

TOWN OF WINDSOR

Town Elected Officials
 Carita J. Richardson, Mayor
 Wesley F. Garris-Vice Mayor
 J. Clinton Bryant
 Durwood V. Scott
 Greg Willis
 N. Macon Edwards, III
 Patty Fleming



Established 1902

Town Manager
 Michael R. Stallings, Jr.

Town Clerk/Treasurer
 Robin L. Hewett

Town Attorney
 Wallace W. Brittle, Jr.

June 4, 2013

Memorandum

To: Honorable Mayor Carita J. Richardson and Town Council
 Michael R. Stallings, Town Manager

From: Dennis W. Carney, Planning and Zoning Administrator

Subject: Outdoor Storage and Residential Parking Amendments to the Current and Pending Land Development Ordinance

Issue: Last November and December, Staff was involved with a violation in a residential neighborhood where large vehicles were parked in the front yard setback. Staff took this to Town Council at their December meeting and the matter was referred to the Planning Commission for their review. These amendments are the culmination of their efforts.

The Planning Commission after several lengthy discussions came to various conclusions and set the required public hearings to put into place those conclusions. Within these amendments, automobiles, RV's, boats, and other vehicles must be in separate sections from the storage of appliances, furniture or building materials. Outdoor storage of appliances, furniture or building materials (without ongoing active construction) shall be prohibited in a separate section. Commercial vehicles of over 1.5 tons including the trailers of tractor/trailer trucks shall not be "permanently parked" outside (except for delivery and short-term construction) on the premises of an R-1 and R-2 Residential District property (was in the initial recommendation but has now been removed from consideration). Cars and trucks may be parked in the customary driveway as described in the proposed Ordinance. All other vehicles (including RV's and boats) in a residential district shall not be parked in front of the primary residence (regardless of the setback). A liberalization was permitted to allow all non-commercial vehicles to be parked in the side and rear setback areas including RV's, boats and private utility trailers.

The Planning Commission recognized that these Ordinance amendments will not solve all neighborhood parking problems that may come up in the future. It was felt that they resolve most if not all of the existing concerns and resolve some very innocent and non-troubling situations that are prevalent in the community. The Ordinance gives adequate direction for the Zoning Administrator to perform the duties to correct true nagging

residential parking abuses and permits toleration of "one-time" or short-term parking arrangements due to family social activities.

May Town Council Action: At the May meeting, Town Council did not feel that the prohibition on commercial vehicles in the residential districts was an appropriate measure for the Town. The measures prohibiting commercial vehicles of over 1.5 tons were removed from the proposed ordinance. Authorization to advertise the amendments with these changes (please see attached) was given and has been duly made.

Planning Commission Recommendation: The Planning Commission which had recommended the overall measure in April has reiterated their support of the remaining measures on storage and parking at their May meeting. They have again tabled their decision on the proposed amendments to the pending proposed Land Development Ordinance and are awaiting Town Council action on the storage and parking measures that are the subject of the current public hearing.

Staff Recommendation: Staff recommends that Town Council consider the approval of the proposed present Ordinance amendments as described in the attachment. Any amendments to the pending Land Development Ordinance will mirror Council's actions on the issues of storage and parking and could be made by the Commission and included by the time of the Town Council public hearing on the overall Ordinance which has yet to be set.

Current Ordinance Amendment- Replace current Section 160-28(A)

"Section 160-28. Outdoor Storage

A. Storage. The permanent outdoor storage of appliances, or furniture (except for furniture and appliances such as grills which are designed for outdoor use); is prohibited in all zoning districts. The permanent outdoor storage of building materials, except building materials for use on the premises and stored thereon during the time a valid permit is in effect for construction on the premises; is prohibited except where otherwise permissible in the M-1 Industrial and B-1 Business Districts pursuant to a permitted or conditional use such as a lumber-yard or similar use. "Permanent storage," as used in this section, means the placement and presence of the item(s) for a period of two or more consecutive days.

Add Section 160-41(A) (8)

(8) In the R-1, R-2, R-3, and R-4 Residential Districts, the following shall regulate the parking of various types of vehicles that are outside of garages or carports;

a. Parking for Cars and Trucks in Front of Residences- Cars and trucks shall not be parked in the area between the front of the principal residence and a street or other roadway except in paved driveways or paved parking areas. This precludes such parking in grassed or other unpaved areas in front of the principal residence. In cases where there is not a paved driveway and the driveway is gravel or otherwise configured, the constituted entrance and established pattern of the driveway shall govern the location of the driveway and permissible parking. The incidental parking that sometimes occurs due to social or other related short-term or sporadic residential activities, that is not of a regular recurring basis shall not be considered as being in violation of this ordinance section.

b. Recreational Vehicle and Boat Parking- Recreational vehicles such as campers, camping trailers, boats and similar vehicles shall not be parked in the area between the front of the principal residence and a street or other roadway. Such vehicles when applicable shall be parked in the rear-yard or side-yard areas. Such vehicles shall be prohibited from occupancy. Any such vehicle shall be properly licensed and shall be prohibited from being used as an auxiliary structure. The incidental parking that sometimes occurs due to social or other related short-term or sporadic residential activities, that is not of a regular recurring basis shall not be considered as being in violation of this ordinance section.

c. Parking of Automobiles and Certain Other Vehicles in Side-Yards and the Rear-yard- Properly licensed and inspected automobiles (cars and trucks) and utility trailers may be parked in side-yards and rear-yards.