

ORDINANCE NO. 2470

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 62, LAND AND SITE DEVELOPMENT, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY ADDING AND MODIFYING CERTAIN DEFINITIONS, CLARIFYING WHEN SITE PLANS ARE REQUIRED, PROVIDING FOR ELECTRONIC PLAN SUBMISSION, REMOVING A REDUNDANT SUBSECTION, UPDATING MINIMUM CURB RETURN RADIUS STANDARDS, CLARIFYING PARKING PAVEMENT MATERIAL AND PARKING AREA DESIGN REQUIREMENTS, AMENDING OFF-STREET PARKING REQUIREMENTS FOR CERTAIN LAND USES, ADDING DRIVE-THRU REQUIREMENTS AND PROVISIONS FOR ALTERNATIVE PARKING PLANS, AND CLARIFYING OFFENSES TO THIS CHAPTER; AND AMENDING CHAPTER 118, TRAFFIC AND VEHICLES, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY CLARIFYING WHERE U-TURNS ARE PROHIBITED; REMOVING CERTAIN MOTOR VEHICLE TRAFFIC PROHIBITIONS, ADDING PARADE TO THE DEFINITION OF “AUTHORIZED PROCESSION”, REMOVING REDUNDANT ROAD CROSSING RESTRICTIONS, AMENDING SPEED RESTRICTIONS NEAR CERTAIN SCHOOLS, AMENDING MAXIMUM SPEED LIMITS FOR CERTAIN CITY STREETS AND CERTAIN RECREATION AREAS, ADDING DEFINITIONS, CLARIFYING OFF-STREET PARKING RESTRICTIONS AND PAVEMENT MATERIAL REQUIREMENTS, AND MAKING FORMATTING CHANGES OF A NON-SUBSTANTIVE NATURE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan has adopted Chapter 62, Land and Site Development, of the City of Bryan Code of Ordinances, which provides standards for physical development, including off-street parking areas; and

WHEREAS, the City of Bryan has adopted Chapter 118, Traffic and Vehicles, of the City of Bryan Code of Ordinances, which provides standards for motor vehicle traffic, including speed limits and restrictions on stopping, standing, and parking of vehicles; and

WHEREAS, the City Council recognizes the need from time to time to amend these regulations to amend and/or update these requirements to provide new and/or clearer regulations; and

WHEREAS, the Bryan Planning and Zoning Commission, during its meeting on September 17, 2020, recommended approval of changes to Chapter 62, Land and Site Development, and Chapter 118, Traffic and Vehicles; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That the City Council finds and determines the foregoing recitals to be true and correct and hereby makes them part of this ordinance.

2.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-1, General definitions, is hereby amended by adding and/or modifying the following definitions:

Section 62-1. – General definitions.

Develop shall mean changing the use of a tract of land or structure.

Gross floor area (gfa) shall mean the sum of the area of each floor level in the building, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores and offices that are within the principal outside faces of exterior walls, not including architectural setbacks or projections. Included are all areas that have floor surfaces with clear standing headroom (6 feet, 6 inches minimum) regardless of their use. If a ground-level area or part thereof, within the principal outside faces of the exterior walls is not enclosed, this ground floor area is considered part of the overall square footage of the building. However, unroofed areas and unenclosed roofed-over spaces, except those contained within the principal outside faces of exterior walls, should be excluded from the area calculations. The ground floor area of any parking garages within the building should not be included within the ground floor area of the entire building.

Improvement shall mean any alteration to a tract of land or structure to increase functionality or value, including the subdivision of lots.

Light truck shall mean any motor vehicle rated at 12,000 pounds Gross Vehicle Weight Rating (GVWR), which is: (1) designed primarily for purposes of transportation of property or is a derivation of such a vehicle; (2) designed primarily for transportation of persons and has a capacity of no more than 15 persons; or (3) available with special features enabling off-street or off-highway operation and use.

Limited review site plan shall mean review of a site plan when change of ownership, change of use, or change of tenant of an existing structure occurs or an existing non-residential or multi-family residential structure or property is altered or expanded.

Passenger car shall mean a motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate 10 or fewer passengers, including the operator.

Ride-sharing shall mean an arrangement in which a passenger travels in a private vehicle driven by its owner, for free or a fee, especially as arranged by means of a website or mobile app.

Site shall mean land upon which one or more actual or planned structures or other improvements are or will be located, including but not limited to improvements which are intended to be expanded, remodeled, or reconstructed.

Vicinity map shall mean a map illustrating the location of a site within the city using identifiable features (e.g., streets or tributaries), not necessarily to scale.

3.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-52, Scope and purpose, is hereby amended by adding a new subsection (d) to read as follows:

Section 62-52. – Scope and purpose.

- (d) An application for limited site plan review that has been determined to be administratively complete and written staff review comments provided to the applicant shall be deemed expired and closed after thirty (30) calendar days from the date the most recent written review comments were provided by the City to the applicant, if the applicant has not taken action by providing written response comments and revised documents to the site development review committee (SDRC) that seek to address the review comments.

4.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-81, Site development plan required, is hereby amended to read as follows:

Section 62-81. – Site development plan required.

All nonresidential and multifamily development must have a current site plan which has been reviewed and approved by the SDRC.

5.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-109, Application and processing of full review site plans, is hereby amended to read as follows:

Section 62-109. – Application and processing of full review site plans.

The applicant shall submit 15 copies of the site plan to the planning and development services department. If the submittal is in the city's ETJ, 20 copies will be required. Incomplete plans shall not be accepted. The copies will be forwarded to the site development review committee for review. An electronic copy of the plan may be submitted in lieu of paper copies, at the direction of the SDRC chair.

6.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-110, Application and processing of limited review site plans, is hereby amended to read as follows:

Section 62-110. – Application and processing of limited review site plans.

The applicant shall submit a completed application indicating what type of change is occurring. The SDRC chair will review the application and determine what site improvements shall be required. If improvements are necessary, one paper or electronic copy of a site plan may be required. Upon review, the SDRC chair may forward the application to the site development review committee for full review.

7.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-111, Redevelopment, is hereby amended to read as follows:

Section 62-111. – Redevelopment.

In the event a site undergoes a change of use, change of ownership, change of tenant, voluntary improvement, substantial reconstruction, conversion, structural alteration, relocation, or enlargement, the SDRC chair or site development review committee may require the site to comply with current ordinances. When the SDRC chair provides notice that the site must comply with current ordinances, a Developer must submit an application for a full or limited review site plan, as directed by the SDRC chair, no later than 30 days from the receipt of notice. The Developer must provide response to comments within 30 days of receipt of city comments.

8.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-295, General, is hereby amended by removing redundant duplicate subsection 62-295(d)(4):

Section 62-295. – General.

(d) *Payment to special fund in lieu of sidewalk construction.*

- (3) Fee payments made under this section may be used only for construction of a new sidewalk or repair and maintenance of an existing sidewalk located within the same city council single member district within which a majority of the land area of the development that required construction of a sidewalk under section 62-295(c) is located.

9.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-296, Access standards, is hereby amended by modifying all, or parts of, certain subsections, to read as follows:

Section 62-296. – Access standards.

(c) *Minimum curb return radius standards.* Minimum curb return radius standards (measured to back of curb) in accordance with AASHTO design standards:

- (1) Detached dwelling unit:
 - a. 5 feet (typically)
 - b. 2 feet within the bulb of a cul-de-sac
 - c. Not required for laydown curb streets where driveway width exceeds 16 feet
- (2) Multifamily residential, 15 feet.
- (3) Commercial, 25 feet.
- (4) Industrial, 25 feet.

(d) *One-way access standards (cumulative width per lot):*

- (1) Detached dwelling unit, 12—25 feet.
- (2) Multifamily residential, 15—24 feet.
- (3) Commercial, 15—29 feet.

- (4) Industrial, 15—29 feet.
- (e) *Two-way access standards (cumulative width per lot):*
 - (1) Detached dwelling unit, 12—25 feet.
 - (2) Multifamily residential, 25—40 feet.
 - (3) Commercial, 25—50 feet.
 - (4) Industrial, 30-foot minimum.

10.

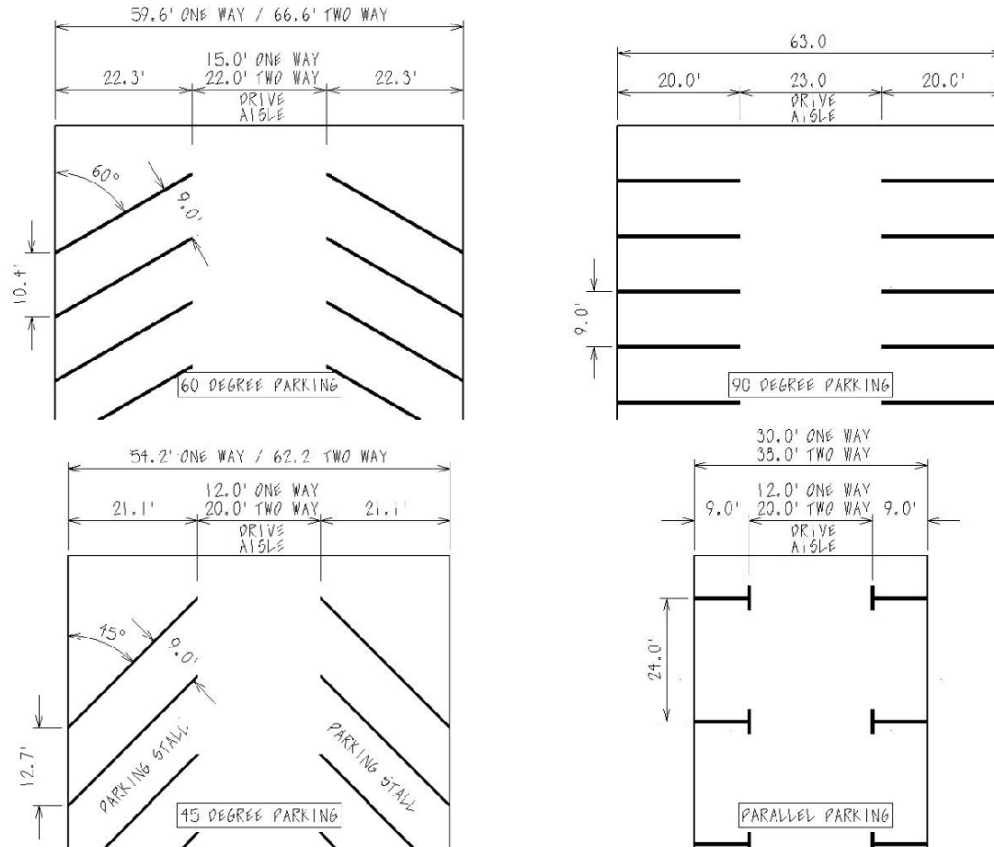
That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-297, Parking and circulation, is hereby amended by adding and/or modifying all, or parts of, certain subsections, and/or adding subsections, as follows:

Section 62-297. – Parking and circulation.

- (a) *General principles.*
 - (5) No requirement set forth in this article shall be construed to prevent collective utilization of any off-street parking facility for two or more buildings or uses, providing, however, that the total number of off-street parking spaces shall not be less than the sum of the requirements for the particular individual uses computed separately in accordance with the applicable regulations for off-street parking spaces.
- (b) *Parking pavement materials.*
 - (1) All off-street parking areas shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading, parking and storage of vehicles.
 - (2) All driveway access aprons shall be Portland cement concrete and be in accordance with the rules, regulations and standards for subdivision construction in the city.
 - (3) All off-street parking spaces and accompanying maneuvering areas specifically designed for vehicles with a wheel base of passenger car or light truck design standard or less shall have an all-weather surface. The all-weather surface shall be composed of asphalt or Portland cement pavement so as to provide a durable, dustless surface. Parking and maneuvering areas for trailers towed by a vehicle with a wheel base of a passenger car or light truck shall also meet this requirement. Except for single-family residential uses, the perimeter of all paved surfaces shall be curbed.
 - (4) All off-street parking spaces and accompanying maneuvering areas specifically designed for vehicles with a wheel base greater than passenger car or light truck design standards may be composed of gravel. Except for industrial uses, concrete curbing or similar permanent border shall be used to contain gravel.
 - (5) Within a historic preservation overlay district, other pavement materials may be acceptable with prior approval of a certificate of appropriateness from the historic landmark commission.
 - (6) For institutional and governmental uses, permeable pavement may be acceptable for infrequent or overflow event parking or isolated maintenance vehicle parking with a letter from a licensed Professional Engineer registered in the State of Texas outlining a maintenance plan.

- (7) Materials that are prohibited for use as permanent off-street parking pavement surfaces include, but are not limited to: asphalt millings, timber or lumber, concrete masonry units, recycled or crushed concrete, shell, etc.

- (c) *Parking area design.* The design of 45-degree, 60-degree, 90-degree, and parallel parking areas shall conform to the standards shown below. These requirements are measured from curb-to-curb. When curb is not present, these requirements are measured from edge-to-edge of pavement. An 18-foot paved space (90-degree only) may be utilized where the space abuts a landscaped island with a minimum depth of four feet. An 18-foot space may also be used when adjacent to a sidewalk provided that the minimum width of the sidewalk is 6 feet.



- (d) *Striping and marking.* All striping for parking stalls shall be a minimum of four inches wide of white safety traffic paint designated for such use. All other markings required to designate crosswalks, directional arrows, fire lanes, handicap spaces, or service areas shall be in compliance with the Texas Manual on Uniform Traffic Control Devices.
- (e) *Accessible parking.* All car and van accessible parking spaces, access aisles, and accessible routes shall be in accordance with the latest version of the Texas Accessibility Standards and Rule 68.104 (Texas Administrative Code).
- (f) *End islands.* An end island shall be required at the end of each parking row. The island shall have raised concrete curbing not less than six inches in height and encompass an area of not less than 180 square feet for single parking row end islands or 360 square feet for double single row end islands.

- (g) *Dividers.* Bay dividers shall be provided in order to prevent uncontrolled movement across parking areas, to separate the parking area from the adjacent property, and to increase the safety of individuals using the lot. Dividers shall be provided on every other parking row and conform to one of the following standards:
- (1) Wheel stops shall be made of concrete and/or approved materials not less than six inches in height and six feet in length and shall be anchored and placed in the center of each parking stall two and one-half feet behind the front of the parking space.
 - (2) Raised dividers shall have raised six-inch concrete curbing and be a minimum of five feet in width measured from face of curb to face of curb and tie in with the end island.
 - (3) Raised dividers that are landscaped shall have raised six-inch concrete curbing and be a minimum of seven feet in width and tie in to the end island.
- (h) *Traffic control signs.* All traffic control signs required for the site shall meet the standards established in the Texas Manual on Uniform Traffic Control Devices.
- (i) *Off-site parking.* All parking spaces required by this article shall be located on the same property as the structure they serve, except where an enlargement or change in use increases the required number of spaces. In such cases, off-site parking may be allowed and must conform to the following standards:
- (1) The off-site parking area must be on adjacent property to the property served or within 100 feet of the structure they serve if not located on the property adjacent to the site.
 - (2) Access to off-site parking shall not interfere with the normal movement of traffic along adjacent arterials or collectors, as specified in the major thoroughfare plan, nor as to endanger pedestrians moving between the parking area and the structure served. Off-site parking is not allowed in any area that would require a pedestrian to cross an arterial street.
 - (3) To discourage the use of thoroughfares by circulating vehicles, provisions for circulation between adjacent parcels shall be provided through coordinated or joint parking systems.
 - (4) The off-site parking area shall remain in use as long as the parking requirement exists or until such time that adequate on-site parking is provided. In any case where required parking spaces are not located on the same property with the activity or establishment, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney filed with the county and submitted with the application for site plan approval.
- (j) *Amount of parking required.*
- (1) Rules for computing the parking requirement.
 - b. The parking space required for a use not specifically mentioned herein shall be the same as required for a similar use. When necessary, an additional parking study prepared by a licensed Professional Engineer

registered in the State of Texas may be required to determine the amount of parking.

(2) Minimum parking requirements.

a. *Residential and lodging.*

1. Detached dwelling unit:
 - (i) One to two bedrooms: Two spaces required.
 - (ii) Three to four bedrooms: Three spaces required.
 - (iii) Five or more bedrooms: Four spaces required.

b. *Institutional and special uses.*

1. Place of worship: One per three seats or attendees in the main sanctuary or prayer room.

e. *Personal service and retail uses.*

3. Shopping centers: One per 275 square feet of gfa.

f. *Recreation, social, and entertainment uses.*

2. Bowling alley: Five per lane.

g. *Motor vehicle and machinery uses.*

3. Auto repair, garage, or shop: One per 275 square feet of gfa.

h. *Storage, wholesale, and manufacturing uses.*

3. Warehouse and enclosed storage: One per 900 square feet of gfa.
4. Mini-storage complex: One per 300 square feet of office area.

(k) *Drive-thru requirements.*

- (1) A bypass lane with a minimum width of 12 feet shall be provided to allow vehicles an opportunity to exit the drive-thru lane and re-enter the parking lot. Drive-thru lanes shall have a minimum width of 10 feet.
- (2) Drive-thru queuing spaces may be counted toward the parking space requirement in certain circumstances, subject to approval by the site development review committee.

(l) *Alternative parking plans.*

- (1) Subject to approval by the site development review chair, the parking requirement may be reduced by the following amounts:
 - a. 2 spaces per each dedicated ride-sharing parking space. Credit will be applied up to a maximum of 2 ride-sharing parking spaces. Ride-sharing parking spaces shall be designated with signs and enforceable by towing.

- b. 1 space per every 6 bicycle parking spaces. Credit will be applied up to a maximum of 12 bicycle parking spaces. Bicycle parking spaces shall have racks to which bicycles can be locked.
 - c. 1 space if site is located along a public transit route and within 1,000 feet of a fixed transit stop, measured along sidewalks.
 - d. 1 space if site is located within 1,000 feet of a public parking lot or garage, measured along sidewalks.
- (2) Reductions shall be calculated in the parking analysis on site plans or within a separate parking study.

11.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-699, Penalties, is hereby amended by to read as follows:

Section 62-699. –Offense.

- (a) A Developer commits an offense when the developer occupies, invites others upon or otherwise uses a site without an approved site plan required by any provision of this chapter or by the SDRC or SDRC Chair.
- (b) A Developer commits an offense by allowing the condition of a site to exist in a manner which does not conform to that site’s approved site plan.
- (c) It is an affirmative defense to a charge under subsections (a) and (b) if the owner has timely filed an appeal pursuant to Section 62-108(g) and such appeal is pending.
- (d) Any person violating any provision of this chapter, upon conviction, is punishable in accordance with the general penalty provisions of City Code section 1-14.

12.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-21, U turns, is hereby amended by to read as follows:

Section 118-21. – U turns.

Where prohibited by regulatory signs, no person shall turn any vehicle so as to proceed in the opposite direction at an intersection or upon a street between intersections

13.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-22, Motor vehicle traffic; prohibition, is hereby amended by to read as follows:

Section 118-22. –Reserved.

14.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-23, Interference with authorized processions, Subsection 118-23(b), is hereby amended by to read as follows:

Section 118-23. – Interference with authorized processions.

- (b) An "authorized procession" (including, but not limited to, funeral procession or parade) is composed of two or more vehicles, whose operators have turned on the headlights to identify that each vehicle is part of the procession and which, if not a funeral procession, have governmental permission for such travel. Each driver in the procession shall drive as near to the right-hand edge of the roadway as practicable and follow the vehicle ahead as closely as is practical and safe.

15.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-24, Fairway Drive and Wellborn Road intersection, is hereby deleted and shown as being "Reserved":

Sections 118-24 – 118-51. Reserved.

16.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-53, Restrictions near schools, is hereby amended by modifying certain subsections, as follows:

Section 118-53. – Restrictions near schools.

- (a) The following areas are designated school speed zones. The maximum speed shall be 20 miles per hour effective at the times posted or during the flashing operation of standard flasher devices:

Bryan High School:

Barak Lane from Oak Ridge Drive north of Barak Lane to East 29th Street.

Oak Ridge Drive from Barak Lane to 335 feet southeast of Briarcrest Drive (FM 1179).

Campus Drive from 100 feet southeast of Briarcrest Drive (FM 1179) to Oak Ridge Drive.

Windsor Drive from Oak Ridge Drive to 175 feet east of Oak Ridge Drive.

MC Harris High School:

Kent Street from 225 feet west of Memorial Drive to 125 feet west of East Villa Maria Road.

Memorial Drive from 125 feet north of Kent Street to 100 feet south of Kent Street.

- (b) The following areas are designated school speed zones. The maximum speed shall be 25 miles per hour effective at the times posted or during the flashing operations of standard flasher devices:

Bryan Collegiate High School:

East Villa Maria Road from 200 feet north of Dona Drive to 250 feet north of Kent Street.

17.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-55, Schedule of maximum speed limits, is hereby amended by modifying the section, as follows:

Section 118-55. – Schedule of maximum speed limits.

The maximum prima facie reasonable and prudent speed limit on any street or alley in the limits of the city shall be 30 miles per hour, except in those specifically designated areas in the city where a greater maximum prima facie reasonable and prudent speed limit is authorized, to wit:

State highways:

Farm to Market Road 158 (William Joel Bryan Parkway—Boonville Road): The following are specifically designated areas in which the following rates of speed are authorized:

- (1) For traffic moving in an easterly direction, for the first 0.836 miles, from the intersection of SH 21, the speed limit shall be forty (40) miles per hour. For the next 0.370 miles, the speed limit shall be thirty (30) miles per hour. For the next 1.315 miles, the speed limit shall be thirty-five (35) miles per hour. For the next 0.800 miles, the speed limit shall be forty (40) miles per hour. For the next 1.438 miles, the speed limit shall be fifty (50) miles per hour. Within the limits of said fifty (50) miles per hour speed zone, from approximately 153 feet east of FM 1179 to approximately thirty (30) feet west of Miramont Blvd., the speed limit shall be thirty-five (35) miles per hour when so signed for school zone. For the next 2.359 miles, to the intersection of SH 30 and Elmo Weedon Road, the speed limit shall be fifty-five (55) miles per hour.
- (2) For traffic moving in a westerly direction for the first 2.359 miles, from the intersection of SH 30 and Elmo Weedon Road, the speed limit shall be fifty-five (55) miles per hour. For the next 1.438 miles, the speed limit shall be fifty (50) miles per hour. Within the limits of said fifty (50) miles per hour speed zone, from approximately thirty (30) feet west of Miramont Blvd. to approximately 153 feet east of FM 1179, the speed limit shall be thirty-five (35) miles per hour when so signed for school zone. For the next 0.800 miles, the speed limit shall be forty (40) miles per hour. For the next 1.315 miles, the speed limit shall be thirty-five (35) miles per hour. For the next 0.370 miles, the speed limit shall be thirty (30) miles per hour. For the next 0.836 miles, to the intersection of SH 21, the speed limit shall be forty (40) miles per hour.

City streets: The following street areas are designated as those in which a maximum speed as indicated is authorized:

Austin's Colony Parkway:

- (1) From North Earl Rudder Freeway (State Highway 6) East Frontage Road to Colony Creek Drive, 35 miles per hour.
- (2) From Colony Creek Drive to Old Reliance Road, 40 miles per hour.

Copperfield Drive: For traffic moving both directions from Coppercrest Drive to University Drive (1,439 feet), 35 miles per hour.

East 29th Street: From Coulter Drive to the south city limits line, 35 miles per hour.

Finfeather Road:

- (1) From the south city limits line to Carson Street, 45 miles per hour.
- (2) From Carson Street to Pease Street, 45 miles per hour.

- (3) From Pease Street to Groesbeck Street, 40 miles per hour.
- (4) From Groesbeck Street to Beck Street, 35 miles per hour.

Fountain Avenue: For traffic moving both directions from Carson Street to Dodge Street (5,209 feet), 35 miles per hour.

Groesbeck Street: The following are specifically designated areas in which the following rates of speed are authorized:

- (1) For traffic moving in both directions, from the intersection of Bittle Lane to the intersection of Finfeather Road, the speed limit shall be 40 miles per hour.

Leonard Road: The following are specifically designated areas in which the following rates of speed are authorized:

- (1) For traffic moving in both directions, from the intersection of North Harvey Mitchell Parkway (Farm to Market Road 2818) to the intersection of Bittle Lane, the speed limit shall be 40 miles per hour.

South Main Street and South College Avenue: From a point 300 feet south of 33rd Street to Sulphur Springs Road, 40 miles per hour.

Ursuline Avenue: For traffic moving in both directions from East 22nd Street to East Villa Maria Road, the speed limit shall be 35 miles per hour.

Villa Maria Road: For traffic moving in both directions from Ursuline Avenue to East William J Bryan Parkway (Farm to Market Road 158), the speed limit shall be 35 miles per hour. For traffic moving in both directions from East William J Bryan Parkway to Briarcrest Drive (Farm to Market Road 1179), the speed limit shall be 40 miles per hour.

18.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-56, Speed restrictions near recreation areas, is hereby amended by modifying the section, as follows:

Section 118-56. – Speed restrictions near recreation areas.

The following areas are designated park speed zones. The maximum prima facie reasonable and prudent speed limit shall be 20 miles per hour effective during the flashing operation of standard flasher devices:

Tanglewood Park:

Carter Creek Parkway from 255 feet east of Edgewood Drive to 155 feet west of Tanglewood Street maximum speed shall be 20 miles per hour.

19.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-86, Definitions, is hereby amended by adding the following definitions:

Section 118-86. – Definitions.

Front yard shall mean the areas of a lot which are forward to the rear exterior wall of the building, including side yards.

Truck means any motor vehicle designed, used, or maintained primarily for the transportation of property, equipment, animals, materials, liquids, or other goods and having a manufacturer's gross vehicle weight rating exceeding 12,000 pounds. For purposes of this section, truck includes buses or passenger vehicles designed to carry more than 15 passengers.

20.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-88, Parking, standing, or storing of vehicles, trailers, is hereby amended by modifying the section, as follows:

Section 118-88. – Parking, standing, or storing of vehicles, trailers.

- (a) It shall be unlawful for any person or any owner to leave, park or stand or to permit the parking or standing of any truck or other vehicle with a rated capacity in excess of 12,000 pounds gross vehicle weight, or any other motor home, trailer, truck-tractor, or recreational vehicle upon any public street, or public right-of-way within any part of the city.

It is an affirmative defense to prosecution under this subsection (a) if the vehicle is:

- ~~(1)~~ A recreational vehicle owned by an out-of-town guest of a residential property owner which is parked on the street adjacent to the property owned by such person for a period not exceeding five days;
 - (2) Street construction, maintenance and repair equipment or public service utility company vehicles engaged in repairing or extending public service utilities;
 - ~~(3)~~ Motor buses when taking on or discharging passengers at customary bus stops; or
 - (4) Vehicles designated in this subsection (a) when actually loading or unloading.
- (b) It shall be unlawful for any person or any owner to park, stand, or store or to permit the parking, standing or storing of any vehicle, recreational vehicle, motor home, trailer, boat, truck, or truck-tractor on any portion of a front yard or vacant lot visible from a public place unless:
- (1) Such area is part of a hard-surfaced driveway or parking area; or
 - (2) Such area is a part of a gravel driveway or parking area bordered by cement curbing or similar permanent border to contain the gravel. Provided, however, the use of gravel for the expansion of a driveway or the addition of parking areas on a one-family, two-family or multifamily lot where existing parking areas or driveways are hard-surfaced shall be prohibited.

The term "hard-surfaced" as used herein shall mean an all-weather surface composed of asphalt or Portland cement pavement so as to provide a durable, dustless surface.

This section shall be cumulative of all ordinances of the city except where the provisions of this section are in direct conflict with the provisions of ordinances relating to new construction or overlay districts, in which the conflicting provisions of such ordinances shall control.

21.

That Bryan Code of Ordinances, Chapter 118, Traffic and Vehicles, Section 118-91, Parking, prohibited on narrow streets, is hereby amended to read as follows:

Section 118-91. – Parking prohibited on narrow streets.

If traffic conditions exist so as to impair movement, the city manager is authorized to direct signs to be erected indicating no parking upon any street when the width of the roadway pavement does not exceed 28 feet, or upon one side of a street as indicated by such signs when the width of the roadway pavement does not exceed 40 feet.

22.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

23.

That the Code of the City of Bryan, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

24.

That if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

25.

That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

26.

It is the intention of the City Council that this ordinance shall become a part of the Bryan City Code and it may be renumbered and codified therein accordingly

27.

That this ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED and APPROVED the 12th day of January 2021, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of 6 yeses and 0 noes.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Andrew Nelson, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney