

Application for Special Minimum Lot Size Block to Rescind

Section 42-207 of Chapter 42 of the Code of Ordinances



PLANNING &
DEVELOPMENT
DEPARTMENT

This application is used to rescind an established Special Minimum Lot Size Block designation.

Planning and Development Department staff can help determine whether your neighborhood qualifies and assists you with the application process. An application to rescind a Special Minimum Lot Size Block may be submitted no earlier than five years after the effective date of the ordinance that established the special minimum lot size requirement.

If approved, a new ordinance will be created to rescind the special minimum lot size requirement for the block.

This packet includes:

- An Application to Rescind a Special Minimum Lot Size Block (SMLSB)
- A Step-By-Step Guide for Applicants
- Example of a Boundary Map and Notification Sign
- Frequently asked Questions and helpful tips
- A blank "Evidence of Support" page for other property owners to sign

Before you submit the application, you must meet with a staff member for a preliminary submittal review. This meeting helps confirm whether your application meets the eligibility requirements which are:

1. Contains at least one blockface, but not more than two opposing blockfaces;
2. Contain all lots on each blockface; and
3. The petition must be signed by at least 67% of the property owners within the boundary area

A completed application package, after you have had a successful preliminary submittal meeting, may be mailed or delivered in person during regular business hours to:

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

If you have questions or would like to schedule your required preliminary submittal meeting, please contact the Community and Regional Planning Division at (832) 393-6637. More information is also available at www.houstonplanning.com.

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

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PLEASE PRINT LEGIBLY

Application Information (Required)

Describe the location of the application area.

Example: 1600-1700 block of Planning St, north and south sides, between Renew St and Welcome Ave.

Date and name of Planner at your Preliminary Meeting: _____

Does the boundary have active deed restrictions that establish a lot size? ☐ Yes ☐ No ☐ Unknown

If yes, are your deed restrictions attached to this application ☐

If not, how do you know that you don't have deed restrictions

Main Applicant (Required)

Applicant's Name: _____

If not a property owner within the boundary, what is your role? _____

Phone Number: _____ E-mail address: _____

Address: _____

Signature: _____ Date _____

****By signing this application, I certify that the information provided is true and correct.****

Co - Applicant (Optional)

Applicant's Name: _____

If not a property owner within the boundary, what is your role? _____

Phone Number: _____ E-mail address: _____

Address: _____

Signature: _____ Date _____

****By signing this application, I certify that the information provided is true and correct.****

STAFF USE ONLY

File Number: _____

Super Neighborhood: _____

Council District: _____

Planner Assigned: _____

Historic District: _____

Restricted ☐

Planner Notes:

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Step-By-Step Guide For Applicants



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STEP BY STEP GUIDE FOR APPLICANTS

☐ **Step 1: Preliminary Meeting with the Planning Department**

To schedule, call Community and Regional Planning at (832) 393-6637.

☐ **Step 2: Submit a Complete Application to Rescind a Special Minimum Lot Size Block**

Mail or hand-deliver the full application to the Planning and Development Department. If anything is missing, the application will be returned with instructions. Within two (2) business days, staff will contact the applicant(s) regarding whether their application is accepted or rejected. If the application is rejected, staff will explain any necessary revisions. If it is accepted it will be added to the City's website and will notify the District Council Member.

☐ **Step 3: Planning Application Review**

Staff will begin to review the application and determine eligibility within 30 business days. If your application is ineligible, you will be contacted by staff.

☐ **Step 4: Posting of Signs and 30-Day Protest Period**

If your application is eligible, staff will deem your application complete and will send you instructions for posting notification signs. Signs must be posted within 10 days of the date of the letter. Simultaneously, staff will send notifications to property owners within the proposed boundaries. The notifications will include instructions on how property owners may support or protest the application. Any protest must be made in writing within 30 days of the date of the letter.

☐ **Step 5: After 30-Day Protest Period**

After the 30-day period If the application has at least 67% support and no protest is received, it will be forwarded to City Council. If the application has at least 67% support and a protest is received, it will be scheduled for a Planning Commission public hearing.

- Approval by the Commission will be forwarded to the City Council.
- Denial by the Commission will not be forwarded to the City Council.

☐ **Step 6: Planning Commission - Public Hearing (if applicable)**

All property owners will receive a letter with the hearing date, time, and location. The public may provide comments. After the hearing, the Commission will decide whether to recommend application to City Council. If the Commission denies the request, the decision is final.

☐ **Step 7: City Council Action**

City Council will consider the recommendation by the Planning Commission, if applicable. City Council's decision to approve or deny the application is final. To speak during the public comment session, contact the City Secretary at (832) 393-1100 or citysecretary@houstontx.gov. Speaking and/or attending is not mandatory.

☐ **Step 8: Recordation**

After City Council approval, the Planning Department will file the ordinance with Harris County Property Records for recordation.

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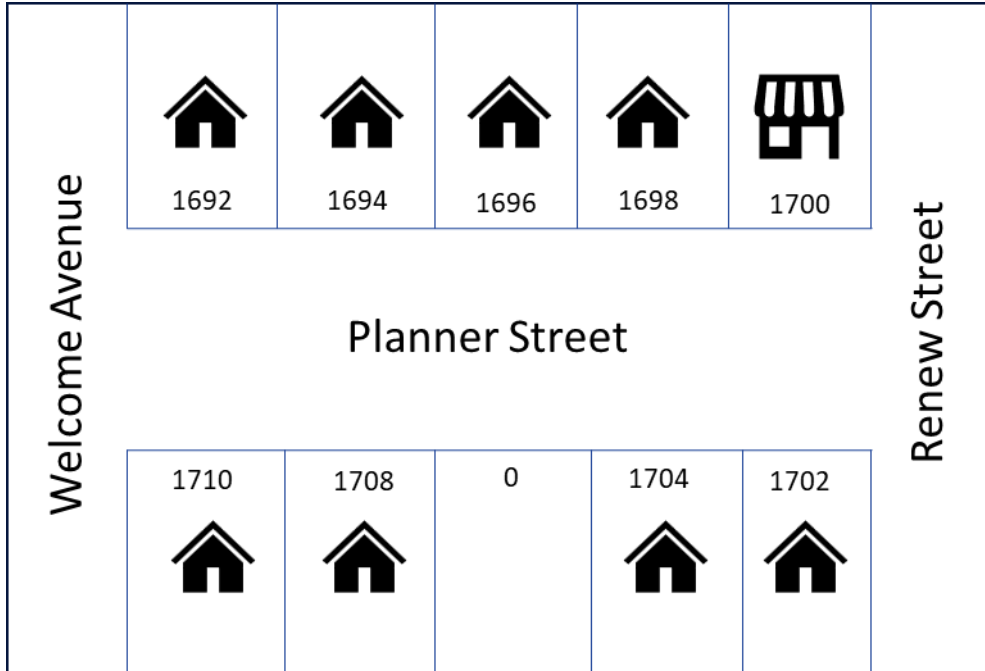
Example of Boundary Description and Notification Signs



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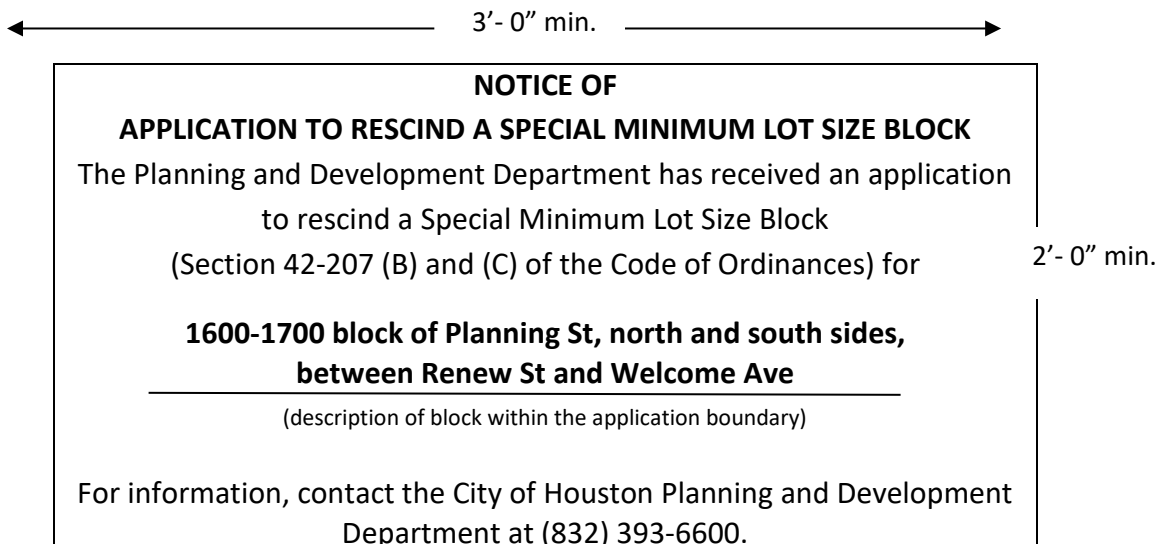
EXAMPLE OF A BOUNDARY MAP

1600 - 1700 block of Planning St, north and south sides, between Renew St and Welcome Ave



EXAMPLE OF A NOTIFCATION SIGN

The applicant must post at least two signs per blockface within the SMLSB boundary within 10 days of receiving written notice. Staff may approve a different number of signs if appropriate. Signs must be at least 2' x 3', face the street, and be easy to read. After posting, the applicant must notify Planning staff and keep the signs in place until the application is approved.





Frequently Asked Questions

What is an SMLSB application and what does it mean to rescind one?

A Special Minimum Lot Size Block, or SMLSB, preserves existing lot sizes on one or two opposing blockfaces by requiring new lots to meet the established minimum lot size. A rescind application removes that requirement from the block if approved by City Council.

What will happen to my lot if the Special Minimum Lot Size Block is rescinded?

If the Special Minimum Lot Size Block is rescinded, the lot size protections will no longer apply, and future subdivisions will not be required to meet the previously established minimum lot size.

What will happen to my commercial or multifamily lot if the Special Minimum Lot Size Block remains in place?

Existing commercial or multifamily lots may remain as they are. However, if converted to single-family residential use, they cannot later return to commercial or multifamily use under the Special Minimum Lot Size rules. Any newly subdivided lots must meet the established minimum lot size.

What happens during the rescind application process?

An applicant must submit a completed application packet to rescind the Special Minimum Lot Size Block. Property owners who support the request may sign the Evidence of Support page before the application is submitted.

Planning and Development Department staff will review the application and notify property owners within the application area once a complete application has been submitted.

What if I support or disagree with the application?

The notice sent to property owners will include information about the 30-day protest period. During this time, property owners may submit a written protest to the Planning and Development Department.

If the application has at least 67% support and no protest is received, it will be forwarded to City Council. If the application has at least 67% support and a protest is received, it will be scheduled for a Planning Commission public hearing.

Applications recommended for approval by the Planning Commission will be forwarded to City Council.

Applications denied by the Planning Commission will not be forwarded to City Council.



Frequently Asked Questions (Continued)

a protest from a property owner within the block, the application will be referred to the Houston Planning Commission. If an application to rescind an SMLSB receives less than 67% support when it is submitted to the Planning and Development Department, the application fails, and no further action shall be taken.

What happens at Planning Commission?

If a protest is received, interested parties will be given an opportunity to speak at the Planning Commission. The Planning Commission will recommend approval of, or deny, the application to rescind the Special Minimum Lot Size Block. If recommended for approval, the application will be forwarded to City Council. If the application is denied by the Planning Commission or City Council, the application may not be resubmitted for an additional five years.

What happens if there's no protest or it's approved and it goes to City Council?

If the City Council approves the application to rescind the Special Minimum Lot Size Block designation, the ordinance will no longer apply to the application area

Evidence of Support

Special Minimum Lot Size Block to Rescind



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PLEASE PRINT LEGIBLY

Below are the signatures of property owners within the Rescind Special Minimum Lot Size Block boundary who support the request to remove the existing Special Minimum Lot Size Block designation for the following area: _____

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 rescind the Special Minimum Lot Size Block.

Property Owner Information Form

Property Owner (Please Print Name): _____

Address: _____

Telephone: _____ Date: _____

Signature: _____

Property Owner (Please Print Name): _____

Address: _____

Telephone: _____ Date: _____

Signature: _____

Property Owner (Please Print Name): _____

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