

KEY EXCERPTS FOR DEVELOPMENT WITHIN MUC DISTRICT:

DEVELOPMENT CODE, CHAPTER 2 (ZONING) ARTICLE II

PART 15. MIXED USE CONSERVATION DISTRICT (MUC)

Sec. 2-165. Purpose and Intent.

The Mixed Use Conservation District is intended to preserve the local heritage by protecting the visual character of the existing residential and Nonresidential Uses and Structures within the district which are considered significant to the history and origin of the City of Sugar Land and to:

- (a) Sustain and enhance the economic viability of the older, existing predominantly residential neighborhoods while permitting a reasonable amount of restricted Nonresidential Use;
- (b) Promote development or redevelopment that is substantially consistent and compatible with the character and physical appearance of the existing mixed use neighborhoods; and
- (c) Prevent encroachment of incompatible, new development that would disturb the heritage and local historic significance of the District.

Sec. 2-166. Permitted uses and site development permit.

- (a) As shown in the Land Use Classification Matrix. [SEE ATTACHED]
- (b) The Planning and Zoning Commission may grant a Site Development Permit for a building that does not comply with Section 2-167(b), (c), or (d) if the Commission determines that the proposed building is compatible with the existing character of the district. If the Commission denies a Site Development Permit, an applicant may appeal the denial to City Council by submitting a written request to the Director within 30 days of the date of denial. The City Council may approve or deny the request, return it to the Commission for further consideration, or take whatever other action the Council deems appropriate.
(Ord. No. 1201, § 1, 9-28-99; Ord. No. 1645, § 2, 10-2-07)

Sec. 2-167. District Regulations.

- (a) The following regulations apply in the Mixed Use Conservation District:
 - (1) *Minimum Lot Area* --6,600 square feet;
 - (2) *Maximum Lot Coverage* --40 percent;
 - (3) *Maximum Height of Structures:*
 - (A) *North of Guenther* --27 feet from finished grade.
 - (B) *South of Guenther:*
 - (i) One and one-half stories but not more than 20 feet from finished grade to peak of roof if within 75 feet of the front lot line;
 - (ii) Twenty-seven feet from the finished grade if beyond 75 feet of the front lot line;
 - (4) *Yards:*
 - (A) *Front* --20 feet;
 - (B) *Rear* --Minimum of 25 feet;
 - (C) *Side: residential use* --Ten percent of lot width, but not less than five feet;
 - (D) *Side: nonresidential use* --Minimum of ten feet;
 - (E) *Street side* --Minimum of 15 feet;
 - (5) *Minimum Lot Width:*
 - (A) *Corner lots* --75 feet;

- (B) *All other lots* --60 feet;
 - (6) *Minimum Lot Depth* --125 feet;
 - (7) *Minimum Parking Lot Setbacks:*
 - (A) *Front and street side lot lines* --15 feet;
 - (B) *Rear and side lot lines* --Six feet;
 - (8) *Minimum of 30 percent of Lot not covered by buildings, pavement or gravel;*
 - (9) *No attached garages are permitted.*
 - (b) The following regulations apply to principal buildings in the Mixed Use Conservation District:
 - (1) Must be constructed on the front of the lot;
 - (2) Front porch required:
 - (A) Minimum of ten percent of width of front facade of the building;
 - (B) If covered--20 foot front yard;
 - (C) If not covered--May extend up to five feet into required front yard;
 - (3) Gable roof required on all sides of the building:
 - (A) Minimum overhang--One foot;
 - (B) Maximum overhang--Two feet;
 - (4) Partial hip roof required on all buildings located at 322 Brooks St. and south;
 - (5) Maximum Floor Area of Principal Building:
 - (A) If South of Guenther--1,500 square feet;
 - (B) If North of Guenther--2,000 square feet.
 - (c) The following regulations apply to non-accessory buildings constructed in the Mixed Use Conservation District:
 - (1) Principal building must comply with all regulations in 2-167(a) and 2-167(b) and must be used for permitted commercial uses.
 - (2) Non-accessory building must be built on the rear of the lot.
 - (3) Non-accessory building must be used as a single-family residence and be occupied by the operator of the business in the principal building.
 - (4) Minimum front yard of non-accessory building--75 feet.
 - (d) The following regulations apply to accessory buildings in the Mixed Use Conservation District:
 - (1) Minimum front yard--50 feet.
 - (2) May not exceed the height of any other building existing on the site.
 - (e) In this section, a partial hip roof means a roof where one-quarter to one-half of the roof, as measured vertically from the top of the roof to the base of the roof, slopes down to the front facade of the building.
- (Ord. No. 1127, § 1, 9-1-98; Ord. No. 1201, § 2, 9-28-99; Ord. No. 1645, § 2, 10-2-07; Ord. No. 1723, § 1, 12-16-08)

Sec. 2-168. Special Regulations for Nonresidential Uses.

- (a) *Purpose.* The purpose of this section is to maintain the residential character of the district by providing regulations for Nonresidential Uses in the district to insure that the use does not adversely affect the residential character of the district.
- (b) *Application.* The regulations of this section apply to any property in the district that is changed from a Residential Use to a Nonresidential Use. These regulations control over any other conflicting regulations contained in the Development Code.

(c) *Site Plan Review.* Before any certificate of occupancy is issued for any Building in the district that is changed from a Residential Use to a Nonresidential Use or before any Parking Lot is installed in the district, the applicant shall submit a site plan for the property in the form and containing the information specified by the Director. A certificate of occupancy shall not be issued and a Parking Lot shall not be installed until the Director certifies that the occupancy or Parking Lot will comply with the regulations of this Code.

(d) *Parking and driveway regulations.*

(1) New parking lots must be constructed to the rear of the principal building.

(2) Parking lots and driveways must be constructed of concrete, asphalt, or gravel.

(3) Driveways shared by abutting properties must be at least 20 feet in width at the right-of-way line. Property owners using shared driveways must submit an agreement to the City with the required site plan providing for joint use of the shared driveway.

(4) A one-car garage and the driveway is counted as one parking space for the purpose of complying with the City's off-street parking schedule. A two-car garage is counted as two parking spaces.

(5) Parking spaces currently designated in the Brooks Street right-of-way and located entirely within the property's north and south lot lines, will be counted as parking spaces for the purpose of complying with the City's off-street parking schedule.

(e) *Landscape and Screening Regulations.* In lieu of the regulations found in sections 3-5, 3-6, and 3-7 of the Development Code, the following landscape and screening requirements apply:

1. All portions of the ground located in the Front Yard or the Street Side Yard of the premises which are not covered by driveways, Parking Lots, and similar permanent improvements, must be Landscaped.

2. A Parking Lot located within a Front Yard or Street Side Yard must have a 15-foot wide Landscaped Area located between all portions of the Parking Lot and the Street. The Landscaped Area must have a continuous hedge of a minimum height of four feet to screen the Parking Lot from the Street.

3. A parking lot located in a side or rear yard must have a continuous hedge, Fence, or berm, of a minimum height of four feet located between the Parking Lot and Lot Line.

(f) *Lighting Requirements.* Lighting used to illuminate parking lots must be arranged, located, or screened to direct light away from any adjoining or abutting lot used for residential use.

(g) *Merchandise.* It is unlawful for any person to display or store any merchandise outside of a building. Merchandise means the commodities or goods that are bought and sold in business.

(Ord. No. 1201, § 3, 9-28-99; Ord. No. 1645, § 3, 10-2-07)

Sec. 2-169. Special Sign Regulations.

(a) The sign regulations of this section apply to any lot in the district that fronts upon Venice Street, the west side of Brooks Street, or the north side of Guenther Street, which contains a structure originally designed for residential use, but which structure is now primarily devoted to a lawful non-residential use.

(b) The regulations of this section shall govern over any conflicting sign regulations contained in Chapter 4 of the Sugar Land Development Code.

(c) A freestanding sign is not permitted on the lot.

(d) The primary structure on the lot may contain one wall sign meeting the following requirements:

(1) The sign may not exceed three square feet or have a dimension exceeding 36 inches;

- (2) The sign may not have internal or exterior lighting; and
 - (3) The sign may not be constructed of any material other than wood or metal.
 - (e) A wall sign may not be located on an accessory building or structure.
 - (f) Signs advertising the nonresidential use of the structure may not be located in or affixed to any glass of a window or door so as to be visible from any public street.
 - (g) In this section, an "attached sign" means a sign that extends out perpendicular from the wall to which it is attached.
- (Ord. No. 1127, § 2, 9-1-98)

EXCERPT OF SPECIFIC BUILDING FINISH REQUIREMENTS FOR MUC DISTRICT FOR NEW NON-RESIDENTIAL CONSTRUCTION (Chapter 2, Article X)

Sec. 2-301. Definitions. *Primary Finish* means an exterior finish consisting of masonry, glass wall, or combination thereof. In the B-1 and B-2 zoning districts primary finish also means cementitious stucco. In the MUC district, primary finish means: (1) wood or fiber cement siding for all detached garages in the district, (2) wood or fiber cement siding for all principal, accessory, and non-accessory buildings located at 314 Brooks Street and north, and (3) brick for all principal, accessory, and non-accessory buildings, except detached garages, located at 318 Brooks Street and south.

Secondary finish means an Exterior Finish consisting of Concrete Masonry Units, Exterior Insulated Finish Systems (E.F.I.S.), fiber reinforced cement exterior siding, wood materials, or a combination thereof. In the B-O, MUC and residential zoning districts, secondary finish also means cementitious stucco.

Sec. 2-303. Finish Requirements for Specified Districts.

(b) In the Business Office (B-O) and the Mixed Use Conservation (MUC) zoning districts, 85% of the Exterior Finish must be of a Primary Finish.

Sec. 2-304. Requirements Applicable to all Finishes.

- (a) Brick, Thin Brick, naturally occurring stone, manufactured stone, Concrete Masonry Units, and cementitious stucco may not be painted.
- (b) Concrete finish and pre-cast concrete panels must be profiled, sculptured, fluted, exposed aggregate or other architectural concrete finish. In the B-1 and B-2 districts, concrete finish and pre-cast concrete panels on rear Exterior Walls may be smooth when screened from a public street.
- (c) Glass walls may include Glass Curtain Walls or glass block construction.
- (d) E.I.F.S. materials may not be used at any height within six feet of grade level in any area accessible to pedestrians, vehicles or otherwise subject to damage.

Sec. 2-305. Prohibited Building Materials.

The following construction materials may not be used as an Exterior Finish:

- (a) Vinyl siding, wood fiber hardboard siding, oriented strand board siding, corrugated or ribbed metal, plastic, or fiberglass panels;
- (b) Galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finishes;
- (c) Unfired or underfired clay, sand, or shale brick;
- (d) Concrete Masonry Units as a primary exterior finish;
- (e) Smooth or untextured concrete finishes.

(Ord. No. 1357, § 1, 7-2-02)

Sec. 2-306. Alternative Construction Materials.

The Director may approve alternative Primary or Secondary Exterior Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Exterior Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.

(Ord. No. 1357, § 1, 7-2-02)

EXCERPT REGARDING ACCESSORY QUARTERS, CHAPTER 2, ARTICLE IV

Sec. 2-200. Accessory Quarters. A single-family detached dwelling located in a R-1, R-1R, R-1E, HR-1 or MUC zoning district may provide for an additional dwelling unit as accessory quarters located in the Principal Building or as part of a detached garage, if the accessory quarters:

- (a) Does not contain more than 600 square feet of living space, and
- (b) The occupant or occupants do not pay compensation for the use of the accessory quarters.

(Ord. No. 1645, § 4, 10-2-07)

EXCERPT OF ALLOWED USES FOR MUC DISTRICT (Chapter 2, Article II , Section 2-55 Land Use Matrix) BY SIC CODE NO.

4311 US POSTAL SERVICE
4724 TRAVEL AGENCIES
4729 ARRANGEMENT OF PASSENGER TRANSPORTATION (Not elsewhere classified)
6411 INSURANCE AGENTS, BROKERS, AND SERVICES
6512 OPERATORS OF NONRESIDENTIAL BUILDINGS
6513 OPERATORS OF APARTMENT BUILDINGS (OFF-SITE MANAGEMENT ONLY)
6514 OPERATORS OF DWELLINGS OTHER THAN APARTMENT BUILDINGS
6531 REAL ESTATE AGENTS AND MANAGERS
6541 TITLE ABSTRACT OFFICES
6722 MANAGEMENT INVESTMENT OFFICES, OPEN-END
7221 PHOTOGRAPHIC STUDIOS, PORTRAIT
7231 BEAUTY SHOPS
7241 BARBER SHOPS
7311 ADVERTISING AGENCIES
7371 COMPUTER PROGRAMMING SERVICES
8111 LEGAL SERVICES
8651 POLITICAL ORGANIZATIONS
8661 RELIGIOUS ORGANIZATIONS
8711 ENGINEERING SERVICES
8712 ARCHITECTURAL SERVICES
8713 SURVEYING SERVICES
8742 MANAGEMENT CONSULTING SERVICES
8743 PUBLIC RELATIONS SERVICES
8748 BUSINESS CONSULTING SERVICES, (Not elsewhere Classified)
8999 SERVICES, NOT ELSEWHERE CLASSIFIED
9999 RESIDENTIAL, SINGLE-FAMILY
5932 ANTIQUE AND BOOK STORES ONLY
8721 ACCOUNTING SERVICES

Current as of May 2010