

# Deed Restrictions and Your Community

*Saturday ~ April 2, 2022 ~ 10:00 am - 12:00 pm.*



## *Civic Club & HOA Workshop*





**DR. CAROLYN EVANS-SHABAZZ**  
Houston City Council Member, District D

April 2, 2022

Dear Community Leaders,

Welcome to the Deed Restrictions and Your Community Civic Club Workshop Part II. We are pleased that you are here with us today to equip yourself with the knowledge you need to define and legally enforce deed restrictions in your community.

Deed restrictions are the cornerstone of the quality of life for every neighborhood in Houston. For Deed Restricted communities to work best, the rules must be fair, and enforcement is proactive. Here at the District Office, the quality of life of your community is at the forefront of our daily work.

Today's workshop is one of many initiatives to help you build strong and thriving communities. We partnered with knowledgeable experts from the Harris County Clerk's Office, COH Planning and Development, City of Houston Legal Department, Thurgood Marshall School of Law, ParkHouston, and Lone Star Legal Aid to provide on-site assistance and answer questions directly.

On behalf of the District D office, I would like to thank you for your time, commitment, and leadership to make your communities great. It is an honor to serve and work with you all. As always, please contact my team or me if we can ever be of service.

All my best,

A handwritten signature in black ink that reads "Dr. Carolyn Evans-Shabazz". The signature is fluid and cursive.

Councilwoman Dr. Carolyn Evans-Shabazz

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*Deed Restrictions and Your Community*





## Deed Restrictions and Your Community

**Saturday, April 2nd, 10 AM-12 PM**  
**Good Hope MBC, Center for Hope, Resource Room**



***Civic Club & HOA Workshop***



PLANNING &  
DEVELOPMENT  
DEPARTMENT







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All my best,  
Councilwoman Dr. Carolyn Evans-Shabazz



## Today's Agenda

Time	Session Name	Presenter
10:00 - 10:05	Welcome & Purpose	CM Evans-Shabazz & Chris Johnson
10:05 - 10:20	Deed Restrictions - What are they and how do they work?	Lone Star Legal Aid - Ashea Jones
10:20 - 10:35	The Legal aspects of Deed Restriction	COH Legal Department - Paul Barnes
10:35 - 10:50	Q&A	Audience (please write questions on cards)
10:50 - 11:00	Break	
11:00 - 11:15	Understanding Neighborhood Preservation Tools	COH Planning & Develop. - Abraham Zorrilla
11:15 - 11:30	Q&A	Audience (please write questions on cards)
11:30 - 11:40	Residential Permit Parking Program	ParkHouston - Maria Ishard & Melanie Curry
11:40 - 11:50	Submitting your documents to Harris County	County Clerks Office
11:50 - 12:00	Closing Remarks	CM Evans-Shabazz & Chris Johnson





## Workshop Goals

1. To educate communities about Deed Restrictions and Preservation tools
2. To empower the community with knowledgeable Civic Leaders
3. To inspire and motivate constituents to protect their neighborhoods and the culture of the community
4. To bring this group of civic club leaders together to work cohesively to make District D a better place to Live, Work and Grow

# DEED RESTRICTIONS

A TOOL FOR HEALTHY  
COMMUNITY DEVELOPMENT

October 12, 2021





# TODAY'S GOALS

1. UNDERSTAND DEED RESTRICTIONS
2. DISCUSS HOW DEED RESTRICTIONS ARE MODIFIED
3. COMMUNITY ENGAGEMENT



# TODAY'S TOPICS

1. WHAT ARE DEED RESTRICTIONS?
2. HOW DO THEY WORK?
3. DEED RESTRICTIONS IN PINEY POINT?
4. NEXT STEPS?
5. QUESTIONS?

\*\*\*

1. LSLA FAIR HOUSING & COMMUNITY ADVOCACY WORK



#1

# WHAT ARE DEED RESTRICTIONS?

# Deed Restrictions Control Land Use

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Agreement between property owners on use of land within a subdivision.

Sometimes known as “Restrictive Covenants.”



- **Texas law gives owners (You) power to decide** how land should be used & **to remove** restrictions on land that are illegal or no longer make sense. (TX Property Code, Chapter 201)



# Features of Deed Restrictions

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*The law requires:*

- ❖ **Defined boundary** within a specific subdivision
- ❖ **Uniform, common plan** regarding land use
- ❖ Majority must be **residential-use** only
- ❖ Requires **Notice**



# What Kinds of Land Use Restrictions?



Any kind & for renewable terms, but:

- The restriction **cannot be illegal**,
- Required **number of property owners must sign-on** by the deadline, &
- Majority must be **residential use**.

# For Example:

## Common Restrictions:

- ✓ Only residential uses
- ✓ Restrict commercial truck parking
- ✓ No dumping on lots
- ✓ No oil drilling on lots

## Not Allowed:

- Racial restrictions



# Why Have Deed Restrictions?

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Deed restrictions are a **long-term planning** tool.

❖ Method of “zoning” to:



- ❖ **Preserve historic neighborhoods**
- ❖ **Address common nuisances**
- ❖ **Protect community health**
- ❖ **Promote community-centered economic development**

❖ **Enforceable**

**#2**

# HOW DO DEED RESTRICTIONS WORK?

# Modifying Restrictions

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Applies when:

1. Neighborhood subject to existing restrictions (prior owners created), *or*
2. Owners created a deed restriction they now want to change.

Key Difference: **Need 75% of owners to agree** (vs. 50%), so more difficult.



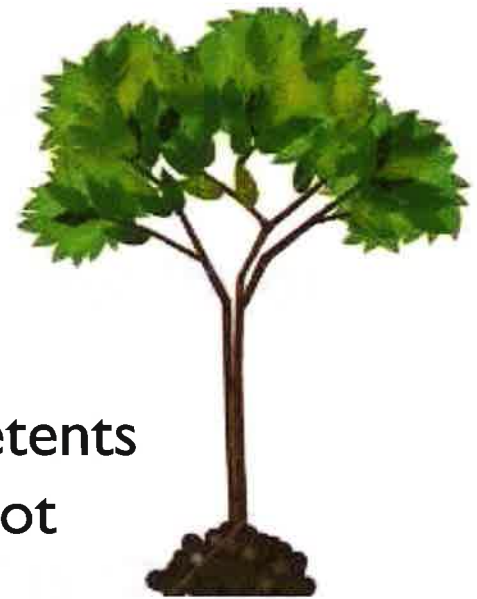
# Effect of Deed Restriction

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Binding on all properties in the Subdivision / specified boundaries.

## EXCEPT:

- Owners who opt-out
- Owners not given notice
- Public property
- Property owned by minors and/or incompetents
- Property owned by lienholders which did not sign the petition



# Who Can Enforce Deed Restrictions?

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- ❖ Property owners in the defined subdivision
- ❖ Home Owners Association (HOA)
- ❖ Civic Club (if designated in deed restriction)
- ❖ Architectural Control Committee
- ❖ City of Houston
- ❖ Harris County

**#2**

# HOW DO I GET MY COMMUNITY INVOLVED?



# COMMUNITY ENGAGEMENT

## Know Your Deed Restrictions and Neighbors

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- Get a copy of your deed restrictions.
  - Understand
  - Meet neighbors
  - Circulate throughout community
  - Community Meetings
    - LSLA Information Presentation
- Self-Help/311
  - Heavy Trash Pickup
  - Cars
  - Noise
  - Monitor Permits, Renovations, and Commercial Activity



#4

# NEXT STEPS?

# Questions?



**Kim Brown Myles**

Managing Attorney

Fair Housing and Community Advocacy

Equitable Development Initiative

**(713) 652-0077, ext. 1206**

[kbrown@lonestarlegal.org](mailto:kbrown@lonestarlegal.org)

**Ashea Jones**

Staff Attorney

Community Advocacy Team

Equitable Development Initiative

**(713) 652-0077, ext. 1034**

[ajones@lonestarlegal.org](mailto:ajones@lonestarlegal.org)





# THE CITY OF HOUSTON

## Legal Department



## Deed Restriction Enforcement

# A deed restriction is:

- A covenant
- Runs with the property
- Affects the owners or tenants of real property
- Limits use of properties within the subdivision



# Deed restrictions may be found at:

- Written restrictions may be found in a:
  - Plat map;
  - Deed;
  - Separately filed instrument; or,
  - Amendments to any of the above documents.
- A property owner may have received copies during the purchase of the property.
- Civic Associations frequently distribute unofficial copies or make them available on their website.

# Creating or Amending Deed Restrictions

- Developer
  - Owns all of the property
- Chapter 201, Texas Property Code
  - Property owner opt out
  - Extend/Create – 50% +1
- Chapter 204, Texas Property Code
  - No opt out
  - Creation of a POA



# Deed restrictions may be enforced by:

- A property owner within the subdivision;
- Homeowners association or civic club; or,
- The City Attorney may enforce **some** deed restrictions.



# The City is authorized to enforce certain private restrictions.



- Houston has been granted limited authority to enforce deed restrictions. (Tx. Loc. Govt. Code 212.151, et. seq.)
- Land use regulation is a critical component of a City's governmental function.
- Some cities regulate land use through zoning laws.
- Houston enforces the land use restrictions created by residents.

# Common Restrictions:

- Limit a property to residential or commercial use or a combination of both.
- Establish the number and types of buildings allowed on lots; single family dwellings, multi-family, or commercial buildings.
- Create set back lines.
- Prohibit certain activities; noxious, offensive, lewd.
- Create architectural requirements.
- Require regular maintenance of homes and yards.



# Restrictions enforceable by the City:

- Houston Ordinance 10-553 allows the City Attorney to enforce:
  - Use (residential v. commercial)
  - Building Setbacks
  - Size of lots or size, type, and number of structures on a lot.
  - Orientation of a structure.
  - Construction of fences that require a building permit:
    - Masonry and concrete over 4 feet, and all other materials over 8 feet.



# A Note About Use Restrictions:

- Commercial Activity may include commercial trucks stored and dispatched from the home (box trucks, dump trucks, 18-wheelers)



# Trailers



- Use can include the type of residential use: single family or multifamily

- Residential Use

- Single-Family Residential Use



# The City is not authorized to enforce all restrictions.

- The following are samples of restrictions that are not enforced by the City:
  - Submission of plans;
  - Architectural Controls;
  - Automobiles parked on the grass;
  - Inoperable vehicles;
  - High grass; and
  - Animals
- Just because it is not enforceable by the City does not mean it is unenforceable.



# The City Attorney's Office Assists in Enforcement.

- The City Attorney cannot represent property owners or civic associations and cannot provide legal advice to residents.
- A property owner may enforce their deed restrictions without the City of Houston's assistance.

# STEP 1: COMPLAINT

Deed Restriction Complaints are accepted via mail, phone, fax, email, or through the City's website:

**Neighborhood Services Section**

**Deed Restriction Enforcement Team**

**P.O. Box 368**

**Houston, Texas 77001**

**Deed Restriction Hotline: (832) 393-6333**

**Fax: (832) 393-6259**

**E mail: [drcomplaints@houstontx.gov](mailto:drcomplaints@houstontx.gov)**

**Website: [houstontx.gov](http://houstontx.gov)**

Each Complaint Must Include:

Correct Address of Violation

Type of Violation

Complainants may choose to remain anonymous

# Neighborhood Services Section

- Each complaint is assigned by Council District, to a Deed Restriction Enforcement Team Attorney (Council Liaison).
  
- Districts A & J:                      Alexandra Tolbert      (832) 393-6250      [alexandra.tolbert@houston.tx.gov](mailto:alexandra.tolbert@houston.tx.gov)
  
- Districts C & G:                      Heather Cook              (832) 393-6306      [heather.cook@houston.tx.gov](mailto:heather.cook@houston.tx.gov)
  
- Districts B & I:                      Damon Crenshaw        (832) 393-6322      [damon.crenshaw@houston.tx.gov](mailto:damon.crenshaw@houston.tx.gov)
  
- Districts D, E, F & H:      Paul Barnes                      (832) 393-6378      [paul.barnes@houston.tx.gov](mailto:paul.barnes@houston.tx.gov)
  
- District K:                              Yolanda Woods              (832) 393-6275      [yolanda.woods@houston.tx.gov](mailto:yolanda.woods@houston.tx.gov)

# STEP 2: INVESTIGATION

- Are the deed restrictions being violated?
  - Evidence may include:
    - Photos from residents and city investigators
      - Individuals on the property
      - Vehicles on the property and street
      - License plates
      - Markings or signage on vehicles
      - Signage posted on the property
    - Business listings
    - Advertising
    - Witness Statements
    - Activity Logs
    - Construction Plans



# STEP 3: ACTION

## 1. Warning Letter:

If the violation is substantiated:  
Explanation of violation,  
deadline for compliance,  
liability for civil penalties



## 2. Follow up Investigation:

If no compliance,  
gather evidence to  
show violation  
continuing.

## 3. Litigation:

May be filed after sufficient evidence is obtained,  
unless there are ongoing settlement negotiations.

Most violations cease with a warning letter.  
Many times a warning letter results in new evidence that  
requires further investigation.



Litigation may be necessary if there is clear evidence that  
the violation has continued after the warning letter.  
Not every investigation will result in litigation.

# What can Property Owners Do to Protect Their Property?

- Ensure that deed restrictions say what you mean them to say. Have a private attorney review them if you are unsure if the restrictions accomplish your goals.
- Enforce restrictions regularly.
- Make sure that changes, renewals, and modifications to restrictions comply with applicable laws and the terms of the restrictions themselves.
- Enlist the aid of a competent private attorney. If funds are not available for legal counsel, low cost or free legal assistance may be available.

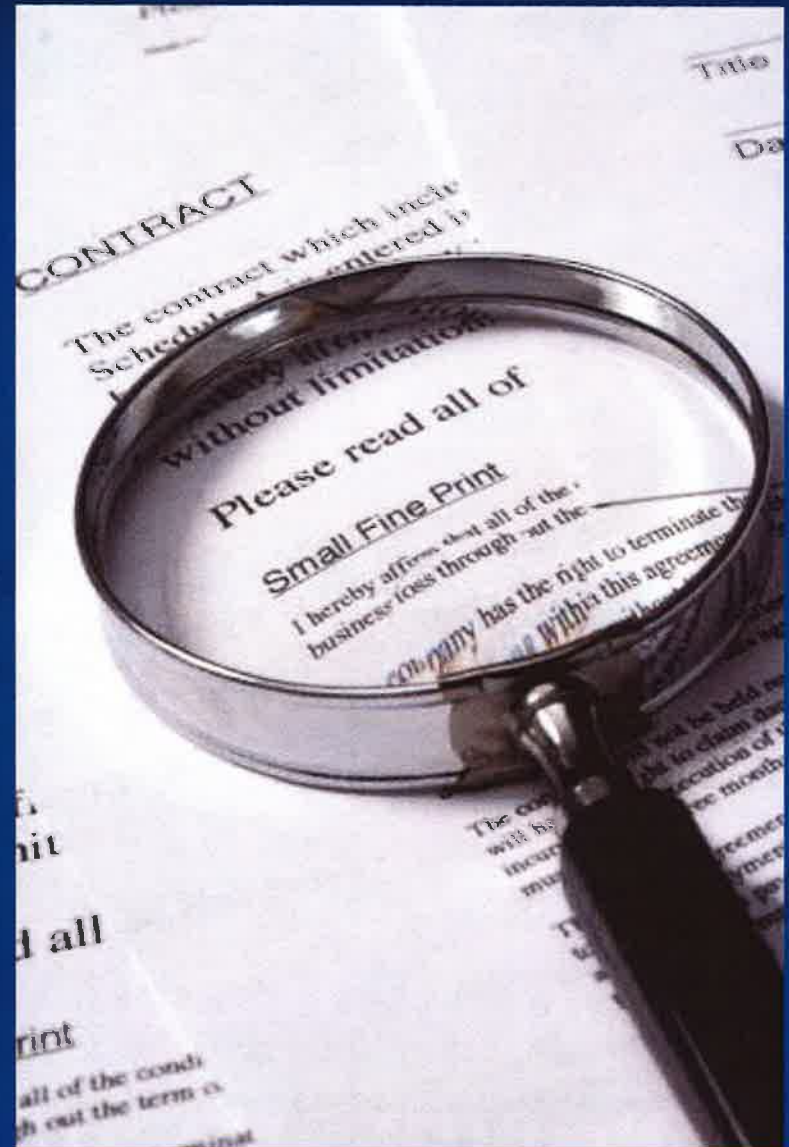
Houston Volunteer Lawyer Program: 713-228-0732

Houston Lawyer Referral Services: 713-237-9429

Lone Star Legal Aid: 713-652-0077

Dispute Resolution Center: 713-755-8274

LegalLine (1<sup>st</sup> & 3<sup>rd</sup> Wed. evenings): 713-759-1133





# If the City Attorney's Office is unable to assist you, the following may be contacted:

- Residents and Civic Clubs
- Other City Departments: Call 311 to report problems. Ask for tracking number for updates.
- Construction Without Permits: Public Works and Engineering: 832-394-9000
- Parking and Noise: Police Department: 713-884-3131
- Weeds, Abandoned Cars and Houses:  
Department of Neighborhoods: 311 or 713-837-0311  
Call Center: 832-394-0600
- Bandit Signs: Sign Administration: 832-394-8890
- Animals: B.A.R.C. 713-229-7300







# LEGAL DEPARTMENT

[Home](#) > [Legal Department](#) > [Deed Restrictions](#) > [Complaint Form](#)

## LEGAL DEPARTMENT

### Deed Restrictions - Complaint Form

If you wish to lodge a complaint, it may be sent electronically on the form provided below or it may be provided by printing and completing the .pdf version of the [Deed Restriction Complaint Form](#). Any documents or photographs you have regarding the complaint may not be attached to the electronic form below and must be sent with the .pdf form, to the Deed Restriction Enforcement Team at:

**City of Houston Legal Department**  
**Neighborhood Services Division**  
**Attn: Deed Restriction Enforcement Team**  
**P.O. Box 368**  
**Houston, TX 77001-0368**

Note: If you prefer to send the complaint via email, please provide the information included in the .pdf form and/or electronic form, attach any photographs or other documents pertaining to the deed restriction violation, and send to [drcomplaints@houston.tx.gov](mailto:drcomplaints@houston.tx.gov).

In filling out the chosen form, please provide as much information as you have available. In order to pursue the complaints received, it is necessary for the City to have sufficient evidence to support the position that the deed restrictions are being violated. Any evidence you, as the complainant, may have will be helpful and certainly appreciated. If you have any questions about proving a deed restriction violation, please see the section [PROVING A DEED RESTRICTION VIOLATION](#) or visit our [FREQUENTLY ASKED DEED RESTRICTION QUESTIONS](#) section. If you have observed activity you believe to be in violation of the applicable deed restrictions and wish to document it, please download a copy of the [activity log](#) and send it to the Deed Restriction Enforcement Team at the above address.

When using the following electronic form, the date / time of the complaint is automatically registered when the form is submitted.

#### About the Violation

Date of Violation:

<https://www.houston.tx.gov/legal/dr-complaint.html>

## DEED RESTRICTIONS LINKS

[Deed Restrictions General Info](#)  
[Complaint Form](#)  
[FAQs](#)  
[Proving A Violation](#)

## LEGAL DEPT. LINKS

[Legal Department Home Page](#)  
[About the City Attorney](#)  
[About the Legal Department](#)  
[Alcohol Licenses Permits](#)  
[Alcohol Licenses Protests](#)  
[Announcements](#)  
[Deed Restrictions](#)  
[Employment](#)  
[En Español](#)  
[Filing a Claim](#)  
[Filing a Title VI Complaint](#)  
[Internships and Externships](#)  
[Links](#)

Council District:

Type of Violation:

If other, please specify:

Address of Violation:

ZIP Code of Violation:

Violator and / or Property Owner's Name:

Description of Violation (include days and times that our investigators are likely to witness the violation):

5 characters remaining

**About the Subdivision**

Subdivision:

Section:

Civic Club / HOA:

**About the Contact Person**

Your Name:

Your Address:

Your ZIP Code

Your Phone:

Your E-Mail:

SUBMIT

RESET

[Office of Inspector General](#)

[Outside Counsel Policy \(.pdf\)](#)

[Sections of Legal Department](#)

[Contact the City Attorney](#)

# Understanding Neighborhood Preservation Tools

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February 2022



PLANNING &  
DEVELOPMENT  
DEPARTMENT

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## What is Chapter 42?

Regulates development of private property within the City of Houston city limits and some surrounding counties.

Subdivisions and Platting

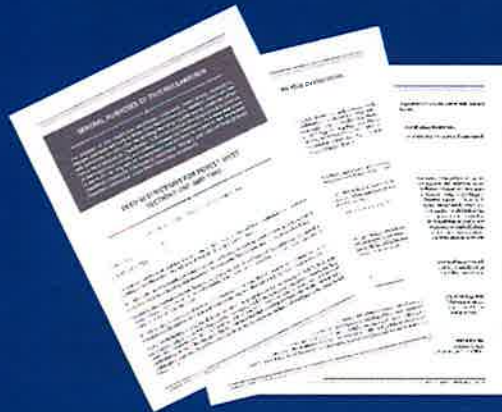
Streets and Driveways

Building Lines and Lot Sizes

Multi-Family Residential



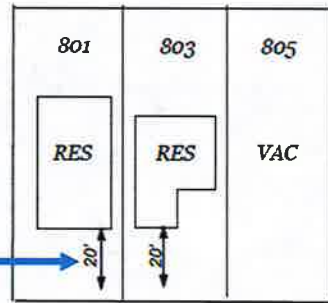
# Deed Restrictions



- Active deed restrictions within your neighborhood may take precedence over City of Houston ordinances
- Most restrictive

# Definitions

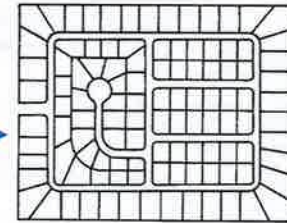
**Lot**



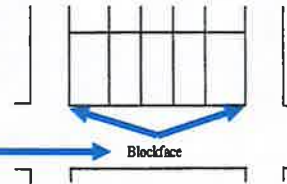
**Building Line**



**Subdivision**



**Blockface**



**Single-Family Residential**



A single family home



A home with a garage apartment



A duplex

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## **Types of Ordinance Applications**

Special Minimum Lot Size Block

Special Minimum Lot Size Area

Special Minimum Building Line Block

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## What These Ordinances Will Do

- **WILL** preserve lot size character
- **WILL** preserve single family use on lots (MLS ONLY)
- **WILL** determine how close buildings can be built to the front of property lines (MBL ONLY)
  
- **WILL NOT** prevent new or larger homes from being built
- **WILL NOT** dictate a particular style of housing or building
- **WILL NOT** prevent existing commercial, multifamily or industrial uses from operating or rebuilding



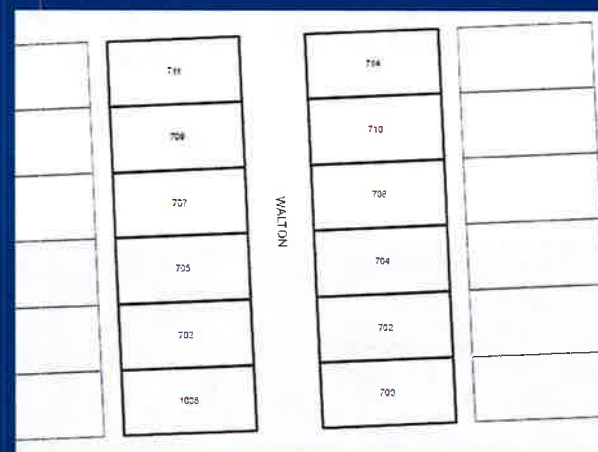
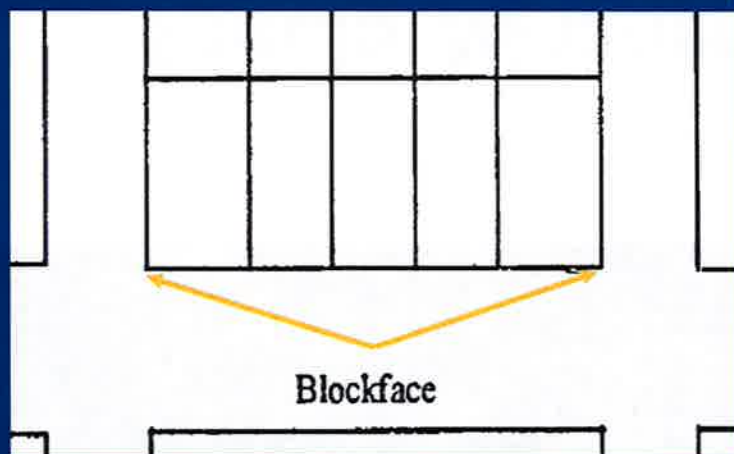


## **Special Minimum Lot Size Block**



## Special Minimum Lot Size Block

This ordinance allows for the preservation of lot size character on one side (blockface), or two sides of a street (opposing blockfaces)



## Special Minimum Lot Size Block



First Ward, Summer Street - Before



## Special Minimum Lot Size Block





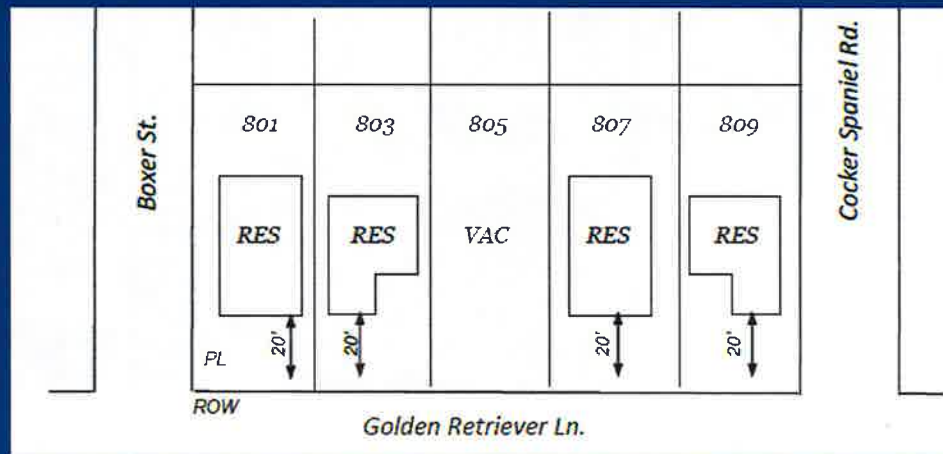
## Additional Information

- These ordinances last for 40 years after City Council approval.
- Existing single-family lots will be restricted to single-family use.
- No use restrictions apply to existing commercial and multi-family lots.
- Ordinances are enforced by reporting violations through 311.
- Existing lots smaller than a special minimum lot size will remain and are grandfathered in the ordinance.
- A Special Minimum Lot Size ordinance can be applied for removal no earlier than 5 years after the effective date.

# **Special Minimum Building Line Block**

# Special Minimum Building Line Block

This ordinance allows for the preservation of building line character on one side (blockface), or two sides of a street (opposing blockfaces)



## Special Minimum Building Line Block





## Additional Information

- These ordinances last for 40 years after City Council approval.
- Ordinances do not include use restrictions.
- Ordinances are enforced by reporting violations through 311.
- Existing lots with a building line less than the established special minimum building line will remain and are grandfathered in the ordinance.
- Future additions to buildings, including inhabitable porches are subject to the special minimum building line.
- An ordinance can be applied for removal no earlier than 5 years after the effective date.

## Porch Examples



**Inhabitable**



**Uninhabitable**

## Eligibility

	Lot Size Block	Lot Size Area	Building Line Block
Number of blockfaces	1 – 2	5+ (composed of 5 lots or more)	1 – 2
Single Family Requirement	60%+	80%+	60%+
Initial Petition of Support	51%+ of area	10%+ of lots	51%+ of area
Support by Response Forms	N/A	55% of area	N/A
Not covered by deed restrictions	1+ lots	10%+ of lots	1+ lots

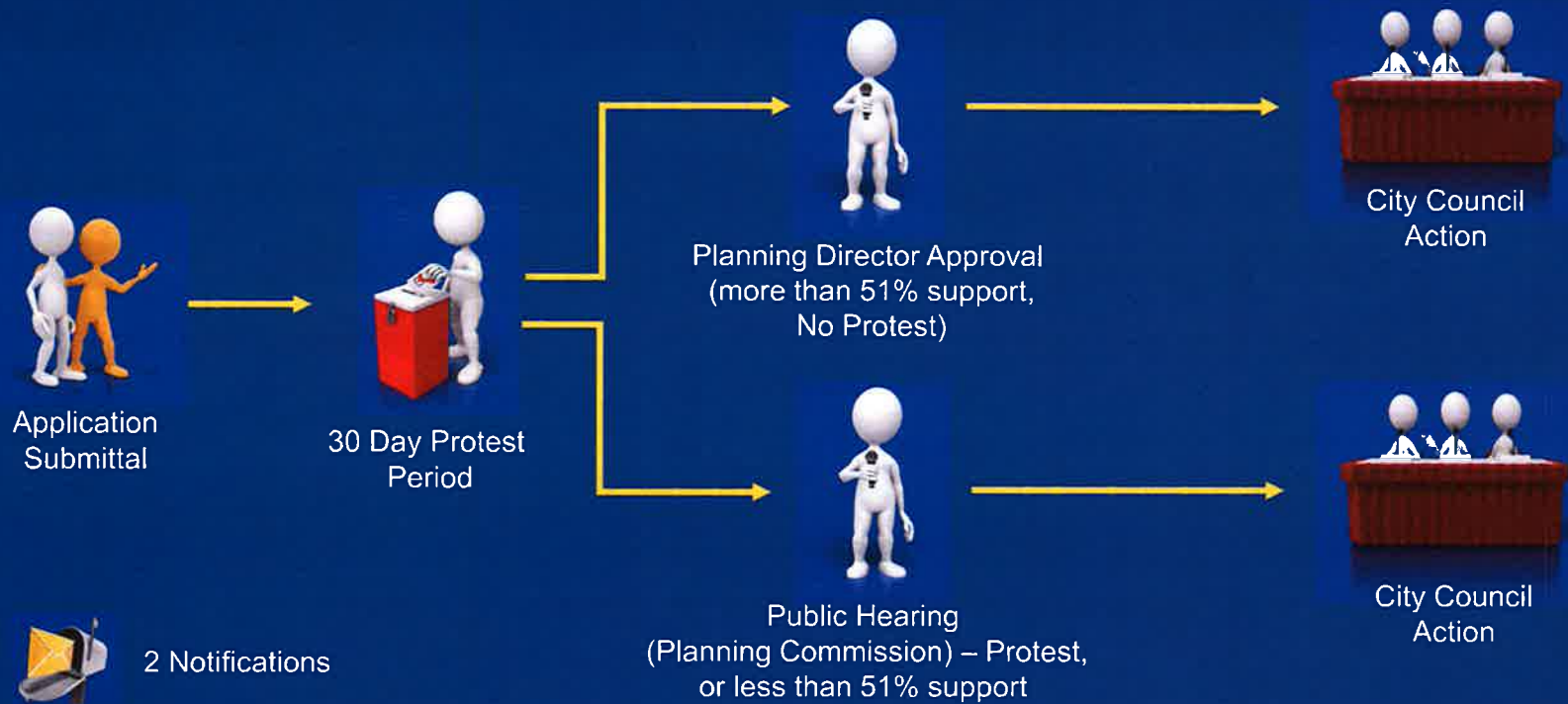
# Neighborhood Support

51% Support or more with no protest	51% or more with protest	Less than 51% and/or a protest
Planning Director approval, forwarded to City Council	Forwarded to Planning Commission	Forwarded to Planning Commission

NOTE: If an application is denied by Planning Commission or City Council, that application cannot be resubmitted for at least one year.



# Lot Size / Building Line Block Process





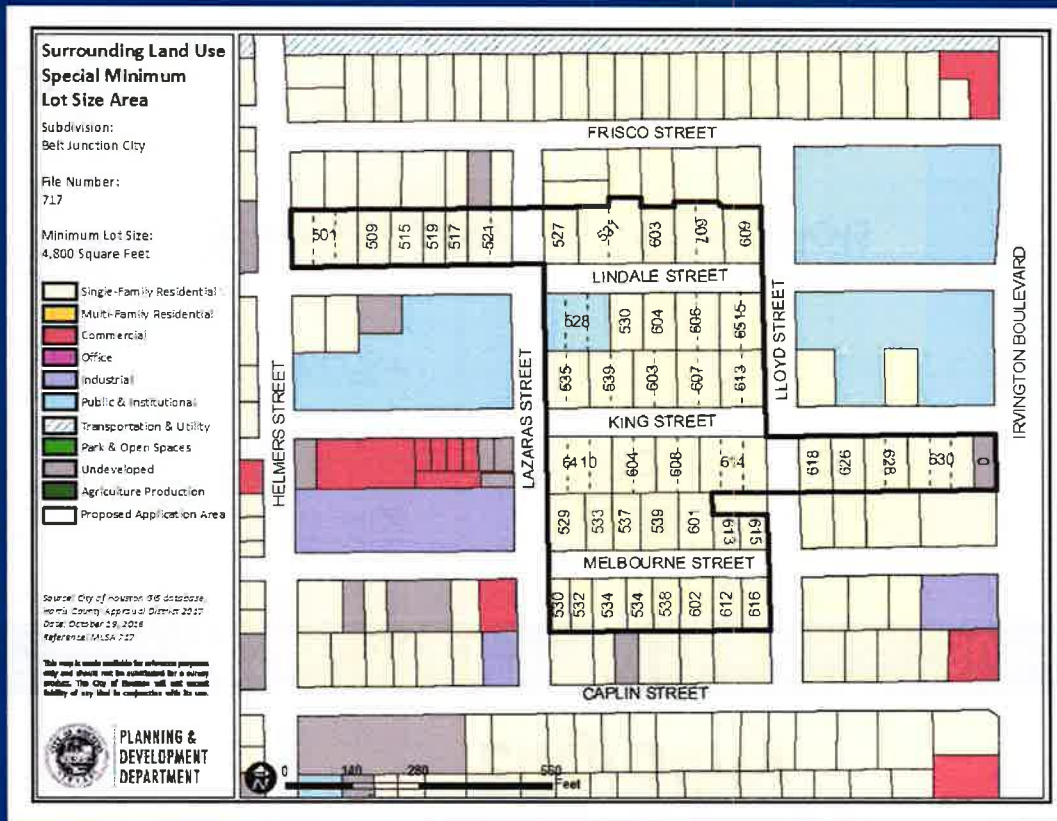
## **Special Minimum Lot Size Area**



## Eligibility

	Lot Size Block	Lot Size Area	Building Line Block
Number of blockfaces	1 – 2	5+ (composed of 5 lots or more)	1 – 2
Single Family Requirement	60%+	80%+	60%+
Initial Petition of Support	51%+ of area	10%+ of lots	51%+ of area
Support by Response Forms	N/A	55% of area	N/A
Not covered by deed restrictions	1+ lots	10%+ of lots	1+ lots

# Minimum Lot Size Area Example





# Lot Size Area Process



Application  
Submittal



Community  
Meeting



Vote



Public  
Hearing



City Council  
Action



3 Notifications

1. Public Meeting Notice
2. Response Form
3. Public Hearing Notice (Planning Commission)

# Q&A



PLANNING &  
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DEPARTMENT

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## Other Preservation Tools

- **Historic District Designations**
- **Landmark and Protected Landmark Designations**
  - Contact **Houston Office of Preservation:**  
832-393-6556 or [historicpreservation@houstontx.gov](mailto:historicpreservation@houstontx.gov)
- **Prohibited Yard Parking Program**
  - Contact **Community and Regional Planning:**  
832-393-6637 or [Davonte.Caldwell@houstontx.gov](mailto:Davonte.Caldwell@houstontx.gov)
- **Residential Permit Parking Designations**
  - Contact **Administration & Regulatory Affairs:**  
832-393-8690 or [parking@houstontx.gov](mailto:parking@houstontx.gov)

# Interested?

Call us at **832-393-6600**, or visit us online at **[houstonplanning.com](http://houstonplanning.com)**



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DEPARTMENT**



# Historic Districts in Houston

from the Houston Office of Preservation

## What is historic district designation?

A historic district is an official recognition by the City of Houston, made at the request of property owners, that signifies a neighborhood is an area of local historic importance. The designation is usually based on a combination of the following factors:

- history of the neighborhood;
- identity of the people who settled or who lived in the neighborhood
- age, type and quality of the buildings in the neighborhood and the extent to which the original buildings still exist.

Historic preservation is not about locking neighborhoods in the past. It aims to assure that new construction respects the historic fabric and character of significant neighborhoods.

## FREQUENTLY ASKED QUESTIONS:

### Will designation take away my property rights?

Giving neighbors advance notice of significant changes to the exterior of neighboring structures will help ensure that changes fit in and enhance the character of your neighborhood. It will not keep you from selling your property or stop you from remodeling or otherwise improving your property.

### Will the City let me repair, change or add on to my house?

Significant exterior alterations, new construction, relocations and demolitions require property owners to obtain a Certificate of Appropriateness (COA) from the Office of Preservation. City staff work with property owners to ensure alterations are compatible with the building's historic character. A Certificate of Appropriateness is not required for ordinary maintenance. Designation does not regulate fencing, landscaping, air conditioning units or light fixtures and fans.

### Will the City tell me what color to paint my house, or how to remodel my bathroom, kitchen, etc?

Exterior paint colors and interior alterations are not regulated. Unpainted masonry (such as bricks or stone) is usually required to remain unpainted where its presence is significant to the architectural integrity of the structure.

### How is this a benefit to property owners?

The City of Houston maintains an incentive for work on contributing properties in historic districts that allows for a reduction in the City of Houston portion of property taxes.

For more information visit [www.houstontx.gov/planning/HistoricPres/](http://www.houstontx.gov/planning/HistoricPres/) or contact us at [historicpreservation@houstontx.gov](mailto:historicpreservation@houstontx.gov) or 832-239-6556



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

# PLANNING & DEVELOPMENT

## Prohibited Yard Parking Ordinance

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 [Status of PYP Applications \(updated 5.12.2020\)](#)

 [Requirements of Driveway Installations](#)

 [Prohibited Yard Parking Ordinance](#)

 [Prohibited Yard Parking Application - HOA or Civic Club \(update 4.10.2020\)](#)

 [Prohibited Yard Parking Application - Homeowner \(updated 4.10.2020\)](#)

 [Application Flow Chart](#)

 [Prohibited Yard Parking Enforcement Flyer](#)

The Prohibited Yard Parking Program is intended to protect neighborhood property values, prevent damage to the City of Houston's underground infrastructure, and to stop the degradation of the aesthetic appearance of single-family residential areas. Parking of vehicles on any unimproved surface in the front or side yard within single-family residential areas will be prohibited where a Prohibited Yard Parking Requirement Area has been established.

The Planning and Development Department accepts applications for the Prohibited Yard Parking Program on the first two business days of each month before 5:00 p.m.

## Frequently Asked Questions

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### Who May Apply?

## DEPARTMENT LINKS

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[Home Page](#)

[Annexation](#)

[Complete Communities](#)

[Complete Streets](#)

[Demographics](#)

[Development Regulations](#)

[Development Reports](#)

[General Plan \(Plan Houston\)](#)

[Geographic Data](#)

[Historical Commission](#)

[Historic Preservation](#)

[Historic Preservation Manual](#)

[Major Thoroughfare Plan](#)

# CITY OF HOUSTON

## PLANNING & DEVELOPMENT DEPARTMENT

Homeowner's Association and Civic Club Application

### PROHIBITED YARD PARKING ORDINANCE

#### GENERAL INFORMATION

Information and requirements for the establishment of yard parking restrictions are found in Section 28-303 of the Code of Ordinances, City of Houston. Attached you will find the following documents: the yard parking application, yard parking submittal requirements, example of a homeowner's association or civic club letter of support, map examples, public notification example, and notification sign specifications.

A complete application packet shall include a completed application form with all information requested on page four (4). The application packet must be hand-delivered to 611 Walker, 6th Floor, Planning and Development Department, Community Sustainability Division or mailed to the city's Post Office Box listed below. Application packets must be received by the Planning and Development Department before 5:00 p.m. on the first two business days of each month. Once an application has been submitted to the City of Houston, no additional information may be submitted by the applicant unless specifically requested by city staff.

The Planning and Development Department will review the application for completeness. Incomplete applications will be returned to the applicant with an explanation of the deficiency. Within ten (10) days of receipt of a complete application packet, the Director of the Planning and Development Department will notify in writing the single-family residential lot owners within the proposed Prohibited Yard Parking Requirement Area that an application has been received. The applicant shall also provide notice by posting signs and providing written public notice to single-family residential lot owners within the Prohibited Yard Parking Requirement Area. Any property owner wishing to protest the establishment of the Prohibited Yard Parking application will have up to twenty (20) days from the date of the notice letter to file a written protest with the Planning and Development Department.

If the application meets all the criteria and there is no written protest, the Director of the Planning and Development Department will forward the application to the Houston City Council for consideration.

The Director will promptly refer those applications that are protested to the Prohibited Yard Parking Hearing Officer. The Hearing Officer shall conduct a public hearing and provide notice to the contact person at least fifteen (15) days prior to the scheduled hearing. Written notice of the pending public hearing shall also be given to all protestors of the Prohibited Yard Parking application. The Hearing Officer shall take final action no later than sixty (60) days following the Director's receipt of a written request.

CONTACT INFORMATION	
Physical Address	Mailing Address
City of Houston	City of Houston
Planning & Development Department	Planning & Development Department
ATTN: Abraham Zorrilla	ATTN: Abraham Zorrilla
611 Walker Street, Sixth Floor	P.O. Box 1562
	Houston, TX 77251
Telephone: 832.393.6634	
Fax: 832.393.6661	
Email: Abraham.Zorrilla@houstontx.gov	

# CITY OF HOUSTON

PLANNING & DEVELOPMENT DEPARTMENT

Homeowner's Association and Civic Club Application

## PROHIBITED YARD PARKING ORDINANCE APPLICATION

**APPLICATIONS MUST BE SUBMITTED BEFORE 5 P.M. ON THE  
FIRST TWO BUSINESS DAYS OF EACH MONTH**

BOUNDARY		BOUNDARY EXAMPLE
Subdivision Name		City Acres Subdivision
Block Numbers		8, 9, 10, 11
Lot Numbers		1-7, 1-7, 1-7, 1-8, 1-8
Street Name, Side & Hundred Block		Pine Street, North, 900 Block
		Ash Street, South 900 Block
		Ash Street, North 900 Block
		Ash Street, North 800 Block
		Ash Street, South 800 Block

Applications must include at least five contiguous blockfaces; please attach additional sheets if necessary.

CONTACTS		
Applicant		
Mailing Address		
City, State, Zip		
E-mail Address		
Phone Numbers	(Home)	(Other)
Applicant Signature	<b>X</b>	
Co-Applicant		
Mailing Address		
City, State, Zip		
E-mail Address		
Phone Numbers	(Home)	(Other)
Co-Applicant Signature	<b>X</b>	
HOA or Civic Club Name		
Mailing Address		
City, State, Zip		
E-mail Address		
Phone Numbers	(Home)	(Other)
President Signature	<b>X</b>	

Contact information must be provided for both the applicant and the sponsoring homeowner's association or civic club. The application page must be signed by both the applicant and sponsoring organization's president.

PROJECT INFORMATION (STAFF USE ONLY – DO NOT FILL IN)		
File Number	Submittal Date	
Incomplete Date	Complete Date	
Lambert Number	Key Map Number	
City Council District	Super Neighborhood	



**PROHIBITED YARD PARKING ORDINANCE**  
**SUBMITTAL REQUIREMENTS**

**SUBMITTAL CHECKLIST**

- ☐ Complete application (page 2)
- ☐ Copy of civic club or HOA meeting minutes denoting the resolution from the Board authorizing the filing of the application
- ☐ Copy of the HOA or civic club bylaws
- ☐ Letter of support by an authorized homeowner's association or civic club that is signed by the president (page 4)
- ☐ Map of the proposed boundary of the Prohibited Yard Parking Requirement Area
- ☐ Map of all property land uses within the proposed boundary area
- ☐ Description or map of the area within the proposed boundary where front or side yard parking is problematic
- ☐ Pictures or other media that illustrate front or side yard parking problems within the proposed boundary
- ☐ Copy of public notifications (page 7)

**PROHIBITED YARD PARKING ORDINANCE**  
**LETTER OF SUPPORT EXAMPLE**

July 16, 2015

We, City Acres Homeowner's Association, an officially recognized *homeowner's association or civic club* within the proposed boundaries of the Prohibited Yard Parking Requirement Area, do hereby submit this application as prescribed by the Code of Ordinances, City of Houston, Section 28-303. With this application and other required information, we request to restrict the parking of vehicles on the front and side yard of Block 8, north and south side, City Acres Subdivision; Block 9, south side, City Acres Subdivision; Block 10, south side, City Acres Subdivision; and Block 11, north side, City Acres Subdivision through the application of and creation of a Prohibited Yard Parking Requirement Area.

(Signature of president)

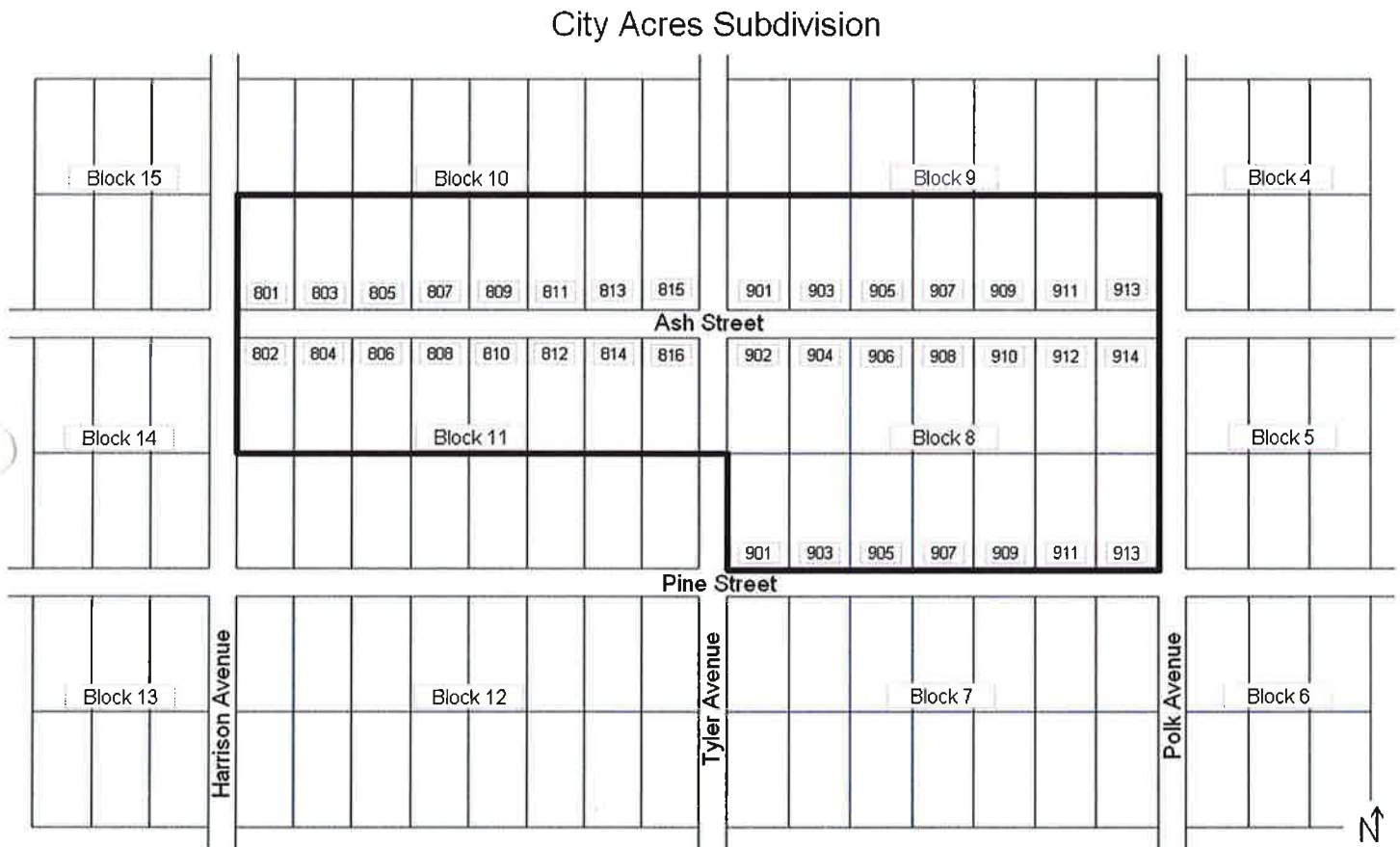
*John Doe*

*President, City Acres Homeowner's Association*

## PROHIBITED YARD PARKING ORDINANCE

### PROPOSED REQUIREMENT AREA MAP EXAMPLE

**THE PROHIBITED YARD PARKING REQUIREMENT AREA MUST INCLUDE A MINIMUM OF FIVE (5) CONTIGUOUS BLOCKFACES.**



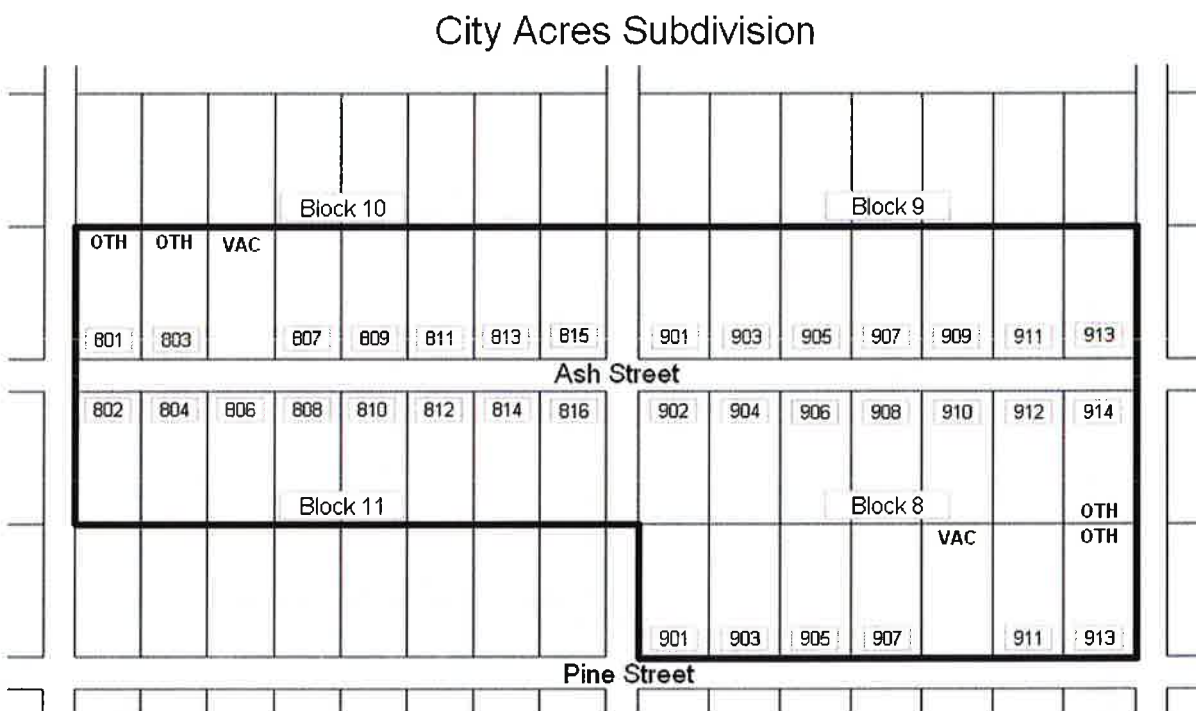
Map/sketch should look similar to the drawing shown above. Please provide the property addresses and street names within the Prohibited Yard Parking Requirement Area.

A Harris County Appraisal District map may be substituted with the proposed Prohibited Yard Parking Requirement Area outlined. Appraisal district maps can be found at the Harris County Appraisal District website (<http://www.hcad.org>).

## PROHIBITED YARD PARKING ORDINANCE

### LAND USE MAP EXAMPLE

**THE PROHIBITED YARD PARKING REQUIREMENT AREA MUST BE AN AREA IN WHICH  
NOT LESS THAN 60% OF THE LOTS ARE DEVELOPED AND USED FOR  
SINGLE-FAMILY RESIDENTIAL STRUCTURES AND PURPOSES**



The land use map should indicate the existing land use of each property within the proposed Prohibited Yard Parking Boundary Requirement Area. Please use the abbreviation **VAC** to identify vacant property and **OTH** to identify land uses that are not single-family residential. Properties that are not labeled **VAC** or **OTH** will be assumed to be single-family residential.

Single-family Residential is defined as:

- the use of a lot with one building designed for and containing not more than two separate units with facilities for living, sleeping, cooking and eating therein; or
- a lot upon which is located a free-standing building containing one dwelling unit and a detached secondary dwelling unit of not more than 900 square feet; or
- a building that contains one dwelling unit on one lot that is connected by a party wall to another building containing one dwelling unit on an adjacent lot.



## PROHIBITED YARD PARKING ORDINANCE

### PUBLIC NOTIFICATION

PUBLIC NOTIFICATION METHOD	
<input type="checkbox"/>	Electronic Message
<input type="checkbox"/>	Neighborhood Newsletter or Other Publication
<input type="checkbox"/>	Other Written Notification

Please see page 8 for further details on public notification.

PROPOSED NOTIFICATION SIGN LOCATIONS	
1	
2	
3	
4	

Please see page 9 for further details on sign specifications and requirements.

PROJECT INFORMATION (STAFF USE ONLY – DO NOT FILL IN)		
File Number		
City Notification Date		
Signs Posted Date	Pictures Taken	
Public Notification Date	Copy of Notification	

## **PROHIBITED YARD PARKING ORDINANCE**

### **PUBLIC NOTIFICATION REQUIREMENTS**

Within ten (10) days after the filing of a complete application or petition, the applicant must provide notice to property owners within the Prohibited Yard Parking Requirement Area. The applicant must submit a dated copy of the public notification to the Planning and Development Department. Applicants have three options for providing public notification.

- 1) An electronic message directed to all owners within the Prohibited Yard Parking Requirement Area.

OR

- 2) Inclusion in a newsletter or other similar publication customarily used by the homeowner's association or civic club to disseminate information of interest to all owners within the Prohibited Yard Parking Requirement Area.

OR

- 3) Any other writing or publication deemed by the party making the request as the most effective means of providing notice of such filing to all owners with the Prohibited Yard Parking Requirement Area.

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### **PUBLIC NOTIFICATION EXAMPLE**

#### **NOTICE OF PROHIBITED PARKING REQUIREMENT AREA APPLICATION:**

Name of HOA or Civic Club has submitted an application for the establishment of a Prohibited Yard Parking Requirement Area (Section 28-303 of the Code of Ordinances) for Ash Street (north and south sides) between Harrison Avenue and Polk Avenue and for Pine Street (north side) between Tyler Avenue and Polk Avenue with the City of Houston Planning and Development Department.

Once established, violating the Prohibited Yard Parking Requirement Area will be a misdemeanor and violators will receive a fine not to exceed \$150 a day.

Protest to the establishment of the Prohibited Yard Parking Requirement Area can be filed with the City of Houston. A written protest must be received by the City of Houston, Planning and Development Department, Community Sustainability Division within twenty (20) days of (date of the City of Houston Notification Letter).

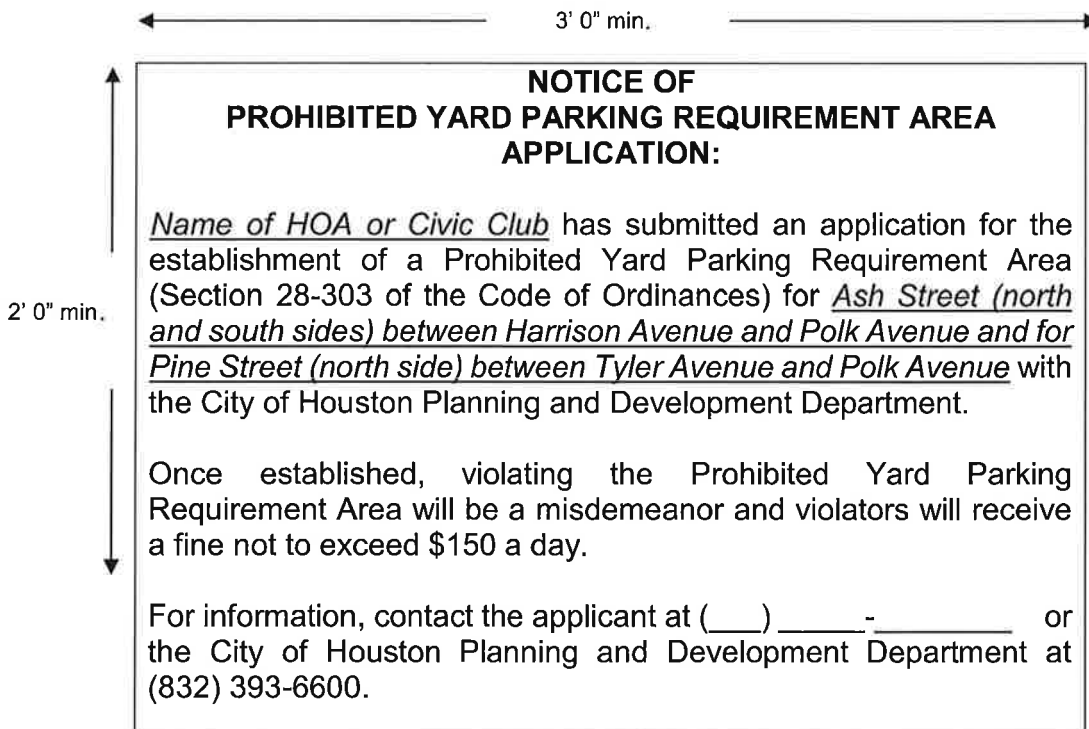
For information, contact the applicant at (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ or the City of Houston Planning and Development Department at (832) 393-6600.

## PROHIBITED YARD PARKING ORDINANCE

### SIGN SPECIFICATIONS

The applicant is responsible for posting a minimum of (4) signs within the boundary of the proposed Prohibited Yard Parking Requirement Area within ten (10) days of a complete application. Once it has been determined that the application is complete, the Planning and Development Department will inform the applicant to post signs (see Sample Notification Sign below). The signs (minimum size: 2' x 3') shall be placed within fifteen feet from each right-of-way bordering the area. Each sign shall face the R-O-W with print large enough to be legible from the R-O-W. The applicant shall maintain the signs to the end of the process. The Planning and Development Department must be contacted when the signs have been posted.

The applicant will recommend four (4) high visibility locations within the Prohibited Yard Parking Requirement Area where the signs could potentially be posted. The Planning and Development Department will review the proposed locations and make final determination of the location of each of the four (4) signs. Staff may also identify an alternative number of signs for the Prohibited Yard Parking application upon determining that the signs will provide sufficient notice within the application area. The Planning and Development Department will notify the applicant of the locations where signs are to be posted.





**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

*Special Minimum Lot Size Area  
(SMLSA) Application*

Dear Applicant:

You are taking the first step toward preserving the character of your neighborhood. The Planning and Development Department staff will help you determine if your neighborhood qualifies for this application, and can assist you in completing the application process. If approved, an ordinance will be created for your application that preserves the lot size character of your neighborhood.

This application packet includes:

- a Special Minimum Lot Size Area (SMLSA) Application
- a list of Submittal Requirements and a sample of the notification signs
- a blank Evidence of Support page for other property owners to sign
- a sample of a Map Sketch
- a list of Recommended Community Meeting Sites
- a set of Frequently Asked Questions

Each applicant must meet with a staff person for a preliminary meeting before an application is submitted, allowing staff to go over the eligibility requirements that are reviewed for all applications. Below are the five criteria that applications and their proposed boundaries must meet:

1. contains no less than five blockfaces (a blockface is from one intersecting street to the next instresecting street);
2. contains no more than 500 lots within one subdivision and not more than 400 lots within multiple subdivisions;
3. forms an area that does not exclude a block or lot within the boundary area;
4. has at least 80% of the lots developed for or restricted to single-family use (exclusive of land used for a park, utility, drainage or detention, public recreation or community center, library, place of worship, schools) ; and
5. contains at least 10% of lots within the boundary that do not have a minimum lot size established by deed restrictions.

A complete application must include all items listed in the submittal requirements on page 6 of this packet. A complete application package must be mailed or hand-delivered during standard business hours to:

Planning and Development Department  
Attn: Community Sustainability  
611 Walker Street, 6th Floor  
Houston, TX 77002

A step by step guide is provided on page 4 of this packet. Contact the Community Sustainability division at (832) 393-6600 with any questions or to schedule a meeting prior to submitting an application. More information can be found on [www.houstonplanning.com](http://www.houstonplanning.com). Thank you for your interest and we look forward to meeting with you soon.

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659.





## *Special Minimum Lot Size Area (SMLSA) Application: Frequently Asked Questions*

### **Special Minimum Lot Size Area: Frequently Asked Questions**

**What is a Special Minimum Lot Size Area (SMLSA) application, what does it mean and who created the boundary?**

A SMLSA application provides property owners an opportunity to preserve the lot size character within a specified area. This means any new lots that are created must be greater than or equal to the established Special Minimum Lot Size. The application is submitted by someone within the application area, or a representative of an entity in your neighborhood.

**What if my lot is smaller than the Minimum Lot Size designated?**

For example, if a 5,000 square foot special minimum lot size is established for your area, no lots will be able to divide into any size less than 5,000 square feet. If you currently own a lot that is smaller than the special minimum lot size (for this example its 5,000 square feet) , you would not be allowed to divide your property. If you had a 10,000 square foot lot, then you could divide your property into two 5,000 square foot lots.

**What can I build on my lot?**

On a single family lot you can build a single family home, a single family home with a detached garage apartment not larger than 900 square feet, or a duplex. A Special Minimum Lot Size Ordinance does not determine the physical design of buildings. Please note that deed restrictions may already be imposed on your neighborhood. In those cases the more restrictive of either the proposed lot size or deed restrictions will be applied to the property.

**Can I add a porch or rebuild my home/commercial/multifamily property?**

Yes, if you have an existing single family lot you are allowed to rebuild, improve or add to your home. If you have an existing commercial or multifamily lot you are allowed to rebuild, improve or add to the building. Please note that deed restrictions may already be imposed on your neighborhood. In those cases the more restrictive of either the proposed lot size or deed restrictions will be applied to the property.

**What will happen to my commercial/multifamily lot if the minimum lot size application is approved?**

If you have a commercial/multifamily lot it will remain commercial/multifamily. If at any time you desire to change your property to single family residential use, you would not be allowed to convert back to commercial/multifamily. If you decide to subdivide your property, any lots that are created would need to meet the special minimum lot size.

**What happens next in the application process?**

An applicant for the Special Minimum Lot Size Area will submit a completed application packet. You may choose to support this application by signing the Evidence of Support page. Planning and Development Department staff will review the application and notify residents within the application area that a complete application was submitted. Notification of a community meeting and instructions regarding the response form process will follow. When an application is referred to the Houston Planning Commission, a public hearing will be held. Planning and Development Department staff will let you know the time and place of the public hearing. Applications are only finalized with City Council approval.

**What if I disagree with this application?**

A 30-day response form period will take place. Response forms (ballots) will be mailed to each property owner. Residents may choose to support or protest the application by responding YES or NO. In order for an application to be referred to Planning Commission, 55% of all property owners within the boundary area must respond in support of the SMLSA.

Si necesita ayuda en español o gustaría recibir más información acerca de este asunto,  
comuníquese al número 832-393-6659.



## *Special Minimum Lot Size Area (SMLSA) Application: Frequently Asked Questions*

### **Special Minimum Lot Size Area: Frequently Asked Questions (continued)**

#### **What happens at Planning Commission?**

At Planning Commission, there will be a public hearing where you will have an opportunity to speak. The Planning Commission will approve or deny the application. If approved, the application will be forwarded to City Council. If the application is denied at Planning Commission or City Council, the application may not be resubmitted for one year.

To approve an application, Planning Commission must find that:

- The area has an identifiable lot-size character;
- The identifiable lot-size character of the area will be preserved;
- There is sufficient support by the property owners;
- The application meets all submittal requirements as defined by city ordinance;
- Blockfaces within the application do not contain a significant area that is not single family residential; and,
- Blockfaces within the application do not contain a significant area that does not share the same lot size.

#### **What happens after City Council?**

If City Council approves the application, the Minimum Lot Size Area designation will apply immediately. The ordinance shall be effective for up to 40 years.

#### **How is the Special Minimum Lot Size calculated?**

The Planning and Development Department calculates the special minimum lot size by using the following steps outlined in the ordinance:

1. List all lot sizes in the application area from the largest to the smallest;
2. Add all the lot size numbers and get the total square footage
3. Each lot's area (in square feet) is expressed as a percentage of the total area of all lots in the application area;
4. A cumulative total is kept; and
5. The first lot that represents a cumulative total of at least 70 percent by area (60 percent by area for applications in City of Houston designated historic districts), becomes the proposed special minimum lot size.

<b>Lots Ranked By Size</b>	<b>Address</b>	<b>Size</b>	<b>% by Area</b>	<b>Cumulative % by Area</b>
1	1510 Cocker Spaniel	6,500 sf	15.4%	15.4%
2	1502 Cocker Spaniel	6,000 sf	14.3%	29.7%
3	1508 Cocker Spaniel	6,000 sf	14.3%	43.9%
4	1506 Cocker Spaniel	6,000 sf	14.3%	58.2%
<b>5</b>	<b>1504 Cocker Spaniel</b>	<b>5,830 sf</b>	<b>13.8%</b>	<b>72.0%</b>
6	1500 Cocker Spaniel	5,500 sf	13.1%	85.1%
7	1512 Cocker Spaniel	3,270 sf	7.8%	92.9%
8	1514 Cocker Spaniel	3,000 sf	7.1%	100.0%
<b>Total</b>		<b>42,100 sf</b>	<b>100.0%</b>	
<b>The fifth largest lot size in this example is 5,830 square feet. This would be the new Special Minimum Lot Size for the area.</b>				

If at any time you have questions or need assistance, please call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659.



## *Special Minimum Lot Size Area (SMLSA) Application: SMLSA Steps*

### **Special Minimum Lot Size Area (SMLSA) Steps**

- **Step 1: Meet with Staff of the Planning and Development Department**  
The applicant(s) must meet with Planning and Development staff before submitting an application. At the meeting the applicant should bring a map with the proposed boundary and a copy of any existing deed restrictions. To schedule a pre-submittal meeting, contact Community Sustainability at (832) 393-6600.
- **Step 2: Gather Signatures from Property Owners**  
Applicant(s) must gather support from property owners of at least 10% of the lots within the application boundary area through signatures on the Evidence of Support handout found on page 7.
- **Step 3: Submit the Application**  
The application package can be mailed through US Postal Service or hand delivered to the Planning and Development Department. Within two (2) business days, Planning and Development staff will contact the applicant(s) regarding whether their application is accepted or rejected. If the application is rejected, staff will provide an explanation of any necessary revisions. It is important to note that any subdivision or development plats submitted within seven (7) days after a Special Minimum Lot Size Area application is accepted will NOT be subject to the lot size requirement.
- **Step 4: Application Review and Notification Signs**  
An accepted application will be posted on the Planning and Development Department's website within two (2) business days. Planning and Development staff will review the application, and within 60 business days, determine if the application meets eligibility requirements. After it has been determined that the application meets eligibility requirements staff will notify the applicant(s) and send an instruction letter for the posting of notification signs within the application boundary area. The applicant will have 10 days from when they receive the instruction letter to post the signs.
- **Step 5: Community Meeting**  
A letter will be sent from the Planning and Development Department to the residents within the application boundary area detailing the date, time and location for a community meeting. The letter will be sent no later than 15 days before a community meeting is to be held.
- **Step 6: Response Form Period**  
Within 60 business days after the community meeting the residents within the application boundary area will receive a response form (many residents refer to it as a ballot) from the Planning and Development Department. The property owners will have 30 days to respond to the SMLSA application.  
  
If property owners of 55% of the application boundary area support the SMLSA designation, the Planning Director will forward the application to the Houston Planning Commission. If less than 55% of the property owners in the application boundary area support the designation of the proposed area, the Planning Director will:
  - modify the application boundary to obtain 55% support and forward the application to the Planning Commission
  - OR
  - determine that the application fails, with no further action being taken, and the proposed boundary area will not be allowed to reapply for a year
- **Step 7: Attend the Planning Commission Public Hearing**  
If a public hearing is scheduled, a notification letter will be sent to property owners no less than 15 days before the Planning Commission hearing date.  
A Planning Commission date will be established by the Planning and Development Department no later than 60 business days from the deadline for the response forms. A letter indicating the time, date and place of the Planning Commission meeting will be sent to all property owners within the proposed boundary area. Members of the public may present comments about the SMLSA at the public hearing. After the public hearing, the Commission will consider whether or not to recommend that City Council establish the SMLSA. If the Commission recommends that City Council establish the SMLSA, the Planning and Development Director will refer the application to City Council. If the application is denied, the decision of the Commission will be final.
- **Step 8: City Council Action**  
City Council will consider all Special Minimum Lot Size Area applications that are approved by the Planning Commission. City Council action to approve or deny the designation is final. Persons wanting to address City Council during the public comment session of the meeting should contact the City Secretary at (832) 393-1100 or [citysecretary@houstontx.gov](mailto:citysecretary@houstontx.gov).

**IMPORTANT NOTICE: WE WILL NOT ACCEPT APPLICATIONS THAT ARE SENT THROUGH EMAIL OR FAX**



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## Special Minimum Lot Size Area (SMLSA) Application

### Main Applicant Information (required)

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
*Street Address* *Apartment/Unit #*

\_\_\_\_\_  
*City* *State* *ZIP Code*

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Are you a property owner within the application boundary? YES ☐ NO ☐ If no, what is your relation to the area? \_\_\_\_\_

Did you have a preliminary meeting with the Planning and Development Department? YES ☐ NO ☐ If yes, what was the date of the meeting? \_\_\_\_\_

Does the application boundary have deed restrictions? YES ☐ NO ☐ If yes, do they address a Minimum Lot Size? \_\_\_\_\_

Describe the location of the application boundary. (Example: "Houston Subdivision Sections 1 & 2" or "To the north-Astros Street, to the east-Development Drive, to the south-Dash Drive and to the west-Planning Way")

Signature of applicant: \_\_\_\_\_

### Alternate Applicant Information (optional)

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
*Street Address* *Apartment/Unit #*

\_\_\_\_\_  
*City* *State* *ZIP Code*

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Signature of alternate applicant: \_\_\_\_\_

### Application Information (STAFF USE ONLY)

File Number: \_\_\_\_\_ Super Neighborhood: \_\_\_\_\_  
City Council District: \_\_\_\_\_ Planner Assigned: \_\_\_\_\_





**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## *Special Minimum Lot Size Area (SMLSA) Application: Submittal Requirements & Signs*

### **Submittal Requirements (Please check and complete)**

Completed application form (page 5)	<input type="checkbox"/>
Evidence of support signed by at least 10% of lot owners within the boundary area (page 7)	<input type="checkbox"/>
Copy of deed restrictions, if applicable***	<input type="checkbox"/>
Sample of Notification Sign (page 6)	<input type="checkbox"/>
Map or sketch showing the address, land use and size of all lots within boundary area	<input type="checkbox"/>
Three (3) recommended locations for a community meeting (page 9)	<input type="checkbox"/>

**How will a SMLSA maintain the lot size and character your neighborhood?**

\*\*\***DISCLAIMER:** The Planning Department reviewed the deed restrictions you submitted for your subdivision and noted no language addressing a minimum lot size or minimum lot line requirement. As such, revisions to Chapter 42 of the City of Houston Code of Ordinances extending the minimum lot size and minimum building line requirements to neighborhoods within the corporate boundaries of the City of Houston that do not have a minimum lot size or minimum building line established in their deed restrictions are applicable to your subdivision. It's important to understand, however, Planning's review and decision regarding the eligibility of your subdivision to avail itself of the protections set forth in Chapter 42 of the City of Houston Code of Ordinances is based solely on the instruments you have provided and which purport to be the most recent, valid version of your subdivision's deed restrictions. The City of Houston is making no assurances or representations regarding the actual validity of your deed restrictions. You should consult with a private attorney if you have any questions or concerns about your deed restrictions.

### **Sample Notification Sign (Fill in the blank)**

The applicant is responsible for obtaining and posting a minimum of two (2) signs per blockface within the boundary of the proposed Special Minimum Lot Size Area within ten (10) days of written notice from the Planning and Development Department. Planning and Development staff may approve an alternative number of signs for the application of a Special Minimum Lot Size Area upon determining that the signs will provide sufficient notice within the application area. Each sign shall be at least two feet by three feet (2' x 3'), face the street, and be legible from the street. Applicants are responsible for contacting Planning and Development Staff once the signs are posted. The applicant shall use reasonable efforts to maintain the signs until the Planning and Development Director or the Houston Planning Commission has approved an application. Applicants shall include the name of each subdivision in the application on the notification sign.

← 3'- 0" min. →	
<b>NOTICE OF SPECIAL MINIMUM LOT SIZE AREA APPLICATION:</b>	
The Planning and Development Department has received an application for the establishment of a Special Minimum Lot Size Area (Section 42-197 of the Code of Ordinances) for	
_____ (name of the subdivision(s) within the application boundary)	
For information, contact the City of Houston Planning and Development Department at (832) 393-6600.	
↑ 2'- 0" min. ↓	



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## *Special Minimum Lot Size Area (SMLSA) Application: Evidence of Support*

### **Evidence of Support for a Special Minimum Lot Size Area**

*Below are signatures of property owners within the proposed Special Minimum Lot Size Area boundary who support the request to preserve the character of the existing lot sizes and the creation of a Special Minimum Lot Size Area for the following area: (Example: "Houston Subdivision Sections 1 & 2" or "To the north-Astros Street, to the east-Development Drive, to the south-Dash Drive and to the west-Planning Way")*

By signing this evidence of support, I hereby represent:

- (1) That I am the lot owner or representative of the property listed with my signature, and
- (2) I support the petition to create a Special Minimum Lot Size Area.

<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

For any questions on Special Minimum Lot Size Area, call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659



## Special Minimum Lot Size Area (SMLSA) Application: Sample Map Sketch

### Sample Map Sketch (Include Map Sketch in Application)

As part of the Special Minimum Lot Size Area application, applicants must provide a map sketch of the proposed application area. It should look similar to the drawing below. Information for each lot within the proposed Special Minimum Lot Size Area shall be shown on the drawing that includes the following:

- The land use of any lot that is **NOT** single family residential. *Example: multifamily, commercial, a park, or vacant land*
- Any lots that may have a minimum lot size previously established by deed restrictions

### Houston Subdivision, Sections 1 and 2



If at any time you need assistance, please call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659



## *Special Minimum Lot Size Area (SMLSA) Application: Community Meeting Site*

### **Community Meeting Sites (To be Completed by the Applicant)**

A community meeting must take place no more than 90 business days after the application has been accepted by the Planning and Development Department. The meeting site must be within or near the proposed application boundary area. At the community meeting, property owners will be given information about the SMLSA application submitted and the Planning and Development Department review process.

The requirements of the venue are:

- ☐ Accessible to all property owners within the boundary area
- ☐ The venue must hold at least 20% of the number of lot owners within the boundary area
- ☐ Adequate amount of seating for those present at the community meeting
- ☐ Access to a working electrical outlet
- ☐ Available between 6pm-9pm, Monday-Friday (Saturdays will be considered on a case by case basis)
- ☐ Free of cost (including security)

In the boxes below please give 3 proposed meeting sites:

Name of Venue	Address	Time and Date Available	Contact Information





**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

# Public Information Request Form

## Special Minimum Lot Size Area: Public Information Request Form

### How can applicants or property owners stay updated as to the status of an application?

Applicants or property owners within a Special Minimum Lot Size Area can receive information about an application, including who is applying for the designation, as well as the percentage of support of the application throughout the response form process. Please see the page below to request this information from our department's Public Information Office. You can also find this form at [www.houstonplanning.com/Forms/](http://www.houstonplanning.com/Forms/).



### Planning & Development Department

Public Information Office

611 Walker Street / 6th Floor Houston, TX 77002

FAX (832) 393-6661

Email [Patricia.Benavides-Foley@houstontx.gov](mailto:Patricia.Benavides-Foley@houstontx.gov)

### Public Information Request Form

Date: \_\_\_\_\_

I \_\_\_\_\_, under the Public Information Act request

(Please Print Name Clearly)

the following documents:

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**NOTE: The Planning and Development Department does not have records relating to building permits, code violations, flooding, property inspections or certificates of occupancy. Please direct those requests to the Public Works and Engineering Department.**

### REQUESTOR INFORMATION

*Must be filled out completely*

#### PLEASE PRINT

Customer/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ St. \_\_\_\_\_ Zip \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Email Address (optional): \_\_\_\_\_

Signature of Requestor: \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: The Planning Department has 10 working days to respond to your request and will notify you in writing of the reasonable date and time when records will be available along with the estimated cost.**



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## *Special Minimum Building Line Block (SMBLB) Application*

Dear Applicant:

You are taking the first step toward preserving the character of your block. The Planning and Development Department staff will help you determine if your block qualifies for this application, and can assist you in completing the application process. If approved, an ordinance will be created for your application that preserves the building line character of your block.

This application packet includes:

- a Special Minimum Building Line Block (SMBLB) Application
- a list of Submittal Requirements and a sample of the notification signs
- a blank Evidence of Support page for other property owners to sign
- a sample of a Map Sketch
- a set of Frequently Asked Questions

It is recommended, but not required, that each applicant meet with a staff person for a preliminary meeting before an application is submitted, allowing staff to go over the eligibility requirements that are reviewed for all applications. Below are the five criteria that applications and their proposed boundaries must meet:

1. contain at least one blockface, but not more than two opposing blockfaces;
2. contain all lots on each blockface;
3. form a contiguous area;
4. have at least 60% of the lots developed for or restricted to single-family use (exclusive of land used for a park, library, place of worship, or school); and
5. contain at least one lot that does not have a minimum building line established by deed restrictions

A complete application must include all items listed in the submittal requirements on page 6 of this packet. A complete application package must be mailed or hand-delivered during standard business hours to:

Planning and Development Department  
Attn: Community Sustainability  
611 Walker Street, 6th Floor  
Houston, TX 77002

A step by step guide is provided on page 4 of this packet. Contact the Community Sustainability division at (832) 393-6600 with any questions or to schedule a meeting prior to submitting an application. More information can be found on [www.houstonplanning.com](http://www.houstonplanning.com). Thank you for your interest and we look forward to meeting with you soon.

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659.



## *Special Minimum Building Line Block (SMBLB) Application: Frequently Asked Questions*

### **Special Minimum Building Line Block: Frequently Asked Questions**

**What is a Special Minimum Building Line Block (SMBLB) application, what does it mean and who created the boundary?**

A SMBLB application provides property owners an opportunity to preserve the building line character of a blockface, or two opposing blockfaces. This means any structures built in the application area must have building lines greater than or equal to the established Special Minimum Building Line. The application is submitted by a property owner within the application area, or a representative of an entity in your neighborhood.

**What if my building line is less than the Special Minimum Building Line that is designated?**

For example, if a 15foot Special Minimum Building Line is established for your block, no structures will be permitted to be built with a building line of less than 15 feet. If you currently own a lot with a structure that has a building line that is less than the Minimum Building Line there is no penalty, however, future building lines would need to meet the established Special Minimum Building Line.

**What can I build on my lot?**

There are no land use restrictions with a Special Minimum Building Line ordinance. Also note that this application does not determine the physical design of buildings, aside from how far they are built from a front property line. Please note that deed restrictions for building lines may already be imposed on some properties in your neighborhood. In those cases the more restrictive of either the proposed building line or deed restriction will be applied to the property.

**Can I add a porch or rebuild my home/commercial/multifamily property?**

Yes, if you have an existing single family lot you are allowed to rebuild, improve or add to your home. If you have an existing commercial or multifamily lot you are allowed to rebuild, improve or add to the building. Please note that deed restrictions may already be imposed on your neighborhood. In those cases the more restrictive of either the proposed lot size or deed restrictions will be applied to the property.

**What will happen to my commercial/multifamily lot if the minimum lot size application is approved?**

If you have a commercial/multifamily lot it will remain commercial/multifamily. If you decide to add to any building, any additions that are created would need to meet the Special Minimum Building Line.

**What happens next in the application process?**

An applicant for the Special Minimum Building Line Block will submit a completed application packet. You may choose to support this application by signing the Evidence of Support page prior to its submittal. Planning and Development Department staff will review the application and notify residents within the application area that a complete application was submitted.

**What if I disagree with this application?**

Notification sent to property owners will indicate a 30-day protest period allowing property owners to file a written protest with the Planning and Development Department. If a SMBLB application receives less than 51% support when it is submitted to the Planning and Development Department, or if there is a protest from a property owner within the block, the application will be referred to the Houston Planning Commission.

Si necesita ayuda en español o gustaría recibir más información acerca de este asunto,  
comuníquese al número 832-393-6659.



## *Special Minimum Building Line Block (SMBLB) Application: Frequently Asked Questions*

### **Special Minimum Building Line Block: Frequently Asked Questions (continued)**

#### **What happens at Planning Commission?**

At Planning Commission, there will be a public hearing where you will have an opportunity to speak. The Planning Commission will approve or deny the application. If approved, the application will be forwarded to City Council. If the application is denied at Planning Commission or City Council, the application may not be resubmitted for one year.

To approve an application, Planning Commission must find that:

- The application area has an identifiable lot-size character;
- The identifiable lot-size character of the application area will be preserved;
- There is sufficient support by the property owners;
- The application meets all submittal requirements as defined by city ordinance;

#### **What happens after City Council?**

If City Council approves the application, the Special Minimum Building Line Block designation will apply immediately. The ordinance shall be effective for up to 40 years.

#### **How is the Special Minimum Building Line calculated?**

The City calculates the Special Minimum Building Line by using the following steps:

- 1) Listing the building lines in order of largest to smallest;
- 2) Express each lot's building line as a percentage of the total sum of the building lines within the proposed special minimum building line block by dividing the building line of each lot by the sum of the combined building lines of all lots within the entire special minimum building line block.
- 3) Add the areas expressed as a percentage in the order of the list until the cumulative sum of the percentages reaches 70 percent or greater, or in the case of a special minimum building line block within a historic district designated by city council, 60 percent or greater.
- 4) The building line of the lot at which the cumulative sum reaches the percentage required by item (3) of this section is the special minimum building line requirement; and
- 5) This building line is the special minimum building line.

Building Line Rank	Address	Building Line in feet	% of all B.L.'s	Cumulative %
1	1611 Dachshund	23	14.3%	14.3%
2	1603 Dachshund	20	14.3%	28.6%
3	1613 Dachshund	18	14.3%	42.9%
4	1607 Dachshund	18	14.3%	57.1%
<b>5</b>	<b>1609 Dachshund</b>	<b>18</b>	<b>14.3%</b>	<b>71.4%</b>
6	1601 Dachshund	15	14.3%	85.7%
7	1605 Dachshund	13	14.3%	100.0%
<b>The fifth largest building line in this example is 18 feet. This would be the new Special Building Line for this street.</b>				

If at any time you have questions or need assistance, please call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659.



## *Special Minimum Building Line Block (SMBLB) Application: SMBLB Steps*

### **Special Minimum Building Line Block (SMBLB) Steps**

- **Step 1: Meet with Staff of the Planning and Development Department (Optional)**  
Applicants may choose to meet with Planning and Development staff before submitting an application. At the meeting the applicant should bring a map with the proposed boundary and a copy of any existing deed restrictions. To schedule a pre-submittal meeting, contact Community Sustainability at (832) 393-6600.
- **Step 2: Submit a Complete Application**  
A complete application package must be mailed or hand-delivered during standard business hours to the Planning and Development Department. If the application is determined to be incomplete, it will be returned with an explanation of what is needed to make it complete. The application package can be mailed through US Postal Service or hand delivered to the Planning and Development Department. Within two (2) business days, Planning and Development staff will contact the applicant(s) regarding whether their application is accepted or rejected. If the application is rejected, staff will provide an explanation of any necessary revisions. It is important to note that any subdivision or development plats submitted within seven (7) days after a Special Minimum Building Line Area application is accepted will **NOT** be subject to the lot size requirement.
- **Step 3: Application Review and Notification Signs**  
An accepted application will be posted on the Planning and Development Department's website within two (2) business days. Planning and Development staff will review the application, and within 30 business days, determine if the application meets eligibility requirements. After it has been determined that the application meets eligibility requirements staff will notify the applicant(s) and send an instruction letter for the posting of notification signs within the application boundary area. The applicant will have 10 days from when they receive the instruction letter to post the signs.
- **Step 4: 30-Day Protest Period**  
Within 15 days of receiving a complete application, the Planning and Development Department will send notification to property owners within the proposed boundaries, as well as the District Council Member. The notifications will include instructions on how property owners may object to this designation. Any objections must be made in writing within 30 days of the date of the notice.
- **Step 5: Department Review of Protest Responses**  
At the end of the thirty days, one of the following actions will occur:
  - the application will be sent to the City Council if it has at least 51% support with no protests; or
  - the application will be sent to the Planning Commission for a public hearing if:
    - a) it has at least 51% support and has received protests, or
    - b) it has less than 51% support but has received no protests

A notification letter will be sent to property owners no less than 15 days before the Planning Commission hearing date. Applications recommended for approval by the Commission will be forwarded on to City Council. Applications denied by the Commission will not be forwarded to City Council.
- **Step 6: Attend the Planning Commission Public Hearing**  
A letter indicating the time, date and place of the Planning Commission meeting will be sent to all property owners within the proposed SMBLB. Members of the public may present comments about the SMBLB at the public hearing. After the public hearing, the Commission will consider whether or not to recommend that City Council establish the SMBLB. If the Commission recommends that City Council establish the SMBLB, the Planning and Development Director will refer the application to City Council. If the application is denied, the decision of the Commission will be final.
- **Step 7: City Council Action**  
City Council will consider all Special Minimum Building Line Block applications that are approved by the Planning Commission. City Council action to approve or deny the designation is final. Persons wanting to address City Council during the public comment session of the meeting should contact the City Secretary at (832) 393-1100 or [citysecretary@houstontx.gov](mailto:citysecretary@houstontx.gov).

**IMPORTANT NOTICE: WE WILL NOT ACCEPT APPLICATIONS THAT ARE SENT THROUGH EMAIL OR FAX**





**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

*Special Minimum Building Line Block  
(SMBLB) Application*

**Main Applicant Information (required)**

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

*Street Address*

*Apartment/Unit #*

*City*

*State*

*ZIP Code*

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Are you a property owner within the  
application boundary?

YES  
☐

NO  
☐

If no, what is your relation to  
the application boundary? \_\_\_\_\_

Did you have a preliminary meeting with the  
Planning and Development Department?

YES  
☐

NO  
☐

If yes, what was the date  
of the meeting? \_\_\_\_\_

Does the application boundary have deed  
restrictions?

YES  
☐

NO  
☐

If yes, do they address  
a Minimum Lot Size? \_\_\_\_\_

Describe the location of the application boundary. (Example: "North side of Golden Retriever Drive between Boxer and Schnauzer Streets" or "Block 15, Lots 1-5, in Cocker Spaniel Subdivision")

Signature of  
applicant: \_\_\_\_\_

**Alternate Applicant Information (optional)**

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

*Street Address*

*Apartment/Unit #*

*City*

*State*

*ZIP Code*

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of  
alternate applicant: \_\_\_\_\_

**Application Information (STAFF USE ONLY)**

File Number: \_\_\_\_\_  
City Council District: \_\_\_\_\_

Super Neighborhood: \_\_\_\_\_  
Planner Assigned: \_\_\_\_\_



**PLANNING &  
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DEPARTMENT**

## *Special Minimum Building Line Block (SMBLB) Application: Submittal Requirements & Signs*

<b>Submittal Requirements (Please check and complete)</b>	
Completed application form (page 5)	<input type="checkbox"/>
Evidence of support signed by lot owners within the boundary area (page 7)	<input type="checkbox"/>
Copy of deed restrictions, if applicable***	<input type="checkbox"/>
Sample of Notification Sign (page 6)	<input type="checkbox"/>
Map or sketch showing the address, land use and size of all lots within boundary area	<input type="checkbox"/>
A survey of at least one lot on each blockface that includes the location and dimensions of all buildings on the lot	<input type="checkbox"/>

**\*\*\*DISCLAIMER:** The Planning Department reviewed the deed restrictions you submitted for your subdivision and noted no language addressing a minimum lot size or minimum lot line requirement. As such, revisions to Chapter 42 of the City of Houston Code of Ordinances extending the minimum lot size and minimum building line requirements to neighborhoods within the corporate boundaries of the City of Houston that do not have a minimum lot size or minimum building line established in their deed restrictions are applicable to your subdivision. It's important to understand, however, Planning's review and decision regarding the eligibility of your subdivision to avail itself of the protections set forth in Chapter 42 of the City of Houston Code of Ordinances is based solely on the instruments you have provided and which purport to be the most recent, valid version of your subdivision's deed restrictions. The City of Houston is making no assurances or representations regarding the actual validity of your deed restrictions. You should consult with a private attorney if you have any questions or concerns about your deed restrictions.

### **Sample Notification Sign (Fill in the blank)**

The applicant is responsible for obtaining and posting a minimum of two (2) signs per blockface within the boundary of the proposed Special Minimum Building Line Block within ten (10) days of written notice from the Planning and Development Department. Planning and Development staff may approve an alternative number of signs for the application of a Special Minimum Building Line Block upon determining that the signs will provide sufficient notice within the application area. Each sign shall be at least two feet by three feet (2' x 3'), face the street, and be legible from the street. Applicants are responsible for contacting Planning and Development Staff once the signs are posted. The applicant shall use reasonable efforts to maintain the signs until the Planning and Development Director or the Houston Planning Commission has approved an application. Applicants shall include the name of each subdivision in the application on the notification sign.

3'- 0" min.	
<b>NOTICE OF SPECIAL MINIMUM BUILDING LINE BLOCK APPLICATION:</b>	
The Planning and Development Department has received an application for the establishment of a Special Minimum Building Line Block (Section 42-170 of the Code of Ordinances) for	
_____ (description of block and subdivision(s) within the application boundary)	
For information, contact the City of Houston Planning and Development Department at (832) 393-6600.	
	2'- 0" min.



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## *Special Minimum Building Line Block (SMBLB) Application: Evidence of Support*

### **Evidence of Support for a Special Minimum Building Line Block**

*Below are signatures of property owners within the proposed Special Minimum Building Line Block boundary who support the request to preserve the character of the existing lot sizes and the creation of a Special Minimum Building Line Block for the following area: (Example: "North and south side of Winter Lane between Spring Avenue and Summer Avenue" or "Block 15, Lots 1-5, in Four Seasons Subdivision")*

By signing this evidence of support, I hereby represent:

- (1) That I am the lot owner or representative of the property listed with my signature, and
- (2) I support the petition to create a Special Minimum Building Line Block.

<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>
<b>Property Owner (Please Print Name):</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

For any questions on Special Minimum Building Line Block, call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659

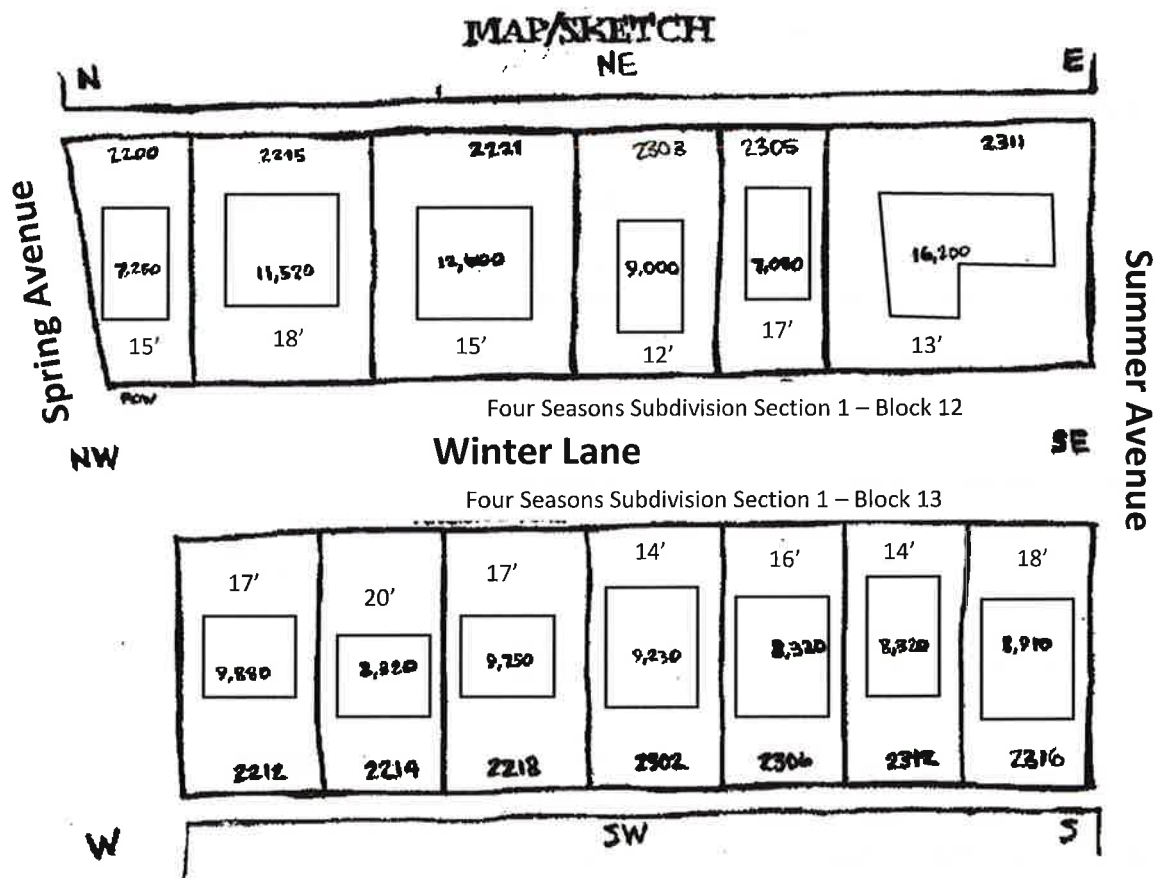


## Special Minimum Building Line Block (SMBLB) Application: Sample Map Sketch

### Sample Map Sketch (Include Map Sketch in Application)

As part of the Special Minimum Building Line Block application, applicants must provide a map sketch of the proposed application area. It should look similar to the drawing below. Information for each lot within the proposed Special Minimum Building Line Block shall be shown on the drawing that includes the following:

- The land use of any lot that is **NOT** single family residential. *Example: multifamily, commercial, a park, or vacant land*
- The building line measurement of each structure on each lot that is nearest the front property line
- Any lots that may have a minimum building line previously established by deed restrictions



If at any time you need assistance, please call the Planning and Development Department at (832) 393-6600, or visit the department's website at [www.houstonplanning.com](http://www.houstonplanning.com).

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## Public Information Request Form

### Special Minimum Building Line Block: Public Information Request Form

**How can applicants or property owners stay updated as to the status of an application?**

Applicants or property owners within a Special Minimum Building Line Block can receive information about an application, including who is applying for the designation, as well as details related to the support of the application. Please see the page below to request this information from our department's Public Information Office. You can also find this form at [www.houstonplanning.com/Forms/](http://www.houstonplanning.com/Forms/).



### Planning & Development Department

Public Information Office

611 Walker Street / 6th Floor Houston, TX 77002

**FAX (832) 393-6661**

Email [Patricia.Benavides-Foley@houston.tx.gov](mailto:Patricia.Benavides-Foley@houston.tx.gov)

### Public Information Request Form

Date: \_\_\_\_\_

I \_\_\_\_\_, under the Public Information Act request  
(Please Print Name Clearly)  
the following documents:

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**NOTE: The Planning and Development Department does not have records relating to building permits, code violations, flooding, property inspections or certificates of occupancy. Please direct those requests to the Public Works and Engineering Department.**

### REQUESTOR INFORMATION

*Must be filled out completely*

**PLEASE PRINT**

Customer/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ St. \_\_\_\_\_ Zip \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Email Address (optional): \_\_\_\_\_

Signature of Requestor: \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: The Planning Department has 10 working days to respond to your request and will notify you in writing of the reasonable date and time when records will be available along with the estimated cost.**





# Residential Permit Parking Program

Maria Irshad, CAPP, MPA  
Assistant Director  
Administration and Regulatory Affairs

# What is the RPP?

- Limits on-street parking to residents and visitors with valid permits during the designated hours
- Addresses chronic, long-term commuter parking problems
- Enhances the quality of life
- Limits public nuisances



# RPP Limits

- Temporary commuter parking problems
- Special Events
- Commercial properties
- Vacant Lots
- Multi-family properties with more than 8 units



## Residential Area

75% of the length of the curb adjacent to  
single-family residential properties

- HCAD designation
- 8 units or less





100 feet



75 feet

25 feet

## Residential Area

75% or more of the length of the curb



**50 feet**

**50 feet**

## Non-Residential Area

Less than 75% of the length of the curb

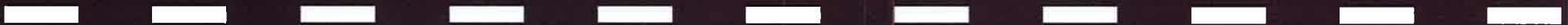


# Parking Survey



60% or more parking spaces occupied  
25% of cars are commuter vehicles

10 parking spaces  
6 commuter vehicles  
60% Occupancy



# Traffic Survey



Measure street width

Review mobility

26 feet or greater  
parking on both sides



20 - 25 feet  
parking on one side only



Less than 20 feet  
no parking zone



# RPP Permits

Renew annually



## Vehicle Decal

Issued to vehicles registered to the RPP area



## Visitor and Service Provider Hangtags

Visitors - 4 per year  
Service Provider - 2 per year



## One-Day Hangtags

Scratch off date  
One-time use  
Limit 100 per year



# Timeline

4-6 Months

## Application

ParkHouston reviews area to ensure meets requirements for a RPP area

## Petition

One resident designated as applicant

Must contact all occupants

Note vacant properties

Application Fee

## Surveys

Parking Survey

Traffic Survey

## Public Hearing

Public notice mailed 14 days before hearing

Virtual hearing

Submit written comments

Register to speak during the hearing

## City Council Approval

City Council votes to approve

Regulations effective in 60 days

Signs installed

Residents purchase permits



Let Connect

[www.Houstontx.gov/parking](http://www.Houstontx.gov/parking)







Designed for mixed-developments, the Community Parking Program is uses the most effective tools for managing the curbside through collaboration with stakeholders.



[www.Houstontx.gov/parking](http://www.Houstontx.gov/parking)

### **Parking Problem**

Must impact the availability of on-street parking and quality of life.

Parking occupancy studies must document a long-term parking problem caused by commuters. Commuters could include students, employees or bar and restaurant patrons.

### **Curbside Management Tools**

- Permits
- Time-limited Parking
- Parking Regulations
- Metered Parking
- Employee Parking Areas

### **Approval Process**

- ✓ Civic engagement and program development
- ✓ Community Parking Program Proposal
- ✓ Public Comment Period
- ✓ Adjustments to proposal based on public comments
- ✓ Request City Council Approval



# **HARRIS COUNTY CLERK**

## **Teneshia Hudspeth**

**Deed Restrictions and Your Community**  
**COH District D Town Hall**  
**Saturday, February 12, 2022**

Office of Teneshia Hudspeth, Harris County Clerk

**“The County Clerk’s Office has the role of recording all the major events of your life.”**

The County Clerk’s Office is responsible for recording and maintaining the following records:

- Real Property Records
- Marriage Licenses
- Assumed Name Certificates (DBAs)
- Vital Statistics (Birth and Death Records)
- Liquor Licenses
- Notices of Government Meetings
- Animal Brands
- Commissioners Court Records
- Probate Courts 1-4
- County Civil Courts at Law 1-4

The office plays a vital role in the public’s life, and I will ensure that they receive world-class service while seeking our office’s services.

**Office of Teneshia Hudspeth, Harris County Clerk**





# How To File Real Property Records

## Mail

If filing by U.S. Postal mail, submit your original document and payment to: Teneshia Hudspeth, Harris County Clerk, Attention: Real Property, P.O. Box 1525, Houston, TX 77251-1525.

If filing by mail with a tracking number (FedEx, UPS, etc.), submit your original document and payment to: Teneshia Hudspeth, Harris County Clerk, Attention: Real Property, 201 Caroline, 4th Floor, Suite 460, Houston, TX 77002. **THIS TYPE OF DELIVERY WILL ONLY BE ACCEPTED MONDAY THROUGH FRIDAY.**

## Mail Payment Options

We will **not** accept temporary checks, estate checks, trust checks, association checks, or checks with mark outs or alterations. Checks must be drawn from a US bank and be made payable to Teneshia Hudspeth, County Clerk. Firm checks and business checks must include preprinted name and address.

We accept the following payment:

- Money orders (must be submitted in completed form)
- Firm checks
- Cashier's checks
- Company checks
- Major credit cards (with valid government issued ID which matches the name of the cardholder who must be present or complete the **not in person credit card form** which can be found at our website)

Office of Teneshia Hudspeth, Harris County Clerk



# How To File Real Property Records cont..

## E-recording

Texas Local Government Code 195.003 indicates persons who are authorized to e-record. Sec. 195.003. PERSONS AUTHORIZED TO FILE ELECTRONICALLY. (a) The following persons may file electronic documents or other documents electronically for recording with a county clerk that accepts electronic filing and recording under this chapter:

- (1) an attorney licensed in this state;
- (2) a bank, savings and loan association, savings bank, or credit union doing business under laws of the United States or this state;
- (3) a federally chartered lending institution, a federal government-sponsored entity, an instrumentality of the federal government, or a person approved as a mortgagee by the United States to make federally insured loans;
- (4) a person licensed to make regulated loans in this state;
- (5) a title insurance company or title insurance agent licensed to do business in this state;
- (6) an agency of this state; or
- (7) a municipal clerk.

\*\*\*\* (a-1) In addition to persons listed under Subsection (a), a county may authorize a person to file electronic documents or other documents electronically for recording with a county clerk if the county enters into a memorandum of understanding with the person for that purpose. This subsection applies only to a county with a population of 500,000 or more. - WE ONLY SIGN MOUs WITH VENDORS Visit our website for a list of vendors to set up an E-recording account.



Office of Teneshia Hudspeth, Harris County Clerk



# How To File Real Property Records



## In Person

If a document is submitted and does not meet statutory recording requirements and/or is not accompanied by the correct fee, it will not be accepted for recording. Everyone must present a valid government issued identification when submitting a document for recording in person.

## In Person Payment Options

We will not accept temporary checks, estate checks, trust checks, association checks, or checks with mark outs or alterations. Checks must be drawn from a US bank and be made payable to Teneshia Hudspeth, County Clerk. Firm checks and business checks must include preprinted name and address.

We accept the following in-person payment:

- Cash
- Money orders (must be submitted in completed form)
- Firm checks
- Cashier's checks
- Company checks
- Personal checks (local only with valid and current Texas ID)
- Major credit cards (with valid government issued ID which matches the name of the cardholder who must be present or complete the not in person credit card form which can be found at our website)



Office of Teneshia Hudspeth, Harris County Clerk

## Issues to Be Aware of When Recording

- The document must be an original document. Documents executed electronically and submitted for recording in paper form must comply with Texas Property Code 12.0013 “Declaration of Authenticity” Live Ink Signatures.
- Signed by the appropriate person and that person’s signature must be notarized (i.e., Release, Deed of Trust, Deed, etc.). A Release issued by the Internal Revenue or the State of Texas is not required to be notarized. Notaries must comply with the Civil Practice and Remedies Code 121
- Include legal descriptions when applicable.
- Documents of conveyance must indicate the grantee’s address. (Texas Property Code 11.003)
- All names should be printed under all signatures and a return address should be printed on the document.
- Lien Affidavits contents are listed in Texas Property Code 53.054.
- There should be a 1-2 inch margin across the top and left margin of the document for our recording information.
- If the document you are filing is from a Texas court, then it must be a complete original court issued certified copy. Please call the office for instructions on out of State court documents.
- A certified copy cannot be altered.
  - Court document - You must contact the court to request a court certified copy to be re-issued with the necessary information.
  - County Recorder - You may attach a page to the back of the clerk issued certified copy. Do not alter the pages of the certified copy.
- Abstracts of Judgment are required to contain a Plaintiff’s mailing address. (Texas Property Code 52.0041)

## Reasons Filings are Rejected

- Personal Checks through the mail.
- Parties must sign and be notarized. If signing on behalf of another individual or entity, the capacity and entity for which the signer has executed the document, must be indicated. Civil Practice and Remedies Code 121.
- Notary acknowledgment must be complete. (Civil Practice remedies code 121 Chapter)
- Incorrect fees.
- Document is not original. Documents executed electronically and submitted for recording in paper form must comply with Texas Property Code 12.0013 “Declaration of Authenticity”

### Important Information

The Harris County Clerk's Office public facing services is open Monday through Friday by appointment or walk in. Visit our website [cclerk.hctx.net](http://cclerk.hctx.net) for the department you need to visit or call 713-274-8600. Be sure to prepare with proper identification when submitting documents for recording in person.

\*There is legal penalties for recording fraudulent documents.

Office of Teneshia Hudspeth, Harris County Clerk



Follow us @HarrisCoTXClerk



Contact Us:

**CountyClerk@cco.hctx.net**

**Teneshia Hudspeth  
Harris County Clerk**

**Teneshia.Hudspeth@cco.hctx.net  
713-274-8600**



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