

DATE: December 7, 2021

TO: Honorable Mayor & Council Members

FROM: David Downs, Chair, Planning & Zoning Commission



SUBJECT: Results of Planning & Zoning Commission Meeting of December 6, 2021

**AGENDA ITEM NO (4) - ZONING CASE 2021-026
(SUBMITTED UNDER THE INTERIM COMPREHENSIVE PLAN)
APPLICANT: CITY OF PLANO**

Request to consider an amendment to Article 16 (Parking and Loading) of the Zoning Ordinance pertaining to special vehicle parking and related amendments, if found necessary. Project #ZC2021-026.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 0 Oppose: 0 Neutral: 0

Letters Received Within 200' Notice Area: Support: 0 Oppose: 0 Neutral: 0

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 0 Oppose: 0 Neutral: 0

RESULTS:

The Commission recommends approval as follows (additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend 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), such part to read as follows:

.4 Special Vehicle Storage

- 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.

MS/kob

cc: Jeanna Scott, Building Inspections Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

December 6, 2021

Agenda Item No. 4

Public Hearing: Zoning Case 2021-026

Applicant: City of Plano

(Submitted under the Interim Comprehensive Plan)

DESCRIPTION:

Request to consider an amendment to Article 16 (Parking and Loading) of the Zoning Ordinance pertaining to special vehicle parking and related amendments, if found necessary. Project #ZC2021-026.

SUMMARY:

The purpose of this request is to amend a section of the Zoning Ordinance pertaining to special vehicle parking. This amendment is in conformance with the Interim Comprehensive Plan and will provide more precise guidance on the enforcement of city codes. For these reasons, staff recommends approval.

REMARKS:

At the October 18, 2021, Planning & Zoning Commission meeting, the Commission called a public hearing to consider an amendment to the Zoning Ordinance regarding special vehicle parking. This change was requested by the Neighborhood Services Department, as there was no consistent direction between the Code of Ordinances and the Zoning Ordinance related to the parking of oversized motor vehicles in residential districts.

The Zoning Ordinance defines a Special Vehicle as a trailer or "*Any self-propelled vehicle which exceeds 22 feet in length.*" This definition includes semitrailers, pole trailers, and a number of other commercial vehicles and farm equipment. 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 Zoning Ordinance regulates where and how Special Vehicles are to be stored on private property; however, the subsection does not make any prohibitions based on the zoning district where the vehicle will be stored. Therefore, per the Zoning Ordinance, a Special Vehicle can be stored on private property in any zoning district within the city. This is different than the requirements in the Code of Ordinances.

The Code of Ordinances also regulates how commercial vehicles are to be stored on private property; however, it includes restrictions for residential zoning districts. [Subsection 12-115](#) (Parking of certain equipment in certain zoning districts) of Article V (Stopping, Standing and Parking) of Chapter 12 (Motor Vehicles and Traffic) of the Code of Ordinances prohibits the parking of semitrailers, pole trailers, truck tractors, and other commercial motor vehicles and farm equipment upon a property located within a residential zoning district.

As both the Zoning Ordinance and Code of Ordinances refer to parking regulations for oversized motor vehicles, but with varying conditions depending on the location by zoning district, there is a potential for misunderstanding in the enforcement of these ordinances as written. Therefore, the Municipal Prosecutor and staff from the City Attorney's office, Neighborhood Services, and Planning departments recommend amendments to Article 16 (Parking and Loading) of the Zoning Ordinance to be consistent with other laws governing oversized vehicles to remedy this. This can be achieved through a straightforward reference in the Zoning Ordinance, giving deference to other legal prohibitions, specifically but not limited to, the restrictions in residential districts within the Code of Ordinances.

Conformance to the Comprehensive Plan

Since this case was initiated in October 2021, this zoning request was reviewed for conformance with the Interim Comprehensive Plan (1986-based) adopted in August 2020. The following sections of the Interim Comprehensive Plan pertain to the proposed Zoning Ordinance amendment.

Land Use Element

Strategies for Theme I – Livable City

Strategy A.1 – Regularly monitor, review, and update the Comprehensive Plan, Zoning Ordinance, and related documents to ensure their effectiveness in meeting the needs of the community.

Housing Element

The Housing Element guides Plano's development, maintenance, and redevelopment of housing resources. Applicable policies that support the proposed amendment to the Zoning Ordinance are as follows:

Theme I – Livable City

Objective A.4 – Provide safe, secure, and attractive living environments.

Strategy A.6 – Maintain zoning and building codes and enforcement procedures to establish and maintain attractive neighborhoods.

Interim Comprehensive Plan Analysis Summary

Although the Interim Comprehensive Plan does not provide an explicit directive to parking for special vehicles, it does support amendments to the Zoning Ordinance that align with the changing needs and desires of the community. In addition, it encourages a wide range of land use opportunities provided they contribute to neighborhood attractiveness and vitality. Therefore, the proposed amendments are in conformance with the Interim Comprehensive Plan.

SUMMARY:

The purpose of this request is to amend a section of the Zoning Ordinance pertaining to special vehicle parking. This amendment is in conformance with the Interim Comprehensive Plan and will provide more precise guidance on the enforcement of city codes. For these reasons, staff recommends approval.

RECOMMENDATION:

Recommended for approval as follows (additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend 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), such part to read as follows:

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- 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.
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- 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.