

Revised Article 5- Off-Street Parking and Loading

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF TALTY, TEXAS, AMENDING ORDINANCE NO. 99-08 (THE COMPREHENSIVE ZONING ORDINANCE) TO AMEND ARTICLE 5 OF ORDINANCE NO. 99-08, THE CITY'S COMPREHENSIVE ZONING ORDINANCE, TO ESTABLISH OFF STREET PARKING AND LOADING REGULATIONS PERTAINING TO ZONING DISTRICTS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Talty and the governing body of the City of Talty, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City Talty is of the opinion that said zoning ordinance should be amended as provided herein; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Talty, Texas, Ordinance No. 99-08, duly adopted by the City Council on October 23, 1999, as heretofore amended, be and the same is hereby amended to amend Section 5 of Article 2 ("General Zoning District Regulations") by repealing Section 5 and replacing it with a new Section 5, establishing such that Section 5 shall read as follows:

"ORDINANCE NO. 99-08

ZONING ORDINANCE

ARTICLE 5

OFF-STREET PARKING AND LOADING REQUIREMENTS

5-101 PURPOSE:

To secure safety from fire, panic, and other dangers; to lessen congestion on public streets; to facilitate the adequate provision of transportation; to conserve the value of buildings; and to encourage the most appropriate and efficient use of land. Minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions.

5-102 RESIDENTIAL DISTRICTS -- SPECIAL OFF-STREET PARKING PROVISIONS:

- A. Required off-street parking shall be provided on the same lot/site as the use it is to serve.
- B. All required vehicle parking shall be on a paved parking surface. All driveways and approaches to parking spaces shall be similarly paved, except in AG districts.
- C. No required parking space, garage, carport or other automobile storage space shall be used for the storage of any heavy load vehicle (see heavy load vehicle definitions), trailer, boat, wrecker, truck tractor rig or trailer, RV, camper, camper shell, or other similar recreational, dwelling or business vehicle. No such vehicle shall be stored or parked for more than twenty-four (24) hours or on a regular, repetitive basis on any street, or within any front yard or street side yard, or upon any unpaved surface. If parked within an interior side yard, such vehicle shall be screened from view of the neighboring property and/or the adjacent street.

5-103 NONRESIDENTIAL AND MF DISTRICTS -- SPECIAL OFF-STREET PARKING PROVISIONS:

- A. Lighting

Standards for controlling lighting and glare are set forth to reduce the annoyance and inconvenience to property owners and traffic hazards to motorists. These standards are intended to allow reasonable enjoyment of adjacent and nearby property by their owners and occupants while requiring adequate levels of lighting of parking areas.

Any use shall be operated so as not to produce obnoxious and intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together, the light beam is controlled and not directed across any bounding property line above a height of three (3) feet. The allowable maximum intensity measured at the property line of a residential use in a residential district shall be 0.25 foot candles. Light poles shall be placed on the site a setback equal to its height from all adjacent residential property.

All off-street parking areas for non-residential uses in non-residential districts which are used after dark shall be illuminated beginning one-half (1/2) hour after sunset and continuing throughout the hours of business operation. If only a portion of a parking area is offered for use after dark, only that part is required to be illuminated in accordance with these standards. However, the portion offered for use shall be clearly designated. Lighting within the parking areas shall meet the following minimum requirements:

- 1. **Intensity:**
 - a. Minimum at any point on the parking area surface to be at least 0.6 foot candles initial, and at least 0.3 foot candles maintained or one-third (1/3) of the average, whichever is greater.

- b. Illumination shall not exceed an average of one (1) foot candle at ground level and shall distribute not more than 0.25 foot candles of light upon any adjacent residentially zoned area.

2. Height:

- a. On tracts or lots over three (3) acres in size, the maximum height for poles with lights is thirty-five feet (35').
- b. On tracts or lots less than three (3) acres, the maximum height of poles with lights is thirty-five feet (35').
- c. Special lighting or lighting higher than thirty-five feet (35') may be approved as specifically noted on a site plan.

3. Direction/Diffusion

Light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries installed and maintained so as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets. Bare bulbs or strings of lamps are prohibited, except during holidays special lighting shall be permitted for a maximum time period of forty-five (45) calendar days for each holiday used. (Limit on bare bulb wattage?)

All Site Plans submitted for approval for any new development or any redevelopment project shall identify the location of all anticipated or proposed light poles, and shall be accompanied by a detailed photometric plan. Light poles may not be located within an easement.

- B. Fire lanes- Fire lanes shall be provided in all multi-family (and in some single-family attached), manufactured home and nonresidential developments, as required by the City's adopted Fire Code (also see the Subdivision Ordinance for certain fire lane regulations). Fire lanes shall be a minimum width of twenty-four feet (24') of paving and shall have a minimum inside turning radius at curves of twenty feet (20') or as required by the Fire Code and/or the Fire Chief of the City's service provider. The minimum overhead vertical clearance over fire lanes shall be fifteen feet (15') for a linear distance of fifty feet (50') on each side (i.e., in front of and behind, as a fire apparatus would traverse underneath) of any overhead structure (e.g., canopy, roof overhang, vertical height control device, etc.).
- C. All off-street parking, maneuvering, loading and storage areas shall be paved with concrete paving in five inch (5") thick reinforced concrete, with minimum No. 3 rebar steel reinforcement at least twenty-four inches (24") on center and graded to drain properly per City standards accordance with the City's parking lot paving requirements (i.e., no standing or pooling of water). No parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces. All driveway approaches shall be of reinforced concrete as described above and shall be curbed to City standards. No paved parking space or area shall be designed such that a vehicle has to back up into a public street or across a

public sidewalk, except for single- and two-family dwellings, which are only allowed to egress onto a local (50' right-of-way) or residential collector (60' right-of-way) street (i.e., not onto an arterial street).

Parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers or other approved methods. Non-permanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

- D. Each standard off-street surface parking space size shall be in accordance with the design standards as shown on Illustration 10 for space size and design. Specific parking space sizes, exclusive of aisles, driveways and maneuvering areas shall be in accordance with the following minimum sizes:
1. Standard: Nine feet (9') by twenty feet (20') – eighteen-foot (18') length is allowed provided that the parking space has a two-foot (2') clear bumper overhang area that does not encroach upon a public right-of-way, a sidewalk of less than six feet (6') in width, or adjacent property.
 2. Compact: Eight feet (8') by sixteen feet (16'); must be clearly designated with appropriate signage and pavement markings (See Section 5-107 H)
 3. Parallel: Eight feet (8') by twenty-two feet (22'). ~~(Current- 10' by 24')~~
- E. All parking and loading spaces, and vehicle sales areas on private property shall have a vehicle stopping device (e.g., curb, wheel stop, etc.) installed so as to prevent parking of motor vehicles in any required landscaped areas, to prevent vehicles from hitting buildings, to protect public and/or private utility structures/facilities, and to prevent parked vehicles from overhanging a public right-of-way line, public sidewalk or adjacent private property. An extra-wide walkway on private property may be permitted so as to allow encroachment of vehicle overhang while maintaining an unobstructed four-foot (4') minimum walkway width. Parking shall not be permitted to encroach upon the public right-of-way in any case. For new construction only, all vehicle maneuvering shall take place on-site. No public right-of-way shall be used for backing or maneuvering into or from a parking space or for circulation within the parking lot. All entrances into parking lots shall be at least one hundred feet (100') from the beginning point of any street corner radius. All entrances into parking lots shall be at least twenty-four feet (24') in width and a maximum of thirty-five feet (35') in width (fifty feet for divided entrances) unless engineering design templates demonstrate the need for a larger width for large truck turning movements. Divided entrances into parking lots shall have a minimum ingress lane of eighteen feet (18'), a minimum landscaped median width of five feet (5') for an unbroken distance of at least one hundred feet (100') and a minimum egress lane of twenty-two feet (22').
- F. In all nonresidential and multi-family zoning districts, the perimeter of all parking lots and driveways shall be provided with concrete curbs.
- G. Refuse storage facilities placed in a parking lot shall not be located in a designated parking or loading space. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies and ease of egress from the site

without having to back up further than twenty feet (20') and without having to go the wrong way in a traffic aisle.

- H. Parking space(s) for persons with disabilities and other associated provisions (e.g., clear and unobstructed pathways into building, crosswalks across parking lots, etc.) shall be provided according to building codes, state laws and requirements of the Americans with Disabilities Act (ADA) laws. Parking spaces for persons with disabilities shall be as close as possible to the main entrance of the building and shall be appropriately and clearly marked.
- I. In all nonresidential and multi-family zoning categories, designated parking and loading areas shall not be used for the repair, storage, dismantling or servicing (except for normal, quickly accomplished maintenance of a private vehicle) of vehicles or equipment, or for the storage of materials or supplies, or for any other use in conflict with the designated parking and loading areas (i.e., advertising or open storage of raw materials).
- J. To ensure all requirements set forth in this Section are carried forward, it will be the responsibility of the owner of the parking area to adequately maintain the facility. All off-street parking areas shall be kept free of trash, debris, vehicle repair operation or display and advertising uses. At no time after initial approval of the parking area layout can changes be made in the location and number of provided spaces without approval of a revised site plan.
- K. Off-street stacking requirements for drive-through facilities:
 - 1. A stacking space shall be an area on a site measuring at least eight feet (8') wide by twenty feet (20') long with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area. An escape lane, of at least eight (8) feet in width and with negotiable geometric design, must be provided to allow vehicles to get out of stacking lane in the event of a stalled vehicle, emergency, accidental entry, etc.
 - 2. For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces. One escape lane shall be provided.
 - 3. For each service window of a drive-through restaurant, a minimum of five (5) spaces shall be provided for the first vehicle stop (usually the menu/order board), and two (2) spaces shall be provided for each additional vehicle stop (payment/order/pick-up windows, etc.). One escape lane shall be provided from the beginning of the stacking lane to the first stop.
 - 4. For retail operations (other than restaurants, banks, etc.) and kiosks providing drive-up service (e.g., pharmacy, dry cleaners, etc.), a minimum of three (3) stacking spaces for each service window shall be provided.

5. For a full-service car wash, each vacuum or other service type lane shall be provided with a minimum of four (4) stacking spaces. For the finish/drying area, adequate vehicle stacking and storage space must be provided to keep finished vehicles out of circulation aisles, access easements, fire lanes, streets, etc.
 6. For each automated self-service (drive-through/rollover) car wash bay, a minimum of three (3) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing.
 7. For each wand-type self-service (open) car wash bay, a minimum of two (2) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-200 drying and other detailing, unless a separate area/shade structure is provided (outside of circulation aisles) for these activities.
 8. For automobile quick-lube type facilities, a minimum of two (2) stacking spaces shall be provided for each service bay in addition to the service bay itself.
- L. Dead-end parking areas shall be avoided if possible. If dead-end parking is necessary, then it shall be designed such that it is no more than three (3) parking spaces deep unless adequate turnaround space is provided. A minimum ten-foot (10') deep hammerhead back-up space shall be provided at the end of any dead-end parking area.
- M. All parking structures must conform to the construction and design standards of the zoning district in which they are located.

5-104 OFF-STREET LOADING SPACE -- ALL DISTRICTS:

- A. All retail and similar nonresidential structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks off-street. Each site shall provide a designated on-site maneuvering area for trucks (see Illustrations 2 and 15). Such off-street loading space may be adjacent to (but not any portion of) a public alley or private service drive, or it may consist of a truck berth within the structure. The minimum dimensions of a "regular" loading space shall be twelve feet by thirty feet (12' x 30'). A "large" loading space shall be at least twelve feet by sixty-five feet (12' x 65'). Loading spaces or berths shall be provided in accordance with the following schedule:
- (a) Office uses, or portion(s) of building devoted to office uses:
- 0 to 9,999 square feet: 0 spaces
 - 10,000 to 39,999 square feet: 1 regular space
 - 40,000 to 124,999 square feet: 1 regular space and 1 large space
 - 125,000+ square feet: 2 regular spaces and 1 large space

- (b) Retail/commercial and restaurant uses, or portion(s) of building devoted to retail/commercial and restaurant uses:

0 to 2,999 square feet: 0 spaces
3,000 to 9,999 square feet: 1 regular space
10,000 to 24,999 square feet: 1 regular space and 1 large space
25,000 to 99,999 square feet: 2 regular spaces and 1 large space
100,000 to 200,000 square feet: 2 regular spaces and 2 large spaces
Each additional 100,000 square feet,
or portion thereof, over 200,000: 1 additional large space

- B. In all nonresidential zoning districts, loading docks or service/delivery entrances shall not be constructed facing any public street (except for large industrial uses; see Subsection B.1 below) and shall not be visible from any public street. Such loading areas shall be screened from view of any public street by the building itself, or by a masonry screening wing wall at least twelve feet (12') in height with large evergreen trees and shrubs planted in front of it such that limited portions of the wing wall will be visible when the trees and shrubs are mature. Such masonry wing wall shall match the exterior construction materials and colors of the main building, and shall be located no closer than one hundred feet (100') to any public street right-of-way line (see Illustration 14).

1. For large industrial or warehouse uses in the LI zoning district only, the loading docks may face a public street, and shall not be required to provide a masonry screening wing wall, provided a minimum forty-five foot (45') wide landscape buffer area is provided adjacent to the street right-of-way line. One (1) large shade trees shall be provided within the landscape buffer area for every twenty feet (20') of street frontage, or one (1) small ornamental tree shall be provided for every twelve feet (12') of street frontage (or some combination thereof). In addition, a solid massing of large evergreen shrubs and three- to four-foot tall berms shall be provided to further screen loading area from view of the street (see Illustration 15).

- C. Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is adjacent or close to a residential use or district shall be designed and constructed so as to enclose the loading operation on at least three sides in order to reduce the effects of the noise of the operation on adjacent residences. Other screening/buffering alternatives may be approved on the site plan provided the City Council finds the alternative method of screening/buffering will be adequate to protect nearby residences.

- D. Kindergartens, elementary schools, day schools and similar child training and care establishments shall provide one (1) paved off-street pedestrian loading and unloading space for an automobile on a through, "circular" drive for each ten (10) students cared for (excluding child care in a residence). An additional lane shall also be required to allow pass by or through traffic to move while automobiles waiting or parked to pick up children occupy loading/unloading areas.

- E. Loading spaces adjacent and easily accessible to several buildings or uses, including buildings and uses on separate lots, shall be allowed to satisfy the loading requirements for the individual buildings or uses, provided: 1) the number of spaces satisfies the requirements for the combined square footages for the buildings or uses in question, and 2) for loading spaces to be shared among separate lots, they must be in reasonably close proximity to all potential users and an agreement granting mutual use by the owners of each building shall be executed and provided to the City (for file).

5-105 PARKING ACCESS FROM A PUBLIC STREET -- ALL DISTRICTS:

- A. In the approval of a site plan, design consideration shall be given to providing entrance/exit drives extending into the site to provide adequate queuing of vehicles on the site.
- B. In all districts (except single-family and duplex zoning districts), the site plan and paving plans shall provide for entrance/exit drive(s) appropriately designed and located to minimize traffic congestion or conflict within the site and with adjoining public streets. Based upon analysis by the City, if projected volumes of traffic entering or leaving a development are likely to interfere with the projected peak traffic flow volumes on adjoining streets, additional right-of-way and paving in the form of a deceleration lane, a turn lane or other roadway improvements may be required of a developer in order to reduce such interference and to help ensure traffic safety and efficiency. The dedication of additional right-of-way or street paving may also be required and shall be determined at the time of site plan and final plat approval.
- C. Vehicular access to non-residential uses shall not be permitted from alleys serving residential areas, and shall not be configured as "head-in" parking spaces which are accessed directly from the street.
- D. Parking space configuration, location, arrangement, size and circulation in all districts shall be constructed according to Illustration 10.
- E. Child Daycare (Business) shall not have direct access, ingress or egress to or from a local residential street, country lane or alley, but shall provide in its site plan submitted for a CUP that access to the daycare business shall be to a parkway, collector, or arterial street only.

5-106 PARKING REQUIREMENTS BASED UPON USE:

- A. In all districts, there shall be provided at the time any building or structure is erected or structurally altered, or change of use, off-street parking spaces in accordance with the following requirements:
 - 1. **Automobile parts sales (indoors):** One (1) space per five hundred (500) square feet of indoor floor area, plus one (1) space for each two thousand (2,000) square feet of outside sales area.
 - 2. **Automobile sales or service:** See Motor-Vehicle Sales

3. **Bank, savings and loan, or similar institution:** One (1) space per two hundred and fifty (250) square feet of gross floor area in addition to required stacking spaces (see Section 5-103 K.)
4. **Banquet Hall:** One and one tenth (1.1) spaces for every one hundred (100) square feet of floor area.
5. **Bed and breakfast facility:** One (1) space per guest room in addition to the requirements for a normal residential use
6. **Bowling alley or center:** Six (6) parking spaces for each alley or lane
7. **Business or professional office (general):** One (1) space per three hundred (300) square feet of gross floor area, except as otherwise specified herein
8. **Car wash (self-serve):** One (1) space per washing bay or stall in addition to the washing areas/stalls themselves and required stacking spaces;
Car wash (full service): One (1) space per one hundred fifty (150) square feet of floor area in addition to the required stacking spaces (See 5-103 K)
9. **Church, rectory, or other place of worship:** One (1) parking space for each three (3) seats in the main auditorium/sanctuary (See 5-107(B))
10. **Commercial amusement (indoor):** One (1) space per one-hundred (100) square feet of gross floor area, or as follows:
 - a. Racquetball or handball courts - Three (3) spaces for each court
 - b. Indoor tennis courts - Six (6) spaces for each court
 - c. Gymnasium, skating rinks, and martial arts schools - One (1) space for each three (3) seats at a maximum seating capacity (based upon maximum occupancy), plus one (1) space for each two hundred (200) square feet
 - d. Swimming pool - One (1) space for each one hundred (100) square feet of gross water surface and deck area
 - e. Weight lifting or exercise areas - One (1) space for each one hundred (100) square feet
 - f. Indoor jogging or running tracks - One (1) space for each one hundred (100) linear feet
 - g. Motion picture theaters (which do not include live performances): a) one (1) space per three and one-half (3.5) seats for single-screen theaters; b) one (1) space per five (5) seats for motion picture theaters with two (2) or more screens (see 5-107(B))
 - h. Amusement Center - One (1) space for each game table and one (1) space for each amusement device

i. All areas for subsidiary uses not listed above or in other parts of this Section (such as restaurants, office, etc.), shall be calculated in with the minimum specified for those individual uses

11. **Commercial amusement (outdoor):** Ten (10) spaces plus one (1) space for each five hundred (500) square feet over five thousand (5,000) square feet of building and recreational area

12. **Commercial use:** One (1) space per two hundred fifty (250) square feet of floor area

13. **Community center, library, museum or art gallery:** Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one (1) space for each four (4) ? seats that it contains (See 5-107(B))

14. **Convenience store (with gasoline pumps):** One (1) space per two hundred (200) square feet of floor area, plus one (1) parking space for each side of a gasoline pump unit (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces within pump areas qualify as spaces for the parking requirement. If no gasoline sales are provided, then the parking requirements shall be the same as for a retail store. Adequate space shall be provided for waiting, stacking and maneuvering automobiles for refueling.

15. **Dance/aerobics/fitness studio, or assembly/exhibition hall without fixed seats:** One (1) parking space for each one hundred (100) square feet of floor area thereof;

16. **Day nursery, day care center, pre-school or pre-kindergarten:** One (1) space per ten (10) pupils (based upon maximum occupancy and/or licensing capacity), plus one (1) space per teacher, plus one (1) space for each bus or van stored on the property (and sized to accommodate the vehicle); also see stacking requirements in Subsection 5-104 D.

17. **Defensive driving school/class:** One (1) space for each classroom seat (see Subsection 5-107(B))

18. **Fast-Food or Drive-In Restaurant:** One (1) parking space per one hundred (100) square feet of gross floor area (including indoor/outdoor play areas and patio dining areas), or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy), whichever is greater; required parking spaces are in addition to adequate stacking spaces needed/provided for drive-through or drive-in facilities (see Subsection 5-103 K.).

19. **Furniture or appliance store, hardware store, wholesale establishments, clothing or shoe repair or service:** Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) square feet;

20. **Gasoline station:** One (1) space per two hundred (200) square feet of floor area, plus one (1) space for each side of a gasoline pump unit (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces within pump areas qualify as spaces for the parking requirement. Adequate added space shall be provided for employees, deliveries, waiting, stacking, and maneuvering automobiles for refueling.

21. **Golf course:** Four (4) parking spaces per hole or green plus requirements for retail, office, and club house areas and one (1) space per each two (2) employees

22. **Golf driving range:** One and one-half (1.5) spaces for each driving tee

23. **Health club, health spa or exercise club:** One (1) space per one hundred fifty (150) square feet of floor area

24. **Hospital:** One (1) space for each two (2) beds or examination room, whichever is applicable; plus one (1) space for every two (2) employees during periods of full occupancy.

25. **Hotel or Motel:** One (1) space per guest room for the first two hundred fifty (250) rooms and .75 space per room for each room over two hundred fifty (250), plus one (1) space per five (5) restaurant/lounge area seats (based upon maximum occupancy), plus one (1) space per one hundred twenty-five (125) square feet of meeting/conference areas, plus the following:

- a. One and one-tenth (1.1) spaces for any guest room containing kitchenette facilities;
- b. Two (2) spaces for any guest room provided with full kitchen facilities; and
- c. One (1) space for every two (2) employees during peak (i.e.,busiest) time periods when the hotel/motel is fully occupied.

26. **Institutions of a philanthropic nature:** Ten (10) spaces plus one (1) space for each employee

27. **Library or museum:** Ten (12) spaces plus one (1) space for every three hundred (300) square feet

28. **Lodge or fraternal organization:** One (1) space per two hundred (200) square feet

29. **Lumber yard/home improvement center:** One (1) space per four hundred (400) square feet display area, plus one (1) space per one thousand (1,000) square feet of warehouse

30. **Manufactured home or manufactured home park:** Two and one half (2.5) spaces for each manufactured home unit, plus paved parking provided by the manufactured home community in general for visitor/supplemental parking in

accordance with a minimum of 2.5 visitor parking spaces for every 3 manufactured home spaces. Boats, campers, trailers and other recreational vehicles shall be prohibited, each parking spaces shall be not less than nine feet by twenty feet (9' by 20') and not and not included in the lot size; plus additional spaces as required herein for accessory uses.

31. Medical or dental office: One (1) space per one hundred and fifty (150) square feet of floor area. Facilities over 20,000 square feet shall use the parking standards set forth for hospitals.

32. Mini-warehouse: Four (4) spaces per establishment, plus two (2) spaces for an on-site manager's residence (if applicable), plus one (1) appropriately sized space for any type of vehicle to be stored on-site (e.g., rental trucks, boats, RVs, etc.)

33. Mortuary or funeral home: One (1) parking space for each two hundred (200) square feet of floor space in slumber rooms, parlors or individual funeral service rooms, or one (1) space for each three (3) seats in the auditorium/sanctuary (see Subsection 5-107(B)), whichever is greater. Adequate on-site stacking spaces shall also be provided for the organization and forming of processions such that these activities do not cause excessive or extended traffic congestion/delays on a public roadway.

34. Motor-vehicle sales and new or used car lots: One and one fifth (1.2) parking spaces for each five hundred (500) square feet of sales floor/office and other indoor uses, plus one and one fifth (1.2) parking space for each eight hundred square feet of exterior lot area used for storage, sales and parking areas, plus one (1) parking space per repair bay in service areas (indoors or outdoors), plus one (1) parking space per service/towing vehicle to be stored on-site (required parking spaces are in addition to those to be used for the storage/display of vehicles for sale/lease).

35. Nursing home, convalescent home, or home for the aged: One (1) space per six (6) beds; plus one (1) parking space for each three hundred (300) square feet of floor area devoted to offices, cafeterias, exercise/therapeutic rooms, and other similar ancillary uses; plus one (1) space for every two (2) employees at full occupancy.

36. Office (administrative or professional): One (1) space for each three hundred (300) square feet of floor area

37. Outdoor display: One (1) space for each six hundred (600) square feet of open sales/display area

38. Pawn Shop: One (1) space for each two hundred (200) square feet of floor area

39. Places of public assembly not listed: One (1) space for each three (3) seats provided (see Subsection 5-107(B))

40. Real estate office: One (1) space for each two hundred (200) square feet

41. Restaurant, cafe or similar food service establishment: One (1) parking space for each one hundred (100) square feet of gross floor area (including indoor/outdoor play areas and patio dining areas), or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy), whichever is greater; required parking spaces are in addition to any stacking spaces that may be needed/provided for drive-through or drive-in facilities (see Subsection 5-103 K.) (also see standards for food service establishments within any special or overlay districts).

42. Retail or personal service establishment, except as otherwise specified herein: One (1) space per two hundred (200) square feet of gross floor area in addition to any required stacking spaces for drive-through facilities (see Subsection 5-103 K)

43. Retirement housing for the elderly (independent living): One and one-half (1.5) spaces for each dwelling unit, plus any additional spaces for accessory retail, office, service or recreational uses

44. Rooming or boarding house, or group quarters: One (1) parking space for each sleeping room, plus one (1) parking space for each host resident or employee during maximum (i.e., peak) shift

45. School, elementary (grades K-6): One (1) parking space for each fifteen (15) students (design capacity), plus one (1) large parking space for each bus to be parked on-site for any length of time other than student pick-up/drop-off. Also see Section 5-104(D).

46. School, secondary or middle (grades 7-8): One (1) parking space for each twelve (12) students (design capacity) , plus one (1) large parking space for each bus to be parked on-site for any length of time other than student pick-up/drop-off. Also see Section 5-104(D).

47. School, high school (grades 9-12): One space for each three (3) students, faculty and staff (design capacity) , plus one (1) large parking space for each bus to be parked on-site for any length of time other than student pick-up/drop-off. Also see Section 5-104(D).

48. Storage or warehousing, and light manufacturing: One (1) space for each two (2) employees on duty at peak shifts, or one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater

49. Technical School, College, Junior College or University: One (1) space per three (3) students, based upon maximum enrollment or design capacity, whichever is greater

50. Telemarketing: One (1) space for each two hundred and fifty (250) square feet of floor space

51. Terminal facilities, truck terminals, bus depots, and other similar transportation uses: For warehouse and staging/loading areas, one (1) space for each two (2) employees on duty at peak shifts, or one (1) space for each one

thousand (1,000) square feet of floor area, whichever is greater; for bus depot or other human transportation use, one (1) space per one hundred (100) square feet of passenger waiting area, plus parking spaces for any warehouse and staging/loading areas on the premises (as above)

52. Theater, indoor or outdoor (live performances), sports arena, stadium, gymnasium or auditorium (except school auditorium): One (1) parking space for each three (3) seats or bench seating spaces (See Section 5-107(B))

53. Veterinarian clinic: One (1) space per three hundred (300) square feet of gross floor space.

54. Wholesale distribution uses: One (1) space for each two (2) employees on duty at peak shifts, and one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater;

5-107 RULES FOR COMPUTING NUMBER OF PARKING SPACES AND MISCELLANEOUS OFF-STREET PARKING REQUIREMENTS:

In computing the number of parking spaces required for each of the above uses, the following rules shall govern:

- A. **"Floor Area"** shall mean the gross floor area of the specific use.
- B. **"Seat"** shall be interpreted as follows:
 - 1. For fixed (e.g., church pews, grandstands, benches, etc.) seating, one seat equals 1.75 feet of length; and
 - 2. For flexible (e.g., folding chairs, etc.) seating areas, one seat equals eight (8) square feet of floor area occupied by such seating area (includes aisles).
- C. Where fractional spaces result, the parking spaces required shall be construed to be the next higher whole number.
- D. The parking space requirements for a new or unlisted use not specifically mentioned herein shall be the same as required for a use of similar nature. If the proposed use is not similar to any of the uses listed herein, a determination shall be recommended by the Planning & Zoning Commission, and shall be made/approved by the City Council, in conjunction with the request for classification of the new or unlisted use, as provided in Section 2.2101 (D).
- E. Whenever a building or use 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 percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. If a building or use in existence prior to the effective date of this Ordinance is enlarged by more than thirty percent (30%) in floor area, number of employees, number of dwelling units, seating capacity or otherwise,

then said building or use shall be required to conform with the parking requirements herein for the entire building or use.

- F. For buildings which have a combination of uses within the same structure or on the same premises (such as retail or office), the off-street parking requirement shall be calculated as the summation of the parking requirements for each use. No parking space for one particular use shall be allowed to count toward the parking requirement for some other use on the premises except in the case of a shared parking arrangement (see Subsection G. below).
- G. **Shared parking** may be allowed in the case of mixed uses (different buildings) under the following conditions: Up to fifty percent (50%) of the parking spaces required for a theater or other place of evening entertainment (after 6:00 p.m.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours. Shared parking must be on the same parking lot. Reduction due to shared parking shall only be allowed if approved on the site plan. To assure retention of the shared parking spaces, each property owner shall properly draw and execute an irrevocable mutual parking agreement document expressing the same, shall file this agreement with the County and shall provide a copy of the filed agreement to the City prior to issuance of a certificate of occupancy for any use relying upon the parking agreement.
- H. **Compact Car Spaces** - In the O, NS, GR, CBD, C, MU and LI districts only, compact car parking spaces may be permitted when approved as part of a detailed site plan by the Planning and Zoning Commission and the City Council, providing at least one of the following conditions apply:
 - 1. Where it is necessary to preserve the natural landscape and native trees, a maximum of eight percent (8%) of required parking may be designated for compact cars.
 - 2. For parking lots larger than one hundred (100) spaces involving a shopping center, a maximum of fifteen percent (15%) of the required parking may be for compact cars.
 - 3. For parking lots larger than one hundred (100) spaces involving large single-tenant industrial or office buildings, a maximum of seventeen and one half percent (17.5%) of the required parking may be for compact cars.

The City shall not be responsible for policing the use of compact car spaces on private property or for citing violations thereof.

5-108 LOCATION OF PARKING SPACES:

All parking spaces required herein shall be located on the same lot (and within 200 feet, in the case of nonresidential buildings/uses) of the building or use served, except as follows:

- A. Where an increase in the number of spaces is required by a change or enlargement of an existing use, or where such spaces are provided collectively

or used jointly by two (2) or more buildings or establishments, the required additional spaces may be located not to exceed three hundred (300) feet from any nonresidential building served.

- B. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, approval by the Planning and Zoning Commission and the City Council is required according to the following criteria:
 - 1. Off-site parking may be permitted on an immediately contiguous lot or tract, or on a lot or tract within two hundred feet (200') of such building or structure providing:
 - a. A permanent, irrevocable easement of the parking facilities in favor of the premises to be benefited shall be dedicated and recorded as a condition of such use; or
 - b. A long-term remote parking lease agreement be provided upon approval by the City as a condition of such use.

5-109 USE OF REQUIRED PARKING SPACES, NON-RESIDENTIAL DISTRICTS:

- A. Off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for refuse containers, cart corrals, recycling kiosks, signs or sign support structures, telecommunications towers or support structures, storage or permanent display of boats, trailers, campers, motor vehicles or other goods, materials, or products for sale/lease/rent.

5-110 FIRE LANES:

- A. Fire lanes shall be provided in all multi-family (and in some single-family attached), manufactured home and nonresidential developments, as required by the City's adopted Fire Code (also see the Subdivision Ordinance for certain fire lane regulations). Fire lanes shall be a minimum width of twenty-four feet (24') of paving and shall have a minimum inside turning radius at curves of twenty feet (20') or as required by the Fire Code and/or the Fire Chief of the City's service provider. The minimum overhead vertical clearance over fire lanes shall be fifteen feet (15') for a linear distance of fifty feet (50') on each side (i.e., in front of and behind, as a fire apparatus would traverse underneath) of any overhead structure (e.g., canopy, roof overhang, vertical height control device, etc.).

5-111 SPECIAL REGULATIONS FOR SPECIAL MOTOR VEHICLES (including RVs):

A. SPECIAL MOTOR VEHICLES:

For the purpose of these regulations, the term "special motor vehicles" is defined as including boats, boat trailers, travel trailers, pickup campers and coaches (designed to be mounted upon automotive vehicles), motorized dwellings (RVs), tent trailers and the like, as well as cases or boxes used for transporting such vehicles, whether occupied by such vehicles or not. No such vehicles shall be used for living, sleeping or housekeeping or similar purposes when parked or

stored on a residential lot, or in any location not approved for such use, except as specified in this Ordinance.

- B. No special motor vehicle, heavy load vehicle or recreational vehicle shall be left unattended or parked for more than twenty-four (24) hours within any parking lot, parking space(s), drive aisle, vacant or unused property, or pervious/unpaved surface area (except an appropriately zoned and approved/paved parking lot for such vehicles).

5-112 BICYCLE PARKING FACILITIES:

All nonresidential, single-family attached (townhomes) and multi-family uses shall provide bicycle parking facilities (racks). Bicycle parking shall be required whenever any new use is established or any existing use is altered or enlarged, and shall be approved during Site Plan approval.

- A. Uses requiring fewer than ten (10) parking spaces shall provide one (1) bicycle rack
- B. Uses requiring more than ten (10) parking spaces shall provide bicycle racks at a rate of two (2) bicycle racks for every fifty (50) required parking spaces, with a minimum requirement of at least two (2) bicycle racks and a maximum of ten (10) bicycle racks. The number of required automobile parking spaces for uses providing such bicycle racks may be reduced at the ratio of one (1) automobile parking space for every five (5) bicycle parking spaces provided.
- C. All bicycle parking facilities shall be located within one-hundred feet (100') of the primary use entrance or as close as the closest automobile parking space, whichever distance is closer. Outdoor bicycle parking areas shall be surfaced with concrete.
- D. The permitted types of bicycle racks are:

Spartan Rack	Sentry Rack	Post and Loop Rack
Campus Rack	Swerve Rack	Inverted-U Type Rack

Other types of bicycle racks may be considered and approved by the **Director of Community Development**. Bicycle racks shall support the bicycles upright by their frame in two (2) places. The bicycle racks shall be constructed with and upon a permanent concrete foundation that is securely concrete-anchored to the ground.

- E. Bicycle racks shall be located a minimum of twenty-four inches (24") from a parallel wall, and thirty inches (30") from a perpendicular wall. There shall be a minimum separation of thirty inches (30") between adjacent bicycle racks, and if there are multiple rows of bicycle racks there shall be a minimum aisle width of forty-eight inches (48"). The aisle shall be measured from tip to tip of bike tires across the space between racks.
- F. The grouping of bicycle racks in a central location by multiple businesses is permitted.

- G. Multi-family and single-family attached (townhomes) uses shall provide at least one (1) bicycle space for every five (5) dwelling units. These bicycle spaces shall be grouped together within five-hundred feet (500') of the buildings for which such spaces are provided.
- H. Bicycle racks shall be included in retail, residential and multi-family use common areas that provide active recreation including, but not limited to, pool areas, tennis courts, and basketball courts."

Attach the illustration package "

SECTION 2. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Talty, Texas, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 3. That all provisions of the ordinances of the City of Talty in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the City of Talty not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Talty, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense,

and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED by the City Council of the City of Talty, Texas, on the ___th day of _____, 2023.

APPROVED:

MAYOR FRANK GARRISON

ATTEST:

CITY SECRETARY SHERRY BAGBY

APPROVED AS TO FORM BY
CITY ATTORNEY DAVID BERMAN.