

Zoning Case 2021-026

An Ordinance of the City of Plano, Texas, amending Article 16 (Parking and Loading) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to special vehicle parking; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of January 2022, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of January 2022; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Part B of Subsection 16.800.4 (Special Vehicle Storage) of Section 16.800 (Special Off-Street Parking Regulations) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such part to read as follows:

- B.** All special vehicles that are not specifically prohibited by any other law, including but not limited to, Chapter 12 of the City of Plano Code of Ordinances, must conform to the following:
 - i.** No special vehicle may be stored on required off-street parking.
 - ii.** No part of a special vehicle may extend over a public easement or right-of-way.

- iii. No special vehicle stored on a residential lot may be used for housekeeping, living, or sleeping quarters.
- iv. If required, federal and state licensing and registration must be current.
- v. All special vehicles must be maintained in an operable condition.
- vi. Stored vehicles must be secured with wheel stops or maintained so as not to present a safety problem to the neighborhoods in which they are located.
- vii. Surfaces used for special vehicle storage in residential districts must conform to the following requirements:
 - a. Special vehicles stored in the front yard must be stored on a paved surface. Special vehicles stored in the side or rear yards must be stored on a paved surface or on gravel. A gravel surface must not be used to store special vehicles in the front yard.
 - b. The storage area surface for special vehicle storage must be contiguous with and be an extension of the driveway, and the area of the surface improvement must not be less than the full dimensions of the special vehicle.
- viii. Special vehicles must be stored behind the front building line in the side or rear yard unless the lot is served by a driveway from a public street and which is its only point of vehicular access, or the lot does not have access to a standard alley (10-foot wide paved alley).
- ix. Special vehicles stored in the side yard or rear yard behind the front building line must be screened from view from side streets but not alleys. In addition, these special vehicles must be screened in the front if brought onto the lot from the rear. (See Article 20)
- x. Where permissible in Sec. 16.800.4B.viii, only one special vehicle may be stored in the front yard, and the special vehicle length must be oriented perpendicular to the front property line.

Section II. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the

Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section III. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section IV. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF JANUARY 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY