

ORDINANCE NO. 2013-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF ODESSA, TEXAS, SECTION 10-100, "VEHICLE PARKING REGULATIONS"; REGULATING THE PARKING OF VEHICLES AND BOATS IN THE SF-E, SF-1, SF-2, SF-3, SP-D, 2F-1, 2F-2, GR, 4-F, MF-1, MF-2, MH-E AND MH DWELLING DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council has received recommendations of the Zoning Advisory Board concerning the matters herein dealt with, which recommendations were made after holding a public hearing before said Board on such matter; and

WHEREAS, notice has been published of the time and place of a public hearing held before City Council concerning changes herein made, which public hearing has been duly held; and

WHEREAS, the City Council has determined that the amendment to the Zoning Ordinance herein made is in the best interest of the health, safety and general welfare of the citizens of the City of Odessa;

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

Section 1. That the City of Odessa Zoning Ordinance, Section 10-100, "Vehicle Parking Regulations", shall be amended by adding Section 10-100a, which shall read as follows:

10-100a Parking on Front Yards

Parking on the front yard of a residence is allowed on paved surfaces. It shall be unlawful for any person to park or to cause, suffer, maintain or allow to be parked upon any property under his control, either as owner or tenant, any vehicle or boat on any unpaved surface in the front yard in Zoning Districts SF-E, SF-1, SF-2, SF-3, SF-D, 2F-1, 2F-2, GR, 4-F, MF-1, MF-2, MH-E and MH. This does not apply to residences having no alley or having an alley too small for vehicles or boats to safely enter or exit the rear yard (16 feet or less). Original concrete strip parking is not required to be converted to solid concrete parking. Any additional parking for residences with original concrete strip parking must conform to the additional parking space requirements as provided herein.

Rear yard and side yard parking is allowed on unpaved surfaces.

Each required parking space must be at least nine feet by eighteen feet (9' x 18') constructed of four inches (4") of concrete where curb and gutter exists, or either compressed asphalt or concrete where there is no curb and gutter.

Location and construction of required paved front yard surfaces must be done to comply with the City's ordinances, regulations, and driveway standards.

It shall be a defense to prosecution under this section that the property is multi-family residential (apartment complex), or that the parking space is on original concrete strip parking.

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. That any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$2,000.00 as provided in Section 1-1-9, "General Penalty", Odessa City Code, which section is adopted by reference and made a part hereof.

Section 5. That the City Secretary is hereby directed to effect such publication as may be required by law in connection with the passage of this ordinance.

Section 6. That this ordinance shall become effective on January 1, 2014.

The foregoing ordinance was first approved on the 25th day of June, A.D., 2013, by the following vote:

Roger T. McNeil	AYE
Dewey Bryant	AYE
Barbara Graff	AYE
Dean Combs	AYE
Sandra Carrasco	AYE

The foregoing ordinance was adopted on second and final approval on the 9th day of July, A.D., 2013, by the following vote:

Roger T. McNeil	AYE
Dewey Bryant	AYE
Barbara Graff	AYE
Dean Combs	AYE
Sandra Carrasco	AYE

Approved this the 9th day of July, A.D., 2013.

David R. Turner, Mayor

ATTEST:

Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

Larry Long, City Attorney