

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO
AMEND VARIOUS SECTIONS OF THE CITY CODE CHAPTER 30, TO MODIFY
STANDARDS FOR TRAILER PARKING IN RESIDENTIAL DISTRICTS (Section 2 of
draft ordinance hearing 5/22/2017)**

WHEREAS, the City of Fayetteville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on December 13, 2010, and is codified in Chapter 30 of the Fayetteville City Code (herein "Unified Development Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on July 25, 2011, and are on file and maintained in the offices of the Fayetteville Development Services Department (herein "Official Zoning Maps"); and

WHEREAS, the Fayetteville City Council held a public hearing on May 22, 2017, to consider amending certain provisions of the Unified Development Ordinance in Chapter 30-3.H Overlay Zoning Districts; and

WHEREAS, following the public hearing, the Fayetteville City Council determined that the proposed amendment is in the interest of the public health, safety and welfare; it is supported by adopted plans; and it is consistent with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE THAT:

Be it ordained by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and as subsequently amended, be amended as follows:

Section 1. Modify Section 30-4.D.3 Specific Standards for Certain Accessory Uses, to allow any trailers to be parked in the front yard in residential districts when on an improved surface otherwise meeting the standards for parking in residential districts.

- t. Storage or Parking of Heavy Trucks, Trailers, or Major Recreational Equipment
 - 1. *Intent*

 - 2. *Applicability*

 - 3. *Standards*

- a. Heavy trucks and trailers with a rated capacity exceeding two and one-half tons, or major recreational equipment, shall not be parked or stored on public right-of-way in a residential zoning district except for the purposes of active loading or unloading.
- b. No heavy truck shall be parked or stored in any front yard, corner side yard, or in any location where it is closer to a street right-of-way than the principal structure within a residential or mixed-use zoning district.
- c. Major recreational equipment may be stored in the rear yard within a residential district provided the equipment is at least six feet from all lot lines.
- d. Major recreational equipment may be exempted from the occupancy standards in this subsection following approval of a Temporary Use Permit for a maximum period of ten days during a calendar year.
- e. RVs, campers and boat and utility trailers may be parked or stored in front or corner side yards in residential districts in areas meeting the district parking standards (see [30-5.A.5 Parking Standards for Residential Development](#)) and provided they are not used for overnight occupancy at any time except as provided under a Temporary Use Permit (also see Sec. [16-311](#) and Chapter 27), and when meeting the following conditions:
 - 1. The vehicle or trailer must be in operable condition and have a current license for use on public roadways;
 - 2. Items such as motorcycles or boats may be stored on the trailer but any item on a trailer shall be secured and ready for travel on public roadways and kept in neat, attractive condition at all times; and
 - 3. Items over eight feet in height must be kept at least six feet from all property lines.
 - 4. No vehicle or trailer can extend into a sidewalk or Right-of-Way, and a clear sight distance triangle must be maintained for driveways on adjacent properties (see Sec. [30-5.F.4.c](#) and Definitions).
- f.

Explanation: In final discussions about an amendment in 2015, the City Council approved the parking of RVs and single-axle trailers in front yard areas (when on allowed improved surfaces) but multi-axle trailers would require a special review. The Planning Commission respectively requests that, as long as RVs can be stored in front drives, the smaller boat and utility trailers be permitted as well, with standards, instead of having to go through a special review.

Section 2. The City Clerk is hereby authorized to revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the material terms of this Development Ordinance.

Section 3. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the 26 day of June, 2017.

City of Fayetteville, NC

Nat Robertson, Mayor

ATTEST:

Pamela J. Megill, City Clerk