

## SUMMARY

### Proposed Zoning Ordinance Amendments

Summarized in the table below are proposed amendments to the City of West University Place zoning ordinance (City Code Appendix A). City Council will consider adoption of the proposed amendments during its 02.23.15 meeting. This is after the Zoning and Planning Commission approved its final report to Council during its 02.12.15 meeting, and following a joint public hearing by Council and Commission on 02.09.15. The table generally follows the order of the specific text changes indicated within the amendments package dated 2.12.15 (available on the City website), with specific page locations cited.

Focus of Amendment	Changes Made	Page(s)
<b><i>Use Definitions</i></b>		
Clarification of terminology	Clarifies definition of “Commercial Uses, Light,” and adds a new definition for “Office Use, Light” to reflect the way this term is used elsewhere in the ordinance.	Pages 7, 14
<b><i>Town Center Commercial (TCC) District</i></b>		
District Purpose	Adds purpose statement for a proposed new zoning district to replace the current Commercial (C) district zoning in the core of the Town Center area. [Also deleted the text description of the district boundary as the official zoning map illustrates all such boundaries.]	Page 25
District Boundary	The proposed new TCC district would be separated out from the existing Commercial (C) district in the Town Center area. TCC would encompass the properties between Edloe Street and Poor Farm Ditch, from Rice Boulevard on the north to University Boulevard on the south.	Page 102 (illustration)
Allowable Uses	Allows light commercial uses (but no residential uses) in TCC, subject to further stated limitations in a footnote to the Uses table. This makes the TCC use allowances more restrictive than the current situation, where the same C zoning applied to commercial sites on the City’s periphery also applies in Town Center.	Pages 34, 37
Building Setbacks and Pedestrian Orientation	Sets minimum required yards (i.e., building setbacks) for TCC uses, with further clarification through a footnote to the Yards table. The changes are in keeping with a pedestrian-oriented “storefront” design by reducing the required front yard (10 versus 30 feet under the current C zoning), with a corresponding increase in the required rear yard (25 versus the current 5 feet) to provide greater separation from residential uses across Poor Farm Ditch. Additionally, provisions in footnotes to the Building table (page 52) would “pull” new buildings toward the front of sites and provide a street-level orientation by requiring active uses on the first floor and prohibiting any elevated structures (for under-building parking, etc.) along the street frontage.	Pages 37-38, 40, 52

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Site Coverage	Sets minimum required open and pervious area for TCC building sites (10 percent relative to the current 15 percent under C zoning).	Page 41
Parking Area Landscaping	Exempts TCC building sites from landscaping requirements within the interior of parking areas as Town Center commercial uses do not have extensive surface parking areas as in other C-zoned areas, and the new TCC provisions focus such parking to the rear of sites away from public view (and screened from residential uses across Poor Farm Ditch).	Page 42
Visual Buffer Zone	Adds a TCC-specific and intensive vegetative screening requirement along Poor Farm Ditch to protect residential uses across the ditch from potential noise, light and visual effects of light commercial uses in TCC.	Page 43
Building Height	Maintains the same maximum building height limit (35 feet) as applies currently in Town Center and other commercial areas. Additionally, applies a two-story limit for light commercial uses in TCC. [NOTE: The current amendments also differ from the 2011 proposed Town Center zoning amendments by not providing the option of attaining greater height up to 42 feet in certain cases.]	Pages 48, 52
Rooftop Mechanical Equipment	Requires that any new or replacement rooftop mechanical equipment be accommodated within and not project above the applicable maximum building height limit (35 feet for TCC). Additionally, the equipment must be fully screened from off-site and street-level views in a method that is consistent with the design and colors of the building on which the equipment is located.	Pages 49, 51-52
Under-Building Parking	Prohibits under-building parking in TCC, especially to achieve a street-level pedestrian orientation for all commercial buildings and uses.	Pages 52, 79
Building Materials	Requires consistency with the exterior finishes of religious, governmental and educational facilities in the Town Center area. Also requires use of steel or reinforced concrete for all structural framing.	Page 67
Off-Street Parking	Sets a customized standard for off-street parking quantity in TCC (2.6 spaces per 1,000 square feet of gross floor area) that is lower than under the current Commercial (C) district zoning. This recognizes greater patronage of Town Center businesses by customers arriving on foot and by bicycle, plus the extent of on-street parking in the area, which also accommodates business patronage by those already in the area for other purposes (e.g., school, youth sports, church, City functions, etc.).	Page 77

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Option to Rebuild Same Size Structure After Disaster	In the event of catastrophic damage to a building that predated the TCC district, adds the option of obtaining Special Exception approval from the Zoning Board of Adjustment (ZBA) to rebuild the structure with substantially the same square footage as existed before the loss, subject to conditions the ZBA must verify. The ZBA is directed to uphold the TCC district intent by requiring compliance with all new TCC standards. However, where warranted, ZBA may provide some relief from strict compliance with required yards/setbacks, location of the principal building on the site, and off-street parking.	Page 85, with the latest revised text incorporated.
<b>PDD-TH2 District</b>		
District Boundary Change	Along Kirby Drive, shifts the southern boundary of the Commercial (C) district one block southward from Tangley to Plumb Street. This is intended to place the pre-existing commercial blockface along Kirby, between Tangley and Plumb, in the C district rather than the PDD-TH2 district, which is intended strictly for residential use.	Page 101 (illustration)
Zero-Width Side Yards for New Townhouses	Adds a new footnote to Table 7-2, Yards (or 'setback'), to clarify that the interior side yard requirement does not apply where a row of new attached townhouses will be built on a series of abutting lots along a blockface (i.e., the side yard is only required on the lot that contains the end townhouse in a row of attached townhouses, and only on the unattached side of the end townhouse).	Page 38
Rear Building Setback	Reduces the minimum required rear yard, as well as the SF bufferyard (from adjacent SF-zoned properties), from 20 to 10 feet given the shallow depths of properties (generally 100 feet) fronting along this portion of Kirby Drive.	Page 40
Size of Residential Garage Parking Spaces	Reduces the minimum required dimensions of parking spaces inside residential garages from 12 feet wide by 25 feet deep to 10 feet wide by 20 feet deep. This would apply the same standard to all residential PDD zoning districts versus the current situation where the PDD-TH2 and certain other districts require more area (12' x 25') for garage parking spaces.	Page 46
Framed Area of Townhouses	Increases the maximum framed area for townhouses from 100 to 125% of the lot area (still 100% for all other dwelling types).	Page 50
<b>Other Commercial Use Standards</b>		
Hours of Operation	Adds a provision to link hours of operation of commercial uses to protection of nearby residential areas from unreasonable impacts. Also points out necessary compliance of deliveries and other outdoor activities with noise and garbage collection regulations elsewhere in the City's Code of Ordinances. [NOTE: This type of provision was included in the 2011 proposed Town Center zoning amendments, and the current proposal would extend this provision to the C and PDD-C1 districts along with TCC.]	Page 37

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Rooftop Mechanical Equipment	Extends to the Commercial (C) and PDD-C1 districts the same height and screening provisions for new or replacement rooftop mechanical equipment as added for the TCC district.	Page 51
Outdoor Customer Service Areas	Adds a provision for all commercial districts (C, TCC and PDD-C1) to regulate the location of outdoor seating, assembly or other customer service areas when a use at the edge of a non-residential district abuts a residential property (and also points out necessary compliance with the City's noise regulations elsewhere in the Code of Ordinances).	Page 67
<b>Off-Street Parking Standards</b>		
Terminology	Adjusts some current use terminology in the Off-Street Parking table for clarification and/or to match terminology used elsewhere in the ordinance. Also separates some uses that were previously together so that separate parking requirements may be applied.	Pages 76-77
Parking Quantity	Adjusts the current quantity requirement for five uses based on the off-street parking standards review and update that was part of this overall evaluation of the City's current zoning regulations.	Pages 76-77
Parking Space Dimensions	For all new construction and "major development projects," increases the minimum required depth of parking spaces and/or maneuvering space given problems encountered with inadequate space in some parking areas. Also clarifies that "grandfathered" sites are exempt from the new requirements if the owner only resurfaces or restripes a pre-existing parking area.	Page 78, with the latest revised text incorporated.
Townhouse Use of Maneuvering Area for Parking	Adds an exception for townhouses in the TH and all PDD-TH districts to allow residents to use the area immediately outside their garages for additional external parking provided that all applicable emergency access and on-site circulation requirements are met.	Page 78
Surface Parking Requirement	Expands on current language to clarify that no underground or above-grade parking (i.e., parking garage, rooftop parking or other elevated parking) is allowed anywhere in the City. Also prohibits under-building parking in TCC as allowed elsewhere in the City.	Page 79