NOTICE OF REGULAR MEETING OF THE
HEMPSTEAD PLANNING AND ZONING COMMISSION

Notice is hereby given that a Regular Meeting of the Planning and Zoning Commission of the City of Hempstead will be held on **Monday, June 5, 2023, at 5:00 P.M.** at the **Hempstead City Hall, 1125 Austin Street, Hempstead, Texas**, at which time the following will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comment.
4. Consideration and action on minutes of the May 1, 2023, meeting.
5. Amendment to the Subdivision Ordinance requiring that first-floor elevations of all residential dwellings be a minimum of one foot (1') above the adjacent centerline of the street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum floor elevation.
    a. Public Hearing
    b. Consideration and action on a Resolution of the City Council of the City of Hempstead amending the Subdivision Ordinance requiring that the first-floor elevations of all residential dwellings be a minimum of one foot (1') above the adjacent centerline of the street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum floor elevation.
6. Amendment to the Zoning Ordinance requiring that the first-floor elevations of all residential dwellings be a minimum of one foot (1') above the adjacent centerline of the street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum floor elevation.
    a. Public Hearing
    b. Consideration and action on a Resolution of the City Council of the City of Hempstead amending the Zoning Ordinance requiring that the first-floor elevations of all residential dwellings be a minimum of one foot (1') above the adjacent centerline of the street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum floor elevation.
7. Adjourn Planning and Zoning Commission Meeting.

The Planning and Zoning Commission of the City of Hempstead reserves the right to adjourn into executive session at any time during this meeting to discuss any matter, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

Dated this day the 2nd day of June, A.D., 2023.

By: SAlvarez
Sabrina Alvarez, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the Planning and Zoning Commission of the City of Hempstead is a true and correct copy of said

Notice and that I posted a true and correct copy of said Notice on the bulletin board and entrances to City Hall in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all time, and said Notice was posted on June 2, 2023 at 3:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this day the 2nd day of June, A.D., 2023.

By: SAlvarez
Sabrina Alvarez, City Secretary

PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Monday the 5th day of June 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas.** The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

1-346-248-7799; Access Code 989-478-2100

IF PLANNING AND ZONING COMMISSION MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COMMISSION MEMBERS MUST BE PRESENT AT THE LOCATION.

NOTICE OF MEETING BY VIDEO CONFERENCE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Monday, the 5th day of June 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the Planning and Zoning Commission will be physically present at the Hempstead City Hall, 1125 Austin Street, Hempstead. The public may participate in the Planning and Zoning Commission Meeting by using the following information:

1-346-248-7799, Access Code 989-478-2100

STATE OF TEXAS
COUNTY OF WALLER
CITY OF HEMPSTEAD

BE IT REMEMBERED that on the 1st day of May, A.D., 2023 at 5:00 P.M. the Planning and Zoning Commission met in Regular Session at the Hempstead City Hall, Hempstead, Texas in said City, there being present, to-wit:

John Busby, Chairman
Nora Hodges, Board Member
Samantha Glover, Board Member (Absent)
Chris Whetzel, Board Member
Barbara Bezub, Board Member
Joe Ayala, Board Member

Bridgette Begle, City Attorney
Sabrina Alvarez, City Secretary

1. **Call to order and invocation.**

Chairman John Busby called the meeting to order at 5:02 P.M. and gave the invocation.

2. **Pledge of Allegiance.**

The Pledge of Allegiance was given.

3. **Consideration and action on minutes of the April 3, 2023, meeting.**

Board Member Nora Hodges made a motion to approve the minutes. Board Member Joe Ayala seconded the motion and carried it unanimously.

4. **Public Comment**

No Public Comments

5. **Zoning Map Amendment Request to rezone Block 113, Lots 2-5 – 550 9th Street & 846 New Orleans from R-1 Single Family Residential to CBD – Central Business District.**
   a. **Public Hearing**

The Public Hearing started at 5:04 P.M.

The Public Hearing closed at 5:05 P.M.

   b. **Consideration and action on an Ordinance of the City of Hempstead, Texas providing that the Code of Ordinances of the City of Hempstead be amended by amending the Zoning Map so that property described as Block 113, Lots 2-5, 550 9th Street & 846 New Orleans Street shall be changed from R-1 – Single**

Family Residential District Classification and become and be designated as CBD – Central Business District; providing for penalties; providing a savings clause; and finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law.

Building Inspector Frank Rodriguez spoke on behalf of the city and explained to the board members the zoning map and the different structures that are on the lots. Chairperson John Busby asked about Bus 290 if it was all zoned commercial. The board members asked if all notices were sent to the property owners within the 200 feet radius and published in the paper. City Secretary Sabrina Alvarez stated that all notices were published, and letters were sent out and none of them came back as undeliverable. Board Member Nora Hodges and Barbara Bezub both stated they went by to talk to the neighbors surrounding the property and no one was home. Attorney Bridgette Begle stated in this matter spot zoning is not a problem. Property owner Elizabeth Ayala spoke and stated that she wishes to have offices in the next year or so. Board Member Barbara Bezub stated where does the businesses stop coming into the residential parts of town. Chairman John Busby only concern is the homeowner that lives in Block 155, Lot 1 of where the rezoning will take place wasn't there to voice their opinion. Elizabeth Ayala stated that Block 113, Lot 1 was zoned CBD but when it was put on the map it was left out. The AT&T building is zoned residential. Board Member Nora Hodges stated all citizens were notified and no one is at the meeting to protest the rezoning. She stated we need growth and improvements to the city and growth is coming. Board Member Joe Ayala was for the rezone as well. Board Member Nora Hodges made a motion to approve the Resolution. Board Member Joe Ayala seconded the motion.

AYES: Board Member Nora Hodges, Board Member Joe Ayala, Board Member Chris Whetzel
NO: Chairman John Busby and Board Member Barbara Bezub
The motion was passed and approved.

6. **Zoning Map Amendment to zone newly annexed 2.1854-acre tract of land being out of that certain called 4-3/4-acre tract located in the L. Abbott Survey, Abstract No.1, Waller County, Texas to HC-Highway Commercial Classification.**
    a. **Public Hearing**

Public Hearing opened at 5:32 P.M.

Melissa Hegemeyer is speaking on behalf of the business owners. She stated originally. They wanted to go with a PUD but decided not to because of the sewer lines not being there, their only option was to zone it Highway Commercial. Chairman John Busby asked does Highway Commercial allow for city utilities? Melissa Hegemeyer stated that the water is there already, but the sewer is not, it would be a county process. The property touches 290 which belongs to TXDOT. Attorney Bridgette Begle stated that the property was annexed, and the board needs to get zoned quickly. Melissa Hegemeyer showed the board members an aerial map of the property to all the board members so they could see, she stated they are hoping to have office space leased.

Public Hearing closed at 5:37 P.M.

b. **Consideration and action on an Ordinance of the City of Hempstead, Texas providing that the Code of Ordinances of the City of Hempstead be amended by amending the Zoning Map so that property described as newly annexed 2.1854-acre tract of land being out of that certain called 4-3/4 acre tract located in the L. Abbott Survey, Abstract No.1, Waller County, Texas to HC-Highway Commercial Classification shall be designated ; providing for penalties; providing a savings clause; and finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law.**

Board member Ayala made a motion to approve the Ordinance. Board member Nora Hodges seconded the motion and carried unanimously.

7. **Adjourn Planning and Zoning Commission Meeting.**

Board Member Nora Hodges made a motion to adjourn the Planning and Zoning meeting at 5:38 P.M. Board Member Joe Ayala seconded the motion and carried unanimously.

PASSED AND APPROVED this the 5th day of June, A.D., 2023.

APPROVED:

_____

John Busby, Chairman

ATTEST:

_____

Sabrina Alvarez, City Secretary

City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

RESOLUTION
NO. 23-____

AN RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS AMENDING ARTICLE 4 "SUBDIVISION DESIGN REQUIREMENTS" OF EXHIBIT 9A "SUBDIVISION ORDINANCE" OF THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD, TEXAS INCREASING THE MINIMUM FIRST-FLOOR ELEVATION REQUIREMENTS OF RESIDENTIAL DWELLINGS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HEMPSTEAD, TEXAS:

To recommend that City Council **approve/deny** amending Article 4 Subdivision Design Requirements of Exhibit 9A "Subdivision Ordinance" increasing the minimum first-floor elevation requirements of residential dwellings.

PASSED AND APPROVED this the 5th day of June, A.D., 2023.

APPROVED:

_____
John Busby, Chairman

ATTEST:

_____
Sabrina Alvarez, City Secretary

City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

ORDINANCE NO. _23-_____

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS AMENDING ARTICLE 4 "SUBDIVISION DESIGN REQUIREMENTS" OF EXHIBIT 9A "SUBDIVISION ORDINANCE" OF THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD, TEXAS INCREASING THE MINIMUM FIRST-FLOOR ELEVATION REQUIREMENTS OF RESIDENTIAL DWELLINGS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

Section 1: That Article 4 "Subdivision Design Requirements" of Exhibit 9A "Subdivision Ordinance" of the Code of Ordinances of the City of Hempstead, Texas is hereby amended to read as follows with additions being **bold and underlined** and deletions being ~~struck~~:

ARTICLE 4

SUBDIVISION DESIGN REQUIREMENTS

...

§ 6 Building Elevation.

The first-floor elevation of all dwelling structures in a residential district shall be in accordance with the current Zoning Ordinance requirement.

Section 2. All portions of the City of Hempstead Subdivision Ordinance not in conflict with this Ordinance remain in effect.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hempstead, Texas, declares

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

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. This Ordinance shall become effective on _____.

PASSED AND APPROVED this the _5th__ day of ___June_____, 2023.

APPROVED:

_____
Erica Gillum, Mayor

ATTEST:

_____
Sabrina Alvarez, City Secretary

City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

RESOLUTION
NO. 23-____

A RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS AMENDING ARTICLE 3 "ZONING DISTRICTS", SECTION 3.01 "AR-AGRICULTURAL/RESIDENTIAL DISTRICT", SECTION 3.02 "R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 3.03 "R-2 – MULTI-FAMILY RESIDENTIAL DISTRICT", SECTION 3.04 "R-3 MULTI-FAMILY RESIDENTIAL DISTRICT", AND SECTION 3.05 "MH – MANUFACTURED HOUSING DISTRICT" OF THE ZONING ORDINANCE INCREASING THE MINIMUM FIRST-FLOOR ELEVATION REQUIREMENTS; CORRECTING CLERICAL ERRORS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HEMPSTEAD, TEXAS:

To recommend that City Council **approve/deny** Zoning Districts, Section 3.01 AR-Agricultural/Residential District, Section 3.02 R-1 Single Family Residential District, Section 3.04 R-3 Multi-Family Residential District, 3.03 R-2 Multi-Family Residential District and section 3.05 MH – Manufactured Housing District of the Zoning Ordinance increasing the minimum first-floor elevation requirements.

PASSED AND APPROVED this the 5th day of June, A.D., 2023.

APPROVED:

_____
John Busby, Chairman

ATTEST:

_____
Sabrina Alvarez, City Secretary

City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

ORDINANCE NO. __23-____

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS AMENDING ARTICLE 3 "ZONING DISTRICTS", SECTION 3.01 "AR-AGRICULTURAL/RESIDENTIAL DISTRICT", SECTION 3.02 "R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 3.03 "R-2 – MULTI-FAMILY RESIDENTIAL DISTRICT", SECTION 3.04 "R-3 MULTI-FAMILY RESIDENTIAL DISTRICT", AND SECTION 3.05 "MH – MANUFACTURED HOUSING DISTRICT" OF THE ZONING ORDINANCE INCREASING THE MINIMUM FIRST-FLOOR ELEVATION REQUIREMENTS; CORRECTING CLERICAL ERRORS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

Section 1: That Article 3 "Zoning Districts" of Exhibit 9B "Zoning Ordinance" of the Code of Ordinances of the City of Hempstead, Texas is hereby amended to read as follows with additions being **bold and underlined** and deletions being ~~struck~~:

ARTICLE 3

Zoning Districts

§ 3.01. AR - Agricultural/Residential District.

3.01.01 Description: The AR - Agricultural/Residential District is intended to retain the open character of the land. This district is primarily designed for those areas on the periphery and within Hempstead which have soils most suitable for agricultural production. Agricultural activities are frequently associated with noise, odors, dust, aerial chemical spraying, and other activities generally incompatible with urban life. However, agriculture forms a vital segment of both the Texas and local economy. Therefore, it is the purpose of the AR District to provide areas of low-density development to accommodate land uses within a district that will have the least negative impacts on agriculture. Developmental standards within the AR District are designed to provide for a high qualify of life while effectively reducing the need for extensive urban infrastructure and associated public facilities. The regulatory provisions of this district are aimed at achieving the goals, objectives and policies of the City of Hempstead.

3.01.02 Uses Permitted by Right: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.01.03 Specific Uses: Please see Section. 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.01.04 Area Regulations: For a comprehensive review of area regulations pertaining to all Zoning districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

A. Lot Area: A lot located in the AR - Agricultural Residential District shall have not less than six thousand two hundred and fifty (6,250) square feet of area.

B. Lot Width: A lot located in the AR - Agricultural Residential District shall have not less than fifty (50) feet of width or frontage.

C. Lot Depth: A lot located in the AR - Agricultural Residential District shall have not less than one hundred and twenty-five (125) feet of depth.

D. Front Yard: Each lot in an AR - Agricultural Residential District shall have a front yard of not less than five (5) feet.

E. Rear Yard: Each lot in an AR - Agricultural Residential District shall have a rear yard of not less than five (5) feet.

F. Side Yard: Each lot in an AR - Agricultural Residential District shall have a side yards of not less than five (5) feet.

G. Lot Coverage: Structures on an AR - Agricultural Residential District lot shall not cover more than fifty percent (50%) of the lot.

H. Height: No structure on an AR - Agricultural Residential District lot shall exceed forty-five (45) feet in height.

I. **Building Elevation: The first-floor elevation of all dwelling structures in AR – Agricultural/Residential District shall be a minimum of one foot (1') above the adjacent centerline of street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum first-floor elevation.**

J.

§ 3.02. R-1 Single-Family Residential District.

3.02.01 Description: This district is primarily intended for single-family detached residential dwellings and related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas should be separated and protected from the encroachment of land use activities that do not perform a function necessary to sustain the residential environment, internal stability, attractiveness, order, efficiency, and security. The maintenance of property values is encouraged through the provision

of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of various land use elements. The regulatory provisions of this district are aimed at achieving the goals, objectives and policies of the City of Hempstead.

3.02.02 Uses Permitted by Right: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.02.03 Specific Uses: Please see section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.02.04 Area Regulations: For Comprehensive review of area regulations pertaining to all zoning Districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

A. Lot Area: A lot located in the R-1 - Single-Family Residential District shall have not less than six thousand two hundred and fifty (6,250) square feet of area.

B. Lot Width: A lot located in the R-1 - Single-Family Residential District shall have not less than fifty (50) feet of width or frontage.

C. Lot Depth: A lot located in the R-1 - Single-Family Residential District shall have not less than one hundred and twenty-five (125) feet of depth.

D. Front Yard: Each lot in a R-1 - Single-Family Residential District shall have a front yard of not less than five (5) feet.

E. Rear Yard: Each lot in a R-1 - Single-Family Residential District shall have a rear yard of not less than five (5) feet.

F. Side Yard: Each lot in a R-1 - Single-Family Residential District shall have side yards of not less than five (5) feet on each side.

G. Lot Coverage: Structures on a R-1 - Single-Family Residential District lot shall not cover more than fifty percent (50%) of the lot.

H. Height: No structure in a R-1 - Single-Family Residential District shall exceed thirty-five (35) feet in height.

I. Building Elevation: The first-floor elevation of all dwelling structures in a R-1 – Single Family Residential District shall be a minimum of one foot (1') above the adjacent centerline of street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum first-floor elevation.

...

§ 3.03. R-2 - Multi-Family Residential District.

3.03.01 Description: This district is primarily designed for two-family attached residential dwellings and related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas should be separated and protected from the encroachment of land use activities that do not perform a function necessary to sustain the residential environment, internal stability, attractiveness, order, efficiency, and security. The maintenance of property values is encouraged through the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of various land use elements. The regulatory provisions of this district are aimed at achieving the goals, objectives and policies of the City of Hempstead.

3.03.02 Uses Permitted by Right: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.03.03 Specific Uses: Please See Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.03.04 Area Regulations: For a comprehensive review of area regulations pertaining to all zoning districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

A. Lot Area: A lot located in the R-2 - Multi-Family Residential District shall have no less than nine thousand three hundred and seventy-five (9,375) square feet.

B. Lot Width: A lot located in the R-2 - Multi-Family Residential District shall have not less than seventy-five (75) feet of width or frontage.

C. Lot Depth: A lot located in the R-2 - Multi-Family Residential shall have not less than one hundred and twenty-five (125) feet of depth.

D. Residential Density: Density in a R-2 - Multi-Family Residential District shall not exceed two (2) primary dwelling units per lot.

E. Front Yard: Each lot in a R-2- Multi-Family Residential District shall have a front yard of not less than five (5) feet.

F. Rear Yard: Each lot in a R-2- Multi-Family Residential District shall have a rear yard of not less than five (5) feet.

G. Side Yard: Each lot in a R-2 - Multi-Family Residential District shall have side yards of not less than five (5) feet on each side.

H. Lot Coverage: Structures on a R-2- Multi-Family Residential lot shall not cover more than fifty percent (50%) of the lot.

I. Height: No structure in a R-2 - Multi-Family Residential District shall exceed thirty-five (35) feet in height.

J. Building Elevation: The first-floor elevation of all dwelling structures in a R-2 – Multi-Family Residential District shall be a minimum of one foot (1') above the adjacent

centerline of street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum first-floor elevation.

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§ 3.04. R-3 - Multi-Family Residential District.

3.04.01 Description: This district is primarily intended for multiple-family dwellings consisting of townhouses, rowhouses, garden apartments, and other similar medium density designs, along with related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. The purpose of the R-3 District is to provide for a higher density residential district with a more diverse mixture of residential and associated land uses. In order to accommodate higher densities, a greater use of open space and recreational areas is required within this district. Projects in this district are intended for locations along or near designated arterial streets to accommodate the higher traffic associated with such districts.

These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment, internal stability, attractiveness, order, efficiency, and security. The maintenance of property values is encouraged through the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of various land use elements The regulatory provisions of this district are aimed at achieving the goals, objectives and policies of the City of Hempstead.

3.04.02 Uses Permitted by Right: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.04.03 Specific Uses: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.04.04 Area Regulations: For a comprehensive review of area regulations pertaining to all zoning districts, please see Section 3.12 - Lots Standards Matrix, at the end of this section of the Ordinance.

A. Site Area: A site located in the R-3 - Multi-Family Residential District shall have not less than twelve thousand five hundred (12,500) square feet.

B. Site Width: A site located in the R-3 - Multi-Family Residential District shall have not less than one hundred (100) feet of width or frontage.

C. Site Depth: A site located in the R-3 - Multi-Family Residential District shall have not less than one hundred and twenty-five (125) feet of depth.

D. Residential Density: Density in an R-3 - Multi-Family Residential District shall not exceed 1,500 square feet per unit.

E. Front Yard: Each site in an R-3 - Multi-Family Residential District shall have a front yard of not less than five (5) feet.

F. Rear Yard: Each site in an R-3 - Multi-Family Residential District shall have a rear yard of not less than five (5) feet on each side.

G. Side Yard: Each site in an R-3 - Multi-Family Residential District shall have side yards of not less than five (5) feet on each side.

H. Lot Coverage: Structures on an R-3 - Multi-Family Residential District lot shall not cover more than seventy-five percent (75%) of the lot.

I. Height: No structure in an R-3 - Multi-Family Residential District shall exceed thirty-five (35) feet in height.

J. Building Elevation: The first-floor elevation of all dwelling structures in a R-3 – Multi-Family Residential District shall be a minimum of one foot (1') above the adjacent centerline of street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum first-floor elevation.

...

§ 3.05. MH - Manufactured Housing District.

3.05.01 Description: This district is intended to serve as a residential zone that will meet the needs of persons living in manufactured housing. The primary use of land in the MH District is for manufactured homes, and other related religious, educational, and recreational facilities normally required for the provision of a balanced and attractive neighborhood. These areas should be protected from the encroachment of land use activities that do not perform a function necessary to sustain the residential environment, internal stability, attractiveness, order, efficiency, and security. The maintenance of property values is encouraged through the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of various land use elements. The regulatory provisions of this district are aimed at achieving the goals, objectives and policies of Hempstead.

3.05.02 Uses Permitted by Right: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.05.03 Specific Uses: Please see Section 3.13 - Zoning District Matrix, at the end of this section of the Ordinance.

3.05.04 Area Regulations: For a comprehensive review of area regulations pertaining to all zoning districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

A. Site Area: A site for an MH - Manufactured Home District shall contain not less than two (2) acres in size.

B. Lot Area: A lot located in the MH - Manufactured Home District shall have not less than six thousand two hundred and fifty (6,250) square feet of area.

C. Lot Width: A lot located in the MH - Manufactured Home District shall have not less than fifty (50) feet of width or frontage.

D. Lot Depth: A lot located in the MH - Manufactured Home District shall have not less than one hundred and twenty-five (125) feet of depth.

E. Front Yard: Each lot in an MH - Manufactured Home District shall have a front yard of not less than five (5) feet.

F. Rear Yard: Each lot in an MH - Manufactured Home District shall have a rear yard of not less than five (5) feet.

G. Side Yard: Each lot in an MH - Manufactured Home District shall have a side yards of not less than five (5) feet on each side.

H. Height: No structure in a MH - Manufactured Home District shall exceed thirty-five (35) feet in height.

I. Lot Coverage: Structures on a MH - Manufactured Housing District lot shall not cover more than fifty percent (50%) of the lot.

J. Building Elevation: The first-floor elevation of all dwelling structures in a MH – Manufactured Home District shall be a minimum of one foot (1') above the adjacent centerline of street or minimum of one foot (1') above the adjacent street gutter, whichever is greater. From residential dwellings on corner lots, both adjacent streets shall be considered when determining the minimum first-floor elevation.

Section 2. All portions of the City of Hempstead Zoning Ordinance not in conflict with this Ordinance remain in effect.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hempstead, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. This Ordinance shall become effective on _____.

PASSED AND APPROVED this the _5th__ day of ___June_, 2023.

APPROVED:

_____
Erica Gillum, Mayor

ATTEST:

_____
Sabrina Alvarez, City Secretary