

Notice of Public Hearing and Summary of Amendments to Chapter 42



The Houston Planning Commission will hold a public hearing, Thursday, June 11, 2009 at 2:30pm in the City Hall Annex Chambers, 900 Bagby on proposed amendments to Chapter 42 of the Code of Ordinances. The following is a summary.

Expanding the Urban Area – this amendment geographically expands the “urban area” to include all areas in the City Limits and within Beltway 8. The urban area designation allows for reduced building line requirements for certain developments along major thoroughfares with a designated width of less than 80 feet, certain single family residential developments and garage setback lines. It also allows for the use of lot size performance standards, reduced compensating open space requirements and the creation of shared driveways. The amendment expands the area eligible to seek Special Minimum Lot Size and Special Minimum Building Line status.

Guest Parking – New higher density single-family development provides only enough parking for the units. With the densification of the city, demand for curb parking is being increased due to multiple units on what used to be one single family lot, creating a lack of guest parking for the redeveloping areas.

The proposed amendment requires one guest space for developments that contain more than six dwelling units and an additional guest parking space for every six dwelling units in excess of the first six. Existing on-street parking in front of the development counts toward fulfilling the total parking requirement. It also identifies standards for a reserve restricted to parking.

Existing Conditions Survey – This amendment identifies the information required in a site survey for each subdivision plat with single-family residential uses.

Building Line Encroachments – This amendment specifies the type of encroachments allowed into a platted building line of 10 feet or greater.

Key Points to the amendment are as follows:

- An encroachment of up to 30 inches is allowed for eaves, bay windows, balconies, fireplace chimneys or decorative features that are cantilevered into the setback line.
- An encroachment of up to 5 feet is allowed for open stairways or wheelchair ramps into the building setback line.

Name Requirements for Partial Replats – Neighborhoods are concerned that a new replat name will remove the property from their deed restrictions. To insure name continuity, new applications for partial replats of single family residential subdivisions contain separately filed deed restrictions must be sequentially numbered referring back to the original plat name. For example, the first partial replat of “Sunny Land Subdivision” would be named “Sunny Land Subdivision partial replat no. 1.”

Notification Requirements – This amendment expands the notification area for replats requiring notification under State Law, as well as applications requesting a variance or special exception to the standards of Chapter 42.

Key Points to the amendment are as follows:

- All property owners will receive a notification letter by U.S. Mail that are:
 - within a 200-foot radius of the plat boundary; and
 - abutting any street or private roadway extending 500 feet from the plat boundary
- Notification Signs posted on the property will be required to update the date, time and place of the next meeting where the Planning Commission will consider the application should the Commission's action on the item be postponed for any reason.
- Notification Signs posted on the property will be required to identify the proposed land uses of the property, if known.

Average Lot Size/Average Lot Width – The current provisions of the code are based upon a 1970 style townhouse product. The purpose of these amendments is to allow greater flexibility for a mix of housing prices within a subdivision in the urban area while maintaining the compensating open space requirements.

Key Points to the amendment are as follows:

- Allowing for lots less than 1400 square feet if the average area in the block face is a minimum of 1400 square feet.
- Allowing for a minimum lot width of 15 feet if the average width in the block face is a minimum of 18 feet.
- Allowing for the averaging of building coverage performance standards for lots within the blockface.

There is a provision that limits the maximum lot width to 30 feet for averaging both lot width and area. This was added to prevent skewing the lot sizes to the minimums by using an oversized lot for averaging purposes.

These amendments are not applicable in established minimum lot size areas.

Sign Posting Requirements for New Single Family Residential Subdivisions which contain Certain Reserves – This amendment requires the posting of signs on reserves advising the homebuyers of the proposed future use of those tracts. Each sign must be posted before any single-family lot may be sold and must remain until the reserve is developed or the last lot is sold and developed.

The provisions of this amendment do not apply to landscape reserves, park or open space reserves, compensating open space reserves, drainage or detentions reserves, or recreational reserves.

Shared Driveways – Concerns about fire protection, access and turning movements and the adequacy of the width, length, geometrics and minimum setbacks adjacent to shared driveways for fire fighting purposes led to amendments related to the shared driveway provision for residential development inside the Urban Area.

Key Points to the amendment are as follows:

- Establishing a minimum shared driveway width of 18-feet with a 3-foot building setback line for most situations.
- Allowing for minimum shared driveway width of 16-feet with a 4-foot garage setback line in certain situations.

Lift Station Reserve Requirements – this amendment eliminates the conflict on the size of lift station reserves between Chapter 42 and the Public Works & Engineering Design Manual.

Key Points to the amendment are as follows:

- A lift station with one pump may have a minimum reserve size of 2,500 s.f.
- A lift station with two pumps may have a minimum reserve size of 3,750 s.f.
- A lift station with more than two pumps may have a minimum reserve size of 5,000 s.f.