

CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

JUNE 14, 2016

Council Chamber

Regular Session

6:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401



Chairman

Mr. Winfred Frazier

Commissioner

Christopher Butler

Commissioner

Paul Simmons

Vice Chairman

Dirk Stiggins

Commissioner

Bill Thorogood

Commissioner

Marc Steinberg

Commissioner

S. Lynne Skinner

Mission Statement:

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

I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM**II. APPROVAL OF MINUTES FROM PAST MEETINGS**

1. Planning and Zoning Commission - Regular Session - May 10, 2016 5:30 PM

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION**IV. GENERAL PUBLIC COMMENTS**

- i. **Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three (3) minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.**

V. PUBLIC HEARINGS

Public Hearing on proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, Sec. 24-535, R-MF Residential-Multifamily District, and related sections, including Sec. 24-513 Landscaping, Screening and Buffering; and Sec. 24-513a, Design Standards in Commercial and Mixed-Use Districts; to ensure that future redevelopments are compatible with existing commercial regulations, and to establish improved buffering of existing adjacent single-family residential districts.

A. Presentation of the Public Hearing Process**B. Presentation by the Applicant****C. Staff Findings****D. Public Comments**

- i. **Persons at the meeting who have indicated their desire to address the Commission by submitting the form provided shall have three (3) minutes each to present comments concerning the Application. If a speaker wishes to yield their time to another speaker, a total of six (6) minutes will be allotted for their comments. The speaker's form must indicate to whom the time is being yielded. If additional time is not yielded, the time may be extended to five (5) minutes at the discretion of the Chair.**

E. Response of Applicant**F. Questions from the Commission****G. Invitation for Written Comments, if applicable****H. Closure of the Public Hearing****VI. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)**

VII. COMMITTEE REPORTS**VIII. CORRESPONDENCE****IX. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS**

- A. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.**
- B. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation**

X. ADJOURNMENT



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

MAY 10, 2016

Council Chamber

Regular Session

5:30 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Frazier called the meeting to order at 5:30 PM, and announced that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
Christopher Butler	Commissioner	Present	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Commissioner	Present	5:35 PM
Paul Simmons	Commissioner	Present	
Marc Steinberg	Commissioner	Absent	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	
Trisha S. Pollard	Council Member	Present	

II. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session - Apr 12, 2016 6:00 PM

RESULT: APPROVED [4 TO 0]
MOVER: Dirk Stiggins, Vice Chairman
SECONDER: S. Lynne Skinner, Commissioner
AYES: Butler, Frazier, Stiggins, Skinner
ABSTAIN: Simmons
ABSENT: Thorogood, Steinberg

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

Chairman Frazier reminded all citizens who wished to speak to the Commission to fill out a sign in sheet.

IV. GENERAL PUBLIC COMMENTS

Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.

There were no general public comments.

Minutes Acceptance: Minutes of May 10, 2016 5:30 PM (Approval of Minutes from Past Meetings)

V. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)

1. Proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, Sec. 24-535, R-MF Residential Multi-Family District, and related sections, in order to ensure that future re-developments are compatible with the existing commercial regulations, and to establish proper buffering of existing adjacent single-family developments.

Mr. McDonald explained that he had again made some proposed changes to the R-MF Zoning District in an attempt to bring it in line with recent amendments made to other zoning districts within the City. He added that in doing this, the City will have more control over what would/could be developed within that area.

Commissioner Butler mentioned that the proposed language states that if the administrator denies the site plan then it would come before the Planning and Zoning Commission. He asked how P&Z would be involved with that.

Mr. McDonald explained that an applicant could appeal to the Commission if they disagree with a decision made by the Director.

Commissioner Butler also mentioned that the term "administrator" is gender specific and asked if that could be changed.

Mr. McDonald explained that "administrator" is defined within the code, and specifically states that it is not intended to be a gender specific term.

Commissioner Skinner mentioned that there had been previous discussions about setting a minimum square footage of 900 for each unit within a multi-family development and asked for clarification as to why that was not being utilized.

Mr. McDonald reminded her that it had been decided that setting a maximum number of units rather than a minimum square footage would be more beneficial for the developer and the market.

Commissioner Skinner mentioned the language referring to corner lots and side yards that states "both street exposures shall be treated as front yards." She asked if this would apply to sidewalks, landscaping, etc.

Mr. McDonald explained that sidewalks will be required on any street frontage, and landscaping that isn't covered through the landscaping requirements would be more of a site plan issue. He added that the idea was just to ensure that as you turn the corner it is also setback off of the street for aesthetic purposes.

Commissioner Skinner stated that there are a lot of places within the City where that is not done.

Mr. McDonald explained that within the residential areas a corner lot will have two front yards unless the lot was created prior to the establishment of the zoning ordinances, which is the case for the majority of corner lots within the City. He added that Council has implemented a ten foot setback for lots that were established prior to that time.

Commissioner Thorogood asked if below grade parking would be permitted.

Mr. McDonald stated that the language sets a maximum height, but does allow for underground parking.

Commissioner Thorogood asked if the development would need to be sprinkled.

Mr. McDonald confirmed that it would.

Commissioner Thorogood pointed out that there is no allowance for a planned development.

Mr. McDonald explained that he was simply trying to maintain more control over what could be built there. He added that there is currently only one property in question.

Chairman Frazier asked Mr. McDonald if staff had spoken to any developers regarding the proposed changes.

Mr. McDonald informed the Commission that he has spoken with the owner of Pont Alba Apartments on several occasions about the redevelopment of that property. He added that he has positively received the proposed changes and sees them as a way to help him maximize the ability to redevelop.

Chairman Frazier asked what the next step would be if the Commission is comfortable moving forward with the amendments.

Mr. McDonald explained that a public hearing would be called for the June 14th meeting.

Commissioner Butler asked if the notification requirements would pertain to this public hearing.

Mr. McDonald explained that notification is required, but that he would need to look and see what the specific requirements are for a public hearing such as this one.

A motion was then made by Commissioner Butler and seconded by Commissioner Skinner to notify all properties within 500 feet of any property currently zoned R-MF.

Commissioner Thorogood amended that motion to include 1,000 feet, and it was seconded by Commissioner Butler.

Vice Chairman Stiggins was concerned that the Commission would be setting a precedence in changing the notification to 1,000 feet for this public hearing.

Mr. McDonald agreed that the Commission needs to be careful about deviating from the standards.

Commissioner Thorogood felt that the fact that this is currently the only multi-family unit within the community makes this a unique situation.

Chairman Frazier agreed that making an exception for this public hearing could cause an issue with residents in the future.

Commissioner Thorogood asked if there is anything other than public notice that will help to educate the public on what is taking place.

Mr. McDonald informed him that all of the public hearing notices are put on the City's website and also sent out in a Notify Me to all subscribers.

Commissioner Thorogood withdrew his amendment.

Vote on the original motion of 500 feet: 6-0.

2. Presentation of results of the Beautification Survey, as prepared by Christopher Butler, representative of Citizens for a Beautiful Bellaire.

Commissioner Christopher Butler, as a member of the Citizens for A Beautiful Bellaire (CBB), explained that this survey had come about due to the fact that the CBB wanted to find out if there were other citizens who were also passionate about beautification within the City of Bellaire. He stated that the purpose behind the survey was to help the CBB in understanding why people chose to live here and to dig into the specifics on how to make it a more beautiful community. Commissioner Butler informed the Commission that there were 1,021 responses, and 183,000 words were written. He stated that the participants spent 484 hours combined working on this survey. Commissioner Butler pointed out that rather than your normal survey which takes a poll or vote, this survey was trying to simulate a town hall meeting. He added that the size of the words reflect the number of times that the word was mentioned by the participants. Commissioner Butler stated that the word clouds may not necessarily agree with each other, it is simply a representation of what was written. He mentioned that he wanted this to be the town hall meeting that the City has never really had, but also to help the CBB determine what projects should be taken forward.

Mr. McDonald asked Commissioner Butler how he could determine that there were 1,000 people that participated.

Commissioner Butler stated that he could not be completely sure of the number of people, just the number of responses. He added that he did not do IP filtering in order to let multiple people within a household to take the survey. Commissioner Butler stated that he did kick some responses out that were clearly duplicates, but still felt comfortable that there were at least 1,000 participants.

Commissioner Butler then went through the pages and pointed out some of the more prominent words that were listed.

Commissioner Thorogood pointed out the section titled "The Importance of Defining Bellaire Pretty" and mentioned the paragraph where Bellaire's industrial history is defined. He pointed out that Bellaire's industrial history has been residential since day one and that is the City's branding.

Commissioner Butler explained that the point he was trying to make with this statement is that other communities tend to base their branding on a physical product, i.e. the Forth Worth Longhorn, and the Tyler Rose. He added that Bellaire's product is quite clearly homes, which makes it significantly harder to create a recognizable, unique logo.

Chairman Frazier stated that he felt as though community character is a big part of the Comprehensive Plan, and that this survey does play into how the community character of Bellaire is defined.

Commissioner Butler pointed out the section of the survey that reflects the current strengths, weaknesses, and opportunities within the City, and stated that he felt as

though this would be a great tool for the boards and commissions to use in determining which ones are relevant to each group.

Mr. McDonald stated that most of the things mentioned are already addressed within the City's Comprehensive Plan and Capital Improvement Plan (CIP), as well as new zoning codes.

Commissioner Butler felt that although several of these are touched on within these different documents, there are things that need to be honed in on to an extent that the Comprehensive Plan and CIP does not do.

Vice Chairman Stiggins pointed out that it is hard for people to envision these ideas until they are able to physically see them. He added that the new H-E-B will be a catalyst for re-development within the City.

Commissioner Butler mentioned that he didn't feel as though the Commission was able to give H-E-B's representatives any specifics on what the City would like their site to look like. He agreed that there are standards and regulations that each developer has to follow, but the desired character is not addressed. Commissioner Butler pointed out that creating character type standards would prevent the Commission from having to address each project individually.

Mr. McDonald pointed out that the Comprehensive Plan does address "a walkable downtown," as well as other aesthetic qualities that are desired for different areas of the City. He added that there are also zoning regulations that go hand in hand with the desired character of the City, i.e. trees, design standards, etc.

Commissioner Butler stated that there is a difference between it being addressed and making it marketable, actionable, and able to be defined by the Commission, or other groups within the City. He added that to him pictures of Sugar Land do not define "Bellaire pretty."

Vice Chairman Stiggins mentioned previous projects that Commissioner Butler has worked on for other cities and asked how consensus was built in those situations, in order to establish a standard.

Commissioner Butler stated that he normally designs a streetscape of the different desired characteristics reflected within the survey results in order to allow the participants to physically see what each would look like. He added that although it may be the majority speaking, ultimately an appointed board is who will make the decision.

Vice Chairman Stiggins agreed with Mr. McDonald that a lot of aesthetic elements are already addressed within the Comprehensive Plan. However, he also agreed with the importance of illustration and visual aids to help "sell" the ideas.

Commissioner Thorogood asked what would be left to do if downtown Bellaire was "fixed."

Commissioner Butler agreed that the downtown area is the biggest issue, with the most specific concerns, but he also felt that there are still improvements that can be made outside of that area. He mentioned that it has to do with downtown retail, specifically.

Mr. McDonald pointed out that turnover of the buildings, based on the rules that the City has in place, would essentially solve the problem. He added that it is very cyclical.

Commissioner Butler reiterated that the City is not the gorgeous thing that it could be if a consensus vision for "Bellaire pretty" was in place.

Mr. McDonald mentioned that rather than giving the Comprehensive Plan and new zoning district regulations a chance to work, the CBB is proposing things be changed.

Commissioner Butler stated that he doesn't feel as though the CBB is asking that anything be changed, just that more specific standards be put into place in order to achieve a more aesthetically pleasing city. He added that the Planning and Zoning Commission could be involved in this effort and asked the Commissioners to begin thinking about if/how they would like to do that.

Chairman Frazier stated that the Commission, along with Gary Mitchell of Kendig Keast Collaborative, worked very hard on the five-year update to the Comprehensive Plan to ensure that there are standards in place for Bellaire's future developments.

Commissioner Butler agreed that it is a really great tool to use, but stated that he would like to see more detailed blueprints or master plans to incorporate with it.

Commissioner Thorogood mentioned that the Comprehensive Plan took huge steps in creating a standard for architecture with regard to commercial developments. He added that it was really a question of "how far can we take this?" Commissioner Thorogood pointed out that the City's belief is that it is landowner's right to build what they can, that economically meets their needs, as well as the City's regulations, with the site that they have. He stated that it is not really the City's right to define it so tightly that the developer's hands are tied. Commissioner Thorogood mentioned that he is concerned that the beautification effort could potentially overshadow the Comprehensive Plan. He then asked Mr. McDonald if there were streetscape standards within the newly adopted zoning districts.

Mr. McDonald explained that there are landscaping requirements, but there are no specific streetscape plans. He added that there are several options that the City is looking into implementing in order to set those standards and get the ball rolling for redevelopment.

Commissioner Skinner mentioned that there have recently been an abundance of younger families moving into Bellaire. She agreed that there should probably be higher standards in some areas, but felt that this would happen organically based on the lifecycle changes that are occurring within the City. Commissioner Skinner added that if the standards become too specific it may deter prospects that are looking to come into Bellaire.

Commissioner Thorogood pointed out that a "quick fix" for this would be to add an economic development function, which the City currently does not have.

Chairman Frazier also mentioned that the survey results would be very beneficial for the Commission to utilize during the next update to the Comprehensive Plan. He then asked what the participants were referring to with "maintenance failures."

Commissioner Butler stated that it includes things like broken curbs and leaning poles, etc. He added that some of them are out of the City's control and deal more

with CenterPoint and Metro. Commissioner Butler also felt that recently the City has improved in its response to maintenance issues.

Commissioner Simmons felt that this beautification effort needs to have an anchor, and that the Comprehensive Plan should serve that purpose. He added that these results portray many differing opinions, and that there is no way to get everyone on board.

Commissioner Butler agreed that there are always going to be those differences, but he felt that there was a lot of consensus within the survey results. He added that City Council is hearing the proposal for a beautification master plan on June 6th, and he felt as though feedback from the Planning and Zoning Commission would be very beneficial.

Chairman Frazier felt that the Commissioners should at least lend their support, or comments to Council. He thanked Commissioner Butler for his presentation.

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

There was no correspondence.

VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

A. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.

Mr. McDonald informed the Commission that the specific use permit for Veritas Christian Academy will be going before City Council on June 6th.

B. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation.

Commissioner Stiggins suggested that an item be added to a future agenda of the Commission, or a workshop be held in order to discuss the Commission's role in the Citizens For a Beautiful Bellaire's beautification efforts.

Commissioner Thorogood asked if there were any regulations in the current code with regard to drones.

Mr. McDonald stated that he did not believe that they were specifically addressed within the code.

Commissioner Thorogood mentioned the current litigation in Friendswood with regard to churches and property taxes. He asked if that would be within the Commission's purview if it were to ever happen within the City of Bellaire.

Mr. McDonald stated that it would not.

Chairman Frazier asked about the status of the Mandarin Chinese Language Immersion Magnet School.

Mr. McDonald informed the Commission that it will be relocating to the Galleria area after this semester. He added that HISD has been informed that a specific use permit must be obtained if they wish to continue using the property.

IX. ADJOURNMENT

Motion: a motion was made by Commissioner Thorogood and seconded by Commissioner Simmons to adjourn the Regular Meeting.

Vote: the motion carried on a unanimous vote of 6-0.

The meeting was adjourned at 7:25 PM.

**Planning and Zoning
Commission**

City Council Chambers, First Floor of
City Hall
Bellaire, TX 77401



Meeting: 06/14/16 06:00 PM
Department: Development Services
Category: Public Hearing
Department Head: John McDonald
DOC ID: 1955

**SCHEDULED
PUBLIC HEARING (ID #
1955)**

Item Title:

Public Hearing on proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, Sec. 24-535, R-MF Residential-Multifamily District, and related sections, including Sec. 24-513 Landscaping, Screening and Buffering; and Sec. 24-513a, Design Standards in Commercial and Mixed-Use Districts; to ensure that future redevelopments are compatible with existing commercial regulations, and to establish improved buffering of existing adjacent single-family residential districts.

Background/Summary:

This public hearing is on proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, Sec. 24-535, R-MF Residential-Multifamily District, Sec. 24-513. Landscaping, Screening and Buffering, and Sec. 24-513a Design Standards in Commercial and Mixed-Use Districts in an effort to encourage any future redevelopment of the site to be compatible with development within the Corridor Mixed-use District (CMU) as well as to increase buffering to existing adjacent single-family properties.

Amendments are shown in redline. Within Sec. 24-513 and Sec. 24-513a, R-MF is proposed to have generally the same requirements as those placed upon development within the CMU.

Changes to Sec. 24-535, R-MF Residential Multi-Family, include:

- Increased height;
- Reduced front and side setbacks;
- Maximum density;
- Addition of height-setback plan requirement; and
- Site plan review.

Recommendation:

No action is scheduled at this meeting. Consideration of this item is tentatively scheduled for the August 9th meeting.

ATTACHMENTS:

- RMF Multifamily 2016 June PZ (PDF)

Sec. 24-513. Landscaping, Screening and Buffering.

A. *Purpose.* The standards set out in this Section are intended to:

- (1) Protect and improve the appearance and character of the community, including its developed and open space areas, in accordance with the Comprehensive Plan;
- (2) Increase the compatibility of adjacent land uses;
- (3) Mitigate the effects of noise, dust, debris, artificial light intrusions and other externalities created by the use of land, and the “heat island” effect of paved surfaces in urban settings; and
- (4) Conserve water and promote the long-term viability of development landscaping by promoting the planting and maintenance of native and drought-resistant vegetation types.

B. *Applicability.* Standards described herein are minimum standards applicable to all new planned developments, ~~and mixed-use developments, and all new multifamily and~~ non-residential structures and related parking that have, as a condition of approval, requirements for landscaping, screening or buffering and to all non-residential uses and related parking permitted.

- (1) The requirements of this Section shall also apply when:
 - a) There is an enlargement exceeding one thousand (1,000) square feet in area of the exterior dimensions of an existing non-residential, ~~or multifamily residential, or mixed-use building,~~ or of any existing building within a planned development, or more than one thousand (1,000) square feet cumulative among multiple buildings in all such cases; or
 - b) There is either a new parking lot for a non-residential or multifamily residential or mixed-use building, or for a planned development, or expansion of an existing parking lot in such cases to provide one or more additional parking spaces.
- (2) The requirements of this Section shall apply to the entirety of the development site if it is completely developed by the new construction of a building or buildings and associated off-street parking. If the entirety of the building site is only partially developed by new construction or enlargement (with the enlargement exceeding at least 1,000 square feet in area of the previous exterior dimensions of a building, or cumulative among multiple buildings, per subsection (1)b, above), the requirements of this Section shall be applied only in proportion to the area of the new or enlarged building and/or off-street parking area.
- (3) The requirements of this Section shall not apply when:
 - a) Reconstruction work on an existing building that was partially damaged or destroyed involves less than fifty (50) percent of the pre-existing area of the exterior dimensions of the building. This exemption shall apply only when the reconstruction will not result in an increase in the number of parking spaces.
- (4) Nothing in this Section shall be construed to require compliance with the requirements of this Section for finish or remodeling work to the interior or exterior of an existing building if such work does not result in an increase in the number of parking spaces or in an enlargement of the exterior dimensions of the building.

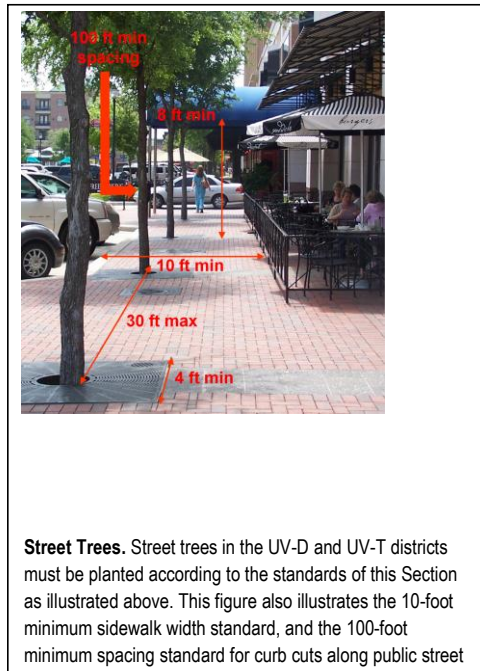
C. *General requirements.*

- (1) *Quantity of landscaping.* The minimum amount of landscaping required for a development site shall be based on the applicable factors in Table 24-513.A, Quantity of Landscaping.

Table 24-513.A Quantity of Landscaping	
Type	Required Quantity
Street Trees (for commercial, multifamily residential and mixed-use properties only)	Number of trees as specified in Section 9-355.1, based on the amount of street frontage (generally a minimum of one 45-gallon tree for every 40 feet of frontage).
Parking Lot Trees (for commercial, multifamily residential and mixed-use properties only)	Number of trees as specified in Section 9-355.2. (generally a minimum ratio of one 45-gallon tree per 10 parking spaces).
Site Trees	The minimum number of trees in the required front and back yards as specified in Section 9-354, based on the site width.
Shrubs	Number of shrubs necessary, based on five-gallon container size and maximum spacing between shrubs of four feet on center, to meet the screening requirements for off-street parking areas in Section 24-513.E.

- a) *Street trees in the UV-D and UV-T districts.* Street trees shall be planted at regular intervals along all street frontages in accordance with Section 9-355.1 in Chapter 9, Buildings, of the City Code, except that the minimum tree spacing in the UV-D and UV-T districts shall be 30 feet rather than 40 feet. Applicants may select any tree variety specified for the UV-D and UV-T districts, if any, in Section 9-355.1, and shall not plant specified undesirable trees. Such trees may be planted within the public street right-of-way as provided in Section 9-355.1, subject to the approval of the City's administrative official. As illustrated in **Figure 24-513.A**, the following specific provisions also apply in the UV-D and UV-T districts:
- 1) Minor variations from the regular 30-foot spacing are permitted to avoid conflicts with driveway locations and accommodate other design considerations.
 - 2) Trees shall be planted in at-grade tree wells with tree grates, a minimum of four feet square, within the sidewalk. Such street trees shall be maintained to provide a clear zone free of limbs, from ground level up to eight (8) feet above ground level, for visibility and to avoid potential hazards to pedestrians and vehicles. Each tree well shall have an irrigation system for the delivery of water to the wells.

FIGURE 24-513.A
Street Tree Planting in UV-D and UV-T Districts



- (2) *General site landscaping.* Any portions of development sites not used for buildings, sidewalks, parking areas or other impervious surfaces that count toward site coverage shall be planted or covered, and so maintained by the owners. This treatment shall consist of any combination of such material as trees, hedges, shrubs, garden plants, vines, ground covers, grasses, and mulch. The use of planter boxes of any size shall not constitute compliance with this Section.
- Use of sod.* In non-residential and multifamily residential development and planned developments, not more than fifty (50) percent of the area devoted to general site landscaping as defined in this subsection may be planted with sod. Athletic fields shall not be counted in this calculation.
 - Use of mulch.* In non-residential and multifamily residential development and planned developments, not more than ten (10) percent of the area devoted to general site landscaping as defined in this subsection may involve the placement of mulch. Mulch used in landscaping areas may be organic, such as pine bark or shredded hardwoods, or inorganic, such as stone, gravel or commercially available recycled materials intended for such use. Materials that float shall be contained by edging.
 - Use of palm trees.* Palm trees may be used in site landscaping but shall not count toward compliance with the minimum tree requirements in Table 24-513.A.
 - Mitigation of building mass in the UV-D and UV-T districts.* Where a building is more than 60 feet in length, tree plantings other than required street trees shall be clustered to break up the

appearance of building mass so that the building is perceived to be divided into lengths of no greater than 50 feet when viewed from street-level vantage points.

- (3) *Credits against required landscaping.* For development sites in the UV-D district, landscaping, as herein required of a surface parking area adjacent to a street, may be counted toward meeting the general site landscaping requirements. The administrative official may, upon application of the property owner and/or developer, allow the use of the adjacent public street right-of-way for the perimeter landscaping and screening of the surface parking.
 - a) The administrative official shall permit the use of the public street right-of-way for landscaping and screening only when it is determined, in consultation with the Department of Public Works, that such use does not constitute an actual or potential hazard to the health, safety and well-being of the residents, citizens and inhabitants of the City of Bellaire.
- (4) *Planting standards.* All plantings in satisfaction of this Section shall comply with the standards of this subsection.
 - a) *Quality and viability of plantings.* All landscape material shall be in compliance with the standards of the American Nursery and Landscape Association. All plant material shall have a habit of growth that is normal for the species.
 - b) *Locally appropriate species.* At least seventy-five (75) percent of the proposed plantings shall be species native to Southeast Texas to promote reduced water use and increased drought resistance.
 - c) *Undesirable species.* No proposed landscape material shall appear on the Invasive and Noxious Weeds list for the State of Texas promulgated by the United States Department of Agriculture, nor on the Texas Noxious Weed List promulgated by the Texas Department of Agriculture.
 - 1) *Undesirable tree species.* No proposed new or replacement trees shall be among the undesirable tree species identified in Section 9-350.M.
 - d) *Species diversity.* To avoid large monocultures of trees and shrubs, and the risk of large-scale losses in the event of disease or blight, species used to meet the requirements of this Section shall be diversified as follows, with calculations rounded up to the nearest whole number:
 - 1) When ten (10) or more trees are required on a parcel proposed for development, no more than fifty (50) percent of each category of required trees (street trees, parking lot trees, site trees) on a site shall be of any one species.
- (5) *Installation.* All landscaping shall be installed in a sound workmanlike manner according to accepted commercial planting procedures, with the quality of plant materials as described in this Section and with a readily available water supply. All plant material shall be insect and disease-resistant and shall be of sound health and vigorous growth, clean and reasonably free of injuries, weeds, noxious pests and diseases when installed.
 - a) Sod shall be solid, and seeding of turf grasses is not permitted.
 - b) Ground cover shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within three (3) months after planting.
 - c) Shrubs used for screening shall be three (3) feet or taller in height, as measured from the surrounding soil line, immediately upon planting. Such shrubs shall be maintained at this minimum height, and shall at no time exceed forty-two (42) inches in height.
 - d) *Phased development.* The administrative official may allow installation of landscaping with each phase of a multi-phase development, provided that all landscaping required for each phase is installed concurrently with each phase. The City Attorney may require execution of a development agreement with the City to clarify phasing plans and timing, and to provide surety.
 - e) *Tree planting within City right-of-way.* Planting of trees and other vegetation within City rights-of-way shall meet any applicable Department of Public Works standards, to protect underground

and overhead utilities, streets and sidewalks, drainage improvements; street lighting, and sight distances, and the visibility of traffic control devices.

- (6) *Maintenance.* The owner and tenant of the landscaped premises and their agents, if any, shall be jointly and severally responsible for the continuing care and maintenance of all landscaping and preserved vegetation in a good condition so as to present a healthy, neat and orderly appearance, free from refuse and debris. This shall include any portions of abutting public right-of-way that the owner was permitted to landscape as part of complying with this Section.
- a) All landscape areas shall be watered as needed to ensure continuous healthy growth and development.
 - b) Trees shall be pruned as needed to ensure healthy growth and development, and when planted near streets or sidewalks, to not interfere with vehicular or pedestrian traffic or parked vehicles.
 - 1) Topping, tipping, bark ripping, flush cutting, and stub cutting are prohibited for trees that are installed and maintained within a public street right-of-way or were planted or preserved on private property as part of complying with this Section.
 - c) Maintenance shall include the removal and replacement of dead, dying or diseased plant material.
 - 1) Replacement of required landscaping that is dead or otherwise no longer meets the standards of this Section shall occur within sixty (60) days of notification by the City. Replacement material shall be of similar character and quality as the dead or removed landscaping, and in the case of trees, shall meet and be completed in accordance with applicable provisions of Article XI, Trees, in Chapter 9, Buildings, of the City Code of Ordinances. Failure to replace in a timely manner in accordance with this subsection shall constitute a violation of these regulations.

D. *Screening and buffering.*

- (1) *Between non-residential or multifamily and residential uses.* Where the rear or side of a non-residential or multifamily building is exposed to a residence or to a residential district boundary line, and where such building is closer than fifty (50) feet to the residence or to the boundary line, a screening wall of at least eight (8) feet in height shall be erected separating the rear or side from the adjacent residence or residential district, unless a planned development has been approved specifically authorizing an alternate solution for screening and/or buffering, which is not in conflict with the purposes of this Section and which is justified based upon architectural, aesthetic and landscaping considerations peculiar to the specific development, in which case the requirements of the planned development approval shall prevail.
- a) *City Council waiver of non-residential screening requirement.* The provisions of this subsection as to screening and buffering between non-residential or multifamily and residential uses may be waived by the City Council upon recommendation by the Planning and Zoning Commission in the following cases:
 - 1) When a property line abuts a dedicated alley, except where the property line is at a boundary of the UV-D district and an abutting residential property is in an R-1, R-3, R-4 or R-5 district; or
 - 2) When a rear or service side abuts an existing wall or other durable landscaping or screening barrier on an abutting property if said existing barrier satisfies the requirements of this subsection.
- b) *Automatic waiver in UV-D and UV-T districts.* The provisions of this subsection as to screening and buffering between non-residential or multifamily and residential uses are waived in the UV-D and UV-T districts, except that the provisions still apply in the UV-D district when the non-residential property is at a boundary of the district and the abutting residential property is in an R-1, R-3, R-4 or R-5 district.

- 1) *Parking area distance in UV-T district.* Off-street parking areas in the UV-T district shall not be located within 50 feet of a residential zoned neighborhood.
- (2) *Between residential planned developments and other residential property.* Where a residential use requires a planned development amendment to proceed, there shall be at least a six (6) foot screening wall or fence between the property that is the subject of the planned development and any abutting residential property that conforms to regulations for permitted uses within the district in which it is located. A planned development may be approved specifically authorizing an alternate solution for screening and/or buffering, which is not in conflict with the purposes of this Section and which is justified based upon architectural, aesthetic and landscaping considerations peculiar to the specific development, in which case the requirements of the planned development approval shall prevail.
 - a) *Automatic waiver in UV-D and UV-T districts.* The provisions of this subsection as to screening and buffering between residential planned developments and other residential uses are waived in the UV-D and UV-T districts, except that the provisions still apply in the UV-D district when the residential planned development is at a boundary of the district and the abutting residential property is in an R-1, R-3, R-4 or R-5 district.
 - 1) *Parking area distance in UV-T district.* Off-street parking areas in the UV-T district shall not be located within 50 feet of a residential zoned neighborhood.
- (3) *Standards for screening walls and fences.* A screening wall or fence shall be of wood or masonry construction as provided herein. However, only masonry construction is permitted for required screening walls between non-residential and residential uses, in which case the masonry material and construction shall be consistent for the entire length of the wall erected to screen a particular use.
 - a) A screening wall or fence of wooden construction shall be a permanent wooden fence constructed of cedar or redwood and with capped galvanized iron posts set in concrete. The wall or fence must not be less than the height specified for each of the types of screening addressed in subsections D.(1) and D.(2), above. The wall or fence shall not contain openings of more than forty (40) square inches in each one (1) square foot of surface of such wall or fence, and such wall or fence surface shall constitute a visual barrier.
 - b) A screening wall or fence may be constructed, which shall be of masonry construction on a concrete beam or foundation or a metal frame or base, which supports a permanent type wall material, the surface of which does not contain openings of more than forty (40) square inches in each one (1) square foot of surface of such wall or fence, and which fence or wall surface shall constitute a visual barrier.
 - c) In either permanent wooden or masonry constructed walls or fences, no opening shall be permitted for access unless a solid gate, equaling the height of the wall or fence, is provided. Such gate shall remain closed at all times except when in actual use.
- (4) *Screening of trash receptacles.* ~~Where property in non-residential use lies adjacent to property in residential use, all~~ All trash receptacles upon ~~such non-residential property adjacent to single-family residential use~~ shall be located at least ten (10) feet from any and all points upon any lot in ~~single-family~~ residential use. Further, all such trash receptacles shall be visually screened by means of a fence or a wall.
 - a) *Limited application in UV-T district.* The screening requirement for trash receptacles applies in the UV-T district only with regard to visual screening from an abutting public street right-of-way and not from adjacent residential property.
 - b) *Additional provisions in UV-D and UV-T districts.*
 - 1) Dumpsters and garbage bins shall be located behind principal buildings relative to public street frontage whenever practical, and such trash receptacles shall also be accessible from alleys or vehicular access easements where available and practical.

- 2) Such solid waste facilities shall be fully enclosed as specified by this subsection, except that an opaque wall shall be provided in all cases in the UV-D and UV-T districts rather than a wood fence alternative.
- (5) *Screening of outside storage.* All outside storage areas, including waste material storage facilities, in planned development, ~~and non-residential~~ and multifamily districts shall be screened from adjacent residential uses and public street rights-of-way. No other outside storage besides trash receptacles is permitted in the UV-D and UV-T districts. Screening may be as follows:
 - a) A screening wall or fence which shall be of wood or masonry construction of sufficient height to screen that which is being stored; or
 - b) A hedge which shall be of sufficient height and density to screen that which is being stored.
- E. *Screening of off-street parking.* Landscaping shall be provided along the edge of any off-street parking area for five (5) vehicles or more that is not visually screened by an intervening building or structure from an abutting public right-of-way or adjacent residential property.
 - (1) The perimeter landscaping shall involve shrubs of five (5)-gallon container size, spaced a maximum of four (4) feet on center, to form a continuous and solid visual screen, within one (1) year of planting, exclusive of driveways, pedestrian walkways and visibility triangles. The shrubs shall be three (3) feet or taller in height, as measured from the surrounding soil line, immediately upon planting. Such shrubs shall be maintained at this minimum height, and shall at no time exceed forty-two (42) inches in height.
 - (2) *Special provisions for UV-D and UV-T districts.* Requirements in this subsection for screening of off-street parking areas apply in the UV-D and UV-T districts only with regard to visual screening from an abutting public street right-of-way and not from adjacent residential property, and are illustrated in **Figure 24-513.B**. In the UV-D district, the screening requirement applies when the adjacent residential property is outside the UV-D district and in an R-1, R-3, R-4 or R-5 district.
 - a) *Openings for circulation.* Openings through the perimeter landscaping, for pedestrian and bicycle circulation to and from public sidewalks or other circulation routes, shall be provided approximately every fifty (50) linear feet, with each opening no more than five (5) feet wide.
 - b) *Utility company screening policies in UV-T.* Screening of parking areas which utility companies allow on their properties within the UV-T district shall be subject to the policies of such companies with regard to allowable screening methods and the location and height of screening.

FIGURE 24-513.B
Screening of Off-Street Parking in UV-D and UV-T Districts



F. Landscaping of off-street parking.

- (1) Parking lot trees shall be provided for any off-street parking area for ten (10) vehicles or more for a commercial, multifamily residential or mixed-use development, with a minimum of one 45-gallon tree for every ten (10) parking spaces, in accordance with Section 9-355.2.
- a) Parking lot trees shall be planted so that each parking space is within fifty (50) feet of at least one (1) such tree as measured from the center of the tree trunk to some point on the marked parking space. Depending on the size and shape of smaller parking areas, this may mean that the required tree(s) may be planted adjacent to rather than within the interior of the parking area. The required tree(s) also may be planted within an abutting public street right-of-way subject to the approval requirements of this Section.
- b) When trees must be planted within the interior of a parking area to comply with the requirements of this subsection, or are otherwise incorporated within the interior, the following standards shall apply:
 - 1) The planting area for each tree, whether located at an edge of the parking area or designed as an interior island or median between parking modules, shall be no less than six (6) feet across in any horizontal direction.
 - 2) All planting areas shall have permeable surfaces and be planted with locally appropriate species as defined in this Section, which may include shrubs, groundcovers or grasses. If a planting area is used as part of a biological stormwater treatment system, pursuant to an approved drainage plan, groundcovers shall be selected that are appropriate to that function.

- 3) Where required or otherwise incorporated, planting areas and landscaping islands shall be integrated into the overall design of the surface parking area in accordance with this chapter in such a manner that they may assist in defining parking slots, pedestrian paths, driveways, and internal collector lanes, in limiting points of ingress and egress, and in separating parking pavement from street alignments.
- (2) Where applicable, landscaped areas and walkways abutting parking spaces shall be protected by a wheel stop or six (6) inch curb that is at least three (3) feet from any landscaping except grass or ground cover. Curb lines may be interrupted to allow for stormwater flows into biological treatment areas pursuant to an approved drainage plan, provided that the curb openings do not interfere with the curb's protective function.
- (3) All parking lot landscaping shall be located and maintained so as not to interfere with the act of parking or with parking area maintenance and so as not to create a traffic hazard by obscuring driver or pedestrian vision within the parking lot interior or at the intersections of walkways, driveways, collector lanes and streets, or any combination thereof.
- (4) Interior landscaping of parking areas may be included as a condition of planned development approval for the purpose of providing trees and massed plantings.
- (5) *Waiver of interior landscaping in UV-D and UV-T districts.* Off-street surface parking areas in the UV-D and UV-T districts shall be exempt from any required planting of trees within the interior of such parking areas given the limited developable area within these districts. Instead, the requirement in Section 9-355.1 of one (1) tree for every ten (10) parking spaces shall be satisfied by planting such trees within or near the perimeter screening area required by this Section for off-street surface parking areas.
 - a) Any such trees planted within or near a perimeter screening area shall be maintained to provide a clear zone free of limbs, from ground level up to eight feet above ground level, for visibility and to avoid potential hazards to pedestrians and vehicles.

G. *Screening of parking structures and drive-under parking.* The ground level of a parking structure or ground-level parking located under an elevated building shall be screened from public street rights-of-way and/or any abutting residential use or zoning district through the installation of vegetative screening, except at points of ingress and egress. Such screening shall involve shrubs of five-gallon container size, spaced a maximum of four feet on center, to form a continuous and solid visual screen, within one year of planting, exclusive of driveways, pedestrian walkways and visibility triangles. The shrubs shall be three (3) feet or taller in height, as measured from the surrounding soil line, immediately upon planting. Such shrubs shall be maintained at this minimum height, and shall at no time exceed forty-two (42) inches in height. The shrubs shall be three (3) feet or taller in height, as measured from the surrounding soil line, immediately upon planting. Such shrubs shall be maintained at this minimum height, and shall at no time exceed forty-two (42) inches in height. Such screening shall not be required where a parking structure is wrapped with liner buildings that accommodate active uses other than parking, or where buildings are otherwise situated that obstruct views of the garage or of the drive-under parking.


- (1) *Screening of upper levels of parking structures.* Each level of a parking structure above the ground level shall be designed to include screening along any façade that is not visually screened by an intervening building or structure from public view or abutting residential use or zoning district. Such screening shall consist of architectural and/or landscape elements that are at least three (3) feet and six (6) inches in height, as measured from the floor of the level, to provide a continuous and solid visual screen that blocks headlight glare from vehicles parked within the structure.


H. *Special provisions.*




- (1) *Parking lot tree planting waiver in CMU/R-MF districts.* The requirements of this Section and of Section 9-355.2 related to parking lot tree planting shall not apply to off-street parking areas in the CMU and R-MF districts when the parking area is located behind a building on a development site or is otherwise not visible from abutting public street rights-of-way.
- (2) *Relief on constrained sites in the UV-D and UV-T districts.* Upon the recommendation of the City's administrative official, the Planning and Zoning Commission may modify or reduce landscaping requirements, to the minimum extent necessary, to provide relief for constrained and/or redeveloping sites in the UV-D and UV-T districts where full compliance would be impractical and adjacent properties would not be unreasonably impacted.




Sec. 24-513a. Design Standards in Commercial, Multifamily, and Mixed-Use Districts.



- A. *Purpose.* The purpose of this Section is to establish reasonable design standards and related guidance to address community desire for visually appealing non-residential and mixed-use development that enhances the overall quality and character of the City, while balancing the legitimate development and commercial needs of property owners.
- (1) *Urban Village districts.* For the Urban Village-Downtown (UV-D) and Urban Village-Transit-Oriented Development (UV-T) districts, certain standards within this Section, together with the use regulations and physical development standards for each district, are especially intended to promote and maintain an Urban development character as described in the respective district purpose statements.
 - (2) *Security emphasis.* All design processes within the CMU, R-MF, UV-D and UV-T districts shall also consider Crime Prevention Through Environmental Design (CPTED) principles to enhance the security of residents, workers and visitors.
- B. *Applicability.* The design standards established in this Section apply to any new non-residential, multifamily, or mixed-use development in the Corridor Mixed Use (CMU), Residential - Multifamily (R-MF), Urban Village-Downtown (UV-D), and Urban Village-Transit-Oriented Development (UV-T) districts, and to any non-residential, multifamily, or mixed-use redevelopment in these districts that follows the removal of all pre-existing buildings on the site.
- (1) The requirements of this Section regarding building materials, canopies and awnings, colors, and visual interest and anti-monotony shall also apply to the enlarged portion of an existing non-residential, multifamily residential or mixed-use building when the enlargement exceeds one thousand (1,000) square feet or twenty-five (25) percent in area, whichever is less, of the exterior dimensions of the building.
 - (2) The requirements of this Section shall not apply to the reconstructed portion of an existing building that was partially damaged or destroyed if the reconstruction involves less than fifty (50) percent of the pre-existing area of the exterior dimensions of the building.
 - (3) Nothing in this Section shall be construed to require compliance with the requirements of this Section for finish or remodeling work to the interior of an existing building if such work does not result in an enlargement of the exterior dimensions of the building.
- C. *Standards.* The specific standards are provided in **Table 24-513a.A**, below. The table is arranged in alphabetical order by the type of standard.





Table 24-513a.A Design Standards for CMU, <u>R-MF</u> , UV-D and UV-T Districts		
Applicable District(s)	Standards	Illustrations
CMU <u>R-MF</u> (only for Unified Design) UV-D UV-T	Arrangement and Design for Multiple Buildings <u>Unified Design</u> Developments with multiple structures on a single property shall reflect a coordinated design and include unifying elements such as common building forms, materials, textures, architectural detailing and colors. <u>Massing Through Grouping</u> (Not for CMU/ <u>R-MF</u>) Individual buildings on a development site or on	




	<p>adjacent sites, if not attached, shall be arranged and designed to appear as a group of attached buildings to the extent practical.</p> <p><u>Clustering for Pedestrian Focus</u> (Not for CMU/R-MF)</p> <p>Individual buildings on a development site or on adjacent sites shall be clustered, whenever possible, to create pedestrian-oriented precincts and walkable connections.</p>	
<p>CMU R-MF UV-D UV-T</p>	<p>Building Materials</p> <p>The standards below are intended to ensure the use of building materials that convey an appearance of quality and durability. The standards shall apply to all exterior elevations of structures, excluding doors and windows.</p> <p><u>Permitted Principal Materials</u></p> <p>For exterior building elevations these include:</p> <ul style="list-style-type: none"> ▪ Brick or similar masonry materials, including cast stone. ▪ Limestone and other natural stone. ▪ Any concrete product (architectural pre-cast concrete; concrete masonry unit, CMU; etc.) that has an integrated color and is textured or patterned to look like brick, stone, marble, granite or tile. ▪ Glass. (Not for UV-D) ▪ Other materials where it is demonstrated that they have comparable durability, impact resistance and aesthetic quality as those listed above; and/or they are part of a building that is designed to achieve a green building certification such as Leadership in Energy and Environmental Design (LEED) or Energy Star. ▪ Building integrated photovoltaics. <p><u>Permitted Accent Materials</u></p> <p>The following materials are permitted, but only as accents rather than a predominant exterior material. Accent materials shall comprise no more than 25 percent of any building façade in the CMU and R-MF districts, and no more than 15 percent in the UV-D and UV-T districts, excluding doors and windows.</p> <ul style="list-style-type: none"> ▪ Exterior Insulation and Finish Systems (EIFS). [EIFS may be installed only above the floor level of the second story, or no less than 12 feet above the grade for one-story buildings. EIFS shall not be installed in any pedestrian contact areas.] ▪ Stucco. [Both EIFS and stucco shall incorporate detailing to look like traditional wall cornices, soffits, window trim and similar features.] ▪ Architectural metal, including aluminum composite panel (ACP) treatments. 	

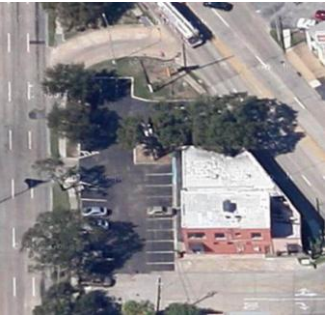


	<ul style="list-style-type: none"> ▪ Fiber cement siding. (For CMU and UV-D, but not for UV-T). ▪ Wood or composite wood. (Not for UV-T) ▪ Tile. ▪ Glass. (Only for UV-D) ▪ Stainless steel. ▪ Chrome. <p><u>Prohibited Materials</u> For exterior building elevations these include:</p> <ul style="list-style-type: none"> ▪ Pre-fabricated or corrugated metal wall panels. ▪ Smooth-faced concrete block. ▪ Vinyl, wood, plywood, cedar shingle, composite or metal siding. (Fiber cement siding not for UV-T). ▪ Plastic. ▪ Crushed rock or crushed tumbled glass. ▪ Mirrored glass in ground floor windows. <p><u>Privacy Glass</u> Frosted glass or other treatment is permitted for bathrooms and in other doors and windows where privacy is needed.</p> <p><u>Roofing</u> Steel, standing seam metal and/or architectural metal may be used on a sloped roof.</p> <p><u>Service Doors</u> Galvanized steel and painted steel are permitted only for use on doors and roll-up doors that provide access to loading areas and/or face toward alleys or vehicular access easements.</p> <p><u>Awnings and Canopies</u> Awnings and canopies shall be made of durable, easily maintained or replaced materials, which may include canvas, fabric, steel or architectural metal, including aluminum composite panel (ACP) treatments.</p> <p><u>Parking Structures</u> The exterior facades of parking structures shall utilize the permitted building materials and accent materials specified in this subsection for exterior building elevations, except that precast concrete may also be used on the facades of parking structures. Steel, standing seam metal and/or architectural metal may be used on any sloped roof of a parking structure.</p>	 
CMU R-MF UV-D UV-T	<p>Canopies and Awnings Use of canopies and awnings on building and parking structure facades adjacent to and above public sidewalks and other public spaces is encouraged to provide shade and weather protection and to add visual interest to structures, provided the placement and design of such canopies and awnings is consistent with the building architecture, and they are maintained in sound condition at all times.</p> <p><u>Projection</u></p>	




	<p>Canopies and awnings shall project no more than six feet from the façade of a building or parking structure.</p> <p><u>Lighting</u> Canopies and awnings shall not be backlit or internally lit.</p>	
UV-D UV-T	<p>Clear Building Entries The primary building entry shall be easily identifiable for visitors. The building architecture should reinforce the visual importance of the entry, and the entry design should be pedestrian-scale and transparent.</p>	 <p>Credit: Chipotle</p>
CMU R-MF UV-D UV-T	<p>Colors Use of overly iridescent or fluorescent colors on any building façade or roof is prohibited, as determined by the City's administrative official, taking into consideration the existing range and use of color in architecture, signs and other physical improvements within the district and its vicinity.</p>	
UV-D UV-T	<p>Curb Cut Limits for Vehicular Access Such limits are intended to minimize vehicle-pedestrian conflict points at mid-block locations along public sidewalks, enhance the pedestrian environment within the district, and preserve the extent of curb space for on-street parking.</p> <ul style="list-style-type: none"> ▪ A maximum of one curb cut shall be permitted for every 100 feet of public street frontage. ▪ All driveways shall be limited to two lanes, and in no case shall a driveway or associated curb cut exceed 30 feet in width. ▪ Upon recommendation of the City's administrative official, the Planning and Zoning Commission may increase the maximum number or decrease the minimum spacing of curb cuts per segment of street frontage, as specified above, where warranted based on site-specific or emergency access considerations. <p><u>Pedestrian Safety</u> Wherever an access driveway, alley, vehicular access easement or other vehicular circulation path crosses a public sidewalk or other</p>	



	<p>pedestrian path, a crosswalk treatment shall be installed consisting of a material that contrasts with the adjacent pavement in both texture and color (e.g., brick pavers, patterned concrete, etc.).</p> <ul style="list-style-type: none"> Access points for off-street parking areas and parking structures, where vehicles cross a public sidewalk or other pedestrian path, shall be well lit to ensure visibility of pedestrians and bicyclists. 	
UV-D UV-T	<p>Framing of and Relationship to Public Spaces</p> <p>Individual buildings or groups of buildings on a development site or adjacent sites shall be arranged and designed, whenever possible, to form pedestrian-friendly outdoor plaza areas, courtyards and open spaces that are focal points for surrounding and nearby development and which encourage street activity, public gathering, outdoor dining, recreation, etc. Landscaping, street furniture, water features, public art, active play areas for children and/or other amenities should be incorporated to enhance the appeal of such spaces for pedestrians and users of the space. Such spaces should be adjacent to and easily accessible from a public street whenever possible.</p> <p><u>Private-Public Design Compatibility</u></p> <p>Where a development fronts on a public plaza, pocket park or other public space, the building architecture and other on-site elements shall be designed for compatibility with the existing or planned adjacent public space.</p> <p><u>Lighting</u></p> <p>Where a development fronts on public street rights-of-way and/or public plazas/spaces, exterior lighting shall be located and directed to provide adequate pedestrian-level illumination of public sidewalks and other immediately adjacent public ways and/or seating areas.</p>	 <p>Credit: Sugar Land Town Square</p>
CMU R-MF	<p>Freestanding Canopies</p> <p>The design of freestanding or semi-freestanding canopies, such as those used as shelters for pump islands at auto service stations, and for port-cocheres, shall be consistent with the architectural style, predominant and accent materials, color, and lighting of the principal building on the development site.</p>	

		
UV-D UV-T	<p>Grid Street Pattern Where applicable, depending on the district size and shape and the nature and extent of proposed development or redevelopment, blocks shall be arranged in an approximate grid-like fashion to ensure connectivity and alternate circulation routes within the district. Variation from the grid pattern should occur only to avoid constraints or accommodate other desirable design elements.</p>	
UV-D UV-T	<p>Ground-Level Uses Development projects shall locate off-street parking and/or garage parking within the interior of blocks and away from public street frontages whenever practical so that such ground-level parking does not directly abut a public sidewalk. Instead, the ground level of structures that front on public sidewalks should be occupied by active retail, service, office, residential or other uses permitted in the district. "Wrap-around" design of active uses around parking garages is strongly encouraged.</p> <p><u>Parking Structures</u> Where active uses along the ground-level street frontages of a parking structure are not practical, the parking structure and its vehicle entrances shall be designed to minimize views into the garage interior from adjacent streets through installation of decorative grilles or screens, additional landscaping, or other effective screening method.</p>	 <p>Credit: Sugar Land Town Square</p> 

UV-D UV-T	Lighting of Buildings and Sites Lighting of building exteriors and parking areas shall be designed to match the architectural character of the site and its vicinity in terms of fixtures and illumination.	 <p>Credit: Sugar Land Town Square</p>
UV-D UV-T	Maximum Block Length Where applicable, depending on the district size and shape and the nature and extent of proposed development or redevelopment, the length of a block, on any side, generally shall not exceed 400 feet. This distance is measured between streets that frame and define a block; however, a public access way or easement shall also be considered to define a block when, in the same manner as a vehicular through street, such access way or easement creates a break between private development sites that provides continuous non-vehicular circulation between streets on either side of the development sites.	
CMU R-MF UV-D UV-T	Multi-Family Development <u>Internalized Design</u> Ingress to and egress from all dwelling units shall be made through the interior of the building rather than from direct outside entrances to each unit. <u>Balconies</u> At least 50% of the units shall be provided with a functional or faux balcony. All such balconies shall be located on side or rear building elevations to avoid projection of balconies over the front building line and into public right-of-way, <u>when the front setback is less than five feet.</u> <u>Mechanical Equipment</u> No window or wall-mounted air conditioning units are permitted.	

UV-T	<p>Off-Street Parking Limits*</p> <p><u>Off-Street Parking Dispersion</u> Off-street surface parking is permitted in the district, but concentrations of such parking shall be avoided to promote the desired Urban character and prevent disruption of non-vehicular circulation within the area.</p> <p><u>Maximum Parking Area Dimension</u> No edge of an off-street surface parking area shall exceed 150 feet in length, and the entire parking area shall not exceed 21,780 square feet (½ acre).</p> <p>* Drive-under parking is excluded from these provisions.</p>	
UV-D UV-T	<p>Orientation of Residential Garages</p> <p>All garage doors associated with any residential development in the district shall be oriented away from, and not be visible from, any public street right-of-way inside or outside the zoning district.</p>	 <p>NOT DESIRABLE (garages oriented to street)</p> <p>DESIRABLE (garages not visible from street)</p>
UV-D UV-T	<p>Parking Structures</p> <p>Such structures shall be designed for architectural consistency with the primary building served or other nearby buildings in terms of facade design, articulation, finish materials and/or shielding of unfinished structural elements and mechanical equipment.</p> <p><u>Special Design Elements</u> Parking structures shall include architectural and/or landscape elements which enhance the garage appearance and help to screen parked vehicles and interior lighting from external view (e.g., decorative screens, trellises with or without associated vegetation, facade and roofline variation).</p>	

CMU R-MF UV-D UV-T	<p>Screening of Mechanical/Service Equipment</p> <p><u>Rooftop Mechanical Equipment</u> Such equipment shall be completely screened from ground-level public view through design and materials consistent with the overall building design and colors, including potential use of sloped roofs or other architectural elements (e.g., parapet walls) that conceal flat roof areas where mechanical equipment is mounted.</p> <ul style="list-style-type: none"> Where a green roof system is installed and maintained on a rooftop, dense vegetative screening may be used to satisfy the screening requirement for mechanical equipment. (Only for UV-T) <p><u>Ground-Level or Building-Mounted Service Equipment</u> Such exterior equipment (e.g., mechanical components, electrical drops, utility meter banks, heating/cooling controls) shall be completely screened from ground-level public view through design, materials and/or painting consistent with the overall building design and colors. The required screening may also be accomplished through installation of dense, year-round vegetation as shown on the site landscape plan.</p>	
CMU	<p>Service Bays Uses with overhead doors providing access to service bays (e.g., auto service/repair) shall, wherever the site size, shape and orientation allows, place any building wall with overhead doors perpendicular to public street frontage. Where such building orientation is not practical, the overhead doors shall be of similar color to the building façade or roof material.</p>	
UV-D UV-T	<p>Sidewalks Sidewalks with a minimum width of 10 feet shall be provided along each side of a site that abuts a public street. Such sidewalks shall be designed and constructed according to City standards. Applicants may use any alternative design treatments for public sidewalks which are specified for the district, if any, in Section 23.5-21(d) in Chapter 23.5, Land Subdivision Regulations, of the City Code.</p> <p><i>Relief on constrained sites in UV-D.</i> Upon the recommendation of the City's administrative official, the Planning and Zoning Commission may reduce the sidewalk width standard to the minimum extent necessary, and in no case to less than 6 feet of sidewalk width, to provide relief for constrained and/or redeveloping sites where full compliance would be impractical.</p> <p><u>Public Access Easement</u></p>	

	<p>Where a sidewalk or portion of the sidewalk required by this Section is situated outside the City street right-of-way, the property owner shall establish a public access easement so that such sidewalk area is continuously available for public use.</p> <p><u>Arcade Treatment</u> Arcades may be constructed along building facades to provide shelter and shade, but shall be located entirely outside the public right-of-way. The arcade design shall also incorporate adequate pedestrian-level lighting under the arcade for visibility and security.</p>	
UV-D UV-T	<p>Transparency of Non-Residential Uses at Street Level Building facades associated with non-residential uses that face public street rights-of-way, public plazas/spaces shall have windows at the ground level, for product display or other active building uses, which, together with door openings, comprise at least 60 percent of the ground-level facade.</p> <ul style="list-style-type: none"> Such ground-level windows and doors shall be non-mirrored, allowing views into and out of the interior of the building, to the extent practical given code requirements governing the selection of window glass. Frosted glass or other treatment is permitted for doors and windows where privacy is needed (e.g., bathrooms). 	 <p>Credit: Whole Foods</p>
UV-D UV-T	<p>Overhead Utility Lines All local utility wires, not including high-capacity power transmission lines, shall be installed underground.</p>	
CMU R-MF UV-D UV-T	<p>Visual Interest and Anti-Monotony The standards below shall apply to all exterior elevations of structures that are not visually screened by an intervening building or structure from public view.</p> <p><u>Building Articulation</u> Building facades to which these standards apply shall be articulated to reduce the apparent mass of the structure and to add visual appeal. This may be accomplished by stepping back a portion of the facade periodically relative to the building line, along with other design variations in the</p>	<p>See <i>Figure 24-513a.A</i>, below, for graphics illustrating building articulation and other techniques for adding architectural interest.</p>

	<p>façade as illustrated in Figure 24-513a.A, below.</p> <p><u>Roofline Articulation</u> For flat roofs or facades with a horizontal eave, fascia or parapet, the roofline shall be varied vertically so that no unmodulated segment of roof exceeds 50 feet in horizontal dimension. This standard can also be satisfied by incorporating design elements such as functional or faux dormers, gables, towers, or chimneys.</p> <p><u>Avoidance of Blank Walls</u> Any exterior building elevation that faces a public street right-of-way, public plaza/space, public parking area or area of residential use shall have no more than 16 feet of uninterrupted blank wall space in a horizontal or vertical direction. This standard can be satisfied by incorporating window openings, porches or balconies, articulation of the building facade, decorative cornices, material and color variations, or score lines.</p> <p><u>Landscape Treatment for Large Walls</u> Where buildings are more than 60 feet in length or 35 feet in height, site trees required by the landscaping standards of this Chapter (and not required street trees) shall be arranged to break up the appearance of building mass so that the building is perceived to be divided into lengths of no greater than 50 feet when viewed from ground-level public vantage points.</p>	
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Sec. 24-535. - R-MF Residential Multi-Family District.

A. Purpose. The R-MF Residential Multi-Family District is a high density residential area characterized by the zoning requirements set forth in this Section.

B. Uses:

(1) Permitted uses:

- a) Multi-family dwellings with access from the interior of the building;
- b) Public parks;
- c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points;
 - 3) Accessory uses, subject to the requirements of Section 24-510; and
 - 4) Home occupations, subject to the requirements of Section 24-517.
- d) Facilities owned and maintained by the City.

(2) Specific uses:

- a) ~~Schools; and~~
- b) ~~Churches;~~

FC. Standard regulations:

(1) Residential structures:

- a) Size and area:
 - 1) ~~Minimum site area per dwelling unit: 1,200 square feet~~Minimum lot area: 43,560 sf (1 acre);
 - 2) ~~Minimum lot width: 60~~One hundred and fifty (150) feet;
 - 3) ~~Minimum lot depth: 120~~One hundred (100) feet;
 - 4) ~~Maximum building height: Fifty-three (53) feet, including drive under parking, 3 stories,~~ except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed ~~forty-sixty-three (4063) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building;~~
 - 5) ~~Minimum floor area per dwelling unit: 900 square feet;~~
 - 6) Minimum required yards:
 - a. ~~Front yard: Twenty-five~~Ten (2510) feet;
 - b. ~~Side yard: Six (6) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a~~

~~building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet. No side yard is specified except that when a side yard abuts a lot which is in residential use, the minimum side yard shall be ten (10) feet, and on a corner lot, both street exposures shall be treated as front yards.~~

~~For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required;~~

- ~~c. Architectural features: the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three-seven (37) feet from the side property line when a side yard is required.;~~

~~No other projection from the side building line shall be permitted.~~

- ~~d. Rear yard: fifteen (15) feet~~

~~1. For the main residential structure, ten (10) feet from the rear property line;~~

~~2. For any accessory structure, five (5) feet from the rear property line;~~

~~3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.~~

- ~~7) Maximum lot coverage: 75 percent of lot area.~~

- b) Height-Setback plane for side and rear yards: Where a property is at a boundary of the R-MF district and a residential property in a R-1, R-3, R-4, or R-5 district either abuts or is directly across an alley from the subject property in the R-MF district, any portion of the principal building(s) that exceeds twenty-seven (27) feet in height, shall be set back an additional amount, computed as two (2) feet from the rear set back line for each one (1) foot of additional building height above twenty-seven (27) feet. This ratio establishes a height-setback plane as illustrated in Figure 24-536.A.

1) Additionally, in situations as described above, the screening and buffering required between certain uses in Section 24-513.D. shall be supplemented by planting a row of trees along the side or rear property line toward the abutting residential property or alley. This shall involve trees of forty-five (45)-gallon size spaced a maximum of ten (10) feet on center along the property line. The supplemental tree planting shall not count toward any other minimum site landscaping requirements in this Chapter.

2) Planting of trees within any utility easements along the property line shall meet any applicable City standards to protect underground and overhead utilities, and any utility

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company policies with regard to allowable screening methods and the location and height of screening. Where compliance with the supplemental tree planting requirement is not possible due to utility conflicts, the administrative official shall work with the applicant during the site plan review process to seek an alternate solution which is not in conflict with the purposes of this subsection.

3) On properties subject to the height-setback plane, no accessory structure shall be located within the rear yard area toward the abutting residential property or alley. Any accessory structure on the subject property shall comply with the height-setback requirements as applied to the principal structure(s), in addition to the requirements of Section 24-510.

c) Maximum density: Thirty-five (35) units per acre.

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d) Site plan review required: All development applications in this district require site plan review and approval to ensure conformance with the substantive standards for this district and other applicable provisions of the City Code.

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1) Required approvals

a. Administrative approval. The City's administrative official is authorized to approve site plans for all development applications, provided that the site plan complies with the standards for this district and other applicable provisions of the City Code, or will comply if conditions specified by the official are met. The administrative official, at their sole discretion, may also refer any such site plan to the Planning and Zoning Commission for review and decision.

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b. Required referral to Commission. The administrative official is not authorized to disapprove a site plan. The official shall refer a site plan to the Planning and Zoning Commission for review and decision if the official finds reasons for potential disapproval, including when a site plan does not strictly conform to all standards for this district or other applicable provisions of the City Code. If the official does not approve the site plan, they shall place the site plan on the agenda of the Commission so that it may be considered for approval, approval with conditions, or disapproval.

c. Applicant request for Commission review. The administrative official shall refer a site plan to the Planning and Zoning Commission for review and decision if the applicant disagrees with a condition of approval specified by the official, or otherwise requests Commission involvement in the site plan review.

2) Application requirements. Applicants shall satisfy all application and submittal requirements for the site plan review itemized in Section 24-524.

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a. Waiver authority. The administrative official is authorized to waive elements of the site plan submittal requirements in Section 24-524 if they find that the specified information relates to a site development standard that does not apply to a proposed project.

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a) Reserved.

b) Reserved.

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