Not In Our City

Not in our City Parking Ordinances Adopted by Oak Ridge City Council

City Code Amendments – Adopted March 26, 2012 and April 9, 2012

Zoning Ordinance Amendments – Adopted March 26, 2012

Overview

- Amendments to the Code of Ordinances (City Code)
  - On-Street Parking Amendments – Recreational Vehicles and Utility Trailers
  - On-Street Parking Amendments – Clarification of Various Provisions
- Amendments to the Zoning Ordinance
  - Off-Street Residential Parking Amendments

Amendments to City Code

Overview

- Prohibits recreational vehicles and utility trailers from permanently parking in on-street parking spaces
- Provides exceptions for on-street parking of recreational vehicles and utility trailers for specified temporary purposes
- Provides clarifications to existing on-street parking requirements
- Adds additional “prohibited parking places” to the on-street parking provisions

Amendments to City Code

On-Street Parking for Recreational Vehicles and Utility Trailers – New Definitions – City Code § 15-101

New Definitions:

- Recreational vehicles: Any vehicular-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal watercraft carriers, personal watercraft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles.
- Utility trailers: Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property

Amendments to City Code

On-Street Parking for Recreational Vehicles and Utility Trailers – Limitations – City Code § 15-617

- It is unlawful for any person to park or store any recreational vehicle or utility trailer within marked or unmarked on-street parking on any public street
- It is also unlawful for the registered owner of a recreational vehicle or utility trailer to allow another person to park or store such vehicle or trailer within marked or unmarked on-street parking on any public street

Amendments to City Code

On-Street Parking for Recreational Vehicles and Utility Trailers – Limitations – City Code § 15-617

Exception:

- Notwithstanding any provisions to the contrary, an operational recreational vehicle or utility trailer may be temporarily legally parked or stored within marked or unmarked on-street parking on any public street for a period not to exceed seven (7) consecutive days for the purpose of loading, unloading, trip preparation, or minor, routine maintenance and repair. However, vehicles temporarily parked in accordance with this section may not be relocated to another on-street location after the expiration of the allowed temporary parking period, and at no time shall any un-mounted camper enclosure, personal watercraft carrier, or boat not mounted on a utility trailer be parked or stored within any designated on-street parking space.

Amendments to City Code

On-Street Parking – Grandfathering, Grace Period, Effective Date

- There are no “grandfathered” rights associated with this ordinance
- There is a thirty(30) day grace period from the effective date of the ordinance to allow City Staff time to educate the public on the requirements of the ordinance
- This City Code amendment became effective on April 5, 2012 (Ordinance 01-2012)

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-601

City Code § 15-601, Equal Rights to Parking Spaces, was amended to reflect the changes made by a prior City Code amendment (City Code § 15-617) which prohibits parking recreational vehicles and utility trailers in marked and unmarked parking spaces except for specified temporary uses.

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-603

Prohibited Places

In addition to the prohibited places already set forth in City Code § 15-603, the following places were added:

- Pedestrian walking areas
- On or over the curb of any public street
- Outside of any marked parking lines on any public street. This does not preclude the ability to park in unmarked parking spaces provided such parking is allowed, however, it does require a vehicle parked in marked on-street parking to be contained entirely within the marked space (white lines and curbing)

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-603

Prohibited Places

- The requirements apply to the **entire portion of the vehicle**, including but not limited to side mirrors and tailgates, and to any items placed on said vehicle that are not completely contained within said vehicle, including but not limited to protruding lumber or other materials.

- If any portion of the vehicle or any items placed on said vehicle are within any of the prohibited parking areas set forth in the City Code, the vehicle is parked unlawfully. For example, if a vehicle's side mirrors overhang onto the sidewalk or if materials protrude from the vehicle and overhand the marked parking lines, the vehicle is parked unlawfully.

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-605

Method of Parking

- Every vehicle parked or standing unattended upon any street, road, avenue or other public way within the city shall be so parked or stopped in the <u>direction of the flow of traffic</u>

- Every vehicle parked or standing unattended upon any two-way street, road, avenue or other public way within the city shall also be so parked or stopped with the right hand wheels parallel to and within twelve (12) inches street side of the right hand curb or edge of the roadway

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-605

Method of Parking

- Every vehicle parked or standing unattended upon any one-way street, road, avenue or other public way within the city shall also be so parked or stopped with its right hand wheels parallel to and within twelve (12) inches street side of the right hand curb or edge of the roadway, or its left hand wheels parallel to and within twelve (12) inches street side of the left hand curb or edge of the roadway, whichever is applicable

Amendments to City Code

On-Street Parking– Clarifications– City Code § 15-605

Method of Parking

- Where parking stalls or spaces are marked or designated as such on the curbs or pavement, vehicles shall be parked or stopped only within such designated stalls or spaces with the vehicle headed in the direction of the flow of traffic or an angle indicated by the appropriate markings.

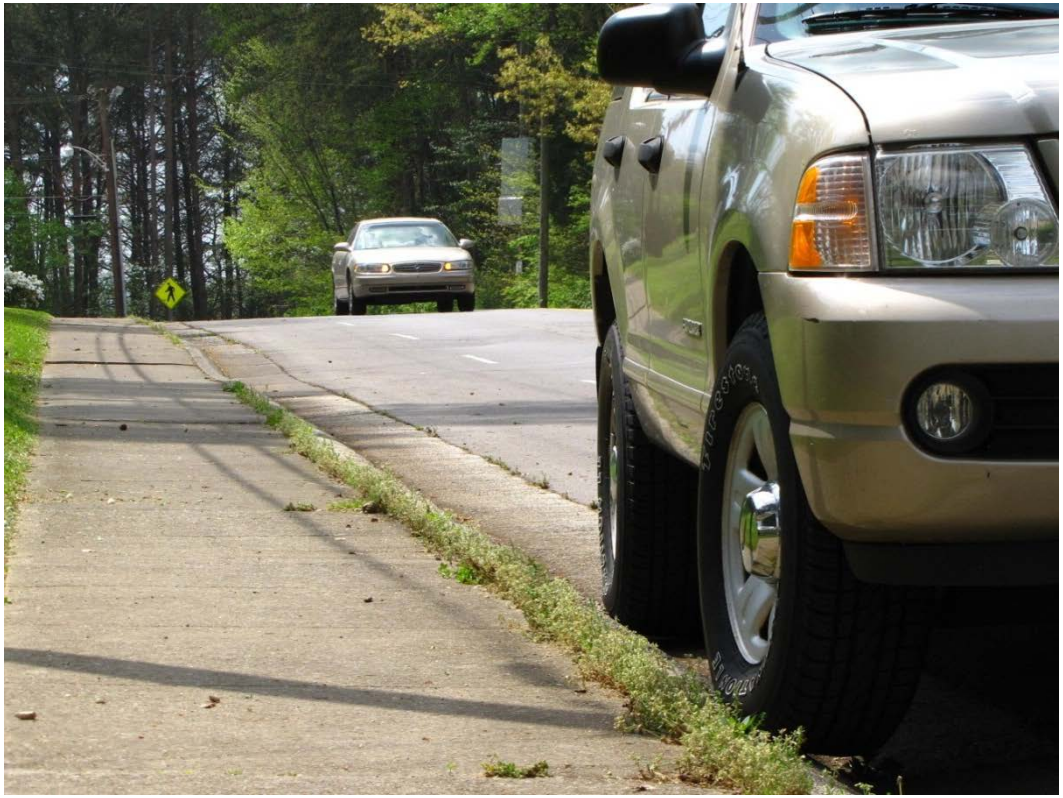
Amendments to City Code

On-Street Parking– Examples of Improper Parking

While the vehicle is not outside the marked lines and is parked in the direction of the flow of traffic, it is **over the curb and parked on the sidewalk**, both of which make it improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking



While the vehicle is not outside the marked lines and is parked in the direction of the flow of traffic, it is **on the curb** which makes It improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking

While the vehicle is not on or over the curb and is parked in the direction of the flow of traffic, it is **outside the marked parking space (over the white lines),** which makes it improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking

While the vehicle itself is within the marked parking spaced (white lines and curbing) and is parked in the direction of the flow of traffic, **the ladder overhangs the marked parking space** (white lines) which makes it improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking

While the right-hand wheels of the vehicles are parallel and within 12 inches street side of the right hand curb or edge of roadway, and are parked in the direction of the flow of traffic, the vehicles do <u>not</u> allow at least 18 feet of unobstructed width of the street opposite the vehicle for the free passage of other vehicles which makes the vehicles improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking

While the vehicle is within the marked parking space (white lines and curbing), it is **parked against the flow of traffic**, which makes it improperly parked.

Amendments to City Code

On-Street Parking– Examples of Improper Parking

The entire portion of the vehicle is parked within the marked lines. It is off of the curb and completely within the white marked parking space. It is also parked in the direction of the flow of traffic

Amendments to City Code

On-Street Parking– Examples of Improper Parking

The right-hand wheels of the vehicle are parallel and within 12 inches street side of the right hand curb or edge of roadway, parked in the direction of the flow of traffic, and allows at least 18 feet of unobstructed width of the street opposite the vehicle for the free passage of other vehicles.

Amendments to City Code

On-Street Parking – No Grace Period, Effective Date

- There no grace period from the effective date of this ordinance
- Enforcement will begin on June 18, 2012

Amendments to the Zoning Ordinance

Overview

- Addresses “approved parking surfaces” for residential areas
- Requires “curb cuts” for approved parking surfaces
- Addresses siltation and erosion control measures
- Sets forth provisions, restrictions, and exceptions for off-street parking in front, side and rear yards
- Specifies that vehicles parked or stored in a residential district are not permitted to be occupied for permanent living purposes
- Clarifies that provisions do not permit the parking of junked vehicles as regulated by City Code.

Zoning Ordinance

Residential Off-Street Parking – Generally – Zoning Ordinance § 11.02(d)

- Shall consist of a parking strip, driveway, garage, stall or combination thereof (collectively referred to as “approved parking surface”)
- All approved parking surfaces shall be located on the lot it is intended to serve with vehicular access from each approved parking surface to the public street via a curb cut
- All curb cuts must be approved and permitted by the City of Oak Ridge Public Works Department (see City Code §16-102)
- All approved parking surfaces and accesses to the public street shall meet the requirements of Article XI of the Zoning Ordinance

Zoning Ordinance

Residential Off-Street Parking – Generally – Zoning Ordinance § 11.02(d)

- The portion of the vehicular access to the public street (approved parking surface such as driveway, parking strip, etc.) that is located on the street right-of-way shall have a hard paved surface meeting the requirements of the City Public Works Department

- Based on the topography and to prevent siltation from erosion into the street, the City <u>may</u> require paving the approved parking surface up to an additional ten (10) feet from the street right-of-way line (property line) into the lot

- The City Manager or the City Manager's designee has the authority to review cases for possible changes to these requirements where enforcement will cause an undue hardship to the owner of the property

Zoning Ordinance

Residential Off-Street Parking – Generally – Zoning Ordinance § 11.02(d)

- For single-family detached dwellings and duplexes, the approved parking surface shall be a hard surface comprised of either gravel, asphalt, concrete, pavers, or some combination thereof.
- For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings, all approved parking surfaces shall be <u>paved</u>
- Under no circumstances may a vehicle parked or stored in a residential district be occupied for permanent living purposes
- These provisions are not intended to and shall not be used to permit the parking of junked vehicles as regulated by City Code Title 13, Property Maintenance Regulations, Chapter 2, Oak Ridge Property Maintenance Code and Chapter 3, Junked Vehicles

Zoning Ordinance

Residential Off-Street Parking – New Definitions – Zoning Ordinance § 11.02(e)

New Definitions:

- Recreational vehicles: Any vehicular-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal watercraft carriers, personal watercraft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles.
- Utility trailers: Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property

Zoning Ordinance

Residential Off-Street Parking – Front Yard – Zoning Ordinance § 11.02(e)

Parking in Front Yard

- It is unlawful for any person to park or store any vehicle or trailer, including but not limited to recreational vehicles and utility trailers, within the front yard in any residential district unless such vehicle is parked on an approved parking surface
- It is also unlawful for the registered owner of any such vehicle or trailer to allow another person to park or store a vehicle or trailer within the front yard in any residential district unless such vehicle is parked on an approved parking surface
- No more than fifty percent (50%) of the required front yard shall be utilized for an approved parking space

Zoning Ordinance

Residential Off-Street Parking – Front Yard – Zoning Ordinance § 11.02(e)

Parking in Front Yard – Exceptions (parking off of an approved parking surface):

- Temporary loading or unloading
- When construction, remodeling, maintenance, or repairs are being performed on the property, provided a Temporary Use Permit is obtained and all applicable requirements of Zoning Ordinance Section 3.18(h) are met prior to the issuance of the Temporary Use Permit
- Parking for isolated, non-recurring gatherings or parties or for visitors. This exception is not intended and shall not be used to provide permanent or semi-permanent parking for extra vehicles.

Zoning Ordinance

Residential Off-Street Parking – Side & Rear Yard – Zoning Ordinance § 11.02(e)

Parking in Side and Rear Yard

- For single-family detached dwellings and duplexes: residential off-street parking is permitted outside of an approved parking surface <u>only</u> in the side and rear yard provided side and rear yard setbacks are met and remain clear of all vehicles

- For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings: <u>all</u> off-street parking shall be on a <u>paved</u> approved parking surface

- Again, these provisions are not intended to and shall not be used to permit the parking of junked vehicles as regulated by City Code Title 13, Property Maintenance Regulations, Chapter 2, Oak Ridge Property Maintenance Code, and Chapter 3, Junked Vehicles

Zoning Ordinance

Residential Off-Street Parking – Grandfathering, Grace Period, Effective Date

- There are no “grandfathered” rights associated with this ordinance
- There is a ninety (90) day grace period from the effective date of the ordinance to allow City Staff time to educate the public on the requirements of the ordinance
- The Zoning Ordinance amendments became effective on April 5, 2012. (Ordinance 02-2012)

For more information about the Not in our City parking ordinances please visit the City's website at:
http://www.oakridgetenn.org/content/RESIDENTS/Not-in-Our-City

or

Contact the Police Department for on-street parking information (City Code) at 865-425-3504

Contact the Community Development Department for off-street parking information (Zoning Ordinance) at 865-425-3587