

ORDINANCE NUMBER 2073 - 2024

AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, TO GRANT A SPECIFIC USE PERMIT (SUP) PERSUANT TO DICKINSON CODE OF ORDINANCES SECTION 18-58 SO AS TO ALLOW THE USE OF AUTOMOTIVE SALES, NEW OR USED, LEASING, SERVICE AND REPAIR SHOPS, INCLUDING AUTO BODYWORK SHOPS; AND CAR, TRUCK. AND RV WASHING FAILITIES ON ± 2.41 ACRES OUT OF THE PERRY AND AUSTIN SURVEY, ABSTRACT NO. 19, MORE COMMONLY KNOWN AS 2619 GULF FWY, AND GENERALLY LOCATED ON THE NORTHEAST CORNER OF GULF FWY AND SUNSET DRIVE, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, BE Property Management Inc and Eddie and Betsy Dues (the “Owner”) is the owner of ± 2.41 acres out of the Perry and Austin Survey, Abstract No. 19, more commonly known as 2619 Gulf Fwy generally located on the northeast corner of Gulf Fwy and Sunset Dr., said ± 2.41 being acres more particularly described in Exhibit “A” attached hereto (the “Property”), in the City of Dickinson, Galveston County, Texas (the “City”); and

WHEREAS, the Property presently has a zoning classification of Interstate Commercial (IC) pursuant to Dickinson Code of Ordinances Section 18-58, the City's Comprehensive Zoning Ordinance; and

WHEREAS, the Owner has made application to the City for an additional Specific Use Permit (SUP) for said Property to allow an Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; and Car, Truck and RV washing facilities in an Interstate Commercial "IC" zoning district as authorized by the City’s Zoning Ordinance; and

WHEREAS, the City Secretary of Dickinson, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Dickinson and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of May, 2024, for the purpose of considering an Specific Use Permit (SUP) to allow an Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; and Car, Truck and RV washing facilities in an Interstate Commercial "IC" zoning district; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Dickinson, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of May, 2024; and

WHEREAS, the City Council is of the opinion and finds that the granting of the additional Specific Use Permit (SUP) described herein would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Dickinson, and as well, the owners and occupants thereof, and the City generally.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. It is directed that the official zoning map of the City of Dickinson, adopted on the 24th day of June, 2001, by Ordinance No. 420-2001, shall be revised and amended to reflect the Specific Use Permit (SUP) granted by this Ordinance, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 3. All provisions of the ordinances of the City of Dickinson in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Dickinson not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section 5. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision contained in this Ordinance, or who shall commit or perform any act declared herein to be unlawful, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00). Each day a violation continues shall constitute a separate offense.

Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Dickinson, Texas, declares that it would have

passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

APPROVED on first reading on 28th day of May, 2024.

PASSED, APPROVED, AND ADOPTED on second reading on 25th day of June, 2014.

FOR THE CITY OF DICKINSON:



SEAN SKIPWORTH, MAYOR

ATTEST:

Claude Allen Oliver

Claude Oliver, City Secretary

APPROVED AS TO FORM:



Nghiem V. Doan, City Attorney

EXHIBIT “A” – Application, Location, Commission Report

PROJECT OVERVIEW

Project Type: Specific Use Permit | **Project Title:** Specific Use Permit

ID # 24-000458 | **Started** 05/01/2024 at 9:51 AM



Address

2619 Gulf Fwy., Dickinson, TX USA 77539

Legal

Blk 57-58-74-7 Lot 3 & 4
A Addn D
SPerry & Austin 19

Description

SUP for auto, RV, trailer, fifth wheel, etc. paint and body repair, minor repair, washing, vehicle sales and service, part sales and service

PROPERTY DETAILS

Property ID	R167207
Flood Zone	Zone C (non risk)
Zoning District	GC - General Commercial

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
Eddie Dues	edues52@hotmail.com 8325614382	5220 Starboard Ln. Dickinson, TX, TX 77539	-	Property Owner

INFORMATION FIELDS

GCAD Property ID
167207

Address
2619 Gulf Fwy

GCAD Legal Description
ABST 19 PERRY & AUSTIN SUR PT OF LOTS 3 & 4 SCHMIDT ENCLOSURE (GCAD ID 167207) and ABST 19 PERRY & AUSTIN SUR PT OF TRACT 3 & 4 (3-2) SCHMIDT ENCLOSURE (GCAD ID 167209)

Property Acres
2.42

Property Owner
Edward and Betsy Dues and BE PROPERTY MANAGEMENT INC

Property Owner Address
5220 Starboard Ln

Owner Phone Number
832-561-4382

Owner Email
edues52@hotmail.com

Proof of Ownership

-

Signatory Authorization

-

Agent Authorization

-

Zoning Designation

Interstate Commercial District

Existing Use Type

Commercial

Existing Use

Vacant

Proposed Use Type

Commercial

Proposed Use

auto, RV, trailer, fifth wheel, etc. paint and body repair, minor repair, washing, vehicle sales and service, part sales and service

Description of Specific Use Requested

SUP for auto, RV, trailer, fifth wheel, etc. paint and body repair, minor repair, washing, vehicle sales and service, part sales and service

Applicant Statement - Zoning

Applicattion.pdf

Additional Supporting Documents

-

Technical Studies

-

Floor Plan

-

Planning & Zoning Commission Public Hearing

05/21/2024 6:00 PM

City Council Public Hearing

05/28/2024 6:00 PM

City Council Meeting

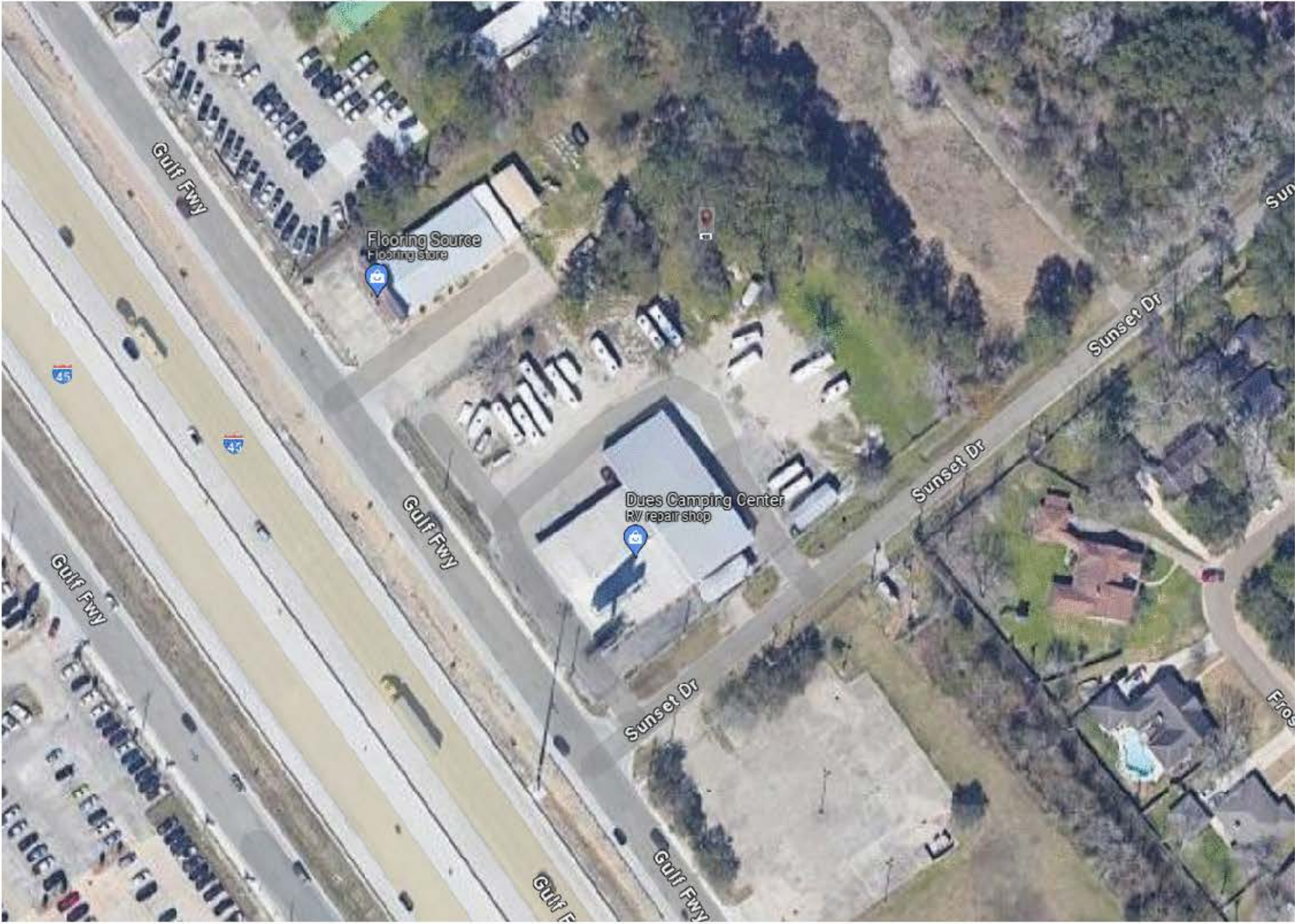
06/25/2024 6:00 PM

Request To

Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; Car, Truck and RV washing facilities; in an Interstate Commercial "IC" zoning district

Applicant statement

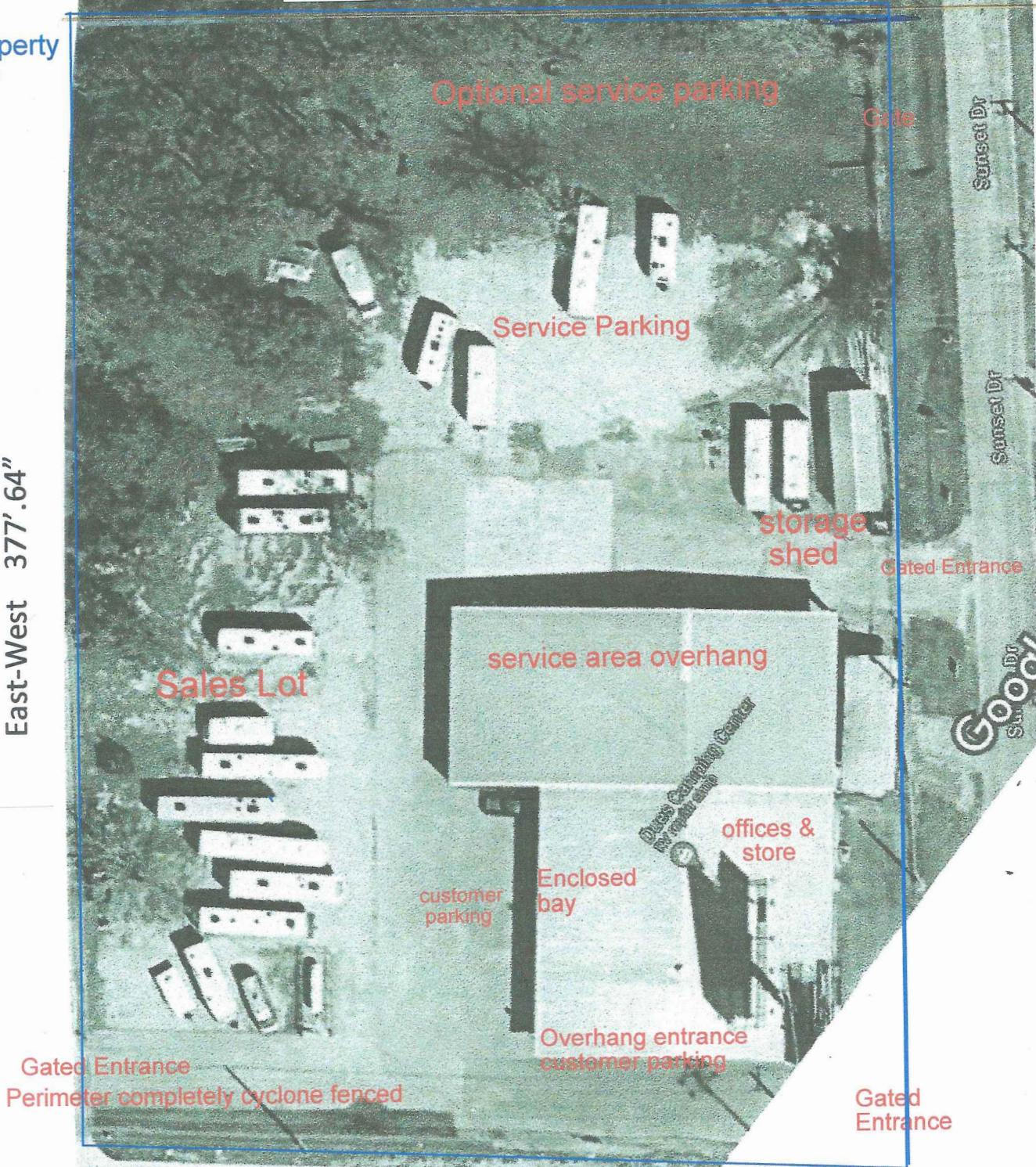
1. For 55 years in this location, 2619 Gulf Freeway, Dickinson has been an RV Dealership. It provided a service and a need to city, county, state, and people from other states and countries passing through. I believe the proposed uses would benefit the city and surrounding areas even if it doesn't fall under the current zoning regulations.
2. The property is commercial freeway frontage along with auto dealerships, flooring store, and monument sales. Residential neighborhood behind is buffered by wooded areas.
3. The proposed use of the property will be RV, trailer, sales and service, parts and accessories, and paint and body shop.
4. The property has been used for such purposes for 55 years.
5. We see no detriment. It has co existed with all properties since 1969.
6. We see no problems with capacity or safety. Proposed uses would not increase traffic on surrounding roads, cause any parking problems in the area or affect any other public facilities or utilities any more than has been going on for 55 years.
7. We see no reason it would harm value of properties in the area if it hasn't already since 1969.



North-South 270'.68"

property
line

East-West 377'.64"



Optional service parking

Gate

Sunset Dr

Service Parking

Sunset Dr

storage
shed

Gated Entrance

Sales Lot

service area overhang

Goody's
Sun Dr

Dunes Community Center
No open camp

offices &
store

customer
parking

Enclosed
bay

Overhang entrance
customer parking

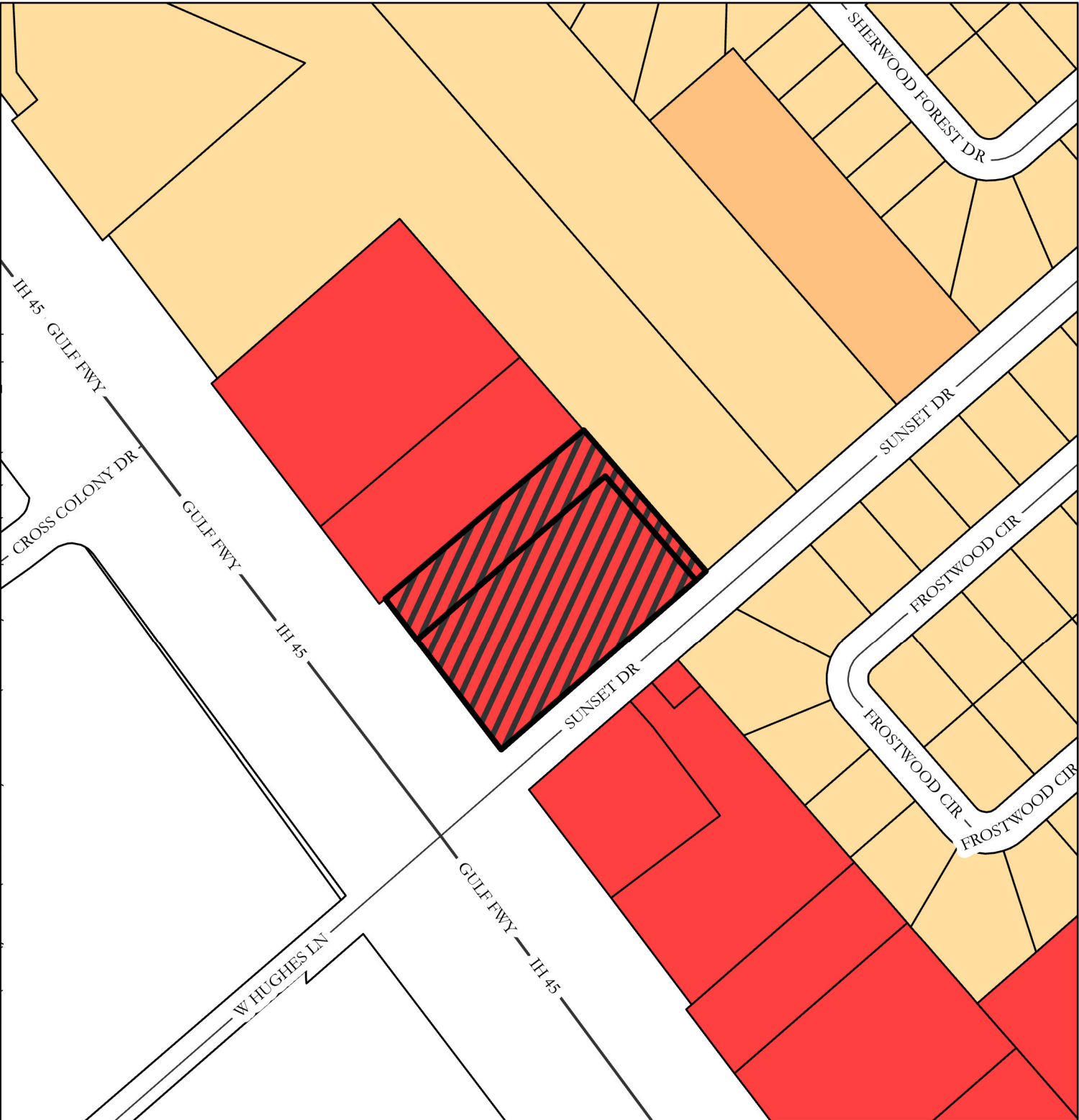
Gated Entrance
Perimeter completely cyclone fenced

Gated
Entrance

f Fwy

Gulf Fwy

Gulf Fwy

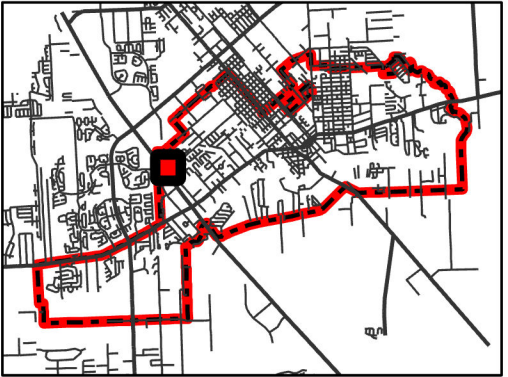


Specific Use Permit

- Vicinity Map -

GCAD #167207
 approx. 1.6 acres, legally described as
 ABST 19 PERRY & AUSTIN SUR PT OF
 LOTS 3 & 4 SCHMIDT ENCLOSURE and
 GCAD ID #167209
 approx. 0.82 acres, legally described as
 ABST 19 PERRY & AUSTIN SUR PT OF
 TRACT 3 & 4 (3-2) SCHMIDT ENCLOSURE

-  Subject Property
- Zoning Districts
-  Conventional Residential (CR)
-  HR - High-Density Residential
-  IC - Interstate Commercial



The City of Dickinson Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.

1 inch = 200 feet

Date: 5/1/2024



Planning & Zoning Commission

Specific Use Permit

May 21, 2024

Commission Report

Plan Number: 24-000458

Request:

a request for Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; and Car, Truck and RV washing facilities in an Interstate Commercial "IC" zoning district.

Applicant: Edward Dues

Owner: BE PROPERTY MANAGEMENT INC and DUES EDDIE & BETTY

Subject Properties:

Approximately ± approx. 1.6 acres, located at 2619 Gulf Fwy, legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOTS 3 & 4 SCHMIDT ENCLOSURE and approx. ± 0.82 acres, legally described as ABST 19 PERRY & AUSTIN SUR PT OF TRACT 3 & 4 (3-2) SCHMIDT ENCLOSURE.

Parcel Information:

Current Use: vacant
Proposed Use: auto, RV, trailer, fifth wheel, etc. paint and body repair, minor repair, washing, vehicle sales and service, part sales and service

Surrounding Properties Information:

North: Interstate Commercial ("IC")
West: Right-of-way (Gulf Fwy.)
Extra-territorial Jurisdiction ("ETJ")
East: Conventional Residential ("CR") zoning district
South: Right-of-way (Sunset Dr.)
Interstate Commercial ("IC") zoning district
Conventional Residential ("CR")

Figure B



The General Commercial land use category in the Dickinson Charting Our Course to 2045 Comprehensive Plan “is intended for business areas which will serve the local and regional community; and rely on higher traffic volumes and the visibility that is associated with being located along a major highway (i.e., I-45 frontages, SH 517, and SH 646 corridors). In these areas, the predominant character of development is auto-urban. While accommodating the automobile is, and will continue to be the predominant focus, improved streetscape and parking lot landscaping standards, buffers, appropriately designed and scaled signage, higher quality development standards, and access management techniques (e.g., limited access points and inter-parcel access easements) will enhance the overall quality and appearance of the City’s commercial corridors and reduce traffic congestion.”

Planning & Zoning Commission Update:

(2) The character of the neighborhood.

The subject tract is zoned Interstate Commercial (“IC”). The purpose of the IC zoning district is to provide adequate space and development of a well-designed and diverse mixture of commercial uses that serve the needs of the traveling public along Interstate 45, while also providing benefits to city residents as well. The businesses located in this district include those that benefit from interstate highway access, visibility and suitable vehicle parking. The proposed SUP would not affect the surrounding uses and would allow for continued commercial in the area. Gay Family Kia is currently in the development process across Sunset Dr.

Planning & Zoning Commission Update:

(3) The zoning and use of nearby properties, and the extent to which the proposed zoning and use would be compatible.

The SUP will be compatible with the use and enjoyment of other property in the immediate vicinity. The proposed development is consistent with the surrounding land uses, the current zoning of the subject site.

The properties to the east of the subject property are zoned Conventional Residential. The properties are undeveloped and there are no current residential homes adjacent to the subject property.

Planning & Zoning Commission Update:

(4) The suitability of the property for the uses permitted by right in the proposed zoning district.

The uses permitted by right in the Interstate Commercial (IC) zoning district are comparable to the proposed use. IC zoning district allows uses such as Convenience stores, General office, Hospitals, Hotels, Restaurants, and Retail stores. Specific use permits can be approved when uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. The property directly across Sunset Drive is currently being developed as Gay Family Kia. Adjacent uses include commercial, and vacant parcels.

Planning & Zoning Commission Update:

(5) The extent to which approval of the application would detrimentally affect nearby properties.

The specific use permit will not detrimentally affect nearby properties. All uses and activities permitted shall conform to the city's performance measures and standards as provided in the Code of Ordinances. There is a significant amount of undeveloped property between the subject property and residential properties to the east.

Planning & Zoning Commission Update:

(6) The extent to which the proposed use would affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present parking problems in the vicinity of the property.

The proposed use will meet or exceed all requirements for capacity or safety of that portion of the street network, other public facilities or utilities. The proposed Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops must not affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present parking problems in the vicinity of the property.

Planning & Zoning Commission Update:

(7) The extent to which approval of the application would harm the value of nearby properties.

Approval of the application would not harm the value of nearby properties. If the property is developed any further, the City of Dickinson Code of Ordinances will govern any adverse impacts. Additional commercial activity on Gulf Fwy will further economic progress.

Planning & Zoning Commission Update:

STAFF RECOMMENDATION:

Staff recommends **Approval with Conditions** of the proposed Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; and Car, Truck and RV washing facilities in an Interstate Commercial "IC" zoning district.

Recommended Conditions:

Staff reviewed the submitted application and recommended changes made to the requirements prior to the public hearing and recommendation to City Council. While some of staff's comments were addressed satisfactory, staff would recommend additional requirements added to the Planned Development:

1. Building Comments:
 - Further description of paint and body shop setup required; and
 - The 2018 International Mechanical Code requirements must be met as well as Fire Code.

2. Fire Comments:
 - Depending on what business acquires the space will depend on what Fire and Life safety codes they will be under and may need fire alarms, fire sprinklers, or fire suppression systems;
 - Plans will need to be submitted with a detail of what operations will be ran out of the space;
 - Must meet all IFC 2018.
3. GC WCID Comments: This property currently receives water and sewer service from Galveston County WCID #1 but is outside the District's service area boundary. The District has no objections to the proposed use but would like to discuss with the property owner about being annexed into the District.
 - The property owner has contacted the District and is in the process of annexation. The District has approved the proposed zoning, but note that the District is going to require oil/sand traps on any indoor or outdoor floor drains that would be connected to the District's sewer system if not currently existing.
4. Planning Comments:
 - All vehicles must be placed in a designated parking space that must meet or exceed all the requirements of Dickinson Code of Ordinances Chapter 18 ARTICLE IX. - PARKING REGULATIONS (as included in the SUP Ordinance adopted by City Council), including but not limited to design requirements, Off-street parking schedule, and minimum dimensions for off-street parking;
 - Repair work shall be separated by screening from any residentially zoned properties, and all public rights-of-way; and
 - A vehicle storage area must be designated for all inoperable vehicles, damaged vehicles, or vehicles that have missing parts. Vehicles that are not maintained for driving and waiting to be serviced must remain in the vehicle storage area unless currently under repairs. The vehicle storage area shall be designed so that the vehicles stored within are screened from any residentially zoned properties, and all public rights-of-way.

Commission Recommendation:

Planning and Zoning Commission recommends _____

_____ for the proposed Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops; and Car, Truck and RV washing facilities in an Interstate

Commercial "IC" zoning district by _____ **vote** on the 21st day of May 2024.

DEBORAH FORTNER, Vice Chair
City of Dickinson, Texas
Planning and Zoning Commission

ARTICLE IX. PARKING REGULATIONS

Sec. 18-92. General requirements.

At the time any building, use, or structure is erected, enlarged, structurally altered, or converted from one use to another which requires an increase in the number of parking space, off-street parking spaces shall be provided in accordance with these regulations for the use of occupants, employees, visitors and patrons. Where off-street parking facilities are provided in excess of the minimum amounts specified by this article, or when off-street parking facilities are provided but not required, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space as specified in this article.

Off-street parking facilities shall be maintained and continued as long as the building, use or structure is continued. No person shall utilize such building, use or structure without providing the required off-street parking facilities. In addition, it shall be unlawful to discontinue or dispense with, or cause the discontinuance or reduction of, the required parking facilities apart from the discontinuance of the building, use or structure, without establishing alternative off-street parking facilities, which meet these requirements.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-93. Construction standards.

The provisions of this section, in addition to the applicable sections of the city's building code shall govern the design and construction of driveways, parking areas, and sidewalks. Driveways, parking areas, vehicle access and maneuvering areas, and sidewalks shall be designed and constructed in accordance with the following minimum requirements.

- (1) Residential driveways shall be constructed of concrete or mortarless brick paving. Concrete shall be a minimum strength of three thousand (3,000) psi, with a four (4) inch minimum thickness, with six-inch by six-inch by six-inch welded wire mesh reinforcement, supported by chairs, and shall be tied into existing concrete street pavement with one-half (½) steel dowel bars at twenty-four (24) inches c.c., with dowel bar penetration into the existing concrete at a minimum of six (6) inches, and with expansion joints at intervals not to exceed twenty (20) feet. Residential drives located on a single lot one (1) acre or greater, or tract of land one (1) acre or greater, are exempt from this requirement.
- (2) Sidewalks shall be constructed of concrete or mortarless brick paving. Concrete shall be a minimum strength three thousand (3,000) psi, with a four (4) inch minimum thickness, with six inch by six-inch by six-inch welded wire mesh reinforcement, supported by chairs. Sidewalks shall be a minimum of four (4) feet wide and expansion joints should not exceed thirty-six (36) feet.
- (3) Driveway approach. That portion of any driveway within the public right-of-way shall be constructed of concrete or mortarless brick paving if the adjacent street is concrete; however, if the adjacent street is asphalt, then the driveway approach may be constructed of asphalt, concrete, or mortarless brick paving.
- (4) No building permit shall be granted for construction of any new residential dwelling that does not provide for the construction of a driveway and a minimum of two (2) off-street parking spaces. Driveways shall not be located within two (2) feet of an adjoining property line. Off-street parking

spaces shall not be located within an adjoining street right-of-way. Each off-street parking space shall be a minimum of nine (9) by twenty (20) feet in size.

- (5) No building permit shall be granted for any enlargement, structural alteration, or remodeling of an existing residential dwelling, which results in a twenty-five (25) percent increase in the livable floor space, unless there is an existing driveway and a minimum of two (2) off-street parking spaces or such enlargement, alteration, or remodeling provides for the construction of a driveway and off-street parking spaces as required herein.
- (6) No permit shall be granted for the placement of a manufactured home that does not provide for the construction of a driveway and a minimum of two (2) off-street parking spaces as required herein. The provisions of this paragraph shall not apply to a permit for the placement of a manufactured home within a manufactured home community, or the authorized replacement of a nonconforming manufactured home, which was lawfully existing on the date of adoption of this provision.
- (7) Multiple family residential, commercial and industrial driveways and parking areas shall be constructed of concrete or mortarless brick paving. Concrete shall be a minimum strength of three thousand (3,000) psi, having a six-inch minimum thickness, with #4 rebar on eighteen (18) inch centers supported by chairs, and shall be tied into existing concrete street pavement with #4 steel dowel bars at twenty-four (24) inches c.c. The pavement structure shall be designed based on soil data from the site and based on the anticipated traffic volume, loading and service life of the proposed pavement structure. Sub-grade shall be stabilized with a minimum six (6) percent lime by weight, six (6) inches thick and compacted to ninety-five (95) percent standard proctor density or as specified by a licensed professional engineer. Horizontal dowels or saw cutting to expose existing steel are required to create a minimum ten (10) inch overlap of reinforcing steel when making a connection of a proposed concrete driveway or parking area to an existing street or drive. When the existing concrete street has no exposed steel, the following shall apply: (1) dowels should be number four (#4) bars, twenty-four (24) inches long, embedded twelve (12) inches and epoxied, and spaced in accordance with this section; and (2) as an alternative, saw cut to two (2) inches in depth and remove existing concrete to expose a minimum of twelve (12) inches of longitudinal steel, in good condition, with an equivalent cross section area of steel equal to the proposed pavement steel.
- (8) Mortarless brick paving shall, at a minimum, be laid over a flexible base, constructed of compacted subgrade, a compacted aggregate base of not less than four (4) inches, and a minimum of one (1) inch of sand.
- (9) Any off-street display area shall be constructed, at a minimum, of one and one-half (1½) inches of asphalt pavement on top of six (6) inches of limestone base or as specified by a licensed professional engineer.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-94. Parking, prohibited.

Recreational vehicles, travel trailers, boats, campers, pick up coaches, motor homes, and other mobile structures are hereby limited by the following prohibitions:

- (1) It shall be unlawful for any person to park any recreational vehicle, trailer, or combination thereof, on any street, public right-of-way, or alleyway of the city for more than seventy-two (72) hours continuously, and such occurrence shall be limited to once every ninety (90) days. Provided, however, lawfully registered and operable passenger and light trucks are hereby excluded from this prohibition.

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- (2) No person shall park, place, or locate a recreational vehicle on any public property, or during daylight hours within any area of a public park not designated for recreational vehicle usage, for a period of more than four (4) hours, except in cases of emergency.
 - (3) No person shall park, place, or locate a recreational vehicle which is used for living quarters, or in which cooking is done, on any lot, tract, or parcel of land for a period of more than forty-eight (48) hours, unless within a recreational vehicle park, except:
 - a. Recreational vehicles may be parked on land owned by persons whose business is the repair of recreational vehicles; provided, however, when such vehicles are so parked, their use for living, sleeping, storing, or working quarters is prohibited.
 - b. Recreational vehicles may be parked on privately owned property, with the owner's permission, for storage purposes as long as such storage does not violate any other ordinance or regulation of the city.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-95. Design requirements.

- (a) An off-street parking space shall not be in a street or alley right-of-way. Each off-street parking space shall be permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley that affords unobstructed ingress and egress to each space.
- (b) Each parking space shall be accessible from a street or alley through aisles and/or driveways, except that tandem parking arrangements are permitted for single-family, two-family and manufactured home residential uses. With the exception of the above residential uses on local and collector streets, off-street parking facilities shall be so arranged that in order to depart from the premises it shall not be necessary that any automotive vehicle be backed into any public street right-of-way.
- (c) Circulation within a parking area with more than one (1) aisle shall be such that a vehicle need not enter the street in order to reach another aisle within the same parking area. Dead-end aisles are not permitted for parking spaces with angles greater than zero (0) degrees and less than ninety (90) degrees unless adequate turnarounds are provided. All circulation and maneuvering of vehicles shall occur without encroaching any right-of-way or adjacent property, except in the case of joint parking facilities.
- (d) All parking spaces shall be clearly marked on the pavement with yellow or white traffic paint, curbs, or raised pavement markers approved by the city. Traffic control signs or other pavement markings shall be used as necessary to ensure safe and efficient traffic operation. The provisions of this paragraph shall not apply to a single-family dwelling.
- (e) Placement, signing, and markings for fire zones shall be approved by the city's fire official.
- (f) A parking lot shall be designed to physically prevent any portion of a vehicle from encroaching or overhanging any public right-of-way line or private property line through the installation of a permanent curb, wall, or other physical barrier.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-96. Location requirements.

The off-street parking facilities required by this article shall, to the greatest extent practicable, be located on the same lot or parcel of land as the building, use or structure in which they are required. In the event of difficulties in providing the off-street parking facilities on the same parcel of land, the zoning official may permit

such required parking facilities on another lot or parcel, provided that the straight line distance between the two (2) parcels shall not exceed three hundred (300) feet, and provided further that provisions are made to safeguard the permanency of such facilities. However, under the following conditions, a proposed use or new tenancy of an existing structure shall only be required to provide the maximum number of off-street parking spaces that can be arranged for functional parking use on the space available on the subject lot or parcel:

- (1) The full amount of required facilities cannot be provided on the same lot or parcel of land as the structure because existing structure(s) consume space that would otherwise be available for functional parking; and,
- (2) The zoning official determines that on-street parking in the area of the proposed use will not create a hazardous condition or detrimentally affect traffic movements, based on the application of the following criteria to the adjacent street(s):
 - a. Whether the adjacent street width is adequate for parking;
 - b. Parking regulations on the adjacent street;
 - c. Speeds on the adjacent street; and,
 - d. Volume of traffic on the adjacent street.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-97. Joint parking facilities.

Required off-street parking for any number of separate uses may be combined in a joint parking facility under the conditions of this section, subject to the approval of a joint parking facility plan by the zoning official. Such joint parking facility plan shall be reviewed by the zoning official for conformance with this section.

- (1) *Joint parking facilities permitted.* Whenever two (2) or more uses are located together in a common building, shopping center, or other integrated building complex, the parking requirements may be complied with by providing a permanent, common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The joint parking facility shall be located within three hundred (300) feet from all uses, and shall not be separated from such uses by arterial streets. The total number of spaces provided shall not be less than the sum of the individual requirements for all uses, unless otherwise permitted in these regulations. Spaces provided for any permanent residents of dwellings shall be clearly designated and separated from spaces provided for employees, customers and service.
- (2) *Multiple ownerships and structures.* Where buildings, uses or structures participating in a joint parking facility are owned by multiple owners, each owner shall provide evidence of a permanent, legal instrument, approved by the city attorney, which guarantees such owner's rights to the use of the parking facility. Any termination of or amendment to such an agreement shall be subject to the approval of the city.
- (3) *Churches.* Churches may establish joint parking facilities with other uses that do not have a time conflict in parking demand. However, only fifty (50) percent of a church's required parking spaces may be provided in this manner. In addition, such joint parking facilities shall be located no more than four hundred (400) feet from the church sanctuary.
- (4) *Guarantee.* Joint parking facilities shall guarantee the permanency of the joint use through an appropriate legal instrument, approved by the city attorney, and filed of record.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-98. Computation of the number of parking spaces.

In computing the number of parking spaces required, the following rules govern:

- (1) Service areas such as mechanical rooms, attics, and closets are excluded from the calculation of "floor area" for determining required parking spaces.
- (2) Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number.
- (3) The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the zoning official.
- (4) Whenever a building or use constructed or established after the effective date of this chapter is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this chapter is enlarged to the extent of fifty (50) percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
- (5) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- (6) Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity permitted by the building and/or fire code and approved by the city's building and fire officials. When determining seating capacity for a building, use, or structure utilizing bench seating, each twenty-two (22) inches of bench shall be considered one (1) seat.
- (7) Where a manufacturing/industrial use has more than one working shift of employees, parking facilities shall be adequate to accommodate overlap requirements during transition periods.
- (8) When the developer of a large-scale development can demonstrate that such development will require fewer parking spaces than required by the standards of this chapter, the zoning official may permit a reduction in the number of required parking spaces for the development. Such a reduction in parking spaces shall be justified through the development of a parking study prepared by a professional traffic engineer or transportation planner and submitted to the zoning official. The balance of the land necessary to meet these requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-99. Off-street parking schedule.

The minimum number of parking spaces required is as follows:

OFF-STREET PARKING STANDARDS

Use	Spaces	Unit
Residential Land Use		
Single- and two-family dwellings	2:1	Dwelling unit
Accessory dwelling unit	1:1	Accessory unit
Multi-family dwellings and townhouses:		

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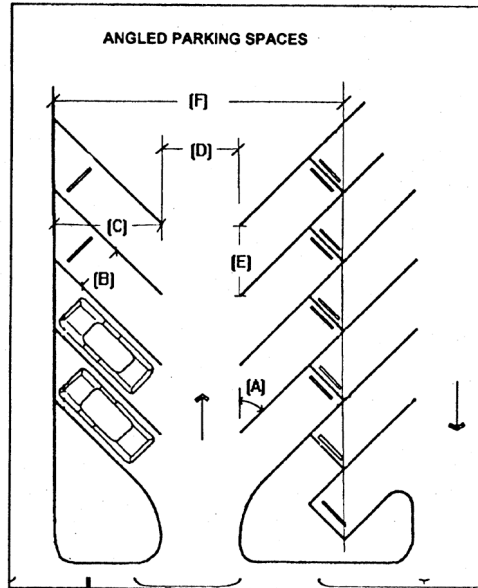
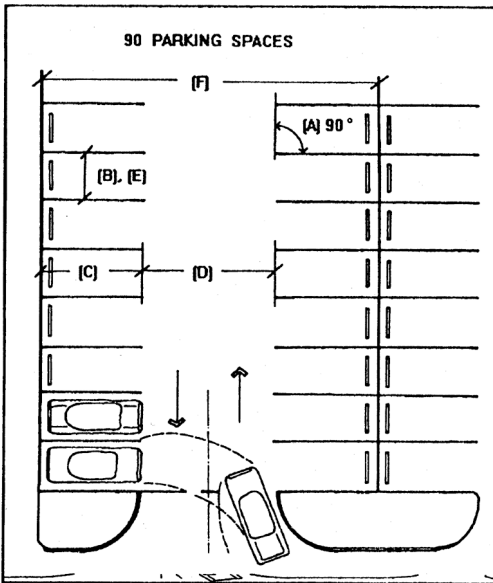
1 bedroom	1.5:1	Dwelling unit
2 or more bedrooms	2:1	Dwelling unit
3 or more bedrooms	0.5:1	Dwelling unit bedroom
Manufactured home	2:1	Dwelling unit
Group residential	1.5:1	Sleeping unit
Civic Land Use		
Churches, theaters, auditoriums, stadiums, gymnasiums, and other assembly halls	1:4 or 1:300 whichever is greater	Seats square feet (gfa)
Club or lodge	1:4 or 1:300 whichever is greater	Seatssquare feet (gfa)
Country club or golf course	6:1	Hole
Elementary and middle schools	1:20	Students
High schools	1:4	Students
Hospital	1.5:1	Bed
Library, museum	1:400	Square feet (gfa)
Commercial Land Use		
Automotive and equipment sales/leasing	1:300 showroom 1:2,500 (lot)	Square feet (gfa) Square feet (paved area)
Bank, clinic, and office	1:250	Square feet (gfa)
Convenience store	1:250	Square feet (gfa)
Day care center	1:10 plus 1.1	No. of Childrenlicensed for care Employee
Flea market	1:150	Square feet of area of merchandise display
Hotels and motels	1:1	Guest room
Mortuary or funeral home	1:4	Seats
Restaurant	1:100 plus 1:2	Square feet (gfa) Employees
Restaurant, fast food	1:100	Square feet (gfa)
Retail, general	1:250	Square feet
Service station	4:1	Bay
Shopping center	1:300	Square feet
Industrial Land Use		
Industrial, manufacturing, fabricating	1:650	Square feet (gfa)
Research laboratory	1:500	Square feet (gfa)
Warehousing, shipping, receiving	1:1,000	Square feet (gfa)
Wholesaling, storage, distribution	1:1,000	Square feet (gfa)

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-100. Minimum dimensions for off-street parking.

All parking spaces, aisles and modules shall meet the minimum requirements, as shown in the following table. Provided in the table below are the minimum standards for two (2) parking stall width options—Nine-foot wide spaces and ten-foot wide spaces.

A	B	C	D		E	F	
Angle or Parking (Degrees)	Width of Stall	Depth of Stall 90 Degrees to Aisle	Width of Aisle		Width of Stall Parallel to Aisle	Module Width	
45	9	21.1	12	20	12.7	54.2	62.2
45	10	21.1	12	20	14.1	54.2	62.2
60	9	22.3	15	—	10.4	59.6	—
60	10	22.3	14	—	11.6	58.6	—
90	9	20	—	25	9	—	65
90	10	20	—	24	10	—	64
Parallel	9	9 (width)	12	24	22	30	42



90 PARKING SPACES—ANGLED PARKING SPACES

- (1) Off-street parking spaces (ninety (90) degree only) that abut a landscape island may be reduced in length to eighteen (18) feet provided that the island is a minimum of four (4) feet in depth and protected by wheel stops or curb.
- (2) Off-street parking spaces (ninety (90) degree only) that abut a sidewalk adjacent to a building may be reduced in length to eighteen (18) feet provided that the sidewalk is a minimum of six (6) feet in width.
- (3) The width of the alley may be assumed to be a portion of the maneuvering space requirement for off-street parking facilities located adjacent to a public alley.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-101. Accessible parking spaces for disabled persons.

Handicap parking spaces accessible to disabled persons shall be provided in accordance with this section, the American's with Disabilities Act (ADA), and any federal regulations promulgated hereafter. Parking lots must designate accessible spaces for use of persons with disabilities (handicap accessible spaces) as follows:

Total Parking Spaces	Accessible Spaces
10—50	1
51—100	2
101—300	3
301—500	5
500 +	1 percent of total

Note: A minimum of one (1) van accessible space measuring ninety-six (96) inches wide minimum is required.

Handicap accessible spaces must be marked and designated in accordance with the standards and specifications adopted by the commissioner of licensing and regulation of the Texas Department of Transportation under Section 5(c), Article 9102, Revised Statutes, relating to the identification and dimensions of parking spaces for persons with disabilities, as amended, or as otherwise required by federal or state law.

Additional handicap accessibility standards are as follows:

Parking:

- a. Accessible route(s) from the parking area to the building.
- b. Curb ramps a minimum of forty (40) inches wide with a maximum slope of 1:12 and textured surfaces.
- c. Curb cuts at each corner.

Sidewalks:

- a. Maximum level change of one-half (½) inch.
- b. Minimum width of forty-eight (48) inches.
- c. Maximum openings in surfaces of three-eighths (¾) inch.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-102. Parking lot lighting.

Illumination of parking areas shall be required for all parking areas with more than twenty (20) parking spaces. The illumination may be provided through the use of light fixtures on either a pole or on a building. Lighting used to illuminate parking areas shall be arranged, located or screened to direct light away from any adjoining or abutting residential district or use or any street right-of-way. Illumination for parking areas shall be provided as follows:

The minimum amount of maintained illuminations for open parking shall be as follows:

Uses	Foot Candles	Uniformity Ratio
Low Activity	0.5	4:1
Medium Activity	1.0	3:1
High Activity	2.0	3:1

For purposes of interpreting the table above, high activity uses include athletic fields, large shopping malls and similar uses; medium activity uses include fast food restaurants and small to medium shopping centers; and low activity uses include local merchant parking, educational parking, industrial parking, and similar uses. The light fixtures shall be arranged in order to provide uniform illumination throughout the parking lot as indicated by the uniformity ratio above of average illumination to minimum illumination. The required illumination shall be measured at the pavement.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-103. Drive-in and drive-through stacking distance requirements.

Uses that have drive-through window services, unless otherwise provided below, shall provide a minimum stacking distance of one hundred sixty (160) feet, of which eighty (80) feet shall be provided to the menu board, exclusive of any aisle or parking space. The following drive-in and drive-through facilities shall conform to the following requirements.

Type of Operation	Minimum Number of Vehicles
Financial institution with drive-up tellers	4 vehicles per window or kiosk
Financial institution with drive-up ATM	2 vehicles per window or kiosk
Car wash—Self service	4 vehicles per bay at entrance 1 vehicle per bay at exit
Car wash—Automatic, conveyor	300 feet per bay at entrance 2 vehicles per bay at exit
Fast food restaurant	4 vehicle behind menu board 4 vehicle behind first window
Photo processing	2 vehicles per window
Dry cleaning	2 vehicles per window
Gasoline stations	2 vehicles per pump
Gated parking lot entrance, unit or overhead door	1 vehicle per gate/door
Day care centers and schools	As specified in the approved site development plan

These minimum vehicle storage requirements shall remain in force, unless the applicant can present a traffic study from a professional engineer that provides verifiable evidence to allow the reduction of these minimum stacking lengths. Deviations from these requirements shall be approved by the zoning official.

Stacking for all uses shall conform to the following standards:

- (1) No stacking space may occupy any portion of a public right-of-way.
- (2) The minimum pavement lane width shall be twelve (12) feet.
- (3) Stacking spaces shall not be used to satisfy any of the off-street parking or loading requirements.
- (4) Stacking lanes shall not interfere with parking spaces, parking aisles, loading areas, internal site circulation, or driveways.
- (5) A twelve-foot by-pass lane is required adjacent to the stacking lane to allow vehicles to circumvent the drive-through lane.

(Ord. No. 420-2001, § 1, 7-24-01)

Sec. 18-104. Off-street loading requirements.

Every building (or part thereof) erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles or materials or merchandise, shall provide and maintain on the same premises loading space in accordance with the following requirements:

Gross Floor Area (GFA) in Square Feet	Number of Required Loading Spaces
Less than 10,000	0
10,000—50,000	1
50,001—100,000	2
Each additional 100,000	1

Off-street loading spaces shall meet the following design requirements:

- (1) Each off-street loading space shall be a minimum of twelve (12) feet in width and forty-five (45) feet in length, with a vertical clearance of at least fifteen (15) feet. Such spaces shall be at grade level and on the same parcel of land as the corresponding building, use or structure.
- (2) Adjacent public rights-of-way and private properties shall not be used for maneuvering. All maneuvering shall be contained on site. Maneuvering areas for loading facilities shall not conflict with parking spaces or with the maneuvering areas for parking spaces.

(Ord. No. 420-2001, § 1, 7-24-01)