

CHAPTER 41 – STREET NAMES AND SITE ADDRESSES

PUBLIC COMMENT DRAFT

NOT YET APPROVED BY THE CITY ATTORNEY

08.22.2016

Summary of Amendments:

The City of Houston is proposing amendments to Chapter 41 of the Code of Ordinances related to **Street Names and Site Addresses**. The intent of the changes is to establish a City-initiated process for changing a public street name.

Public comments on the changes will be accepted until **Sunday, September 18th**. Please submit comments or questions to Brian Crimmins with the Planning & Development Department at brian.crimmins@houstontx.gov. A public hearing on the amendments will be held by the Planning Commission on Thursday, September 29, 2016. For more information, please visit www.houstonplanning.com.

Proposed Amendments

Add a **Subdivision A. – Petition Process for Street Name Change** to **Chapter 41, Article II, Division 4 – Street Name Changes**; include **Sec. 41-46. - Application; process for consideration.** and **Sec. 41-47. - Approval by city council; subsequent actions.** within this new subdivision unaltered.

Revise reserve sections within the new subdivision as follows: **Secs. 41-48, ~~41-49~~ – 41-59. - Reserved.**

Add a **Subdivision B. – City-Initiated Street Name Change** as shown below to **Chapter 41, Article II, Division 4 – Street Name Changes**; renumber the Chapter and the impacted Articles, Divisions, and Sections accordingly.

Subdivision B. – City-Initiated Street Name Change

Sec. 41-60. – In General.

The city may initiate a street name change request for a public street under the provisions of this subdivision if:

- (1) The street name change is deemed essential by either the fire chief or the police chief to preserve public health, safety, and welfare; or
- (2) The street name change directly reflects the name of a public park or public facility that abuts the affected street.

Sec. 41-61. – Process for consideration.

(a) The director is authorized to process a city-initiated request to change the name of a public street in accordance with the requirements of this subdivision. At the direction of the mayor, the director shall:

- (1) Verify that the proposed street name conforms to the requirements of this article;

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(2) Prepare a map depicting the boundaries of the area in which the street name change is proposed and identify all abutting property owners of the affected street; and

(3) Give notice of the request to affected public agencies and utility and service providers.

(b) At least one community meeting shall be held within the area of the affected street, subject to the availability of an appropriate venue; otherwise, the community meeting shall be held in an appropriate venue that is within reasonable proximity of the area of the affected street. The purpose of the community meeting is to inform abutting property owners about the street name change process and the related roles of the department, commission, and city council. The director shall:

(1) Establish the date, time, and location of the community meeting;

(2) Give notice of the community meeting by first class mail to abutting property owners not later than 15 days before the date of the community meeting;

(3) Give notice by electronic mail to each district city council member in whose district any portion of the affected street is located; and

(4) Conduct the community meeting.

(c) Not later than 60 business days after the community meeting, the director shall mail a response form by first class mail to the abutting property owners. The purpose of the response form is to gather evidence of support for the requested street name change. The response form is to be completed and returned by the property owner and must indicate whether the property owner does or does not support the proposed street name change. The response form must be signed by the property owner, delivered or mailed to the director, and, if mailed, postmarked no later than 30 days after the date of notice indicated on the response form. The signature of one owner of a property is presumed to represent the consent of all owners of that property if there is more than one owner.

(d) Within 60 business days after the deadline for returning response forms mailed in accordance with subsection (c) has passed, the director shall:

(1) Prepare a map depicting the results of the returned response forms;

(2) Establish a date for a public hearing on the street name change and give notice of the public hearing by first class mail to abutting property owners not later than 15 days before the date of the public hearing;

(3) Give notice by electronic mail to each district city council member in whose district any portion of the affected street is located; and

(4) Cause notice of the public hearing to be published not later than 15 days before the date of the public hearing in a newspaper of general circulation within the area of the affected street.

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(e) The commission shall consider each request referred by the director and shall hold a public hearing on the proposed street name change. After the close of the public hearing, the commission shall consider the relevant public testimony and shall recommend the change to city council if the commission finds the request meets the following criteria:

- (1) The request complies with the provisions of this article and any applicable street naming standards;
- (2) A sufficient level of support was demonstrated by abutting property owners to warrant the street name change with primary consideration given to abutting property owners that own a parcel of land that has a site address on the affected street.
- (3) The street name change will not be injurious to public health, safety, or welfare;
- (4) The street name change will not cause a substantial or otherwise unreasonable hardship to abutting property owners; and
- (5) The street name change is not contrary to sound public policy.

(f) The director shall document the findings of the commission from subsection (e) and make the findings available to the public.

Sec. 41-62. – Approval by city council; subsequent actions.

(a) The director shall submit to city council the commission recommendation and findings on the street name change request. Following consideration of the commission recommendation and findings, city council may consider the street name change. City council shall only approve a street name change that complies with the provisions of this article and any applicable street naming standards. If city council approves the street name change, the change shall take effect no earlier 90 days after the date of city council approval.

- (b) Upon approval by city council of a street name change, the director shall:
- (1) Give notice to abutting property owners and to affected public agencies and utility and service providers within 15 days of city council approval; and
 - (2) Request that the department of public works and engineering erect new street signs on the affected street.

Secs. 41-63 – 41-100. Reserved.

Remove **ARTICLE III. - RESERVED** from **Chapter 41 – Street Names and Site Addresses.**

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Add the following definitions to **Sec. 41-2. – Definitions.**

Abutting property owner means an individual, group, or entity that is identified on the current appraisal district records as the owner of record for a parcel of land that either: (1) shares a common property boundary with the street, or (2) has a site address on the street.

Commission means the planning commission of the city.

Department means the planning and development department of the city.

Fire chief means the chief of the fire department or the chief's designee.

Police chief means the chief of the police department or the chief's designee.

Public facility means any facility, including, but not limited to, buildings, structures, property, or monuments, that is owned, leased, or otherwise operated by a governmental body or public entity.

Public park means a means a publicly owned or leased tract of land, whether situated in the city or not, designated, dedicated, controlled, maintained, and operated by the city or any political subdivision of the state for use by the general public for active or passive recreational or leisure purposes that contains improvements, pathways, access, or facilities intended for public recreational use. The term "public park" shall not include parkways, public roads, rights-of-way, esplanades, traffic circles, easements, or traffic triangles unless such tracts or areas contain and provide improvements or access to a recreational or leisure use by the public.