



Legislation Details (With Text)

File #: 22-2844 **Version:** 1 **Name:**

Type: Administrative Reports **Status:** Agenda Ready

File created: 7/22/2022 **In control:** City Council Regular Meeting

On agenda: 8/8/2022 **Final action:**

Title: Vehicle Parking in Residential Front Yards - Review of Peer City Codes

Sponsors:

Indexes:

Code sections:

Attachments: 1. Peer City Comparison - Yard Parking - July 2022, 2. Fayetteville Current Parking Code, 3. Council Request - Vehicles In Front Yards

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

TO: Mayor and Members of City Council

THRU: Telly C. Whitfield, Ph.D. - Assistant City Manager
Dr. Gerald Newton, AICP - Development Services Director
David Steinmetz - Development Services Assistant Director

FROM: James Rutherford - Housing & Code Enforcement Division Manager

DATE: August 8, 2022

RE: Vehicle Parking in Residential Front Yards - Review of Peer City Codes

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:

2022-2027 Strategic Plan
 Goal 3 - City Investment in Today and Tomorrow
 Objective 3.4 - To revitalize neighborhoods with effective code enforcement and violation abatement.
 Goal 4 - The City of Fayetteville will be highly desirable place to live, work and recreate.
 Objective 4.5 - To ensure a place for people to live in great neighborhoods

Executive Summary:

City Council directed staff to conduct a review of the city code as it relates to the acceptable number of vehicles in front yards of residential communities. Staff has included information on ten peer cities in this report.

Background:

In a May 24, 2022 meeting requested by Council Member Haire, the Council Member met with two Development Services staff members and briefly discussed concerns brought to him over the excessive number of vehicles parked in the front yards of some residences. The Council Member expressed his intent to present a request to the City Council for staff to research the issue. In the June 6, 2022 City Council work session, the request was made and staff was directed to research peer city ordinances as they pertain to parking of vehicles in residential front yards. This meets that directive and is designed for presentation if requested.

Issues/Analysis:

Code Enforcement requested information from several peer cities/counties. Of the requests, the following seven responded.

- Charlotte
- Cumberland County
- Greenville
- Highpoint
- Hope Mills
- Raleigh
- Wilmington

The following cities ordinances were researched from published code due to lack of response from their staff.

- Durham
- Greensboro
- Winston-Salem.

Consensus

Six of the ten cities or county require parking of vehicles on improved surfaces with most of those only having this limitation in the front yard.

Most specify limitations only to “vehicles” and do not list campers, recreational vehicles, boats or other trailer types. Some cities may define motor vehicles as any vehicle that is self-propelled or intended to be towed on a public road.

Winston-Salem only applies the code if the neighborhood has been declared a “No Parking On The Lawn” area. This status requires approval by 60% of the property owners and the petition to be approved by the City Council.

Charlotte has the most aggressive enforcement with \$25 “tickets” issued by Code Enforcement after an initial warning. On the fourth offense by the same vehicle, the Police have authority to tow the vehicle.

Only one city had a specified limit of vehicles parked outside on single family residential and that was

only a special overlay in Wilmington in and around the UNC-W campus. This limit is based on the number of vehicles registered to that address plus two. The intent was to prevent residential properties from being used as parking lots for commuting students.

When asked if there were specific limits to number of vehicles in the front, corner side, side or rear yards most responses were none. Some cities limit the surface area used for parking in the front yard.

Finally, most cities permitted vehicles to be parked outside without current registration displayed as long as they did not meet the standards for Junk, Nuisance or Abandoned vehicles. Two cities capped the number at only one unlicensed vehicle and one city permits one vehicle that is not operational to be parked in the rear yard

Budget Impact:

There is no budget impact by this report.

Options:

The City Council Directive was to research and bring back the findings to the Council. No options have been developed at this time pending further direction from the Council.

Recommended Action:

None at this time.

Attachments:

- Peer City Comparison Chart
- Current City Code - Parking Standards for Residential Development
- Council Request from the June 6, 2022 meeting