



## **Meeting Notes**

**February 21, 2023**

### **Call to Order**

Recording started by Teresa Geisheker.

Sonny Garza, Co-Chair, called the meeting to order at 3:01 p.m.

### **Welcome by Co-Chairs**

Mr. Sonny Garza, Co-Chair, took the roll and presented the speaker rules. 15 committee members were present during roll call. There were 73 participants (including committee members).

**Director's Report:** Margaret Wallace Brown, Director, Planning & Development Department welcomed everyone to the meeting and mentioned the following:

- Residential Buffering Ordinance was approved by City Council. Ordinance goes into effect on February 25<sup>th</sup>
- City Council has a public hearing tomorrow (2/22) on Conservation Districts
- City staff meeting weekly on changes to IDM based on recommendations from this Committee. Intend to implement changes over the summer.
- Submitted recommendations to code review committees to make changes to local amendments to International Residential Code and International Building Code related to small scale multi-family development

**Meeting Agenda:** Suvidha Bandi introduced the agenda items for the rest of the meeting.

- Conservation Districts
- Overall Housing Recommendations
- Homework Activity & Next Steps
- Public Comments

### **Conservation Districts Presentation**

**Roman McAllen:** We're soliciting questions/comments about the draft ordinance.

- Benefits of Conservation Districts
- Criteria for Creating Districts: HAHC & City Council
- Menu of Standards: Community may choose one or more of the following standards:
  - Building height/ # of stories
  - Building size/massing
  - Front-facing building features
  - Lot size/coverage
  - Building setbacks
  - Parking
  - Roof line/pitch
  - Paving/hardscaping
  - General site planning
  - Architectural style/detailing
  - Building materials
  - Garage entrance location
  - Fences/walls
  - Building relocation/demolitions
  - Alterations to existing structures
  - Other built environment characteristics

---

### **Conservation Districts Presentation Questions? Comments?:**

**Curtis Davis:** There were a couple of questions that I'm voicing from members of the Houston Housing Collaborative that we were seeking some clarity on. One was associated with the kind of potential challenge of the use of this mechanism as a form of NIMBYism in terms of restricting affordable housing development in a community and it kind of came out of some things that recently happened at City Council. The other question was other than the Planning Board process, how might renters who are residents be engaged and how are non-resident property owners engaged differently?

**Roman McAllen:** I'll take the second one first because we do plan that when we do the notification, we would send **mail to the occupants** as well as to the property owner listed in Harris County Appraisal District records as the owner. So that would help a little with the renters as well as of course, just reaching out to civic club leaders and super neighborhood groups and really anyone. If that language isn't clear enough in the ordinance, we need to make sure that it is because it's important. You know there's language in the ordinance about how you make a historic district, just because staff have a lot to do we tend to just follow those rules that we see, so I think it's important for us to double check that we've got as much clear language as possible to include renters and people who are affiliated with the neighborhood but don't necessarily own the property. On the NIMBYism, can it be used as a form of NIMBYism? My short answer is yes, it could be, but I would turn that to say that this tool could possibly one day be used as a policy tool to affect other positive change, and given that we've recently finished a draft of a Freedmen's Town financial incentive plan which really has a lot of tools that could be used to help people. Given that the individual conservation district ordinances that might one day come along, if this ordinance passes, can be specific. I don't think we have precluded the possibility of putting things in there that can actually support important matters like affordable housing, for example.

**Curtis Davis:** One recommendation is during the review process of the application by staff, is there some sort of NIMBYism test that can be applied? With the understanding that conditions change, issues change, and I can't describe a specific scenario right now where a NIMBYism intent becomes obvious, I think the question of having staff in their review of the application have some sort of process of review which might include a public dialogue with the community and developers—maybe in the form of a public meeting—that might be one opportunity to create a formal step to sift for that. But again, I don't think we should try to codify it because I think that would create more problems than not.

**Roman McAllen:** That hasn't been brought up and that is a great idea, and if I could think of a way to quickly put something like that in there, I think it belongs there. We'll note that. We also have the public hearing tomorrow, and we know we'll regroup after hearing these comments and consider possible changes to the ordinance.

**Sonny Garza:** Thank you, Mr. Davis. Thank you, Roman. By the way, NIMBY is "Not In My Back Yard", correct?

**Roman McAllen:** Yes.

**Zion Escobar:** Hello, I am Zion Escobar. I'm one of the committee members, and I'm the executive director of the Houston Freedmen's Town Conservancy. Freedmen's Town has been part of the conversation about conservation districts since the beginning. Just a couple of questions so I understand how to connect with the

---

community on specific points. So, this conservation district ordinance is an enabling ordinance which would require a secondary customized subset for the Freedmen's Town community if we were to advocate for certain features we wanted to see upheld in our community. Is that correct?

**Roman McAllen:** That's correct.

**Zion Escobar:** Okay. And in that subset, that would be customized just for Freedmen's Town, would that preclude us from having things like the juxtaposition of preserving historic structures that everyone agrees should be preserved and ensuring they aren't demolished and allow new things like a Freedmen's Town market, a community center, or a performing arts center? Those things can both exist in the historic district and not be annihilated from each other along with affordable housing, duplexes on currently vacant properties, and things like that. All of these things can exist within this ordinance?

**Roman McAllen:** Yes, and because y'all are planning and organized, and you have the direction you would like to go, I believe in that case it's even better because you can lay down what's going on. For, example, you have a few remaining contributing buildings to the original national registered district, so perhaps a proposed conservation district in Freedmen's Town could indicate that the remaining historic buildings listed on the 1989 National Register of Historic Places designation would hereby be deemed contributing buildings in this proposed conservation district and therefore cannot be demolished without a certificate of appropriateness. That could be one line. Then, with vacant land, you could say "if a piece of land is to be redeveloped for a performing arts center then it is not subject to something or other." For example, if you hired Frank Gehry for that project who likes to design with titanium swirly things and the Freedmen's Town conservancy would like to have something that could juxtapose against the all brick authentic original Gregory school, then you want to be able to raise money and build that building. We would have to carefully word that ordinance so that based on the use, this applies or that applies. It would be carefully worded. I suppose you wouldn't bring it forward until you have a pretty good idea. I think this ordinance can allow for both conservation and new growth.

**Zion Escobar:** One final question, as we evolve a plan, I want to make sure that we don't get stuck with passing an ordinance that can't change as the community evolves. What is the flexibility for amending, augmenting, or addressing loopholes? What is our ability to be able to revisit these ordinances?

**Roman McAllen:** You're thinking if there was an ordinance for Freedmen's Town and you wanted to amend that ordinance?

**Zion Escobar:** Yes. Is there the possibility to, once we have our own, not be stuck with something that isn't appropriate 10 or 15 years from now? If other things need to be done for affordable housing or demographic changes or things like that, how do we make sure we're upgrading our master plan for the community so it can move with us not against us and keeps us on a positive and healthy growth trajectory without artificially restricting ourselves while trying to protect and preserve.

**Roman McAllen:** I would like to regroup and have staff check the wording to be sure we have a clearly defined path to amendment, and make sure we clarify that.

---

**Zion Escobar:** Thank you. That was my last question.

**Sonny Garza:** Zion, thank you so much. Thank you, Roman. So there will be a process for amendments going into the future?

**Roman McAllen:** My first instinct is that the City can always amend and retract an ordinance anyway, but why don't we clearly have a line or two about that if Legal thinks that's appropriate in this current draft that's going to City Hall. So that when someone raises the question 40 years from now, we can't say "oh that's just the way it is."

**Lisa Clark:** I just wanted to go back to Mr. Davis's question about notifying renters and non-residents; I looked at the ordinance that was drafted on 2/13 and it only references property owners. So, if you plan to address that, it needs to be corrected.

**Roman McAllen:** Thank you, chair. I wrote a note of that, and I put "put in ordinance," so I think we need a way to make sure future staff know that an effort needs to be made for that type of outreach.

**Lisa Clark:** My next question is about the voting of property owners. Let's say there's a two-block submittal. If I own a whole block and four or five property owners own property on the next block, how many votes do I get as the owner of all of that land?

**Roman McAllen:** If your properties on the one block are side by side or one block face, that would be one vote. That exists in our current definition of City law. The tract is defined. There may be some room for interpretation. Adjacent, contiguous tracts would be one vote. However, by that interpretation if you owned three lots and then not one lot and then two lots on the same block face, that would be two votes according to that definition.

**Lisa Clark:** And there's no room to adjust that? I'm looking at that as not being an equal voting metric.

**Roman McAllen:** I don't know which side you mean that would be unequal to, but I remember what was discussed about HHC, it would help because if someone had several contiguous lots they would only get one vote for that piece, but I bet you have another way of looking at that.

**Lisa Clark:** Well, I look at it as it should be done maybe on a square footage basis. I may not be a residential developer or commercial developer, and if I own 10,000 square feet and someone only owns 2,000, I should get more of a vote.

**Roman McAllen:** Director, do you have any thoughts on that?

**Margaret Wallace Brown:** Right now, the way the legislation is worded, it follows the way historic districts were created. If we hear from this committee or at the public hearing tomorrow that there are better ways or that the community prefers a different way, we would certainly consider it. As Roman said, after the public hearing

---

tomorrow we can regroup and see what the community says or some changes that need to be made to the draft. I would suggest that if you've got a great formula that you think works, give it to Roman or me today, Lisa, or come speak at the public hearing tomorrow and as we review comments we'll review it. We'll see if it'll work better than what we have.

**Lisa Clark:** Thank you. I am lodging my comment right now.

**Megan Sigler:** I have some questions about the purpose of our committee, how we got to this point, and the fact that this is the first time as a group that we're really talking in detail about what this ordinance says and what this means. I'm surprised that we're moving so quickly and that it's going to be heard at Council tomorrow. What is it that you want out of this group today, Margaret?

**Margaret Wallace Brown:** Good question. What I want out of this group today is exactly what we're getting which is questions, comments, and thoughts. We will combine those with what we'll hear tomorrow at the public hearing. The ordinance is not scheduled for City Council yet. This is the hearing process. Hearing from you all. What I want to be able to do is consider all of what we're hearing today and what we're hearing tomorrow and make recommendations to the Mayor. The Mayor supports this as drafted right now, and we'll be talking with him about the comments from the public hearing, so we'll make any changes to this that he agrees to, but we are happy to consider everything we're hearing now. I think Curtis Davis has some good suggestions, and I think Lisa Clark's suggestion was terrific. If you have suggestions on how to make it better, we're happy to hear it.

**Megan Sigler:** It appears this is already in process, but there were some ideas of maybe doing a test area. It seems like for something so important we're really moving through this quickly. The presentation that Roman just gave was great, but the devils are always in the details. I think that we could take some time to really study this. I love the idea of a focus area where maybe we try it. We get it right and see the areas where mistakes could be avoided and see where we can make things stronger. That would be my suggestion: that we think long and hard before we give something consensus before we have time to really properly vet.

**Margaret Wallace Brown:** Thank you.

**Matthew Camp:** Couple questions. One, Roman you mentioned earlier that there's tax incentives for Freedmen's Town coming up. Does the City have any incentives for any conservation district that pops up? I know there's a lot of rules and restrictions, but what are we doing as a carrot for people who may have reservations about joining a conservation district or voting yes if it's going to add extra burdens on their property?

**Roman McAllen:** You're referring to the comment that we did work on a preservation financial incentive plan here. It lists a lot of ideas. To call it a plan is a little deceptive it's more of a thought piece on what any city could give, what Houston could do. Specifically in the case of that, we talked to people that own property in Freedmen's Town and what they thought they needed to preserve them. I have no assurances that they will be executed upon. That said, I'm glad you reminded me. I talked to the Director about this need to have, maybe,

---

expressly called out in this current ordinance. The historic tax credit that the City presently has for historic property is called out in the historic preservation ordinance that we currently have. It states that the City may have a program to reduce property taxes or something like that on properties in its designated historic districts. I don't think we have any language like that in this enabling legislation. I think it belongs there because that goes back to what I was saying to Mr. Davis that I believe that this should be used potentially as a policy tool. Especially if applications come out of the so called disenfranchised areas of Houston, we know there are a lot of historic resources there that are in terrible shape and we know that the families and people who own them struggle to take care of them. I'd like to see the City pass something, and at least in this ordinance, Mr. Camp, we should have something in there. I've had interest in conservation districts expressed from practically every corner of the city including neighborhoods that aren't as socioeconomically disadvantaged and they may not need that as a tool. So, I come back to the individual conservation districts that might get created that that's where that language should live because they are customized, and they have different concerns and challenges.

**Matthew Camp:** Second question. During Walkable Places, there was a discussion of the variance process to adjust for someone who can't adjust to meet the new standards. Is there a process for the conservation districts to have a variance to add that level of flexibility in the system for non-confirming structures or to alleviate a big burden on a property?

**Roman McAllen:** I'm not entirely familiar enough to know, but are you talking about when someone can pay something instead of doing a sidewalk?

**Matthew Camp:** Well not really an in-lieu fee, but if there's an architectural standard that the neighborhood is a craftsman style, but they have a mid-mod home, are they going to be required to redo their whole theme? How does this process work for something that is really non-conforming?

**Roman McAllen:** No, there's no duty to act that comes out of this ordinance. It's not about telling people to change things.

**Matthew Camp:** It's not requiring it, but if you were to do a remodel or an addition would that addition be required to meet those standards if it's extremely burdensome or non-conforming?

**Roman McAllen:** I think the individual ordinance could require that an alteration to a house conform to certain design criteria, for example. That could happen. But then, I think you're asking, is there a burdensome clause? We haven't talked about a burdensome clause, so we'll take that into consideration as well. By that what I mean is that the current historic district ordinance states that the historic commission will take into the economic impact on an applicant with respect to their application.

**Shawn Massock:** The question I had was in regards to if there's any areas within the boundaries of one of these proposed districts that already has some restrictive covenants in place, how would any conflict between the two be resolved? Would it have to be part of that ordinance as it's written, or would the preceding covenant rule for a portion of that area should it move forward?

---

**Sonny Garza:** So, excuse me, you're talking like maybe deed restrictions or the building line? That kind of thing?

**Shawn Massock:** Yeah, deed restrictions, any kind of restrictive covenants. A portion of an area goes into in other words maybe it's 40% of that 51% vote, but they're within that boundary.

**Roman McAllen:** We've talked a lot about the deed restriction relationship with various people, and we're not going to take away anything that's in a deed restriction, obviously. I'm going to ask if the chair if she can take that question on if an area already has a deed restriction. You're right that it could be addressed in a specific ordinance by a neighborhood. Especially, perhaps, if part of an area is under a deed restriction but parts of the proposed area are not. Then you would have to consider that there.

**Shawn Massock:** Yeah, that's as specific as part of the area has a deed restriction, and part of it doesn't.

**Roman McAllen:** Our current historic district ordinance doesn't talk about deed restrictions yet. We have the Norhill and Glenbrook Valley historic districts among two that have strong neighborhood associations with deed restrictions, and we work with them, we consult with them, but the deed restrictions as far as I know, trump the rules.

**Margaret Wallace Brown:** Let me try to answer this. The City of Houston has no authority to override deed restrictions, so if a deed restriction is established in any or all of a conservation district, those deed restrictions would prevail. Typically how we look at minimum lot size and building line is that it only trumps deed restrictions if it's more restrictive than the deed restriction itself. So, I think we would have to carefully look at the land, the restrictions on the land, and the menu of items the neighborhood was looking for before it actually got created, so we would be able to make that clear to residents what exactly the restrictions were on each of those pieces of neighborhood.

**Sonny Garza:** Shawn, I think what you're asking is this: for example, if there's two neighborhoods and they're both going to be part of the conservation district and one of them has deed restrictions, but the other does not, could this be used to put deed restriction on the neighborhood that doesn't have them? You would still have to go through the deed restriction process. This would not allow you to do deed restrictions, would it? It is not listed in the menu standards.

**Margaret Wallace Brown:** No, it would not allow you to do deed restrictions. Some of the restrictions, though, might be similar to what deed restrictions might have such as a minimum lot size or a building line or something like that, but in the same way that we have min lot size programs it would not extend deed restrictions to neighborhoods that don't have them.

**Shawn Massock:** I was kind of asking the opposite of that. I was more asking if the places that have the deed restrictions would get more restricted with the new ordinance? Which would trump the other?

**Margaret Wallace Brown:** I'm not sure I know how to answer that. I don't know the answer to that question. I think we need to do more research and get a good answer.

---

**Roman McAllen:** And I would also add that if a neighborhood brought that forward, we would be very sensitive to that. We would have to be because we don't want to pass a future district ordinance that we're going to have legal trouble with. As staff we will be in tune with the potential problems we could create for ourselves.

**Mike Dishberger:** First, I agree with what Lisa said about the voting. I'm looking for some better notation about giving people notice that a conservation district is being considered. I'm concerned about the property rights of landowners who won't be able to account for the creation of the district as they make purchasing decisions.

**Roman McAllen:** We'll look at that. The chapter 211 requirement is strong, but it doesn't mean we can't strengthen it further and bring this up internally if there's something we can do to strengthen it.

**Megan Sigler:** How will public lands be treated?

**Margaret Wallace Brown:** That is something we haven't really considered in this ordinance. It is on my list of things to look at. In historic districts, public lands are not allowed to be counted for voting, but this ordinance is silent on that.

**Megan Sigler:** We touched on the deed restrictions, but what about other city ordinances? I assume it would be the more restrictive if you had a district that already had a prevailing lot size or prevailing building size or when a historic district and a conservation district overlap. How does that apply?

**Roman McAllen:** I believe the most restrictive ordinance applies generally. Also, just a note that some historic districts are pretty small, and the language states that a historic district may not be turned into a conservation district, but a conservation district can overlap a historic district. I think that answers that. The historic district will still have its code that it must follow, but the conservation district around it would still apply. Generally, the most restrictive applies.

**Margaret Wallace Brown:** That leads me to something we haven't said, but that Roman and I know. We need to articulate to everyone that when you look at this list of standards, it is just a generic list of things that a community might choose to put into their conservation district. But the conservation district language won't just say "building height" it will establish a standard. Looking at this list today seems like a very amorphous list, but when the districts are created, they will establish a very specific standard. I think that's a piece that we haven't made clear to everyone.

**Megan Sigler:** I still have some confusion on the application process. What role does staff play in establishing these standards?

**Margaret Wallace Brown:** We will work with the neighborhood to establish what those standards are for that district. We'll use our technical knowledge and experience to help the community establish what they want.



---

**Megan Sigler:** So, the application doesn't just ask for specific standard information? That's something they're working with staff on?

**Margaret Wallace Brown:** Yes, and that would be established through collaboration with the community before we sent it out for a vote.

**Megan Sigler:** How are you planning on staffing for this?

**Margaret Wallace Brown:** It could be in the permitting center if we're talking about building lines or lot size, but it could also be in the planning process. So which staff person actually does this depends on what the standard actually is and where in the development it takes place.

**Megan Sigler:** How are people being informed about these conservation districts before they purchase in the area?

**Margaret Wallace Brown:** The ordinance calls out the same process we use for minimum building lines. It will be on Harris County records, it will be on the website, and our staff will be looking at this. It will be publicly displayed on our website for potential property owners.

**Megan Sigler:** Starting at the application process?

**Margaret Wallace Brown:** Yes, I think so. It starts at the first public meeting.'

**Megan Sigler:** Is the first public meeting before the application?

**Margaret Wallace Brown:** The first public meeting is the first understanding that there will be a process to be filed. There is no form to fill out or a petition. Until we go and meet with the community for the first time, none of this is established as kicking off a process.

**Omar Izfar:** I have a comment and two questions. My comment is that I'm hearing concern about the idea that there will be a development freeze in place prior to City Council action or prior to us knowing the final form of a conservation district. I think that this concept is a little different from other districts that we have in the city like historic districts. I appreciate the comparison and the reliance on chapter 211 of the local government code. In that context, zoning districts and zone changes never go into effect until City Council takes final action on them. In the case of a historic district, we have a specific proposal where it may be appropriate to go into trial basis before City Council takes action. Could you estimate, knowing that the proposal to create a conservation district could be big or small, how long would it take the Department to create a design guideline? Also, how important is it to you from a cons perspective to have a general development freeze in place while the Department understands the request and drafts design guidelines? Is this the kind of thing that could go into place once City Council adopts it?

---

**Roman McAllen:** In the current draft of the ordinance, there's section 33-605 called "Restrictions on Development Pending Designation" and it very much mirrors the historic district ordinance and it says that building permits for new construction, demolition or alterations shall be granted until 181 calendar days has elapsed or Council has made the decision not to enact the district or the Commission has made a negative recommendation. That number can also go up if the Commission or City Council defers the application for a period of time. Then it goes up to 241 calendar days as a potential. How important is it to have a freeze in place? Historic preservation often includes a development freeze. That clause comes from when communities get worried about losing a building so they try to pass these ordinances. That's the idea of that language. In the case of conservation districts, they aren't attempting to save a specific structure, so the question of whether a freeze is important is a good one. I remember early on I had said I didn't think it would be bad if those didn't happen if City Council approved a potential district. So, I'm flexible there, but that could be something we look at if that's a concern. I think this language is tied to the history of historic district ordinances. Omar, are you suggesting it should not necessarily have the freeze in place?

**Omar Izfar:** I'm not suggesting one way or the other. I'm just thinking through Margaret's comments and your comments about how we don't know what a conservation district design guideline is going to look like until we have the chance to study it, and as a result, the proposal on the time is to freeze all development activity for a time period which is different from how we treat other cases. I understand the concern that while the application is pending there could be motivation to act quickly before City Council acts, and I think in those situations, the motivation to act quickly would be from those who already own property and have development plans. I'm hearing that perhaps those types of property owners should not be adversely affected by pending proposals that a future ordinance should apply before we have a chance to approve it. It's different when we don't know what the rules are going to be, so we freeze all development which doesn't freeze all development, just development that's incompatible with a specific proposal that goes into place at a specific time.

**Margaret Wallace Brown:** Good point, Omar.

**Roman McAllen:** We'll take it into consideration. And I think addressing it, if you didn't place the hold now, you have a six month heads up, so that's something we should look at.

**Sonny Garza:** Roman, I have a question. When we brought up the idea of the vote that renters and home owners would be able to participate, but does that mean that renters will get a vote? Only property owners have a vote, but renters will just have a voice in the process, correct?

**Roman McAllen:** Yes, everyone can have a voice in that process. If someone can think of a way to have the renters legally have a vote, that would be great. But certainly, all the public meetings and hearings are available to everyone.

**Margaret Wallace Brown:** I am grateful for this conversation and this long debate. Thank you for your input and commentary.

---

### **Overall Housing Recommendations Update- Second Dwelling Units**

**Suvidha Bandi:** We're questions/comments about updated second dwelling unit standards. **Graphics showing draft standards:** See recording. Updated standards related to:

- Location/site/size
- Access
- Parking

### **Overall Housing Recommendations Update- Second Dwelling Units Questions? Comments?:**

**Omar Izfar:** My understanding is that it's very difficult to separately meter a second unit in a duplex for utilities. Is it the City's intention that the residents of a second dwelling unit be able to get separate utility bills? If so, how would the City prevent those units from being sold without a subdivision plot? Is it okay with the City that those units get sold or are they intended to be leased primarily?

**Suvidha Bandi:** The purpose of this ordinance is for the homeowner to live in one of the homes and lease the secondary unit. The intent is not for property owners to bypass the subdivision of lots. However, we know that sometimes this does happen. In terms of the water meter, it is possible to serve both units from the same meter, and it is also possible, today, to get separate meters. We would prefer if it was one meter serving both properties.

### **Overall Housing Recommendations Update- Multi-Unit Residential Development**

**Suvidha Bandi:** We're questions/comments about new multi-unit residential development standards. **Graphics showing draft standards:** See recording. Updated standards related to:

- Location/site/size
- Access
- Building Line
- Parking

### **Overall Housing Recommendations Update- Multi-Unit Residential Development Questions? Comments?:**

**Shawn Massock:** Alley access vs fronting streets. I'd like a better description of that. Some products clients are asking for involved units facing an open space or generally away from a public street. Is that allowed?

**Suvidha Bandi:** I think we're talking about two different things. The courtyard style developments will be in the next section.

**Sandy Stevens:** I want a clarification on the parking. I realize what the requirements are, but if the units have less than 1500 sf, they will still be required to have parking?

**Suvidha Bandi:** Yes, they will be required to have one parking space per unit unless the property is in close proximity to other modes of transit and qualifies for market based parking. Also, one guest parking space for every 6 units must be provided.

---

### **Overall Housing Recommendations Update- Courtyard Style Development**

**Suvidha Bandi:** We're questions/comments about new multi-unit residential development standards. **Graphics showing draft standards:** See recording. Updated standards related to:

- Location/site/size
- Access
- Building line
- Parking

### **Overall Housing Recommendations Update- Courtyard Style Development Questions? Comments?:**

**Curtis Davis:** Just a request that this information be posted to your website with graphic illustrations.

**Suvidha Bandi:** It will be shortly. It is already available for public comment, but it will be posted with illustrations soon.

### **Overall Housing Recommendations Update- Narrow Lot Development**

**Suvidha Bandi:** We're questions/comments about new multi-unit residential development standards. **Graphics showing draft standards:** See recording. Updated standards related to:

- Access
- Front loading lots
- Side/rear loading lots
- Entry feature
- Reduced building line along major thoroughfare (80 feet wide or less)
- Combined driveway approach
- 1/3 occupiable space
- Combined driveway approach with balconies

### **Overall Housing Recommendations Update- Narrow Lot Development Questions? Comments?:**

**Mike Dishberger:** I would ask that we have more time to discuss this one page at the next meeting. Each line has issues; some of them are good. The MURs are great. The courtyards are great. Let's start with the common driveway; to me that's the biggie. Let's take a look at this. If you're trying to exit from the left side of your garage, you're going to have to make a lot of little turns to get out without going in the grass. Public works will not allow you to run the driveway straight along the property line. A bunch of things happen here: first, the space on the left is unusable now, especially if there's someone in the spot on the right; second, you're going to have to do like a seven point turn to get out of there which is super unsafe and you can go into the open ditch where there's no curb and gutter—and Traffic won't allow you to put another curb there for backing in. You're going to hit somebody or another car. I don't know how you could get a car out of the garage. This concept is not market based. This is crazy. There's also a lot of small errors in the language because there's no such thing as a "common" or "combined driveway". This is called a "shared driveway." This requires maintenance agreements between homeowners or HOAs. This is the worst idea on here. I am absolutely against this.

**Megan Sigler:** Has Public Works reviewed this and okayed the radii?

---

**Suvidha Bandi:** Public works is looking over this and reviewing the graphics we have received. Overall, because we are proposing reduced parking and imagining the home is less than 1500 sf, one car garages can work well. For a bigger space, we're looking at turning templates to find the best garage building line to address the concerns Mike brought up. That research is happening.

**Megan Sigler:** I believe the major intent of this driveway is to provide more on-street parking. Is that correct?

**Suvidha Bandi:** That is one of the reasons. We also want to make sure that all the paving in the public right-of-way is not causing an issue with drainage, and additionally prevent the driveways' interruption of the sidewalk from causing usage problems from cars parked across the sidewalk.

**Megan Sigler:** Do the residents living in existing neighborhoods have the right to get permitted parking only or no parking signs put up?

**Suvidha Bandi:** It isn't the private property owners putting the signs up. I think Mike was talking about a situation where if the paving width of the street is narrower than a certain width (I think 18 ft), there is a Public Works requirement that there will be no parking signs on one side. If it is much smaller than that, like 15 ft, there are no parking signs on both sides when there is shared driveways or PAE developments on the block.

**Megan Sigler:** I had heard that there is a mechanism for residents to apply for no parking signs on their street, but you're saying that's not possible, and it's only based on criteria?

**Margaret Wallace Brown:** There is a process for property owners to apply, but it must meet certain criteria to be accepted.

**Megan Sigler:** I just think it's something we should think about because there's a lot of benefit to on street parking, and if the intent is to provide it, it would be unfortunate if that could just go away. We need to think about how we balance using shared driveways and alleys. How do we keep people from parking in the public right of way?

**Margaret Wallace Brown:** And that has happened. We've seen good development that provides a high quality pedestrian realm, but for some reason there's a no parking sign. We're working with Public Works on that, and we're making some headway.

**Mike Dishberger:** I know we're working with Public Works on some of these issues. The issues that builders and developers have in Houston is that Public Works works out of design manuals. They can change these design manuals whenever they want. Right now, the reason shared driveways are not allowed on 18 ft streets is that the Fire Department has said if the roads are 18 ft or less you cannot have a shared driveway because they cannot get down the road in time. So, we're kind of going backwards here on safety. If it's a City-maintained alleyway, on that list they have—which is only 9.5 miles of alleyway that's been accepted by the City—then yes, tell the builder that they have to use the alleyway. That's the easiest thing, that's a win for everybody.

---

**Curtis Davis:** In support of Mike’s comments and concerns, I think a close coordination with Public Works will be crucial because we’re looking at very tight tolerances. Things like design manuals using pickup truck standards for a vehicle like a Ford F150 or something like that. Those issues are key for making these tight tolerances work. I just want to encourage close attention to Mike’s concerns.

**Homework & Next Steps:**

**Tammi Williamson:** Visit Let’s letstalkhouston.org/livable-places to:

- Review draft documents and comment
- Spread the word
- Request meeting for your community

**Suvidha Bandi:** Next Steps:

- Presentation to Planning Commission on March 16<sup>th</sup>

**Homework & Next Steps Questions:**

**Matthew Camp:** Is there a target final date or updated timeline for these ordinances to get their final vote?

**Suvidha Bandi:** Conservation districts is going to the Council for public hearing right now, and that’s all we know at this time. For housing recommendations we’re planning to get your feedback on the proposed draft by March 3, and we tentatively anticipate presenting these to the Planning Commission on March 16<sup>th</sup>. Based on how the timeline works, we want to take the housing recommendations to City Council at the end of May.

**Lisa Clark:** If we present to Planning Commission on 3/16, will we give consideration to Mike’s request to take some time on the narrow lots?

**Margaret Wallace Brown:** We’ll spend the next week looking at Mike’s suggestions and have an answer prior to going on the 16<sup>th</sup>. We’ll either have an updated ordinance or a response.

**Lisa Clark:** Will we consider separating this issue?

**Margaret Wallace Brown:** I guess we would consider it.

**Suvidha Bandi:** We would make that decision at a later date based on our discussions.

**Megan Sigler:** On the conservation districts, will this group meet again to get answers to the questions we had today before Council votes?

**Margaret Wallace Brown:** I don’t know that we’ll meet again, but we will keep you abreast of what’s happening. Although another meeting would be a good idea.

**Megan Sigler:** I would strongly suggest we meet again if at all possible.

---

**Public Comment:**

**Richard Mazzarino:** I just wanted to share a few of my comments as well on all this stuff as a builder and an owner in the city. One of my concerns about pushing more common driveway projects is, I'm sure all of you have seen them in neighborhoods, these common driveway projects push an inordinate amount of cars into public parking. Many of them have three bedrooms, and when you have three bedrooms and no driveway to park an extra car in, you end up with three roommates and you're going to automatically be pushing an extra car into public parking on the streets, and the City Ordinance does require that any cars utilizing public streets for parking be moved every 24 hours. That could create a parking situation for the City, pushing more cars to the streets. Also, I'm a fairly avid cyclist for recreational purposes, and if anybody else on this call cycles on the streets, you all probably agree that cars parked on the streets instead of in driveways creates a dangerous situation for us cyclists because it reduces visibility of cars coming out of driveways. You get car doors opening and that creates a danger to us, it pushes cyclists further to the middle of the road which is closer to traffic when you have more cars parked on the street, and you also have to worry about cars pulling out in front of you as you're riding up behind them. I hope you guys are taking all that into consideration as well with pushing more cars into street parking. Another thing I wanted to comment on was the 17 ft vs 19 ft garage door building line. I live in a neighborhood that has sporadic sidewalks, and we have a neighbor that drives a Mini Cooper which is 12 ft long and parks it over the sidewalk every day of the week. The house is plenty far back, there's plenty of room to pull all the way up to the garage door, but that neighbor chooses to block the sidewalk. We've called 311; we call and complain just because I'm a proponent of following the rules, and nothing gets done. So, whether the parking lot setback is 17 ft or 19 ft, you've got to get citizens to actually do the right thing or have some kind of consequences for blocking the sidewalks. Also, I'm concerned if we push it back further to 19 ft you could get the same homeowners trying to now park two cars front to back in the driveway because the distance from the end of the sidewalk to the street in a lot of streets in the city are elongated, creating some kind of additional buffer where that extra 2 ft, homeowners might get a little more cavalier and be able to park cars front to back, blocking sidewalks and even potentially pushing them out onto the street.

**Sonny Garza:** Did you have a question about conservation districts?

**Richard Mazzarino:** All the builders on this call who do a lot of work in the Heights know that building in historic districts is tedious, time consuming, and very expensive. And lots that sell in historic districts sell for less money and take longer to sell than non-historic lots in these areas and I wonder if that is being impressed upon these homeowners, who a lot of them have been owned for generations and they're retired and they want to sell to a builder like us for the highest and best use of their property to get maximum dollars. If there's additional restrictions put on it, it could seriously cap their value and potentially cap the appreciation of these investments they've made.

**Diane Almos-Guzman:** In the enabling ordinance, is there consideration for cultural and environmental preservation? Good job committee.

**Mike Young:** So, I'm also a builder, and I would echo the concerns of Mr. Mazzarino a second ago that the initial concept behind a lot of what was happening was to help preserve parking. I'm the builder that actually fits a lot

---

of what you're asking for in terms of providing shared driveway product. But I also understand that shared driveway product at a guest parking rate of 1 spot for every 6 homes ultimately does force people to park outside of the community. So, having front loaded homes where you have an individual driveway where you can fit two vehicles in essence creates a whole lot more parking opportunities than forcing into a shared driveway product. I understand the balance, but anything that we're doing where we're able to preserve that, first of all because that is what the market is asking for in my regard as well. We also do affordable homes. We also do higher density, lower sale price homes. When we lay out a site, having that option, especially if it doesn't neatly layout for a shared driveway, having that option to where we can incorporate some front loaders into the community to maximize density also helps us keep the home prices down. A lot of the conversation in regard to front loader homes is relative to parking. It might be relative to the Heights in some of these inner loop communities, but also understand when we push this through in an ordinance, where we're limiting what we can do with that, we're also affecting density in other areas of Houston where that option of having front loader homes helps us deliver a lower price product to be able to better match buyers who are closer to median income.

**Jo Dunham:** I have a little bit of a different perspective. I also am a home builder, but I also own a business on a street that the City just spent a ton of money redoing. It's beautiful. I don't know if y'all are all familiar with Wakefield over at Garden Oaks Forest area. [Speaker lost off call]

**Marie Carlisle:** First, I want to say thank you all for your time and effort putting this in. One comment I'd like to make on the MURs, and just as a side note I'm just a resident, not a developer, but I live in an area where I'm seeing development similar to MURs, though probably not exactly that. Something I'd like for you to consider with respect to parking and availability on the property are issues for other community services like landscaping and trash. I know you guys consider firetrucks and their ability to access them, but one issue I've seen is if they have a common landscaper come, especially if they're on a two-lane road, the landscaper can't park on site, so they park and block a full lane of that two lane road for several hours while they work in the community. I've also seen some of the private trash trucks do the same. Those are shorter in duration, maybe 15 minutes, but they park on the street then go and get each trash can and bring it. That's something to consider especially if you have several of those in a row it can dramatically impact the drivability on those two-lane roads. My second question, and if this question is better for email, I'm happy to follow up with somebody on that, but with respect to the conservation communities, is that something where you could take existing deed restrictions on a neighboring property and use those substantively to apply to a conservation district? I realize they wouldn't be deed restrictions, but is that something where you can implement that so that the neighboring community could be more consistent, or is that a no go?

**Sonny Garza:** If you wouldn't mind putting your contact information in the chat, staff will get back to you on that, but the quick answer is, as the Director said, since those are going to be decided with the community, I see no reason why you can't get some of those structures that are put in for the next neighborhood and review them to possibly overlay them into your conservation district. I don't know why that wouldn't be able to be considered.



---

**Ben Gobin:** So, we did a shared drive community out in the Heights area. What ended up happening was that we, just like it was mentioned before, we had some residents who had roommates, and we were able to park on the street, but then, the neighbors further back complained. Then the City came by and put no parking on the side of the street. That's just an example of something that can happen in these situations that we've faced while building. Also, if we have to move the driveways back, we're going to have to shrink the whole size of the home which is going to make the square foot cost go up further. Since we're trying to have affordable housing, that's something else to keep in mind.

**Jo Dunham:** I live on a street where the City just spent a ton of money redoing our street on Wakefield, and we do have a couple different common driveway developments, and so many of them park outside especially if they have family over or friends over. But, right after we spent two years with this street torn up, they came in and made an entire side of the road no parking. Now people are having to park around the corner from their own house. I have a different perspective that I have a side business on this street, and now people can't park in front of my business. Luckily, I have a large driveway, but most businesses, there's bars and all kind of things on my street, don't have that luxury. The sad thing is they came in without any regard to which side would make more sense to make no parking. There's a good 450 linear feet on Wakefield that is unobstructed that they made no parking. Whereas that the other side of the street is the side that they decided to let people park. I understand y'all are not in control of that specific situation, but I wanted to give it to you as an example. These sound like beautiful ideas, but people need places to park in front of their houses, and these front-loading houses seem to be the best answer because, fitting in there, people can park better. Also, a couple people talked about the cars blocking the sidewalk and that obstructing the roads. It's illegal to block the sidewalk. It sounds like several of y'all know that, but someone should get a ticket for that. As a home builder, that's what I do for my main job, I actually got a ticket for this one time many years ago. So, I don't know here the person that wrote tickets for that is, but I, personally, never ever block a sidewalk because I've gotten a citation for that. I also just wanted to make a quick statement, if I could, about these bicycle path areas where we're taking high traffic areas like Shepherd, Durham, 11<sup>th</sup> Street, high, high areas of traffic, smushing them down from a four lane to a two lane road and adding a full bicycle lane on each side. I just don't see how condensing the traffic is going to make things any better or safer for these cyclists.

**Meeting adjourned at 5:34 p.m.**