

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A, "ZONING," ARTICLE 8, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 8-9, "OFF-STREET PARKING AND LOADING REQUIREMENTS," OF THE SAGINAW CITY CODE BY UPDATING ON PREMISE PARKING REQUIREMENTS AND RESIDENTIAL AND NONRESIDENTIAL PARKING STANDARDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience, and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council finds it appropriate to enact regulations regarding premise parking requirements, residential parking standards, and nonresidential parking standards; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on May 9, 2023, and the City Council of the City of Saginaw, Texas, held a public hearing on May 16, 2023, with respect to the proposed textual amendments as described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, City ordinances, and all other laws dealing with notice, publication, and procedural requirements for approval of a textual zoning amendment; and

WHEREAS, the City Council finds that the textual zoning amendment as outlined herein is in the best interest of the City of Saginaw and will promote the health, safety, and general welfare of the citizens of the City of Saginaw and the general public.

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

SECTION 1.

Section 8-9, "Off-street parking and loading requirements," of Article 8, "Supplemental District Regulations," of Appendix A, "Zoning," of the Saginaw City Code is hereby amended by revising Subsections A(4) through A(6) to read as follows:

“Sec. 8-9. – Off street parking and loading requirements.

4. On-premise parking required. All required commercial and residential parking spaces shall be located on the premises.
5. Residential parking development standards. The following regulations shall apply to all residentially zoned districts and apply to any required front, rear, or side yard being used to park or store vehicles, including boats and trailers.
 - a. All vehicles that are parked or stored on private property in residential areas are to be on an approved, paved surface (see subsections b(1) and b(2) below). All new improvements on any rear or side yard must also meet the requirements of Sec. 9-3, “Drainage.”
 - b. The off-street parking for residential uses shall be paved according to the following standards:
 1. Four inches of reinforced Portland cement concrete over compacted subgrade; or
 2. Not less than two inches of hot mixed asphalt over a minimum of six inches of approved subgrade material. Approved subgrade material being crushed gravel, crushed asphalt, and concrete mix or equivalent.
 - c. All driveway and sidewalk improvements shall require a permit.
 - d. Vehicles must completely rest on such approved surfaces from the point they leave the public streets to the point upon which they are parked or stored.
 - e. All vehicles that are parked or stored in a required rear yard shall be so placed behind a screening partition of fencing materials to obscure the vehicle from view from a public street.
 - f. All vehicles shall be so parked in relation to the street and dwelling at right angles and not to extend over any walkway or be closer than eight inches from the back of the curb so they will not obstruct the pedestrian ways. Notwithstanding the foregoing, vehicles parked on residential lots maintaining a primary vehicle entryway in the side yard of the lot, of a length no greater than ten feet, may impede the pedestrian walkway if the vehicle will not fit entirely within the vehicle entryway.
 - g. Any inoperable vehicle found in violation of this provision must be made operable or moved to an enclosed building within ten days from the notification of such condition existing. Properties where vehicles are parked in violation of this provision shall be subject to fines or penalties, as allowed by law. All repeat

violations that occur at the same address shall be subject to immediate penalties and/or fines as allowed by law.

6. Nonresidential parking development standards. The off-street parking or loading facilities required for nonresidential uses mentioned in these regulations shall be paved according to any of the following standards:

- a. Four inches of reinforced Portland cement concrete over compacted subgrade in all districts;
- b. Not less than two inches of hot mixed asphalt over at least six inches of lime treated subgrade or other approved material* in all districts; or
- c. Not less than two inches of hot mixed asphalt over six inches of crushed stone, flexible base subgrade, or other approved material* in "LI" or "HI" zoned districts only.

** Other approved material – other materials may be considered if design is provided by a geotechnical engineer licensed in the State of Texas. The design shall consider specific on-site conditions. These materials must be approved by the City's Chief Building Official.*

- d. Lots shall be graded and drained in such a manner that run-off shall be properly channeled into a storm drain, watercourse, pond area, or other appropriate facility.

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SECTION 2.

This Ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or the Zoning Ordinance any amendments thereto that have accrued at the time of the effective date of this Ordinance; and as to such accrued violations, and all pending

litigation, both civil or criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the City Council of the City of Saginaw shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Saginaw City Code. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

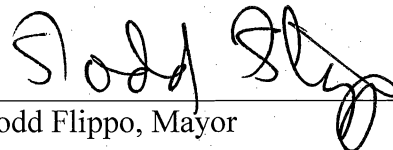
SECTION 6.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 7.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the 16th day of May, 2023.


Todd Flippo, Mayor

ATTEST:


Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:


Bryn Meredith, City Attorney

