

## **Summary of Ordinance Changes**

2013/14 Planning Commission Subcommittee

Subcommittee Chair: Jim Jard, Houston Planning Commission

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### **Screening of Residential Group Electric Meters**

- Require the screening of group electric meters (three or more meters clustered) that would otherwise be visible from the street. [[Page 1, Section 33-111](#)]

### **Garbage/Recycling Collection Service for Single-Family**

- Change the eligibility requirements for basic garbage collection service for single-family developments that have: 1) 25 residential units or less; and 2) shared driveways or private streets. Developments will be required to have either: 1) 10 feet of frontage along the public street for each residential unit; or 2) an area within the public right-of-way that allows for the placement of two automated collection containers (5'x5') per residential unit. [[Page 1, Section 39-63](#)]

### **Location of Group Mailboxes**

- Clarify where in the public right-of-way a group mailbox can be constructed. The group mailbox cannot obstruct: 1) sidewalks or street paving; 2) visibility at streets or driveways; and 3) access to utilities, fire hydrants, etc. [[Page 15, Section 40-13](#)]

### **Shared Driveways**

- Require single-family developments opting into a building line of five feet or less to provide underground electrical service that meets Centerpoint Energy's design requirements. [[Page 2, Section 42-157](#)]
- Allow a shared driveway to take access from a type 1 permanent access easement. [[Page 2, Section 42-145](#)]
- Modify the standard shared driveway length to be a maximum of 200 feet from a type 1 permanent access easement or a public street with an improved roadway. [[Page 2, Section 42-145](#)]

### **Building Line Encroachments**

- Allow an encroachment into a non-deed restriction building line requirement less than 10 feet along a collector or local street with the following conditions: 1) the encroachment is cantilevered; 2) the encroachment is 30 inches or less; 3) the

lowest point of the encroachment is at least 9 feet higher than the foundation; 4) for habitable area encroachments, the façade of the encroachment for each floor does not have an area greater than 50% of the total area of the façade for that floor; and 5) no aboveground utility lines exist within 10 feet of the encroachment as measured horizontally. [\[Page 4, Section 42-151\(c\)\]](#)

- Allow an encroachment into a non-deed restricted building line along a type 2 permanent access easement with the following conditions: 1) the encroachment is cantilevered; 2) the encroachment is 30 inches or less; 3) the lowest point of the encroachment is at least 9 feet higher than the foundation. [\[Page 4, Section 42-151\(d\)\]](#)
- Clarify the ordinance language for an encroachment into a non-deed restriction building line requirement of 10 feet or more. [\[Page 3, Section 42-151\(b\)\]](#)
- Clarify the ordinance language for an encroachment into a building line requirement along a shared driveway. [\[Page 4, Section 42-151\(e\)\]](#)
- Change an encroachment into the building line requirement approved with certificate of appropriateness under the Historic Preservation Ordinance from a “shall approve” variance by the Commission to an exception to the building line requirement. [\[Page 4, Section 42-151\(f\)\]](#)
- Change an encroachment into the building line requirement for an existing building that was constructed in accordance with the building line in effect at the time of construction from a “dual building line” requiring variance approval by the Commission to an exception to the building line requirement. Any new construction that expands the size, footprint, or dimension of the encroachment must meet the current building line requirements. [\[Page 4, Section 42-151\(g\)\]](#)

### **Special Minimum Building Line Requirements**

- Change the effective length of a special minimum building line requirement from 20 years to 40 years. [\[Page 7, Section 42-178\(a\)\]](#)
- Allow the temporary special minimum building line protection to go into effect on the date the application is accepted by the director. [\[Page 8, Section 42-179\(a\)\]](#)
- Establish an application process to rescind a designation of a special minimum building line requirement. Key Points: 1) property owners of 67 percent of the area must want to remove the requirement; and 2) applications may be

submitted a minimum of five years after the designation is put into place and, if necessary, five years after the last application to rescind was considered. [\[Page 8, Section 42-178\(b\)&\(c\)\]](#)

- Establish a simplified process for applying to renew a special minimum building line requirement. [\[Page 8, Section 42-178\(d\)&\(e\)\]](#)
- Clarify the ordinance language on how to determine the special minimum building line requirement. [\[Page 7, Section 42-173\(a\)\]](#)

### **Special Minimum Lot Size Requirements**

- Require the director to advise the applicant during the pre-submittal meeting on the process and criteria used by the Commission and City Council to evaluate the application. [\[Page 9, Section 42-198\(b\)\]](#)
- Allow the temporary special minimum lot size protection to go into effect on the date the application is accepted by the director. [\[Page 13, Section 42-208 \(a\)\]](#)
- Revise the application process to rescind a designation of a special minimum lot size requirement. Key points: 1) at least 67 percent of the property owners must want to remove the requirement; 2) the boundaries of a special minimum lot size area may be modified if between 55 and 67 percent of the property owners want to remove the requirement. The remaining boundaries must have at least 55 percent support for keeping the designation; and 3) applications may be submitted minimum of five years after the designation is put into place and, if necessary, five years after the last application to rescind was considered. [\[Page 11, Section 42-207\(b\)&\(c\)\]](#)
- Establish a simplified process for applying to renew a special minimum lot size requirement. [\[Page 13, Section 42-207 \(d\)&\(e\)\]](#)
- Clarify the ordinance language on how to determine the special minimum lot size requirement. [\[Page 10, Section 42-202\]](#)
- Remove land owned by a government entity or a utility from the calculation of a special minimum lot size requirement so it does not skew the final requirement. [\[Page 10, Section 42-202\]](#)
- Establish that property owned by a government entity or a utility within a proposed special minimum lot size area is considered to be neutral when determining the percentages for the level of support unless otherwise indicated. [\[Page 10, Section 42-201\]](#)

## Miscellaneous or Technical Changes

- Establish a process to allow a variance to the Chapter 10 requirement for a construction and perpetual maintenance agreement when construction is within three feet of a property line adjacent to single-family residential. [[Page 1, Section 10-8\(b\)](#)]
- Establish double application fees for work performed without prior authorization or approval. [[Page 15, Section 42-54\(b\)](#)]
- Technical amendments to various sections, including: correcting typos, revising section numbering, modifying and/or clarifying ordinance language, removing outdated requirements, etc.