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**CITY OF PORT LAVACA**

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**MEETING:** March 9, 2026

**DATE:** 03.03.2026

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

**SUBJECT:** Consider a proposed ordinance regulating Congregate Living Facilities.

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As previously discussed with council, city staff has received numerous complaints regarding residential property owners converting single-family dwellings into shared living facilities. Rooms are being rented out on a weekly or monthly basis. I have even found single-family homes built solely for this purpose. We have found that some owners are also receiving income for individuals sleeping in dining rooms and living rooms as well. Our adopted codes do not currently address occupancy loads in single-family dwellings.

Other cities have had similar issues and have adopted more stringent ordinances to control the overcrowding and unsafe conditions to protect the public. It is this reason that legislation had recently passed SB 1567 prohibiting maximum occupancy loads (among other things) in home-rule municipalities with a population of less than 250,000 and have a campus of an institution of higher education with a student enrollment of more than 20,000. This was to prevent cities from prohibiting “frat houses”.

Our currently adopted 2021 International Property Maintenance Code states that dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces. Every bedroom shall provide a minimum floor space of 50 square feet per occupant. Kitchens, dining rooms and living rooms may not be designated as sleeping areas.

These minimum standards have resulted in the over-crowding of dwellings that were originally designed for one- and two-family dwellings. Some issues do arise for the following reasons:

1. It does cause major life-safety concerns. For example, if our fire department is called out for an emergency at one of these locations, they may not be fully prepared for having to assist and/or rescue possibly more occupants than are normally residing in the unit(s).
2. Most of these dwellings do not provide adequate off-street parking for the increased occupancy load. This results in vehicles parking on unimproved surfaces and/or congestion on the streets.
3. This has also resulted in a severe strain on the city’s wastewater system.

In January of this year, the City of Humble had adopted an ordinance regulating shared living homes. The proposed ordinance mimics these regulations.

Some of the key recommendations of the proposed ordinance include:

1. An annual permit to operate the facility with a fee of \$100 each year.
2. The maximum number of proposed tenants.
3. An initial inspection by the Building and Fire Departments and periodic inspections thereafter.
4. A maximum of four (4) unrelated occupants per unit.
5. A maximum of two (2) occupants per bedroom.
6. A minimum of 150 sf. of floor area per occupant. **Therefore, with four (4) occupants, the total square footage of the structure shall be a minimum of 600 sf..**
7. A minimum of one (1) off-street parking space per bedroom. And parking will not be allowed on unimproved surfaces. **All off-street parking, driveways and maneuvering areas shall be surfaced with an approved hard, dustless material that is maintained in a good condition.**

**Attachment(s):**

- Proposed Chapter 12, Article VII – CONGREGATE LIVING FACILITY