



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 1/18/2023

ALL

Item Creation Date: 10/4/2022

PLN - Chapter 42 Ordinance Amendments and other related changes - Residential Buffering

Agenda Item#: 12.

Summary:

ORDINANCE AMENDING BUFFERING AND STANDARDS CONTAINED IN CHAPTER 42 CODE OF ORDINANCES, HOUSTON, TEXAS, relating to subdivision platting and development; amending the National Electrical Code as adopted and amended by the City of Houston on Light Buffering; amending Chapter 39, Solid Waste and Litter Control on related matters; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause; establishing an effective date

Background:

The Planning and Development Department has been working with the Livable Places Action Committee (LPAC) to update portions of the City's development code, Chapter 42, to create more opportunities for walkability, affordability and equity. Chapter 42 is the ordinance that establishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction area to promote the health, safety, and orderly development of the city. As part of this effort, the LPAC recommended revisions to the Residential Buffering Ordinance within Chapter 42.

The ordinance amendments will address the effects of newly constructed, mid-rise and high-rise structures that may arise when they abut single-family and small scale multi-family residential structures. Planning Commission held a public hearing on the proposed amendments on September 29, 2022 and approved the amendments unanimously on December 1, 2022.

The proposed amendments address four main areas:

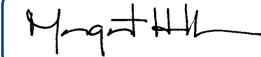
- **Residential buffering standards** – Proposes a buffer distance between all single-family residential or multi-unit residential properties and high-rise or mid-rise structures. The Action Committee introduced new category of mid-rise structures that must provide a buffer when located along only local streets and abut single-family residential or multi-unit residential properties (Chapter 42)
- **Garage screening and lighting standards**– Proposes measures to prevent headlights from cars in parking garages from shining on adjacent residential properties. The amendment would also prevent garage ceiling lights from shining into adjacent residential properties or streets. The Committee revised the exterior cover standards for parking garages and enhanced permitting requirements to prevent light trespass from garage ceiling lights on adjacent residential properties or streets (Construction and Electrical Codes)
- **Wall or pole mounted light fixtures standards**– Proposes measures to prevent pole lights on commercial properties from shining into residential properties or streets. The Committee revised the standards to require that all outdoor fixtures be fully enclosed in the fixture housing and shielded properly to make sure there is no light trespass (Electrical Code)
- **Dumpster screening standards** – Proposes that commercial developments provide screening when they are located adjacent to streets or residential properties and include the dumpster location on site plans (Chapter 39)

Residential Buffering Ordinance Revisions Timeline:

- Planning Commission presentation and public hearing (Sep. 29)
- Survey and public comment period (Sep. 29 – Oct. 30)
- Houston Real Estate Council (Nov. 1)
- Greater Northside Management District (Nov. 1)
- Museum Park Neighborhood Association (Nov. 2)
- Museum Park Super Neighborhood (Nov. 9)
- Midtown Super Neighborhood (Nov. 10)
- Greater Houston Builder's Association (Nov. 14)
- Planning Commission action (Dec. 1)
- Regulatory & Neighborhood Affairs and Quality of Life Joint Council Committee presentation (Dec. 13)
- City Council public hearing (Jan. 11, 2023)

The Planning and Development Department recommends City Council approval of the Chapter 42 Residential Buffering Ordinance revisions.

DocuSigned by:




Margaret Wallace Brown, AICP, CNU-A
Director
Planning and Development Department

DocuSigned by:



Carol Haddock, Director
Houston Public Works

DocuSigned by:



Mark Wilfalk, Director
Solid Waste Management Department

Prior Council Action:

Ordinance 2011-1213; approved 12-21-2011

Contact Information:

Anna Sedillo, Council Liaison
832-393-6578

Suvidha Bandi, Principal Planner
832-393-6522

ATTACHMENTS:

Description

- Ordinance 2011-1213
- RCA
- Frequently Asked Questions
- Side by side comparison matrix Backup

- Council Committee presentation
- Letter of Support - Museum Park
- Letter of Support - Midtown SN #62
- Houston Real Estate Council Memorandum
- Ordinance (revised and includes redline)

Type

- Backup Material
- Signed Cover sheet
- Backup Material
- Backup Material

- Backup Material
- Backup Material
- Backup Material
- Backup Material
- Ordinance/Resolution/Motion