
Sidewalk Requirements



**PLANNING &
DEVELOPMENT
DEPARTMENT**

Web/Newsletter/Postcard/Eblast

Planning & Development Department Modifies Sidewalk Regulations for Greater Safety, Accessibility

Following City Council approval of the Walkable Places Transit-Oriented Development initiative in August, the City has modified sidewalk standards to enhance walkability of our city and improve safety and accessibility in the pedestrian environment. As of Oct. 1, 2020, the Planning and Development Department began regulating sidewalk widths and reviewing applications for sidewalk modifications within the city limits of Houston.



With safety and accessibility as guiding principles, the new sidewalk widths allow more room for two people to walk side-by-side and provide greater access for those who use mobility aids such as wheelchairs, walkers and strollers. These new safety requirements work in conjunction and support the goals of the City's Vision Zero plan of ending roadway deaths and serious injuries in Houston by 2030.

Previously under the direction of the Office of the City Engineer, this new process will allow the Planning and Development Department (PD) to review all applications for new sidewalks and parking lots as well as certain sidewalk and parking repairs or expansions. The new process includes a framework of exceptions and gives applicants the flexibility to file an application to modify sidewalks or safety buffer standards. PD reviews applications in collaboration with the Office of City Engineers (OCE) and the Mayor's Office of Disabilities.

Learn more about eligibility, exceptions, fees, Frequently Asked Questions and the application at www.houstonplanning.com/sidewalk-regulations (this does not exist yet).

For more information, contact PD.sidewalkandrealm@houstontx.gov

Sidewalk Requirements: Chapter 40 Code of Ordinances Frequently Asked Questions



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Which City of Houston department reviews sidewalks throughout the City of Houston? As of Oct. 1, 2020, the Planning and Development Department reviews all sidewalk widths within the city limits of Houston.

How is the process different prior to Oct. 1, 2020? The Office of the City Engineer previously regulated the width of all sidewalks. This new process will allow the Planning and Development Department (PD) to review all sidewalk applications and give applicants the flexibility to file an application for the modification of sidewalks or safety buffer standards. PD will review all sidewalk applications in collaboration with the Office of City Engineers (OCE) and the Mayor's Office of Disabilities (MOD).

Why did the city make these changes? Following City Council approval of the Walkable Places Transit-Oriented Development initiative, the city is modifying sidewalk standards to enhance walkability of our city and improve safety and accessibility in the pedestrian environment. The new sidewalk widths allow room for two people to walk side-by-side and provide greater accessibility for those who use mobility aids such as wheelchairs, walkers and strollers. These new safety requirements will also support the goals of the City's Vision Zero plan of ending roadway deaths and serious injuries in Houston by 2030.

How do I know if these regulations apply to my project? What type of permit triggers a sidewalk review?
(Sect. 40-552)

- A building permit for a new sidewalk;
- A permit to repair or replace more than 20 feet;
- New Single-Family Residence or secondary dwelling unit over 900 square feet;
- A permit for a Development Plat (new non-single-family construction or addition over 100 square feet)
- New parking lot;
- A parking lot addition of 10 spaces;
- Reconstruction of parking lots of 10 spaces or 25%;
- Any off-site parking paths (with an off-site parking lease agreement);
- Alterations of non-single-family residential development, of 250 square feet or 25%, within 15 feet of pedestrian realm along a Transit-Oriented Development (TOD) or a Walkable Places Plan (WPP).

What are the exceptions to the sidewalk requirements? (Sec. 40-554)

1. The development site has existing sidewalk(s) that meets standards.
2. The sidewalk is within a planned community with alternative paths or trails in lieu of sidewalks.
3. The proposed sidewalk meets the standards.
4. The street is a grade-separated freeway without frontage road.
5. The street is a grade-separated freeway with frontage road where the PD, Office of City Engineers (OCE), and Mayor's Office of Disabilities (MOD) determines unfeasible or unsafe to construct a sidewalk.
6. The roadway adjacent to the property is not constructed and there are no plans to construct the road.
7. The cost for the sidewalk is more than 50% of proposed project (except 1, 2, 8, CBD, WPP or TOD).

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8. The property is located along Fourth Ward streets. Call 832-393-6600 to speak with a staff member for confirmation of requirements.
 9. The applicant has received an approval for the modification of sidewalk standards.
 10. Certain repair and rehabilitation work performed by government entities.

What is a Walkable Place Plan (WPP)? A WPP is an area designated by Houston City Council to promote more walkable streets by providing a safe pedestrian environment. Three areas in Houston have been designated as Walkable Places: Midtown, Hogan-Lorraine Street, and the Emancipation Avenue corridor within the Third Ward area.

What is the sidewalk width requirement for streets within a WPP? A sidewalk width can vary from 6, 8 or 10 feet for all street classifications.

What is a Transit-Oriented Development (TOD) street? A TOD street is a public street designated as a primary TOD street or secondary TOD street on the Transit-Oriented Development Plan adopted by the Planning Commission.

What is the sidewalk width requirement for streets within a TOD street?

Primary TOD streets require 8-foot wide sidewalks. Secondary TOD streets require 6-foot wide sidewalks.

What is the sidewalk width requirement for a major thoroughfare outside a TOD or WPP street? 6 feet.

What is the sidewalk width requirement for a local street outside a TOD or WPP street? 5 feet.

What is the sidewalk width requirement for developments within the Central Business District (CBD)? 8 feet.

What are my options if I do not want to construct a sidewalk with my project? The applicant can request a modification of sidewalk standards through the Planning and Development Department.

How do I get started? Read the short Reference Guide for the Modification of Sidewalks and Safety Buffer. Applicants can request a pre-submittal meeting with staff to review submittal requirements for a modification of sidewalk standards.

Where can I get an application for the modification of sidewalk standards? The application for the modification of sidewalk standards is in our website.

What is the application fee for the modification of sidewalk standards review? \$1,144

How long will the review process take? The Planning Department will notify the applicant with a decision within 15 working days.

Q: Do I have to submit a modification of sidewalk standards application if it is not feasible to construct a sidewalk?

1. All sidewalk modifications require an application, even if it is not feasible to construct a sidewalk.
2. In certain cases, the application fees will be waived based on existing obstructions, which must be confirmed by the review committee.
3. The application process will be considered within 10 working days.

Reference Guide:

Modification of Sidewalks and Safety Buffer

October 1, 2020



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To file an application for the modification of sidewalks or safety buffer standards, download the application form at the Planning and Development Department Website <http://www.houstontx.gov/planning/Forms/>

STEP 1: Submit Package

- 1) Submit the completed application
- 2) Include supporting documents (pictures, site plans, and other supporting documents)
- 3) A complete site plan showing the location and width of proposed sidewalk and safety buffer
- 4) HCAD records for all properties that include off-site parking lease agreements
- 5) The non-refundable \$1,144 process fee. This application fee will be processed through ILMS

The package can be delivered to Planning and Development Department staff at :

1002 Washington Ave, 3rd Floor
Houston, TX 77002
or email to PD.sidewalkandrealm@houstontx.gov

STEP 2: Review the Application

The modification of sidewalk standards or safety buffer application will be reviewed by the Planning and Development Department with the collaboration of the Office of City Engineers (OCE) and the Mayor's Office of Disabilities (MOD). The Planning Department will notify the applicant with a decision within 15 working days.

STEP 3: Project Dox review

The approval letter and site plan will be submitted with the building permit plan set through the Project Dox System.

Application for Modification of Sidewalks Standards

Section 40-556 of Chapter 40 of the Code of Ordinances



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The Planning official, in collaboration with the Office of City Engineers (OCE) and the Mayor's Office of Disabilities (MOD), may approve a modification to the standards of section 40-555 of the Code of Ordinances in accordance with 40-556. Granting a modification under 40-556 does not set a precedent, and each case shall be reviewed on its own merits.

1. Project Information:

Date: _____ Project Number: _____

Site Address: _____

Key Map # _____ Lambert Map # _____ Council District: _____

Street Type: (Check One): Walkable Places Streets Transit Oriented Development Streets Other Streets

2. Contacts:

Applicant's Name: _____

Phone Number: _____

Email address: _____

3. Proposed Standard Modification:

Sidewalk

Street(s) where modification is located: _____

Required sidewalk width: _____ Proposed sidewalk width: _____

Safety Buffer

Street(s) where the subject safety buffer is located: _____

Required safety buffer width: _____ Proposed safety buffer width: _____

To qualify for an approval under this section, the applicant must meet criteria below:

Statement of Facts:

(1) The proposed standard modification meets one or more of the following:

- a. Pedestrian pathways or sidewalks exist within the immediate vicinity of the public street that provide reasonably sufficient access and connectivity for public pedestrian use; OR

b. *The characteristics of existing lawfully permitted development, land uses, or other physical conditions within the immediate vicinity of the public street create unsafe conditions related to the practical use of the sidewalk that is otherwise contrary to sound public policy; OR*

c. *The cost of the standard sidewalk requirement is disproportionate to the total cost of the action prompting the applicability of this article under section 40-522 of this Code and the development will not contribute to an increase in pedestrian traffic or otherwise create an adverse impact to existing pedestrian accessibility within the immediate vicinity;*

(2) *The circumstances supporting the approval are not the result of hardship created or imposed by the applicant;*

(3) *The granting of the approval would create an alternative that furthers the intent and purposes of this article.*

4. Submittal Requirements:

- Completed application form.
- Harris County Appraisal District (HCAD) record for all properties with developments that includes lease agreements for off-site parking.
- A complete site plan showing the location and width of the proposed sidewalk
- Pay the Non-Refundable Fee of \$1144 per Statute: 40-556(c)

Submit completed applications to:

Planning and Development Department
1002 Washington Avenue, 3rd Floor
Houston, TX 77002

Via email: PD.sidewalkandrealm@houstontx.gov

Contact the Planning and Development Department at (832) 394-8849 with any questions or to schedule a meeting prior to submitting an application. More information can be found on <https://www.houstontx.gov/planning/index.html>