



UDC Amendment Request Application for Internal Parties
(City of San Antonio Departments)

Part 1. Applicant Information

Name: Deborah Scharven Organization (if applicable): DEI Disability Access Office
Address: 114 W Commerce Street, Room 901 San Antonio, TX 78205
Phone: 210.207.7135 Email: deborah.scharven@sanantonio.gov
Signature: Deborah Scharven Date: January 31, 2022
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- Completed Rule Interpretation Determination (RID)
- Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- Modify procedures and standards for workability and administrative efficiency
- Eliminate unnecessary development costs
- Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

Sec. 35-383. Oversized Vehicles - Changes in language to reflect proper terminology when referring to individuals with disabilities, the correct office reference, and updates to the Texas Transportation Code.

UDC 2021 Proposed Amendment

Amendment 28-1**Applicant:** DEI Disability Access Office**Amendment Title:** 'Sec.35-383 – Oversized Vehicles**Amendment Language:****Sec. 35-383. - Oversized Vehicles.**

- (a) **License and Inspection Requirement.** All oversized vehicles must have a current license and inspection sticker if required by the state in which the vehicle is registered.
- (b) **Vehicle Use.** Oversized vehicles shall not be used for dwelling, sleeping, or business purposes upon any street, alley, or other public place, or upon any private property except as otherwise specifically allowed in this chapter or as follows:
- (1) Within a lawfully established recreational vehicle or manufactured home park, a campground, or other like facility which is designed and equipped to provide temporary or permanent accommodations for such vehicles.
 - (2) An oversized vehicle owned by and registered to a person residing outside Bexar County who is visiting San Antonio may be parked behind the restricted parking area of a property owned by or leased to the host. If the oversized vehicle is designed for occupancy, it may be occupied by the guest, provided, however, such occupancy may not exceed ten (10) days per visit, with a limit of three (3) visits per year for each vehicle. Oversized vehicles shall not discharge any litter, sewage effluent, or other matter except into sanitary facilities designed to dispose of such materials.
- (c) **Parking in Residential Districts.** The parking of an oversized vehicle within the restricted parking area or the parking so that any portion of the vehicle extends into the restricted parking area is prohibited in any of the following zoning districts "R-4," "RM-4," "R-5," "RM-5," "R-6," "RM-6," "R-20," "RE," "RP," "NP-8," "NP-10," "NP-15," "MH," "MF-18," "MF-25," "MF-33," "MF-40," "MF-50," "RD" and "UD" except as permitted in subsection (d) below:
- (d) **Residential Parking Exceptions.** Oversized vehicles may be parked in a driveway or other permanently maintained parking area as specified by section 19-194 of the City Code within the restricted parking area in the residential districts specified in subsection (c) above under the following conditions:
- (1) **Loading.** An oversized vehicle of any type may be temporarily parked in the restricted parking areas for such time as is actually necessary to load or unload passengers, freight, or merchandise.
 - (2) **Trip Preparation.** An oversized vehicle, other than one that is also defined as a truck-tractor, road-tractor, semi-trailer, trailer or commercial motor vehicle with three (3) or more axles, may be parked within the restricted parking area for such time as is actually necessary for trip preparation. Trip preparation time shall be limited to a maximum of forty-eight (48) hours prior to use and twenty-four (24) after use twice within any calendar month.
 - (3) **Accessible Areas. Handicapped Areas.** An oversized vehicle of any type may be parked in the restricted parking area at any time if it bears a special ~~handicapped~~ parking permit (~~decal~~) issued

by the [Disability Access Office Manager or designee](#) ~~handicapped access officer~~ of the City of San Antonio.

- A. A ~~disabled~~ person [with a disability](#) who owns an oversized vehicle may apply to the city's [Disability Access Office Manager or designee](#) ~~handicapped access officer~~ for such a permit if the person has a mobility impairment, uses the vehicle as a primary means of transportation or livelihood, and the vehicle is specially equipped or modified to accommodate the disability.
 - B. The [Disability Access Office Manager or designee](#) ~~handicapped access officer~~ may issue such a permit after inquiring into the facts and giving the applicant an opportunity to be heard, if the officer finds that (1) without the vehicle the applicant would be substantially limited in life's activities, (2) the physical handicap is permanent or long term in duration, (3) use of the oversized vehicle is necessary to provide reasonable mobility, (4) parking within the restricted parking area facilitates mobility, and (5) the vehicle has a disabled license plate issued by the state.
 - C. A permit issued by the [Disability Access Office Manager or designee](#) ~~handicapped access officer~~ shall be valid for a period of two (2) years. Renewal of the permit shall require re-examination of the facts.
 - D. If a permit is denied by the [Disability Access Office Manager or designee](#) ~~handicapped access officer~~, the applicant may appeal to the board of adjustment in accordance with section 35-482 of this chapter. The board shall have the authority to reverse or affirm, in whole or in part, the decision of the [Disability Access Office Manager](#) ~~handicapped access officer~~.
 - E. It shall be a violation hereof for the holder of a permit issued hereunder to transfer title to the oversized vehicle without contacting the [Disability Access Office Manager or designee](#) ~~handicapped access officer~~ for cancellation and removing the permit from the vehicle.
- (e) **Definitions.** In this section, the terms truck-tractor, ~~road-tractor~~, semi-trailer, ~~trailer~~ and commercial motor vehicle shall have the same definitions as set out in V.T.C.A. Transportation Code § 502.001 (~~Vernon's Pam. 1996~~). However, such terms shall not mean "recreational vehicle" as that term is defined in [Texas V.T.C.A.](#) Transportation Code § 522.004(b).
- (f) **Penalties.** The penalty for violation of any portion of this section is hereby established so that the minimum fine shall be one hundred dollars (\$100.00) and the maximum fine shall be two thousand dollars (\$2,000.00), provided, however, in the event a defendant has once previously been convicted under this Ordinance No. 84874, the defendant, upon conviction, shall be fined an amount no less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00) and upon third and subsequent convictions, the penalty shall be a fine of not less than three hundred dollars (\$300.00) nor more than two thousand dollars (\$2,000.00).([Sec. 35-491 Enforcement – Zoning Violations](#)).

(Ord. No. 98697 § 6) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2009-01-15-0001, § 2, 1-15-09)