

**TOWN OF LITTLE ELM**

**ORDINANCE NO. 1222**

**AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN, BY AMENDING CHAPTER 106 (ZONING), SECTION 88 (PARKING STANDARDS), IN PART, TO REVISE PARKING CRITERIA; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Little Elm ("Town") is a home rule municipal corporation organized and existing by virtue of the Constitution and laws of the State of Texas and by its Charter adopted on May 1, 2001; and

**WHEREAS**, the Town of Little Elm possesses all the rights, powers, and authorities possessed by all home rule municipalities, including the authority to regulate land uses and provide for development standards under Chapter 211 of the Texas Local Government Code; and

**WHEREAS**, the Town Council, after a thorough and informed discussion, directed Staff at its June 17th work session, to proceed in revising the parking ordinance; and

**WHEREAS**, Town Council and the Planning & Zoning Commission of the Town of Little Elm, in compliance with the laws of the State of Texas and the ordinances of the Town of Little Elm, have given the required notices and held the required public hearings regarding the amendments contained in this Ordinance; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning & Zoning Commission and staff and any other information and materials received at the public hearing, the Town Council has determined that the amendments set forth herein should be adopted, and that such amendments are in the best interest of the public health, safety, and welfare of the citizens of the Town of Little Elm.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. AMENDMENT & ADOPTION.** That Chapter 106 (Zoning) of the Town of Little Elm Code of Ordinances, is hereby amended, in part, by amending Section 88 (Parking Standards), in part, to read per the attached regulations.

**SECTION 3. SAVINGS.** This Ordinance shall be cumulative of all other ordinances of the Town, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

**SECTION 4. PENALTY.** Any person, firm, or corporation violating any of the provision of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 5. SEVERABILITY.** The sections, paragraphs, sentences, phrases, and words of this Ordinance are severable, and if any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid or unconstitutional, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, and the Town Council hereby declares that it would have adopted the valid portions and applications of the ordinance without the valid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 6. REPEALER.** That all ordinances of the Town of Little Elm in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of that conflict.

**SECTION 7. EFFECTIVE DATE.** That this Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the Town Charter.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**The Town of Little Elm, Texas**

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David Hillock, Mayor

ATTEST:

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Kathy Phillips, Town Secretary

**ARTICLE III.  
SUPPLEMENTARY REGULATIONS.  
DIVISION I.  
SUPPORTING REGULATIONS.**

**Sec. 106-88. Parking Standards.**

*A. Parking Regulations.*

1. It is Little Elm's goal to:

- a) Manage parking so that it is convenient, efficient, and supports an active and vibrant retail environment.
- b) Decrease the expansive "seas" of parking that are too common in the suburbs, noting that most new development is typically over-parked, resulting in wasted space, unnecessary impervious surface, higher construction costs, and loss of retail square footage.
- c) Support the creation of shared parking in order to enable visitors to park once at convenient location and access a variety of commercial enterprises in a pedestrian and bicycle-friendly environment.
- d) Provide flexibility for changes in land uses which have different parking requirements within the district.
- e) Ensure ease of access to parking.
- f) Provide flexibility for the redevelopment of small sites.
- g) Avoid diffused, inefficient single-purpose reserved parking.
- h) Avoid adverse parking impacts on residential neighborhoods.

2. General:

- a) Except for allowed on-street parking, all maneuvering of vehicles shall take place on site or within a mutual access easement. 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.
- b) Parking spaces shall be 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. All vehicular use areas must also be maintained without large cracks or other failures.

- c) No parking or loading area shall be used for storage of inventory, materials, display, sanitation containers, supplies, or for any other use, except as approved through the site plan process. Under no circumstances shall a required parking space be used for any purpose other than parking.
- d) All off-street parking areas shall be kept free of litter, trash, debris, vehicle repair operations, display, and advertising uses.
- e) The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and correction of use violations.

*B. Parking Requirements.*

1. General: In computing the number of parking spaces required for any building or development, the following rules shall govern:
  - a) The term "floor area" means the gross floor area of the specific use.
  - b) Where fractional spaces result, the parking spaces required shall be constructed to be the next higher whole number.
  - c) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature, subject to review and approval by the Director.
  - d) 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 in the number of existing parking spaces, such spaces shall then and thereafter comply with the parking requirements set forth herein.
2. Off-Street Parking: When a building or structure is constructed or expanded, off-street parking shall be provided, per the following table:

Assembly Uses (non-profit)	One (1) space for each four (4) seats in the main auditorium.
Athletic Stadium or Field	Fifty (50) spaces per field for fields without fixed seating.
Bank or similar financial establishment	One (1) space for each 300 square feet of floor area.
Big Box	One (1) space for each 250 square feet of floor area.
Bowling Alley	Six (6) spaces for each lane.
Car Wash (Self Serve)	Two (2) spaces; plus stacking spaces for each bay.
Car Wash (Automated)	One (1) space for each 200 square feet of

	floor area; plus adequate stacking spaces per bay; minimum of 2 spaces.
Child Care Center	One space for every 10 students; plus adequate stacking spaces for drop-off lane.
Civic/Convention/Community Center	Ten (10) spaces plus one additional space for each 300 square feet of floor area in excess of 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. Can also be determined by a parking demand analysis study for proposed use, subject to review and approval by the Director.
Convenience Store	One (1) space per two-hundred (200) square feet of gross floor area.
Duplex	A concrete drive with a minimum one (1) car garage and one space in driveway per unit.
Golf Course	Minimum 30 spaces per 9 holes, plus one (1) space for each two hundred (200) square feet of floor area for country club, retail, office, etc.
Green House or Nursery	One (1) space for each 5,000 square feet of outdoor storage area; plus one (1) space for each 200 square feet of indoor floor area.
Health / Fitness Center	One (1) space for each 200 square feet of gross floor area.
High School, College, or University	One (1) space for each classroom, laboratory, or instruction area plus one space for each three students accommodated in the institution.
Hospitals	One (1) space for every two beds and one (1) space per employee on the largest shift.
Hotel or Motel	One (1) space for each room unit, or guest accommodation plus one (1) space for each 300 square feet of restaurant, office, or conference area
Indoor Commercial Amusement	One (1) space per 200 square feet of gross floor area.
Kennel or Stable	One (1) space per every 500 square feet of floor area.
Library or Museum	Ten (10) spaces plus one (1) space for each 300 square feet of floor area.
Lodge, Club, or Fraternal	One (1) space for each 200 square feet of

Organization	floor area.
Manufacturing, Processing, Warehousing, and Industrial uses	One (1) space for each employee on the maximum working shift plus one (1) space for each 1,000 square feet of floor area.
Mini-Warehouse (Self-Storage)	One (1) space for each 5,000 square feet of total floor area.
Mixed Use Building	See Town Center zoning district for parking regulations.
Mobile Home – Manufactured Home	A concrete drive with a minimum of two (2) spaces, which may include a carport.
Mortuary or Funeral Home	One (1) space for each four (4) seats in funeral service rooms.
Movie theatre or Cinema	One (1) space per four (4) seats.
Nursing Home	One (1) space for each six (6) beds and one (1) space for each day staff.
Office, business or professional	One (1) space for each 300 square feet of floor area.
Office, medical, dental, or health	One (1) space for each 200 square feet of floor area.
Outdoor Commercial Amusement	One (1) space for every 1,000 square feet within the outer boundaries of the proposed use, including any buildings, exhibit booths and areas devoted to the use.
Recreational, private or commercial area or building (other than listed)	One (1) space for every four persons to be normally accommodated in the establishment.
Restaurant or cafeteria	One (1) space for every 100 square feet of gross floor area. Outdoor seating areas (covered or not) under 500 square feet are exempt. When part of a multi-tenant development 15,000 square feet or greater, one (1) space for every 200 square feet.
Retail or personal service	One (1) space for each 200 square feet of floor area.
Retirement Housing	One (1) space per five (5) beds.
School, elementary & junior high	One (1) space for each classroom plus one (1) space for each four seats in any auditorium, gymnasium, or other place of assembly.
Single-Family Residential	A concrete drive with a minimum of a two (2) car garage with parking for two cars in driveway is required. Carports prohibited, unless fully encased with masonry, pitched roof, and attached to the primary residence.

Townhouse	Two (2) spaces per unit, enclosed.
Vet or animal hospital	One (1) space for each 300 square feet of floor area.

3. Parking Reduction:

- a) A blanket 15% parking reduction is granted to multi-tenant developments that are 15,000 square feet or greater, provided there is a dedicated mutual access easement.

4. Parking Penalty:

- a) Where parking exceeds the minimum number of required spaces by more than 10%, landscaping of parking areas shall be increased so that planting islands shall not be spaced greater than every 10 spaces rather than the required 12 spaces.

*C. Parking Design.*

1. The minimum dimensions for off-street parking shall be as follows:

- a) Standard space: 9 feet x 20 feet
- b) Parallel space: 8 feet x 22 feet
- c) Stacking space: 10 feet x 20 feet

- 2. All vehicular use areas shall be concrete. Existing, legal, non-conforming parking lots can be repaired or maintained with like material. Assembly Uses with legal, non-conforming parking lots in existence on July 15<sup>th</sup>, 2014, may upgrade to a better material that is not concrete so long as it is dust free; however, any associated expansion must still be compliant with concrete.
- 3. Required parking can be located and counted down to the 534' elevation line, subject to review and approval by the Town Engineer.
- 4. The typical drive aisle width shall be twenty-four feet (24').
- 5. Fire lanes shall be provided as required by the adopted Fire Code of the Town, and shall be adequately reinforced to withstand heavy vehicle loading, subject to review and approval by the Fire Marshal.
- 6. For safety, firefighting purposes, and increased connectivity, cross access between parking areas of adjacent non-residential parcels shall be provided and is required.
- 7. Striping shall be white. ADA barrier free ramps shall be integral stained concrete in muted shades of adobe red or terra cotta. Crosswalks and drive-thrus shall be integral



stained concrete in dark shades of grey or black. Entrances from rights-of-way shall be enhanced by providing a stamped and integral stained concrete “welcome mat”.

8. Residential lots shall have only one (1) drive cut. Larger or irregular shaped lots may install more with a permit, subject to discretionary review and approval by staff. Corner lots in tract subdivisions do not fall within the irregular lot exception. Driveway widths should match the width of the enclosed garage and not be expanded into the side yard setback.
9. Concrete shall be a minimum 6 inches thick, with #3 rebar, 18” on center each way. Fire lanes must have 6” of lime, but may allow 2” of additional concrete in lieu of lime with Director approval.
10. At no time after initial approval of the parking area layout, can changes be made to the location or number of provided spaces, unless approved by the Director.

D. *Loading Spaces (off-street).*

1. All retail, commercial, and industrial structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods. Such space shall consist of a minimum area of 10 feet by 25 feet for each 20,000 square feet of floor space or fraction thereof in excess of 5,000 square feet of building area.
2. Schools, day care centers, and similar child training and care establishments shall provide a loading and unloading area on an off-street, internal drive that does not block the fire lane.

E. *Bicycle Parking.* Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

1. Bicycle parking shall be provided based on at least one (1) bike rack for each development or one (1) bike rack for each 100 car parking spaces required, whichever is greater, unless otherwise approved by the Director. No more than 5 bicycle racks shall be required per development.
2. Required bicycle parking should be located within 50 feet of an entrance to the building.
3. Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.
4. Site Plans should show the location of all proposed bike racks, which are subject to the streetscape architectural standards of the Zoning Ordinance and should be permanently mounted to the ground.