

**City of Houston, Texas, Ordinance No. 2016-848**

**AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES RELATING TO DESIGN GUIDELINES FOR THE HOUSTON HEIGHTS HISTORIC DISTRICT EAST, HOUSTON HEIGHTS HISTORIC DISTRICT WEST, AND HOUSTON HEIGHTS HISTORIC DISTRICT SOUTH; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

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**WHEREAS**, by Ordinance No. 2015-967, passed October 7, 2015, City Council amended Division 5 of Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas (the “Code”); and

**WHEREAS**, Section 33-266(c) of the Code provides that the director of the City’s Planning and Development Department shall present design guidelines to City Council for consideration for the Houston Heights Historic District East, Houston Heights Historic District West, and Houston Heights Historic District South within sixteen months of the passage of Ordinance No. 2015-967; and

**WHEREAS**, the City Council finds that these design guidelines require additional technical analysis and broader community engagement, necessitating a longer period of time than was previously anticipated; and

**WHEREAS**, the City Council has determined that Section 33-266(c) of the Code should be deleted, and the time extended to develop and finalize the design guidelines to better protect the historic resources of the City and to ensure the preservation of the public health, safety, and welfare of the citizens of the City; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON,**

**TEXAS;**

**Section 1.** That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** That Section 33-266(c) of the Code of Ordinances, Houston, Texas, is hereby deleted in its entirety.

**Section 3.** That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

**Section 4.** That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 5.** That the Director of the Planning and Development Department shall develop design guidelines for the Houston Heights Historic District East, Houston Heights Historic District West, and Houston Heights Historic District South and present

to City Council a strategy paper that shall include at least an outline of the proposed design guidelines, a summary of key issues, data analysis and findings, building typologies and case studies, alternatives that address compatibility, a preliminary strategy for review and consideration of applications and any other useful information on or before February 7, 2017, and the design guidelines will be completed and ready for presentation to City Council on or before August 7, 2017. However, if the design guidelines have not been completed by August 7, 2017, then the design guidelines previously submitted to the director for the districts mentioned in this section shall be automatically adopted.

**Section 6.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED**, this 9<sup>th</sup> day of November, 2016.

**APPROVED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is NOV 15 2016, 2016.

*Anna Russell*

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City Secretary

(Prepared by Legal Dept. \_\_\_\_\_)

DLA:dla 11/28/2016

Senior Assistant City Attorney

Requested by Patrick Walsh, P.E., Director, Department of Planning and Development

L.D. File No.06116600306001)