



The City of West University Place

A Neighborhood City

ZPC Meeting Agenda

Notice is hereby given of a **regular meeting of the Zoning and Planning Commission to be held via teleconference** on Thursday, September 10, 2020, beginning at **6:15 p.m.** in the **Municipal Building** located at 3800 University Blvd., West University Place, Texas.

Due to the COVID 19 Disaster and CDC's recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting. Zoning and Planning Commission will be meeting via teleconference, which will be audible to members of the public and allow for two-way communications for those desiring to participate. **To attend the meeting via telephonic means**, please use the following toll-free number: **346-248-7799**, **Meeting ID: 832 9881 9473** or follow link to <https://us02web.zoom.us/j/83298819473>

Any person interested in speaking on any item on the agenda must submit his/her request via email to the Building Official at cchew@westutx.gov at least **one (1) hour prior to the start of the meeting**. The request must include the speaker's name, address, the phone number that will be for the call and the agenda item number, if applicable.

The agenda packet is accessible to the public on the City's website. After the meeting, a recording of this meeting will be made available to the public.

Note: The Commission reserves the right to convene in a closed session for any agenda item if the need arises pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Call to Order

1. **Notices, Rules, Etc.** Matters relating to notices, introductions, rules, meeting procedures, and updates.
2. **Public Comments.**
This is an opportunity for citizens to speak relating to agenda items. The speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing. Public comments must be kept relevant to the subject before the Board. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Board during the meeting. Speakers must limit their presentations to three minutes each.
3. **Framed areas of homes and pervious coverage/materials.** Matters related to square-footage, pervious and impervious coverages and materials for residential properties.
4. **Through-lots and rear setbacks.** Matters related to through lots and rear yard setbacks for residential properties.
5. **Corner-side setbacks adjacent to rotated lots.** Matters related to corner side setbacks for rotated/perpendicular lots for residential properties.
6. **Minutes.** Matters regarding approval of minutes from July 9, 2020.

ADJOURN

In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact the person that signs this below at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in





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the meeting. The Municipal Building is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided in the Meeting Chambers.

I certify that the attached notice and agenda of items to be considered by the West University Place Zoning and Planning Commission on September 10, 2020 was posted on the Municipal Building bulletin board on or before September 7, 2020 at 6:15 o'clock p.m.

Clay Chew, Building Official, cchew@westutx.gov, 713-662-5830



Agenda Item #3

City of West University Place Zoning and Planning Commission Meeting

DATE: September 10, 2020

Agenda Topic: Framed areas of homes and pervious coverage/materials. Matters related to square-footage, pervious and impervious coverages and materials for residential properties.

SUMMARY: City Council has requested the Zoning & Planning Commission examine the pervious and impervious coverage for the City's residential districts. Pervious cover is important as it absorbs rainfall and reduces the amount of water that enters the drainage system. The City of West University Place currently requires at least 50% of the front yard to be pervious and a minimum of 24% pervious cover for the entire property for single-family residential properties. The permitted framed area has been included to allow discussion of square-footage for single-family residences.

SURVEY ADJACENT CITES: The City of West University Place has a higher than average lot coverage compared to other adjacent cities in the survey. The most comparable in terms of lot size is Spring Valley Village which has a maximum lot coverage of 50% in front of the building line, and 60% behind the building line. This difference equates to a roughly 16% difference in the amount of lot coverage, compared to Spring Valley Village. This is similarly seen with the City of Bellaire, which has a total impervious coverage of 55% for the majority of single-family detached homes, and 60% for the densest detached residential homes (See Exhibit A: Lot Coverage Survey).

Exhibit A: Lot Coverage Survey – Detached Residential Districts

Maximum Lot Coverage					
	Forward of Building Line	Behind Building Line	Building Ground Coverage	Total Impervious Cover	Swimming Pool Determination
Piney Point Village				50%	Impervious
Spring Valley Village	50%	60%			Water surface is pervious
Hilshire Village	50%	55%	40%		Impervious
Bellaire				55% (R-1 thru R-3; R-5) and 60% for R-4	Impervious
West University Place	50%			76%	Water surface is pervious

INNOVATIVE PAVEMENT MATERIALS: Permeable pavers, porous concrete, and other innovative materials are becoming more common place. These materials are not considered pervious and not count toward the impervious coverage of the site.

Sample of West U Pervious Areas from Recent Plans

A – 45% Pervious

B – 46% Pervious

C – 63% Pervious

D – 43% Pervious

E – 48% Pervious

F – 54% Pervious

G – 56% Pervious

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GENERAL CLEANUP: A conflict was found within Table-7-5a regarding pavement allowed for single-family residential use. According to a note, a Special Exception may be approved by the Zoning Board of Adjustment. This note is not needed and can be evaluated during the permit review of a new material. Additionally, if there is a conflict between a material that the Building Official does not believe is durable, his ruling can be appealed to the Zoning Board of Adjustment.

Table 7-5a, excerpt pavement and note #4

Pavement	Required type See Note 4.	For SFD use: Hard-surfaced or pervious pavement required for each required driveway and parking space; twin "ribbons" of pavement are permitted. For all other uses: Reinforced concrete, with curbs and drains required for all vehicular areas. <i>Exceptions:</i> (i) See Table 7-3 (pervious pavement) and Note 4, below. (ii) See Article 10 regarding "overhang."
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~~Note 4. Pavement. The ZBA may issue a special exception to allow other materials if it finds that they will provide equal or better durability.~~

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FRAMED AREAS OF HOMES: At the request of Chairman Wilson, the framed area information has been provided as a topic of discussion. This item will be used to discuss square-footage limitations for homes within the City.

Zoning Ordinance Excerpt: Schedule FA (Framed Area)
SCHEDULE FA
(FRAMED AREA)

- (a) *General rule.* Framed area reflects the size of a building, in square footage. Framed area includes all floor and ground areas under a solid, fixed roof, except the uncounted areas listed in this Schedule. Floor and ground areas are measured, on each level, according to the measurement method set out below. For each building, the measured areas for each level are totaled to produce the framed area of the building.
- (b) *Measurement method.* For each level of a building, the framed area is the area of an imaginary, horizontal, unbroken plane immediately atop the structure supporting the floor (or immediately atop the ground, where there is no floor). Each plan extends horizontally to the outer main wall surfaces of the building, or to the outer perimeter of the structure above (whichever is outermost). For this purpose:
1. Steps, landings, sunken areas, floor openings and similar features are not considered separate levels, so there is no plane on those levels;
 2. Each plane extends to the outer wall surfaces of bay windows, cantilevered space and

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similar space on the same floor, regardless of the height of the floor;

3. If there is a "split level" or similar irregular floor level, the building official may designate either one level to define the imaginary plane for that floor, or separate planes for the separate levels; and
4. If area (all or part) within a one-story building has an interior height exceeding 19 feet, the area is doubled to calculate framed area (and if it has a interior height exceeding 31 feet, the area is tripled).

(c) *Uncounted areas*. The following areas are not counted as framed area:

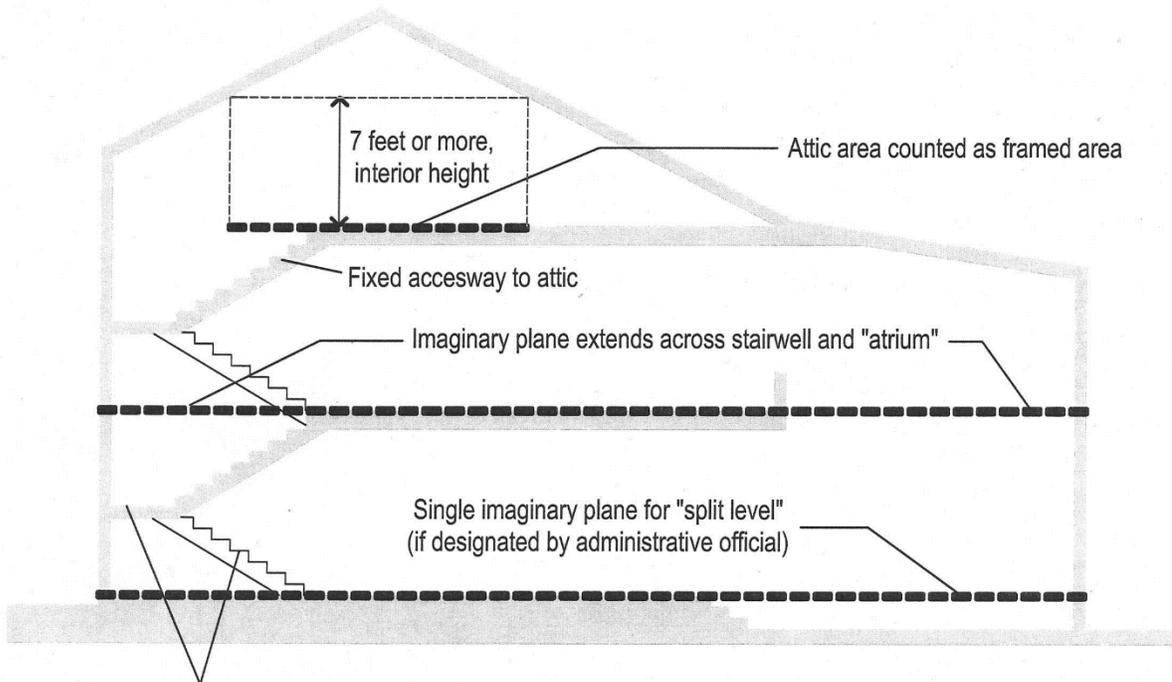
1. Attic area that cannot be reached through a fixed accessway;
2. Attic area where there is a interior height less than seven feet;
3. Those non-attic parts of an imaginary plane on a second or third-floor level, above which there is less than seven feet of interior height;
4. Area beneath eaves, cornices, roof extensions, "greenhouse" or bay windows, cantilevered space and similar parts of building that project outward from the main wall of a building no more than 24 inches, if the area is on a lower floor level (or at ground level) and is otherwise completely open to the outdoors;
5. Unenclosed porch area of a principal building, if the longest side of the porch directly faces the front street line or side street line of the building site, and the area is neither designed nor usable for motor vehicles;
6. The area of "crawl space" at ground level;
7. Unenclosed walkway or "breezeway" area if: (A) the area directly connects a principal building to an accessory building containing garage space located behind the principal building; (B) the total covered width of the area does not exceed eight feet; and (C) no part of the roof is higher than 14 feet;
8. Area of recessed entries (garage or home) or windows that is completely open to the outdoors on at least one side, if: (A) each area faces the front street line or side street line of the building site, (B) each area is not larger than 100 square feet, and (C) the total of all such uncounted recessed area is less than 200 square feet; and
9. Basement area if: (A) the floor is at least five feet lower than the standard base level of the site, and (B) the interior height does not exceed eight feet.

The rules for uncounted areas shall be strictly construed and applied to the defined areas only.

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Drawing to illustrate Schedule FA

Generally, dashed lines indicate area counted as "framed area."



No imaginary plane for steps or landing levels.

This is a general illustration only. Actual wording of Schedule FA controls in all cases.

Zoning Ordinance Excerpt: Table 7-4b: Buildings Framed Area, all buildings. Residential Districts

Table 7-4b: Buildings		<i>General Rule:</i> Every structure must conform to the applicable regulations shown, by District, in this table. ("N/A" means the rule does not apply.) <i>Exceptions/Special Rules:</i> (1) See special rules noted Districts.					
Item	Regulation	SF-1	SF-2	SF-3	TH	GR-1	GR-2
Dwelling units	Maximum number per building site	One, plus one accessory quarters (AQ)			17.5 per acre. See Note 9	Two	24 per acre.
Framed area, all buildings on a building site	Maximum area as a percentage of building site area	80%			100% See Note 4.		

Agenda Item #4

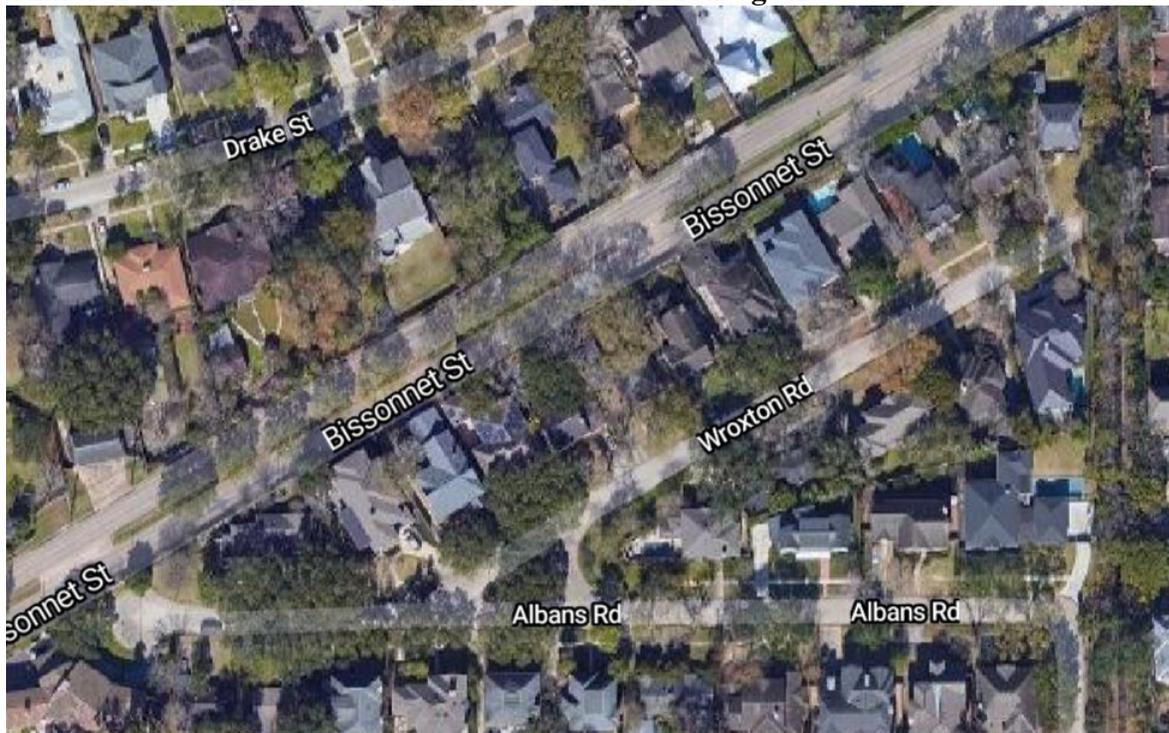
City of West University Place Zoning and Planning Commission Meeting

DATE: September 10, 2020

Agenda Topic: Through lots and rear setbacks.

SUMMARY: City Council has requested the ~~Planning and~~ Zoning and Planning Commission to examine through lots on major thoroughfares. The City of West University Place has a few lots that have double frontages on ~~Major-major Thoroughfares~~ thoroughfares. These lots have typically been developed with a rear-yard setback on the frontage facing the major thoroughfare. This item is largely to amend the Zoning Ordinance to allow any already occurring development pattern for double frontage roads on ~~Major-major Thoroughfares~~ thoroughfares (See Exhibit 1 & 2). This proposed modification does not address through lots not on thoroughfares, in order to allow for a more consistent frontage.

Exhibit 1: Bissonnet & Wroxton Road - Double Frontage Lots



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Exhibit 2: Parcel Map of Bissonnet and Wroxton Road



PROPOSED REDLINE:

Note 1. Through Lots or Building Sites or Rear Through Lots or Building Sites. If a lot or building site extends all the way through a block so that the front and rear both abut a street area, there is no rear yard. The site is a "through" or "rear through" lot or building site, and is considered to have two front yards, one at each street frontage. Front yard (setbacks) shall be as provided in Table 7-2. Exceptions: If the site is "flag" shaped or irregular, the "flag" portion shall have the same setback as the adjoining building sites fronting that street. Through-lots on Major-major Thoroughfares thoroughfares are permitted to have only one front yard located on the local street or minor street.

Staff Recommendation: Consider recommending approval of this proposed amendment.

Agenda Item #5

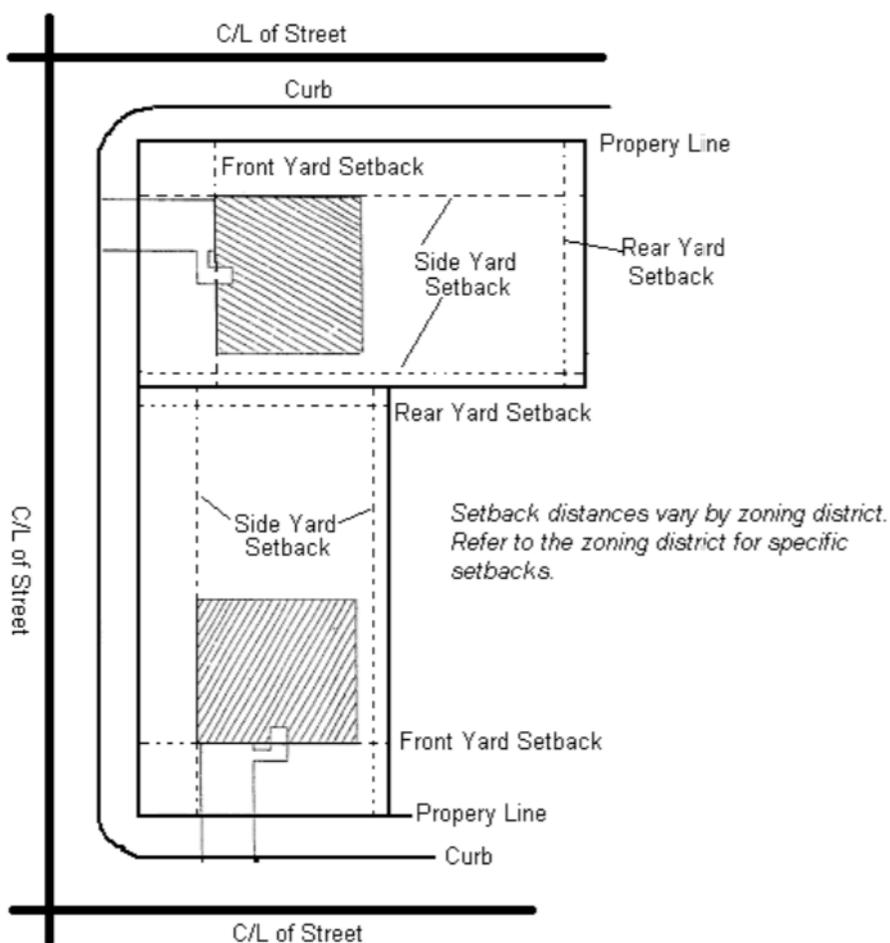
City of West University Place Zoning and Planning Commission Meeting

DATE: September 10, 2020

Agenda Topic: Corner-side setbacks adjacent to rotated lots

SUMMARY: The City Council has requested the Zoning and Planning Commission to examine corner-side setbacks for rotated lots. A rotated lot is perpendicular to the adjacent property, and creates a situation where the rotated lot's corner-side yard is adjacent to the front yard setback for the other lots on that street (See Exhibit 1: Rotated Lot).

Exhibit 1: Rotated Lot



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Zoning Ordinance Excerpt: Definition of Rotated Lot

Rotated corner building site or lot means a corner building site in the SF-1 District which has been "rotated" from one street to the other, such that it has a front street line lying along a street that is different from the street along which the front street line of the original corner lot would lie. The original corner lot is the single subdivided lot on the same corner, as created by the plan recorded in Volume 444, Page 563 of the Deed Records of Harris County, Texas, entitled "Map Showing West University Place, a Part of the A.C. Reynolds Survey, Harris County, Texas." In the SF-1 District, most rotated corner building sites will be oriented north-south, because most of the original corner lots were oriented east-west (except for lots along University Boulevard or Cason Street).

EXISTING CORNERSIDE SETBACK REGULATIONS: The City of West University Place has regulations for rotated lots in the SF-1 District. These regulations require a minimum of 10 foot corner-side setbacks and are increased based on the width of the building site for a maximum setback equal to the front-yard setback (See Zoning Ordinance Excerpt below). Although this only applies to one zoning district, this can be applied to other districts or something similar. The SF-2 and SF-3 allow a minimum of a five (5') foot setback to 10% of the lot for the corner-side setback. One of the main issues in increasing the corner-side setbacks is that for smaller lots you are decreasing a substantial building area.

Zoning Ordinance Excerpt: Table 7-2: Yards – Note 3

Note 3. Rotated Corners. For rotated corner building sites (SF-1 District only), the minimum side street yard width is: (i) 10 feet if the building site width is 65 feet or less, (ii) 10 feet plus the distance by which the width of the building site exceeds 65 feet, if the building site width is more than 65 feet but less than 75 feet, (iii) 20 feet if the building site width is 75 feet or more but less than 100 feet, or (iv) for building sites 100 feet wide or more, the side street yard width is determined by the same rules as the front yard depth, except that the "depth" of the building site is measured from the side street line."

FENCING: One of the biggest issues with rotated lots is the allowances of fencing on the corner side of a property. A fence located on the corner-side property line will create a bigger division than a building located at the setback line. The SF-1 District provides a solution where a corner-side fence is not permitted in the street-yard (See Zoning Ordinance Excerpt below). If the problem with these rotated lots lies more in the fencing regulations, then not allowing fences in the corner-side yard may be the best solution.

Zoning Ordinance Excerpt: Table 7-6. Note 11

Note 11. Rotated Corner Fences. Notwithstanding any other provision of this ordinance or any other ordinance, no fence is allowed in the side-street yard of a rotated corner building site (SF-1 District), except for temporary construction fences required by [Chapter 18](#) of the Code of Ordinances.

POSSIBLE AMENDMENTS: The City has many options that can be considered to lessen the

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obtuse nature of conflicting side and front yards. Alternatively, the ZPC can recommend to do absolutely no changes, and understand that this situation does occur from time to time.

1. **Setback Adjustment for Rotated Lots.**
 - a. Increased corner-side setback
 - i. Increase in legal, non-conforming properties
 - b. Sliding scale similar to SF-1
 - i. Smaller lots are impacted more by an increased setback.
2. **Modify Fencing Regulations**
 - a. Modify fencing regulations to not allow corner-side fences at the property line.
 - i. Fence must tie-in to building.

Exhibit 2: Rotated Lot and Adjacent Front Yard Setback



PROPOSED REDLINE:

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"Note 1. Through Lots or Building Sites or Rear Through Lots or Building Sites. If a lot or building site extends all the way through a block so that the front and rear both abut a street area, there is no rear yard. The site is a "through" or "rear through" lot or building site and is considered to have two front yards; one at each street frontage. Front yard (setbacks) shall be as provided in Table 7-2. Exceptions: If the site is "flag" shaped or irregular, the "flag" portion shall have the same setback as the adjoining building sites fronting that street. Through-lots on major thoroughfares are permitted to have only one front yard on the local street or minor street, instead of two front yards."

Agenda Item #6



Zoning & Planning Commission

Municipal Building 3800 University Blvd

Meeting Minutes

via teleconference due to the Coronavirus (COVID-19) health threat and in the Municipal Building

July 9, 2020

MEMBERS PRESENT: Richard Wilson, John Cutrer, Winfield Campbell, Sylvette Bobb, David Kuykendall, Bob Powell and Brian Brantley

STAFF PRESENT: Chief Building Official Clay Chew, Legal Counsel Alan Petrov and Administrative Coordinator, Josie M. Hayes

GUESTS PRESENT: Dick Yehle, Perry Nolen, Eddie Matthews, Aurelio Diez, Cynthia Johnson and Paul Scheet

- 1. Notices, Rules, Etc.** Richard Wilson; Presiding Officer, called the meeting to order at 6:15 p.m. and asked commission members and staff to introduce themselves. Richard Wilson asked staff to confirm that appropriate notices were given. Josie Hayes stated notices were posted per state and local laws.
- 2. Noise Regulations.** There were two residents, Cynthia Johnson and Paul Scheet who spoke in favor of amending the current ordinance to extend quiet hours and restrict the type of leaf blowers that are used to a 70 decibel rating or lower. There were four residents, Dick Yehle, Perry Nolen, Eddie Matthews and Aurelio Diez who were opposed to amending the ordinance, as they felt it would be difficult to enforce and create more consequences than benefits. Evan Duvall summarized the suggested changes that were made at the last meeting. There was general discussion regarding the ambient noise. Brian Brantley made a motion to present an amended noise ordinance to City Council with two options (with a recommendation for the quiet hours option) to address the regulation of yard care equipment and leaf blowers. Second by Richard Wilson. **AYES:** Richard Wilson, Winfield Campbell, Sylvette Bobb, David Kuykendall, Bob Powell and Brian Brantley. **NOES:** John Cutrer. **ABSTAIN:** None. **Motion carried.**
- 3. Minutes.** The commission reviewed the minutes of the meeting held on June 17, 2020. John Cutrer made a motion to approve the meeting minutes as amended. Second by Richard Wilson. **AYES:** Richard Wilson, John Cutrer, Winfield Campbell, Sylvette Bobb, David Kuykendall, Bob Powell and Brian Brantley. **NOES:** None. **ABSTAIN:** None. **Motion Carried.**

[Adjournment]





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Richard Wilson made a motion to adjourn. Second by John Cutrer. **AYES:** Richard Wilson, John Cutrer, Winfield Campbell, Sylvette Bobb, David Kuykendall, Bob Powell and Brian Brantley. **NOES:** None. **ABSTAIN:** None. Meeting adjourned at 7:10 p.m.

PASSED THIS _____ DAY OF _____, 2020

Richard Wilson, Chairman

ATTEST: _____

Ms. Josie M. Hayes, Administrative Coordinator

