

# LEGALIZING WALKING

## Houston's new Transit Corridor Ordinance

### WALKING IN HOUSTON IS OFTEN ALIENATING AND DANGEROUS.

Poles, hydrants, meters, and other obstacles block the narrow sidewalks. Outside the Central Business District, the law requires a large building setback along major thoroughfares that all but mandates strip centers with parking in the front. After eight years of effort, a Transit Corridor Ordinance is now before City Council for approval that may begin to change this situation.

When Guy Hagstette was working with Central Houston Inc. and the Urban Land Institute in 2001, he presented a similar proposal to the City Planning Commission. “The idea behind the Transit Corridors proposal was that there could be a different set of rules along the light rail lines to promote pedestrian friendly developments. But the Planning Commission in those days did not consider the proposal. It was controversial,” explains Hagstette.

After Mayor White was elected in 2003, however, a new Planning Commission was formed. Hagstette became the Mayor's advisor on urban design and planning, and Dr. Carol Lewis was appointed chair of the Commission. In Hagstette's words, “Carol Lewis knew the public process and created subcommittees that included all parties. There was a renewed effort.”

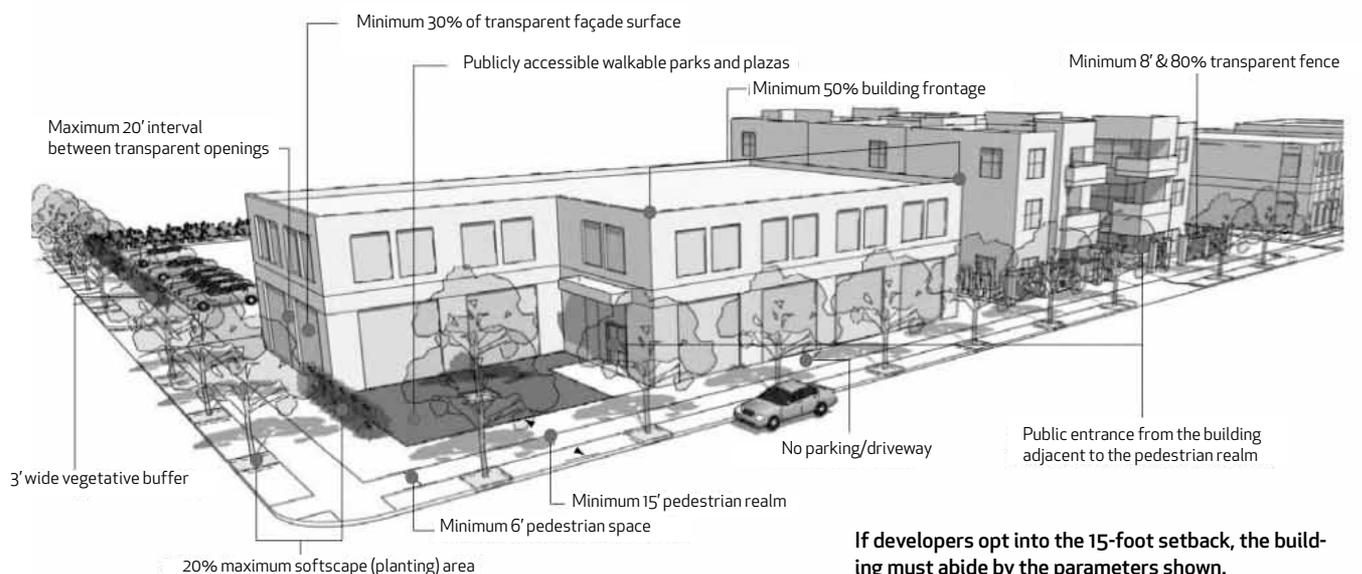
Initially the process involved public input. “The idea was for us to create consensus through a series of community workshops. Successful implementation of the initiative required the stakeholder's participation,” explains Keiji Asakura, whose firm Asakura Robinson Company was selected along with the Planning Partnership from Toronto to create the Urban Corridor studies for all six light rail lines. The resulting report included ambitious recommendations.

The next step involved a twelve-member committee that crafted the actual ordinance and included six developers; four consulting architects, engineers, and planners; one governmental representative; and one advocate from a nonprofit. The ordinance was more limited in scope than what the public process yielded.

Nonetheless, the Planning Department has described a “new paradigm” for development in Houston, one where mixed-use development can cre-

ate sidewalk life. Any new sidewalk in Houston, not just those near light rail, will now have to be five feet wide instead of four feet; a revision to the street design standards that is being revised concurrently with the implementation of the transit ordinance. On August 19, 2009, City Council passed the transit corridors ordinance after a delay for review due to a technical conflict between the new street design standards and the ordinance.

“The greatest possibility in urban design lies in the gray area, or public realm,” says Asakura, “and that is what we created for the Urban Corridors.” In urban



**If developers opt into the 15-foot setback, the building must abide by the parameters shown.**

planning lingo, the public realm refers to the public right of way between property lines: streets, sidewalks, and open space.

The Transit Corridor Ordinance can be broken down into a requirement and an option:

**Requirement:** The sidewalk width requirement along transit corridors is six feet. The urban corridor study proposed even wider, eight foot sidewalks.

“The proposed eight foot wide sidewalks were not going to be accepted,” says Steve Spillette, who assumed control of the project for the City after Hagstette became the president of Discovery Green.

**Option:** On the streets that have light rail and on streets perpendicular to and within a quarter mile from the rail stations—developers have the option to plat a property with a building line that is 15 feet from the curb. The 10 additional feet available to the

developer are tied to a series of required parameters shown in the accompanying graphic.

According to Rick Merrill with the Planning Partnership, which recently received an American Society of Landscape Architects Honor Award for the Urban Corridor Studies they created for Houston, the 15-foot realm and reduced property line setback “should be mandated, there needs to be stronger controls and an ordinance that offers incentives.” Merrill explains that, in most cities, a reduced building line is a great incentive for developers.

But Kendall Miller with Houstonians for Responsible Growth (HRG) disagrees. “We could not have supported the original urban corridor guidelines but we can in their current form.” HRG believes Houston's prosperity has been driven by a lack of regulations. Miller believes the ordinance “should thrive or fail on its own merits, the market is going to tell us pretty quick if it is meant to happen.” But which developer will test the market? According to Miller, “we need to advertise this ordinance around the country, and let developers know that Houston has low barriers to entry and you don't need to be friends with the mayor to get a mixed-use development built.”

A major component left out of the ordinance is parking. The absence of a comprehensive parking

plan and reduced parking requirements in the ordinance has drawn criticism. “It's a shame,” laments Hagstette, “it would have been so easy to do, and it would have been a great incentive.” But according to Spillette, “Parking was too complicated an issue to deal with in the ordinance. I'm sure it will be revisited in the future.”

Parking issues aside, there is an ordinance in Houston that allows for the creation of a public realm and transit oriented development. Even though the ordinance did not go far enough for some, in the end, it is a major step. Asakura summarizes, “For sure [the ordinance] didn't go far enough. This town is not planning friendly. But of course I'm happy. We believed transit oriented development could transform Houston. We still believe it.”

—Camilo Parra