



## **CITY OF BUNKER HILL VILLAGE**

**THE PLANNING AND ZONING COMMISSION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, WILL MEET ON MONDAY, JANUARY 27, 2025, AT 11:30 A.M. IN THE CITY HALL COUNCIL CHAMBERS AT 11977 MEMORIAL DRIVE FOR THE PURPOSE OF DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:**

**This meeting agenda, and the agenda packet, are posted online at [www.bunkerhilltx.gov](http://www.bunkerhilltx.gov)**

### **NOTICE OF MEETING BY TELEPHONE AND VIDEO CONFERENCE:**

In accordance with Texas Government Code, Sec. 551.127, on a regular, non-emergency basis, Board members may attend and participate in a meeting remotely by video conference. Should such attendance transpire, a quorum of the Planning and Zoning Commission will be physically present at the location noted above on this agenda.

#### **Zoom Meeting:**

<https://us06web.zoom.us/j/86847722193?pwd=MyoCYGRp0iULZdc4OA2dKMacM13hlj.1>

**Meeting ID:** 868 4772 2193

**Passcode:** 536590

**Dial by your location:** +1 346 248 7799 US (Houston)

The public will be permitted to offer public comments by video conference as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

- I. **CALL TO ORDER**
- II. **PUBLIC COMMENTS**
- III. **CONSIDERATION AND POSSIBLE ACTION REGARDING APPROVAL OF THE NOVEMBER 26, 2024, MEETING MINUTES**
- IV. **PRESENTATION, PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING AMENDING THE CITY’S SUBDIVISION ORDINANCE**

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED BELOW:

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS BY AMENDING SECTION 14-7 (B) (7), STANDARDS AND SPECIFICATIONS, OF CHAPTER 14, SUBDIVISIONS, TO ALLOW THE SUBDIVISION OF LOTS WHERE THE RESULTING LOT IS ADJACENT TO EITHER A PUBLIC OR PRIVATE STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION**

- V. **DISCUSSION, FEEDBACK, AND DIRECTION REGARDING AMENDING CHAPTER 4, ARTICLE IV AND APPENDIX A, SECTIONS 9.06, 9.07, AND 9.08 OF THE CITY’S CODE OF ORDINANCES (THE 50% IMPROVEMENT RULE) – *Elvin Hernandez, Public Works Director***
- VI. **DISCUSSION, FEEDBACK, AND DIRECTION REGARDING AMENDING APPENDIX A, SECTION 5.08 (B) AND SECTION 6.08 (B) (ACCESSORY USE REGULATIONS) OF THE CITY’S CODE OF ORDINANCES – *Elvin Hernandez, Public Works Director***
- VII. **DISCUSSION, FEEDBACK, AND DIRECTION REGARDING PROPERTY MINIMUM LEASE LENGTH – *Elvin Hernandez, Public Works Director***
- VIII. **ADJOURN**

**I, Gerardo Barrera, City Administrator/ Acting City Secretary, for the City of Bunker Hill Village, certify that the above notice of meeting was posted in a place convenient to the general public in compliance with Chapter 551, Texas Government Code, by Thursday, January 23, 2025, by 5:00 p.m.**

(SEAL)

  
\_\_\_\_\_  
Gerardo Barrera, City Administrator/ Acting City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to public meetings. Please contact the office of the City Secretary at 713-467-9762 for further information.

**MINUTES OF A PUBLIC MEETING  
OF THE CITY OF BUNKER HILL VILLAGE  
PLANNING AND ZONING COMMISSION  
TUESDAY, NOVEMBER 26, 2024**

**I. CALL TO ORDER**

Vice-Chair John Gillette called the Planning and Zoning Commission Meeting to order at 11:38 a.m. based on a quorum of members present:

Present

Bill Going, Chair (*arrived at 11:40 a.m.*)

John Gillette, Vice-Chair

Billy Murphy, Commissioner

Paul Reinbolt, Commissioner

Catherine Wile, Commissioner

Staff in Attendance

Gerardo Barrera, City Administrator

Elvin Hernandez, Public Works Director

Loren Smith, City Attorney

Mallory Pack, Management Analyst

Absent

Monica Muschalik, Commissioner

Jack Christiansen, Commissioner

Keith Brown, City Council Liaison

**II. PUBLIC COMMENTS**

**There were no public comments.**

**III. CONSIDERATION AND POSSIBLE ACTION REGARDING APPROVAL OF THE OCTOBER 22, 2024, MEETING MINUTES**

**A motion was made by Commissioner Murphy and seconded by Commissioner Reinbolt to approve the October 22, 2024, meeting minutes.**

**The motion carried 4-0**

**IV. DISCUSSION, FEEDBACK, AND DIRECTION REGARDING AMENDING APPENDIX A, SECTION 5.08 (B) AND SECTION 6.08 (B) (ACCESSORY USE REGULATIONS) OF THE CITY'S CODE OF ORDINANCES – *Elvin Hernandez, Public Works Director***

The purpose of the City's zoning ordinance is to preserve and enhance the desirability of the community by regulating the use and development of land within the city.

During the September 2024 meeting, in response to feedback received from residents and building developers, staff presented a preliminary review of the City's accessory use regulations ordinance to identify areas that may benefit from updates and eliminate any

ambiguity in the language. Staff recommended addressing and clarifying discrepancies to ensure that the code is clear, concise, and effective.

**§ 5.08. Accessory use regulations.**

The following regulations shall apply to all accessory buildings, structures, and uses:

- A. *Limitations on use.* An accessory building, structure, or use shall not be rented, shall not be used for commercial, or manufacturing purposes, and shall not contain any kitchen, living, or sleeping facilities. The foregoing notwithstanding, an accessory building or use subordinate to a main building may contain kitchen or living facilities for use in conjunction with recreational activities only.
- B. *Distance requirements from main building.* No wall of an accessory building or use shall be located less than six (6) feet from an outside wall of the main building. An accessory building or use may be connected to the main building by a covered walkway; provided, however, such covered walkway shall not be more than six (6) feet in width.
- C. *Restrictions on location.* Except as specifically permitted in this section or elsewhere in this ordinance, an accessory building, structure, or use shall not be erected, constructed, installed, placed, or maintained in any required yard. On an interior lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at least ten (10) feet from the rear lot line and at least ten (10) feet from each side lot line. On a corner lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at least ten (10) feet from the rear lot line; at least ten (10) feet from the interior side yard line (the side yard line farthest removed from the side street); and at least twenty (20) feet or a distance at least equal to the required depth of that yard of the contiguous lot which abuts such side street, whichever is greater, from the interior side lot line (the side lot line which abuts the side street).
- D. *Placement of windows and doors.* Windows and doors shall not be allowed on the side(s) of accessory structures which have less than the required main structure setback. Windows and doors on accessory structures can only face internally to the lot.

The Commission discussed the following during the September meeting:

- Clarify/ specify length and width measurements (6' feet)
- Structure (breezeway) should not be enclosed
- Consider impervious and pervious coverage requirements

Staff presented redline proposed revisions based on Commission feedback at the November meeting. The goal is to update the requirement for covered walkways, restrict how far an accessory structure/ building is located from the main structure, and provide flexibility but give with respect to the existing setback requirements for main building and accessory structures.

The Commission expressed support for the revisions, provided the structure is within the setback requirements and the accessory structure is at least 6' ft. minimum from main structure, as recommended by Director Hernandez. The Commission discussed the distance from the main structure required to connect to the accessory structure. City Attorney Smith asked whether these changes may pose safety concerns. Director Hernandez stated that prior to construction, builders/contractors would be required to submit structural plans stamped and

approved by a licensed Professional Engineer. These plans would also undergo review and approval by the City's structural engineer during plan review. Director Hernandez stated otherwise there is no indication of any other safety concerns but will continue to assess accordingly. The Commission expressed no preference regarding the distance away from the structure. Height limitations exist in the current ordinance.

Director Hernandez noted there are not many large lots where the connection and distance may be a factor, however there may be property owners who will not be in favor and submit complaints on the aesthetics, etc.

Vice Chair Gillette inquired whether the covered walkway would be considered permeable or impermeable, regardless if the walkway was left as natural grass or pavers, etc. Director Hernandez clarified that it would depend on the foundation material of the walkway versus the covered structure itself. This would be considered during plan review to make ensure proper coverage requirements are met.

Director Hernandez noted the current ordinance does not include language preventing a 6'x6' walkway to be fully enclosed and potentially be climatized. City Attorney Smith recommended including language that the walkway must remain open on two (2) sides.

Staff will incorporate Commission feedback and discussion into the next revised redline version of the proposed changes for further review.

**No action was taken on this item.**

**V. DISCUSSION, FEEDBACK, AND DIRECTION REGARDING AMENDING CHAPTER 4, ARTICLE IV AND APPENDIX A, SECTIONS 9.06, 9.07, AND 9.08 OF THE CITY'S CODE OF ORDINANCES (THE 50% IMPROVEMENT RULE) – *Elvin Hernandez, Public Works Director***

During the June 18, 2024, City Council meeting, staff provided an update on recent appeal requests approved by the Zoning Board of Adjustments (ZBOA) concerning remodel projects exceeding the 50% improvement threshold. At the ZBOA meeting on April 25, 2024, the Board recommended reviewing the ordinance to create an exception for small wall openings, such as those required for installing piping and duct work. They noted that the entire room should not be included in the overall square footage calculation. In response, Council directed staff to review the ordinance for potential amendments.

City staff conducted a thorough review of historical projects and examined where and how the "50%" threshold is referenced in the ordinance, including its context and intent. At the August 2024 meeting, staff, in collaboration with the City's contracted structural engineers, presented proposed amendments designed to allow projects to progress while avoiding any unintended consequences and ensuring the integrity of the reconstruction ordinance.

During the August meeting, the Commission was in favor of amending the 50% threshold to create an exception for small wall openings to allow/ encourage upgraded piping and duct work without having to include the entire square footage, which could otherwise exceed the 50% improvement of the project. Additionally, the Commission recommended reclassifying ceiling and wall board changes as cosmetic (similar to painting and floor replacement) and not require a permit or inspection.

Director Hernandez presented a redline version of Chapter 4, Sec. 4-3-Definitions (A) that revises the definition of Reconstruction and adds a new section (B) that includes certain utilities (i.e. re-piping, re-wiring, duct work) that would be considered part of a remodel instead of being classified as reconstruction, which would trigger the 50% threshold requirement.

Commissioner Murphy stated that he was in favor of allowing property owners to “modernize” an older home by upgrading potential outdated utilities or replacing sheet rock/wall board without having to meet the City’s current reconstruction requirements. Director Hernandez confirmed that the proposed revisions to the definition were intended to allow such updates while clarifying requirements for when structural changes are going to be made.

Vice Chair Gillette inquired whether if the sheet rock is removed, does the insulation have to also be replaced as it is not the same “R” value of current standards. He also inquired about the definition of framing. The revised language in the definition was anticipated to cover these elements but may not fully cover the means and method of said installation. Since insulation is required by code, it would still need to comply per code.

Director Hernandez will revise the ordinance based on feedback and present it to the Commission for further review. Administrator Barrera noted that changes to Chapter 4 do not require a Public Hearing; however, because these revisions also affect Sec. 9.06-9.08 under Appendix A, a Public Hearing will be required.

**No action was taken on this item.**

## **VI. DISCUSSION, FEEDBACK, AND DIRECTION REGARDING PROPERTY MINIMUM LEASE LENGTH – *Gerardo Barrera, City Administrator***

In response to feedback received from residents and recent events within the City, staff is currently in the preliminary phase of reviewing the requirements regarding lease lengths, which are currently not regulated by ordinance. The goal is to ensure property leases are safe and compatible with the surrounding environment, address violations, and maintain the integrity of the City.

During the November 2024 meeting, City Administrator Barrera addressed a recent event where a house was used for a private commercial event that quickly grew into a large event, resulting in rideshares causing congestion in the area and concerns about noise and security. The City currently does not have an ordinance preventing this. City Attorney Smith stated that minimum lease length cannot be restricted but can be regulated. The commercial event was the catalyst of this discussion, however minimum lease length ordinance will not solve the issue of restricting commercial events or corporate leases.

Commission discussion included:

- The Commission focused on how to limit leases for commercial events. Commissioner Wile proposed that 30-day leases be required to include the City’s noise ordinance in the lease agreement. The Commission discussed the advantages and disadvantages of how this could be enforced.

- City Attorney Smith noted that Hunters Creek and Spring Valley Village have a minimum lease length ordinance. He acknowledged it has not been tested and could be challenged, but it was a step in the right direction.

City Administrator Barrera noted that while enforcement could be challenged, other ordinances such as noise, nuisance, etc. would still be enforced. This measure is a proactive step to have it part of the ordinances now versus making it seem reactive later.

**No action was taken on this item.**

**VII. CITY ADMINISTRATOR REPORT – *Gerardo Barrera, City Administrator***

**A. Feedback and Discussion on Meeting Dates and Times**

- The Commission currently meets at 11:30 a.m. on the fourth Tuesday of each month as needed. Chair Going stated that Commissioner Murphy has a scheduling conflict with the current meeting date and time and inquired if the Commission was interested in adjusting the meeting schedule. City Administrator Barrera recommended maintaining the current meeting schedule, noting the importance of coordinating all City meetings – including City Council, Zoning Board of Adjustment, and various committees – with state law posting requirements (e.g., Texas Open Meetings Act) and the availability of the contracted City Attorney. The Commission discussed the fourth Monday at 11:30 a.m. as an option. Staff will consult with the City Attorney to determine availability for alternative meeting dates and will subsequently poll the Commission with potential meeting options for consideration.

**No action was taken on this item.**

**VIII. ADJOURN**

**Chair Going adjourned the meeting at 12:56 p.m.**

Approved and accepted on January 27, 2025.

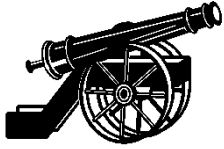
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William Going, Chair

ATTEST:

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Gerardo Barrera, City Administrator/ Acting City Secretary



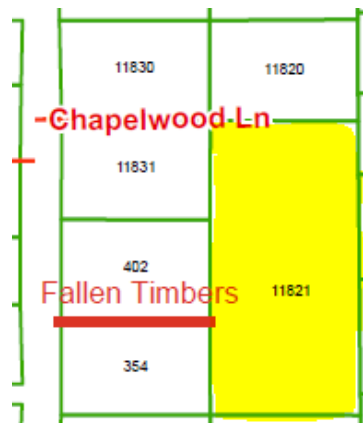
**City of Bunker Hill Village  
Planning and Zoning Commission  
Agenda Request**

**Agenda Date:** January 27, 2025  
**Agenda Item:** IV  
**Subject:** Subdivision Ordinance – Public and Private Street Designation  
**Exhibits:** Redline Proposed Revisions  
**Presenter(s):** Elvin Hernandez, Public Works Director

**Executive Summary**

At the July 24, 2024, City Council Special Meeting, the property owner at 11821 Chapelwood Ln. presented a request to subdivide the property into either three one-acre lots or two lots.

The property was originally three separate lots before being platted into one single lot in 2009. The subdivision ordinance was revised in 2014, and no longer allows lots facing private streets to be subdivided.



Per the current ordinance, the only way to subdivide the lot is to make both Chapelwood Ln. and Fallen Timbers into public streets. This would be at the expense and full responsibility of the property owner, and would require final acceptance of the streets, drainage, etc. from the City. There is no variance process to allow the subdividing of the lot otherwise, and one would need to be established to explore alternative options.

During the Council meeting, Councilmember Brown provided background on the ordinance, stating that the reasoning for preventing lots facing private streets from being subdivided was to “strongly encourage” property owners to allow the streets to turn from private to public.



No action was taken on this item at the meeting. Council directed this item to the Planning and Zoning (P&Z) Commission for further review and discussion of potential amendments to Chapter 14 of the City's Subdivision Ordinance.

At the August 2024 P&Z meeting, the Commission inquired about potential disadvantages to the City regarding private streets, including negative impacts to neighboring properties, and staff confirmed there were none. The Commission was in favor of amending the subdivision ordinance to allow a lot to be subdivided that fronts a private street and directed staff to revise the ordinance.

During the October 2024 meeting, the Commission held a formal public hearing and voted unanimously to amend the subdivision ordinance and send it to the City Council for final approval. The ordinance was subsequently approved by Council at the November 2024 City Council meeting.

Following further review, staff has identified additional areas where improvements and clarifications can enhance the ordinance. The proposed revisions provide further guidance while preserving current functionality that ensures proper ingress and egress.

A public hearing is required to be held before the P&Z.

#### **Recommended Action**

Staff recommends the Planning and Zoning Commission hold a public hearing with possible action on a recommendation to the City Council for approval of the proposed subdivision ordinance.

**Sec. 14-7. Standards and specifications.**

(a) *Lots.*

(1) *Lot configuration.* Each lot formed by subdivision shall have a configuration limited to five (5) property lines, and any creek forming a boundary of a lot shall be considered as one property line of such lot for this purpose. Radial lots on a dead end street may have up to six (6) property lines.

(2) *Radial lots.* Radial lots shall have a minimum right-of-way frontage of forty (40) feet. These lots shall also have a minimum width and depth consistent with the city's zoning ordinance. The width shall be measured at the front building line. The lot depth shall be measured taking the average of the side lot lines and the maximum radial depth. The side lot lines of residential lots shall be radial to the street or curve of the front lot line of such lot. At the minimum setback, the main building orientation shall be consistent with the setback of the adjacent lot(s) and complement adjacent homes creating a consistent neighborhood look.

(3) *Lot dimensions.* The dimensions of each lot formed by subdivision shall equal or exceed those dimensions required by the city's zoning ordinance, as heretofore or hereafter amended, for lots in the particular zoning district in which the lot is located. All lots, regardless if radial or parallel to the street, must have the minimum lot width at the front setback line.

(b) *Streets.*

(1) *Street layout.* In any subdivision, the subdivider shall provide streets in conformity with the requirements of this chapter and any other ordinance of the city. Adequate streets shall be provided by the subdivider and the arrangement, character, extent, width, grade, and location of each shall conform to the comprehensive plan of the city and shall be considered in relation to existing and planned streets, topographical conditions, public safety and convenience, and in its appropriate relationship to the proposed uses of land to be served by such streets. A street layout shall be devised for the most advantageous development of the entire neighborhood.

(2) *Relation to adjoining street system.* Where necessary, as may be determined by the planning and zoning commission, existing or proposed streets in areas adjoining the proposed subdivision shall be continued.

(3) *Minimum street frontage.* As used herein, zoning district A and zoning district B refer to those zoning districts established by and described in the city's zoning ordinance, as heretofore or hereafter amended.

(4) *Certain requirements regarding culs-de-sac.* In a new subdivision, each cul-de-sac shall be platted to the following:

- a. A right-of-way radius of forty (40) feet, measured from the center point of such cul-de-sac to the exterior edge of the right of way;
- b. Cul-de-sac must serve three (3) or more lots; and
- c. Length must be a minimum of two hundred and fifty (250) feet measured from the nearest edge of the right-of-way of the intersecting street to the center of the cul-de-sac.

(5) *Rights-of-way and pavement widths.* Except for culs-de-sac, street rights-of-way shall be a minimum of fifty (50) feet in width; provided, however, the commission and city council may, upon written application, in their discretion, authorize a street right-of-way of not less than forty (40) feet in width if such right-of-way (i) is adjacent to an easement dedicated to the public for utility and drainage purposes, (ii) when combined with such adjacent public easement, would have a width of not less than fifty (50) feet, and (iii) is so located that logically it would not be extended to connect with another existing or proposed street. Cul-de-sac rights-of-way shall have a minimum radius, measured from the center of the cul-de-sac to the front lot lines, of forty (40) feet. Except as hereinafter provided, pavement widths shall be a minimum of twenty-eight (28) feet for curbed and guttered streets, and twenty-four (24) feet for noncurbed and guttered streets. Pavement widths for curbed and guttered streets shall be measured from back of curb to back of curb. Pavement widths for noncurbed and guttered streets shall be measured from edge of pavement to edge of pavement. Cul-de-sac pavement widths shall have a radius of thirty-five (35) feet, measured from the center point of such cul-de-sac to the exterior edge of the pavement. The center point of the pavement on a cul-de-sac shall be the same as the center point of the cul-de-sac right-of-way. No island or islands shall be constructed in a cul-de-sac. The applicant cannot dedicate right-of-way and "NOT Pave" the cul-de-sac bulb. All streets shall be designed, constructed, and installed in accordance with the most recently adopted Harris County's "Standard Engineering Design Specifications for Construction and Maintenance of Roads and Bridges."

(6) *Street signs.* Street signs shall be installed by the city at all intersections within or abutting the subdivision.

(7) *Exceptions for subdivisions where lots are adjacent to existing public **or private** streets.* Notwithstanding any other provision of this chapter to the contrary, a subdivision of land may be approved without compliance with the above minimum street requirements if each lot within the proposed subdivision is adjacent to an existing public street **or private**, and the adjacent public street complies with the following minimum requirements. **Road modifications are necessary when existing or potential adverse impacts affect the roads, utilities, easements, surrounding lots, or when constructing new subdivisions and roads, or as mandated by the city. Road analysis and or studies will be the responsibility of the owner/owners as required.**

**This amendment shall apply to new road construction and shall not affect roads that currently existing previous to this ordinance.**

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- a. For dead-end streets under five hundred (500) feet in length:
  1. No cul-de-sac shall be required.
  2. Pavement width shall be not less than twenty (20) feet; and
  3. The developer/subdivider shall dedicate, for public use, either:
    - i. Roadway right of way of not less than forty (40) feet in width; or
    - ii. A street easement of not less than thirty (30) feet in width, plus a ten-foot-wide drainage and utility easement adjacent to such street easement.

b. For dead end streets between five hundred (500) feet and eight hundred (800) feet in length:

1. A thirty-five-foot radius paved cul-de-sac, with no island, shall be provided at the end of such street;

2. The developer/subdivider shall dedicate for public use, and improve for public street purposes, either:

i. A roadway right-of-way of not less than fifty (50) feet in width, with a curb and gutter concrete pavement having a surface width of twenty-eight (28) feet; or

ii. A street easement of not less than thirty-five (35) feet in width, with an asphalt pavement having a surface width of twenty-two (22) feet, plus a ten-foot wide drainage and utility easement adjacent to such street easement.

c. For dead end streets over eight hundred (800) feet and through streets:

1. For a dead end street, a thirty-five (35) foot radius paved cul-de-sac, with no island, shall be provided at the end of such street;

2. The developer/subdivider shall dedicate for public use, and improve for public street purposes, either:

i. A roadway right-of-way of not less than fifty (50) feet in width, with a curb and gutter concrete pavement having a surface width of twenty-eight (28) feet; or

ii. A street easement of not less than forty (40) feet in width, with an asphalt pavement having a surface width of twenty-four (24) feet, plus a ten-foot wide drainage and utility easement adjacent to such street easement.

(c) *Water supply and distribution.* All subdivisions shall be provided with water supply, water distribution systems, and fire hydrants designed, constructed and installed as approved by the City of Bunker Hill Village in accordance with the City of Houston Department of Public Works and Engineering, Infrastructure Design Manual.

(d) *Sanitary sewers.* All subdivisions shall be provided with a sanitary sewer system designed, constructed and installed as approved by the City of Bunker Hill Village in accordance with the City of Houston Department of Public Works and Engineering, Infrastructure Design Manual.

(e) *Monuments.* Concrete monuments, or an approved equal, six (6) inches in diameter and twenty-four (24) inches long, shall be placed at all major corners unless otherwise approved in writing by the building official. A copper pin, or approved equal, one-quarter-inch in diameter shall be embedded at least three (3) inches in the monument at the exact intersection point. Any such monument shall be set at such an elevation that it will not be disturbed during construction, and the top of the monument shall be approximately flush with the ground after contemplated improvements are completed.

(f) *Drainage.*

(1) *Natural drainageway.* Where a subdivision is traversed by a watercourse, drainageway, natural channel or stream, the subdivider must dedicate a public easement or right-of-way conforming substantially to the outer limits of such watercourse, drainageway, natural channel or stream, plus such additional width to accommodate projected future runoff as determined by the planning and zoning commission and the city council.

(2) *Drainage facilities.* Drainage facilities sufficient to drain all lots in the subdivision shall be installed by the subdivider in accordance with the City of Bunker Hill Village Drainage Ordinance and Criteria Manual. Such drainage facilities shall be designed, constructed, and installed as approved by the City of Bunker Hill Village in accordance with the City of Houston Department of Public Works and Engineering, Infrastructure Design Manual.

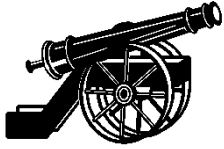
(3) *Lot drainage.* All surface water runoff must conform to the City of Bunker Hill Village Drainage Ordinance and Criteria Manual.

(g) *Hike and bike trails.* Easements for hike and bike trails will be provided as required by the commission and the council.

(Ord. No. 253, § 7, 6-8-82; Ord. No. 354, § 1, 12-11-90; Ord. No. 93-138, § 1, 7-20-93; Ord. No. 97-199, § 1, 8-19-97; Ord. No. 97-205, § 1, 10-14-97; Ord. No. 06-345, § 1, 4-18-06; Ord. No. 14-446, § 8, 10-21-14)

Cross reference(s)—Streets and sidewalks, Ch. 13; utilities, Ch. 16; zoning, App. A.

State law reference(s)—Standards for approval of plats, V.T.C.A., Local Government Code § 212.010.



**City of Bunker Hill Village**  
**Planning and Zoning Commission**  
**Agenda Request**

<b>Agenda Date:</b>	January 27, 2025
<b>Agenda Item:</b>	V
<b>Subject:</b>	50% Improvement Rule
<b>Exhibits:</b>	Redline Proposed Revisions
<b>Presenter(s):</b>	Elvin Hernandez, Public Works Director

### Executive Summary

During the June 18, 2024, City Council meeting, staff provided an update on recent appeal requests approved by the Zoning Board of Adjustments (ZBOA) concerning remodel projects exceeding the 50% improvement threshold. At the ZBOA meeting on April 25, 2024, the Board recommended reviewing the ordinance to create an exception for small wall openings, such as those required for installing piping and duct work. They noted that the entire room should not be included in the overall square footage calculation. In response, Council directed staff to review the ordinance for potential amendments.

City staff conducted a thorough review of historical projects and examined where and how the “50%” threshold is referenced in the ordinance, including its context and intent. At the August 2024 meeting, staff, in collaboration with the City’s contracted structural engineers, presented proposed amendments designed to allow projects to progress while avoiding any unintended consequences and ensuring the integrity of the reconstruction ordinance.

During the August 27, 2024, meeting, the Commission was in favor of amending the 50% threshold to create an exception for small wall openings to allow/ encourage upgraded piping and duct work without having to include the entire square footage, which could otherwise exceed the 50% improvement of the project. Additionally, the Commission recommended to reclassify ceiling and wall board changes as cosmetic (similar to painting and floor replacement) and not require a permit or inspection.

At the November 26, 2024, meeting, staff presented a redline version of Chapter 4, Sec. 4-3-Definitions (A) that revised the definition of “reconstruction” and adds a new section (B) that includes certain utilities (i.e. re-piping, re-wiring, duct work) that would be considered part of a remodel rather than be classified as reconstruction, which would trigger the 50% threshold requirement.

The Commission was in favor of amending the ordinance to enable property owners to modernize potential outdated utilities or replace sheet rock/ wall board without meeting the City’s current reconstruction requirements. Additionally, the Commission discussed including language to ensure installation methods comply with applicable codes.

Staff has developed proposed revisions to the ordinance that reflect Commission feedback. These revisions are presented for further review and discussion before being scheduled for a public hearing at a later date.

### **Recommended Action**

This is a discussion item only. Staff recommends the Planning and Zoning Commission review the ordinance and provide feedback and direction.

### **Current Ordinance:**

Reconstruction shall mean the reconstruction of fifty (50) percent or more, either value or living area, (of which a building permit is required) of an existing structure within the existing footprint. This includes structural (wall board or ceiling board is removed), and/or if plumbing or electrical utilities are impacted. The reconstruction shall be cumulative of all remodeling or modification work to the structure within any consecutive twenty-four (24) month period. For purposes of this subsection, the value of the structure shall be the average cost per square foot of all new construction within the city for the last three (3) years based on certified values from the Harris County Appraisal District, as set forth in the City of Bunker Hill Village Fee Schedule as adopted by city council.

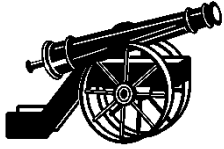
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### **Potential Revisions:**

*Red=Director suggestions.*

- A. Reconstruction shall mean the reconstruction of fifty (50) percent or more, ~~either value or living area, (of which a building permit is required) of an existing structure within the existing footprint. This includes any combination of structural changes, such as modifications or alterations to any physical framework and or load-bearing elements of a building or infrastructure. The square footage of the affected rooms will be included in the reconstruction calculations when structural changes are made. and/or if plumbing or electrical utilities are impacted.~~ The reconstruction shall be cumulative of all remodeling or modification work to the structure within any consecutive twenty-four (24) month period. For purposes of this subsection, the value of the structure shall be the average cost per square foot of all new construction within the city for the last three (3) years based on certified values from the Harris County Appraisal District, as set forth in the City of Bunker Hill Village Fee Schedule as adopted by city council.
- B. **EXCEPTION:** Remodel or alteration areas which are limited to purely cosmetic modifications, such as but not limited to installing cabinets or appliances, painting walls, removal of wall or ceiling board to address auxiliary items, or replacing flooring, are specifically excluded from reconstruction calculations. Such areas are not counted when determining whether a project will be considered as reconstruction rather the square footage will be accounted for as part of a remodel project. The following non-cosmetic improvements shall also be excluded from the reconstruction determination:
  - i. Re-piping for safety and or danger to personnel or property with a signed certified letter from licensed master plumber or plumbing company.
  - ii. Re-wiring for safety and or danger to personnel or property with signed certified letter from licensed mater electrician or electrical company.
  - iii. Mechanical (i.e. Air conditioner) changes for safety and or danger to personnel or property with signed certified letter from licensed professional or registered company.





**City of Bunker Hill Village  
Planning and Zoning Commission  
Agenda Request**

<b>Agenda Date:</b>	January 27, 2025
<b>Agenda Item:</b>	VI
<b>Subject:</b>	Accessory Use Regulations
<b>Exhibits:</b>	Redline Proposed Revisions
<b>Presenter(s):</b>	Elvin Hernandez, Public Works Director

**Executive Summary**

The purpose of the City’s zoning ordinance is to preserve and enhance the desirability of the community by regulating the use and development of land within the city.

During the September 24, 2024 meeting, in response to feedback received from residents and building developers, staff presented a preliminary review of the City’s accessory use regulations ordinance to identify areas that may benefit from updates and eliminate any ambiguity in the language. Staff recommended addressing and clarifying discrepancies to ensure that the code is clear, concise, and effective.

**§ 5.08. Accessory use regulations.**

The following regulations shall apply to all accessory buildings, structures, and uses:

- A. *Limitations on use.* An accessory building, structure, or use shall not be rented, shall not be used for commercial, or manufacturing purposes, and shall not contain any kitchen, living, or sleeping facilities. The foregoing notwithstanding, an accessory building or use subordinate to a main building may contain kitchen or living facilities for use in conjunction with recreational activities only.
- B. *Distance requirements from main building.* No wall of an accessory building or use shall be located less than six (6) feet from an outside wall of the main building. An accessory building or use may be connected to the main building by a covered walkway; provided, however, such covered walkway shall not be more than six (6) feet in width.
- C. *Restrictions on location.* Except as specifically permitted in this section or elsewhere in this ordinance, an accessory building, structure, or use shall not be erected, constructed, installed, placed, or maintained in any required yard. On an interior lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at least ten (10) feet from the rear lot line and at least ten (10) feet from each side lot line. On a corner lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at

least ten (10) feet from the rear lot line; at least ten (10) feet from the interior side yard line (the side yard line farthest removed from the side street); and at least twenty (20) feet or a distance at least equal to the required depth of that yard of the contiguous lot which abuts such side street, whichever is greater, from the interior side lot line (the side lot line which abuts the side street).

- D. *Placement of windows and doors.* Windows and doors shall not be allowed on the side(s) of accessory structures which have less than the required main structure setback. Windows and doors on accessory structures can only face internally to the lot.

The Commission discussed the following during the September meeting:

- Clarify/ specify length and width measurements (6' feet)
- Structure (breezeway) should not be enclosed
- Consider impervious and pervious coverage requirements

During the November 26, 2024 meeting, staff presented proposed revisions to the ordinance that reflect Commission discussion. Public Works Director Elvin Hernandez stated that the updates aim to clarify requirements for covered walkways, restrict the distance an accessory structure/ building can be from the main structure, and provide flexibility with respect to the existing setback requirements.

The Commission was in favor of amending the ordinance, provided the structure is within the existing setback requirements, and the structure is at least 6' ft. minimum from the main structure.

Staff has developed proposed revisions to the ordinance that reflect Commission feedback. These revisions are presented for further review and discussion before being scheduled for a public hearing at a later date.

### **Recommended Action**

This is a discussion item only. Staff recommends the Planning and Zoning Commission review the ordinance and provide feedback and direction.

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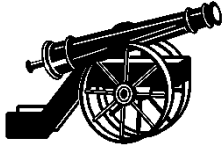
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- B. *Distance requirements from main building.* No wall of an accessory building or use shall be located less than six (6) feet from an outside wall of the main building. An accessory building or use may be connected to the main building by a covered walkway; provided, however, such covered walkway shall ~~not be more than six (6) feet in width~~ adhere to the following requirements:
1. No wall or foundation of an accessory building or use shall be located closer than six (6) feet from the exterior wall of the main residential building.
  2. A covered walkway may extend the full length and width of the connection between the accessory structure and the main building, provided it is supported by structural plans approved and stamped by a Professional Engineer.
  3. A covered walkway will be subject to the requirements applicable to both the main building and the accessory structure, with the stricter requirements taking precedence.
  4. The covered walkway must remain open on at least two sides to avoid being included in the main structure's square footage. If enclosed, it will be considered an addition and included in the main structure's square footage.
- Note of Importance:** The primary purpose of the referenced walkway is to provide a covered passage between the two buildings, offering protection from the elements. If the intent is to enclose the walkway, make it habitable, or use it for purposes beyond a simple passageway, it will be reclassified as an addition to the home.
- C. *Restrictions on location.* Except as specifically permitted in this section or elsewhere in this ordinance, an accessory building, structure, or use shall not be erected, constructed, installed, placed, or maintained in any required yard. On an interior lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at least ten (10) feet from the rear lot line and at least ten (10) feet from each side lot line. On a corner lot, if an accessory building, structure, or use is not attached to or made a part of the main building and is located in the rear one-third of the lot, it shall be set back at least ten (10) feet from the rear lot line; at least ten (10) feet from the interior side yard line (the side yard line farthest removed from the side street); and at least twenty (20) feet or a distance at least equal to the required depth of that yard of the contiguous lot which abuts such side street, whichever is greater, from the interior side lot line (the side lot line which abuts the side street).
- D. *Placement of windows and doors.* Windows and doors shall not be allowed on the side(s) of accessory structures which have less than the required main structure setback. Windows and doors on accessory structures can only face internally to the lot.

(Ord. No. 14-447, § 7, 10-21-14)

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**City of Bunker Hill Village  
Planning and Zoning Commission  
Agenda Request**

<b>Agenda Date:</b>	January 27, 2025
<b>Agenda Item:</b>	VII
<b>Subject:</b>	Property Minimum Lease Length
<b>Exhibits:</b>	Proposed Revisions
<b>Presenter(s):</b>	Elvin Hernandez, Public Works Director

**Executive Summary**

In response to feedback received from residents and recent events within the City, staff is reviewing the requirements regarding lease lengths, which are currently not regulated by ordinance. The goal is to ensure property leases are safe and compatible with the surrounding environment, address violations, and maintain the integrity of the City.

During the November 26, 2024 meeting, City Administrator Barrera addressed an event where a house was used for a private commercial event that quickly grew into a large event, resulting in rideshares causing congestion in the area and concerns about noise and security. City Attorney Smith stated that minimum lease length cannot be restricted but can be regulated. The Commission proposed that 30-day leases be required to include the City’s noise ordinance in the lease agreement, and discussed the advantages and disadvantages of how this could be enforced. Although the commercial event was the catalyst of this discussion, a minimum lease length ordinance alone will not solve the issue of restricting commercial events or corporate leases. This would need to be enforced through other ordinances or potentially drafting a new ordinance for commercial and corporate leases

The intent is to protect community interests while establishing clear, enforceable guidelines that uphold the quality of life for all residents. Staff has reviewed how other municipalities have implemented similar regulations to address concerns effectively. This includes evaluating enforcement mechanisms, potential impacts on property owners and tenants, and ensuring any proposed changes align with the City’s long-term goals.

Staff have drafted a proposed revisions that reflects this feedback.

**Recommended Action**

This is a discussion item only. Staff recommends the Planning and Zoning Commission discuss and provide feedback and direction.

## **Minimum Lease Length**

### **Purpose**

This ordinance establishes regulations for the operation and management of short-term rental properties within the jurisdiction, ensuring the safety, health, and welfare of residents and visitors while preserving the character of residential neighborhoods.

### **Definition**

A residential property rented out in its entirety or partially for a period of at least thirty (30) consecutive days and not exceeding six (6) months.

### **Duration and Usage**

1. Shall not be leased or rented for periods less than thirty (30) consecutive days.
2. Shall not be leased or rented for periods exceeding six (6) consecutive months.
3. Shall be used solely for residential purposes. The hosting of events, parties, or gatherings is strictly prohibited on the premises.

### **Compliance**

Property lease must comply with applicable city, state, and federal laws, including but not limited to health, safety, zoning, and taxation requirements.

### **Penalties**

Failure to comply with this ordinance shall result in:

1. A fine of up to \$[XX] per violation, per day.
2. Further penalties will be assessed at time of violation.