

# Application for Special Minimum Lot Size Area

Section 42-197 of Chapter 42 of the Code of Ordinances



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

This packet provides the information and forms needed to apply for the Special Minimum Lot Size Area (SMLSA). Staff from the Planning and Development Department will check whether your application meets the requirements and can help you through the process.

This packet includes:

- A Special Minimum Lot Size Area (SMLSA) Application
- 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.

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 intersecting 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; has at least 80% of the lots developed for or restricted to single-family use (exclusive of
4. 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 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](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.**

**Application for Special Minimum Lot Size Area**  
Section 42-197 of Chapter 42 of the Code of Ordinances



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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: \_\_\_\_\_

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:

# Special Minimum Lot Size Area

## Step-By-Step Guide For Applicants



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### STEP BY STEP GUIDE FOR APPLICANTS

- ☐ **Step 1: Preliminary Meeting with the Planning Department**  
Call Community and Regional Planning at (832) 393-6637 to schedule a preliminary meeting.
- ☐ **Step 2: Gather Signatures from Property Owners**  
Applicant(s) must collect signatures from property owners representing at least 10% of the lots within the proposed application area.
- ☐ **Step 3: Submit the Application**  
The application may be mailed or hand delivered. Within two (2) business days, staff will notify the applicant(s) if the application is accepted or if revisions are needed.  
Note: Plats submitted within seven (7) days after acceptance are not subject to the proposed lot size requirement
- ☐ **Step 4: Application Review and Notification Signs**  
Accepted applications will be posted online within two (2) business days. Staff will determine eligibility within 60 business days. If eligible, applicant(s) will receive instructions to post notification signs within 10 days.
- ☐ **Step 5: Community Meeting**  
Residents within the application area will receive notice of the community meeting at least 15 days before the meeting.
- ☐ **Step 6: Response Form / 30-Day Protest Period**  
Within 60 business days after the community meeting, property owners will receive a response form and have 30 days to respond.  
If 55% of support is received, the application moves to Planning Commission. If support is below 55%, the boundary may be revised, or the application may fail. If it fails, the area may not reapply for one year.
- ☐ **Step 7: Planning Commission Hearing**  
The hearing will be set within 60 business days after the response deadline. Property owners will receive notice at least 15 days before the hearing. The Commission will recommend approval to City Council or deny the application.
- ☐ **Step 8: City Council Action**  
City Council will approve or deny the application. The decision is final. Public comment is optional and may be arranged through the City Secretary at (832) 393-1100 or [citysecretary@houstontx.gov](mailto:citysecretary@houstontx.gov).
- ☐ **Step 9: Recordation**  
After City Council approval, the ordinance will be filed with Harris County Property Records.

## Special Minimum Lot Size Area

### Example of Boundary Description



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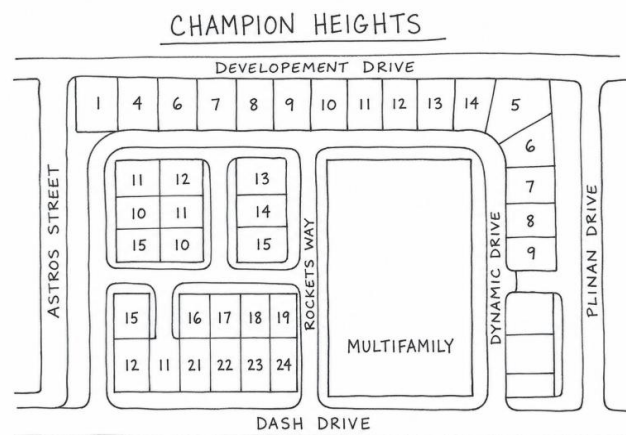
### EXAMPLE OF A BOUNDARY MAP

As part of the SMLSA application, applicants must provide a map sketch of the proposed area, similar to the example below. An original subdivision map or HCAD map will also be accepted.

The map must identify:

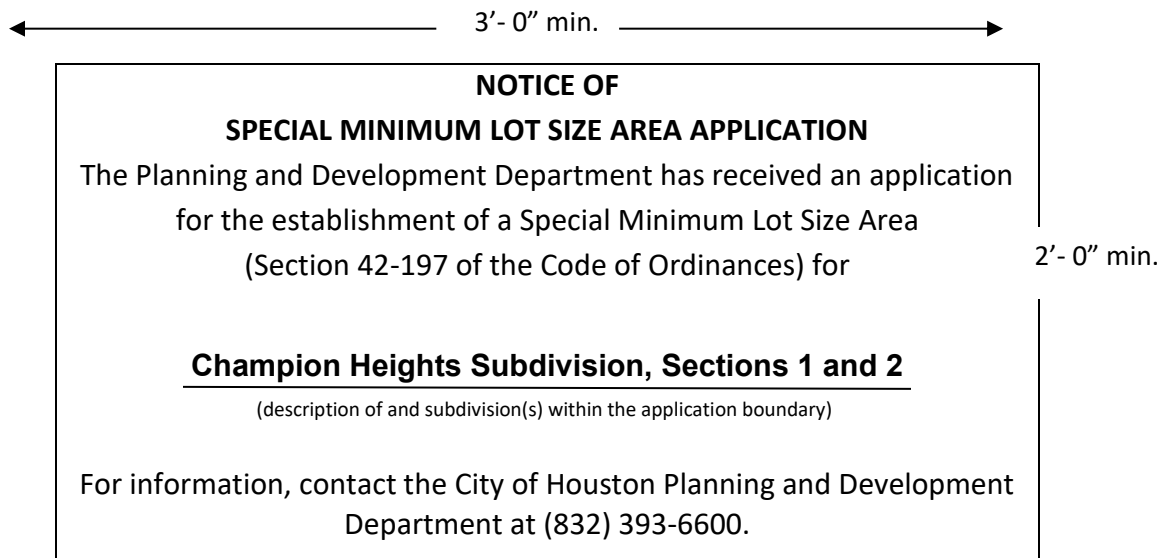
- Lots that are not single-family residential, such as multifamily, commercial, park, or vacant land
- Lots that may already have a minimum lot size established by deed restrictions

#### Champion Heights Subdivision, Sections 1 and 2



### EXAMPLE OF A NOTIFCATION SIGN

The applicant must post at least signs per blockface within the SMLSA 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.



## Special Minimum Lot Size Area

### Community Meeting Sites



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### COMMUNITY MEETING SITES (To be Completed by the Applicant)

A community meeting must be held within 90 business days after the application is accepted. The meeting must be located within or near the proposed application area.

At the meeting, property owners will receive information about the SMLSA application and the Planning and Development Department's review process.

#### The requirements of the venue are:

- ☐ ADA accessible and in close proximity to the boundary area;
- ☐ Accommodate at least 20% of the lot owners within the boundary area;
- ☐ Adequate seating must be available for attendees;
- ☐ Access to a working electrical outlet; and
- ☐ Available between 5pm-9pm Monday-Saturdays; and
- ☐ The venue must be free of cost, including any security fees.

Please provide 3 proposed meeting dates and venues **(Please Print)**

Name of Venue: \_\_\_\_\_

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

Date & Time: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Name of Venue: \_\_\_\_\_

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

Date & Time: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Name of Venue: \_\_\_\_\_

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

Date & Time: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

## Special Minimum Lot Size Area

### Frequently Asked Questions



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### Frequently Asked Questions

#### What is an SMLSA application?

A property owner within the application area, or a representative for the neighborhood, may submit a SMLSA application. A SMLSA preserves existing lot sizes within a subdivision. If approved by City Council, new lots must meet the established Special Minimum Lot Size.

#### What if my lot is smaller than the minimum lot size?

If your lot is smaller than the approved minimum, it may remain as it is but cannot be divided. Larger lots may only be divided if each new lot meets the minimum lot size.

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

On a single-family lot, you may build a single-family home, a single-family home with a detached apartment up to 900 square feet, or a duplex. The ordinance does not control building design.

#### Can I add to or rebuild my property?

Yes. Existing single-family, multifamily, or commercial properties may be rebuilt, improved, or expanded.

#### What happens to commercial or multifamily lots?

Existing commercial or multifamily lots may remain. If converted to single-family use, they cannot later return to commercial or multifamily use. Any new lots must meet the approved minimum lot size.

#### What happens during the application process?

After an application is submitted, staff reviews it and notifies residents. The process includes a community meeting, response form period, Planning Commission public hearing, and final City Council action.

#### What if I support or oppose the application?

Property owners will receive a response form and may vote YES or NO. At least 55% support is needed for the application to move forward to Planning Commission.

#### What happens at Planning Commission?

Planning Commission will hold a public hearing, hear comments, and vote to approve or deny the application. If approved, the case moves to City Council. If denied, the decision is final.

#### What happens at City Council?

If City Council approves the application, the SMLSA is extended for **40 years**.

**¡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

## Frequently Asked Questions



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### Frequently Asked Questions (Continued)

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

The Planning and Development Department reviews the lot sizes in the application area and identifies the lot size where the cumulative total reaches at least 70% of the area, or 60% in City-designated historic districts.

In the example, the cumulative percentage reaches 70% at the fifth largest lot, which is 5,830 square feet. Therefore, the Special Minimum Lot Size would be 5,830 square feet.

The Planning and Development Department calculates the Special Minimum Lot Size Area using these steps:

1. List all lot sizes in the application area from largest to smallest.
2. Add all lot sizes to get the total square footage.
3. Calculate each lot's percentage of the total area.
4. Keep a running (cumulative) percentage.
5. The first lot that brings the cumulative total to at least 70% (or 60% in City-designated historic districts) becomes the proposed Special Minimum Lot Size Area.

| Lots Ranked by Size | Address             | Size      | % by Area | Cumulative % by Area |
|---------------------|---------------------|-----------|-----------|----------------------|
| 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%                |
| 5                   | 1504 Cocker Spaniel | 5,830 sf  | 13.8%     | 72.0%                |
| 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%               |
| Total               |                     | 42,100 sf | 100.0%    |                      |

## Evidence of Support

### Special Minimum Lot Size Area



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#### PLEASE PRINT LEGIBLY

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: \_\_\_\_\_

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.

#### Property Owner Information Form

Property Owner (Please Print Name): \_\_\_\_\_

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

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

Signature: \_\_\_\_\_

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

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