



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, JANUARY 14, 2021 - 7:00 PM**

AGENDA

NOTICE IS HEREBY GIVEN OF A FRIENDSWOOD REGULAR MEETING TO BE HELD AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS, REGARDING THE ITEMS OF BUSINESS ACCORDING TO THE AGENDA LISTED BELOW:

1. Call to order

2. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

- A. Oath of Office: Aubrey Harbin, Notary Public, will administer the Oath of Office for one new Commissioner, Travis Mann

3. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

4. Public Hearing

- A. To receive comments both oral and written regarding:

Proposed amendments to Appendix C Zoning Ordinance to require less dense residential uses in higher dense residential districts to still meet the district regulations of the less dense district by amending "Section 7. B. (R-2 and R-3) MFR-L, residential, general purpose and description," "Section 7.C.(R-4) MFR-M, residential, general purpose and description," and "Section 7.D.(R-5) MFR-H, residential, general purpose and description;" and to amend "Section 7.P.6. Permitted Use Table" to allow less dense residential uses in higher dense residential districts by defining Residential Uses in the table

- B. Proposed amendments to Appendix C Zoning Ordinance Section 7.Q.2. "Residential Regulation Matrix" to amend sub note F to allow lots in existence that are zoned Single Family Residential and are less than 90 feet wide to continue with the setbacks that were established when the lot was platted or created

5. Consent Agenda

These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner so requests in which case the item would be removed from the consent agenda and considered separately.

- A. Approval of the minutes of the special meeting held Thursday, December 3, 2020
- B. Approval of the minutes of the regular meeting held Thursday, December 10, 2020
- C. Friends Heights Final Plat

6. Consideration and Possible Actions

- A. Consideration and possible action regarding a recommendation for the proposed amendments to Appendix C Zoning Ordinance to require less dense residential uses in higher dense residential districts to still meet the district regulations of the less dense district by amending "Section 7. B. (R-2 and R-3) MFR-L, residential, general purpose and description," "Section 7.C.(R-4) MFR-M, residential, general purpose and description," and "Section 7.D.(R-5) MFR-H, residential, general purpose and description;" and to amend "Section 7.P.6. Permitted Use Table" to allow less dense residential uses in higher dense residential districts by defining Residential Uses in the table
- B. Consideration and possible action regarding a recommendation for the proposed amendments to Appendix C Zoning Ordinance Section 7.Q.2. "Residential Regulation Matrix" to amend sub note F to allow lots in existence that are zoned Single Family Residential and are less than 90 feet wide to continue with the setbacks that were established when the lot was platted or created

7. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

- A. Regular Meeting - Thursday, January 28, 2021
Regular Meeting - Thursday, February 11, 2021

8. Communications

- A. From Commissioners - suggestions for future agenda items, general comments and/or updates from liaison assignments
- B. From Planning Subcommittee – update on tasks

- C. From Ordinance Subcommittee – update on tasks
- D. From City Council Liaison, Robert Griffon - general comments and communication from City Council
- E. From Staff - December DRC Report, commercial and residential project updates, City Council action and ordinance updates

9. Adjournment



Aubrey Harbin, LEED AP
Director of Community Development/City Planning

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made **two (2)** business days or more prior to this meeting. Please contact the City Secretary's Office at (281) 996-3270 for further information.

**I, MELINDA WELSH, CITY SECRETARY OF THE CITY OF FRIENDSWOOD DO
HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE
FRIENDSWOOD PLANNING AND ZONING WAS POSTED IN A PLACE
CONVENIENT TO THE GENERAL PUBLIC IN COMPLIANCE WITH CHAPTER 551,
TEXAS GOVERNMENT CODE, ON**

DATE

AT TIME

MELINDA WELSH, TRMC
CITY SECRETARY

All meetings of the Planning & Zoning Commission are open to the public, except when there is a necessity to meet in an Executive Session (closed to the public) under the provisions of Section 551, Texas Government Code. The Planning & Zoning Commission reserves the right to convene into Executive Session to hear any of the above described agenda items that qualifies for an executive session by publicly announcing the applicable section number of the Open Meetings Act.



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: January 14, 2021

Subject: To receive comments both oral and written regarding:

Proposed amendments to Appendix C Zoning Ordinance to require less dense residential uses in higher dense residential districts to still meet the district regulations of the less dense district by amending "Section 7. B. (R-2 and R-3) MFR-L, residential, general purpose and description," "Section 7.C.(R-4) MFR-M, residential, general purpose and description," and "Section 7.D.(R-5) MFR-H, residential, general purpose and description;" and to amend "Section 7.P.6. Permitted Use Table" to allow less dense residential uses in higher dense residential districts by defining Residential Uses in the table

Action: Significant

SUMMARY / ORIGINATING CAUSE

Multi-family density: allowing less dense development in higher density zoning. EXAMPLE: a single family home could be built instead of a duplex in MFR-L. This was previously discussed with the subcommittee. Proposed language has been drafted.

Up until 2014, single family residential use was allowed in Multi-Family Residential - Low (MFR-L) zoning district. In 2014, all residential uses were removed from the PUT since they were also defined in Section 7. Schedule of District Regulations; however, the allowance of cumulative zoning (allowing less dense residential uses in higher dense residential districts) was removed.

There is currently about four blocks of Multi-Family Residential - Low Density zoning whereby there are single family homes built on many of the lots. See attached map. The ordinance change in 2014 made these non-conforming. Several of these lots are also for sale currently, and there is great interest in building and re-building single family homes on the lots.

The proposed amendments would remove many of the non-conformities that exist, as well as allow the construction of new single family homes in this particular area.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The proposed amendments would remove many of the non-conformities that exist, as well as allow the construction of new single family homes in this particular area.

RECOMMENDATIONS

None at this time. The Planning and Zoning Commission will make a recommendation to City Council following the public hearing.

ATTACHMENTS

1. HISTORY OF SFR allowed in multi - revised
2. Redline Ord_SFR in MFR Districts

HISTORY OF SFR ALLOWED IN MFR DISTRICTS

Ord 132 **4-13-1972**

Schedule of District Regulations: R-2 (Multiple-Family Residential) District

Permitted Uses. Any use permitted in the R-1 District.

Ord 291 **11-7-1977**

Schedule of District Regulations: R-2 (Multiple-Family Residential) District

Permitted Uses. Any use permitted in the R-1 District; provided, however, that for uses permitted in R-1 Districts, all the District Regulations for R-1 residential development shall apply, including lot area, width, and set-back requirements, and parking ratio.

Ord 84-15 **11-19-1984**

R-1 changed to SFR; R-2 changed to MFR-L; created PUT

	SFR	MFR-L	MFR-M	MFR-H	MHR	PUD	A-I	I / LI
Single-Family	P	S	S	S	S	S	P	S
Two-Family		P				S		
Multi-Family		P	P	P	P	S		

Ord 2014-05 **4-07-2014**

PUT removed residential uses.

Permitted use table.

	Residential Uses 2017 NAICS Industry Descriptions	SFR and SFR- E	MFR- GHD	MFR- L	MFR- M	MFR- H	MHR	CSC	NC	LNC	OPD	DD	A- 1	L1	I	BP
	<u>Single Family Residence</u>	<u>P</u>		<u>P</u>												
	<u>Multi-Family Residence - Garden Home</u>		<u>P</u>													
	<u>Multiple-Family Residence – Low Density</u>			<u>P</u>	<u>P</u>	<u>P</u>										
	<u>Multiple-Family Residence – Medium Density</u>				<u>P</u>	<u>P</u>										
	<u>Multiple-Family Residence – High Density</u>					<u>P</u>										
	<u>Mobile Home Residence</u>						<u>P</u>									

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	2017 NAICS Industry Descriptions	SFR and SFR-E	MFR- GHD	MFR- L	MFR- M	MFR- H	MHR	CSC	NC	LNC	OPD	DD	A- 1	L1	I	BP
	Sexually oriented businesses (Ch. 62)															S
11	<i>Agriculture, Forestry, Fishing and Hunting</i>															
111	Crop production							O	O		O	O	P			
1114	Greenhouse, nursery and floriculture production										O	O	P	S	S	O
112	Animal production							O	O		O	O	P			
113	Forestry and logging										O	O	P	S	P	

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Section 7. - Schedule of district regulations.

- A. *SFR, residential, general purpose and description.* The SFR, Single-Family Residential Dwelling District, is restricted to single-family dwellings, up to 2.7 units per acre, and to related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly convenient, and attractive residential area. Single-family residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the SFR district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR district are set forth in subsection P of this section, permitted use table.
- A.1. *SFR-E, residential, general purpose and description.* The SFR-E, Single-Family Residential Estate Dwelling District, is the most restrictive residential district. The principal use of land in this district is for low-density single-family dwellings, up to 0.5 units per acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low-density residential areas shall be protected from multiple-family residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR-E district, are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission with the SFR-E district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR-E district are the same as SFR, and are set forth in subsection P of this section, permitted use table.
- B. *(R-2 and R-3) MFR-L, residential, general purpose and description.* The MFR-L, Multiple-Family Residential Dwelling—Low-Density District, is intended to provide for lowest-density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in a maximum density of six dwelling

units per acre. The principal use of land may be one or several dwelling types, including multiple-family dwellings, and including two-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The multiple-family residential dwelling district—low functions as a buffer or transition between commercial or higher density residential areas and lower density areas. The intent of these regulations is to allow development of property which may have a limited area suitable for residential development due to a portion of the property being flood-prone or adjacent to a district of a different zoning designation.

1. Area and height regulations. Area and height regulations in an MFR-L district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for SFR uses permitted in MFR-L districts, all the district regulations for SFR development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-L district are set forth in subsection P of this section, permitted use table.

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- C. *(R-4) MFR-M, residential, general purpose and description.* The MFR-M, Multiple-Family Residential Dwelling—Medium-Density District, is intended to provide for medium-density multiple-family dwellings which may have a relatively intense concentration of dwelling units, up to nine per acre, served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The MFR-M, multiple-family residential district, functions as a buffer or transition between commercial or higher-density residential areas, and lower-density residential areas.

1. Multifamily residential area and height regulations. Area and height regulations in an MFR-M district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L uses permitted in MFR-M districts, all the district regulations for MFR-L development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-M district are set forth in subsection P of this section, permitted use table.

C.1. *MFR-GHD, garden home residential, general purpose and description.* The **GHD**, Garden Home Residential District, is intended to provide multifamily low-density dwelling units having open space between units which exceed existing normal multifamily buildings, with density not exceeding six units per acre. The intent of these regulations is to allow development of property which:

Commented [BB1]: I did not include changes to GHD as that district is undergoing separate discussions right now.

- (1) May have limited area suitable for residential development due to geographical limitations;
- (2) Have portions of the property subject to flooding; or
- (3) Is located adjacent to a district of a different zoning designation, and for which the development as MFR-GHD would be appropriate as a buffer between incompatible land uses.

The interior living area of the first floor of any two-story residential structure in MFR-GHD shall contain not less than 60 percent of the structure's total living area, and not more than 40 percent of the structure's total living area shall be contained on the second floor, excluding open decks, porches, terraces and garages.

D. *(R-5) MFR-H, residential, general purpose and description.* The MFR-H, Multiple-Family Residential Dwelling—Highest-Density District, is a residential district intended to provide for the highest residential density ranging up to 12 dwelling units per acre. The principal use of land in the district is for a wide variety of dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums, and townhouses and, subject to a specific use permit, high-rise apartments. Recreational, religious, health and educational uses normally located to service residential areas are permitted in this district in order to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. The MFR-H district is usually located adjacent to the major street and serves as a buffer or transition between commercial development or heavy automobile traffic and medium-density residential development.

1. Area and height regulations. Area and height regulations in an MFR-H district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L and MFR-M uses permitted in MFR-H districts, all the district regulations for MFR-L and MFR-M development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-H district are set forth in subsection P of this section, permitted use table.

E. *(R-6) MHR, Mobile Home District, general purpose and description.* The MHR, Mobile Home District, is a residential district intended for mobile home development, up to ten units per acre. Recreational uses normally located in mobile home developments are permitted in this district.

1. Area and height regulations. Area and height regulations in an MHR, mobile home residential dwelling district, are set forth in section 7-Q.2, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the MHR district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in an MHR district are set forth in subsection P of this section, permitted use table.
5. Other required conditions. The provisions of Ordinance No. 129 (Mobile Home Ordinance) of the city shall apply to the MHR district.



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: January 14, 2021

Subject: Proposed amendments to Appendix C Zoning Ordinance Section 7.Q.2. "Residential Regulation Matrix" to amend sub note F to allow lots in existence that are zoned Single Family Residential and are less than 90 feet wide to continue with the setbacks that were established when the lot was platted or created

Action: Significant

SUMMARY / ORIGINATING CAUSE

We have had several issues with side yard setbacks on smaller lots in neighborhoods that were annexed into the City, such as Wedgewood Village and Forest Bend Subdivisions. Those subdivisions were platted prior to being annexed into the City. The lots are 50, 55 and 60ft wide and allowed for 5-foot side yard setbacks. Currently, there is a provision in the Residential Regulation Matrix for them to continue the side yard setbacks when adding on to an existing house.

Recently, several of the houses have either flooded or burned, and that provision does not apply when the structure is damaged more than 50 percent or demolished (per Section 6.C. Non-Conforming Lots). If destroyed more than 50 percent or demolished, the structure would be required to comply with the current side yard setbacks which is 10 feet, but for 90-foot lots. 10-foot side yard setbacks on a 50-foot lot only leaves room for a 30-foot wide structure, whereas 5-foot side yard setbacks would allow for a 40-foot wide structure.

The Zoning Board of Adjustment has heard four requests in the past five years for destroyed homes. The proposed language provides relief in those situations by allowing existing lots that are less than 90 feet wide to continue with their original setbacks provided they are not less than 5 feet.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Allowing property owners to continue with the original setbacks of their lots is less burdensome on them. Several owners have had to apply for variances from ZBOA in order to rebuild their homes on the existing footprints.

RECOMMENDATIONS

The P&Z Ordinance Subcommittee reviewed the proposed amendments and recommends the changes.

ATTACHMENTS

1. Redline_Residential Regulation Matrix

REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

	Units per Acre	Lot Area Minimum Square Feet	Lot Width	Yards—Minimum Feet					Height Maximum Feet (b and e)	Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage
				Front	Rear (a)	Side						
						Interior (d)	Exterior (Corner Lot)					
							Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard				
SFR Single-Family Residential	2.7	11,600	90 A	25 B	25	10 F	25 A	20 C	40	K	No	35%
SFR Single-Family Residential	2.7	15,600	120 A	25 B	25	10	25 B	20 C	40	K	No	35%
SFR-E Single-Family— Residential Estate	0.5	87,120	150 A	75	25	25	35	35	40	K	No	20%
MFR-L Multifamily—Low	6 G	7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	40	K	No	50%
MFR-M Multifamily— Medium	9	—	—	25 B	0	10 E, I	25 B	20 C	40	K	No	50%
MFR-H Multifamily— Highest	12	—	—	25 B	0	10 E, I	25 B	20 C	40	K	No	50%
MHR Mobile Home	10	—	—	25 B	25	10 I	30	25 B	20	K	No	50%

A-1	—	—	—	25 B	25	10 I	25 B	20 C	40	K	No	10%
MFR-GHD Garden Home District	6	6,000	60	20 B, H	20	0 D, J	5 B, H	4 C, H	40	K	Yes D	50%

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
 - B. 35 feet on thoroughfares.
 - C. 25 feet on thoroughfares.
 - D. Zero setback on side only, minimum five-foot separation between buildings.
 - E. Ten-foot minimum separation between buildings.
 - F. ~~Lots currently in existence with less than 90 feet of width that have structures already built upon them~~ may continue with the same existing setback ~~for additions~~ provided they are not less than a minimum of five feet.
 - G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
 - H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
 - I. 25 feet when abutting land zoned single-family residential (SFR) district.
 - J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
 - K. Parking is required in accordance with the parking group table in the design criteria manual.
3. Area and height exceptions.
- a. Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.
 - b. A building or structure may not exceed 40 feet in height measured from the minimum habitable floor elevation; provided, however, that:
 - 1. Buildings or structures in community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when:

Commented [BB1]: "Lots currently in existence" would apply to platted lots or lots that qualify for platting exemption.

- a. The building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet unless a specific use permit shall have been granted therefore in accordance with section 9.G.
- b. Buildings or structures of 40 feet or less in height shall meet the setback requirements as defined in this appendix.
- 2. Exceptions. Structures located within a general PUD or PUD-mixed use district shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a general PUD or PUD-mixed use application will be as established in the ordinance authorizing and approving the planned unit development.
- 3. The maximum height allowed for structures within the downtown district (DD) is 70 feet, as measured in accordance with the method prescribed in section 20, definitions.
- c. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- d. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- e. The height regulations of this section shall not apply to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, storage towers, flagpoles, monuments, ornamental towers or spires, cranes, construction equipment, smokestacks, stage towers and scenery lofts, tanks, water towers, ham radio and television antennas, microwave relay, radio and television transmission towers and items similar to those listed herein. The total combined maximum height for these items and the structure is 50 feet overall height, measured from the first finished floor to the highest point, unless otherwise approved by the planning and zoning commission.
- f. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- g. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
 - 1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 - 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 3, 2020 - 6:00 PM**

Minutes

**MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 1610 WHITAKER
DRIVE FRIENDSWOOD, TEXAS 77546, FRIENDSWOOD STATION NO. 1, MEETING
ROOM,**

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
DECEMBER 3, 2020

1. Call to order

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING
COMMISSION THAT WAS HELD ON THURSDAY, DECEMBER 3, 2020, AT 06:27 PM 1610
WHITAKER DRIVE FRIENDSWOOD, TEXAS 77546

CHAIRMAN JOE MATRANGA
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER RICHARD CLARK
COMMISSIONER BRETT BANFIELD
COMMISSIONER TOM HINCKLEY
COMMISSIONER LISA LUNDQUIST
COMMISSIONER MARCUS PERRY
DIRECTOR OF CDD/PLANNER AUBREY HARBIN
DEVELOPMENT COORDINATOR BECKY BENNETT

2. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

None.

3. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

A. Consideration and possible action regarding establishing and prioritizing goals for the Planning and Zoning Commission

Matranga discussed the Commission's progress over 2020 and what to focus on in 2021.

4. Adjournment

This meeting was adjourned at 08:24 PM.



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 10, 2020 - 7:00 PM**

Minutes

**MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S.
FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, FRIENDSWOOD CITY HALL,
COUNCIL CHAMBERS,**

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
DECEMBER 10, 2020

1. Call to order

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING COMMISSION THAT WAS HELD ON THURSDAY, DECEMBER 10, 2020, AT 07:02 PM 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

CHAIRMAN JOE MATRANGA
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER BRETT BANFIELD
COMMISSIONER LISA LUNDQUIST
COMMISSIONER MARCUS PERRY
COMMISSIONER TOM HINCKLEY
CITY ATTORNEY MARY KAY FISCHER
DIRECTOR OF CDD/PLANNER AUBREY HARBIN
DEVELOPMENT COORDINATOR BECKY BENNETT
COMMISSIONER CLARK AND COUNCIL LIAISON GRIFFON WERE ABSENT FROM THE MEETING.

2. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

None.

3. Public Hearing

A. To receive comments both oral and written regarding:

A zone classification change located at 4321 Friendswood Link Rd., 3.2895 acres, also known as Reserve A5, Block 2 Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC).

Harbin explained the property is currently undeveloped and was originally platted as Reserve A of Forest Creek Subdivision. She said the tract is currently zoned Garden Home District with Neighborhood Commercial to the west and residential properties south. Harbin said the land was annexed into the city as Neighborhood Commercial then changed to Single Family Residential and later to Garden Home District. She stated the Commission recently heard a zone change request for townhomes but the applicant withdrew the request following heavy opposition from the neighbors. Harbin said a buffer would be required between the residential lots and the commercial site. She also said the developer would be required to provide onsite detention.

Bill Marrey spoke against developing a shopping center based on his concern with the proximity to the school. He said the development would create more traffic.

Andrew Nguyen spoke against the zone change due to traffic and speeding.

Melinda James spoke against the zone change. She said she does not want a commercial business behind her house. James said she would prefer garden homes but not high density housing.

Francisco Rivera said large tractor trailers are using Friendswood Link Road as a bypass and a commercial development would bring more large trucks. He spoke for concern with school kids crossing the road.

4. Consent Agenda

These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner so requests in which case the item would be removed from the consent agenda and considered separately.

A. Minutes of the regular meeting held Thursday, November 12, 2020

****Vice-Chairman Richard Sasson moved to approve Minutes of the regular meeting held Thursday, November 12, 2020. Seconded by Commissioner Lisa Lundquist. The motion was approved unanimously.**

5. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

- A. Consideration and possible action regarding a recommendation to City Council for the requested zone classification change located at 4321 Friendswood Link Rd., 3.2895 acres, also known as Reserve A5, Block 2 Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC).

**Commissioner Marcus Perry moved to approve Consideration and possible action regarding a recommendation to City Council for the requested zone classification change located at 4321 Friendswood Link Rd., 3.2895 acres, also known as Reserve A5, Block 2 Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC). Seconded by Commissioner Brett Banfield. The motion was approved unanimously.

Banfield said the last zone change request for this property had much more opposition but with the same concerns. Banfield said the neighbors spoke against a high density use and the garden home zoning is not feasible. He said the land is too small with too many setbacks. Banfield stated Neighborhood Commercial (NC) is the middle ground as opposed to Community Shopping Center (CSC).

Harbin explained CSC is a more broad commercial zoning district, usually found on thoroughfares. She said NC is more restrictive and meant to be a buffer to residential areas.

Hinckley said he is concerned with higher traffic but commented the nearby bridge limits widening the road. He said he is in favor of the developer as they should not lock the property from being developed.

Sasson stated this is a difficult property. He said the Commission has to balance the neighbors' interests versus the owner's interests. Sasson said the property had been for sale for so long, the realtor has changed his sign out at least times from wear and tear.

Lunquist asked what zoning the Future Land Use map identifies. Harbin said the map depicts the property as high density residential. Lunquist commented NC would be a better use than high density or multi family and that GHD will not work.

Perry asked if it was fair to say NC limits the possible uses to daytime 8am-5pm type businesses. Banfield said it would limit the amount of traffic for a commercial use.

Matranga said he is sensitive to traffic uses. He said a concern around the previous zone change request was tall townhomes looking into the neighbors' yards. He said a commercial building would create less opportunity for multiple stories. Matranga mentioned a buffer would be required to help protect the neighbors, as well. Matranga commented that the Commission has to be sensitive to the needs of the entire community in addition to the immediate neighbors. He said he is inclined to allow them to try to develop the property, especially since it was originally intended to be commercial when annexed into the city.

- B. Consideration and possible action regarding the Preliminary Plat of Friends Heights being 2.504 acres of land recorded under File No. 2020008317 of the Official Public Records of Galveston County, Texas, Abstract 151 Sarah McKissick Survey, Part of Lot 12 (12-6), Block 2 of the Friendswood Subdivision, City of Friendswood, Galveston County, Texas

**Vice-Chairman Richard Sasson moved to approve Consideration and possible action regarding the Preliminary Plat of Friends Heights being 2.504 acres of land recorded under File No. 2020008317 of the Official Public Records of Galveston County, Texas, Abstract 151 Sarah McKissick Survey, Part of Lot 12 (12-6), Block 2 of the Friendswood Subdivision, City of Friendswood, Galveston County, Texas. Seconded by Commissioner Tom Hinckley. The motion was approved unanimously.

Harbin said a Planned Unit Development (PUD) was approved a few months ago for the property to develop twelve lots for elevated homes. She explained this is the plat to create those twelve lots. She said once the plat is approved, the next step is to submit construction plans to install utilities and the roadway. Harbin said staff has no outstanding comments on the plat.

6. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

- A. Thursday, December 24 - No Meeting; City Holiday
Thursday, January 14 - Regular Meeting
Thursday, January 28 - Regular Meeting

7. Communications

- A. From Commissioners - suggestions for future agenda items, general comments and/or updates from liaison assignments

Matranga said the Commission had a great workshop the week before. He said he attended the last City Council meeting where the building height changes were approved unanimously.

Matranga announced tonight was Commissioner Banfield's last meeting. He thanked him for all his contributions and hard work.

Lundquist said Banfield had been a great mentor.

Sasson reported the Galveston County Consolidated Drainage District met two times. He said they denied the drainage plan for Avalon then approved it. He said they also approved plans for Sterling Creek Section 5 & 6, The Albritton, and Friends Heights. He said League City would be spending 75 million dollars next year on drainage improvements. Sasson added that over 99,000 loads of dirt had been removed from Imperial Estates. He said GCCDD is 60% complete with that project. Sasson said Banfield would be missed and that he appreciated his perspective and would be sorely missed.

Hinckley told Banfield good luck.

Banfield said thank you for all the kind words and that he will miss serving on the Commission.

- B. From Planning Subcommittee – update on tasks

None.

C. From Ordinance Subcommittee – update on tasks

None.

D. From City Council Liaison, Robert Griffon - general comments and communication from City Council

Mayor Mike Foreman came to thank Brett Banfield. He said he has done an amazing job and has a wealth of knowledge. Foreman thanked all the Commissioners and said he enjoyed watching the meeting.

E. From Staff - November DRC Report, commercial and residential project updates, City Council action and ordinance updates

Harbin said the second reading of the Flood Ordinance had been approved meaning detention requirements will increase to Atlas 14 regulations. She said GCCDD is adopting the same regulations. Harbin thanked Banfield for serving on the Commission plus his service to CEDC before that.

Bennett told Banfield she looks forward to working with him on the developer side of projects.

Fischer thanked Banfield and told everyone she wished them a happy holiday season.

8. Adjournment

This meeting was adjourned at 07:43 PM.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: January 14, 2021

Subject: Friends Heights Final Plat

Action: Significant

SUMMARY / ORIGINATING CAUSE

This is the final plat for Friends Heights, PUD approved via Ordinance 2020-38, which will create 12 single family residential lots. The preliminary plat was approved by the Commission on December 10, 2020.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

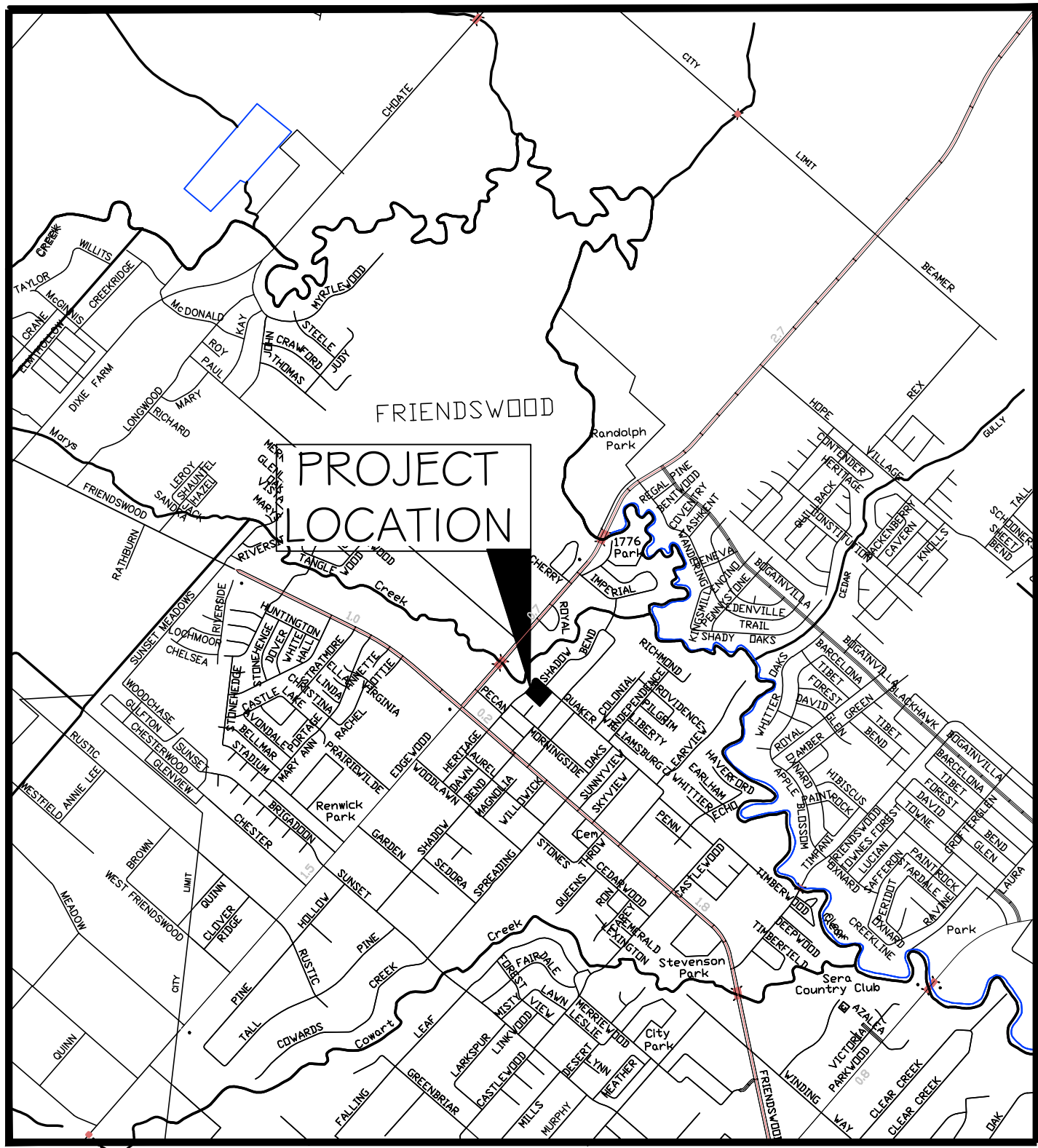
n/a

RECOMMENDATIONS

The plat was reviewed by staff in the following departments: Planning, Public Works, Engineering, Parks, Fire Marshal, and Police Department. There are no remaining conditions.

ATTACHMENTS

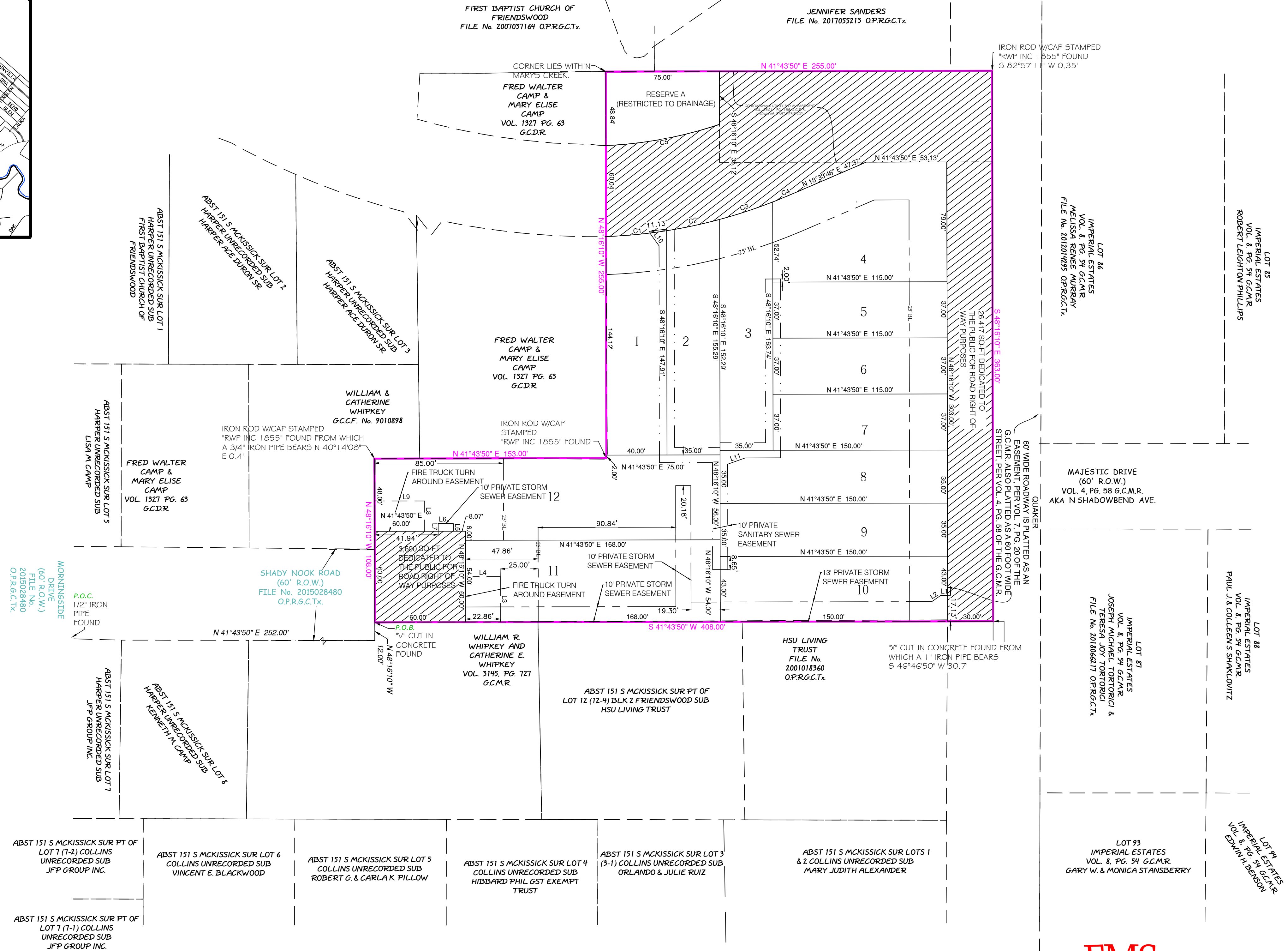
1. Friends Heights Final Plat
2. Friends Heights Final Plat Compliance Memo



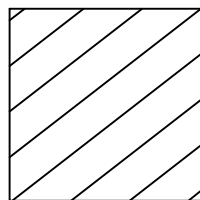
VICINITY MAP
SCALE: 1" = 1/4 MILE

0 40 80 120
SCALE: 1"=40'

FMS JOB No. 61147
DATE: DECEMBER 14, 2020



AREA TO BE
DEDICATED TO
THE PUBLIC FOR
ROAD RIGHT OF
WAY PURPOSES
BY THIS PLAT



CURVE	RADIUS	ARC	DELTA
C1	334.98'	40.20'	06°32'35"
C2	334.98'	35.79'	06°07'15"
C3	334.98'	38.64'	06°18'07"
C4	683.58'	19.85'	01°39'49"
C5	274.98'	16.89'	01°58'17"
LINE	BEARING	DISTANCE	
L1	S 41°28'31" W	4.51'	
L2	S 90°48'40" W	7.25'	
L3	N 48°16'10" W	30.00'	
L4	S 41°43'45" W	22.86'	
L5	N 48°16'55" E	5.00'	
L6	S 41°43'45" W	10.00'	
L7	S 48°16'55" E	5.00'	
L8	N 48°29'32" W	18.36'	
L9	S 41°43'45" W	33.00'	
L10	S 84°11'15" E	10.87'	
L11	N 22°30'45" E	12.50'	

PROPERTY OWNER:
HAROLD E. BENSON AND CAROLYN MAYS BENSON
CONTACT: HAROLD E. BENSON,
305 N SHADOWBEND
FRIENDSWOOD, TEXAS 77546
EMAIL: BENWBOY@WANS.NET

ABBREVIATIONS

A.K.A. ALSO KNOWN AS
F.I.E. FLOW LINE ELEVATION.
G.C.C.F. GALVESTON COUNTY CLERK FILE
G.C.D.R. GALVESTON COUNTY DEED RECORDS.
G.C.M.R. GALVESTON COUNTY MAP RECORDS.
NO. NUMBER
O.P.R.G.C.T.X. OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS.
PG. PAGE
P.O.B. POINT OF BEGINNING.
P.O.C. POINT OF COMMENCING.
P.V.C. POLYVINYL CHLORIDE.
R.C.P. REINFORCED CONCRETE PIPE.
R.O.W. RIGHT OF WAY.
VOL. VOLUME.

SURVEYOR:
F.M.S. SURVEYING
19701 STATE HIGHWAY 6,
MANVEL, TEXAS 77578
CONTACT: JASON P. SHERIDAN
PHONE: (281) 519-8530, EXT. 102
TBPLS FIRM # 10040400
www.fmsurveying.com
FMS No. 61147
DRAFTING: RC



FINAL PLAT
OF
FRIENDS HEIGHTS
BEING 2.504 ACRES (109,089 SQ. FT) OF LAND RECORDED UNDER FILE
No. 2020008317 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON
COUNTY, TEXAS. ABSTRACT 151 SARAH MCKISSICK SURVEY, PART OF
LOT 12 (12-6), BLOCK 2 OF THE FRIENDSWOOD SUBDIVISION.

JANUARY 06, 2021
1 BLOCK, 12 LOTS, 1 RESERVE
109,089 SQ. FT
2.504 ACRES

Memo

To: Planning and Zoning Commission
From: Becky Bennett, Development Coordinator
Date: December 8, 2020
Re: Friends Heights Final Plat

Project Description: This plat is to create individual lots for residential use based on the approved Planned Unit Development (PUD).

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Parks, Fire Marshal, and Police Department.

Approval Options:

- ☐ Approval
Standards for approval. The Commission shall approve a plat if:
 - (1) It conforms to the general plan of the City of Friendswood and the current and futures streets, alleys, parks, playgrounds, and public utility facilities;
 - (2) It conforms to the general plans for extension of roads, streets, and public highways, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and
 - (3) It conforms to the Subdivision Ordinance and Local Government Code Chapter 212.

- ☐ Conditional Approval with the following conditions*

- ☐ Disapproval due to the following reasons*

*Each condition or reason specified must be directly related to the requirements under the subdivision platting law and include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable, and conditions or reasons may not be arbitrary.

*Requires reconsideration by the Planning and Zoning Commission.

Outstanding Conditions/Reasons:

None.

Additional Comments:

None.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: January 14, 2021

Subject: Consideration and possible action regarding a recommendation for the proposed amendments to Appendix C Zoning Ordinance to require less dense residential uses in higher dense residential districts to still meet the district regulations of the less dense district by amending "Section 7. B. (R-2 and R-3) MFR-L, residential, general purpose and description," "Section 7.C.(R-4) MFR-M, residential, general purpose and description," and "Section 7.D.(R-5) MFR-H, residential, general purpose and description;" and to amend "Section 7.P.6. Permitted Use Table" to allow less dense residential uses in higher dense residential districts by defining Residential Uses in the table

Action: Significant

SUMMARY / ORIGINATING CAUSE

Multi-family density: allowing less dense development in higher density zoning. EXAMPLE: a single family home could be built instead of a duplex in MFR-L. This was previously discussed with the subcommittee. Proposed language has been drafted.

Up until 2014, single family residential use was allowed in Multi-Family Residential - Low (MFR-L) zoning district. In 2014, all residential uses were removed from the PUT since they were also defined in Section 7. Schedule of District Regulations; however, the allowance of cumulative zoning (allowing less dense residential uses in higher dense residential districts) was removed.

There is currently about four blocks of Multi-Family Residential - Low Density zoning whereby there are single family homes built on many of the lots. See attached map. The ordinance change in 2014 made these non-conforming. Several of these lots are also for sale currently, and there is great interest in building and re-building single family homes on the lots.

The proposed amendments would remove many of the non-conformities that exist, as well as allow the construction of new single family homes in this particular area.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The proposed amendments would remove many of the non-conformities that exist, as well as allow the construction of new single family homes in this particular area.

RECOMMENDATIONS

The Ordinance Subcommittee has reviewed the proposed amendments and recommends the changes.

ATTACHMENTS

1. HISTORY OF SFR allowed in multi - revised
2. Redline Ord_SFR in MFR Districts

HISTORY OF SFR ALLOWED IN MFR DISTRICTS

Ord 132 **4-13-1972**

Schedule of District Regulations: R-2 (Multiple-Family Residential) District

Permitted Uses. Any use permitted in the R-1 District.

Ord 291 **11-7-1977**

Schedule of District Regulations: R-2 (Multiple-Family Residential) District

Permitted Uses. Any use permitted in the R-1 District; provided, however, that for uses permitted in R-1 Districts, all the District Regulations for R-1 residential development shall apply, including lot area, width, and set-back requirements, and parking ratio.

Ord 84-15 **11-19-1984**

R-1 changed to SFR; R-2 changed to MFR-L; created PUT

	SFR	MFR-L	MFR-M	MFR-H	MHR	PUD	A-I	I / LI
Single-Family	P	S	S	S	S	S	P	S
Two-Family		P				S		
Multi-Family		P	P	P	P	S		

Ord 2014-05 **4-07-2014**

PUT removed residential uses.

Permitted use table.

	Residential Uses 2017 NAICS Industry Descriptions	SFR and SFR- E	MFR- GHD	MFR- L	MFR- M	MFR- H	MHR	CSC	NC	LNC	OPD	DD	A- 1	L1	I	BP
	<u>Single Family Residence</u>	<u>P</u>		<u>P</u>												
	<u>Multi-Family Residence - Garden Home</u>		<u>P</u>													
	<u>Multiple-Family Residence – Low Density</u>			<u>P</u>	<u>P</u>	<u>P</u>										
	<u>Multiple-Family Residence – Medium Density</u>				<u>P</u>	<u>P</u>										
	<u>Multiple-Family Residence – High Density</u>					<u>P</u>										
	<u>Mobile Home Residence</u>						<u>P</u>									

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	2017 NAICS Industry Descriptions	SFR and SFR-E	MFR- GHD	MFR- L	MFR- M	MFR- H	MHR	CSC	NC	LNC	OPD	DD	A- 1	L1	I	BP
	Sexually oriented businesses (Ch. 62)															S
11	<i>Agriculture, Forestry, Fishing and Hunting</i>															
111	Crop production							O	O		O	O	P			
1114	Greenhouse, nursery and floriculture production										O	O	P	S	S	O
112	Animal production							O	O		O	O	P			
113	Forestry and logging										O	O	P	S	P	

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Section 7. - Schedule of district regulations.

- A. *SFR, residential, general purpose and description.* The SFR, Single-Family Residential Dwelling District, is restricted to single-family dwellings, up to 2.7 units per acre, and to related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly convenient, and attractive residential area. Single-family residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the SFR district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR district are set forth in subsection P of this section, permitted use table.
- A.1. *SFR-E, residential, general purpose and description.* The SFR-E, Single-Family Residential Estate Dwelling District, is the most restrictive residential district. The principal use of land in this district is for low-density single-family dwellings, up to 0.5 units per acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low-density residential areas shall be protected from multiple-family residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR-E district, are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission with the SFR-E district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR-E district are the same as SFR, and are set forth in subsection P of this section, permitted use table.
- B. *(R-2 and R-3) MFR-L, residential, general purpose and description.* The MFR-L, Multiple-Family Residential Dwelling—Low-Density District, is intended to provide for lowest-density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in a maximum density of six dwelling

units per acre. The principal use of land may be one or several dwelling types, including multiple-family dwellings, and including two-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The multiple-family residential dwelling district—low functions as a buffer or transition between commercial or higher density residential areas and lower density areas. The intent of these regulations is to allow development of property which may have a limited area suitable for residential development due to a portion of the property being flood-prone or adjacent to a district of a different zoning designation.

1. Area and height regulations. Area and height regulations in an MFR-L district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for SFR uses permitted in MFR-L districts, all the district regulations for SFR development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-L district are set forth in subsection P of this section, permitted use table.

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- C. *(R-4) MFR-M, residential, general purpose and description.* The MFR-M, Multiple-Family Residential Dwelling—Medium-Density District, is intended to provide for medium-density multiple-family dwellings which may have a relatively intense concentration of dwelling units, up to nine per acre, served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The MFR-M, multiple-family residential district, functions as a buffer or transition between commercial or higher-density residential areas, and lower-density residential areas.

1. Multifamily residential area and height regulations. Area and height regulations in an MFR-M district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L uses permitted in MFR-M districts, all the district regulations for MFR-L development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-M district are set forth in subsection P of this section, permitted use table.

C.1. *MFR-GHD, garden home residential, general purpose and description.* The **GHD**, Garden Home Residential District, is intended to provide multifamily low-density dwelling units having open space between units which exceed existing normal multifamily buildings, with density not exceeding six units per acre. The intent of these regulations is to allow development of property which:

Commented [BB1]: I did not include changes to GHD as that district is undergoing separate discussions right now.

- (1) May have limited area suitable for residential development due to geographical limitations;
- (2) Have portions of the property subject to flooding; or
- (3) Is located adjacent to a district of a different zoning designation, and for which the development as MFR-GHD would be appropriate as a buffer between incompatible land uses.

The interior living area of the first floor of any two-story residential structure in MFR-GHD shall contain not less than 60 percent of the structure's total living area, and not more than 40 percent of the structure's total living area shall be contained on the second floor, excluding open decks, porches, terraces and garages.

D. *(R-5) MFR-H, residential, general purpose and description.* The MFR-H, Multiple-Family Residential Dwelling—Highest-Density District, is a residential district intended to provide for the highest residential density ranging up to 12 dwelling units per acre. The principal use of land in the district is for a wide variety of dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums, and townhouses and, subject to a specific use permit, high-rise apartments. Recreational, religious, health and educational uses normally located to service residential areas are permitted in this district in order to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. The MFR-H district is usually located adjacent to the major street and serves as a buffer or transition between commercial development or heavy automobile traffic and medium-density residential development.

1. Area and height regulations. Area and height regulations in an MFR-H district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L and MFR-M uses permitted in MFR-H districts, all the district regulations for MFR-L and MFR-M development shall apply, including lot area, width and set-back requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-H district are set forth in subsection P of this section, permitted use table.

E. *(R-6) MHR, Mobile Home District, general purpose and description.* The MHR, Mobile Home District, is a residential district intended for mobile home development, up to ten units per acre. Recreational uses normally located in mobile home developments are permitted in this district.

1. Area and height regulations. Area and height regulations in an MHR, mobile home residential dwelling district, are set forth in section 7-Q.2, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the MHR district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in an MHR district are set forth in subsection P of this section, permitted use table.
5. Other required conditions. The provisions of Ordinance No. 129 (Mobile Home Ordinance) of the city shall apply to the MHR district.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: January 14, 2021

Subject: Consideration and possible action regarding a recommendation for the proposed amendments to Appendix C Zoning Ordinance Section 7.Q.2. "Residential Regulation Matrix" to amend sub note F to allow lots in existence that are zoned Single Family Residential and are less than 90 feet wide to continue with the setbacks that were established when the lot was platted or created

Action: Significant

SUMMARY / ORIGINATING CAUSE

We have had several issues with side yard setbacks on smaller lots in neighborhoods that were annexed into the City, such as Wedgewood Village and Forest Bend Subdivisions. Those subdivisions were platted prior to being annexed into the City. The lots are 50, 55 and 60ft wide and allowed for 5-foot side yard setbacks. Currently, there is a provision in the Residential Regulation Matrix for them to continue the side yard setbacks when adding on to an existing house.

Recently, several of the houses have either flooded or burned, and that provision does not apply when the structure is damaged more than 50 percent or demolished (per Section 6.C. Non-Conforming Lots). If destroyed more than 50 percent or demolished, the structure would be required to comply with the current side yard setbacks which is 10 feet, but for 90-foot lots. 10-foot side yard setbacks on a 50-foot lot only leaves room for a 30-foot wide structure, whereas 5-foot side yard setbacks would allow for a 40-foot wide structure.

The Zoning Board of Adjustment has heard four requests in the past five years for destroyed homes. The proposed language provides relief in those situations by allowing existing lots that are less than 90 feet wide to continue with their original setbacks provided they are not less than 5 feet.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Allowing property owners to continue with the original setbacks of their lots is less burdensome on them. Several owners have had to apply for variances from ZBOA in order to rebuild their homes on the existing footprints.

RECOMMENDATIONS

The Ordinance Subcommittee reviewed the proposed amendments and recommends the changes.

ATTACHMENTS

1. Redline_Residential Regulation Matrix

REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

	Units per Acre	Lot Area Minimum Square Feet	Lot Width	Yards—Minimum Feet					Height Maximum Feet (b and e)	Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage
				Front	Rear (a)	Side						
						Interior (d)	Exterior (Corner Lot)					
							Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard				
SFR Single-Family Residential	2.7	11,600	90 A	25 B	25	10 F	25 A	20 C	40	K	No	35%
SFR Single-Family Residential	2.7	15,600	120 A	25 B	25	10	25 B	20 C	40	K	No	35%
SFR-E Single-Family— Residential Estate	0.5	87,120	150 A	75	25	25	35	35	40	K	No	20%
MFR-L Multifamily—Low	6 G	7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	40	K	No	50%
MFR-M Multifamily— Medium	9	—	—	25 B	0	10 E, I	25 B	20 C	40	K	No	50%
MFR-H Multifamily— Highest	12	—	—	25 B	0	10 E, I	25 B	20 C	40	K	No	50%
MHR Mobile Home	10	—	—	25 B	25	10 I	30	25 B	20	K	No	50%

A-1	—	—	—	25 B	25	10 I	25 B	20 C	40	K	No	10%
MFR-GHD Garden Home District	6	6,000	60	20 B, H	20	0 D, J	5 B, H	4 C, H	40	K	Yes D	50%

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
 - B. 35 feet on thoroughfares.
 - C. 25 feet on thoroughfares.
 - D. Zero setback on side only, minimum five-foot separation between buildings.
 - E. Ten-foot minimum separation between buildings.
 - F. ~~Lots currently in existence with less than 90 feet of width that have structures already built upon them~~ may continue with the same existing setback ~~for additions~~ provided they are not less than a minimum of five feet.
 - G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
 - H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
 - I. 25 feet when abutting land zoned single-family residential (SFR) district.
 - J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
 - K. Parking is required in accordance with the parking group table in the design criteria manual.
3. Area and height exceptions.
- a. Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.
 - b. A building or structure may not exceed 40 feet in height measured from the minimum habitable floor elevation; provided, however, that:
 - 1. Buildings or structures in community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when:

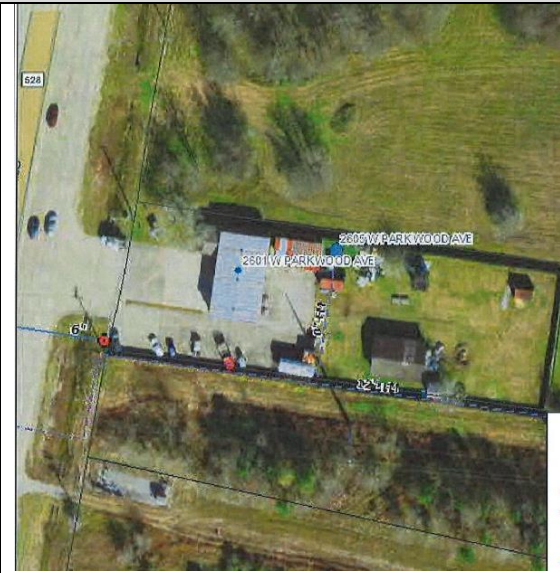
Commented [BB1]: "Lots currently in existence" would apply to platted lots or lots that qualify for platting exemption.

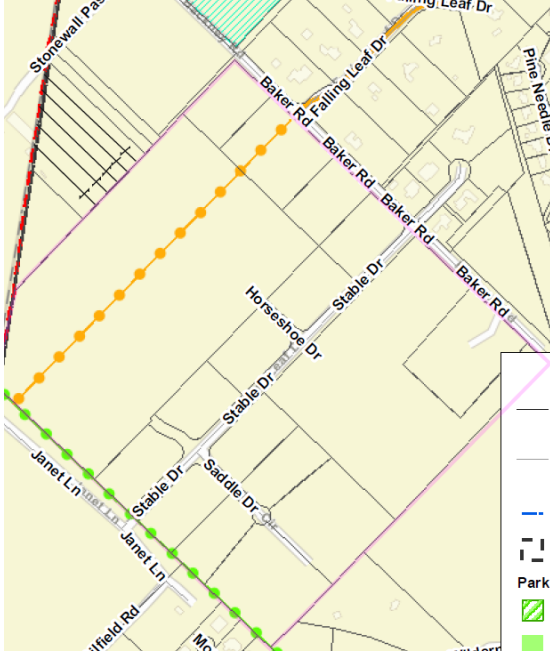
- a. The building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet unless a specific use permit shall have been granted therefore in accordance with section 9.G.
- b. Buildings or structures of 40 feet or less in height shall meet the setback requirements as defined in this appendix.
- 2. Exceptions. Structures located within a general PUD or PUD-mixed use district shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a general PUD or PUD-mixed use application will be as established in the ordinance authorizing and approving the planned unit development.
- 3. The maximum height allowed for structures within the downtown district (DD) is 70 feet, as measured in accordance with the method prescribed in section 20, definitions.
- c. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- d. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- e. The height regulations of this section shall not apply to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, storage towers, flagpoles, monuments, ornamental towers or spires, cranes, construction equipment, smokestacks, stage towers and scenery lofts, tanks, water towers, ham radio and television antennas, microwave relay, radio and television transmission towers and items similar to those listed herein. The total combined maximum height for these items and the structure is 50 feet overall height, measured from the first finished floor to the highest point, unless otherwise approved by the planning and zoning commission.
- f. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- g. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
 - 1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 - 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

Memo

To: Planning & Zoning Commission
 From: Aubrey Harbin, Director of Community Development/Planner
 Date: December 31, 2020
 Re: DRC Report

The following DRC Meetings were held in December 2020.

Project	Current Zoning	Zone Change Required? Y/N	Issues discussed	Location
Follow up meeting regarding 2601 W. Parkwood Ave. City of Friendswood Fire Station No. 2	SFR	Yes	Eligible for Certificate of Platting Exemption; zone change to CSC recommended; site plan approval required; subject to COD Requirements; water service is existing and grinder pump for sewer needs to be replaced; make request to GCCDD to purchase regional detention; no high hazard flood zones; apply to TxDOT for any work within the ROW; no habitable structures within 50 feet of a pipeline; fire hydrant required within 300 feet.	

Another meeting regarding the Exxon Property – 117 acres near Falling Leaf and future Friendswood Parkway Proposing subdivision of 65-75 large lots	SFR	No	Preliminary and Final plats required; ROW dedication required for Friendswood Parkway (100ft) and Falling Leaf (80ft); recreation centers require site plan approval; future Friendswood Parkway would be subject to COD requirements; tree survey required for planned common areas; \$600 per dwelling unit for Park Dedication fees; water and sewer are available; on-site detention required; unshaded X and shaded X exist; subject to new flood ordinance; buffers required from abandoned wells;	
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