

Application for Modification of Sidewalks Standards

Section 40-556 of Chapter 40 of the Code of Ordinances



**PLANNING &
DEVELOPMENT
DEPARTMENT**

The Planning official, in collaboration with the Office of City Engineers (OCE) and the Mayor's Office for People with Disabilities (MOD), may approve a modification to the sidewalk and safety buffer standards of section 40-555 of the Code of Ordinances in accordance with section 40-556. Granting a modification under Sec. 40-556 does not set a precedent, and each case shall be reviewed on its own merits.

1. Project & Contact Information:

Date: _____ Project Number: _____

Applicant's Name: _____

Phone Number: _____

E-mail address: _____

Site Address: _____

City Council District: _____

2. Modification Fee Applicability:

For certain modification requests, a non-refundable fee of \$1,144 per Statute: 40-556(c) is required. Please see the request types and fee applicability below. Check the one that applies to your request.

- No sidewalk (application fee applies)
- Provide a sidewalk, but no safety buffer (application fee applies)
- Maintain full width of sidewalk, but modified width of the safety buffer (fee does not apply)
- Maintain full width of safety buffer, but modified width of the sidewalk (fee does not apply)
- Provide reduced width of both sidewalk and safety buffer (fee does not apply)

3. Details of proposed Standard Modification:

List the street(s) where the modification is being requested and fill in the correlating information below.

Street Name:	Required sidewalk width:	Required safety buffer width:	Proposed sidewalk width:	Proposed safety buffer width:

To qualify for an approval under this section, the applicant must meet criteria below. Answer each question below. For number 1, you may select the one that best fits your situation.

Statement of Facts:

(1) The proposed standard modification meets one or more of the following: (Sec. 40-556 e)

- a. *Pedestrian pathways or sidewalks exist within the immediate vicinity of the public street that provide reasonably sufficient access and connectivity for public pedestrian use; OR (Sec. 40-556 e-1(a))*

Nearby sidewalks or pedestrian paths already provide safe public access and connectivity (please explain).

- b. *The characteristics of existing lawfully permitted development, land uses, or other physical conditions within the immediate vicinity of the public street create unsafe conditions related to the practical use of the sidewalk that is otherwise contrary to sound public policy; OR (Sec. 40-556 e-1(b))*

Providing the required sidewalk and safety buffer would cause a safety hazard or be impractical given existing conditions (please explain).

- c. *The cost of the standard sidewalk requirement is disproportionate to the total cost of the action prompting the applicability of this article under section 40-522 of this Code and the development will not contribute to an increase in pedestrian traffic or otherwise create an adverse impact to existing pedestrian accessibility within the immediate vicinity; (Sec. 40-556 e-1(c))*

The cost of the sidewalk and safety buffer exceeds 50 percent of the development cost (please explain).

(2) The circumstances supporting the approval are not the result of hardship created or imposed by the applicant; (Sec. 40-556 e-2)

The applicant did not create the conditions requiring a standards modification (please explain).

(3) The granting of the approval would create an alternative that furthers the intent and purposes of this article. (Sec. 40-556 e-3)

Approving a standards modification would support the goal of a safe, pedestrian-friendly city (please explain).

4. Submittal Requirements:

- Completed application form
- A complete site plan showing the location and width of the proposed sidewalk and/or safety buffer
- Pay the Non-Refundable Fee of \$1,144 per Statute: 40-556(c) if applicable

Submit completed applications to:

Planning and Development Department

1002 Washington Avenue, 3rd Floor

Houston, TX 77002 or

by email to: PD.sidewalkandrealm@houstontx.gov

Contact the Planning and Development Department at (832) 394-8849 with any questions or to schedule a meeting prior to submitting an application. More information can be found at www.houstontx.gov/planning/DevelopRegs/