

City of Bellaire

ORDINANCE NO. 20-054

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 24, PLANNING AND ZONING, ARTICLE V, ZONING REGULATIONS, DIVISION 2, ZONING DISTRICT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY AMENDING SECTION 24-531, R-1 RESIDENTIAL DISTRICT; SECTION 24-532, R-3 RESIDENTIAL DISTRICT; SECTION 24-533, R-4 RESIDENTIAL DISTRICT; SECTION 24-534, R-5 RESIDENTIAL DISTRICT; SECTION 24-537A, R-M.2-O RESIDENTIAL-OFFICE MIXED-USE DISTRICT; AND SECTION 24-541, LOOP 610 DISTRICT, TO REVISE THE METHOD OF CALCULATING MAXIMUM BUILDING HEIGHT OF RESIDENTIAL STRUCTURES

WHEREAS, the Planning and Zoning Commission of the City of Bellaire, Texas (the “Planning and Zoning Commission”), did, by memorandum, from Ross Gordon, Chairman of the Planning and Zoning Commission, recommend to the City Council of the City of Bellaire, Texas (the “City Council”) amendments to Chapter 24, Planning and Zoning, Article V, Zoning Regulations, Division 2, Zoning District Regulations, of the Code of Ordinances of the City of Bellaire, Texas (the “City Code”) by amending Section 24-531, R-1 Residential District; Section 24-532, R-3 Residential District; Section 24-533, R-4 Residential District; Section 24-534, R-5 Residential District; Section 24-537a, R-M.2-O Residential-Office Mixed-Use District; and Section 24-541, Loop 610 District, to revise the method of calculating the maximum building height of residential structures; and

WHEREAS, the City Council, after duly giving notice as required by law, held a public hearing on the 21st day of December, 2020, at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the purpose of hearing any and all persons desiring to be heard on or in connection with any matter or question involving the amendments of amendments to Chapter 24, Planning and Zoning, Article V, Zoning Regulations, Division 2, Zoning District Regulations, of the City Code by amending Section 24-531, R-1 Residential District; Section 24-532, R-3 Residential District; Section 24-533, R-4 Residential District; Section 24-534, R-5 Residential District; Section 24-537a, R-M.2-O Residential-Office Mixed-Use District; and Section 24-541, Loop 610 District; and

WHEREAS, the City Council, having duly received the memorandum of recommendation of the Planning and Zoning Commission and holding a public hearing on the proposed amendments

included within the recommendation, considered the recommendation at the regular meeting held on the 21st day of December, 2020; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:

Section 1. **THAT** Chapter 24, Planning and Zoning, Article V, Zoning Regulations, Division 2, Zoning District Regulations, of the Code of Ordinances of the City of Bellaire, Texas (“City Code”) is hereby amended as follows: Section 24-531, R-1 Residential District; Section 24-532, R-3 Residential District; Section 24-533, R-4 Residential District; Section 24-534, R-5 Residential District; Section 24-537a, R-M.2-O Residential-Office Mixed-Use District; and Section 24-541, Loop 610 District, to revise the method of calculating the maximum building height of residential structures; said revised City Code shall read as set out in Appendix “A” attached hereto. All other portions of Chapter 24, Planning and Zoning, of the City Code not specifically amended, deleted, added and/or revised hereby shall remain in full force and effect.

Section 2. **THAT** all ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of conflict only.

Section 3. **THAT** if any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section, or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

Section 4. **THAT** the City Council officially finds, determines, and declares that a sufficient written notice of the date, hour, place, and subject of each meeting at which this Ordinance was discussed, considered, or acted upon was given in the manner required by the *Texas Open Meetings Act*, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration, and action. The City Council ratifies, approves, and confirms such notices and the contents and posting thereof.

Section 5. **THAT** this Ordinance shall be effective immediately upon its adoption by the City Council.

PASSED, APPROVED, and ADOPTED this 21st day of December, 2020.

SIGNED:

Andrew S. Friedberg
Mayor

ATTEST:

Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

APPENDIX "A"
TO
ORDINANCE NO. 20-054
(ATTACHED)

(Language to be added shown by underline, language to be deleted shown by strike-out)

Chapter 24 – PLANNING AND ZONING
ARTICLE V. – ZONING REGULATIONS
DIVISION 2. – ZONING DISTRICT REGULATIONS

Section to be Amended:

Sec. 24-531. - R-1 Residential District.

- A. *Purpose.* The R-1 Residential District is a low density residential area characterized by the zoning requirements set forth in this Section.
- B. *Unzoned property.* All property not included in a zoning district or for any reason removed from an established zoning classification, shall be deemed included in the R-1 Residential District although not so delineated on the Official Zoning District Map.
- C. *Uses.*
 - (1) *Permitted uses:*
 - a) Single-family dwellings.
 - b) Public parks.
 - c) Utilities:
 - 1) Telephone lines and related cross connecting points.
 - 2) Local utility distribution lines.
 - d) Accessory uses, subject to the requirements of Section 24-510.
 - e) Home occupations, subject to the requirements of Section 24-517.
 - f) Facilities owned and maintained by the City.
 - g) Deleted.
 - (2) *Specific uses:*
 - a) Schools.
 - b) Churches.
- D. *Standard regulations.*
 - (1) *Residential structures.*
 - a) *Size and area.*
 - 1) *Minimum lot area:* 14,400 square feet.
 - 2) *Minimum lot width:* 80 feet.
 - 3) *Minimum lot depth:* 125 feet.

- 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed ~~forty~~ (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

- 5) *Minimum floor area per dwelling unit:* 1,600 square feet.
- 6) *Minimum required yards:*
- a. *Front yard:* Fifty (50) feet;
 - b. *Side yard:* Eight (8) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required.

Architectural features: the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are

attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted.

c. *Rear yard:*

1. For the main residential structure, ten (10) feet from any alley or easement;
2. For any accessory structure, five (5) feet from the rear property line; and
3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.

7) *Maximum lot coverage:* 55 percent of lot area.

b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.

(2) *Nonresidential structures.*

- a) *Reserved.*
- b) *Reserved.*

Section to be Amended:

Sec. 24-532. - R-3 Residential District.

A. *Purpose.* The R-3 Residential District is a lower medium density residential area characterized by the zoning requirements set forth in this Section.

B. *Uses.*

(1) *Permitted uses.*

- a) Single-family dwellings;
- b) Public parks;
- c) Utilities:
 - 1) Local utility distribution lines; and
 - 2) Telephone lines and related cross connecting points.
- d) Accessory uses, subject to the requirements of Section 24-510;
- e) Home occupations, subject to the requirements of Section 24-517;
- f) Facilities owned and maintained by the City;
- g) Deleted;
- h) Planned Development: Loop 610 Residential.

(2) *Specific uses.*

- a) Schools; and
 - b) Churches.
- C. *Standard regulations.*
 - (1) *Residential structures.*
 - a) *Size and area:*
 - 1) *Minimum lot area:* 7,400 square feet;
 - 2) *Minimum lot width:* 60 feet;
 - 3) *Minimum lot depth:* 100 feet;
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.
 - 5) *Minimum floor area per dwelling unit:* 1,250 square feet;
 - 6) *Minimum required yards:*
 - a. *Front yard:* Thirty (30) feet;
 - b. *Side yard:* Eight (8) feet for lots having a width greater than ninety (90) feet and six (6) feet for lots having a width less than or equal to ninety (90) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On

lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required;

Architectural features: the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted;

c. *Rear yard:*

1. For the main residential structure, ten (10) feet from the rear property line;
2. For any accessory structure, five (5) feet from the rear property line; and
3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.

7) *Maximum lot coverage:* 55 percent of lot area.

- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.

(2) *Nonresidential structures.*

- a) *Reserved.*
- b) *Reserved.*

Section to be amended:

Sec. 24-533. - R-4 Residential District.

A. *Purpose.* The R-4 Residential District is a medium density residential area characterized by the zoning requirements set forth in this Section.

B. *Uses.*

(1) *Permitted uses:*

- a) Single-family dwellings;
- b) Public parks; and
- c) Utilities:
 - 1) Local utility distribution lines;

- 2) Telephone lines and related cross connecting points;
 - 3) Accessory uses, subject to the requirements of Section 24-510;
 - d) Home occupations, subject to the requirements of Section 24-517;
 - e) Facilities owned and maintained by the City; and
 - f) Deleted.
- (2) *Specific uses:*
- a) Schools; and
 - b) Churches.
- C. *Standard regulations:*
- (1) *Residential structures.*
- a) *Size and area:*
 - 1) *Minimum lot area:* 5,000 square feet;
 - 2) *Maximum lot coverage:* For lots having an area equal to or less than seven thousand (7,000) square feet: Sixty (60) percent of lot area. Maximum lot coverage for lots having an area greater than seven thousand (7,000) square feet: the greater of four thousand two hundred (4,200) square feet or fifty-five (55) percent of lot area.
 - 3) *Minimum lot depth:* 100 feet;
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.
- To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

- 5) *Minimum floor area per dwelling unit:* 1,100 square feet;
- 6) *Minimum required yards:*
 - a. *Front yard:* Twenty-five (25) feet;
 - b. *Side yard:* Eight (8) feet for lots having a width greater than ninety (90) feet and six (6) feet for lots having a width greater than seventy (70) feet and equal to or less than ninety (90) feet and five (5) feet for lots having a width less than seventy (70) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet. For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line which such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required;
 - c. *Architectural features:* the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted.
 - d. *Rear yard:*
 - 1. For the main residential structure, ten (10) feet from the rear property line;
 - 2. For any accessory structure, five (5) feet from the rear property line;
 - 3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.
- 7) *Maximum lot coverage:* 60 percent of lot area.
- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.
- (2) *Nonresidential structures.*
 - a) *Reserved.*
 - b) *Reserved.*

Section to be amended:

Sec. 24-534. - R-5 Residential District.

- A. *Purpose.* The R-5 Residential District is a medium to upper medium density residential area characterized by the zoning requirements set forth in this Section.
- B. *Uses:*
- (1) *Permitted uses:*
- a) Single-family dwellings;
 - b) Public parks;
 - c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points;
 - d) Accessory uses, subject to the requirements of Section 24-510;
 - e) Home occupations, subject to the requirements of Section 24-517;
 - f) Facilities owned and maintained by the City; and
 - g) Planned Development: Residential.
- (2) *Specific uses:*
- a) Schools; and
 - b) Churches.
- C. *Standard regulations:*
- (1) *Residential structures:*
- a) *Size and area:*
 - 1) *Minimum lot area:* 5,000 square feet;
 - 2) *Minimum lot width:* 50 feet;
 - 3) *Minimum lot depth:* 100 feet;
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

- 5) *Minimum floor area per dwelling unit:* 1,100 square feet;
- 6) *Minimum required yards:*
 - a. *Front yard:* Twenty-five (25) feet;
 - b. *Side yard:* Eight (8) feet for lots having a width greater than ninety (90) feet and six (6) feet for lots having a width greater than seventy (70) feet and equal to or less than ninety (90) feet and five (5) feet for lots having a width of less than seventy (70) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet.

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required;
 - c. *Architectural features:* the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted;
 - d. *Rear yard:*
 1. For the main residential structure, ten (10) feet from the rear property line;
 2. For any accessory structure, five (5) feet from the rear property line; and
 3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.

- 7) *Maximum lot coverage:* 55 percent of lot area.
- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.
- (2) *Nonresidential structures:*
 - a) *Reserved.*
 - b) *Reserved.*
- D. *Planned Development: Residential.* Planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations.
 - (1) *Size and area:*
 - a) *Project area:* A planned development in an R-5 Residential District shall have a minimum site of two (2) acres except in the event that a site of less than two (2) acres is bounded on two or more sides by town homes. In the latter instance the minimum size and area shall be that which is designated on the approved plat of the planned development. In either event the project area shall have a minimum average equivalent lot size of 5,000 square feet;
 - b) *Maximum building height:* 2½ stories except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

 - c) *Minimum floor area per dwelling unit:* 1,550 square feet;
 - d) *Building lines:*
 - 1) The front building line shall be set back a minimum of ten (10) feet from any new street right-of-way dedicated as part of the planned development district, except that in no case shall required parking obstruct pedestrian flow on the required sidewalk;

The front building line facing an existing public street shall be set back from the public street right-of-way a minimum distance, which shall be determined by computing the average distance between the outermost surface of the existing main buildings on the two (2) abutting lots and the edge of the public street right-of-way.

In the event that the front building line faces a court, as that term is defined herein, there shall be a minimum separation between front building lines of forty (40) feet with at least ten (10) feet of yard space from the front of the building to the property line and twenty (20) feet for a public utility easement, for pedestrian access as well as utilities between the property lines;

- 2) No building line of any structure within the planned development district shall be located any closer than six (6) feet from the side lot line of any residential lot adjacent to the planned development district. In the event that any portion of the planned development site includes a corner lot, no such building line shall be located any closer than ten (10) feet to the right-of-way of the adjacent side street, designated as such on the approved plat of the planned development. Within the interior of the planned development district, zero lot lines are permitted for adjacent residential units; but in the event that the main residential units are separated, a minimum of eight (8) feet must be maintained between units;
 - 3) No building line of any structure within the planned development district shall be located any closer than ten (10) feet to the rear lot line of any adjacent residential lot;
 - 4) No contiguous building lines of structures having zero lot lines shall exceed two hundred (200) linear feet; and
 - 5) In no case shall any building line of any structure within the planned development district be located nearer than ten (10) feet to the street right-of-way of Bellaire Boulevard.
- f) Maximum site coverage: 60 percent of site area.
- (2) *Parking and driveways.* Each home within the planned development district shall have a two (2) car garage; driveways shall be of such design as to accommodate two (2) vehicles totally on site. Within the planned development district, two (2) garages of neighboring dwelling units may share a common wall on a common lot line so long as the required eight (8) foot minimum distance is maintained between separated main residential structures;
 - (3) *Screening.* Screening shall be required between the planned development district and abutting property in commercial use, according to the specifications set forth in Section 24-513 of Division 1 of this Article;
 - (4) *Landscaping.* In addition to that landscaping which may be an integral part of the screening herein required, landscaping shall also be required for the purpose of providing an acceptable transition between the planned development district and surrounding lower density residential development.

Section to be amended:

Sec. 24-537a. - R-M.2-O Residential-Office Mixed-Use District.

A. *Purpose.* The R-M.2-O Residential-Office Mixed-Use District is a medium density mixed residential and small-scale commercial area that serves as a buffer zone between retail/office and residential uses, characterized by the zoning requirements set forth in this Section.

B. *Uses.*

(1) *Permitted uses.*

- a) Single family dwellings;
- b) Public parks;
- c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points.
- d) Accessory uses, subject to the requirements of Section 24-510.
- e) Home occupations, subject to the requirements of Section 24-517.
- f), g) [Deleted.]
- h) Facilities owned and maintained by the City.
- i) Business and professional offices and services.

(2) *Specific uses.*

- a) Kindergarten, nursery and/or day care center;
- b) Churches;
- c) Schools.

(3) *Additional use requirements.* It shall be unlawful for any person to make use of any property located within the R-M.2-O Residential-Office Mixed Use District except in accordance with the uses permitted in this District, with the performance standards set forth in Division 1 of this Article and with the additional regulations listed below.

Trash and laundry. No collection, storage for refuse, debris or garbage generated by any use shall be allowed in this District when such storage is visible from publicly owned streets. No hanging of laundry, cleaning rags, mops or similar items shall be allowed within view of publicly owned streets. Screening structures erected to obscure such items from view from publicly owned streets shall meet applicable city specifications for materials and construction as set forth in Section 24-513.

C. *Standard regulations.*

(1) *Residential structures.*

- a) *Size and area.*
 - 1) *Minimum lot area:* 5,000 square feet.
 - 2) *Minimum lot width:* 50 feet.

- 3) *Minimum lot depth:* 100 feet.
- 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

- 5) *Minimum floor area per dwelling unit:* 1,100 square feet.
- 6) *Minimum required yards:*
- a. *Front yard:* Twenty-five (25) feet;
 - b. *Side yard:* Five (5) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required.
 - c. *Architectural features:* the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are

attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted.

d. *Rear yard:*

1. For the main residential structure, ten (10) feet from the rear property line.
2. For any accessory structure, five (5) feet from the rear property line.
3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas.

7) *Maximum lot coverage:* 55 percent of lot area.

- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.

(2) *Non-residential structures.*

a) *Churches.*

1) *Size and area.*

- a. *Minimum lot area:* 5,000 square feet.
- b. *Minimum lot width:* 50 feet.
- c. *Minimum lot depth:* 100 feet.
- d. *Maximum building height:* 2½ stories, except that:
 1. Church steeples, domes, spires and bell towers may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building; and
 2. Cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

e. *Maximum floor area to lot area:* 50 percent of lot area.

f. *Minimum required yards:*

1. *Front yard:* Twenty-five (25) feet;
2. *Side yard:* Five (5) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner

lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

3. *Rear yard:*

aa. For the main structure, ten (10) feet from any alley or easement, with not more than 50 percent lot coverage on the back half of the lot;

bb. For any accessory structure, three (3) feet from any alley or easement or five (5) feet where there is no alley or easement.

g. *Maximum lot coverage:* 60 percent of lot area.

2) *Parking.* One (1) on-site space for every three (3) individual seats provided in the main sanctuary. Whenever pews are provided in lieu of individual seats, 24 inches shall be the equivalent of one (1) seat.

b) *Schools.*

1) *Size and area.*

a. *Minimum lot area:* 5,000 square feet.

b. *Minimum lot width:* 50 feet.

c. *Minimum lot depth:* 100 feet.

d. *Maximum building height:* 2½ stories, except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

e. *Maximum floor area to lot area:* 100 percent of lot area.

f. *Minimum required yards:*

1. *Front yard:* Twenty-five (25) feet;

2. *Side yard:* Five (5) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet.

3. *Rear yard:*

aa. For the main structure, ten(10) feet from any alley or easement, with not more than 50 percent lot coverage on the back half of the lot;

bb. For any accessory structure, three (3) feet from any alley or easement or five (5) feet where there is no alley or easement.

- g. *Maximum lot coverage:* 60 percent of lot area.
- 2) *Parking.* One (1) on-site space for each classroom plus one (1) on-site space for each four (4) seats in any auditorium, gymnasium or other place of assembly.
- c) *Commercial-Office.*
 - 1) *Size and area.*
 - a. *Minimum lot area:* 5,000 square feet.
 - b. *Minimum lot width:* 50 feet.
 - c. *Minimum lot depth:* 100 feet.
 - d. *Maximum building height:* One story, and drive-under parking is prohibited, except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks and similar extensions may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. A greater height may be permitted in the granting of a specific use amendment for radio, television and microwave antenna or tower.
 - e. *Maximum floor area to lot area:* 25 percent of lot area.
 - f. *Minimum required yards:*
 - 1. *Front yard:* Fifteen (15) feet;
 - 2. *Side yard:* Five (5) feet, except that on a corner lot, the side yard shall be ten (10) feet.
 - 3. *Rear yard:* Fifteen (15) feet.
 - g. *Maximum lot coverage:* 75 percent of lot area.
- 2) *[Deleted.]*
- 3) *Landscaping and screening.* Landscaping and screening shall be required between property in office use and abutting property in residential use or zoned residential, according to the specifications set forth in Section 24-513 of Division 1 of this Article.

Section to be amended:

Sec. 24-541. - Loop 610 District.

- A. *Purpose.* The Loop 610 District is an area of high quality office plaza and mixed use, including residential, which is in close proximity to and compatible with existing and future residential use on land which is adjacent to or in close proximity to Interstate Highway Loop 610, characterized by the zoning requirements set forth in this Section.
- (B) *Permitted uses.*
- a) Single family dwellings.
 - b) Public parks.
 - c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points; and
 - d) Accessory uses, subject to the requirements of Section 24-510.
 - e) Home occupations, subject to the requirements of Section 24-517.
 - f) Facilities owned and maintained by the City.
 - g) Planned Development: Office Plaza.
 - h) Planned Development: Residential-Office Plaza Mixed Use.
- C. *Specific Uses.*
- (1) Churches;
 - (2) Schools.
- D. *Standard regulations.*
- (1) *Residential structures.*
- a) *Size and area.*
 - 1) *Minimum lot area:* 7,400 square feet.
 - 2) *Minimum lot width:* 60 feet.
 - 3) *Minimum lot depth:* 100 feet.
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. ~~Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure.~~ To determine height restrictions related to the maximum height of the top plate of the second story, height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

To determine height restrictions related to the maximum height of any ridge pole, height measurements shall be from a reference elevation established as three (3) feet above the average natural ground at the structure. However, in the event the 500-year flood elevation at the structure, as determined by the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Map, plus one (1) foot is higher than the reference elevation defined above, then a revised reference elevation defined as the 500-year flood elevation at the structure plus one (1) foot shall be utilized. Under no circumstances shall the height from the lowest level of the top of the foundation of the heated or air-conditioned building enclosed within the outer walls of the structure to any ridge pole exceed thirty-five (35) feet six (6) inches.

- 5) *Minimum floor area per dwelling unit:* 1,250 square feet.
- 6) *Minimum required yards:*
 - a. *Front yard:* Thirty (30) feet;
 - b. *Side yard:* Six (6) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required.

- c. *Rear yard:*
 - 1. For the main residential structure, ten (10) feet from any alley or easement;
 - 2. For any accessory structure, three (3) feet from any alley or easement or five (5) feet where there is no alley or easement.
- 7) *Maximum lot coverage:* 55 percent of lot area.
- 8) *Parking:* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.

(2) *Non-residential structures.*

- a) *Churches.*
 - 1) *Size and area.*
 - a. *Minimum lot area:* 7,400 square feet.
 - b. *Minimum lot width:* 60 feet.

- c. *Minimum lot depth:* 100 feet.
- d. *Maximum building height:* 2½ stories, except that:
 - 1. Church steeples, domes, spires and bell towers may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building; and
 - 2. Cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.
- e. *Maximum floor area to lot area:* 50 percent of lot area.
- f. *Minimum required yards:*
 - 1. *Front yard:* Thirty (30) feet;
 - 2. *Side yard:* Six (6) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;
 - 3. *Rear yard:*
 - aa. For the main structure, ten (10) feet from any alley or easement, with not more than 50 percent lot coverage on the back half of the lot;
 - bb. For any accessory structure, three (3) feet from any alley or easement or five (5) feet where there is no alley or easement.
- g. *Maximum lot coverage:* 60 percent of lot area.
- 2) *Parking.* One (1) on-site space for every three (3) individual seats provided in the main sanctuary. Whenever pews are provided in lieu of individual seats, 24 inches shall be the equivalent of one (1) seat.
- b) *Schools.*
 - 1) *Size and area.*
 - a. *Minimum lot area:* 7,400 square feet.
 - b. *Minimum lot width:* 60 feet.
 - c. *Minimum lot depth:* 100 feet.
 - d. *Maximum building height:* 2½ stories, except that one (1) additional story is allowed for every one hundred (100) feet a structure is located from the nearest

lot line of a residential lot located in an existing abutting residential district, provided that any residential district or portion of any residential district which is separated from the structure by Loop 610 shall not be considered an abutting residential district, provided, however, that, regardless of where it is located, no structure shall exceed six (6) stories. Cooling towers, roof gables, theatrical fly spaces, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total height not to exceed eighty-four (84) feet above the average level of the base of the foundation of the building, excluding basements. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.

e. *Maximum floor area to lot area:* 100 percent of lot area.

f. *Minimum required yards:*

1. *Front yard:* Thirty (30) feet;

2. *Side yard:* Six (6) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed.

On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet.

3. *Rear yard:*

aa. For the main structure, ten (10) feet from any alley or easement, with not more than 50 percent lot coverage on the back half of the lot;

bb. For any accessory structure, three (3) feet from any alley or easement or five (5) feet where there is no alley or easement.

g. *Maximum lot coverage:* 60 percent of lot area.

2) *Parking.* One (1) on-site space for each classroom plus one (1) on-site space for each four (4) seats in any auditorium, gymnasium or other place of assembly.

D. *Planned Development: Office Plaza.* Office plaza planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations:

(1) *Size and area.*

a) *Site area:* The minimum site area shall be four (4) acres.

See provisions of § 24-604 and § 24-605 for procedure to be followed in initiating planned development amendments and specific use amendments.

- b) *Maximum building height:* No building shall have a height in excess of six (6) stories (excluding cooling towers, roof gables, chimneys, radio and television antennas, vent stacks and similar extensions which may extend for an additional height, the total not to exceed eighty-four (84) feet). A greater height may be permitted in the granting of a specific use amendment for radio, television and microwave antenna or tower.
- c) *Maximum floor area to site area:* 100 percent of site area.
- d) *Building lines:*
 - 1) No building shall be constructed less than fifty (50) feet from the right-of-way line of the abutting Interstate Highway Loop 610 Service Road;
 - 2) All other building lines shall be computed on the basis of a ratio of .84 foot of building height per one (1) foot of distance between said building lines and the nearest point on a lot zoned residential or in residential use that is outside of the proposed planned development district and existing on the date said planned development district is established by ordinance.
 - 3) Interior building lines within the planned development shall be established by the approved site plan.
- e) *Maximum site coverage:* 60 percent of site area.
- (2) *[Deleted.]*
- (3) *Screening.* None is prescribed except as may be established by the planned development amendment.
- (4) *Landscaping.* None is prescribed except as may be established by the planned development amendment.
- (5) *Outdoor lighting.* All outdoor lighting shall be located, screened or shielded so that adjacent residential lots or structures are not directly illuminated.
- (6) *Development intensity bonuses.* Notwithstanding any other provisions of this Section, a planned development amendment may be granted which permits floor area ratio increases over and above that permitted by other provisions of this Section not to exceed the amounts set out herein, except that the cumulative amount of any bonus granted may not cause the total floor area to exceed 200 percent of the site area.
 - a) *Public open space:* One percent floor area to site area for every one percent of the development site over and above the forth percent base requirement, that is preserved in landscaped open space, plazas with public art, fountains and/or pedestrian walkways.
 - b) *Parking:* One (1) percent floor area to site area for every three (3) percent of a parking structure located below ground level or for every three (3) percent of a parking structure integrated into the base structure of the main building that it serves.
 - c) *Land assembly:* The allowable maximum floor area to site area (floor area ratio) for any site assembled that is in excess of one (1) acre may be increased by an amount computed as follows:
 .05 (total site minus one (1) acre) divided by one (1) acre

- d) *Street orientation, siting and design*: Increase in floor area to site area of up to thirty-three percent for special street orientation, siting or design features that achieve a standard of excellence in relation to the specific environment in which the project is located and that exceed other requirements of this Code.
- E. *Planned Development: Residential-Office Plaza*. Residential-office plaza planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations.
 - (1) *Size and area*.
 - a) *Site area*: The minimum site area shall be four (4) acres, with not less than 34 percent of such site allocated to residential development, with not more than 33 percent allocated to office plaza development and with at least thirty-three percent committed to open space, including public and private rights-of-way, all impervious surfaces, exclusive of buildings, and pervious (green) area.
 - b) *Maximum building height*:
 - 1) *Residential*: Three (3) stories, except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building.
 - 2) *Office Plaza*: No building shall have a height in excess of six (6) stories (excluding cooling towers, roof gables, chimneys, radio and television antennas, vent stacks and similar extensions which may extend for an additional height, the total not to exceed eighty-four (84) feet). A greater height may be permitted in the granting of a specific use amendment for radio, television and microwave antenna or tower.
 - c) *Floor area to site area*:
 - 1) *Residential*: A minimum of 1,250 square feet of living area per dwelling unit of site committed to residential development;

EXCEPTION: For any planned development approved under the terms and provisions of this Section for the development of an assisted living facility or nursing home, a minimum of 325 square feet of building area per resident;
 - 2) *Office plaza*: A maximum of 100 percent of site area committed to commercial development.
 - b) *Building lines*:
 - 1) *Residential*:
 - a. The front building line shall be set back a minimum of ten (10) feet from any new street right-of-way dedicated as a part of the planned development district, except that in no case shall required parking obstruct pedestrian flow on the required sidewalk. The front building line facing an existing public street shall be set back from the public street right-of-way a minimum distance, which shall be

determined by computing the average distance between the outermost surface of the existing main buildings on the two (2) abutting lots and the edge of the public street right-of-way. However, in the event that there are no existing buildings on the two (2) abutting lots, the required setback distance shall be twenty-five (25) feet.

In the event that the front building line is facing a court, as that term is defined herein, there shall be a minimum separation between front building lines of forty (40) feet with at least ten (10) feet of yard space from the front of the building to the property line and twenty (20) feet for a public utility easement, for pedestrian access as well as utilities between the property lines.

- b. No building line of any structure within the planned development district shall be located any closer than eight (8) feet to the side lot line of any residential lot adjacent to the planned development district nor shall any such building line be located any closer than fifteen (15) feet to the side lot line of any commercial lot adjacent to the planned development district. In the event that any portion of the planned development site includes a corner lot, no such building line shall be located any closer than ten (10) feet from the right-of-way of the adjacent side street, designated as such on the approved plat of the planned development.

Within the interior of the planned development district, zero lot lines are permitted for adjacent residential units; but in the event that the main residential units are separated, a minimum of six (6) feet must be maintained between units.

- c. No building line of any structure within the planned development district shall be located any closer than ten (10) feet to the rear lot line of any adjacent residential lot.
- d. No contiguous building lines of structures having zero lot lines shall exceed two hundred (200) linear feet.
- e. In order to mitigate possible adverse impacts of office uses upon residential uses within the residential-office plaza planned development district, the special relationship between such office and residential uses shall be governed by the performance standards set forth in this Code and by building line standards in the site plan.

2) *Office plaza:*

- a. No building shall be constructed less than fifty (50) feet from the right-of-way of the abutting Interstate Highway Loop 610 Service Road;
- b. All office plaza building lines shall be computed on the basis of a ratio of .84 foot of building height per one (1) foot of distance between said building lines and the nearest point on a lot zoned residential or in residential use that is outside of the proposed planned development district and existing on the date said planned development district is established by ordinance.

- 3) Interior building lines between buildings within the planned development shall be established by the approved site plan.
- e) *Maximum site coverage under permitted total site allocations:*
 - 1) *Residential:* 75 percent of that portion of the site area allocated to residential development;
 - 2) *Office plaza:* 60 percent of that portion of the site area allocated to commercial development.

Open space requirements in residential and office plaza areas may be derived from the 33 percent site requirement for open space, which includes private and public rights-of-way, all impervious surfaces, exclusive of buildings, and pervious (green) areas.

(2) *Parking.*

- a) *Residential parking and driveways.* Each home within the planned development district shall have a two (2) car garage; driveways shall be of such design as to accommodate two (2) vehicles per unit totally on site. Within the planned development district, two (2) garages of neighboring dwelling units may share a common wall on a common lot line so long as the required six (6) foot minimum distance is maintained between separated main residential structures.
- b) *[Deleted.]*
- c) Notwithstanding anything in this subsection to the contrary, no nursing home or assisted living facility shall be required to have a garage or driveway, unless otherwise provided in the planned development district in which it is located.
- (3) *Screening.* None is prescribed except as may be established by the planned development amendment.
- (4) *Landscaping.* None is prescribed except as may be established by the planned development amendment.
- (5) *Outdoor lighting.* All outdoor lighting shall be located, screened or shielded so that adjacent residential lots or structures, whether located within or outside of the planned development district, are not directly illuminated.
- (6) *Development intensity bonuses.* Notwithstanding any other provisions of this Section, a planned development amendment may be granted which permits floor area ratio increases over and above that permitted by other provisions of this Section not to exceed the amounts set out herein, except that the cumulative amount of any bonus granted may not cause the total floor area to exceed 200 percent of the site area.
 - a) *Public open space:* One percent floor area to site area for every one percent of the development site over and above the forth [fourth] percent base requirement, that is preserved in landscaped open space, plazas with public art, fountains and/or pedestrian walkways.

- b) *Parking*: One percent floor area to site area for every three (3) percent of a parking structure located below ground level or for every three (3) percent of a parking structure integrated into the base structure of the main building that it serves.
- c) *Land assembly*: The allowable maximum floor area to site area (floor area ratio) for any site assembled that is in excess of one (1) acre may be increased by an amount computed as follows:

 .05 (total site minus one (1) acre) divided by one (1) acre
- d) *Street orientation, siting and design*: Increase in floor area to site area of up to thirty-three (33) percent for special street orientation, siting or design features that achieve a standard of excellence in relation to the specific environment in which the project is located and that exceed other requirements of this Code.