

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

KEITH BONNER, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A JOINT MEETING
CITY COUNCIL AND
PLANNING DEVELOPMENT AND ZONING COMMISSION
CITY OF MANVEL
July 22, 2024**

**NOTICE IS HEREBY GIVEN
6:00 P.M.**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council AND Planning Development and Zoning Commission will convene a JOINT meeting at the Manvel City Hall, located at **20031 Hwy 6, Manvel Tx 77578** for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 X6 for further information.

CITY OF MANVEL MISSION STATEMENT

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

JOINT MEETING

Call To Order – City Council and PD&Z

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Presentation

Staff Update on Proposed Ordinance 2024-O-24;
AN ORDINANCE AMENDING CHAPTER 77 OF THE CODE OF ORDINANCES, "ZONING ORDINANCE" BY ADDING REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS (ADUs).

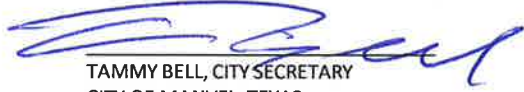
Public Hearing

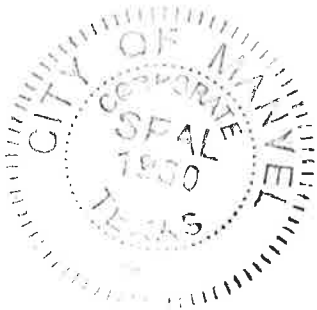
TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING CHAPTER 77 - ZONING, OF THE CODE OF ORDINANCES, PROVIDING FOR THE REGULATION OF ACCESSORY DWELLING UNITS; PROVIDING FOR THE CREATION AND MODIFICATION OF DEFINITIONS RELATED TO THE REGULATION OF ACCESSORY DWELLING UNITS, SECTION 77-3, DEFINITIONS; PROVIDING FOR AMENDMENTS TO SECTION 77-27, OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-28, SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-37, BY ESTABLISHING A NEW SECTION 77-37 - ACCESSORY DWELLING UNIT (adu); AND PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Adjourn

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the JOINT MEETING of the Manvel City Council and Planning Development and Zoning Commission is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on 7/19/2024 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS





MANVEL PD&Z DATA SHEET

MEETING DATE: July 22, 2024

TOPIC: Calling a Joint Public Hearing to be held jointly by the City Council and the Planning, Development, and Zoning Commission (the "PD&Z") in regard to amending Chapter 77 of the Code of Ordinances, "Zoning Ordinance", by adding regulations pertaining to Accessory Dwelling Units (ADUs).

BACKGROUND: It has been determined by the City of Manvel, that appropriate regulations are required for ADUs, as defined in the proposed ordinance, to ensure that the code provides an avenue for family members to stay close to the family unit as they become older or are maturing and becoming more self-sufficient, by permitting an additional dwelling unit on the same lot, under certain conditions.

The PD&Z has reviewed and provided feedback to the proposed Accessory Dwelling Unit (ADU) Ordinance. City Council will review the recommendations from the PD&Z and take proper action.

RECOMMENDATION: City staff recommends that the City Council review the recommendations from PD&Z and take proper action.

ATTACHMENTS: Ordinance No. 2024-O-24

FUNDING ISSUES

- ☒ Not applicable
- ☐ Not budgeted
- ☐ Full amount already budgeted
- ☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Ian Knox

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

ORDINANCE NO. 2024-O-24

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING CHAPTER 77 - ZONING, OF THE CODE OF ORDINANCES, PROVIDING FOR THE REGULATION OF ACCESSORY DWELLING UNITS; PROVIDING FOR THE CREATION AND MODIFICATION OF DEFINITIONS RELATED TO THE REGULATION OF ACCESSORY DWELLING UNITS, SECTION 77-3, DEFINITIONS; PROVIDING FOR AMENDMENTS TO SECTION 77-27, OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-28, SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-37, BY ESTABLISHING A NEW SECTION 77-37 - ACCESSORY DWELLING UNIT (ADU); AND PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

* * * * *

WHEREAS, the City of Manvel, Texas ("City") is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Manvel ("City Council") is empowered under the Texas Local Government Code to adopt ordinances and rules for the orderly and beneficial operation of City government and the welfare of the citizens of Manvel; and

WHEREAS, regulations related to accessory dwelling units are deemed to be necessary for the public health, safety, and welfare of the community as required by the City of Manvel Code of Ordinances; and

WHEREAS, the City Council desires to establish regulations for accessory dwelling units within the City.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. Chapter 77 of the Code of Ordinances of the City of Manvel, and same also being the Zoning Ordinance of the City, is hereby amended by amending Article I, Section 77-3. "Definitions" to read and provide as follows:

"Chapter 77 - ZONING"

ARTICLE I. IN GENERAL

...

Sec. 77-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The word "building" shall include the meaning of the word "structure"; the word "lot" shall include the meaning of the word "plot"; and the term "used for" shall include the meaning of the terms "designed for" or "intended for."

Accessory dwelling unit (ADU) means a secondary dwelling unit established in conjunction with, but clearly subordinate to, a single-family dwelling that is the principal structure on the lot and utilized solely by the owner of the lot. An ADU shall be utilized for the family that resides in the principal structure. The ADU may be attached to the principal structure, or it may be a separate accessory structure or portion thereof on the same lot. An ADU may also be erected over, or in addition to, a normally permitted accessory structure. An accessory dwelling unit may include a kitchenette or cooking facilities that do not include a full-size stove (30-inch in width or larger). For the purposes of this definition, mobile homes, manufactured homes, and recreational vehicles shall not be construed as an ADU.

Accessory use means a use of a building or land which serves an incidental function to the principal use of a building, structure, or land.

Administratively complete application means any application containing all the required documents listed on any application in the appropriate format, the correct number of copies, paid fees, and any required signatures when submitted to the city, in a final form to be deemed complete for processing.

Adult day care means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping management plan based on an intentionally structured relationship providing organization and stability.

Adult entertainment business shall have the same meaning as "sexually oriented business" as that term is defined in V.T.C.A., Local Government Code § 243.001 et

seq., and shall include, but not be limited to, an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult tanning salon, adult theater, escort agency, nude modeling studio, sexual encounter center, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Such uses shall be allowed only as specifically authorized under the terms of this article. The determination of what constitutes an adult entertainment business shall be made by the police chief or his designee, and such determination shall be appealable to the zoning board of adjustment.

Alley means minor ways that are used primarily for vehicle service access to the back or the side of properties otherwise abutting a street.

Americans with Disabilities Act means a law enacted in 1990, which is intended to make American society more accessible to persons with disabilities.

Apartments means a structure containing three or more dwelling units with common walls, including units that are located one over the other.

Applicant means any developer that submits an administratively complete application.

Attached Accessory Dwelling Unit means an independently functioning Accessory Dwelling Unit (ADU) that is attached to the principal structure, which includes an exterior point of access, bedroom, bathroom, and kitchenette.

Automobile/vehicle sales and rentals means a business which provides for the sale or rental of new or used automobiles and other vehicles, including automobiles, trailers, recreational vehicles, travel trailers, water craft and other similar land or water-form vehicles, but shall not include auto or motor vehicle repair work, except minor reconditioning of automobiles or motor vehicles to be displayed, sold or rented on the premises; provided, however, such term shall not include the sale or rental of salvaged parts, nor shall it include the storage of either new or used automobiles or motor vehicles that are not on display or for sale or rent.

Bar/lounge means a place of business whose revenues from mixed drink liquor service are more than 20 percent and whose revenues from food service are less than 80 percent of the total gross revenues of the establishment.

Building, accessory or structure means a structure detached from a principal building and located on the same lot and incidental and subordinate to the principal building or use.

City means the City of Manvel, Texas.

Community fence means a fence located at the perimeter of a residential neighborhood, visible to the public and maintained by a Home Owners Association or Municipal Utility District. Residential fences owned and maintained by an individual are not considered community fence.

Council means the city council of the city.

Corner lot side yard setback means the open space extending from the front yard to the rear yard and lying between the side lot line adjacent to the public right of way or easement and the closest point of the building or structure on a lot at the junction of and abutting two or more intersecting streets.

Detached Accessory Dwelling Unit means an Accessory Dwelling Unit (ADU) that is clearly subordinate to and detached from the principal structure.

Developer means any person or entity that develops land within the city. This term shall be synonymous with the term "subdivider" in cases where the subdivision of land is involved.

Development plat means a plan for a development project that is not part of and does not require the subdivision of property.

Family means two or more persons related to the property owner by blood (within two degrees of consanguinity), marriage (within two degrees of affinity), adoption, or guardianship living together as a single housekeeping unit with a single kitchen facility. The term "single kitchen facility" shall not exclude one outdoor kitchen facility and one accessory dwelling unit (ADU) with a kitchenette per single housekeeping unit with one kitchen.

Fence means a constructed vertical structure, barrier or partition of any material or combination of materials erected to enclose, screen, or separate outdoor areas, and which has no roof or overhead covering. A masonry wall with a foundation serving the purpose of enclosing, screening, or separating outdoor areas is considered a fence.

Front of building means the part of side which contains the principal entrance of the side adjacent to a public roadway.

Game-room means a business or commercial establishment or building or location wherein machines or apparatus may be played or operated by the insertion of a coin or slug and on which games or tests of skill, chance or ability are played, including pinball machines, and any machine initiating games of sport, shooting or guiding objects, or any machine designed for amusement or relaxation, but not including machines for vending food, drink and tobacco products, music playing or recording or apparatus commonly known as kiddie rides.

Garage means an accessory building or a part of a main building comprised of a minimum of 200 square feet, enclosed on all sides, with an overhead door, and capable of enclosing one or more vehicles.

Garage apartment means an accessory dwelling unit containing living facilities for not more than one (1) family, above a garage or carport.

Garage sales, also referred to by such names as "back yard sale," "yard sale," or "porch sale," shall mean a sale or an offer for sale of miscellaneous items to the general public, upon residential property not otherwise being used for commercial purposes (see [section 77-33\(c\)](#)).

Gross square feet means the entire floor area of a building, including uninhabitable space such as bathrooms, closets, halls, and similar areas.

Guest means a person or persons that are not related by blood (within two degrees of consanguinity), marriage, adoption, or guardianship, that resides on the premises for a period not to exceed one (1) calendar week.

~~[*Guest quarters* means an attached or detached building or secondary living area of residential use that provides living quarters for guest of the occupants of the principal residence, and:~~

~~(1) Contains no kitchen or cooking facility;~~

~~(2) Is clearly subordinate and incidental to the principal residence on the same building site; and~~

~~(3) Is not rented or leased, whether compensation be direct or indirect.-]~~

Home business means a business operation that takes place in a home.

HUD-Code manufactured home means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and 40 body feet or more in length, or, when erected on-site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems.

Kitchenette means a portion of a room intended for basic cooking and food preparation, not to include a full range stove that exceeds thirty (30) inches.

Legal nonconforming land use means a land use that lawfully existed immediately prior to the effective date of these regulations and not listed as a permitted use in the zoning district in which it is located.

Legal nonconforming structure means a structure that was lawfully existing prior to the effective date of these regulations, but as of the effective date of these regulations, the site of the use, the structure in which the use is situated, does not comply with these regulations.

Lot means a physically undivided tract or parcel of land having frontage on a public or private street, which is, or in the future may be offered for sale, conveyance, transfer or improvement, and which is designated as a separate and distinct tract and identified by numerical or letter identification on a duly and properly recorded subdivision plat.

Lot, tract, or parcel means a designated area of land established by a properly recorded subdivision plat or otherwise permitted by law to be separately owned, used, developed, or built upon.

Lot Line means the boundary of a lot separating it from an abutting lot.

Mobile home or manufactured home means a structure constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and 40 body feet or more in length, or, when erected on-site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems.

Off-street parking means a concrete parking surface other than a street or alley accessible from an approved driveway approach and upon which vehicles may be parked.

Open-planned unit development plan means a development plan for a project located within the open-planned unit development district.

Parking aisle means the area of a parking lot or off-street parking area which provides vehicular access to parking spaces (stalls). The term "parking aisle" does not include the words "driveway" or "access point".

Parking space means an area designated for the parking of motor vehicles, and connected to an approved driveway approach, street, parking aisle, access easement, or other accessway.

Patio home/zero lot line home means a single-family home built on a separate lot with building setbacks on the front, rear and one side.

Planned unit development plan means a development plan for a project located within the planned unit development district.

Planning commission means a commission appointed by the council that is responsible for certain planning and zoning items, as provided in the zoning ordinance and applicable state law.

Plat means an instrument prepared by a registered professional land surveyor in conformity with the provisions of [Chapter 62](#), Subdivisions, used to describe subdivided land, with ties to permanent landmarks or monuments, approved by the city or a governmental entity with jurisdiction of the land in accordance with V.T.C.A., Local Government Code § 212.023, and recorded in the Brazoria County Property Records.

Principal building or use means the primary use and chief purpose of a premises or building.

Restaurant means a place of business whose revenues from food sales are 80 percent or more and whose revenues for mixed drink liquor service are 20 percent or less.

Rot board means a horizontal board installed along the bottom of the fence panel which runs along the base of the entire fence panel for a finished look and added protection. Rot Boards are also commonly known as base-boards and kick-boards.

Setback means a minimum distance that is required from a lot line to a building or structure.

Single-family residence means a residence that is to be occupied by only one family.

Sight distance triangle means the triangle formed on any corner lot measured from the point of intersection of the front and exterior side lot lines a distance of 25 feet along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections. Except for single-family residential accessways, a sight triangle at the intersection of a public street and a private access way shall have sides of 15 feet along the accessway and 25 feet along the public street. In order to minimize sight obstructions, no parking, wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within the sight distance triangle so as not to impede vision between a height of two feet six inches, and ten feet above the center line grades of the intersecting streets and/or drives.

State means the State of Texas.

Structure means anything constructed or erected with a fixed location upon, under, or above the ground or attached to something having a fixed location on the ground.

Tavern means a place of business, which includes the sale of beer and wine beverages, but does not provide mixed drink liquor sales.

Telecommunications means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the content of the information as sent and received.

Top Cap is a horizontal element of a wood fence included to cover the top end of pickets and posts. A privacy fence with a top cap is commonly referred to as a cap and trim fence.

Tower or tower structure means a fixed, freestanding or guyed, uninhabitable structure, not designed as a shelter or to be occupied for any use. This definition includes, but is not limited to, any such structure supporting antennae that transmit or receive any portion of the electromagnetic spectrum of radio waves. The following are by way of example but not limitation, towers or tower structures: guyed or freestanding monopole structures, lattice or open framed structures, antennae sports, water towers, and other similar self-supporting, trussed, or open framed structures.

Zoning board of adjustment means a board appointed by the council that is responsible for certain zoning items, as provided in the zoning regulations and applicable state law.

Zoning official means the person appointed by council to administer and enforce the zoning regulations of the city.

Secs. 77-4—77-24. Reserved.”

Section 3. Chapter 77 of the Code of Ordinances of the City of Manvel, and same also being the Zoning Ordinance of the City, is hereby amended by amending Article II. – District Regulations, “Section 77-27. – Open single-family residential (O-SFR) district” to add a new subsection (f) to read and provide as follows:

Sec. 77-27. - Open-single-family residential (O-SFR) district.

...

(f) Accessory Dwelling Unit (ADU). One accessory dwelling unit is allowed if all the requirements of Sec. 77-37 are satisfied.

...

Section 4. Chapter 77 of the Code of Ordinances of the City of Manvel, and same also being the Zoning Ordinance of the City, is hereby amended by amending Article II. – District Regulations, “Section 77-28. –Single-family residential (SFR) district” to add a new subsection (f) to read and provide as follows:

Sec. 77-28. - Single-family residential (SFR) district.

...

(f) Accessory Dwelling Unit (ADU). One accessory dwelling unit is allowed if all the requirements of Sec. 77-37 are satisfied.

...

Section 5. Chapter 77 of the Code of Ordinances of the City of Manvel, and same also being the Zoning Ordinance of the City, is hereby amended by adding a new section 77-37 to Article II. – District Regulations, to read and provide as follows:

Sec. 77-37. ~~[, 77-38. - Reserved.]~~ Accessory Dwelling Unit (ADU)

(a) Accessory Dwelling Units may be permitted within Open Single-family (O-SFR), Single-family (SF) Districts, and single-family districts within Planned Unit Developments unless specifically prohibited, provided all the following conditions are satisfied.

1. Occupancy: It shall be unlawful for the Accessory Dwelling Unit (ADU) to be leased or rented, whether compensation be direct or indirect.
2. Number: One Accessory Dwelling Unit is allowed in addition to an existing single-family home and other accessory structures.
3. Maximum size of an Accessory Dwelling Unit
 - i. Open Single-Family (O-SFR) District and single-family residential lots one acre or greater.

1. A maximum of 650 square feet of conditioned space for any Accessory Dwelling Unit or twenty percent of the square-footage of the first story of the principal structure, the greater thereof.
- ii. Single-family Residential (SFR) and single-family residential lots less than one-acre.
 1. A maximum 650 square feet of conditioned space for any Accessory Dwelling Unit.
 2. A maximum of 50 percent of the backyard area can be covered by buildings (area behind the principal residence to the rear of the property).
- iii. A garage apartment proposed as a second-floor addition to a pre-existing garage which exceeds the square footage specified in this section are permitted to match the square footage of the footprint of the garage.
4. Maximum Height: Accessory Dwelling Units shall not exceed the top wall plate height of the principal structure. In the case of a garage apartment, the maximum height shall be 30 feet.
5. Setbacks: All Accessory Dwelling Units must satisfy the minimum setbacks for an accessory structure within the zoning district or planned unit development.
6. Utility Connection: An accessory dwelling shall not have separate meter services for gas, electricity or water and shall connect to the utilities of the primary structure.
7. Kitchen Facilities: An Accessory Dwelling Unit can have a kitchenette but shall have a stove/range with a maximum width of 24-inches.
8. Address: The address is the same as the principal residence.
9. Drainage: All Accessory dwelling units shall satisfy the minimum requirements for flood damage prevention (Chapter 32) and all requirements from the Manvel Engineering Design Criteria Manual.

Sec. 77-38. - Reserved. ”

Section 6. The City council hereby finds that the Zoning Amendments are consistent with the City's comprehensive plan.

Section 7. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 8. Savings/Repealing Provision. All ordinances and parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict only.

Section 9. Severability. If any provision of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 10. Effective Date. This ordinance takes effect immediately upon its passage and adoption on second reading and the publication of the caption, as required by the City Charter and state law.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2024.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A

Sec. 77-3. – Definitions.

...

Accessory dwelling unit (ADU) means a secondary dwelling unit established in conjunction with, but clearly subordinate to, a single-family dwelling that is the principal structure on the lot and utilized solely by the owner of the lot. An ADU shall be utilized for the *family* that resides in the principal structure. The ADU may be attached to the principal structure, or it may be a separate accessory structure or portion thereof on the same lot. An ADU may also be erected over or in addition to a normally permitted accessory structure. An accessory dwelling unit may include a kitchenette or cooking facilities that do not include a full-size stove (30-inch in width or larger). For the purposes of this definition, mobile homes, manufactured homes, and recreational vehicles shall not be construed as an ADU.

...

Detached Accessory Dwelling Unit means an Accessory Dwelling Unit (ADU) that is clearly subordinate to and detached from the principal structure.

...

Attached Accessory Dwelling Unit means an independently functioning Accessory Dwelling Unit (ADU) that is attached to the principal structure, which includes an exterior point of access, bedroom, bathroom, and kitchenette.

...

Family means two or more persons related to the property owner by blood (within two degrees of consanguinity), marriage (within two degrees of affinity), adoption, or guardianship living together as a single housekeeping unit with a single kitchen facility. The term "single kitchen facility" shall not exclude one outdoor kitchen facility and one accessory dwelling unit (ADU) with a kitchenette per single housekeeping unit with one kitchen.

...

Garage apartment means an accessory dwelling unit containing living facilities for not more than one (1) family, above a garage or carport.

...

Guest means a person or persons that are not related by blood (within two degrees of consanguinity), marriage, adoption, or guardianship, that resides on the premises for a period not to exceed one (1) calendar week.

...

~~Guest quarters means an attached or detached building or secondary living area of residential use that provides living quarters for guest of the occupants of the principle residence, and:~~

~~(1) Contains no kitchen or cooking facility;~~

~~(2) Is clearly subordinate and incidental to the principle residence on the same building site; and~~

~~(3) Is not rented or leased, whether compensation be direct or indirect.~~

...

Kitchenette means a portion of a room intended for basic cooking and food preparation, not to include a full range stove that exceeds thirty (30) inches.

...

Sec. 77-27. - Open-single-family residential (O-SFR) district.

...

(f) Accessory Dwelling Unit (ADU). One accessory dwelling unit is allowed if all the requirements of Sec. 77-37 are satisfied.

...

Sec. 77-28. - Single-family residential (SFR) district.

...

(f) Accessory Dwelling Unit (ADU). One accessory dwelling unit is allowed if all the requirements of Sec. 77-37 are satisfied.

...

Sec. 77-37, 77-38. - ~~Reserved.~~ Accessory Dwelling Unit (ADU)

(b) Accessory Dwelling Units may be permitted within Open Single-family (O-SFR), Single-family (SF) Districts, and single-family districts within Planned Unit Developments unless specifically prohibited, provided all the following conditions are satisfied.

10. Occupancy: It shall be unlawful for the Accessory Dwelling Unit (ADU) to be leased or rented, whether compensation be direct or indirect.

11. Number: One Accessory Dwelling Unit is allowed in addition to an existing single-family home and other accessory structures.

12. Maximum size of an Accessory Dwelling Unit

iv. Open Single-Family (O-SFR) District and single-family residential lots one acre or greater.

1. A maximum of 650 square feet of conditioned space for any Accessory Dwelling Unit or twenty percent of the square-footage of the first story of the principal structure, the greater thereof.

- v. Single-family Residential (SFR) and single-family residential lots less than one-acre.
 - 1. A maximum 650 square feet of conditioned space for any Accessory Dwelling Unit.
 - 2. A maximum of 50 percent of the backyard area can be covered by buildings (area behind the principal residence to the rear of the property).
- vi. A garage apartment proposed as a second-floor addition to a pre-existing garage which exceeds the square footage specified in this section are permitted to match the square footage of the footprint of the garage.
- 13. Maximum Height: Accessory Dwelling Units shall not exceed the top wall plate height of the principal structure. In the case of a garage apartment, the maximum height shall be 30 feet.
- 14. Setbacks: All Accessory Dwelling Units must satisfy the minimum setbacks for an accessory structure within the zoning district or planned unit development.
- 15. Utility Connection: An accessory dwelling shall not have separate meter services for gas, electricity or water and shall connect to the utilities of the primary structure.
- 16. Kitchen Facilities: An Accessory Dwelling Unit can have a kitchenette but shall have a stove/range with a maximum width of 24-inches.
- 17. Address: The address is the same as the principal residence.
- 18. Drainage: All Accessory dwelling units shall satisfy the minimum requirements for flood damage prevention (Chapter 32) and all requirements from the Manvel Engineering Design Criteria Manual.

Sec. 77-38. - Reserved.



MANVEL PD&Z DATA SHEET

MEETING DATE: July 22, 2024

TOPIC: Calling a Joint Public Hearing to be held jointly by the City Council and the Planning, Development, and Zoning Commission (the "PD&Z") in regard to amending Chapter 77 of the Code of Ordinances, "Zoning Ordinance", by adding regulations pertaining to Accessory Dwelling Units (ADUs).

BACKGROUND: It has been determined by the City of Manvel, that appropriate regulations are required for ADUs, as defined in the proposed ordinance, to ensure that the code provides an avenue for family members to stay close to the family unit as they become older or are maturing and becoming more self-sufficient, by permitting an additional dwelling unit on the same lot, under certain conditions.

The PD&Z has reviewed and provided feedback to the proposed Accessory Dwelling Unit (ADU) Ordinance. City Council will review the recommendations from the PD&Z and take proper action.

RECOMMENDATION: City staff recommends that the City Council review the recommendations from PD&Z and take proper action.

ATTACHMENTS: Ordinance No. 2024-O-24

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Ian Knox

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____