

ORDINANCE O-21-2157

AMENDING CHAPTER 3, SECTION 3.28 SUPPLEMENTARY DISTRICT REGULATIONS OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Chapter 3, Section 3.28 – Supplementary District Regulations of the Land Development Code; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT *Chapter 3, Section 3.28 – Supplementary District Regulations* of the Land Development Code are hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of March 2021.

The second reading and public hearing being conducted on the 23rd day of March 2021.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 23RD DAY OF MARCH 2021.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM:

Whitt L. Wyatt
City Attorney

Exhibit "A"

LAND DEVELOPMENT CODE

Section 3.28 Supplementary District Regulations

H. Parking; Storage or Use of Major Recreational Equipment and Recreational Vehicles

1. No major recreational equipment or recreational vehicles shall be parked or stored for more than seventy-two (72) hours on a public street, alley or other public right-of-way or parkway.
2. No major recreational equipment or recreational vehicles shall be parked or stored on any lot in a residential district except in a carport or enclosed building, or in a required side or rear yard on an all-weather (durable, dust-free) hard surface driveway. Provided, however, that such equipment may be parked anywhere on residential premises not to exceed seventy-two (72) hours during loading or unloading. **Exemption:** an all-weather (durable, dust-free) hard surface driveway is not required for such equipment on lots 40,000 sq. ft. in size or greater.
3. Corner street side yards shall be considered a front yard. No major recreational equipment or recreational vehicles shall be parked within the required setback.
4. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot per above, except for the temporary housing of guests for not more than fourteen (14) days during any sixty (60) day period.
5. For purposes of these regulations, major recreational equipment is defined as including travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, boats and boat trailers, snowmobiles, trailers, dune buggies, airplanes or aircraft and other equipment designated for recreational use, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. Vehicles used primarily as the family car for a daily transportation to and from work are excluded from this definition.
6. For purposes of these regulations, a recreational vehicle is defined as any vehicle used or so constructed as to permit it being used as a conveyance upon the public streets and highways, and licensable as such, and which is constructed in such a manner that will permit occupancy as a dwelling or sleeping place for one or more persons, including also a self-propelled vehicle having a body designed as living quarters.

I. Parking and Storage of Vehicles in General

1. *On-Street Parking:* Commercial vehicles with a manufactured capacity rated of over one (1) ton are prohibited from being parked on any public street, alley, parkway, boulevard, or public place in all zoning districts, except the ML (Light Manufacturing) district for a period not to exceed twenty-four (24) hours during loading or unloading. In the ML district, on-street parking is prohibited along all major thoroughfares, including expressways, arterials, and collector streets.

2. *Off-Street Parking:* Commercial vehicles of over one (1) ton manufactured capacity (truck tractor, road tractors and special mobile equipment) are permitted only in the ML (Light Manufacturing), RE (Single Family 'Estate' Residential), or AG (Agricultural) zoning districts. They are prohibited from being parked or stored on any lot in all other zoning districts. **Exemption:** Such vehicles shall be allowed on any lot greater than 40,000 sq. ft. provided they are located behind the front yard setback.

All other commercial vehicles may be permitted on a residentially zoned lot, provided said parking space shall be in an enclosed garage, under a carport, or on an all-weather hard surface driveway located in a side or rear yard. **Exemption:** an all-weather (durable, dust-free) hard surface driveway is not required for such equipment on lots 40,000 sq. ft. in size or greater.

3. Off-street vehicle parking spaces shall not be located within ten (10) feet of existing proposed major thoroughfare street right-of-way lines in any commercial or industrial district. Such off-street parking spaces shall consist of a paved surface, i.e., concrete, HMAC, brick or paving stone approved by the city building official. All ten (10) foot buffer areas shall be landscaped and maintained to enhance esthetic qualities.
4. To avoid the unsightly appearance of junked and abandoned vehicles in residential districts, no vehicles may be parked or stored on a residential premise where visible to any adjacent right-of-way or residential use, unless a current state vehicle registration sticker is displayed thereon or the vehicle is behind a solid fence or solid vegetative screening at least 6 feet in height. Such vehicles are those that cannot be immediately or readily started or moved under their own power, and including vehicles without current licenses and vehicles with wheels or other major components removed or broken.