

**Rules governing partial replats of certain property.**

**Amend Section 42-196(a) to read as follows:**

**Sec. 42-196. Rules governing partial replats of certain property.**

(a) The rules in this section govern partial replats of subdivision plats recorded in the real property records and shall apply to each subsequent replat as though it were the first replat of the original subdivision plat. These rules do not apply to a replat of all the property in the original subdivision plat by all of the current owners thereof. For purposes of this section, "original subdivision plat" means the first recorded subdivision plat in which a ~~tract or parcel~~ a plat restriction was included, and a "partial replat" means a replat of part of a recorded subdivision plat.

**Extending the Urban Area Designation**

**Change the definition of "Urban Area" to read as follows:**

*Urban area* shall mean the area included within and bounded by Beltway 8 that is within the city's corporate boundary or is subject to full or limited purpose annexation Interstate Highway 610 and any other area within the city so designated by the city council pursuant to section 42-101 of this Code.

**Amend Division 7, Section 42-251 to read as follows:**

(a) The regulations contained in this division shall be applicable to all property within the city limits of the city proposed to be developed in whole or in part for single family residential or multifamily residential purposes for which a subdivision plat or development plat is required, unless otherwise noted herein.

(b) These regulations do not apply to replats of land owned by a governmental unit.

(c) For the purposes of this division, urban area shall mean the area included within and bounded by Interstate Highway 610, and any other area within the city so designated by the city council pursuant to section 42-101 of this Code. Suburban area shall mean an area of the city that is not an urban area.

**Guest Parking**

**Amend Section 42-187 to read as follows:**

**Sec. 42-187. Parking for single-family residential uses.**

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(a) Each subdivision plat providing for single-family residential uses shall provide at least two off-street parking spaces per dwelling unit on each lot except that, in those instances where a secondary dwelling unit of not more than 900 gross square feet is provided, only one additional off-street parking space shall be required for the secondary dwelling unit.

(b) Each subdivision plat providing for single-family residential use that contains a shared driveway or a type 2 permanent access easement with six or more dwelling units shall provide one guest parking space for every six dwelling units. Dwelling units on a lot that includes a parking space in excess of the parking requirements of subsection (a) of this section shall not be counted in determining the required number of guest parking spaces required by this subsection. Each guest parking space shall conform to the following standards:

- (1) The size and dimensions of a guest parking space shall be in conformance with the requirements of the Building Code.
- (2) Guest parking spaces may be placed within the boundaries of the subdivision plat, unless:
  - a. the guest parking space abuts continuous curb along a public street that is adjacent to or within the plat boundary and that is not a major thoroughfare; or
  - b. the guest parking space abuts culverts installed in accordance with the requirements of the design manual along an open ditch street adjacent to or within the plat boundary.
- (3) For subdivisions where residential lots abut a type 2 permanent access easement and take access only from alleys, guest parking spaces may be included within the type 2 permanent access easement.
- (4) Guest parking spaces shall not be placed within a shared driveway or within a lot.
- (5) Guest parking spaces shall not be placed where parking is prohibited by law.
- (6) Guest parking spaces shall be accessible to all residents of the subdivision.

### Existing Conditions Survey

**Add a Section 42-44.1 to read as follows:**

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**Sec. 42-44.1. Additional Requirements--Plats containing single-family residential uses.**

Each subdivision plat providing for single-family residential uses shall provide an existing conditions survey containing indications of any of the following that currently exist on the subject property:

- (1) Locations of curbs and driveways;
- (2) Locations of utility poles, meters, storm sewer inlets;
- (3) Locations of recorded easements;
- (4) Locations, species and size of all trees located within the public right-of-way or building line set back;
- (5) Paving section width for all streets and sidewalks on the property and in the public right-of-way within 10 feet of the property;
- (6) Locations and width of all rights-of-way on or abutting the property;
- (7) Any conditions within the public right-of-way within 10 feet in front of all adjacent property.

**Building Line Encroachments**

**Sec. 42-22. Development plat required.**

Development of property through the new construction or enlargement of any exterior dimension of any building, structure or improvement within the city or its extraterritorial jurisdiction shall require a development plat, except that the following types of development shall be exempt from this requirement:

- (1) Buildings, structures or improvements within the central business district;
- (2) Alterations to any building or improvement, including enclosing an existing canopy or porte-cochere, that do not increase the exterior square footage by more than 100 square feet and that do not result in an encroachment into the building line requirement except as provided by Section 42-151.1 of this chapter;
- (3) Construction of a detached single-family residential unit (or enlargement thereto) that meets the requirements of article III of this chapter on a lot that is part of, and in a manner that complies with, a recorded subdivision plat or an unrecorded subdivision plat that is recognized as a plat for the purposes of property conveyance;
- (4) A parking lot or expansion thereof;

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- (5) A retaining wall, masonry wall or fence under eight feet high; or
- (6) Placement of a temporary classroom building at a public school facility.

**Add a new Section 42-151.1 to read as follows:**

**42-151.1. Encroachments into building line requirement.**

(a) For building lines established pursuant to this Chapter that are 10 feet or greater, an encroachment of up to 30 inches into the building line shall be permitted for eaves, bay windows, balconies, fireplace chimneys or decorative features if the encroachment is cantilevered into the building setback line.

(b) For building lines established pursuant to this Chapter that are 10 feet or greater, an encroachment of up to five feet into the building line shall be permitted for open stairways or wheelchair ramps into the building setback line.

**Name Requirements for Partial Replats**

**Add a new Section 42-56 to read as follows:**

**Sec. 42-56. Name requirements for partial replats.**

The name of a subdivision plat subject to the provisions of section 212.015 of chapter 212 approved by the commission after [the effective date of this ordinance] that is a partial replat of a prior subdivision with separately filed deed restrictions shall be the name of the prior subdivision followed by "partial replat no. \_\_\_\_\_", with the number to represent the sequential number of partial replats of the prior subdivision. To illustrate, the first partial replat of "Sunny Land Subdivision" would be named "Sunny Land Subdivision partial replat no. 1," the second partial replat would be named "Sunny Land Subdivision partial replat no. 2," and so on.

**Average Lot Size / Average Lot Width**

**Amend Section 42-183 to read as follows:**

**Sec. 42-183. Lot sizes--Single-family residential--Urban area.**

- (a) The minimum lot size for a single-family residential lot in an urban area shall be:
  - (1) 3,500 square feet for lots with wastewater collection service;

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- (2) Less than 3,500 square feet for lots with wastewater collection service, but in no event less than an average of 1,400 square feet for all lots in each blockface of the subdivision, if the subdivision plat meets the standards of:
    - a. Subsection (b); or
    - b. Sections 42-184 and 42-185 of this Code;
  - (3) The minimum requirement of section 42-181 of this Code for lots without wastewater collection service; or
  - (4) The minimum lot size established pursuant to section 42-194 of this Code, which shall control over all other provisions of this section.
- (b) A subdivision in an urban area may provide for a single-family lot size of less than 3,500 square feet, but not less than an average of 1,400 square feet for all lots in each blockface of the subdivision, if the subdivision plat meets the following development standards:
- (1) For a subdivision that is not the replat of a lot on a corner at the intersection of two public streets:
    - a. Buildings do not cover more than an average of 60% of the area of each lot that is less than 3,500 square feet in size for all lots of each blockface in the subdivision;
    - b. The subdivision plat provides for permeable area in an amount equal to 150 square feet per lot;
    - c. The number of single-family residential dwelling units that can be constructed within the proposed subdivision does not exceed an equivalent density of 27 units to the gross acre of all land within the boundaries of the subdivision plat; and
    - d. All lots have adequate wastewater collection service; or
  - (2) For a subdivision that is solely a replat of a lot on a corner at the intersection of two public streets:
    - a. Buildings do not cover more than an average of 75% of the area of each lot that is less than 3,500 square feet in size, for all lots of each blockface in the subdivision;
    - b. The subdivision plat provides for permeable area in an amount equal to 150 square feet per lot;
    - c. The number of single-family residential dwelling units that can be constructed within the proposed subdivision does not exceed an equivalent density of 27 units to the gross acre of all land within the boundaries of the subdivision plat;

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- d. All lots in the subdivision have adequate wastewater collection service.

(c) A lot size greater than 3,500 feet shall be counted as 3,500 feet for purposes of the average lot size calculations in subsections (a) and (b).

**Amend Section 42-186 to read as follows:**

**Sec. 42-186. Minimum lot width.**

(a) The minimum width of any lot shall be 20 feet.

(b) The minimum width of any lot in the urban area shall be 18 feet except as provided for in subsection (c).

(c) A subdivision in the urban area may provide for a lot width of not less than 15 feet if the average lot width of all lots in each blockface of the subdivision is equal to or greater than 18 feet.

(d) A lot width greater than 30 feet shall be counted as 30 feet for purposes of the average lot width calculation in subsection (c).

**Sign Posting Requirements for Single-Family Residential Subdivisions w/ Certain Reserves**

**Amend Section 42-192 by adding a subsection (c) to read as follows:**

**Sec. 42-192. Reserves.**

(c) Each final subdivision plat approved by the commission after [insert date of the effective date of the ordinance] that contains both single family lots and one or more reserve shall maintain on the reserve at least one sign facing each public right-of-way that borders the reserve. Each sign shall identify the use indicated on the plat for the reserve pursuant to subsection (a) of this section. Each sign must be posted before any single-family lot may be sold. Each sign shall conform to the specifications prescribed by the director. The lettering on each sign shall be legible from the public right-of-way. The owner of each reserve shall use reasonable efforts to maintain each required sign on the reserve until the either the reserve is developed or the last lot is both sold and developed, whichever occurs first. The provisions of this subsection do not apply to landscape reserves, park or open space reserves, compensating open space reserves, drainage or detention reserves, or recreational reserves.

**Shared Driveway Requirements**

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**Amend definition in Section 42-1:**

*Shared driveway* shall mean: a private way that ~~(1) is not an extension of any street or private street and (2) has a length not greater than 200 feet from its intersection with the right-of-way of a public street; and (3)~~ provides access to two or more single-family residential lots through appropriate cross-access easements.

**Amend the title of Article III, Division 2 to read as follows:**

**DIVISION 2. STREETS AND SHARED DRIVEWAYS**

**Amend Section 42-132(c) to read as follows:**

- (c) Curves along a type 2 permanent access easement, a shared driveway or a private street may have any centerline radius except that the centerline radius of a reverse curve shall not be less than 65 feet. Reverse curves shall be separated by a tangent of not less than 25 feet.

**Add a new Section 42-129.1 that reads as follows:**

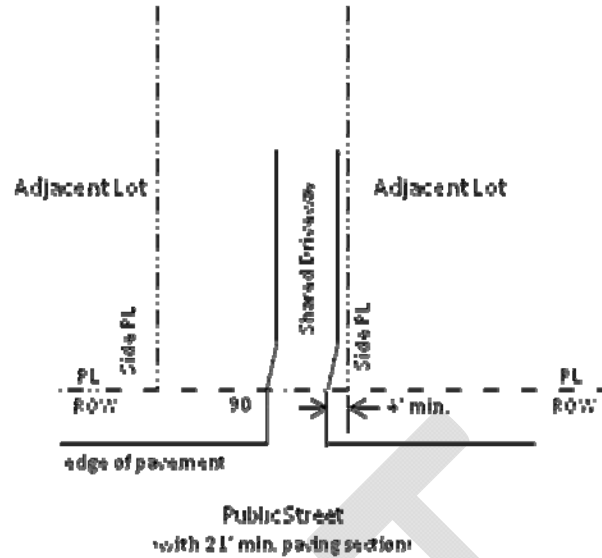
**42-129.1. Intersections of shared driveways.**

- (1) Intersections along a shared driveway shall be spaced a minimum of 65 feet apart measured from the closest edges of the shared driveways and shall not intersect at less than an 80-degree angle.
- (2) A shared driveway shall not intersect with a permanent access easement or connect to or be the extension of a shared driveway created by an adjacent subdivision.

**Add a new Section 42-136 that reads as follows:**

**42-136. Shared Driveways.**

- (a) All shared driveways shall comply with the following standards:
- (1) The shared driveway shall take access only from a public street that has a paving section width of 21 feet or greater and shall intersect the public street at a 90-degree angle.
- (2) The shared driveway shall be set back from the side property line of the subdivision at least four feet at the point of intersection with the public street.

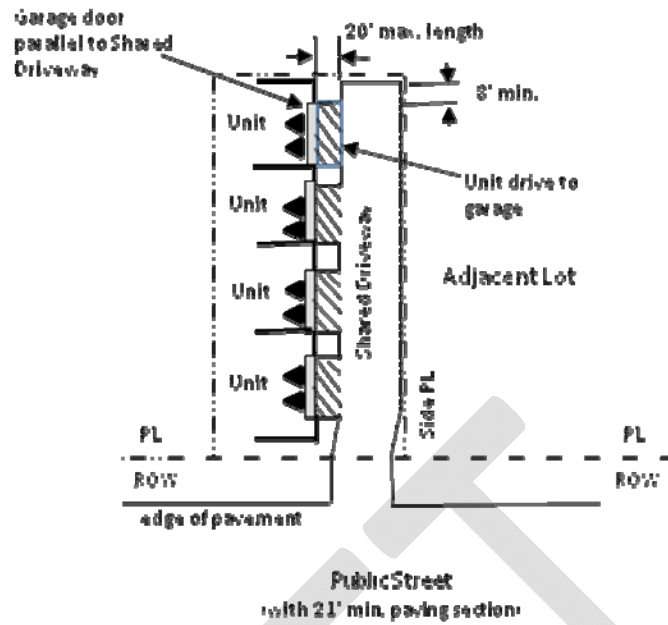


**Sec. 42-136 (a)(1)&(2) Shared driveway access and entry (NTS)**

- (3) A shared driveway subdivision shall have three foot side and rear setbacks along the perimeter of the subdivision. Any fence or gated entrance within the setback shall provide gate access for emergency services.
- (4) The total length of the shared driveway must be less than 200 feet measured along the centerline of the shared driveway starting from the public street intersection.
- (5) Any parking space in a subdivision containing a shared driveway shall provide sufficient space for turning movements as described in the minimum geometric design standards for dead end off-street parking found in the Building Code.
- (6) A shared driveway may only grant access to lots or tracts within the same subdivision as the shared driveway.
- (7) The length of a driveway connecting to a shared driveway shall not be longer than 20 feet measured from the edge of the shared driveway.



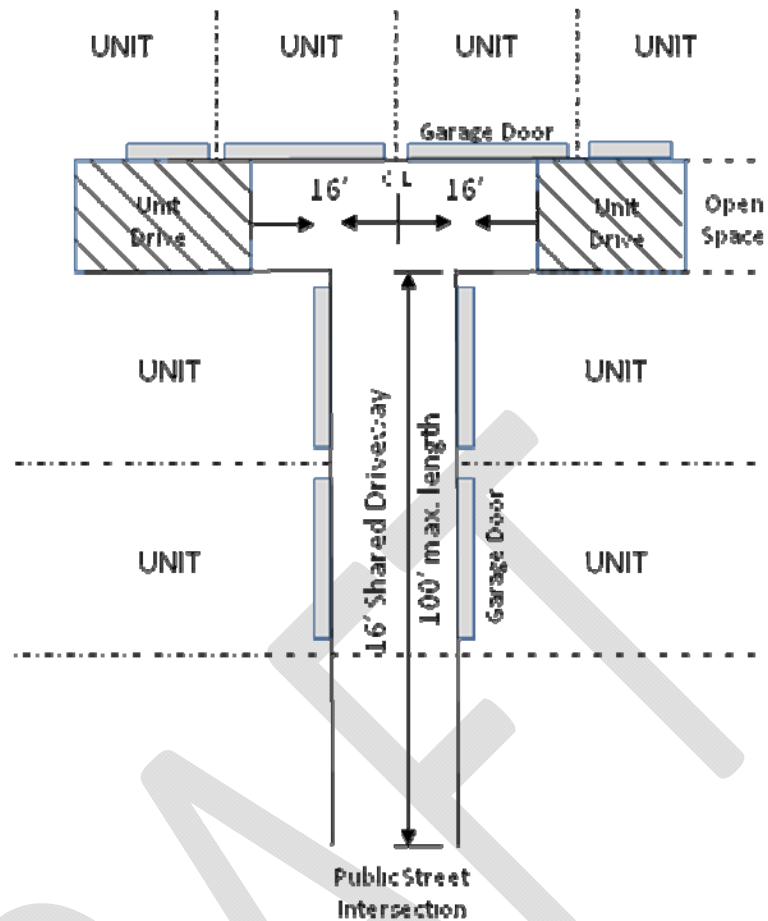
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**Sec. 42-136(a)(7) Shared driveway access and entry (NTS)**

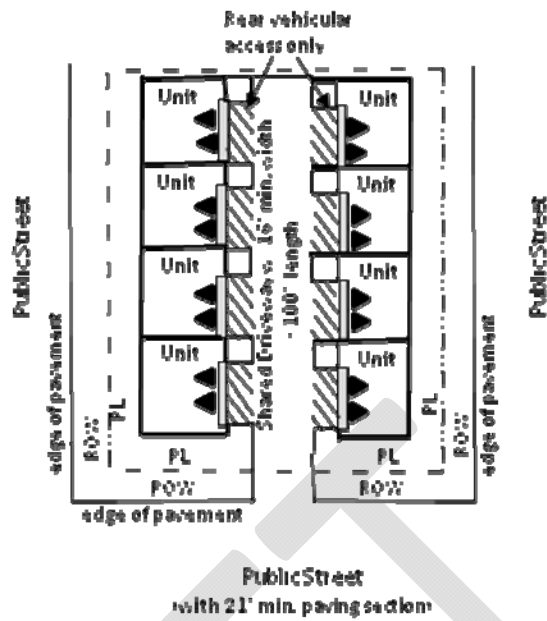
- (8) The garage entry door shall be parallel to the length of the shared driveway. The garage entry door may be perpendicular to the length of the shared driveway if:
- a. No more than three lots take access from the shared driveway;
  - b. The shared driveway does not intersect a major thoroughfare; and
  - c. The shared driveway is equal to or less than 100 feet in length.





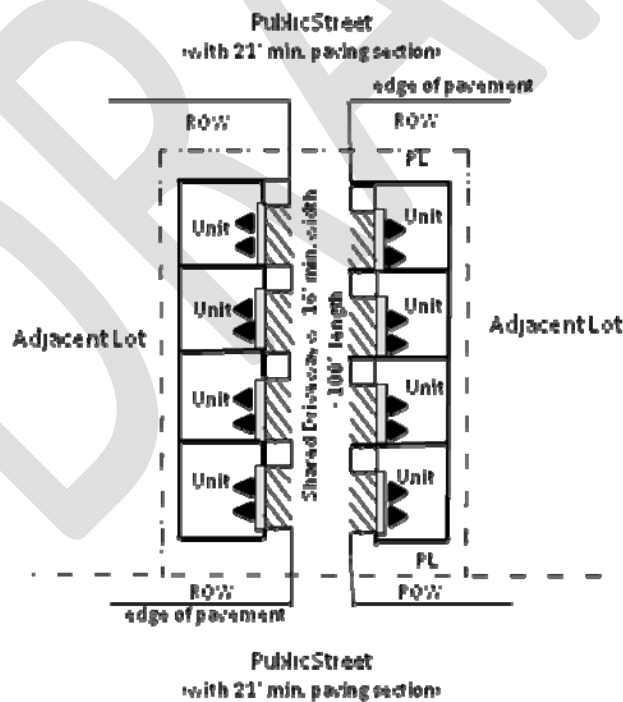
**Sec. 42-136(b)(1) 16' Shared driveway with "T" turnaround (NTS)**

- (2) For shared driveways greater than 100 feet:
- a. Vehicular access for each lot is available only from the rear of each lot and all lots have frontage along a public street; [DIAGRAM] or



**Sec. 42-136(b)(2a) 16' Shared driveway for rear vehicular access only (NTS)**

- b. The shared driveway connects to two public streets and has no turns or curves. [DIAGRAM]



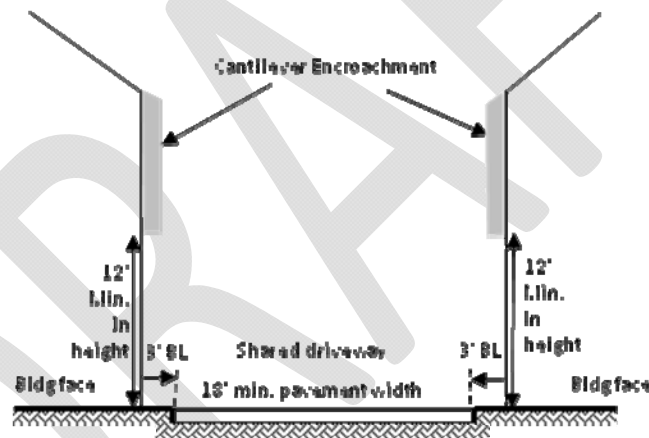
**Sec. 42-136(b)(2b) 16' Shared driveway connecting two public streets without curves or turns(NTS)**

- (3) The shared driveway shall have an additional four-foot garage setback along each side of the shared driveway.

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(c) All other shared driveways shall have a minimum width of 18 feet and comply with the following additional standards:

- (1) A shared driveway shall provide for a 10-foot turning radius at every 90-degree angle in the shared driveway and shall provide for a 15-foot turning radius at every angle less than 90 degrees but more than 80 degrees in the shared driveway. No curves or turns less than 80 degrees shall be permitted in a shared driveway.
- (2) A shared driveway 18 feet or greater in width shall have a building setback line of three feet along each side of the shared driveway. An encroachment into the building setback line shall be permitted only if:
  - a. The encroachment is cantilevered into the building setback line; and
  - b. The lowest point of the encroachment is greater than 12 feet in height measured from the surface of the shared driveway. [DIAGRAM]



**Sec. 42-136(c)(2) Encroachment along 18' shared driveway (NTS)**

(d) For purposes of this section, when determining the average lot size pursuant to Section 42-183 of this Code or the average lot width pursuant to Section 42-186 of this Code for all lots in each blockface of a subdivision, the definition of street shall include a shared driveway.

**Amend Section 42-189 to read as follows:**

**Sec. 42-189. Lot access to streets.**

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(a) Each lot shall have access to a street that meets the requirements of this chapter and the design manual, subject to the limitations of this section.

(b) A single-family residential lot shall not have direct vehicular access to a major thoroughfare unless the lot takes access from a shared driveway, or:

- (1) The lot is greater than one acre in size; and
- (2) The subdivision plat contains a notation adjacent to the lot requiring a turnaround on the lot that prohibits vehicles from backing onto the major thoroughfare.

(c) Lots that front on or take access from a permanent access easement must be a part of a unified development scheme where the owners of all lots within the subdivision are legally bound together by deed restriction, contract or any other constituted and binding homeowners association, corporation, or other organization with, as one of its purposes, the continued care and maintenance of all commonly owned properties within the subdivision, particularly the areas established as permanent access easements, and the authority and means to impose binding assessments upon the lot owners for that purpose. Each subdivision plat that contains a permanent access easement shall contain the following notation on the face of the plat:

"THIS SUBDIVISION CONTAINS ONE OR MORE PERMANENT ACCESS EASEMENTS THAT HAVE NOT BEEN DEDICATED TO THE PUBLIC OR ACCEPTED BY THE CITY OF HOUSTON OR ANY OTHER LOCAL GOVERNMENT AGENCY AS PUBLIC RIGHTS-OF-WAY. THE CITY OF HOUSTON HAS NO OBLIGATION, NOR DOES ANY OTHER LOCAL GOVERNMENT AGENCY HAVE ANY OBLIGATION, TO MAINTAIN OR IMPROVE ANY PERMANENT ACCESS EASEMENT WITHIN THE SUBDIVISION, WHICH OBLIGATION SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS OF PROPERTY IN THIS SUBDIVISION."

### **Amend Section 42-159(c) to read as follows:**

(c) A front building line requirement of five feet is authorized for all or a portion of the lots in a subdivision or development in an urban area that is restricted to single-family residential use adjacent to a collector street or a local street that meets one of the following standards:

- (1) Vehicular access to a driveway, garage or carport is available only from the rear of each lot through an alley or shared driveway;
- (2) The subdivision or development includes a separate common parking facility containing an adequate number of parking spaces; or
- (3) Vehicular access to each lot is provided by a shared driveway and the subdivision meets each of the following standards: the standards of section 42-136 of this Code and the plat contains a note that restricts the locations of any fence or wall up to eight feet high to at least two feet from

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the property line along the street, in which the two-foot area shall be planted and maintained with landscaping.

- ~~a. The shared driveway intersects only with one or more public streets and is designed as a one-way loop that is a minimum of 12 feet wide or as a two-way shared driveway that is a minimum of 16 feet wide;~~
- ~~b. The garage portion of each single-family residential unit is set back from the edge of the shared driveway at least four feet;~~
- ~~c. The garage entry door is perpendicular to the public street; and~~
- ~~d. The plat contains a note that restricts the locations of any fence or wall up to eight feet high to at least two feet from the property line along the collector street or local street, which two-foot area shall be planted and maintained with landscaping.~~

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**Lift Station Reserve Requirements**

Amend Section 42-192(b) by amending the table to replace the row related to “Restricted reserve--Lift station” with the following:

Type of Reserve	Minimum Size	Street Type	Minimum Street or Shared Driveway Width	Minimum Street Frontage
Restricted reserve - lift station	2,500 sq.ft.	public street or type 1 permanent access easement	50 feet	20 feet

**Parking Reserve Requirements**

Amend Section 42-192(b) by adding the following rows to the table:

Type of Reserve	Minimum Size	Street Type	Minimum Street or Shared Driveway Width	Minimum Street Frontage
Restricted reserve - parking	Minimum Requirement outlined in Chapter 26 of the Code Ordinances	Public Street, PAE or Shared Driveway	Minimum specified in Code of Ordinances	Minimum Requirement outlined in Chapter 26 of the Code of Ordinances