

# CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

AUGUST 4, 2014

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Council Chamber

Public Hearing

6:00 PM

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7008 S. RICE AVENUE  
BELLAIRE, TX 77401



## Mayor

Dr. Philip L. Nauert

## Mayor Pro Tem

Amanda B. Nathan

## Councilman

James P. Avioli Sr.

## Councilman

Pat B. McLaughlan

## Councilman

Roman F. Reed

## Councilman

Gus E. Pappas

## Councilman

Andrew S. Friedberg

### **Mission Statement:**

***The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.***

**SPECIAL SESSION (PUBLIC HEARING)**

**A. Call to Order and Announcement of a Quorum - Dr. Philip L. Nauert, Mayor.**

**B. Reading of Notice of Public Hearing - Tracy L. Dutton, City Clerk.**

**C. Summary of Public Hearing Procedures - Paul A. Hofmann, City Manager.**

**D. Presentation:**

Presentation related to amendments proposed by the Planning and Zoning Commission of the City of Bellaire, Texas, to various sections within Article V, Zoning Regulations, Division 1, Zoning Districts and Regulations of General Applicability, and Article V, Zoning Regulations, Division 2, Zoning District Regulations, within Chapter 24, Planning and Zoning, of the Code of Ordinances of the City of Bellaire, Texas ("City Code"), for the purpose of deleting references to old zoning districts and including newly created districts; amending parking requirements to include a shared parking table; adding requirements for drive-through facilities; renaming Section 24-514a; removing standards regulations for the development of schools and churches and inserting new consistent standard regulations for churches and schools for all residential districts; additional amendments have been proposed for sections within Article X, Signs, and Article XI, Sexually Oriented Businesses, in Chapter 24, Planning and Zoning, of the City Code for the purpose of deleting references to old zoning districts and including newly created districts; and deleting the definition of "City Center" in its entirety under Article II, Definitions and Interpretations, Chapter 24, Planning and Zoning, of the City Code.

(Requested by John McDonald, Community Development)

**E. Recognition of Citizens and/or Other Interested Parties - Dr. Philip L. Nauert, Mayor.**

**F. Questions from the Mayor and City Council - Dr. Philip L. Nauert, Mayor.**

**G. Close of Public Hearing - Dr. Philip L. Nauert, Mayor.**

**Note:** Under the *Rules of Procedure, 2012-2014*, of the *City Council of the City of Bellaire, Texas*, as revised and adopted January 16, 2012, *Article 9, Rules Governing Public Hearings, Section I, Written Comments*, **oral comment** regarding the amendments proposed to various sections within *Chapter 24, Planning and Zoning*, of the *Code of Ordinances of the City of Bellaire, Texas*, **will not be received following the close of this public hearing.** Written comments may be submitted to the City Council of the City of Bellaire, Texas ("City Council"), prior to final deliberation on the matter. It is anticipated that final deliberation will occur on Monday, August 18, 2014. Written comments should, therefore, be submitted to the City Council in care of the City Clerk by noon on Thursday, August 14, 2014, in order to be considered for the public record.

**H. Adjournment.**

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 08/04/14 06:00 PM

Department: Community

Development

Category: Ordinance

Department Head: John McDonald

DOC ID: 1258

**SCHEDULED****ACTION ITEM (ID # 1258)**

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**Item Title:**

Presentation related to amendments proposed by the Planning and Zoning Commission of the City of Bellaire, Texas, to various sections within Article V, Zoning Regulations, Division 1, Zoning Districts and Regulations of General Applicability, and Article V, Zoning Regulations, Division 2, Zoning District Regulations, within Chapter 24, Planning and Zoning, of the Code of Ordinances of the City of Bellaire, Texas ("City Code"), for the purpose of deleting references to old zoning districts and including newly created districts; amending parking requirements to include a shared parking table; adding requirements for drive-through facilities; renaming Section 24-514a; removing standards regulations for the development of schools and churches and inserting new consistent standard regulations for churches and schools for all residential districts; additional amendments have been proposed for sections within Article X, Signs, and Article XI, Sexually Oriented Businesses, in Chapter 24, Planning and Zoning, of the City Code for the purpose of deleting references to old zoning districts and including newly created districts; and deleting the definition of "City Center" in its entirety under Article II, Definitions and Interpretations, Chapter 24, Planning and Zoning, of the City Code.

**Background/Summary:**

Before you is a package of proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, that were reviewed and recommended for approval by the Planning and Zoning Commission over several months and were the subject of two public hearings before the Commission.

These changes cover the following areas:

1. The establishment of zoning districts;
2. General parking requirements for non-single family uses;
3. Consistency in development of schools and churches within residential districts; and
4. Clean-up due to the deletion of old districts and establishment of new districts.

**Establishment of Districts**

Sec. 24-501, Districts Established, details the zoning districts included in Chapter 24 and links them to the goals and objectives of the comprehensive plan. This section is being amended to remove those zoning districts that were included for deletion with the last amendment (R-M's and CCD's) and adds the UVD and CMU districts. Additionally, this section was not amended when the UVT was created, so that district is to be included as well.

**Parking Requirements**

Current parking requirements detailed in Sec. 24.514a were compared against parking regulations in Houston and West University and adjusted and expanded in attempt to better meet the needs of the commercial areas in Bellaire. When reviewing other cities, not every category was included on each. Matches were attempted as close as possible. Additionally, school and church parking standards, which are currently included within each zoning district, have been incorporated into the chart.

In the current code parking for churches and schools is included in the individual zoning districts and not within Sec. 24-514a. This proposal seeks to include these uses within the general parking table as well as separating the general "school" category into separate use types based on school type: elementary, junior high, high school. The method of calculating required parking spaces for schools has also been amended. Today, parking for all schools is based on a combination of number of classrooms and square footage of assembly space. The proposed formula is based on population and classrooms for elementary and junior high schools and population alone for high schools. These changes are proposed to simplify the calculation process and bring the regulation more inline with neighboring municipalities. As an example, if accepted, these amendments would reduce the required parking space count for Condit Elementary to a level where the proposed parking lot at the corner of South Rice and Linden would no longer be required.

### **Regulations for Churches and Schools**

In the current zoning ordinance, minimum requirements for the development of schools and churches in residentially zoned districts (i.e., R-1, R-3, R-4, R-5, R-MF) are the same as the minimums for residential structures (e.g., minimum lot area, minimum building height, required yards).

This amendment removes standard regulations from the above referenced districts located in Article V, Division 2, Zoning District Regulations, and inserts a new section in Division 1, Zoning Districts and Regulations of General Applicability. The standard regulations proposed would be uniform across the four single-family districts and the multi-family zoning district.

These changes would allow the possibility of a building up to a maximum height of 45 feet, up five feet from current regulations. This would also allow three full stories versus the current limit of 2 ½ stories. To provide better separation from neighbors, side setbacks would be increased from a minimum of 6' - 8' based on lot width to a minimum of twenty feet. The side setback on a corner lot would remain at 10'. Rear setbacks would increase from ten to twenty feet.

While garages are not specifically called out in either the current or proposed regulations, they would be regulated by the maximum height and setback requirements. These proposed changes are in an effort to allow better flexibility of design within the parameters of the zoning district and with the understanding that any proposed site plan that may include a parking structure or 45' tall buildings would still go through the specific use permit review process.

### **District Clean-Up**

Several references to out dated zoning districts still occur within Chapter 24. The proposed changes to the remaining sections are simply to replace the presence of deleted zoning districts with the new districts that are now in effect.

- Sec.24-202. Definitions - delete reference to City Center
- Sec.34-1012. Permitted Signs for Institutions - replace references to CCD-1 and 2
- Sec.34-1100. Applicable Districts - replace references to CCD-1 and 2

### **Recommendation**

No action on this item is scheduled on August 4. This item is tentatively scheduled for consideration on August 18.

**ATTACHMENTS:**

- Chapter 24 Memo to City Council-June 2014 (PDF)
- 24-514a Final Cleanup June 2014 (PDF)
- Parking Memo for City Council (PDF)
- Public Hearing Notice and Draft Amendments-Chapter 24 (PDF)
- Parking Categories and Requirements-Comparison (PDF)
- Current Regs for Schools and Churches (PDF)



## CITY OF BELLAIRE

### Planning and Zoning Commission

July 8, 2014

To: Mayor and City Council  
 From: Winfred Frazier, Chairman, Planning and Zoning Commission  
 CC: John McDonald, Director of Community Development  
 Subject: Report and Recommendation on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning & Zoning.

On February 11, 2014 the Planning and Zoning Commission held a public hearing regarding proposed amendments to Chapter 24. At a subsequent meeting on March 11, 2014, the Commission voted unanimously (5-0) to recommend approval of these amendments to City Council. After action was taken on this item, city staff realized that the public hearing notice did not appropriately reference the fact that these changes would pertain to certain uses that could be included within residential districts, and an additional public hearing was held on June 10, 2014 to properly address this issue. Mr. McDonald took this opportunity to further clean up Chapter 24, as well as bring back some language prepared by Gary Mitchell of Kendig Keast Collaborative regarding shared parking and space stacking. Approval of this proposal would result in the following:

- Deletion of all references to CCD-1 and CCD-2 to be replaced with UV-T, UV-D, and CMU
- Amendments to the parking requirements in commercial and mixed-use districts and the addition of parking requirements for churches and schools
- Amendments to aggregate/shared parking requirements to include a shared parking table
- Addition of requirements for the stacking of spaces for drive-through facilities
- Renaming of Section 24-514a, Parking requirements, Non-Single Family
- Amendment to Article II, Definitions and Interpretations, Section 24-202, Definitions (32), *City Center*

There were no public comments regarding this item.

#### RECOMMENDATION

During the same meeting on June 10, 2014, and after due consideration and discussion, the Commission found that the proposal properly addressed the residential districts affected and was consistent with the Comprehensive Plan, as well as good planning practices. The Commission voted unanimously (6-0) to recommend adoption of the proposed amendments to Chapter 24, Planning and Zoning.

#### VOTE OF THE COMMISSION

Members present and voting FOR this recommendation to City Council:

-Winfred Frazier, Bill Thorogood, Paul Simmons, Marc Steinberg, S. Lynne Skinner, Dirk Stiggins

Members present and voting AGAINST this recommendation to City Council:

-None.

Members Absent:

-Wayne Alderman (resigned May 2014)

## Proposed amendments to Section 24 – Public Hearing on 06/10/2014

### Amend Sec. 24.-15a. Parking Requirements, non-Single Family

- (a) *General Requirements.* The following requirements as provided in Table 24-514a.A are hereby established as parking regulations for all structures and developments other than single-family dwellings (attached or detached), including planned developments, which may be found in all zoning districts as permitted.

TABLE 24-514a.A Required Off-Street Parking	
Use Classification	Minimum Parking Spaces
<b>Office</b>	
a. General Office	3 per 1000 SF GFA
b. Financial institution	3 per 1000 SF GFA
<b>Residential</b>	
a. Multi-family residential	1.75 per dwelling unit
b. Retirement/Assisted Living Community	0.75 per dwelling unit or room, plus 1.0 per employee of largest shift
c. Hotel or motel	1.0 per room
<b>Health Care Facilities</b>	
a. Hospital	1.75 per bed
b. Medical or Dental Office	3.5 per 1000 SF GFA
c. Nursing Home	1.0 per bed plus 1 per 3 employees
d. Funeral Home or mortuary	.05 per chapel seat
e. Veterinary clinic	5.0 per 1000 SF GFA
<b>Industrial and Commercial Manufacturing</b>	
Wholesaling and warehousing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space
Light Manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of assembly space
Other industrial/manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space



Religious and Educational	
a. Church	1 per every 3 seats in main sanctuary/meeting room; if no fixed seating, 1.0 for every 40 square feet of GFA in the main sanctuary/meeting room
b. Nursery school or day care center	1.0 for every employee on duty during the largest shift; plus 1.0 per 5 children in attendance when the facility is operating at maximum capacity.
c. School, elementary	1 per classroom; plus 1 per every 12 students
d. School, junior high/middle	1 per classroom; plus 1 per every 7 students
e. School, high	1.0 per every 3 students
f. College, University, Trade school	1 per every 3 students
g. Art gallery or museum	3.0 per 1000 sf of GFA
Recreation and Entertainment	
a. Theater, including movie	1.0 per every 3 seats
b. Bowling Alley	5.0 per lane
c. Sports club or health spa	5.0 per 1000 sf GFA
d. Swimming club	9.0 per employee
Food and Beverage	
a. Take-out restaurant (without seating)	4.0 plus 1 for every 1000 sf of GFA
b. Dessert shop	6.0 for every 1000 sf of GFA
c. Restaurant	10.0 for every 1000 sf of GFA
Retail Services	
a. Grocery Store	5.0 per 1000 sf of GFA
b. Furniture Store	2.0 per 1000 sf of GFA
c. General Retail	4.0 per 1000 sf of GFA
d. Barber or Beauty Salon	3.0 per operator chair
Automobile	
a. Vehicle Sales	5.5 per 1000 sf of GFA
b. Auto repair	5.0 per 1000 sf of GFA
c. Car wash	1.0 per bay
d. Service Station	3.0 per service stall; plus 1.0 per each employee on duty during largest shift
e. Auto parts store	4.0 per 1000 sf of GFA; plus additional 2.0 per 1000 GFA is mechanic shop is incorporated.

- (1) GFA – Gross Floor Area (excludes space used for distinct lobbies, hallways, elevators, mechanical equipment, etc.).

(b) *Mixed use.* Mixed-use development in the CMU, UV-D and UV-T districts may be granted reductions in required parking as provided in this subsection.

- (1) *Shared parking table.* Shared parking allows a reduction in the total number of required parking spaces when a parcel is occupied by two or more uses which typically do not experience peak parking demands at the same time. When any land or building is used for two or more uses that are listed below, the minimum total number of required parking spaces may be determined by the following procedures:
  - a) Multiply the minimum required parking for each individual use, excluding spaces reserved for use by specified individuals or classes of individuals, such as (e.g., handicapped parking), by the appropriate percentage listed in **Table 24-514a.B**, for each of the designated time periods.
  - b) Calculate a sum for all uses for each of the five columns. The minimum parking requirement is the highest of these sums.
  - c) In general, the maximum reduction pursuant to Table 24-514a.B shall be 25 percent. However, a greater reduction is permitted, provided that:
    - 1) Sufficient land is set aside for each parking space in excess of the 25 percent reduction that is not constructed, so that the spaces may be constructed at a later date should the City's administrative official determine that they are necessary; and
    - 2) The property owner executes and records a document that guarantees that the spaces will be constructed upon written order of the City's administrative official.

<b>Table 24-514a.B: Shared Parking Table</b>					
<b>Use</b>	<b>Weekday</b>			<b>Weekend</b>	
	<b>Night (12AM to 6AM)</b>	<b>Day (6AM to 6PM)</b>	<b>Evening (6PM to 12AM)</b>	<b>Day (6AM to 6PM)</b>	<b>Evening (6PM to 12AM)</b>
Residential	100%	60%	90%	80%	90%
Office	5%	100%	10%	10%	5%
Retail / Commercial	5%	70%	90%	100%	70%
Commercial Lodging	80%	80%	100%	50%	100%
Restaurant	10%	50%	100%	50%	100%
Commercial Amusement	10%	40%	100%	80%	100%
All Others	100%	100%	100%	100%	100%

- (2) *Special shared parking study.* As an alternative to the methodology in Table 24-514a.B, an applicant may propose a special study to document the parking required for mixed uses by reviewing peak loading times for uses during a 24-hour day and designing for the peak hour demand.
  - a) The study shall provide data on the following:
    - 1) The recommended parking needs of the project.
    - 2) The sensitivity of the proposed uses to change. For example, a center with no restaurant could have significant changes in parking if a restaurant was added.
    - 3) Similar mixes of uses in other areas of the community or surrounding region.
    - 4) Degree of variability of parking for individual uses (average, range and standard deviation).
  - b) The shared parking study must be conducted by a professional engineer with experience in parking analysis and planning.

- 1) The City may retain a qualified engineer, at the applicant's expense, to prepare the special study and provide recommendations to the City; or
  - 2) The City may rely on the applicant's selected engineer to conduct the study, with review provided by City technical staff and/or consultant.
  - c) Upon the recommendation of the City's administrative official, the Planning and Zoning Commission may require a reserved open area on the site to offset the risk of parking needs increasing over time. Once the project is occupied and well established, if there is a surplus of parking, the applicant may petition for additional development capacity and parking using the reserved area.
- (3) *Design of shared parking.* Where shared parking is implemented:
- a) A pedestrian circulation system shall be provided that connects uses and parking areas, making it easy and convenient to move between uses.
  - b) All shared parking shall be located within 150 feet of any building which it serves, as measured along an established pedestrian route from the nearest point of the parking facility to the nearest point of the use served.
- (c) *Shared parking among sites under different ownership.* Adjoining developments with separate property ownership in the CMU, UV-D and UV-T districts may propose shared parking arrangements in accordance with the purposes and procedure of Section 24-514a(b)(1), above, with the following conditions:
- (1) Cooperating property owners shall use Table 24-514a.B to calculate the reduction in required parking to be achieved through a shared parking arrangement.
  - (2) The City's administrative official is authorized to approve joint parking arrangements in accordance with this subsection.
  - (3) In addition to the conditions specified in this Section, above, for shared parking among mixed uses on a single site, a shared parking arrangement among multiple sites shall require:
    - a) Provision for interconnected parking areas between the sites to accommodate vehicular circulation; and
    - b) Recorded easements that provide for, at a minimum:
      - 1) Cross-access among the parking areas and connections to permit parking by the different uses anywhere in the connected properties;
      - 2) A pedestrian circulation system that connects uses and parking areas, making it easy and convenient to move between uses; and
      - 3) Allocation of maintenance responsibilities.
- (d) *Stacking spaces.* Uses with drive-through facilities in the CMU district shall provide vehicle stacking spaces as set out in this Section and in **Table 24-514a.C**. Stacking spaces include the spaces at menu boards, service windows, and drive-through lanes for Automated Teller Machines (ATMs).
- (1) Size of stacking spaces: 8 feet wide x 18 feet long, exclusive of access drives and parking aisles.

<b>Table 24-514a.C: Required Stacking Spaces</b>	
<b>Land Use with Drive-Through</b>	<b>Stacking Requirement</b>
Generally (if not listed below)	3 per drive-through lane or service window, including the position at the window
Banks and credit unions	Single drive-through lane: 6, including the position at the service window/station

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	Multiple drive-through lanes: 5 per lane, including the position at the service window/station ATMs: 3, including the position at the ATM
Restaurants	8 to each menu board 3 between menu board and service window OR, if multiple windows (for payment and then service): 4 between menu board and the first window, including the position at the first window 2 between first and second windows, including the position at the second window

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**Sec. 24-202. Definitions**

32) City Center. An area of the City of Bellaire bounded by Chimney Rock Road (west), Bissonnet Street, Linden Street and Bellaire Boulevard (south), South Rice Avenue and Third Street (east), and Locust Street and the northern boundaries of lots facing Spruce Street (north). ~~The area contains two (2) zoning districts, CCD-1 City Center District and CCD-2 City Center District.~~

**Sec. 24-1100. Applicable in certain districts.**

The provisions of this Article shall be applicable in zoned districts ~~CCD-1 and CCD-2~~ UVD and CMU of the City of Bellaire. The uses as herein provided shall remain prohibited in all other zoned districts.

## Sec. 24 1012. Permitted Signs for Institutions.

### (A) Wall Signs.

- 1) Districts. L-610, TRP and UV-T.
  - a) Number allowed. One per wall.
  - b) Maximum area. 2.5 square feet per foot of wall length.
- 2 ) Districts. ~~CCD-1, CCD-2~~UVD, CMU, and LI.
  - a) Number allowed. One per institution.
  - B )Maximum area.
    - i) One-story building. 1 square foot per linear foot of wall length.
    - ii) Two or more stories. 1.5 square feet per linear foot of wall length.
- 3) Districts. All other zoning districts.
  - a ) Number allowed. One per institution.
  - b) Maximum area.
    - i) One-story building. 1 square foot per linear foot of wall length.
    - ii) Two or more stories. 1.5 square feet per linear foot of wall length.

### (B) Monument Signs.

- 1) Districts. All zoning districts.
  - a) Number allowed.
    - i) Generally. One per building.
    - ii) Two monument signs are allowable:
      - (a)When a building site fronts two of the following streets: Bellaire Blvd., S. Rice Ave., Bissonnet St., or the 5700 and 5800 blocks of Newcastle, provided that neither sign is located within one hundred (100) feet of a residential property and the minimum spacing between the signs is three hundred (300) feet, or
  - b) Maximum area. 60 square feet.
  - c) Maximum height. 8 feet above curb.
  - d) Minimum setback. The greater of two feet from the property line or six feet from the edge of the street, whichever is more restrictive.
  - e) Spacing limitations. Only one monument sign per 100 feet of linear feet or part hereof shall be permitted, except when more than one freestanding building is located on one site.

### (C) Canopy Signs.

- 1) Districts. ~~CCD-1, CCD-2~~UVD, CMU, and LI Districts.
  - a) Maximum area. 4½ square feet.
  - b) Minimum clearance. Eight feet above ground.
  - c) Allowable locations. On ground floor abutting street, parking lot or public walkway, excluding alleys and driveways.

### (D) Other Allowable Signs.

- 1) Districts. L-610, TRP and UV-T.
  - a) Community service.
  - b) Community event.
  - c) Outfield.
  - d) Political.
  - e) Scoreboard.
  - f) Traffic control.
  - g) Windscreen.
- 2) Districts. ~~CCD-1, CCD-2~~UVD, CMU, and LI Districts.

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- a) Auxiliary/public information.
  - b) Business entity or institution development site.
  - c) Community event.
  - d) Community service.
  - e) Construction.
  - f) Outfield.
  - g) Political.
  - h) Scoreboard.
  - i) Traffic control.
  - j) Windscreen.
- 3) Districts. All other zoning districts.
- a) Community event.
  - b) Community service.
  - c) Outfield.
  - d) Political.
  - e) Public information.
  - f) Scoreboard.
  - g) Windscreen.



## CITY OF BELLAIRE

### Planning and Zoning Commission

April 16, 2014

To: Mayor and City Council  
 From: Winfred Frazier, Chairman, Planning and Zoning Commission  
 CC: John McDonald, Director of Community Development  
 Subject: Report and Recommendation on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning & Zoning.

In response to the recent zoning changes within the City of Bellaire, the Planning and Zoning Commission held a public hearing on February 11, 2014 for the purpose of reviewing the city's current parking regulations. Approval of this proposal would result in the following:

- Deletion of old zoning districts from Section 24-501, replacing them with the new districts that have been created;
- Creation of general parking requirements for non-single family uses; and
- Consistency in the development of schools and churches within residential districts.

Any and all persons desiring to be heard in connection with proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, were invited to speak before the Commission. Two residents voiced comments at the public hearing. These comments included:

- Questions dealing with overflow parking ;
- Concerns regarding the inconsistency of the parking requirements for each school, with some under the current parking requirements, Condit Elementary under a special exception, and others to be under the proposed changes; and
- Support for the amendment creating a separate section for church and school parking requirements.

#### RECOMMENDATION

At their subsequent meeting held on March 11, 2014, and after due consideration and discussion, the Commission found that the proposal was consistent with the Comprehensive Plan, as well as good planning practices, and voted unanimously (5-0) to recommend adoption of the proposed amendments to Chapter 24, Planning and Zoning.

#### VOTE OF THE COMMISSION

Members Present and voting FOR this recommendation to City Council:



- Winfred Frazier, Bill Thorogood, Wayne Alderman, Paul Simmons, Marc Steinberg

Members present and voting AGAINST this recommendation to City Council:

- None.

Members Absent:

- S. Lynne Skinner, Dirk Stiggins

## NOTICE OF PUBLIC HEARING

**NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF BELLAIRE, TEXAS, ON TUESDAY, FEBRUARY 11, 2014 AT 6:00 P.M. IN CITY HALL, REGARDING PROPOSED AMENDMENTS TO CHAPTER 24, PLANNING & ZONING REGULATIONS, SECTION 24-501, DISTRICTS ESTABLISHED, TO DELETE REFERENCES TO OLD ZONING DISTRICTS AND INCLUDE NEWLY CREATED DISTRICTS, SECTION 24-514a, PARKING IN COMMERCIAL AND MIXED-USE DISTRICTS, TO INCLUDE REFERENCES TO NEW ZONING DISTRICTS AND TO AMEND PARKING REQUIREMENTS IN COMMERCIAL/MIXED-USE AREA, 24-531, R-1 RESIDENTIAL DISTRICT, D (2) a) CHURCHES AND b) SCHOOLS; 24-532, R-3 RESIDENTIAL DISTRICT, C (2) a) CHURCHES AND b) SCHOOLS; 24-533, R-4 RESIDENTIAL DISTRICT, C (2) a) CHURCHES AND b) SCHOOLS; 24-534, R-5 RESIDENTIAL DISTRICT, C (2) a) CHURCHES AND b) SCHOOLS; AND 24-535, R-MF RESIDENTIAL MULTI-FAMILY DISTRICT, F (2) a) CHURCHES AND b) SCHOOLS, TO DELETE STANDARD REGULATIONS FOR CHURCHES AND SCHOOLS, AND TO INCLUDE A NEW SECTION WITHIN ARTICLE V. ZONING REGULATIONS, DIVISION 1, TO IDENTIFY CONSISTENT STANDARD REGULATIONS FOR CHURCHES AND SCHOOLS FOR ALL RESIDENTIAL DISTRICTS.**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Planning & Zoning Commission of the City of Bellaire, Texas on February 11, 2014 at 6:00 p.m. in the Bellaire City Council Chambers, City Hall, 7008 South Rice Avenue, Bellaire, Texas, at which time and place any and all persons desiring to be heard will be heard on or in connection with any matter or questions involving proposed amendments to the *Code of Ordinances of the City of Bellaire; Chapter 24; Planning & Zoning Regulations*, Section 24-501, Districts Established, to delete references to old zoning districts and include newly created districts, Section 24-514a, Parking in Commercial and Mixed-Use Districts, to include references to new zoning districts and to amend parking requirements in commercial/mixed-use area, 24-531, R-1 Residential District, D (2) a) churches and b) schools; 24-532, R-3 Residential District, C (2) a) churches and b) schools; 24-533, R-4 Residential District, C (2) a) churches and b) schools; 24-534, R-5 Residential District, C (2) a) churches and b) schools; and 24-535, R-MF Residential Multi-Family District, F (2) a) churches and b) schools, to delete standard regulations for churches and schools, and to include a new section within Article V. Zoning Regulations, Division 1, to identify consistent standard regulations for churches and schools for all residential districts. The proposed amendments may be reviewed at the Community Development Department, first floor of City Hall, during normal business hours or online at [www.ci.bellaire.tx.us](http://www.ci.bellaire.tx.us).

Ashley Parcus  
Secretary, Planning and Zoning

To be published in the Southwest News on January 28, 2014.

# Proposed amendments to Section 24 – Public Hearing on 02/11/2014

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## **Amend Sec. 24-501. Districts Established**

In order to carry out the goals and objectives of the comprehensive plan and the purposes of this chapter, the following districts are hereby created:

- (1) Residential Districts.
  - a) R-1 Residential District (R-1)
  - b) R-3 Residential District (R-3)
  - c) R-4 Residential District (R-4)
  - d) R-5 Residential District (R-5)
  - e) R-MF Residential Multi-Family District (R-MF)
- (2) Mixed-Use Districts.
  - a) R-M.2-O Residential-Office Mixed-Use District (R-M.2-O)
  - b) Corridor Mixed-Use District (CMU)
  - c) Urban Village - Downtown District (UVD)
  - d) Urban Village – Transit Oriented Development District (UVT)
- (3) Other Districts.
  - a) Loop 610 District (L610)
  - b) Light Industrial District (LI)
  - c) Technical Research Park District (TRPD)

**Amend Sec. 24.-15a. Parking Requirements, non-Single Family**

- (a) *General Requirements.* The following requirements are hereby established as parking regulations for all structures and developments other than single-family dwellings (attached or detached), including planned developments.

Use Classification	Minimum Parking Spaces
Office	
a. General Office	3 per 1000 SF GFA
b. Financial institution	3 per 1000 SF GFA
Residential	
a. Multi-family residential	1.75 per dwelling unit
b. Retirement/Assisted Living Community	0.75 per dwelling unit or room, plus 1.0 per employee of largest shift
c. Hotel or motel	1.0 per room
Health Care Facilities	
a. Hospital	1.75 per bed
b. Medical or Dental Office	3.5 per 1000 SF GFA
c. Nursing Home	1.0 per bed plus 1 per 3 employees
d. Funeral Home or mortuary	.05 per chapel seat
e. Veterinary clinic	5.0 per 1000 SF GFA
Industrial and Commercial Manufacturing	
Wholesaling and warehousing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space
Light Manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of assembly space
Other industrial/manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space
Religious and Educational	
a. Church	1 per every 3 seats in main sanctuary/meeting room; if no fixed seating, 1.0 for every 40 square feet of GFA in the main sanctuary/meeting room
b. Nursery school or day care center	1.0 for every employee on duty during the largest shift; plus 1.0 per 5 children in attendance when the facility is operating at maximum capacity.
c. School, elementary	1 per classroom; plus 1 per every 12 students



d. School, junior high/middle	1 per classroom; plus 1 per every 7 students
e. School, high	1.0 per every 3 students
f. College, University, Trade school	1 per every 3 employees; plus 1 per every 5 students
g. Art gallery or museum	3.0 per 1000 sf of GFA
Recreation and Entertainment	
a. Theater, including movie	1.0 per every 3 seats
b. Bowling Alley	5.0 per lane
c. Sports club or health spa	5.0 per 1000 sf GFA
d. Swimming club	9.0 per employee
Food and Beverage	
a. Take-out restaurant (without seating)	4.0 plus 1 for every 1000 sf of GFA
b. Dessert shop	6.0 for every 1000 sf of GFA
c. Restaurant	10.0 for every 1000 sf of GFA
Retail Services	
a. Grocery Store	5.0 per 1000 sf of GFA
b. Furniture Store	2.0 per 1000 sf of GFA
c. General Retail	4.0 per 1000 sf of GFA
d. Barber or Beauty Salon	3.0 per operator chair
Automobile	
a. Vehicle Sales	5.5 per 1000 sf of GFA
b. Auto repair	5.0 per 1000 sf of GFA
c. Car wash	1.0 per bay
d. Service Station	3.0 per service stall; plus 1.0 per each employee on duty during largest shift
e. Auto parts store	4.0 per 1000 sf of GFA; plus additional 2.0 per 1000 GFA is mechanic shop is incorporated.

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**Create a new Sec. 24-526. Schools and Churches in Residential districts.**

- A. Purpose. The purpose of this section is to set specific and consistent regulations for the development of schools and churches in residentially zoned districts to ensure compatibility with existing neighborhoods and to minimize possible negative impacts of such uses.
- B. Standard Regulations.
  - (1) Size and Area:
    - a. Minimum lot area: 22,000 square feet;
    - b. Minimum lot width: 125 feet;
    - c. Minimum lot depth: 125 feet;
    - d. Maximum building height: 45 feet, including church steeples, domes, spires, bell towers, cooling towers, roof gables, chimneys, antennas, and vent stacks.
    - e. Minimum floor area: 2,500
    - f. Minimum required yards:
      - i. Front yard: Thirty (30) feet;
      - ii. Side yard: Twenty (20) feet, provided that on a corner lot, the minimum side yard adjacent to the side street shall be ten (10) feet;
      - iii. Rear yard: Twenty (20) feet, for both the main structure and any accessory structures;
    - g. Maximum lot coverage: Fifty (50) percent of lot area/
  - (2) Parking: See Sec. 24-514a.

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**Delete the following sections referencing standard regulations for schools and churches:**

- Sec. 24-531 D(2)a and D(2)b
- Sec. 24-532 C(2)a and C(2)b
- Sec. 24-533 C(2)a and C(2)b
- Sec. 24-534 C(2)a and C(2)b
- Sec. 24-535 F(2)a and C(2)b

Minimum Parking Spaces				
Use Classification	Bellaire - Proposed	Bellaire - Current	Houston	West University Place
Office				
a. General Office	3 per 1000 SF GFA	Same	2.5 per 1000 SF GFA	4.0 per 1000 SF GFA
b. Financial institution	3 per 1000 SF GFA	Included in general office	4.0 per 1000 SF GFA	Greater of: (i) 5.0 per 1,000 square feet of gross floor area; or (ii) 3.0 per commercial unit.
Residential				
a. Multi-family residential	1.75 per dwelling unit	Same	1.25/efficiency; 1.333/one bedroom; 1.666/2 bedroom; 2.0/3+ bedrooms	2.5 per dwelling unit
b. Retirement/Assisted Living Community	0.75 per dwelling unit or room, plus 1.0 per employee of largest shift	1.25 per DU	varies	not listed
c. Hotel or motel	1.0 per room	Same	1.0/rm up to 250 rms; 0.75/251 to 500 rms	Not listed
Health Care Facilities				
a. Hospital	1.75 per bed	1.2 per bed		Greater of 1.5 per bed or 1.5 per employee on the maximum work shift. 6.0 per 1,000 square feet of gross floor area.
b. Medical or Dental Office	3.5 per 1000 SF GFA	6 per employee who takes appointments		Greater of 1.5 per bed or 1.5 per employee on the maximum work shift.
c. Nursing Home	1.0 per bed plus 1 per 3 employees	1.2 per bed		Not listed
d. Funeral Home or mortuary	.05 per chapel seat	1 per 4 persons capacity		Not listed
e. Veterinary clinic	5.0 per 1000 SF GFA	Included in Medical		Not listed



Industrial and Commercial Manufacturing				
Wholesaling and warehousing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space	1.0 per 1000 sq ft	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space	1.0 for each 3 employees on maximum shift, plus 1.0 space / each vehicle used
Light Manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of assembly space	2.0 per 1000 sq ft	2.5 per 1000 SF GFA of office space; and 1.00 per 1,500 SF GFA of non-office space 2.5 per 1000 SF GFA of office space; and 1.00 per 2,000-7,000 SF GFA of non-office space	1.0 for each 3 employees on maximum shift, plus 1.0 space / each vehicle used 1.0 for each 3 employees on maximum shift, plus 1.0 space / each vehicle used
Other industrial/manufacturing	2.5 per 1000 SF GFA of office space; and 1.00 per 5,000 SF GFA of non-office space	Not listed		
Religious and Educational				
a.Church	1 per every 3 seats in main sanctuary/meeting room; if no fixed seating, 1.0 for every 40 SF of GFA in the main sanctuary/meeting room	Same	1.0 per every 5 seats in main sanctuary; if no fixed seating, 1.0 per every 40 SF of GFA in main sanctuary/meeting rm	10.0 plus 3.33 per 1,000 SF of GFA in excess of 2,000 SF
b. Nursery school or day care center	1.0 for every employee on duty during the largest shift; plus 1.0 per 5 children in attendance when the facility is operating at maximum capacity.	Not listed	1.0 for every employee on duty during the largest shift; plus 1.0 per 5 children in attendance when the facility is operating at maximum capacity.	Not listed
c. School, elementary	1 per classroom; plus 1 per every 12 students	1 per classroom plus 1 for each four in a place of assembly	1.5 per 30 person classroom	10.0 plus 3.33 per 1,000 SF of GFA in excess of 2,000 SF
d. School, junior high/middle	1 per classroom; plus 1 per every 7 students	1 per classroom plus 1 for each four in a place of assembly	3.5 per 30 person classroom	10.0 plus 3.33 per 1,000 SF of GFA in excess of 2,000 SF
e. School, high	1.0 per every 3 students	1 per classroom plus 1 for each four in a place of assembly	9.5 per 30 person classroom	10.0 plus 3.33 per 1,000 SF of GFA in excess of 2,000 SF

f. College, University, Trade school	1 per every 3 employees; plus 1 per every 5 students	Not listed	1 per every 3 employees; plus 1 per every 10 students residing on campus; and 1.0 for every 5 students not residing on campus	Not listed. Greater of: (i) 5.0 per 1,000 square feet of gross floor area; or (ii) 3.0 per commercial unit.
g. Art gallery or museum	3.0 per 1000 sf of GFA	Not listed	3.0 per 1000 sf of GFA of exhibit area or gallery space	
Recreation and Entertainment				
a. Theater, including movie	1.0 per every 3 seats	50.30 per seat	0.3 per every seat	Greater of: (i) 1.0 for each four seats; or (ii) 1.5 per 1,000 square feet of gross floor area, plus 1.0 for each employee on the maximum shift.
b. Bowling Alley	5.0 per lane	Not listed	5.0 per lane	Not listed.
c. Sports club or health spa	5.0 per 1000 sf GFA	Not listed	5.0 per 1000 sf GFA	10.0 per 1,000 SF of GFA
d. Swimming club	9.0 per employee	Not listed	9.0 per employee	Not listed.
Food and Beverage				
a. Take-out restaurant (without seating)	4.0 plus 1 for every 1000 sf of GFA	4.0 per 1000 sf	8.0 per 1000 SF of GFA	5.0 per 1,000 SF of GFA
b. Dessert shop	6.0 for every 1000 sf of GFA	Not listed	8.0 per 1000 SF of GFA	10.0 per 1000 sf of GFA
c. Restaurant	10.0 for every 1000 sf of GFA	Same	8.0 per 1000 SF of GFA	10.0 per 1000 sf of GFA
Retail Services				
a. Grocery Store	5.0 per 1000 sf of GFA	Not listed	5.0 per 1000 sf of GFA	5.0 per 1,000 SF of GFA
b. Furniture Store	2.0 per 1000 sf of GFA	Not listed	2.0 per 1000 sf of GFA	Not listed
c. General Retail	4.0 per 1000 sf of GFA	Same	4.0 per 1000 sf of GFA	4.0 - 5.0 per 1,000 SF of GFA
d. Barber or Beauty Salon	3.0 per operator chair	Not listed	3.0 per operator chair and 1.0 per employee	Not listed
Automobile				

a. Vehicle Sales	5.5 per 1000 sf of GFA	Not listed	5.5 per 1000 sf of GFA	Not listed
b. Auto repair	5.0 per 1000 sf of GFA	Not listed	5.0 per 1000 sf of GFA	Not listed
c. Car wash	1.0 per bay	Not listed	1.0 per bay; 2.5 per bay for stacking at each bay in automatic	Not listed
d. Service Station	3.0 per service stall; plus 1.0 per each employee on duty during largest shift	Not listed	3.0 per service stall; plus 1.0 per each employee on duty during largest shift	Not listed.
e. Auto parts store	4.0 per 1000 sf of GFA; plus additional 2.0 per 1000 GFA is mechanic shop is incorporated.	Same	4.0 per 1000 sf of GFA	Not listed.

## Current Regulations for Schools and Churches in Residential Districts

## SCHOOLS

	R-1	R-3	R-4	R-5	R-MF
Minimum Lot Area	14,400	7,400	5000	5000	7200
Minimum Lot Width	80	60	50	50	60
Minimum Lot Depth	125	100	100	100	120
Maximum Building Height	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')
Minimum Floor Area	1,600	1250	1100	1100	900
Required Yards					
Front	50	30	25	25	25
Side	8	6/8	5/6/8	5/6/8	5
Corner	10	10	10	10	10
Rear	10	10	10	10	10
Accessory	3	3	3	3	3
Maximum Lot Coverage	50%	50%	50%	50%	75%
Parking	1 per Classroom, plus 1/4 seats in aud/gym/poa	2 per Classroom, plus 1/4 seats in aud/gym/poa	3 per Classroom, plus 1/4 seats in aud/gym/poa	4 per Classroom, plus 1/4 seats in aud/gym/poa	5 per Classroom, plus 1/4 seats in aud/gym/poa

## CHURCHES

	R-1	R-3	R-4	R-5	R-MF
Minimum Lot / 0	14,400	7,400	5000	5000	7200
Minimum Lot Width	80	60	50	50	60
Minimum Lot Depth	125	100	100	100	120
Maximum Building Height	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')	2.5 Stories (40')
Minimum Floor Area	1,600	1250	1100	1100	900
Required Yards					
Front	50	30	25	25	25
Side	8	6/8	5/6/8	5/6/8	5
Corner	10	10	10	10	10
Rear	10	10	10	10	10
Accessory	3	3	3	3	3
Maximum Lot Coverage	50%	50%	50%	50%	75%

Parking

1 per every 3 seats   1 per every 3 seats   1 per every 3 seats   1 per every 3 seats   1 per every 3 seats