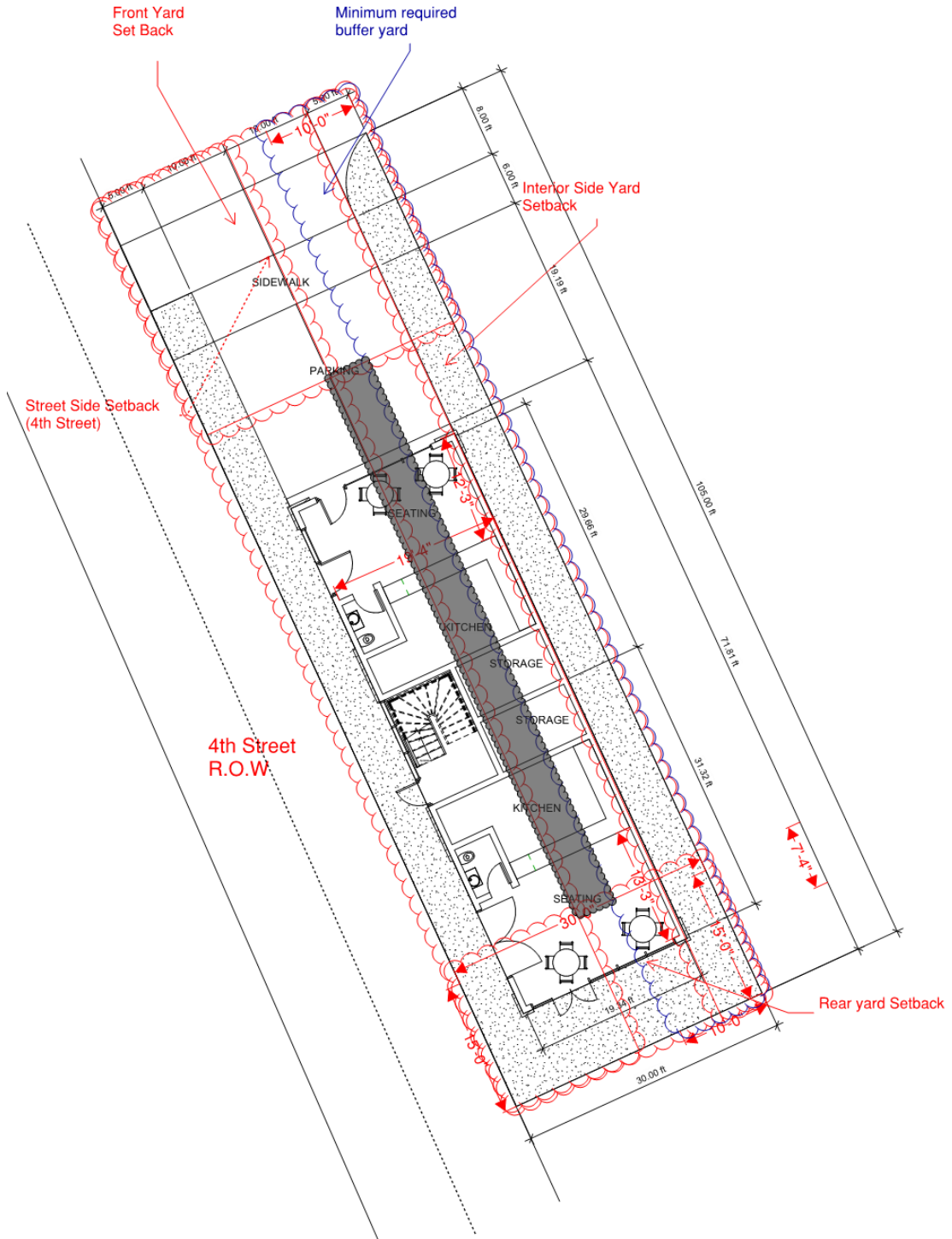
The table below shows the proposed development from 2020 – 2022. Each proposal has been highlighted a separate color to identify the outcome of the meeting. Some meetings only have a completed or incomplete conclusion as the planning staff has changed since the occurrence of the meeting.



In the following paragraphs we will review three developments that were unable to meet the requirements of the Unified Development Code. The Development Review Committee will take the proposals and review how the UDC requirements have posed challenges for the individual properties.

The first proposal we will review will be 315 Austin Street.

- The applicant proposed a 2-story coffee shop and office space to be located at 315 Austin Street.
- This site is located at the southeastern corner of Austin Street and South 4th Street.
- The lot was platted during the original Deed Map of Richmond as Lot 14, Block 38. This is a typical 30' wide by 105' deep lot found within the surrounding area.
- The proposal included a 20' wide by 60' deep building which would house both the coffee shop and offices, along with two (2) parking spaces on site.
- Depicted in the image below are the required front, side, and rear yard setbacks for the site over the proposed plans. The setbacks are delineated by red clouds, required buffer yard by a blue cloud and the developable portion of the site is denoted with a gray shaded cloud.



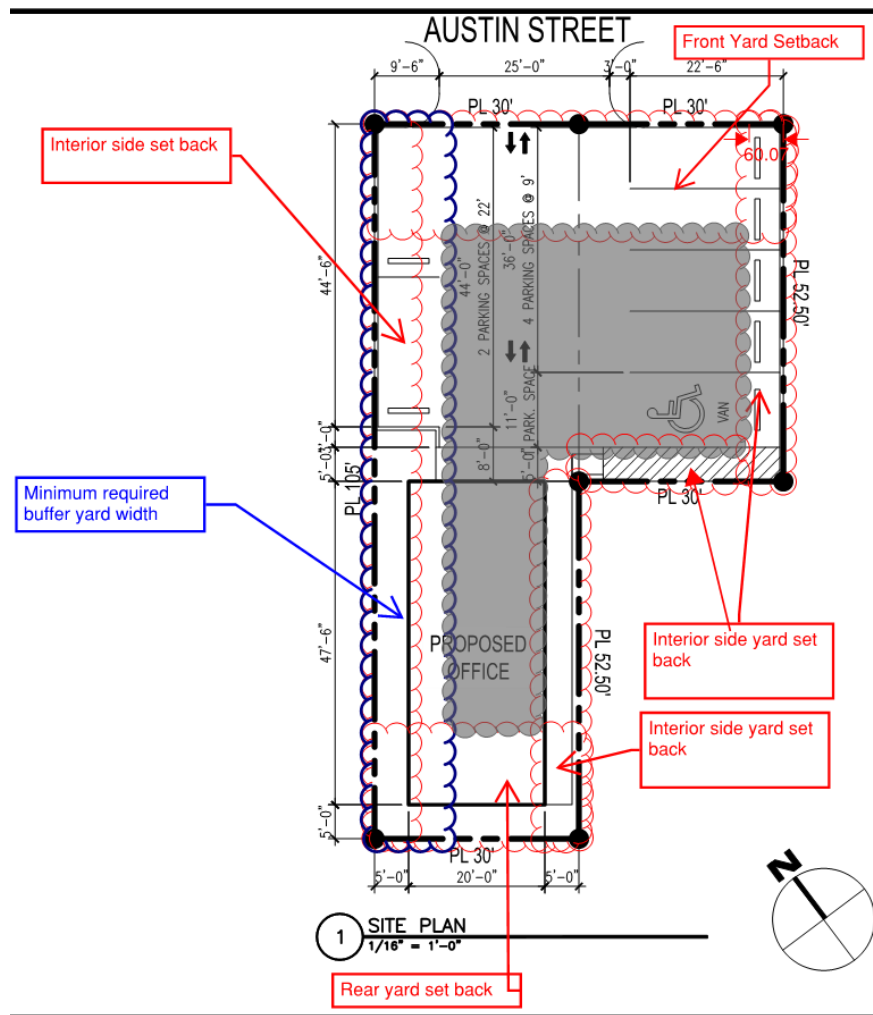
Requirements	UDC Requirement	Application	Available
Parking	Retail Sales and Services - 1 space per 100 sf. dining/bar area + 5 spaces per 1,000 sf. remaining floor area Office – 5/1000 sq. ft. P.F.A	Retail Sales and Services (Coffee Shop) – 9 spaces Office Area- 6 parking spaces	4 th street – 3 street side spaces On site – 1 space
Landscaping (Buffer yard)	Yes	Eastside – 1) 10’ wide with masonry wall 2) 15’ along with associated required trees and shrubs	Yes
Total Developable Area	5’ x 65’ 325 Sq. Ft.	Front Yard – 15’ Street Side Yard – 15’ Side Yard - 5’ Rear yard - 15’	Yes
Drainage & Detention	Detention Required		

The second development proposal is at 307 Preston Street.

- The lot is approximately 90’ wide by 105’ deep. In Lots 11,12, 13, Block 130 Deed Map of Richmond.
- The sample for this site was a workshop for a shed building/outdoor woodworking company. The proposed dimensions are 24’ wide by 80’ deep.
- There have been a variety of businesses that have done due diligence on this site.
- The most prevalent reason that this site has not been developed is due to the drainage and detention requirements.
- The site requires detention to offset the portions of the site covered by impervious area. The required detention on site increases the amount of impervious cover, therefore; increasing the required detention volume on the site. The site also needs to have appropriate infrastructure to ensure that the detention facility drains into the stormwater infrastructure. The facility must be capable of conveying the water into Lake Richmond for this site. This creates the burden of adding the appropriate infrastructure, on-site and off-site, to direct the stormwater to the correct infrastructure.

The third development proposal is at 303 Austin Street.

- The site consists of Lot 11 and the front half of Lot 10, Block 38 Deed Map of Richmond.
- The proposal was an office building (20' wide by 47' deep) and seven (7) parking spaces.
- Due to the size and shape of the lot the required landscaping is not shown in the image. The need for landscaping and the front yard setback constricts the size of the proposed development and reduces the depth of the proposed parking stall, this stall depth would create a nonconformity which is not permitted. Stall depths must be compliant with the Code development standards. The size of the site considering the UDC requirements would not support the required number of parking spaces to develop a building approximately 940 sf. in area.

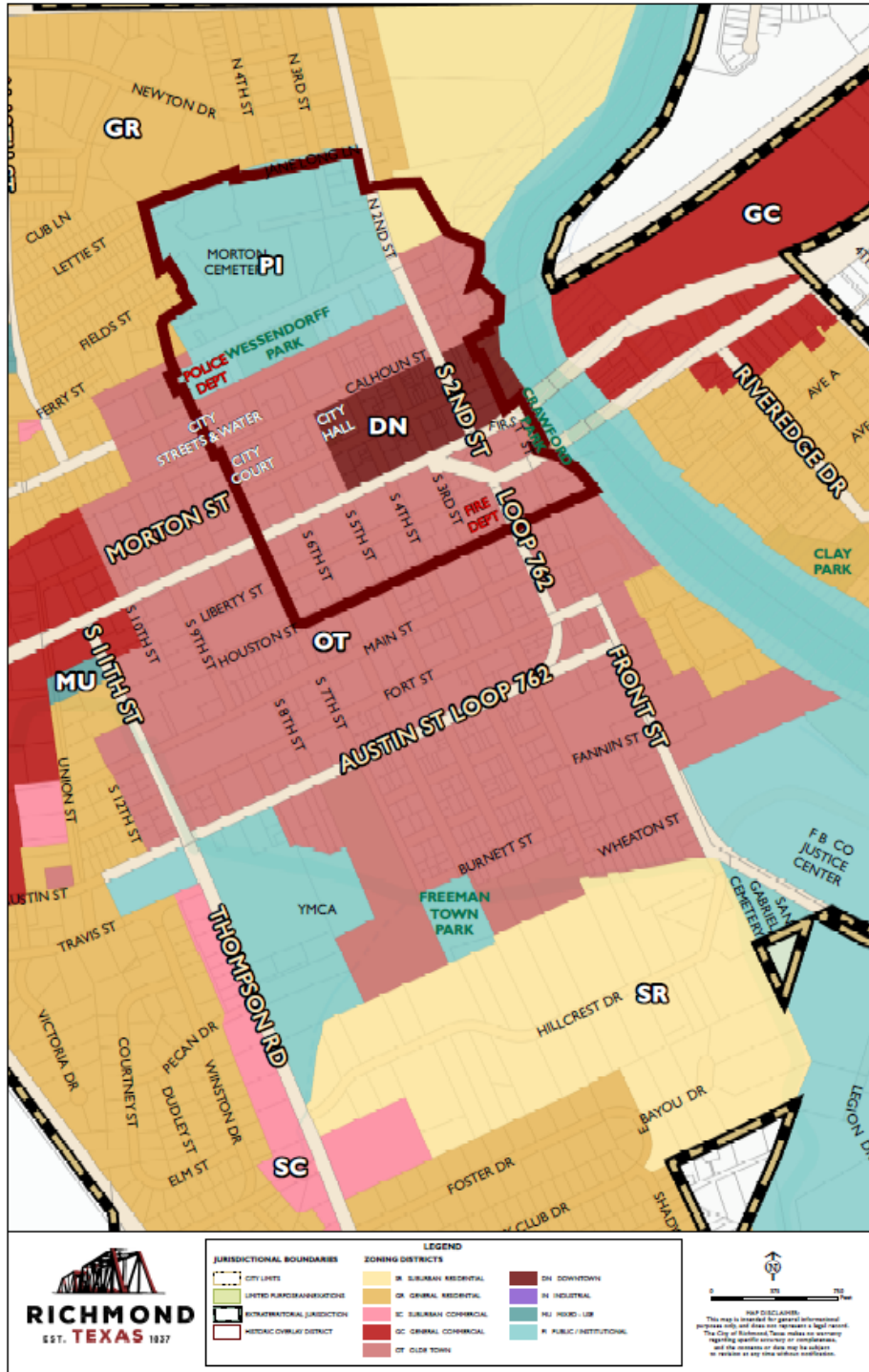


Requirements	UDC Requirement	Application	Available
Parking	Office – 1 per 200 sf. PFA	Office – 4 spaces	2 spaces
Landscape (Buffer yard)	Yes	Westside – 1) 10’ wide with masonry wall 2) 15’ along with associated required trees and shrubs	Yes
Total Developable Area	70’ x 15’ & 32.5’ x 25’ Total 1835 Sf.	Front Yard – 15’ Street Side Yard – 15’ Side Yard - 5’ Rear yard - 15’	Yes
Drainage & Detention	Detention Required		

Discussion Points

- The Unified Development Code provisions are a hinderance to development within the OT, Olde town District. The configuration and lot sizes within the area are different than the typical suburban development.
- The Fort Bend County Drainage Criteria Manual has provisions that are burdensome to certain types of development within the area.
- Single Family detached residential uses would be subject to less intense provisions of the UDC regarding landscaping, parking and buffering requirements. The use is limited within the OT, Olde Town district contingent on the proposed site currently containing a building that is similar in nature to a house or being used as a residence at the present time. New construction is currently not permitted to be a single family detached use.
- Capital Improvement Projects for 2nd Street may provide relief to development in that area.

CITY OF RICHMOND - OLDE TOWN ZONING DISTRICT



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



City of Richmond

Where History Meets Opportunity

Special Scheduled City Commission Workshop

600 Morton Street

Tuesday, January 17, 2023, at 4:30 P.M.

A7. Adjournment.