



# AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** December 12, 2023

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Conduct a public hearing, discussion, and possible action on a request for approval of Ordinance No. 20231212-005-1 amending the City of Angleton Code of Ordinances, Zoning Chapter 28, and Ordinance No. 20231212-005-2 amending Chapter 23- Land Development Code.

**AGENDA ITEM SECTION:** Public Hearing and Action Item.

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**BUDGETED AMOUNT:** \$0 **FUNDS REQUESTED:** \$0

**FUND:** N/A

**EXECUTIVE SUMMARY:**

During the Council session on July 25, 2023, Staff provided City Council with an analysis of the yard setback requirements of the various Zoning District categories and subdivision design principles within the City of Angleton, as compared to neighboring municipalities (See the attached table).

Under the direction of the City Manager, Staff forward the legal notice of the Public Hearings to the Facts Newspaper on recommended changes to the Lot requirements and setback sections of the Zoning Ordinances. The recommended changes are under legal review and were considered by the Planning and Zoning Commission on November 2, 2023 for review, discussion, and action of recommendation to City Council, in which Council held and tabled its first public hearing on November 14, 2023. Meanwhile, Staff will continue to engage the development professionals, legal, and community for input, participation, and comment.

In summary, Staff is recommending an increase on the standard residential lot to be located at least 35 ft. from the R.O.W., having at least a setback of 10 feet. Staff will continue to fine-tune the minimum driveway depths, as well as stipulations of keeping the cul-de-sac street parking as prohibited. Please see the mark-up attachment(s) to the Code of Ordinances applicable sections.

Commercial District front setbacks are recommended to be increased to 35 ft. minimum as well, with the exception of the CBD- Downtown area remaining as-is.

During the Council work session discussion of cul-de-sacs was commented on. Staff is recommending the following:

*(ADD) PARKING ON CUL-DE-SACS PROHIBITED.*

*(a) No person shall stop, stand or park any vehicle upon any cul-de-sac within the City except while actually loading and unloading and then only for a period not to exceed thirty minutes.*

*(b) All cul-de-sacs within the City are hereby designated as fire lanes.*

Sec. 23-99. - LDC Text amendment

C. Criteria for approval. The following criteria should be considered by the commission and council as findings of fact. The proposed amendment sets out to accomplish the following:

1. Promotes the health, safety, and general welfare of the city;
2. Promotes the safe, orderly, efficient and healthful development of the city;
3. Consistent with other policies of this LDC and the Angleton Comprehensive Plan; and
4. Any other criteria which, at the discretion of the commission and council, are deemed relevant and important.

Staff has determined that from a safety standpoint the proposed text amendments are consistent with the goals and strategies promoted in the City's most current Comprehensive Plan. Vehicular encroachments beyond the line of travel area for pedestrians or would continue to pose a threat to their health, safety and welfare of the neighborhoods if not reduced.

# Photos of Challenging Scenarios

## Photos of Challenging Scenarios



## **Findings and Goals as strategized within the City's Comprehensive Plan:**

- Utilize planned development provisions to encourage innovative and imaginative site design that minimizes adverse impacts on adjacent properties.
- Protect the integrity of existing neighborhoods from intrusion by undesirable land uses through enforcement of development-related ordinances.
- Enhance existing neighborhoods through improvements to the public right of way (such as street trees), protection of open spaces and scenic areas utilizing quality signage, landscaping, sidewalks, subsurface drainage and lighting. The proposed changes will allow for safe travel both on emergency vehicle access as well as sound pedestrian walkability and avoidance of sidewalk encroachment of parked vehicles.
- Revising the development related ordinances such as Zoning and subdivision requirements.
- Enhancing existing neighborhoods through improvements to the public right of way (such as street trees), protection of open spaces and scenic areas utilizing quality signage, landscaping, sidewalks, etc.
- Angleton can grow sensibly by: balancing economic development and environmental protection; focusing new development where public services and utilities are already available; actively supporting redevelopment of older areas and vacant buildings; valuing its downtown and vibrant mixed-use areas; maintaining an efficient street network and infrastructure system; providing convenient neighborhood shopping and attractive parks; and, ensuring pedestrian-friendly commercial districts and walking connections between neighborhoods, parks and schools.

*Staff has included below, the comments compiled during and after the Workshop on October 26, 2023 with development community: The video recording can be accessed by clicking or copy/pasting the following link: <https://angletontx.new.swagit.com/videos/277605>*

WORKSESSION 10/26/2023 Comments/Questions	Method of Input	Response
<i>A lot of developers are using 12" wide lay down curbs instead of 6" upright. Adjust widths as needed. Probably best to just specify travel width.</i>	<i>Emailed Comment</i>	
<i>Recommend that for pavement width you specify if this is travel width or back of curb to back of curb.</i>	<i>Emailed Comment</i>	
In newer neighborhoods with smaller backyards, how does that work or affect the rear yards.	Comments made in Person	The objective is to try to maintain a minimum rear yard of 20 feet. The front yard increase is triggered due to the Safety issues of the driveway parking encroaching into the sidewalk/apron.
Are these applicable only in the City Limits.	In-person	This would apply where we have Zoning authority within the City Limits.
What are the conditions of grandfathering on already approved plats?	In-person	The grandfathering/non-conforming legal constraints will still be applied. We will work with Legal to determine any sunshining clauses in instances where we do have enforceability.
What about Ancillary Structures (Accessory Structures)?	In-person	Lot coverage and lot density is important. We will still accommodate pool houses and RV garages. Usually lots having those accessory uses and structures are larger in nature.
Parking on 1 side of the street? Do we have that same rule for blocking of sidewalks?	In-person	Currently Staff is not aware of such a rule of thumb; however, if we were to receive accessibility related complaints we would respond accordingly. Staff added that the criteria for making this form of ordinance text amendment will have to be considered.
<i>25' setbacks are the most typical front yard setbacks that we see in Houston.</i>	In-person	
Would the setbacks, especially apply to rear/alleyway loaded lots?	Live Chat/Webinar	We would retain the provisions within the CBD downtown area to allow for rear access garages with reduced setbacks. We would not have the same sidewalk challenges.
How would the setback increase affect fire truck hose-reach?	In-person	We will ensure that the new regulations do not violate any requirements on residential that are currently being regulated. We will engage the Fire Chief.
<i>Other areas have 2 separate setbacks on a Corner lot situation; i.e. a 20 ft. for the Garage and then a separate requirement on the main structure at 15 ft.</i>	In-person	Staff will consider that flexibility.

**RECOMMENDATION:**

City Council should reconvene the Public Hearing, have discussion, receive any additional public input and vote to approve the ordinance amending the Text of City of Angleton Code of Ordinances, Zoning Chapter 28, and Chapter 23- Land Development Code, including Sections 28-41 through Sections 28-62 - Residential and Commercial Zoning Districts regarding the Zoning setback and lot size/type regulations.