

**CITY OF BALCH SPRINGS, TEXAS
ORDINANCE NO. 3077-13**

AN ORDINANCE OF THE CITY OF BALCH SPRINGS, TEXAS, AMENDING CHAPTER 90, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF BALCH SPRINGS, TEXAS; ADOPTING A NEW SECTION TITLED, “PARKING STANDARDS”; AMENDING THE DEFINITION OF “PARKING SPACES” TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIRED FOR AN INDIVIDUAL PARKING SPACE; PROVIDING STANDARDS FOR RESIDENTIAL, COMMERCIAL, MANUFACTURING, PUBLIC USE, AND MIXED USE FACILITY PARKING SPACES; REGULATING TYPE AND QUALITY OF SURFACE MATERIAL THAT MAY BE USED FOR PARKING SPACES; REGULATING VERTICAL “MODULAR AUTOMATED PARKING SYSTEMS”; PROHIBITING PARKING ON UNIMPROVED SURFACES; PROVIDING PENALTIES; PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Balch Springs (“the City Council”) wishes to update its Zoning Ordinances to amend existing definitions pertaining to parking and add new parking standards; and

WHEREAS, the Planning and Zoning Commission of the City of Balch Springs (“the Commission”), after holding public hearings, has made recommendations regarding additional definitions and regulation of uses under the Zoning Ordinance, Chapter 90; and

WHEREAS, the City Council is authorized under Chapter 211 of the Texas Local Government Code to adopt or amend zoning regulations; and

WHEREAS, the zoning regulations contained herein are made pursuant to the aforementioned authority and such regulations are in the best interest of City of Balch Springs and its citizens;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALCH SPRINGS, TEXAS, that:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The Code of Ordinances of the City of Balch Springs is hereby amended as follows:

CHAPTER 90, ZONING, ARTICLE I, IN GENERAL, Section 90-1, Definitions, “Parking space,” is hereby amended and shall read as follows:

Parking Space: means an area of not less than 162 square feet (measuring approximately nine feet by 18 feet), not on a public street or alley, surfaced with an all-weather surface, enclosed or unenclosed, together with an all-weather surfaced driveway connecting the parking space with a street or alley permitting free ingress and egress. Such term in any dwelling, duplex or apartment district shall not include the parking of trucks or buses for commercial purposes or head-in parking adjacent to a public thoroughfare wherein the maneuvering is done on a public street, and shall not be classified as off-street parking in computing the parking requirements for any use.

Within CHAPTER 90, ZONING, a new ARTICLE VII, DIVISION 1, is hereby created, shall be titled “PARKING STANDARDS,” and shall read as follows:

Division 1: Vehicle Parking Space Regulations.

Sec. 90-681. Minimum and maximum parking standards

The following table shall include the required minimum and maximum parking requirement.

| Table 1: Required Minimum and Maximum Parking | | | |
|--|---|---|--|
| Use Group: | Automobile | | Bicycle (optional) |
| Residential | Min. | Max. | |
| Single Family Detached | 2 spaces per housekeeping unit | NA | NA |
| Accessory dwelling | 1 space in addition to required parking for the principal dwelling | NA | NA |
| Two-Family or Duplex | 2 spaces per housekeeping unit | NA | NA |
| Multi-Family (apartment, townhouse, condominium, or other arrangement of attached units not otherwise specified) | For one bedroom units: 1 space For two bedroom units: 1.5 spaces For three or more bedroom units: 2 spaces In addition (regardless of the mix of unit type and size), guest parking shall be provided at a ratio of 1 space per 5 dwelling units. Guest parking shall be located in an area or areas commonly accessible to all units. | 1.5 spaces 2.0 spaces 2.25 spaces 1 space per 4 dwelling units | 1 space for each 50 automobile spaces required |
| Dormitories or Residence Halls | For one bedroom units: 1 space For two bedroom units: 1.5 spaces For three or more bedroom units: 2 spaces In addition (regardless of the mix of unit type and size), guest parking shall be provided at a ratio of 1 space per 5 dwelling units. Guest parking shall be | 1.5 spaces 2.0 spaces 2.25 spaces 1 space per 4 | 1 space per 3 students |

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| Table 1: Required Minimum and Maximum Parking | | | |
|---|---|---|--|
| Use Group: | Automobile | | Bicycle (optional) |
| Residential | Min. | Max. | |
| | located in an area or areas commonly accessible to all units. | dwelling units | |
| Rooming House, Lodging House, Fraternity/Sorority House, Tourist Home or B&B | 1 space per 2 bedrooms | 1 space per bedroom | NA |
| Senior Adult Housing – Independent living | 1 space per 2 units plus one space per employee. | 1 space per 1.5 units plus one space per employee | 1 space for each 50 automobile spaces required |
| Nursing Home or Convalescent Home | 1 space per 4 beds plus 1 space per employee | 1 space per 3 beds plus 1 space per employee | 1 space for each 50 automobile spaces required |
| Adult Care Residence, Group Home, or Juvenile Residence | 1 space per every 3 beds plus 1 space per employee. | 1 space per every 2 beds plus 1 space per employee | 1 space for each 50 automobile spaces required |
| Continuing Care Retirement Community (contains multiple elements of independent living, assisted living and convalescent care in one campus/complex). | Minimum parking shall be calculated based upon the sum of the parking requirements (specified in this table) for each component of the complex. | Sum of the maximum requirements of the individual components of the complex | 1 space for each 50 automobile spaces required |

| Table 1 Required Minimum and Maximum Parking | | | |
|--|--|--|--|
| Use Group: | Automobile | | Bicycle |
| Public/Semi Public Use & Community Facilities | Min. | Max. | |
| Auditoriums, Gymnasiums, Movie Theaters, Churches, and other places of assembly not otherwise listed | 1 space per 4 seats in the largest assembly hall | 1 space per 3 seats in the largest assembly hall | 1 space for each 50 automobile spaces required |
| Club or Lodge | 1 space per 200 sq. ft. of floor area. | 1 space per 150 sq. feet of floor area | 1 space for each 50 automobile spaces required |
| Elementary School or Middle School | 1.5 spaces per classroom | 2.0 spaces per classroom | Equal to 10% of the student capacity |
| High School | 5 spaces per classroom | 6.5 spaces per classroom | Equal to 10% of the student capacity |
| College, Business School, or Vocational School | 6 spaces per classroom | 7.5 spaces per classroom | Equal to 6% of the classroom capacity of each building |
| Library or Museum | 1 space per 300 sq. ft. of display area | 1 space per 250 sq. ft. of display area | 1 space for each 50 automobile |

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| Table 1 Required Minimum and Maximum Parking | | | |
|---|---|---|--|
| Use Group: | Automobile | | Bicycle |
| Public/Semi Public Use & Community Facilities | Min. | Max. | |
| | | | spaces required |
| Convention Center | 1 space per 3 seats in the largest assembly hall plus 1 space per 400 sq. ft. of exhibit hall space | 1 space per 2.5 seats in the largest assembly hall plus 1 space per 300 sq. t. of exhibit hall space | 1 space for each 50 automobile spaces required |
| Live Performance Theater or Music Hall | 1 space per 3 seats | 1 space per 2.5 seats | 1 space for each 50 automobile spaces required |
| Stadium and Arenas | 1 space per 3 seats | 1 space per 2.5 seats | 1 space for each 50 automobile spaces required |
| Hospital | 1 space per 2 beds plus 1 space per 400 square feet of reception, administration, diagnostic, surgical, and outpatient space | 1 space per bed plus 1 space per 300 sq. ft. of reception, administration, lab, diagnostic, surgical and outpatient space | 1 space for each 50 automobile spaces required |
| Public Facilities, Community Centers, Neighborhood Facilities, and Recreational Facilities | 1 space per 500 sq. ft. of floor area plus 1 space per 3 seats for each place of assembly within the facility. | 1 space per 400 sq. ft. of floor area plus 1 space per 2.5 seats for each place of assembly within the facility | 12% of the required number of automobile spaces |
| Public Transit Station or Private bus station | 1 space per 300 square feet of floor area | 1 space per 200 sq. ft. of floor area | 35% of the number of automobile spaces required or a minimum of 20, whichever is greater |
| Parks: Active – i.e., ball fields, playgrounds, picnic shelters, bandstands, beach etc. | 5 spaces per acre of facility plus 1 space per every 4 persons of total maximum capacity of the facilities included in the park | 6 spaces per acre of facility plus 1 space per 3 persons of total maximum capacity of the facilities included in the park | Minimum of 10 spaces plus 1 additional space for each 50 automobile spaces required |
| Parks: Passive – does not include any facilities to accommodate active organized recreation | To be determined by the Parks & Recreation staff or Public Works Director based upon estimated peak usage of the facility | 125% of the minimum parking | Minimum of 5 spaces plus 1 additional space for each 50 automobile |

| Table 1 Required Minimum and Maximum Parking | | | |
|--|---------------------------------------|--|--|
| Use Group: | Automobile | | Bicycle |
| Public/Semi Public Use & Community Facilities | Min. | Max. | |
| | | | spaces required |
| Post Office and Private Postal services | 1 space per 250 sq. ft. of floor area | 1 space per 200 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Parking garage, commercial parking lots, public parking lots | NA | NA | 10% of the number of automobile spaces provided |
| Marina (Hickory Creek Future Use) | 1 space for every 2 boat slips | 1 space for every slip | 1 space for each 50 automobile spaces required |

| Table 1: Required Minimum and Maximum Parking | | | |
|---|--|--|---|
| Use Group: | Automobile | | Bicycle (Optional) |
| Commercial | Min. | Max. | |
| Retail (except furniture and appliance sales) | 1 space per 250 sq.ft. of sales area | 1 space per 166 sq. ft. of sales area | 1 space for each 50 automobile spaces required. |
| Retail: Furniture and appliance sales | 1 space per 400 sq.ft. of sales area | 1 space per 300 sq. ft. of sales area | 1 space for each 50 automobile spaces required |
| Shopping Center, Shopping Mall | 1 space per 250 sq.ft. of sales area | 1 space per 166 sq. ft. of sales area | 1 space for each 50 automobile spaces required |
| Grocery Store | 1 space per 250 sq.ft. of sales area | 1 space per 166 sq. ft. of sales area | 1 space for each 50 automobile spaces required |
| Home Improvement Superstore | 1 space per 250 sq.ft. of sales area | 1 space per 140 sq. ft. of sales area | 1 space for each 50 automobile spaces required |
| Discount Club or Superstore | 1 space per 250 sq.ft. of sales area | 1 space per 140 sq. ft. of salea area | 1 space for each 50 automobile spaces required |
| Office (except medical or dental office or clinic) | 1 space per 300 sq.ft. of floor area | 1 space per 250 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Medical Office or Clinic, Dental Office or Clinic | 1 space per 250 sq.ft. of floor area | 1 space per 200 sq. feet of floor area | 1 space for each 50 automobile spaces required |
| Bank: No Drive- Thru | 1 space per 250 sq.ft. of floor area | 1 space per 200 sq. feet of floor area | 1 space for each 50 automobile spaces required |
| Bank: With Drive Thru | 1 space per 400 sq. ft. of floor area | 1 space per 200 sq. ft. of floor area | 1 space for each 50 automobile space required |
| Personal Services (i.e. dry cleaner, barber shop, | 1 space per 200 sq.ft. of service area | 1 space per 166 sq. ft. of service area | 1 space for each 50 automobile |

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| Table 1: Required Minimum and Maximum Parking | | | |
|---|---|---|---|
| Use Group: | Automobile | | Bicycle (Optional) |
| Commercial | Min. | Max. | |
| beauty salon, tailor, etc.) | | | spaces required |
| Restaurant, Eating and Drinking establishments | 1 space per 75 sq.ft. of floor area exclusive of kitchen and freezer areas. | 1 space per 60 sq. ft. of floor area exclusive of the kitchen and freezer area. | 1 space for each 50 automobile spaces required |
| Live entertainment, karaoke, nightclub, bar or similar places of assembly without fixed seats | 1 space per every 3 persons based upon maximum occupancy | 1 space per every 2.5 persons based upon maximum occupancy | 1 space for each 50 automobile space required |
| Commercial Recreation – within a building (unless otherwise listed) | 1 space per 200 sq.ft. of floor area | 1 space per 166 sq. ft. of floor area | 12% of the total automobile spaces required |
| Commercial Recreation - outdoors | 5 spaces per acre of facility plus 1 space per 4 persons of total maximum capacity of the facilities. | 6 persons per acre of facility plus 1 space per 3 persons of total maximum capacity of the facilities | Minimum of 10 spaces plus 1 additional space for each 50 automobile spaces provided |
| Bowling Alley | 1 space per employee plus 4 spaces per lane | 1 space per employee plus 5 spaces per lane | 1 space for each 50 automobile spaces required |
| Motel & Tourist Homes | 1 space per guest room | 1.25 spaces per guest room | 1 space for each 50 automobile spaces required |
| Hotel with total meeting space in excess of 1,000 sq. ft. | 1 space per guest room plus 1 space per 100 sq.ft. of meeting or banquet room | 1.25 spaces per guest room plus 1 space per 75 sq. ft. of meeting or banquet room | 1 space for each 50 automobile spaces required |
| Hotel with total meeting space of 1,000 sq. ft. or less | 1 space per guest room. | 1.25 spaces per guest room plus 1 space per 75 sq. ft. of meeting or banquet room | 1 space for each 50 automobile spaces required. |
| Kennel or Veterinary Hospital | 1 space per 400 sq.ft. of floor area | 1 space per 300 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Day Care or Nursery School | 1 space per 500 sq.ft. of floor area | 1 space per 400 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Funeral Home or Mortuary | 1 space per employee plus one of the below ratios, whichever is greater: | 1 space per employee plus one | 1 space for each 50 automobile |

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| Table 1: Required Minimum and Maximum Parking | | | |
|--|---|--|--|
| Use Group: | Automobile | | Bicycle (Optional) |
| Commercial | Min. | Max. | |
| | 1 space per 50 sq.ft. of public viewing area or 1 space per 3 seats in the chapel | of the below ratios whichever is greater: 1 space per 40 sq. ft of public viewing area or 1 space per 2.5 seats in the chapel | spaces required |
| Automobile Repair and Service | 1 space per 300 sq. ft. of service area | 1 space per 200 sq. ft. of service area | 1 space for each 50 automobile spaces required |
| Automobile and Truck Sales | 1 space per 300 sq. ft. of sales, office and waiting area | 1 space per 200 sq. ft. of sales, office and waiting area | 1 space for each 50 automobile spaces required |
| House sales, mobile home sales, trailer sales, boat sales, and other outdoor equipment sales | 1 space per 300 sq. ft. of sales, office and waiting area | 1 space per 200 sq. ft. of sales office and waiting area | 1 space each 50 automobile spaces required |
| Commercial Nurseries | 1 space per 300 sq. ft. of floor space plus 1 space per 5,000 sq. ft. of lot area | 1 space per 250 sq. ft. of floor space plus 1.5 spaces per 5,000 sq. ft. of lot area | 1 space for each 50 automobile spaces required |
| Car Wash Facility: Self Service | One (1) parking space at each end of every stall plus 1 parking space per stall located elsewhere on the site | One (1) parking space at the end of every stall plus 1.5 parking spaces per stall located elsewhere on the site | NA |
| All Other Car Wash Facilities (full service and/or automated) | Stacking area to accommodate 3 vehicles per bay plus 2 parking spaces per bay elsewhere on site. | Stacking area to accommodate 4 vehicles per bay plus 3 parking spaces per bay elsewhere on site | NA |

| Table 1: Required Minimum and Maximum Parking | | |
|--|-------------------|---------------------------|
| Use Group: | Automobile | Bicycle (Optional) |

| Research, Manufacturing, and Industrial | Min. | Max. | |
|--|---|--|--|
| Research Lab | 1 space per 400 sq. ft. of floor area | 1 space per 300 sq. ft. of floor area. | 1 space for each 50 automobile spaces required |
| Manufacturing | 1 space per 500 sq. ft. of floor area | 1 space per 400 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Warehousing | 1 space per 2,000 sq. ft. of floor area | 1 space per 1,500 sq. ft. of floor area | 1 space for each 50 automobile spaces required |
| Self Storage Facility Enclosed – All storage units are contained within a building accessible from a single entry and interior hallways. | 5 spaces adjacent to the office/entry plus 1 space per 50 units | 7 spaces adjacent to the office/entry plus 1 space per 30 units. | 1 space for each 50 automobile spaces required |
| Self Storage Facility Not Enclosed- All storage units are individually accessible from vehicular drive aisles. | 5 spaces adjacent to the office plus drive aisles measuring a minimum of 28 feet between units. | 7 space adjacent to the office plus drive aisles measuring a minimum of 28 feet between units. | NA |

| Table 1: Required Minimum and Maximum Parking | | | |
|---|--|--|--|
| Use Group: | Automobile | | Bicycle (Optional) |
| Mixed Uses | Min. | Max. | |
| Mixed Uses – any combination of two or more uses located upon the same site, within the same building or space. | Total spaces equal the sum of the requirements for each individual use unless credits and/or alternative parking standards are applied as permitted elsewhere in this chapter. | Total maximum number of spaces equals to the sum of the max. parking limits of the individual uses | 1 space for each 50 automobile spaces required |

Division 2: Parking Dimensions & Surfaces

Sec. 90-682.- Parking Dimensions: A minimum space of at least nine feet by 18 feet (9'X18') shall be provided for each vehicle.

Sec. 90-683.- Surface Material: All areas within the city which are used for the parking of motor vehicles shall be paved with impervious surface materials and shall be constructed in accordance with the following minimum specifications:

1. Reinforced concrete shall have a five-inch minimum thickness, 3,000 psi, on four-inch cushion and shall be reinforced with No. 4 bars, 24-inch centers both ways or welded wire fabric 12X12 W4YW4 with a nominal diameter of 0.225 inches.
2. Asphaltic concrete shall have a four-inch thick type D HMA on a six-inch crushed stone base or four percent lime stabilized soil compacted to not less than 95 percent as determined by TSDHPT test method Tex-113-E

Sec. 90-684.- Loading Space: Non-residential uses permitted by the Zoning Ordinance shall provide permanently maintained off-street loading spaces with adequate access.

1. Each loading space shall measure no less than 10' wide by 25' long and shall have a vertical clearance of at least 14' and a backing space of at least 24 feet.
2. Buildings of 20,000 square feet or less shall require 1 loading space. Buildings in excess of 20,000 square feet shall require 2 loading spaces.
3. Loading spaces shall not be located any closer than 10' to any existing or proposed rights-of-way, or closer than 20' to any residential use or any property zoned for residential uses.

No loading space shall be erected within a fire access zone.

Sec. 90-685.- Parking Garages/Vertical stacked parking and modular automated parking systems (MAPS):

1. Parking garage arrangements shall be permitted at a height not to exceed four (4) stories.
2. Vertically stacked parking arrangements and modular automated parking systems shall be permitted. Vertically stacked systems which are not automated and which require vehicles and or lifts to access the stacked vehicle storage system shall provide a standard drive aisle between bays. Additional clearances may be required upon review by the appropriate building code official and the fire code official.
3. Modular automated parking systems (MAPS) are not required to meet the standard parking space or drive aisle dimensions. They are required to meet all other applicable codes and ordinances.

MAPS Exhibit



Parking Garage Exhibit



CHAPTER 90, ZONING, ARTICLE VI.- ADDITIONAL DISTRICTS, DIVISION 1. GENERALLY, Section 90-603, Yard Parking, is hereby repealed in its entirety and a new section 90-686 is hereby adopted and shall read as follows:

Sec. 90-686.- Yard Parking:

1. Parking on unimproved surfaces. A person within the city commits an offense if such person causes, suffers, permits or allows:
 - a. The parking or storage of a motor vehicle, trailer, boat or other watercraft within a front yard upon any surface other than a driveway or other minimum improved parking surface
 - b. The parking or storage of a motor vehicle, trailer, boat or other watercraft within a side or rear yard upon any surface other than a driveway or other minimum improved parking surface
 - c. The parking or storage of more than three motor vehicles, trailers, boats or other watercraft within any side or rear yard, whether or not such vehicle is parked or stored upon a minimum improved parking surface, and whether or not such vehicle is screened from view by a fence or other similar structure; or
 - d. The parking or storage of any motor vehicle, trailer, boat or other watercraft upon any portion of any real property not zoned as residential upon any surface other than a driveway or other minimum improved parking surface.

It is an affirmative defense to prosecution under this subsection if the front yard adjoins a street on which parking is prohibited or restricted by ordinance on that portion of the street abutting the yard. It shall also be a defense to prosecution under this subsection that a vehicle is parked or stored on residential property in which the lot is at least one acre in size. It shall further be a defense to prosecution under subsection (a)(2) of this section that the motor vehicle, trailer, boat or other watercraft was parked or stored in the rear yard and was screened from view by a fence or other similar structure and was not visible from any public property or right-of-way; provided that there was not more than two other motor vehicles, trailers, boats or other watercraft also parked or stored within the same rear yard at that time.

2. Minimum Parking Surface Area

- a. No owner, occupant or person in charge of property zoned residential shall cause, suffer, permit or allow the construction, placement or maintenance of a driveway or minimum improved parking surface on such property which covers more than 50 percent of the front yard.
- b. It is an affirmative defense to prosecution under this subsection if a driveway is:
 - i. A circular drive connecting to a street or alley by at least two driveway approaches, and covers not more than 65 percent of the yard; or
 - ii. Within a residential front yard and parking is prohibited or restricted by ordinance on that portion of the street abutting the yard, and the driveway covers not more than 65 percent of the yard.

3. Violation; penalty

- a. Any person who violates any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined a sum not to exceed \$500.00. Each day a violation of this section continues shall constitute a separate offense.
- b. Nothing in this section is intended to diminish in any respect deed restrictions which may impose more stringent requirements than this section.

* * *

SECTION 3. All provisions of the ordinances of the City of Balch Springs in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Balch Springs not in conflict with the provisions of this ordinance shall remain in full force and effect. This ordinance does not supersede any provisions within the Fire Code.

SECTION 4. 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 thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

SECTION 6. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

DULY PASSED AND ADOPTED by the City Council of the City of Balch Springs, Texas, on the 28th day of October, 2013.

APPROVED:

Carrie F. Gordon, Ph.D., Mayor

ATTEST:

Cindy Gross, City Secretary