



# PLANNING AND ZONING COMMISSION

## AGENDA

Sugar Land City Hall  
2700 Town Center Boulevard North  
Sugar Land, Texas 77479

**THURSDAY, MARCH 27, 2025**

### PLANNING AND ZONING COMMISSION

#### COUNCIL CHAMBER

**6:30 PM**

#### **I. ATTENTION**

**A.** *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through videoconferencing means. A quorum of the City Council, Board and/or Commission will be physically present at the above-stated location, and said location is open to the public. Audio/Video of open deliberations will be available for the public to hear/view, and are recorded as per the Texas Open Meetings Act.*

*The meeting will live stream at <https://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/user/SugarLandTXgov/live>. Sugar Land Comcast Cable Subscribers can also tune-in on Channel 16.*

#### **II. PUBLIC COMMENT**

Pursuant to Texas Government Code section 551.007, citizens are permitted to address the City Council, Board and/or Commission in person with regard to matters posted for consideration on the agenda. Each speaker must complete a "Request to Speak" form and give it to the City Secretary or designee, prior to the beginning of the meeting.

Each speaker is limited to three (3) minutes, speakers requiring a translator will have six (6) minutes, regardless of the number of agenda items to be addressed. Comments or discussion by City Council, Board, and/or Commission members, will only be made at the time the subject is scheduled for consideration.

*For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.*

#### **III. MINUTES**

**A.** Consideration of and action on the minutes of the March 11, 2025 meeting.  
*Linda Mendenhall, City Clerk*

#### **IV. PUBLIC HEARING**

**A. PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on the proposed PD – General Development Plan (GDP) for Imperial Highway 6 – Tract H, approximately 30 acres of land located west of State Highway 6 between Imperial Boulevard and Crown Garden Boulevard in the Alexander Hodge League, Abstract Number 32.

Consideration of and action on a recommendation for the proposed amendment to the Imperial General Land Plan and PD – General Development Plan (GDP) for Imperial

Highway 6 – Tract H, approximately 30 acres of land located west of State Highway 6 between Imperial Boulevard and Crown Garden Boulevard in the Alexander Hodge League, Abstract Number 32, to the Members of City Council.

*Ruth Lohmer, Redevelopment Planning Manager*

- B. PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on the proposed amendments to Chapters 2, 5, and 10 of the Sugar Land Development Code.

Consideration of and action on a recommendation for the proposed amendments to Chapters 2, 5, and 10 of the Sugar Land Development Code, to the Members of City Council.

*Jessica Echols, Senior Planner*

**V. REPORTS**

- A.** Planning and Zoning Commission Liaison Report
- City Council Meeting March 18, 2025
- B.** City Staff Report
- Calendar of Scheduled Meeting and Events

**THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

**IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE CITY SECRETARY, (281) 275-2730. REQUESTS FOR SPECIAL SERVICES MUST BE RECEIVED FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING TIME. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.**

**THE AGENDA AND SUPPORTING DOCUMENTATION IS LOCATED ON THE CITY WEB SITE ([WWW.SUGARLANDTX.GOV](http://WWW.SUGARLANDTX.GOV)) UNDER MEETING AGENDAS.**

**Posted on this 20th day of March, 2025 at 11:23 A.M.**



**Planning and Zoning Commission Agenda Request**  
**MARCH 27, 2025**

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**AGENDA REQUEST NO:** III.A.

**AGENDA OF:** Planning and Zoning Commission Meeting

**INITIATED BY:** *Justin Perez, Agenda Coordinator*

**PRESENTED BY:** *Linda Mendenhall, City Clerk*

**RESPONSIBLE DEPARTMENT:** City Secretary

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**AGENDA CAPTION:**

Consideration of and action on the minutes of the March 11, 2025 meeting.

**RECOMMENDED ACTION:**

Consider the minutes of the March 11, 2025 meeting.

**EXECUTIVE SUMMARY:**

Consider the minutes of the March 11, 2025 meeting.

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**BUDGET**

**EXPENDITURE REQUIRED:** N/A

**CURRENT BUDGET:** N/A

**ADDITIONAL FUNDING:** N/A

**FUNDING SOURCE:**N/A

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## ATTACHMENTS:

Description	Type
031125pz_minutes	Other Supporting Documents





# PLANNING AND ZONING COMMISSION

## MINUTES

Sugar Land City Hall  
2700 Town Center Boulevard North  
Sugar Land, Texas 77479

TUESDAY, MARCH 11, 2025

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER

6:30 PM

### QUORUM PRESENT

All members of the Commission were present.

### I. ATTENTION

A. *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through videoconferencing means. A quorum of the City Council, Board and/or Commission will be physically present at the above-stated location, and said location is open to the public. Audio/Video of open deliberations will be available for the public to hear/view, and are recorded as per the Texas Open Meetings Act.*

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### II. PUBLIC COMMENT

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Each speaker is limited to three (3) minutes, speakers requiring a translator will have six (6) minutes, regardless of the number of agenda items to be addressed. Comments or discussion by City Council, Board, and/or Commission members, will only be made at the time the subject is scheduled for consideration.

*For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.*

No members of the public addressed the Commission.

### III. MINUTES

A. Consideration of and action on the minutes of the February 27, 2025 meeting.

*Linda Mendenhall, City Clerk*

A motion to **Approve**, Item III-A, Approval of the minutes of the February 27, 2025 meeting., was made by Taylor Landin and seconded by Chuck Brown, the motion **Passed**.

Ayes: Brown, Caligur, Dawood, Halbrook, Landin, Parikh, Patel, Smith

#### **IV. PUBLIC HEARING**

- A. PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on the proposed rezoning of 8.041 acres from Interim Standard Single-Family Residential District (R-1-I) to Lexington Commons Planned Development Final Development Plan located between U.S. Highway 59 and Lexington Boulevard alongside Ditch "H", further described as 8.041 acres of land located in the Alexander Hodge League, Abstract 32, and being a portion of Tract 5, Part 5 as described in Slide No. 1655B and 1656A F.B.C.P.R.

Consideration of and action on a recommendation for the proposed rezoning of 8.041 acres from Interim Standard Single-Family Residential District (R-1-I) to Lexington Commons Planned Development Final Development Plan located between U.S. Highway 59 and Lexington Boulevard alongside Ditch "H", further described as 8.041 acres of land located in the Alexander Hodge League, Abstract 32, and being a portion of Tract 5, Part 5 as described in Slide No. 1655B and 1656A F.B.C.P.R.

*Jessica Echols, Senior Planner*

Jessica Echols, Senior Planner and Don Janssen, PCD, gave a presentation, made comments and answered questions from the Commission.

Chairman Caligur opened the public hearing at 6:48 p.m. Kolbe Curtice and Mark Levenson addressed the Commission during the public hearing. The public hearing was closed by Chairman Caligur at 6:53 p.m.

A motion to **Approve**, Item IV-A, Approval of a Recommendation of Approval of the Lexington Commons Final Development Plan to the Members of City Council., was made by Matthew Caligur and seconded by Chuck Brown, the motion **Passed**.

Ayes: Brown, Caligur, Dawood, Halbrook, Landin, Parikh, Patel, Smith

#### **V. SUBDIVISION PLAT**

- A.** Consideration of and action on Ryehill Section One Preliminary Plat.

*Jessica Echols, Senior Planner*

Jessica Echols, Senior Planner, gave a presentation, made comments and answered

questions from the Commission.

A motion to **Approve**, Item V-A, Approval of the Ryehill Section One Preliminary Plat., was made by Matthew Caligur and seconded by Sapana Patel, the motion **Passed**.

Ayes: Brown, Caligur, Dawood, Halbrook, Landin, Parikh, Patel, Smith

## **VI. WORKSHOP**

- A. Review of and discussion on proposed amendments to the Sugar Land Development Code.

*Jessica Echols, Senior Planner*

Jessica Echols, Senior Planner, gave a presentation, made comments and answered questions from the Commission.

## **VII. REPORTS**

- A. Planning and Zoning Commission Liaison Report
- City Council Meeting March 4, 2025

Commissioner Apurva Parikh attended and reported on the March 4, 2025 City Council meeting.

- B. City Staff Report
- Calendar of Scheduled Meeting and Events

Jessica Rodriguez, Interim Assistant Director of Planning & Development Services, reported on the upcoming scheduled meetings and events.

## **VIII. ADJOURNMENT**

A motion to **Approve**, Adjournment at 8:16 p.m., was made by Taylor Landin and seconded by Mary Smith, the motion **Passed**.

Ayes: Brown, Caligur, Dawood, Halbrook, Landin, Parikh, Patel, Smith

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Linda Mendenhall, City Clerk





**Planning and Zoning Commission Agenda Request**  
**MARCH 27, 2025**

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**AGENDA REQUEST NO: IV.A.**

**AGENDA OF:** Planning and Zoning Commission Meeting

**INITIATED BY:** *Ruth Lohmer, Redevelopment Planning Manager*

**PRESENTED BY:** *Ruth Lohmer, Redevelopment Planning Manager*

**RESPONSIBLE DEPARTMENT:** Community Planning & Redevelopment

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**AGENDA CAPTION:**

**PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on the proposed PD – General Development Plan (GDP) for Imperial Highway 6 – Tract H, approximately 30 acres of land located west of State Highway 6 between Imperial Boulevard and Crown Garden Boulevard in the Alexander Hodge League, Abstract Number 32.

Consideration of and action on a recommendation for the proposed amendment to the Imperial General Land Plan and PD – General Development Plan (GDP) for Imperial Highway 6 – Tract H, approximately 30 acres of land located west of State Highway 6 between Imperial Boulevard and Crown Garden Boulevard in the Alexander Hodge League, Abstract Number 32, to the Members of City Council.

**RECOMMENDED ACTION:**

Hold public hearing and provide recommendation of approval to City Council on amendments to the Imperial Highway 6 District Tract H General Development Plan and General Land Plan amendment, for the addition of compact residential uses.

**EXECUTIVE SUMMARY:**

This Public Hearing is for a proposed Planned Development (PD) District – General Development Plan (GDP) known as Imperial Highway 6 District Tract H and an amendment to the Imperial General Land Plan. The request is for a change of zoning from the overall Imperial GDP (Ord. No. 2284) to Imperial Highway 6 District Tract H GDP, and an

amendment to the Imperial General Land Plan. The purpose for the changes is to allow residential uses within Tract H. The proposal consists of approximately 30 acres located west of Highway 6 between Imperial Blvd and Crown Garden Trail. Staff anticipates the Consideration & Action to follow the Public Hearing and Commission Discussion.

## **Background**

After several years remaining largely vacant, the area has developed with limited non-residential uses – on the adjacent 3.6 acres, a 3-story 48,000 square foot medical office building is under construction. In recent years, staff has received inquiries and held meetings about possible multi-tenant retail and office, restaurants, office condos, banquet halls, etc. on the remaining acreage, yet the property remains undeveloped since the PD - General Development Plan for Imperial was approved by City Council in 2012. Through that time staff has also received multiple inquiries for residential land uses on the property. However, the current GDP does not allow residential in this area.

City Council has provided policy guidance for City staff regarding housing and the development and redevelopment of Imperial. The City's 2018 Land Use Plan includes a goal of Encouraging Residential Options (Goal 3). Additionally, City Council's 2025 Strategic Action Plan and associated All-In Initiatives emphasizes the creation of forward-looking housing options and preparing key sites, such as Imperial, for redevelopment/development through "Fostering Sensitive Redevelopment".

In alignment with this City Council policy guidance, staff is recommending adding compact residential uses to the Imperial Highway 6 District, Tract H. There is no development proposal currently being considered; the addition of residential uses in the General Development Plan provides the opportunity to consider these uses in a future Final Development Plan. The compact residential uses include Single-family Attached (Townhome) Dwellings, Urban Home Dwellings, and Live/Work Dwellings. The proposed GDP also allows for all nonresidential uses permitted in the current GDP Ordinance No. 2284. The new compact residential uses will allow the City to diversify our housing to meet the needs of our community and respond to the current economic market.

## **Commission and Public Engagement**

A proposal to amend the land uses for this tract was previously taken to the Planning and Zoning Commission on January 23, 2025. During the public hearing residents expressed concerns about the proposed GDP, specifically related to the inclusion of the Multiplex use. Residents also expressed interest in better understanding the proposal. After asking staff questions and discussion, the Commission voted 4-4 on the GDP amendment.

After the Commission meeting, staff revised the proposal to address nearby residents' concerns expressed during and after the public hearing. As a result, Multiplex and Duplex uses have been removed and the revised proposal includes only the following three compact residential uses: Townhome, Urban Home, and Live/Work.

On March 6, 2025 staff held a community meeting with residents in the Imperial neighborhood to share the revised proposal. Staff sent the invitation to Imperial residents (who have engaged with the City in the past) and the HOA and asked that the invitation be shared. Fifteen residents were in attendance. Staff presented information about the draft PD General Development Plan and answered questions from those in attendance. Questions included: timeframe of the expected development; type of retail that would be allowed; quality of the homes being built; process for future Final Development Plan(s) – whether there will be one or more; and who is the owner of the land.

**Recommendation**

Staff supports a recommendation of approval to City Council for the Imperial PD Highway 6 District, Tract H General Development Plan and amendment to the Imperial General Land Plan, adding certain residential land uses.

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**BUDGET**

**EXPENDITURE REQUIRED:** N/A

**CURRENT BUDGET:** N/A

**ADDITIONAL FUNDING:** N/A

**FUNDING SOURCE:**N/A

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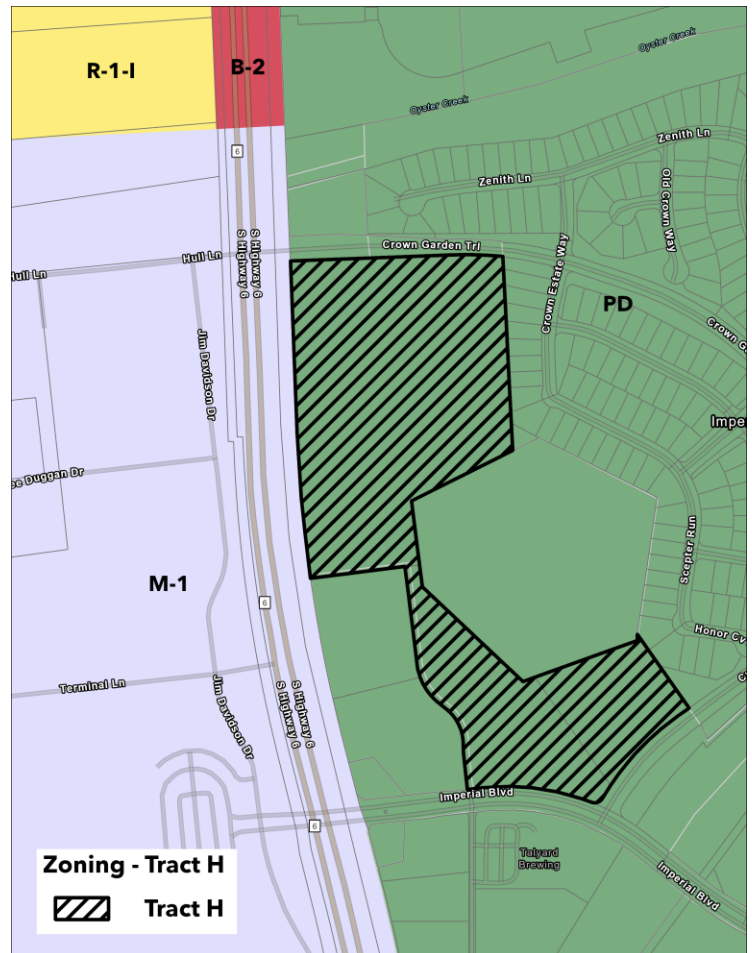
**ATTACHMENTS:**

Description	Type
□ Imperial Hwy 6 District Tract H GDP Staff Report	Other Supporting Documents
□ Imperial Hwy 6 District Tract H GDP	Other Supporting Documents

# STAFF REPORT

## IMPERIAL HIGHWAY 6 DISTRICT TRACT H GDP

This request is for a change of zoning from the overall Imperial GDP (Ord. No. 2284) to Imperial Highway 6 District Tract H GDP, which consists of approximately 30 acres west of Highway 6 between Imperial Blvd and Crown Garden Trail. The purpose for the change is to allow certain residential uses within Tract H. The new GDP will replace the existing GDP just for Tract H; the existing GDP was used as a starting point to create the new GDP. Below is a summary of the changes that were made to the overall Imperial GDP (Ord. 2284) to create the new General Development Plan specifically for Tract H.



### Summary of Changes from Imperial General Development Plan (690 acres) to Imperial Highway 6 District Tract H General Development Plan (30 acres)

- Removed references and exhibits that do not pertain to Imperial Hwy 6 District Tract H, i.e. all regulations and exhibits for Ballpark District, Historic District, Residential District, etc.
- Added Permitted Uses and associated definitions for new uses:
  - Dwelling, Live/Work Unit
  - Dwelling, Single-Family Attached (Townhome)
  - Dwelling, Urban Home
  - *Note – Multiplex and Duplex are not included as Permitted Uses*
- Applied Townhome and Urban Home regulations from other Imperial districts to Highway 6 Tract H

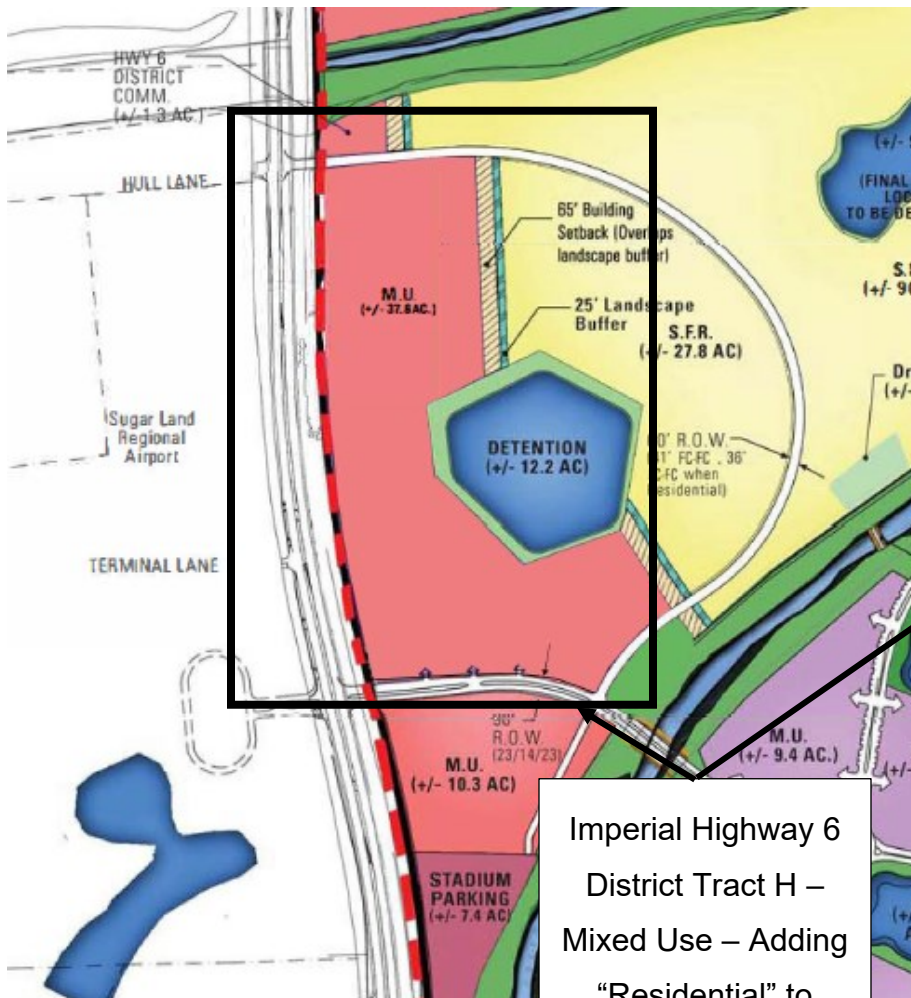


## Imperial Highway 6 District Tract H General Development Plan















- Revised Exhibit B-1, General Land Plan, to add “Residential” to Hwy 6 District Mixed Use
- Revised Exhibit B-2, Permitted Uses, to only include uses permitted in Hwy 6 District Tract H and associated conditions
  - Added Note (12) to indicate which nonresidential uses would be appropriate as part of Live/Work Units. These uses are consistent with those identified in the previous GDP for Live/Work Units in other parts of Imperial.

### Imperial General Land Plan Excerpt

The proposed amendment includes a change to the Imperial General Land Plan, which is attached as Exhibit B-1. The change is to the legend – adding “Residential” to the “Mixed-Use” description for the Highway 6 Tract H area.



Imperial Highway 6  
District Tract H –  
Mixed Use – Adding  
“Residential” to  
Legend

LAND USE LEGEND	
<b>Ball Park: 27.4 Ac.</b>	
	Ball Park Stadium & Parking
<b>Comm: 25.8 Ac.</b>	
	State Highway 6 Commercial
<b>Mixed Use Districts</b>	
<b>Mixed-Use (Res./Retail): 57.7 Ac.</b>	
	Mixed Use Ball Park District
<b>Mixed-Use (Res./Retail): 45.8 Ac.</b>	
	Historic Mixed-Use District
<b>Mixed-Use (Retail/Hotel/Office/Residential): 60.1 Ac.</b>	
	Mixed Use - SHB
<b>Residential: 147.8 Ac.</b>	
	Single Family
<b>Business Park District: 44.5 Ac.</b>	
	
<b>Open Space: 256.7 Ac.</b>	
	Oyster Creek Waterway
	Drainage/Retention/Lakes System
	Detention
	Park/Nature Preserve/Open Space/Roadways
<b>Utilities 25.6 Ac.</b>	
	Drill Sites (2) and Surface Water Treatment Plant (1)
<b>Circulation 24.0 Ac. (Proposed ROW)</b>	
	Thoroughfares & Collector Streets
	Planned Development District Boundary (PD)
<b>PROJECT TOTAL ACREAGE: 716.0 Ac.</b>	

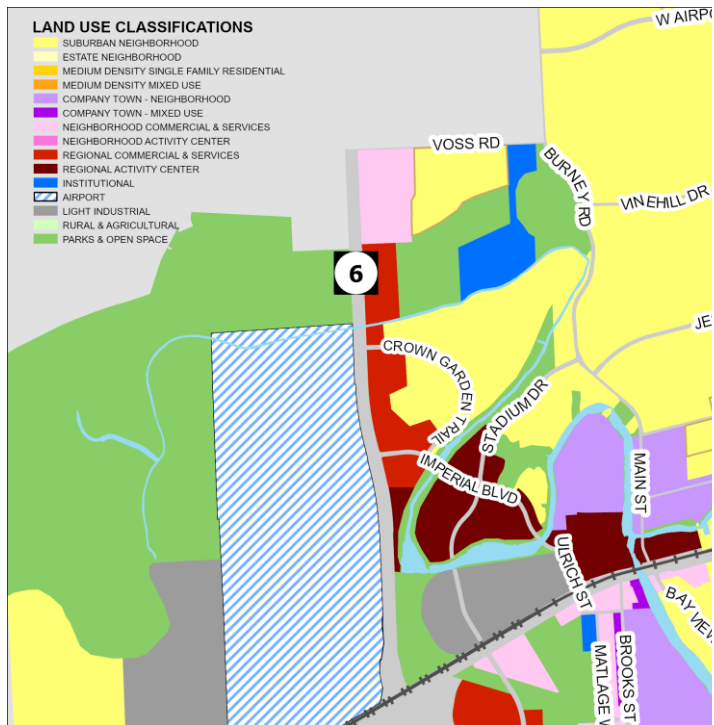


## Imperial Highway 6 District Tract H General Development Plan

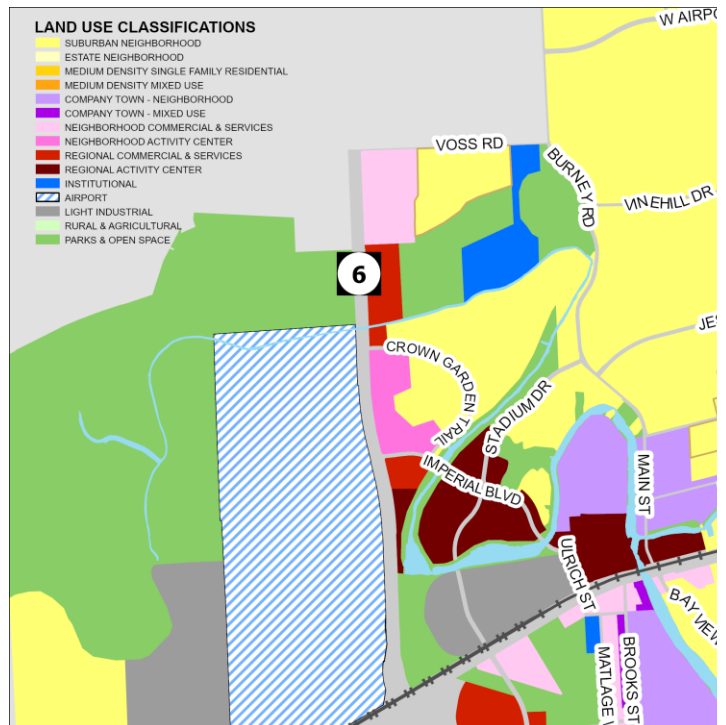
### Future Land Use Map

The Future Land Use Map currently designates the area as Regional Commercial and Services. However, as part of the effort to add residential to Tract H, staff is bringing forward an amendment to the Future Land Use Map to change the designation to Neighborhood Activity Center. On January 23, 2025 the Commission unanimously recommended approval of this change to City Council; City Council will consider the change on April 15. The proposed GDP is consistent with this change.

#### Current Future Land Use: Regional Commercial and Services



#### Proposed Future Land Use: Neighborhood Activity Center



## PUBLIC HEARING NOTICE

The Notice of Public Hearing was published in a newspaper of general circulation and posted on the City of Sugar Land's Public Hearings webpage. All property owners within 200 feet of the subject property were notified via mailers and provided with an information document; a sign was also placed at the site. Below is an image of the public hearing notice, the informational document, and a map of properties that received mailers. Notification of the public hearing was also provided to the Imperial HOA and messaging was included on NextDoor. The public hearing notice included a link to an online form that can be submitted to provide comments in advance of the meeting. At the time of writing this report, staff has received no inquiries.



### NOTICE OF PUBLIC HEARING

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#### PROPOSED CITY-INITIATED PLANNED DEVELOPMENT (PD) – GENERAL DEVELOPMENT PLAN FOR IMPERIAL HIGHWAY 6 DISTRICT ALLOWING FOR SPECIFIC RESIDENTIAL LAND USES

**Planning and Zoning Commission Public Hearing 6:30 p.m., March 27, 2025**, 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 proposed PD – General Development Plan.

This is a city-initiated PD – General Development Plan (GDP) for Imperial Highway 6 – Tract H, approximately 30 acres of land located west of State Highway 6 between Imperial Boulevard and Crown Garden Boulevard in the Alexander Hodge League, Abstract Number 32. The proposed GDP will add residential uses to the Permitted Uses list for the property, which previously contained only non-residential uses. The GDP allows the following compact residential land uses on the property: Dwellings – Single-Family Attached (Townhomes), Urban Homes, and Live/Work.

The agenda item for this meeting will be placed on the City of Sugar Land website at [www.sugarlandtx.gov](http://www.sugarlandtx.gov) under “Meeting Agendas” Planning and Zoning Commission no later than Friday, March 21, 2025. Request details or provide feedback on the proposed amendment online at [www.sugarlandtx.gov/PublicHearingComment](http://www.sugarlandtx.gov/PublicHearingComment) or contact City of Sugar Land Redevelopment Department at (281) 275-2229.

# TEXAS SUGAR LAND

## IMPERIAL HWY 6 RESIDENTIAL ADDITION

### 1. What is the City proposing for this property?

The City is proposing an update to its Land Use Plan and initial zoning for Imperial Highway 6 Tract H (pictured). If approved, this change would allow for compact residential development, in addition to commercial and office uses, on Tract H. To complete the zoning process, another step, including a public hearing, would still be needed in order for residential uses to be developed.

### 2. Why is this necessary?

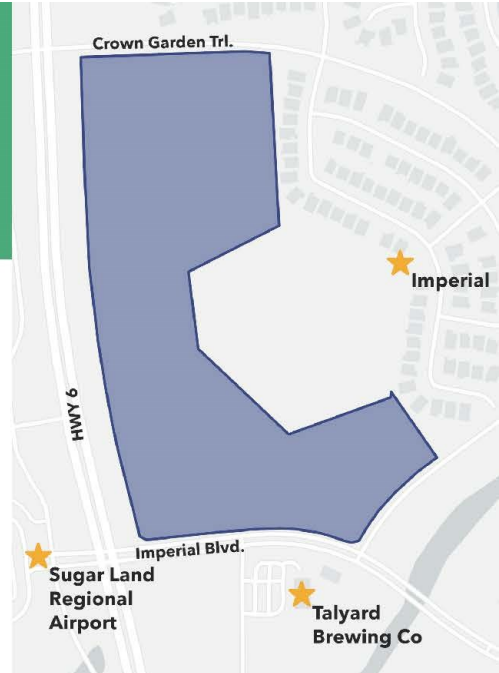
The current zoning of this property only permits office and commercial uses—not residential, which is needed. Sugar Land is experiencing a growing need for housing, which is crucial for supporting the local economy. There have been a number of inquiries from developers interested in developing compact housing on this property, but this is not allowed under the current zoning.

### 3. What is a Land Use Plan?

A Land Use Plan is a strategic guide developed by the City, outlining how to use its remaining land wisely as the city grows. It ensures that the community has the right mix of homes, businesses, parks, and other spaces to meet residents' needs and support a strong local economy. With less than 4% vacant land remaining in Sugar Land, it's important to maximize all available space to foster sustainable development and secure a vibrant future for the community.

### 4. What is compact housing?

Compact housing refers to designing and building homes on smaller lots that maximize the use of limited land. This can include townhomes and urban homes, which are residential housing types designed to fit more homes into a smaller area. Compact housing is meant to promote walkable, vibrant neighborhoods by placing homes closer to local shops, parks and other amenities. There are existing examples of compact housing here in Imperial. (See pictured)



## CONTACT US



### RUTH LOHMER

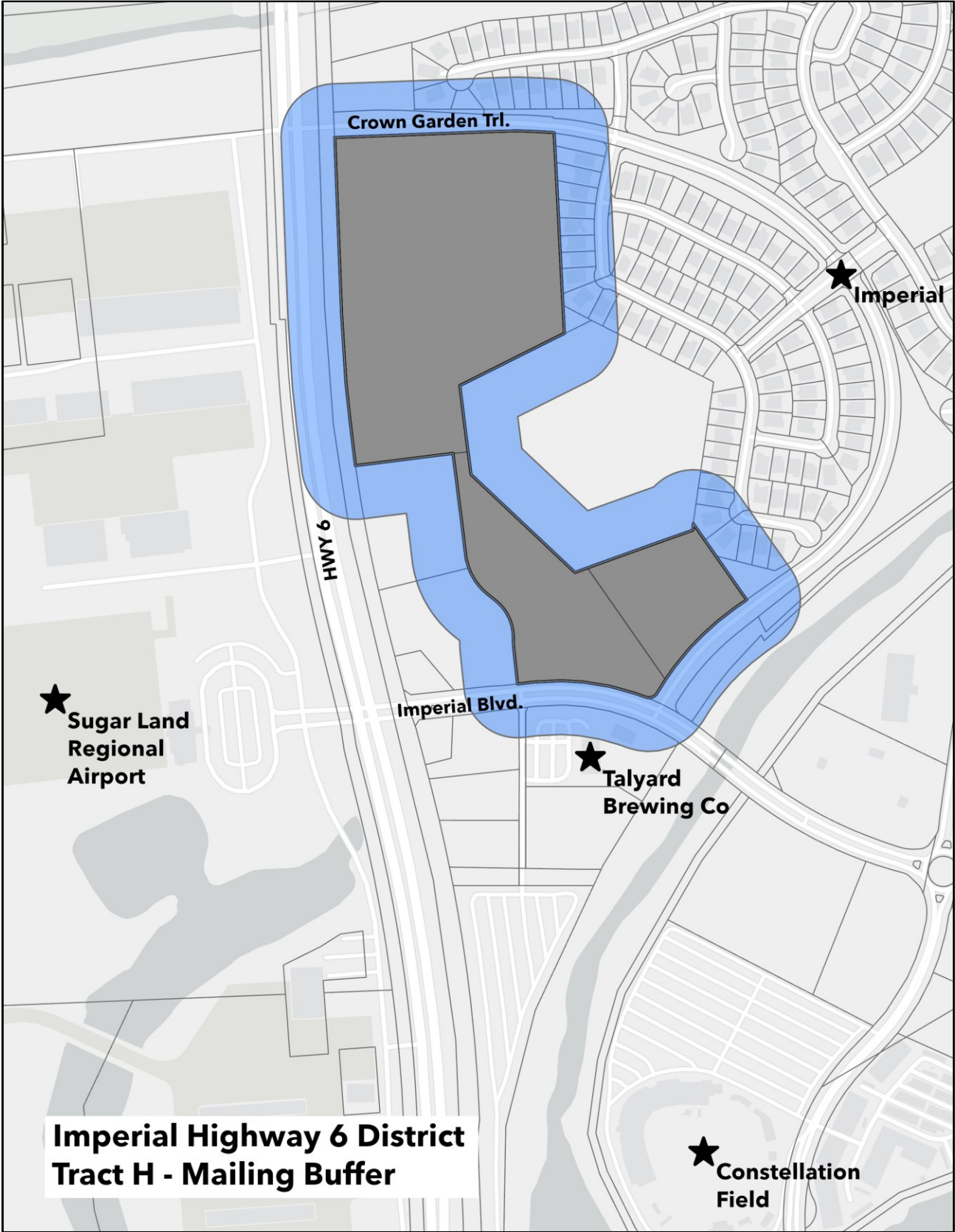
ASSISTANT DIRECTOR OF REDEVELOPMENT  
RLOHMER@SUGARLANDTX.GOV

## IMPORTANT DATES

- Community Meeting: March 6
- Public Hearing Notice: March 12
- Public Hearing: March 27



Imperial Highway 6 District Tract H General Development Plan



# EXHIBIT B

## IMPERIAL HWY 6 DISTRICT TRACT H

### GENERAL DEVELOPMENT PLAN

**A. Contents.** This General Development Plan includes the following sections:

- General Provisions
- General Land Plan
- Land Uses
- Development Regulations for Nonresidential Uses
- Development Regulations Residential Uses
  - Townhomes
  - Urban Homes
  - Live/Work Units
- Landscape and Pedestrian Circulation Regulations
- Building Regulations
- Freestanding Signs

**B. General Provisions.**

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. The default primary zoning district established for this district shall be Neighborhood Business (B-1). If any provision or regulation of any City ordinance applicable in the default zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the default zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance:
2. Except as otherwise provided herein, the words used in this General Development Plan have the meaning established by the Development Code. In this ordinance:

*Dwelling* means a building designed exclusively for residential use, other than motels or hotels.

*Dwelling, Live/Work Unit* means a building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked. For the purposes of this PD, Live/Work Dwellings are Residential Uses.

*Dwelling, Single-Family Attached (Townhome)* means a building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on 1 or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.

*Dwelling Unit* means a building or portion of a building designed to provide independent living facilities for not more than 1 family and that contains bathroom facilities and not more than 1 kitchen.

*Dwelling, Urban Home* means a building that contains only 1 Dwelling Unit and is larger in height than in width and located on a lot no wider than 40 feet, commonly referred to as a detached townhome.

*Open Space* means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas (outside of publicly accessible plazas), or other impermeable material.

*PD* is the planned development district created by this ordinance.

*Pavers* mean colored interlocking bricks, tiles, stones, blocks, or concrete units.

*Retail* means a commercial establishment engaged in the selling of goods and merchandise to the general public and rendering services incidental to the sale of such goods.

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this General Development Plan:

Exhibit B-1:	<i>General Land Plan</i>
Exhibit B-2:	<i>Permitted Uses</i>
Exhibit B-3:	<i>Bulk Plane Diagram</i>
Exhibit B-4:	<i>Approved Landscape Materials</i>
Exhibit B-5:	<i>Bicycle Circulation Plan</i>
Exhibit B-6:	<i>Hwy 6 Signage Diagram</i>

**C. General Land Plan**

The property shall be developed in accordance with the [Exhibit B-1, Imperial General Land Plan](#) which shows the layout of major roadways, general location of land uses, and relationship of the development to surrounding properties.

**D. Land Uses.**

1. This GDP aims to encourage development that integrates compact residential land uses with compatible nonresidential uses like office and commercial/retail facilities. This includes compact forms of residential such as townhomes and urban homes. The goal is to create a small-scale, walkable environment for nearby neighborhoods characterized by the design and arrangement of buildings to create a pedestrian experience. Development should seamlessly integrate with the surrounding residential neighborhoods and existing commercial development.
2. Permitted land uses are listed in [Exhibit B-2, Permitted Uses](#). All other land uses are prohibited.
  - (a) Certain land uses are permitted when developed under specific conditions as established in the Conditions section at the end of Exhibit B-2, Permitted Uses.
3. Permitted land uses may be mixed horizontally or vertically on a single property in accordance with [Exhibit B-2, Permitted Uses](#).

**E. Development Regulations for Nonresidential Uses**— Nonresidential sites within this PD district shall be developed in accordance with the following development regulations:

1. Maximum height of structures:
  - (a) 150 feet above ground level or as limited by airport height restrictions.
  - (b) The maximum height of structures is limited by the bulk plane requirements illustrated on [Exhibit B-3, Bulk Plane Diagram](#).
    - (i) Maximum height of a structure built at the 65-foot building line adjacent to single family residential is limited to a height of 44 feet.
    - (ii) Height of the structure may increase at a ratio of 1 foot of height for each 2 feet of distance the structure is set back from the single-family lot line up to a maximum

distance of 150 feet.

2. Minimum building setbacks:

- (a) 25 feet abutting State Highway 6, Imperial Blvd, and Crown Garden Trl.
- (b) 65 feet for nonresidential use abutting single family residential.
- (c) 15 feet abutting the internal access easement.
- (d) 10 feet abutting Open Space Reserves.
- (e) 6 feet for side and rear yards not abutting the highway, street, access easement or greenbelt.
- (f) Awnings and canopies attached to a building may project up to 5 feet into a required building setback if located at least 8 feet above adjoining sidewalks or pedestrian walkways.

3. Approved fire apparatus access roads shall extend the entire length on one (1) side of buildings three (3) or more stories in height, and shall be located within a minimum of fifteen (15) feet and a maximum of thirty (30) feet.

4. Minimum parking lot setbacks:

- (a) 25 feet abutting State Highway 6, Imperial Blvd, and Crown Garden Trl.
- (b) 25 feet abutting single family residential.
- (c) 10 feet abutting the internal access easement.
- (d) 10 feet abutting Open Space Reserves.
- (e) 10 feet abutting all other lot lines.

5. Minimum open space: 15% of the District area.

6. Paving:

- (a) All parking lots, driveways, and vehicle use areas outside of individual building parcels must be constructed of concrete.
- (b) All driveways and access easements within individual building parcels may be paved with a concrete surface or interlocking pavers supported by a 6 inch reinforced concrete tray and a sub-grade per City design standards.

7. Retail strip centers prohibited:

- (a) Retail strip centers as defined herein and shown (right) are prohibited. Retail strip center means a tract or reserve that is developed with a multi-tenant retail building located toward the rear of the site with the building length parallel to the public street or highway, the building width perpendicular, and most of the on-site parking located in a single area between the building and road.
- (b) Final Development Plans may place additional restrictions on the overall



square footage of retail or the arrangement of retail uses.

8. Outside Retail Use: Merchandise may be displayed or stored outside the building on the same premises if the merchandise:
  - (a) Is not located on public property or within a required building setback, parking lot setback, parking space or drive aisle.
  - (b) Is delineated within a specific area shown on the Final Development Plan.
  - (c) Is owned by the owner or lessee of the building.
  - (d) Occupies a contiguous area less than 10% of the ground floor area of the attendant building or tenant space, but no greater than 5,000 square feet. The 10% maximum size restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.
  - (e) Merchandise area must be integrated into the architecture of the building and/or must be screened from street view with architectural materials that match the main building.
9. Outdoor Service Areas for Eating Establishments: Eating establishments that provide a place for outdoor services adjacent to the establishment shall adhere to the following:
  - (a) In any district, shall not encroach into any sidewalk or other pedestrian walkway as required herein.
  - (b) Shall be delineated within a specific area shown on the Final Development Plan.
  - (c) Must provide additional off-street parking, under the schedule applicable in the Development Code, for that portion of the outdoor service area that exceeds by more than 25% the square feet of the indoor dining area to which the off-street parking requirements apply.
10. Outdoor speakers: Use of outdoor speakers for any use is prohibited within 200 feet of any single-family lot line.
11. Parking Garages:
  - (a) Structured parking shall comply with the regulations in Chapter 2, Article XI of the Development Code.
  - (b) Structured parking serving both residential and nonresidential uses shall include clearly defined separate areas for resident and nonresident parking.
12. Bicycle Parking:
  - (a) Off-street parking for bicycles shall be provided within 50 feet of the public entrance to each nonresidential building.
  - (b) Bicycle parking spaces shall not encroach into any sidewalk or other pedestrian walkway as required herein.
  - (c) Bicycle parking shall include racks, lockers, or other structures intended for parking bicycles with a minimum of 3 spaces in any one location.
  - (d) Racks shall be designed to support the bicycle upright in two places on the bicycle frame.
  - (e) Parking garages shall include bicycle parking.

**F. Development Regulations for Residential Uses – Residential and live/work sites shall be developed in accordance with the following development regulations:**

1. Townhomes (Dwelling, Attached):



- (a) Minimum lot area: 1,500 square feet
- (b) Minimum lot width: 18 feet; 28 feet for corner lots
- (c) Minimum lot depth: 70 feet
- (d) Maximum lot coverage: 85%
- (e) Maximum height of structures: 3 stories, but no more than 45 feet above ground level
- (f) Minimum building setbacks:
  - (i) Front yard: 10 feet.
  - (ii) Side yard: 0 feet if attached; 3 feet, but the sum of side yards must be at least 10 feet if unattached or 10 feet abutting a street.
  - (iii) Rear yard: 8 feet.
- (g) Required off-street parking: 2 spaces per unit, plus 1 space per 5 units or portion thereof. Additional parking may be required contingent upon a parking plan to be submitted with Final Development Plan.
- (h) Townhome lots shall not back to any arterial or major thoroughfare street.

2. Urban Homes (Dwelling, Urban Home):

- (a) Residential lots with Front Garage Access:
  - (i) Vehicular access: Lots shall take access from a public street; no lot shall take access from a shared common driveway.
  - (ii) Minimum lot area: 3,600 square feet
  - (iii) Minimum lot width: 36 feet; 41 feet for corner lots
  - (iv) Minimum lot depth: 100 feet
  - (v) Maximum lot coverage: 85%
  - (vi) Maximum height of structures: 3 stories, but no more than 45 feet from ground level
  - (vii) Minimum front yard building setbacks:
    - 1. 10 feet for the principal structure
    - 2. 20 feet for the garage
  - (viii) Minimum side yard building setbacks:
    - 1. 3 feet; 6 feet on a shared common driveway side; 10 feet on a street side
    - 2. For a garage, 20 feet on a street side
  - (ix) Minimum rear yard building setback: 10 feet
  - (x) Front yard fence: Materials will include brick and/or stone with ornamental iron. Less than 50% of the fence face shall be opaque, and the maximum height shall not exceed 32 inches.
- (b) Residential lots with Rear Access:
  - (i) Vehicular Access: Lots shall take access from a shared common driveway; no lot shall take access from a public street.
  - (ii) Minimum lot area: 3,240 square feet
  - (iii) Minimum lot width: 31 feet
  - (iv) Minimum lot depth: 108 feet
  - (v) Maximum lot coverage: 85%
  - (vi) Maximum height of structures: 3 stories, but no more than 45 feet from ground level
  - (vii) Minimum front yard building setbacks:
    - 1. 10 feet
    - 2. 25 feet for lots facing Ulrich Street
  - (viii) Minimum side yard building setbacks:
    - 1. 0 feet
    - 2. 6 feet on a shared common driveway
    - 3. 10 feet on a street side

- (ix) Minimum rear yard setbacks:
    - 1. 10 feet for the principal structure
    - 2. 20 feet for the garage
  - (c) Front yard fences: Materials will include brick and/or stone with ornamental iron. Less than 50% of the fence face shall be opaque, and the maximum height shall not exceed 32 inches.
- 3. Live/Work Units (Dwelling, Live/ Work):
  - (a) All or part of only the ground floor may be devoted to a non-residential use as permitted by this ordinance. Live/work units may be attached (Townhomes) or detached (Urban Homes).
  - (b) The maximum square footage devoted to a permitted non-residential use shall be limited to 1,500 s.f. per structure.
  - (c) The premises must be used as the primary residence of the property owner, which shall also be the same as the business owner / operator.
- 4. Fire Apparatus Roads for Buildings Three Stories or More:
  - (a) Approved fire apparatus access roads shall extend the entire length on one (1) side of buildings three (3) or more stories in height, and shall be located within a minimum of fifteen (15) feet and a maximum of thirty (30) feet.

**G. Landscape and Pedestrian Circulation Regulations** – All sites within the PD shall be developed in accordance with the following landscape and pedestrian circulation regulations:

- 1. Minimum widths for landscape buffers, contiguous to lot lines along:
 

(a) State Highway 6:	25 feet
(b) Adjacent to residential lot lines:	25 feet
(c) Other public streets:	10 feet
(d) Internal access easements:	10 feet
(e) Oyster Creek greenbelt:	10 feet
(f) All other property lines:	6 feet
- 2. Landscape buffers may be used for future transit stops except where adjacent to single family residential areas.
- 3. Landscaping materials used to satisfy the requirements of this section shall be consistent with those listed in [Exhibit B-4, Approved Landscape Materials](#).
- 4. Where landscape buffers are provided adjacent to the public street, each premise shall have one shade tree located in the buffer for each 30 feet of lot width, or portion thereof, measured along the street-facing lot line. The trees may be clustered or spaced linearly; they need not be placed evenly.
- 5. Shade trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.
- 6. Sidewalks:
  - (a) Continuous sidewalks with a minimum 5-foot width shall be provided along all public roadways and internal access easements.

- (b) Minimum 6-foot wide sidewalks adjacent to Imperial Blvd.
- (c) Minimum 10-foot wide sidewalk along State Highway 6, as shown on [Exhibit B-5, Bicycle Circulation Plan](#).

7. Pedestrian walkways:

- (a) A pedestrian walkway shall connect a building entrance to a public street sidewalk.
- (b) For all nonresidential uses, a pedestrian walkway shall connect a building entrance to adjacent retail or residential use.
- (c) For non-residential uses with parking located between the street and the building, at least one walkway shall be provided to and through its associated parking area to connect a building entrance to a public street sidewalk.
- (d) Pedestrian walkway criteria:
  - (i) Minimum 8-foot width for the trail connecting the Oyster Creek Trail through the multi-family in Tract B
  - (ii) Minimum 6-foot width for all other pedestrian walkways
  - (iii) Readily visible and free of encroachment by parked vehicles
  - (iv) Paved with concrete or other masonry products differentiated from the driveway and parking areas through the use of color, texture, or materials
  - (v) Predominantly shaded with shade trees at one per 30 linear feet of walkway or building canopies
  - (vi) Lighted with pedestrian-scaled fixtures
  - (vii) Include "Way finding" signage.

**H. Building Regulations** – Buildings within the PD shall be developed in accordance with the following building regulations:

1. Buildings, except single family residential, shall be designed in accordance with the following criteria:
  - (a) Break up the horizontal and vertical building planes through offsets, changes in building materials, colors and textures, or other methods; and
  - (b) Incorporate architectural details that create shade and cast shadows to provide visual relief.
  - (c) Facades greater than 100 feet in length that face public streets shall incorporate offsets having a minimum depth of at least 2 feet and incorporating at least 20% of the length of the façade.
  - (d) No uninterrupted length of a façade shall exceed 100 feet.
2. Building façade finishes:
  - (a) Primary finishes are limited to brick, stone (natural, cast, or cultured-textured), textured concrete panels, stucco and glass.
  - (b) Primary finishes shall comprise at least 80% of each façade for multi-family and at least 70% for nonresidential and mixed use buildings, and at least 50% for single-family residential buildings.
  - (c) Secondary finishes shall include wood, ceramic tiles, concrete masonry units (indented, hammered, or split face concrete), and fiber cement siding, and shall comprise no more than 30% of the façade for any building.
  - (d) Use of architectural metals is limited to canopies, parapet walls, roof systems, and miscellaneous trim work, and such use shall meet the durability standards of the Development Code.

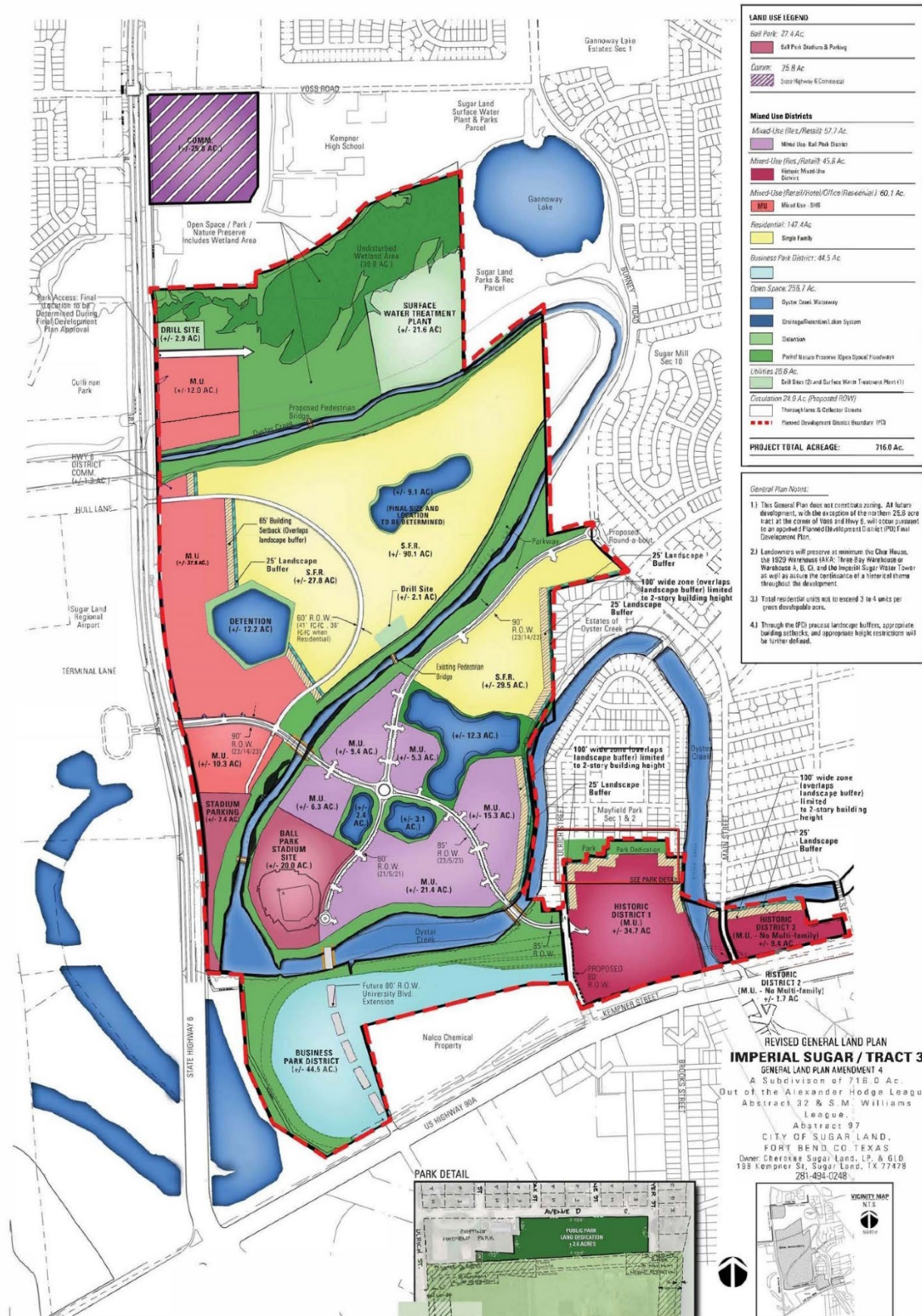
- (e) For Single-family Residential, fiber cement siding shall be considered a secondary finish.
  - (f) The Director may approve alternative Primary or Secondary Exterior Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Exterior Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.
3. Nonresidential and mixed use buildings:
    - (a) Canopies shall be provided at all street-facing building entrances intended for pedestrians. Canopies may be structural extensions of the building or constructed of fabric attached to the building. An individual canopy shall cover a ground area of at least 20 square feet.
    - (b) The front façade (the side of the building facing the street) of the first floor of a retail building within 50 feet of public street right-of-way shall be at least 60% transparent in order to permit visibility between building occupants and outdoor pedestrians and motor vehicle drivers.
    - (c) Ground floor facades for retail buildings that face public streets shall have storefronts, canopies, arcades, display windows, entry areas, awnings or other features along at least 50% of their horizontal length.
    - (d) The Director may approve alternative canopy or Façade treatments not specified in this article if the Director determines that the alternative canopy or façade treatment is substantially equal to or better than a specified requirement in quality, durability, and appearance and the use thereof will not violate any provision of this article.
  4. No single building finish material shall cover more than 80% of the front of any building.
  5. All facades of an individual building and the facades of multiple buildings within a single development shall be of similar architectural design, color and materials where facing or siding to a public street, internal access easement or pedestrian walkway.
  6. Screening walls, wing walls, columns, and similar building extensions and supports shall be of similar architectural design, color and materials as the building or structure to which they are attached.
  7. The following building materials shall not be used in an exterior finish:
    - (a) Vinyl siding, wood fiber hardboard siding, oriented strand board siding, plastic, or fiberglass panels.
    - (b) Unfired or underfired clay, sand, or shale brick.
    - (c) Smooth or un-textured concrete surfaces.
    - (d) Exterior Insulated Finish Systems (E.I.F.S.).

#### **I. Freestanding Signs.**

1. Signs on property fronting on S.H. 6 shall comply with the following regulations, as shown on [Exhibit B-6, Hwy 6 Signage Diagram](#):
  - (a) Maximum effective area: 150 square feet
  - (b) Maximum height: 12 feet
  - (c) Number per feet of frontage: 1 per 250 feet
2. Minimum spacing:

- (a) Freestanding sign must not be located within 250 feet of another freestanding sign on the same premises.
  - (b) Freestanding sign must not be located within 50 feet of another freestanding sign on any adjoining premises.
- 3. All information on one supporting structure is counted as one sign for purposes of applying the regulations on the number of freestanding signs allowed on any one property.
- 4. Exterior finishes for freestanding signs shall be established in Final Development Plans.
- 5. Additional regulations on freestanding signs within the Development Code, Section 4-24 (d) through (h), remain applicable.

# Exhibit B-1 General Land Plan





**Exhibit B-2**  
**Permitted Uses**

SIC No		Description	
	<b>CONSTRUCTION</b>		
15		General Building Contractors (1521 -1542)	X (1)(2)(3)
17		Special Trade Contractors (1711-1799)	X (1)(2)(3)
	<b>TRANSPORTATION</b>		
42	<b>Warehousing</b>		
		Public Warehousing and Storage (4225)	
43		U.S. Postal Service (4311)	X
47	<b>Transportation Services</b>		
		Travel Agencies (4724)	X
		Arrangement of Passenger Transportation (4729) NEC	X
		Freight Transportation Arrangement (4731)	X
48	<b>Communications:</b>		
		Telephone Communications (4812-4813)	X
		Telegraph and other message communications (4822)	X
		Radio and television broadcasting (4832-4833)	X
		Cable and other pay television services (except equipment repair or bucket trucks in lot (4841)	X
		Miscellaneous communications services (except equipment repair, bucket trucks in lot) (4899)	X
	<b>RETAIL TRADE</b>		
52	<b>Building Materials</b>		
		Lumber and other building materials (5211)	X (1)(3)
		Paint, glass and wallpaper stores (5231)	X (1)(3)
		Hardware stores (5251) and key shops	X (1)(3)
		Retail Nurseries (5261)	X (1)(3)
		Garden stores (5261)	X (1)(3)
		Auto and home supply stores	X (1)(3))
		Florist shops (5992)	X (1)(3)
	<b>General merchandise stores as listed:</b>		
		Department stores (5311)	
		Misc. general merchandise stores (5399)	
	<b>Food stores as listed:</b>		
		Grocery stores (5411)	X (4)
		Convenience stores with gasoline sales (5411)	
		Meat and fish markets (5421)	X (3)
		Fruit and vegetable markets (5431)	X (3)
		Candy, nut, and confectionery stores (5441)	X (3)
		Dairy products stores (5451)	X (3)
		Retail bakeries (5461)	X (3)
		Miscellaneous food stores (5499)	X (3)
		Farmer's market-type stores	X (3)
		Auto parts and accessory sales (no auto repair) (5531)	
56	<b>Apparel and accessory stores as listed:</b>		
		Men's and boy's clothing stores (5611)	X (5)
		Women's clothing stores (5621)	X (5)
		Women's accessory and specialty stores (5632)	X (14)
		Children's and infant's wear stores (5641)	X (5)
		Family clothing stores (5651)	X (5)
		Shoe Stores (5661)	X (5)
		Misc. apparel and accessory stores (5699)	X (5)
58	<b>Eating places:</b>		
		Eating Places (restaurant, cafes, etc.) (5812)	X (1)

SIC No		Description	
		Drinking Places (Alcoholic Beverages) (5813)	
59	<b>Additional retail stores as listed:</b>		
		Drug stores and proprietary stores (5912)	X (5)
		Wine and liquor stores (5921)	X (5)
		Antique stores (5932)	X (5)
		Sporting Goods Stores and Bicycle Shops (5941)	X (5)
		New and used book stores (5942)	X (5)
		Card and stationary stores (5943)	X (5)
		Jewelry Stores (5944)	X (5)
		Craft, hobby, toy, and game stores (5945)	X (5)
		Camera and Photographic Supply Stores (5946)	X (5)
		Gift, novelty, and souvenir shops (5947)	X (5)
		Luggage and Leather Goods Stores (5948)	X (5)
		Sewing and needlework stores (5949)	X (5)
		Nonstore Retailers (5961-5963)	
		Art supply stores (5999)	X (5)
		Art dealers (5999)	X (5)
		Baking and cake decorating supply stores (5999)	X (5)
		Cosmetic stores (5999)	X (5)
		Pet shop (no outside runs allowed) (5999)	X (5)
	<b>FINANCIAL, INSURANCE, AND REAL ESTATE</b>		
60	<b>Depository institutions:</b>		
		Central Reserve Depositories	X (1)
		Commercial banks (6021-6029)	X (1)
		Savings institutions (6035-6036)	X (1)
		Credit unions (6061-6062)	X (1)
		Foreign bank, branches, and agencies (6081-6082)	X (1)
		Non-deposit trust facilities (6091) Functions Closely Related to Banking excludes check cashing, credit access businesses, and motor vehicle title loans (as defined in Chapter 393 of the Texas Financial Code)	X (1)
		Automated clearinghouses, check clearinghouse associations, clearinghouse associations bank or check, deposit brokers, electronic funds transfer networks including switching, escrow institutions other than real estate, fiduciary agencies, other than real estate or trust, money order issuance, regional clearinghouse association, representative offices of foreign banks excluding agents and branches, safe deposit companies, tax certificate sale and redemption agencies, traveler's check issuance (6099)	X (1)
61	<b>Non-depository institutions:</b>		
		Federal and federal-sponsored credit (6111)	X (1)
		Personal credit institutions (6141)	X (1)
		Business credit institutions (6153-6159)	X (1)
		Mortgage bankers and brokers (6162-6163)	X (1)
62	<b>Security and Commodity Brokers</b>		
		Security Brokers (6211 - 6289)	X (1)
63-64	<b>Insurance Carriers, Agents, Brokers</b>		
		Insurance carriers (6311-6399)	X (1, 12)
		Insurance agents, brokers and service (6411)	X (1, 12)
65	<b>Real Estate:</b>		
		Operators of non-residential buildings (6512)	X



SIC No		Description	
		Operators of apartment buildings (off-site management only) (6513)	X
		Operators of dwellings other than apartment buildings (6514)	X
		Real estate agents and managers (6531)	X
		Title abstract offices (6541)	X
67	<b>Holding and other investment offices:</b>		
		Holding and other investment offices, open-end (6722, 6723-6799)	X
		Management investment offices, open-end (6722, 6723-6799)	X
	<b>SERVICES</b>		
70	<b>Hotels and other lodging places:</b>		
		Hotels (7011)	X (1)(10)
72	<b>Personal services:</b>		
		Garment pressing (laundries and dry cleaners) (7212)	
		Photographic studies, portrait (7221)	X (6)
		Beauty shops (7231)	
		Barber shops (7241)	X (6)
		Shoe repair and shoeshine parlors (7251)	
		Funeral Service and Crematories (7261)	
		Tax Preparation Services (7291)	X (6)
		Formal Wear and Costume Rental (7299)	
		Professional, Scientific, and Technical Services including consumer credit and debt counseling services (7299)	X (6)
		Employment Placement Agencies (7299)	X (6)
		Other support services including consumer bartering services (7299)	X (1)(6)
		Diet and Weight Reducing Centers (7299)	X (6)
		Personal Care Services including personal caregivers, companions, personal attendants, home care aides and direct support professionals (7299)	X (6)
73	<b>Business services:</b>		
		Advertising agencies (7311)	X (12)
		Outdoor advertising services (7312)	X (12)
		Radio, television, and publishers' representatives (7313)	X (12)
		Advertising services (7319)	X (11)(12)
		Credit reporting and collection (7322-7323)	X (12)
		Mailing, reproduction, stenographic (7331-7338)	X (12)
		Equipment Rental and Leasing, N.E.C. (7359) but limited to: Party Supplies Rental and Leasing, Electronic Equipment except Medical and Computer.	X (1)(11)(12)
		Personal supply services (7361-7363)	X (12)
		Computer programming services (7371)	X (12)
		Computer and data processing (7371-7379)	X (12)
		Sound Recording Studios and other sound recording industries (7389)	X (12)
		Data Processing, Hosting, and Related services (7389)	X (12)
		Other information services including press clipping services and stock photo agencies (7389)	X (12)
		Financial Transactions Processing, Reserve and Clearinghouse activities (7389)	X (12)
		Other legal services including process services, patent agents, notaries public and paralegal services (7389)	X (12)
		Drafting Services (7389)	X (12)
		Building Inspection Services (7389)	X (12)
		Surveying and Mapping (except Geophysical) Services (7389)	X (12)
		Interior Design Services (7389)	X (12)
		Industrial Design Services (7389)	X (12)
		Other Specialized Design Services (7389)	X (12)
		Advertising Material Distribution Services (7389)	X (12)

SIC No		Description	
		Translation and Interpretation Services (7389)	X (12)
		Document Preparation Services (7389)	X (12)
		Telephone Answering Services (7389)	X (12)
76	Miscellaneous repair services:		
		Electrical repair shops (7622-7629)	
		Electrical and electronic repair shops (7629)	
		Watch, clock and jewelry repair (7631)	X(6)(12)
		Reupholstery and furniture repair (7641)	
		Motion picture theaters (no drive-in) (7832)	
		Video tape rental (7841)	
79	Amusement and recreation services:		
		Producers, orchestras and entertainers (7922-7929)	X
		Bowling centers (7933)	X
		Professional Sports Clubs & Promoters (7941)	X
		Physical fitness facilities (7991)	X
		Amusement Parks (7996)	X
		Membership sports and recreation clubs (7997)	X
		Amusement and recreation services not otherwise classified (7999) but limited to: Baseball instruction, Bridge club (non-membership), Bridge instruction, Day camps, Fishing piers and lakes, operation,**Gymnastics instruction, Handball courts (non- membership), Lifeguard service, Miniature golf courses, operation, Racquetball courts (non-membership), Rental of bicycles, rowboats and canoes, Schools and camps, baseball instruction, sports instructional, Scuba and skin-diving instruction, Swimming instruction, Swimming pools (non-membership), Tennis clubs (non- membership),Tennis courts, indoor and outdoor operation (non-membership), Waterpark w/hotel, Restaurant w/arcade	X
		Yoga instruction and studios	X (12)
		Art and music instruction and studios	X (12)
		Dance studios, schools, and halls (7911)	X
		Martial arts (judo, karate, etc.) instruction	X
80	Health services:		
		Offices & clinics of medical doctors (8011)	X
		Offices & clinics of dentists (8021)	X
		Offices of osteopathic physicians (8031)	X
		Offices of other health practitioners (8041-8049)	X
		Offices of veterinarians (no outdoor runs or livestock permitted) (0742)	X
		Health and Allied Services, NEC (8092-8099) Includes massage establishments (as defined by Chapter 454 of the Texas Occupation Code)	X
		Nursing and other personal care facilities (8051-8059)	X (1)
		Hospitals (8062-8069)	X
		Medical and Dental Laboratories (8071-8072)	X
		Home Health Care Services (8082)	X
		Health and Allied Services, NEC (8092-8099)	X
81	Legal Services:		
		Legal services (8111)	X
82	Educational services:		
		Elementary and secondary schools (8211)	X (1)(8)
		Colleges and Universities (8221-8222)	X (1)
		Libraries (8231)	X (1)
		Vocational Schools (8243-8249)	X (1)
		Schools and Educational Services, NEC (8299)	X (1)
83	Social services:		

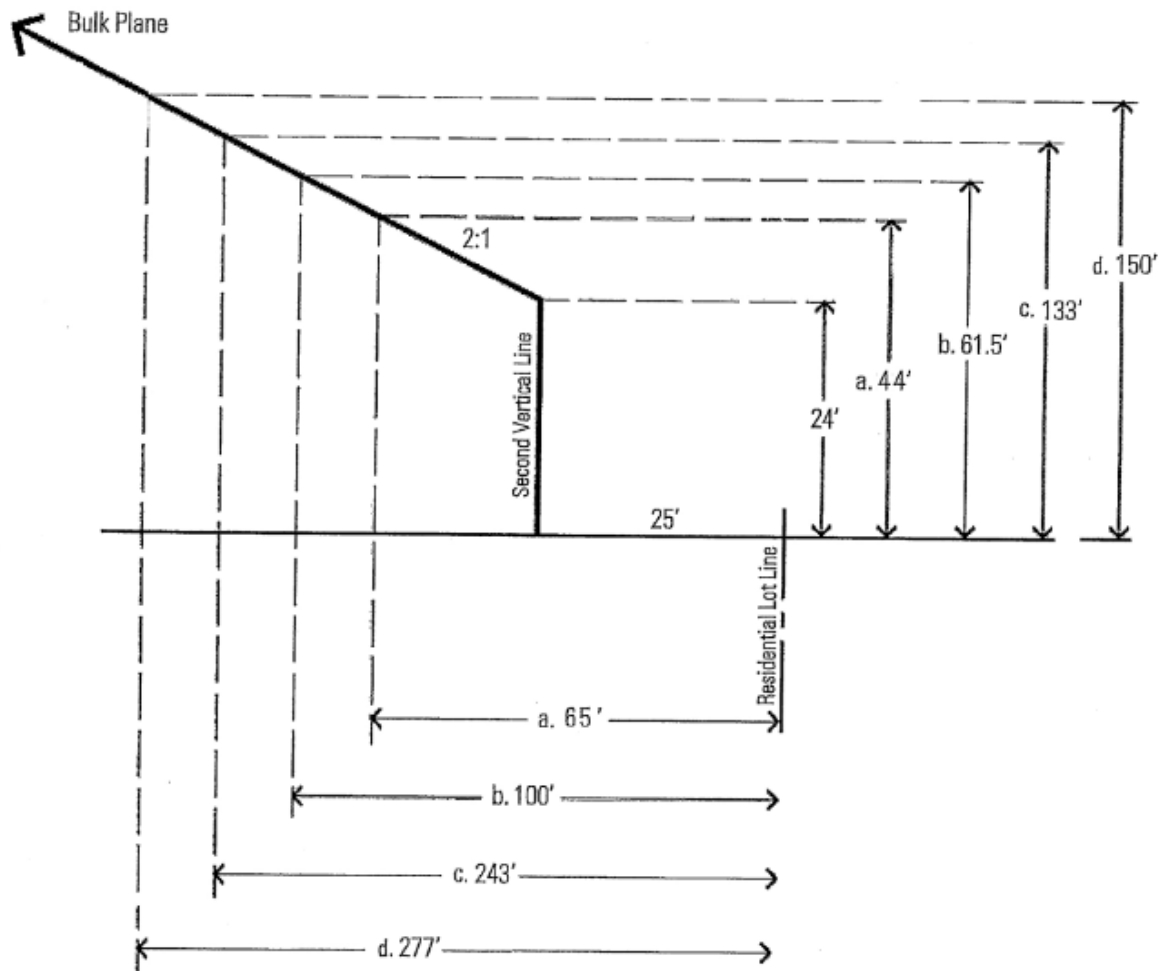
SIC No		Description	
		Individual and family services (8322) but limited to: Adoption Services, Adult Day Care Centers, Family Counseling Services, Marriage Counseling Services, Telephone Consulting Services, Traveler's Aid Centers	X
		Child day care services (8351)	X (1)(8)
		Residential care (8361); but limited to the following two types of residential care: Homes for the aged, with health care incidental and rest homes, with health care incidental	X (1)(9)
84	<b>Museums, botanical gardens:</b>		
		Museums and art galleries (8412)	X
		Botanical and zoological gardens (8422)	
86	<b>Membership organizations:</b>		
		Business associations (8611)	X
		Professional organizations (8621)	X
		Labor organizations (8631)	X
		Civic and social organizations (8641)	X
		Political organizations (8651)	X
		Religious organizations (8661)	X
		Misc. membership organization (8699)	X
87	<b>Engineering, accounting, research, management, and related services:</b>		
		Engineering services (8711)	X (12)
		Architectural services (8712)	X (12)
		Surveying services (8713)	X (12)
		Accounting, auditing, and bookkeeping services (8721)	X (12)
		Research and testing services (8731-8734)	X (12)
		Management consulting services (8742)	X (12)
		Public relation services (8743)	X (12)
		Misc. business consulting services (8748)	X (12)
89	<b>Service, not elsewhere classified:</b>		
		Service, NEC (8999)	X
91	<b>Executive, legislative, and general:</b>		
		Public Administration (9111-9119)	X
92	<b>Justice, public order, and safety:</b>		
		Courts (9211)	X
		Police protection (9221)	X
		Legal counsel and prosecution (9222)	X
		Fire protection (9224)	X
		Public order and safety (9229)	X
93	<b>Finance, taxation, and monetary policy:</b>		
		Finance, taxation, and monetary policy (9311)	X
94	<b>Administration of human resources:</b>		
		Administration of human resources (9411-9451)	X

SIC No		Description	
95	<b>Environmental quality and housing (no outdoor storage/display) (9511-9532)</b>		<b>X</b>
96	<b>Administration of economic programs (9611-9661)</b>		<b>X</b>
99	<b>ESTABLISHMENTS</b>	Adult day care (99)	<b>X</b>
		Dwellings – single family (99)	
		Dwellings – single family attached (townhomes) (99)	<b>X</b>
		Dwellings – live/work (99)	<b>X</b>
		Dwellings – urban home (99)	<b>X</b>
		Parks/recreational facilities, public or private (99)	<b>X</b>
		Residential cleaning services (99)	<b>X</b>
		Corporate professional offices, not retail (99)	<b>X</b>

### Permitted Uses Conditions

1. Subject to additional minimum landscape buffer requirements: Hedges at least three feet in height at the time of planting, screening the parking areas from Public Street view.
2. Use limited to enclosed building with no outdoor storage.
3. Subject to a maximum of 10,000 square feet gross leasable area per store.
4. Subject to a maximum of 20,000 square feet gross leasable area per store.
5. Subject to a maximum of 8,000 square feet of gross leasable area per store.
6. Ancillary use only; use prohibited within single-tenant building or multi-tenant retail center.
7. Not used
8. Conditions for Elementary and Secondary Schools (SIC 8211) and Child Care Services (SIC 8351)
  - a. Shall be developed in accordance with an approved traffic circulation plan and traffic study to include on-site queuing.
  - b. Must provide dedicated outside or inside recreation areas, and shall not retrofit parking lots for recreational areas.
9. Residential Care Facilities and Rest Homes shall provide the following: (SIC 8361)
  - a. Common food service area
  - b. Weekly housekeeping service
10. Limited to full service or select service hotels only.
11. Limited to office with no outdoor storage on site or overnight parking.
12. Considered appropriate for any Live/Work units.

**Exhibit B-3  
Bulk Plane Diagram**



a. 
$$\begin{array}{r} 65 \\ - 25 \\ \hline 40 \div 2 = 20 \\ + 24 \\ \hline 44 \end{array}$$

b. 
$$\begin{array}{r} 61.5 \\ - 24 \\ \hline 37.5 \times 2 = 75 \\ + 25 \\ \hline 100 \end{array}$$

c. 
$$\begin{array}{r} 133 \\ - 24 \\ \hline 109 \times 2 = 218 \\ + 25 \\ \hline 243 \end{array}$$

d. 
$$\begin{array}{r} 150 \\ - 24 \\ \hline 126 \times 2 = 252 \\ + 25 \\ \hline 277 \end{array}$$

## Exhibit B-4: Imperial Development Approved Landscape Materials

To meet landscaping standards include, but not specifically limited the following. The Director may approve alternative landscape materials not specified in this article if the Director determines that an alternative is substantially equal to or better than a specified material and the use thereof will not violate any provision of this article:

### **Trees:**

River Birch	( <i>Betula nigra</i> 'Dura Heat')
Pecan	( <i>Carya illinoensis</i> )
Fringe Tree	( <i>Chionanthus virginicus</i> )
Japanese Blueberry	( <i>Elaeocarpus decipiens</i> )
Nellie R. Stevens Holly	( <i>Ilex x attenuata</i> 'Nellie R. Stevens')
Savannah Holly	( <i>Ilex attenuata</i> 'Savannah')
Southern Magnolia	( <i>Magnolia grandiflora</i> )
Date Palm	( <i>Phoenix dactylifera</i> 'Medjool' or 'Zahidi')
Loblolly Pine	( <i>Pinus taeda</i> )
Texas Pistache	( <i>Pistacia texana</i> )
Sycamore	( <i>Platanus occidentalis</i> )
Bur Oak	( <i>Quercus macrocarpa</i> )
Chinkapin Oak	( <i>Quercus muehlenbergii</i> )
Monterey Oak	( <i>Quercus polymorpha</i> )
Water Oak	( <i>Quercus nigra</i> )
Live Oak	( <i>Quercus virginiana</i> )
Shumard Oak	( <i>Quercus shumardii</i> )
Bald Cypress	( <i>Taxodium distichum</i> )
Pond Cypress	( <i>Taxodium ascendens</i> )
Cedar Elm	( <i>Ulmus crassifolia</i> )
Bosque or Drake Elm	( <i>Ulmus parvifolia</i> 'Bosque' or 'Drake')
California Fan Palm	( <i>Washingtonia filifera</i> )
Mexican Fan Palm	( <i>Washingtonia robusta</i> )

### **Small & Ornamental Trees:**

Texas Redbud	( <i>Cercis canadensis</i> 'var. texensis')
European Fan Palm	( <i>Chamaerops humilis</i> )
Desert Willow	( <i>Chilopsis linearis</i> )
Smokebush	( <i>Cotinus obovatus</i> )
Loquat	( <i>Eryobotrya japonica</i> )
Foster Holly	( <i>Ilex x attenuata</i> 'Fosterii')
Possumhaw Holly	( <i>Ilex decidua</i> )
Yaupon Holly	( <i>Ilex vomitoria</i> )
Columnar Juniper	( <i>Juniperus spp.</i> )
Crape Myrtle	( <i>Lagerstroemia indica</i> 'Basham's Pink', 'Natchez', 'Muskogee')
Little Gem Magnolia	( <i>Magnolia grandiflora</i> 'Little Gem')
Treeform (MT) Ligustrum	( <i>Ligustrum japonicum</i> )
Saucer Magnolia	( <i>Magnolia x soulangeana</i> )

## Imperial Development Approved Landscape Materials

### Small & Ornamental Trees (cont'd):

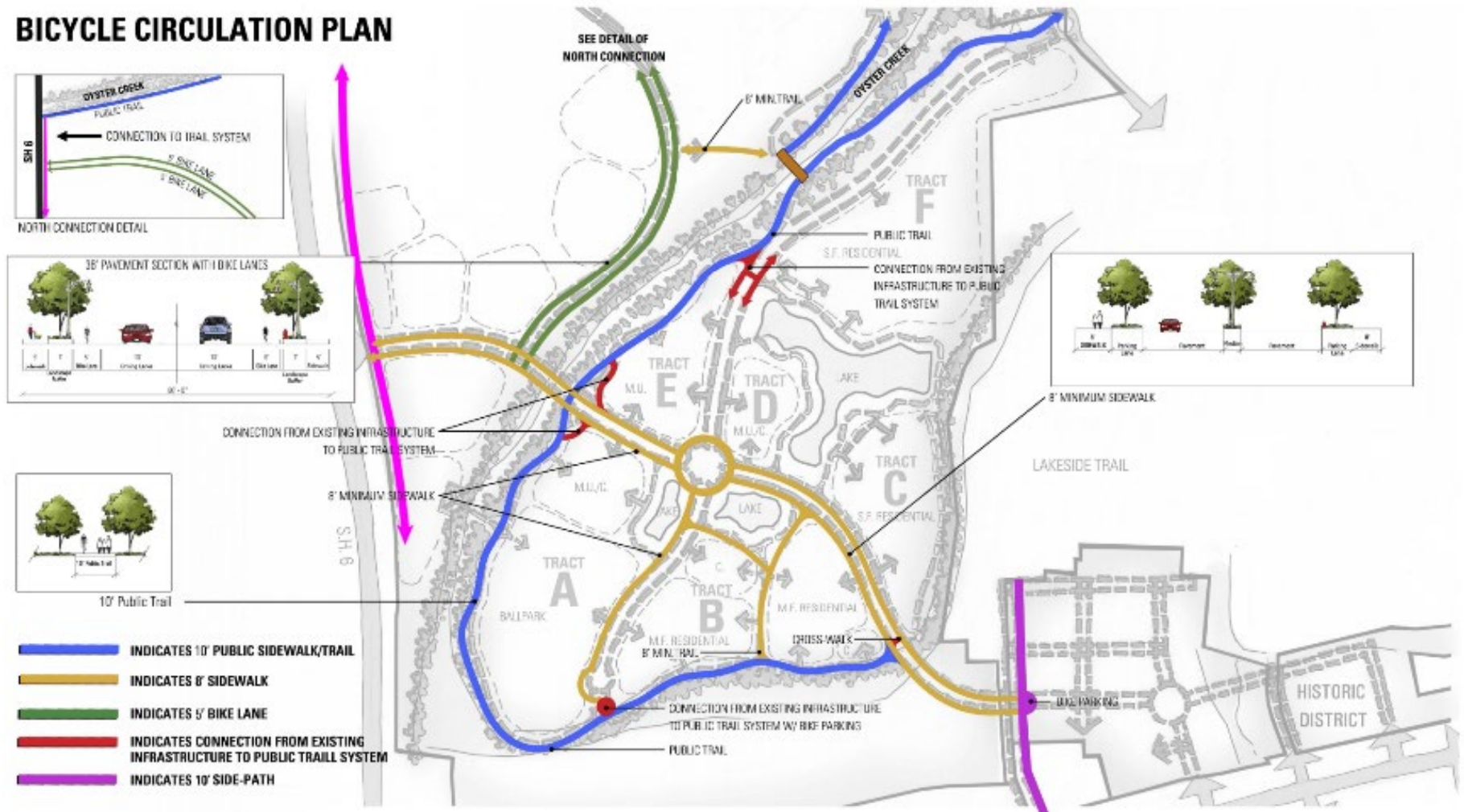
Sweetbay Magnolia	( <i>Magnolia virginiana</i> )
Tree Wax Myrtle	( <i>Myrica cerifica</i> )
Mexican Plum	( <i>Prunus mexicana</i> )
Texas Sable Palm	( <i>Sabal texana</i> )
Texas Mountain Laurel	( <i>Sophora secundiflora</i> )
Windmill Palm	( <i>Trachycarpus fortunei</i> )
Chaste Tree	( <i>Vitex agnus-castus</i> )

### Shrubs:

(Abelia x grandiflora 'Prostrata', 'Sherwoodi', Edward Goucher')	
Dwarf Bottlebrush	( <i>Callistemon citrinus</i> 'Austraflora', 'Firebrand', 'Little John', and 'Splendens')
Japanese Cleyera	( <i>Ternstroemia gymnathera</i> )
Sago Palm	( <i>Cycas revoluta</i> )
Umbrella Plant	( <i>Cyperus alternifolius</i> )
African/Butterfly Iris	( <i>Dietes iridioides</i> , <i>Dietes bicolor</i> )
Elaeagnus Ebbingei	( <i>Elaeagnus macrophylla</i> )
Silverberry	( <i>Elaeagnus fruilandi</i> )
Pineapple Guava	( <i>Feijoa sellowiana</i> )
Red Yucca	( <i>Hesperaloe parviflora</i> )
Barbados Cherry	( <i>Malpighia Glabra</i> )
Fatsia	( <i>Fatsia japonica</i> )
Dwarf Burford Holly	( <i>Ilex cornuta</i> 'Burfordii Nana')
Chinese Holly	( <i>Ilex cornuta</i> 'Rotunda')
Dwarf Yaupon	( <i>Ilex vomitoria</i> 'Nana')
Louisiana Iris	( <i>Iris louisiana</i> )
Dwarf Crape Myrtle	( <i>Lagerstroemia indica</i> 'Nana')
Ligustrum	( <i>Ligustrum japonicum</i> )
Waxleaf Glossy Privet	( <i>Ligustrum lucidum</i> )
Fringe Flower	( <i>Loropetalum chinense</i> )
Maiden Grass	( <i>Miscanthus sinensis</i> var.)
Dwarf Wax Myrtle	( <i>Myrica pusilla</i> )
Nandina	( <i>Nandina domestica</i> )
Purple Fountain Grass	( <i>Pennisetum setaceum</i> )
Indian Hawthorn	( <i>Raphiolepis indica</i> 'Clara')
Shrub Rose	( <i>Rosa</i> spp. 'Knockout', 'The Fairy', 'Bonica', 'Carefree Wonder')
Society Garlic	( <i>Tulbaghia violacea</i> )
Sweet Viburnum	( <i>Viburnum</i> spp.)
Bridal Wreath Spirea	( <i>Spirea prunifolia</i> )
Oleander	( <i>Nerium oleander</i> )
Dwarf Oleander	( <i>Nerium oleander</i> 'Petite Pink', 'Little Red')
Plumbago	( <i>Plumbago auriculata</i> )
Dwarf Pomegranate	( <i>Punica granatum</i> 'Nana')
Kumquat	( <i>Fortunella</i> spp.)
Muhly Grass	( <i>Meuhlenbergia lindheimeri</i> )
Dwarf Maiden Grass	( <i>Miscanthus sinensis</i> 'Morning Light')

Exhibit B-5  
Bicycle Circulation Plan

# BICYCLE CIRCULATION PLAN









**Planning and Zoning Commission Agenda Request**  
**MARCH 27, 2025**

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**AGENDA REQUEST NO: IV.B.**

**AGENDA OF:** Planning and Zoning Commission Meeting

**INITIATED BY:** *Jessica Echols, Senior Planner*

**PRESENTED BY:** *Jessica Echols, Senior Planner*

**RESPONSIBLE DEPARTMENT:** Planning & Development Services

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**AGENDA CAPTION:**

**PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on the proposed amendments to Chapters 2, 5, and 10 of the Sugar Land Development Code.

Consideration of and action on a recommendation for the proposed amendments to Chapters 2, 5, and 10 of the Sugar Land Development Code, to the Members of City Council.

**RECOMMENDED ACTION:**

Hold a Public Hearing followed by Consideration and Action on the proposed Amendment to Chapters 2, 5, and 10 of the Sugar Land Development Code. Staff supports a recommendation of approval to Members of City Council.

**EXECUTIVE SUMMARY:**

This Public Hearing is for a proposed amendment to Chapters 2 (Zoning Regulations), 5 (Subdivision Regulations), and 10 (Definitions) of the Sugar Land Development Code. The purpose of this Amendment is to align the regulations for the Lake Pointe Redevelopment (LPR) District in Chapter 2 with the Subdivision Regulations in Chapter 5 and the City's Design Standards by providing clarifications, resolving conflicting provisions, and adding cross-references between the chapters. It also includes minor updates to definitions in Chapter 10 to enhance clarity and consistency.

This Amendment supports the City's All-In Initiative of Fostering Sensitive Redevelopment

and is part of staff’s continuing effort to modernize and streamline the Development Code.

At the March 11, 2025, Planning & Zoning Commission meeting, staff presented a workshop on the proposed changes to the Development Code. The Commission provided feedback on the proposal, including that staff clarify the definitions for dwelling units, include a minimum caliper for trees in the Pedestrian Enhancement Zone, and specify that “multiplex” refers to triplexes, fourplexes, and sixplexes. Following the workshop, staff revised the proposed changes based on the Commission’s feedback, including adding additional definitions for dwelling unit types and a cross-reference to the existing definitions for clarity and improved readability.

The attachments for this item include a summary of the proposed changes and drafts of the amended code sections (redline and clean versions). A copy of Section 5-51 (Driveway Separation Requirements) is also attached for reference. No changes are proposed to this section.

Staff supports a Recommendation of Approval to Members of the City Council for the proposed Amendment to the Sugar Land Development Code. As of the date of this report, staff is not aware of any opposition to these proposed amendments.

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**BUDGET**

**EXPENDITURE REQUIRED:** N/A

**CURRENT BUDGET:** N/A

**ADDITIONAL FUNDING:** N/A

**FUNDING SOURCE:**N/A

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**ATTACHMENTS:**

Description	Type
❑ Summary of Changes	Other Supporting Documents
❑ Chapter 2 - Zoning Regulations (Clean Draft)	Other Supporting Documents
❑ Chapter 2 - Zoning Regulations (Redline Draft)	Other Supporting Documents
❑ Chapter 5 - Subdivision Regulations (Clean Draft)	Other Supporting Documents
❑ Chapter 5 - Subdivision Regulations (Redline Draft)	Other Supporting Documents
❑ Chapter 10 - Definitions (Clean Draft)	Other Supporting Documents
❑ Chapter 10 - Definitions (Redline Draft)	Other Supporting Documents
Section 5-51. Driveway Separation Requirements	

- ▣ (reference only)
- ▣ P&Z PH Notice

Other Supporting Documents  
Other Supporting Documents



## Summary of Changes:

### Zoning Regulations (Chapter 2)

- Sec. 2-6. - Site Plan Packages.
  - Added site plan package submittal requirement for triplexes, fourplexes, and sixplexes
- Lake Pointe Redevelopment District (Chapter 2, Article II, Part 5)
  - Section 2-119. – Lot Layout and Site Design Regulations
    - Relocated block length minimum/maximums to the subdivision regulations (Section 5-20)
    - Provided clarification that trees and shade structures shall be used to provide shade for pedestrians in the Pedestrian Realm
      - Provided clarification that shade structures shall be used to provide shade when on-street parking is located in the Pedestrian Enhancement Zone
      - Provided minimum vertical clearance for shade structures if utilities are located under the sidewalk (Clear Zone)
    - Removed driveway separation requirements that appeared to be in conflict with Article VII of the Subdivision Regulations. Renamed subsection *Cross Access*.
    - Added reference to the Design Standards for on-street parking design and construction.
  - Section 2-120. – Pedestrian Realm Enhancements:
    - Clarified that pedestrian-scaled lighting poles and bollards should be spaced at an even interval and comply with the City's Design Standards.
    - Removed tree spacing requirement and provided minimum tree requirement based on length of street frontage. Also added a minimum requirement for tree height and caliper at the time of planting.
  - Section 2-121. - Building Design and Additional Development Standards – Multi-Family, Mixed-Use and Nonresidential Development
    - Added language that allows Civic Space to satisfy park land dedication requirements if i) Civic Space contains recreational amenities as described in Sec 5-30.6, and ii) the Parks and Recreation Director approves of the proposed recreational amenities.
  - Section 2-122. – Building Design – Middle Housing Development
    - Increased the minimum Mews width to 30 feet to accommodate utilities

## Subdivision Regulations (Chapter 5)

- Section 5-3. – Definitions.
  - Added Alley, Civic Space, Mews, Middle Housing, and Street as defined terms with reference to Chapter 10
- Section 5-19. – Streets.
  - Added frontage requirements for Middle Housing in the LPR district to match Section 2-122
  - Removed minimum pavement width for nonresidential alleys to align with the Design Standards
  - Added clarification that residential alleys are only required if it's required by zoning.
  - Added prohibition of dead-end alleys with two exceptions
- Section 5-20. – Blocks.
  - Added the minimum and maximum block lengths for LPR District from Section 2-119
- Section 5-30. – Park Land Dedication.
  - Added language that allows Civic Space to satisfy park land dedication requirements if i) Civic Space contains recreational amenities as described in Sec 5-30.6, and ii) the Parks and Recreation Director approves of the proposed recreational amenities.

## Definitions (Chapter 10)

- Section 10-3. – Definitions.
  - Added clarification that Mews have frontage on a public street and may include utilities
  - Added townhomes to Middle Housing definition
  - Added the following definitions and included cross references to the existing definitions for clarity and improved readability.
    - Live/Work Dwelling – existing definition: Dwelling, Live/Work
    - Multi-Family Dwelling – existing definition: Dwelling, Multi-Family
    - Multiplex Dwelling – existing definition: Dwelling, Multiplex
    - Single-Family Attached Dwelling (Townhome) – existing definition: Dwelling, Single-Family Attached (Townhome)
    - Single-Family Detached Dwelling – existing definition: Dwelling, Single-Family Detached
    - Sixplex Dwelling – existing definition: Dwelling, Sixplex
    - Triplex or Fourplex Dwelling – existing definition: Dwelling, Triplex or Fourplex
    - Two-Family Dwelling (Duplex) – existing definition: Dwelling, Two-Family (Duplex)
    - Urban Home Dwelling – existing definition: Dwelling, Urban Home

## **Chapter 2 – Zoning Regulations**

### **Clean Draft**



Sec. 2-6. - Site Plan Packages.

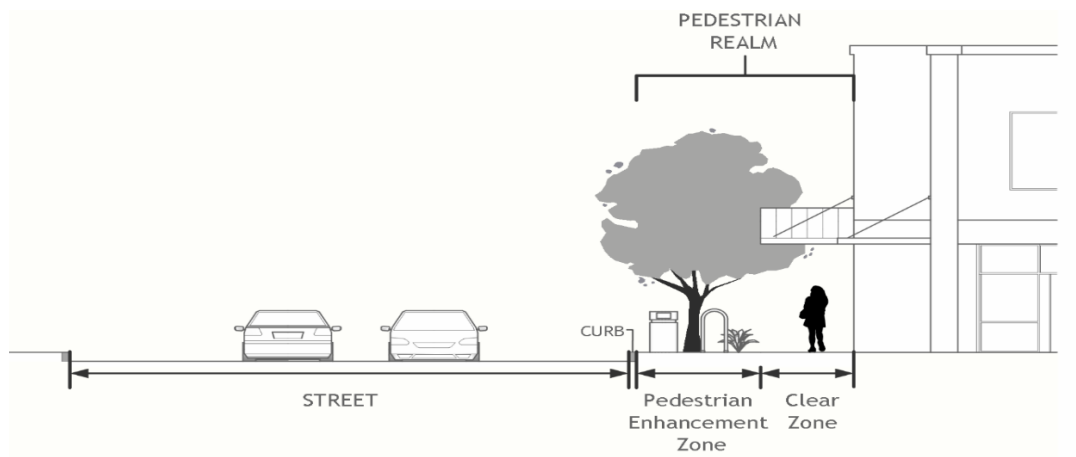
- A. Site Plan Packages for all nonresidential, townhome, triplex, fourplex, sixplex, and multi-family developments in the City shall be submitted for review and approval prior to the issuance of applicable building or foundation permits. The purpose of submittal of the Site Plan Package is to allow a Development Review Committee (DRC) of City staff to review for land use, traffic, utilities, environmental issues, and the property's relationship to adjoining properties. The review shall include, but is not limited to, plat status, zoning compliance, building lines, landscaping, screening, parking, driveway locations, connections to existing utilities, and drainage. The Site Plan Package shall illustrate that the development complies with this Code and the Design Standards. Where a phased development or redevelopment is proposed, the site plan area shall include the entire platted lot from which the phase is being developed. Requirements for Site Plan Package submittals within the extraterritorial jurisdiction (ETJ) are covered in Chapter 5 (Subdivision Regulations).
- B. Approval of the Site Plan Packages shall expire unless additional permits for the Project are obtained within 1 year from the date of approval of the Site Plan Package. The Director may, upon written application, grant a 1-year extension of time to make use of the Site Plan Package.

## Sec. 2-119. Lot Layout and Site Design Regulations

### A. Street Layout

#### 1. Pedestrian Realm

- a. As illustrated in **Figure 2-119.A: Pedestrian Realm**, a Pedestrian Realm must be provided along Streets and shall consist of two zones: a Clear Zone (sidewalk) and a Pedestrian Enhancement Zone. The Clear Zone is intended to provide a clear path of travel for pedestrian movement and the Pedestrian Enhancement Zone is intended for the placement of street trees, street furniture and other fixtures in a manner that does not obstruct pedestrian access or motorist visibility.



**Figure 2- 119.A: Pedestrian Realm**

- b. The following standards shall apply to these zones:

Table 2-119.1: Pedestrian Realm Requirements by Roadway Classification		
Roadway Classification (a)	Minimum Clear Zone Width	Minimum Pedestrian Enhancement Zone Width
Type 1 Streets: Major Collector/ Minor Collector	8 feet	8 feet
Type 2 Streets: Local Street/Primary Access Easement	10 feet	8 feet (b)

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## REFERENCES

- a. As identified and defined in the City of Sugar Land Master Thoroughfare Plan.
  - b. Type 2 Streets adjacent to Middle Housing developments shall have a minimum Clear Zone width of 5 feet.
- 
- c. Sections of the Clear Zone may be reduced for temporary or permanent outdoor dining or other pedestrian amenities such as seating for a length of no more than 75 continuous feet, but a 5-foot clear space must be maintained at all times.
  - d. Pedestrians within the Clear Zone shall be provided shade through the use of Trees or shade structures, such as Awnings or Canopies.
    - (1) Trees shall meet the requirements set forth in Sec. 2-120 and the City's Design Standards.
    - (2) When on-street parking is located within the Pedestrian Enhancement Zone, shade structures shall be utilized to meet this requirement.
    - (3) If utilities are located within the Clear Zone, the proposed shade structure shall have a minimum vertical clearance of 14 feet.
  - e. On-street parking may be permitted within the Pedestrian Enhancement Zone along Type 2 Streets. Additional standards are located in the Design Standards.
  - f. Enhancements required within the Public Realm are described in Section 2-120: Pedestrian Realm Enhancements.

## B. Connectivity

### 1. General

- a. All public streets, roads, trails, and rights-of-way shall be consistent with the adopted Mobility Master Plan (Master Thoroughfare Plan).

### 2. Cross Access

- a. To facilitate vehicular, pedestrian, and bicycle cross access between abutting sites, encourage shared parking, and minimize access points along streets, sites shall comply with the following standards:
  - (1) The internal circulation system shall be designed to allow for cross-access between sites.
  - (2) Required vehicular cross access between the abutting lots shall be provided through the use of a single two-way driveway or drive aisle, or two one-way driveways or aisles that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
  - (3) The Director may waive or modify the requirement for cross access if the requirement would:
    - i. Create unsafe conditions; or
    - ii. Impede the application of other design requirements in the Development Code.

#### C. Parking Location, Size, and Pedestrian Connectivity.

##### 1. On-Street Parking Location.

Angled, perpendicular, or parallel parking that is designed to function as on-street parking must meet the following conditions:

- a. The parking must not adversely affect public safety or circulation; and
- b. Each parking space must be located adjacent to and be directly accessible from a Street.
- c. The parking must be constructed and designed in accordance with the City's Design Standards.

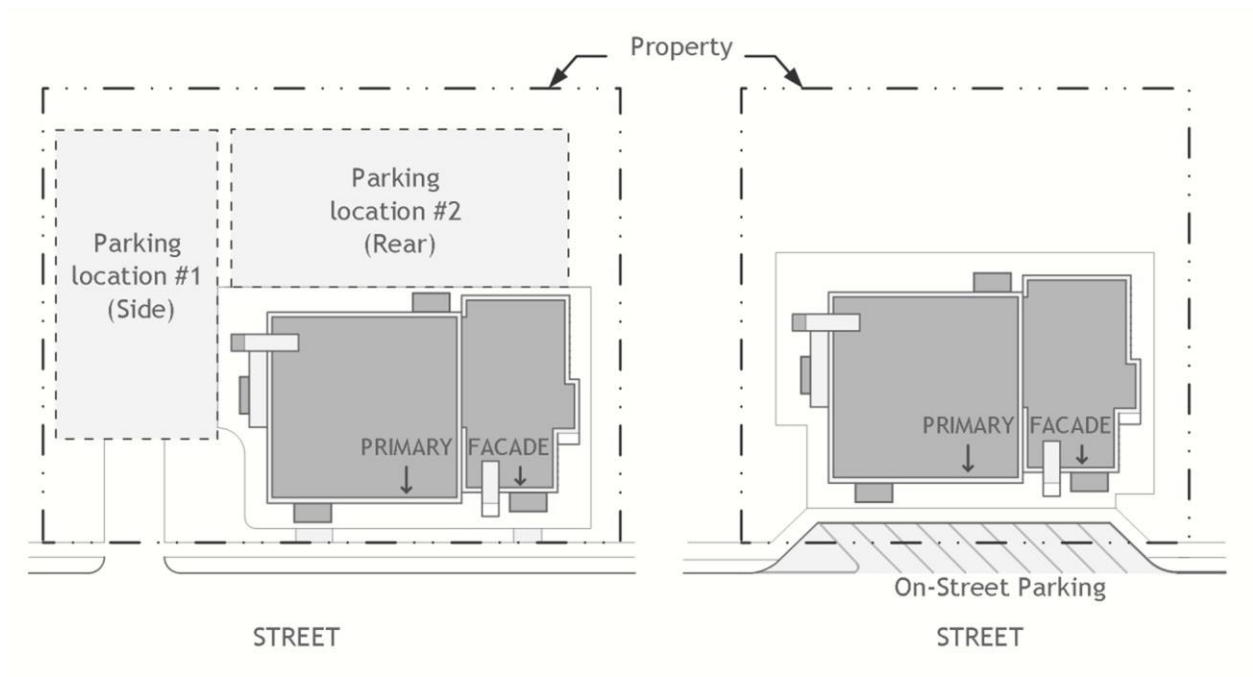
##### 2. Parking Lot Location

- a. Parking Lots shall be located to the side or rear of the Primary Façade. See **Figure 2-119.B: Parking Lot Location**.
- b. Parking Lots, loading, and service areas must be designed to minimize impacts on adjacent residences. They shall be located away from shared property lines and screened from neighboring residences.

##### 3. Parking Lot Size

- a. Sites with more than 50 Multi-Family units must be served by Structured Parking and may not have Parking Lots that exceed 15% of the total site area.
- b. For all other sites, Parking Lots shall not exceed 40% of the site's total area.

- c. The Director may approve of a Parking Lot that exceeds the maximum Parking Lot size requirements above if the Parking Lot serves multiple sites.



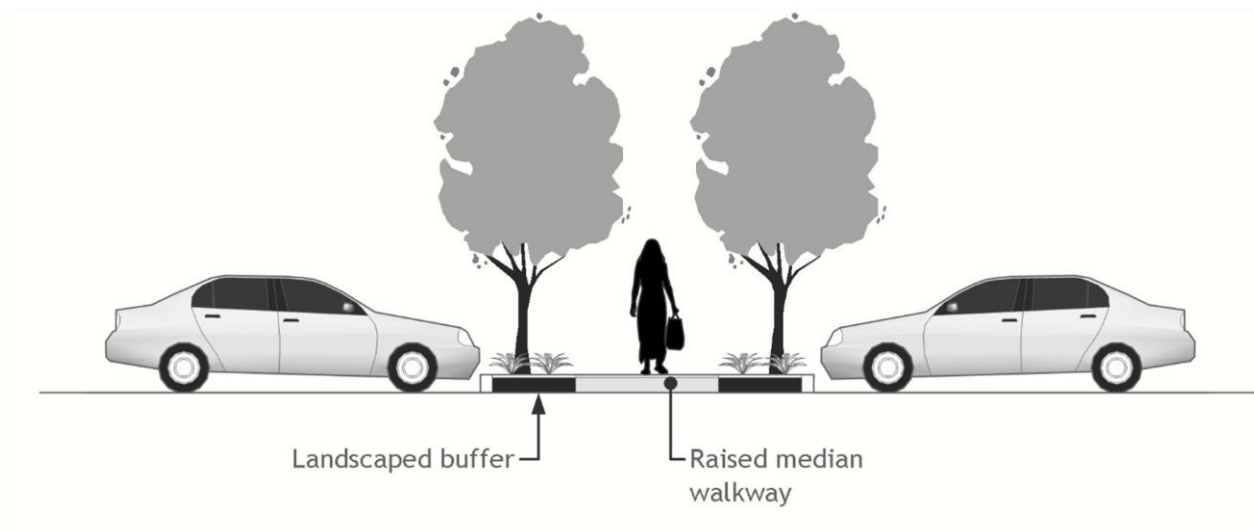
**Figure 2-119.B: Parking Lot Location**

#### 4. Pedestrian Walkways in Parking Lots

- a. All sites with Parking Lots containing 7 or more parking spaces shall provide an on-site system of pedestrian walkways that provide direct access and connections to and between the following elements.
- (1) The Primary Entrance or Entrances to each building, including pad-site buildings;
  - (2) Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the site;
  - (3) Any Parking Lots intended to serve the site;
  - (4) Any sidewalk system along the perimeter Streets adjacent to the site;
  - (5) Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on-site or along an adjacent Street; and
  - (6) Any adjacent or on-site public park, trail system, open space, greenway, or other public or Civic Space or amenity.

b. As shown in **Figure 2-119.C: Pedestrian Walkways in Parking Lots**, Pedestrian walkways required above shall:

- (1) Be a minimum of 5 feet wide;
- (2) Be distinguishable from areas used by vehicles in one or more of the following ways:
  - (i) Varying surfacing material, patterns, and/or paving color, but not including the painting of the paving material;
  - (ii) Varying paving height;
  - (iii) Decorative bollards; or
  - (iv) Raised median walkways with landscaped buffers;

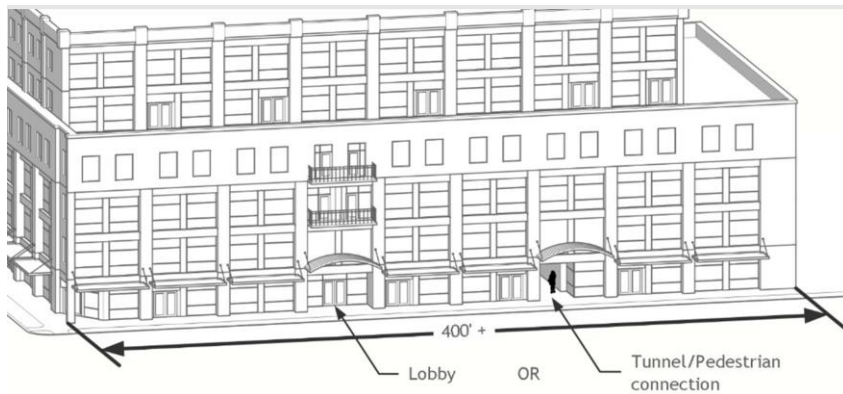


**Figure 2-119.C: Pedestrian Walkways in Parking Lots**

- (3) Be designed with similar and/or complementary details, colors, and finishes as other interconnected walkways;
- (4) Have adequate lighting for security and safety;
- (5) Be conveniently and centrally located on the subject property;
- (6) Be ADA-accessible; and
- (7) Not include barriers that limit pedestrian access between the subject property and required connections to adjacent properties.

#### D. Pedestrian Connectivity

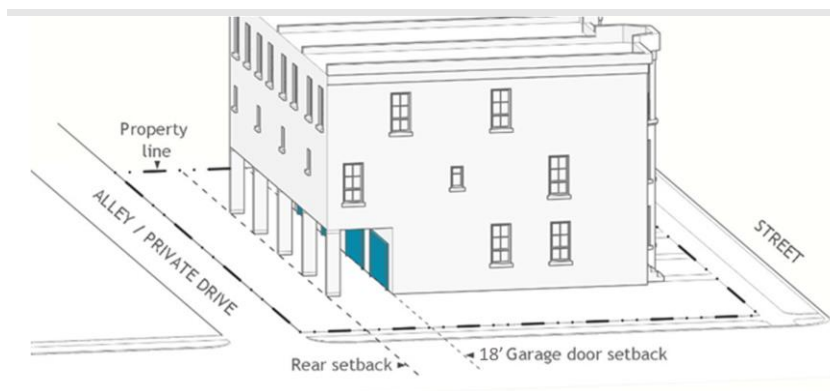
Building façades that are longer than 400 feet in length must provide a midblock pedestrian connection through the building, as shown in **Figure 2-119.D: Midblock Pedestrian Connection**.



**Figure 2-119.D: Midblock Pedestrian Connection**

#### E. Private Garages and Surface Parking for Middle Housing.

1. Garages shall be located behind dwelling units and accessed by alleys or private drives.
2. Garages shall be setback a minimum of 5 feet from an alley or private drive. Any additional setback beyond 5 feet must be at least 18 feet from the edge of the alley/private drive. See **Figure 2-119.E: Rear Loading Garage Setback**.



**Figure 2-119.E: Rear Loading Garage Setback**

3. Parking shall be designed to limit curb cuts and most efficiently park vehicles.
4. Parking may take place on a shared, paved Parking Lot or in shared driveways.



## Sec 2-120. Pedestrian Realm Enhancements.

The Pedestrian Realm, as required by Section 2-119: Lot Layout and Site Design Regulations, shall include amenities to enhance the pedestrian experience.

### A. Pedestrian Amenities Required for All Development.

The Pedestrian Enhancement Zone must include the following amenities:

1. Pedestrian-scaled lighting poles or bollards, no more than 15 feet in height, shall be installed at even intervals where possible and in compliance with the City's Design Standards.
2. One tree shall be provided for every 40 linear feet of street frontage or portion thereof. Trees must be at least 10 feet in height and have a minimum 4-inch caliper immediately after planting. Tree caliper is measured 6 inches from natural ground level.
3. The Director may allow or require minor deviations from the requirements of this section in order to compensate for an unusual site condition or to protect a natural feature or public infrastructure.

### B. Additional Pedestrian Amenities for Nonresidential, Multi-Family, and Mixed-Use Buildings.

#### 1. Applicability.

This subsection sets forth a range of options for pedestrian enhancements to improve the streetscape and foster a pedestrian-oriented environment. Sites shall provide pedestrian enhancements in the Pedestrian Enhancement Zone. Any combination of options from **Table 2-120.1: Pedestrian Enhancement Options** may be used to achieve a minimum of 8 points required for each site. To satisfy these requirements, amenities must be open and accessible to the public.

#### a. Middle Housing Exempt.

Lots exclusively occupied by Middle Housing shall not be required to provide additional pedestrian amenities as set forth in **Table 2-120.1: Pedestrian Enhancement Options**.

b. Pedestrian Enhancement Options

Table 2-120.1: Pedestrian Enhancement Options	
Description	Points
<b>Spaces and Areas</b>	
An enhanced landscaped area provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of the lesser of 650 square feet or two percent of the net site area. Enhanced landscaping includes additional plant quantity and varieties, pedestrian accommodations, raised beds, and landscape walls or similar hardscape elements.	1 point (Maximum 3)
A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet.	2 points
Shade provided for the playground, patio, or plaza using Canopies pergolas, shade trees (minimum 6-inch caliper), or other coverings.	2 points
<b>Site Features</b>	
At least one Blank Wall treatment: <ul style="list-style-type: none"> <li>• Install trellises with climbing vines or plant materials along wall;</li> <li>• Provide a planting bed with plant material that screens at least 50 percent of the wall surface; or</li> <li>• Provide artwork on the surface.</li> </ul>	1 point
Creative, ornate or decorative art installations, sculptures, murals, or other intentional artwork	1 point (Maximum 2)
Rain gardens, street-side swales, soil and turf management or other appropriate storm water infiltration system(s) to capture and infiltrate a minimum of 25 percent of site-generated stormwater (subject to Engineering approval)	3 points
Seating every 50 feet adjacent to the building or within the Pedestrian Enhancement Zone, provided such seating includes a variety of seating types and figurations, accommodates solitary and social activities, and provides a safe, comfortable seating surface with smooth, even surfaces and curved edges. The following kinds of seating may be used to meet the requirement: moveable seating, fixed individual seating, fixed benches with and without backs, and seating designed into architectural features (e.g., walls, planter ledges, and seating steps).	1 point
Shade provided for seating areas using Canopies, pergolas, shade trees (minimum 6-inch caliper), or other coverings.	1 point
Trash and recycling receptacles installed every 250 feet along the building frontage and at each building entrance adjacent to a pedestrian walkway	1 point

Sec 2-121. Building Design and Additional Development Standards – Multi-Family, Mixed-Use and Nonresidential Development

- A. *Building Arrangement.* Buildings on sites larger than 5 acres shall be organized to create pedestrian-friendly spaces and streetscapes and should be arranged to frame Streets and Civic Spaces (see Figure 2-121.A: Building Arrangement).



**Figure 2-121.A: Building Arrangement**

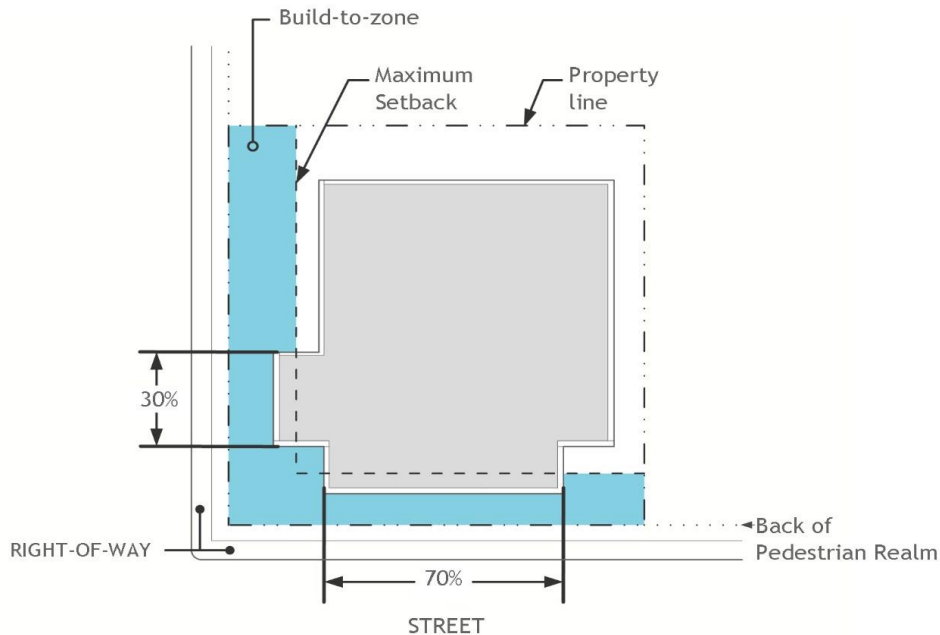
B. *Civic Space.*

1. A minimum of 5% of the Lake Pointe Redevelopment District shall be dedicated to Civic Space. Area within the Pedestrian Realm that is adjacent to a Street shall not count towards required Civic Space.
2. Civic Space shall be provided along waterfront properties. Where a trail is proposed, the minimum width shall be 10 feet.
3. In the Lake Pointe Redevelopment District, the park land dedication requirement set forth in Section 5-30 may be satisfied through the provision of Civic Space if:
  - a. The Civic Space contains recreational amenities, as described in Section 5-30.6; and
  - b. The Parks and Recreation Director approves of the proposed recreational amenities.
4. *Kiosks.* Kiosks, whether temporary or permanent structures, shall be permitted within a Civic Space provided that the structure:
  - a. Is a maximum of 20 feet in height and no larger than 200 square feet;
  - b. Is occupied by a use permitted in the LPR District;
  - c. Complies with all applicable building codes; and
  - d. Does not impede and is not located within any Clear Zone.

C. *Building Orientation and Siting.*

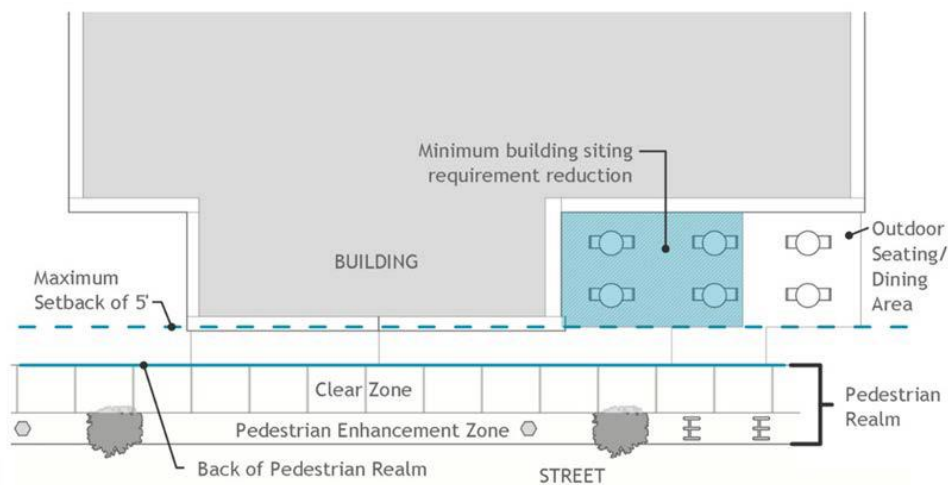
1. Buildings shall be oriented so that the Primary Façade faces the Street or Civic Space.
2. A minimum of 70% of the Primary Façade along the Street shall be located within the Build-to Zone (see Figure 2-121.B: Building Siting).

3. On corner lots, a minimum of 30% of the side street building façade shall be located within the Build-to Zone (see Figure 2-121.B: Building Siting).



**Figure 2-121.B: Building Siting**

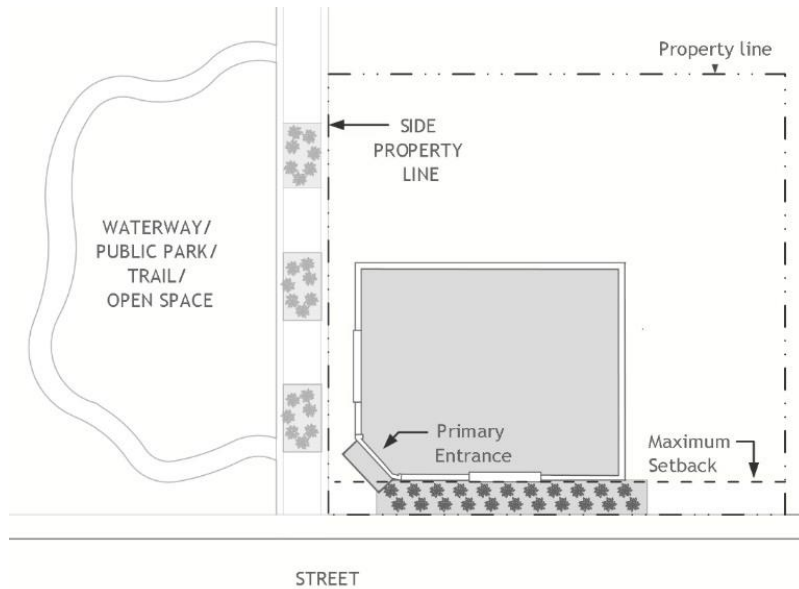
4. The minimum building siting requirement may be reduced for an outdoor seating and dining area as shown in Figure 2-121.C: Minimum Frontage Requirements - Outdoor Seating and Dining, provided such area is designed and located:
  - a. To avoid interference with any pedestrian access ramp from any abutting street onto the Clear Zone, and to avoid all areas required for maneuvering of wheelchairs and other ambulatory devices at the top of any pedestrian access ramp; and
  - b. To meet the standards for Clear Zone set forth in Section 2-119.A.2.



**Figure 2-121.C: Minimum Frontage Requirements- Outdoor Seating and Dining**

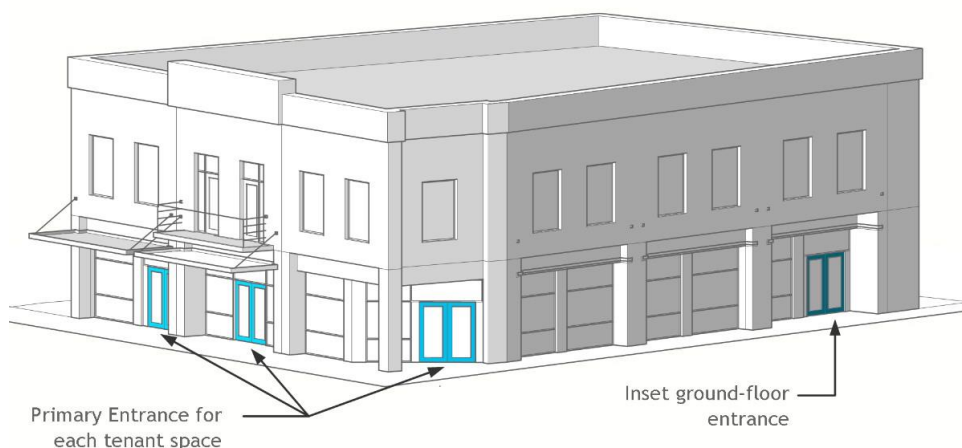
**D. Building Entrances.**

1. Each ground level building and separate tenant space shall have at least 1 Primary Entrance to the adjacent Street or Civic Space (see Figure 2-121.D: Building Entrances). Shared/common lobbies may count as a Primary Entrance for tenant spaces with entrances internal to the building.
  - a. If a natural geographic feature, such as a waterway or other major landscaping feature, public park, trail, or other open space is on or adjacent to the site, each building shall have a Primary Entrance connecting to the feature.
  - b. A corner entrance may count as a Primary Entrance for any intersecting features (see Figure 2-121.E: Orientation Toward Primary Street Frontage).



**Figure 2-121.D: Orientation Toward Primary Street Frontage**

2. Primary Entrances shall be defined and articulated with architectural elements such as pediments, columns, porticos, porches, overhangs, or other similar elements approved by the Director (see Figure 2-121.E: Building Entrances).
3. All ground-floor entrances shall be covered or inset to provide shelter from inclement weather. The inset or cover shall be no less than 20 square feet (see Figure 2-121.E: Building Entrances).



## Figure 2-121.E: Building Entrances

### E. *Ground Level Design.*

1. *Ground Level Multi-Family Residential.* All Buildings that have residential unit floor plates within 6 feet of finished grade shall meet the following standards:
  - a. The building shall include an entrance into the unit that is accessible from the Pedestrian Realm. Entrances above grade are considered accessible from the Pedestrian Realm.
  - b. Units shall include ground level windows that provide residents a view of the street and Pedestrian Realm.
  - c. Lobbies that provide access to upper stories may be located at grade level.
  - d. Any fencing used to enclose patios adjacent to the Pedestrian Realm may not exceed 4 feet in height.
  - e. All ground floor residential units along Streets shall maintain a minimum structural ceiling height of 13 feet to provide the opportunity for future conversion to nonresidential uses.
2. *Ground Level Nonresidential.*
  - a. All buildings that have nonresidential uses at ground level adjacent to the Pedestrian Realm shall meet the following requirements.
    - (1) Entrances shall be located at the approximate elevation of the adjacent sidewalk.
    - (2) Ground floors shall have a minimum clear height of 13 feet between finished floor and the ceiling or top plate. Mezzanines within the retail space shall be allowed per building code.
  - b. The ground level façade must include building elements that provide weather protection at least 6 feet deep along at least 75% of the façade.

### F. *Building Form.*

1. *Building Mass.* Buildings shall be designed to reduce apparent mass, ground the building, provide visual relief, and reinforce pedestrian scale. This shall be accomplished by differentiating between the ground level and upper levels through architectural features. Examples of features include but are not limited to: Canopies, balconies, Arcades, varying materials, banding, noticeable change in color or shade, parapet walls, or other horizontal or vertical elements (see Figure 2-121.F: Façade Articulation, Building Form, and Transparency).
2. *360-Degree Architecture.* Those sides of a building that are not visible from the Street shall have a finished façade that is similar to the visible façades in terms of materials and architectural detailing.
3. *Façade Articulation.* All Primary Façades and Street-facing façades shall provide visual relief which breaks or minimize the scale of the building. These façades shall not exceed 50 feet in length without incorporating 2 of the following elements:
  - a. Vertical building modulation of at least 12 inches in depth;
  - b. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum of 6 inches in depth; and/or
  - c. A change in building material, siding style, or color.
4. *Transitions to Residential.* Buildings on sites adjacent to residential shall be designed to minimize impacts on Single-Family and Middle Housing Dwellings and maximize the privacy of residents by:
  - a. Locating sources of audible noise (e.g., heating and air conditioning units) as far away from lower intensity uses as practical;
  - b. Placing windows on the building to minimize direct lines of sight into neighboring homes; and
  - c. Orienting porches, balconies, and other outdoor living spaces away from neighboring homes.

G. *Building Transparency.* Façades that are oriented toward Streets or Civic Spaces shall meet the following transparency requirements, as shown in Figure 2-121.F: Façade Articulation, Building Form, and Transparency:

1. *Ground-Floor Transparency.*

- a. For nonresidential uses, at least 40% of each ground floor façade shall be transparent.
- b. For residential uses, at least 15% of each ground floor façade shall be transparent.

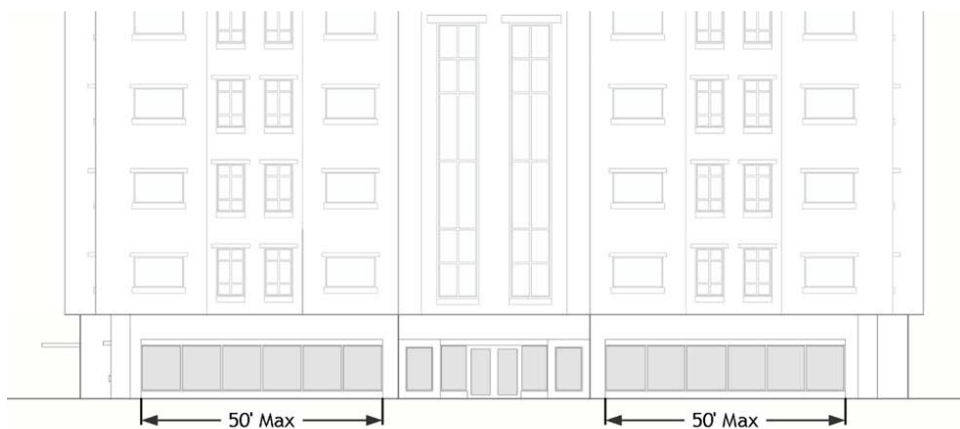
2. *Upper-Floor Transparency.* At least 20% of upper floors shall be transparent.



**Figure 2-121.F: Façade Articulation, Building Form, and Transparency**

3. *Transparency Standards.*

- a. Windows and other materials intended to meet the minimum transparency requirements shall not be reflective or mirror-like in appearance.
- b. Windows shall be individually defined with detail elements such as frames, sills and lintels or other elements that provide delineation between window panes.
- c. "Storefront"-type glass walls shall not extend in a continuous unbroken façade longer than 50 feet (see Figure 2-121.G: Building Transparency - Storefront).



**Figure 2-121.G: Building Transparency - Storefront**

H. *Additional Standards for Multi-Family Development.* In addition to the standards above, all Multi-Family development must provide additional amenities. Applicants shall select amenity options from the



Development Application Handbook to achieve the minimum number of points required for the development as indicated below in Table 2-121.1: Required Points for Multi-Family Development by Number of Units. For purposes of meeting the minimum requirements of this Section, amenities include but are not limited to amenities such as a pool; fitness center; community gathering space (indoor or outdoor); business center; bicycle storage; balconies; multiple floor plans; enhanced building finishes; Leadership in Energy and Environmental Design (LEED) certification; and energy efficient appliances.

Table 2-121.1: Required Points for Multi-Family Development by Number of Units	
Number of Dwelling Units	Minimum Points Required
< 50	20 points
50—99	40 points
100—149	60 points
150—249	80 points
250—350	100 points
> 350	For every additional 50 units, an additional 10 points

## Sec 2-122. Building Design – Middle Housing Development

### A. Building Orientation and Entrances

1. Buildings shall be oriented so that the Primary Facade faces and provides pedestrian access to a Street, Civic Space, or Mews. Mews shall be a minimum of 30 feet wide, measured from property line to property line, and include a 5-foot-wide paved walkway that connects and provides pedestrian access from each Dwelling Unit to a Street.
2. The orientation of the Primary Entrance and façade of residential dwellings shall be consistent with the established pattern along the block face.
3. No residential structure shall be sited diagonally or otherwise skewed on the lot.

### B. Building Form

#### 1. Building Mass

Exterior walls shall be broken up to prevent the appearance of featureless walls using recessed entryways, bay windows, use of more than one exterior finish material, use of architectural details, or such other technique or combinations of techniques.

#### 2. 360-Degree Architecture

Those sides of a building that are not visible from the street frontage shall have a finished façade that is similar to the visible façades in terms of materials and architectural detailing.

### C. Building Transparency

At least 15 percent of the area of Street-facing façades shall be windows or doors.

## **Chapter 2 – Zoning Regulations**

### **Redline Draft**

Sec. 2-6. - Site Plan Packages.

- A. Site Plan Packages for all nonresidential, townhome, triplex, fourplex, sixplex, and multi-family developments in the City shall be submitted for review and approval prior to the issuance of applicable building or foundation permits. The purpose of submittal of the Site Plan Package is to allow a Development Review Committee (DRC) of City staff to review for land use, traffic, utilities, environmental issues, and the property's relationship to adjoining properties. The review shall include, but is not limited to, plat status, zoning compliance, building lines, landscaping, screening, parking, driveway locations, connections to existing utilities, and drainage. The Site Plan Package shall illustrate that the development complies with this Code and the Design Standards. Where a phased development or redevelopment is proposed, the site plan area shall include the entire platted lot from which the phase is being developed. Requirements for Site Plan Package submittals within the extraterritorial jurisdiction (ETJ) are covered in Chapter 5 (Subdivision Regulations).
- B. Approval of the Site Plan Packages shall expire unless additional permits for the Project are obtained within 1 year from the date of approval of the Site Plan Package. The Director may, upon written application, grant a 1-year extension of time to make use of the Site Plan Package.

## Sec. 2-119. Lot Layout and Site Design Regulations

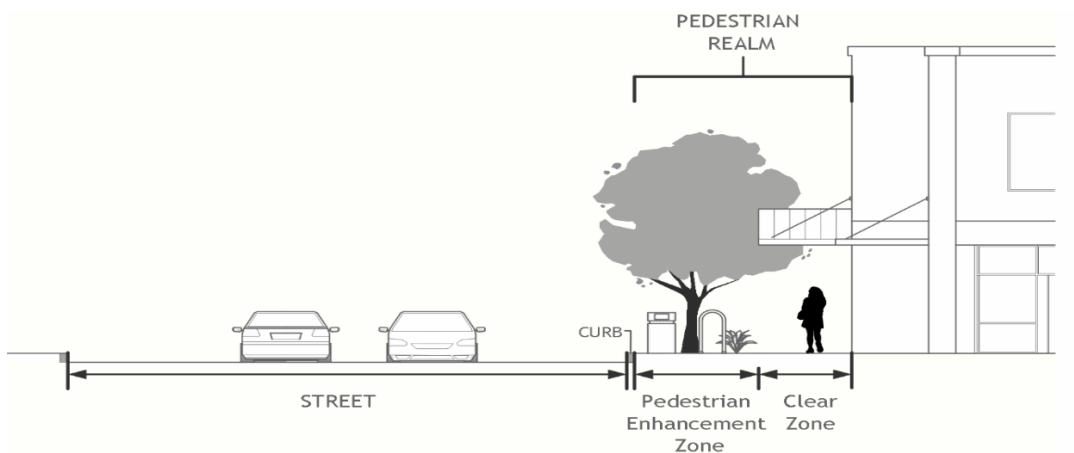
### A. Street Layout

#### ~~1. Block Length~~

~~At least 70% of block faces within the Lake Pointe Redevelopment District must range between a minimum of 200 feet and a maximum of 600 feet.~~

#### 2.1. Pedestrian Realm

- a. As illustrated in **Figure 2-119.A: Pedestrian Realm**, a Pedestrian Realm must be provided along Streets and shall consist of two zones: a Clear Zone (sidewalk) and a Pedestrian Enhancement Zone. The Clear Zone is intended to provide a clear path of travel for pedestrian movement and the Pedestrian Enhancement Zone is intended for the placement of street trees, street furniture and other fixtures in a manner that does not obstruct pedestrian access or motorist visibility.



**Figure 2- 119.A: Pedestrian Realm**

- b. The following standards shall apply to these zones:

Table 2-119.1: Pedestrian Realm Requirements by Roadway Classification		
Roadway Classification (a)	Minimum Clear Zone Width	Minimum Pedestrian Enhancement Zone Width
Type 1 Streets: Major Collector/ Minor Collector	8 feet	8 feet

Type 2 Streets: Local Street/Primary Access Easement	10 feet	8 feet (b)
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#### REFERENCES

- a. As identified and defined in the City of Sugar Land Master Thoroughfare Plan.
- b. Type 2 Streets adjacent to Middle Housing developments shall have a minimum Clear Zone width of 5 feet.

c. Sections of the Clear Zone may be reduced for temporary or permanent outdoor dining or other pedestrian amenities such as seating for a length of no more than 75 continuous feet, but a 5-foot clear space must be maintained at all times.

~~d. The Clear Zone may be covered by Awnings, Canopies, or other shade structures to protect pedestrians from inclement weather.~~

d. Pedestrians within the Clear Zone shall be provided shade through the use of Trees or shade structures, such as Awnings or Canopies.

(1) Trees shall meet the requirements set forth in Sec. 2-120 and the City's Design Standards.

(2) When on-street parking is located within the Pedestrian Enhancement Zone, shade structures shall be utilized to meet this requirement.

(3) If utilities are located within the Clear Zone, the proposed shade structure shall have a minimum vertical clearance of 14 feet.

e. On-street parking may be permitted within the Pedestrian Enhancement Zone along Type 2 Streets. Additional standards are located in the Design Standards.

f. Enhancements required within the Public Realm are described in Section 2-120: Pedestrian Realm Enhancements.

#### B. Connectivity

##### 1. General

a. All public streets, roads, trails, and rights-of-way shall be consistent with the adopted Mobility Master Plan (Master Thoroughfare Plan).

##### 2. ~~Cross Access~~Driveways

~~a. Driveways shall be located at least 50 feet from any intersecting Street right-of-way.~~

~~b. Driveways shall be located at least 50 feet from driveways on an adjacent property, except where one shared access point and driveway can be established to serve both the subject property and the adjacent property on the other side of that property line. Driveways that serve Middle Housing and connect to alleys or private drives are exempt from the minimum 50-foot separation requirement.~~

- ~~c. Primary circulation and access points shall be oriented toward the abutting street with the lowest traffic volume, unless the Director approves an alternative due to pedestrian, bicycle, or traffic safety concerns.~~



~~d.a.~~ To facilitate vehicular, pedestrian, and bicycle cross access between abutting sites, encourage shared parking, and minimize access points along streets, sites shall comply with the following standards:

- (1) The internal circulation system shall be designed to allow for cross-access between sites.
- (2) Required vehicular cross access between the abutting lots shall be provided through the use of a single two-way driveway or drive aisle, or two one-way driveways or aisles that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
- (3) The Director may waive or modify the requirement for cross access if the requirement would:
  - i. Create unsafe conditions; or
  - ii. Impede the application of other design requirements in the Development Code.

#### C. Parking Location, Size, and Pedestrian Connectivity.

##### 1. On-Street Parking Location.

Angled, perpendicular, or parallel parking that is designed to function as on-street parking must meet the following ~~two~~ conditions:

- a. The parking must not adversely affect public safety or circulation; and
- ~~b.~~ Each parking space must be located adjacent to and be directly accessible from a Street.

~~b.c.~~ The parking must be constructed and designed in accordance with the City's Design Standards.

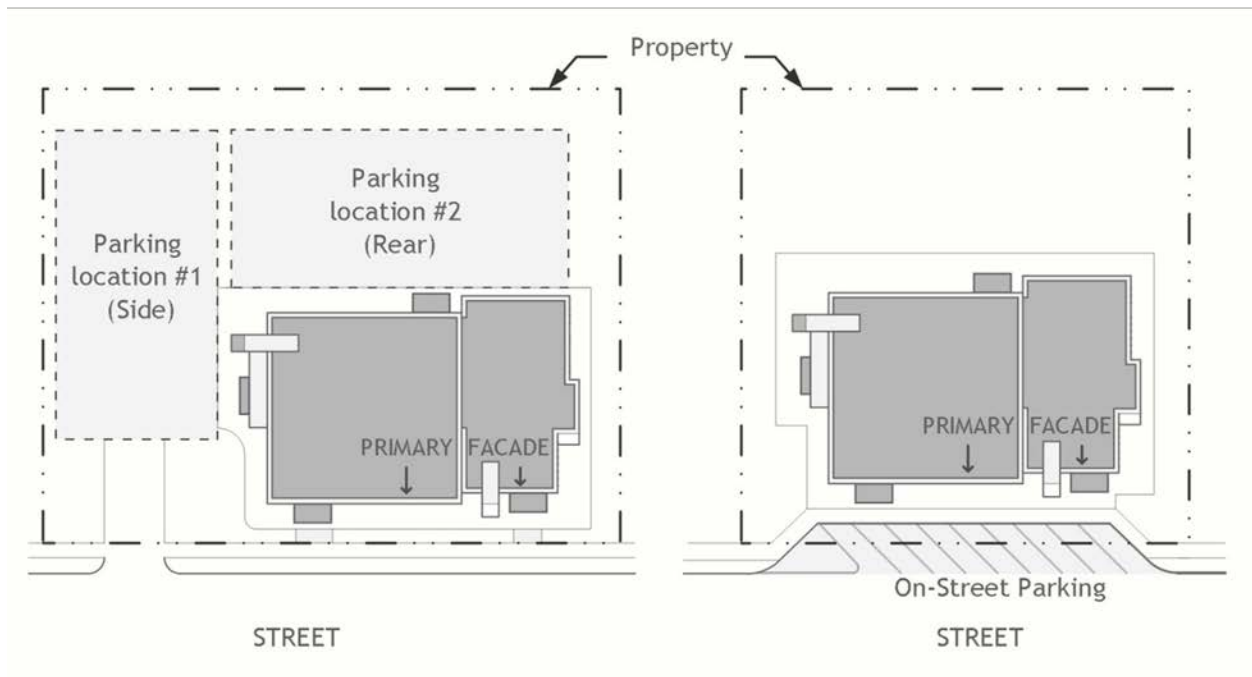
##### 2. Parking Lot Location

- a. Parking Lots shall be located to the side or rear of the Primary Façade. See **Figure 2-119.B: Parking Lot Location**.
- b. Parking Lots, loading, and service areas must be designed to minimize impacts on adjacent residences. They shall be located away from shared property lines and screened from neighboring residences.

##### 3. Parking Lot Size

- a. Sites with more than 50 Multi-Family units must be served by Structured Parking and may not have Parking Lots that exceed 15% of the total site area.
- b. For all other sites, Parking Lots shall not exceed 40% of the site's total area.

- c. The Director may approve of a Parking Lot that exceeds the maximum Parking Lot size requirements above if the Parking Lot serves multiple sites.



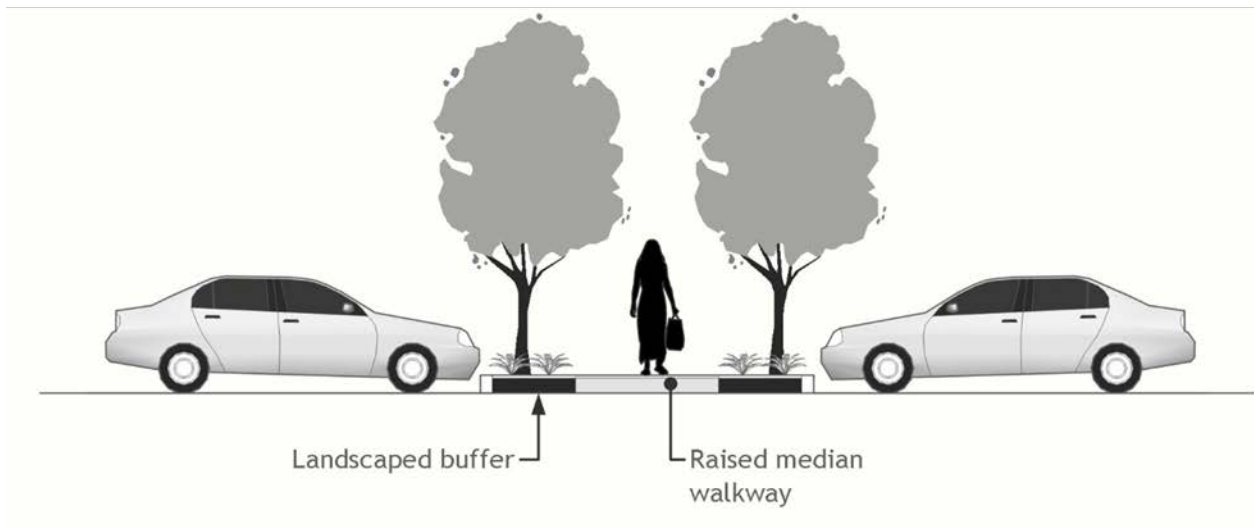
**Figure 2-119.B: Parking Lot Location**

#### 4. Pedestrian Walkways in Parking Lots

- a. All sites with Parking Lots containing 7 or more parking spaces shall provide an on-site system of pedestrian walkways that provide direct access and connections to and between the following elements.
- (1) The Primary Entrance or Entrances to each building, including pad-site buildings;
  - (2) Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the site;
  - (3) Any Parking Lots intended to serve the site;
  - (4) Any sidewalk system along the perimeter Streets adjacent to the site;
  - (5) Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on-site or along an adjacent Street; and
  - (6) Any adjacent or on-site public park, trail system, open space, greenway, or other public or Civic Space or amenity.

b. As shown in **Figure 2-119.C: Pedestrian Walkways in Parking Lots**, Pedestrian walkways required above shall:

- (1) Be a minimum of 5 feet wide;
- (2) Be distinguishable from areas used by vehicles in one or more of the following ways:
  - (i) Varying surfacing material, patterns, and/or paving color, but not including the painting of the paving material;
  - (ii) Varying paving height;
  - (iii) Decorative bollards; or
  - (iv) Raised median walkways with landscaped buffers;

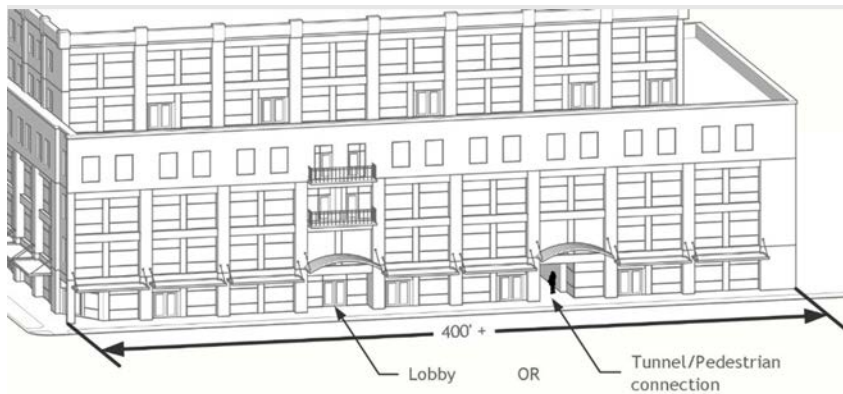


**Figure 2-119.C: Pedestrian Walkways in Parking Lots**

- (3) Be designed with similar and/or complementary details, colors, and finishes as other interconnected walkways;
- (4) Have adequate lighting for security and safety;
- (5) Be conveniently and centrally located on the subject property;
- (6) Be ADA-accessible; and
- (7) Not include barriers that limit pedestrian access between the subject property and required connections to adjacent properties.

#### D. Pedestrian Connectivity

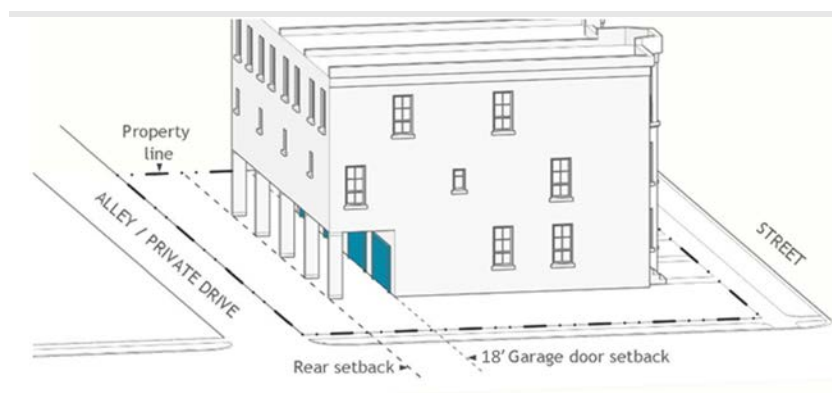
Building façades that are longer than 400 feet in length must provide a midblock pedestrian connection through the building, as shown in **Figure 2-119.D: Midblock Pedestrian Connection**.



**Figure 2-119.D: Midblock Pedestrian Connection**

#### E. Private Garages and Surface Parking for Middle Housing.

1. Garages shall be located behind dwelling units and accessed by alleys or private drives.
2. Garages shall be setback a minimum of 5 feet from an alley or private drive. Any additional setback beyond 5 feet must be at least 18 feet from the edge of the alley/private drive. See **Figure 2-119.E: Rear Loading Garage Setback**.



**Figure 2-119.E: Rear Loading Garage Setback**

3. Parking shall be designed to limit curb cuts and most efficiently park vehicles.
4. Parking may take place on a shared, paved Parking Lot or in shared driveways.

## Sec 2-120. Pedestrian Realm Enhancements.

The Pedestrian Realm, as required by Section 2-119: Lot Layout and Site Design Regulations, shall include amenities to enhance the pedestrian experience.

### A. Pedestrian Amenities Required for All Development.

The Pedestrian Enhancement Zone must include the following amenities:

~~1. Pedestrian-scaled lighting poles or bollards no more than 15 feet in height shall be installed at intervals of 50-70 feet on center and located an equal distance from street trees.~~

1. Pedestrian-scaled lighting poles or bollards, no more than 15 feet in height, shall be installed at even intervals where possible and in compliance with the City's Design Standards.

2. Shade Trees shall be installed at intervals of: One tree shall be provided for every 40 linear feet of street frontage or portion thereof. Trees must be at least 10 feet in height and have a minimum 4-inch caliper immediately after planting. Tree caliper is measured 6 inches from natural ground level.

3. The Director may allow or require minor deviations from the requirements of this section in order to compensate for an unusual site condition or to protect a natural feature or public infrastructure.

~~2.~~

~~a. 25-35 feet on center for 2.5 to 3-inch caliper trees; or~~

~~b. 35-40 feet on center for 4-inch caliper trees.~~

### B. Additional Pedestrian Amenities for Nonresidential, Multi-Family, and Mixed-Use Buildings.

#### 1. Applicability.

This subsection sets forth a range of options for pedestrian enhancements to improve the streetscape and foster a pedestrian-oriented environment. Sites shall provide pedestrian enhancements in the Pedestrian Enhancement Zone. Any combination of options from **Table 2-120.1: Pedestrian Enhancement Options** may be used to achieve a minimum of 8 points required for each site. To satisfy these requirements, amenities must be open and accessible to the public.

##### a. Middle Housing Exempt.

Lots exclusively occupied by Middle Housing shall not be required to provide additional pedestrian amenities as set forth in **Table 2-120.1: Pedestrian Enhancement Options**.

b. Pedestrian Enhancement Options

Table 2-120.1: Pedestrian Enhancement Options	
Description	Points
<b>Spaces and Areas</b>	
An enhanced landscaped area provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of the lesser of 650 square feet or two percent of the net site area. Enhanced landscaping includes additional plant quantity and varieties, pedestrian accommodations, raised beds, and landscape walls or similar hardscape elements.	1 point (Maximum 3)
A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet.	2 points
Shade provided for the playground, patio, or plaza using Canopies pergolas, shade trees (minimum 6-inch caliper), or other coverings.	2 points
<b>Site Features</b>	
At least one Blank Wall treatment: <ul style="list-style-type: none"> <li>• Install trellises with climbing vines or plant materials along wall;</li> <li>• Provide a planting bed with plant material that screens at least 50 percent of the wall surface; or</li> <li>• Provide artwork on the surface.</li> </ul>	1 point
Creative, ornate or decorative art installations, sculptures, murals, or other intentional artwork	1 point (Maximum 2)
Rain gardens, street-side swales, soil and turf management or other appropriate storm water infiltration system(s) to capture and infiltrate a minimum of 25 percent of site-generated stormwater (subject to Engineering approval)	3 points
Seating every 50 feet adjacent to the building or within the Pedestrian Enhancement Zone, provided such seating includes a variety of seating types and figurations, accommodates solitary and social activities, and provides a safe, comfortable seating surface with smooth, even surfaces and curved edges. The following kinds of seating may be used to meet the requirement: moveable seating, fixed individual seating, fixed benches with and without backs, and seating designed into architectural features (e.g., walls, planter ledges, and seating steps).	1 point
Shade provided for seating areas using Canopies, pergolas, shade trees (minimum 6-inch caliper), or other coverings.	1 point
Trash and recycling receptacles installed every 250 feet along the building frontage and at each building entrance adjacent to a pedestrian walkway	1 point



Sec 2-121. Building Design and Additional Development Standards – Multi-Family, Mixed-Use and Nonresidential Development

- A. *—Building Arrangement.* Buildings on sites larger than 5 acres shall be organized to create pedestrian-friendly spaces and streetscapes and should be arranged to frame Streets and Civic Spaces (see Figure 2-121.A: Building Arrangement).



**Figure 2-121.A: Building Arrangement**

B. *Civic Space.*

1. A minimum of 5% of the Lake Pointe Redevelopment District shall be dedicated to Civic Space. Area within the Pedestrian Realm that is adjacent to a Street shall not count towards required Civic Space.
2. Civic Space shall be provided along waterfront properties. Where a trail is proposed, the minimum width shall be 10 feet.
3. In the Lake Pointe Redevelopment District, the park land dedication requirement set forth in Section 5-30 may be satisfied through the provision of Civic Space if:
  - a. The Civic Space contains recreational amenities, as described in Section 5-30.6; and
  - b. The Parks and Recreation Director approves of the proposed recreational amenities.

34. *Kiosks.* Kiosks, whether temporary or permanent structures, shall be permitted within a Civic Space provided that the structure:

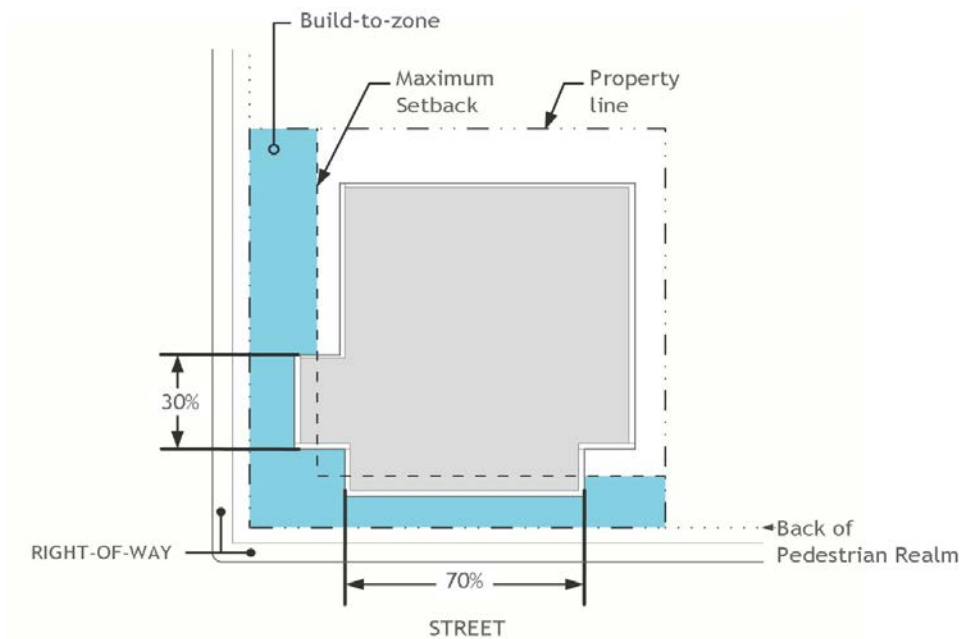
- a. Is a maximum of 20 feet in height and no larger than 200 square feet;
- b. Is occupied by a use permitted in the LPR District;
- c. Complies with all applicable building codes; and
- d. Does not impede and is not located within any Clear Zone.

B.

C. *Building Orientation and Siting.*

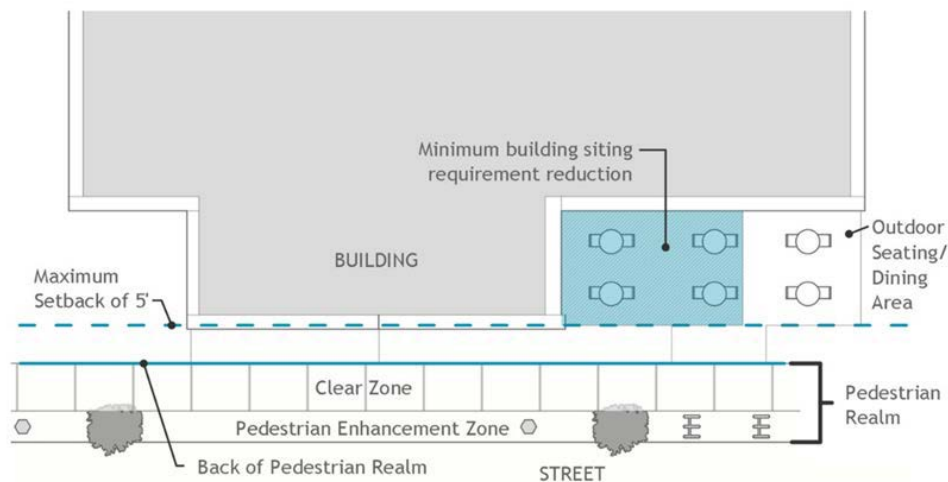
1. Buildings shall be oriented so that the Primary Façade faces the Street or Civic Space.
2. A minimum of 70% of the Primary Façade along the Street shall be located within the Build-to Zone (see Figure 2-121.B: Building Siting).

3. On corner lots, a minimum of 30% of the side street building façade shall be located within the Build-to Zone (see Figure 2-121.B: Building Siting).



**Figure 2-121.B: Building Siting**

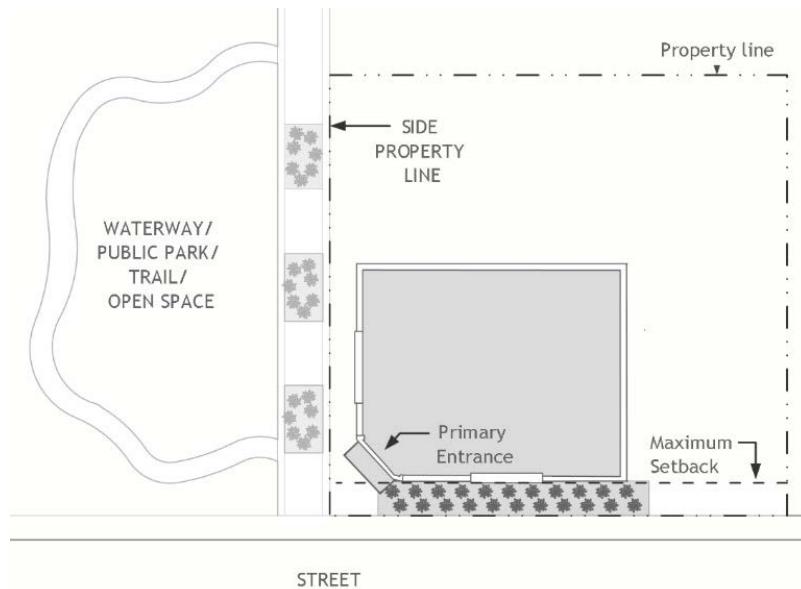
4. The minimum building siting requirement may be reduced for an outdoor seating and dining area as shown in Figure 2-121.C: Minimum Frontage Requirements - Outdoor Seating and Dining, provided such area is designed and located:
  - a. To avoid interference with any pedestrian access ramp from any abutting street onto the Clear Zone, and to avoid all areas required for maneuvering of wheelchairs and other ambulatory devices at the top of any pedestrian access ramp; and
  - b. To meet the standards for Clear Zone set forth in Section 2-119.A.2.



**Figure 2-121.C: Minimum Frontage Requirements- Outdoor Seating and Dining**

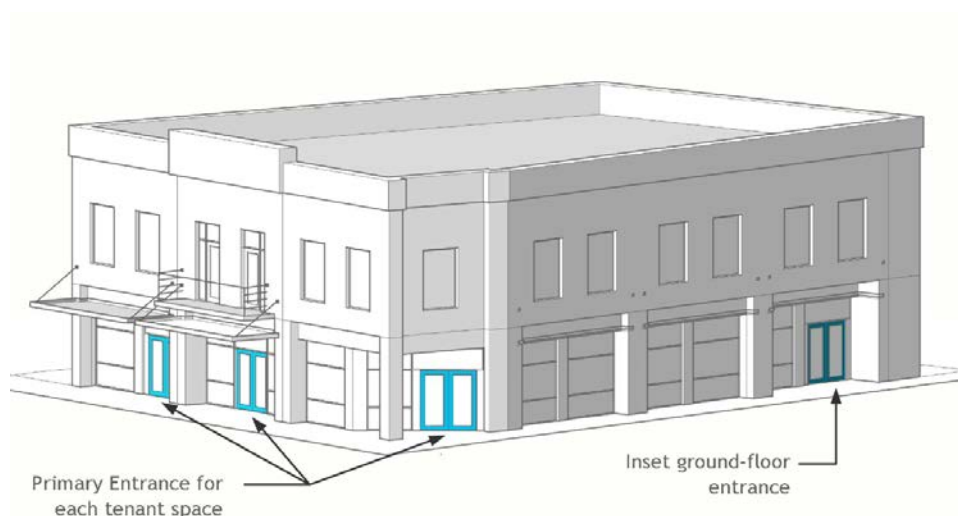
**D. Building Entrances.**

1. Each ground level building and separate tenant space shall have at least 1 Primary Entrance to the adjacent Street or Civic Space (see Figure 2-121.D: Building Entrances). Shared/common lobbies may count as a Primary Entrance for tenant spaces with entrances internal to the building.
  - a. If a natural geographic feature, such as a waterway or other major landscaping feature, public park, trail, or other open space is on or adjacent to the site, each building shall have a Primary Entrance connecting to the feature.
  - b. A corner entrance may count as a Primary Entrance for any intersecting features (see Figure 2-121.E: Orientation Toward Primary Street Frontage).



**Figure 2-121.D: Orientation Toward Primary Street Frontage**

2. Primary Entrances shall be defined and articulated with architectural elements such as pediments, columns, porticos, porches, overhangs, or other similar elements approved by the Director (see Figure 2-121.E: Building Entrances).
3. All ground-floor entrances shall be covered or inset to provide shelter from inclement weather. The inset or cover shall be no less than 20 square feet (see Figure 2-121.E: Building Entrances).



## Figure 2-121.E: Building Entrances

### E. *Ground Level Design.*

1. *Ground Level Multi-Family Residential.* All Buildings that have residential unit floor plates within 6 feet of finished grade shall meet the following standards:
  - a. The building shall include an entrance into the unit that is accessible from the Pedestrian Realm. Entrances above grade are considered accessible from the Pedestrian Realm.
  - b. Units shall include ground level windows that provide residents a view of the street and Pedestrian Realm.
  - c. Lobbies that provide access to upper stories may be located at grade level.
  - d. Any fencing used to enclose patios adjacent to the Pedestrian Realm may not exceed 4 feet in height.
  - e. All ground floor residential units along Streets shall maintain a minimum structural ceiling height of 13 feet to provide the opportunity for future conversion to nonresidential uses.
2. *Ground Level Nonresidential.*
  - a. All buildings that have nonresidential uses at ground level adjacent to the Pedestrian Realm shall meet the following requirements.
    - (1) Entrances shall be located at the approximate elevation of the adjacent sidewalk.
    - (2) Ground floors shall have a minimum clear height of 13 feet between finished floor and the ceiling or top plate. Mezzanines within the retail space shall be allowed per building code.
  - b. The ground level façade must include building elements that provide weather protection at least 6 feet deep along at least 75% of the façade.

### F. *Building Form.*

1. *Building Mass.* Buildings shall be designed to reduce apparent mass, ground the building, provide visual relief, and reinforce pedestrian scale. This shall be accomplished by differentiating between the ground level and upper levels through architectural features. Examples of features include but are not limited to: Canopies, balconies, Arcades, varying materials, banding, noticeable change in color or shade, parapet walls, or other horizontal or vertical elements (see Figure 2-121.F: Façade Articulation, Building Form, and Transparency).
2. *360-Degree Architecture.* Those sides of a building that are not visible from the Street shall have a finished façade that is similar to the visible façades in terms of materials and architectural detailing.
3. *Façade Articulation.* All Primary Façades and Street-facing façades shall provide visual relief which breaks or minimize the scale of the building. These façades shall not exceed 50 feet in length without incorporating 2 of the following elements:
  - a. Vertical building modulation of at least 12 inches in depth;
  - b. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum of 6 inches in depth; and/or
  - c. A change in building material, siding style, or color.
4. *Transitions to Residential.* Buildings on sites adjacent to residential shall be designed to minimize impacts on Single-Family and Middle Housing Dwellings and maximize the privacy of residents by:
  - a. Locating sources of audible noise (e.g., heating and air conditioning units) as far away from lower intensity uses as practical;
  - b. Placing windows on the building to minimize direct lines of sight into neighboring homes; and
  - c. Orienting porches, balconies, and other outdoor living spaces away from neighboring homes.

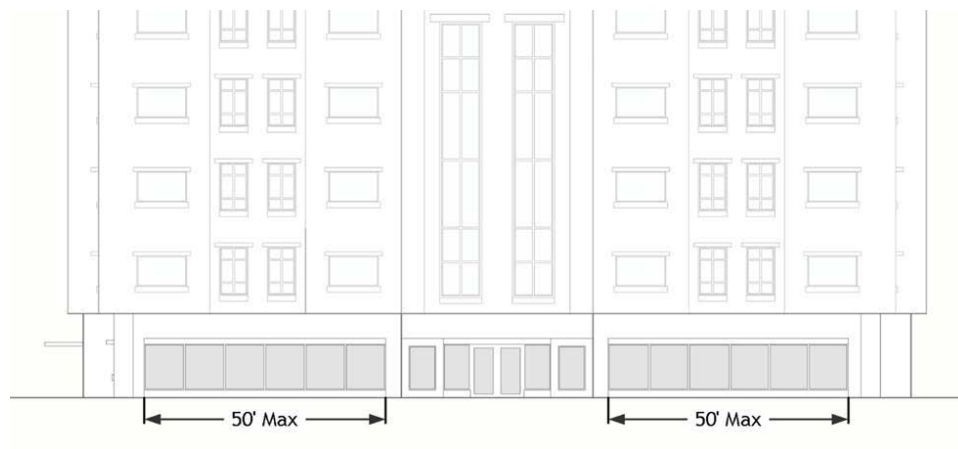
G. **Building Transparency.** Façades that are oriented toward Streets or Civic Spaces shall meet the following transparency requirements, as shown in Figure 2-121.F: Façade Articulation, Building Form, and Transparency:

1. **Ground-Floor Transparency.**
  - a. For nonresidential uses, at least 40% of each ground floor façade shall be transparent.
  - b. For residential uses, at least 15% of each ground floor façade shall be transparent.
2. **Upper-Floor Transparency.** At least 20% of upper floors shall be transparent.



**Figure 2-121.F: Façade Articulation, Building Form, and Transparency**

3. **Transparency Standards.**
  - a. Windows and other materials intended to meet the minimum transparency requirements shall not be reflective or mirror-like in appearance.
  - b. Windows shall be individually defined with detail elements such as frames, sills and lintels or other elements that provide delineation between window panes.
  - c. "Storefront"-type glass walls shall not extend in a continuous unbroken façade longer than 50 feet (see Figure 2-121.G: Building Transparency - Storefront).



**Figure 2-121.G: Building Transparency - Storefront**

- H. *Additional Standards for Multi-Family Development.* In addition to the standards above, all Multi-Family development must provide additional amenities. Applicants shall select amenity options from the Development Application Handbook to achieve the minimum number of points required for the development as indicated below in Table 2-121.1: Required Points for Multi-Family Development by Number of Units. For purposes of meeting the minimum requirements of this Section, amenities include but are not limited to amenities such as a pool; fitness center; community gathering space (indoor or outdoor); business center; bicycle storage; balconies; multiple floor plans; enhanced building finishes; Leadership in Energy and Environmental Design (LEED) certification; and energy efficient appliances.

Table 2-121.1: Required Points for Multi-Family Development by Number of Units	
Number of Dwelling Units	Minimum Points Required
< 50	20 points
50—99	40 points
100—149	60 points
150—249	80 points
250—350	100 points
> 350	For every additional 50 units, an additional 10 points

## Sec 2-122. Building Design – Middle Housing Development

### A. Building Orientation and Entrances

1. Buildings shall be oriented so that the Primary Facade faces and provides pedestrian access to a Street, Civic Space, or Mews. Mews shall be a minimum of ~~30~~15 feet wide, measured from property line to property line, and include a 5-foot-wide paved walkway that connects and provides pedestrian access from each Dwelling Unit to a Street ~~or Civic Space~~.
2. The orientation of the Primary Entrance and façade of residential dwellings shall be consistent with the established pattern along the block face.
3. No residential structure shall be sited diagonally or otherwise skewed on the lot.

### B. Building Form

#### 1. Building Mass

Exterior walls shall be broken up to prevent the appearance of featureless walls using recessed entryways, bay windows, use of more than one exterior finish material, use of architectural details, or such other technique or combinations of techniques.

#### 2. 360-Degree Architecture

Those sides of a building that are not visible from the street frontage shall have a finished façade that is similar to the visible façades in terms of materials and architectural detailing.

### C. Building Transparency

At least 15 percent of the area of Street-facing façades shall be windows or doors.

## **Chapter 5 – Subdivision Regulations**

### **Clean Draft**



Sec. 5-3. - Definitions.

- A. For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Definitions not expressly prescribed herein are to be determined in accordance with customary usage in municipal planning and engineering practices. The words "shall" or "must" are always mandatory, while the word "may" is merely directory.

*Access Easement:* See Chapter 10 for definition.

*Administrative Plat:* A type of Final Plat, limited in application, which may be approved by the City Manager or Director under the provisions of Chapter 212 of the Texas Local Government Code. Minor Plats and Amending Plats are types of Administrative Plats.

*Amending Plat:* A type of Final Plat that controls over the preceding plat without vacation of that plat and is submitted for approval of certain dimensional and notational corrections and lot line adjustments under the provisions of Chapter 212 of the Texas Local Government Code.

*Alley:* See Chapter 10 for definition.

*City:* See Chapter 10 for definition.

*City Engineer:* This term shall apply only to such registered professional engineer or firm of registered professional consulting engineers that has been specifically designated as such by the City Manager.

*City Manager:* The person holding the position of City Manager as appointed by the City Council according to the City Charter.

*Civic Space:* See Chapter 10 for definition.

*Comprehensive Plan:* The Comprehensive Plan of the City and adjoining areas as adopted by the City Council and recommended by the Planning and Zoning Commission, including all its revisions. This plan indicates the general location recommended for various land uses, transportation routes, public and private buildings, streets, parks, water, sewer, and other public and private developments and improvements. The Comprehensive Plan can also be defined as the series of plans such as the Master Thoroughfare Plan, Water Master Plan, Pedestrian and Bicycle Master Plan, and Parks, Recreation, and Open Space Master Plan, among others.

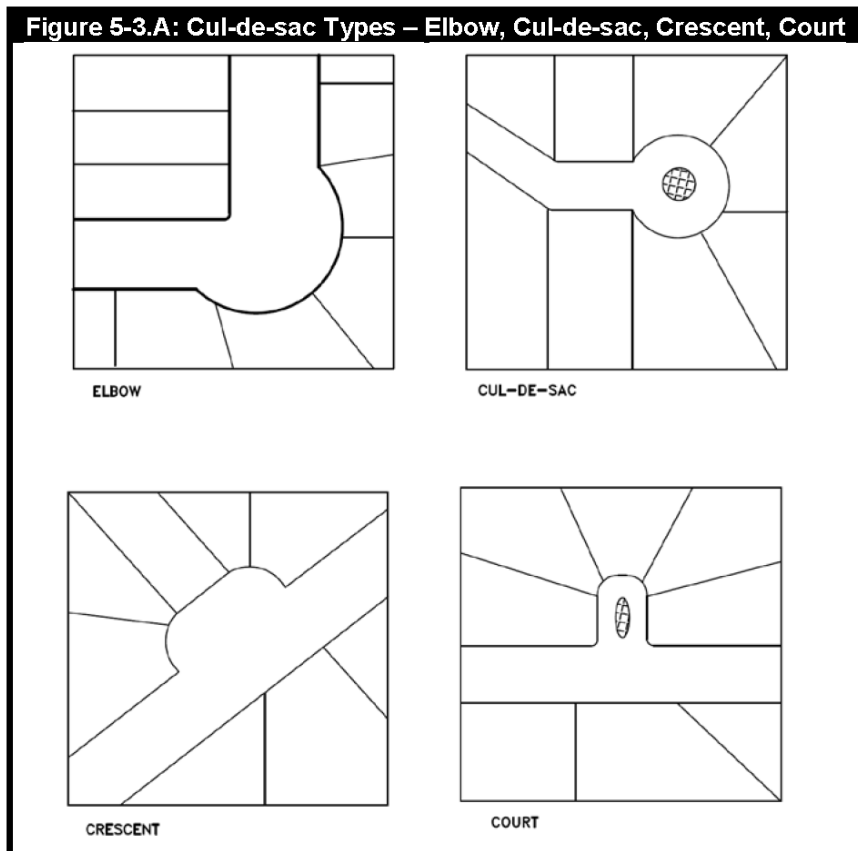
*Condominium:* Joint ownership and control, as distinguished from sole ownership and control, of specified horizontal layers of air space; each condominium unit is individually owned, while the common elements of the condominium building, structure, or development are jointly owned. Condominiums may be commercial, industrial, recreational, or residential.

*Cul-de-sac:* A circular Right-of-Way in which a vehicle can turn 180 degrees around a center point or area. A cul-de-sac is a street having but 1 outlet and terminated on the opposite end by a vehicular turnaround (see Figure 5-3.A). The following are variations of cul-de-sac:

*Court:* A cul-de-sac with a depth of less than 150 feet.

*Crescent:* A type of cul-de-sac street in the shape of a half-circle with no more than 200 feet of width.

*Elbow:* A corner intersection of 2 streets marked with a cul-de-sac for vehicular turnarounds.



**Figure 5-3.A**

*Dead-End Street:* A street, other than a cul-de-sac with only 1 outlet.

*Design Standards:* The currently adopted document which provides the general requirements for the design of public improvements, private improvements that connect to or affect the public infrastructure and the supporting documents for approval in the City and its extraterritorial jurisdiction. Specific design criteria are included in the document. The Design Standards are incorporated into the Development Code as Chapter 6.

*Development:* A planning or construction project involving substantial property involvement and usually including the subdivision of land and change in land use character.

*Development Review Committee:* A committee of City staff members from various departments, such as Planning, Engineering, Building Permits and Inspections, Fire, and Public Works, tasked with reviewing and processing development applications.

*Director:* The person designated or assigned by the City Manager to administer the Subdivision Regulations or any other provisions of this Code. Director includes any person authorized to perform the duties of the Director.

*Duplex:* See Chapter 10 for definition.

*Easement:* Authorization by a property owner designating part of his or her property for the use by another for a specified purpose.

*Engineer:* A person duly authorized under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended, to practice the profession of engineering and who is specifically qualified to design and prepare infrastructure construction plans, specifications and documents for subdivision development.

*Final Plat:* A map or drawing of a proposed subdivision prepared to meet all of the requirements for approval by the City. Distances shall be accurate to the nearest hundredth of a foot. The Final Plat of any lot, tract, or parcel of land shall be recorded in the records of Fort Bend County, Texas. A Short Form Final Plat is also Final Plat.

*General Land Plan:* A general or conceptual plan for an area proposed for partial or complete subdivision. The General Land Plan shall show the proposed locations of land uses, streets, phasing of development, important physical features, and other applicable information for the entire area to be developed.

*Land Planner:* Persons other than surveyors or engineers who also possess and can demonstrate a valid proficiency in the planning of residential, commercial, industrial, and other related developments, such proficiency often having been acquired by education in the field of landscape architecture or other specialized planning curriculum and/or by actual experience and practice in the field of land planning, and may be a member of the American Institute of Certified Planners.

*Master Thoroughfare Plan:* A plan adopted by the City Council which identifies the general routing and classification of proposed streets and thoroughfares. The plan may also establish the function and capacity of the various thoroughfares as they relate to the land uses they are proposed to serve.

*Mews:* See Chapter 10 for definition.

*Middle Housing:* See Chapter 10 for definition.

*Minor Plat:* A type of Final Plat that involves 4 or fewer lots or reserves fronting on an existing street that does not require the creation of any new street or the extension of municipal facilities. A Minor Plat is an Administrative Plat.

*Off-Street Facility:* Pedestrian and/or bicycle facilities located outside the paved area used by vehicles and includes Sidewalks, Sidepaths, and Shared Use Paths (trails).

*On-Street Facility:* Bicycle facilities located on the street, such as bicycle lanes, buffered bicycle lanes, shared lane markings, and cycle tracks.

*Patio Home or Zero Lot Line Home:* A single-family detached dwelling unit with a 0 building line on 1 side.

*Pavement Width:* The portion of a street available for vehicular traffic from back of curb to back of curb.

*Person:* Any individual, association, firm, corporation, governmental agency, or political subdivision.

*Planned Unit Development (PUD):* Land in the extraterritorial jurisdiction, under unified control, to be planned and developed as a whole in a single development operation or definitively programmed series of development operations or phases. PUDs promote the development of a tract of land in a unified manner and may allow for certain alternative standards from the established development standards for lot sizes, lot width, building lines, as established in this chapter.

*Planning and Zoning Commission:* Same as Commission. The Commission is appointed by the City Council under the provisions of the City Charter to approve subdivision plats and make recommendations on other planning issues as per City Charter.

*Plat certificate:* A certificate letter issued upon approval and recordation of the subdivision certifying that the subdivision has met all the requirements for a plat.

*Point of Connection:* A driveway connecting to a Public Street or Private Street that provides access into a development site. At a minimum, a Point of Connection must provide 1 ingress and 1 egress. For example, 1 Point of Connection can be a two-way driveway or 2 opposite-direction one-way driveways.

*Preliminary Plat:* A map or drawing of a proposed subdivision illustrating the general features of the development for review and approval by the Commission, but not suitable for recordation in the county records. The Preliminary Plat is designed to allow the subdivider to obtain approval of the general lot and street layout of a development prior to investment in detailed information contained in a Final Plat and related engineering public infrastructure construction plans.

*Private Infrastructure:* Infrastructure designated as private on a recorded plat, and may include streets, sidewalks, streetlights, and any other street related appurtenances.

*Private Streets, Residential and Nonresidential:* A privately owned and maintained street that is designated as such and is a separate reserve on a plat.

*Property Owners Association:* An incorporated association owned by or whose members consist primarily of the owners of the property covered by the dedicatory instrument and through which the owners, or the board of directors or similar governing body, manage or regulate the subdivision, planned unit development, condominium or townhouse regime, or similar planned development.

*Public Improvements:* Any improvement, facility, or service together with its associated public site or Right-of-Way necessary to provide transportation, drainage, water, sewer, or similar public services.

*Public Utility:* Any entity, other than the City, that provides utility services to the public, such as water, sewer, electric, or gas.

*Radial Lot:* A lot fronting onto a curvilinear street such as an elbow, cul-de-sac, crescent or court (see Figure 5-3.A.).

*Record Plat:* A plat of any lot, tract, reserve, or parcel of land that is recorded with the Fort Bend County clerk following final approval by the City.

*Replat:* The resubdivision of all or any part of a subdivision or any block or lot of a previously platted subdivision.

*Reserve:* A reserve is the same as a Lot and subject to the same platting requirements. Nonresidential lots are typically known as reserves within this Chapter.

*Short Form Final Plat:* A type of Final Plat that involves no more than 4 lots, tracts or reserves; located within an existing public street circulation system; meeting the existing zoning requirements if located within the City; does not propose to vacate public street Rights-of-Ways or easements; and meets other requirements as set forth in Sec. 5-12 of this Chapter. A Short Form Final Plat combines the requirements of a Preliminary Plat and a Final Plat into one process.

*Sidewalk:* A pedestrian facility adjacent to a roadway. The City's Design Standards identifies requirements for Sidewalks.

*Sidepath:* A shared pedestrian and bicycle facility adjacent to a roadway. The City's Design Standards identify requirements for Sidepaths.

*Shared Use Path (Trail):* A shared pedestrian and bicycle facility not adjacent to a roadway. The City's Design Standards identify requirements for Shared Use Paths.

*Site Plan:* A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations. Site Plans include lot lines, streets, building sites, reserved open space, easements, driveways, and other features in accordance with graphic requirements identified in the Development Application Handbook.

*Street:* See Chapter 10 for definition.

*Street Width (Rights-of-Way):* The shortest distance between the lines which delineate the Rights-of-Way of a street.

*Subdivider:* Any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. The term "subdivider" shall be restricted to include the owner, equitable owner, or authorized agent and is synonymous with developer.

*Subdivision (also addition):* A division of a lot, tract, or parcel into 2 or more Lots, tracts, or parcels or other divisions of land for sale or development; however, when such lot, tract, etc., is divided for sale or development and the remaining Lot is more than 5 acres, the remainder does not have to be platted.

Subdivision shall include the dedication of public streets, access easements, utility easements and fire lanes. The resubdivision or replatting of lots in a previous subdivision is a subdivision.

*Surveyor:* A registered professional land surveyor, as authorized by state law, to practice the profession of surveying.

*Townhome:* A residential unit that shares at least 1 common or party wall with another unit. Each unit and the land upon which it stands is individually owned, subject to a party wall agreement with the adjacent owner.

*Tract:* A tract is the same as a Lot and shall be subject to the same platting requirements.

*Zoning ordinance:* The ordinance which sets forth land use regulations and standards within the corporate limits of the City.

B. General definitions may be found in Chapter 10.

Sec. 5-19. - Streets.

A. *General Provisions.*

1. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Master Thoroughfare Plan and the current Design Standards, and shall be considered in their relation to existing and planned streets or driveways, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. All streets shall be paved in accordance with the current Design Standards.
3. All lots, tracts, and reserves shall have frontage on an approved Public Street, Private Street, Primary Access Easement, or as otherwise provided in this Section.
  - a. Single-family Lots shall have frontage on an approved Public Street or Private Street.
  - b. Nonresidential, townhome, and multifamily Lots, tracts, and reserves shall have frontage on an approved Public Street, Private Street, or Primary Access Easement provided that nonresidential subdivisions:
    - 1) Thirty-two acres or less may utilize a combination of Public Street, Private Street, and Primary Access Easements for access within and around the subdivision, subject to the provisions of this Section.
    - 2) More than 32 acres, in order to provide adequate vehicular circulation:
      - a) Shall provide a Public Street or Private Street through the development connecting to a Public Street in 2 locations as far apart as possible, and
      - b) Do not qualify for use of Primary Access Easements as the sole means of access through the subdivision.
    - 3) For the purposes of calculating the total acreage of a subdivision, all contiguous property under the same ownership must be included, and a property cannot be subdivided or its acreage calculated in separate pieces to avoid the requirements of this subsection.
  - c. In the LPR district, Middle Housing lots shall have frontage on an approved Public Street, Mews, or Civic Space and vehicular access shall be provided via an Alley.
4. No existing public street in a subdivision shall be converted to a private street.
5. No private street in a developed subdivision shall be accepted as a public street.
6. Maintenance access to a landscape, drainage or open space reserve may be provided through an adjoining reserve by access easement or use designation on the reserve.
7. General transportation requirements. The provisions of this Section 5-19 (Streets) are subject to the applicable provisions of Chapter 1, Article II (Street System Improvements) of the Development Code.

B. *Residential Private Streets.*

1. *Approval of Residential Private Streets.* Residential Private Street may be approved:
  - a. Within the City through a Planned Development (PD) District as authorized by Chapter 2, Article II of this Code, and
  - b. Within the extraterritorial jurisdiction (ETJ) through a Development Agreement approved by City Council as authorized by Chapter 5, Article III of this Code.
  - c. Once approved through a PD or a Development Agreement, the Final Plat must include plat notes reflecting the requirements for Private Streets established in this Section.
2. *Requirements for Residential Private Streets.* Residential Private Streets must:

- a. Comply with the City's Design Standards for public streets.
  - b. Be designated on the plat and the plat shall contain specific notes stating that the City is not responsible for the maintenance of private streets, sidewalks, or streetlights contained within the private subdivision section, and that the applicable property owner association shall be responsible for maintenance of the private infrastructure within the subdivision.
  - c. Not be an Arterial or Collector Street on the Master Thoroughfare Plan, not adversely affect existing traffic circulation on adjacent public streets, and not have a negative impact on planning for the area.
  - d. Have a maximum travel distance of 2,000 feet from a connecting Public Street, unless a specific approval is applied for and granted following a technical review by the City Engineer.
  - e. Provide access to police, fire, emergency vehicles, utility operations and maintenance, and other municipal personnel as needed, and such access be so noted on the plat.
  - f. If gated, have access control devices located in accordance with the Design Standards, and meet other regulations adopted by the City, including redundancy requirements. The developer shall provide to the City all equipment necessary to operate the access control devices, as determined by the City and at no cost to the City. Access control devices must comply with specifications required by the City Fire Marshal.
  - g. Include a readily visible sign giving notice that the street is private.
3. *Developer Obligations for Residential Private Streets.* The developer shall record subdivision covenants approved by the City prior to the sale of any lot in the subdivision. Covenants shall require at a minimum that:
    - a. Property owners shall pay monthly or annual assessments into a maintenance and capital replacement fund restricted for use for maintenance and repair cost for the Residential Private Streets in the subdivision.
      - 1) The monthly or annual assessments shall be initially established in an amount that will, at the end of the first 5 years of the assessments, not be less than 3% of the initial cost, adjusted for inflation, of constructing the private infrastructure in the subdivision.
      - 2) Thereafter, the monthly or annual assessment shall be established in an amount that will, at the end of 35 years, not be less than the reconstruction cost of the private infrastructure, adjusted for inflation.
      - 3) The property owners association shall utilize this maintenance and capital replacement fund to maintain the private infrastructure in the subdivision.
    - b. Property owners shall pay monthly or annual assessments to perpetually maintain the markings or postings required for fire lanes and the required signs giving notice of the private street and to provide access control mechanisms for emergency vehicles.
    - c. Homeowners release the City from any damage to the Residential Private Streets and sidewalks that may be caused by maintenance, repair or replacement of public utilities.
  4. *Residential Private Streets Accounting Report.* The Property Owners' Association responsible for maintaining Residential Private Streets established after July 21, 2015, shall:
    - a. Submit to the City an affidavit setting forth an annual financial report, using a standard City format, indicating the funds set aside in the required private street maintenance and capital replacement fund.
    - b. 10 years after first certification of compliance of a private street within a development, provide to the City every 5 years a reserve fund study for private infrastructure, using a standard City format. The reserve fund study must be signed and sealed by a registered engineer. The study shall include, but not be limited to, the following:
      - 1) Location of infrastructure,

- 2) Age of infrastructure,
- 3) Expected life of infrastructure,
- 4) Cost to replace infrastructure,
- 5) Funds in maintenance and capital replacement fund account:
  - a) Maintenance and capital replacement fund must comply with required funding of this Section.
- 6) Determination of whether funds will be sufficient to maintain and replace private infrastructure, and
- 7) Determination whether assessments need to be increased to retain sufficient fund for maintenance and replacement of private infrastructure.

C. *Nonresidential Private Streets.*

1. Nonresidential Private Streets may be utilized when a subdivider constructs a street serving nonresidential reserves that will serve the functions of a typical public street but be privately owned and maintained. Access is provided to individual lots or reserves by a private platted street shown as a Reserve on the plat. Nonresidential Private Streets may be approved:
  - a. Within the City through a Planned Development (PD) District as authorized by Chapter 2, Article II of this Code, and
  - b. Within the extraterritorial jurisdiction (ETJ) through a Development Agreement approved by City Council as authorized by Chapter 5, Article III of this Code.
  - c. Once approved through a PD or a Development Agreement, the Final Plat must include plat notes reflecting the requirements for Private Streets established in this Section.
2. Nonresidential Private Streets must:
  - a. Comply with all City codes and standards for public streets.
  - b. Be designated on the plat and the plat shall contain specific notes stating that the City is not responsible for the maintenance of private infrastructure contained within the private subdivision section, and that the applicable property owner association shall be responsible for maintenance of the private infrastructure within the subdivision.
3. The Developer shall record subdivision covenants approved by the City prior to the sale of any lot or reserve in the subdivision. Covenants shall require at a minimum that:
  - a. Property owners shall pay monthly or annual assessments into a maintenance and capital replacement fund restricted for use for maintenance and repair cost for the Nonresidential Private Streets in the subdivision.
    - 1) The monthly or annual assessments shall be initially established in an amount that will, at the end of the first 5 years of the assessments, not be less than 3% of the initial cost, adjusted for inflation, of constructing the private infrastructure in the subdivision.
    - 2) Thereafter, the monthly or annual assessment shall be established in an amount that will, at the end of 35 years, not be less than the reconstruction cost of the private infrastructure, adjusted for inflation.
    - 3) The property owners association shall utilize this maintenance and capital replacement fund to maintain the private infrastructure in the subdivision.
  - b. Property owners shall pay monthly or annual assessments to perpetually maintain the markings or postings required for fire lanes and the required signs giving notice of the private street and to provide access control mechanisms for emergency vehicles.
4. *Primary Access Easements.* A Primary Access Easement is a privately maintained main access route that serves 1 or more lots or reserves, but does not typically serve the full function of a



public or private street (see Figures 5-19.A and 5-19.B). Primary Access Easements may be required when shared driveway access is necessary to meet driveway spacing requirements along a Public Street or Private Street.

- a. For lots, tracts, or reserves, with frontage on a public or private street, a connection to a Primary Access Easement is not required if the development has the acreage (X) and minimum points of connection (Y) as identified in the following chart:

<b>Maximum Acreage (X)</b>	<b>Minimum Points of Connection to a Public Street or Private Street (Y)</b>
5.0 or less	1
5.01 - 14.0	2
14.01 - 23.0	3
23.01 - 32.0	4

- b. For the purposes of calculating the total acreage of a development:
  - 1) All contiguous property under the same ownership must be included, and a property cannot be subdivided or its acreage calculated in separate pieces to avoid the requirements of this subsection.
  - 2) When 2 properties share a driveway, the total acreage and Points of Connection may be calculated together to determine if a Primary Access Easement is required.

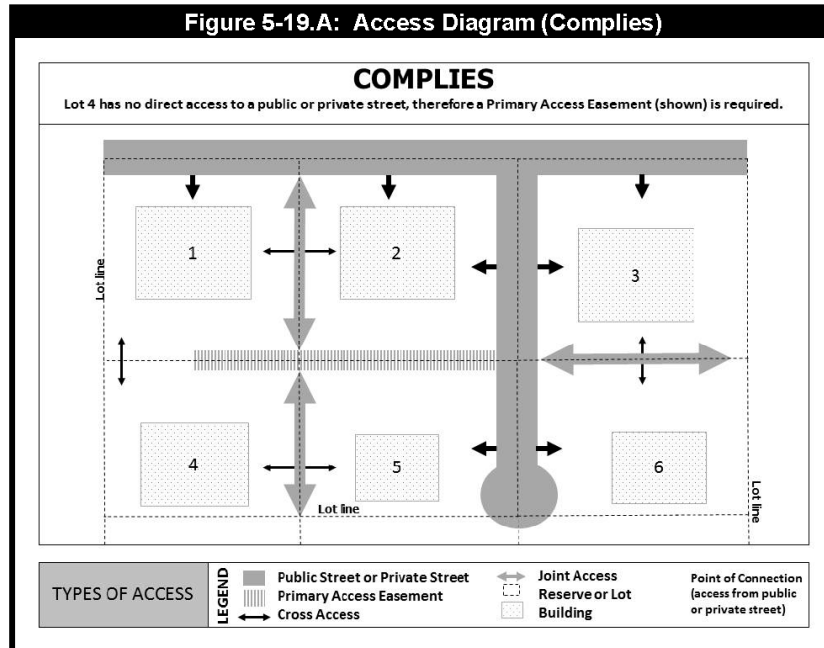


Figure 5-19.A

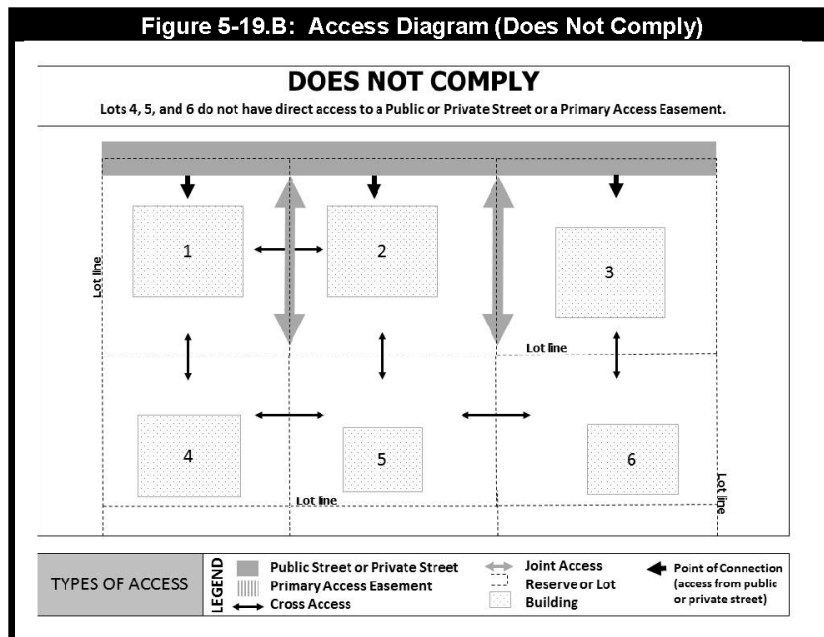
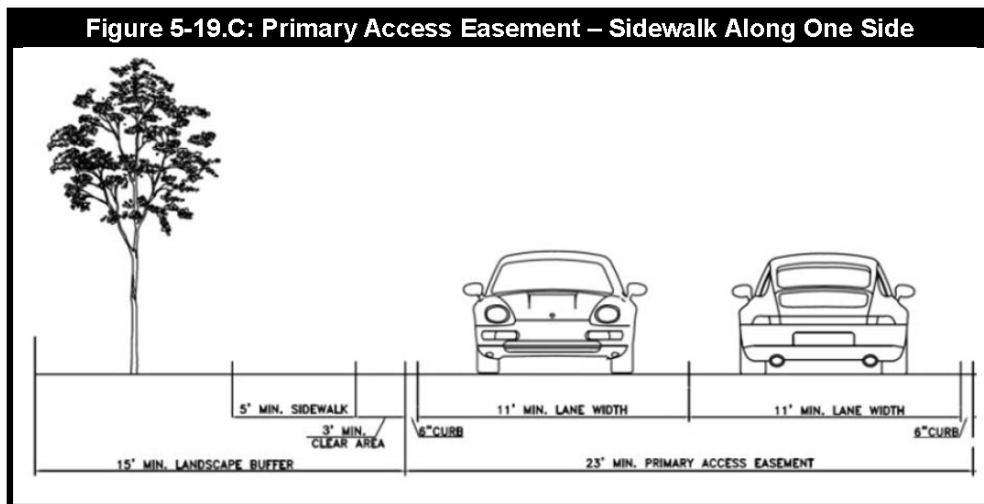


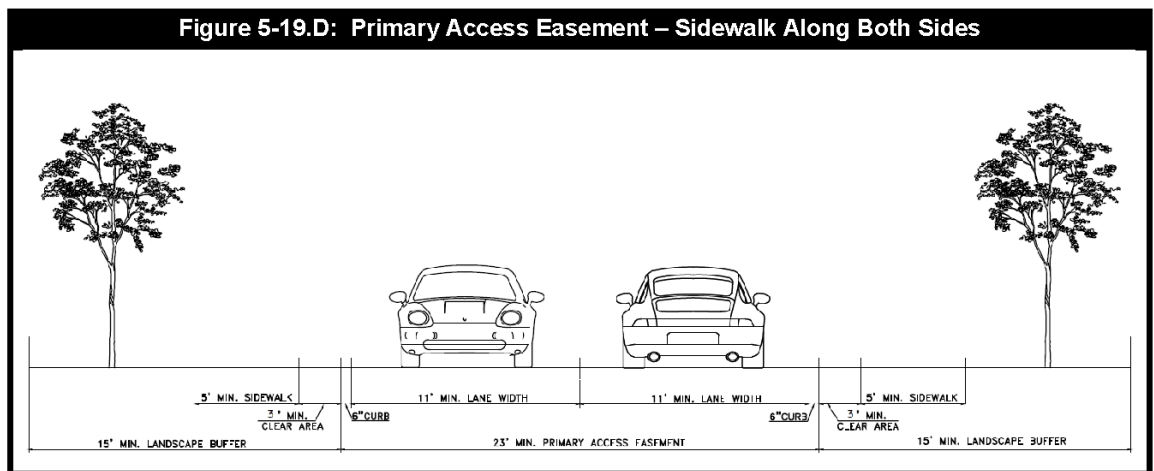
Figure 5-19.B

- c. Primary Access Easements in the City and the ETJ shall comply with the following requirements: (see Figure 5-19.C and Figure 5-19.D)
- 1) Minimum number of traffic lanes: 2 lanes
  - 2) Minimum lane width: 11 feet
  - 3) Easement width: 23 feet

- 4) Minimum vertical clearance: 15.5 feet
- 5) Minimum lateral clearance: 6 feet
- 6) On-street parking is prohibited
- 7) Sidewalks.
  - a) Sidewalks shall be a minimum of 5 feet wide.
  - b) A 3 foot clear area shall be located between the curb and the sidewalk.
  - c) If the Primary Access easement serves a single lot, tract, or reserve, a sidewalk is only required on one side of the Primary Access Easement. If the Primary Access Easement serves 2 or more lots, tracts, or reserves, sidewalks are required on both sides of the Primary Access Easement.
  - d) *If the street to which a Primary Access Easement connects is not required to have pedestrian and bicycle facilities, the Primary Access Easement is not required to have sidewalks. However, if a Primary Access Easements connects to multiple streets, and one of the streets is required to have pedestrian and bicycle facilities, the Primary Access Easement must have sidewalks.*

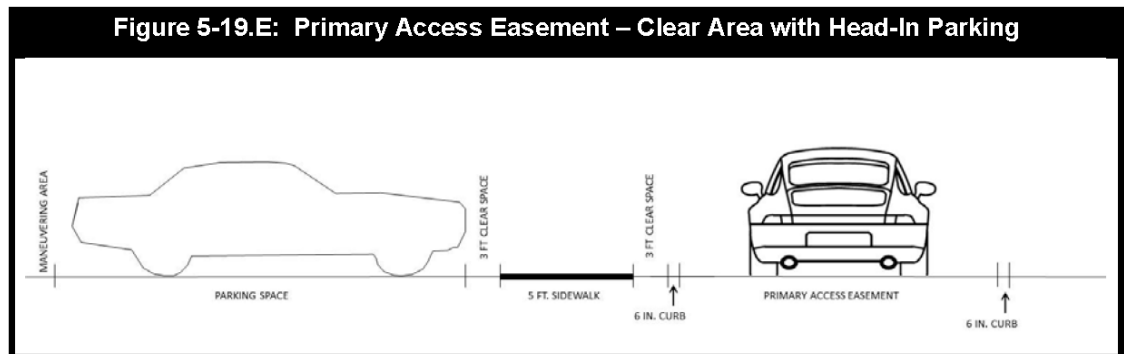


**Figure 5-19.C**



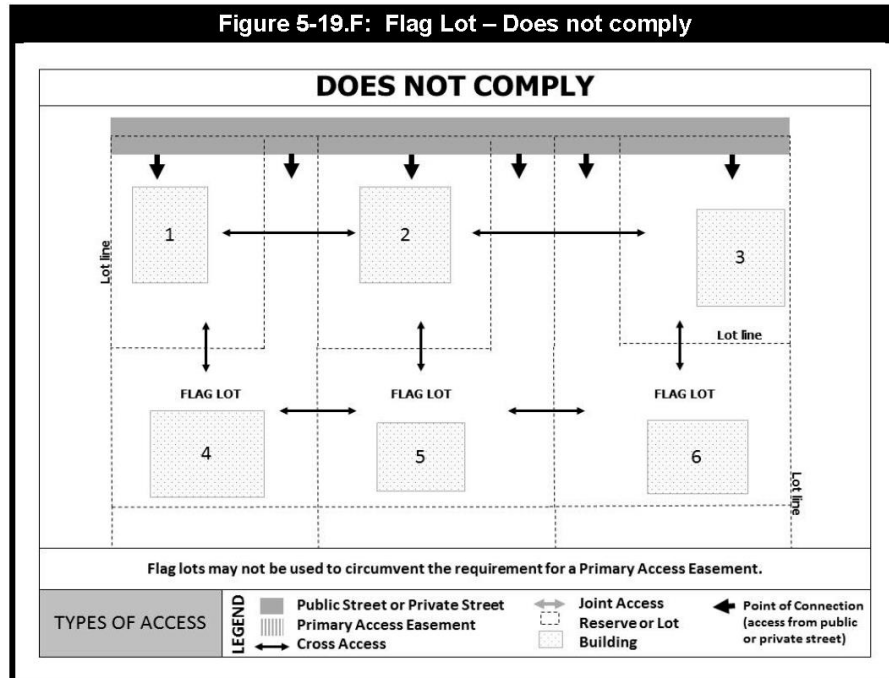
**Figure 5-19.D**

- 8) *Paving.* Primary Access Easements shall follow paving standards specified in the Design Standards for public streets. Primary Access Easements may use enhanced or alternative paving materials as approved by the City Engineer.
- 9) *Easements.* Where a Primary Access Easement is located on a common property line between 2 reserves, the Easement shall be evenly divided between both reserves.
- 10) *Vehicle intrusion.* Sidewalks adjacent to Primary Access Easements must be protected from vehicle intrusion by curbs or similar Structures. Where head-in parking is provided adjacent to a sidewalk, a 3-foot clear area shall be provided between the sidewalk and head-in parking see (Figure 5-19.E).



**Figure 5-19.E**

- 11) *Pedestrian Public Access Easement.* A public access easement allowing for pedestrian public access shall be provided on the plat or recorded by separate instrument.
- 12) *Maintenance Agreement.* A recorded maintenance agreement indicating specific maintenance provisions between the property owners shall be submitted to the City prior to the approval of a Site Plan Package containing a Primary Access Easement.
- 13) *Flag Lots.* Flag lots may not be used to circumvent the requirement for a Primary Access Easement (see Figure 5-19.F).



**Figure 5-19.F**

- 14) Primary Access Easement shall serve as a public access easement for all City and County services including police, fire, emergency vehicles, and utility operations and maintenance personnel and shall be so noted on the plat.
  - 15) Alternative standards for Primary Access Easements may be approved by the City Engineer as per Sec. 5-54.
- d. In addition to the aforementioned requirements, Primary Access Easements in the City shall comply with the following:
- 1) *Lighting*. Lighting must comply with the street lighting standards established in the Design Standards.
  - 2) *Landscaping and Street Trees*. Trees shall be planted within the landscape area adjacent to the sidewalk and may not be located in the clear area between the curb and sidewalk. See Article XV: Landscaping and Screening Regulations for additional requirements.
- D. [Reserved.]
- E. *Additional Regulations*.
1. The minimum requirements for design and construction of streets are detailed in the Design Standards.
  2. *Streets Not in Master Thoroughfare Plan*. When a street is not on the Master Thoroughfare Plan, the arrangement of streets in a subdivision shall:
    - a. Provide for the continuation or appropriate protection of existing streets in surrounding areas; or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformity to existing streets impracticable.
    - b. Provide for future access to adjacent vacant areas which will likely develop in the future.

- c. Resolve alignment with existing Right-of-Way and driveway openings.
3. *Minor Residential Streets.* Minor residential streets shall be so designed that their use by through traffic will be discouraged.
4. *Street Widths.* Street Right-of-Way widths shall be as shown on the Master Thoroughfare Plan.
5. *Half Streets.* Half streets shall be prohibited, except when essential to the reasonable development of the subdivision in conforming with the other requirements of these regulations and the Master Thoroughfare Plan, and where the City Council finds it will be practical to require the dedication of the other ½ when the adjoining property is subdivided. Whenever a partial street previously has been platted along a common property line, the other portion of the street shall be platted.
6. *Dead-End or Stub Streets.* Dead-end or stub streets are temporary in nature and are not allowed except to provide for access to adjacent land areas and in no case shall be more than 250 feet in length or equal to 1 lot depth, whichever is greater. A temporary turnaround shall be provided and indicated on the plat.
7. *Street Access Buffers.* To prevent access from abutting undeveloped property, the City may approve a plat with an undedicated strip of land parallel to the plat boundary where any portion of a proposed street abuts undeveloped acreage. The plat shall specifically provide that the undedicated strip of land will automatically terminate and be dedicated for and may be used for street Right-of-Way when construction of a connecting street is undertaken by a governmental entity or otherwise approved for connection in accordance with City regulations. Except as required by the City in this Article as "street access buffers," strips of land controlling access to or egress from other property, or to or from any street or alley, or having the effect of restricting or damaging the adjoining property for subdivision purposes, or which will not be taxable or accessible for special improvements, shall not be permitted in any subdivision.
8. *New Streets.* New streets which are an extension of existing streets shall bear the names of existing streets and shall be dedicated with appropriate transitions and widths.
9. *Street Names.* New street names shall not be named to duplicate or cause confusion with existing street names. New street names shall be approved by the Commission when the Final Plat is approved. Courts shall have street names. Crescents and elbows shall not have separate street names. Streets that have no houses fronting on them shall also have a street name.
10. *Street Lighting.* Street lighting shall conform to the latest edition of the Illuminating Engineering Society Handbook and City's Design Standards. Prior to the recordation of the Final Plat, the developer shall pay to the City current cost of acquiring and installing the street lights along public streets and the cost of operating and maintaining the street lights for 3 years, as determined by the City.

F. *Alleys.*

1. *Nonresidential Alleys.* Alleys shall be allowed in commercial and industrial districts, except that the City may require that definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the use proposed.
2. *Residential Alleys.* Unless required by a property's zoning designation, alleys shall not be required but may be allowed to connect to a subdivision with existing alleys for the purpose of providing continuity on providing parallel secondary access.
3. *Dead-End Alleys.* Permanent dead end and "hammerhead" alleys are prohibited. All alleys shall have adequate turnouts and street entrances such that vehicular traffic flow is continuous and efficient. Where a temporary dead end alley situation is unavoidable (such as due to project phasing), a temporary, paved cul-de-sac or turnout onto a street, either of which will require a temporary alley easement, shall be shown on the plat. If a permanent dead-end alley is unavoidable due to unique, site-specific constraints, an adequate turnaround facility shall be provided as determined by the City Engineer.

4. Alleys may not exceed a maximum length 1,400 feet unless otherwise approved by a Specific Approval by the City Engineer. The maximum length for alleys that serve lots that front on Mews or Civic Space is 500 feet.
5. Alleys shall be constructed to meet the requirements of the Design Standards.

Sec. 5-20. - Blocks.

- A. The length, width, and shapes of blocks shall be determined with due regard to:
  - 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
  - 2. Zoning requirements as to lot sizes, setbacks, and dimensions, if applicable.
  - 3. Needs for convenient access, circulation, control, and safety of street traffic.
- B. Length and widths shall be in conformance with the Design Standards. In general, intersecting streets, determining the blocks, lengths and widths, shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or customary subdivision practices.
  - 1. Minimum block length 500 feet; however, in cases where physical barriers or property ownership creates conditions where it is appropriate that these standards be varied having due regard for connecting streets, circulation of traffic and public safety. The minimum block length in the LPR District shall be 200 feet.
  - 2. Maximum block length 1,200 feet, except where no existing subdivision controls, the block length may increase to 1,400 feet. The maximum block length in the LPR District shall be 600 feet.
  - 3. When possible, the block width or depth shall allow 2 tiers of lots back-to-back except when prevented by the size of the property or the need to back on an Arterial street identified. When adjacent to an Arterial street, the subdivider may not double front lots.
- C. Blocks shall be numbered consecutively within the overall plat.



Sec. 5-30. - Park Land Dedication.

The dedication of public park land or private recreational facilities shall comply with the following park land dedication requirements and the Parks, Recreation, and Open Space Master Plan of the Comprehensive Plan:

1. In view of the fact that land when subdivided increases in value to the owner and that residential subdividing increases the burden on the City's park and recreation facilities, the City shall require residential subdividers to offset some of this additional burden by dedicating suitable sites for park and recreation purposes or to make a cash deposit to the City in lieu thereof.
2. The method of assuring that adequate and suitable areas for park and recreation sites are set aside shall be guided by the Comprehensive Plan and shall be governed by the following standards and regulations:
  - a. The subdivider or developer shall dedicate a site or sites for park and recreation purposes at the time that the plat is recorded at a location(s) recommended by the developer and approved by the City, at a ratio of 1 acre of park for every 350 persons in the subdivision or development. This ratio is the City standard number of acres of park to be available in ratio to the increment of population added and to be served by the completely developed subdivision or development complex. Such added population being computed at the rate 3.5 persons per single-family residence or 2.4 persons per multifamily living unit. The City Council shall have final approval of any public parkland site(s) selected. The following definitions and conditions shall apply if there is a site dedication for park purposes:
    - 1) The area of the park or recreation site to be dedicated shall be appropriate in area, shape and terrain for the uses intended for it in the Parks, Recreation, and Open Space Master Plan. Where streets, ditches or easements infringe on or are part of the area to be dedicated, the City Council must determine whether to agree to the acceptance of those areas. Any infringements that make the area unsuitable for parks and recreation uses shall not be considered as part of the required park dedication acreage.
    - 2) When a subdivision or complex is to be developed in stages or units and the required park site is to be provided in future stages or units, a binding agreement concerning the size, improvements and tentative location of the park site(s) must be delivered with the Final Plat of the first stage or unit.
    - 3) The foregoing subsections shall not apply in the case of a replat of a plat, subdivision or addition that has previously met facility requirements, or the resubdividing or existing single lots, unless the replatting results in an increase in facility requirements.
    - 4) Each park and recreation site shall, upon completion of all construction of surrounding facilities, have ready access to a public street.
    - 5) The first priority in meeting parks and recreation facilities needs shall be the commitment of neighborhood park sites. Each neighborhood will be defined in the Parks, Recreation, and Open Space Master Plan, should be approximately 1 square mile and serve approximately 2,000 single-family housing units. Neighborhood parks should be public and of about 10 acres in size, centrally located, and easily accessible by foot from all parts of the neighborhood. Coordination of school and park sites is encouraged; therefore, the public park areas shall be reduced to 5 acres in size if properly coordinated with adjacent school recreation facilities.
    - 6) Up to 50% of the park and recreation facility requirements may be met by private park and recreation facilities as long as these facilities meet requirements of Section 5-34 of this Chapter.
    - 7) Park and recreation facilities in the City shall be dedicated to the City upon City Council approval unless approved as a private park site under terms of subparagraph 6. above. Park and recreation facilities in the City's corporate jurisdiction shall be dedicated to the

City. If the City does not wish to accept the dedication of public park land in its corporate jurisdiction, it shall be dedicated to the county, municipal utility district, or a homeowners' association, as defined by Section 5-34 herein.

- 8) At the time of dedication of a site for park purposes, the subdivider or developer shall furnish the City, at subdivider's or developer's expense, an owner's title insurance policy on standard printed owner's form covering the park and recreation sites in the amount of the value of the property subject only to exceptions acceptable to the City which will not materially affect its value for park and recreation purposes.
3. The City Council may elect to accept money as an alternative to the dedication of part, or all, of the park land under any of the following conditions:
  - a. Where there is no public park required by the Comprehensive Plan;
  - b. If the developer does not wish to establish private parks; or
  - c. Where the subdivision is too small to dedicate park sites sufficiently large enough to be economically operated.
4. For a subdivider or developer to pay a fee in lieu of land, the subdivider must submit a written request to the Director. The City Council will take into consideration recommendations from the Development Review Committee and Parks and Recreation Director as to whether to require a land dedication or accept a fee in lieu of land. If the request to pay the fee is approved, payment shall be made by submitting a cashier's check to the Director after the time of Final Plat approval but prior to the time the plat is filed with the County Clerk's office, or prior to the issuance of a building permit.
5. Money in lieu of Park Land fees are identified in Chapter 2 of the Code of Ordinances.
6. Improvements. The developer may improve the park area by the addition of playgrounds, swimming pools, tennis courts or similar recreational amenities. If the area has fulfilled the commitment for neighborhood park space, the City shall allow a 100% credit for the original cost of the improvements to public parks as money in lieu of land and shall allow a 50% credit for the original cost of the improvements to private parks as money in lieu of land.
7. In the Lake Pointe Redevelopment District, the park land dedication requirement set forth in this section may be satisfied through the provision of Civic Space if:
  - a. The Civic Space contains recreational amenities, as described in Sec 5-30.6; and
  - b. The Parks and Recreation Director approves of the proposed recreational amenities.

## **Chapter 5 – Subdivision Regulations**

### **Redline Draft**

Sec. 5-3. - Definitions.

- A. For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Definitions not expressly prescribed herein are to be determined in accordance with customary usage in municipal planning and engineering practices. The words "shall" or "must" are always mandatory, while the word "may" is merely directory.

*Access Easement:* See Chapter 10 for definition.

*Administrative Plat:* A type of Final Plat, limited in application, which may be approved by the City Manager or Director under the provisions of Chapter 212 of the Texas Local Government Code. Minor Plats and Amending Plats are types of Administrative Plats.

*Amending Plat:* A type of Final Plat that controls over the preceding plat without vacation of that plat and is submitted for approval of certain dimensional and notational corrections and lot line adjustments under the provisions of Chapter 212 of the Texas Local Government Code.

*Alley:* See Chapter 10 for definition.

*City:* See Chapter 10 for definition.

*City Engineer:* This term shall apply only to such registered professional engineer or firm of registered professional consulting engineers that has been specifically designated as such by the City Manager.

*City Manager:* The person holding the position of City Manager as appointed by the City Council according to the City Charter.

*Civic Space:* See Chapter 10 for definition.

*Comprehensive Plan:* The Comprehensive Plan of the City and adjoining areas as adopted by the City Council and recommended by the Planning and Zoning Commission, including all its revisions. This plan indicates the general location recommended for various land uses, transportation routes, public and private buildings, streets, parks, water, sewer, and other public and private developments and improvements. The Comprehensive Plan can also be defined as the series of plans such as the Master Thoroughfare Plan, Water Master Plan, Pedestrian and Bicycle Master Plan, and Parks, Recreation, and Open Space Master Plan, among others.

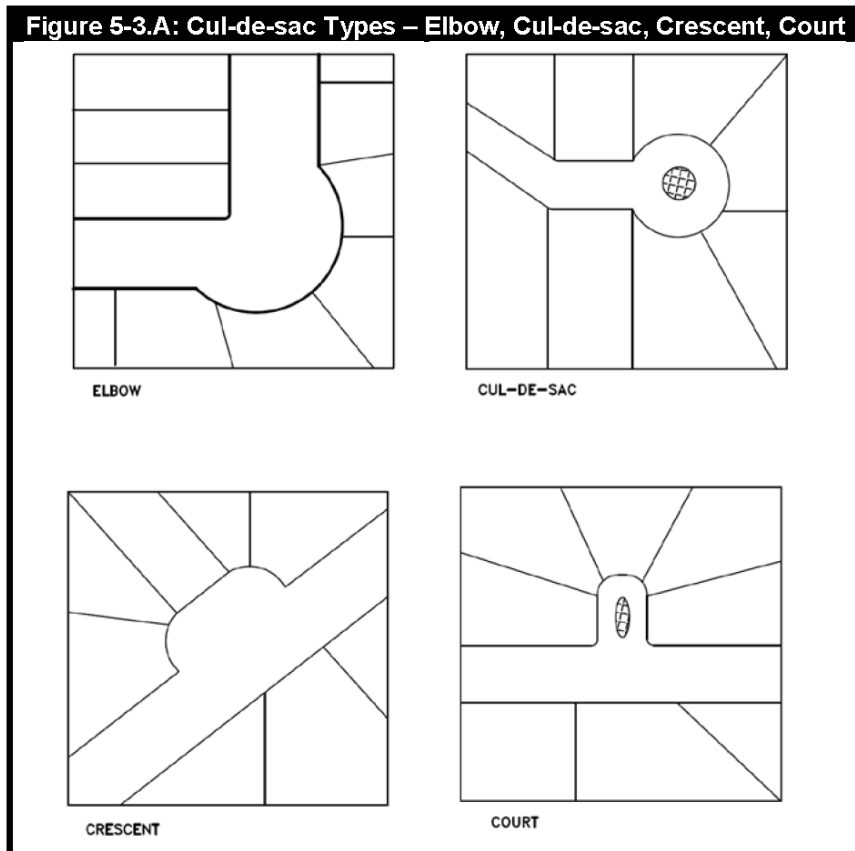
*Condominium:* Joint ownership and control, as distinguished from sole ownership and control, of specified horizontal layers of air space; each condominium unit is individually owned, while the common elements of the condominium building, structure, or development are jointly owned. Condominiums may be commercial, industrial, recreational, or residential.

*Cul-de-sac:* A circular Right-of-Way in which a vehicle can turn 180 degrees around a center point or area. A cul-de-sac is a street having but 1 outlet and terminated on the opposite end by a vehicular turnaround (see Figure 5-3.A). The following are variations of cul-de-sac:

*Court:* A cul-de-sac with a depth of less than 150 feet.

*Crescent:* A type of cul-de-sac street in the shape of a half-circle with no more than 200 feet of width.

*Elbow:* A corner intersection of 2 streets marked with a cul-de-sac for vehicular turnarounds.



**Figure 5-3.A**

*Dead-End Street:* A street, other than a cul-de-sac with only 1 outlet.

*Design Standards:* The currently adopted document which provides the general requirements for the design of public improvements, private improvements that connect to or affect the public infrastructure and the supporting documents for approval in the City and its extraterritorial jurisdiction. Specific design criteria are included in the document. The Design Standards are incorporated into the Development Code as Chapter 6.

*Development:* A planning or construction project involving substantial property involvement and usually including the subdivision of land and change in land use character.

*Development Review Committee:* A committee of City staff members from various departments, such as Planning, Engineering, Building Permits and Inspections, Fire, and Public Works, tasked with reviewing and processing development applications.

*Director:* The person designated or assigned by the City Manager to administer the Subdivision Regulations or any other provisions of this Code. Director includes any person authorized to perform the duties of the Director.

*Duplex:* ~~See Chapter 10 for definition. A structure containing 2 Dwelling Units, each of which has direct access to the outside.~~

*Easement:* Authorization by a property owner designating part of his or her property for the use by another for a specified purpose.

*Engineer:* A person duly authorized under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended, to practice the profession of engineering and who is specifically

qualified to design and prepare infrastructure construction plans, specifications and documents for subdivision development.

*Final Plat:* A map or drawing of a proposed subdivision prepared to meet all of the requirements for approval by the City. Distances shall be accurate to the nearest hundredth of a foot. The Final Plat of any lot, tract, or parcel of land shall be recorded in the records of Fort Bend County, Texas. A Short Form Final Plat is also Final Plat.

*General Land Plan:* A general or conceptual plan for an area proposed for partial or complete subdivision. The General Land Plan shall show the proposed locations of land uses, streets, phasing of development, important physical features, and other applicable information for the entire area to be developed.

*Land Planner:* Persons other than surveyors or engineers who also possess and can demonstrate a valid proficiency in the planning of residential, commercial, industrial, and other related developments, such proficiency often having been acquired by education in the field of landscape architecture or other specialized planning curriculum and/or by actual experience and practice in the field of land planning, and may be a member of the American Institute of Certified Planners.

*Master Thoroughfare Plan:* A plan adopted by the City Council which identifies the general routing and classification of proposed streets and thoroughfares. The plan may also establish the function and capacity of the various thoroughfares as they relate to the land uses they are proposed to serve.

*Mews:* See Chapter 10 for definition.

*Middle Housing:* See Chapter 10 for definition.

*Minor Plat:* A type of Final Plat that involves 4 or fewer lots or reserves fronting on an existing street that does not require the creation of any new street or the extension of municipal facilities. A Minor Plat is an Administrative Plat.

*Off-Street Facility:* Pedestrian and/or bicycle facilities located outside the paved area used by vehicles and includes Sidewalks, Sidepaths, and Shared Use Paths (trails).

*On-Street Facility:* Bicycle facilities located on the street, such as bicycle lanes, buffered bicycle lanes, shared lane markings, and cycle tracks.

*Patio Home or Zero Lot Line Home:* A single-family detached dwelling unit with a 0 building line on 1 side.

*Pavement Width:* The portion of a street available for vehicular traffic from back of curb to back of curb.

*Person:* Any individual, association, firm, corporation, governmental agency, or political subdivision.

*Planned Unit Development (PUD):* Land in the extraterritorial jurisdiction, under unified control, to be planned and developed as a whole in a single development operation or definitively programmed series of development operations or phases. PUDs promote the development of a tract of land in a unified manner and may allow for certain alternative standards from the established development standards for lot sizes, lot width, building lines, as established in this chapter.

*Planning and Zoning Commission:* Same as Commission. The Commission is appointed by the City Council under the provisions of the City Charter to approve subdivision plats and make recommendations on other planning issues as per City Charter.

*Plat certificate:* A certificate letter issued upon approval and recordation of the subdivision certifying that the subdivision has met all the requirements for a plat.

*Point of Connection:* A driveway connecting to a Public Street or Private Street that provides access into a development site. At a minimum, a Point of Connection must provide 1 ingress and 1 egress. For example, 1 Point of Connection can be a two-way driveway or 2 opposite-direction one-way driveways.

*Preliminary Plat:* A map or drawing of a proposed subdivision illustrating the general features of the development for review and approval by the Commission, but not suitable for recordation in the county

records. The Preliminary Plat is designed to allow the subdivider to obtain approval of the general lot and street layout of a development prior to investment in detailed information contained in a Final Plat and related engineering public infrastructure construction plans.

*Private Infrastructure:* Infrastructure designated as private on a recorded plat, and may include streets, sidewalks, streetlights, and any other street related appurtenances.

*Private Streets, Residential and Nonresidential:* A privately owned and maintained street that is designated as such and is a separate reserve on a plat.

*Property Owners Association:* An incorporated association owned by or whose members consist primarily of the owners of the property covered by the dedicatory instrument and through which the owners, or the board of directors or similar governing body, manage or regulate the subdivision, planned unit development, condominium or townhouse regime, or similar planned development.

*Public Improvements:* Any improvement, facility, or service together with its associated public site or Right-of-Way necessary to provide transportation, drainage, water, sewer, or similar public services.

*Public Utility:* Any entity, other than the City, that provides utility services to the public, such as water, sewer, electric, or gas.

*Radial Lot:* A lot fronting onto a curvilinear street such as an elbow, cul-de-sac, crescent or court (see Figure 5-3.A.).

*Record Plat:* A plat of any lot, tract, reserve, or parcel of land that is recorded with the Fort Bend County clerk following final approval by the City.

*Replat:* The resubdivision of all or any part of a subdivision or any block or lot of a previously platted subdivision.

*Reserve:* A reserve is the same as a Lot and subject to the same platting requirements. Nonresidential lots are typically known as reserves within this Chapter.

*Short Form Final Plat:* A type of Final Plat that involves no more than 4 lots, tracts or reserves; located within an existing public street circulation system; meeting the existing zoning requirements if located within the City; does not propose to vacate public street Rights-of-Ways or easements; and meets other requirements as set forth in Sec. 5-12 of this Chapter. A Short Form Final Plat combines the requirements of a Preliminary Plat and a Final Plat into one process.

*Sidewalk:* A pedestrian facility adjacent to a roadway. The City's Design Standards identifies requirements for Sidewalks.

*Sidepath:* A shared pedestrian and bicycle facility adjacent to a roadway. The City's Design Standards identify requirements for Sidepaths.

*Shared Use Path (Trail):* A shared pedestrian and bicycle facility not adjacent to a roadway. The City's Design Standards identify requirements for Shared Use Paths.

*Site Plan:* A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations. Site Plans include lot lines, streets, building sites, reserved open space, easements, driveways, and other features in accordance with graphic requirements identified in the Development Application Handbook.

*Street:* See Chapter 10 for definition.

*Street Width (Rights-of-Way):* The shortest distance between the lines which delineate the Rights-of-Way of a street.

*Subdivider:* Any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. The term "subdivider" shall be restricted to include the owner, equitable owner, or authorized agent and is synonymous with developer.

*Subdivision (also addition):* A division of a lot, tract, or parcel into 2 or more Lots, tracts, or parcels or other divisions of land for sale or development; however, when such lot, tract, etc., is divided for sale or development and the remaining Lot is more than 5 acres, the remainder does not have to be platted. Subdivision shall include the dedication of public streets, access easements, utility easements and fire lanes. The resubdivision or replatting of lots in a previous subdivision is a subdivision.

*Surveyor:* A registered professional land surveyor, as authorized by state law, to practice the profession of surveying.

*Townhome:* A residential unit that shares at least 1 common or party wall with another unit. Each unit and the land upon which it stands is individually owned, subject to a party wall agreement with the adjacent owner.

*Tract:* A tract is the same as a Lot and shall be subject to the same platting requirements.

*Zoning ordinance:* The ordinance which sets forth land use regulations and standards within the corporate limits of the City.

B. General definitions may be found in Chapter 10.



Sec. 5-19. - Streets.

A. *General Provisions.*

1. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Master Thoroughfare Plan and the current Design Standards, and shall be considered in their relation to existing and planned streets or driveways, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. All streets shall be paved in accordance with the current Design Standards.
3. All lots, tracts, and reserves shall have frontage on an approved Public Street, Private Street, ~~or~~ Primary Access Easement, or as otherwise provided in this Section.
  - a. Single-family Lots shall have frontage on an approved Public Street or Private Street.
  - b. Nonresidential, townhome, and multifamily Lots, tracts, and reserves shall have frontage on an approved Public Street, Private Street, or Primary Access Easement provided that nonresidential subdivisions:
    - 1) Thirty-two acres or less may utilize a combination of Public Street, Private Street, and Primary Access Easements for access within and around the subdivision, subject to the provisions of this Section.
    - 2) More than 32 acres, in order to provide adequate vehicular circulation:
      - a) Shall provide a Public Street or Private Street through the development connecting to a Public Street in 2 locations as far apart as possible, and
      - b) Do not qualify for use of Primary Access Easements as the sole means of access through the subdivision.
    - 3) For the purposes of calculating the total acreage of a subdivision, all contiguous property under the same ownership must be included, and a property cannot be subdivided or its acreage calculated in separate pieces to avoid the requirements of this subsection.
  - c. In the LPR district, Middle Housing lots shall have frontage on an approved Public Street, Mews, or Civic Space and vehicular access shall be provided via an Alley.
4. No existing public street in a subdivision shall be converted to a private street.
5. No private street in a developed subdivision shall be accepted as a public street.
6. Maintenance access to a landscape, drainage or open space reserve may be provided through an adjoining reserve by access easement or use designation on the reserve.
7. General transportation requirements. The provisions of this Section 5-19 (Streets) are subject to the applicable provisions of Chapter 1, Article II (Street System Improvements) of the Development Code.

B. *Residential Private Streets.*

1. *Approval of Residential Private Streets.* Residential Private Street may be approved:
  - a. Within the City through a Planned Development (PD) District as authorized by Chapter 2, Article II of this Code, and
  - b. Within the extraterritorial jurisdiction (ETJ) through a Development Agreement approved by City Council as authorized by Chapter 5, Article III of this Code.
  - c. Once approved through a PD or a Development Agreement, the Final Plat must include plat notes reflecting the requirements for Private Streets established in this Section.
2. *Requirements for Residential Private Streets.* Residential Private Streets must:

- a. Comply with the City's Design Standards for public streets.
  - b. Be designated on the plat and the plat shall contain specific notes stating that the City is not responsible for the maintenance of private streets, sidewalks, or streetlights contained within the private subdivision section, and that the applicable property owner association shall be responsible for maintenance of the private infrastructure within the subdivision.
  - c. Not be an Arterial or Collector Street on the Master Thoroughfare Plan, not adversely affect existing traffic circulation on adjacent public streets, and not have a negative impact on planning for the area.
  - d. Have a maximum travel distance of 2,000 feet from a connecting Public Street, unless a specific approval is applied for and granted following a technical review by the City Engineer.
  - e. Provide access to police, fire, emergency vehicles, utility operations and maintenance, and other municipal personnel as needed, and such access be so noted on the plat.
  - f. If gated, have access control devices located in accordance with the Design Standards, and meet other regulations adopted by the City, including redundancy requirements. The developer shall provide to the City all equipment necessary to operate the access control devices, as determined by the City and at no cost to the City. Access control devices must comply with specifications required by the City Fire Marshal.
  - g. Include a readily visible sign giving notice that the street is private.
3. *Developer Obligations for Residential Private Streets.* The developer shall record subdivision covenants approved by the City prior to the sale of any lot in the subdivision. Covenants shall require at a minimum that:
- a. Property owners shall pay monthly or annual assessments into a maintenance and capital replacement fund restricted for use for maintenance and repair cost for the Residential Private Streets in the subdivision.
    - 1) The monthly or annual assessments shall be initially established in an amount that will, at the end of the first 5 years of the assessments, not be less than 3% of the initial cost, adjusted for inflation, of constructing the private infrastructure in the subdivision.
    - 2) Thereafter, the monthly or annual assessment shall be established in an amount that will, at the end of 35 years, not be less than the reconstruction cost of the private infrastructure, adjusted for inflation.
    - 3) The property owners association shall utilize this maintenance and capital replacement fund to maintain the private infrastructure in the subdivision.
  - b. Property owners shall pay monthly or annual assessments to perpetually maintain the markings or postings required for fire lanes and the required signs giving notice of the private street and to provide access control mechanisms for emergency vehicles.
  - c. Homeowners release the City from any damage to the Residential Private Streets and sidewalks that may be caused by maintenance, repair or replacement of public utilities.
4. *Residential Private Streets Accounting Report.* The Property Owners' Association responsible for maintaining Residential Private Streets established after July 21, 2015, shall:
- a. Submit to the City an affidavit setting forth an annual financial report, using a standard City format, indicating the funds set aside in the required private street maintenance and capital replacement fund.
  - b. 10 years after first certification of compliance of a private street within a development, provide to the City every 5 years a reserve fund study for private infrastructure, using a standard City format. The reserve fund study must be signed and sealed by a registered engineer. The study shall include, but not be limited to, the following:
    - 1) Location of infrastructure,

- 2) Age of infrastructure,
- 3) Expected life of infrastructure,
- 4) Cost to replace infrastructure,
- 5) Funds in maintenance and capital replacement fund account:
  - a) Maintenance and capital replacement fund must comply with required funding of this Section.
- 6) Determination of whether funds will be sufficient to maintain and replace private infrastructure, and
- 7) Determination whether assessments need to be increased to retain sufficient fund for maintenance and replacement of private infrastructure.

C. *Nonresidential Private Streets.*

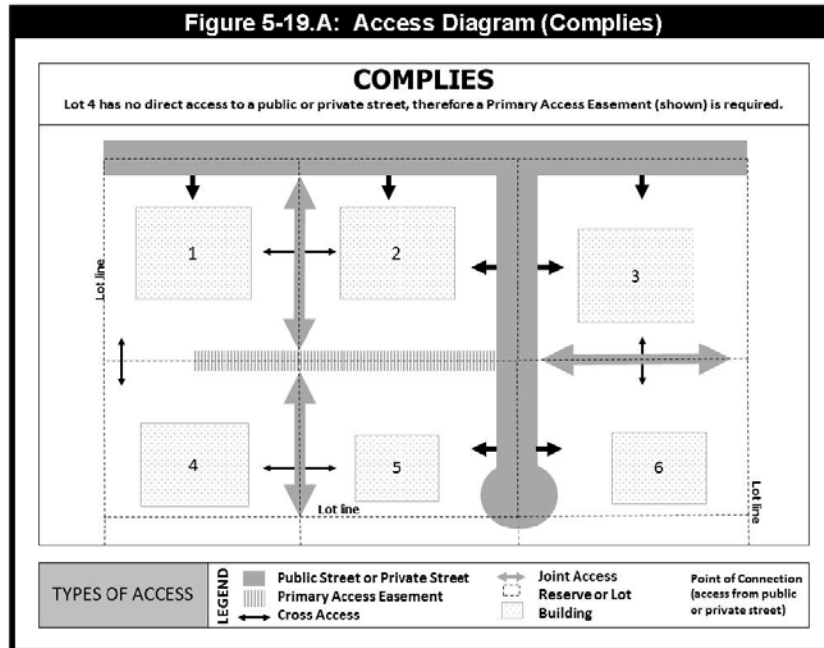
1. Nonresidential Private Streets may be utilized when a subdivider constructs a street serving nonresidential reserves that will serve the functions of a typical public street but be privately owned and maintained. Access is provided to individual lots or reserves by a private platted street shown as a Reserve on the plat. Nonresidential Private Streets may be approved:
  - a. Within the City through a Planned Development (PD) District as authorized by Chapter 2, Article II of this Code, and
  - b. Within the extraterritorial jurisdiction (ETJ) through a Development Agreement approved by City Council as authorized by Chapter 5, Article III of this Code.
  - c. Once approved through a PD or a Development Agreement, the Final Plat must include plat notes reflecting the requirements for Private Streets established in this Section.
2. Nonresidential Private Streets must:
  - a. Comply with all City codes and standards for public streets.
  - b. Be designated on the plat and the plat shall contain specific notes stating that the City is not responsible for the maintenance of private infrastructure contained within the private subdivision section, and that the applicable property owner association shall be responsible for maintenance of the private infrastructure within the subdivision.
3. The Developer shall record subdivision covenants approved by the City prior to the sale of any lot or reserve in the subdivision. Covenants shall require at a minimum that:
  - a. Property owners shall pay monthly or annual assessments into a maintenance and capital replacement fund restricted for use for maintenance and repair cost for the Nonresidential Private Streets in the subdivision.
    - 1) The monthly or annual assessments shall be initially established in an amount that will, at the end of the first 5 years of the assessments, not be less than 3% of the initial cost, adjusted for inflation, of constructing the private infrastructure in the subdivision.
    - 2) Thereafter, the monthly or annual assessment shall be established in an amount that will, at the end of 35 years, not be less than the reconstruction cost of the private infrastructure, adjusted for inflation.
    - 3) The property owners association shall utilize this maintenance and capital replacement fund to maintain the private infrastructure in the subdivision.
  - b. Property owners shall pay monthly or annual assessments to perpetually maintain the markings or postings required for fire lanes and the required signs giving notice of the private street and to provide access control mechanisms for emergency vehicles.
4. *Primary Access Easements.* A Primary Access Easement is a privately maintained main access route that serves 1 or more lots or reserves, but does not typically serve the full function of a

public or private street (see Figures 5-19.A and 5-19.B). Primary Access Easements may be required when shared driveway access is necessary to meet driveway spacing requirements along a Public Street or Private Street.

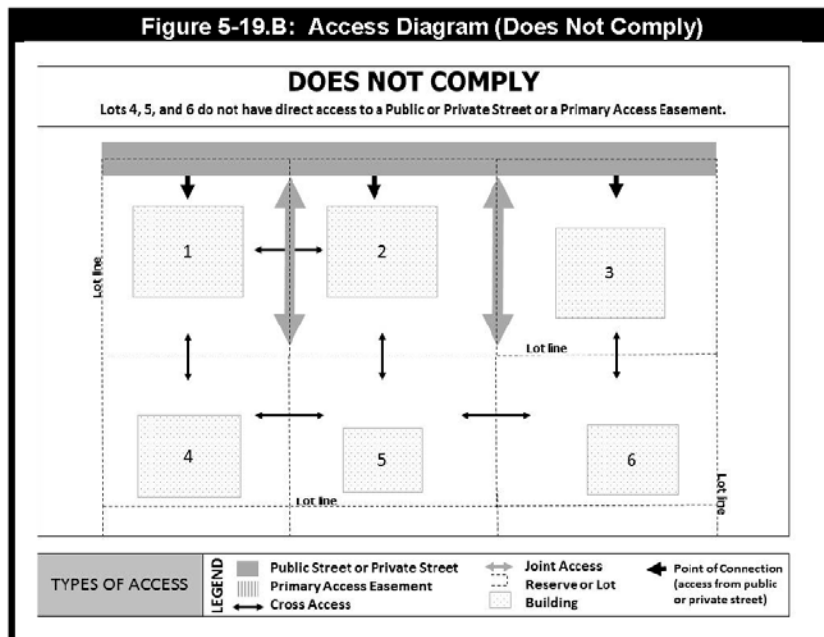
- a. For lots, tracts, or reserves, with frontage on a public or private street, a connection to a Primary Access Easement is not required if the development has the acreage (X) and minimum points of connection (Y) as identified in the following chart:

<b>Maximum Acreage (X)</b>	<b>Minimum Points of Connection to a Public Street or Private Street (Y)</b>
5.0 or less	1
5.01 - 14.0	2
14.01 - 23.0	3
23.01 - 32.0	4

- b. For the purposes of calculating the total acreage of a development:
  - 1) All contiguous property under the same ownership must be included, and a property cannot be subdivided or its acreage calculated in separate pieces to avoid the requirements of this subsection.
  - 2) When 2 properties share a driveway, the total acreage and Points of Connection may be calculated together to determine if a Primary Access Easement is required.



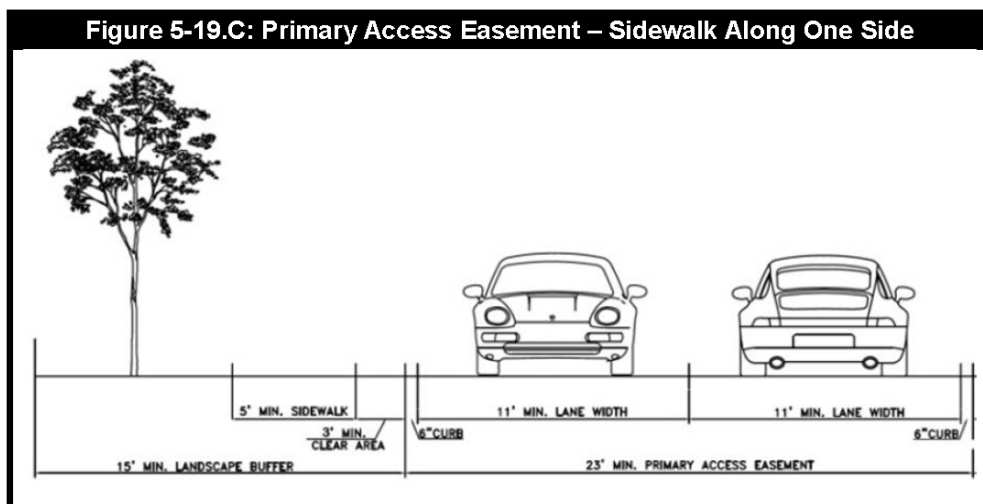
**Figure 5-19.A**



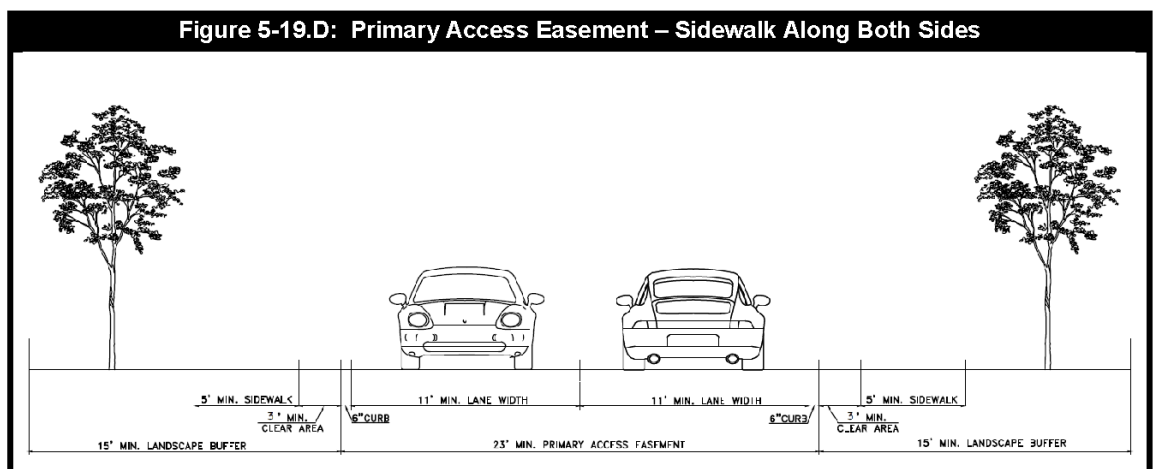
**Figure 5-19.B**

- c. Primary Access Easements in the City and the ETJ shall comply with the following requirements: (see Figure 5-19.C and Figure 5-19.D)
- 1) Minimum number of traffic lanes: 2 lanes
  - 2) Minimum lane width: 11 feet
  - 3) Easement width: 23 feet

- 4) Minimum vertical clearance: 15.5 feet
- 5) Minimum lateral clearance: 6 feet
- 6) On-street parking is prohibited
- 7) Sidewalks.
  - a) Sidewalks shall be a minimum of 5 feet wide.
  - b) A 3 foot clear area shall be located between the curb and the sidewalk.
  - c) If the Primary Access easement serves a single lot, tract, or reserve, a sidewalk is only required on one side of the Primary Access Easement. If the Primary Access Easement serves 2 or more lots, tracts, or reserves, sidewalks are required on both sides of the Primary Access Easement.
  - d) *If the street to which a Primary Access Easement connects is not required to have pedestrian and bicycle facilities, the Primary Access Easement is not required to have sidewalks. However, if a Primary Access Easements connects to multiple streets, and one of the streets is required to have pedestrian and bicycle facilities, the Primary Access Easement must have sidewalks.*

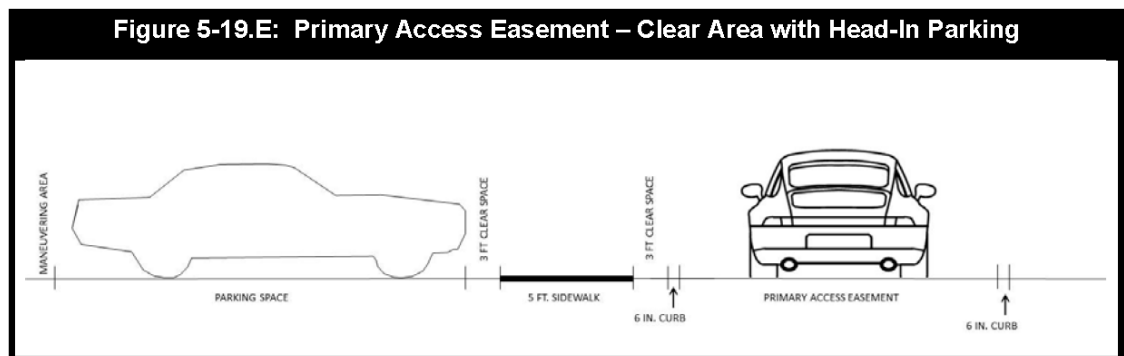


**Figure 5-19.C**



**Figure 5-19.D**

- 8) *Paving.* Primary Access Easements shall follow paving standards specified in the Design Standards for public streets. Primary Access Easements may use enhanced or alternative paving materials as approved by the City Engineer.
- 9) *Easements.* Where a Primary Access Easement is located on a common property line between 2 reserves, the Easement shall be evenly divided between both reserves.
- 10) *Vehicle intrusion.* Sidewalks adjacent to Primary Access Easements must be protected from vehicle intrusion by curbs or similar Structures. Where head-in parking is provided adjacent to a sidewalk, a 3-foot clear area shall be provided between the sidewalk and head-in parking see (Figure 5-19.E).



**Figure 5-19.E**

- 11) *Pedestrian Public Access Easement.* A public access easement allowing for pedestrian public access shall be provided on the plat or recorded by separate instrument.
- 12) *Maintenance Agreement.* A recorded maintenance agreement indicating specific maintenance provisions between the property owners shall be submitted to the City prior to the approval of a Site Plan Package containing a Primary Access Easement.
- 13) *Flag Lots.* Flag lots may not be used to circumvent the requirement for a Primary Access Easement (see Figure 5-19.F).





- c. Resolve alignment with existing Right-of-Way and driveway openings.
- 3. *Minor Residential Streets.* Minor residential streets shall be so designed that their use by through traffic will be discouraged.
- 4. *Street Widths.* Street Right-of-Way widths shall be as shown on the Master Thoroughfare Plan.
- 5. *Half Streets.* Half streets shall be prohibited, except when essential to the reasonable development of the subdivision in conforming with the other requirements of these regulations and the Master Thoroughfare Plan, and where the City Council finds it will be practical to require the dedication of the other ½ when the adjoining property is subdivided. Whenever a partial street previously has been platted along a common property line, the other portion of the street shall be platted.
- 6. *Dead-End or Stub Streets.* Dead-end or stub streets are temporary in nature and are not allowed except to provide for access to adjacent land areas and in no case shall be more than 250 feet in length or equal to 1 lot depth, whichever is greater. A temporary turnaround shall be provided and indicated on the plat.
- 7. *Street Access Buffers.* To prevent access from abutting undeveloped property, the City may approve a plat with an undedicated strip of land parallel to the plat boundary where any portion of a proposed street abuts undeveloped acreage. The plat shall specifically provide that the undedicated strip of land will automatically terminate and be dedicated for and may be used for street Right-of-Way when construction of a connecting street is undertaken by a governmental entity or otherwise approved for connection in accordance with City regulations. Except as required by the City in this Article as "street access buffers," strips of land controlling access to or egress from other property, or to or from any street or alley, or having the effect of restricting or damaging the adjoining property for subdivision purposes, or which will not be taxable or accessible for special improvements, shall not be permitted in any subdivision.
- 8. *New Streets.* New streets which are an extension of existing streets shall bear the names of existing streets and shall be dedicated with appropriate transitions and widths.
- 9. *Street Names.* New street names shall not be named to duplicate or cause confusion with existing street names. New street names shall be approved by the Commission when the Final Plat is approved. Courts shall have street names. Crescents and elbows shall not have separate street names. Streets that have no houses fronting on them shall also have a street name.
- 10. *Street Lighting.* Street lighting shall conform to the latest edition of the Illuminating Engineering Society Handbook and City's Design Standards. Prior to the recordation of the Final Plat, the developer shall pay to the City current cost of acquiring and installing the street lights along public streets and the cost of operating and maintaining the street lights for 3 years, as determined by the City.

F. *Alleys.*

- 1. *Nonresidential Alleys.* Alleys shall be allowed in commercial and industrial districts, except that the City ~~Council~~ may require that definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the use proposed. ~~Service alleys in commercial and industrial districts shall be a minimum pavement width of 15 feet. An access easement may be substituted upon approval by the administrative officer if the easement is also a fire lane easement.~~
- 2. *Residential Alleys.* ~~Unless required by a property's zoning designation,~~ alleys shall not be required but may be allowed to connect to a subdivision with existing alleys for the purpose of providing continuity on providing parallel secondary access. ~~If alleys are constructed, the construction shall meet the requirements of the Design Standards.~~
- 3. *Dead-End Alleys.* ~~Permanent dead end and "hammerhead" alleys are prohibited. All alleys shall have adequate turnouts and street entrances such that vehicular traffic flow is continuous and efficient. Where a temporary dead end alley situation is unavoidable (such as due to project phasing), a temporary, paved cul-de-sac or turnout onto a street, either of which will require a~~

~~temporary alley easement, shall be shown on the plat. shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end as determined by the City Engineer. If a permanent dead-end alley is unavoidable due to unique, site-specific constraints, an adequate turnaround facility shall be provided as determined by the City Engineer.~~

4. Alleys may not exceed a maximum length 1,400 feet unless otherwise approved by a Specific Approval by the City Engineer. The maximum length for alleys that serve lots that front on Mews or Civic Space is 500 feet.
5. Alleys shall be constructed to meet the requirements of the Design Standards.

Sec. 5-20. - Blocks.

- A. The length, width, and shapes of blocks shall be determined with due regard to:
  - 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
  - 2. Zoning requirements as to lot sizes, setbacks, and dimensions, if applicable.
  - 3. Needs for convenient access, circulation, control, and safety of street traffic.
- B. Length and widths shall be in conformance with the Design Standards. In general, intersecting streets, determining the blocks, lengths and widths, shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or customary subdivision practices.
  - 1. Minimum block length 500 feet; however, in cases where physical barriers or property ownership creates conditions where it is appropriate that these standards be varied having due regard for connecting streets, circulation of traffic and public safety. The minimum block length in the LPR District shall be 200 feet.
  - 2. Maximum block length 1,200 feet, except where no existing subdivision controls, the block length may increase to 1,400 feet. The maximum block length in the LPR District shall be 600 feet.
  - 3. When possible, the block width or depth shall allow 2 tiers of lots back-to-back except when prevented by the size of the property or the need to back on an Arterial street identified. When adjacent to an Arterial street, the subdivider may not double front lots.
- C. Blocks shall be numbered consecutively within the overall plat.

Sec. 5-30. - Park Land Dedication.

The dedication of public park land or private recreational facilities shall comply with the following park land dedication requirements and the Parks, Recreation, and Open Space Master Plan of the Comprehensive Plan:

1. In view of the fact that land when subdivided increases in value to the owner and that residential subdividing increases the burden on the City's park and recreation facilities, the City shall require residential subdividers to offset some of this additional burden by dedicating suitable sites for park and recreation purposes or to make a cash deposit to the City in lieu thereof.
2. The method of assuring that adequate and suitable areas for park and recreation sites are set aside shall be guided by the Comprehensive Plan and shall be governed by the following standards and regulations:
  - a. The subdivider or developer shall dedicate a site or sites for park and recreation purposes at the time that the plat is recorded at a location(s) recommended by the developer and approved by the City, at a ratio of 1 acre of park for every 350 persons in the subdivision or development. This ratio is the City standard number of acres of park to be available in ratio to the increment of population added and to be served by the completely developed subdivision or development complex. Such added population being computed at the rate 3.5 persons per single-family residence or 2.4 persons per multifamily living unit. The City Council shall have final approval of any public parkland site(s) selected. The following definitions and conditions shall apply if there is a site dedication for park purposes:
    - 1) The area of the park or recreation site to be dedicated shall be appropriate in area, shape and terrain for the uses intended for it in the Parks, Recreation, and Open Space Master Plan. Where streets, ditches or easements infringe on or are part of the area to be dedicated, the City Council must determine whether to agree to the acceptance of those areas. Any infringements that make the area unsuitable for parks and recreation uses shall not be considered as part of the required park dedication acreage.
    - 2) When a subdivision or complex is to be developed in stages or units and the required park site is to be provided in future stages or units, a binding agreement concerning the size, improvements and tentative location of the park site(s) must be delivered with the Final Plat of the first stage or unit.
    - 3) The foregoing subsections shall not apply in the case of a replat of a plat, subdivision or addition that has previously met facility requirements, or the resubdividing or existing single lots, unless the replatting results in an increase in facility requirements.
    - 4) Each park and recreation site shall, upon completion of all construction of surrounding facilities, have ready access to a public street.
    - 5) The first priority in meeting parks and recreation facilities needs shall be the commitment of neighborhood park sites. Each neighborhood will be defined in the Parks, Recreation, and Open Space Master Plan, should be approximately 1 square mile and serve approximately 2,000 single-family housing units. Neighborhood parks should be public and of about 10 acres in size, centrally located, and easily accessible by foot from all parts of the neighborhood. Coordination of school and park sites is encouraged; therefore, the public park areas shall be reduced to 5 acres in size if properly coordinated with adjacent school recreation facilities.
    - 6) Up to 50% of the park and recreation facility requirements may be met by private park and recreation facilities as long as these facilities meet requirements of Section 5-34 of this Chapter.
    - 7) Park and recreation facilities in the City shall be dedicated to the City upon City Council approval unless approved as a private park site under terms of subparagraph 6. above. Park and recreation facilities in the City's corporate jurisdiction shall be dedicated to the

City. If the City does not wish to accept the dedication of public park land in its corporate jurisdiction, it shall be dedicated to the county, municipal utility district, or a homeowners' association, as defined by Section 5-34 herein.

- 8) At the time of dedication of a site for park purposes, the subdivider or developer shall furnish the City, at subdivider's or developer's expense, an owner's title insurance policy on standard printed owner's form covering the park and recreation sites in the amount of the value of the property subject only to exceptions acceptable to the City which will not materially affect its value for park and recreation purposes.
3. The City Council may elect to accept money as an alternative to the dedication of part, or all, of the park land under any of the following conditions:
  - a. Where there is no public park required by the Comprehensive Plan;
  - b. If the developer does not wish to establish private parks; or
  - c. Where the subdivision is too small to dedicate park sites sufficiently large enough to be economically operated.
4. For a subdivider or developer to pay a fee in lieu of land, the subdivider must submit a written request to the Director. The City Council will take into consideration recommendations from the Development Review Committee and Parks and Recreation Director as to whether to require a land dedication or accept a fee in lieu of land. If the request to pay the fee is approved, payment shall be made by submitting a cashier's check to the Director after the time of Final Plat approval but prior to the time the plat is filed with the County Clerk's office, or prior to the issuance of a building permit.
5. Money in lieu of Park Land fees are identified in Chapter 2 of the Code of Ordinances.
6. Improvements. The developer may improve the park area by the addition of playgrounds, swimming pools, tennis courts or similar recreational amenities. If the area has fulfilled the commitment for neighborhood park space, the City shall allow a 100% credit for the original cost of the improvements to public parks as money in lieu of land and shall allow a 50% credit for the original cost of the improvements to private parks as money in lieu of land.
7. In the Lake Pointe Redevelopment District, the park land dedication requirement set forth in this section may be satisfied through the provision of Civic Space if:
  - a. The Civic Space contains recreational amenities, as described in Sec 5-30.6; and
  - a-b. The Parks and Recreation Director approves of the proposed recreational amenities.

## **Chapter 10 – Definitions**

### **Clean Draft**

Sec. 10-3. - Definitions.

**A**

*Access Easement* means an easement designated on the Final Plat or by separate instrument that provides access to platted Lots. Access easements may include Cross Access, Joint Access, or Primary Access Easements.

1. *Cross Access* means access between reserves or lots within a development for the purpose of providing connections from 1 lot or reserve to another without re-entering Public Streets, Nonresidential Private Streets or Primary Access Easements.
2. *Joint Access* means a shared driveway or drive aisle providing access from a Public Street, Nonresidential Private Street, or Primary Access Easement into or through a parking lot.
3. *Primary Access Easements* means privately owned and maintained route that provides access from a Public or Private Street to 1 or more lots or reserves. Primary Access Easements serve as the primary access route to lots or reserves without direct access to a Public or Private Street.

*Accessory Building or Structure* means a building or structure that serves a use customarily incidental to and located on the same lot occupied by the principal building. Common accessory buildings or structures include Private Garages and carports, farm structures, tool houses, greenhouses, home workshops, children's playhouses, storage houses, and garden shelters.

*Accessory Use* means a use of a building or land which serves an incidental function to the principal use of a building, structure, or land.

*Advertising* means to convey information to, seek the attraction of or to direct the attention of the public to any location, event, person, activity, goods, services or merchandise.

*Alley* means a minor street not intended to provide the primary means of access to abutting lots, that is used primarily for vehicular service access to the back or sides of lots.

*Alternative Tower Structure* means man-made structures such as clock towers, bell towers, church steeples, water towers, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas and towers.

*Amateur Radio Station* means the apparatus used by an "amateur operator" to operate a licensed "amateur radio service", as those terms are defined by federal law or regulations.

*Ancillary Use* means certain retail uses, as specified in the land use matrix, that are permitted uses in an office building under the conditions specified in these zoning regulations.

*Antenna* means any exterior apparatus designed for telephonic, radio, or television communications through the sending or receiving of electromagnetic waves.

*Arbor* (see Pergola)

*Arcade* means a covered passageway, typically found at street level, often comprised of a series of arches supported by columns.

*Arterial Street* means an arterial street as defined by the City's adopted Master Thoroughfare Plan or plans for streets.

*Awning* means a cover that projects from a wall of a building over a window or entrance to provide weather protection and architectural spatial definition. The top surface of an awning is typically sloped. An awning may be fixed in place or retractable. An awning is completely supported by the building.

**B**

*Bicycle Parking Space* means a single space provided for locking a single bicycle to a Bicycle Rack.

*Bicycle Rack* means a device consistent with industry standards that is capable of supporting a bicycle in a stable position where it may be locked securely.

*Blank Wall* means a wall which has few or no windows or doors, and has no decoration or visual interest.

*Block Length* means the total length of continuous street or primary access easement uninterrupted by intersecting streets or primary access easements.

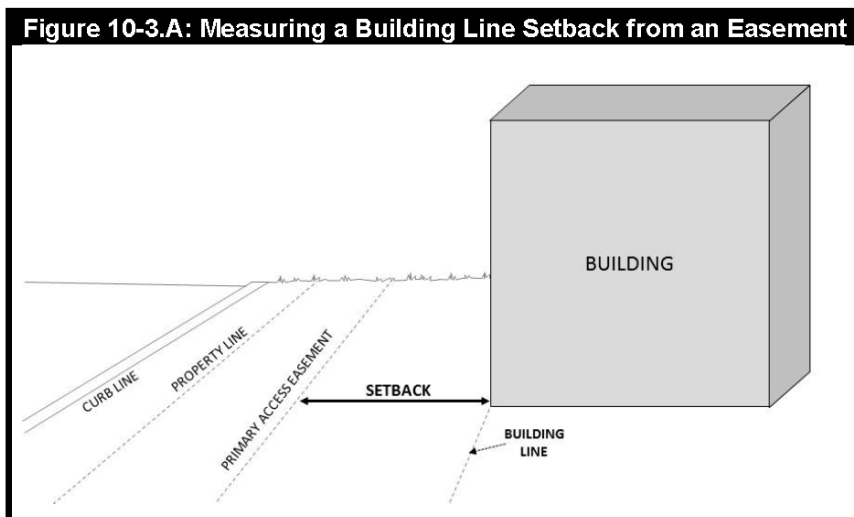
*Board* means the City's Zoning Board of Adjustment.

*Breezeway* means a porch or roofed passageway open on the sides, for connecting 2 buildings, as a house and a garage.

*Build-to Zone* means the area between the minimum and maximum setbacks.

*Building* means any structure built for the support, shelter, and enclosure of persons, animals, chattel, or movable property of any kind.

*Building Line* means a line parallel or approximately parallel to the front, side, or rear lot line that marks the minimum distance from the front, side, or rear lot line that buildings on the lot must be located, as determined by the required front, rear, and side yards for the lot or as specified on the plat for the lot. On lots or alleys with access from an Access Easement, the building line is measured from the nearest edge of curb rather than from the property line (see Figure 10-3.A).

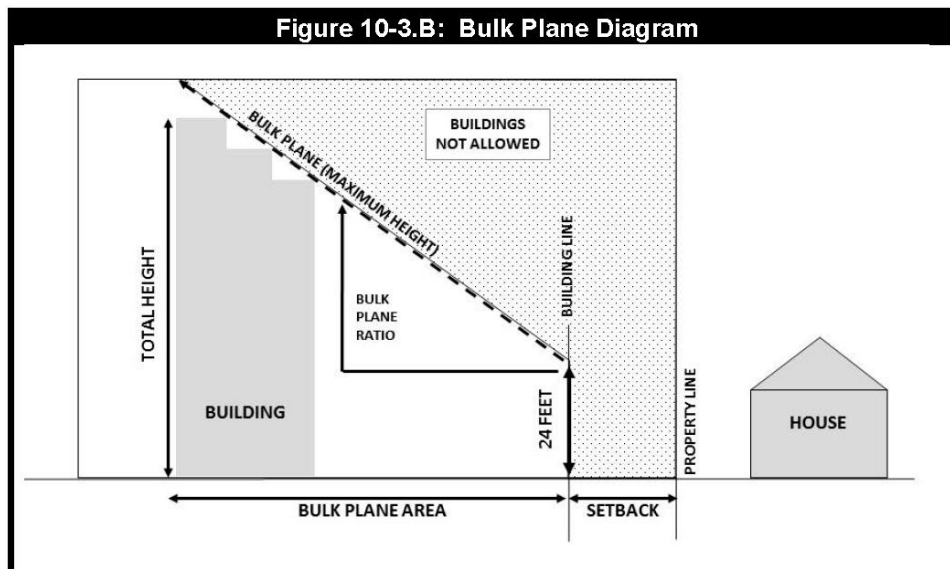


**Figure 10-3.A**

*Bulk Plane* means an imaginary inclined plane rising over the developable portion of the lot at a specified ratio for that district beyond which no portion of a building may extend. The method for establishing a Bulk Plane is as follows (see Figure 10-3.B):

1. Start at building line of the property;
2. Locate a point 24 feet above the ground at the building line;
3. From that point, draw a line that rises over the lot at a specified ratio from the building line as specified in the required "Bulk Plane ratio" for that district.
4. The line extending from the vertical line establishes the bulk plane over the lot, as illustrated.





**Figure 10-3.B**

**C**

*Canopy* means a permanent, flat-roof shelter covering a sidewalk, driveway, or other similar area, that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extended from the ground.

*Carport* means a structure open on a minimum of 3 sides designed or used to shelter vehicles.

*Certificate of Occupancy* means a document issued by the City allowing for occupancy or use of a building, and certifying that the structure or use has been constructed or will be used in compliance with all applicable ordinances and codes of the City of Sugar Land.

*City* means the City of Sugar Land, Texas.

*City Council* or *Council* means the City Council of the City.

*Civic Space* means an enhanced pedestrian space available to the public. May include parks, squares, plazas, playgrounds, trails adjacent to natural geographic features, boardwalks, or other open spaces for public use which may be privately or publicly owned and operated.

*Clear Zone* means a component of the Pedestrian Realm intended to provide a clear path of travel for pedestrian movement, also known as a sidewalk.

*Collector Street* means a collector street as defined by the City's adopted Master Thoroughfare Plan.

*Commission* means the Planning and Zoning Commission of the City.

**D**

*Design Standards* means the currently adopted document which provides the general requirements for the design of public improvements, private improvements that connect to or affect the public infrastructure and the supporting documents for approval in the City and its extraterritorial jurisdiction. Specific design criteria are included in the document. The Design Standards are incorporated into the Development Code as Chapter 6.

*Detached* means a building that does not have a wall in common or in contact with another building.

*Development Review Committee* means a committee of City staff members from various departments, such as Planning, Engineering, Building Permits and Inspections, and Public Works, tasked with reviewing and processing development applications.

*Director* means the person designated or assigned by the City Manager to administer the zoning regulations or any other provisions of this Code. Director includes any person authorized to perform the duties of the Director.

*Dwelling* means a building designed exclusively for residential use, other than motels or hotels.

*Dwelling, Live/Work* See Live/Work Dwelling

*Dwelling, Multi-Family* See Multi-Family Dwelling

*Dwelling, Multiplex* See Multiplex Dwelling

*Dwelling, Single-Family Attached (Townhome)* See Single-Family Attached Dwelling (Townhome)

*Dwelling, Single-Family Detached* See Single-Family Detached Dwelling

*Dwelling, Sixplex* See Sixplex Dwelling

*Dwelling, Triplex or Fourplex* See Triplex or Fourplex Dwelling

*Dwelling, Two-Family (Duplex)* See Two-Family Dwelling (Duplex)

*Dwelling Unit* means a building or portion of a building designed to provide independent living facilities for not more than 1 family and that contains bathroom facilities and not more than 1 kitchen.

*Dwelling, Urban Home* See Urban Home Dwelling

## E

*Effective Area* means the largest imaginary rectangle that encloses all extremities of a sign, calculated from an orthographic projection of the sign viewed horizontally as the viewpoint is rotated horizontally around the sign. Measuring the Effective Areas of signs is described in Chapter 4: Sign Regulations.

## F

*FAA* means the Federal Aviation Administration.

*FAA Form 7460* means a form provided by the Federal Aviation Administration as a requirement for applicants proposing construction or alteration to buildings near aviation facilities.

*F.A.R.* means the floor to area ratio of a Premises zoned R-1E, R-1R, R-1, HR-1, or R-1Z, 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. This definition does not apply to any Premises:

1. Platted as PUD prior to the date the lot was annexed into the City; or
2. Zoned as Planned Development District (PD).

*FAR Part 77* means a section of the Federal Regulations that establishes:

1. Requirements to provide notice to the FAA of certain proposed construction or alteration of existing structures,
2. Standards used to determine obstructions to air navigation and communication facilities,
3. The process for aeronautical studies of obstructions to air navigation to determine the effect on the safe and efficient use of navigable airspace, and
4. The process to petition the FAA for discretionary review of determinations.

*FCC* means the Federal Communications Commission.

*Family* means:

1. One or more persons who are related by blood, marriage, adoption or guardianship, including foster children, exchange students, and servants, together with not more than 2 additional persons not related by blood, marriage, or adoption to the previously identified individuals or group, living together as a single housekeeping unit; or
2. The persons living together in a Dwelling Unit that meet the definition, qualifications, and restrictions of a "community home", as set forth in chapter 123 of the Texas Human Resources Code, as amended.

*Fence* means a freestanding structure typically constructed of wood, brick, stone, concrete or other similar building materials and erected to enclose or visually screen a premises.

*Filed or Filing Date* means the date when an application, along with any required information, plans, documents and fees have been received by and acknowledged in writing by the City as being complete for purposes of processing the application. Filed may also refer to the date on which a document is recorded with the county clerk or received by TCEQ or another government entity.

*Floor Area* means the total square feet of floor space within the exterior walls of a building, including each floor level, but excluding carports, porches, residential Private Garages, and breezeways.

*Freeway* means a freeway as defined by the City's adopted Master Thoroughfare Plan.

## G

*Garage, Parking* refers to a building designed and used for the storage of motor vehicles either operated as a business enterprise or in conjunction with a business that may or may not have a service charge or fee being paid to the owner or operator for parking or storage of privately owned vehicles.

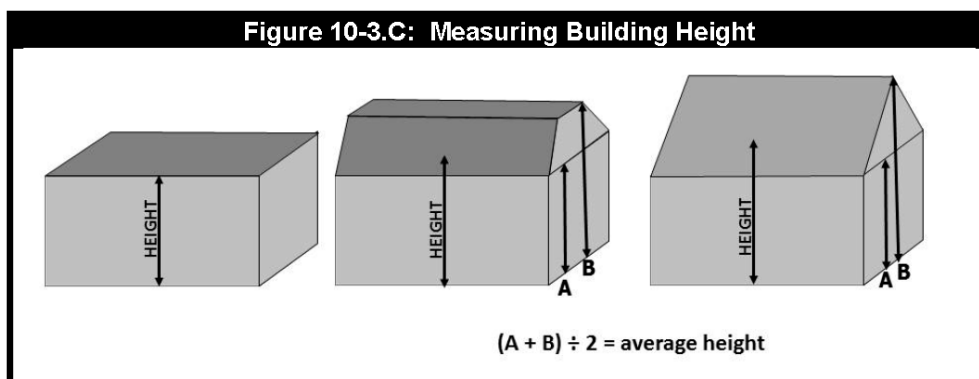
*Garage, Private* refers to a building for private use of the owner or occupant of a principal building (situated on the same lot as the principal building) for the storage of motor vehicles.

*Governmental Entity* means the United States, the State of Texas, Fort Bend County, the City or an independent school district, or agency thereof.

## H

*Height* means:

1. In measuring the height of a building, the vertical distance from the average ground level abutting a building to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitched or hipped roof. (See Figure 10-3.C)
2. In measuring the height of a structure, other than a building, the vertical distance from the average ground level abutting the structure to the highest point of the structure.



**Figure 10-3.C**

*Highway* means a highway as defined by the City's adopted Master Thoroughfare Plan.

*Home Occupation* means a business activity carried on in a dwelling in compliance with the provisions of the zoning regulations.

*Housekeeping Unit* means persons living together in 1 Dwelling Unit as a single entity, sharing and having access to the kitchen and all common living facilities in the Dwelling Unit.

*HUD-Code Manufactured Home* means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in 1 or more sections; in the traveling mode, at least 8 body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; includes the plumbing, heating, air conditioning, and electrical systems of the home; and is not a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

## I

*Indigenous Plants* are native to the locale or grow naturally, may have existed in the area for many years, and require minimal effort to grow and maintain. Indigenous plants are often drought-resistant or tolerant of low-water conditions.

## K

*Kitchen* means any single room that contains a cooking oven (other than a microwave oven) or gas or electric burners for cooking food, and 2 or more of the following items:

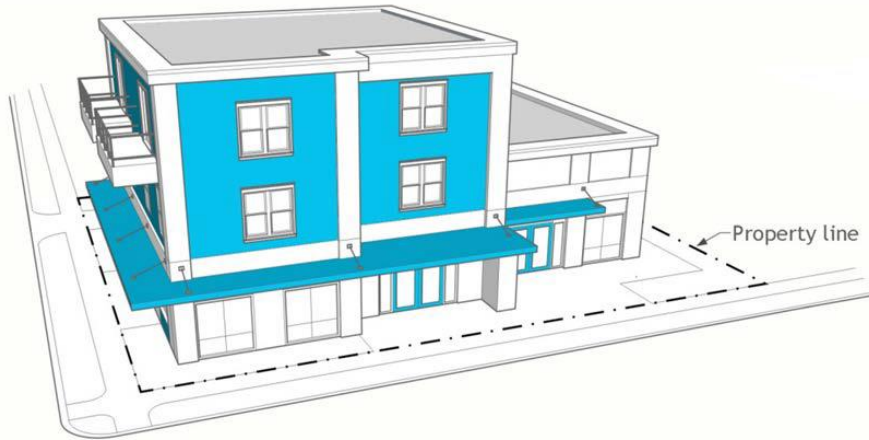
1. A microwave oven.
2. An electrical supply of more than 110 volts.
3. A sink with a drain 1 in diameter or larger.
4. A garbage disposal.
5. A dishwasher.
6. A refrigerator or freezer.

## L

*Lake Pointe Regional Activity Center* means the area delineated and defined by the Comprehensive Plan.

*Landscaped, Landscaped Area*, means that portion of a lot covered by grass, groundcover, shrubs, trees, and other vegetation which is installed and maintained as part of the design and use of the premises. The Landscape Area may serve as a buffer and include driveways, sidewalks or similar improvements required for access to the property.

*Live/Work Dwelling* means a building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked.



## **Live/Work Dwelling**

*Living Space* means the interior space within a building designed for occupancy by 1 or more persons for living and/or sleeping.

*Loading Space* means an off-street space or berth used for the loading or unloading of vehicles.

*Lot* means a platted parcel of land having frontage upon a public street or dedicated access to a public street, the plat of which lot is recorded in the appropriate property records of Fort Bend County.

*Lot Area* means the total area of the lot contained within the lot lines.

*Lot, Corner* means a lot abutting upon 2 or more streets at their intersection.

*Lot Coverage* means the percentage of the lot area occupied by all enclosed areas of buildings on that lot, including primary and accessory structures, as determined at ground level.

*Lot Depth* means the average horizontal distance between the front and rear lot lines.

*Lot Width* means the horizontal distance between the side lot lines of a lot measured at the front building line.

*Lot Line* means the boundary dividing 1 lot from another lot or a lot from a street or place.

*Lot Line, Front* means the lot line that separates the front yard of the lot from the street.

*Lot Line, Rear* means the platted lot line farthest from and most parallel to the front lot line.

*Lot Line, Side* means any lot line which is not the front, rear, or street side lot line.

*Lot Line, Street Side* means the lot line separating the street side yard from the abutting street.

## **M**

*Maintenance Easement* means an area of a parcel of land free of structures reserved to allow access for repair and maintenance of infrastructure or an adjacent structure.

*Manufactured Home* or "manufactured housing" means a HUD-code manufactured home or a mobile home.

*Manufactured Home Park* means an area approved for occupancy of Manufactured homes and accessory structures related thereto.

*Master Thoroughfare Plan* means a plan adopted by the City Council which identifies the general routing and classification of proposed streets and thoroughfares. The plan may also establish the function and capacity of the various thoroughfares as they relate to the land uses they are proposed to serve.

*Maneuvering Area* means the area within a parking lot, other than the area included in the parking spaces, used for maneuvering cars in and out of parking spaces.

*Merchandise* means the commodities or goods that are bought and sold in business.

*Mezzanine* means the intermediate level or levels between the floor and ceiling of any story.

*Mews* means a designated public green space with frontage on a public street that provides paved pedestrian access from adjoining lots to the street. Mews shall be owned and maintained by a homeowner's association or other perpetual entity and may include utilities.

*Middle Housing* refers to the following residential use types as defined in the Development Code: Urban Home Dwelling, Single-Family Attached Dwelling (Townhome), Two-Family Dwelling, Triplex or Fourplex Dwelling, Sixplex Dwelling, and Live/Work Dwelling.

*Mixed-Use* means a combination of both residential and nonresidential uses in close proximity or in the same development area. Occurs in the context of a walkable, pedestrian-friendly environment.

*Mobile Home* means a structure constructed before June 15, 1976; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in 1 or more sections; in the traveling mode, at least 8 body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

*Multi-Family Dwelling* means 7 or more Dwelling Units within a building on 1 platted lot.

*Multiplex Dwelling* means any of the following residential use types as defined in the Development Code: Triplex Dwelling, Fourplex Dwelling, or Sixplex Dwelling.

## **N**

*Natural Ground* means the proposed grade of the site in accordance with an approved site plan or the existing grade of the land adjacent to the Right-of-Way.

*Non-accessory Building or Structure* means a building or structure in the Mixed Use Conservation (MUC) District that is:

1. Located at the rear of the lot; and
2. Occupied by the operator of the commercial business located in the Principal Building.

*Nonconformity, Legal or Legal Nonconforming Use or Legal Nonconforming Building* means a building, structure, condition, or use of land that does not comply with these zoning regulations but:

1. Did comply with regulations at the time the building or structure was constructed or when the condition or use was established and has since been in regular and continued existence or use; or
2. Lawfully existed immediately before it was annexed into the City and has since been in regular and continued existence or use.

*Nonresidential District* means a B-O, B-1, B-2, M-1, M-2, or BR district.

*Nonresidential Use* means a use of a premises for other than for single, two-family, or multi-family dwellings.

## **O**

*Open Space* means an area without buildings.

*Outdoor Kitchen* means a secondary cooking area located outside a home that is typically equipped with a counter, grill, refrigerator, and/or sink.

## **P**

*Park* means an area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational activities to the members of the association.

*Parking Lot* means an off-street portion of a lot designed and used for the temporary parking or storage of motor vehicles, but not including the driveways and Private Garages serving single-family or two-family dwellings.

*Parking Space* means an area on a lot or site or within a building, other than on a public street or alley, used or intended for use for parking a motor vehicle.

*Parking, Structured* means a structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes Parking Garages, deck parking, and underground or under-building Parking Lots.

*Patio Cover* means a structure with a solid roof that is unenclosed and not climate controlled.

*Pedestrian Enhancement Zone* means a component of the Pedestrian Realm intended for the placement of street trees, street furniture, and other fixtures in a manner that does not obstruct pedestrian access or motorist visibility. This includes, but is not limited to seating, streetlights, waste receptacles, fire hydrants, traffic signs, bus shelters, transit stops, bicycle racks, public utility equipment such as electrical transformers and water meters, and similar elements.

*Pedestrian Realm* means the space behind the curb of the street that provides physical space for pedestrian activity, buffering from the vehicular and bicycle traffic along the street, and space for shade and other elements that affect pedestrian comfort.

*Pergola or Arbor* means a permanent structure consisting of vertical posts with connected crossbeams at the top providing an open framework. Pergolas may extend from a building or be freestanding, and are typically constructed of wood, metal or similar material and are typically covered with trained climbing plants to provide shade.

*Planned Development (PD) District* means a customized zoning district that allows a specific set of uses, bulk regulations, and alternative standards that would not otherwise comply with the regulations of the primary zoning districts, but offer special benefits to the community.

*Plat* means a plan creating 1 or more lots that has been approved by the City as required by law and filed in the plat records of Fort Bend County.

*Porch* means a covered platform extending from a building, typically at an entrance with a separate roof. Porches may be an open or enclosed room attached to the outside of a building. A covered walkway or breezeway is not a porch.

*Premises* means a tract of land, including any building or structure on that tract.

*Primary Entrance* means the main point of access for pedestrians from the Pedestrian Realm into a building or tenant space.

*Primary Façade* means the front or principal face of a building which generally contains the Primary Entrance and can be distinguished from the other faces by its architectural details and orientation toward Streets and Civic Spaces.

*Principal Building or Use* means the primary use and chief purpose of a premises or building.

*Protected Tree* means a hardwood tree having a minimum caliper size of 8 inches or greater, as measured 4½ feet above ground level.

*Public Utility* means an entity engaged in the business of providing water, sewer, telephone, communication, cable television, natural gas, or electric services to the general public.

## R

*Recreational Vehicle (RV)* means a portable vehicle designed primarily for temporary occupancy or use for travel, recreation, and vacation use, and includes boats, travel and tent trailers, pickup campers and shells, motorized travel homes and similar vehicles.

*Reference Standard Zoning District* means in a PD district the comparable zoning district that provides regulations not specified in the PD ordinance. All PDs identify a reference standard zoning district.

*Residential District* means a R-1E, R-1, HR-1, R-1R, R-1Z, R-2, R-3, R-4, or MUC zoning district.

*Residential Use* means a premises used for 1 or more dwellings for ordinary domestic use, and does not include any commercial, industrial, or institutional uses except as specifically permitted under the zoning regulations.

## **S**

*Satellite Dish Antenna* means a device, usually parabolic in shape, designed and intended to be used for transmitting or receiving television, radio or microwave signals.

*Setback* refers to the required distance a structure or improvement must be placed from another specified structure, improvement, or location.

*Shade Tree* means a tree listed on the Approved Landscape Materials list in Chapter 2. Shade trees have mature crown spread that provides a canopy of shade for human comfort.

*Shared Parking* means parking spaces used by 2 or more uses on the same site or on separate sites with parking demands occurring at different times.

*Shrub* means a self-supporting, woody, evergreen species normally grown in the Texas Gulf Coast Region.

*Single-Family Attached Dwelling (Townhome)* means a building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on 1 or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.



### **Single-Family Attached Dwelling**

*Single-Family Detached Dwelling* means a building that contains only 1 Dwelling Unit and has open space on all sides of the building.



*Sixplex Dwelling* means a building on 1 platted lot that contains 5 or 6 Dwelling Units either horizontally or vertically stacked.



### **Sixplex Dwelling**

*Story* means the height between the successive floors of a building or from the top floor to the roof. For the purpose of computing building height, the average height for a story shall be defined as 12 feet.

*Story, Half* means a story under a gable, hip or gambrel roof of which the wall plates on at least 2 opposite exterior walls are not more than 2 feet above the floor of such story.

*Street* means any public or private thoroughfare, other than an alley, designed to be used by motor vehicles.

*Structure* means anything which is constructed or erected upon, under, or above the ground or water.

## **T**

*Tower* means a structure constructed as a free-standing structure or in association with a Building, other permanent structure or equipment, on which is located 1 or more Antennas intended for transmitting or receiving television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication. The term includes radio and television transmission towers, microwave towers, common carrier towers, and cellular telephone towers.

*Traffic Impact Analysis (TIA)* means a study intended to 1) coordinate the land use and transportation facility development, 2) assess adequately the traffic-related impacts of a development proposal on the existing and planned thoroughfare system, and 3) identify strategies and solutions to current and future traffic problems.

*Tree* means a self-supporting woody plant which typically grows to an overall minimum height of 15 feet in the Texas Gulf Coast region.

*Tree, Protected.* See Protected Tree.

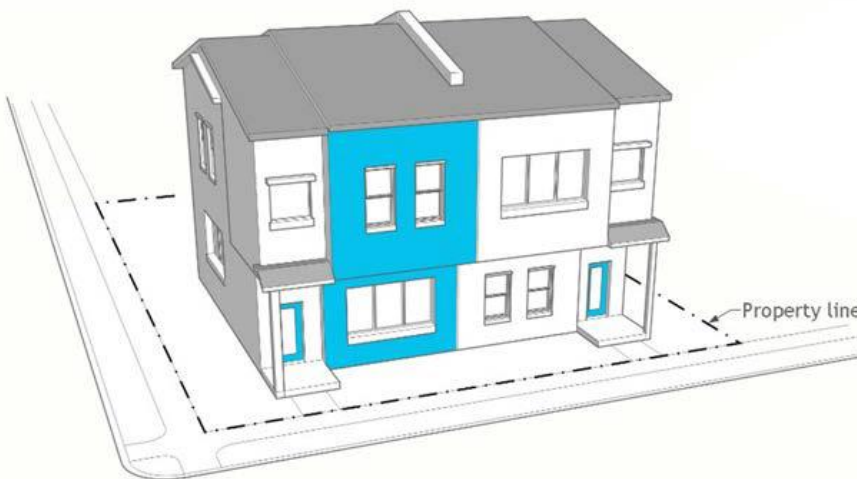
*Trellis* means an architectural structure, usually made from an open framework or lattice of interwoven or intersecting pieces of wood, metal or similar material that is normally made to support and display climbing plants. A trellis is typically installed as a vertical wall panel.

*Triplex or Fourplex Dwelling* means a building on 1 platted lot that contains 3 or 4 Dwelling Units either horizontally or vertically stacked.



### **Triplex or Fourplex Dwelling**

*Two-Family Dwelling (Duplex)* means a building on 1 platted lot that contains only 2 Dwelling Units, either horizontally or vertically stacked, and has open space on all sides of the building, commonly referred to as a duplex.



### **Two-Family Dwelling**

#### **U**

*Urban Home Dwelling* means a building that contains only 1 Dwelling Unit and is larger in height than in width and located on a lot no wider than 40 feet, commonly referred to as a detached townhome.



## Urban Home Dwelling

### V

*Vehicle Use Area* means an outside improved area on a nonresidential premises that is used for the temporary parking of vehicles to provide services to the vehicles or its occupants, including the service areas of gasoline service stations and car washes and the drive-through areas of fast food restaurants and banks and similar uses.

*Vines* means plants with a flexible stem that climbs, twines, clings to, or creeps along a surface for support.

### Y

*Yard* means the open space of a lot at grade that lies between the lot lines and the required building setback.

*Yard, Front* means the Yard extending across the front of the lot between the side lot lines.

*Yard, Rear* means the Yard extending across the rear of the lot between the side lot lines.

*Yard, Side* means the Yard extending along the side lot line from the Front Yard to the Rear Yard.

*Yard, Street Side* means a Side Yard that fronts upon a street.

## **Chapter 10 – Definitions**

### **Redline Draft**

Sec. 10-3. - Definitions.

**A**

*Access Easement* means an easement designated on the Final Plat or by separate instrument that provides access to platted Lots. Access easements may include Cross Access, Joint Access, or Primary Access Easements.

1. *Cross Access* means access between reserves or lots within a development for the purpose of providing connections from 1 lot or reserve to another without re-entering Public Streets, Nonresidential Private Streets or Primary Access Easements.
2. *Joint Access* means a shared driveway or drive aisle providing access from a Public Street, Nonresidential Private Street, or Primary Access Easement into or through a parking lot.
3. *Primary Access Easements* means privately owned and maintained route that provides access from a Public or Private Street to 1 or more lots or reserves. Primary Access Easements serve as the primary access route to lots or reserves without direct access to a Public or Private Street.

*Accessory Building or Structure* means a building or structure that serves a use customarily incidental to and located on the same lot occupied by the principal building. Common accessory buildings or structures include Private Garages and carports, farm structures, tool houses, greenhouses, home workshops, children's playhouses, storage houses, and garden shelters.

*Accessory Use* means a use of a building or land which serves an incidental function to the principal use of a building, structure, or land.

*Advertising* means to convey information to, seek the attraction of or to direct the attention of the public to any location, event, person, activity, goods, services or merchandise.

*Alley* means a minor street not intended to provide the primary means of access to abutting lots, that is used primarily for vehicular service access to the back or sides of lots.

*Alternative Tower Structure* means man-made structures such as clock towers, bell towers, church steeples, water towers, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas and towers.

*Amateur Radio Station* means the apparatus used by an "amateur operator" to operate a licensed "amateur radio service", as those terms are defined by federal law or regulations.

*Ancillary Use* means certain retail uses, as specified in the land use matrix, that are permitted uses in an office building under the conditions specified in these zoning regulations.

*Antenna* means any exterior apparatus designed for telephonic, radio, or television communications through the sending or receiving of electromagnetic waves.

*Arbor* (see Pergola)

*Arcade* means a covered passageway, typically found at street level, often comprised of a series of arches supported by columns.

*Arterial Street* means an arterial street as defined by the City's adopted Master Thoroughfare Plan or plans for streets.

*Awning* means a cover that projects from a wall of a building over a window or entrance to provide weather protection and architectural spatial definition. The top surface of an awning is typically sloped. An awning may be fixed in place or retractable. An awning is completely supported by the building.

**B**

*Bicycle Parking Space* means a single space provided for locking a single bicycle to a Bicycle Rack.

*Bicycle Rack* means a device consistent with industry standards that is capable of supporting a bicycle in a stable position where it may be locked securely.

*Blank Wall* means a wall which has few or no windows or doors, and has no decoration or visual interest.

*Block Length* means the total length of continuous street or primary access easement uninterrupted by intersecting streets or primary access easements.

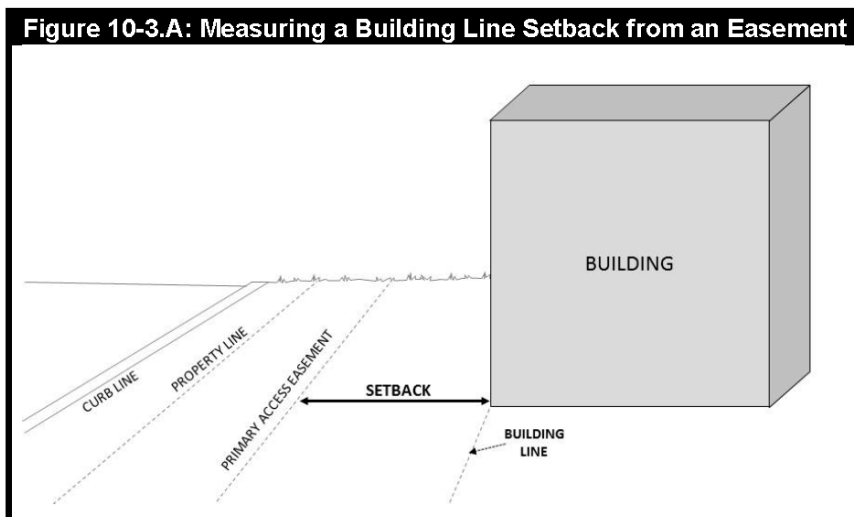
*Board* means the City's Zoning Board of Adjustment.

*Breezeway* means a porch or roofed passageway open on the sides, for connecting 2 buildings, as a house and a garage.

*Build-to Zone* means the area between the minimum and maximum setbacks.

*Building* means any structure built for the support, shelter, and enclosure of persons, animals, chattel, or movable property of any kind.

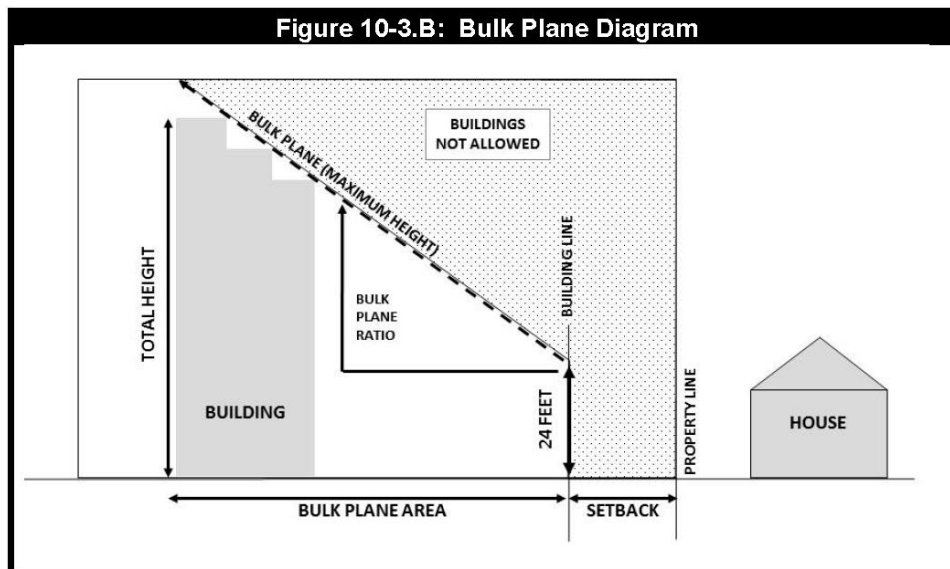
*Building Line* means a line parallel or approximately parallel to the front, side, or rear lot line that marks the minimum distance from the front, side, or rear lot line that buildings on the lot must be located, as determined by the required front, rear, and side yards for the lot or as specified on the plat for the lot. On lots or alleys with access from an Access Easement, the building line is measured from the nearest edge of curb rather than from the property line (see Figure 10-3.A).



**Figure 10-3.A**

*Bulk Plane* means an imaginary inclined plane rising over the developable portion of the lot at a specified ratio for that district beyond which no portion of a building may extend. The method for establishing a Bulk Plane is as follows (see Figure 10-3.B):

1. Start at building line of the property;
2. Locate a point 24 feet above the ground at the building line;
3. From that point, draw a line that rises over the lot at a specified ratio from the building line as specified in the required "Bulk Plane ratio" for that district.
4. The line extending from the vertical line establishes the bulk plane over the lot, as illustrated.



**Figure 10-3.B**

**C**

*Canopy* means a permanent, flat-roof shelter covering a sidewalk, driveway, or other similar area, that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extended from the ground.

*Carport* means a structure open on a minimum of 3 sides designed or used to shelter vehicles.

*Certificate of Occupancy* means a document issued by the City allowing for occupancy or use of a building, and certifying that the structure or use has been constructed or will be used in compliance with all applicable ordinances and codes of the City of Sugar Land.

*City* means the City of Sugar Land, Texas.

*City Council* or *Council* means the City Council of the City.

*Civic Space* means an enhanced pedestrian space available to the public. May include parks, squares, plazas, playgrounds, trails adjacent to natural geographic features, boardwalks, or other open spaces for public use which may be privately or publicly owned and operated.

*Clear Zone* means a component of the Pedestrian Realm intended to provide a clear path of travel for pedestrian movement, also known as a sidewalk.

*Collector Street* means a collector street as defined by the City's adopted Master Thoroughfare Plan.

*Commission* means the Planning and Zoning Commission of the City.

**D**

*Design Standards* means the currently adopted document which provides the general requirements for the design of public improvements, private improvements that connect to or affect the public infrastructure and the supporting documents for approval in the City and its extraterritorial jurisdiction. Specific design criteria are included in the document. The Design Standards are incorporated into the Development Code as Chapter 6.

*Detached* means a building that does not have a wall in common or in contact with another building.

*Development Review Committee* means a committee of City staff members from various departments, such as Planning, Engineering, Building Permits and Inspections, and Public Works, tasked with reviewing and processing development applications.

*Director* means the person designated or assigned by the City Manager to administer the zoning regulations or any other provisions of this Code. Director includes any person authorized to perform the duties of the Director.

*Dwelling* means a building designed exclusively for residential use, other than motels or hotels.

*Dwelling, Live/Work* ~~See Live/Work Dwelling means a building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked.~~



### **~~Dwelling, Live/Work~~**

*Dwelling, Multi-Family* ~~See Multi-Family Dwelling means 7 or more Dwelling Units within a building on 1-platted lot.~~

*Dwelling, Multiplex* ~~See Multiplex Dwelling means the following residential use types as defined in the Development Code: Triplex Dwelling, Fourplex Dwelling, or Sixplex Dwelling.~~

*Dwelling, Single-Family Attached (Townhome)* ~~See Single-Family Attached Dwelling (Townhome) means a building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on 1 or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.~~





### **Dwelling, Single-Family Attached**

*Dwelling, Single-Family Detached* ~~See Single-Family Detached Dwelling means a building that contains only 1 Dwelling Unit and has open space on all sides of the building.~~

*Dwelling, Sixplex* ~~See Sixplex Dwelling means a building on 1 platted lot that contains 5 or 6 Dwelling Units either horizontally or vertically stacked.~~



### **Dwelling, Sixplex**

*Dwelling, Triplex or Fourplex* ~~See Triplex or Fourplex Dwelling means a building on 1 platted lot that contains 3 or 4 Dwelling Units either horizontally or vertically stacked.~~



### **~~Dwelling, Triplex or Fourplex~~**

*Dwelling, Two-Family (Duplex)* ~~See Two-Family Dwelling (Duplex) means a building on 1 platted lot that contains only 2 Dwelling Units, either horizontally or vertically stacked, and has open space on all sides of the building, commonly referred to as a duplex.~~



### **~~Dwelling, Two-Family~~**

*Dwelling Unit* means a building or portion of a building designed to provide independent living facilities for not more than 1 family and that contains bathroom facilities and not more than 1 kitchen.

*Dwelling, Urban Home* ~~See Urban Home Dwelling means a building that contains only 1 Dwelling Unit and is larger in height than in width and located on a lot no wider than 40 feet, commonly referred to as a detached townhome.~~



## **Dwelling, Urban Home**

### **E**

*Effective Area* means the largest imaginary rectangle that encloses all extremities of a sign, calculated from an orthographic projection of the sign viewed horizontally as the viewpoint is rotated horizontally around the sign. Measuring the Effective Areas of signs is described in Chapter 4: Sign Regulations.

### **F**

*FAA* means the Federal Aviation Administration.

*FAA Form 7460* means a form provided by the Federal Aviation Administration as a requirement for applicants proposing construction or alteration to buildings near aviation facilities.

*F.A.R.* means the floor to area ratio of a Premises zoned R-1E, R-1R, R-1, HR-1, or R-1Z, 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. This definition does not apply to any Premises:

1. Platted as PUD prior to the date the lot was annexed into the City; or
2. Zoned as Planned Development District (PD).

*FAR Part 77* means a section of the Federal Regulations that establishes:

1. Requirements to provide notice to the FAA of certain proposed construction or alteration of existing structures,
2. Standards used to determine obstructions to air navigation and communication facilities,
3. The process for aeronautical studies of obstructions to air navigation to determine the effect on the safe and efficient use of navigable airspace, and
4. The process to petition the FAA for discretionary review of determinations.

*FCC* means the Federal Communications Commission.

*Family* means:

1. One or more persons who are related by blood, marriage, adoption or guardianship, including foster children, exchange students, and servants, together with not more than 2 additional

persons not related by blood, marriage, or adoption to the previously identified individuals or group, living together as a single housekeeping unit; or

2. The persons living together in a Dwelling Unit that meet the definition, qualifications, and restrictions of a "community home", as set forth in chapter 123 of the Texas Human Resources Code, as amended.

*Fence* means a freestanding structure typically constructed of wood, brick, stone, concrete or other similar building materials and erected to enclose or visually screen a premises.

*Filed or Filing Date* means the date when an application, along with any required information, plans, documents and fees have been received by and acknowledged in writing by the City as being complete for purposes of processing the application. Filed may also refer to the date on which a document is recorded with the county clerk or received by TCEQ or another government entity.

*Floor Area* means the total square feet of floor space within the exterior walls of a building, including each floor level, but excluding carports, porches, residential Private Garages, and breezeways.

*Freeway* means a freeway as defined by the City's adopted Master Thoroughfare Plan.

## G

*Garage, Parking* refers to a building designed and used for the storage of motor vehicles either operated as a business enterprise or in conjunction with a business that may or may not have a service charge or fee being paid to the owner or operator for parking or storage of privately owned vehicles.

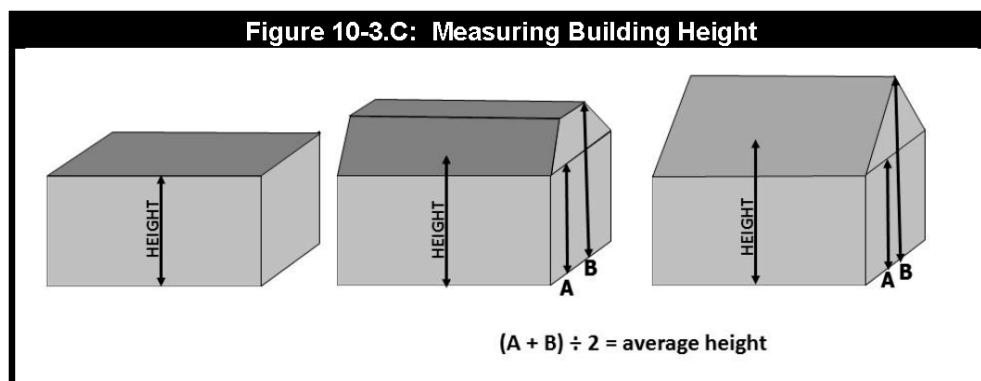
*Garage, Private* refers to a building for private use of the owner or occupant of a principal building (situated on the same lot as the principal building) for the storage of motor vehicles.

*Governmental Entity* means the United States, the State of Texas, Fort Bend County, the City or an independent school district, or agency thereof.

## H

*Height* means:

1. In measuring the height of a building, the vertical distance from the average ground level abutting a building to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitched or hipped roof. (See Figure 10-3.C)
2. In measuring the height of a structure, other than a building, the vertical distance from the average ground level abutting the structure to the highest point of the structure.



**Figure 10-3.C**

*Highway* means a highway as defined by the City's adopted Master Thoroughfare Plan.

*Home Occupation* means a business activity carried on in a dwelling in compliance with the provisions of the zoning regulations.

*Housekeeping Unit* means persons living together in 1 Dwelling Unit as a single entity, sharing and having access to the kitchen and all common living facilities in the Dwelling Unit.

*HUD-Code Manufactured Home* means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in 1 or more sections; in the traveling mode, at least 8 body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; includes the plumbing, heating, air conditioning, and electrical systems of the home; and is not a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

## I

*Indigenous Plants* are native to the locale or grow naturally, may have existed in the area for many years, and require minimal effort to grow and maintain. Indigenous plants are often drought-resistant or tolerant of low-water conditions.

## K

*Kitchen* means any single room that contains a cooking oven (other than a microwave oven) or gas or electric burners for cooking food, and 2 or more of the following items:

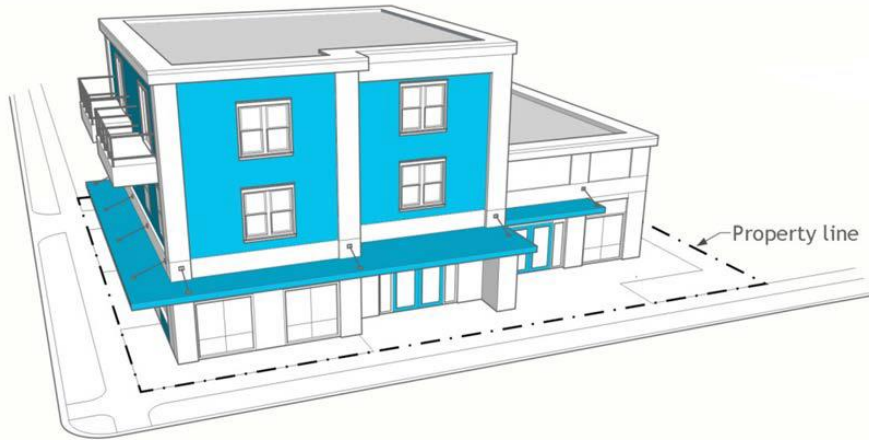
1. A microwave oven.
2. An electrical supply of more than 110 volts.
3. A sink with a drain 1 in diameter or larger.
4. A garbage disposal.
5. A dishwasher.
6. A refrigerator or freezer.

## L

*Lake Pointe Regional Activity Center* means the area delineated and defined by the Comprehensive Plan.

*Landscaped, Landscaped Area*, means that portion of a lot covered by grass, groundcover, shrubs, trees, and other vegetation which is installed and maintained as part of the design and use of the premises. The Landscape Area may serve as a buffer and include driveways, sidewalks or similar improvements required for access to the property.

*Live/Work Dwelling* means a building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked.



### **Live/Work Dwelling**

*Living Space* means the interior space within a building designed for occupancy by 1 or more persons for living and/or sleeping.

*Loading Space* means an off-street space or berth used for the loading or unloading of vehicles.

*Lot* means a platted parcel of land having frontage upon a public street or dedicated access to a public street, the plat of which lot is recorded in the appropriate property records of Fort Bend County.

*Lot Area* means the total area of the lot contained within the lot lines.

*Lot, Corner* means a lot abutting upon 2 or more streets at their intersection.

*Lot Coverage* means the percentage of the lot area occupied by all enclosed areas of buildings on that lot, including primary and accessory structures, as determined at ground level.

*Lot Depth* means the average horizontal distance between the front and rear lot lines.

*Lot Width* means the horizontal distance between the side lot lines of a lot measured at the front building line.

*Lot Line* means the boundary dividing 1 lot from another lot or a lot from a street or place.

*Lot Line, Front* means the lot line that separates the front yard of the lot from the street.

*Lot Line, Rear* means the platted lot line farthest from and most parallel to the front lot line.

*Lot Line, Side* means any lot line which is not the front, rear, or street side lot line.

*Lot Line, Street Side* means the lot line separating the street side yard from the abutting street.

### **M**

*Maintenance Easement* means an area of a parcel of land free of structures reserved to allow access for repair and maintenance of infrastructure or an adjacent structure.

*Manufactured Home* or "manufactured housing" means a HUD-code manufactured home or a mobile home.

*Manufactured Home Park* means an area approved for occupancy of Manufactured homes and accessory structures related thereto.

*Master Thoroughfare Plan* means a plan adopted by the City Council which identifies the general routing and classification of proposed streets and thoroughfares. The plan may also establish the function and capacity of the various thoroughfares as they relate to the land uses they are proposed to serve.



*Maneuvering Area* means the area within a parking lot, other than the area included in the parking spaces, used for maneuvering cars in and out of parking spaces.

*Merchandise* means the commodities or goods that are bought and sold in business.

*Mezzanine* means the intermediate level or levels between the floor and ceiling of any story.

*Mews* means a designated public green space with frontage on a public street that Dwelling Units front on that that provides paved pedestrian ~~connectivity access from adjoining lots to the street~~ to Streets or Civic Spaces. Mews shall be owned and maintained by a homeowner's association or other perpetual entity and may include utilities.

*Middle Housing* refers to the following residential use types as defined in the Development Code: Urban Home Dwelling, Single-Family Attached Dwelling (Townhome), Two-Family Dwelling, Triplex or Fourplex Dwelling, Sixplex Dwelling, and Live/Work Dwelling.

*Mixed-Use* means a combination of both residential and nonresidential uses in close proximity or in the same development area. Occurs in the context of a walkable, pedestrian-friendly environment.

*Mobile Home* means a structure constructed before June 15, 1976; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in 1 or more sections; in the traveling mode, at least 8 body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

*Multi-Family Dwelling* means 7 or more Dwelling Units within a building on 1 platted lot.

*Multiplex Dwelling* means any of the following residential use types as defined in the Development Code: Triplex Dwelling, Fourplex Dwelling, or Sixplex Dwelling.

## N

*Natural Ground* means the proposed grade of the site in accordance with an approved site plan or the existing grade of the land adjacent to the Right-of-Way.

*Non-accessory Building or Structure* means a building or structure in the Mixed Use Conservation (MUC) District that is:

1. Located at the rear of the lot; and
2. Occupied by the operator of the commercial business located in the Principal Building.

*Nonconformity, Legal or Legal Nonconforming Use or Legal Nonconforming Building* means a building, structure, condition, or use of land that does not comply with these zoning regulations but:

1. Did comply with regulations at the time the building or structure was constructed or when the condition or use was established and has since been in regular and continued existence or use; or
2. Lawfully existed immediately before it was annexed into the City and has since been in regular and continued existence or use.

*Nonresidential District* means a B-O, B-1, B-2, M-1, M-2, or BR district.

*Nonresidential Use* means a use of a premises for other than for single, two-family, or multi-family dwellings.

## O

*Open Space* means an area without buildings.

*Outdoor Kitchen* means a secondary cooking area located outside a home that is typically equipped with a counter, grill, refrigerator, and/or sink.

## P

*Park* means an area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational activities to the members of the association.

*Parking Lot* means an off-street portion of a lot designed and used for the temporary parking or storage of motor vehicles, but not including the driveways and Private Garages serving single-family or two-family dwellings.

*Parking Space* means an area on a lot or site or within a building, other than on a public street or alley, used or intended for use for parking a motor vehicle.

*Parking, Structured* means a structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes Parking Garages, deck parking, and underground or under-building Parking Lots.

*Patio Cover* means a structure with a solid roof that is unenclosed and not climate controlled.

*Pedestrian Enhancement Zone* means a component of the Pedestrian Realm intended for the placement of street trees, street furniture, and other fixtures in a manner that does not obstruct pedestrian access or motorist visibility. This includes, but is not limited to seating, streetlights, waste receptacles, fire hydrants, traffic signs, bus shelters, transit stops, bicycle racks, public utility equipment such as electrical transformers and water meters, and similar elements.

*Pedestrian Realm* means the space behind the curb of the street that provides physical space for pedestrian activity, buffering from the vehicular and bicycle traffic along the street, and space for shade and other elements that affect pedestrian comfort.

*Pergola or Arbor* means a permanent structure consisting of vertical posts with connected crossbeams at the top providing an open framework. Pergolas may extend from a building or be freestanding, and are typically constructed of wood, metal or similar material and are typically covered with trained climbing plants to provide shade.

*Planned Development (PD) District* means a customized zoning district that allows a specific set of uses, bulk regulations, and alternative standards that would not otherwise comply with the regulations of the primary zoning districts, but offer special benefits to the community.

*Plat* means a plan creating 1 or more lots that has been approved by the City as required by law and filed in the plat records of Fort Bend County.

*Porch* means a covered platform extending from a building, typically at an entrance with a separate roof. Porches may be an open or enclosed room attached to the outside of a building. A covered walkway or breezeway is not a porch.

*Premises* means a tract of land, including any building or structure on that tract.

*Primary Entrance* means the main point of access for pedestrians from the Pedestrian Realm into a building or tenant space.

*Primary Façade* means the front or principal face of a building which generally contains the Primary Entrance and can be distinguished from the other faces by its architectural details and orientation toward Streets and Civic Spaces.

*Principal Building or Use* means the primary use and chief purpose of a premises or building.

*Protected Tree* means a hardwood tree having a minimum caliper size of 8 inches or greater, as measured 4½ feet above ground level.

*Public Utility* means an entity engaged in the business of providing water, sewer, telephone, communication, cable television, natural gas, or electric services to the general public.

## R



*Recreational Vehicle (RV)* means a portable vehicle designed primarily for temporary occupancy or use for travel, recreation, and vacation use, and includes boats, travel and tent trailers, pickup campers and shells, motorized travel homes and similar vehicles.

*Reference Standard Zoning District* means in a PD district the comparable zoning district that provides regulations not specified in the PD ordinance. All PDs identify a reference standard zoning district.

*Residential District* means a R-1E, R-1, HR-1, R-1R, R-1Z, R-2, R-3, R-4, or MUC zoning district.

*Residential Use* means a premises used for 1 or more dwellings for ordinary domestic use, and does not include any commercial, industrial, or institutional uses except as specifically permitted under the zoning regulations.

## S

*Satellite Dish Antenna* means a device, usually parabolic in shape, designed and intended to be used for transmitting or receiving television, radio or microwave signals.

*Setback* refers to the required distance a structure or improvement must be placed from another specified structure, improvement, or location.

*Shade Tree* means a tree listed on the Approved Landscape Materials list in Chapter 2. Shade trees have mature crown spread that provides a canopy of shade for human comfort.

*Shared Parking* means parking spaces used by 2 or more uses on the same site or on separate sites with parking demands occurring at different times.

*Shrub* means a self-supporting, woody, evergreen species normally grown in the Texas Gulf Coast Region.

*Single-Family Attached Dwelling (Townhome)* means a building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on 1 or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.



### Single-Family Attached Dwelling

*Single-Family Detached Dwelling* means a building that contains only 1 Dwelling Unit and has open space on all sides of the building.

Sixplex Dwelling means a building on 1 platted lot that contains 5 or 6 Dwelling Units either horizontally or vertically stacked.



### **Sixplex Dwelling**

*Story* means the height between the successive floors of a building or from the top floor to the roof. For the purpose of computing building height, the average height for a story shall be defined as 12 feet.

*Story, Half* means a story under a gable, hip or gambrel roof of which the wall plates on at least 2 opposite exterior walls are not more than 2 feet above the floor of such story.

*Street* means any public or private thoroughfare, other than an alley, designed to be used by motor vehicles.

*Structure* means anything which is constructed or erected upon, under, or above the ground or water.

## **T**

*Tower* means a structure constructed as a free-standing structure or in association with a Building, other permanent structure or equipment, on which is located 1 or more Antennas intended for transmitting or receiving television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication. The term includes radio and television transmission towers, microwave towers, common carrier towers, and cellular telephone towers.

*Traffic Impact Analysis (TIA)* means a study intended to 1) coordinate the land use and transportation facility development, 2) assess adequately the traffic-related impacts of a development proposal on the existing and planned thoroughfare system, and 3) identify strategies and solutions to current and future traffic problems.

*Tree* means a self-supporting woody plant which typically grows to an overall minimum height of 15 feet in the Texas Gulf Coast region.

*Tree, Protected.* See Protected Tree.

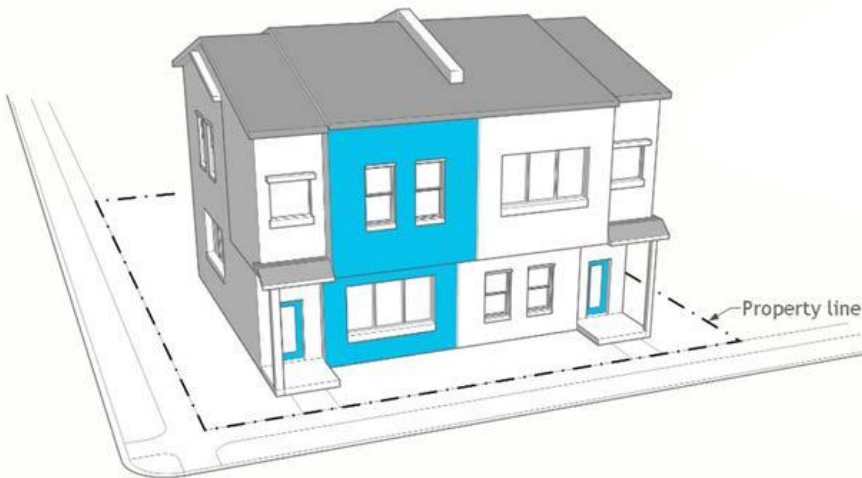
*Trellis* means an architectural structure, usually made from an open framework or lattice of interwoven or intersecting pieces of wood, metal or similar material that is normally made to support and display climbing plants. A trellis is typically installed as a vertical wall panel.

Triplex or Fourplex Dwelling means a building on 1 platted lot that contains 3 or 4 Dwelling Units either horizontally or vertically stacked.



### **Triplex or Fourplex Dwelling**

Two-Family Dwelling (Duplex) means a building on 1 platted lot that contains only 2 Dwelling Units, either horizontally or vertically stacked, and has open space on all sides of the building, commonly referred to as a duplex.



### **Two-Family Dwelling**

#### **U**

Urban Home Dwelling means a building that contains only 1 Dwelling Unit and is larger in height than in width and located on a lot no wider than 40 feet, commonly referred to as a detached townhome.



### Urban Home Dwelling

#### **V**

*Vehicle Use Area* means an outside improved area on a nonresidential premises that is used for the temporary parking of vehicles to provide services to the vehicles or its occupants, including the service areas of gasoline service stations and car washes and the drive-through areas of fast food restaurants and banks and similar uses.

*Vines* means plants with a flexible stem that climbs, twines, clings to, or creeps along a surface for support.

#### **Y**

*Yard* means the open space of a lot at grade that lies between the lot lines and the required building setback.

*Yard, Front* means the Yard extending across the front of the lot between the side lot lines.

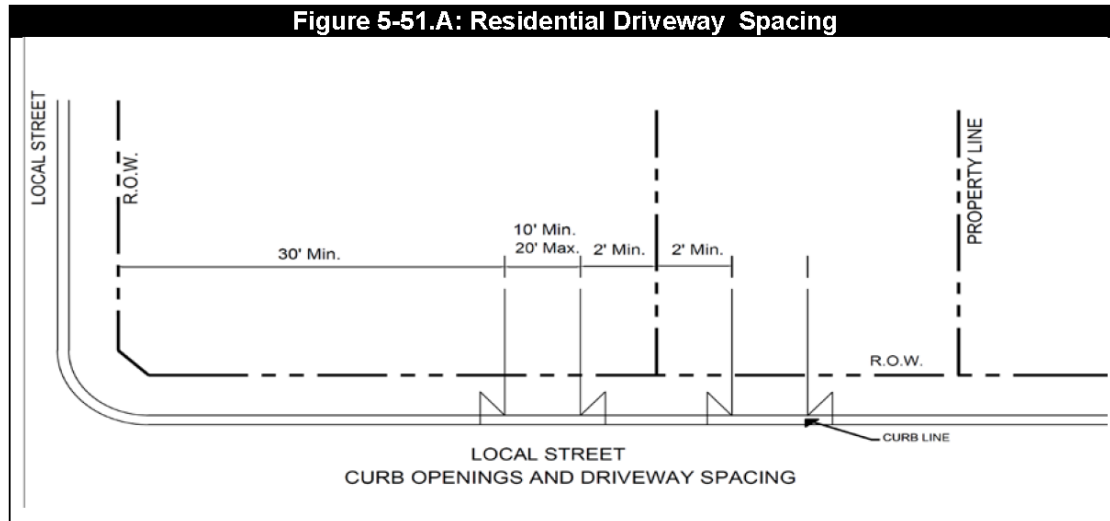
*Yard, Rear* means the Yard extending across the rear of the lot between the side lot lines.

*Yard, Side* means the Yard extending along the side lot line from the Front Yard to the Rear Yard.

*Yard, Street Side* means a Side Yard that fronts upon a street.

Sec. 5-51. - Driveway Separation Requirements.

- A. Single-family residential driveways must access on the street of the lowest classification. If a corner lot, single-family residential driveways shall be located at the side of the lot furthest away from the intersection. Any deviation from this criteria requires specific approval through the City Engineer. These dimensions only apply to the roadway classification shown. If access is to a different classification of the road, then intersection spacing shall apply in accordance with the City's Design Standards (see Figure 5-51.A).



**Figure 5-51.A**

- B. The location of all nonresidential and multifamily residential driveways that will connect to a Public Street, Nonresidential Private Street, or Primary Access Easement must be approved by the City Engineer prior to construction.
- C. To reduce the number of conflict points and to facilitate traffic flow on Arterial and Collector streets, nonresidential driveways may be placed no closer than the following distances from adjacent streets and driveways (measured from the projected curb line of the existing intersecting street or driveway to the projected curb line of the proposed driveway):

Roadway Classification	Minimum Separation
Highways/Freeways Intersecting Highways/Freeways U.S. 59, U.S. 90A, S.H. 99	200 ft., or greater as determined by Traffic Impact Analysis
Highways: S.H. 99, S.H. 6, U.S. 90A	200 ft.

Arterial: As indicated on Thoroughfare Plan	165 ft.
Major Collector: As indicated on Thoroughfare Plan	165 ft.
Minor Collector: As indicated on Thoroughfare Plan	165 ft.
Local Street	75 ft.
Cul-de-sac bulb, Primary Access Easement	50 ft.

- D. When planning a new driveway, the developer must demonstrate that the location of the proposed driveway does not preclude adjacent lots, tracts, or reserves from complying with driveway separation requirements. If the placement of a driveway along a lot, tract or reserve prevents the adjacent lot, tract or reserve from meeting the driveway separation requirements, a Joint Access Easement shall be required.



## **NOTICE OF PUBLIC HEARING**

### **PROPOSED AMENDMENT TO CHAPTERS 2, 5, AND 10 OF THE SUGAR LAND DEVELOPMENT CODE**

#### **Planning & Zoning Commission Public Hearing 6:30 p.m., March 27, 2025,**

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 proposed amendments to Chapters 2, 5, and 10 of the Sugar Land Development Code.

This amendment provides clarification and alignment between the regulations in Chapter 2, *Zoning Regulations*, and Chapter 5, *Subdivision Regulations*, of the Sugar Land Development Code. Additionally, this amendment includes minor updates to definitions in Chapter 10, *Definitions*, to enhance clarity and consistency.

The agenda item for this meeting will be placed on the City of Sugar Land website at [www.sugarlandtx.gov](http://www.sugarlandtx.gov) under “Meeting Agendas” Planning & Zoning Commission no later than Friday, March 21, 2025. Request details or provide feedback on the proposed rezoning online at [www.sugarlandtx.gov/PublicHearingComment](http://www.sugarlandtx.gov/PublicHearingComment) or contact City of Sugar Land Planning & Development Services Department at (281) 275-2218.