

ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, SECTIONS 28-41 THROUGH SECTIONS 28-62 – RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS, SECTION 23-115–STANDARD LANGUAGE FOR SPECIAL PLAT ELEMENTS, SUBSECTION C. FIRE LANES AND FIRE EASEMENTS, STREET PAVEMENT WIDTH REQUIREMENT MODIFICATIONS. ARTICLE II. – SUBDIVISION AND DEVELOPMENT DESIGN, SECTION 23-12, TABLE 23-12.1, STREET DIMENSION STANDARDS, AND STREETS AND DRIVEWAYS, SECTION 129, AND SECTION 28-101 OFF-STREET AND LOADING REQUIREMENTS (11). J. FIRE LANES, PROVIDING FOR CLARITY ON AREA REGULATIONS, SETBACK REQUIREMENTS AND OTHER STANDARDS, AS SET OUT AND APPLICABLE IN EACH ZONING DISTRICT IN GENERAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

WHEREAS, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to amend and modify various subsections of the City of Angleton Code of Ordinances, Chapter 23, Land Development Code. In addition to other minor changes to the chapter pertaining to cross references, duplications, clarifications, terminologies, reorganizations, and similar, the following sections are proposed to be amended: Sections 28-41 through Sections 28-62 – Residential and Commercial Zoning Districts, Section 23-115–Standard language for special plat elements, Subsection C. Fire lanes and fire easements, Street pavement width requirement modifications. ARTICLE II. – Subdivision and Development Design, Section 23-12, Table 23-12.1, Street Dimension Standards, and Streets and Driveways, Section 129, and Section 28-101 Off-street and loading requirements (11).J. Fire Lanes, providing for clarity on area regulations, setback requirements and other standards, as set out and applicable in each Zoning district, and adopt the amended ordinances as contained in “Exhibit A”; and

WHEREAS, the City of Angleton is a home rule city acting pursuant to its charter and City Council now finds the need to amend and revise Chapter 23 to promote the public health, safety and welfare of its citizens; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The City of Angleton, Code of Ordinances, Chapter 23, Land Development Code; in addition to other minor changes to the chapter pertaining to cross references, duplications, clarifications, terminologies, reorganizations, and similar, as included in Sections 28-41 through Sections 28-62 – Residential and Commercial Zoning Districts, Section 23-115–Standard language for special plat elements, Subsection C. Fire lanes and fire easements, Street pavement width requirement modifications. **ARTICLE II. – Subdivision and Development Design, Section 23-12, Table 23-12.1, Street Dimension Standards, and Streets and Driveways, Section 129, and Section 28-101 Off-street and loading requirements (11)J. Fire Lanes, providing for clarity on area regulations, setback requirements and other standards, as set out and applicable in each Zoning district are hereby amended and revised to read as contained in “Exhibit A”.**

SECTION 3. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 6. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS THE 14TH DAY OF NOVEMBER, 2023.

CITY OF ANGLETON, TEXAS

John Wright Mayor

ATTEST:

Michelle Perez, TRMC City Secretary

Exhibit A- Mark Up Copy

Sec. 28-41. - Zoning districts established.

Commented [OS1]: add

(a) The City of Angleton, Texas is hereby divided into the following zoning districts. The use, height, area regulations, and other standards, as set out herein apply to each district. The districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
<i>Base Districts</i>	
AG	Agricultural
SFE-20	Single-Family Estate Residential-20 (minimum 20,000 square-foot lots)
SF-10	Single-Family Residential-10 (minimum 10,000 square-foot lots)
SF-7.2	Single-Family Residential-7.2 (minimum 7,200 square-foot lots)
SF-6.3	Single-Family Residential-6.3 (minimum 6,300 square-foot lots)
SF-5	Single-Family Residential-5 (minimum 5,000 square-foot lots)
SF-PH	Single-Family Residential-Patio Home (zero-lot-line homes)
2F	Two-Family Residential (duplex homes)
SFA	Single-Family Attached Residential (townhomes)
MFR-14	Multifamily Residential-14 (apartments - maximum 14 units/acre)
MFR-29	Multifamily Residential-29 (apartments - maximum 29 units/acre)
MFR-36	Multifamily Residential-36 (apartments - maximum 36 units/acre)

MH	Modular Homes
C-N	Commercial - Neighborhood
C-MU	Commercial - Mixed-Use
C-G	Commercial - General
C-OR	Commercial - Office/Retail
CBD	Central Business District
LI	Light Industrial
<i>Overlay Districts</i>	
PD	Planned Development
SUP	Specific Use Permit

(b) A summary of the area regulations for the following zoning districts is included within appendix B.

(c) Certain terms and definitions used within this chapter can be found in section 28-112.

(Ord. No. 2009-O-4A, §§ (III)(13)(13.1–13.3), 4-14-09; Ord. No. 2016-O-6B, § 2, 6-14-16)

Sec. 28-42. - AG—Agricultural district.

(a) *General purpose and description:* The AG—Agricultural, district is designed to permit the use of land for the ranching, propagation and cultivation of crops and similar uses of vacant land. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is initially zoned agricultural until it is assigned another zoning district. It is anticipated that agricultural zoned land will

eventually be rezoned to another zoning classification in the future. The agricultural district is also appropriate for areas where development is premature due to lack of utilities or city services; to preserve areas that are unsuitable for development due to problems that may present hazards such as flooding, in which case the AG zoning designation should be retained until such hazards are mitigated and the land is rezoned; and to provide permanent greenbelts or to preserve open space areas as buffers around uses that might otherwise be objectionable or pose environmental or health hazards.

(b) *Permitted uses:*

- (1) Those uses listed for the AG—Agricultural district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Three stories, and not to exceed 40 feet, for the main building/house.
- b. Forty-five feet for agricultural structures (e.g., barns, silos, water towers, etc.), provided they are no closer than 100 feet from any front, side or rear property line.
- c. Twenty-five feet for other accessory buildings, including detached garage, garden shed, accessory dwelling units, etc.

(d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* Five acres (217,800 square feet).
- b. *Minimum lot width:* 100 feet.
- c. *Minimum lot depth:* 150 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 80 feet.
- b. *Minimum side yard:* 40 feet for interior side yard; 80 feet for a corner lot on a street.
- c. *Minimum rear yard:* 80 feet for the main building and any accessory building(s). (See section 28-103 for accessory building standards.)

(3) *Parking regulations:*

- a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- b. *Other:* See section 28-101, off-street parking and loading regulations.

- (4) *Minimum floor area per dwelling unit:* None.
 - (5) *Minimum exterior construction standards:* See section 28-105.
 - (6) *Maximum impervious surface coverage:* 40 percent.
- (e) *Special requirements:*
- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
 - (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
 - (5) Swimming pools: See section 28-110.
 - (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
 - (7) Any nonresidential land use or structure which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
 - (8) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).

- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(14)(14.1–14.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-43. - SFE-20—Single-family estate residential-20 district.

- (a) *General purpose and description:* The SFE-20—Single-Family Estate Residential-20, district is intended to provide for development of primarily low-density detached, single-family residences on lots of not less than 20,000 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SFE-20 district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.
- (b) *Permitted uses:*
- (1) Those uses listed for the SFE-20 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Two and one-half stories, and not to exceed 35 feet, for the main building/house.
 - b. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- (d) *Area regulations:*
- (1) *Size of lots:*
- a. *Minimum lot area:* 20,000 square feet.
 - b. *Minimum lot width:* 100 feet.

- c. *Minimum lot depth:* 125 feet.
- (2) *Size of yards:*
 - a. *Minimum front yard:* ~~30~~ 40 feet.
 - b. *Minimum side yard:* Ten feet for interior side yard; 20 feet for a corner lot; 30 feet for a key corner lot.
 - c. *Minimum rear yard:* 25 feet for the main building and any accessory building(s). (See section 28-103 for accessory building standards.)
- (3) *Parking regulations:*
 - a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
 - b. *Other:* See section 28-101, off-street parking and loading regulations.
- (4) *Minimum floor area per dwelling unit:* None.
- (5) *Minimum exterior construction standards:* See section 28-14.
- (6) *Maximum impervious surface coverage:* 50 percent.
- (e) *Special requirements:*
 - (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
 - (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
 - (5) Swimming pools: See section 28-110.
 - (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
 - (7) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.

Commented [OS2]: In comparison to adjacent cities, Staff is recommending a minimum setback on estate lots to be "40 ft.". (Discussed 7/25/2023 Workshop)

(8) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(15)(15.1–15.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-44. - SF-10—Single-family residential-10 district.

- (a) *General purpose and description:* The SF-10—Single-Family Residential-10, district is intended to provide for development of primarily low-density detached, single-family residences on lots of not less than 10,000 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-10 district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.
- (b) *Permitted uses:*

- (1) Those uses listed for the SF-10 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Two and one-half stories, and not to exceed 35 feet, for the main building/house.
 - b. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- (d) *Area regulations:*
- (1) *Size of lots:*
- a. *Minimum lot area:* 10,000 square feet.
 - b. *Minimum lot width:* 80 feet.
 - c. *Minimum lot depth:* 110 feet.
- (2) *Size of yards:*
- a. *Minimum front yard:* ~~30~~35 feet.
 - b. *Minimum side yard:* ~~Seven and one-half~~Ten feet for interior side yard; fifteen feet for a corner lot on a street; 30 feet for a key corner lot.
 - c. *Minimum rear yard:* 25 feet for the main building and any accessory building(s). (See section 28-103 for accessory building standards.)
- (3) *Parking regulations:*
- a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
 - b. *Other:* See section 28-101, off-street parking and loading regulations.
- (4) *Minimum floor area per dwelling unit:* None.
- (5) *Minimum exterior construction standards:* See section 28-105.
- (6) *Maximum impervious surface coverage:* 60 percent.
- (e) *Special requirements:*
- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
 - (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.

Commented [OS3]: In comparison to adjacent cities, Staff is recommending a minimum setback to be "35 ft." on the standard SF lots due to increased familiar parking needs. (Discussed 7/25/2023 Workshop)

- (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
- (5) Swimming pools: See section 28-110.
- (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
- (7) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
- (8) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(16)(16.1–16.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-45. - SF-7.2—Single-family residential-7.2 district.

- (a) *General purpose and description:* The SF-7.2—Single-Family Residential-7.2, district is intended to provide for development of primarily detached, single-family residences on smaller and more compact lots of not less than 7,200 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-7.2 district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.
- (b) *Permitted uses:*
- (1) Those uses listed for the SF-7.2 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- Two and one-half stories, and not to exceed 35 feet, for the main building/house.
 - One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- (d) *Area regulations:*
- (1) *Size of lots:*
- Minimum lot area:* 7,200 square feet.
 - Minimum lot width:* 60 feet.
 - Minimum lot depth:* 100 feet.
- (2) *Size of yards:*
- Minimum front yard:* ~~25~~ 35 feet.
 - Minimum side yard:* ~~Five-10'-0"~~ 15-30 feet for interior side yard; 15-30 feet for a corner lot on a street; 25-30 feet for a key corner lot.
 - Minimum rear yard:* 20 feet for the main building and any accessory building(s); 25 feet for rear entry garage. (See section 28-103 for accessory building standards.)
- (3) *Parking regulations:*
- Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.

Commented [OS4]: In comparison to adjacent cities, Staff is recommending a minimum setback to be "35 ft." on the standard SF lots due to increased familiar parking needs. (Discussed 7/25/2023 Workshop)

Commented [OS5]: Consider increasing minimum distance between structure and property lines to be 10 ft. on standard residential lots.

- b. *Other*: See section 28-101, off-street parking and loading regulations.
- (4) *Minimum floor area per dwelling unit*: None.
- (5) *Minimum exterior construction standards*: See section 28-105.
- (6) *Maximum impervious surface coverage*: 60 percent.
- (e) *Special requirements*:
- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
 - (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
 - (5) Swimming pools: See section 28-110.
 - (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)5.
 - (7) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
 - (8) *Other regulations*: See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).

- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(17)(17.1–17.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-46. - SF-6.3—Single-family residential-6.3 district.

- (a) *General purpose and description:* The SF-6.3, Single-Family Residential-6.3, district is intended to provide for development of primarily detached, single-family residences on small, compact lots of not less than 6,300 square feet in size in logical neighborhood units.
- (b) *Permitted uses:*
- (1) Those uses listed for the SF-6.3 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- Two and one-half stories, and not to exceed 35 feet, for the main building/house.
 - One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- (d) *Area regulations:*
- (1) *Size of lots:*
- Minimum lot area:* 6,300 square feet.
 - Minimum lot width:* 60 feet.
 - Minimum lot depth:* 100 feet.
- (2) *Size of yards:*
- Minimum front yard:* ~~20-35~~ feet.
 - Minimum side yard:* ~~Five feet~~10'-0" for interior side yard; 15 feet for a corner lot on a street; ~~25-30~~ feet for a key corner lot.

Commented [OS6]: In comparison to adjacent cities, Staff is recommending a minimum setback to be "35 ft." on the standard SF lots due to increased familiar parking needs. (Discussed 7/25/2023 Workshop)

Commented [OS7]: Consider increasing minimum distance between homes to be 15 ft. on standard residential lots.

- c. *Minimum rear yard:* Twenty feet for the main building and any accessory building(s); 25 feet for rear entry garage. (See section 28-103 for accessory building standards.)
- (3) *Parking regulations:*
- a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- b. *Other:* See section 28-101, off-street parking and loading regulations.
- (4) *Minimum floor area per dwelling unit:* None.
- (5) *Minimum exterior construction standards:* See section 28-105.
- (6) *Maximum impervious surface coverage:* 60 percent.
- (e) *Special requirements:*
- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
- (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
- (5) Swimming pools: See section 28-110.
- (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)5.
- (7) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
- (8) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
- Off-street parking and loading requirements (section 28-101).

- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(18)(18.1–18.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2016-O-6B, § 2, 6-14-16)

Sec. 28-47. - SF-5—Single-family residential-5 district.

- (a) *General purpose and description:* The SF-5—Single-Family Residential-5, district is intended to provide for development of primarily detached, single-family residences on small, compact lots of not less than 5,000 square feet in size in logical neighborhood units.
- (b) *Permitted uses:*
- (1) Those uses listed for the SF-5 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Two and one-half stories, and not to exceed 35 feet, for the main building/house.
 - b. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- (d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* 5,000 square feet.
- b. *Minimum lot width:* 50 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 20-35 feet.
- b. *Minimum side yard:* Five feet for interior side yard; 15 feet for a corner lot on a street; 25 feet for a key corner lot.
- c. *Minimum rear yard:* 20-15 feet for the main building and any accessory building(s); 25 feet for rear entry garage. (See section 28-103 for accessory building standards.)

Commented [OS8]: In comparison to adjacent cities, Staff is recommending a minimum setback to be "35 ft." on the standard SF lots due to increased familiar parking needs. (Discussed 7/25/2023 Workshop)

Commented [OS9]: Accessory buildings shall be 5 ft. from the rear and side property lines, and outside of any recorded easement.

(3) *Parking regulations:*

- a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- b. *Other:* See section 28-101, off-street parking and loading regulations.

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(4) *Minimum floor area per dwelling unit:* None.

(5) *Minimum exterior construction standards:* See section 28-105.

(6) *Maximum impervious surface coverage:* 60 percent.

(e) *Special requirements:*

- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
- (3) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (4) Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
- (5) Swimming pools: See section 28-110.
- (6) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing

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the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)5.

(7) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.

(8) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(19)(19.1–19.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2016-O-6B, § 2, 6-14-16)

Sec. 28-48. - SF-PH—Single-family residential—Patio home district (Zero-lot-line homes).

(a) *General purpose and description:* The SF-PH—Single-Family Residential-Patio Home, district is designed to provide for development of primarily detached single-family residences on compact lots having one side yard reduced to zero feet (i.e., "zero-lot-line"), and having not less than 5,000 square feet. Patio home developments shall be arranged in a clustered lot pattern with a common usable open space system that is an integral part of the development. Areas zoned for the SF-PH district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be

designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

- (1) Those uses listed for the SF-PH district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Two and one-half stories, and not to exceed 35 feet, for the main building/house.
- b. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.

(d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* 5,000 square feet.
- b. *Maximum project size:* The maximum size of a patio home development shall be 40 acres.
- c. *Minimum lot width:* 50 feet.
- d. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 20 feet; 25-35 feet to the garage door face for front-entry homes.
- b. *Minimum side yard:* One side yard reduced to zero feet; other side yard a minimum of ten feet required with 15 feet required on corner lots adjacent to a residential or collector street, and 20 feet required on corner lots adjacent to an arterial street; 20 feet for a key corner lot on any street.
- c. *Minimum rear yard:* Ten feet for the main building and any accessory building(s); 25 feet for rear entry garage.

(3) *Parking regulations:*

- a. *Single-family dwelling unit:* A minimum of two parking spaces on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- b. *Other:* See section 28-101, off-street parking and loading requirements.

(4) *Minimum floor area per dwelling unit:* None.

Commented [OS10]: In comparison to adjacent cities, Staff is recommending a minimum setback to be "35 ft." due to increased familiar parking needs. (Discussed 7/25/2023 Workshop)

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- (5) *Minimum exterior construction standards:* See section 28-105.
- (6) *Maximum impervious surface coverage:* 70 percent.
- (e) *Special requirements:*
- (1) Patio home developments shall be developed as zero-lot-line homes. One side yard shall be reduced to zero feet, while the other side yard shall be a minimum of ten feet; 15 feet for a corner lot on the residential or collector street side, or 20 feet for a corner lot on an arterial street. A minimum five-foot wide maintenance and utility easement shall be placed on the adjacent lot (i.e., the other side of the zero-lot-line) to enable the property owner to maintain that portion of his/her house that is on the zero-lot-line. Side yards and maintenance and utility easements shall be shown on the subdivision plat. A minimum separation between patio homes of ten feet shall be provided. Roof overhangs will be allowed to project into the maintenance and utility easement a maximum of 24 inches, but the maintenance and utility easement shall remain reasonably accessible to the adjacent homeowner to perform maintenance and repairs to all portions of the exterior of his/her home. No accessory building, pool, or stored materials (e.g., firewood, garden or construction materials, etc.) shall be located or stored within the maintenance easement; wooden decking may be located within the maintenance easement.
 - (2) Maintenance requirements for common areas. A property owners association is required for continued maintenance of common land and facilities.
 - (3) Single-family lots and detached dwellings constructed in this district shall conform to the standards as set forth in the SF-5 zoning district.
 - (4) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (5) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
 - (6) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (7) Homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
 - (8) Swimming pools: See section 28-110.
 - (9) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and

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approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)5.

(10) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.

(11) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(20)(20.1–20.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-49. - 2F—Two-family residential district (Duplex homes).

(a) *General purpose and description:* The 2F—Two-Family Residential, district is intended to promote stable, quality multiple-occupancy residential development at slightly increased densities. Individual ownership of each of the two-family or duplex units is encouraged. This district is typically used as a "buffer" or transition district between lower density residential areas and higher density or nonresidential areas or major thoroughfares. Areas zoned for the 2F district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns which discourage non-local traffic; they shall be properly

buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

- (1) Those uses listed for the 2F district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Two and one-half stories, and not to exceed 35 feet, for the main building/house.
- b. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.

(d) *Area regulations:*

(1) *Size of lots for two-family/duplex homes:*

- a. *Minimum lot area:* 10,000 square feet per pair of dwelling units; 5,000 square feet per dwelling unit.
- b. *Minimum lot width:* 80 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards for two-family/duplex homes:*

- a. *Minimum front yard:* 25-35 feet; 25-35 feet to the garage door face for front-entry homes.
- b. *Minimum side yard:* Five feet required with 15 feet required on corner lots adjacent to a residential or collector street, and 20 feet required on corner lots adjacent to an arterial street; 25 feet for key corner lot on any street.
- c. *Minimum rear yard:* 25 feet for the main building and any accessory building(s); 25 feet for rear entry garage. (See section 28-103 for exceptions.)

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(3) *Parking regulations:*

- a. A minimum of two parking spaces for each dwelling unit on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- b. Also see section 28-101, off-street parking and loading regulations.

(4) *Minimum floor area per dwelling unit for two-family/duplex homes:* None.

(5) *Minimum exterior construction standards:* See section 28-105.

(6) *Maximum impervious surface coverage:* 60 percent.

(e) *Special requirements:*

- (1) Single-family lots and detached dwellings constructed in this district shall conform to the standards as set forth in the SF-6.3 zoning district.
- (2) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
- (3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.
- (4) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
- (5) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (6) Single-family and two-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
- (7) Swimming pools: See section 28-110.
- (8) A site plan shall be required for any development that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
- (9) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
- (10) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).

- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(21)(21.1–21.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

Sec. 28-50. - SFA—Single-family attached residential district (Townhomes).

- (a) *General purpose and description:* The SFA—Single-Family Attached Residential, district is intended to promote stable, quality, attached-occupancy residential development on individual lots at higher residential densities. Individual ownership of each lot and dwelling unit is encouraged. This district may be included within certain areas of neighborhoods or, when in accordance with the intent of the comprehensive plan, may provide a "buffer" or transition district between lower density residential areas and multifamily or nonresidential areas or major thoroughfares. Areas zoned for the SFA district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns which discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.
- (b) *Permitted uses:*
- (1) Those uses listed for the SFA district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Two and one-half stories, and not to exceed 35 feet, for the main building or house.
 - b. One story for other accessory buildings, including detached garage, carports, garden shed, gazebo, clubhouse, mail kiosks, etc.
 - c. Other requirements (see section 28-106).
- (d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* 2,500 square feet.
- b. *Maximum density:* Ten units per gross acre of land area within the development.
- c. *Maximum project size:* The maximum size of a single-family attached residential development shall be 25 acres.
- d. *Minimum lot width:* 20 feet.
- e. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 15 feet; front yard setbacks shall be staggered in at least four-foot increments such that no more than two units have the same front setback in a row; no front-entry garages permitted unless the garage door or carport access opening is set back at least 20 feet from the property line (i.e., the right-of-way or street easement line).
- b. *Minimum side yard:*
 - 1. Single-family attached dwellings shall not have an interior side yard; however, a minimum ten-foot side yard is required for a corner lot adjacent to a residential street or alley that only serves lots within the SFA subdivision, a minimum 15-foot side yard is required for a corner lot adjacent to a residential or collector street serving lots outside the SFA subdivision, a minimum 20-foot side yard is required for a corner lot adjacent to an arterial street. The ends of any two adjacent building complexes or rows of buildings shall be at least 15 feet apart.
 - 2. A complex or continuous row of attached single-family dwellings shall have a minimum length of four dwelling units (quadriplex), a maximum length of eight dwelling units.
- c. *Minimum rear yard:* 15 feet for the main building and any accessory building(s); 20 feet for rear entry garage.

(3) *Maximum lot coverage:* 70 percent by main and accessory buildings on each individual lot.

(4) *Parking regulations:*

- a. A minimum of two parking spaces for each dwelling unit, located in front, behind, beside or incorporated into the dwelling unit and located on the same lot as each dwelling unit (see section 28-101, off-street parking and loading requirements).
- b. Designated visitor parking spaces shall be provided in off-street, common areas at a ratio of one guest/visitor space per four units. SFA developments that include a two-car garage or carport and driveway area equivalent to two

additional parking spaces on each lot are not required to provide visitor parking spaces.

c. Additional parking shall be required for any recreational uses, clubhouse, office, sales offices and other similar accessory structures and uses.

(5) *Minimum floor area per dwelling unit:* 800 square feet of air-conditioned floor area.

(6) *Minimum exterior construction standards:* See section 28-105.

(e) *Special requirements:*

(1) *Maintenance requirements for common areas.* A property owners association is required for continued maintenance of common land and facilities.

(2) *Streets.* Two-way streets that serve 25 or fewer lots within a SFA development shall provide a 50-foot right-of-way and a 28-foot wide roadway. One-way streets that serve 25 or fewer lots within a SFA development shall provide a 20-foot right-of-way and a 14-foot wide roadway. All street corners and curves shall be designed to accommodate access by a fire truck. Streets may be privately owned or, if constructed to city standards, publicly dedicated streets. Streets serving more than 25 lots shall comply with the normal standards for residential, collector or arterial streets.

(3) *Refuse facilities.* Solid waste disposal services may be provided individually to each unit in the development in the same manner as other single-family developments or through the use of a common refuse facility. A common refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk from more than one dwelling. All common refuse containers shall be maintained in accordance with local public health and sanitary regulations. Common refuse facilities shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies and shall be screened in accordance with subsection 28-104(b)(7) of this chapter (see illustrations 16 and 17 for refuse container enclosure diagrams).

(4) All utilities shall be provided separately to each lot within an SFA district so that each unit is individually metered.

(5) Any residential development of a lower density than provided for in SFA districts is allowed here provided such development is in accordance with the applicable district regulations of such lower density uses.

(6) Each SFA lot shall contain a private yard with not less than 300 square feet of area (i.e., a back yard or large side yard). Private yards may include a patio cover, gazebo or other similar non-enclosed structure which does not cover more than 25 percent of the area of the private yard, and they may also include a swimming pool, swing set, play fort, or other private leisure amenity.

(7) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.

- (8) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (9) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of five or more acres.
- (10) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (11) Homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be 25 feet.
- (12) A site plan shall be required for any SFA development, or for any other type of development in the SFA district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
- (13) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards. All buildings within a nonresidential development shall be architecturally compatible with each other, in that they shall use similar exterior finish colors and materials to achieve an overall, visually compatible appearance when viewed from the road.
- (14) Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.
- (15) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).
 - Performance standards (section 28-107).

- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(16) *Screening requirements.* A screening fence along shared property lines between SFA districts and other single-family zoning districts shall be required. Said screening fence shall comply with the requirements of section 28-104.

(Ord. No. 2009-O-4A, §§ (III)(22)(22.1–22-5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2015-O-11A, § 2, 11-10-15; Ord. No. [20190910-009](#), § 2, 9-10-19)

Sec. 28-51. - MFR-14—Multifamily residential-14 district (Apartments).

(a) *General purpose and description:* The MFR-14—Multifamily Residential-14, district is an attached residential district intended to provide moderate residential density of up to 14 dwelling units per acre. The principal permitted land uses will include low-rise multiple-family dwellings and garden apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium- or low-density residential development. Areas zoned for the MFR-14 district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

(1) Those uses listed for the MFR-14 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Two stories, and not to exceed 35 feet, for the main building(s).
- b. One story for other accessory buildings, including detached garages, carports, clubhouse, gazebo, mail kiosks, laundry rooms, etc.
- c. Other requirements (see section 28-106).

(d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* 3,000 square feet per dwelling unit, not to exceed 14 dwelling units per acre (calculated on gross acreage). The minimum lot (i.e., project) size shall be 6,300 square feet.
- b. *Minimum lot width:* 60 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* ~~25~~35 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.
- b. *Minimum side and rear yard:* 15 feet, unless adjacent to a single-family, duplex, patio home or single-family attached district then side and rear setbacks shall be according to the height of the multifamily building, as follows:
 - 1. *One-story building:* 25 feet.
 - 2. *Two-story building:* 50 feet.
- c. *Building separation:*
 - 1. *One-story buildings:* 15 feet for buildings without openings; 20 feet for buildings with openings.
 - 2. *Two-story buildings (or a two-story building adjacent to a one-story building):* 20 feet for buildings without openings; 25 feet for buildings with openings.
 - 3. *Between a main building and an accessory building:* Ten feet.

(3) *Minimum floor area per dwelling unit:* 600 square feet of air-conditioned floor area.

(4) *Maximum impervious surface coverage:* 50 percent.

(5) *Parking regulations:*

- a. One space for each efficiency or one-bedroom unit.
- b. Two spaces for each two-bedroom unit.
- c. Two and a half spaces for each three-bedroom unit.
- d. Three spaces for each four- or more bedroom unit.
- e. The average number of parking spaces for the total development shall be no less than one space per dwelling unit.
- f. No parking space may be located closer than six feet from any building, nor closer than two feet from any side or rear lot line.
- g. At least one resident parking space per dwelling unit shall be covered.

- h. See section 28-101, off-street parking and loading requirements, for additional requirements.
- (6) *Minimum exterior construction standards:* See section 28-105.
- (e) *Special requirements:*
 - (1) *Landscape area requirements:* See section 28-102 for landscaping requirements.
 - (2) *Refuse facilities:* Every multifamily dwelling unit shall be located within 200 feet of a refuse facility, measured along the designated pedestrian travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with subsection 28-104(b)(7). (See illustrations 16 and 17 for refuse container enclosure diagrams).
 - (3) *Screening requirements:* See section 28-104 for screening requirements.
 - (4) Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-6.3, 2F, SF-PH or SFA district standards, respectively.
 - (5) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (6) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (7) All points on the exterior facades of all buildings shall be within 150 feet of a dedicated fire lane easement (as measured by an unobstructed pathway, or route, for fire hoses).
 - (8) A four-foot wide ADA paved walkway shall connect the front door of each ground floor unit to a parking area. The minimum width of any sidewalk adjacent to head-in parking spaces shall be six feet to accommodate a two-foot bumper overhang for vehicles.
 - (9) Buildings shall not exceed 200 feet in length.
 - (10) Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize vehicle parking areas are provided. This parking area shall not be used to meet the minimum parking requirements, and shall not be visible from a public street.
 - (11) All buildings containing residential units shall provide signage that clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.

- (12) All parking areas shall have appropriate lighting and shall be positioned such that no light adversely impacts adjacent residential areas.
- (13) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards. All buildings within a nonresidential development shall be architecturally compatible with each other, in that they shall use similar exterior finish colors and materials to achieve an overall, visually compatible appearance when viewed from the road.
- (14) Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.
- (15) A site plan shall be required for any MFR development, or for any other type of development in the MFR-14 district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
- (16) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
- Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).
 - Performance standards (section 28-107).
 - Lighting and glare standards (section 28-108).
 - Home occupation regulations (section 28-109).
 - Special regulations for certain types of uses (section 28-110).
 - Reserved for future use (section 28-111).

- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(23)(23.1–23.6), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. [20190910-010](#), §§ 2, 3, 9-10-19; Ord. No. [20191112-008](#), § 2, 11-12-19)

Sec. 28-52. - MFR-29—Multifamily residential-29 district (Apartments).

- (a) *General purpose and description:* The MFR-29—Multifamily Residential-29 district is an attached residential district intended to provide high residential density of up to 29 dwelling units per acre. The principal permitted land uses will include low-rise multiple-family dwellings and garden apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium- or low-density residential development. Areas zoned for the MFR-29 district shall have, or shall make provision for City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.
- (b) *Permitted uses:*
- (1) Those uses listed for the MFR-29 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- Three stories, and not to exceed 40 feet, for the main building(s).
 - One story for other accessory buildings, including detached garages, carports, clubhouse, gazebo, mail kiosks, laundry rooms, etc.
 - Other requirements (see section 28-106).
- (d) *Area regulations:*
- (1) *Size of lots:*
- Minimum lot area:* 1,500 square feet per dwelling unit, not to exceed 29 dwelling units per acre (calculated on gross acreage). The minimum lot (i.e., project) size shall be 6,300 square feet.
 - Minimum lot width:* 60 feet.
 - Minimum lot depth:* 100 feet.
- (2) *Size of yards:*

- a. *Minimum front yard: 25-35* feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.
- b. *Minimum side and rear yard:* 15 feet, unless adjacent to a single-family, duplex, patio home or single-family attached district then side and rear setbacks shall be according to the height of the multifamily building, as follows:
 - 1. *One-story building:* 25 feet.
 - 2. *Two-story building:* 50 feet.
- c. *Building separation:*
 - 1. *One-story buildings:* 15 feet for buildings without openings; 20 feet for buildings with openings.
 - 2. *Two-story buildings (or a two-story building adjacent to a one-story building):* 20 feet for buildings without openings; 25 feet for buildings with openings.
 - 3. *Between a main building and an accessory building:* Ten feet.
- (3) *Minimum floor area per dwelling unit:* 600 square feet of air conditioned floor area.
- (4) *Maximum impervious surface coverage:* 50 percent.
- (5) *Parking regulations:*
 - a. One and a half spaces for each efficiency or one-bedroom unit.
 - b. Two spaces for each two-bedroom unit.
 - c. Two and a half spaces for each three-bedroom unit.
 - d. Three spaces for each four- or more bedroom unit.
 - e. The average number of parking spaces for the total development shall be no less than one space per dwelling unit.
 - f. No parking space may be located closer than six feet from any building, nor closer than two feet from any side or rear lot line.
 - g. At least one resident parking space per dwelling unit shall be covered.
 - h. See section 28-101, off-street parking and loading requirements, for additional requirements.
- (6) *Minimum exterior construction standards:* See section 28-105.
- (e) *Special requirements:*
 - (1) *Landscape area requirements:* See section 28-102 for landscaping requirements.
 - (2) *Refuse facilities:* Every multifamily dwelling unit shall be located within 200 feet of a refuse facility, measured along the designated pedestrian travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be

maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with subsection 28-104(b)(7). (See illustrations 16 and 17 for refuse container enclosure diagrams).

- (3) *Screening requirements:* See section 28-104 for screening requirements.
- (4) Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-6.3, 2F, SF-PH or SFA district standards, respectively.
- (5) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (6) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (7) All points on the exterior facades of all buildings shall be within 150 feet of a dedicated fire lane easement (as measured by an unobstructed pathway, or route, for fire hoses).
- (8) A four-foot wide ADA paved walkway shall connect the front door of each ground floor unit to a parking area. The minimum width of any sidewalk adjacent to head-in parking spaces shall be six feet to accommodate a two-foot bumper overhang for vehicles.
- (9) Buildings shall not exceed 200 feet in length.
- (10) Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize vehicle parking areas are provided. This parking area shall not be used to meet the minimum parking requirements, and shall not be visible from a public street.
- (11) All buildings containing residential units shall provide signage that clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.
- (12) All parking areas shall have appropriate lighting and shall be positioned such that no light adversely impacts adjacent residential areas.
- (13) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards. All buildings within a nonresidential development shall be architecturally compatible with each other, in that they shall use similar exterior finish colors and materials to achieve an overall, visually compatible appearance when viewed from the road.
- (14) Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.

(15) A site plan shall be required for any MFR development, or for any other type of development in the MFR-29 district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).

(16) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(24)(24.1–24-5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2016-O-6B, § 2, 6-14-16; Ord. No. [20190910-010](#), § 4, 9-10-19; Ord. No. [20191112-008](#), § 3, 11-12-19)

Sec. 28-53. - MFR-36—Multifamily residential-36 district (Apartments).

(a) *General purpose and description:* The MFR-36—Multifamily Residential-36 district is an attached residential district intended to provide the highest residential density of up to 36 dwelling units per acre. The principal permitted land uses will include low-

rise multiple-family dwellings and garden apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium- or low-density residential development. Areas zoned for the MFR-36 district shall have, or shall make provision for City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

- (1) Those uses listed for the MFR-36 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Three stories, and not to exceed 40 feet, for the main building(s).
- b. One story for other accessory buildings, including detached garages, carports, clubhouse, gazebo, mail kiosks, laundry rooms, etc.
- c. Other requirements (see section 28-106).

(d) *Area regulations:*

(1) *Size of lots:*

- a. *Minimum lot area:* 1,200 square feet per dwelling unit, not to exceed 36 dwelling units per acre (calculated on gross acreage). The minimum lot (i.e., project) size shall be 6,300 square feet.
- b. *Minimum lot width:* 60 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* ~~25~~40 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.
- b. *Minimum side and rear yard:* 15 feet, unless adjacent to a single-family, duplex, patio home or single-family attached district then side and rear setbacks shall be according to the height of the multifamily building, as follows:
 1. *One-story building:* 25 feet.
 2. *Two-story building:* 50 feet.
 3. *Over two-story building:* 75 feet.
- c. *Building separation:*

1. *One-story buildings*: 15 feet for buildings without openings; 20 feet for buildings with openings.
 2. *Two-story buildings (or a two-story building adjacent to a one-story building)*: 20 feet for buildings without openings; 25 feet for buildings with openings.
 3. *Over two-story buildings (or an over two-story building adjacent to a one- or two-story building)*: 25 feet for buildings with or without openings.
 4. *Between a main building and an accessory building*: Ten feet.
- (3) *Minimum floor area per dwelling unit*: 600 square feet of air conditioned floor area.
- (4) *Maximum impervious surface coverage*: 50 percent.
- (5) *Parking regulations*:
- a. One and a half spaces for each efficiency or one-bedroom unit.
 - b. Two spaces for each two-bedroom unit.
 - c. Two and a half spaces for each three-bedroom unit.
 - d. Three spaces for each four- or more bedroom unit.
 - e. The average number of parking spaces for the total development shall be no less than one space per dwelling unit.
 - f. No parking space may be located closer than six feet from any building, nor closer than two feet from any side or rear lot line.
 - g. At least one resident parking space per dwelling unit shall be covered.
 - h. See section 28-101, off-street parking and loading requirements, for additional requirements.
- (6) *Minimum exterior construction standards*: See section 28-105.
- (e) *Special requirements*:
- (1) *Landscape area requirements*: See section 28-102 for landscaping requirements.
 - (2) *Refuse facilities*: Every multifamily dwelling unit shall be located within 200 feet of a refuse facility, measured along the designated pedestrian travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with subsection 28-104(b)(7). (See illustrations 16 and 17 for refuse container enclosure diagrams).
 - (3) *Screening requirements*: See section 28-104 for screening requirements.

- (4) Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-6.3, 2F, SF-PH or SFA district standards, respectively.
- (5) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (6) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
- (7) All points on the exterior facades of all buildings shall be within 150 feet of a dedicated fire lane easement (as measured by an unobstructed pathway, or route, for fire hoses).
- (8) A four-foot wide ADA paved walkway shall connect the front door of each ground floor unit to a parking area. The minimum width of any sidewalk adjacent to head-in parking spaces shall be six feet to accommodate a two-foot bumper overhang for vehicles.
- (9) Buildings shall not exceed 200 feet in length.
- (10) Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize vehicle parking areas are provided. This parking area shall not be used to meet the minimum parking requirements, and shall not be visible from a public street.
- (11) All buildings containing residential units shall provide signage that clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.
- (12) All parking areas shall have appropriate lighting and shall be positioned such that no light adversely impacts adjacent residential areas.
- (13) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards. All buildings within a nonresidential development shall be architecturally compatible with each other, in that they shall use similar exterior finish colors and materials to achieve an overall, visually compatible appearance when viewed from the road.
- (14) Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.
- (15) A site plan shall be required for any MFR development, or for any other type of development in the MFR-36 district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and

approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).

(16) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(25)(25.1–25.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2016-O-6B, § 2, 6-14-16; Ord. No. [20190910-010](#), § 5, 9-10-19; Ord. No. [20191112-008](#), § 4, 11-12-19)

Sec. 28-54. - MH—Manufactured home district.

(a) *General purpose and description:* The MH, Manufactured Home, district is a detached residential district establishing standards for the development of HUD-Code manufactured home parks and subdivisions. HUD-Code manufactured home subdivisions include individually platted lots for sale within the subdivision, for the placement of manufactured home units. A manufactured home park offers spaces for the placement of manufactured home units on a lease or rental basis. The manufactured home district establishes area and design requirements for parks and subdivisions, as well as yard requirements for individual lots. Both parks and subdivisions provide open space and recreational areas appropriate for the acreage and number of units contained. Areas zoned for the MH district shall have, or shall

make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

- (1) Those uses listed for the MH district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Area regulations:*

- (1) *Size of yards* (for each space within manufactured home park or subdivision):

- a. **Minimum front yard: 25 feet from a dedicated street; 15 feet from any private street or drive.** See section 28-106 for additional setback requirements.
- b. *Minimum side yard:* Ten feet; 20 feet between units; 20 feet from zoning district boundary line; 15 feet for a corner lot on a residential or collector street, and 20 feet for a corner lot on an arterial street.
- c. *Minimum rear yard:* Ten feet; 20 feet from any zoning district boundary line.
- d. If a garage is provided, the entry (i.e., door) side of the garage shall have a 25-foot setback as measured from any property or street right-of-way line.

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- (2) *Size of space* (for each space within a manufactured home park):

- a. *Minimum lot area:* 4,000 square feet per unit.
- b. *Minimum lot width:* 40 feet.
- c. *Minimum lot depth:* 100 feet.

- (3) *Minimum floor area per dwelling unit:* 800 square feet.

- (4) *Maximum lot coverage:* 50 percent for main building/unit plus any accessory buildings.

- (5) *Parking regulations:* Two spaces per unit located on the same lot as the unit served (see section 28-101, off-street parking and loading) line.

- (6) *Area for manufactured home park:* Minimum project area five acres; maximum project area 25 acres.

- (7) *Maximum height limit:*

- a. Two and one-half stories, and not to exceed 36 feet, for the main building/house.
- b. One story for other accessory buildings, including detached garages, carports, management office, clubhouse, gazebo, mail kiosks, etc.
- c. Other requirements (see section 28-106).

- (8) *Minimum exterior construction standards:* None (manufactured homes only - all other structures shall conform with section 28-105).
- (9) *Maximum impervious surface coverage:* 60 percent.
- (d) *Supplemental requirements for manufactured home parks:*
- (1) *Tenant parking:* Each parking space shall be an approved all-weather surface, in accordance with city standards, and shall be located to eliminate interference with access to parking areas provided for other manufactured homes and for public parking in the park (see section 28-101, off-street parking and loading requirements).
- (2) *Visitor and supplemental parking:* Manufactured home parks that provide a paved parking area on each lot that accommodates fewer than four parking spaces (with spaces stacked no more than two parking spaces deep) shall provide visitor and supplemental parking in accordance with the following requirements:
- a. Two visitor parking spaces for every three manufactured home spaces. No manufactured home lot shall be situated further than 150 feet from a visitor space.
- b. One supplemental parking or vehicle storage space for the parking or storage of boats, campers and similar vehicles or equipment for every four manufactured home spaces. Supplemental parking spaces may be located anywhere within the manufactured home park.
- c. Each visitor and/or supplemental parking space will be not less than nine feet by 20, which is not to be included in the lot size for any manufactured home lot.
- (3) *Access:* Each manufactured home community shall have direct access from an improved public street in accordance with the subdivision ordinance. Where an internal private street provides access to individual lots or dwelling units, the same shall be paved in accordance with city standards, and it shall be dedicated to the public as an emergency access or fire lane easement to allow for the rapid and safe movement of vehicles used in providing emergency health or public safety services. Each emergency access/fire lane easement shall have a clear unobstructed width of 24 feet, shall connect to a dedicated public street, and shall have a turning area and radii of a minimum of 50 feet to permit free movement of emergency vehicles. Dead end streets are not allowed. Fire lane easements shall be maintained by the manufactured home park.
- Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.
- (4) *Walkways:* Designated ADA concrete walkways four feet in width will be provided on both sides of roadways or streets.
- (5) *Street names and signs:* Within each manufactured home park, all streets shall be named, and manufactured homes numbered in a logical and orderly fashion. Street

signs shall be of a color and size contrasting with those on public streets and roadways so that there is no confusion regarding which are private and which are public streets. These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles. Street names shall be submitted to the city manager, along with the construction plat application, reviewed by the appropriate city staff with respect to street naming procedures set forth within the subdivision ordinance and/or the city's code of ordinances, and approved by the planning and zoning commission and the city council on the construction plat for the subdivision. The street names shall be set with construction plat approval, and shall not be changed on the final plat without city approval. All dwelling unit numbering (i.e., addressing) shall be assigned by the city manager.

- (6) *Other signs:* Along all sections of emergency access easements, the owner or agent shall erect metal signs prohibiting parking. The sign type, size, height and location shall be in accordance with the manual of uniform traffic control devices and approved by the city.
- (7) *Intersections:* Internal streets shall intersect adjoining public streets at approximately 90 degrees and at locations which will eliminate or minimize interference with traffic on those public streets.
- (8) *Street lighting:* Street lighting within the manufactured home park shall be provided in accordance with the subdivision regulations, and shall be maintained by the owners of the manufactured home park.
- (9) *Electric and telephone service:* All electrical distribution lines and all telephone lines shall be underground except the primary service lines to the park.
- (10) *Drainage and soil protection:* The ground surface in all parts of the park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each manufactured home space shall provide adequate drainage for the placement of a manufactured home. Exposed ground surfaces in all parts of every manufactured home park shall be paved and/or covered with stone, brick paving, or other similar solid material, or protected with a vegetative growth (such as grass) capable of preventing soil erosion and eliminating dust.
- (11) *Firefighting:*
 - a. Approaches to all manufactured homes shall be kept clear for firefighting.
 - b. The owner or agent of a manufactured home park shall be responsible for the instruction of any staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. Owner shall supply standard city fire hydrants located within 300 feet of all manufactured home spaces, measured along the drive or street.
 - c. The owner or agent of a manufactured home park shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds in excess of six inches in height.

- (12) *Refuse facilities:* Solid waste disposal services may be provided individually to each lot in the manufactured home park in the same manner as other single-family developments or through the use of a common refuse facility. A common refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk from more than one dwelling. All common refuse containers shall be maintained in accordance with local public health and sanitary regulations. Every manufactured home lot shall be located within 150 feet of a refuse facility, measured along the designated pedestrian travel way. Common refuse facilities shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies and shall be screened in accordance with subsection 28-104(b)(7) of this chapter. (See illustrations 16 and 17 for refuse container enclosure diagrams).
- (13) *Anchorage of manufactured homes:* To insure against natural hazards such as tornados, high winds and electrical storms, anchorage for each manufactured home shall be provided according to the building code and state law.
- (14) *Skirting:*
- a. All manufactured home units not attached to a permanent foundation shall provide skirting from the top of the unit's frame to grade. Skirting shall totally enclose and secure from view the unit's axles and all required anchors, footings, and piers.
 - b. All required skirting shall be masonry, and shall be of a color similar to the materials used in the construction of the manufactured home unit such that it blends with the overall appearance of the unit.
- (e) *Special requirements:*
- (1) Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-6.3, 2F, SF-PH or SFA district standards, respectively.
 - (2) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
 - (3) *Usable open space requirements:* Except as provided below, any manufactured home development shall provide useable open space that equals or exceeds 15 percent of the total land area within the development. Usable open space areas shall be in conformance with subsections 28-48(e)(4) and 28-48(e)(5).
 - (4) One playground area containing at least five pieces of play equipment shall be provided for every 100 dwelling units, or fraction thereof. The playground equipment shall be of heavy duty construction, such as is normally used in public parks or on public school playgrounds.
 - (5) A site plan shall be required for any MH development, or for any other type of development in the MH district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming

facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).

(6) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.

(7) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:

- Off-street parking and loading requirements (section 28-101).
- Landscape requirements (section 28-102).
- Accessory structure and use regulations (section 28-103).
- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(26)(26.1–26.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13; Ord. No. 2016-O-3A, § 2, 3-8-16)

Sec. 28-55. - C-N—Commercial-Neighborhood district.

(a) *General purpose and description:* The C-N—Commercial-Neighborhood district is established to provide for areas of smaller-scaled and pedestrian-oriented neighborhood-serving commercial and mixed use development (typically with floor plans of less than 10,000 square feet) that includes retail, services, office, eating and

drinking, housing, smaller-scaled public uses, etc. Single-family housing is not permitted in this district.

(b) *Permitted uses:*

- (1) Those uses listed for the C-N district in section 28-51 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Two stories, and not to exceed 30 feet, for the main building(s).
- b. One story for accessory buildings.
- c. Other (see section 28-106).

(d) *Area regulations:*

(1) *Size of lot:*

- a. *Minimum lot area:* 5,000 square feet.
- b. *Minimum lot width:* 25 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 20 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).
- b. *Minimum side and rear yard:* 15 feet unless adjacent to a residentially zoned property (see below).
- c. *Interior side yards:* When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.
- d. *Minimum side or rear yard adjacent to a residential district:* 20 feet for one-story building, and an additional ten feet for every story (or fraction thereof) above one-story in height.

- (3) *Maximum lot coverage:* Maximum 90 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).

- (4) *Maximum building size:* The maximum building foot print (first floor) area of a structure shall not exceed 10,000 square feet.

- (5) *Parking requirements:* As established by section 28-101, off-street parking and loading requirements.

- (6) *Minimum exterior construction standards:* See section 28-105.

(e) *Special requirements:*

- (1) *Driveway spacing* (i.e., distance between driveways, measured edge-to-edge):
Shall conform to the latest TXDOT spacing standards.
- (2) *Landscaping requirements:* See section 28-102.
- (3) *Screening requirements:* See section 28-104.
- (4) Outdoor retail sales which involve the outside display of merchandise and seasonal items, shall be limited to the following if not otherwise allowed by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall not extend into public right-of-way or onto adjacent property without property owner permission.
 - d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business each day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.
- (5) Open/outside storage is prohibited without a specific use permit.
- (6) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- (7) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).

- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(27)(27.1–27.5), 4-14-09; Ord. No. 2013-O7C, § 4, 7-9-13)

Sec. 28-56. - C-MU—Commercial-mixed-use district.

- (a) *General purpose and description:* The C-MU—Commercial-Mixed-Use, district is established to provide for areas of large-scale, pedestrian- and auto-oriented, region-serving, mixed-use development that includes a mix of retail formats (large and small), office and business services, commercial lodging, office-oriented research and development, recreation and entertainment, etc. Multifamily residential uses are permitted in this district. Development in this district will occur under a unified master plan.
- (b) *Permitted uses:*
- (1) Those uses listed for the C-MU district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Eight stories, and not to exceed 80 feet, for the main building(s).
 - b. One story for accessory buildings.
 - c. Other (see section 28-106).
- (d) *Area regulations:*
- (1) *Size of lots:*
- a. *Minimum lot area:* 10,000 square feet.
 - b. *Minimum lot width:* 75 feet.

- c. *Minimum lot depth:* 100 feet.
- (2) *Size of yards:*
 - a. *Minimum front yard:* 20 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).
 - b. *Minimum side and rear yard:* 15 feet unless adjacent to a residentially zoned property (see below).
 - c. *Minimum side or rear yard adjacent to a residential district:* 20 feet for one-story building, and an additional ten feet for every story (or fraction thereof) above one-story in height.
- (3) *Maximum lot coverage:* Maximum 80 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).
- (4) *Parking requirements:* As established by section 28-101, off-street parking and loading requirements.
- (5) *Minimum exterior construction standards:* See section 28-105.
- (e) *Special requirements:*
 - (1) *Driveway spacing* (i.e., distance between driveways, measured edge-to-edge):
Shall conform to the latest TXDOT spacing standards.
 - (2) *Landscaping requirements:* See section 28-102.
 - (3) *Screening requirements:* See section 28-104.
 - (4) Outdoor retail sales which involve the outside display of merchandise and seasonal items, shall be limited to the following if not otherwise allowed by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall not extend into public right-of-way or onto adjacent property without property owner permission.
 - d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.

f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.

- (5) Open/outdoor storage is prohibited without a specific use permit.
- (6) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- (7) Other regulations: See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls, and screening requirements (28-104).
 - Exterior construction and design requirements (28-105).
 - Supplemental regulations (28-106).
 - Performance standards (section 28-107).
 - Lighting and glare standards (section 28-108).
 - Home occupation regulations (section 28-109).
 - Special regulations for certain types of uses (section 28-110).
 - Reserved for future use (section 28-111).
 - Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(28)(28.1–28.5), 4-14-09; Ord. No. 2013-O7C, § 4, 7-9-13)

Sec. 28-57. - C-G—Commercial-general district.

- (a) *General purpose and description:* The C-G—Commercial-General, district is intended to reflect existing and future areas of larger scaled pedestrian and auto-oriented commercial development (typically with floor plans of more than 10,000 square feet) located on the city's major arterial roads, and to include a wide variety of community-serving uses that include retail, services, office, auto-related businesses, eating and

drinking, recreation and entertainment, public and semi-public uses, etc. Residential uses are not permitted in this district.

(b) *Permitted uses:*

- (1) Those uses listed for the C-G district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Eight stories, and not to exceed 80 feet, for the main building(s).
- b. One story for accessory buildings.
- c. Other (section 28-106).

(d) *Area regulations:*

(1) *Size of lot:*

- a. *Minimum lot area:* 10,000 square feet.
- b. *Minimum lot width:* 75 feet.
- c. *Minimum lot depth:* 100 feet.

(2) *Size of yards:*

- a. *Minimum front yard:* 20-35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).
- b. *Minimum side and rear yard:* 15 feet unless adjacent to a residentially zoned property (see below).
- c. *Interior side yards:* When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.
- d. *Minimum side or rear yard adjacent to a residential district:* 20 feet for one-story building, and an additional 20 feet for every story (or fraction thereof) above one-story in height.

- (3) *Maximum lot coverage:* Maximum 80 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).

- (4) *Parking requirements:* As established by section 28-101, off-street parking and loading requirements.

- (5) *Minimum exterior construction standards:* See section 28-105.

(e) *Special requirements:*

- (1) *Driveway spacing* (i.e., distance between driveways, measured edge-to-edge):
Shall conform to the latest TXDOT spacing standards.
- (2) *Landscaping requirements*: See section 28-102.
- (3) *Screening requirements*: See section 28-104.
- (4) Outdoor retail sales which involve the outside display of merchandise and seasonal items, shall be limited to the following if not otherwise permitted by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall not extend into public right-of-way or onto adjacent property without property owner permission.
 - d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.
- (5) *Open/outside storage*: Open storage, without a specific use permit, is limited to a maximum of 20 percent of the total lot area, shall not be located in front of (i.e., on the street side of) or on top of the building.
- (6) *Recreational vehicles*: Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes.
- (7) *Other regulations*: See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).

- Fencing, walls and screening requirements (section 28-104).
- Exterior construction and design requirements (section 28-105).
- Supplemental regulations (section 28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(29)(29.1–29.6), 4-14-09; Ord. No. 2013-O-7C, § 4, 7-9-13)

Sec. 28-58. - C-O/R—Commercial-office/retail district.

- (a) *General purpose and description:* The C-O/R—Commercial-Office/Retail, district is intended to provide for areas of integrated professional office and retail development of quality design in a landscaped setting serving high technology, research and development, and retail development. This district provides for future areas of large-scaled pedestrian- and auto-related commercial development on the city's major arterial roads. Residential uses are not permitted in this district.
- (b) *Permitted uses:*
- (1) Those uses listed for the C-O/R district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
- a. Eight stories, and not to exceed 80 feet, for the main building(s).
 - b. One story for accessory buildings.
 - c. Other (section 28-106).
- (d) *Area regulations:*
- (1) *Size of lot:*
- a. *Minimum lot area:* 10,000 square feet.

- b. *Minimum lot width:* 75 feet.
 - c. *Minimum lot depth:* 100 feet.
- (2) *Size of yards:*
- a. *Minimum front yard:* ~~20~~-35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).
 - b. *Minimum side and rear yard:* 15 feet unless adjacent to a residentially zoned property (see below).
 - c. *Interior side yards:* When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.
 - d. *Minimum side or rear yard adjacent to a residential district:* 20 feet for one-story building, and an additional ten feet for every story (or fraction thereof) above one-story in height.
- (3) *Parking requirements:* As established by section 28-101, off-street parking and loading requirements.
- (4) *Minimum exterior construction standards:* See section 28-105.
- (e) *Special requirements:*
- (1) *Driveway spacing* (i.e., distance between driveways, measured edge-to-edge):
 - a. *Arterial street:* One driveway per 200 linear feet of frontage.
 - b. *Collector street:* One driveway per 100 linear feet of frontage.
 - c. *Local street:* One driveway per 50 linear feet of frontage.
 - (2) *Landscaping requirements:* See section 28-102.
 - (3) *Screening requirements:* See section 28-104.
 - (4) Outdoor retail sales which involve the outside display of merchandise and seasonal items, shall be limited to the following if not otherwise allowed by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall not extend into public right-of-way or onto adjacent property without property owner permission.

- d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.
- (5) Open/outside storage, without a specific use permit, is limited to a maximum of five percent of the total lot area, shall not be located in front of (i.e., on the street side of) or on top of the building.
- (6) Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes.
- (7) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
- Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).
 - Performance standards (section 28-107).
 - Lighting and glare standards (section 28-108).
 - Home occupation regulations (section 28-109).
 - Special regulations for certain types of uses (section 28-110).
 - Reserved for future use (section 28-111).
 - Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(30)(30.1–30.5), 4-14-09; Ord. No. 2013-O-7C, § 4, 7-9-13)

Sec. 28-59. - CBD—Central business district.

- (a) *General purpose and description:* The development standards in the CBD—Central Business district, are designed to maintain and encourage development and redevelopment within the central business section (old downtown) of the city in a "pedestrian friendly" environment that is conducive to special events such as sidewalk sales, street dances, festivals, and other similar events. Standards for the district are generally intended to regulate development such that new structures look similar to existing ones within this section of the city. They are also intended to preserve and enhance the community's "small town" heritage and the unique character of the city's original business district.
- (b) *Permitted uses:*
 - (1) Those uses listed for the CBD district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
 - (1) *Maximum height:*
 - a. Four stories for the main building(s).
 - b. One story for accessory buildings.
 - c. Other (section 28-106).
- (d) *Area regulations:*
 - (1) *Size of lot:*
 - a. *Minimum lot area:* None specified.
 - b. *Minimum lot width:* None specified.
 - c. *Minimum lot depth:* None specified.
 - (2) *Size of yards:*
 - a. *Minimum front yard:* None specified.
 - b. *Minimum side yard:* None specified.
 - c. *Minimum rear yard:* None specified.
 - (3) *Maximum lot coverage:* 100 percent including main and accessory buildings.
 - (4) *Maximum floor-area-ratio (FAR):* four to one.
 - (5) *Parking requirements:* No on-site parking shall be required within this district. However, if on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

(e) *Special requirements:*

(1) Design standards for the CBD district.

- a. *False fronts or parapets:* False fronts or parapets may be added to existing buildings in order to add character and detail to simple facades.
- b. *Coloring:* Predominant exterior finish colors shall be of fired brick, similar to that which is present on adjacent existing buildings (other masonry materials may also be considered during site plan review). Trim (i.e., lintels, sills, door jambs, cornices and other similar items) shall be brick, cast stone, stone, cast or wrought iron, or concrete, and colors shall be complementary to the predominant facade colors. Accent colors for friezes, doors and door frames, window frames and mullions, signage, awnings, moldings and other similar features shall be colors that are complementary to, and compatible with, the spirit and intent of the downtown streetscape.
- c. *Facade openings:* Facade openings shall comprise at least 40 percent of the building's facade area.
- d. *Awnings/canopies:*
 1. *Ratios:* Awnings shall be at an appropriate scale to the building size and configuration. They shall not extend above the roofline of any single-story structure, or above the top of the second floor of any multi-story structure at the awnings' highest points. Awnings shall not completely obstruct any windows on the building.
 2. *Projection:* Since awnings must extend beyond the building face, a reasonable amount of projection shall be allowed. No awning shall extend more than five feet outward from the building face/surface.
 3. *Colors and materials:* A mixture of colors is recommended, but no more than three different colors shall be used for awnings on a single building facade (excluding business logo, which may have more colors). Materials shall be of cloth or canvas, or another material which is complementary to the period or building style (metal or plastic shall be prohibited).
 4. *Movement:* Except for slight movements that are normal for fabric canopies (i.e., along fringe, etc.), no movement shall be allowed for awnings and canopy structures.
- e. *Overhead power lines:* New utility lines to business establishments shall be placed underground or toward the rear of existing buildings.
- f. *Pedestrian streetscape:* Pedestrian spaces shall be treated with amenities that are selected based upon their ability to unify the streetscape with the area's historic past. It is important that elements such as construction materials, colors, textures and fixture design complement the area's historic qualities. These features shall be repeated throughout the streetscape so as to unify the district as a whole.

- g. *Furnishings*: Planters, window boxes, street furniture and other streetscape furnishings shall be complementary to the historical time frame of the CBD area, and shall be located not more than five feet from the building front/facade.
- (2) *Open storage*: Open storage is prohibited in the CBD district without a specific use permit.
 - (3) Outdoor retail sales which involve the outside display of merchandise and/or seasonal items, shall be limited to the following if not otherwise allowed by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall only be located in front of the property/business which is selling the items and shall not extend into public right-of-way or onto adjacent property (without property owner permission).
 - d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.
 - (4) *Architectural design*: The architectural design of buildings and sites shall strive to achieve the following objectives:
 - a. Architectural compatibility;
 - b. Human scale design;
 - c. Integration of uses;
 - d. Encouragement of pedestrian activity;
 - e. Buildings that relate to, and are oriented toward, the pedestrian areas and surrounding buildings; and
 - f. Buildings that contain special architectural features to signify entrances.

All building materials shall be established on architectural elevations and supporting information.

- (5) *Building facade plan:* The architectural style and scale of new/renovated buildings within the CBD district shall be compatible with the styles and scale of other adjacent buildings. Therefore:
- a. In addition to the site plan which is required by section 28-26, a building facade plan shall also be required. The building facade plan shall be submitted in conjunction with the site plan application.
 - b. The building facade plan shall clearly show how any new structure and/or any structure that is undergoing exterior renovations will look, and shall portray a reasonably accurate depiction of the materials to be used. Especially significant is the way in which such structure(s) will be viewed from the thoroughfare upon which the property faces and/or sides.
 - c. Review, approval and appeal procedures shall be the same as the procedures for a site plan, as outlined in section 28-26.
 - d. The city manager (or his/her designee) may, as he/she deems appropriate, require submission of information and materials (possibly actual samples of materials to be used) additional to those initially submitted by the applicant during the building facade plan review process.
- (6) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
- Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).
 - Accessory structure and use regulations (section 28-103).
 - Fencing, walls and screening requirements (section 28-104).
 - Exterior construction and design requirements (section 28-105).
 - Supplemental regulations (section 28-106).
 - Performance standards (section 28-107).
 - Lighting and glare standards (section 28-108).
 - Home occupation regulations (section 28-109).
 - Special regulations for certain types of uses (section 28-110).

- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(31)(31.1–31.5), 4-14-09; Ord. No. 2013-O-7C, § 4, 7-9-13)

Sec. 28-60. - LI—Light industrial district.

- (a) *General purpose and description:* The LI—Light Industrial, district is intended primarily for the conduct of light manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits.
- (b) *Permitted uses:*
- (1) Those uses listed for the LI district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use which must be approved utilizing procedures set forth in section 28-63.
- (c) *Height regulations:*
- (1) *Maximum height:*
 - a. One hundred and twenty feet for the main building(s).
 - b. Other (section 28-106).
- (d) *Area regulations:*
- (1) *Size of lot:*
 - a. *Minimum lot area:* 10,000 square feet.
 - b. *Minimum lot width:* 100 feet.
 - c. *Minimum lot depth:* 100 feet.
 - (2) *Size of yards:*
 - a. *Minimum front yard:* 25-35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).
 - b. *Minimum side and rear yard:* Ten feet unless adjacent to a residentially zoned property (see below).
 - c. *Minimum side or rear yard adjacent to a residential district:* 30 feet for one-story building, and an additional 15 feet for every story (or fraction thereof) above one-story in height.
 - (3) *Maximum lot coverage:* Maximum 90 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).
 - (4) *Parking requirements:* As established by section 28-101, off-street parking and loading requirements.

- (5) *Minimum exterior construction standards:* See section 28-105.
- (e) *Special requirements:*
- (1) *Driveway spacing* (i.e., distance between driveways, measured edge-to-edge):
Shall conform to the latest TXDOT spacing standards.
 - (2) *Landscaping requirements:* See section 28-102.
 - (3) *Screening requirements:* See section 28-104.
 - (4) Outdoor retail sales which involve the outside display of merchandise and/or seasonal items, shall be limited to the following if not otherwise allowed by a specific use permit:
 - a. Shall not occupy any of the parking spaces that are required by this chapter for the primary use(s) of the property.
 - b. Shall not pose a safety or visibility hazard, impede public vehicular circulation, nor reduce pedestrian walkways below that required by applicable ADA accessibility standards, either on-site or off-site.
 - c. Shall not extend into public right-of-way or onto adjacent property (without property owner permission).
 - d. All outside display items that are used or second hand goods shall be moved indoors or stored in accordance with open/outside storage regulations at the end of business each day (outside display of used autos and decorative landscaping materials, after the end of the business day, shall be allowed in those districts where such land uses are permitted).
 - e. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
 - f. Outside retail sales and storage of compressed industrial gases (including propane) and associated containers used in the operation of a business or for general retail sales is permitted provided they are maintained in a secure area not larger than 100 square feet and do not violate fire or safety regulations.
 - (5) Open storage, without a specific use permit, is limited to a maximum of 20 percent of the total lot area, shall not be located in front of (i.e., on the street side of) or on top of the building.
 - (6) Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes.
 - (7) Other regulations: See sections 28-101 through 28-112 regarding development standards for:
 - Off-street parking and loading requirements (section 28-101).
 - Landscape requirements (section 28-102).

- Accessory structure and use regulations (section 28-103).
- Fencing, walls, and screening requirements (28-104).
- Exterior construction and design requirements (28-105).
- Supplemental regulations (28-106).
- Performance standards (section 28-107).
- Lighting and glare standards (section 28-108).
- Home occupation regulations (section 28-109).
- Special regulations for certain types of uses (section 28-110).
- Reserved for future use (section 28-111).
- Definitions (section 28-112).

(Ord. No. 2009-O-4A, §§ (III)(32)(32.1–32.5), 4-14-09; Ord. No. 2013-O-7C, § 5, 7-9-13)

Sec. 28-61. - Overlay and special districts.

Overlay districts shall be used in conjunction with base zoning districts where it is appropriate to do so. In the use of the following overlay zoning classifications, the base district shall remain in effect as it is already in existence unless changed by zoning amendment and in accordance with the provisions of section 28-24. New base districts or changes in existing base districts may be requested at the same time overlay or special prefix districts are requested.

(Ord. No. 2009-O-4A, §§ (III)(33)(33.1), 4-14-09)

Add:

Sec. 23-115. – Standard language for special plat elements.

C.

Fire lanes and fire easements.

That the undersigned does hereby covenant and agree that they shall construct upon the fire lane easements, as dedicated and shown hereon, a hard, all-weather surface and that they shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including

but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating: "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

Add:

I. Adequate and safe access.

7. All Cul-De-Sacs that are considered Fire Lane shall have a 47.5-foot minimum radius/ 95-foot diameter. Corner radius shall be per the fire lane width required.