

Ordinance Number 2013-235.82

AN ORDINANCE OF THE BROWNSVILLE CITY COMMISSION PROVIDING FOR BICYCLE PARKING IN COMMON AREAS THROUGHOUT THE CITY OF BROWNSVILLE, BY AMENDING THE CODE OF ORDINANCES, CHAPTER 348, "ZONING", ARTICLE VII, "SUPPLEMENTARY DISTRICT REGULATIONS", BY ADDING SECTIONS 348-1383 THROUGH 348-1386, WITH SECTIONS 348-1387 THROUGH 348-1410 TO REMAIN RESERVED, AND DEALING WITH RELATED MATTERS.

WHEREAS, the community of Brownsville, Texas has in recent years experienced substantial growth and the influx of many diverse citizens, including bicyclists and bike-related businesses, creating a need for my bicycle parking; and

WHEREAS, the City of Brownsville has adopted a Master Hike and Bike Plan to boost transportation through bicycling; and

WHEREAS, the City of Brownsville has implemented and intends to continue adding to a series of Bike Trails in the City; and

WHEREAS, additional bicycle parking will support an increase of the number of bicyclist, business patrons and public areas; and

WHEREAS, the City of Brownsville desires to add new bicycle parking requirements to increase the availability of safe and convenient bicycle parking.

**Sec. 348-1383. BICYCLE PARKING REQUIREMENTS**

**1. PURPOSE:** The purpose of this section is to provide sufficient safe and convenient bicycle parking, encourage bicycling as a form of transportation, reducing traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

**2. DEFINITIONS:** Unless the context clearly requires otherwise, the following terms shall have the following meanings:

- (a) "Bicycle Parking Space": A physical space that is a minimum of [2.5] feet in width by [6] feet in length with a vertical clearance of at least [7] feet that allows for the parking of one bicycle, and if located outside, is hard surfaced and well drained.
- (b) "Bike Rack": A device consistent with industry standards that (i) is capable of supporting a bicycle in a stable position, (ii) is made of durable materials, (iii) is no less than [36] inches tall (from base to top of rack) and no less than [1.5] feet in length, (iv) permits the securing of the bicycle frame and one wheel with a U-shaped lock, and (v) is of a character and color that adds aesthetically to the immediate environment.
- (c) "In-Street Bicycle Parking": A portion of a vehicle parking lane or other area on a roadway that is set aside for the parking of bicycles.

- (d) **“Major Renovation”**: Any physical improvement of an existing building or structure, excluding single-family dwellings and multi-family dwellings with 4 or fewer units, that requires a building permit and has an estimated construction cost equal to or exceeding [\$75,000], excluding cost of (1) compliance with accessibility requirements for individuals with disabilities under governing federal, state, or local law, and (2) seismic or other structural safety retrofit.
- (e) **“New Development”**: Any construction of a new building or facility that requires a building permit, excluding single-family dwellings and multi-family dwellings with 4 or less units.

**3. BICYCLE PARKING SPACES REQUIRED:** Bicycle Parking Spaces shall be required in the City of Brownsville, but this does not include the Downtown area between Fronton Street to Jackson Street and Palm Boulevard to Military Highway.

- (i) **Required Number of Bicycle Parking Spaces:** All New Development and Major Renovations shall provide at least the number of Bicycle Parking Spaces identified in the table in this subsection [Section II, 3(A)]; however, the number shall not fall below a minimum of [4] Bicycle Parking Spaces, regardless of other provisions herein. Where the calculation of the total required spaces results in a fractional number, the next highest whole number shall be used.

General Use Category	Specific Use	Number of Bicycle Parking Spaces Required
Commercial	Office Building	[1] bike space per [15] vehicular space
	General Retail/ Grocery	[1] bike space per [10] vehicular spaces
	Restaurant	[1] bike space per [20] vehicular spaces
Civic	Non-assembly cultural (e.g. government buildings, library)	[1] bike space per [10] vehicular spaces
	Assembly (e.g., church, theatre, stadiums, parks)	[1] bike space per [10] vehicular spaces
	Schools (k-12)	[1] per each [50] employees and [1] per each [25] students of planned capacity for grades 6-12
	Colleges and Universities	[1] per each [40] employees and [1] per each [15] students of planned capacity

<b>Residential</b>	Multi- Family Dwelling with more than 4 units:	
	(a) without private garage or equivalent separate storage space for each unity  (b) with private garage or equivalent separate storage space for each unit	[1] bike space per [10] vehicular spaces  None
<b>Industrial</b>	Manufacturing and Production, Agriculture	[1] bike space per [20] vehicular spaces

**Sec. 348-1384. BICYCLE PARKING STANDARDS**

- (a) All Bicycle Parking Spaces shall be:
  - (i) well lit if accessible to the public or bicyclists after dark;
  - (ii) located to ensure significant visibility by the public and building users;
  - (iii) accessible without climbing more than one step or going up or down a slope in excess of [12] percent, and via a route on the property that is designated to minimize conflicts with motor vehicles and pedestrians;
  - (iv) does not impede or interfere with pedestrian traffic or routine maintenance activities.
- (b) All In-Street Bicycle Parking and Bicycle Parking Spaces located in a parking facility shall be:
  - (i) clearly marked;
  - (ii) separated from motor vehicles by some form of physical barrier (such as bollards, concrete or rubber curbing or pads, reflective wands, a wall or a combination thereof) designed to adequately protect the safety of bicyclists and bicycles.
- (c) All Bike Racks shall be located at least [48] inches in all directions from any obstruction including but not limited to other bike racks, walls, doors, posts, columns, or exterior or interior landscaping
- (d) Unless Bicycle Parking Spaces are clearly visible from an entrance, a sign indicating their location shall be prominently displayed outside the main entrance to the building or facility, and additional signs shall be provided as needed to ensure easy way finding

**Sec. 348-1385. BICYCLE PARKING REQUIREMENTS FOR PARKING FACILITIES**

- (a) **LOCATION:** All Bicycle Parking Spaces required by Sec. 348-1383 shall be located in an area, preferably on the ground floor, that (i) can be conveniently and safely accessed by bicycle and by foot in a way that minimizes conflicts with motor vehicles, (ii) is not isolated, and (iii) maximizes visibility by parking facility patrons and attendants. If the licensed parking facility has multiple entrances, the required Bicycle Parking Spaces may be spread out among the multiple entrances. Bicycle Parking Spaces shall be accessible without climbing more than one step or going up or down a slope in excess of [12] percent.

- (b) **BIKE RACKS:** All Bicycle Parking Spaces required by Sec. 348-1383 shall contain Bike Racks and shall be well lit if accessible to the public or bicyclists after dark or if in an interior or darkened location. All Bike Racks shall also provide a clearance of at least [36] inches in all directions from any obstruction (including but not limited to other bike racks, walls, doors, posts, columns or landscaping), and shall be separated from vehicles by some form of physical barrier (such as bollards, concrete or rubber curbing or pads, reflective wands, a wall, or a combination thereof) designed to adequately protect the safety of bicyclists and bicycles. All Bike Racks located outdoors shall also be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.
- (c) **SIGNAGE:** Parking facilities shall also install prominent signs, no smaller than [12] x [18] inches and utilizing a type size of at least [2] inches, in or near each entrance that advertise the availability of bicycle parking, and the location, if it is not visible from the entrance.
- (d) **CONTRACTUAL LIMITS ON LIABILITY:** Sec. 348-1383 shall not interfere with the rights of a parking facility owner (or designee) to enter into agreements with facility users or take other lawful measures to limit the parking facility's liability to users, including bicycle users, with respect to parking in the parking facility, provided that such agreements or measures are otherwise in accordance with the requirements of [this Ordinance] and the law.

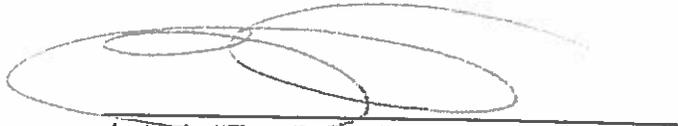
#### **Sec. 348-1386. REMOVAL OF ABANDONED BICYCLES**

**REMOVAL REQUIREMENTS:** On [a quarterly basis], owners of property (or a designee) subject to [Sec. 348-1386 of this Ordinance] shall remove, from all Bicycle Parking Spaces associated with their property, including those located on the public right-of-way, bicycles that have been abandoned. A bicycle shall be deemed to be abandoned if it has not been removed after having been tagged with a notice of removal for [2] weeks in Bicycle Parking Spaces. However, a bicycle shall not be deemed to be abandoned if the bicyclist and property owner (or designees) have a written agreement regarding provision of long term storage covering the time period in question.

**PART 2.** That all provisions of the City Subdivision Ordinance are incorporated herein by reference and declared to be part thereof; and that this ordinance shall become effective on December 10, 2013, provided, however that it shall have been signed, attested, and recorded in an ordinance book of the City, with proof of publication, as specified by the City Charter.

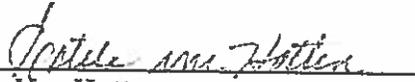
INTRODUCED for Public Hearing and **FIRST READING** on December 10, 2013.

PASSED on **SECOND AND FINAL READING** on January 07, 2014.

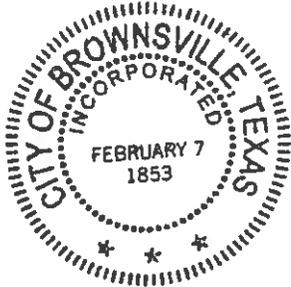


**Antonio "Tony" Martinez**  
Mayor

Attest:



**Estela Von Hatten**  
City Secretary



Approved as to form and legality:



**Mark Sossi**  
City Attorney