

## Chapter 26 (Article VIII) – Summary of Amendments

**Redevelopment of Grandfathered Uses** – This amendment will allow buildings with grandfathered status to redevelop into a use category that has a lesser parking ratio requirement without the requirement of providing additional parking, provided the following:

- There is no reduction in the number of existing off-street parking spaces; and
- A use may not redevelop into a Restaurant or Dessert Shop classification without providing enough parking to meet ordinance requirements.

**Discrepancy between Codes: Residential** – This amendment will match the off-street parking requirements found in Chapter 26 and Chapter 42 for single-family and multi-family residential.

Key Points to the amendment are as follows:

- Chapter 26 requires two parking spaces for each single-family dwelling unit, with no exceptions; whereas Chapter 42 requires two parking spaces per dwelling unit except when the secondary dwelling unit is not more than 900 square feet. In those instances, only one additional parking space is required for the second unit. This exception allows reduced parking requirements for a garage apartment or small guest house. As a result, Chapter 26 requirements will be amended to match Chapter 42.
- The Central Business District – as defined by Chapter 26 – is exempt from providing off-street parking due to the availability of significant public transit and public parking. However, Chapter 42 requires parking for all single-family and multi-family development regardless of location. As a result, Chapter 42 requirements will be amended to match Chapter 26.

**Guest Parking** - New higher density single-family development provides parking for the units. With the densification of the city, demand for curb parking is being increased due to multiple units on what used to be one single-family lot, creating a lack of guest parking for the redeveloping areas. The proposed amendment requires one guest parking space for every six dwelling units. Existing on-street parking in front of the development counts toward fulfilling the guest parking requirement. Included are amendments to Chapter 42 and the PWE Design Manual allowing for culverts on open ditch streets to provide on-street parking.

**Hostels** – There is currently no separate classification for a hostel under the off-street parking ordinance; instead, hostels are required to provide the same number of parking spaces as a “Hotel or Motel” use classification. This amendment would change the definition of “special residential uses” to include a “hostel”. The resulting parking ratio would be 0.3 parking spaces per sleeping room, plus 1.0 parking space per employee on the largest shift.

**Mini-Warehouse Facility** – This amendment would reduce the parking requirements from 1 space per every 40 storage units to 1 space per every 50 storage units.

**Schools** – The requirement for off-street parking for schools is based on the number of classrooms, with the assumption that the size of a classroom would be designed for 30 students. This regulation was written prior to the change in state law that altered the student-teacher ratio.

Key Points to the amendment are as follows:

- Parking will be calculated by the number of occupants based upon the utility letter issued by the Department of Public Works & Engineering.
- Off-street parking will be determined by the following ratio requirements:

Elementary School	1 space per 12 occupants
Junior High School	1 space per 7 occupants
High School	1 space per 3 occupants

**Billiard Hall** – This amendment would remove the use classification of “Billiard Hall”. As a result, required parking would be determined under use classifications within Class 6 (Recreation and Entertainment) or Class 7 (Bar or Restaurant), as applicable.

**Definition of a Bar, Club or Lounge** - The definition has created confusion for citizens, applicants and staff because of differences between the requirements found in the parking ordinance and the state law governing the Texas Alcoholic Beverage Commission (TABC). At the heart of the discrepancy is the use of 75 percent of gross sales for alcohol as a threshold for determining whether or not an establishment is a Bar, Club or Lounge under the parking ordinance. The TABC standards and subsequent local licenses use 50 percent as the distinguishing limit. This amendment will change the definition threshold in Chapter 26 to match the TABC standards of 50 percent.

**Restaurant Classifications** – This amendment will increase the number of use classifications to account for establishments with unique parking demands. The two added use classifications are “Dessert Shop” and “Restaurant [Take-Out or Drive-Through Only].” The Dessert Shop was identified as an establishment that is primarily for the sale of pre-prepared desserts for on-site consumption and has a limited menu of foods such as ice cream, yogurt, custard, smoothies, cakes or cookies that did not allow on-site consumption of alcohol.

Off-street parking will be determined by the following ratio requirements:

Restaurant [Take-Out or Drive-Through Only]	4 spaces per 1,000 SF GFA
Dessert Shop	6 spaces per 1,000 SF GFA
Restaurant	10 spaces per 1,000 SF GFA
Bar, Club or Lounge	14 spaces per 1,000 SF GFA

**Barber or Beauty Shop** - The current parking requirements are based on the number of operator chairs and employees. These criteria are difficult to implement and any addition to the number of operator chairs or employees would not require a site plan review; thereby providing no permit triggering mechanism to provide additional parking. This amendment would require parking to be calculated based on the gross square footage of the building at a ratio of 8 spaces per 1,000 SF GFA.

**Shopping Centers** - This amendment will change the parking requirement for a regional shopping center (400,000 to 1,000,000 SF GFA) from 5 spaces per every 1,000 SF GFA to 4 spaces per every 1,000 SF GFA. The basis of the current requirement was developed at a time when little was known about the parking demand for this size shopping center. In addition, this amendment will condense the community, regional and super regional shopping centers into one use classification since the parking requirements will be the same.

**Shared Parking Requirements** – This amendment allows for the expansion of the number of uses eligible to participate in shared parking standards, as well as expands the number of time periods for the typical weekday and weekend used within the calculation.

Key Points to the amendment are as follows:

- Properties opting into shared parking standards must make parking available to all uses 24 hours a day, 7 days a week.

- The director has the discretion to waive up to 10 percent of the total number of parking spaces upon review of a detailed parking study.
- A “Theater, Auditorium or Area” use classification will be eligible to share parking after the director reviews a detailed parking study and established the appropriate parking percentages for the proposed uses.

**Parking Lease Agreements** - The City has been challenged with the tracking and monitoring of agreements that currently have no standard length of time. Under certain conditions if such agreement expires, the ordinance allows the director to revoke the Certificate of Occupancy (CO). However, the process involved is tedious and often requires a lot of manpower to implement. This amendment will establish 5 years as the minimum time period for a parking lease agreement.

**Off-Site Parking** – This amendment would increase the maximum distance to off-site parking to 800 feet, as measured from property boundary to property boundary along a clearly delineated pedestrian path.

**Parking Management Districts** – The current eligibility criteria for a “Parking Management Area” is limiting, and was written for large areas like Uptown and the Texas Medical Center. This amendment would change the term “Parking Management Area” to “Parking Management District” and allow the City Council to establish smaller areas that would benefit from different parking requirements than what is otherwise required by the ordinance.

Key Points to this amendment are as follows:

- Establishes the framework criteria related to who may apply for the district, functions and responsibilities, application submittal requirements, the review process and potential impact analysis, approval criteria and applicably, district expansion, and reporting process (once every two years).
- Remove Greenway Plaza from the ordinance as a designated district.

**Parking for Historic Buildings** - This amendment would allow a designated landmark, protected landmark, or contributing structure within a historic district that receives an approved Certificate of Appropriateness a 25 percent reduction in the total number of off-street parking spaces required.

**Parking Variance Notification** - This amendment would require a minimum of one 4’ x 8’ notification sign to be posted on a property requesting a parking variance. In addition, the proposal will codify the current Planning Department practice of sending notification

to Super Neighborhoods and registered Home Owners Associations/Civics clubs, as well as the District Council Member.

**Type of Occupancy** - The term “Type of Occupancy” or “Occupancy” confuses the public and employees to think in terms of Occupancies in the Building Code. The two are not the same and, as a result, a change in the Occupancy under the Parking Ordinance may not be a change in Occupancy in the Building Code. This confusion has resulted in projects not being review for parking when the ordinance would require one. This amendment will change the term within the Parking Ordinance to “Type of Use”.

**Intensity of Use** – The term “Intensity of Use” was left within the current ordinance in two separate sections following the 1996 ordinance amendment. This amendment would remove this term from the ordinance.

**Mechanical Lifts** – This amendment would clarify that mechanical lifts cannot be used to meet required off-street parking requirements unless:

- The lifts are within a designated Parking District that has the ability to operate and maintain the lifts; or
- At the discretion of the director, the lifts are placed within a multi-story parking garage.

**Bicycle Parking** – Members of the public identified this issue to address health, safety and welfare concerns when no bicycle parking is provided and riders instead use city signage, utility poles, trees, private fences, etc. as an improvised bicycle rack. This amendment will provide safe and secure bicycle parking that discourages bicycle theft while encouraging use of cycling as a means of alternate transportation.

Key Points to this amendment are as follows:

- One bicycle parking space will be required for every 25,000 SF GFA for commercial, retail, or office uses within the urban area.
- Buildings less than 5,000 SF GFA will not be required to provide bicycle parking.
- The maximum number of spaces required would not exceed six.

**Tents/Temporary Structures** – The utilization of tents or temporary structures by bars and restaurants increases the area of service without providing for additional parking. In some cases, these are being installed over existing parking spaces, compounding the

problem. This amendment would prohibit businesses from blocking access to ordinance required parking and using the space for anything other than the temporary parking of vehicles.

**Loading Berths** – This amendment would change the dimension requirements of the loading berths for apartment developments. An apartment development over 35 dwelling units per acre is required 1 – 10'x40' loading berth. Developments over 50 dwelling units per acre are required an additional loading berth that is 10'x55'.