



CITY OF RICHMOND ORDINANCE NO. 2020-18

AN ORDINANCE OF THE CITY OF RICHMOND, TEXAS, AMENDING CHAPTER 4 "SITE DESIGN" OF THE "UNIFIED DEVELOPMENT CODE" OF THE RICHMOND CODE TO MODIFY THE PROVISIONS OF TABLE 4.2.101A RELATING TO MINIMUM REQUIRED PARKING FOR MULTI-FAMILY DEVELOPMENTS AND 4.2.103 "ALTERNATIVES OR MODIFICATIONS TO REQUIRED PARKING"; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Unified Development Code (UDC) was adopted in 2015 with the general purpose of "protecting the public health, safety, morals, and general welfare of the City's residents, business owners, employees, and visitors, and protecting and preserving places and areas of historical, cultural, or architectural importance and significance;" and

WHEREAS, research indicates that revision of the formula for calculating the minimum required parking spaces for Multi-family developments is appropriate; and

WHEREAS, restriction of the use of special studies related to required parking calculations is appropriate provide uniformity of requirements for minimum parking; and

WHEREAS, on June 1, 2020, the Planning and Zoning Commission held a public hearing on the proposed amendments to Chapter 4 of the Unified Development Code relating to Multi-family parking and the use of special studies and has forwarded its recommendation for approval; and

WHEREAS, the City Commission deems it in the public interest to adopt a new formula for calculating the minimum required parking spaces for Multi-family developments and to restrict the use of special studies in determining the minimum required parking spaces,
Now, Therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS:

Section 1. That the findings and recitations in the preamble to this ordinance are found to be true and correct.

Section 2. That Division 4.2.100. "Parking and Loading," "Unified Development Code" of the Code of Ordinances, City of Richmond, Texas is hereby amended to read as follows:

CHAPTER 4 SITE DESIGN

ARTICLE 4.2 PARKING, LOADING, ACCESS, AND LIGHTING

Division 4.2.100 Parking and Loading

Sec. 4.2.101 Required Parking Spaces

- A. **Generally.** The City Commission has established that the orderly development and construction of parking lots is both a continuing primary concern and necessity within the City limits and extraterritorial jurisdiction (ETJ). Therefore, all parking lots, parking aisles, parking spaces, and parking structures on parcels proposed for development shall meet the standards of this Section and other applicable standards of Division 4.2.100, *Parking and Loading*. The purpose of this Division is to establish standards ensuring the availability and safe use of parking lots.
- B. **Applicability of Division.**
1. All new development shall provide all of the parking spaces required by this Section and shall comply with all other provisions of this Division.
 2. Expansions to existing development and changes in use of existing buildings that require additional parking shall provide parking to the extent of the new demand created by the expansion or change in use.
 3. Changes in use of existing buildings that result in a fewer required parking spaces shall not be required to provide additional parking spaces.
- C. **Calculations.** The number of required parking spaces is calculated according to the formulas set out in this Section, which then may be adjusted per the standards set out in Section 4.2.103, *Alternatives or Modifications to Required Parking*.
1. *Variables for Calculating Required Parking.* The variables used for parking calculations are measured as follows:
 - a. *Per Square Foot (sf.) of Parking Floor Area (PFA).* The phrase "per sf. of PFA" means that the number of parking spaces is calculated based on the number of "parking-related" square feet of floor area put to the use. The "PFA" is 85 percent of the gross floor area, plus (unless otherwise specified) the area of any parts of the parcel proposed for development that are delineated and used in a manner that is comparable in function and intensity of use to the use of the inside of the building (*e.g.*, outdoor dining areas).
 - b. *Per Dwelling Unit (DU) or Per Bedroom (BR).* The phrase "per '#' DU" means that the number of parking spaces is calculated based on the number of dwelling units. In some cases, the parking requirements are based on the number of bedrooms (per "#" BR unit) in the dwelling units.
 - c. *Per Bed.* The phrase "per bed" means that the number of parking spaces is based on the number of beds in the facility instead of the number of sleeping rooms or some other measure. Per bed calculations are normally applied to uses that offer residential care or overnight accommodations with shared rooms.

- d. *Per Employee*. The phrase "per employee" means that the number of parking spaces is based on the number of employees during the shift in which the maximum number of employees is present.
 - e. *Per Seat Capacity*. The phrase "per seat" means that the number of parking spaces is based on the number of seats that are provided for guests (patrons, members, etc.), with benches or pews measured as one seat per each two feet of width; and
 - f. *Per Square Feet (sf.) of Assembly Area*. The phrase "per sf. of assembly area" means that the number of parking spaces is based on the number of square feet in the largest room used for assembly (e.g., at a school, this is often a gymnasium, but it could also be a theater or a lunch room).
 - g. *Others*. Other variables are measured according to their common meanings.
2. *Rounding*. If the final calculation of the number of required parking spaces includes a fractional space, the number of required parking spaces is rounded up to the nearest whole number, regardless of the fraction.
 3. *Multiple Mixed-use or Nonresidential Uses*. If several mixed-use or nonresidential uses occupy a single parcel or building, the off-street parking and loading requirements shall be the cumulative total for all uses, or as set out in Section 4.2.103, *Alternate or Modifications to Required Parking*, whichever is lesser.
- D. **Required Parking**. The parking spaces required for individual uses are provided in this Subsection delineated by the land use classifications set out in Chapter 2, *Zoning Districts and Land Uses*.
1. *Residential and Commercial Use of the Home*. Required off-street parking for agricultural, residential, and commercial uses of the home are set out in Table 4.2.101A, *Residential and Commercial Use of the Home Parking Requirements*.

Table 4.2.101A Residential and Commercial Use of the Home Parking Requirements	
Use	Required Off-Street Parking Spaces
Residential Uses (Housing Types)	
Single-Family Detached	
- Cottage	2 spaces per du.
- Industrialized Housing	2 spaces per du.
- Single-Family Detached	2 spaces per du.
- Manufactured Home	2 spaces per du.
Single-Family Attached	
- Duplex	2 spaces per du.
- Triplex	2 spaces per du.
- Townhouse	2 spaces per du.
- Live-Work Unit	3 spaces per du.
Multi-family	

Table 4.2.101A Residential and Commercial Use of the Home Parking Requirements	
Use	Required Off-Street Parking Spaces
- Apartment	1.5 spaces for efficiency unit and 1 BR unit; 2 spaces per du for 2 BR; 3 spaces per du for 3 BR plus. Total number of parking spaces shall not be at a rate lower than 1.1 parking space per bedroom.
- Downtown Lofts	1 space per BR (including those used by residents and guests; additional spaces for the dwelling unit are not required)
Special Neighborhood Types	
Planned Cluster	Individual spaces as set out above + 1 visitor space per each 5 dwelling units
Manufactured Home Park or Subdivision	Individual spaces as set out above + 2 visitor spaces per each 5 manufactured home spaces
Recreational Vehicle (RV) Park	2 spaces per RV pad (not including RV space) + 2 visitor spaces for each 5 recreational vehicle spaces
Commercial Uses of the Home	
Child-Care, Family Home	1 space per each 3 children on the premises at any one time + 1 space per each provider, staff member, or employee on duty at any one time
Child-Care Facility, Group Home	Greater of: 1 space per 3 rooms or 1 space per BR
Child-Care Facility, Residential (foster home/agency foster home)	Greater of: 1 space per 3 rooms or 1 space per BR
Child-Care Facility, Residential (other)	Greater of: 1 space per 3 rooms or 1 space per BR
Home Business	2 spaces per du., plus 1 space per 200 sf. of space dedicated to the home business
Home Occupation	No additional parking required

2. *Institutional, Recreation and Amusement Uses.* Required off-street parking for institutional, recreation and amusement uses are set out in Table 4.2.101B, *Institutional, Recreation, and Amusement Use Parking Requirements.*

Table 4.2.101B Institutional, Recreation, and Amusement Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Institutional Uses	
Assisted Living Facility	1 space per 3 du's; if not configured as individual du's; 1 space for each 3 beds
Child Care Facility, Day-Care	1 space per 300 sf. PFA
Hospitals	1 space for each bed
Medical Office / Clinic / Medical Lab	6 spaces per 1,000 sf. PFA
Nursing / Convalescent Home	1 space per 3 beds + 1 space per 2 employees on the largest shift
Place of Public Assembly (event facilities; meeting halls; fraternal organizations; places of worship)	1 space per 4 seats with fixed seating or 1 space per 45 sf. PFA without fixed seating
Schools, Private	Special Study. See Subsection 4.2.103B, <i>Special Study.</i>

Table 4.2.101B Institutional, Recreation, and Amusement Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Schools, Public	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Recreation and Amusement Uses	
Commercial Amusement, Indoor	6 spaces per 1,000 sf.
Commercial Amusement, Outdoor	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Golf Course / Club	3 spaces per hole + 3 spaces per 4 driving range stations (if applicable)
Recreation and Fitness, Indoor	1 space per 300 sf. PFA
Recreation and Fitness, Outdoor	Greater of: 1 space per each 5 persons seat capacity + 1 space per each 4 seats; or 1 space per each 30 sf. PFA
Sexually-Oriented Business	Greater of: 4 spaces per 5 seats; or 1 space per 250 sf. of PFA

3. *Commercial Uses.* Required off-street parking for commercial uses are set out in Table 4.2.101C, *Commercial Use Parking Requirements*.

Table 4.2.101C Commercial Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Commercial Uses	
Alcohol Beverage Sales	Onsite consumption: 1 space per 75 sf. PFA Offsite consumption: 1 space per 300 sf. PFA
Animal Grooming Facilities	1 space per 400 sf. PFA
Animal Boarding or Veterinarian Services, Large Animal	1 space per 200 sf. PFA
Animal Boarding or Veterinarian Services, Small Animal	1 space per 300 sf. PFA
Bar or Nightclub	1 space per 75 sf. PFA
Custom Assembly	1 space per 400 sf. PFA
Drive-In, Drive-Through Facility	1 space per 75 sf. PFA
Heavy Retail / Home Center	1 space per 400 sf. PFA + 1 space per 1,000 sf. outdoor sales and display area
Mixed-Use	See Subsection 4.2.103C, <i>Mixed-Use and Shared Parking</i> .
Nanobrewery	1 space per 1,000 sf. PFA of brewery or storage + 1 space per 500 sf. PFA of tasting room, restaurant, bar, and activity areas
Nursery / Greenhouse, Retail	1 space per 300 sf. PFA of office or sales floor area + 1 space per 5,000 sf. of outdoor nursery area
Office, General	5 spaces per 1,000 sf. PFA
Overnight Accommodations (hotels, motels)	1 space per guest room + 1 space per 300 sf. PFA of meeting rooms, ballrooms, administrative offices, and areas used for self-service breakfast for guests only + 75% of parking requirements for integrated restaurants and bars that are open to the public

Table 4.2.101C Commercial Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Pawn Shop	1 space per 200 sf. PFA
Restaurant	1 space per 100 sf. dining/bar area + 5 spaces per 1,000 sf. remaining floor area
Retail Sales and Services	1 space per 200 sf. PFA
Vehicle Gas or Fueling Station	1 space per 250 sf. PFA
Vehicle Sales, Rental, and Service	1 space per employee on maximum shift + 3 spaces per service bay or fueling stall + 1 space per 125 sf. PFA of convenience store floor area
Wholesale	1 space per 1 employee + 1 space per business vehicle parked on-site + 2 spaces for customer parking

4. *Industrial and Storage, Transportation, and Communication Uses.* Required off-street parking for industrial and storage, transportation, and communication uses are set out in Table 4.2.101D, *Agriculture, Industrial and Storage, Transportation, and Communication Use Parking Requirements.*

Table 4.2.101D Agriculture, Industrial, Transportation, Utility, and Communication Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Agriculture, General	
Nursery / Greenhouse, Wholesale	1 space per 300 sf. PFA of office or sale floor area + 1 space per 5,000 sf. of outdoor nursery
Industrial	
Heavy Industry	Special Study. See Subsection 4.2.103B, <i>Special Study.</i>
Light Industry	2 spaces per 1,000 sf. PFA
Microbrewery	1 space per 1,000 sf. PFA of brewery or storage + 1 space per 500 sf. PFA of tasting room, restaurant, bar, and activity areas
Mining / Extraction	1 space per employee on the largest shift
Oil/Gas Operations	1 space per employee on the largest shift
Storage, Self	1 space per 25 storage units + 1 space per 300 sf. of office space
Storage Yard	1 space per 10,000 sf. of storage yard
Vehicle Wrecking and Salvage Yard; Junkyard	1 space per 10,000 sf. of storage yard
Warehousing and Logistics	4 spaces per 5,000 sf. of PFA + 1 space over each additional 5,000 sf. PFA
Waste Transfer Station / Recycling Collection Facility	1 space per 500 sf. facility
Transportation Uses	
Airport	Special Study. See Subsection 4.2.103B, <i>Special Study.</i>
Helistop	Special Study. See Subsection 4.2.103B, <i>Special Study.</i>
Parking, Stand-Alone	No minimum

Table 4.2.101D Agriculture, Industrial, Transportation, Utility, and Communication Use Parking Requirements	
Use	Required Off-Street Parking Spaces
Rail Yard	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Utility Uses	
Power Generation, Small-Scale (renewable, noncombustible)	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Power Generation, Utility Scale	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Public Utilities	Special Study. See Subsection 4.2.103B, <i>Special Study</i> .
Wireless Telecommunication Facility (WTF) Uses	
WTF, Attached	1 space per each free standing facility (may be grass pavers)
WTF, Freestanding Non-Stealth	2 spaces per tower
WTF, Freestanding Stealth	2 spaces per tower

E. **Required Disabled Parking.** As required by the American with Disabilities Act (ADA), a certain number of required disabled parking spaces are required as part of new development and redevelopment. The disabled parking spaces shall be incorporated into, rather than in addition to, the overall number of parking spaces required by Section 4.2.101, *Required Parking Spaces*. The minimum number of required disabled parking spaces is set out in Table 4.2.101E, *Disable Parking Requirements*.

Table 4.2.101E Disabled Parking Requirements		
Number of Required Parking Spaces	Number of Disabled Spaces	Number of Disabled Spaces that Must be Van Accessible
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1,000	2 percent of total	1 out of 8 disabled parking spaces, rounded up
1,001 and over	20, plus 1 for each 100 over 1,000	1 out of 8 disabled parking spaces, rounded up

F. **Uses Not Listed.** The Planning and Zoning Commission and/or City Commission shall determine the parking requirements for uses that are not listed based on the uses that are most similar to the proposed uses or based on parking studies of similar uses that are provided

by the applicant and certified by a qualified transportation planner or professional engineer (see Section 4.2.103, *Alternatives or Modifications to Required Parking*).

. . . .

Sec. 4.2.103 Alternatives or Modifications to Required Parking

- A. **Generally.** This Section sets out several ways to modify or reduce the number of off-street parking spaces that must be provided by Section 4.2.101, *Required Parking Spaces*, under certain special circumstances.
- B. **Special Studies.** Some of the uses that are listed in the tables set out in Section 4.2.101, *Required Parking Spaces*, have nonlinear or widely varying parking demand characteristics. Accordingly, their parking requirements are listed in the table as "Special Study." Required parking for these uses shall be established by special study according to the standards of this Section. A special study shall also be required for any land use not listed in Section 4.2.101, *Required Parking Spaces*.
1. *Requirements.*
 - a. The special study shall be conducted by a qualified transportation planner or traffic engineer at the applicant's expense.
 - b. The special study shall provide:
 1. A peak parking analysis of at least five comparable uses.
 2. Documentation regarding the comparability of the referenced uses, including name, function, location, floor area, parking availability, access to transportation network (including vehicular or other if applicable), use restrictions, and other factors that could affect the parking demand.
 2. *Approval of Special Study.* The City Commission upon recommendation of the Planning and Zoning Commission may rely upon the special study to determine the minimum parking requirements.
- C. **Parking Credits and Reductions.** This Subsection sets out credits and reductions in the number of off-street parking spaces that are required. These credits or reductions are based on the provision of alternative parking or demand management programs that tend to reduce the demand for parking. If used in conjunction with subsection D., *Mixed-Use and Shared Parking*, of this Section, these reductions may be applied to reduce the parking requirement for the use prior to calculating the shared parking reduction.
1. *Applicability to Special Studies.* The credits and reductions are not available to uses that base their parking on a special study, as set out in Subsection B., of this Section, unless the special study's methodology specifically addresses these credits and reductions and determines that they are appropriate.
 2. *On-Street and Public Lot Parking.*
 - a. Development within the Downtown "DT" district may provide on-street parking on streets internal to the development (not on streets located along the exterior of the Downtown "DT" district). The parking on such internal streets may be credited to

particular uses in accordance with the formula: $\text{Parking Credit} = (\text{Sa} \times \text{P})$, where Sa = the area of the applicant's parcel divided by the area of the contiguous zoning district, and P = the total parking that is available on-street in the district.

- b. On-street parking spaces that can be accommodated along the front yard and street side yard of non-residential development, including live-work units within "OT" district may be applied to the minimum off-street parking requirement provided that:
 1. Such parking spaces are legal parallel parking spaces;
 2. More than half of the length of such parking spaces abuts the front yard or street side;
 3. Location of such parking spaces does not result in traffic impediment;
 4. Such parking spaces are marked by the property owner as per the requirement of Subsection 4.2.102.F. Parking Space and Design Marking prior to receiving a certificate of occupancy;
 5. Such parking spaces are available to the general public for parking.
- D. **Mixed-use and Shared Parking.** The City recognizes that uses may have different hours of operation and peak parking demand hours. For this reason, the City desires to encourage the sharing of parking for its potential to reduce paved areas and/or to enhance the efficiency of land use. Where a mix of uses creates synergy with respect to the use of parking spaces due to differences in when the spaces are most likely to be used, the Planning and Zoning Commission and / or City Commission may reduce the required number of spaces according to the provisions of this Subsection.
 1. *Shared Parking, Common Ownership.* Shared parking allows a reduction in the total number of required parking spaces when a parcel is occupied by two or more uses which typically do not experience peak use of parking areas at the same time. When any land or building is used for two or more uses that are listed below, the minimum total number of required parking spaces may be determined by the following procedures:
 - a. Multiply the minimum required parking for each individual use, excluding spaces reserved for use by specified individuals or classes of individuals (e.g., spaces that are either posted "reserved," or secured behind a gate), by the appropriate percentage listed in Table 4.2.103A, *Mixed-Use and Shared Parking*, for each of the designated time periods.
 - b. Calculate a sum for all uses for each of the five time periods (columns). The minimum parking requirement is the highest of these sums. Set out in Table 4.2.103B, *Illustrative Shared Parking Credit Calculation*, is an example of how to calculate shared parking credits.
 - c. In general, the maximum reduction allowed shall be no more than 25 percent.

Table 4.2.103A Mixed-Use and Shared Parking					
Use	Weekday			Weekend	
	Night (12 a.m. to 6 a.m.)	Day (6 a.m. to 6 p.m.)	Evening (6 p.m. to 12 a.m.)	Day (6 a.m. to 6 p.m.)	Evening (6 p.m. to 12 a.m.)
Residential	100%	60%	90%	80%	90%
Office	5%	100%	10%	10%	5%
Retail / Commercial	5%	70%	90%	100%	70%
Overnight Accommodations	80%	80%	100%	50%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment	10%	40%	100%	80%	100%
All Others	100%	100%	100%	100%	100%

Table 4.2.103B Illustrative Shared Parking Credit Calculation					
<p>EXAMPLE: A mixed-use building in a standard development has 50 2-bedroom residences, 50,000 square feet of general office space, and 50,000 square feet of retail space. Separately, these uses would require 450 parking spaces ((50 sp. x 2 sp. / unit) + (50,000 sf. x (3 sp. / 1,000 sf.)) + (50,000 sf. x (1 sp. / 250 sf.)) = 450). However, combined, they could share 350 parking spaces.</p>					
Use	Weekday			Weekend	
	Night (12 a.m. to 6 a.m.)	Day (6 a.m. to 6 p.m.)	Evening (6 p.m. to 12 a.m.)	Day (6 a.m. to 6 p.m.)	Evening (6 p.m. to 12 a.m.)
Residential 100 spaces	100% x 100 = 100	60% x 100 = 60	90% x 100 = 90	80% x 100 = 80	90% x 100 = 90
Office 150 spaces	5% x 150 = 8	100% x 150 = 150	10% x 150 = 15	10% x 150 = 15	5% x 150 = 8
Retail / Commercial 200 spaces	5% x 200 = 10	70% x 200 = 140	90% x 200 = 180	100% x 200 = 200	70% x 200 = 140
Overnight Accommodations	80% x 0 = 0	80% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Restaurant	10% x 0 = 0	50% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Entertainment	10% x 0 = 0	40% x 0 = 0	100% x 0 = 0	80% x 0 = 0	100% x 0 = 0
All Others	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0
COLUMN TOTALS	118	350	285	295	238
<p>TABLE NOTE: The largest number, 350, is the number of parking spaces that are required. This example is a 22 percent reduction compared to individual calculations.</p>					

2. *Shared Parking Among Lots Under Different Ownership.* When a shared parking reduction is to be applied to uses on several lots under different ownership, the following shall be provided:

- a. A plan that provides for interconnected parking lots;
- b. Recorded easements, accepted on a form acceptable to the City Attorney, that provide, at a minimum, for:
 - 1. Cross-access among the parking areas and connections to allow parking by the different uses anywhere on the connected properties;
 - 2. Allocation of maintenance responsibilities;
 - 3. A pedestrian circulation system that connects uses and parking areas, making it easy and convenient for pedestrians to move between uses; and
 - 4. A right of enforcement by the City.

. . . .”

Section 3. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance 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 Commission of the City of Richmond, 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, or whether there be one or more parts.

Section 4. Repeal. Any ordinance or other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 5. Penalty. Any person, firm partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction there, shall be punished as above provided.


Section 6. Effective date. This Ordinance shall be effective from and after its adoption and publication.

PASSED AND APPROVED this the 15th day of June, 2020.

CITY OF RICHMOND


Evalyn, W. Moore, Mayor

ATTEST:



Laura Scarlato, City Secretary

APPROVED AS TO FORM:



Gary W. Smith, City Attorney