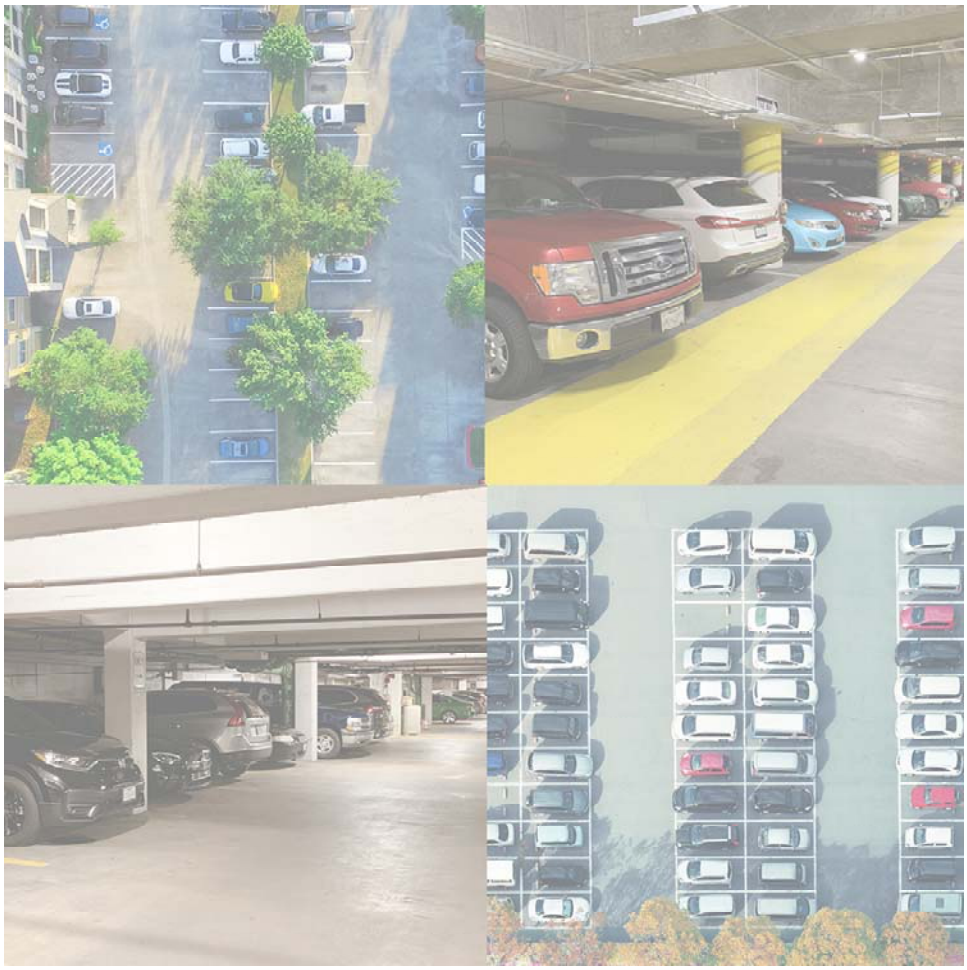
City of Houston Planning & Development Department

# INFORMATION & REFERENCE GUIDE

## Off-Street Parking Variance



PLANNING & DEVELOPMENT DEPARTMENT

www.houstonplanning.com

Last Updated, April 2024

# REFERENCE GUIDE: OFF-STREET PARKING VARIANCE

## OVERVIEW

This Planning and Development Department Reference Guide provides a summary of the requirements for off-street parking variance application. A variance is defined as a commission-approved deviation from the requirements of Chapter 26.

The variance application process begins at the Planning & Development Department's offices within the **Code Enforcement Building** located at **1002 Washington**. Once submitted and verified to be complete, review of the application and presentation before the Planning Commission will be handled by a staff member located at our 611 Walker Street office in downtown. The Houston Planning Commission meets every other week at the City Hall Annex located at 900 Bagby Street unless otherwise posted. (See *"Appendix F"* for parking information)

For complete information on requirements, please refer to Chapter 26 of the City of Houston Code of Ordinances.
https://library.municode.com/tx/houston/codes/code_of_ordinances?nodeId=COOR_CH26PA

## PRE-SUBMITTAL MEETING

Applicants are encouraged to meet with the Planning and Development Department staff prior to submitting an application with a variance request. During the pre-submittal meeting staff will identify potential concerns about the proposed project and answer specific questions regarding the process or Chapter 26 requirements. Since staff will be unable to complete a thorough review of the proposed project prior to receiving a formal application, we cannot provide a recommendation at the Pre-Submittal Meeting. To request an *"Off-Street Parking Variance Pre- Submittal Meeting"*, please call (832) 393-6600 or email planning.variances@houstontx.gov.

## DEADLINES

- **A complete application and notification package must be received no later than 11:00 a.m., on the submittal date prior to the Planning Commission Meeting date. A copy of the meeting schedule is available on the Planning and Development Department website at www.houstonplanning.com. If that date falls on a holiday when City offices are closed, the application must be submitted on the preceding Friday.**

- Site signage must be installed on the submittal date. The date on the sign must be confirmed prior to submitting the packet with the Planning Staff.(see "*Site Signage*" section for details)

- Photographs of the site signage must be included within the notification package or emailed to planning.variances@houstontx.gov no later than 5:00 p.m. on the submittal date.

- Photographs for site signage on deferred applications must be emailed to staff no later than 5:00pm on the Monday following the Commission meeting where the item was deferred or staff will recommend disapproval.

- Revised and/or additional information requested for variance applications where final action was deferred by the Planning Commission must be submitted to staff no later than noon on Wednesday following the Commission meeting.

## SUBMITTAL REQUIREMENTS

Applications requesting a variance are subject to the submittal requirements of Chapter 26, Division 5. The following material must be provided to the Planning and Development Department prior to Planning Commission consideration of the application:

☐ **Complete Application** submitted electronically to planning.variances@houstontx.gov that is in compliance with the requirements and standards of Chapter 26. The application form can be dowloaded from our website at www.houstonplanning.com, under "Department Links" select "Forms" then click on "**Variance Form: Off-street Parking Variance"** (see "Appendix A")

☐ **Complete Variance Application**

- **Variance Request** form must**:** (see "*Appendix B*")
  - Clearly identify the specific requirement for which the variance is sought;
  - State the extent of the variance sought;
  - Provide a detailed explanation of the hardship(s) that justifies the granting of the variance; and
  - Provide detailed statement of facts addressing each of the conditions for commission approval provided in Section 26-563.

☐ **Site Survey** (to scale) electronically with the application showing relevant features:

- The survey must show the location and dimensions of the roadway paving section(s), sidewalk(s), tree(s), distance from back-of-curb to property line, and other physical characteristics that are within the rights-of-way adjacent to the subject tract, or

☐ **Site Plan** (to scale) submitted electronically with the application showing the property as it is proposed to be developed, including structures (existing & planned), property ingress/ egress, internal driveways, parking configuration, trees and landscaping.

☐ **Building Plans** (to scale) submitted electronically with the application showing the proposed structure(s) within the subject site. Please make sure the set of building plans is an expendable copy, as the plans will not be returned.

☐ **Aerial Photo Exhibit** submitted electronically with the application showing the subdivision site superimposed on a recent aerial photo of the property, with the adjacent conditions such as planned/proposed streets, public rights-of-way, drainage easements, water bodies, etc.

☐ **Ownership Records** submitted electronically when requesting to take access from a private easement outside the property boundary. Documents must be legible and complete.

☐ Any **Additional Documentation** referenced in the variance request. All documentation must be legible and submitted electronically with the application.

☐ Complete **Notification Package** submitted to the Planning and Development Department. This requirement applicable for applications filed for property that is partially or entirely within the city limits. See Section 26-562 for complete information on the notification requirements.

## NOTIFICATION PACKAGE

Chapter 26 requires notification for variances that are requested with applications for property partially or entirely within the city limits. The following information must be included within the "notification package" submitted to staff by the submittal deadline:

**Notice Map** will identify the proposed site boundaries and all surrounding properties whose owners must be notified. The number of notices will be based on the 800-foot notice radius adjacent to the subject site. This map will be created by staff to verify property owners being notified. For examples on how to measure the notification area, please see Appendix C.

**Notification Envelopes** will be provided by staff for the notice area.

☐ **Photos** submitted electronically of each sign taken from the adjacent right-of-way (as a citizen would see the sign from a parked vehicle in front of the property) must within with the notification package of the application or emailed no later than the date of the sign posting deadline. Signs depicted in the photograph should be legible and location of sign on property should be apparent.

☐ A **Site Signage Locator Map** of the subject property should be included with the application that clearly shows the location of each notification sign posted within the property. (see "*Appendix D*")

## SITE SIGNAGE

☐ One **Notification Sign** is required facing a street or private roadway adjacent to the subject site, provided at least one sign faces each major thoroughfare or collector street bordering the tract. (see "*Appendix E*")

- The site address must appear on the sign. Please include the project reference number provided by the City of Houston at submittal.
- Identify the purpose of the variance(s).
- Identify the proposed land uses, if known.

- **Minimum Sign Size:** 4 feet by 8 feet
- **Sign Location:** not more than 15 feet from each street or private roadway.
- **Sign Lettering:** must be legible from the street or private roadway.

☐ The date, time, and place of the meeting at which the commission will next consider the application, updated to reflect any changes in the date, time, and place of the meeting, including if the applicant's plat is deferred by the commission, or if the public hearing is postponed for any reason.

☐ Failure to maintain signs on site until final action by the Commission on the variance may result in deferral or disapproval of application.

☐ If no street or private roadway borders the site or if the street or private roadway is not improved, please contact the Planning Department at 832-393-6600 or via email at planning.variances@houstontx.gov for further instructions.

## Variance Quick-Check List

**General Submittal Requirements:**

- ☐ **Pre-Submittal Meeting with Staff**
- ☐ **Complete Off-Street Parking Variance Application (Microsoft word document)**
- ☐ **Verify Chapter 26 Submittal Requirements**
- ☐ **Complete Variance Request**
- ☐ **Applicable Fees**
- ☐ **Site Survey**
- ☐ **Site Plan**
- ☐ **Copy of Building Plans**
- ☐ **Aerial Photo Exhibit**
- ☐ **Ownership Records** (if applicable)
- ☐ **Additional Documentation** (if applicable)
- ☐ **Notification Requirements**

**Notification Package Requirements:**

**Site Signage Requirements:**

- ☐ **Sign Posted on Time**
- ☐ **Sign Minimum Size**
- ☐ **Sign Location(s)**
- ☐ **Sign Lettering**
- ☐ **Sign Information**
- ☐ **Sign Photos**
- ☐ **Site Signage Locator Map**

**APPLICANT COMMENTS:**

## Appendix A
**(Example: Application Form)**

PLANNING & DEVELOPMENT DEPARTMENT

**Houston Planning Commission**

**ITEM:**
**Meeting Date:**

## VARIANCE REQUEST APPLICATION

*An applicant seeking a variance to the Parking Standards of Chapter 26 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to the Planning & Development Department at 1002 Washington Avenue 3rd floor prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at www.houstonplanning.com.*

| APPLICANT COMPANY | CONTACT PERSON | PHONE NUMBER | EMAIL ADDRESS |
|---|---|---|---|
| | | | |

| PROPERTY ADDRESS | FILE NUMBER | ZIP CODE | LAMBERT | KEY MAP | DISTRICT |
|---|---|---|---|---|---|
| | | | | | |

**HCAD ACCOUNT NUMBER(S):**
**PROPERTY LEGAL DESCRIPTION:**
**PROPERTY OWNER OF RECORD:**
**ACREAGE (SQUARE FEET):**
**WIDTH OF RIGHTS-OF-WAY:**
**EXISTING PAVING SECTION(S):**
**OFF-STREET PARKING REQUIREMENT:**
**OFF-STREET PARKING PROVIDED:**
**LANDSCAPING REQUIREMENTS:**

**EXISTING STRUCTURE(S) [SQ. FT.]:**
**PROPOSED STRUCTURE(S) [SQ. FT.]:**

**PURPOSE OF VARIANCE REQUEST:**

**CHAPTER 26 REFERENCE(S):**
Identify the section of Chapter 26 the requirement is found. Example "26-XXX"

# OFF-STREET PARKING VARIANCE

*Off-Street Parking Variance Form* *June, 2017*

## Appendix B
### (Example: Variance Request Form)

PLANNING & DEVELOPMENT DEPARTMENT

**Houston Planning Commission**

**ITEM:**
**Meeting Date:**

## APPLICANT STATEMENT OF FACTS

**SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE):**

*In this section, clearly identify the specific requirement for which the variance is being sought and state the extent of the variance request. Provide details as to what is required by the ordinance and what is being proposed. Applicant are required to provide sufficient detail to create an overview of the conditions surrounding the request. Information provided below will be used to review the merits of the request.*

**APPLICANT'S STATEMENT OF FACTS:**

*The applicant must clearly identify how the requested variance meets the criteria in ALL items (1) through (5); and, if applicable, the sixth (6) condition. The information provided will be used to evaluate the merits of the request. An electronic copy of any supporting documentation reference within the "Applicant's Statement of Facts" should be emailed to the Planning Department at planning.variances@houstontx.gov.*

**(1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;**

Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;
Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

(3) **The intent of this article is preserved;**
Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

**(4) The parking provided will be sufficient to serve the use for which it is intended;**
Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

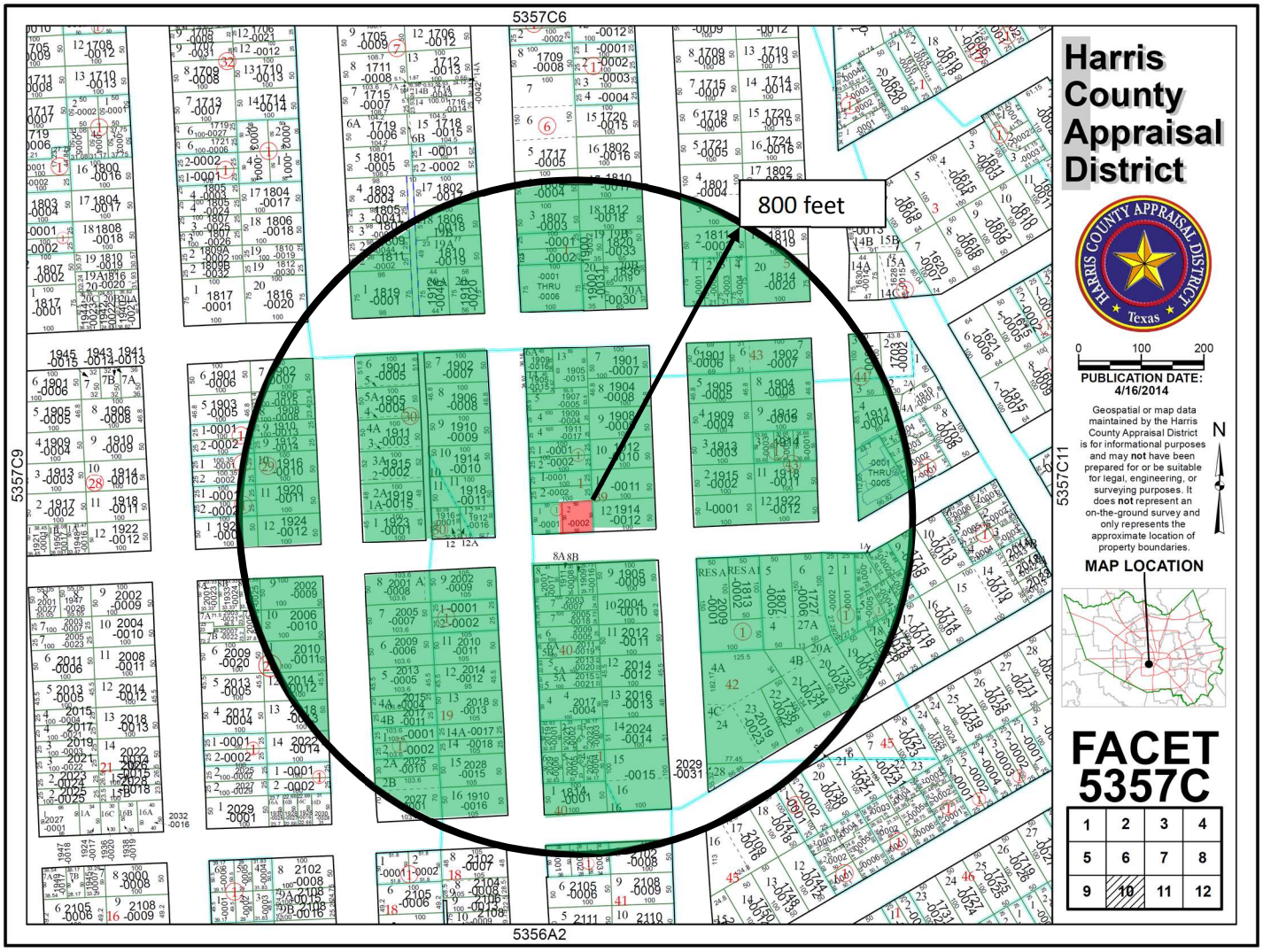
**(5) The granting of such a variance will not be injurious to the public health, safety or welfare; and**
Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

**(6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.**

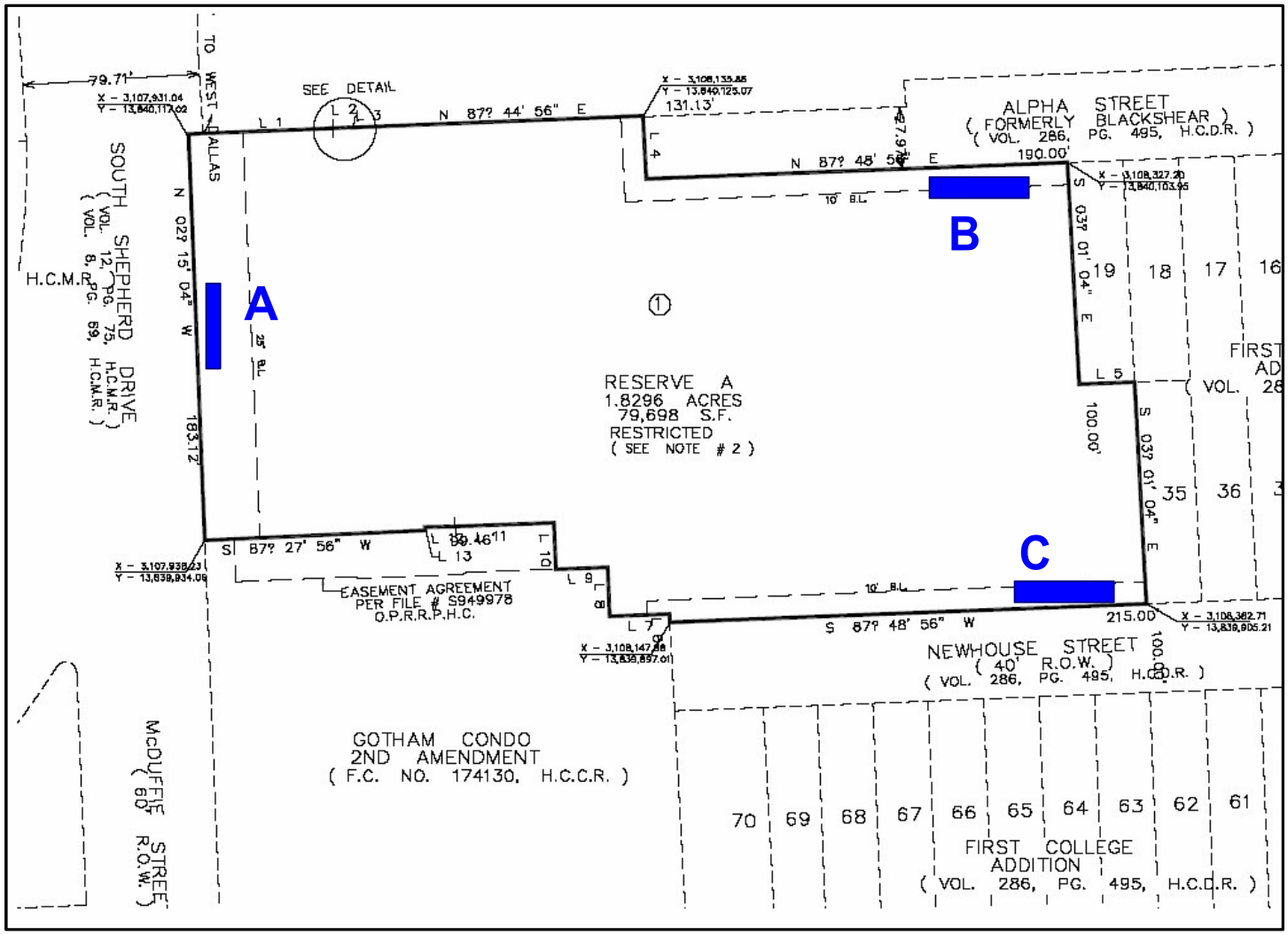
Provide a detailed statement of facts surrounding the variance request that would meet the above-mentioned criteria. Information must be complete and accurate. A simple "yes" and "no" response will not be accepted.

# OFF-STREET PARKING VARIANCE

# Appendix C
## (Example 1: County Appraisal District Map)



## Appendix D
### (Example: Site Signage Locator Map)



## Appendix E
**(Example: Site Notification Sign)**

Applications Requesting a Variance **OR** Variance & Special Exception:

# NOTICE OF OFF-STREET PARKING VARIANCE REQUEST

Address (project number)

Purpose of the Variance Request: Describe requested variance

Proposed Land Use(s) for site: Describe use

The Houston Planning Commission will hold a public meeting to consider this application.

**Meeting time: Thursday, XXXX, 20XX, at 2:30 p.m.**

**Meeting location:** City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

**Submit comments:** speakercomments.pc@houstontx.gov

For information regarding this application, please contact:
Applicant at (###)###-####
- or-
The Houston Planning & Development Department at (832) 393-6600.

## Appendix F
### (Planning Commission Parking Map)

