

STAFF REPORT

1 SUMMARY OF DEVELOPMENT CODE CHANGES

1.1 DESCRIPTION OF DEVELOPMENT CODE CHANGES

The Phase I recommendations related to porches and garages provided staff with sufficient guidance to draft regulations. The following text provides additional context behind each of the proposed changes.

Front Yard Setback for Unenclosed Porches

About half of existing homes in The Hill encroach into the required 25-foot front yard setback set by the current HR-1 standards. Consistent with public input, staff is proposing to allow existing homes and future homes to build or expand porches by creating a 15-foot minimum front yard setback for unenclosed porches up to 16 feet in height.

Garage Regulations

During Phase I, residents expressed concerns with 2-story garages being too close to the property line. The current regulations allow any type of garage, regardless of the height, to be built as close as 1.5 feet from the rear and side property line. Per public feedback, staff is proposing different regulations for each type of garage (attached or detached) and a maximum height for garages.

Accessory Structures, Other than Garages

Staff is also proposing to amend current Accessory Structure regulations to be consistent with what is proposed for 1-story garages including maximum height, home separation requirement, and front façade setback.

Relocate HR-1 Zoning District Regulations

The Hill Area Residential (HR-1) zoning regulations are currently located in Chapter 2, Article II, Part 2 Standard Residential Districts of the Development Code, alongside other standard residential zoning district regulations. Because many of the regulations being proposed are unique to The Hill neighborhood, staff recommends creating a new Part 7 within the Code, similar to how the Mixed Use Conservation (MUC) district is organized in the Code. When researching other peer cities, many implemented similar regulations and housed the regulations in a separate section in their Code.

Amending Other Regulations

In order to create this new Part, staff analyzed other applicable Development Code sections that apply to HR-1 and moved those into the new Part as well. For example, *F.5 - Special Provisions for Detached Private Garages in the HR-1 District* located in Section 2-192 Accessory Structures pertains specifically to HR-1, and has been moved to new Section 2-159 in Part 7.

1.2 OUTLINE OF DEVELOPMENT CODE CHANGES

The proposed changes to The Hill Area Residential (HR-1) zoning district necessitate changes to Chapter 2, Article II and other sections of the Development Code. Below is a summary of the proposed changes including changes resulting from the May 28th Planning and Zoning Commission meeting. The draft regulations as they would appear in the Development Code can be found in Ordinance No. 2201 or on the project webpage at www.sugarlandtx.gov/1981/HR-1-Zoning-District.

Chapter 2 – ZONING REGULATIONS

Article II. – Zoning District and Land Uses

- a) Part 1 – In General
 - i) Sec. 2-51: Removed HR-1 zoning district from Table 2-51.1: Standard Zoning Districts to Table 2-51.2: Special Zoning Districts.
- b) Part 2 – Standard Residential Districts
 - i) Sec. 2-70: Moved HR-1 intent statement to new Part 7.
 - ii) Sec. 2-71: Moved HR-1 permitted uses to new Part 7.
 - iii) Sec. 2-72: Moved HR-1 bulk regulations to new Part 7; modified lettering to References in table to reflect removal of HR-1 references.
- c) Part 7 – The Hill Area Residential District (HR-1)

Proposed new section in the Development Code to relocate HR-1 regulations (new and existing)

 - i) Sec. 2-154: Added new language to intent statement
 - ii) Sec. 2-155: Added new definitions only applicable in HR-1 to help distinguish between different garage types. Also defined porch.
 - iii) Sec. 2-156: Reserved section.
 - iv) Sec. 2-157: New location for HR-1 permitted uses list (previously located in Sec. 2-71);
 - Removed Residential Sales Offices (Temporary), Golf Course or Country Club, HOA Clubhouse/Meeting Facility/Pool as permitted uses in HR-1 as they are not applicable in The Hill.
 - Removed Supplemental Regulation #3 because there is no HOA in The Hill and therefore not applicable.
 - v) Sec. 2-158: New location for HR-1 bulk regulations (previously located in Sec. 2-72).
 - Added language before the table to help clarify that regulations are subject to field verification for easements.
 - Reformatted table with headers and added regulations for Porch Front Yard Setback and Private Garages.

- Added four diagrams to help clarify regulations and revised Figure 2-158.F to remove callout for detached garage 5-foot separation requirement.
- vi) Sec. 2-159: Added language that regulations in this section govern over any other regulations.
 - Proposing Accessory Structures, other than Private Detached Garages, regulations be consistent with proposed 1-story Detached Garage max height, home separation requirement, and front façade setback.

Article III. – Height and Area Regulations

- i) Sec. 2-176: Added language to Table 2-176.1 Allowed Yard Obstructions Row #10 that this obstruction is not allowed in HR-1.

Article IV. – Supplemental Regulations: Satellite Dish Antennas, Fences, Accessory Buildings, and Dwelling Units

- i) Sec. 2-192 Accessory Structures
 - (1) F. 2. D. Moved to new Part 7.
 - (2) F. 5. Replaced with statement that Sec. 2-192 does not apply to HR-1; Detached Private Garage regulations are in new Part 7.

2 PLANNING AND ZONING COMMISSION REVIEW

The Planning and Zoning Commission held a public hearing, discussion and direction during the May 28th meeting. There were several clarifying questions that staff answered and other points that generated discussion amongst the Commission that resulted in additional changes. The topics discussed are noted below:

Definition for Attached and Detached Garages

The Commission asked for clarification on the proposed definition of Attached and Detached Garages. The proposed definition for HR-1 considers a garage attached when the structure is built closer than 5 feet to the Principal Structure (house). A similar distance requirement (5 feet) is currently in place in the Mixed-Use Conservation District (MUC), an area with similar historic character as The Hill neighborhood. Staff explained that if the literal definition of attached and detached were used without a distance requirement, then a homeowner could build a detached garage at 1.5 feet from the property line. From the street, it could appear that the garage is attached and as close as 1.5 feet from the property line. During the public engagement, staff heard specific concerns regarding allowing attached garages that close to the property line. In addition, the Development Code provides a similar definition for attached garages for the rest of the residential zoning districts, but a 10-foot distance is applied to distinguish between garage types. In this case and due to the variety of lot sizes, staff is recommending a distance to 5 feet. After hearing staff's explanation and further discussion, the Commission agreed that the proposed attached and detached garage definitions for HR-1 are appropriate to be consistent with the garage

definition applied in other zoning districts.

Removal of supplemental regulation #3 in draft Table 2-157.1: Permitted Uses and Parking Schedule

The Commission suggested removing supplemental regulation #3 in draft Table 2-157.1 that is associated with the permitted use “Parks and Recreational Facilities” noting that it is not applicable in The Hill because there is no HOA in this area. Staff concurred, noting that it was a carryover from the previous location in the Code.

Clarify that District Regulations such as setbacks are subject to field verification of easements

The Commission suggested adding language to clarify that setbacks are subject to field verification of utility easements. The Commission stated that the added language would help an applicant or homeowner understand that they may not build on easements, even if the setback is 1.5 feet for detached 1-story garages. Staff clarified that during building permit review for new or enlarged structures, Planning staff evaluates a plot plan or a survey to verify structures are not built in easements.

City staff incorporated the Commission’s feedback into a revised document and reviewed during their meeting on June 9, 2020. The Commission did not have any concerns with the revised regulations and unanimously recommended approval to the Mayor and City Council. The Commission’s feedback is reflected in Ordinance No. 2201.

3 POINTS FOR CONSIDERATION

- The proposed Development Code changes are consistent with feedback received and recommendations of Phase I of The Hill Community Engagement project.
- The Hill Neighborhood Steering Committee, a City Council-appointed committee, reviewed and agreed with the proposed changes.
- Additional changes to the Development Code are warranted to accommodate the proposed Development Code Structure of the new Part 7.
- The proposed Development Code changes to the HR-1 zoning district would apply to properties proposed to be rezoned into HR-1 that will be reviewed during the same meeting.

4 PUBLIC HEARING LEGAL NOTICE AND PROPERTY OWNER LETTERS

4.1 PUBLIC HEARING LEGAL NOTICE



NOTICE OF PUBLIC HEARINGS

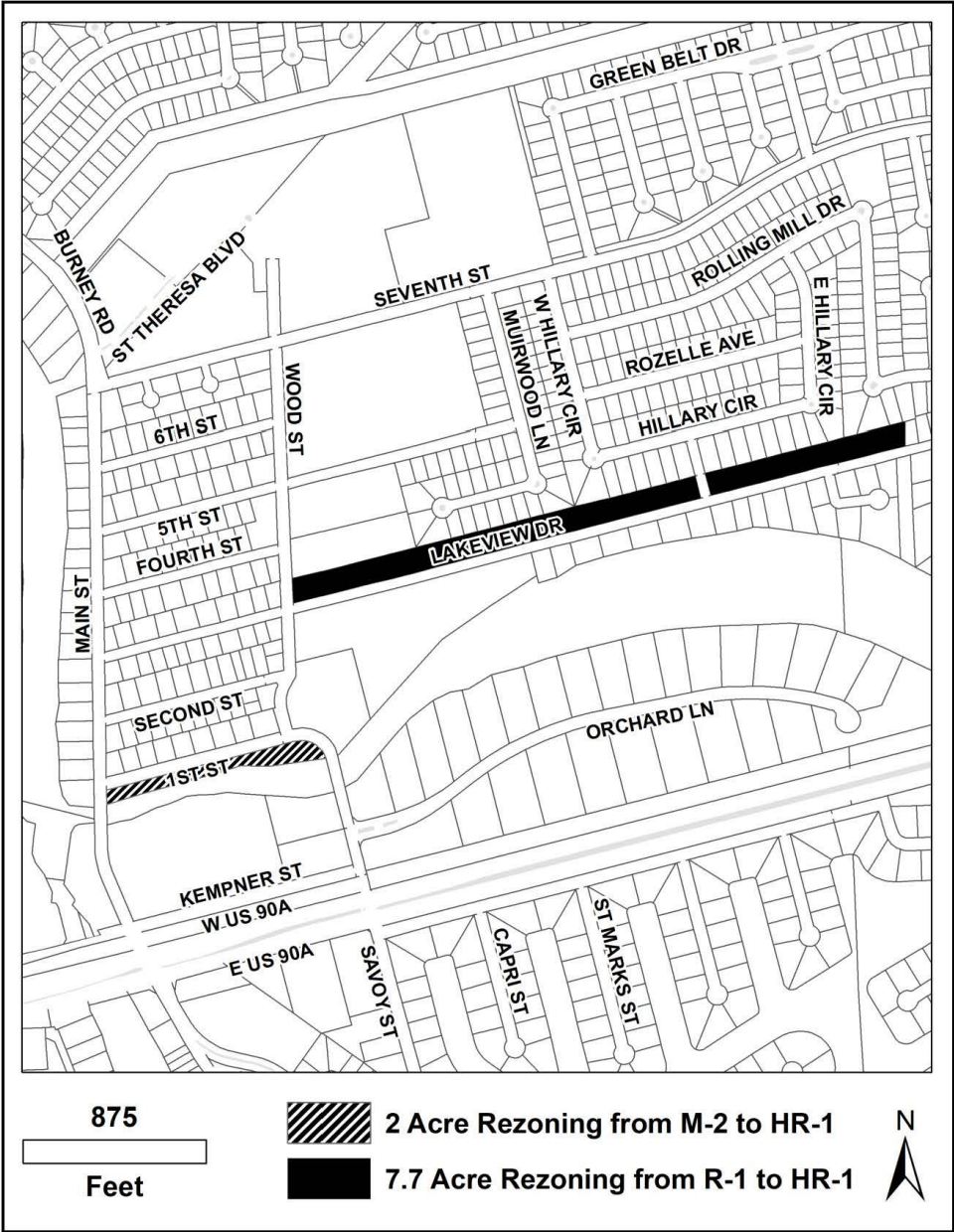
REZONING FROM STANDARD SINGLE FAMILY RESIDENTIAL (R-1) OR GENERAL INDUSTRIAL (M-2) TO THE HILL AREA RESIDENTIAL (HR-1) FOR APPROXIMATELY 9.7 ACRES AND DEVELOPMENT CODE AMENDMENTS TO CHAPTER 2, ZONING REGULATIONS

City Council Public Hearings: 5:30 p.m., July 07, 2020, City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North, hosted via live stream at <http://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/sugarlandtxgov/live> and Sugar Land Comcast subscribers can also tune-in on Channel 16 to hear all persons interested in the City-initiated Rezoning from Standard Single Family Residential (R-1) or General Industrial (M-2) to The Hill Area Residential (HR-1) for approximately 9.7 acres located (1) on the north side of Lakeview Drive, between Wood Street and drainage parcel R157753 (38 single-family lots addressed 203 Lakeview Dr. through 715 Lakeview Dr.); and (2) on the south side of First Street between Main Street and Wood Street (Lonnie Green Park). City Council will also hold a public hearing for proposed amendments to Chapter 2 Zoning Regulations of the Development Code.

Learn more about the draft changes by visiting the project webpage at www.sugarlandtx.gov/TheHill, or by contacting the City of Sugar Land Planning Department by email at longrangeplanning@sugarlandtx.gov or phone (281) 275-2218. The agenda items for this meeting will be available on the City website at www.sugarlandtx.gov/ under "Meeting Agendas" City Council no later than Friday, July 3, 2020. Request details or provide feedback on the proposed Rezoning or Development Code amendment online at www.sugarlandtx.gov/PublicHearingComment.

As of the date of this publication (June 17, 2020) the City of Sugar Land will limit meeting attendance to 25% capacity in order to maximize social-distancing and limit the spread of COVID-19. As a result, the City of Sugar Land has elected to conduct this meeting online. Members of the public wishing to view the meeting live may do so at the links referenced above. Members of the public desiring to make comments during the public hearing may submit their written comments to the Office of City Secretary (citysec@sugarlandtx.gov). Comments should reference the hearing in the subject line, must be received by 3:00 p.m., Tuesday, July 7, 2020, then will be read into the record during the public hearing. Members of the public desiring to make their comments during the published date and time of the public hearing may attend the meeting (subject to the 25% capacity attendance maximum; or may e-mail (citysec@sugarlandtx.gov) or call ((281) 275-2730) the Office of the City Secretary by 3:00 p.m., Tuesday, July 7, 2020 to register and receive instructions for participation remotely during the hearing.

Should the Centers of Disease Control, and/or the prevailing appropriate authority, lift the restrictions related to social distancing and the avoidance of large and small gatherings in public spaces prior to 72 hours of the date of the public hearings, the City of Sugar Land will provide notice to the public on the City Council meeting agenda at www.sugarlandtx.gov under "Meeting Agendas."



4.2 LETTER TO THE HILL PROPERTY OWNERS TO BE REZONED



CITY OF SUGAR LAND

PLANNING DEPARTMENT

June 10, 2020

Re: CITY COUNCIL PUBLIC HEARINGS ON JULY 7, 2020

REZONING FROM STANDARD SINGLE FAMILY RESIDENTIAL (R-1) OR GENERAL INDUSTRIAL (M-2) TO THE HILL AREA RESIDENTIAL (HR-1) FOR 9.7 ACRES AND DEVELOPMENT CODE AMENDMENTS TO CHAPTER 2, ZONING REGULATIONS

Dear Hill Property Owner,

You are receiving this letter and legal notice because your property is proposed to be rezoned from Standard Single-Family Residential (R-1) to The Hill Area Residential Zoning District (HR-1). City staff will present the proposed rezoning and changes to the Development Code to City Council on July 7, 2020. During the meeting, City Council will hold two public hearings where you and the community will have an opportunity to address the Council on these items. The proposed changes can be viewed at www.sugarlandtx.gov/TheHill. The rezoning and proposed changes to the Development Code will not require existing structures be modified to meet the proposed regulations.

The proposed changes are a result of a robust public engagement process that began in 2018 with The Hill community to maintain the character of the neighborhood. To learn more about the public engagement process visit www.sugarlandtx.gov/TheHill.

This letter is accompanied with the notice for the City Council Public Hearings scheduled for July 7, 2020. The notice provides instructions on how to provide your comments to City Council during the public hearings. Under State Law and the City of Sugar Land Development Code, all property owners within 200 feet of a property undergoing a zoning change must be notified of a public hearing. Request details or provide feedback on the proposed rezoning or Development Code changes online at the following link at www.sugarlandtx.gov/PublicHearingComment.

If you have any questions, please contact me at abmartinez@sugarlandtx.gov or at 281-275-2248. For more information, visit the project webpage at www.sugarlandtx.gov/TheHill.

Sincerely,

Abigail Martinez
Senior Planner – Long Range
City of Sugar Land Planning Department

CC: Lisa Kocich-Meyer, AICP, Director of Planning
Ruth Lohmer, AICP, City Planner – Long Range

Attachment – Legal Notice and Map

2700 TOWN CENTER BLVD. NORTH SUGAR LAND, TX 77479 PH: (281) 275-2218 FX: (281) 275-2771

4.3 LETTER TO ADJACENT THE HILL PROPERTY OWNERS WITHIN 200 FEET OF REZONING



CITY OF SUGAR LAND

PLANNING DEPARTMENT

June 10, 2020

Re: CITY COUNCIL PUBLIC HEARINGS ON JULY 7, 2020

REZONING FROM STANDARD SINGLE FAMILY RESIDENTIAL (R-1) OR GENERAL INDUSTRIAL (M-2) TO THE HILL AREA RESIDENTIAL (HR-1) FOR 9.7 ACRES AND DEVELOPMENT CODE AMENDMENTS TO CHAPTER 2, ZONING REGULATIONS

Dear Hill Property Owner,

You are receiving this letter and legal notice because your property is within 200 feet of an area that is proposed to be rezoned from Standard Single-Family Residential (R-1) or General Industrial (M-2) to The Hill Area Residential (HR-1) Zoning District. The proposed rezoning does not include your property and only applies to the properties shown in the attached map. City staff will present the proposed rezoning and changes to the Development Code, including changes to the HR-1 zoning district regulations, to City Council on July 7, 2020. During the meeting, City Council will hold two public hearings where the community will have an opportunity to address the Council on these items.

The proposed changes are a result of a robust public engagement process that began in 2018 with The Hill community to maintain the character of the neighborhood. To learn more about the public engagement process visit www.sugarlandtx.gov/TheHill.

This letter is accompanied with the notice for the City Council Public Hearings scheduled for July 7, 2020. The notice provides instructions on how to provide your comments to City Council during the public hearings. Under State Law and the City of Sugar Land Development Code, all property owners within 200 feet of a property undergoing a zoning change must be notified of a public hearing. Request details or provide feedback on the proposed rezoning or Development Code changes online at the following link at www.sugarlandtx.gov/PublicHearingComment.

If you have any questions, please contact me at abmartinez@sugarlandtx.gov or at 281-275-2248. For more information, visit the project webpage at www.sugarlandtx.gov/TheHill.

Sincerely,

A handwritten signature in blue ink that reads "Abigail Martinez".

Abigail Martinez
Senior Planner – Long Range
City of Sugar Land Planning Department

CC: Lisa Kocich-Meyer, AICP, Director of Planning
Ruth Lohmer, AICP, City Planner – Long Range

Attachment – Legal Notice and Map

2700 TOWN CENTER BLVD. NORTH SUGAR LAND, TX 77479 PH: (281) 275-2218 FX: (281) 275-2771

4.4 LETTER TO THE HILL NEIGHBORHOOD PROPERTY OWNERS NOT WITHIN 200 FEET OF REZONING



CITY OF SUGAR LAND

PLANNING DEPARTMENT

June 10, 2020

Re: CITY COUNCIL PUBLIC HEARINGS ON JULY 7, 2020
REZONING FROM STANDARD SINGLE FAMILY RESIDENTIAL (R-1) OR
GENERAL INDUSTRIAL (M-2) TO THE HILL AREA RESIDENTIAL (HR-1) FOR 9.7
ACRES AND DEVELOPMENT CODE AMENDMENTS TO CHAPTER 2, ZONING
REGULATIONS

Dear Hill Property Owner,

You are receiving this letter as a courtesy notification of two public hearings regarding a proposed rezoning (see attached map) and changes to the Development Code that include changes to The Hill Area Residential (HR-1) zoning district regulations. City staff will present the proposed changes to City Council on July 7, 2020. During the meeting, City Council will hold two public hearings where the community will have an opportunity to address the Council on these items.

The proposed changes are a result of a robust public engagement process that began in 2018 with The Hill community to maintain the character of the neighborhood. To learn more about the public engagement process visit www.sugarlandtx.gov/TheHill.

This letter is accompanied with the notice for the City Council Public Hearing scheduled for July 7, 2020. The notice provides instructions on how to provide your comments to City Council during the public hearing. Request details or provide feedback on the proposed rezoning or Development Code changes online at the following link at www.sugarlandtx.gov/PublicHearingComment.

If you have any questions, please contact me at abmartinez@sugarlandtx.gov or at 281-275-2248. For more information, visit the project webpage at www.sugarlandtx.gov/TheHill.

Sincerely,

A handwritten signature in blue ink that reads "Abigail Martinez".

Abigail Martinez
Senior Planner – Long Range
City of Sugar Land Planning Department

CC: Lisa Kocich-Meyer, AICP, Director of Planning
Ruth Lohmer, AICP, City Planner – Long Range

Attachment – Legal Notice and Map