

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING CHAPTER 1, ARTICLE XVIII, SECTION 1-416 F. THROUGH 1-416 I., REGARDING PARKING LOT AND DRIVEWAY STANDARDS AND SPECIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND, PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF.

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WHEREAS, the Unified Development Code (UDC) currently provides for Parking Lot and Driveway Standards and Specifications; and,

WHEREAS, the City Council desires to amend said Standards and Specifications; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The Unified Development Code of the City of Rosenberg, Texas, is hereby amended by amending Chapter 1, Article XVIII, Section 1-416 F. through 1-416 I., to provide as follows:

"ARTICLE XVIII. - PARKING LOT AND DRIVEWAY STANDARDS AND SPECIFICATIONS

Sec. 1-416. - Off-street parking regulations.

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F. Parking Lot and Driveway Surfacing.

1. Paved Parking.

- i. Generally. All off-street parking spaces and access and circulation drives, driveways, and parking aisles shall be surfaced or improved with a hard surface of concrete or asphalt approved by the Building Official or City Engineer, that will provide an equal protection against potholes, erosion, and dust.
- ii. Concrete off-street parking spaces and access and circulation drives, driveways, and parking aisles shall have a minimum thickness of five inches (5") with number four (#4) grade 60 deformed steel rebar spaced at twenty-four inches (24") measured center to center of the rebar, each way, with a minimum of one inch (1") sand cushion, unless otherwise provided for herein. The concrete must be able to achieve a minimum compressive

strength of three thousand (3,000) pounds per square inch in twenty-eight (28) days. Asphalt off-street parking spaces and access and circulation drives, driveways, and parking aisles shall have a minimum base thickness of four inches (4") and a minimum asphalt surface course of one and one-half inches (1 ½").

- iii. Concrete commercial or multi-family driveways shall have a minimum thickness of five inches (5") with number four (#4) grade 60 deformed steel rebar spaced at twenty-four inches (24") measured center to center of the rebar, each way, with a minimum of one inch (1") sand cushion. The concrete must be able to achieve a minimum compressive strength of three thousand (3,000) pounds per square inch in twenty-eight (28) days. Asphalt commercial or multi-family driveways shall have a minimum base thickness of four inches (4") and a minimum asphalt surface course of one and one-half inches (1 ½").
- iv. Concrete single-family residential, duplex and townhome driveways shall have a minimum thickness of four inches (4") with number three (#3) grade 60 deformed steel rebar spaced at eighteen inches (18") measured center to center of the rebar, each way, with a minimum of one inch (1") sand cushion. The concrete must be able to achieve a minimum compressive strength of three thousand (3,000) pounds per square inch in twenty-eight (28) days. Asphalt single-family residential driveways shall have a minimum base thickness of four inches (4") and a minimum asphalt surface course of one and one-half inches (1 ½").

2. Maintenance.

- i. The following shall be maintained in to be high quality, fully functioning, and in full compliance with the Americans with Disabilities Act (ADA):
 - (a) Access and circulation drives;
 - (b) Driveways;
 - (c) Parking aisles;
 - (d) Off-street parking and loading spaces; and
 - (e) On-site traffic directional control devices.
- ii. The following shall be kept clearly visible and distinct:
 - (a) Parking space lines; and
 - (b) Pavement markings and improved hard surfaces.

- G. All off-street parking areas within commercial or multi-family projects shall be provided with exterior lighting, which meets the following minimum standards:
1. Proper illumination shall be provided for safety, which at a minimum, shall be the equivalent of one-foot candle average of illumination throughout the parking area. In commercial parking lots, lights should be operable at a minimum of one (1) hour before the business is open to a period at least one (1) hour after the business has closed.
 2. All lighting shall be on a time clock or photo sensor system.
 3. All lighting shall be designed to confine direct rays to the premises. No spill over beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause hazard to motorists.
- H. Access to parking areas for commercial or multi-family projects shall be provided as follows:
1. Two-way access driveways shall have a width of no less than twenty (20) feet nor greater than forty-four (44) feet. In cases where one-way access drives are approved, a minimum width of twelve (12) feet is required.
 2. The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one (1) location to any other location within the parking area. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 3. Under no circumstances will spaces be approved that require a vehicle to back into a public right-of-way. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 4. This section relating to access for commercial or multi-family projects shall not be applicable for single-family residential parking requirements.
- I. Access to parking area for single-family residential units shall be provided as follows:
1. The driveway shall be a minimum nine (9) feet wide and connect to all parking areas including garage.
 2. The driveway can permit a vehicle to safely back into a public right-of-way.
 3. The access drive may be of like material of the city street, but in no case less than an asphalt material. It does not have to match the parking space material.
 4. The design criteria shall be in accordance with city regulations and approved by the building official and be properly tied into the city street."

Section 2. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 3. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount as provided in Section 1-13 of the Code of Ordinances of the City of Rosenberg. Each day of violation shall constitute a separate offense.

Section 4. This Ordinance shall be effective upon passage and publication as required by law.

PASSED AND APPROVED by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 21 day of March 2023.

ATTEST:


Danyel Swint, TRMC, **CITY SECRETARY**

APPROVED:


Kevin Raines, **MAYOR**

APPROVED AS TO FORM:


CITY ATTORNEY
Randle Law Office, Ltd., L.L.P.

