

Summary of proposed Chapter 42 Technical Amendments

Houston Planning Commission



PLANNING & DEVELOPMENT DEPARTMENT

1. **Subdivision Naming Standards for Public Hearing applications:** Amend Sec 42-41 to remove the extra naming convention requirement for partial replats requiring public notification. Instead, like all other subdivision plat types, a unique subdivision name would be required. The name of the preceding subdivision(s) will still be required within the legal description on the face of the plat to maintain the connection to the preceding subdivision(s).
2. **Public notification requirements:**
 - Amend Sections 42-49 and 42-83 to revise the notification area and locate all common notification requirements in one section.
 - Amend Section 42-49 and 42-83 to require additional days of notification. Current requirement ranges from 7- 16 days. Amendment proposes minimum 20 days of notice to the neighboring properties within 250' radius of the project.
 - Require the removal of the notification sign(s) within 60 days of the application being acted upon by the Commission, withdrawn by the applicant, or otherwise deemed incomplete or inactive by staff.
3. **Requirements for replats with notice:**
 - Amend Section 42-49 to remove the State Law reference requiring a public hearing for replats of single-family restricted properties and add requirements within this Chapter and conform to amendments made in the legislature.
 - Add a new Section 42-84, on the protest procedure for replat with notice applications requiring a variance and the need for an affirmative vote of at least three-fourth of the members present at the commission meeting.
 - Amend 42-81 to remove reference to protest provision in the State Law and add reference to the new section.
4. **Time for Submitting plat applications:** Amend 42-53 to add reference to the Planning Commission meeting schedule approved by the Planning Commission and published on the department website for each year. The schedule includes information about the submittal dates and Planning Committee meeting dates.
5. **Street width exception areas:** Amend 42-123(c) to accurately identify the boundaries of the Street Width in Place ordinance area where no additional right of way widening for streets is required.
6. **Clarify the term "nonresidential" in 42-193:** Amend 42-193(c)(2) to clarify that the term "nonresidential" here is referring to the specific plat restriction on a recorded plat and does not apply to all nonresidential uses as defined in 42-1.
7. **Variances requirements for Special minimum lot size and Special minimum building line applications:** Amend 42-81(a) to clarify that the applicant does not have to justify the five statement of facts while requesting a variance for properties within special minimum lot size and special minimum building line areas considering the vested rights.
8. **Temporary access easement for utility facilities:** Amend 42-190 to allow utility facilities like water/wastewater treatment plants and lift stations to have access via an access easement 30' wide temporarily that follows the street pattern within the general plan until the streets are recorded with abutting sections.
9. **Identify floodways and floodplains on General Plans:** Amend 42-24 and 42-50 to require identification of floodplains and floodways on the General plan as it is an existing condition.