



SHADY SHORES TOWN COUNCIL
WORK SESSION
JANUARY 8, 2024; 6:00 PM
101 S.SHADY SHORES ROAD
SHADY SHORES, TX 76208

TO VIEW THE MEETING LIVE
<https://shadyshorestx.civicclerk.com/>

CALL TO ORDER

ROLL CALL

Establish a quorum.

WORK SESSION

1. Parking Ordinance- Conduct a work session relative to proposed updates to the Town of Shady Shores Parking Ordinance

2. Ordinance Updates

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Wendy Withers, Town Administrator of the Town of Shady Shores do hereby certify that the above notice of the Regular Town Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on 5th Day of January 2024, at 9:43 A.M.

Wendy Withers
Wendy Withers, Town Administrator



AGENDA MEMORANDUM

DATE: January 8, 2024
TO:
FROM: Wendy withers, Town Administrator
SUBJECT: **Parking Ordinance- Conduct a work session relative to proposed updates to the Town of Shady Shores Parking Ordinance**

BACKGROUND/INFORMATION:

Conduct a work session to address issues with the current parking ordinance. Code Enforcement Official Katie Klein has asked to bring the Parking Ordinance back to the town council for discussion due to the difficulty with enforcement of the regulations. This is a continued discussion from the November 2023 work session; Council members were given the opportunity to drive around town and view various parking issues for discussion at this meeting: per Ms. Klein:

(A) Lots of less than one fourth acre, or larger than one acre.

The Ordinance in its current form is difficult for residents to understand-while this may seem minor, enforcing the Ordinance leads to unnecessary hardship. In theory, one would look at the size of their lot and know if they are allowed to park or not in their front yard. However, human behavior dictates that most neighbors do not know their lot size or how to find it. Many of our neighborhoods, particularly in the older sections of town, have varying lot sizes, which gives the appearance that the town shows favoritism at will or is unable to effectively enforce the Ordinance.

In addition, the larger issue relates to the work we are doing towards designating standards for approved surfaces – according to this current regulation, residents can park at will within these lot sizes (lots of less than 1/4 acre and lots larger than 1 acre and recreational vehicles not otherwise defined). This again creates unnecessary negative public perception due to requiring some type of approved surface within the noted lot sizes- but not on lots outside these size parameters. A secondary issue this ordinance creates in its current form is the erosion of dirt and grass as vehicles are pulled off the driveway or roadway, breaking of asphalt of the roadway and more are just a few of the negative impacts on the overall appearance and maintenance of the town.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Recommendation:

1. All lots need to conform to approved surfacing.
2. Cars and recreational cars within public view need to be on an approved surface.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Parking of motor vehicles in the front yards of developed lots, and in vacant lots (3)

REVIEWED BY:

§ 12.03.008. Parking of motor vehicles in the front yards of developed lots, and in vacant lots.

(a) Findings of fact.

- (1) The foregoing recitals are incorporated into this section by reference as findings of fact as if expressly set forth herein.
- (2) 'The parking of automobiles, including light trucks, commercial vehicles, box trucks, semi-tractor and other trucks of greater than a half ton payload designation, hereinafter referred to as "motor vehicles" in this section, can lower property values, reduce the appearance of the neighborhood and thereby lower the quality of life within the town; justifying reasonable limitations on the parking of motor vehicles in the front yards of residential properties, and undeveloped lots.

(b) Regulations for parking; definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Front yard.

- (1) Area of a developed lot between the front building line and the nearest to the front building line of the following:
 - (A) The front property line.
 - (B) The outside edge (closest to the residence) of the drainage bar ditch.
 - (C) The curb.
 - (D) The edge of the surface of the road closest to the residence.
- (2) Such area being bounded on each side by the property lines on each side of the front yard.

Residence. A dwelling structure on a platted or lot described by metes and bounds of an area equal to or greater than one fourth acre, and not more than one acre.

Undeveloped lot. A tract of land on which a dwelling has not been constructed, and a dwelling is not under construction.

(c) Parking regulations; penalties; exceptions.

- (1) The parking of a motor vehicle in the front yard is prohibited and a violation of this code, unless the vehicle is parked in compliance with the following requirements:
 - (A) Parked in the front yard on an all-weather surface in good condition, such surface being of asphalt or concrete, subject to (B) below.

1. Original has this as Subsection (1).

(B) Homes built prior to 1997:

- (i) The driveway surface may be of gravel, crushed limestone or granite, or crushed concrete if the property owner can prove the home was built prior to 1997 and had at that time and since that time a driveway of gravel, or crushed limestone, granite, or crushed concrete (collectively referred to as “gravel” in this ordinance).
- (ii) In the event the driveway is no longer covered with not less than 2 inches of gravel, or asphalt, or concrete, the nonconforming use of such material on the driveway will lapse unless the following steps are taken by the property owner within 180 days of notice of noncompliance:
 - a. Provide proof the home was constructed prior to 1997;
 - b. Provide proof the home had a gravel driveway prior to 1997; and
 - c. Upon the town accepting the proof in [subsections] a. and b. above, the property owner then must restore to full depth (two inches) before 180 day notice period has expired.
 - d. In the event the proof submitted to the town required in [subsections] a. and b. above is not accepted by the town, the nonconforming use of gravel will expire, and concrete or asphalt will be required.
 - e. If not restored to full depth, or if not maintained afterward to full depth, or if not paved with asphalt or concrete, the driveway will be in violation of this section. The requirements for asphalt or concrete driveways will be determined from the town building codes by the town building inspector.

(C) The all-weather surface must not cover more than 20% of the front yard, as measured by the square footage of the front yard as defined in this section. The 20% area includes the driveway and all other impervious and all-weather surfaces in the front yard.

(D) The all-weather surface parking area must be contiguous to and accessed by the driveway of the residence. Any reference herein to “driveway” includes the allowable parking area.

(E) No parking in the front yard on dirt, grass, or other surface other than the all weather surfaces defined in this section is permitted in the front yard.

(2) Exceptions. The parking regulations above do not apply to:

(A) Lots of less than one fourth acre, or larger than one acre.

(B) Recreational vehicles-except as regulated elsewhere in this municipal

code.

(3) Undeveloped lot.

(A) It is a violation of this section for the owner of an undeveloped lot to allow parking of motor vehicles, trailers of all kinds and size, and/or any storage of building material of any kind; mechanical parts of automotive or other equipment; and/or trash or debris on an undeveloped lot.

(B) It is a violation by the owner of any motor vehicles, trailers of all kinds and size, and/or any storage of building material of any kind; mechanical parts of automotive or other equipment; and/or trash or debris to park or place same on an undeveloped lot.

(Ordinance 312-02-2018 adopted 2/12/18; Ordinance 356-08-2022 adopted 8/8/22; Ordinance 375-04-2023 adopted 4/10/2023)