# Ch 42 & 26 Ordinances Changes Virtual Workshop

Development Services Team March 27<sup>th</sup>, 2024



# Agenda

- Announcements followed by welcome and Introduction to the workshop - Dipti
- Show resources available to applicants/Developers Suvidha
- Present ADU changes

   Ken/Malcolm
- Present MUR changes

   Edward
- Present Courtyard style development regulations
   – Devin/Jose
- Present Small lot/Narrow lot development

   James/Fabian
- Questions from attendees Suvidha

### Resources

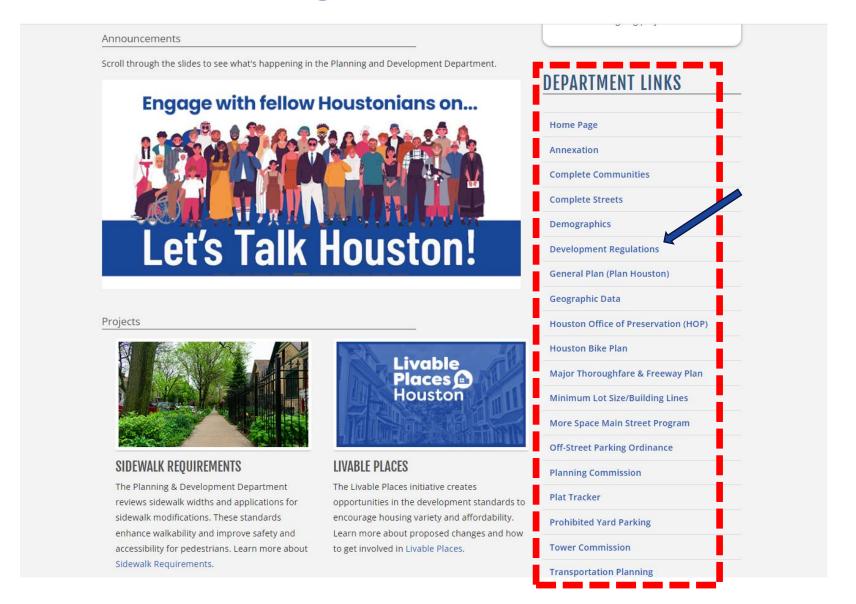
- <u>Planning and Development Department Homepage</u>
- <u>Development Regulations page</u>
- Ordinance Notes
- Houston Map Viewer
- Let's Talk Houston page
- <u>Municode Houston</u>
- Infrastructure Design Manual
- Planner of the Day

# Planning & Development Website



# Houstonplanning.com

# PD Home Page – Department Links



# PD Home Page – Development Regulations

#### **PLANNING & DEVELOPMENT**

#### **Development Regulations**

The Department of Planning and Development regulates land development in Houston and within its extraterritorial jurisdiction, ETJ. The City of Houston does not have zoning, but development is governed by ordinance codes that address how property can be subdivided. The City codes do not address land use.

#### Representation in the No. 2013 No. 2013

The Department checks subdivision plats for the proper subdivision of land and for adequate street or right-of-way, building lines and for compliance with Chapter 42, the City's land development ordinance.

Development site plans are checked for compliance with regulations that include parking, tree and shrub requirements, setbacks, and access. See https://www.houstontx.gov/codes/ for other ordinance regulations.

**Frequently Asked Questions** 

Plat and Permit Activity Reports

#### **Development Ordinances**

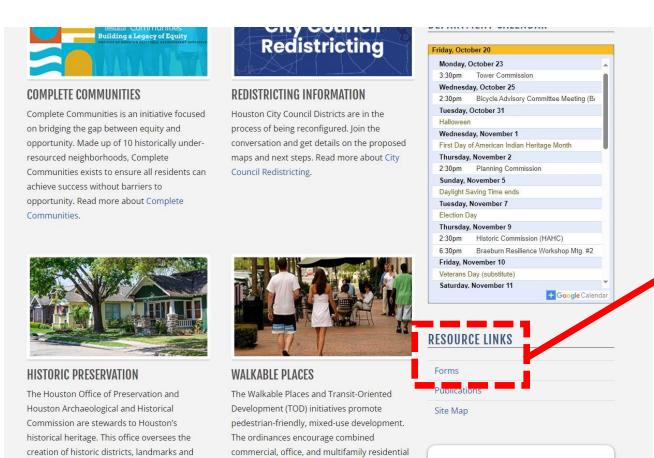
Municode.org hosts municipal codes and ordinance regulations for City of Houston. Various chapters are relevant to Houston's land development process, including:

- Chapter 42 subdivisions, development, platting
- Chapter 26 parking space requirements

#### Subdivision Plat Submittal Guides 1. Platting Process Flow Chart 2. Fees - effective January 1 of each year ▶ 3. Online Plat Submittal - Plat Tracker 4. Subdivision Plat Submittal Requirements 5. Subdivision Plat Submittal Policies 6. Subdivision Platting Recordation Dedicatory Acknowledgements and Certifications 7. Ordinance Notes - for use on plats (Updated March 2024) 8. Public Hearing Guide - C3N (Updated January 2022) 9. Variance Guide (Updated January 2022) 10. Amending Plat Guide 11. Surveying Requirements for Subdivision Plats 12. Parking Considerations 13. Street Paving Requirements for Shared Driveways 14. Solid Waste- Trash Collection Plan 15. Garage Building Lines for Corner Lots in ETJ 16. Notification for Replats Requiring Public Hearings 17. Identification of Flood Prone Areas on General Plan 18. Walkable Places and TOD Ordinance Requirements 19. PSEFI Platting Event-Every October

https://www.houstontx.gov/planning/DevelopRegs/

# Planning & Development Homepage: Forms

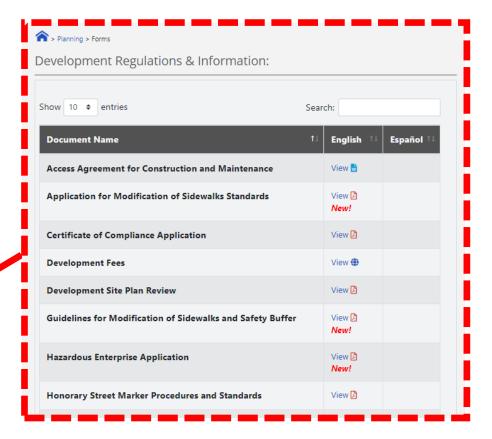


developments to create more vibrant, walkable

streets that support alternative modes of

reviews requests for any new construction,

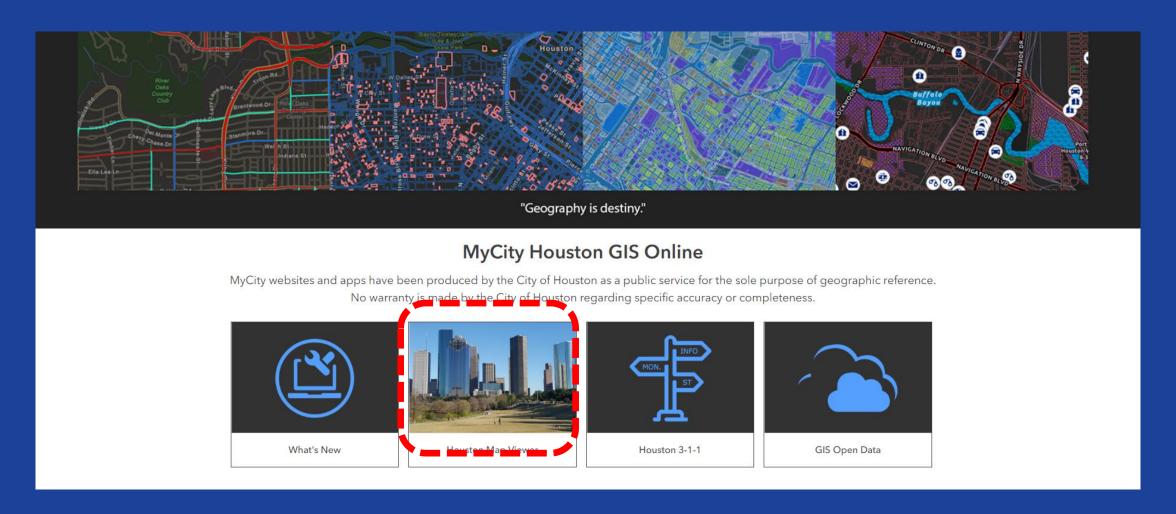
domolition or alterations to historic structures

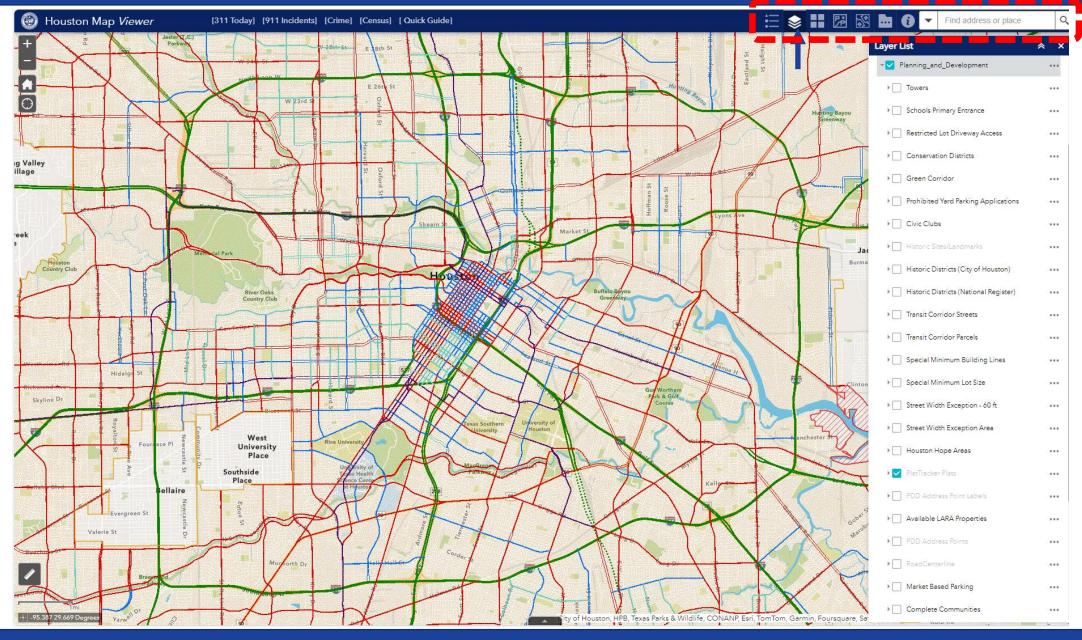


https://www.houstontx.gov/planning/Forms/

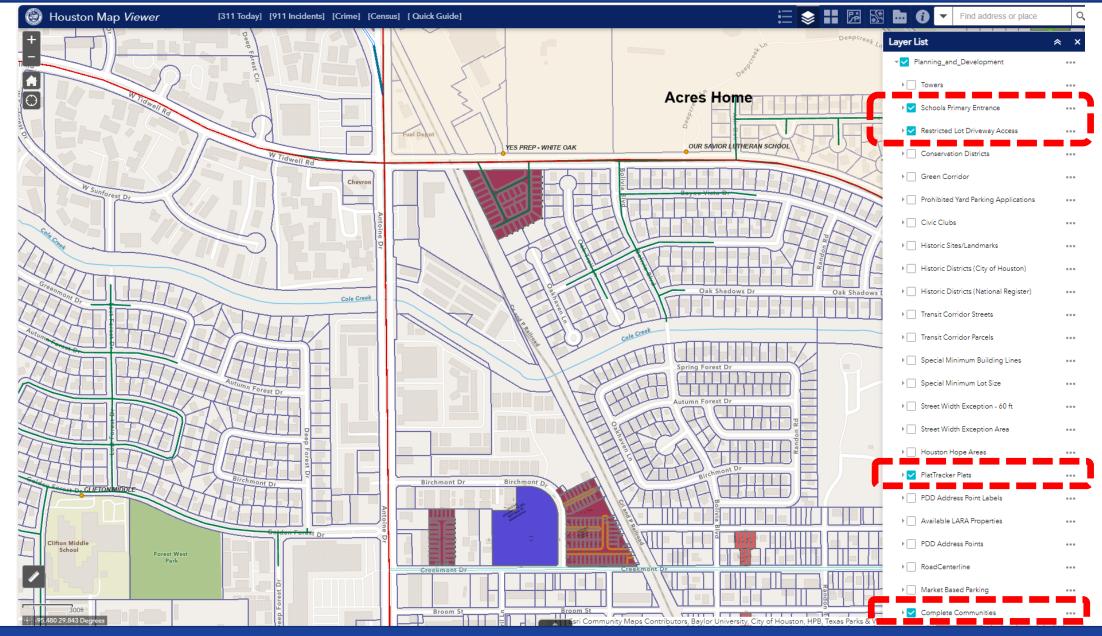
**CONTACT US** 

# **MyCity Houston GIS & Map Viewer**





Houston Map Viewer - bit.ly/COH-Map-Viewer



Houston Map Viewer - bit.ly/COH-Map-Viewer

# Visit the Project Website



(www.LetsTalkHouston.org/Livable-Places)

OR SCAN THE QR CODE:



### **Municode Houston**

**IDM** 

Houston, Texas - Code of Ordinances / Chapter 42 - SUBDIVISIONS, DEVELOPMENTS AND PLATTING

VERSION: FEB 21, 2024 (CURRENT) ▼



- > Chapter 37 PUBLIC UTILITIES
- Chapter 38 RAILROADS
- Chapter 39 SOLID WASTE AND LITTER CONTROL
- > Chapter 40 STREETS AND SIDEWALKS
- Chapter 41 STREET NAMES AND SITE ADDRESSES
- Chapter 42 SUBDIVISIONS,
   DEVELOPMENTS AND PLATTING
  - > ARTICLE I. IN GENERAL
  - ➤ ARTICLE II. REQUIREMENTS AND PROCEDURES
  - > ARTICLE III. PLANNING STANDARDS
  - ➤ ARTICLE IV. ENHANCED PEDESTRIAN REALM STANDARDS
- > Chapter 43 POOL AND SPA SAFETY

< Secs. 41-50-41-67. - Reserved.

Chapter 42 - SUBDIVISIONS, DEVELOPMENTS AND PLATTING

ARTICLE I. - IN GENERAL

Sec. 42-1. - Definitions.

Sec. 42-2. - Scope.

Sec. 42-3. - Conflict with county regulations.

Sec. 42-4. - Enforcement and penalties.

Sec. 42-5. - Penal provisions applicable.

Sec. 42-6. - Judicial provisions applicable.

Sec. 42-7. - Denial of utility connections.

Sec. 42-8. - Forms authorized.

Sec. 42-9. - Cumulative effect.

Secs. 42-10-42-19. - Reserved.

ARTICLE II. - REQUIREMENTS AND PROCEDURES

**DIVISION 1. - PLATTING REQUIREMENTS** 

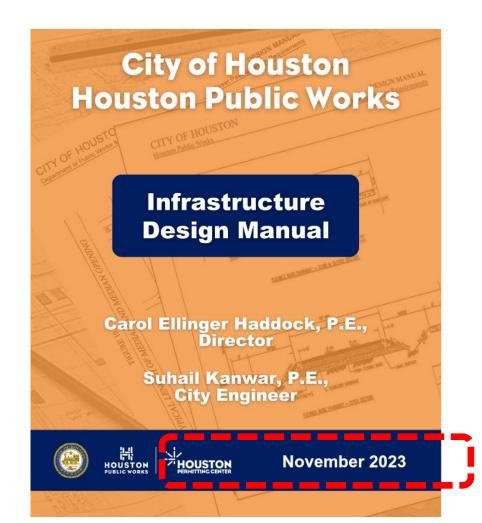
Sec. 42-20. - Subdivision plat required.

Sec. 42-21. - Exceptions to subdivision platting requirements.

Sec. 42-22. - Development plat required.

Sec. 42-23. - Classes of subdivision plat.

Sec. 42-24. - General plan.



# Planner of the Day (POD)

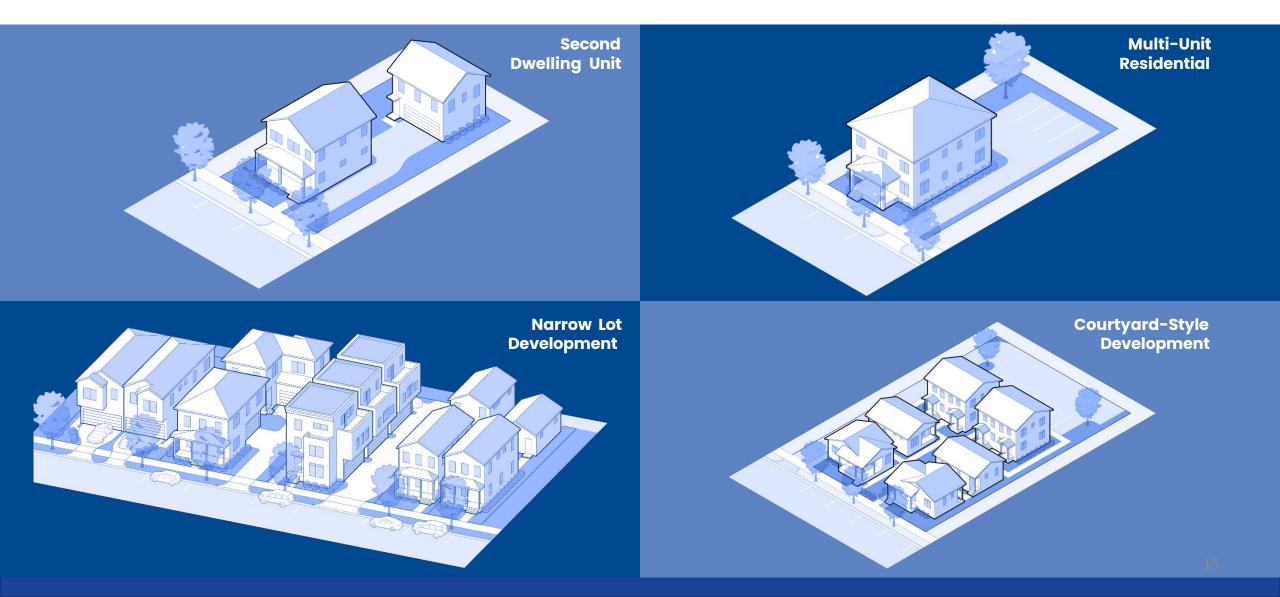


The Livable Places initiative is **creating opportunities** within Houston's development standards that encourage **housing variety and affordability**.



The aim is to encourage a greater variety of housing options at more attainable price points for all Houstonians.

# Livable Places encourages housing like this:



# SDU/ADU

### Second Dwelling Unit/Accessory Dwelling Unit

Presenters: Ken Calhoun and Malcolm Oliver



### SDU/ADU

- What is an SDU/ADU?
- General Requirements
- Parking Requirements
- Density
- Questions

# **Second Dwelling Unit**

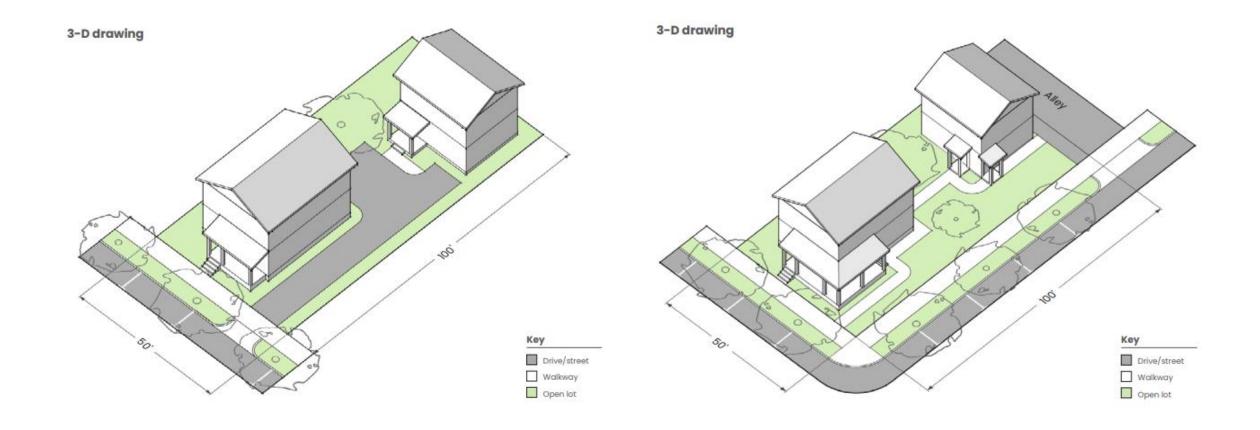








# General Requirements 42-1, 180

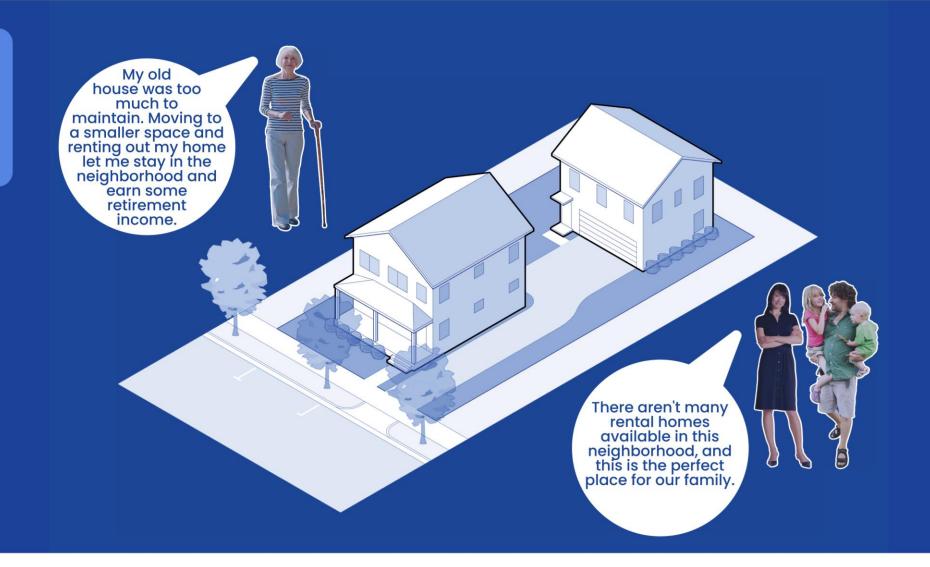


### **Parking 42-186**

An additional dwelling unit on a single family lot located above a garage or in a separate structure

#### Change:

- + limit second unit to 1,500 SF
- + set parking requirements according to unit size



### **Second Dwelling Unit 42-184**

Example One

Lots: 2 Blocks: 1

#### DWELLING UNIT DENSITY TABLE

TOTAL NO. OF DWELLING UNITS	TOTAL GROSS ACREAGE	TOTAL PROJECT DENSITY
2	0.1818	11.00
4	With Replat	22.00

Example Three

Lots: 2 Blocks: 1

DWELLING UNIT DENSITY TABLE				
TOTAL NO. OF DWELLING UNITS	TOTAL GROSS ACREAGE	TOTAL PROJ. DENSITY (UNITS PER AC.)		
3	.1182	25.38		

Example Two
Lots: 6 Blocks: 1

DWELLING UNIT DENSITY TABLE				
TOTAL NO. OF DWELLING UNITS	TOTAL GROSS ACREAGE	TOTAL PROJ. DENSITY (UNITS PER AC.)		
12	.567	21.16		

Example Four

Lots: 2 Blocks: 1

DWELLING UNIT DENSITY TABLE				
TOTAL NO. OF DWELLING UNITS	TOTAL GROSS ACREAGE	TOTAL PROJ. DENSITY (UNITS PER AC.)		
4	.1182	33.84		

(Up to 35 DU/acre if rear or side vehicular access via alley, flag staff, shared driveway or PAE)

### Questions

- Can I build a second unit that is greater than 1500sf?
- Is there a height restriction for the second unit?
- Do I have to plat the property prior to building a second unit though my lot existed in this configuration since 1963?
- Can I sell the second unit separately by metes and bounds?
- Can the City tell me if the property is deed restricted or not?
- Can I replat to change the deed restrictions to allow a second dwelling unit?
- There's plenty of street parking available in front of my house, can that be used to meet the parking requirement?

# Multi-unit residential development

Can I add a third (or fourth, fifth etc.)
unit to my property?

Presenters: Edward Buckley



### Multi-unit residential 42-1, 237

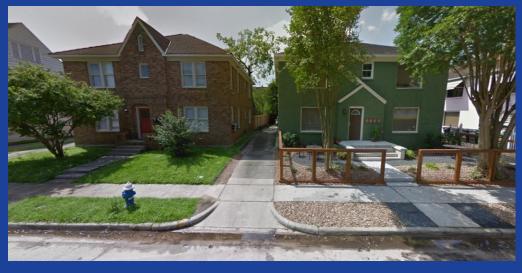
Goal of multi-unit residential (MUR) is to facilitate a more livable, affordable city.

Up to eight units (max. four along local streets) are now allowed to be constructed on a single property without replatting or going through a multi-family review.

One or two units (duplex, ADU) per site still considered single-family.

### **Multi-Unit Residential**











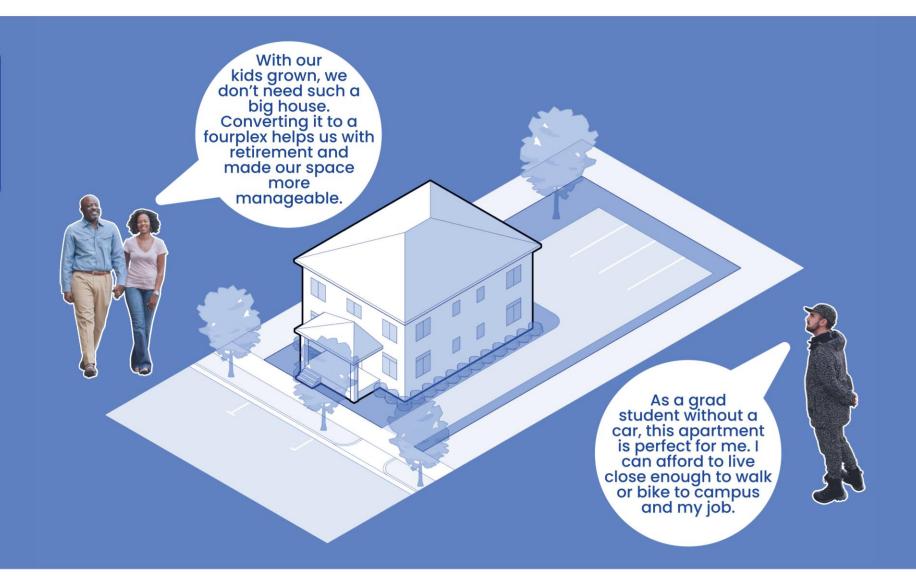


### **Multi-Unit Residential**

A triplex, multiple duplexes, a fourplex, or multiplex with up to 8 dwelling units

#### Change:

- + reduce driveway width
- + limit dept of lot to 150 feet
- + limit height to 30 feet
- set parking requirements according to unit size
- require one guest spot for every six units
- allow 3 and 4 units on local streets, restrict 5-8 units on collector or major thoroughfares



# Where can MURs be proposed? 42-190

### MURs cannot be built on every property, however.

Restrictions on the plat or separately filed deed restrictions may limit the number of units per site. And not every site can meet the minimum performance standards for an MUR development.

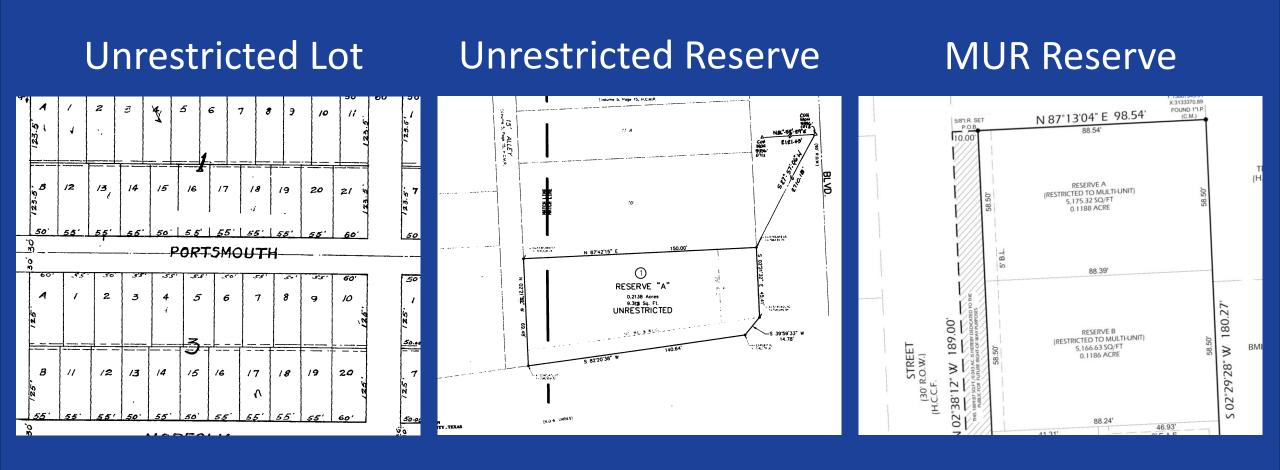
#### MURs can be proposed on:

- Unrestricted reserves
- Residential or MUR reserves
- Unrestricted lots

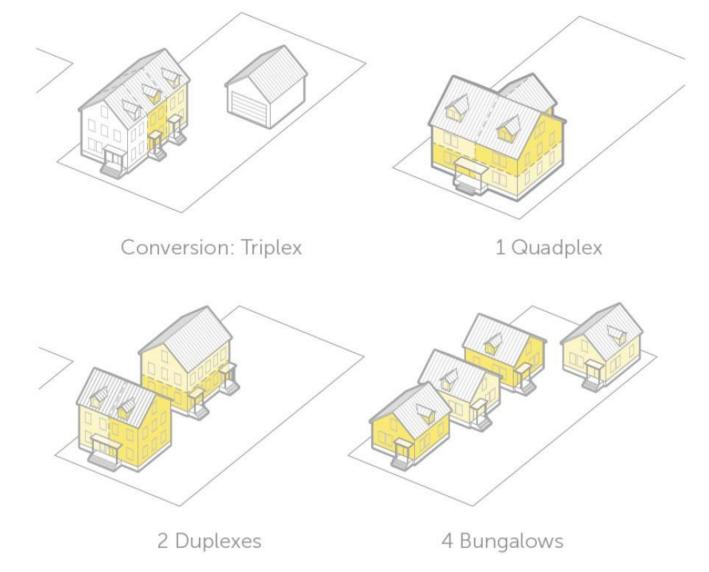
#### MURs cannot be proposed on:

- Lots restricted to single-family residential (check plat notes and deed restrictions)
- Commercial reserves

### Multi-Unit Residential 42-190



### **Multi-Unit Residential**



Source: Code Studio

# Site Requirements & Parking 42-237, 26-492



Does the site have at least 50' of frontage with a maximum depth of 150 feet and a total square footage of at least 3,500 sq ft?

2

Can the site be configured to provide all parking in the rear or along the side of the building?

3

Is there enough room to provide parking?

One space required per unit less than 1,000 sq ft.

Two spaces per unit larger than 1,000 sq ft.

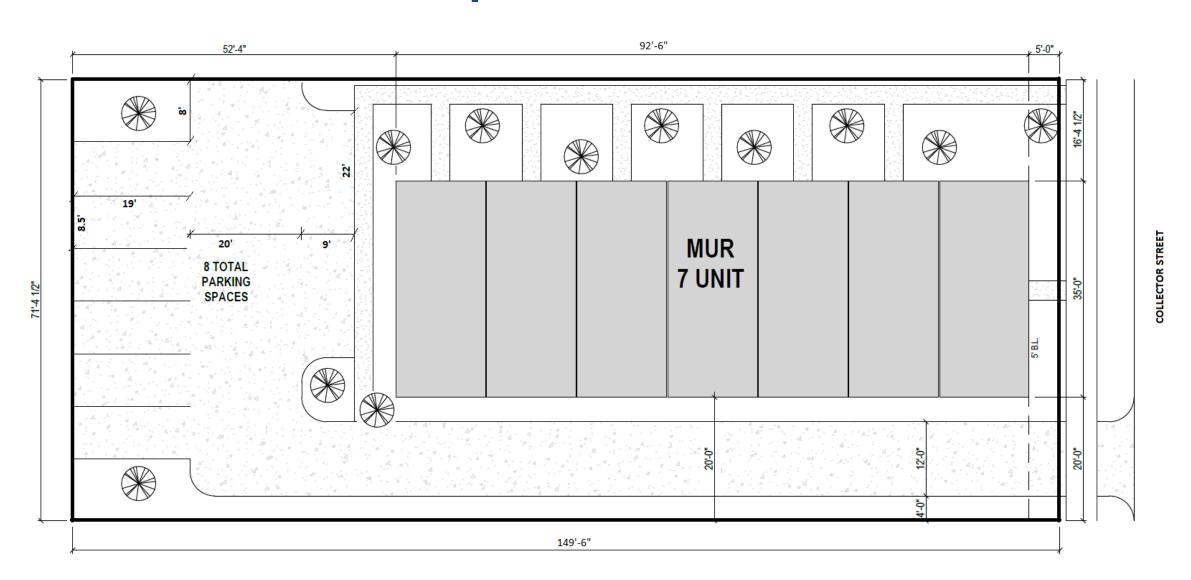
One guest spot per 6 units

### Other Performance Standards 42-237

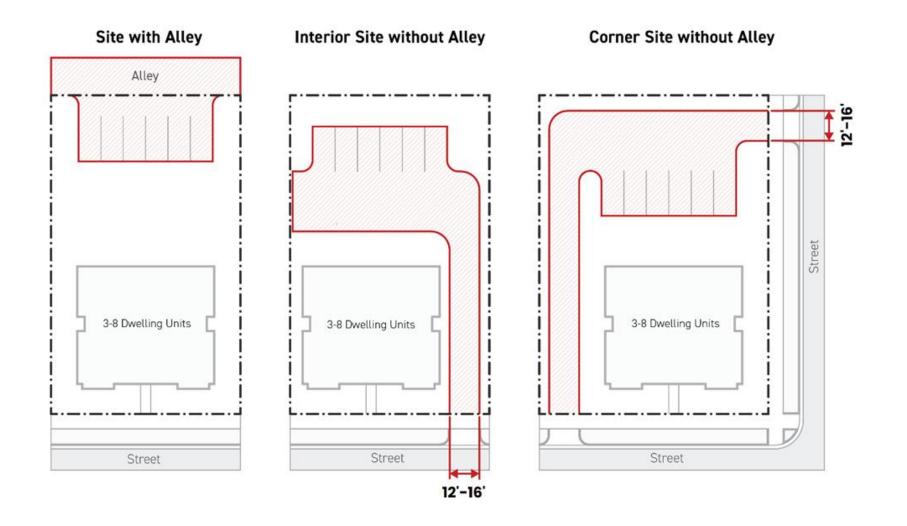
- 5-foot building line along local streets and 15-foot building line along major thoroughfares (ROW <80 feet). Must face street with entry feature and pedestrian access
- Max front-yard fence height 4 feet, non-opaque
- Vehicular access from alley or max 16-foot-wide driveway approach
- Max building height 30 feet per Appendix D of Fire Code
- All parking on-site and located behind or next to building



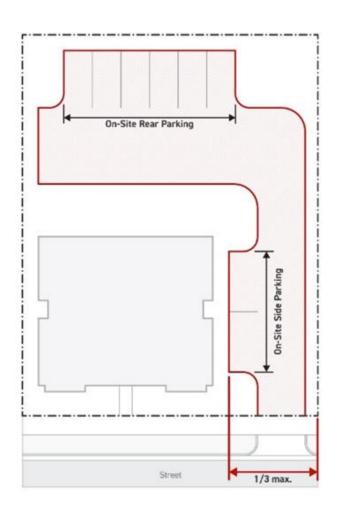
### **Example MUR Site Plan**



### MUR Performance Standards 42-237



### MUR Performance Standards 42-237



### Cannot meet the performance standards?

### **Multi-family**

When more than two dwelling units are proposed on a site that doesn't meet MUR performance standards, it is considered a multi-family project.

Must meet requirements of Sec. 42-230 through 42-236.

### Replat

Replats can create more than one lot or create an MUR reserve.

Check deed restrictions and minimum lot size areas first.

### Questions

- Do I need to plat the property as an MUR reserve?
- Is a plat required if the property remained in the same configuration since 1963?
- Are all MUR developments permitted under IRC (International Residential Code)?
- If I own adjacent lots, can the structures cross the common property line?
- If I own adjacent lots, can my driveway be split between both the properties to serve the parking in the back?
- What are the drive aisle dimensions for the parking area in MUR?
- What is the required distance from the property line and the distance between two duplex structures?
- Can I have parking in the front?

# Courtyard Style Development

Performance Standards

Presenters: Devin Crittle & Jose Mendoza



# What is a Courtyard Development

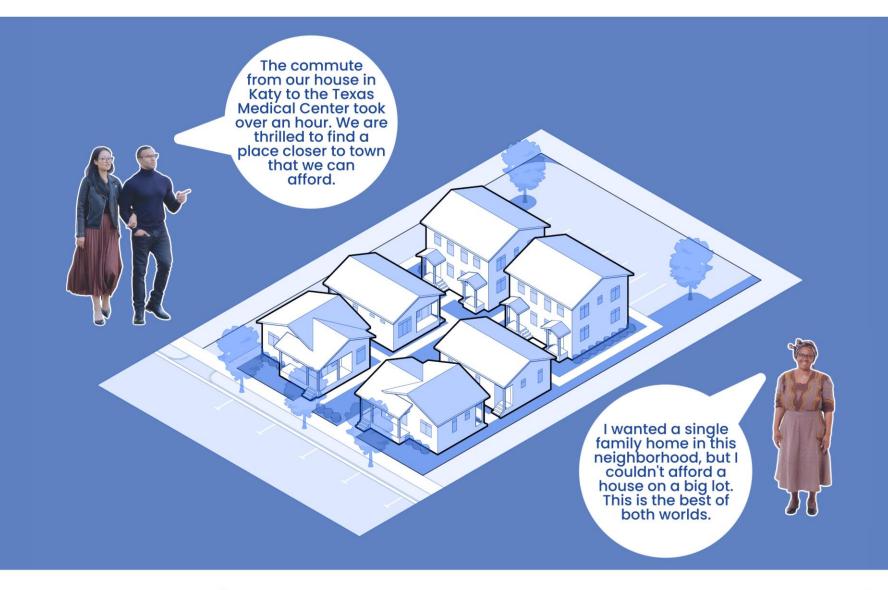


### Courtyard Style Development 42-194

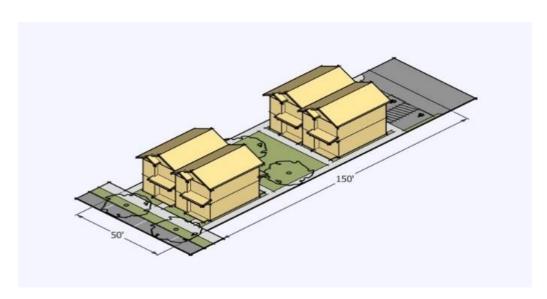
A cluster of single-family homes located around a shared courtyard

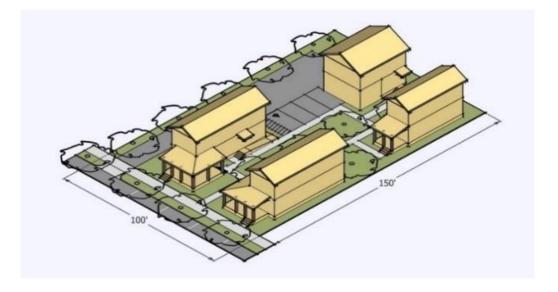
### Change:

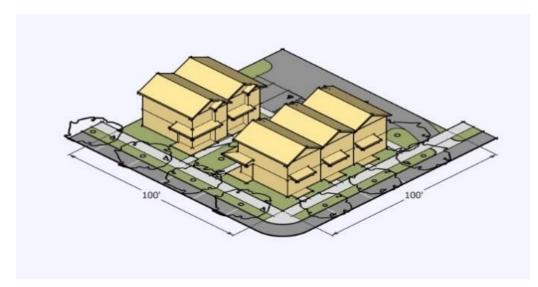
- + lots may front common space or street
- eliminate minimum lot size and maximum density
- + set maximum lot size at 3,500 SF and unit size at 1,800 SF
- limit height to 30 feet
- de-couple parking from lot
- + set parking requirements according to unit size
- require one guest spot forevery six units42-194

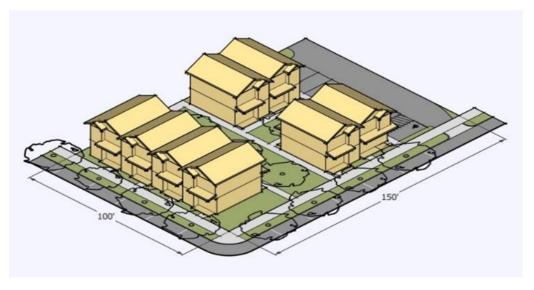


# **Courtyard Style Development**

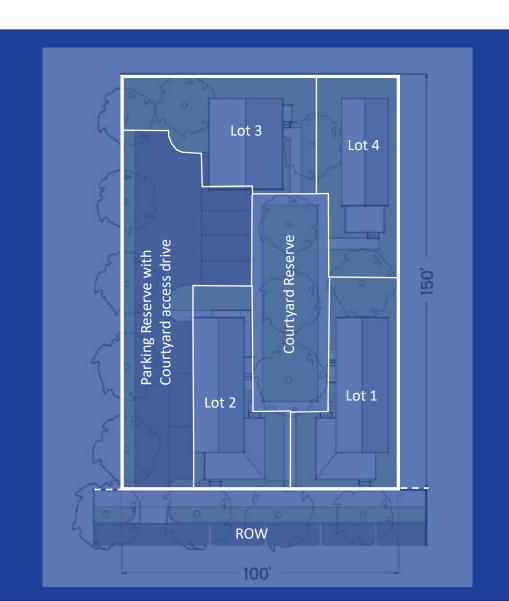


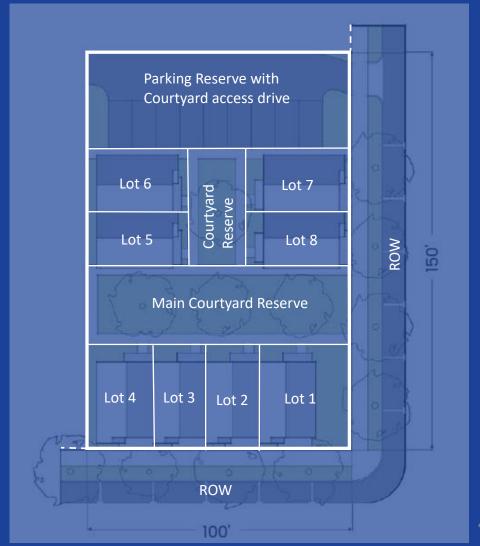




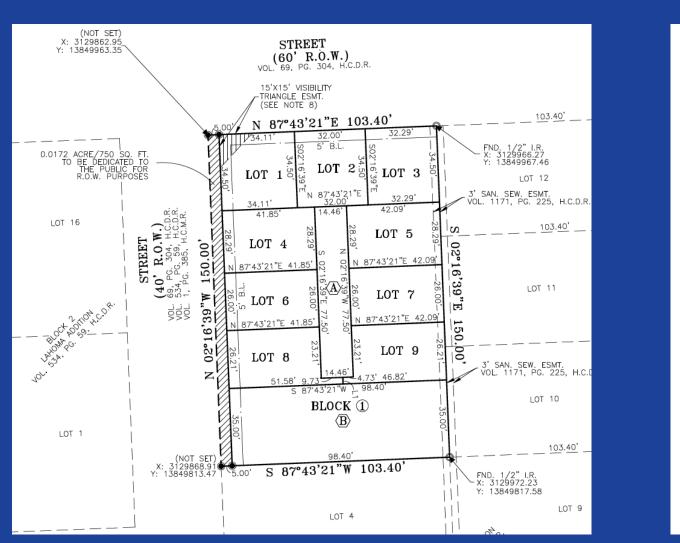


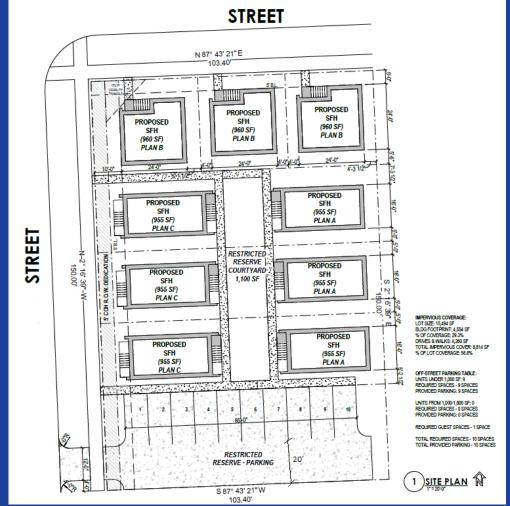
### **How to Plat?**



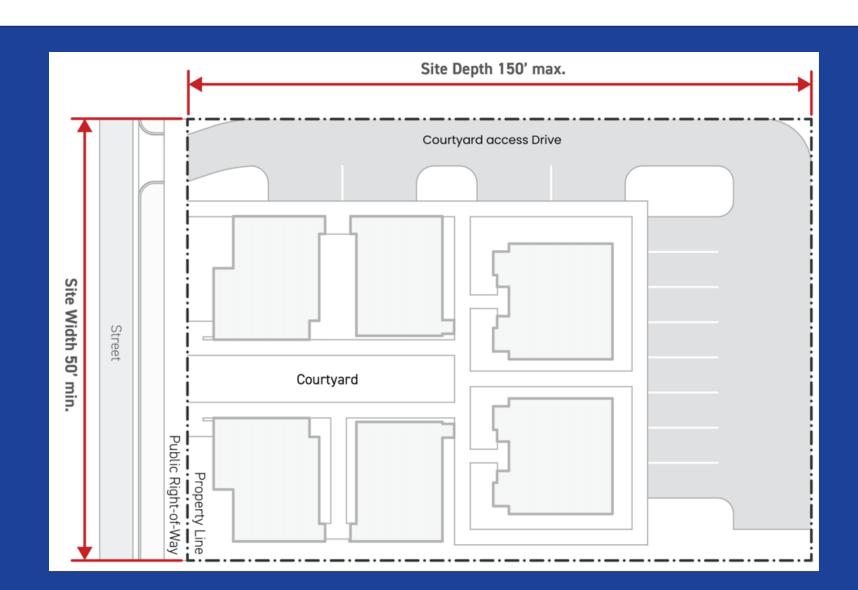


### Courtyard Plat and Site Plan





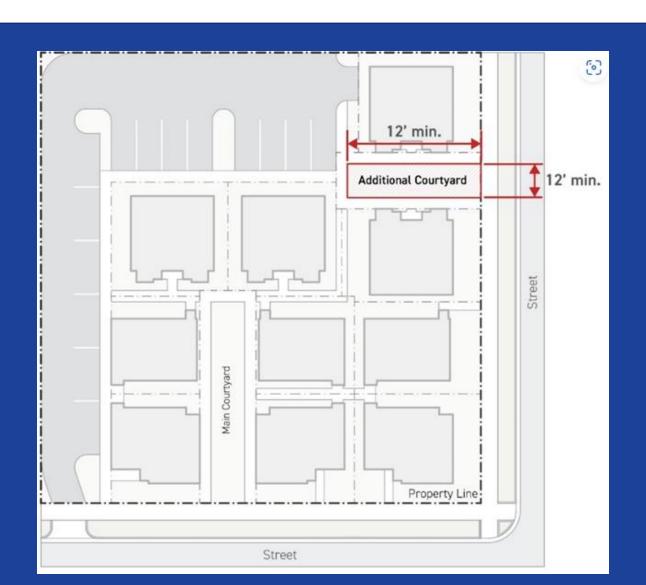
### Site Requirements & Massing 42-194



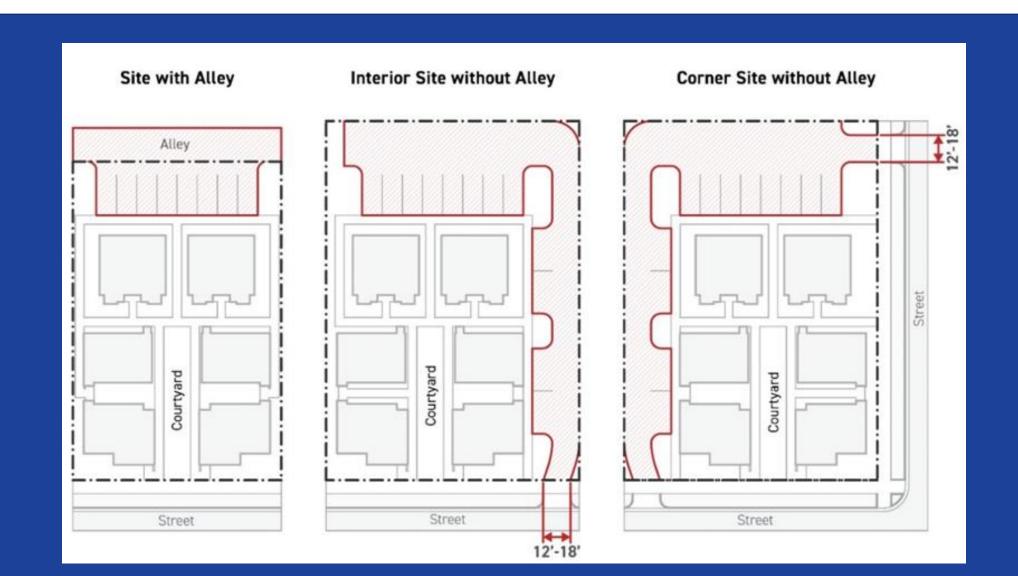
# **Building Lines 42-194**



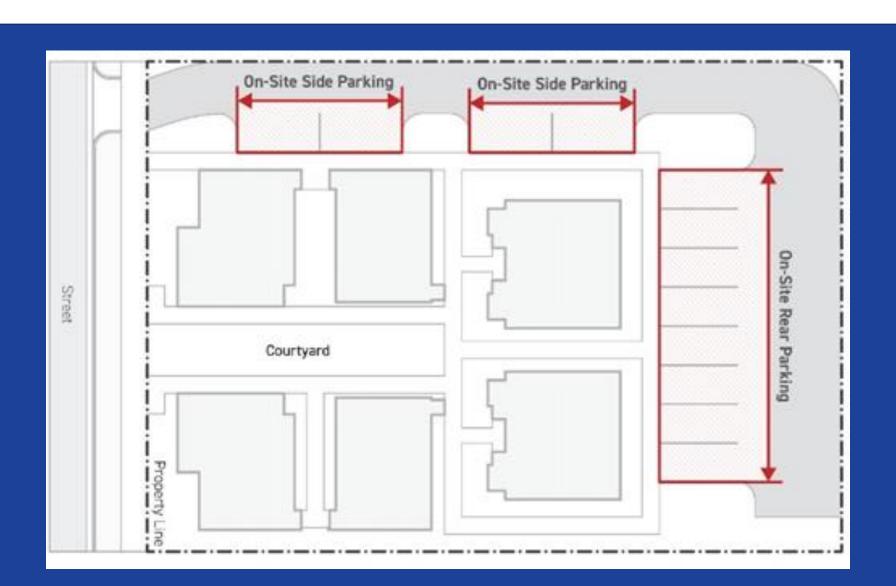
### Courtyard Dimensions & Activation 42-194



### Vehicular Access 42-194



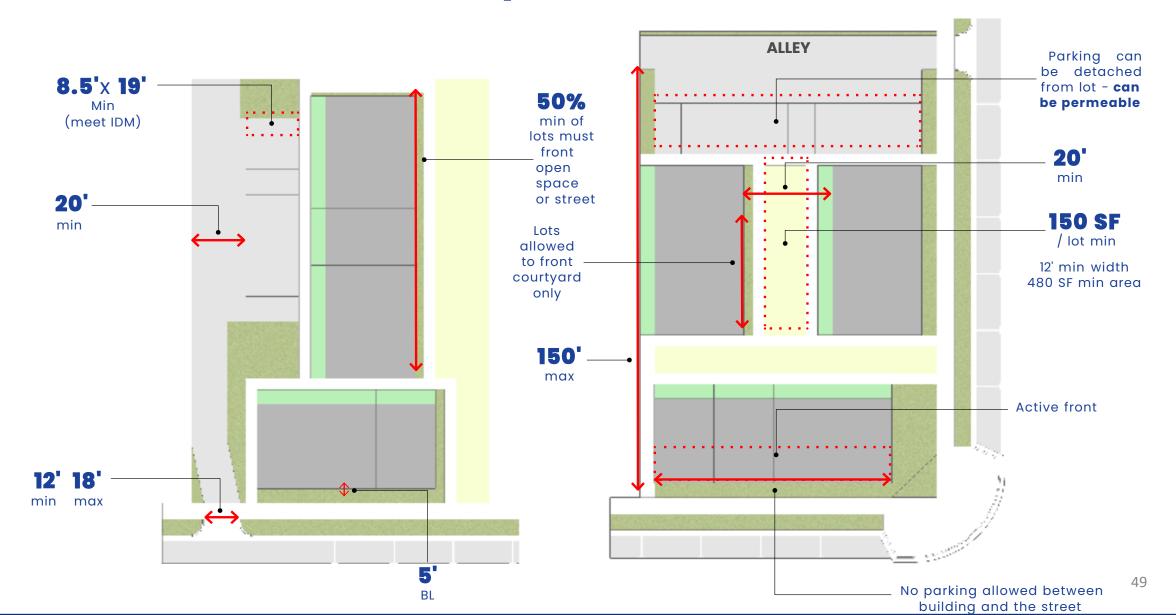
# Parking Ratios & Location 42-194



### Parking Requirements 42-186, 26-492

Use	Parking requirement
Single-family residential lots within Courtyard style development	1.0 parking space per dwelling unit 1,000 sf or less
	2.00 parking spaces per dwelling unit is 1,001—1,800 sf
Guest Parking	1 parking space for 6 units

# Detailed Requirements 42-192



### Questions

- what is the smallest size home I can build?
- Is there a maximum number of homes allowed within a courtyard style development?
- Is 1800 square foot maximum for the footprint of the unit or the unit size?
- What if the property is more than 150 feet deep?
- What is the drive aisle distance for parking?
- Is the parking area considered a reserve on the plat?

# Narrow Lot Development

New Standards

Presenters: James Tichy & Fabian Esqueda

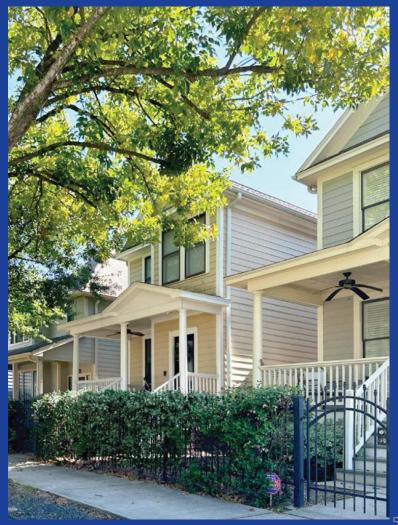


# **New Narrow Lot Development**

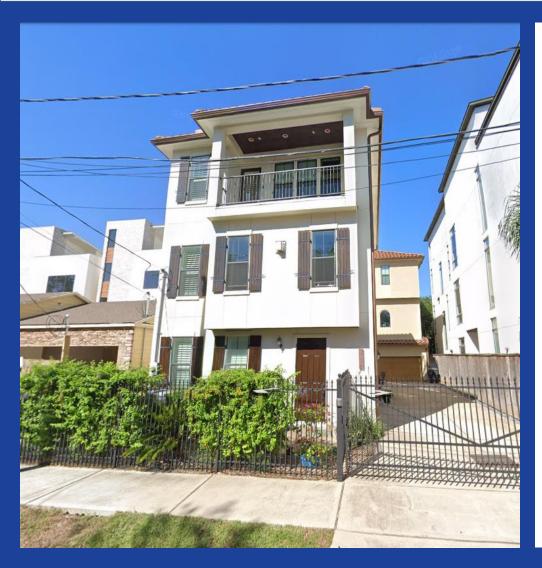








### **Narrow Lot Changes**



- Introduced Narrow Lot definition (< 44') (42-1)</li>
- New performance standards for Narrow Lot building lines (42-157)
- New standards for Narrow Lot vehicular access (42-188/188.5)
- New standards for Flag Lots & Shared Driveway (42-145, 42-146, 42-187)
- Increased density allowance for shared access (42-184)
- New visibility triangle standards (42-161)
- Parking for Single-Family Residential Uses (42-186)
- Entry Feature standards for units fronting the street (42-165)

### Narrow Lot Changes: 42-188.5

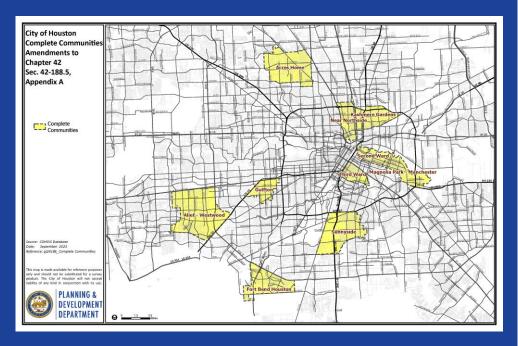


Image available in the online ordinance: https://library.municode.com/tx/houston/codes/code\_of\_ordinances

- Direct driveway access to a street or type 1
   permanent access easement for existing lots narrower
   than 33 feet is permitted if all the following standards
   are met:
- (a) The property cannot be subdivided into lots of 33' or more (<66' of total frontage)</li>
- (b) The property does not currently have side or rear alley access
- (c) The lots will have only one driveway approach with a maximum 12' in width
- (d) The garage building line will be 20'
- (e) The property is not within 1400' from the primary entrance of a school
- (f) The property is not in a Complete Community



### **Alley Access** (25' Lot)

### Increased Incentives:

- · Increased density from 27 to 35 units per acre
- Improved ability to build an ADU
- No visibility triangle above 10', resulting in more buildable area (corner lots)
- Allowance of a 65% lot coverage exemption from detention requirements
- · Reduced side building line to 5' for corner lots
- No detention required for public alley when proposing alley access
- · Reduced parking for units 1,500 sq. ft. or
- · Entry feature can be within the building line

### Additional requirements:

· Enhanced front door and windows to provide better visibility onto street

### **Shared Drive** (25' Lot)

### Increased Incentives:

- Increased density from 27 to 35 units per acre
- · Improved ability to build an ADU
- · 65% lot coverage exemption from detention requirements
- · Driveway included in lot coverage calculation and no additional detention if less than 65%
- Reduced parking for units 1,500 sq. ft. or smaller

### Additional requirements:

· Enhanced front door and visibility onto street

### **Courtyard Development**

- · Street frontage not required
- · No minimum lot size or

windows to provide better

- **New Opportunities:**
- for lots fronting on a shared courtyard
- maximum density with at least 150 sq. ft. of green space per lot
- 65% lot coverage exemption from detention requirements on tracts 15,000 sq. ft. or less. 9,750 sq. ft. lot coverage exemption on tracts between 15,001 sq. ft.
- · No detention required for public alley when proposing alley access\*\*
- · Detention calculated for the tract as a whole and not per individual lots\*\*
- · Parking may be removed from individual lots but located within the development
- Reduced parking for units 1,000 sq. ft. or smaller
- · One guest parking space for every 6 units

### Requirements:

and 1 acre.\*\*

- · Maximum site depth from street is 150'
- · Maximum 30' tall
- · Parking on the side or rear but not in the front
- · Maximum lot size of 3,500 sq. ft. and a maximum unit size of 1,800 sq. ft.
- Enhanced front door and windows to provide better visibility onto street and courtvard

### Flag Lots

### Increased Incentives:

- · Increased density from 27 to 35 units per acre
- · Improved ability to build an ADU
- No visibility triangle above 10', resulting in more buildable area (on corner lots)
- · Reduced building line of 5'
- · Reduced flag staff width
- · Flag staff is included in the lot coverage calculation no separate detention is required if under 65%
- Reduced parking for units 1,500 sq. ft. or smaller onto street

### Additional requirements:

- · Enhanced front door and windows to provide better visibility onto street
- All newly created lots abutting the staff take access from the staff

### **Shared Drive** (25' Lot)

### Increased Incentives:

- · Increased density from 27 to 35 units per acre
- · Improved ability to build an ADU
- · 65% lot coverage exemption from detention requirements
- · Driveway included in lot coverage calculation and no additional detention if less than 65%
- · Reduced parking for units 1,500 sq. ft. or smaller

### Additional requirements:

· Balconies or windows to provide better visibility

### Front Load Individual Driveway (33' Lot)

### Increased Incentives:

- · Increased density from 27 to 35 units per acre
- · Improved ability to build an ADU
- · 65% lot coverage exemption from detention requirements
- · Driveway included in lot coverage calculation and no additional detention if less than 65%
- · Reduced parking for units 1,500 sq. ft. or smaller

### Additional requirements:

- · A maximum of 12' individual driveway per lot
- · Enhanced front door and windows to provide better visibility onto street

### **Shared Drive** (50' Lot)

### Increased Incentives:

- · Increased density from
- 27 to 35 units per acre · Improved ability to build
- an ADU
- · No visibility triangle above 10' resulting in more buildable area (corner lots)
- · 65% lot coverage exemption from detention requirements
- · Driveway included in lot coverage calculation and no additional detention if less than 65%
- · Reduced parking for units 1,500 sq. ft. or smaller

### Additional requirements:

· Enhanced front door and windows to provide better visibility onto street

### Rear Shared Driveway (25' Lots w/corner access)

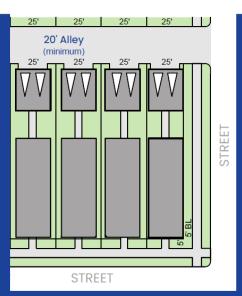
### Increased incentives:

- · Increased density from 27 to 35 units per acre
- · No visibility triangle above 10', resulting in more buildable area (corner lots)
- · Improved ability to build an ADU
- Allowance of a 65% lot coverage exemption from detention requirements
- · Reduced parking for units 1,500 sq. ft. or smaller

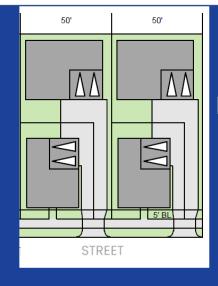
### Additional requirements:

- · Enhanced front door and windows to provide better visibility onto street
- Shared vehicular access from side street unless it is a major thoroughfare

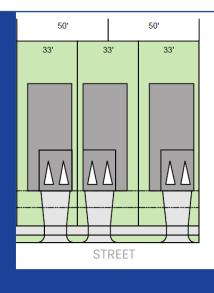
### Narrow Lot Development



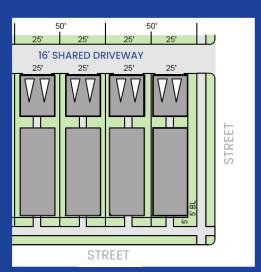
Alley Access



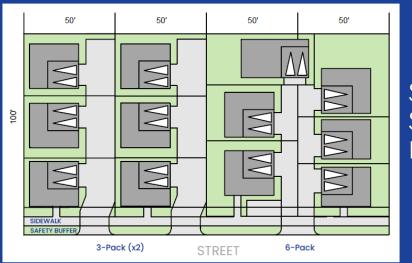
Flag Lot



33' Wide Lots

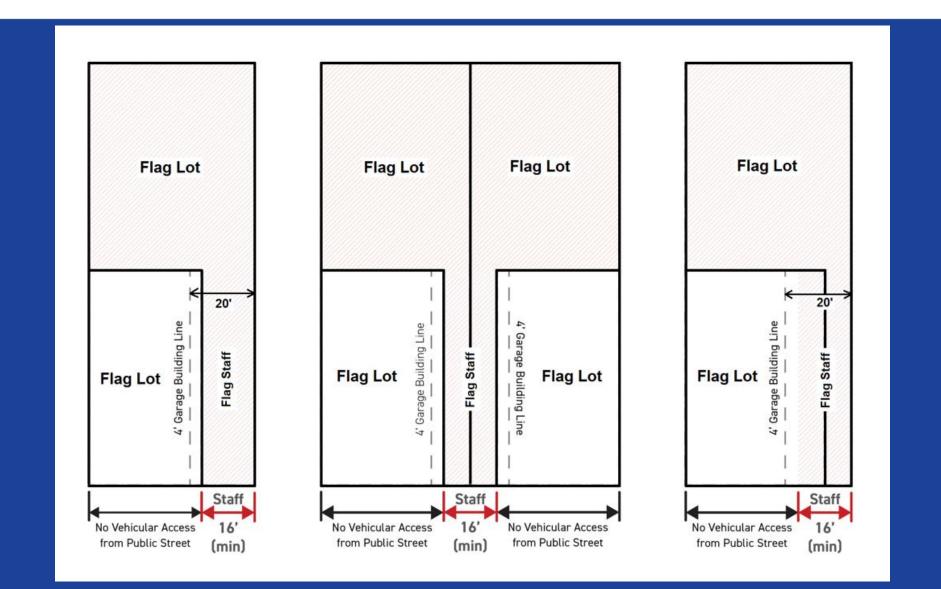


Rear Shared Driveway

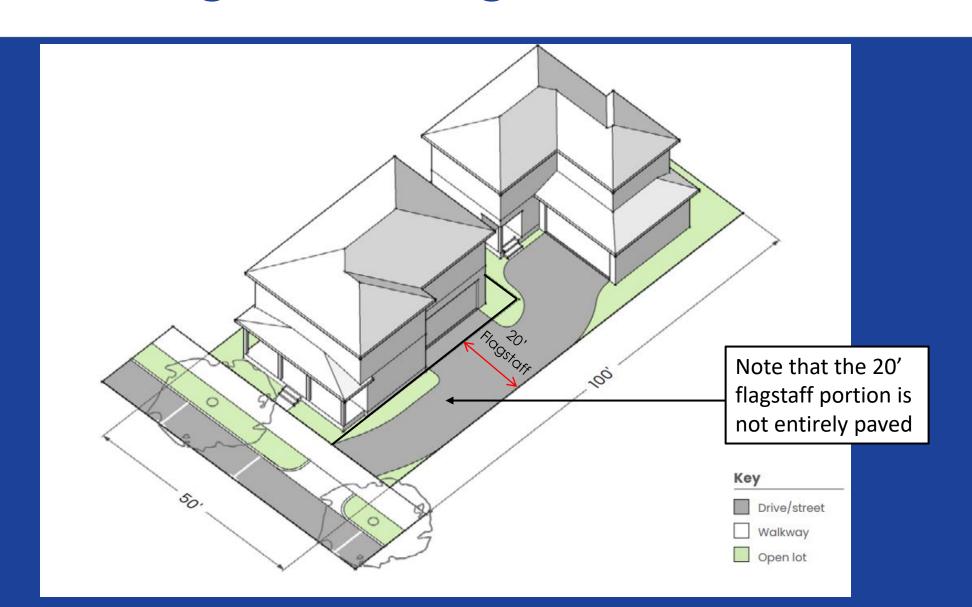


Side Shared Driveway

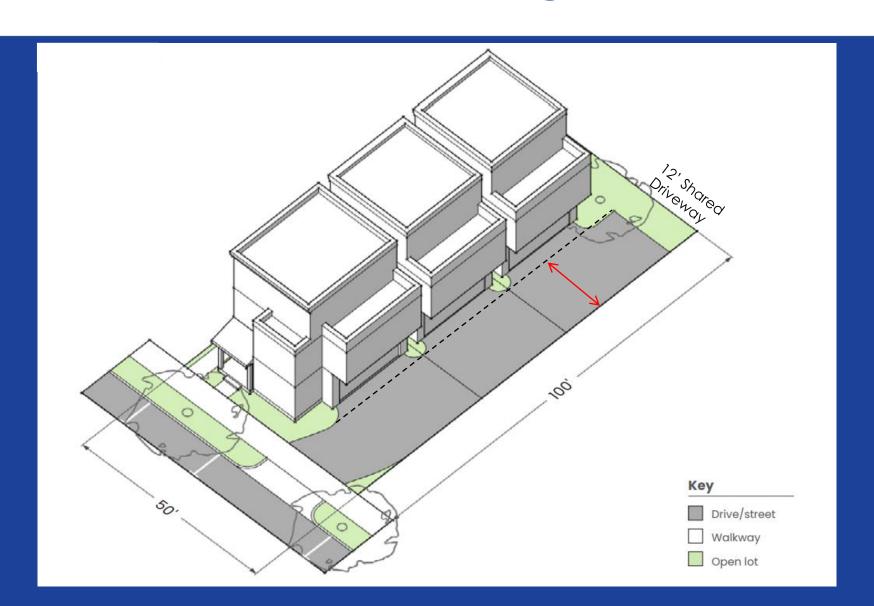
### Flag Lot Changes: 42-187



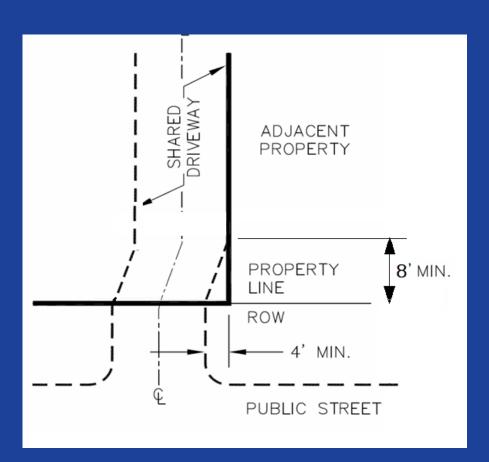
### Flag Lot Changes: 42-187

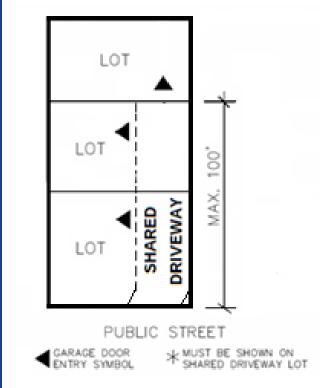


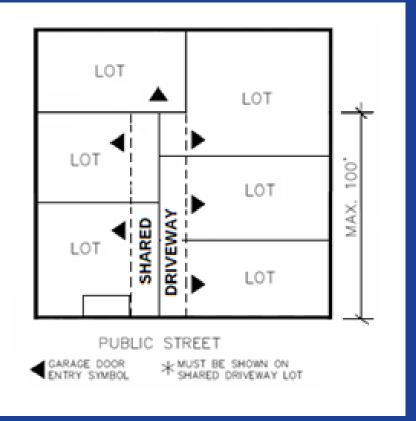
### Shared Driveway Changes: 42-145,146



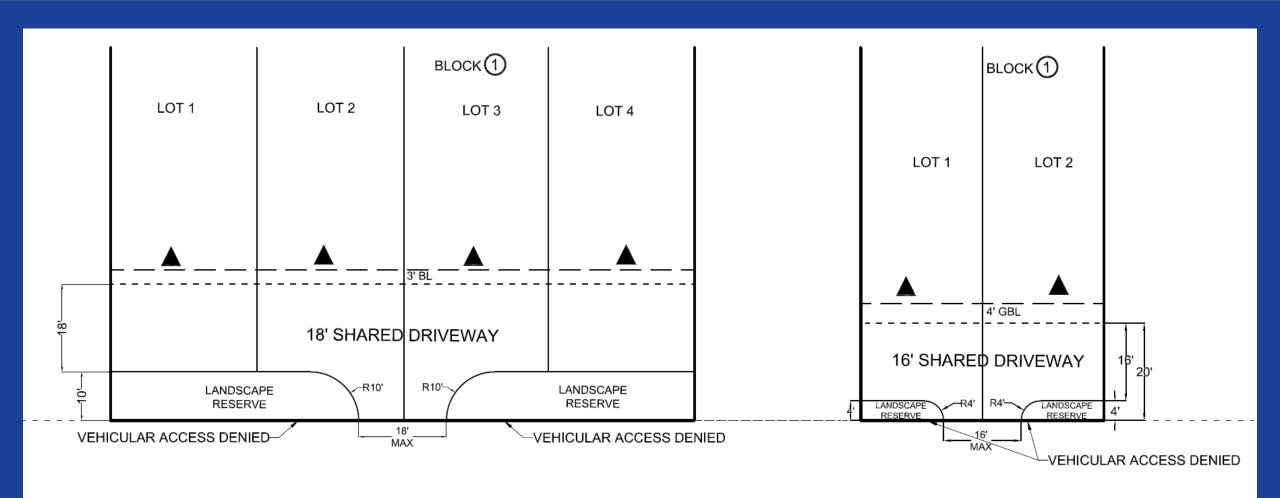
### Shared Driveway Changes: 42-145,146







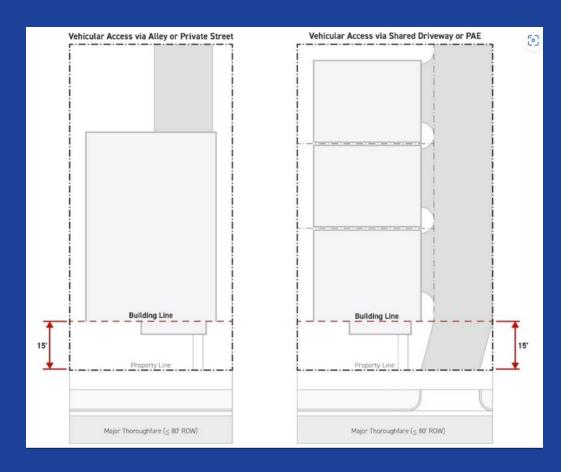
### Shared Driveway Changes: 42-145,146



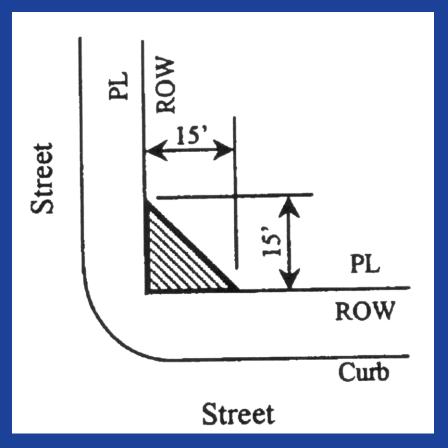
NOTE: Allowed on midblock property to create more than two lots.

NOTE: Allowed on midblock property to create only two lots

### Incentives for Shared Access Lots 42-153, 161



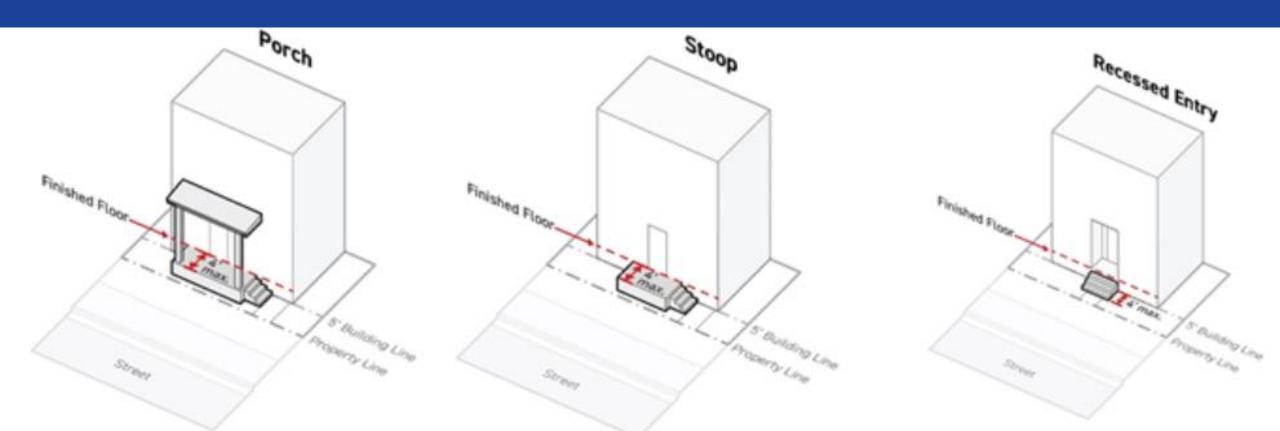
15' reduced building line along a MTF



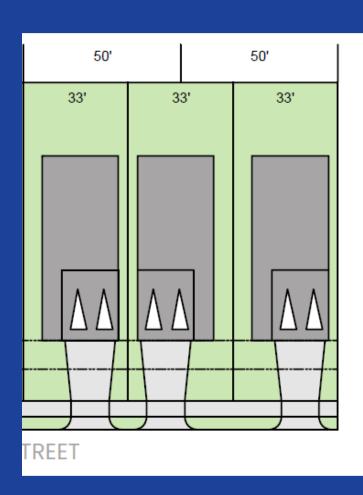
Encroachment allowed into visibility triangle at height of 10'

### Entry Feature 42-165

- Reduced building line for entry feature
- A porch or stoop may encroach up to 4 feet into a required building line



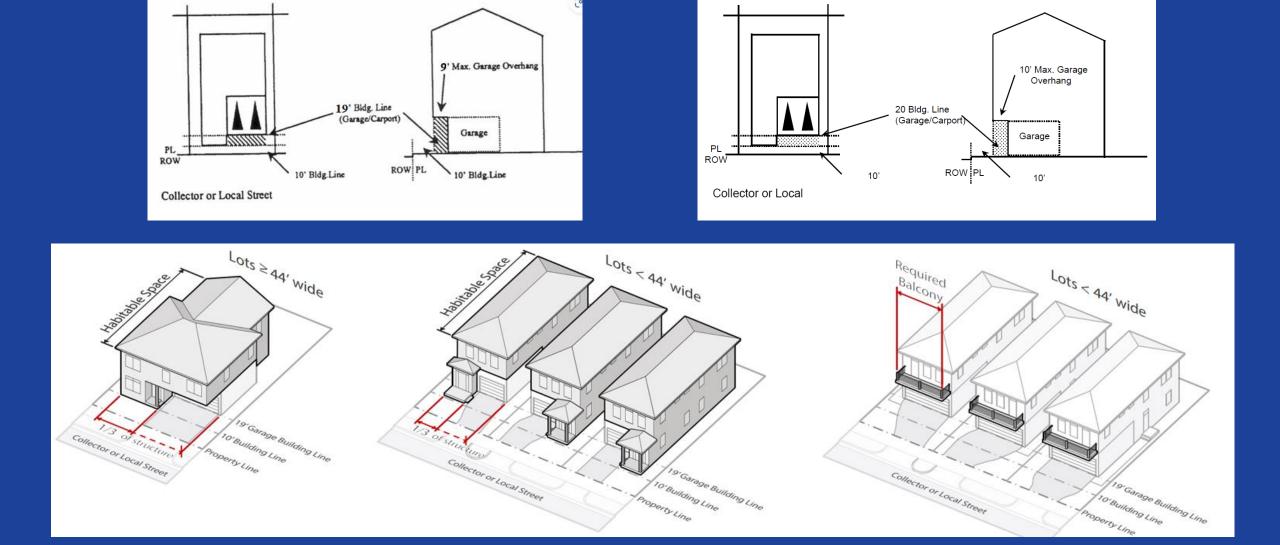
### Direct Access, Between 33'-44' Wide 42-188



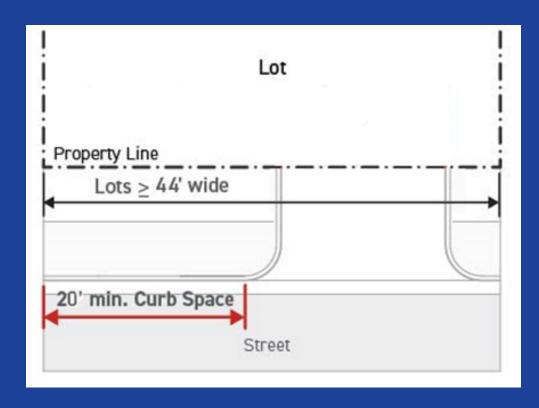
### Note:

For mid-block properties with a frontage of 33' up to 44' meeting the standards of Sec 42-188(g)(2)(b), the driveway approach shall be maximum 12 feet in width. When proposing a 10' BL/19' GBL lot typical, 1/3 of the structure along the street shall be occupiable or provide balcony(ies) or large window(s) meeting the requirements of Sec 42-157(b)(3). (Sec 42-188 & 42-157(b)(3))

### Lots with Garage Facing the Street: 42-157



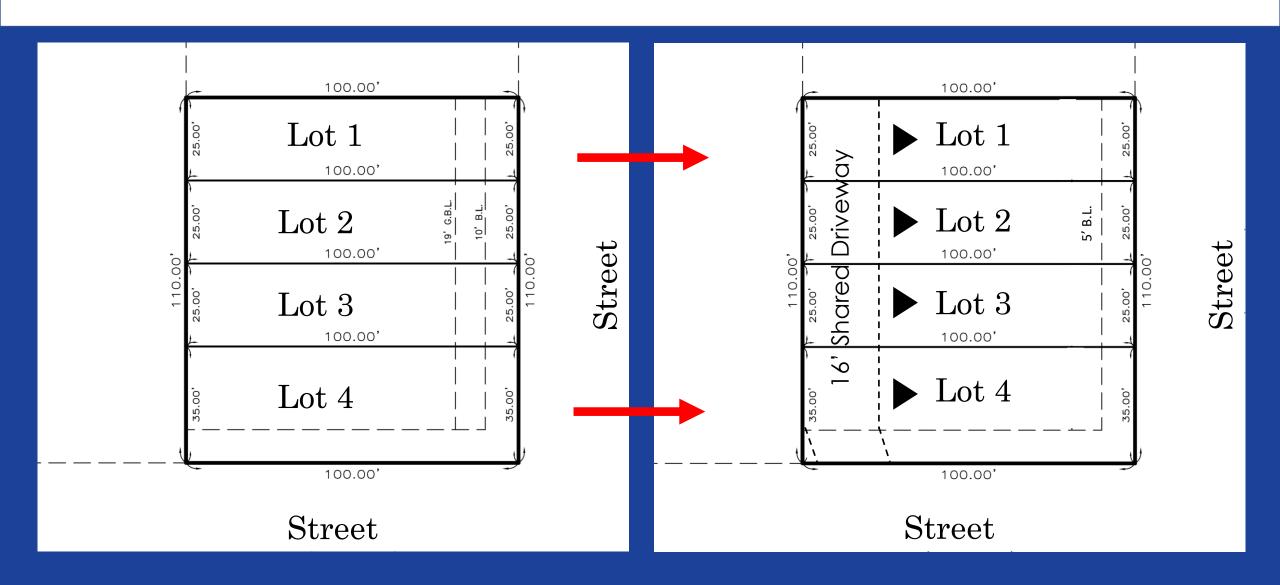
### Direct Access, Not Narrow Lots 42-188



### Note:

For mid-block properties with a frontage of 44' or wider meeting the standards of Sec 42-188(g)(1), the driveway approach location and width is contingent on leaving **20 feet of unobstructed curb space** and a minimum of 1/3 of the width of the structure's façade facing the street must be occupiable space. (Sec 42-188 & 42-157(b)(3))

### Corner Properties 42-188



### Corner Properties 42-188



Street

You may propose corner lot subdivisions with direct street access if the lots are equal to or greater than 44' in width.

### Parking for Single-Family Residential 42-186

Parking has been adjusted and is now based on dwelling unit size. (42-186)

No parking required

For a dwelling unit that is **less than or equal to 1000** square feet
(given certain criteria are met).

1 parking space per unit

For a dwelling unit that is **not more than 1500** square feet

\*The requirement for 2 parking spaces per unit remains for units greater than 1500 square feet.

### Questions

- I am subdividing a corner lot. Can my lots take direct access to the public street?
- If my property is greater than 15,000 square feet, can I take direct access to the public street?
- I have a midblock property. There is an alley behind the property, but it is not improved. Can I take access from the alley?
- What are the requirements in order for me to do a 12' shared driveway?
- How can I get reduced parking or zero parking?
- If proposing duplex on a lot that is wider than 44 feet, can two separate driveways be allowed?
- What to do if there are trees in the path of my driveway? Can they be removed?

### **Questions/Comments?**

