



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

To: Council Members

From: Chief Development Officer

Date: April 3, 2013

Subject: Chapter 42 Proposed Amendments

This memo will provide background on proposed amendments to Chapter 42 (subdivision, developments and platting ordinance). The key features of the proposed amendments are summarized on Attachment #1. The changes made, as a result of further stakeholder communications with the Super Neighborhood Alliance and their "top ten" items, are shown on Attachment #2.

These amendments are aimed at protecting the character of our neighborhoods. Processes are included that will allow neighborhoods to establish community-wide minimum lot sizes and building line standards. Nothing is being proposed that will, in anyway, alter existing protections in deed restricted neighborhoods.

The proposed Chapter 42 amendments are the result of an extensive process that began in 2007 when Houston Planning Commission members toured various areas of the city to see firsthand the impact of our existing regulations. In the spring of 2008, multiple Planning Commission subcommittees were created to begin evaluating the issues identified on the 2007 tour. Neighborhood stakeholders, the development community, and key departments within the City were all allowed to participate in the subcommittee process. The Planning Commission held public hearings in 2008 and 2009 to receive comments on the proposed changes that emerged from the subcommittee meetings.

A public hearing before City Council followed in late 2011. Due to the input received at that time, the Planning Commission was instructed to convene a series of community meetings to listen to public concerns about the proposed amendments. Four community meetings were held in early 2012. As a result of these meetings, the Planning Commission incorporated a variety of changes into the proposed ordinance before recommending it move forward to City Council for consideration.

Since the January 30, 2013 presentation to City Council's Committee there have been additional meetings with several stakeholder groups. As a result of the additional input from City Council and stakeholders, we are altering the original proposal to reflect what

we believe to be the best course for the neighborhoods and continuing development of the city. The key changes to amendments are described below.

Phased Implementation of Chapter 42 Amendments

The current version proposes a two-year phase-in period that includes no implementation of the urban development rules outside the 610 Loop for one year. This will allow neighborhoods outside the 610 Loop one full year to file their Special Minimum Lot Size and Building Line applications. An additional one year wait is being proposed for tracts that are less than 1 acre in size. We understand that there is some discussion on this subject in response to the Development Community's belief that this 2nd year period is not necessary. We expect some discussion at the public hearing on this subject.

Revised term for Special Minimum Lot Size

The Special Minimum Lot Size requirements are currently valid for 20 years. We are proposing a 40-year term. Any neighborhood desiring the protections to be in effect for only 20 years would be required to file an expiration application before the 20th anniversary of City Council's approval of the protections.

There has been some discussion regarding the interactions of Chapter 42 and drainage-related issues. Drainage is not covered by Chapter 42 but rather is part of the Public Works & Engineering Infrastructure Design Manual (IDM) of Chapter 9, which is currently under review internally. The proposed revisions to Chapter 9 jointly developed by APAC and PWE will increase detention requirements by the current version by requiring detention both on the increase in impervious cover due to the development, and on the extent of existing impervious cover and the increased hydraulic efficiency typically related to redeveloped drainage on a site. We anticipate this recommendation to be considered during a 45-day public comment period in the 2nd quarter of 2013 and a final revised Chapter 9 issued by July 1, 2013.

Planning and Development is separately circulating a detailed memorandum that gives a redline of the proposed ordinance, diagrams, summary of changes made since the January 30, 2013 committee presentation, Frequently Asked Questions and a timeline of public meetings.

Regards,



Andrew F. Icken

AFI/bc

c: Mayor Annise D. Parker
Waynette Chan
Marlene Gafrick

Attachments:

Attachment #1: Chapter 42 Summary of Amendments
Attachment #2: Super Neighborhood Alliance Top 10 List