



# City of Asheville, NC

Planning and Development

**From:** Stuart Rohrbaugh

Friday, September 08, 2006 12:55 PM

**To:** Shannon Tuch

**Cc:** Christine Logan; Jerry Reese; Charleen Hall; Gary McDaniels; Scott Shuford; Kim Hamel; Sharon Allen; Christy Edwards; Mike Wheeler

**Subject:** parking vs. parking lot in required setbacks

Shannon:

After our meeting discussion this morning, I did a quick look and discovered a number of inconsistencies within current code and what maybe serious errors by myself in the way I have been reviewing Zoning Permits for the last two years relating to parking vs. parking lots.

I remember I saw these inconsistencies my first week on the job. I went to Sharon, who shared the "red interpretation book" with me. We found a memo that read with something like four or more spaces was considered a parking lot, and for single family development / district purposes, no "parking lots" were permitted in the front yard. So... as long as no more than three spaces are proposed in a front yard, I have been chugging away approving permits with various parking arrangements. It may do us well to get a look at the exact language in that interpretation memo and learn if it needs to be revised and if I need to change the way I have been approving parking spaces in the front yard.

A quick UDO search in various districts we find the following development standards language in all of the RS districts:

*No parking lots shall be permitted within any required setback.*

and in most of the RM districts ...

*No parking shall be permitted in any required setback.*

I have **NOT** been enacting the *No parking shall be permitted in any required setback* for new homes / or expansions / additions of homes in the RM-8 and RM-16 district [REF: Sec. 7-8-6 (f) (9) & Sec. 7-8-7 (f) (9)].

**Question: Should I make an immediate change?** The impact could be huge. I predict I see as many as 50 new homes / or additions to homes per year in the RM-8 & RM-16 districts that have parking in one of the required setbacks. We would also need to advise folks at the time of subdivision review to take into consideration in their layout design, that the lot sizes will have to accommodate enough land area to meet this standard. There are dozens of lots created / recombined each month in the RM-8 or RM-16 areas that are 5-6K in size that likely will not meet this standard (unless they build a multi-level building with a garage). Maybe it is best to clean this with the proposed UDO amendments?

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