



*Development
Regulation
Packet*

URBAN NEIGHBORHOOD (UN)

This district is a mixed use residential and limited commercial district with a density conforming to the zoning code adopted in 1995.

THE INTENT OF THIS DOCUMENT IS TO ASSIST COMMERCIAL BUILDERS WITHIN THE CITY OF BAYTOWN IN IDENTIFYING APPLICABLE REGULATIONS FOR NEW CONSTRUCTION. PLEASE NOTE THAT THIS DOCUMENT IS NOT ALL-INCLUSIVE.

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APPENDIX A - UNIFIED LAND DEVELOPMENT CODE

ARTICLE II. - USE DISTRICTS

DIVISION 2. - ZONING DISTRICTS

SEC. 2.05 - RESIDENTIAL ZONING DISTRICTS.

- (b) *Urban neighborhood ("UN")*. This district is a mixed use residential and limited commercial district with a density conforming to the zoning code adopted in 1995.
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DIVISION 3. - LAND USE TABLES AND CONDITIONS

SEC. 2.09 - LAND USE TABLES.

- (a) *Uses*. This subsection sets forth the land uses allowed in each zoning district. In the following tables "P" means permitted use and "PC" means permitted use with conditions as set forth in the conditions tables in division 3 of this article. Where neither a "P" nor a "PC" exists in the table, the use is prohibited. To the extent that there is a conflict between the use tables and the conditions, the use table controls.
- (b) *Prohibited uses*. In all residential zoning districts, the use of containers for any purpose is expressly prohibited.

Table 2-4. Residential uses.

USES	UN	COND REF
Community services	PC	B6-7
Industrialized home	P	
Manufactured home	P	
Single-family residential attached	P	B14, B21
Single-family residential detached	P	B17
Two-family dwelling duplex	P	B18, B19
Golf courses	P	
Group home for the disabled	PC	B9
Personal care home	PC	B9
Public park	P	
Places of assembly	PC	B12

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Accessory uses are uses incidental and subordinate to the principal use, located on the same lot as the principal use and in the same zoning district as the principal use.

Table 2-5. Residential accessory use table.

ACCESSORY USE	MU	COND REF
Accessory dwelling	PC	B1, B2, B10
Family home day care	PC	B2, B8
Garage sale	PC	B2, B20
Gazebo	P	B2
Home occupation	PC	B2, B10
Non-commercial solar energy facilities	PC	B2, B15
On-site storage of a personal pleasure boat or recreational vehicle	PC	B2, B22
Pool, pool house, hot tub and their equipment	P	B2
Private open space	PC	B13, B23
Private recreation space	PC	B2, B13
Sports court	P	B2

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SEC. 2.10 - LAND USE CONDITIONS.

This section sets forth the conditions associated with identified land uses in section 2.05. The conditions expressed in the use table are cumulative of applicable conditions contained elsewhere in the Code.

Land Use	Applicable Zoning District	Conditions
B. Residential Categories		
1 Accessory dwelling units	All, where permitted	(a) Accessory dwelling units may be permitted as an accessory use to an otherwise allowed detached single-family dwelling in any zoning district that allows single-family dwellings.
		(b) The unit shall include a full kitchen.
		(c) Only one accessory dwelling per lot is allowed.
		(d) The total living area of the accessory dwelling unit shall not exceed 600 square feet or 25 percent of the square footage of the living area of the private residential dwelling, whichever is greater.
		(e) The principal residential and accessory dwelling unit together shall not exceed the maximum zoning district impervious cover.
		(f) The accessory dwelling unit may be part of or attached to the principal structure, and /or may be a separate structure.
		(g) All principal structure yard requirements shall be met by the principal structure and the accessory dwelling unit.
		(h) The accessory dwelling unit shall not exceed the maximum zoning district height.
		(i) Accessory dwelling units may not be used for commercial purposes.
		(j) Accessory structures other than accessory dwelling units that exceed 25% of the gross floor area of the primary residence must abide by the design standards in article three of this ULDC.
		(k) Accessory dwelling units must have similar architecture to the primary residence.

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Land Use	Applicable Zoning District	Conditions
		<p>(l) Accessory dwelling units may be placed inside the primary residence or may be a freestanding structure.</p> <p>(m) The primary and secondary dwelling units must be serviced by the same water/sewer meter.</p> <p>(n) The accessory dwelling unit must have a separate address on file with the city and the authorities/organizations responsible for emergency response, mail delivery and electric service.</p>
2	Accessory structures	All, where permitted <p>(a) Except barns, the sum of all accessory structures on a tract of land must not exceed 75 percent of the gross square footage of the primary structure on the same lot.</p> <p>(b) Residential accessory structures are allowed to remain in non-residential zoning districts as nonconforming uses only if the structure is an accessory to an existing, nonconforming primary residential use.</p>
6	Community services	All, where permitted <p>(a) Community services shall be separated from all adjacent residential dwellings by opaque screening.</p> <p>(b) Minimum parking requirements are one per 200 square foot of usable area.</p>
7	On-site association management offices and club houses for dwelling units	All, where permitted <p>Club houses and management facilities must be of similar architecture to the apartment complex or the neighborhood in which they are located.</p>
9	Group housing, group homes for the disabled and personal care homes	All, where permitted <p>(a) No group housing residents may occupy a single-family residence, other than the property owner or family of the property owner until a group housing acknowledgment form has been duly filed with the director on a form prescribed by the director.</p> <p>(b) The facility shall be responsible for providing food, shelter, personal guidance, general care and supervision to all of its residents.</p> <p>(c) There shall be no signs or other exterior visible evidence of the group housing use and the exterior structure must retain</p>

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Land Use	Applicable Zoning District	Conditions
		<p>its compatibility with the surrounding residential dwellings.</p> <p>(d) There shall be no visible storage of equipment, materials or vehicles that have more than two axles.</p> <p>(e) No equipment shall be used that creates undue noise, vibration, electrical interference, smoke or particulate matter emission, excessive power demands or odors.</p> <p>(f) The facility shall comply with the operational performance standards of the Code of Ordinances.</p> <p>(g) The residents of the home may not keep, either on the premises of the home or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the numbers of bedrooms in the home.</p> <p>(h) The city reserves the right to inspect the location at any time to ensure that the health, safety and general welfare of the residents is being provided for by the facility.</p> <p>(i) Nothing in this section shall be construed as attempting to regulate or affect the right of handicapped individuals to purchase their own dwellings or to affect the right of individuals to care for handicapped family members.</p>
10 Home occupation	All residential districts	<p>(a) A home occupation shall not exceed 25% of the heated/air conditioned space of the dwelling unit.</p> <p>(b) The following home occupation standards are intended to permit residents to engage in home occupations within zoning districts that allow residential uses and that are compatible with residential land uses and to ensure that home occupations do not adversely affect the integrity of residential areas.</p> <p>(c) These home occupation standards shall have no application in any non-residential zoning district.</p> <p>(d) A home occupation shall be considered an accessory use, subject to the following standards:</p>

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Land Use		Applicable Zoning District	Conditions	
			i.	A home occupation must be conducted within a dwelling which is the bona fide residence of the principal practitioner;
			ii.	There shall be no signs or other exterior visible evidence of a home occupation;
			iii.	There shall be no storage of equipment visible outside the dwelling, or materials or vehicles that have more than two axles;
			iv.	The home occupation shall be conducted entirely within the principal residential building; and
			v.	No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission, power demands or odors above the existing level.
			(e)	Home occupations shall comply with the operational performance standards of this ULDC.
			(f)	Home occupation applicants shall complete an annual registration form and pay the one-time and annual fees as defined in chapter 2 of the Code of Ordinances.
12	Places of assembly	All, where permitted	(a)	Direct vehicle access shall be provided from an arterial street.
			(b)	Outdoor recreation, entertainment and performing arts uses associated with places of assembly that utilize outdoor lighting and speaker systems shall be setback at least 300 feet from any residential use and shall provide a 25-foot wide vegetative buffer against the property line containing the residential use.
13	Private open space	All residential districts	(a)	Private open space is not a public park and may not be used to increase the net density on the project.
			(b)	Private open space shall be a minimum of 100 square feet in size.
			(c)	Private open space must be accessible to pedestrian

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	Land Use	Applicable Zoning District	Conditions
			pathways, if available.
			(d) Private open space must be deed restricted to private recreation prior to any building permits being issued for any dwelling unit.
15	Solar energy systems	All, where permitted	Solar energy systems are allowed, so long as they do not reflect light into the public right-of-way or adjacent properties.
20	Garage sales	All, where permitted	Subject to the restrictions of chapter 82, article IV of the Code of Ordinances.
22	On site storage of a personal pleasure boat or recreational vehicle	All, where permitted	Personal pleasure boat or recreational vehicle must be outside of the rear and side setbacks for the specific zoning category and stored in accordance to chapter 94 which requires such to be on an impervious surface.

ARTICLE III. - DESIGN AND COMPATIBILITY STANDARDS

DIVISION 1. - PROPERTY DEVELOPMENT STANDARDS

Table 3-1. Property development standards.

Zoning Category	UN
Minimum lot size (square feet)	5,400
Minimum front setback	15
Minimum rear setback	10
Minimum interior side setback	5
Minimum street side setback	10
Maximum height (in feet)	40
Percent maximum lot coverage	70
Minimum lot frontage required (linear feet)	50

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SEC. 3.01 - LOTS.

- (a) *Previously platted lots.* No requirement of this section shall prevent the development of a legally platted lot approved by the planning and zoning commission prior to April 13, 2013, so long as the development meets all other applicable provisions of this ULDC.
- (b) *Area.* Each lot shall have a minimum area as set forth in table 3-1.
- (c) *Required frontage.*
 - (1) Each lot shall have frontage on a dedicated public right-of-way on which a street is accepted and built to the city's engineering standards or on a private, platted street that is built to the city's engineering standards as set forth in table 3-1.
 - (2) Each lot shall have a minimum width no less than the lot's minimum frontage width as set forth in table 3-1.
 - (3) Radial lots shall have at least 20 feet of frontage.
- (d) *Layout.* Where lot lines intersect the right-of-way, the lot lines shall be at a 90-degree angle with the right-of-way.

SEC. 3.02 - SETBACKS.

- (a) Double frontage lots shall have setbacks that are at least equal to the required front or side yard setbacks of adjacent lots.

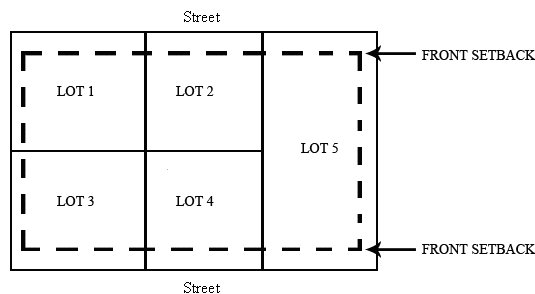
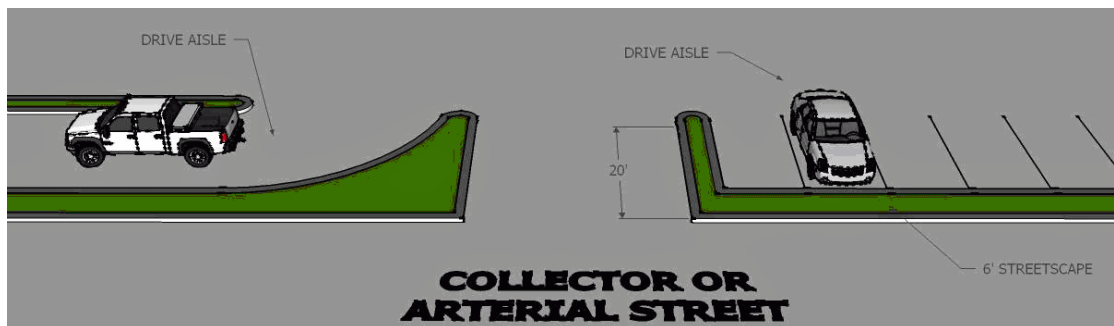


Figure 3-1. Double Frontage Lots

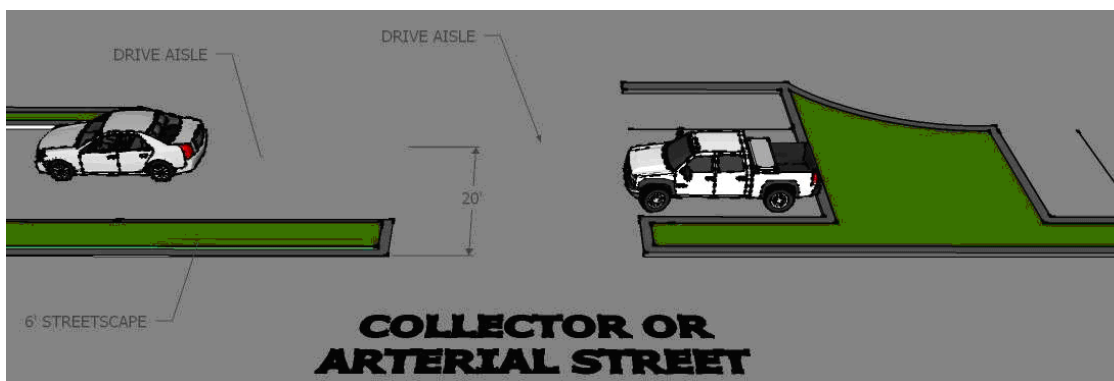
- (b) Parking stalls and drive aisles shall be allowed within all setbacks. Drive aisles with ingress/egress access to a collector or arterial street shall not be located parallel to a street so that turning movements occur within 20 feet of the property line. There shall be no parking stalls located along the entrance driveway/apron to the drive aisle, which may interfere with stacking of vehicles upon entrance to the property.

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Figure 3-2. Parking Stalls and Drive Aisles



Examples of Allowable Configurations



Examples of Configurations that are Not Allowed

- (c) The following features may be located within required setbacks so long as they are in conformance with the visibility triangle standards in section 122-3 of the Code of Ordinances:
- (1) Trees, shrubbery or other features of natural growth;
 - (2) Fences or walls may be placed in the front, side or rear yard setbacks provided that they do not violate sight triangles and provided that fences in the front yard setback are non-opaque;
 - (3) Off-street parking areas and sidewalks;
 - (4) Signs, if permitted by chapter 118 of the Code of Ordinances;
 - (5) Bay windows, architectural design embellishments and cantilevered floor areas of buildings that do not project more than two feet into the required setback;
 - (6) Eaves that do not project more than two feet into the required setback;
 - (7) Open outside stairways, entrance hoods, terraces, canopies, carports and balconies that do not project more than five feet into a required front or rear setback or more than two feet into a required side setback;

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- (8) Chimneys, flues and ventilating ducts that do not project more than two feet into a required setback and when placed so as not to obstruct light and ventilation;
- (9) Open, unenclosed porches that do not project more than five feet into a required front or rear setback or more than two feet into a required side setback;
- (10) Utility lines, wires and associated structures, such as power poles; and
- (11) Mechanical equipment, such as air conditioning units, pool filtering and heating equipment, water softeners and similar equipment, if the equipment does not restrict pedestrian access through such setbacks and if it is totally screened from view from abutting property and rights-of-way by fences, walls or landscaping.

SEC. 3.03 - HEIGHT.

- (a) *Buildings.* Each zoning district shall have a maximum building height as specified in table 3-1.
 - (1) Building height shall be measured as the vertical distance between the average finished grade at the base of the building and the mean height of the roof. The mean height of the roof is determined by averaging the highest and lowest points of the roof.
 - (2) For fences or walls, height shall be measured on the side with the least vertical exposure above the finished grade to the top of the fence or wall.
 - (3) Buildings in the heavy industrial (HI) zoning district have a maximum height of 60 feet unless the entire building is equipped with a National Fire Protection Association ("NFPA") 13 fire sprinkler system, then the maximum height shall be 75 feet.
- (b) *Exemptions.* The following structures and features shall be exempt from the height requirements of this ULDC to the extent indicated:
 - (1) Chimneys;
 - (2) Cupolas, widow walks;
 - (3) Utility poles and support structures;
 - (4) Cooling towers and ventilators;
 - (5) Municipal or other state or county government utility infrastructure; and
 - (6) Spires and church steeples.

DIVISION 2. - OPERATIONAL PERFORMANCE STANDARDS

SEC. 3.08 - STANDARDS.

Under this division, the following standards shall apply:

- (a) *Noise.* Sites shall be laid out and uses shall be operated to prevent noise from becoming a nuisance to adjacent single-family and duplex uses;

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- (b) *Vibration.* All uses shall be operated so that ground vibration is not perceptible outside the lot lines of the site on which the use is located;
- (c) *Fire and explosive hazards.* Underground storage tanks for flammable liquids and gasses shall be located at least 50 feet from the lot line of lots that contain a single-family or duplex use; aboveground tanks shall be set back at least 100 feet from such lot lines, unless the board of adjustment determines, based on information provided by the applicant, that a 50-foot setback will ensure compliance with all applicable state standards. The storage tank setback requirements of this subsection shall not apply to tanks that are necessary to single-family or duplex units; and
- (d) *Light and glare.* The following operational performance standards shall apply:
 - (1) All exterior lighting shall be hooded or otherwise shielded so that the light source is not directly visible from property that contains a single-family or duplex;
 - (2) All lighting shall be shielded so that substantially all emitted light falls within the property line of the property from which the light emanates;
 - (3) All exterior building floodlights shall be shielded so that all emitted light falls upon the property from which the light emanates;
 - (4) No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. The types of lighting that shall be prohibited by this subsection shall include but not be limited to any light that may be confused with or construed as a traffic control device and any animated, flashing or changing intensity lights, except for temporary holiday displays; and
 - (5) Electromagnetic interference. No operations or activities shall be conducted that cause electrical disturbances to be transmitted across lot lines.
- (e) *Screening.* Non-residential and multifamily residential development, including off-street parking areas associated with such developments, shall be screened from view of adjacent single-family or duplex use and any property zoned SFE, SF1, SF2, or OR. Such visual screening shall be accomplished through the use of opaque fence meeting the requirements of division 2 of article X of chapter 18, pertaining to buffer fencing, along the lot line that is adjacent to the single-family or duplex use or property zoned SFE, SF1, SF2 or OR. Mechanical equipment, outdoor storage areas and refuse collection areas shall be completely shielded from view of adjacent single-family or duplex uses, scenic corridors or property zoned SFE, SF1, SF2 or OR by an opaque fence or wall made of material specified in division 2 of article XII of chapter 18 that is at least one foot taller than the site feature being screened from view, provided this shall not be interpreted as requiring screening, fences, or walls to be taller than ten feet. Fences, walls and buffers must comply with all other requirements of the ULDC.
- (f) *Drilling, oil or gas operations.* Subsection (e) of this section shall not apply to drilling, oil or gas operations. All drilling, oil or gas operations must be in compliance with the Code, including chapter 62 and this ULDC.

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DIVISION 4. - RESIDENTIAL ZONES

SEC. 3.11 - APPLICABILITY, LOTS UNDER 43,560 SQUARE FEET.

Any building on a lot smaller than 43,560 square feet, with the exception of manufactured housing, or a building containing two or more dwelling units shall comply with the masonry, architectural and site design standards listed in this section.

- (a) *Masonry.* Buildings in subdivisions platted after April 13, 2013, shall have all exterior walls constructed using masonry materials covering at least 60 percent of said walls, exclusive of doors and windows.
- (1) A combination of at least three materials shall be used, two of which shall be masonry.
 - (2) Materials shall be used consistently on the same building plane. The minimum offset to establish a new building plane is six inches.
- (b) *Architectural.* New residential dwellings shall be constructed using at least two of the following design features to provide visual relief along the front of the residence as depicted in figure 3-3: 1) dormers; 2) gables; 3) recessed entries with a three-foot minimum; 4) covered front porches; 5) cupolas; 6) pillars or posts; 7) bay windows with a 24-inch minimum projection; or 8) other equivalent design feature approved by the director.



Figure 3-3. Style Elements

- (1) Front facing windows shall be provided with trim or shall be recessed. The windows shall not be flush with exterior wall treatment and shall be provided with an architectural surround at the jamb.
- (2) Roofs shall have a minimum pitch of 12:4. Mansard roofs shall be allowed.

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(c) *Site design.*

- (1) Sidewalks in conformance with chapter 122 of the Code of Ordinances shall be installed from property line to property line at the expense of the property owner in all adjacent rights-of-way prior to the issuance of a certificate of occupancy for a new residential building.
- (2) Entrances to attached garages shall have a 25-foot setback from the front property line and shall not exceed 35 feet in width or occupy more than 40 percent of the total building frontage, whichever is greater. The 25-foot setback does not apply to attached side entry garages.

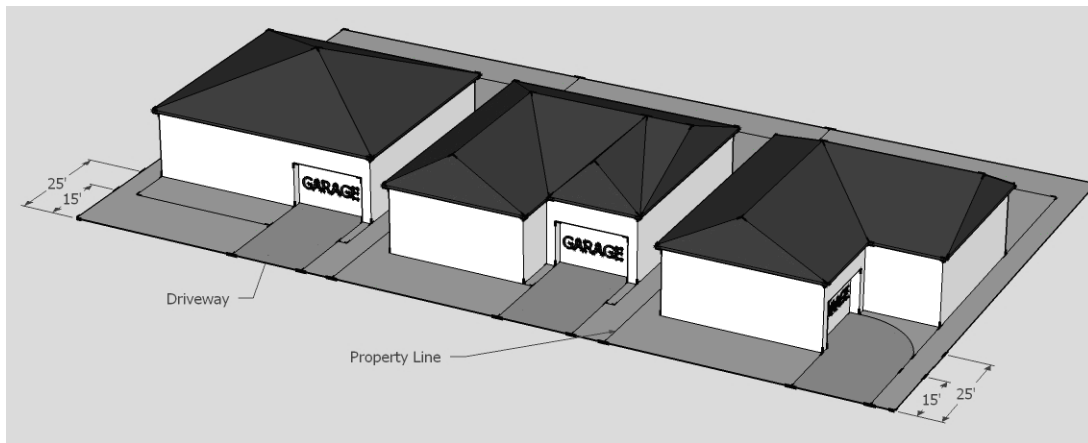


Figure 3-4. Garage Setback Options

- (3) Mechanical equipment shall not be located in the front yard. Mechanical equipment may be allowed in the street side yard setback if screened from view of the public right-of-way.

SEC. 3.115 – RESIDENTIAL ACCESSORY STRUCTURES

(a) For tract of land two (2) acres or smaller:

- (1) The sum of all barns and stables shall not exceed the gross square footage of the primary structure on the same lot; and
- (2) The sum of all other residential accessory structures shall not exceed 75% of the gross square footage of the primary structure on the same lot.

(b) For tracts of land larger than two (2) acres:

- (1) The sum of all barns and stables may exceed the gross square footage of the primary structure on the same lot; and
- (2) The sum of all other residential accessory structures shall not exceed the gross square footage of the primary structure on the same lot.

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SEC. 3.13 - APPLICABILITY, MANUFACTURED HOUSING.

Manufactured housing units shall comply with following standards:

- (a) *Roof.* A roof must be predominantly double pitched and have a minimum vertical rise of 2.2 inches for every 12 inches of horizontal run. The roof must be covered with material that is commonly used on site-built single-family dwellings within the city, including but not limited to wood, asphalt composition shingles or fiberglass, and excluding corrugated aluminum, corrugated fiberglass or corrugated metal. The roof shall have a minimum eave projection and roof overhang of eight inches.
- (b) *Siding.* Exterior siding shall be of a material commonly used on site-built single-family dwellings within the city, which material does not have a high-gloss finish and which may include wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior of the foundation or curtain wall, or the joint between siding and enclosure wall shall be flashed in accordance with building codes.
- (c) *Transport equipment.* All manufactured homes must remove running gear, tongues, axles and wheels at the time of installation of the home on the parcel.
- (d) *Finished floor elevation.* The finished floor elevation of the residential design manufactured housing unit shall be a maximum of 24 inches above the exterior finished grade of the lot on which it is located, as measured at the main entrance into the dwelling.
- (e) *Attached additions.* Any attached addition to a residential design manufactured housing unit, including garages, shall comply with building code requirements. All of the design standards of this division shall apply to all additions.