

For information on land development or to ask specific information on a plat:

Planning and Development
Department:
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(ask for Planner of the Day)

Public Affairs:
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www.houstonplanning.com

Classes of Plats

A **Class I plat** is only for residential and either amends a previous plat or:

1. Creates no more than four (4) lots, each fronting on an existing street;
2. Does not require or propose the creation of any new street;
3. Does not require or propose the dedication of any easement for public water, wastewater collection or storm sewer lines; and
4. Is not a replat.

There is a one time submittal process for class I plats. Class I plats are not very common.

A **Class II plat/replat** is a subdivision plat that:

1. Does not require or propose the creation of any new street;
2. Does not require or propose the dedication of any easement for public water, wastewater collection or storm sewer lines; and
3. Can be a replat but does not require notification of adjacent property owners for replatting purposes.

There is a one-time submittal process. A variance or a special exception may be sought with a Class II plat/replat. All variance or special exception applications within the city limits of Houston require notification of adjacent property owners.

A **Class III plat/replat** is required for subdivisions that require or propose the creation of any new street or the dedication of any easement for public water, wastewater collection or storm sewer lines. A class III plat is also required for a vacating plat. A Class III plat requires two submittals: a preliminary and a final. A variance or a special exception may be sought with a Class III preliminary plat/replat and all variance or special exception applications within the city limits require notification of adjacent property owners. Objections from adjacent property owners should be raised during the preliminary platting process.

A preliminary plat application can be filed on land that is being considered for purchase. In many cases, final purchase may depend on the outcome of the plat submittal.



Planning and Development Department Land Regulation and Development

Houston Planning Commission

Approval by Planning Commission is often the first step required in the development process. The Planning Commission is a 25-member board appointed by the Mayor and approved by City Council with responsibility for reviewing and approving subdivision plats and variances in the City and the ETJ. The Commission also reviews development site plan variances within the city limits.

The Commission meets every other Thursday at 2:30 p.m. in City Hall annex chambers, 900 Bagby, unless otherwise posted. The agenda is posted three days in advance on the Department's web site at www.houstonplanning.com. Items on the agenda posted as consent are typically considered all in one grouping. Items considered separately include replats requiring a public hearing and variances.

Members of the public can sign up to speak on any agenda item at the meeting. Speakers are allowed two minutes and can only speak once per item (if the item is deferred, speakers must choose at which meeting to speak).

Platting

A plat provides for the subdivision of land that can be legally defined (i.e. Lot 29, block 19 of the Happy Trails subdivision). Subdivision plats are required to show how land will be subdivided. The plat must reflect adequate streets and right-of-way for the project. The plat is checked to assure it abides by all development rules as established by Chapter 42, the City's land development ordinance. **By law, the Commission is required to approve plats that meet the requirements of Chapter 42.**

Undeveloped land must be platted before development occurs. If land is platted, it can be replatted to further subdivide the existing subdivision plat or change the use of the property (i.e. from single-family to multi-family). Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.

Plats must be considered and either approved or disapproved within 30 days or state law mandates that the plat is automatically approved if no action is taken. Plats can



The Department of Planning and Development regulates land development in Houston and within its extraterritorial jurisdiction (ETJ). Since Houston is not a zoned city, development is governed by codes that address how property can be subdivided, but city codes do not speak to the land use. Deed restrictions are the only tool that restricts land use. Not all areas of Houston are deed restricted.

The Department reviews plats for compliance with development codes and recommends action on the plats to the City's Planning Commission. Plats are submitted to the city every two weeks for consideration by the Commission the following week.

The Department checks development and 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.

be deferred twice but action must be taken within the 30 days. Residents who were notified of a public hearing or variance will not receive a second notice if the item is deferred at Planning Commission. The item will automatically come up at the next Planning Commission meeting.

The Commission's authority on platting does not extend to land use and therefore cannot disapprove a plat because of the intended use of the property. Other issues applicable to land development such as adequate water, sewer and drainage are handled by other agencies and are not part of the Commission's authority regarding plat approval.

A plat must be prepared by a licensed surveyor, land planner and/or engineer and a licensed surveyor or engineer must sign the plat. If the property is located within Fort Bend County, a licensed engineer must sign the plat in addition to a licensed surveyor.

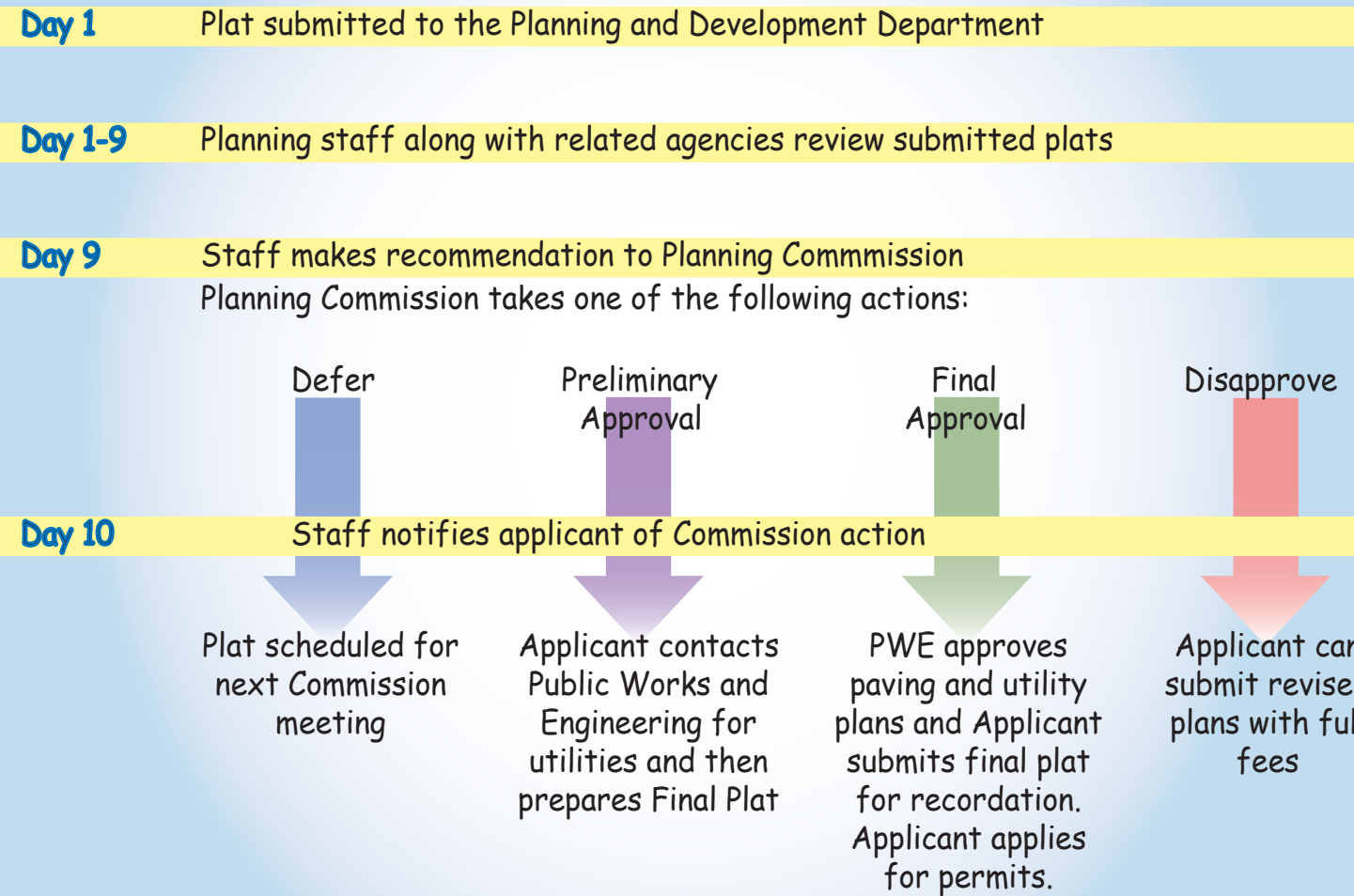
Replat requiring public hearing

A public hearing for a replat is required if single-family restrictions existed within the original plat boundary. Public hearings are held before Planning Commission during the meeting. Residents within 250 feet of the property replat and within the original subdivision boundary will be mailed letters of notification and a sign will be posted announcing the public hearing date. If there are no variances requested, Planning Commission must approve the replat if it meets all the rules according to Chapter 42 and does not violate state law. If the replat violates deed restrictions, the Planning Commission must disapprove the plat.

Variances

Planning Commission does have discretionary authority if a plat requires a variance or special exception. Residents in the city limits that are within 250 feet of the proposed development will be notified of certain variances and have a chance to offer input on how the variance will affect their neighborhood or property. A variance is a deviation from the strict compliance of the rules and regulations of Chapter 42. The applicant must document a reasonable hardship for the variance. This usually means that applying the rules of Chapter 42 would make the land difficult to develop without the variance or that the rules applied to the project are contrary to sound public policy.

The Platting Process



Single-family

Single family designation under Chapter 42 can include more than one housing structure. Examples include a duplex or a house with a garage apartment under 900 square feet. If an area is deed restricted, the restrictions must restrict number of structures and type of structures on a lot to prohibit this type of development.

Reserves

Many plats may include tracts platted as unrestricted or restricted reserves. An unrestricted reserve can be any commercial or non-single-family residential application (i.e. retail center, apartment, office building). A restricted reserve is for non single-family residential purposes but designates the use for the property. An owner can sell off pieces of a reserve but cannot sell off pieces of a single family plat.

Extra Territorial Jurisdiction (ETJ)

The City reviews plats in the ETJ which is the area extending approximately five miles beyond Houston's corporate limits into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery and Waller counties. These areas however are not subject to the City's permitting and building inspection regulations.

Next Steps

Site Plan

Site plans are required for all buildings constructed in the city limits. Site plans are also required if a building is remodeled and the remodeling changes the footprint of the structure. The site plan must include parking, landscaping, building lines, and setbacks. The site plan will show how the structure(s) sits on the lot and how the public accesses the property (i.e. driveway connections). The site plan is reviewed when the owner/builder applies for a building permit.

Permitting

All construction within the city limits must be permitted. This is handled by the Department of Public Works and Engineering's Planning and Development Services Division. City staff reviews the details (blueprints) of the actual construction project. The application must adhere to the City's building code and related construction codes. For more information about this process, contact Public Works at 713-535-7500 or log onto the Public Works and Engineering web site at <http://www.publicworks.houstontx.gov/planning/enforcement.html>. It is during the permitting process that applications are reviewed for water and wastewater capacity, drainage and infrastructure.