

Walkable Places (WP) and Transit-Oriented Development (TOD) Ordinances

Public Comment Matrix with Staff Recommendations

March 5, 2020



PLANNING &
DEVELOPMENT
DEPARTMENT

#	Topic	Comment Summary	Section(s)	Staff Recommendation
1	TOD Street Designation Criteria	Allow the designation of Secondary TOD Streets near high frequency bus routes and METRONext high capacity projects when METRO approves the proposed route and stations with 30% design.	33-444 P18, Line 787	No Change. The current scope is designed to support substantial public investment in light rail (METRORail) and bus rapid transit (METRORapid) infrastructure. Further evaluation and public engagement are needed before expanding TOD rules to other transit facilities.
2		Allow the designation of Secondary TOD Streets near METRO Park and Ride facilities.	33-444 P18, Line 787	
3		Allow Primary TOD Streets along University Line with this adaptation of the TOD Plan.	33-445 P19, Line 831	No Change. METRO has not finalized plans for station locations on the University line and therefore it is premature to establish Primary Streets along that line.
4		It is unclear what is meant by "Infrastructure Design Manual standards".	33-444(7) P19, Line 816	Amend. Clarify that the criterion focus is on the width of the roadway and location of the back-of-curb or roadway edge, as applicable.
5		Allow open ditch streets to be eligible for TOD Street designation.	33-444(6) P19, Line 814	Amend. Allow open ditch streets to be eligible for TOD street designation.
6		Include downtown transit stations into the TOD Street designation process.		No Change. All downtown properties are located within the designated Central Business District (CBD). This designation exempts development from building setback and off-street parking requirements, which are key components of the TOD rules. In addition, any property that would be designated as a Primary or Secondary TOD Street according to the new standards is already subject to the more stringent rules set out in Chapter 40 (PG30, Line 1304). This rule establishes the minimum width of a sidewalk in the CBD as 8', which exceeds the TOD 6' standard.
7		Include Midtown transit stations into the TOD Street designation process.		No Change. There is a concurrent proposal to designate Midtown streets as part of the Midtown Walkable Place Pilot Area. The WP Street designation is designed to create context-sensitive rules and therefore will supersede any TOD Street designation that may otherwise apply. If no WP Streets are designated, the Midtown transit stations would be considered for TOD Street designation. TOD Street designation also allows an automatic off-street parking reduction which does not apply to WP Streets. In 2019, City Council addressed the off-street parking requirements for Midtown when it approved market-based parking for the area. At that time, several streets in the southeast part of Midtown were intentionally removed from the market-based parking designation by Council.

8	WP Designation Consideration	Support of property owners along WP Streets should be considered during City-initiated designations.	33-423(e) P15, Line 641	Amend. Revise the ordinance language to “The commission shall hold at least one public hearing on the proposed WPP amendment. Upon the close of the public hearing, the commission shall consider public comments, <u>support from property owners along the proposed WP Streets</u> , and the recommendation of the planning official and determine whether the proposed WPP furthers the objectives and intent of this division.”
9	TOD Parking	The additional buildable area achieved by opting into the TOD rules should be exempted from off-street parking requirements.	26-503 P3, Line 125	Amend. Exempt the additional buildable area achieved by opting into the TOD rules along a designated Secondary TOD Street from off-street parking requirements. The 50% reduction currently proposed will then only apply to the remainder of the development.
10		Establish market-based parking along Secondary TOD Streets.	26-503 P3, Line 125	No Change. Further evaluation and public engagement are needed. Until then, market-based parking will be limited to streets nearest to transit stations (Primary TOD Streets).
11		Prohibit on-street parking along streets to minimize congestion and protect the adjacent neighborhood.		No Change. Depending on the street conditions, the Traffic Engineer has the authority to establish a “no parking zone” or other parking restrictions when conditions warrant. In addition, residents may apply for Residential Parking Permit to limit on-street parking certain residential streets in their neighborhood when the parking is frequently used by commuter or nonlocal traffic. (Chapter 26, Article VI).
12	WP Parking	Automatically authorize a 50% parking reduction along the designated WP Streets.	26-510 P3, Line 143	No Change. The WP Street designation is eligible citywide; therefore, an automatic reduction in off-street parking may not be appropriate for certain streets. The current proposal allows for a streamlined Special Parking Area designation (beginning P3, Line 141) to occur simultaneously with the WP designation; thereby allowing a context sensitive approach for off-street parking requirements
13		The additional buildable area achieved by opting into the Walkable Places Ordinance shall be exempted from parking space requirements.		
14		Remove all parking minimums.		
15	Bicycle Parking	Encourage more bicycle riders.	33-634 P26, Line 1145	No Change. The proposed ordinance requires additional bicycle parking for non-single-family residential uses along TOD and WP Streets. The corresponding modifications to the development rules by TOD and WP designations further encourages a street environment that supports making walking, bicycling, and transit use as a more desirable transportation option.
16	Ground Floor Facade	Increase ground floor façade transparency along WP and TOD Streets to 40-60% for developments other than single-family residential.	33-631 P25, Line 1101	Amend. <ol style="list-style-type: none"> 1. A minimum of 50% of the ground floor façade along a primary street. 2. A minimum of 40% of the ground floor façade along a secondary street. 3. A building that fronts three or more WP or TOD Streets may have one (1) non-primary street that is exempt from the transparency requirement.

17		"Transparency" into automotive uses should not count toward the ground floor transparency requirement.	33-631 P25, Line 1101	Amend. Have ground floor façade transparency calculated based on transparency into an occupiable space. Occupiable space is defined by the Building Code as "a room or enclosed space designed for human occupancy in which individuals congregate for amusement, education, or similar purpose or in which occupants are engaged in labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code."
18	Safety Buffer	4' safety buffer and the modification procedure should apply on WP and TOD Streets only	40-555 P30, Line 1313	No Change. Pedestrian safety applies city-wide. The current proposal aligns with the Infrastructure Design Manual and establishes a process to allow property owners to apply for standard modification(s) to address unique technical conditions along a street. These modifications will be reviewed by the Planning & Development Department, the Office of the City Engineer, and the Mayor's Office for People with Disabilities.
19	Public Engagement/ Notification	Since TOD Street criteria are objective, a public hearing before Planning Commission consideration is unnecessary.	33-446 P20, Line 861	Amend. It is important that property owners be notified if the development rules for their property are being changed. Clarify that the Planning Department shall notify property owners of a potential change and provide information on when it will be considered by the Planning Commission. Also clarify that Planning Commission consideration is a meeting open to public comment but not a "public hearing."
20		Include Super Neighborhood committees and civic associations in the immediate area as part of the notification process for the WPP amendments.	33-425(b)(2) P17, Line 711	No Change. These organizations are included if they are currently registered with the Department of Neighborhoods. The Planning & Development Department can only contact organizations for which it has contact information. It would not have contact information for unregistered organizations.
21	Technical Comments	Oppose granting a Director rule making authority.	33-422(c) P14, Line 602	No Change. The director is only authorized to make rules and procedures for the <u>administration</u> of the ordinance approved by City Council. This language does not authorize changes or new ordinance requirements.
22		Need clear delegation of authority to regulate the sidewalk ordinance.	40-552 P28, Line 1216	No Change. The Planning & Development Department, in coordination with the Office of the City Engineer (OCE) and the Mayor's Office for People with Disabilities (MOD), is the lead department for reviewing sidewalk width and location standards. OCE is responsible for regulating sidewalk construction technical requirements.
23		Combine all related provisions and standards in Chapter 42.		Amend. 1. Relocate Chapter 33 Article X Enhanced Pedestrian Realm Standards to a new article in Chapter 42. 2. Include an ordinance structure exhibit within Chapter 42 to provide chapter cross-reference guidance and minimize confusion. 3. The current structure of the City's Code of Ordinances requires amendments on other chapters of ordinances.
24		Clarify when the ordinance will apply for the reconstruction or resurfacing of an existing parking lot.	40-522 (b) P28, Line 1234	Amend. Add a criterion to Sec 40-552(b): "Reconstruction of more than 10 parking spaces or 25% of the total area, whichever is greater, of an existing lawfully permitted parking lot. Restriping parking spaces, asphalt resurfacing and other cosmetic, decorative or surface level enhancements shall not be considered reconstruction."

25		Improve pedestrian safety and visibility at driveway/sidewalk intersections along all streets so drivers may see the pedestrian and safely stop.		Amend. Require a pedestrian safety and visibility buffer (like a visibility triangle) at the intersection of an exit driveway and the minimum unobstructed sidewalk along all public streets. Planning & Development Department will coordinate with Houston Public Works on the dimensions of the pedestrian safety and visibility buffer.
26		Omit Museum Park Station from the TOD Street designation to protect the unique neighborhood characteristics in Museum Park.		No Change. 1. Streets adjacent to any light rail or bus rapid transit station will be evaluated based on objective criteria for TOD Street designation. 2. WP Street designation via the property owner petition process may be a suitable option for more context-sensitive standards. The WP Street designation would then supersede the TOD Street designation. (Example: Midtown Walkable Places Pilot Area) Further evaluation and public engagement are needed before a City-initiated amendment would be considered for this area.
27		Include Museum Park Station for TOD Street designation to guide developers to build good walkable communities.		
28		Require residential buffering (including light reduction from parking garages, sheathed lighting, and noise baffling) to minimize negative impact created by the high-density development.		
29	General Comments	I would like to see walkable areas such as City Centre have a close-by bus stop so that we could visit without a car.		No Change. The Planning & Development Department will forward this comment to METRO for consideration.
30		Please consider the area around River Oaks District as a Walkable Place designation.		No Change. WP Street designation via the property owner petition process may be a suitable option for this area. Further evaluation and public engagement are needed before a City-initiated amendment would be considered.
31		City should address construction and maintenance of unobstructed wide sidewalks along all city roadways, including open ditched streets.		No Change. The proposed amendments (Chapter 40) address this comment.
32		Portion of the road along Uptown BRT is incomplete, unwalkable, and undrivable. Different department and agencies need to do a better job in coordinating plan implementation.		No Change. The Planning & Development Department will continue to coordinate with city departments and outside agencies to improve implementation.
33		Walkable Places and TOD result in noise and traffic.		No Change. The purpose of these ordinances is to create pedestrian friendly development rules along certain designated street corridors within the city (Walkable Places) and near METRO light rail and bus rapid transit stations (Transit Oriented Development). The corresponding modifications to the development rules encourage a street environment that supports making walking, bicycling, and transit use as a more desirable transportation option.