

Planning Department Memorandum
07-16

DATE: June 29, 2007

TO: George A. Wood, City Manager

FROM: James P. Shaw, AICP, Planning Director

SUBJECT: Modification of front yard parking ordinance

Attached for your review is a revised ordinance amendment addressing front yard parking. As a result of the public hearing on the previous amendment staff was asked to prepare, the Mayor and City Council asked the staff to address the following issues:

1. The ordinance should not apply to the smaller single-family lots.
2. Paving should not be required.
3. There should be an area designated for parking and it should exclude the area between the house and the front property line.
4. Landlords should be required to provide adequate parking for their tenants, whatever the number may be.
5. Vehicles should be parked in an orderly fashion.

I believe this amendment addresses the issues that were raised along with those raised during the Mayor and Council's initial discussion of the parking problem. The main points of the revised amendment are:

1. It only applies to R-15, R-20, R-30, and R-40 zoning districts.
2. Parking is prohibited between the house and front property line unless the vehicles are on a paved surface. Parking is allowed anywhere to the side or rear of the house without paving.
3. Vehicles and other items must be parked in an orderly fashion.
4. The owner of the property must provide an adequate area on the property that meets the ordinance provisions for parking vehicles. As written, this applies to property owners and does not distinguish between owner-occupied and renter-occupied houses. Both are treated the same.
5. The planning director is given the authority to waive the requirements of the ordinance if warranted by a hardship due to health of the occupant or physical constraints of the property.

You had previously mentioned placing this on the agenda as a discussion item prior to holding a public hearing. I ask that you do so when you feel it is appropriate.

ORDINANCE #2007-3
AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE
REGARDING THE ZONING ORDINANCE

WHEREAS, the City has previously adopted an ordinance regulating the use of land commonly known as the Zoning Ordinance; and

WHEREAS, the current Zoning Ordinance has limited requirements for the location and construction of parking areas for single-family and two-family residential structures; and

WHEREAS, the parking of vehicles on unimproved surfaces in front of single-family and two-family residential structures can cause damage to landscaped yards, create sedimentation problems due to storm water runoff, cause an unkempt and disorderly appearance, and decrease property values; and

WHEREAS, the City Manager and City Attorney have proposed an amendment to the Zoning Ordinance that would regulate the location and use of parking areas for single-family and two-family dwellings in certain zoning districts;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled as follows:

Section 1. Appendix A of the Statesboro Municipal Code is hereby amended by adding a new Section 1605 with the following language:

“Section 1605. Requirements for single-family and two-family residential parking.

For single-family and two-family dwellings within the R-15, R-20, R-30, and R-40 zoning districts, the following restrictions shall apply:

- A. It shall be unlawful for any person to park, place, or allow the parking or placement of an automobile, truck, trailer, motorcycle, all-terrain vehicle, recreational vehicle, boat, or similar item on an unimproved surface within the area between any outside wall of a house and a property line which is also a public right of way boundary. If the property abuts more than one public right of way, this prohibition shall apply to the area between any outside wall of the house and any property line that is also a public right of way boundary.
- B. Vehicles and other items as described above may be parked or placed on an unimproved surface only if located on a part of the property that is not between the house and a property line that is

also a public right of way boundary and only if parked or placed in an orderly fashion.

- C. The owner of the property must provide an adequate area meeting the provisions above for all vehicles and/or other items used or owned by residents or visitors of the property.
- D. The Planning Director for the City shall have the authority to waive, in whole or in part, the provisions of subsections A, B, and C above in the event of a hardship related to physical constraints of the property or health of a resident of the property. The property owner shall be required to provide proof of a hardship sufficient to warrant a waiver.
- E. All vehicles and other items referenced in section 1605.A shall have valid and current license and/or registration as required by the State of Georgia and shall be legally and safely operable as originally designed.

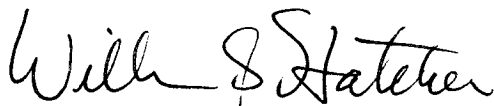
In the event of a conflict between the requirements of this section and any other access control and driveway standards and specifications in use by the City of Statesboro, the most restrictive specifications and requirements shall take precedence.”

Section 2. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

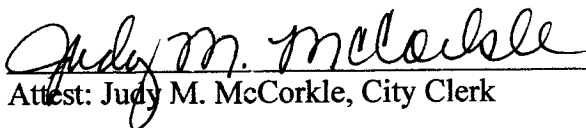
Section 3. This Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

First Reading: August 7, 2007
Second Reading: August 21, 2007

MAYOR AND CITY COUNCIL OF STATESBORO, GEORGIA



By: William S. Hatcher, Mayor



Attest: Judy M. McCorkle, City Clerk