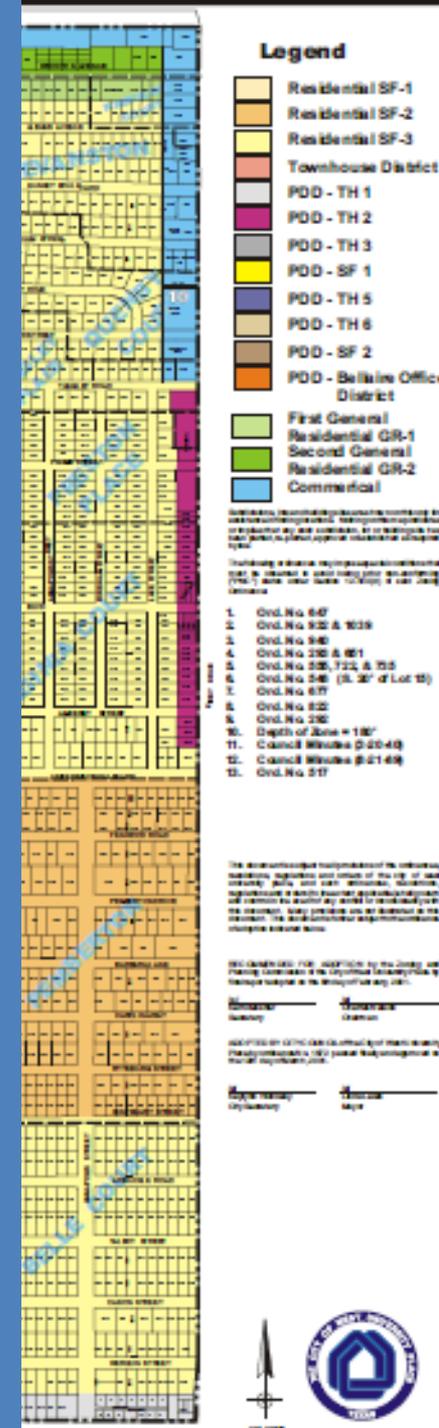


Non-Single Family Zoning Review

Joint Public Hearing

February 9, 2015



Overview Presentation



- ★ Process to this point
- ★ Specific proposed amendments in 3 parts:
 1. Kirby townhouse district
 2. Town Center district
 3. Other ordinance updates
- ★ Time for public comment and discussion after each portion

Also HANDOUT summarizing areas of potential change from current ordinance

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). The newest draft package of proposed amendments, also dated 12.19.14, reflects the results of input from a project Steering Committee, the City's Zoning and Planning Commission (ZPC), and residents and other interested parties through two Town Hall Meetings on 09.29.14 and a series of stakeholder interviews conducted early in the process in late March and early April. The 12.19.14 package also reflects further revisions made since the 10.31.14 version based on ZPC deliberations and additional public feedback during November-December. The table generally follows the order of the specific text changes indicated within the amendments package, with specific page locations cited.

Focus of Amendment	Changes Made	Page(s)
<i>Use Definitions</i>		
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
<i>Town Center Commercial (TCC) District</i>		
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	Pages 34, 37



Our Charge:

Review current zoning
regulations for other than
single family detached homes
for potential updates
[per City Council goal]



WHY?

- ★ No comprehensive review and amendment in 10+ years – *proactive*
- ★ Some zoning districts not attracting intended uses (e.g., townhouses)
- ★ Extent of aging buildings and lack of reinvestment in some areas

What Trying to Solve?



- ★ Constraints to rebuilding and potential vacancy and blight in post-disaster scenarios – *replacement structures may not meet code*
- ★ Other advisable updates and enhanced residential protections

Process to Date:

February -
August

- ★ Ordinance review and field inventory of current conditions
- ★ Focus group sessions with residents, businesses, land owners
- ★ Work sessions with Steering Committee – *including bus tour*
- ★ Strategic Approach Report to guide rest of amendment process
- ★ Joint meetings with Zoning and Planning Commission

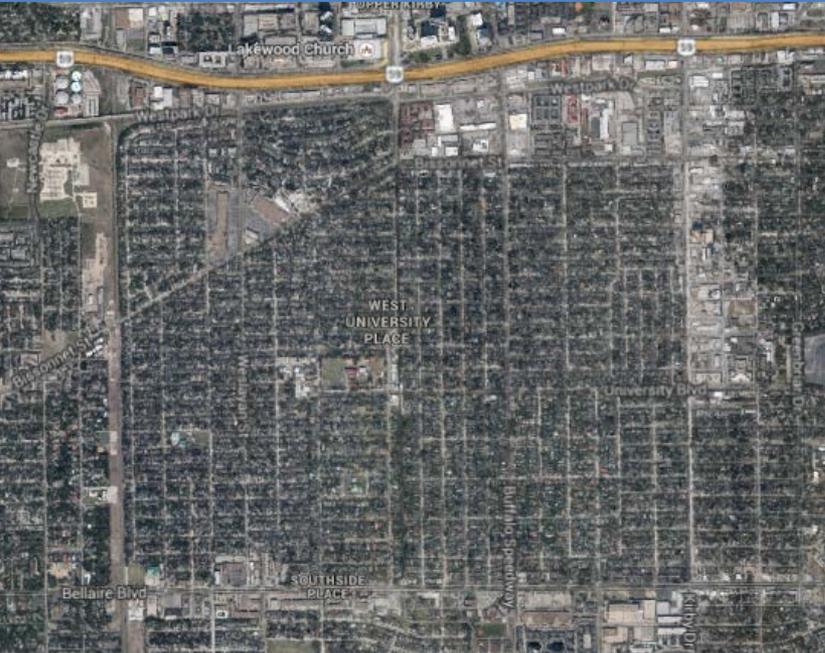
Process to Date:

September -
January

- ★ 2 Town Hall Meetings before draft amendments finalized
- ★ Further ZPC refinement beyond Steering Committee draft
- ★ ZPC Preliminary Report to Council in early January
- ★ This Joint Hearing set by Council based on Preliminary Report
- ★ **ZPC must still make Final Report** before Council considers adoption

Context

- ★ ~2 square miles in city
- ★ Mostly single family detached homes
- ★ Commercial activity at edges of city plus Town Center
- ★ Extent of small, shallow sites
- ★ Rising property values, traffic in central Houston
- ★ 2011 Town Center zoning initiative
- ★ Comfort level with additional “process”
- ★ Limited focus on building design/aesthetics



Zoning Focus

- ★ Balancing of individual and community interests
- ★ What can happen where
- ★ Use of land
- ★ Building size and height
- ★ Building separation and on-site open space
- ★ Building placement relative to street
- ★ Off-street parking
- ★ Lighting, noise and other potential “incompatibilities”

PART II - CODE OF ORDINANCES

APPENDIX A ZONING ORDINANCE*

APPENDIX A ZONING ORDINANCE*

*Editor's note—Printed herein is the zoning ordinance of West University Place, Texas, as adopted on December 19, 1994, and as amended through July 31, 2003. Amendments adopted prior to July 31, 2003, as indicated in the preliminary matter of the zoning ordinance provided to the codifier, are shown below. Subsequent amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original zoning ordinance as amended through July 31, 2003.

Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to state statutes and expression of numbers in text as appears in the Code of Ordinances has been used. Additions made for clarity are indicated by brackets.

Derivation (source ordinances):

1994 base ordinance: Ord. No. 1493, adopted 12-19-1994

Amended by: Ord. No. 1506, adopted 5-22-1995 (amended [§ 12-102](#) re: side-yard PNC's)

Ord. No. 1542, adopted 11-25-1996 (amended table 7-6 re: porches)

Ord. No. 1543, adopted 11-25-1996 (amended tables 7-4, 7-6 and PDD's re: townhouses)

Ord. No. 1548, adopted 1-13-1997 (amended [article 2](#), and table 7-4 re: framed area)

Ord. No. 1556, adopted 4-14-1997 (amended [§ 12-102](#) re: enlarged building site PNC's)

Ord. No. 1578, adopted 1-26-1998 (amended schedule PDD-TH1 re: "garden style" use) Ord. No. 1586, adopted 2-23-1998 (amended schedule PDD-TH1 re: "garden style" use)

Ord. No. 1599, adopted 10-12-1998 (amended schedule PDD-TH3 re: Browning Townhouse PDD)

Ord. No. 1560, adopted 10-12-1998 (amended Schedule PDD-TH4, Wesleyan Townhouse PDD "garden style" use)

Ord. No. 1604, adopted 1-25-1999 (townhouse/residential amendments; GR-1, GR-2 and PDD's; QMDS schedule)

Ord. No. 1620, adopted [§ 28](#)-1999 (amended schedule PDD-TH6, Ruskin Street PDD)

Ord. No. 1637, adopted 2-28-2000 (added [§ 12.102\(e\)](#) relating to PNC status for yard encroachments)

Ord. No. 1644, adopted 4-10-2000 (amendments regarding personal wireless service facilities; new PWSF schedule)

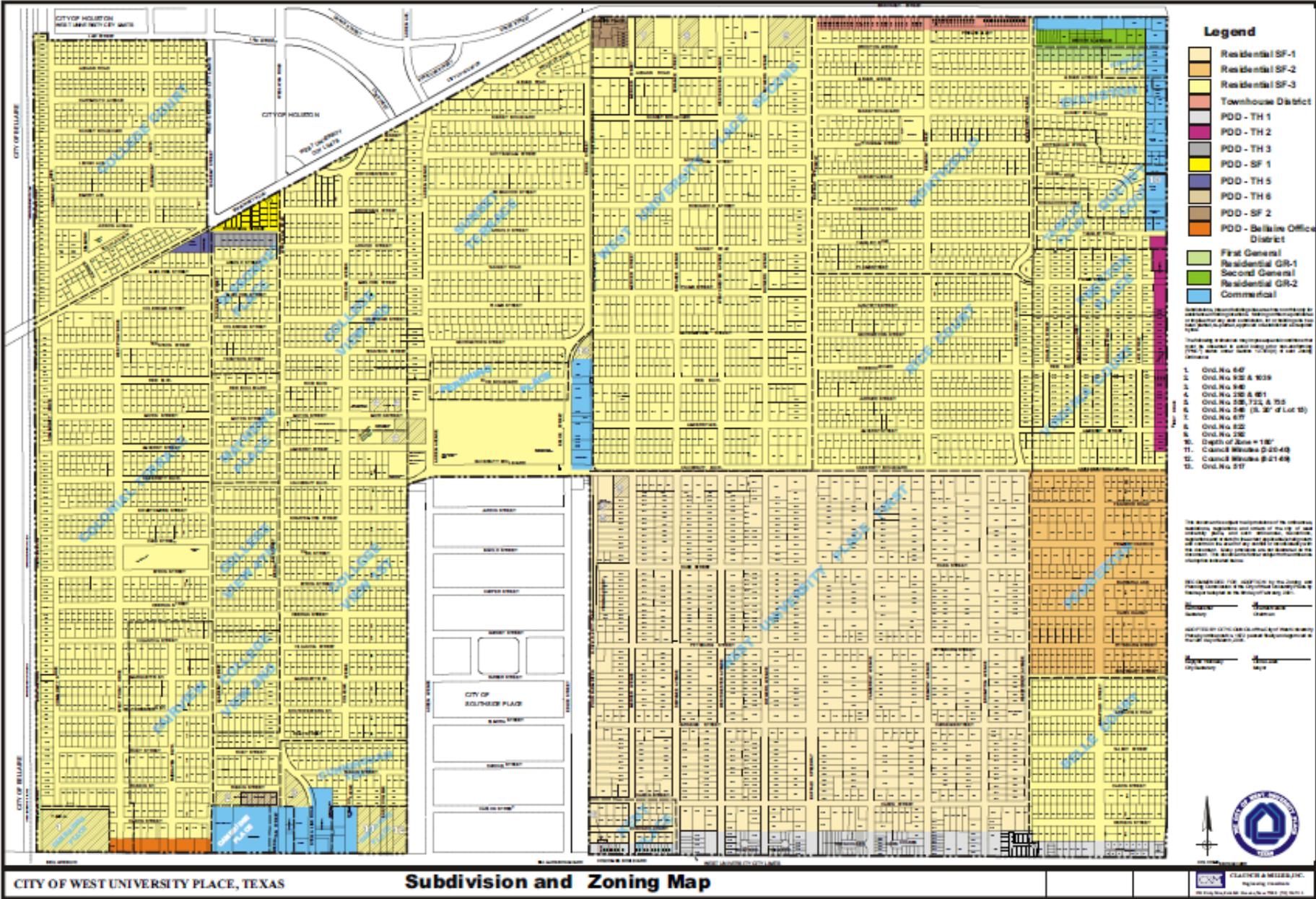
Ord. No. 1643, adopted 5-6-2000 (amendments for "peripheral areas," commercial district, etc., with new tables, etc.)

2001 base ordinance: Ord. No. 1672, adopted 3-12-2001

Amended by: Ord. No. 1691, adopted 8-27-2001 (amendments regarding noise of mechanical equipment, including A/C)

[Signs not part of this process]

Current Zoning District Map



Considered But **NOT** Pursuing

- ★ Allowing even small-scale commercial uses in the townhouse district along Kirby
 - > OR limiting new SF detached homes
 - > OR requiring a minimum number of adjoining lots for “unified” projects
- ★ Allowing a parking structure in new Town Center district
- ★ Limiting under-building parking outside of Town Center
- ★ Broader changes to current parking requirements
- ★ Credits for on-street parking to meet off-street requirement



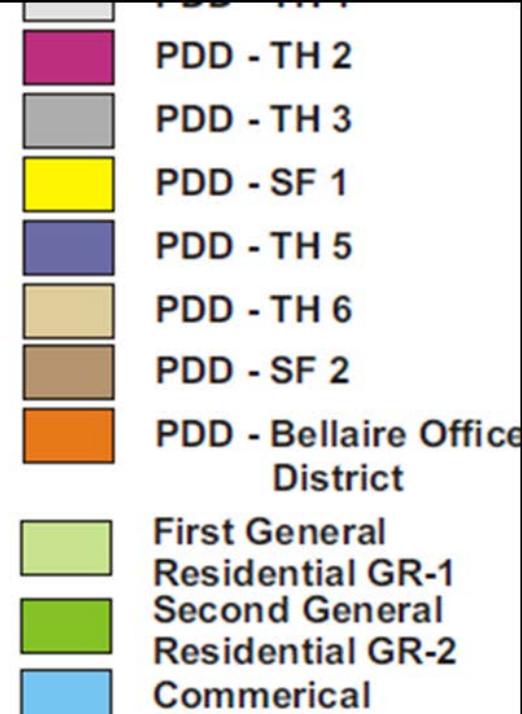
Considered But **NOT** Pursuing

- ★ Changes to current process for approving shared parking
- ★ City-initiated rezoning of commercial parking areas in residential zoning districts
- ★ Adjustments to outdoor lighting regulations (already require “full cut-off” fixtures, residential protection)
- ★ Greater focus on building design/aesthetics
- ★ Reducing “process,” allowing more staff-level approvals

Kirby Townhouse District (PDD-TH2)

FIRST ...
 Rezone remainder
 of one blockface
 along Kirby,
 between Tangley
 and Plumb,
 from PDD-TH2
 to C district

> The use of these sites
 has historically been
 commercial



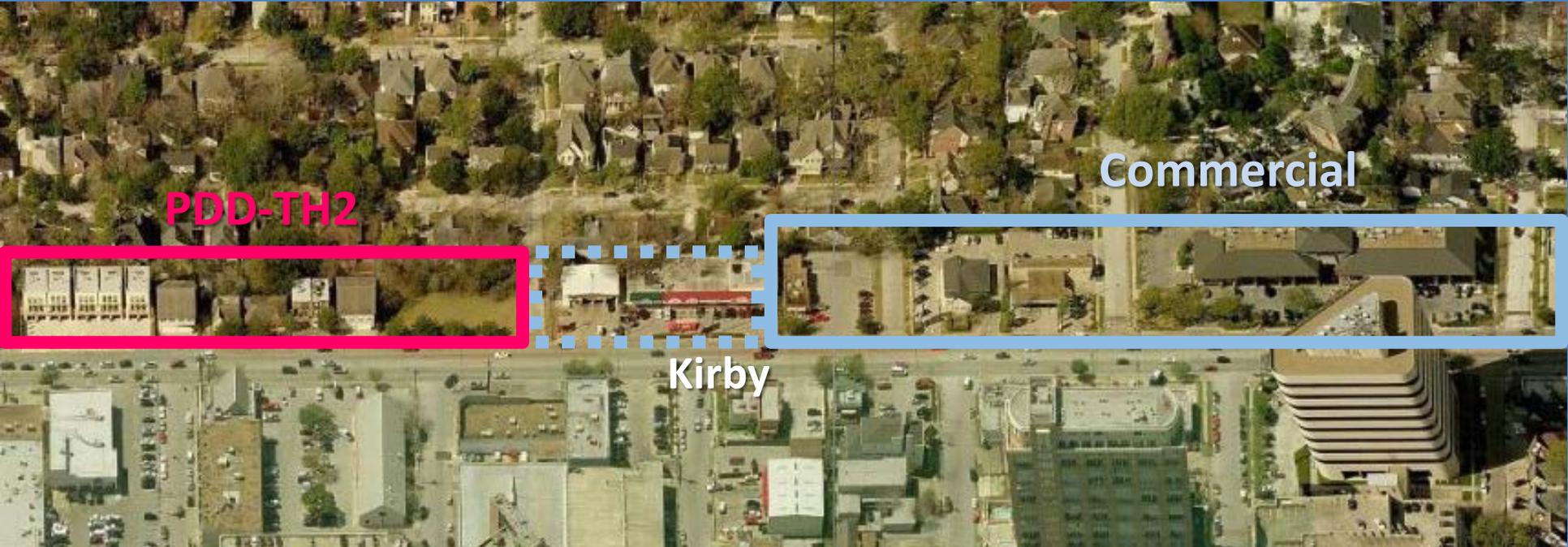
Subdivisions, lots and building sites are shown on this only for assistance in finding locations. Nothing on this map indicates or implies that any such subdivision, lot or building site has been platted, re-platted, approved or established as required by law.

The following ordinances may impose special conditions that must be observed to avoid losing prior non-conforming ("PNC") status under Section 12-103(d) of said Zoning Ordinance:

1. Ord. No. 647
2. Ord. No. 932 & 1039
3. Ord. No. 940
4. Ord. No. 293 & 651
5. Ord. No. 555, 722, & 735
6. Ord. No. 546 (S. 20' of Lot 15)
7. Ord. No. 677
8. Ord. No. 822
9. Ord. No. 292
10. Depth of Zone = 180'
11. Council Minutes (3-20-40)
12. Council Minutes (8-21-69)
13. Ord. No. 517

Plumb

Tangley



**Rezone remainder of one blockface (2 building sites)
along Kirby, between Tangley and Plumb,
from PDD-TH2 to C district**

Potbelly's site was rezoned to commercial in 2009

Objectives of PDD-TH2 amendments

NOT opening district to potential small-scale commercial uses given:

- › Extent of public feedback against this approach
- › ZPC conclusion that such uses not feasible with lot constraints, necessary residential protections

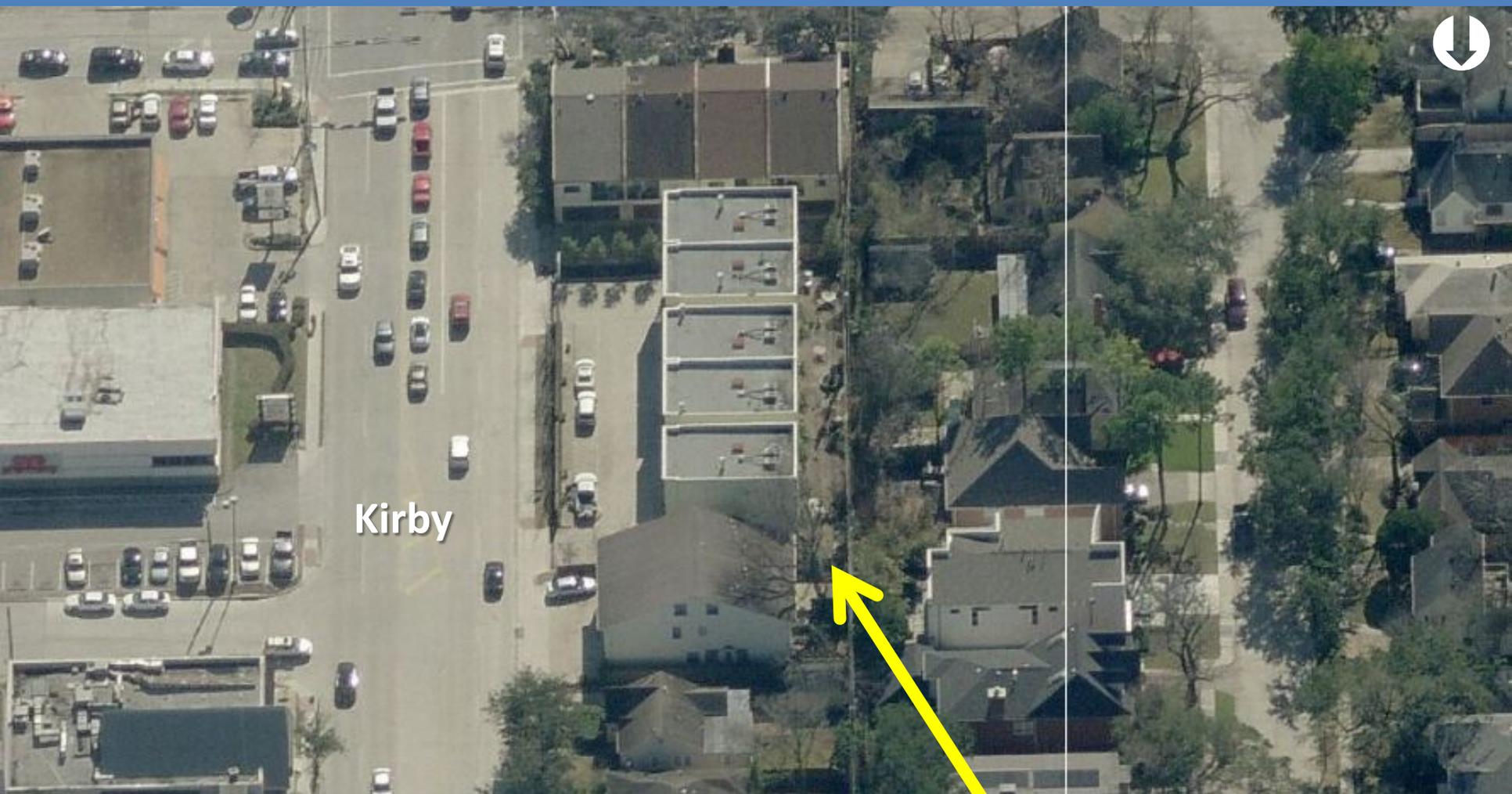
Current townhouse regulations have generated only one townhouse and one single-family project within the last 20 years, although the central Houston area has seen a huge increase in townhome development

Therefore, need to:

- ★ Make district more feasible and attractive for intended townhouse use
- ★ Enable more efficient use of limited space on small and shallow lots



Maximum framed area of townhouse (sq ft)
increased from 100% to 125% of lot size



Kirby

Minimum rear yard and single-family bufferyard reduced from 20 ft to 10 ft



Kirby

Minimum dimension of in-garage parking spaces reduced from 12 ft x 25 ft to 10 ft x 20 ft (as in other districts)



Maneuvering Area

Kirby

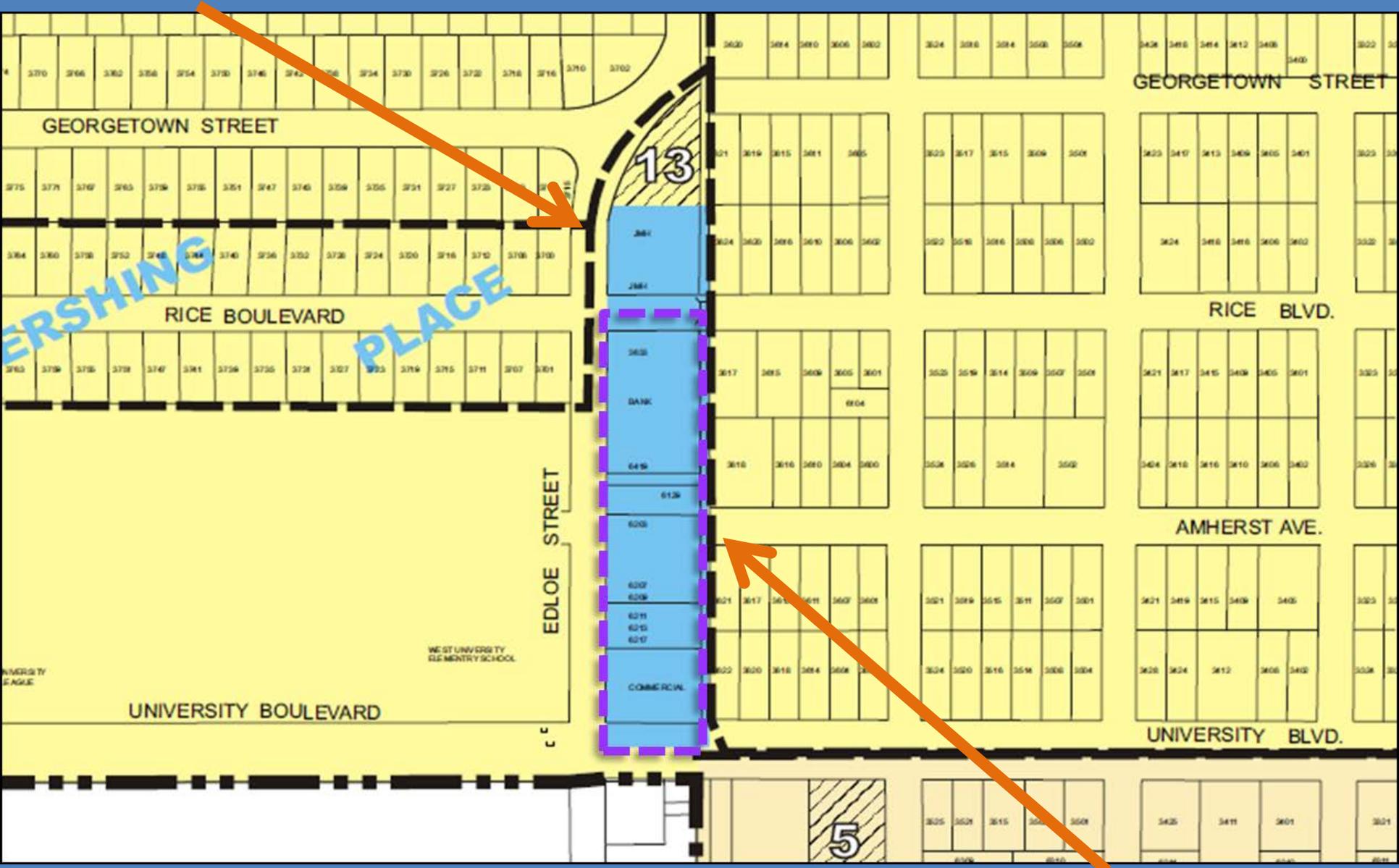
Townhouse parking requirement not reduced (4 spaces per dwelling), but parking in “maneuvering area” just outside garage may count toward the required spaces
[Applied to TH and all PDD-TH districts]

Public Comment:

**Kirby Townhouse District
(PDD-TH2)**

Town Center Commercial (TCC) District

Stays in Commercial (C) district



Changes to Town Center Commercial (TCC) district

Table 7-1: Uses

General Rule: Within each District: uses marked "A" are allowed as the primary use, uses marked "SE" are allowed as the primary use to the extent authorized by special exception, and uses marked "X" are prohibited. *Exceptions/Special Rules:* (1) See PDD Schedules for planned development districts. (2) See special rules noted in table. The ZBA is authorized to issue all special exceptions mentioned in this Table.

Use Category	Specific Use	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C	<u>TCC</u>
Residential	Single-family (detached)	A See Note 1				A			<u>X</u>
	Single-family (attached)	X	X	X	A See Note 1	A		X	<u>X</u>
	Other residential	X	X	X	X	A		X	<u>X</u>

Note 10. *Uses in TCC.* The only uses allowed in TCC are retail, light office use, and food service use. TCC **does not allow for** residential use of any kind, bars or club uses, entertainment venue, sexually oriented businesses, auto-intensive uses, gambling establishments, surgical or emergency clinics, or any medium commercial uses.

Table 7-1: Uses

General Rule: Within each District: uses marked "A" are allowed as the primary use, uses marked "SE" are allowed as the primary use to the extent authorized by special exception, and uses marked "X" are prohibited. *Exceptions/Special Rules:* (1) See PDD Schedules for planned development districts. (2) See special rules noted in table. The ZBA is authorized to issue all special exceptions mentioned in this Table.

Use Category	Specific Use	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C	<u>TCC</u>
Residential	Single-family (detached)	A See Note 1				A			<u>X</u>
	Single-family (attached)	X	X	X	A See Note 1	A		X	<u>X</u>
	Other residential	X	X	X	X	A		X	<u>X</u>

WHY?

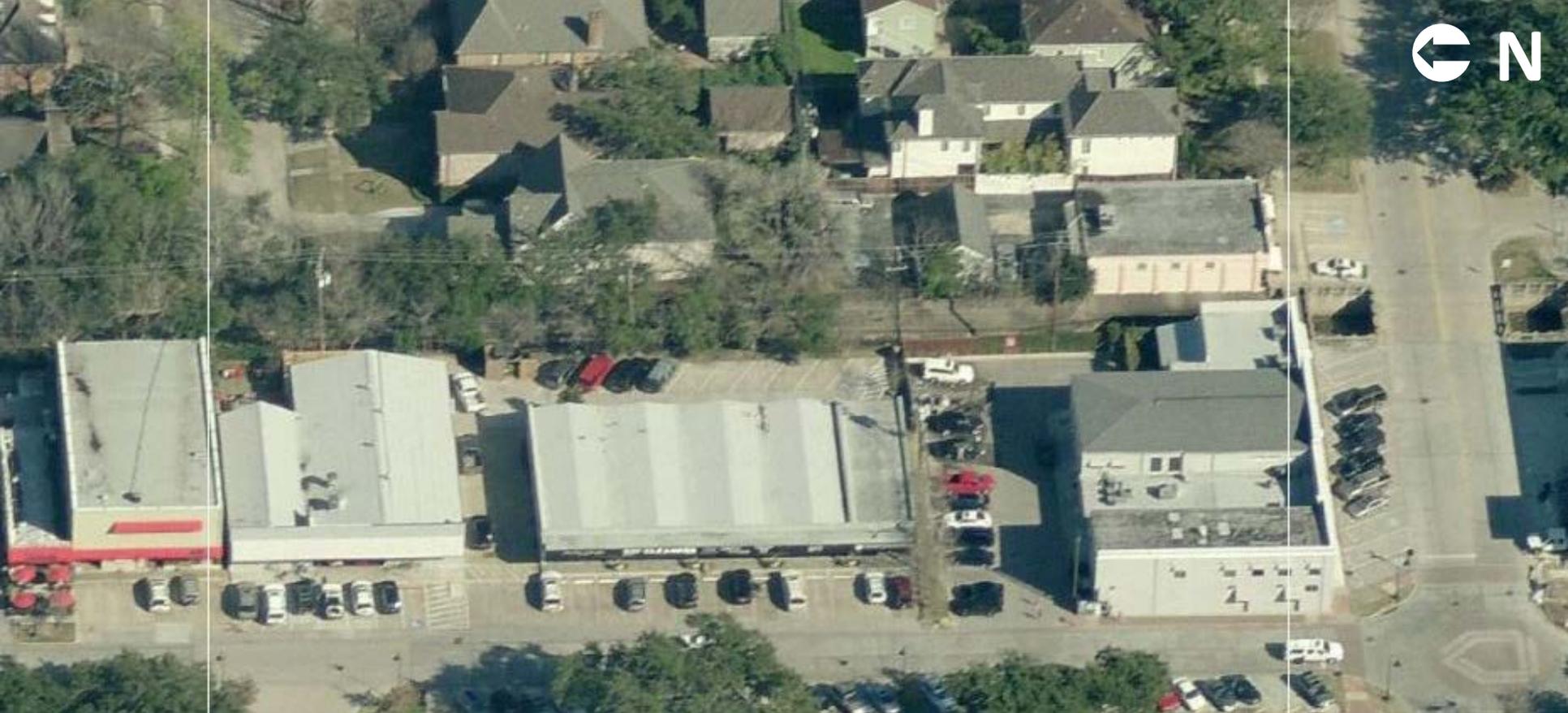
- ★ Makes the allowed uses in TCC more restrictive than the current situation, where the same "C" zoning applied to commercial sites on the city's edges also applies in Town Center (i.e., restrict to less intensive uses in middle of city and near homes and school)



Principal buildings must be within front 60 ft of site

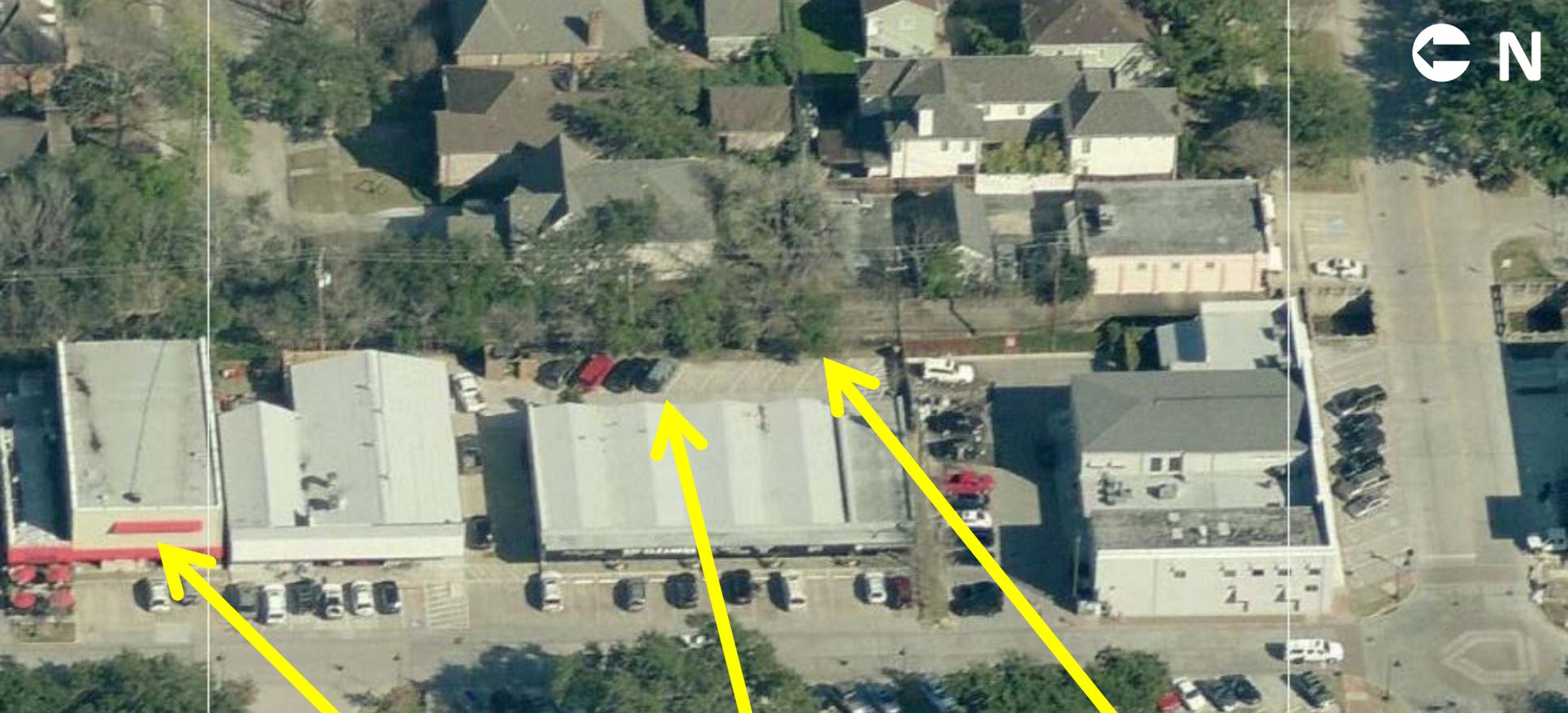
Minimum front yard reduced from 30 to 10 ft

Active uses required at ground level, with no elevated structures or under-building parking



WHY?

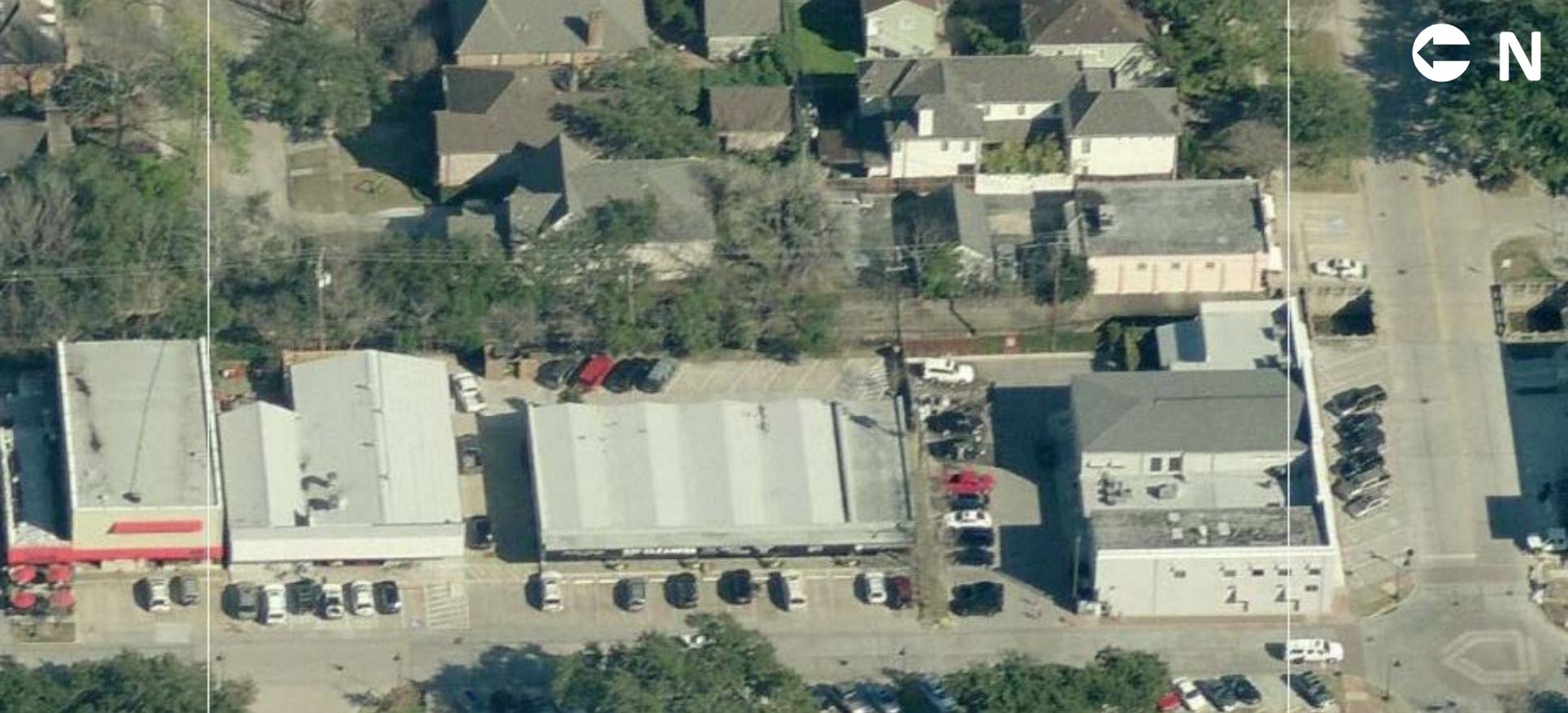
- ★ To improve pedestrian and bicycle safety by focusing most parking behind or alongside buildings versus along the street frontage
- ★ To promote a more walkable, storefront-oriented setting with a sidewalk along the fronts of buildings
- ★ To make outdoor seating areas more attractive



Principal buildings limited to 2 stories (35 ft) in height — *including any rooftop equipment*

Dense vegetative screening required at rear along Poor Farm Ditch

Minimum rear yard increased from 5 to 25 ft



WHY?

- ★ To limit the intensity of uses in Town Center, not only by disallowing certain uses, but also by restricting their size – plus **no parking garage**
- ★ To reduce overall parking demand in Town Center by limiting building floor area
- ★ To increase separation from nearby homes and provide a buffer to reduce noise and light impacts

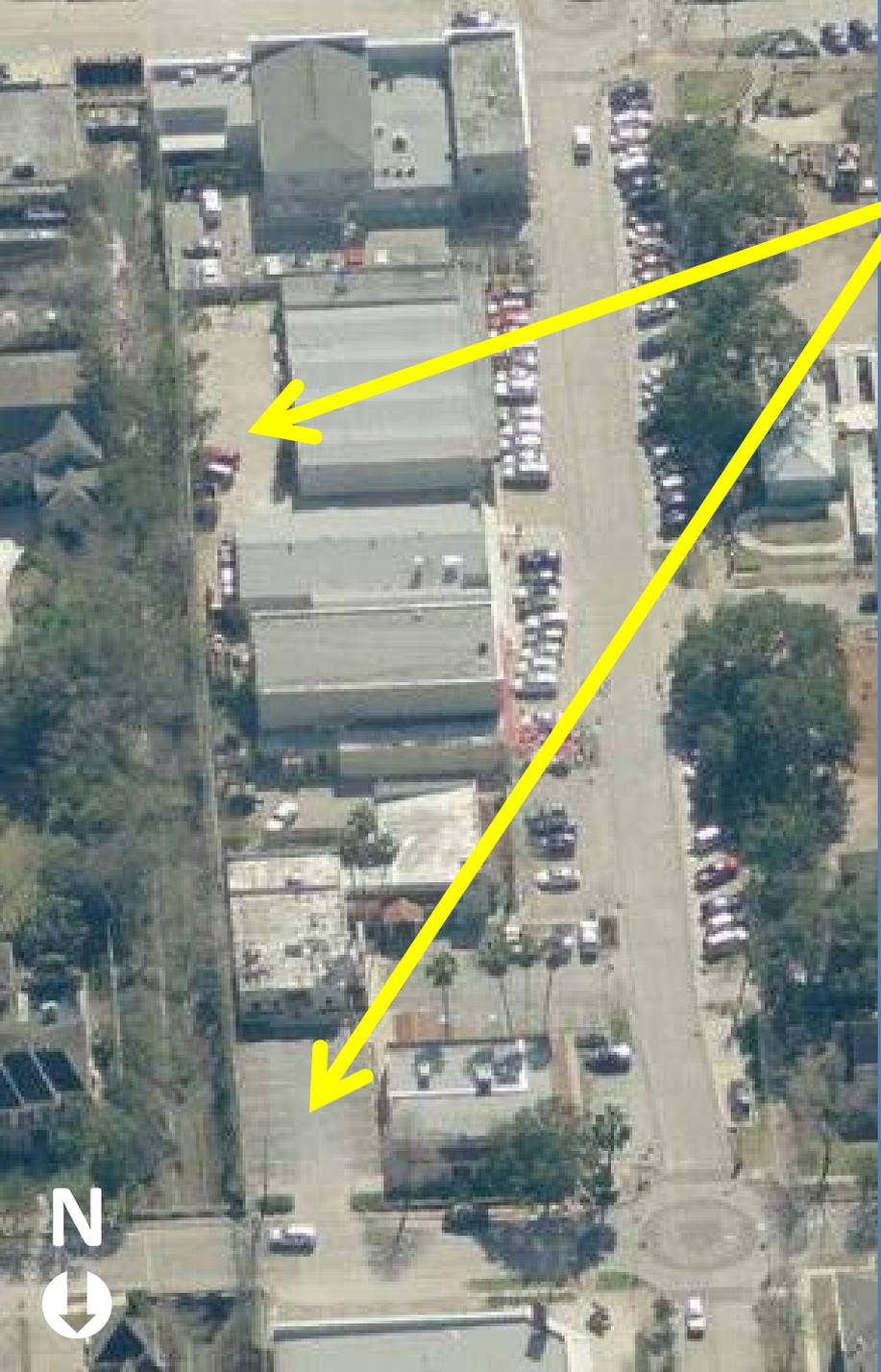


Minimum open and pervious area on sites reduced from 15 to 10%

Parking areas in TCC exempted from interior landscaping requirement

WHY?

- ★ To provide more on-site area for parking
- ★ To focus on perimeter screening of parking areas in Town Center (interior landscaping needed more for large commercial parking areas as seen at edges of city – and TCC intent is to place more parking at rear away from public view)



Customized parking standard applied to all new buildings in TCC (2.6 off-street spaces per 1,000 sq ft of gross floor area)

WHY?

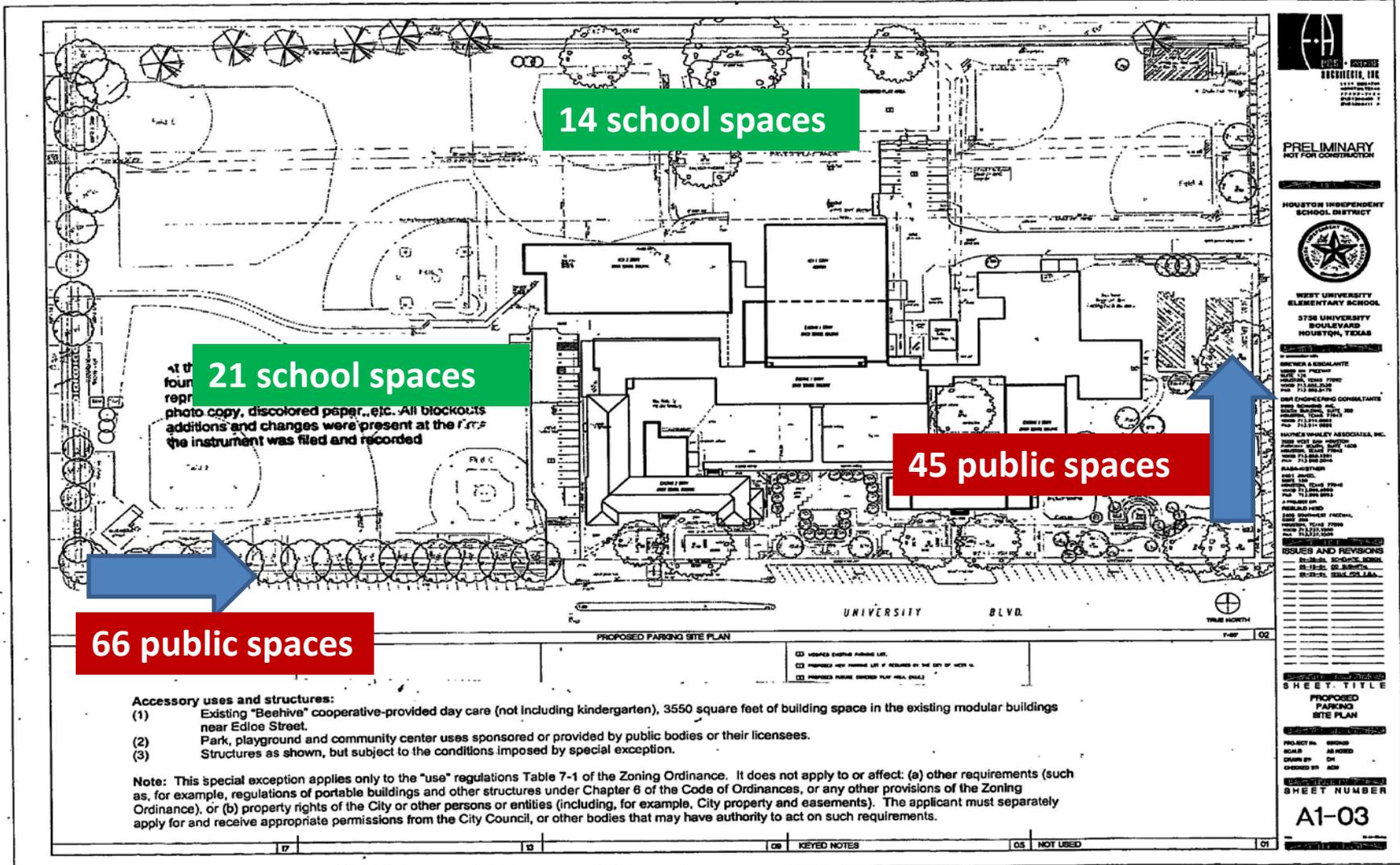
- ★ Recognizes that typical parking requirements in ordinance are for “suburban” commercial scenarios where few patrons walk or bike, and people drive greater distances to their destinations (as with commercial areas on edges of city)
- ★ Also on-street parking on Edloe
- ★ ZPC increased initial 2.0 standard to 2.6 to achieve equivalent parking supply to what exists now

Parameters for Parking Spaces

- ★ On-street parking spaces may not be counted toward the minimum parking spaces required
- ★ On-street spaces are available for use by the general public, cannot be “claimed” by any particular entity
- ★ On-street spaces are normally “first come, first filled”
- ★ Other head-in spaces (east side of Edloe) are on private property and do count toward parking requirement
- ★ New head-in spaces not permitted by current code

WUES current on-site parking = 35 spaces
 Current school requirement = 3.33 spaces per 1,000 sq ft

Exhibit A



Square Footage and Parking in Town Center

	Existing				Current Code			Proposed Code		
Business	Use	Sq Ft	Ratio	Spaces	Sq Ft	Ratio	Spaces	Sq Ft	Ratio	Spaces
3642 University Partners	Integrated	14,627	1.9 : 1	28	5,750	4 : 1	23	14,615	2.6 : 1	38
6203 Edloe Partnership	Integrated	7,380	3.3 : 1	24	6,000	4 : 1	24	7,692	2.6 : 1	20
Fernando Segura & Est	Restaurant / Office	5,815	1.2 : 1	7	1,800	10 : 1	18	3,846	2.6 : 1	10
West U Masonic Lodge	Assembly	7,896	0.8 : 1	6	2,400	3.33 : 1	14	7,692	2.6 : 1	20
Edloe Deli	Restaurant	1,484	0 : 1	0	0	0	0	1,538	2.6 : 1	4
Alan Hassenflu/ Scot Luther/ West U Town Center Assoc	Office	8,517	6.1 : 1	52	8,500	4 : 1	34	12,692	2.6 : 1	33
Totals		45,719		117	24,450		113	48,075		125



Any new or replacement rooftop mechanical equipment must be accommodated within and not project above the maximum building height (35 ft). Equipment must be fully screened from off-site and street-level views using method consistent with the building's design and colors.



WHY?

- ★ To reduce noise and visual impacts on nearby residential (current provisions focus only on screening from street-level view)
- ★ To enhance Town Center aesthetics



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

WHY?

- ★ For consistent appearance and quality of non-residential architecture in the Town Center area while avoiding highly prescriptive or detailed design standards for TCC commercial buildings



Add New Avenue for Rebuilding in TCC after a Disaster and Maintain “Prior Nonconforming” (PNC) Status

The ZBA may issue a **special exception** to allow structures in the TCC district to be rebuilt substantially as they existed at the time of loss to casualty, etc., if the ZBA finds:

- (i) rebuilding is necessary to avoid substantial economic waste and economic hardship; and
- (ii) there will be no substantial adverse effects of the rebuilt structure.

AND ... if the square footage is substantially the same.

Otherwise lose PNC status and rebuilt structures must meet current standards.



Add New Avenue for Rebuilding in TCC after a Disaster and Maintain “Prior Nonconforming” (PNC) Status

ZBA may also require more **off-street parking** than existed at the time of loss to casualty, etc., but not in excess of the current applicable parking requirement in TCC.

QUESTION:

In addition to linking parking considerations to the rebuilding approval, should compliance with other newer standards potentially be required?

- > Setbacks and building location on site?
- > Rear buffering/screening?
- > Screening of rooftop equipment?
- > Consistent building materials?

Public Comment:

**Town Center Commercial
(TCC) District**

Other Ordinance Changes

Other Items

- ★ Clarify terminology
- ★ Link commercial hours of operation to protection of nearby residential areas from unreasonable impacts *(and deliveries and other outdoor activities must comply with noise and garbage collection regulations elsewhere in City Code)*



- ★ Apply to all commercial districts height and screening provisions for new or replacement rooftop mechanical equipment
- ★ Clarify that no side yard required between townhouses (attached)

Other Items

- ★ Regulate in all commercial districts the location of outdoor seating, assembly or other customer service areas (front half of site) when a use at the edge of a non-residential district abuts a residential property
- ★ Adjust the current off-street parking requirement for five uses:
 - > Bank and Financial Services
 - > Studio or Gallery for Visual Arts
 - > Grocery vs. Convenience Store
 - > Retail-Home Furnishings/Appliances
 - > Bar vs. All Other Types of Spaces/Uses



Other Items

- ★ Increase the minimum required depth of parking spaces and/or maneuvering area given inadequate space in some parking areas
- ★ Expand 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

Public Comment:

Other Ordinance Changes

All the Latest:

Departments & Services » Public Works » Planning » Commercial Zoning Review

The screenshot shows the website for the City of West University Place. The header includes the city logo, name, and navigation links for Home, About Us, What's New, Community, Local Government, and Departments & Services. A search bar and social media icons for Facebook and Twitter are also present. The main content area is titled "Commercial Zoning Review" and includes a breadcrumb trail: Departments & Services » Public Works » Planning » Commercial Zoning Review. The page features a left sidebar with a navigation menu listing various city services such as Public Works Administration, Planning, Zoning Board of Adjustment, Zoning and Planning Commission, Zoning Ordinance, Contact the Planning Division, Commercial Zoning Review, Forestry, Development Services, Ruskin Street/West College Rehabilitation, General Services, Operations Division, Animal Control, and Code Enforcement. The main text area contains three paragraphs of information about the zoning review process, including the selection of KKC as the planning consulting firm, the presentation of the draft Strategic Approach Report, and the holding of Town Hall Meetings for public input.

city of
West University Place

HOME ABOUT US WHAT'S NEW COMMUNITY LOCAL GOVERNMENT DEPARTMENTS & SERVICES

Public Works Administration

Planning

Zoning Board of Adjustment

Zoning and Planning Commission

Zoning Ordinance

Contact the Planning Division

Commercial Zoning Review

Forestry

Development Services

Ruskin Street/West College Rehabilitation

General Services

Operations Division

Animal Control

Code Enforcement

Departments & Services » Public Works » Planning » Commercial Zoning Review

Commercial Zoning Review

Font Size: A A + Share & Bookmark [+1] Feedback Print

A long-term goal of the West University Place City Council is to complete a comprehensive review of the non-single family residential provisions of the city's zoning regulations. [Click here](#) to read the "Commercial Zoning Regulations Review" article from the fall 2013 *City Currents*.

Kendig Keast Collaborative (KKC) was selected as the planning consulting firm leading the review. [Click here](#) for a look at a comprehensive overview and tentative schedule. The first few tasks included meeting with the steering committee and then conducting interviews with stakeholders that were divided into small focus groups. The steering committee and stakeholders meetings were held in March and April. KKC took the preliminary information gathered along with the comments of the focus groups and formulated a proposal to guide the direction of the rest of the review process.

The consultant, KKC, presented the draft Strategic Approach Report to the steering committee in June. The final [Strategic Approach Report](#) was presented to both, the Steering Committee and the Zoning and Planning Commission on August 13, 2014. Phase 1 proposed code amendments were also presented for discussion at these meetings. Phase 2 proposed code amendments were presented and discussed at a joint meeting of the ZPC and Steering Committee on September 11, 2014. [Click here](#) to view the [Draft Proposed Amendments](#).

Two separate Town Hall Meetings were held to solicit public comments and input. The meetings were on September 29, 2014 at 3 p.m. and 6 p.m. at the Community Building located at 6104 Auden. To access the slide show from the meeting presentation [click here](#).

The Steering Committee and ZPC met on October 9, 2014 at 5:00 pm to clarify final direction strategy and discuss the comments from the Town Hall meetings. The consultant is targeting the end of October to provide a final draft document to the ZPC for consideration of a preliminary report to City Council. [Click here](#) to access the discussion topics and [here](#) for a summary of Town Hall comments discussed at the October 9 meeting.