



OFF-STREET PARKING ORDINANCE¹

HOUSTON PLANNING COMMISSION SUBCOMMITTEE RECOMMENDATIONS

SEPTEMBER 30, 2011

I. Ordinance Applicability

Issue(s): The grandfathering of a 'type of use' such as an office, restaurant, school, etc., was identified by members of the community and the Planning & Development Department staff as an issue that should be reviewed as part of the committee's actions. The existing ordinance allows for a building to be reused for the same use as designated by the most recently approved building permit without the requirement of providing additional parking spaces to meet the current ordinance standards, as long as the number of parking spaces from the approval is maintained. This grandfathering is applicable even if the use was discontinued on the site and the space was left vacant for an extended period of time.

There are three primary issues associated with grandfathering a type of use.

1. Should there be a maximum number of years that a use may be grandfathered?
2. Should the City consider a use discontinued after being abandoned for a certain period of time?
3. There is a disincentive to allow a building with a grandfathered type of use to transition into another use. As a result, the space could remain vacant until an occupant with the same use classification could locate to the building.

Committee Recommendation(s): After considering the difficulty with implementing Item 1, the committee focused on Items 2 and 3 to create an incentive to encourage changing the type of use of grandfathered projects. In Item 2, the committee recognized that the grandfathered type of use has to be the last use permitted for the property and owners cannot claim prior uses in determining grandfathered use classification. As a result, the committee recommends the ordinance be amended to allow buildings with grandfathered status to redevelop into any use category that has a lesser parking ratio requirement without the requirement of providing additional parking, provided the following:

¹ City of Houston Code of Ordinances: Chapter 26 – Parking, Article VII – Off-Street Parking and Loading

1. There is no reduction in the number of existing number of off-street parking spaces;
and
2. Uses listed under Class 6 (Recreation and Entertainment) and Class 7 (Bar or Restaurant) may not redevelop into another type of use under the Class 7 classification (with the exception of “Restaurant Take-Out or Drive-Through Only”) without providing additional parking to meet ordinance requirements.

II. Parking Requirements

The parking requirements² for all use classifications have not been examined since the ordinance was first written in 1989, with the exception of the “Shopping Center” under Class 8 (Retail Services). Since then, development trends in Houston have changed and the parking requirements for some type of uses no longer reflect current demand trends. In addition, some of the methodology used to determine parking needs is based on standards that proved ineffective or difficult to enforce. For example, using number of employees, students or seats creates a problem for staff to verify a use is maintaining adequate parking since no permits are needed to increase these factors. The committee reviewed all use classifications and focused on those that were highlighted by staff, members of the community, and those where parking variances were frequently requested. Discussion focused on parking requirements for eight types of uses: single family residential, hostels, mini-warehouse facilities, schools, billiard hall, restaurant and bars, barber or beauty shop, and shopping centers.

The recommendations discussed below were formed following the evaluation of existing developments in Houston, case studies of parking requirements in communities around the country, as well as meetings with industry representatives on best practices and business standards. In addition, parking demand study publications from the Institute of Transportation Engineers, the Urban Land Institute and the Victoria Transportation Policy Institute were referenced.

² See Appendix E

1. Single-Family Residential

a. Discrepancy between codes

Issue(s): 1. Single-family residential is defined by the off-street parking ordinance as “a building designed to contain one or two separate living units with facilities for living, sleeping, cooking and eating”, and currently requires a minimum of 2 parking spaces for each dwelling unit. The parking requirement outlined in Chapter 42³ for single-family residential establishes a parking requirement of at least two off-street parking spaces per dwelling unit except that, “in those instances where a secondary dwelling unit of not more than 900 gross square feet is provided, only one additional off-street parking space shall be required for the secondary dwelling unit.”⁴ The reason for the reduced parking requirement is to account for smaller secondary detached dwelling units such as a garage apartment or accessory dwelling unit.

2. The Central Business District (CBD)⁵ is exempt from providing parking due to the availability of significant public transit and public parking. Chapter 42 requires parking for all single family and multi-family development regardless of location.

Committee Recommendation(s): The committee recommends that the language in Chapter 26, the off-street parking ordinance, be changed to match the parking requirements found within Chapter 42 for secondary detached dwelling units. In addition, the committee recommends revising Chapter 42 to reference that single family and multi-family development in the CBD is exempt from providing parking.

b. Guest Parking:

Issue(s): The committee revisited recommendations on guest parking requirements for certain types of single-family residential development provided by the 2008 Planning Commission committee reviewing Chapter 42 standards. New, high density single-family residential developments are required to provide the standard minimum of two parking spaces per dwelling unit and often do not have the capacity for guest parking accommodations. With the densification of the city, demand for curbside parking is being increased due to multiple units on what used to be one single-family residential lot,

³ City of Houston Code of Ordinances: Chapter 42 – Subdivisions, Developments and Platting

⁴ Chapter 42, Section 42-187. Parking for single-family residential uses.

⁵ Chapter 26: Central Business District means “the area included and bounded by Buffalo Bayou, Chartress Street, Texas Street, Dowling Street, Hadley Street, Hamilton Street, McGowen Street, Bagby Street, and Heiner Street as projected and extended to Sabine Street. Properties abutting and fronting on such streets are included in the district.”

creating a lack of parking accommodations for guests visiting properties within the redeveloping areas.

Committee Recommendation(s): The information reviewed was provided by staff, the committee members and the Department of Public Works & Engineering (PWE). The committee’s recommendation is that developments with shared driveways⁶ or type II permanent access easements⁷ shall provide at least one guest parking space once the number of dwelling units exceeds five units and an additional guest parking space for every six dwelling units in excess of the first six dwelling units. For example, a six dwelling unit single-family residential project would require one (1) guest parking space; for 12 dwelling units, two (2) guest parking spaces would be required, and so forth. The preservation of on-street parking spaces abutting the property line of the development would be eligible to count toward the guest-parking requirement when approved by the city engineer. This recommendation requires amending the PWE design manual pertaining to placing culverts on open ditch streets (See Appendix A).

2. Hostels

Issue(s): A hostel is a budget-oriented, shared-room (“dormitory”) accommodation that accepts individual travelers (typically backpackers) or groups for short-term stays, and that provides common areas and communal facilities.⁸ The word “dormitory” refers to a room where travelers independently book individual beds in a shared room as opposed to booking entire rooms like in a hotel or motel. 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” classification. Following the review of information presented by staff – including case studies and requirements from other communities – the committee acknowledged that the parking requirements for a hostel was unique and should not fall under the “Hotel or Motel” classification.

⁶ Chapter 42: Shared Driveway shall mean: a private way that (1) is not an extension of any street or private street; (2) has a length not greater than 200 feet from its intersection with the right-of-way of a public street; and (3) provides access to two or more single-family residential lots through appropriate cross-access easements.

⁷ Chapter 42: Type 2 Permanent Access Easement shall mean a permanent access easement at least 28 feet in width that is designed and constructed like a private street serving a development that has no public utilities other than a public water line connected only to one or more fire hydrants that provides no domestic water services.

⁸ Definition from HostelManagement.com

Committee Recommendation(s): The committee recommends that the definition of the “special residential uses”⁹ classification be amended to include the term “hostel”. As a result, a hostel will be required to provide 0.3 parking spaces per sleeping room, plus 1.0 parking space per employee on the largest shift.

3. Mini-Warehouse facility

Issue(s): Mini-warehouse facilities are defined as “a building or group of buildings within an area primarily designed to contain space in individual compartments available to the general public for rent or lease for storage”. Over the past few years the Planning Commission has considered multiple variance requests for the reduction of the number of off-street parking spaces for these types of facilities. Information provided during the review of these variances indicated that the current standards required more parking than necessary to meet the parking demand.

Committee Recommendation(s): Based on the research and documentation, the committee recommends the parking requirement for Mini-Warehouse facilities be reduced from 1.0 space per every 40 storage units or bays to 1.0 space per every 50 storage units or bays.

4. Schools (Elementary, Junior High and Senior High)

Issue(s): The requirement for off-street parking for Schools (public, denomination or private) 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 mandates a 22 to 1 student-teacher ratio under certain criteria. In addition, private schools student-teacher ratio is often well below the 30-student classroom size. Calculating parking based on number of classrooms may result in inadequate parking if the number of students increases per classroom or creates excessive surplus parking in the case of schools with fewer students per classroom. The triggering mechanism for enforcement is through the building permit process. A building permit is not required for converting a science lab or computer lab into a classroom. Therefore, a parking review will not be triggered to require additional parking for additional students and employees.

⁹ Chapter 26: Special Residential Uses means uses which include rooming houses, group dwellings, community facilities, homes for physically or mentally handicapped, lodging houses or other similar uses.

Committee Recommendation(s): Based on the research and documentation, the committee recommends utilizing the number of occupants based upon the wastewater capacity reservation letter issued by the Department of Public Works and Engineering. This number is a widely accepted number for determining occupant load.

The committee invited experts from the industry to present research on the inventory of the existing schools within the city of Houston. The inventory included a comparison between the initial construction and subsequent building expansions. Further analysis concluded that calculating parking based on number of classrooms may result in inadequate parking if the number of students increases per classroom. Calculating off-street parking by using the number of occupants would be a straightforward method to implement for the city, because an implementation technique for this requirement exists within the current building permit process. Construction of any school facility requires an approved wastewater capacity reservation letter be obtained from the City of Houston. This criteria for calculating utility capacity addressed in the utility letter is based upon the maximum number of persons using the facility. During the building permit process the total number of off-street parking spaces can be calculated based on the utility capacity criteria in the utility letter and any changes may require additional parking.

	Number of parking spaces/ Number of Occupants		
	Elementary School	Junior High School	High School
Proposed Ratio	1 space per 12 occupants	1 space per 7 occupants	1 space per 3 occupants

5. Billiard Hall

Issue(s): The current Billiard Hall¹⁰ parking requirement is based upon the number of billiard tables. However, we have found that these establishments serve food and/or alcohol and the parking requirements failed to take into account the additional parking demand because of the food and alcohol.

Committee Recommendation(s): Based on the examples of previously approved site plans for Billiard Halls within the city of Houston, the committee recommends that billiard halls be removed as a use classification from the ordinance and be reviewed under Class 6 (Recreation and Entertainment) or Class 7 (Bar or Restaurant), as applicable.

¹⁰ Chapter 26: Billiard Hall means a building or area within containing facilities designed primarily for the purpose of playing the game of billiards.

6. Restaurant and Bar, Club or Lounge

Issue(s): The ordinance defines a *Restaurant* as “a coffee shop, cafeteria, luncheonette, tavern, sandwich stand, soda fountain, and any other eating establishment, organization, or club, including a veterans’ club which gives or offers food for sale to the general public”, whereas a *Bar, Club or Lounge* is defined as “building or a place of business that derives 75 percent or more of its gross revenue from the on premise sale of alcoholic beverages and provided that the premises does not hold a food and beverage certificate issued by the Texas Alcoholic Beverage Commission (TABC).”

The definitions have created confusion for citizens, applicants and staff because of differences between TABC and the off-street parking ordinance requirements. 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*. The TABC standards and subsequent local licenses use 50-percent as a distinguishing limit. As a result, staff found that an applicant could submit plans for parking review as a “Restaurant” with a TABC food and beverage certificate, then later remove the certificate and operate as a “Bar, Club or Lounge” without providing the necessary additional parking.

Committee Recommendation(s): The committee recommends that:

1. The definition of a *Bar, Club or Lounge* be amended to mean “a building or a place of business that derives more than 50-percent of its gross revenue from the on premise sale of alcoholic beverages.” With this revised definition, the Planning and Development Department will be able to utilize trigger mechanisms within the existing alcohol permit process at the City of Houston and is consistent with state law.
2. Increase the number of use classifications within the Class 7 (Bar or Restaurant) category to account for establishments with unique parking demands. The two added classifications were for a *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. The peak parking requirements of the *Dessert Shop* classification differs in both time and demand from other types of uses in the category. The committee identified the unique circumstance of a restaurant establishment without any on-premise seating areas. These facilities instead serve customers via a drive-through or take-out business mode. As a

result, the parking demand for a *Restaurant [Take-Out or Drive-Through Only]* is much less than a standard restaurant where customers park vehicles for extended periods and consume food on-site.

Following are the proposed ratios:

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.

This is an increase in the number of parking spaces required for both a *Restaurant* and *Bar, Club or Lounge* from the current requirements of 8 spaces per 1,000 square feet of GFA and 10 spaces per 1,000 square feet of GFA, respectively. The *Dessert Shop* and *Restaurant [Take-Out or Drive-Through Only]* requirements mentioned above are a reduction from the current ordinance standard of 8 spaces per 1,000 square feet of GFA for those types of uses. (See Appendix B)

7. Barber or Beauty Shop

Issue(s): The ordinance requires parking based on the number of operator chairs and the 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.

Committee Recommendation(s): Calculate the parking based on the gross square footage of the building and establish the ratio at 8 spaces per 1,000 square feet of GFA.

8. Shopping Center

Issue(s): Shopping center is divided into five categories based on their GFA. Except for the regional shopping center (400,000- 1,000,000 square feet of GFA), all other categories provide 4 spaces per 1,000 square feet of GFA. As per the ordinance, the required off-street parking for the shopping center (regional) is 5.0 spaces for every 1,000 square feet of GFA. The basis of this requirement was developed at a time when little was known about the parking demand for regional shopping centers.

Committee Recommendation(s):

1. Require 4 spaces for every 1,000 square feet of GFA for regional shopping centers (400,000-1,000,000 square feet of GFA). This is consistent with criteria for other shopping centers.
2. In addition, the committee recommends that current community, regional and super regional shopping center designations be collapsed into one category since there is no difference in the parking ratio requirement.

III. Shared Parking Requirements

Issue(s): The ordinance defines shared parking as “the use of the same off-street parking stalls to satisfy the off-street parking requirements for two or more individual types of uses without significant conflict or encroachment”. The purpose is to allow complimentary types of uses the opportunity to reduce the number of total parking spaces by taking into account projected peak and off-peak parking demands of each type of use.

The Parking Credit Schedule, shown below, is based upon broad type of use categories and limited time periods for determining peak usage. The categories include Commercial /Retail, Hotel, Office/ Industrial, Restaurant and Entertainment/ Recreational. All other type of uses are not eligible for any off-peak parking reduction under this section. In addition, the time period for determining peak usage for each type of use is limited and does not allow for the maximum utilization of parking spaces. As a result, its application is very restrictive especially in mixed-use developments.

Parking Credit Schedule

	Weekdays			Weekends	
	Nights Midnight— 6 a.m.	Day 9 a.m.— 4 p.m.	Eve. 6 p.m.—Midnight	Day 9 a.m.— 4 p.m.	Eve. 6 p.m.— Midnight
<i>Uses</i>					
Commercial/Retail	5%	50%	90%	100%	70%
Hotel	80%	80%	100%	80%	100%
Office/Industrial	5%	100%	10%	10%	5%
Restaurant	10%	50%	100%	50%	100%
Entertainment/recreation (theatres, bowling alleys)	10%	40%	100%	80%	100%
All others	100%	100%	100%	100%	100%

Committee Recommendation(s): The committee recommends the ordinance be amended to allow for the expansion of the number of types of uses eligible to participate in the shared parking performance standard within the Parking Credit Schedule, as well as to create four time periods for both the typical weekday and weekend. The expanded categories coincide with the type of use classifications for parking requirements. Type of uses that are not specifically listed will be considered under the ‘all others’ classification and calculated with a 100-percent usage across all time periods. Properties opting into the shared parking standards within the Parking Credit Schedule must make all parking spaces available to all type of uses 24 hours a day, 7 days a week. If parking is reserved for a specific type of use, then it will not qualify for consideration under the Parking Credit Schedule.

The committee proposes two situations where director should have discretion:

1. A parking percentage is not shown on the parking credit table for “Theater, Auditorium or Arena” type of use classification. This type of use may be eligible for use of the shared parking credit after the director reviews a detailed parking study and establishes the appropriate parking percentages for the proposed types of uses. For the complete recommended Parking Credit Schedule associated with the recommended shared parking requirements see the table in Appendix C.
2. Recognizing the difficulty in creating a one-size fits-all shared parking solution, the committee recommends that the director be given the discretion to waive up to 10-percent of the total number of parking spaces required upon review of a detailed parking study. A similar reduction authorization was found in the review of various case study communities.

IV. Memorandum of Lease or Parking Lease Agreement

Issue(s): The current ordinance allows Parking Lease Agreements (as an option to any type of use) for off-site parking in order to meet the total off-street parking requirement under certain circumstances. Under such agreement, a particular business will provide the required parking within a certain distance from its site to the leased parking site.

Since 1989, the use of such agreements has become common and the City has been challenged with the tracking of agreements. The lack of an efficient tracking system may result in two or more businesses claiming the same off-site parking parcel, thereby essentially not meeting the required parking requirements. In the past few years, the Planning and

Development Department addressed this issue by creating a database that tracks the addresses of each parcel that is used under any such parking lease agreement.

Additionally, the ordinance does not include any minimum time period for which the Parking Lease Agreement must be established. 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.

Committee Recommendation(s): While evaluating the issues related to the parking lease agreements, the committee understood a need to have a parking lease agreement that has a minimum time period and allows for an automatic revocation of the CO upon loss of the agreement. The ordinance should include specific details and legal description of the leased parking agreement.

The committee reviewed examples of the Parking Lease Agreements permitted under the current ordinance and the research presented by the Legal Department. The committee recommends that the time period for any parking lease agreement must be a minimum of 5 years and a detailed Parking Lease Agreement document/form must be submitted to the Planning and Development Department for review and approval. The committee also recommends that the ordinance include language specifying the automatic revocation of the CO in the event the Parking Lease Agreement is terminated without implementing alternative arrangements to meet the required parking. This will put the burden of maintaining the required parking minimums at all times upon the business owner. The committee also recommends a processing and monitoring fee is included for the review of a Parking Lease Agreement.

V. Off-Site Parking

Issue(s): The ordinance allows for all or any portion of the off-street parking required to be located no more than 250-feet from a public entrance to the facility. In addition, the ordinance does have an option for off-site parking to be placed up to 500-feet when the following conditions are present: (1) the number of off-site parking spaces must be 25 percent or less of the total parking requirements; and (2) the distance is measured from the entrance to the parking facility to the principal public entrance of the proposed or existing building; provided, however, that parking areas designated for employee parking only be measured from an employee entrance. All distances are measured along a clearly delineated pedestrian path or walkway that is intended to be and will remain open to the public at all times. A standard five-

minute walk is approximately ¼ of a mile (1,320-feet). The perception for walking has changed over the years and the acceptable distance has increased.

Committee Recommendation(s): The committee recommends that maximum distance to off-site parking be extended to 800-feet, as measured from property boundary to property boundary. Similar to the current requirement, all distances are measured along a clearly delineated pedestrian path or walkway that is intended to be and will remain open to the public at all times. To allow for evaluation of unique project conditions, the director would be given the discretion to extend the distance for off-site parking by 25-percent if he or she determines the project warrants the extended distance based on a review of the pedestrian amenities between the subject site and the off-site parking.

VI. Parking Districts

Issue(s): The Parking Management Area is defined as “a high-density urban development with a minimum of 3,500,000 SF GFA and a minimum floor area ratio of 1.0 under a unified management entity in close proximity to permanent transit facilities.” This criterion was written to accommodate the parking needs within identified major activity centers where the parking demand can be met by establishing ratios lesser than what is normally required because of transit ridership, mixed use developments etc. The current ordinance created three PMA’s: South Main/Texas Medical Center (TMC), Uptown/Galleria, and Greenway Plaza.¹¹ For example, the TMC is primarily comprised of two principal land uses: office and health care facilities. The parking ratio for an office is 2.5 spaces per 1,000 square feet of GFA, whereas the typical parking ratio for a health care facility is 2.7 spaces per 1,000 square feet of GFA. When created, the TMC established a parking ratio of 1.2 spaces per 1,000 square feet GFA for all land uses within the PMA boundaries. Greenway Plaza never moved forward with activating their PMA; therefore, all construction with the boundary meets the current code provisions.

The ordinance requirement for minimum GFA in creating a PMA is a limiting factor. This criterion was written for established areas like Uptown/Galleria and the TMC that have vast existing building space. Redeveloping areas like Washington Avenue and Montrose fail to meet this criterion and, as a result, each business is responsible for providing parking on an individual basis and does not allow for the effective use of shared parking. There are no provisions in the

¹¹ For the boundaries of the three existing PMAs, please reference: Chapter 26, Article VIII, Division I, Section 26-472: Definitions

ordinance that allow redeveloping areas flexibility in creating a comprehensive parking plan with alternative parking ratios to meet its unique parking demands.

Committee Recommendation(s): The committee recommends the current ordinance be amended to:

- (1) Remove Greenway Plaza from the ordinance as a designated PMA; and
- (2) Allow the creation of a 'parking district' when certain conditions are present. The recommendation established the framework creating criteria related to the management entity, functions or responsibilities, who may apply, application submittal requirements, supporting supplemental information i.e., impact on adjacent neighborhood and possible implementation of decal parking, the review process, Planning Commission approval criteria, applicably, reporting period, expansion, as well as established the requirement for an object statement for parking district designation (See Appendix D).

VII. Parking for Historic Buildings

Issue(s): The current ordinance does not provide any incentive for redevelopment and preservation of historic buildings. Any reuse of historic structure must provide the off-street parking based on the type of use as listed in the code. This issue is more evident in existing neighborhoods where historic buildings remain unoccupied due to lack of on-site parking or the inability to acquire off-site parking from adjacent properties to meet the code. In some instances, historic buildings are left to deteriorate because of the off-street parking requirements.

Committee Recommendation(s): The committee recommends that a 25-percent reduction from the total number of off-street parking may be applied to a historic building if the following criteria are met:

- (1) The remainder of 75 percent must meet the criteria for off-street parking within the ordinance standards;
- (2) To be eligible a structure must be a designated landmark, protected landmark or a contributing structure in a historic district;¹² and

¹² City of Houston Code of Ordinances, Chapter 33 – Planning and Development, Article VII – Historic Preservation

- (3) Any changes to the building must receive an approved Certificate of Appropriateness (CA). Denial of CA for landmark buildings would require 100-percent of off-street parking requirements.

VIII. Parking Variance Notification

Issue(s): The current ordinance does not require posting a sign on the site if a variance is requested from the off-street parking ordinance. The only form of notification required by the ordinance is a written letter that must be mailed out to property owners within the 500' radius of the subject property. In addition, the notification is required to be given within 10 days of the Planning Commission meeting on the variance. This timeframe does not give adequate notice.

Committee Recommendation(s): The committee recommends the following:

- (1) A minimum of one 4'x 8' notification sign shall be posted on the site within 15-feet of the public right-of-way or private roadway considered by staff to have the highest vehicular traffic.
- (2) Written notification will be mailed to adjacent property owners within a 500-foot radius from the subject site(s) *at least 10 days prior* to the date on which the variance will be considered by the commission.
- (3) Notification will be sent to the Super Neighborhood and Home Owners Association/Civic Associations registered with the Planning Department within the area surrounding the subject site.

IX. Type of Occupancy

Issue: 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 and has resulted in projects not being review for parking.

Committee Recommendation(s): Change the term to "Type of Use".

X. Intensity of Use

Issue: The term “Intensity of Use” was left within the current ordinance in two separate sections following the 1996 ordinance amendment.

Committee Recommendation(s): Remove this term from the ordinance.

XI. Mechanical Lifts

Issue(s): The utilization of lifts by property owners to meet their parking requirements have increased since the ordinance was first established. These lifts require someone with knowledge on how to operate the lifts and require an attendant to be on site. The Planning Commission suggested that the utilization of lifts is more appropriate for valet companies or an owner that has a lift operator on site during business hours. Allowing such lifts to meet the parking requirements creates a problem, as it is difficult to enforce maintenance and ensure parking availability.

Committee Recommendation(s): The committee recommends that mechanical lifts cannot be used to meet required off-street parking requirements unless the mechanical lifts are within a designated Parking District that has the ability to operate and maintain the lifts. In addition, the director would have the discretion to allow mechanical lifts to be used to meet off-street parking requirements when the lifts are being placed within a structural garage. The director may place conditions on the use of the mechanical lift system being used for off-street parking requirements including but not limited to the usage/operation of the lifts, the location with respect to residential development, and requirement for appropriate screening.

XII. Bicycle Parking

Issue(s): The members of the public at the community meetings identified the issue of bicycle parking. The objective was 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 well as to provide safe and secure bicycle parking that discourages bicycle theft while encouraging use of cycling as a means of alternate transportation. Studies show one of the most common obstacles for bicyclists is the lack of adequate bicycle parking at their destination.

The committee worked to provide off-street parking for bicycles at business to be used by both patrons and employees.

Committee Recommendation(s): The committee recommends that one bicycle parking space be provided for every 25,000 SF GFA of commercial, retail or office use for property located within urban area. Buildings less than 5,000 SF GFA will not be required to provide bike parking. For example: a building between 5,000 SF to 25,000 SF would require one space, a building between 25,001 SF and 50,000 SF would require two spaces, and so forth. The maximum number of spaces that would be required under the ordinance would not exceed six bike parking spaces.

XIII. Tents/Temporary Structures

Issue(s): The utilization of tents or temporary structures by bars and restaurants increases the area of service without providing for any additional parking. In some cases, these are being installed over existing parking spaces, compounding the problem. Tents covering an area of 1200 square feet or greater are required to be permitted under Chapter 24 of the Fire Code but are not reviewed for parking. The biggest challenge is use of tents by free-standing restaurant and bars.

Committee Recommendation(s): Following review of the issue and potential options to address tents/temporary structures, the committee recommends that staff identify a maximum percentage of parking spaces that may be covered by a tent or temporary structure. In addition, the committee requested that staff place a maximum number of times that a tent or temporary structure may be placed over required parking during a calendar year. The committee recommends that free standing restaurant and bars may not tent any parking or driveways that access parking.

XIV. Loading Berths

Issue(s): The loading facilities requirements for specific types of uses have not been examined since the ordinance was first written. Development patterns have changed and the requirements may not be reflective of current trends.

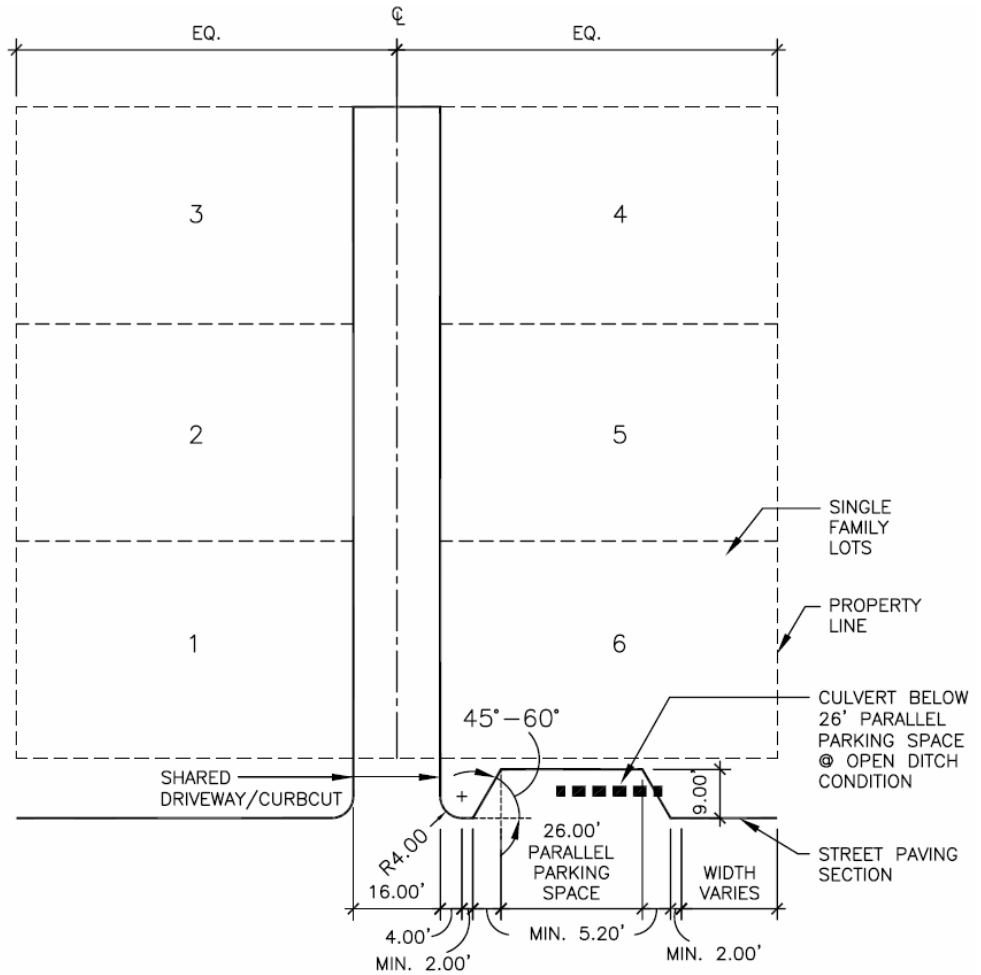
Committee Recommendation(s): The committee recommends the following for the multifamily uses:

1. A minimum of 1 loading berth with dimensions 10' x 40' for more than 35 but less than 50 dwelling units per acre.
2. A minimum of 2 loading berths, one with dimensions 10' x 40' and the second with dimensions 10' x 55' for more than 50 dwelling units per acre.
3. In any case, if a loading berth is to be constructed at grade and adjacent to a major thoroughfare or major collector street it must meet the minimum size of 10'x 55'.

- APPENDICES -

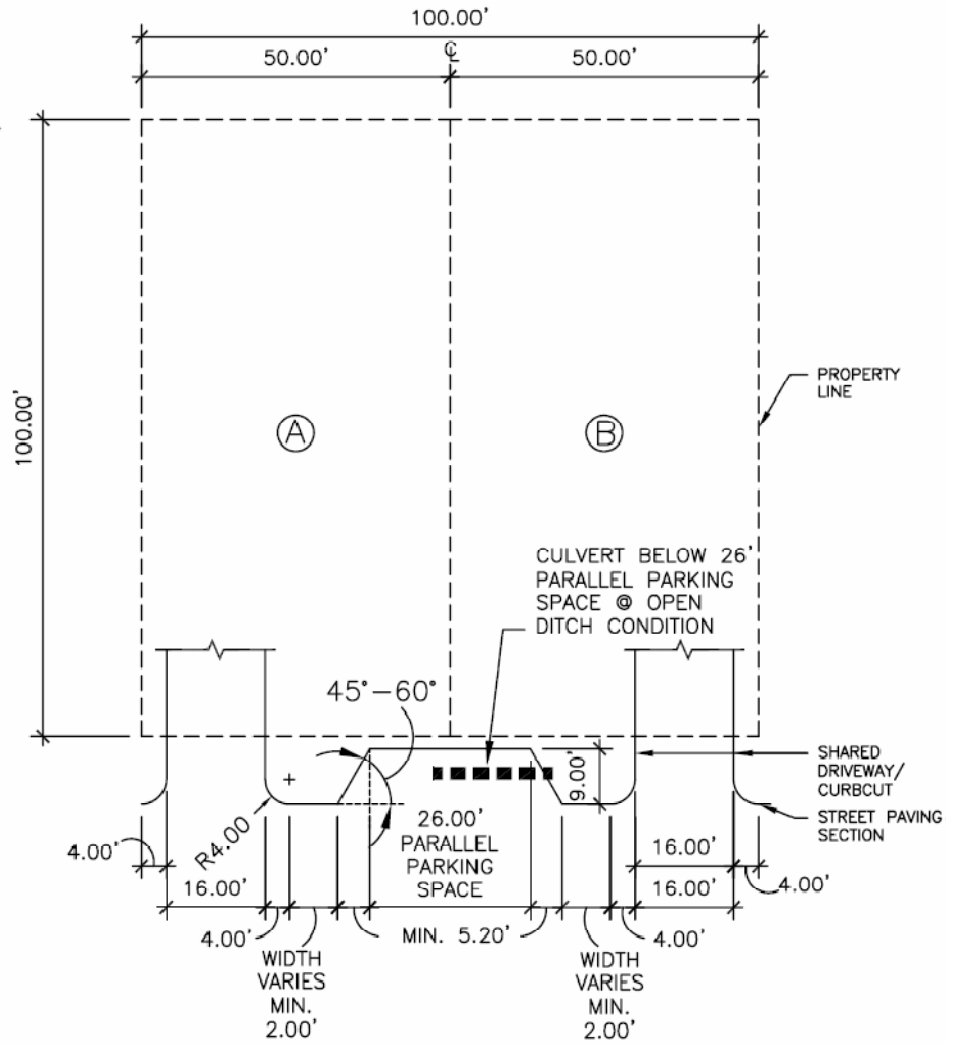
Appendix A: Guest Parking Standards

1. PARALLEL PARKING GUIDELINES FOR SHARED DRIVEWAY DEVELOPMENTS AT OPEN DITCH CONDITIONS.



Appendix A: Guest Parking Standards (continued)

1. PARALLEL PARKING GUIDELINES FOR SHARED DRIVEWAY DEVELOPMENTS WITH TYPICAL LOTS SIZES.



Appendix B: Bar, Club or Lounge & Restaurant Classification

Definitions:

Bar, club or lounge means a building or a place of business that derives **more than 50 percent** of its gross revenue from the on premise sale of alcoholic beverages.

Restaurant means a coffee shop, cafeteria, luncheonette, tavern, sandwich stand, soda fountain, and any other eating establishment, organization, or club, including veterans' club which gives or offers food for sale to the general public.

Types of Uses for Parking Ratios:

Bar, Club or Lounge

Proposed 14 Spaces/ 1,000 SF GFA

- Establishment holds a COH Alcoholic Beverage License/Permit for On-Premise sales

Restaurant

Proposed 10 Spaces/ 1,000 SF GFA

- Establishment with COH Food Dealer's Permit for restaurant services.
- Establishment with or without COH Alcoholic Beverage License/Permit for On-Premise sales.
- Less than (or equal to) 50% gross revenue from alcoholic beverages

Dessert Shop

Proposed 6 Spaces/ 1,000 SF GFA

- Establishment is primarily for the sale of pre-prepared desserts for on-site consumption.
- Limited menu. (Examples: ice cream, yogurt, custard, smoothies, cakes, cookies, etc.)
- Establishment with COH Food Dealer's Permit for restaurant services.
- Establishment without COH Alcoholic Beverage License/Permit

Restaurant [Take-Out or Drive-Through Only]

Proposed 4 Spaces/ 1,000 SF GFA

- Establishment with COH Food Dealer's Permit for restaurant services.
- Establishment without COH Alcoholic Beverage License/Permit
- Establishment with drive-through or take-out services and without any on-premise seating areas.

Appendix C: Shared Parking Credit Schedule

Class	Type of Use	Typical Weekday				Typical Weekend			
		Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight	Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight
Class 1. Office	Office	5%	100%	30%	5%	0%	10%	0%	0%
	Financial facility	0%	100%	10%	0%	0%	25%	0%	0%
Class 2. Residential	Apartment House	100%	25%	50%	95%	100%	65%	50%	85%
	Hotel or motel	100%	10%	50%	85%	100%	10%	50%	75%
Class 3. Health Care Facilities	Clinic (medical complex)	5%	100%	50%	5%	0%	10%	0%	0%
	Clinic (medical or dental)	0%	100%	25%	0%	0%	25%	0%	0%
	Veterinary clinics	0%	100%	5%	0%	0%	25%	0%	0%
Class 4. Industrial, Commercial Manufacturing	All	10%	100%	50%	10%	10%	25%	10%	0%
Class 5. Religious and Educational	Religious institution	0%	5%	25%	0%	10%	100%	40%	0%
	Nursery/day care	0%	100%	5%	0%	0%	5%	0%	0%
	School	0%	100%	5%	0%	0%	10%	0%	0%
	Library	0%	100%	10%	0%	0%	25%	0%	0%
	Art Gallery/ Museum	0%	75%	50%	0%	0%	100%	60%	0%
Class 6. Recreation and Entertainment	Movie theater	0%	10%	50%	75%	0%	50%	80%	100%
	Bowling alley	0%	10%	50%	85%	0%	40%	75%	100%
	Theater, auditorium or arena	--	--	--	--	--	--	--	--
	Sports club/ health spa	50%	25%	100%	10%	10%	50%	10%	5%
Class 7. Bar or Restaurant	Restaurant [with Alcohol Service]	10%	50%	75%	40%	15%	75%	100%	50%
	Restaurant	10%	50%	75%	40%	15%	75%	100%	50%
	Dessert Shop	0%	25%	100%	75%	0%	25%	100%	85%
	Bar, club or lounge	0%	0%	25%	60%	0%	10%	50%	100%
	Bar, club or lounge [with food service]	0%	25%	75%	75%	0%	40%	80%	100%
Class 8. Retail Services	All (excluding Shopping Center)	5%	50%	75%	10%	5%	100%	75%	10%
Class 9. Automobiles	Auto parts and supply store	0%	50%	75%	0%	0%	100%	50%	0%
All others		100%	100%	100%	100%	100%	100%	100%	100%

The director has the discretion to waive up-to ten percent (10%) of the total number of parking spaces required by this shared parking table. A Parking Study shall be required for any unusual circumstances that do not conform to the times and/or percentages outlined in this table.

Theater, Auditorium or Arena: As determined by director after parking study.

Class 6. Bar or Restaurant: 1.) Restaurant w/ only take-out or drive-through service will fall into the "All others" category for the purposes of this table. 2.) Restaurant requirement shall be 100-percent for Friday 5pm to 9pm.

Appendix D: Parking District

Management Entity

- Perpetual commitment to the defined area
- Board of Directors

Functions/Responsibilities

- Manage parking by making sure supply meets demand
- Can purchase, lease or construct parking; enter into parking agreements with individual property owners to build parking lots and or garages
- Biennial reporting to Planning Commission
 - Identify problems and or issues experienced from last report
 - Recommendations for improvements
 - Summary of operations including calculation of parking ratio, information on percent utilization, peak conditions, user satisfaction survey, etc.
 - Review fee

Who may apply

A management Entity that represents property owners within the area

Application/Submittal Requirements

Application fee

Boundary Map – definable boundaries, i.e. bayous, streets, fee strips; with land use.

Parking supply and demand analysis

- Includes all the participating properties
- On-street and off street parking inventory and operations description
- Multi-Modal Transit Inventory
 - Existing and proposed METRO rail stations
 - Existing and proposed METRO fixed-route bus stops
 - Transit ridership summary
 - Existing and proposed bikeways and pedestrian trails
 - Existing and proposed taxi-cab stands
 - Existing and proposed services for shuttle, trolley, park and ride, jitney etc.
 - Existing and proposed bicycle parking
- Identify location of all existing and/or proposed uses within the proposed district
- Existing and residential parking areas and proposed permit parking areas to discourage spillover parking in neighborhoods

- Additional on-street parking restrictions, i.e. hours
 - Recommended parking requirements
 - Parking requirements summary per code
 - Reduced parking ratio (or)
 - Shared parking – utilize shared parking table
 - Identify uses and hours of operations for each business that is sharing parking.
 - Proposed plans for future parking facilities – if needed
 - Location and distance of off-site parking
 - Shuttle services operation plan if existing or proposed
- Applicant submits stamped addressed envelopes for written notification

Supplemental Information

- Parking wayfinding and signage to direct customers to the parking
- City of Houston, TIRZ, Management Districts Capital Improvement Plan

Review process

- Parking demand and supply study reviewed by PWE and Planning and make recommendation to Planning Commission on the adequacy of the parking proposal
- Written notice mailed out a minimum of 15 days in advance of the public hearing
- Public Hearing by Planning Commission
 - Notify property owners within proposed district boundary
 - Notify Super Neighborhood and District Council Member
 - Notify Civic Club registered with the Planning Department
 - Notify the Houston Police Department
 - Notify property owners within district as well as those within 500' of the boundary
- Planning Commission recommends approval with or without change– forwarded to City Council
- Planning Commission does not recommend approval - end of process

Planning Commission Approval Criteria

- Demonstrated capacity to own and manage parking
- Parking demand and supply analysis demonstrating adequate parking
- Demonstrated mitigation of impact on adjacent developments and residential neighborhoods
- Reasonable access to parking

Applicability

- Boundaries are established on a larger area
- Property owners may opt in
- Regular parking rules for all others within the district

Expansion

Property owner may opt-in to participate at anytime. Must follow all Parking District application and reporting requirements

Objective statement

Create a process where businesses may reduce or share parking to encourage development, maximize developable land and promote multi-modal transportation use.

Appendix E: 26-492. Parking Spaces for certain types of occupancies.

Type of Occupancy	Parking Spaces
Class 1. Office:	
a. Office	2.5 spaces for every 1,000 square feet of GFA or 2.75 for every 1,000 square feet of UFA
b. Financial facility	4.0 spaces for every 1,000 square feet of GFA (see also section 26-541(a)(4))
Class 2. Residential:	
a. Apartment house	1.250 spaces for each efficiency apartment
	1.333 spaces for each one-bedroom apartment
	1.666 spaces for each two-bedroom apartment
	2.0 spaces for each apartment with 3 or more bedrooms
b. Single-family residential dwelling unit	2.0 parking spaces for each dwelling unit
c. Manufactured home	2.0 parking spaces per dwelling unit
d. Special residential uses	0.3 parking space per sleeping room, plus 1.0 parking space per employee on largest shift
e. Retirement community (with kitchen facilities)	0.75 space per dwelling unit, plus parking spaces for support based upon the provisions of section 26-499 of this Code
f. Retirement community (without kitchen facilities)	1.0 space for every 6 beds plus 1.0 space per employee on largest shift
g. Hotel or motel	1.0 parking space for each sleeping room up to 250 rooms;
	0.75 parking spaces for each sleeping room from 251 rooms to 500 rooms;
	0.50 parking spaces for each sleeping room in excess of 500 rooms
Class 3. Health Care Facilities:	
a. Hospital	2.2 spaces for each bed proposed to be constructed
b. Psychiatric hospital	1.0 space for each 4 beds proposed to be constructed and 1.0 space for every 4 employees
c. Clinic (medical complex)	2.7 spaces for every 1,000 square feet of GFA
d. Clinic (medical or dental)	3.5 spaces for every 1,000 square feet of GFA
e. Nursing home	1.0 space for every 3 beds proposed to be constructed and 1.0 space for every 4 employees
f. Funeral home or mortuary	0.5 spaces for every chapel seat
g. Veterinary clinics	5.0 spaces for every 1,000 square feet of UFA
Class 4. Industrial, Commercial Manufacturing:	
a. Multi-tenant (or multi-building project):	

1. At grade (no docks)	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 spaces per 5,000 square feet of GFA of warehouse space
2. Semi-dock high	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 spaces per 5,000 square feet of GFA of warehouse space
3. Full-dock high	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 spaces per 7,000 square feet of GFA of warehouse space
b. Bulk warehouse	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 spaces per 7,000 square feet of GFA of warehouse space
c. Heavy manufacturing and industrial	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 spaces per 2,000 square feet of GFA of warehouse space
d. Light manufacturing assembly and research and development	2.5 spaces per 1,000 square feet of GFA of office space; and 1.0 space per 1,500 square feet of GFA of assembly space
e. Transportation terminal	6.5 spaces per 1,000 square feet of GFA of waiting area
f. Truck terminal	1.0 spaces per 2,000 square feet of GFA
g. Mini-warehouse facilities	1.0 spaces for every 40 storage units or bays
Class 5. Religious and Educational:	
a. Church	1.0 space for every 5 fixed seats in auditorium or sanctuary or, if there are no fixed seats, 1.0 space for every 40 square feet of GFA in the main auditorium or sanctuary
b. Nursery school or day care center	1.0 space for every employee on duty during the largest shift, plus 1.0 space for every 5 children in attendance when the facility is operating at maximum capacity or, if drop-off facilities are provided under section 26-541(a)(4) of this Code, 1.0 space for every employee on duty during the largest shift and 1.0 space for every 10 children in attendance when the facility is operating at maximum capacity
c. School (Public, denominational or private):	
1. Elementary school	1.5 spaces per thirty-person classroom
2. Junior high school	3.5 spaces per thirty-person classroom
3. Senior high school	9.5 spaces per thirty-person classroom
d. College or university or trade school	1.0 space for every 3 employees plus 1.0 space for every 10 students residing on campus and 1.0 space for every 5 students not residing on campus
e. Library	1.2 space for every 1,000 square feet of GFA
f. Art gallery or museum	3.0 spaces for every 1,000 square feet of GFA of exhibit area or gallery space
Class 6. Recreation and Entertainment:	
a. Golf course	5.0 spaces for every green
b. Movie theater	0.3 spaces for every seat
c. Bowling alley	5.0 spaces per lane
d. Theater, auditorium or arena	1.0 space for every 3 seats
e. Tennis/racquet club	3.0 spaces per court

f. Sports club/health spa	5.0 spaces for every 1,000 square feet of GFA
g. Roller or ice skating rink	5.0 spaces for every 1,000 square feet of GFA
h. Swimming club	9.0 spaces per employee
i. Park (5—10 acres)	1.0 space for the first 2 acres and 1.0 space for each additional acre and additional parking must be provided for each additional facility or land use constructed in the park as herein provided
j. Park (over 10 acres)	5.0 spaces for the first acre; and 1.0 space for each additional 10.0 acres; additional parking must be provided for each additional facility or land use constructed in the park as herein provided
k. Park pavilion	1.0 space for each picnic table
l. Sports complex	1.0 space for every 40 square feet of seating
m. Miniature golf	1.0 space for each hole
n. Driving range (golf)	1.0 space for each tee
o. Arcade or game room	1.0 space for every 200 square feet of GFA
p. Billiard hall	2.0 spaces for every billiard table
Class 7. Bar or Restaurant:	
a. Restaurant (including outdoor decks, patio and/or seating areas)	8.0 spaces for every 1,000 square feet of GFA and outdoor decks, patio and/or seating areas in excess of 15% of gross floor area
b. Bar, club or lounge (including outdoor decks, patio and/or seating areas)	10.0 spaces for every 1,000 square feet of GFA and outdoor decks, patio and/or seating areas
Class 8. Retail Services:	
a. Supermarket or convenience market	5.0 space for every 1,000 square feet of GFA
b. Clothing store	4.0 spaces for every 1,000 square feet of GFA
c. Furniture store	2.0 spaces for every 1,000 square feet of GFA
d. Retail store (freestanding)	4.0 spaces for every 1,000 square feet of GFA
e. Building materials or home improvement store	4.0 spaces for every 1,000 square feet of GFA of retail sales area
f. Barber or beauty shop	3.0 spaces for each operator chair and 1.0 space for each employee
g. Shopping center (strip) (up to 25,000 GFA)	4.0 spaces for every 1,000 square feet of GFA, except the increment of GFA used for a bar, club or lounge shall provide the equivalent of 10 spaces for every 1,000 square feet of GFA ¹
h. Shopping center (neighborhood)(25,001—100,000)	4.0 spaces per 1,000 square feet of GFA, plus increment ²
i. Shopping center (community) (100,001—399,999)	4.0 spaces per 1,000 square feet of GFA
j. Shopping center (regional) (400,000—1,000,000 GFA)	5.0 spaces for every 1,000 square feet of GFA
k. Shopping center (super	4.0 spaces for every 1,000 square feet of GFA

regional) (over 1,000,000 GFA)	
I. Discount store	4.0 spaces for every 1,000 square feet of GFA
Class 9. Automobiles:	
a. Auto sales dealer	5.5 spaces for every 1,000 square feet of GFA
b. Auto repair establishment	5.0 spaces for every 1,000 square feet of GFA
c. Car wash (automated)	2.5 spaces for each bay or stall for stacking space
d. Car wash (all other)	1.0 space per stall
e. Service station	3.0 spaces for each service stall and 1.0 space for each employee on duty during largest shift
f. Auto parts and supply store	4.0 spaces for every 1,000 square feet of GFA of retail sales area.