

**ORDINANCE NO. 2015-04**

**AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 25 “ZONING”, ARTICLE I. “IN GENERAL”, SECTION 25-1 “DEFINITIONS” BY ADDING DEFINITIONS FOR BEDROOM, SLEEPING ROOMS, IMPROVED PARKING SURFACE AND VEHICLES; ARTICLE IV. “SUPPLEMENTAL DISTRICT DEVELOPMENT AND USE REGULATIONS”, DIVISION 2. “OFF-STREET PARKING AND LOADING”, SECTION 25-161 “NUMBER OF OFF-STREET PARKING SPACES REQUIRED” TO CLARIFY AND UPDATE OFF-STREET PARKING REQUIREMENTS TO PROVIDE FOR HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC; PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS**

**SECTION 1. AMENDMENT**

That Chapter 25 “Zoning”, Article I. “Definitions”, Section 25-1 “Definitions” is amended to wit:

**Sec. 25-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

\* \* \* \* \*

*Bedroom* See Sleeping Room.

\* \* \* \* \*

*Sleeping Room* means any enclosed habitable space within a dwelling unit which complies with the minimum room dimension requirements of the adopted International Residential Code and has:

1. A closet; or
2. An area that is usable as a closet; or
3. An area that is readily convertible for use as a closet.

This shall not be interpreted to include living rooms, family rooms and other similar rooms in which furniture such as fold-down beds or convertible couches are provided on a permanent basis for regular accommodation or residents, temporary or otherwise. Occupancy loads to be determined by administrator.

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*Vehicle* – means any conveyance in or by which people or objects are transported, especially one fitted with wheels, and propelled or drawn by mechanical power. This term includes but is not limited to motorcycles, recreational vehicles, motor homes, commercial vehicles, boats.

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## **SECTION 2. AMENDMENT**

That Chapter 25 “Zoning”, Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking and Loading” Section 25-161 “Number of off-street parking spaces required” is amended to wit:

### **Sec. 25-161. - Number of off-street parking spaces required.**

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

- 1) Off-street parking spaces shall be provided upon the erection of any building or structure. Whenever a building or use constructed or established after the effective date of this section is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, floor area or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this section is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;
- 2) In all zoning districts off-street parking requirements are exclusive of individually owned/assigned enclosed garages. Common use covered garage spaces (example: a parking garage) in multi-family uses shall be counted towards parking requirements;
- 3) The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the administrator;
- 4) Where fractional spaces result when computing required parking spaces, the required number of spaces must be increased to the nearest whole number;
- 5) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately;
- 6) When a developer presents an alternative development plan (i.e. PUD, CUD, NUD) and can demonstrate that such development will require fewer parking spaces than required by the standards of this section without endangering the health, safety and general welfare of the public, the administrator may permit a reduction in the number of required parking spaces for the development. Such a reduction in parking spaces shall be justified through the development of a parking study prepared by a professional engineer or transportation planner and submitted to the administrator. The balance of the land necessary to meet these requirements may be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand;
- 7) Stacked parking shall be permitted for residential dwelling units only, where the required parking can be assigned to a particular dwelling unit. The stacking of parking for a commercial use shall be prohibited except where expressly allowed. Additional parking approved in a separately designated area or by an approved Alternative Parking Plan as described in this Division, must be within two hundred fifty (250') feet of the lot or property for which the parking is being required;
- 8) Parking is expressing prohibited in any location that results in a safety issue or obstructs visibility from adjacent driveways or street corners; and
- 9) Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces; Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the administrator or building official; Where the basis for parking requirements are the number of bedrooms/sleeping rooms, such requirements shall be based on a determination by the administrator or building official.

Minimum Off-Street Parking Requirements: SR – Sleeping Room; DU – Dwelling Unit

USE	CATEGORY	UNIT	PARKING SPACES PER UNIT	ADDITIONAL INFORMATION
<b>Residential</b>	R-1 Single-Family Dwelling	DU	2.0	No transient rental allowed.
	HUD-Code Manufactured Home	DU	2.0	Transient rental of HUD Manufactured Home is not allowed.
	All Dwelling Units (ADU) Other than R-1	SR	1.0	2 space minimum per dwelling unit excluding ADU. Occupancy load to be determined by administrator.
	Bed & Breakfast	SR	1.0	1 Additional parking space required for proprietor
<b>Commercial</b>	Arcades, Game Room		1.0	For every 250 SF of Gross Floor Space
	Airport			As determined by the Administrator
	Auto - Repair, Sales, Rentals		1.0	For every 400 SF of gross floor area.
	Auto - Service Station		2.0	Four (4) spaces for each service bay.
	Auto - Wash	Wash Bay	2.5	Each stall shall have a minimum on-site storage lane capacity of three (3) motor vehicles.
	Bank, Savings & Loan, Financial Institution	250 SF	1.0	Each drive-in teller window or ATM machine shall have a minimum on-site storage lane capacity of three (3) motor vehicles.
	Barbershop, Beauty Parlors	Each Employee Station	2.0	
	Bowling Alley			As determined by the Administrator
	Car Wash (Self-Serve)	Wash Bay	1.0	1.0 Space per Vacuum Bay
	Churches/Other Places or Public Assembly			1 space for every three (3) seats within the main auditorium OR if there are no fixed seats, 1 space for every 35 SF of Gross Floor Area within the main auditorium.
Convalescent, Nursing Homes	Bed	0.25		
Convenience Stores	250 SF	1.0		
Day Care Center, Nursery	250 SF	1.0		
Schools	250 SF	1.0		
Driving Range - Golf	Tee Station	1.0		
Golf Course - Regulation	Hole	6.0		
Health Studio/Club	250 SF	1.0		
Hospital			As determined by the Administrator	
Hotel/Motel	DU/room	1.0	1 space for every 200 SF Meeting Room	
Laundromat	250 SF	1.0		
Lumber Yards, Nursery	250 SF	1.0	Plus 1 space for every 5,000 SF of exterior ground area.	
Manufacturing			As determined by the Administrator	

	Medical, Dental, Clinic - Offices	200 SF	1.0	
	Miniature Golf	Hole	1.5	
	Mini-storage, Boat Barns			No minimum parking shall be required for the mini-storage units provided that the aisle widths between buildings are a minimum of 18 FT and through access or turnaround space is provided. Parking shall be required for the square footage devoted to other uses on the Site.
	Neighborhood Pocket Parks			Minimum 1 Handicap Parking Space per Park
	Night Clubs	75 SF	1.0	
	Office Buildings - Administrative, Business, Governmental, Utility	250 SF	1.0	
	Restaurant	Per 4 seats	1.0	Administrator may charge for open spaces that show no tables, such as deck space or space at bar showing no bar stools.
	Retail Sales & Service - Department Store	250 SF	1.0	
	Retail Sales & Service - Furniture/Appliance Store	500 SF	1.0	
	Rooming, Boarding, Bed & Breakfast		1.0	For every Room for Rent
	Shopping Strip Centers	250 SF	1.0	Covers all Tenant uses
	Theaters, Movies	Seat	0.25	Plus 1 space for each employee on biggest shift
	Theme, Amusement Parks			As determined by the Administrator
	Warehouse, Storage			1 space for every 1,000 SF of Gross Floor Area for the first 20,000 SF devoted to warehousing
	Vending Machine, Kiosk in existing Parking Lot	Per Employee	1.0	3 On-Site Stacking spaces per window (cannot take away required parking)
<b>Marine-Related</b>	Dry Boat Storage Facility	Per Boat Space	0.5	1 Parking Space for every 4 boat storage spaces. Required auto parking spaces cannot be used for wash/dry racks or for boats or trailers.
	Party Vessels: Fishing, Sight-Seeing, Dining			1 Space per 3 Seats on Boat plus 1 space for crew per boat. Stacking of vehicles is allowed, plus required parking for any other uses on the Site.
	Marinas	Per Public /Private Slip	1.5	And additional parking requirements for other uses specified herein.

### **SECTION 3. SEVERABILITY**

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

**SECTION 4. READING**

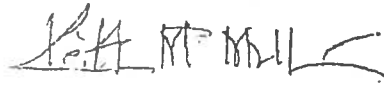
As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

**SECTION 5. EFFECTIVE DATE**

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final and after publication of the ordinance caption in the city's official newspaper.

**PASSED, ORDAINED, APPROVED and ADOPTED** this the 21<sup>st</sup> day of MAY, 2015.

**CITY OF PORT ARANSAS, TEXAS**



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Keith McMullin, Mayor



**ATTEST:**



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Irma G. Parker, City Secretary

1<sup>st</sup> Reading: March 19, 2015  
2<sup>nd</sup> Reading: April 16, 2015  
3<sup>rd</sup> Reading: May 21, 2015