

Chapter 26. PARKING

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ARTICLE XI. PARKING BENEFIT DISTRICTS

DIVISION 1. GENERALLY

Sec. 26-701. Definitions.

As used in this article, the following terms and phrases shall have the following meanings, except where the context clearly indicates a different meaning:

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Midtown means all streets included and bounded by IH US 59, SH 288, IH US 45, 527 Spur, Cleveland, Baldwin, Pierce, Helena, Valentine, West Webster, Cook, Sutton, Albany to Tuam, further described in Exhibit B to Ordinance No. 2021 - _____.¹

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DIVISION 6. DESIGNATION OF MIDTOWN AS A PARKING BENEFIT DISTRICT

Sec. 26-754. Designation of district; time limit; continuation, modification or termination of district.

(a) City council hereby designates Midtown as a parking benefit district for a period ending on the 180th day following the first anniversary of the effective date of its designation (_____)², provided that the parking benefit district shall continue after the expiration of this period unless city council takes action to terminate the district.

(b) As soon as practicable after the time period provided in subsection (a) of this section:

(1) The director shall report to city council on the effectiveness of the parking benefit district and provide his recommendations for continuation, modification or termination of the district; and

(2) In consultation with the Midtown Advisory Committee, the Midtown Management District may make recommendations to the mayor and city council regarding modifications to the parking benefit district.

¹ City Secretary/Editor shall insert the number of this Ordinance.

² City Secretary/Editor shall insert the effective date of this Ordinance.

(c) Upon recommendation from the traffic engineer, city council may modify or terminate the parking benefit district prior to or after the time period provided in subsection (a) of this section if the traffic engineer determines that termination or modification is necessary for public safety or mobility purposes.

Sec. 26-755. Disposition of revenue.

(a) All fees and revenues generated from the use of parking meters located in the Midtown parking benefit district between the hours of 6:00 p.m. and 2:00 a.m. shall be allocated to the parking benefit district, beginning as soon as any such parking meter becomes operational. Additionally, all fees and revenues generated from the issuance of permits in the parking benefit district under article XII of this chapter shall be allocated to the parking benefit district. All fees and revenues generated from the issuance of parking citations in the Midtown parking benefit district shall be allocated to the ParkHouston special revenue fund.

(b) All the total combined fees and revenue of the Midtown parking benefit district and the ParkHouston special revenue fund shall be first expended to defray the total administrative costs, signage, enforcement, debt service, and the installation, operation and maintenance of parking meters placed in service in the Midtown parking benefit district on or after the effective date of designation of the parking benefit district. The total administrative costs shall be shared and paid by the Midtown parking benefit district and from the ParkHouston special revenue fund in proportion to the total combined fees and revenue generated by or deposited into each respectively for the previous year.

(c) Sixty percent of fees and revenues in excess of the total administrative costs shall be allocated to projects for the sole benefit of the parking benefit district. The remaining funds shall be deposited in the ParkHouston special revenue fund.

(d) The city may enter into agreements with the Midtown Management District, subject to city council approval, to manage projects to be funded with revenue generated by the parking benefit district.

(e) Fees and revenue generated from the Midtown parking benefit district may be used in conjunction with other public funds or public-private partnership funds available for projects to benefit the district.

(f) In the event that the Midtown parking benefit district is terminated, any fees and revenues generated from the use of parking meters and the issuance of permits in the parking benefit district that have not been expended shall be transferred to the ParkHouston special revenue fund.

Sec. 26-756. Midtown Advisory Committee

(a) Prior to the city entering an agreement with the Midtown Management District pursuant to section 26-755(d) of this Code, the Midtown Management District shall create a Midtown Advisory Committee to make recommendations to the mayor and city council on issues relating to the parking benefit district, including: potential projects to be funded with revenue generated from the parking benefit district, the timing and order of such projects, changes to the parking meter and permit fees, and the allocation and management of permits.

(b) The committee shall consist of no less than five and no more than nine regular members and five nonvoting ex officio members. The regular members shall be business owners or residents of Midtown who have an interest in the parking issues affecting Midtown and are at least 18 years of age. The Midtown Management District shall provide a list of the committee members to the parking official.

(c) The ex officio members shall be:

(1) The director of the department of administration and regulatory affairs or his designee;

(2) The director of the public works and engineering department or his designee;

(3) The director of the planning and development department or his designee;

(4) The chief of police or his designee; and

(5) A representative from the office of the mayor.

(d) All meetings of the committee shall be conducted in accordance with the Texas Open Meetings Act.

(e) In the event that a Midtown Advisory Committee is not created by the Midtown Management District in accordance with this section, there shall be a Midtown Advisory Committee consisting of members as provided by this section, with the regular members appointed by the mayor and confirmed by city council. The committee shall comply with this section and the provisions of division 4 of this article as applicable.

(f) The provisions of this section shall terminate if the Midtown parking benefit district is terminated.

Secs. 26-757—26-760. Reserved.

ARTICLE XII. COMMUNITY PARKING PROGRAM

DIVISION 1. GENERALLY

Sec. 26-761. Definitions.

As used in this article, the following terms and phrases shall have the following meanings, except where the context clearly indicates a different meaning:

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Community parking program area means the following areas designated pursuant to division 2 of this article:

- (1) Zone 1: all streets included and bounded by IH US 59 to the north, Montrose Street to the east, Bissonnet Street to the south and Graustark Street to the west, as further described in Exhibit D to Ordinance No. 2019-1015.
- (2) Zone 2: all streets included and bounded by IH US 59 to the north, SH 288 to the east, Hermann Drive to the south, and Main Street to the west, further described in Exhibit E to Ordinance No. 2019-1015.
- (3) Zone 3: all streets included and bounded by IH US 59, SH 288, IH US 45, 527 Spur, Cleveland, Baldwin, Pierce, Helena, Valentine, West Webster, Cook, Sutton, Albany to Tuam, further described in Exhibit B to Ordinance No. 2021 - _____.³

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DIVISION 2. DESIGNATION OF COMMUNITY PARKING PROGRAM AREA

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Sec. 26-772. Designation of program areas.

(a) City council hereby designates the following areas as community parking program areas:

- (1) Zone 1; ~~and~~
- (2) Zone 2; and

³ City Secretary/Editor shall insert the number of this Ordinance.

(3) Zone 3.

(b) Designation of a community parking program area shall be effective 60 days after passage of the ordinance designating the community parking program area.

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DIVISION 3. PERMITS

Sec. 26-781. Community parking program resident permit application; issuance.

(a) Residents within a community parking program area are eligible for resident parking permits as follows:

Building	Number of Permits Allowed Annually
Residential buildings	3 permits per address/dwelling unit
Multi-family buildings constructed prior to the effective date of the city's off-street parking ordinance (Ord. No. 1989-712) on May 23, 1989 that provide no off-street parking spaces	4 <u>2</u> permits per dwelling unit
Multi-family buildings	1 permit per dwelling unit but total permits issued to residents in a given building cannot exceed .5 permits multiplied by the total number of dwelling units in the building

If a resident lives in a permit restricted building and there are no permits available, the resident shall be added to a waiting list. Residents of multi-family buildings that are subject to the off-street parking standards under the transit oriented development rules or receive parking variances under article VIII of chapter 26 of this Code are not eligible for resident parking permits.

(b) Any resident within a community parking program area may submit an application to the parking official in a form promulgated by the director for that purpose, which shall include the following:

- (1) The applicant's name, telephone number, and the applicant's residential address located within the community parking program area;

- (2) Proof that the applicant is a resident of the community parking program area in the form of:
 - a. A valid Texas driver's license, or personal identification card issued by the Texas Department of Public Safety, showing the applicant's current residential address within the community parking program area; and
 - b. A recent utility bill acceptable to the director showing the applicant's address within the community parking program area; or
 - c. Vehicle registration reflecting an address within the community parking program area; and
- (3) Any other information reasonably required by the director to ensure compliance with the requirements of this article.

(c) Upon submission of a complete application for a community parking program resident permit and payment of the fee prescribed in the city fee schedule for this provision, an applicant shall be entitled to receive a community parking program resident permit in accordance with subsection (a) of this section, provided that no unresolved parking citations, as defined in section 26-261 of this Code, exist for any motor vehicle owned by the applicant or listed on the application.

(d) Each permit issued under this section is transferable to any vehicle that is being operated by or for the transportation of any resident at the address listed on the permit application or a vehicle under the legal control of a guest of any resident at the address listed on the permit application.

Sec. 26-782. Community parking program business permit application; issuance.

(a) A business owner of a business located within a community parking program area designated as Zone 1 or Zone 2 under section 26-772(a) of this article may obtain one business parking permit. Each person who is employed by or who is an agent of a business located within the community parking program area designated as Zone 1 or Zone 2 under section 26-772(a) of this article may also obtain one business parking permit.

(b) An owner, agent, or employee of a business within a community parking program area designated as Zone 1 or Zone 2 under section 26-772(a) of this article may submit an application for a business parking permit to the parking official in a form promulgated by the director for that purpose, which shall include the following:

- (1) The applicant's name, telephone number, and the applicant's business address located within the community parking program area;
- (2) Proof that the applicant is an owner, agent, or employee of a business in the community parking program area in the form, as applicable, of:
 - a. A true and correct copy of a valid certificate of occupancy of the applicant's business within the community parking area; or
 - b. A recent utility bill acceptable to the director showing the applicant's business address within the community parking program area; or
 - c. Copy of payroll stub or statement on employer letterhead confirming employment and including physical address of employer located within the community parking program area; and
- (3) Any other information reasonably required by the director to ensure compliance with the requirements of this article.

(c) Upon submission of a complete application for a business parking permit and payment of the fee prescribed in the city fee schedule for this provision, an applicant shall be entitled to receive one community parking program business permit, provided that no unresolved parking citations, as defined in section 26-261 of this Code, exist for any motor vehicle owned by the applicant.

(d) Each permit issued under this section is non-transferable and only valid at such on-street parking spaces within a community parking program area as determined by the director.