



Legislation Details (With Text)

File #:	17-2488	Version:	3	Name:	Ordinance -Third and Final Reading on Proposed Amendments of Section 7200.B of the Zoning Ordinance Related to the Parking of Vehicles Such as Boats, Motor Homes, Recreational Vehicles, Campers, Trailers, and Other Vehicles on Properties with a Single-Fam
Type:	Ordinance	Status:			Passed
File created:	9/11/2017	In control:			City Council
On agenda:	10/23/2017	Final action:			10/23/2017
Title:	Ordinance -Third and Final Reading on Proposed Amendments of Section 7200.B of the Zoning Ordinance Related to the Parking of Vehicles Such as Boats, Motor Homes, Recreational Vehicles, Campers, Trailers, and Other Vehicles on Properties with a Single-Family Dwelling, Two-Family Dwelling or Townhouse, and to Provide an Exemption to Such Parking Restrictions Applicable to Certain Vehicles in Existence Before March 2006; (OA#16-002)				
Sponsors:	Joe Smolinski, Lisa Sudbury				
Indexes:					
Code sections:					
Attachments:	1. Ordinance, 2. Redlined Amendments				

Date	Ver.	Action By	Action	Result
10/23/2017	3	City Council	Approved on Third And Final Reading	Pass
10/9/2017	2	City Council	Approved on Second Reading	Pass
9/25/2017	1	City Council	Approved on First Reading	Pass

Ordinance -Third and Final Reading on Proposed Amendments of Section 7200.B of the Zoning Ordinance Related to the Parking of Vehicles Such as Boats, Motor Homes, Recreational Vehicles, Campers, Trailers, and Other Vehicles on Properties with a Single-Family Dwelling, Two-Family Dwelling or Townhouse, and to Provide an Exemption to Such Parking Restrictions Applicable to Certain Vehicles in Existence Before March 2006; (OA#16-002)

To consider the subject ordinance amendments.

The Planning and Zoning Commission held a public hearing on September 5, 2017, and voted 5 to 2 (Horn and Hudson) to recommend approval with the following changes:

1. Revise the proposed distance in Section 7200.B.21.c from 100 feet to 80 feet or less from the front property line;
2. The Commission recommends no change to Section 7200.B.23, and to continue to allow non-passenger vehicles to park in front of J-Swing homes;
3. Reinstate the March 2006 grandfathering provision in Section 7200.B.25.
4. In Section B.21 and wherever applicable, replace the maximum length of non-passenger vehicles from 25 feet to 40 feet; and
5. Include enforcement and penalty provisions in the ordinance.

First Reading

The following are possible amendments regarding the parking of vehicles such as boats, motor homes,

recreational vehicles, campers, trailers, and other non-passenger vehicles on residential property discussed by the members of the City Council's Code Compliance Sub-committee:

- (1) Include a provision in Section 7200.B.21 to allow non-passenger vehicles to be parked at least 100' from the front property line and 15' from side and rear property lines with the approval of the City. This would apply to certain lots that are deep enough to allow one of these vehicles to be parked far enough away from the roadway and would not be easily seen from the rest of the neighborhood.
- (2) Include a provision in Section 7200.B.23 to prohibit non-passenger vehicles being parked in front of a J-Swing house.
- (3) Include provisions in Section 7200.B.25 to reinstate the 2006 grandfather clause for non-conforming vehicles to continue to be parked on residential properties.
- (4) Include a provision in Section 7200.B.27 to remove the 72-hour, 4 times per year limitation and allow an option for requesting permission to park for more than 72 hours at a time. The current language would effectively limit residents to two trips per year. The proposed language would allow them to take as many trips as they desire, provided that they do not park a non-passenger vehicle on the property for more than 72 hours when they load or unload. In cases where a hardship existed, they would be allowed to request an extension from the City.

See the attached exhibit for full details of the proposed amendments.

Second Reading

Staff has revised the following provisions of the amendments to incorporate the changes made by Council at 1st reading on September 25, 2017:

- (1) Added provisions in Section 7200.B.21 to allow non-passenger vehicles to be parked at least 75' from the front property line and variable setbacks from the side and rear property lines based on the height of the vehicle:

Overall Vehicle		
Height	Minimum Setbacks	
	Min. Rear Yard	Min. Side Yard
Less than 8'	7.5'	5'
8' to 10'	9.5'	7'
Over 10'	11.5'	9'

Staff recommends that a set distance, such as 10 feet from the side and rear property lines, be considered. A set distance is easier for the Code Compliance officers to enforce than a variable scale, particularly as it is not always possible to enter a property to obtain measurements without the owner's consent. Staff also recommends that the Council consider eliminating the side and rear setbacks where the property abuts a non-residential use.

- (2) Added a provision in Section 7200.B.23 to prohibit non-passenger vehicles being parked in front of a J-Swing house.
- (3) Reinstated the 2006 grandfather provisions in Section 7200.B.25 for non-conforming vehicles to continue to be parked on residential properties.

(4) Added a provision in Section 7200.B.27 to remove the 72-hour, 4 times per year limitation and allow an option for requesting permission to park for more than 72 hours at a time. Staff will develop an electronic form on the Code Compliance Department webpage to allow residents to request an extension of time for out-of-town visitors.

(5) Added certain exemptions for vehicles parked on properties one-half acre in size or larger that front on an asphalt street with bar ditches. The exemptions would allow 1) vehicles greater than 25 feet by right; and 2) vehicles to be parked at the side or rear of the house without a minimum setback from the front, side or rear property lines, provided that the vehicle is parked behind the front façade of the residence furthest from the street and is either parked on pavement or behind a 6-foot tall opaque fence.

The changes have been highlighted in the redlined ordinance.

Third Reading

Staff has revised the following provisions of the amendments to incorporate the changes made by Council at 2nd reading on October 9, 2017:

The 75' front setback provision in Section 7200.B.21.c has been revised to read as follows:

“c. The vehicle is parked at least seventy-five (75) feet from the front property line and at least ten (10) feet from side and rear property lines. No setback will be required from a side or rear property line where the abutting property is zoned for non-residential uses. The pavement and screening requirements of this section shall not apply to a vehicle parked in accordance with this provision.”

The exemption for ½ acre properties fronting on asphalt rural streets Section 7200.B.25 will read as follows:

“e. Any Other Vehicle parked on a lot or tract, occupied by a single-family dwelling, two-family dwelling or townhouse, that is at least one-half (1/2) acre in size and fronts on an asphalt roadway with bar ditches shall be exempt from Section 7200.B.21 regarding maximum vehicle length and from the provisions of Section 7200.B.21, Sub-Paragraphs b and c regarding the minimum setbacks for vehicles from the side and rear property lines, provided that such vehicles are parked behind the portion of the front façade of the residence that is furthest from the street and are parked on pavement or are screened from view of the street or adjacent residential properties by an opaque screening fence at least six (6) feet in height.”

See information above.

Lisa Sudbury, AICP
Interim Director of Planning
817-276-4227