

# Parking Regulation for neighborhoods

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# Parking Ordinance Article XXI, Section 175-111

- Most of the parking ordinances were recently moved from ARTICLE XXI to Planning Board - Site Plan Review.
- Unfortunately during that move, a number of regulations that applied to single-family and duplex dwellings were lost from ARTICLE XXI.
- Since single-family and duplex structures do not require site plan review, our goal is to replace lost regulation using lessons learned from recent parking enforcement efforts.

## ARTICLE XXI OFF-STREET PARKING

### 175-110. *Applicability.*

This article applies to single-family dwellings, duplex/two-family dwellings, other sites and conditions that are not subject to site plan review, and exemptions in the Central Business District (See special provision below).

### 175-111. *General Requirements.*

- A. *Storage.* The parking or storage of any truck or truck trailer in excess of one (1) ton for more than twenty-four (24) hours in any three-day period shall not be allowed in the front or side yard setback.
- B. *Design Requirements*
  1. All parking areas and driveways shall have, at a minimum:
    - a. A smoothly graded stabilized dust-free gravel surface.
    - b. Adequate drainage to minimize runoff from flowing onto adjacent property, sidewalks and public roads. The infiltration of stormwater on site is strongly encouraged.
  2. Parking serving single-family and duplex units will be permitted in the front yard setback for up to three (3) vehicles per household.

# What are we regulating now with the current (reduced) zoning language?

- Parking shall be on solid surfaces.
  - Regulating the parking surface is to manage the drainage on parcels, and to control the dirt and mud that may be tracked into the public roadway.
- Parking for no more than three vehicles within the front setback.
  - Regulating the number of vehicles in the front setback is for the purpose of managing the density of the streetscape.
- All parking on a parcel must be for the accessory use only.
  - Leasing/renting or allowing parking for off-site activities not related to typical single family/duplex property activities is not presently allowed, and will continue to be in violation of the ordinances.

# What are we proposing to regulating?

## ➤ Parking spaces created on the parcel.

- Maximum of three parking spaces between the house and the street. Additional spaces by Special Exception based on physical restrictions of the parcel.
- Maintain the maximum three cars parked within the front setback regulation, if desired.
- Presently we have no regulations for parking to the side or rear of a parcel. A parking lot may be created for the entire parcel as long as the building setback to property lines is met. We propose allowing for additional side and rear parking areas by Special Exception only, to restrict the potential of maximizing rear and side parking areas.
- Special Exception criteria can be valuable in allowing for flexibility. Specific criteria related to the parking goals should be added in addition the three general SE criteria.

## ➤ Delineate parking spaces, particularly on approved gravel expansions.

## ➤ Motor vehicles - Scooters and Motorcycles.

- A recent ZBA appeal has verified that the CEO shall consider scooters as motor vehicles. Scooters shall be parked on approved surfaces and may be reasonably considered as using a parking space at 4 scooters per parking space. Motorcycles may be reasonably considered as using one parking space for two motorcycles.

## ➤ Parking for personal property ?

- Season motor vehicles such as boats, RVs, and trailers.

# Parking for three vehicles in front setback.

Narrow at the public right-of-way but widened to allow for three parking spaces within the front setback.



Parking spaces created on entire parcel.



# What is the best way to allow additional parking on these properties within the front setback ?

With Special Exception, specific criteria for creating parking spaces within the front setback, or to the sides or rear of the parcel, should be specific but allow for the best available alternative.



# Delineated Parking Spaces

Lack of parking space delineation



Delineated gravel parking area. Edging the permitted parking space location with cobblestone, curbing, rocks or inset landscape timbers keeps gravel in its place.





# Motor Vehicles - Scooters & Motorcycles



# Parking for personal property ?



# What is the correlation between cars and over-occupancy?

- The limit of occupancy to “three unrelated” was instituted to reduce the likelihood of noise, trash, and party behavior that are inconsistent with Durham's neighborhoods.
- The regulation of three vehicles in the front setback has a minor impact on the regulation of unrelated households. In some cases, notifying the property owner of a violation of the “max of three” has been appreciated, as many landlords may not aware of the number or intensity of visitors regularly on their property.
- The correlation between the number of cars seen on a parcel, and overoccupancy is tenuous at best. Potential over-occupancy by an unrelated household is investigated by consistent monitoring of all vehicles on a parcel, in combination with other factors. Whether they are parked in the front setback or on other portions of the parcel, it is the specific vehicles and dates seen that are of import.

# What does cooperative compliance look like?

Initially this address appeared to be a possible over-occupied unrelated household.

The property had seven vehicles, including two disabled vehicles.

Multiple notices were sent over a four month enforcement action.



# What does cooperative compliance look like?

The end result is a related household, parking multiple functioning vehicles behind the 30-foot setback on approved surfaces.



# Questions

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