

**ORDINANCE NO. 13-20**

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING SECTION 20-3 OF CHAPTER 20 ZONING BY REMOVING THE PROVISION ON “LOCATION REQUIREMENTS FOR PARKING AREA THAT IS TO BE THE SAME OR MORE INTENSIVE ZONING DISTRICT” FROM THE DEFINITION OF ‘PARKING, PARKING REQUIREMENTS, OFF-STREET PARKING’; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND AUTHORIZING PUBLICATION IN CAPTION FORM.**

**WHEREAS**, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances; and

**WHEREAS**, the City Council finds that there is a conflict between the traditional zoning code (Chapter 20 Zoning) and the intent of the Padre Boulevard and Entertainment District Code (PBEDC, Form-Based Code); and

**WHEREAS**, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:**

**Section 1.** The definition of “Parking, Parking Requirements, Off-Street Parking” in Section 20-3 of the Chapter 20 Zoning Ordinance is hereby amended and restated in its entirety to read as follows:

**Parking, Parking Requirements, Off-Street Parking:** All parking requirements of a building or premises must be provided on the same site/land for which the building permit is issued, and the same may not be located on any property that is not contiguous and joined to the building site, unless a permit for an off-premise parking lot has been approved in accordance with the requirements of Section 20-7(D)(5)(n) or Section 20-8(F)(5)(h). All parking areas, and access thereto, must be of a concrete or asphalt surface. All parking lot construction shall conform to Article 2, Section 2.18, Parking Lots, of the Standards and Specifications for the Acceptance of Public Improvements for the City of South Padre Island, Texas.

**Section 2.** This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

**Section 3.** Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty

provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

**Section 4.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

**Section 5.** This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the 16th day of October 2013.

PASSED, APPROVED AND ADOPTED on Second Reading, the 6th day of November 2013.

ATTEST:

CITY OF SOUTH PADRE ISLAND,  
TEXAS

  
\_\_\_\_\_  
SUSAN HILL, CITY SECRETARY

  
\_\_\_\_\_  
ROBERT N. PINKERTON, JR., MAYOR

