



**TO: City Council**

**FROM: Brennen Duncan, City Engineer**

**DATE: November 22, 2024**

**SUBJECT: Parking Code Change**

On Monday November 18<sup>th</sup> the first reading for a parking code change came before you. Upon completion of that city council meeting, I felt the need to further explain the purpose of the code change as well as lay out staff's priorities with regards to the changes being proposed.

As City Council, I would like to request that you consider three questions, "what is the purpose of on-street parking", "are we going to continue to act like a small town or begin to act like a denser city", and "should the city street be used as storage for personal property?" These are not a black and white questions, but I do think they frame the argument for what staff is requesting with this code change. Ultimately, City Council will be deciding what uses should be allowed and what will not.

In my nearly a decade of working with the city, staff has received numerous complaints surrounding this topic of parking. Most of these complaints come from areas of the city where parking is very tight. There are either more homes per block then there are parking spaces, or at times, residents have 5-6 vehicles per residence that reduces the available parking. Some residents feel that they literally own the parking spot directly in front of their house and no one should have the right to park there except them. Staff receives complaints about covered vehicles that they feel have been abandoned, but as has been laid out, there are constitutional questions surrounding determining whether that is the case. Staff receives regular complaints about repair shops using the street parking as their own parking lot, shuttling vehicles between their workshop and the road frequently. Boats, RVs and trailers are another frequent complaint as they take up valuable parking spaces in some of those tight neighborhoods, or in some cases, owners will go to park them on a different street then they live on as to not irritate their immediate neighbors while infuriating other residents in the city that the parking on their street is now being taken by a stagnant use. Historically, staff has had no recourse to address these citizen complaints. If a vehicle was either covered, or had current plate and inspection, it was legal to park on the street.

With this code change, staff is looking for a way to deal with complaints. We are not anticipating this will become a regular point of emphasis for CPD to go out looking for violations, but rather a mechanism in which staff can address these complaints when they arise. Council was correct to point out that many portions of the city do not have parking issues and a RV, trailer or tarped vehicle have little impact on the surrounding residents. There are, however, many streets in the city where even losing a single parking space on a street might mean that residents must park and walk many blocks. I've received countless stories from residents that they're reluctant to even go to the store because by the time they return, their parking space will have been taken and they'll have to carry groceries blocks to their house.

In my opening I asked you to consider the question of whether Charlottesville will continue to operate as a town or continue its transition toward being a city. This last year council passed the new zoning code which will begin pushing us

toward denser development. Staff has already begun to see applications for lots that will add anywhere from 3-8 units on a given parcel. There are a lot of streets that do not have parking issues today, but it will only take 1-2 of these lots on a block to develop to quickly create a localized parking problem. The zoning code removed the parking requirements for developments which makes those on-street parking spaces even more valuable for those residents who do still rely on their vehicle to get around town, go to work, go shopping, etc.

Staff recognizes that council may not adopt this ordinance as written, so I would like to lay out the priority items and the reasoning behind them:

1. Semi-trucks/bus/15 passenger vans/vehicles with more than 2 wheels per axle - All these uses were already prohibited by the existing code section. The only change that was made was to exempt School busses and school vans from this section.
2. Tarped vehicles - Tarped vehicles have been a longstanding problem within the city. We have ordinances around inoperable/unregistered/no license plate/etc... but our attorneys have said that police cannot lift a tarp off a car to determine if any of those conditions apply as an illegal search. We also have a limit to how many tarped vehicles you can have on your own property, but not in the street which allows some citizens to have 3 or more cars tarped on the street in front of their residence (or maybe not even in front of their residence but rather a neighbor).
3. Service repairs - staff receives regular complaints from citizens about a handful of car repair businesses filling up parking with vehicles that are waiting to be worked on. There may be a small outcry from those few businesses but should have widespread support from the public.
4. Farm Use - We are an urban environment and the state rules around Farm Use plates already would prohibit their use in the city. The code section doesn't go so far as to say they can't drive in the city, just that you cannot park them in the city overnight.
5. Antique plates - The addition of this item stems from two main issues. 1) Antique vehicles per state code § 46.2-730. *License plates for antique motor vehicles and antique trailers "...shall not be used for general transportation purposes, including, but not limited to, daily travel to and from the owner's place of employment..."* There are other restrictions explicitly laid out in the code section if council wishes to take a closer look. It is therefore staff's opinion that they are inherently a recreational vehicle or hobby and should therefore not be taking up public parking that we want to utilize for the active turnover of vehicles. 2) Antique vehicles do not have to go through an annualized registration or tagging process so determining if we have inoperable vehicles just being left in the roadway can be extremely difficult.

Subsequently, the state code requires that someone have a primary vehicle that does not have an antique license plate. If residents do prefer to drive their antique vehicles as their everyday driver, they can receive a regular license plate and go through inspections like all the other vehicles that drive on our streets.

There will likely be a public outcry for this item as many people currently abuse the system and regularly drive antique vehicles as their primary car. This code change will not outright restrict people from doing so but will at least say that if you're going to do it, you at least have to park the car on your own property which will eliminate the second case of abandoned/inoperable vehicles left on the street with the antique tag.

6. Boats/RVs - Boats and RVs are not a necessary transportation need within the city, so currently we are subsidizing hobbies at the expense of our overall parking needs.
7. Trailers - Staff anticipates comments regarding trailers and their use with small businesses. As an example, someone may have a landscaping business that they run and don't have a building they can store their equipment at, so it just stays on their trailer in front of their residence. We also have many residents that just store a trailer for personal use in-front of their home in case they need it.

If council wishes to keep this in the code while lessening the potential impact to small businesses, you could propose the language be changed to "trailers that are not attached to a vehicle". This would allow trailers that

are used daily for work purposes to remain attached to the main vehicle but would not allow the storage of a trailer by itself.

I hope that all of this background information assists council as they consider these parking changes set forth in the code change.

Respectfully,

A handwritten signature in black ink, appearing to read 'Brennen Duncan', written over a light blue rectangular background.

Brennen Duncan, City Engineer

**cc:** Steven Hicks, Public Works Director  
Samuel Sanders, City Manager  
James Freas, Deputy City Manager