

# **Application for Modification of a Pedestrian Realm**

Section 42-604 of Chapter 42 of the Code of Ordinances

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**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

*The Planning official, in collaboration with the Office of City Engineers (OCE) and the Mayor's Office of Disabilities (MOD), may approve a modification to the standards of section 42-621, 42-651 Or 42-653 of the Code of Ordinances in accordance with 42-604. Granting a modification under 40-556 does not set a precedent, and each case shall be reviewed on its own merits*

## **1. Project Information:**

Date: \_\_\_\_\_ Project Number: \_\_\_\_\_

Site Address: \_\_\_\_\_ City Council District: \_\_\_\_\_

Street Type: (Check One)  WP Streets  TOD Streets

## **2. Contacts:**

Applicant's Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

## **3. Proposed Standard Modification:**

Pedestrian Realm Width (42-621 (a)(1))

Street(s) where modification is located: \_\_\_\_\_

Required width: \_\_\_\_\_ Proposed width: \_\_\_\_\_

Vertical Unobstructed Clearance (42-621 (a)(2))

Street(s) where modification is located: \_\_\_\_\_

Minimum height allowed: \_\_\_\_\_ Proposed height: \_\_\_\_\_

Street Tree Size (42-621) (a)(3)

Street(s) where modification is located: \_\_\_\_\_

Minimum size allowed: \_\_\_\_\_ Proposed size: \_\_\_\_\_

Maximum Soft Scape (42-621) (b)

Street(s) where modification is located: \_\_\_\_\_

Maximum soft scape percentage: \_\_\_\_\_ Proposed Soft Scape percentage: \_\_\_\_\_

Fence (Sec 42-621(b))

Street(s) where modification is located: \_\_\_\_\_

Maximum fence height: \_\_\_\_\_ Proposed fence height: \_\_\_\_\_

Ground Floor Façade Fenestration (Sec 42-651)

Street(s) where modification is located: \_\_\_\_\_

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Maximum percentage required: \_\_\_\_\_ Proposed percentage: \_\_\_\_\_

Driveway Locations and Dimensions (Sec 42-653)

Street(s) where modification is located: \_\_\_\_\_

Maximum driveway width: \_\_\_\_\_ Proposed driveway width: \_\_\_\_\_

Safety Buffer Width (Sec 42-621(c))

Street(s) where modification is located: \_\_\_\_\_

Required width: \_\_\_\_\_ Proposed width: \_\_\_\_\_

To qualify for an approval under this section, the applicant must meet criteria below:

**Statement of Facts:**

*(1) The proposed standard modification meets one or more of the following:*

- a. The characteristics of existing permitted development, land uses, or other physical conditions within the immediate vicinity of the pedestrian realm create unsafe conditions related to the practical use of the property; or*

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- b. The standard creates an impractical design or a development that is otherwise contrary to sound public policy. A modification to the standard would, in the sole professional judgement of the planning official and city engineer, create a more practical or technically feasible alternative.*

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*(2) The circumstances supporting the approval are not the result of hardship created or imposed by the applicant*

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*(3) The granting of the approval would create an alternative that furthers the intent and purposes of this article.*

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#### **4. Submittal Requirements:**

- Completed application form
- Documentation that supports the required findings in 42-604(b).
- A complete site plan indicating the proposed *Pedestrian Realm* or a *Pedestrian Realm Plan*
- Pay the Non-Refundable Fee of \$1,174.46 per Statute: 42-604(b)

**Submit completed applications to:**  
**Planning and Development Department**  
**1002 Washington Avenue, 3<sup>rd</sup> Floor**  
**Houston, TX 77002**  
by email to: [PD.sidewalkandrealm@houstontx.gov](mailto: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 on <https://www.houstontx.gov/planning/index.html>