

# STAFF REPORT

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## Background

In 2018, based on The Hill resident feedback, the City initiated a project to engage The Hill residents and property owners in evaluating whether there is a desire to maintain the character of The Hill neighborhood. The Land Use Plan listed this project as an action item and was further spurred by council members after residents voiced concerns with the changing character. The project was divided into phases– Phase I Public Engagement and Phase II Implementation– to determine if the concern was widespread in The Hill neighborhood.

During Phase I of The Hill Community Engagement project, extensive public feedback through multiple in-person meetings and a survey indicated the importance of maintaining The Hill’s character. As a result, The Hill Neighborhood Steering Committee, a City Council-appointed citizen committee, drafted a vision and set of initial recommendations for implementation in Phase II. A project timeline and summary of each public engagement opportunity can be found on the project webpage at <https://www.sugarlandtx.gov/1728/Project-History>.

In July 2020, City Council adopted initial regulations for the HR-1 district, implementing initial Phase I recommendations. Since then, staff has been working on implementing the remaining Phase I recommendations related to the design and character of The Hill listed below:

1. Define architecture style and features of The Hill and build new construction/remodels in character
2. Explore methods to ensure/preserve scale such as lot coverage, side yard setbacks, etc.
3. Explore maintaining existing height restrictions (27 ft.) but consider design solutions to ensure scale is still in character with other homes
4. Explore how the following character features can be incorporated into the HR-1 zoning district regulations:
  - a. Entry features such as porches or stoops
  - b. Pier-and-beam or block-and-beam foundations or imitating the look of pier and beam when building on concrete slab foundations
  - c. Walkway from the main entrance of the home to the sidewalk or right of way
  - d. Protect mature trees
  - e. Include exterior building finishes similar to existing homes
  - f. Roof pitch and style in character with existing homes

## Phase II

The project is currently in Phase II and nearing completion with the final draft regulations that implement the remaining Phase I recommendations listed in the previous section.

In early 2020, staff hired McDoux Preservation to assist staff with drafting design standards to preserve the character of The Hill. City staff and McDoux Preservation obtained property owner approval to measure a sample of 50 homes in The Hill neighborhood. Building measurements included front building width, finished floor height, and building height. McDoux found that original houses in The Hill are one-story, modest structures with minimal ornamentation; the architectural styles of these homes are primarily based on building form, rather than architectural details. Therefore, McDoux did not recommend that new homes be required to have any specific architectural style in order to “fit in” to the neighborhood. Instead, managing the size of new houses, placement of the house on the lot, and preserving trees is the best way to retain the neighborhood’s character.

One of the major character defining features of The Hill are its one-story houses. About 87% of houses in The Hill are one-story in height. Most new construction has been two-story, with a few one-and-a-half-story houses. Phase I public input directed staff to maintain the character of The Hill, however, staff was unsure whether residents and property owner were willing to truly maintain the character by limiting future houses and additions to existing houses to one-story. Therefore, after a detailed data analysis, staff presented a list of design standards options to The Hill Neighborhood Steering Committee. The Committee reviewed, provided their feedback, and recommended presenting the different options to the community for their input. The Hill Community’s input on the height would determine the additional regulations needed to help manage building size.

Staff and the Committee presented the design standards options to The Hill Community in a virtual public meeting November 18, 2020 and requested input in a survey from October 30, 2020 to December 10, 2020. Staff mailed the survey to every property owner in advance of the virtual public meeting to allow residents to review the design standards options. An online survey was also available. The survey covered several topics and different ways to accomplish those topics, including options for managing:

- Building width as a percentage of lot width
- Building height/size
- The size and placement of additions and garages
- Roof pitch
- Mature trees
- Front entry features
- Building materials

Staff received 76 verified responses to the survey and reviewed the results with the Committee and provided recommendations according to the feedback received. The detailed survey results, including additional context on each of the regulations, can be found at <https://www.sugarlandtx.gov/2064/33291/Draft-Design-Standards>. A summary of the Committee’s recommendations and public feedback can be found in the attachment “Survey Recommendations Matrix.”

Ultimately, The Hill Community provided feedback to continue allowing two-story houses, but reduce the overall size of new homes. The direction for height resulted in staff modifying a few of the regulations originally presented to the community, such as eliminating a maximum roof pitch and instead redefining the height measurement in The Hill.

## Article II Part 7 – The Hill Area Residential (HR-1)

The recommended changes to the HR-1 regulation are a result of the direct community feedback provided in the survey. The following sections provide additional context on each of the regulations and are listed in order of appearance in the redlined “Draft Regulations Redlined”.

### Sec. 2-155 | Definitions

Three new definitions were added to this section to help clarify the newly added regulations.

### Sec. 2-156 | Site Development Permit

The Site Development Permit process was included as a tool to provide flexibility in certain regulations if the project is in character with the neighborhood. Staff did not survey The Hill community on this specific process, but it is a tool to address the concern from some of the survey comments. This process is currently utilized in the Mixed Use Conservation District (MUC) that is assigned to the homes on the west side of Brooks Street.

The Planning and Zoning would be tasked with reviewing a Site Development Permit and determining if a project is in character with The Hill neighborhood under certain criteria. The permit may only qualify for the listed regulations. For example, a property owner may have a house that doesn’t meet the Building Width Maximum by 2 feet; they could apply for a Site Development Permit where the Planning and Zoning Commission would determine if the house is in character and grant the additional 2 feet of building width.

### Sec. 2-158 | District Regulations

#### Maximum Height

The maximum height for this district will remain at 27 feet; however, the way height is measured in HR-1 is changing. The Development Code currently defines height to be measured as the average height between the eave and the ridge of the roof, which means the height to the highest point of the roof can actually be more than 27 feet. In addition, an allowance in the Code provides for an additional 15 feet to roof gables. This has resulted in houses that are 2-stories with a full size attic and have been a concern for The Hill community.

The height measurement would change to be measured from finished grade to the highest point of the structure at 27 feet. The additional 15-foot allowance will also be removed. This will address concerns of new houses being too tall and resolve confusion from property owners on how height is determined. Figure 2-158.B. was also revised to visually show how height is measured.

## Maximum FAR

The HR-1 zoning district currently regulates floor-to-area ratio (FAR) and is calculated by dividing the sum of the total square feet of the climate controlled areas of a Dwelling plus the total square feet of all Accessory Buildings located on the same lot as the Dwelling by the lot's total square feet. In simple terms, it is a tool to regulate building square footage based on lot size. Large lot sizes in The Hill and an existing FAR of 0.71 allow very large houses to be built, even with the existing 40% lot coverage. By reducing the FAR to 0.45, new houses and additions in The Hill will be smaller in size and in scale with the surrounding houses, while still allowing two-story houses as desired by The Hill community.

## Maximum Building Width

The sizes of lots in The Hill vary widely in overall size, width and depth. Through data analysis, McDoux found that new houses in The Hill are not much wider than the original (not including Ranch style) houses—in other words, the width of new houses is not out of character with existing homes in the neighborhood. However, most new houses have been built on relatively narrow lots, so they take up more of the lot.

The neighborhood indicated that property owners are concerned about the size of new construction. Due to the varying lot sizes, a simple change in setback requirements would not fully address the concern. To address these concerns and ensure that The Hill maintains its spacious, open feeling while maintaining flexibility for property owners, the City proposed a building-to-lot-width ratio (BTLW) that would limit the width of new construction based on the width of the lot. The Hill community responded favorably to this option in the survey.

Maximum Building Width would be regulated only in the front portion of lot (close to the street). Lots greater than 60 feet wide would have a maximum building width based on lot width at a 0.46 ratio. For lots less than 60 feet wide, a maximum 30-foot wide house would be allowed. Figure 2-158. E. Building Width Measurement Zone Diagram provides a description on where to measure building width and is included after the table. Building width would be measured at the widest point in the BTLW Measurement Zone (between the front façade of the house and the point 25 feet behind the front façade). This would apply to either a new house or a future addition to an existing house.

The building-to-lot-width (BTLW) ratio would be multiplied by the lot width to get the allowable width of the house. For example, using a 0.46 BTLW ratio and a lot is 100 feet wide, the house could be 46 feet wide. The equation is:

$$BTLW \times \text{lot width} = \text{building width}$$

This design standard would help maintain the open feeling of the neighborhood by limiting building width in the front of the lot and distributing the building footprint to the rear, either as new construction or with an addition, behind the BTLW Measurement Zone.

### Minimum Roof Pitch

One of the character features of craftsman style homes that are found in The Hill are its moderate pitched roofs – not flat and not too steep. Staff presented to The Hill Community an option to implement a minimum and maximum roof pitch range, which gathered support. This would prevent modern homes with flat roofs, which are not in character with The Hill. However, there was also community support to continue allowing 2-story homes. Depending on the design of the home, a steeper roof pitch may be appropriate in order to design a 1.5-story or 2-story home at a smaller scale. In addition, survey comments suggested to address maximum height rather than maximum roof pitch. As a result, staff recommended the Committee modify the design standard to only implement a minimum roof pitch.

### Private Garages and Carports

In July 2020, the City adopted a design standard that requires both attached and detached garages to be 15 feet back from the front façade of the house. After further analysis, City staff determined that 15 feet is not sufficient to visually separate the garage from the front façade of the house. After favorable community input, the 15-foot garage setback (for both attached and detached garages) will be increased to 25 feet from the front façade.

Upon drafting the regulations, staff realized the existing regulations do not address carports for height and setbacks. Staff recommended to the Committee to have carports follow garage requirements to ensure carports are built in character with the neighborhood and the Committee agreed. This change was included in the matrix and communicated to The Hill community.

### Entry Features

Most houses in The Hill have front porches and walkways from the front porch to the sidewalk. Some houses have a stoop (a small covered landing in front of the door) instead of a porch. Staff presented the option of requiring both front porches with a minimum depth of 6 feet and walkways to The Hill Community who responded with support. After reading survey comments and direction from the Committee, stoops were also added as an option in the regulations.

New construction will be required to incorporate an entry feature - either a porch or stoop - and a front walkway from the home entrance to the street or curb. The minimum usable depth for a front porch to accommodate a chair and allow enough space to comfortably walk in front of that chair is 6 feet. A design standard that requires porches to be at least 6 feet deep would prevent builders from constructing ornamental front porches that are not usable. The minimum width of the walkway is 4 feet. A second walkway from the door to the driveway may also be included but is optional.

Upon discussion with the Committee, there was concern for original houses which may not meet the 6-foot porch depth requirement and could prohibit property owners from making improvements to their home. Language was added to this section to allow existing porches to be repaired and replaced in the original footprint. However, if the repair includes other parts of the home, then the porch needs to follow the regulations.

## Sec. 2-160 | Tree Regulations

Since Phase I, The Hill community has expressed the importance of preserving trees. Staff presented several options on preserving mature trees and enhanced tree replacement and replanting standards. The Hill community supported requiring the preservation of at least 1 mature tree during construction of new houses or additions as well as requiring documentation with a demolition permit. They did not support requiring a tree removal permit anytime a tree is removed.

Staff analyzed the existing regulations found in Article XV Landscaping and Screening Regulations and relocated all HR-1 residential tree regulations, including tree preservation, to Part 7 HR-1, while regulations for nonresidential uses will remain in Article XV. In the attached document – “Draft Regulations Combined Redlined” pages 10 and 11 – new regulations in Section 2-160 are marked as tracked. Regulations that are not tracked currently apply in Article XV and were only moved to this section. Administrative changes were made to Chapter 2 Article XV Landscaping and Screening Regulations to reflect the tree regulations added to the HR-1 district.

Under subsection *C. Tree Specifications*, the size of new trees was increased to 4-inch caliper. Under subsection *D. Tree Planting and Preservation*, regulations will continue to require one tree for every 50 feet of lot width. For example, if a lot is 100 feet wide, two trees 4-inch caliper in size must be planted. Property owners will be required to preserve one Protected Tree in the front half of their property when demolishing a structure, building new construction, or adding on. If the property owner is preserving an existing tree and needs to meet the tree planting standard of one tree per every 50 feet of lot width, the preserved tree would count towards this requirement. In cases where the owner is not able to preserve the 1 tree and the tree is dying, diseased, or hazardous, the Director may approve the removal of the Protected Tree. The property owner will be required to plant two replacement Shade Trees.

Survey feedback supported preserving more than one tree so an incentive was included for preserving more than one Protected Tree. If more than one Protected Tree is preserved in the front half of the lot, property owners may qualify for additional building width. If the lot is greater than 60 feet wide, then the BTLW ratio would increase to 0.50. Lots less than 60 feet wide would have a maximum building width of 35 feet.

In application, a property owner will only be triggered for city review when applying for a residential building permit (new construction or addition) or demolition permit. When applying for any of these permits, a landscaping plan would be required for review. The landscaping plan would identify the location of existing Protected Trees, those that will be removed and which Protected Tree will be preserved to meet the requirement. Planning staff would ensure that the landscaping plan meets the regulations.

## Article X – Building Finishes

### Sec. 2-311 – Sec. 2-313 | Application, Administration & Definitions

Sections 2-311 and 2-312 were modified as administrative changes meant to provide clarity to the application and administration of the Article. In Section 2-313, additional definitions were included to reflect revisions to the Article.

### Sec. 2-315 | Finish Requirement for Residential Buildings in HR-1

Table 2-314.1 lists the allowed exterior building finishes for The Hill. Following survey feedback, a maximum of two materials can be utilized, regardless of whether the materials are primary or secondary finishes. The secondary finishes allow different materials, that are not part of the original character of The Hill, in limited quantities. This was included as a response to survey comments that indicated a desire for additional materials such as vertical board and batten siding. Staff recommended the Committee modify the regulation from what was presented in the survey to allow additional finishes in a limited quantity (15% per façade). A similar regulation is currently applied in the Mixed Use Conservation district assigned to the company town buildings on the east side of Brooks Street. The percentage would be measured by each façade, excluding doors and windows, as described in the Administration Sec. 2-312. Exterior finishes are not required for small accessory structures, such as sheds, that are less than 200 square feet.

### Other Changes

Community input guided the Committee's recommendation to prohibit fences past the front façade of houses. The change is reflected in Chapter 2 Article IV Section 2-191 Fences. The community's direction on limiting overall height of buildings in The Hill is reflected in Chapter 2 Article III Section 2-171 by excluding roof gables as an ornamental feature for the HR-1 district.

### Comprehensive Plan

The 2018 Land Use Plan, Chapter 6 of the Comprehensive Plan, provides policy guidance to preserve the character of Company Town neighborhoods (Goal 10, Policy d). The Future Land Use Map also identifies The Hill neighborhood as Company Town – Neighborhood, which is intended for the original residential areas of the city, owned and developed by the Imperial Sugar Company for its workers. The regulations presented seek to preserve the character of The Hill, as recommended by the Land Use Plan.

### Public Input

The Hill Community was invited to provide input regarding the proposed Development Code changes through the City's Online Town Hall and to speak during the May 27<sup>th</sup> Planning & Zoning Commission public hearing. The Online Town Hall launched April 16 and closed May 9, 2021. Staff received ten comments in the Online Town Hall survey and one Next Door comment regarding driveways over the

three weeks it was open. A report of the comments received and staff's responses – "Online Town Hall Results" – is attached.

Out of the ten comments received, two comments resulted in changes to the regulations. Staff clarified that one carport and one garage is permitted (Article II Part 7 HR-1 Sec. 2-158, page 5) and excluded the HR-1 district from being prohibited to paint brick (Article X Building Finishes Sec. 2-316, page 5). The remaining comments did not result in changes to the regulations. One comment provided support to prohibit fences in front of the building. Two comments listed changes that would be inconsistent with the previous public input received regarding building height and garage placement requirements. Two other comments addressed the walkway requirement that leads to the street and the width requirement of stoop. Staff does not recommend changing the regulations since they are minimum requirements and the homeowner may choose to add an additional walkway to the driveway or increase the width of a stoop. Two other comments referred to Article II Part 7 HR-1 Section 2-160 Tree Regulations (pages 10 and 11) and lack of clarity in tree planting and preservation requirements for certain scenarios. Staff is currently preparing a guide that will help interpret the Code language for tree planting for new construction, demolitions, and additions. Within the same comment, they also addressed the planting list in Section 2-390 and how it resembles an HOA. Planting according to this list is only required for new Shade Trees. Any additional trees outside of meeting the requirements may be planted even if not included in Section 2-390. The remaining comment referred to requiring coming into compliance with building finishes if replacing more than 50% of the façade. This would mean if the homeowner doubled the square feet of the façade, then they would need to update the whole façade.

## Planning and Zoning Commission Review of Proposed Changes

The Planning and Zoning Commission held a public hearing on May 27, 2021 regarding the proposed regulations where two Hill property owner submitted comments in support of the changes. The Hill Steering Committee Chair and Principal Consultant of McDoux Preservation, LLC were in attendance. Overall, the Commission generally concurred with the proposed regulations and asked several clarifying questions that staff addressed during the meeting. The Commission also suggested minor changes to help clarify the regulations that resulted in additional changes listed below:

- Clarified language in Part 7 HR-1 Sec. 2-156 Subsection A that only the regulations listed in Subsection B qualify for a Site Development Permit;
- Rearranged language in Section 2-158 Subsection C.1. to clarify what entry features are required;
- Simplified language in Section 2-158 Subsection C.2 regarding replacing or repairing of existing front porches; and
- Corrected capitalization for terms defined in the Code.

City staff incorporated the Commission's feedback into a revised document and reviewed it during their meeting on June 8, 2021. Staff invited the Commission to submit questions regarding the regulations, which staff addressed during the meeting. 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 the attached draft Ordinance No. 2237.



## Initial Points for Consideration

- The proposed Development Code changes are consistent with feedback received from the community and recommendations of Phase I of The Hill Community Engagement project.
- The Hill Neighborhood Steering Committee, a City Council-appointed committee, reviewed and endorsed the proposed changes.
- The regulations presented seek to preserve the character of The Hill, as recommended by the Land Use Plan and further confirmed by the community.
- The Planning and Zoning Commission unanimously recommended approval to the Mayor and Members of City Council for the revisions to the Hill Area Residential (HR-1) zoning district.