

203 Shady Nook Lane – Building Guidelines

Lot size: 120' deep x 84' wide; 10,800SF

Current Zoning: Multi-Family Low Density

Single-family home or Duplex could be built here, so long as city requirements are followed. See attached Matrix and Ordinance posted in Docs.

Setbacks:

Single-Family -- 25' front building line; 25' rear building line; 10' side building lines; 40' maximum building height

Detached Garage --10' rear building line; 5' side building lines; 25' maximum building height

50% maximum lot coverage for structure only (does not include driveways)

Duplex -- 25' front building line; 25' rear building line; 10' side building lines; 40' maximum building height

Detached Garage--10' rear building line; 5' side building lines; 25' maximum building height

50% maximum lot coverage for structure only (does not include driveways)

This is an existing Nonconforming Lot:

Zoning Ordinance

Section 6

C. *Nonconforming lots.*

1. *Development.* Development shall be permitted on any single nonconforming lot of record. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply if the lot is nonconforming only because it fails to meet the requirements for size (area, width, or depth) that are generally applicable in such district. Yard dimensions and requirements, other than those applying to area, width, or depth, any or all, of the lot shall conform to the regulations of applicable zoning district. Variance of yard requirements shall be obtained only through action of the board of adjustment. Development may still be restricted by limitations imposed by other provisions of this appendix.
2. *Subdivision.* Nonconforming lots may not be further subdivided.
3. *Combination.* Nonconforming lots may be combined and treated as a single lot for development, without platting or replatting, even if the resulting nonconforming lot is nonconforming.

REGULATION MATRIX - RESIDENTIAL DISTRICTS

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

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

MFR - M Multi Family - Medium	9	—	—	<u>25</u> B	0	10 E, I	<u>25</u> B	<u>20</u> C	40	K	No	<u>50</u>
MFR - H Multi Family - High	12	—	—	<u>25</u> B	0	10 E, I	<u>25</u> B	<u>20</u> C	40	K	No	<u>50</u>
MHR Mobile Home	10	—	—	<u>25</u> B	<u>25</u>	10 I	<u>30</u>	<u>25</u> B	<u>20</u>	K	No	<u>50</u>
A I	—	—	—	<u>25</u> B	<u>25</u>	10 I	<u>25</u> B	<u>20</u> C	40	K	No	10%
MFR-GHD Garden Home District	6	6,000	60	<u>20</u> B, H	<u>20</u>	0 D, J	5 B, H	4 C, H	40	K	Yes D	<u>50</u>

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
- B. Thirty-five feet on thoroughfares.
- C. Twenty-five feet on thoroughfares.
- D. Zero set-back on side only, minimum five-foot separation between buildings.
- E. Ten foot minimum separation between buildings.
- F. Lots currently in existence with less than 90 feet of width may continue with the same existing set back provided they are not less than a minimum of five feet.
- G. Developer must elect either units per acre or lot area. Two family residential units on two lots are required when lot area is elected.
- H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the Drain age Utility/Access easement (if streets are private) whichever is greater.
- I. Twenty-five feet when abutting land zoned single-family residential (SFR) district.
- J. Ten feet when abutting land zoned anything other than MFR - GHD (Garden Home District).
- K. Parking is required in accordance with the Parking Group Table in the Design Criteria Manual.

3. Area and height exceptions.

- a. Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet.
- b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts:
 1. On buildings or structures located in these districts, finials, crosses, and other religious symbols shall not extend more than ten feet above the building or extend more than ten feet above the allowable building height; and
 2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- c. Exceptions for the downtown district (DD):
 1. On buildings or structures located in the downtown district (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and
 2. Finials, crosses, and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- d. Communications towers height criteria:
 1. Height limitations of communication towers. The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by city council.
 2. Height limitations for communication towers placed on existing buildings. Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.
 3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.
- e. Buildings or structures located in a planned unit development (PUD): Buildings and structures located in a planned unit development (PUD) shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a PUD application will be as established in the ordinance authorizing and approving the PUD.
- f. Accessory buildings or structures in residential districts: Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within

residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.

- g. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- h. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- i. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- j. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
 - 1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 - 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING APPENDIX C ZONING ORDINANCE "SECTION 7.P.6. PERMITTED USE TABLE" TO ALLOW LESS DENSE RESIDENTIAL USES IN HIGHER DENSE RESIDENTIAL DISTRICTS BY DEFINING RESIDENTIAL USES IN THE TABLE AND AMENDING "SECTION 7. B. (R-2 AND R-3) MFR-L, RESIDENTIAL, GENERAL PURPOSE AND DESCRIPTION," "SECTION 7.C.(R-4) MFR-M, RESIDENTIAL, GENERAL PURPOSE AND DESCRIPTION," AND "SECTION 7.D.(R-5) MFR-H, RESIDENTIAL, GENERAL PURPOSE AND DESCRIPTION" TO REQUIRE THE LESS DENSE RESIDENTIAL USE LOCATED IN HIGHER DENSE RESIDENTIAL DISTRICTS TO MEET THE DISTRICT REGULATIONS OF THE LESS DENSE DISTRICT; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2,000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

WHEREAS, the City Council finds it necessary to allow less dense residential uses in higher dense residential districts; and

WHEREAS, the less dense use should abide by the regulations of the less dense district; and

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted public hearings in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

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

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 7.P.6. Permitted Use Table” is hereby amended by inserting the following table prior to the existing table:

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

Section 3. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 7. B. (R-2 and R-3) MFR-L, residential, general purpose and description,” “Section 7.C.(R-4) MFR-M, residential, general purpose and description,” and “Section 7.D.(R-5) MFR-H, residential, general purpose and description” is hereby amended to read as follows:

B. *(R-2 and R-3) MFR-L, residential, general purpose and description.* The MFR-L, Multiple-Family Residential Dwelling—Low-Density District, is intended to provide for lowest-density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in a maximum density of six dwelling units per acre. The principal use of land may be one or several dwelling types, including multiple-family dwellings, and including two-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The multiple-family residential dwelling district—low functions as a buffer or transition between commercial or higher density residential areas and lower density areas. The intent of these regulations is to allow development of property which may have a limited area suitable for residential development due to a portion of the property being flood-prone or adjacent to a district of a different zoning designation.

1. Area and height regulations. Area and height regulations in an MFR-L district are set forth in subsection Q.2 of this section, regulation matrix, **provided, however, that for SFR uses permitted in MFR-L districts, all the district regulations for SFR development shall apply, including but not limited to lot area, width and set-back requirements.**
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-L district are set forth in subsection P of this section, permitted use table.

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

1. Multifamily residential area and height regulations. Area and height regulations in an MFR-M district are set forth in subsection Q.2 of this section, regulation matrix, **provided, however, that for MFR-L uses permitted in MFR-M districts, all the district regulations for MFR-L development shall apply, including but not limited to lot area, width and set-back requirements.**
2. See section 8 for supplementary district regulations
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-M district are set forth in subsection P of this section, permitted use table.

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

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

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

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

1. Area and height regulations. Area and height regulations in an MFR-H district are set forth in subsection Q.2 of this section, regulation matrix, **provided, however, that for MFR-L and MFR-M uses permitted in MFR-H districts, all the district regulations for MFR-L and MFR-M development shall apply, including but not limited to lot area, width and set-back requirements.**

2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-H district are set forth in subsection P of this section, permitted use table.

Section 4. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 5. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 6. That 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 Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 1st day of February 2021.

PASSED, APPROVED, AND ADOPTED on second and final reading this 1st day of March 2021.



Mike Foreman
Mayor

ATTEST:

Melinda Welsh

Melinda Welsh, TRMC
City Secretary

