



22-0006M

TITLE: Consider/Discuss/Act on an Ordinance Amending Chapter 70 (Offenses and Miscellaneous Provisions), Chapter 122 (Construction Regulations), and Chapter 62 (Motor Vehicles and Traffic) of the Code of Ordinances, and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a Strong City Economy by Facilitating a Balance between Industrial, Commercial, Residential, and Open Space)

MEETING DATE: August 16, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Aaron Bloxham, Principal Planner

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed amendments.

ITEM SUMMARY:

- Staff proposes to relocate certain regulations pertaining to performance standards and parking prohibitions from their existing location in the Zoning Ordinance (Chapter 146 of the city's Code of Ordinance) to other, more appropriate, chapters of the City's Code of Ordinances.
- Staff also proposes to add clarifying language related to tree maintenance for clearance and visibility to more accurately reflect current practices in the city.

PROPOSED AMENDMENTS:

- Chapter 70 (Offenses and Miscellaneous Provisions) - Article V (Noise)
 - Currently, performance standards related to noise are found in Section 134 (Performance Standards) of Chapter 146 (Zoning Ordinance) of the City's Code of Ordinances.
 - Staff proposes to relocate these performance standards from Section 146-

134 (Performance Standards) to Chapter 70, Article V (Noise) which already includes other standards pertaining to the emittance of noise in the city.

- Chapter 70 (Offenses and Miscellaneous Provisions) - Article X (Parking Prohibitions)
 - Currently, certain parking prohibitions for private property are found in Section 130 (Vehicle Parking and Loading) of Chapter 146 (Zoning Ordinance) of the City's Code of Ordinances.
 - Staff proposes to relocate these parking prohibitions to Chapter 70, Article X (Parking Prohibitions), which already includes other standard parking prohibitions on private property.
- Chapter 70 (Offenses and Miscellaneous Provisions) - Article III (Cleanliness of Premises)
 - Staff proposes to add clarifying language to Section 70-56 (Weeds, Brush, and Other Objectionable or Unsightly Matter, etc) for minimum clearance heights for trees and landscaping near roadways, streets, alleys, sidewalks, intersections, and signs.
- Chapter 62 (Motor Vehicles and Traffic) - Article VI (Parking)
 - Currently, certain parking prohibitions on public rights of way are found in Section 130 (Vehicle Parking and Loading) of Chapter 146 (Zoning Ordinance) of the City's Code of Ordinances.
 - Staff proposes to relocate these parking prohibitions to Chapter 62, Article VI, which already includes other standard parking prohibitions on public rights of way.
- Chapter 122 (Construction Regulations) - Article I (In General)
 - Currently, allowable construction hours are found in Section 134 (Performance Standards) of Chapter 146 (Zoning Ordinance) of the City's Code of Ordinances.
 - Staff proposes to relocate these provisions to Chapter 122 (Construction Regulations), Article I, which already governs construction activity in the city.

BACKGROUND INFORMATION:

- As part of the New Code McKinney initiative (development regulation overhaul), city staff and the consultant team have identified sections that are not located in the appropriate chapters of the City's Code of Ordinances or that are governed by other state regulations and laws.

- Based on this determination, the proposed amendments are being proposed to help achieve the goals of the update to improve clarity, flexibility, usability, and implementation of the Code of Ordinances.

OPPOSITION TO OR SUPPORT OF REQUEST:

- Staff has received no comments or phone calls in support of or opposition to this request.

SUPPORTING MATERIALS:

[Ch 70, Article III - Cleanliness of Premises \(redline\)](#)

[Ch 70, Article V - Noise \(redline\)](#)

[Ch 70, Article X - Parking Prohibitions \(redline\)](#)

[Ch 122 - Construction Regulations \(redline\)](#)

[Ch 62, Article VI - Parking \(redline\)](#)

[Proposed Ordinance](#)

[Exhibits A-E](#)