

# SUMMARY OF PUBLIC COMMENTS

*Steph McDougal, October 2017*

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The City of Houston is developing historic preservation design guidelines for the three Houston Heights Historic Districts: Houston Heights Historic District East, Houston Heights Historic District West, and Houston Heights Historic District South. The first draft of the design guidelines document was published in June 2017 and revised based on comments from property owners in the Houston Heights Historic Districts. A second draft was published in August 2017, and comments were taken for two months, through October 6, 2017. A summary of the comments received, revisions made following the June draft, and recommendations for changes to the August draft are presented in this paper.

## PURPOSE OF THIS PROJECT

Design guidelines illustrate how the historic preservation ordinance applies to a specific historic district or districts. Typically, each district has its own set of design guidelines, but although the three Houston Heights Historic Districts were designated independently of one another, they are all part of the same original City of Houston Heights and share common patterns of community development, so the City is able to create a single set of guidelines for all three of these districts.

Design guidelines for the Houston Heights Historic Districts (East, West and South) are required by the City of Houston historic preservation ordinance, as amended in 2015. Through inclusion of that requirement in the ordinance, City Council was responding to several years of requests from citizens and builders for a more predictable Certificate of Appropriateness/design review process and a “formula” (quantitative parameters) for establishing compatibility, especially in terms of scale and massing. Architects have said that having measurable standards to work with from the beginning will make their design process much easier, and design that can be completed more quickly and easily will save their clients both money and time.

## COMMENTS ON THE JUNE 2017 DRAFT

During the public comment period that followed the publication of the June 2017 draft design guidelines, we received comments from 61 individuals and 2 organizations (the Greater Houston Builders Association and the Houston Association of Realtors). Of those individuals:

- 24 own property in Houston Heights Historic District East (38%)

- 7 own property in Houston Heights Historic District West (11.1%)
- 15 own property in Houston Heights Historic District South (23.8%)
- 6 own property in another historic district (9.5%)
- 11 do not own property in any historic district (17.5%)

*Note: 27% of individual comments came from people who do not own property in the Houston Heights Historic Districts.*

We received many thoughtful, technical questions and comments; most people took the time to include specific information about their particular property and their plans and concerns. The comments and questions received for the June draft can be very generally summarized as follows:

- The guidelines are too lenient
- The guidelines are too strict
- I'm in favor of the guidelines, except for the measurable standards
- My issues are with the COA process rather than the design guidelines
- When will the guidelines go into effect?
- How will this affect my specific project?

We also received many suggestions during this period, including items (such as attics, garages, accessory buildings, and porches) to more clearly include or exclude from Floor Area Ratio and lot coverage calculations, and other changes to measurable standards.

Questions and comments about ways to define context area and how to handle differentiation between original buildings and additions led us to determine that while those items are already in the design guidelines, they may not have been especially easy to find, and so we moved that information to a more prominent location.

## USABILITY EVALUATION

During the June comment period, we also evaluated the format and organization of the draft design guidelines to determine how easily property owners, architects, commissioners, and preservation planning staff could find the information they needed. This activity presented two different sets of plans – one for an addition to a bungalow, and one for a new house – and asked evaluators to determine whether the proposed project would be approved or not, using the information in the design guidelines document. Through that activity, we were able to determine that many people had difficulty locating the information they needed, and we re-organized the document to make it more user-friendly.

## CHANGES MADE IN THE AUGUST 2017 DRAFT

In addition to reorganizing the design guidelines document, we made other changes in response to feedback from the community, which are reflected in the August 6 draft. Many of those changes involved tweaking or clarifying the measurable standards. The major changes in which we think most people will be interested included:

1. Organization of the document
  - a. All of the “rules” (ordinance language and explanations) are provided at the beginning of the document. The Mandatory Approvals criteria and illustrations are also in Section 1, so that readers can determine immediately if their project meets those criteria or not. All of the relocation and demolition information is also in this section.
  - b. The measurable standards, and the qualitative design guidelines to them, are all in a single section (5), instead of appearing in multiple sections.
  - c. The sections are organized by type of project (alterations, additions, new construction) instead of by contributing or noncontributing status of the subject property.
  - d. Some information was formatted to be more clear or explicit.
2. Measurable standards
  - a. Added a process for property owners to request the use of different numbers based on the contributing buildings in their context area. (See page 4-3.)
3. Lot coverage
  - a. Now excludes up to 400 square feet for a detached garage (was 250 square feet).
  - b. Now excludes accessory buildings (whether conditioned or not).
  - c. Now excludes all open or screened porches.
4. Floor Area Ratio
  - a. Now excludes up to 400 square feet for a detached garage (up from 250 square feet) and an additional 400 square feet for a detached garage apartment.
  - b. Now excludes all accessory buildings, whether conditioned or not.
  - c. Also excludes all open or screened porches; this is not a change from the previous draft but was not clearly expressed.
  - d. The new draft now clearly explains how attics are counted in FAR. The FAR calculation now excludes attics in existing contributing buildings. Attics in noncontributing buildings, additions, or new construction are excluded if they do not have dormers (i.e., do not appear to be living space).
5. Front setbacks
  - a. Added instructions for calculating the front setback range for the context area.
6. Side setbacks
  - a. Decreased the minimum side setback for a one-story new building or addition from 15 feet to 10 feet.
  - b. Minimum cumulative side setback for a two-story new building or addition stays the same at 15 feet.

- c. If the existing building has a side setback less than 5 feet, an addition can match the existing building or be 3 feet, whichever is greater.
  - d. Clarified that the side setback is measured from the property line to the point on the building which is closest to the property line, and is the same for the entire side of the building.
7. Side wall lengths and insets
    - a. Updated graphic to clarify that an inset is required on both sides of a building.
  8. Plate height
    - a. Plate heights for additions may match the plate heights of the existing building (whatever those are) or may be lower.
    - b. Eliminated plate height limits for new one-story buildings.
    - c. Increased plate heights for new construction from 9 feet to 10 feet for the first floor and from 8 feet to 9 feet for the second floor.
  9. Eave height
    - a. Decreased maximum eave height for one-story buildings from 14 feet at the 5-foot side setback to 12 feet. The previous numbers did not make sense, mathematically.
    - b. Eave height can increase as side setback increases, with a maximum of 14 feet (was 16 feet).
    - c. Second-story eave height numbers did not change.
  10. Detached Garage Ridge Height
    - a. Increased the maximum height for a two-story garage from 25 feet to 26 feet.

#### COMMENTS ON THE AUGUST 2017 DRAFT

During the two-month public comment period following publication of the August 2017 draft, we received comments from 56 individuals. Several people sent a form letter which they had copied and pasted from a social media site.

- 27 own property in Houston Heights Historic District East (48.2% of respondents)
- 6 own property in Houston Heights Historic District West (10.7% of respondents)
- 12 own property in Houston Heights Historic District South (21.4% of respondents)
- 6 own property in another historic district (10.7% of respondents)
- 5 are not a property owner in any historic district (8.9% of respondents)

*20% of comments are from those who do not own property in the Houston Heights Historic Districts.*

Only 15 of the Houston Heights Historic Districts property owners who commented in June also provided comments on the August draft.

Respondents made many of the same general comments as they did in the previous comment period, which can be summarized as follows:

- Guidelines are too strict

- Guidelines are fine as-is
- Guidelines are too lenient now
- I don't like historic preservation or specific parts of the historic preservation ordinance
- I don't like what's included in the Floor Area Ratio calculations

The primary questions asked during this comment period included:

- How would guidelines affect my specific project?
- What is included in FAR?
- How will context area work in extraordinary situations?
- How will differentiation work?
- What is the schedule for completing this project; when will design guidelines go to Council for approval; when will design guidelines go into effect?

In a few cases, we received comments for which we conducted additional analysis; please see the *Finished Floor Height Analysis* and *Floor Area Ratio Analysis* documents, which are provided separately.

One comment which we received from multiple people, because it was part of the aforementioned form letter, attempted to conflate the proposed 400 sf exemption for a detached garage in both the Lot Coverage and Floor Area Ratio standards with the 600sf limit on square footage for administrative review of freestanding accessory buildings. While an accessory building, such as a garage, which measures 600sf or less is *eligible* for administrative review, it is not accurate to say, as the form letter writer did, that "staff already gives administrative approval for a garage of 600sf." A garage or other freestanding accessory building of that size may be approved by the Planning Director rather than by HAHC, but the Planning Director is not obligated to approve a COA of that size and may indeed send it to HAHC for consideration if he feels that the proposed project does not meet the other COA criteria.

#### RECOMMENDED CHANGES TO THE AUGUST DRAFT

Some of the most valuable and informative feedback we received came from people who either asked questions or made comments that let us know that, when they read the document, they were not understanding the information as we intended. In fact, most of the changes that we are recommending will not change the intent of the text, but will state it more clearly. For example:

- Additions can match or be lower than the finished floor height and plate height of existing buildings, except that if the existing finished floor height is less than 30", the addition can be up to 30".
- Screened-in porches will not count in Lot Coverage.

- Basements will not count in FAR calculation.
- Carports will not count in Lot Coverage or FAR.
- The size of the required inset between an existing house and addition, which was stated inconsistently as 1.5 feet in some places and “1 foot for one-story buildings, 2 feet for two-story buildings” in other places, will be changed to the latter in all instances.
- We will delete the sentence that says an addition should be “smaller” than the existing building.

In addition:

- We will add more photographs to illustrate concepts in the document.
- In order to make the document easier to print, we will move the district inventories into an appendix.
- We will provide an online calculator for FAR and Lot Coverage calculations, to make those easier for citizens and design professionals.