

City of Houston Ordinance No. 2023-802

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HOUSTON, TEXAS, BY AMENDING SEVERAL SECTIONS OF CHAPTER 26, PARKING; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL AND PROVIDING A PENALTY THEREFOR; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, City Council directed the Planning and Development Department (the "Department") to study affordable housing and lot design options, as well as incentives therefor; and

**WHEREAS**, the Department created a Livable Places Action Committee, as an ad hoc committee of the Planning Commission; and

**WHEREAS**, after three years of meetings and study, the Livable Places Action Committee established a set of recommendations, which it forwarded to the Planning Commission; and

**WHEREAS**, these recommendations included certain amendments to the parking requirements contained in the Code; and

**WHEREAS**, the Planning Commission held a public hearing on the draft recommendations, including a 30-day period for public comments; and

**WHEREAS**, after closing of the public hearing and public comment period, the recommendations for parking requirements were made; and

**WHEREAS**, development incentives will encourage more compact development patterns and small-scale multi-unit housing options; and

**WHEREAS**, development incentives will encourage access and proximity to mobility options and to make better use of land closer to existing infrastructure; and

**WHEREAS**, the City Council, having held a public hearing on these amendments as required by State law, finds and determines that the city should make every effort to promote responsible development, including parking, in the city; **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the findings contained in the preamble of this Ordinance are determined to be true and correct and hereby adopted as part of this Ordinance.

**Section 2.** That Section 26-472 Definitions, of Chapter 26 of the Code of Ordinances, Houston, Texas, is hereby amended by adding the following definitions:

Courtyard style development as defined in Chapter 42.

Multi-unit residential as defined in Chapter 42.

Single-family residential as defined in Chapter 42.

**Section 3.** That Section 26-473 Site plan submittal requirements of Chapter 26 of the Code of Ordinances, Houston, Texas, is hereby amended by amending subsection (a)(5)c and (a)(5)d to read as follows:

- c. The dimensions, design, and location of parking spaces, bicycle spaces, bicycle racks, loading berths, drive aisles, existing and proposed driveways, landscaping islands, and other physical features relating to layout of parking and loading facilities;
- d. Existing and proposed trees, shrubs, and screening fences required by article V of chapter 33, or chapter 39 for bulk containers with screening, of this Code;

**Section 4.** That the table contained in Section 26-492 Parking spaces for certain types of use classifications, of Chapter 26 of the Code of Ordinances, Houston, Texas, is hereby amended by amending the Class 2.b. Residential parking standards, and adding a new subsection g. Multi-unit residential parking standard to read as follows:

Class 2. Residential:		
a.	Apartment	1.250 parking spaces for each efficiency dwelling unit
		1.333 parking spaces for each one-bedroom dwelling unit
		1.666 parking spaces for each two-bedroom dwelling unit
		2.0 parking spaces for each dwelling unit with 3 or more bedrooms
b.	Single-family residential or manufactured home	2.0 parking spaces for each dwelling unit, except that a secondary dwelling unit not larger than 900 square feet of GFA shall provide 1.0 parking space 1.0 parking space per dwelling unit that is 1500 sf or less No parking space if the criteria of Sec. 42-186(a)(2) is met
	<u>Second dwelling unit</u>	If the first unit meets off-street parking requirements, then the second unit needs +0 parking space if the unit is 1000 sf or less +1 parking space if the unit is 1001 sf -1500 sf
	<u>Single-family residential lots within Courtyard style development</u>	1.0 Parking space per dwelling unit 1000sf or less <del>1.0</del> 2.0 Parking spaces per dwelling unit is 1001-1800 sf
c.	Special residential	0.3 parking spaces per sleeping room, plus 1.0 parking space per employee on largest shift
d.	Retirement community (with kitchen facilities)	0.75 parking spaces per dwelling unit, plus 1.0 space per employee on the largest shift
e.	Retirement community (without kitchen facilities)	1.0 parking space for every 6 beds, plus 1.0 parking space per employee on largest shift
f.	Hotel or motel	1.0 parking space for each sleeping room up and including 250 rooms; 0.75 parking spaces for each sleeping room from 251 rooms to 500 rooms; 0.50 parking spaces for each sleeping room in excess of 500 rooms.
g.	<u>Multi-unit residential (MUR)</u>	1.0 Parking space per dwelling unit 1000 sf or less 2.0 Parking spaces per dwelling unit 1000 sf or greater

**Section 5.** That subsection (c) of Section 26-497 Reduced parking space requirement for additional bicycle spaces of Chapter 26 of the Code of Ordinances, Houston, Texas, is hereby amended to add the following language:

(c) A reduction of parking spaces under this section is available for all use classifications except single-family residential or multi-unit residential developments.

**Section 6.** That except as herein amended, Chapter 26 of the Code of Ordinances, Houston, Texas remains unchanged and in full force and effect.

**Section 7.** That the City Attorney is hereby authorized to direct the publisher of the Code to make such non-substantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and to make such changes to the

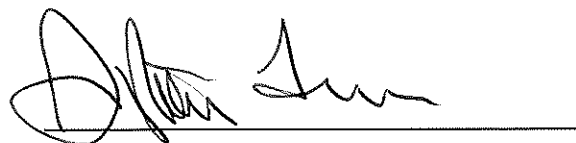
provisions adopted in this Ordinance conform them to the provisions and conventions of the published Code.

**Section 8.** That, if any provision, section, subsection, sentence, clause, phrase, of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 9.** Any violation of any provision of Chapter 26, as herein adopted and made a part of the City of Houston Code of Ordinances, is a misdemeanor punishable upon conviction by a fine as established by Section 1-6 of the City of Houston Code of Ordinances.

**Section 10.** That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor, however this ordinance when passed by City Council, shall take effect at 12:01 a.m. on November 27, 2023.

PASSED, ADOPTED and APPROVED this 27<sup>th</sup> day of September 2023.



Mayor of the City of Houston

Prepared by Legal Dept.  
KMickelson



Senior Assistant City Attorney III

Requested by Margaret Wallace Brown  
Director, Department of Planning and Development  
L.D. File No. 0000001608

Meeting 9/27/2023

Aye	No	
✓		<b>Mayor Turner</b>
....	....	<b>Council Members</b>
✓		Peck
✓		Jackson
✓		Kamin
✓		Evans-Shabazz
✓		Martin
✓		Thomas
✓		Huffman
Absent due to death in family		Cisneros
✓		Gallegos
✓		Pollard
✓		Castex-Tatum
✓		Knox
✓		Robinson
✓		Kubosh
✓		Plummer
✓		Alcorn
Caption	Adopted	

Captions Published in DAILY COURT REVIEW

Date: 10/3/2023