

Memorandum

Date: January 26, 2015
To: Public Safety Committee
From: Ken Putnam, PE, Transportation Department Director
Re: Complete Streets – City of Asheville Ordinance Revisions

The purpose of this memorandum is to ask the Public Safety Committee (and City Council) to consider certain revisions to existing city ordinances in order to accommodate complete streets principles and/or guidelines.

City Council approved a complete streets policy on June 26, 2012 via resolution # 12-154. A major purpose of a complete streets policy is to enable staff to consider all modes of transportation when designing and/or reviewing transportation-related projects. Staff would like to revise certain existing city ordinances to allow reverse angle parking and to prohibit parking in designated bicycle lanes.

Reverse angle parking (or back-in parking) is a new parking style that enables drivers to back into a parking space so that the front of the vehicle is facing the street. Benefits of reverse angle parking include improved driver visibility, easier loading and unloading, improved accessibility, and traffic calming. Ordinances # 19-144 and 19-164 need to be revised to accommodate reverse angle parking (see attachment 1). Assuming the revisions are made, staff would review future requests on a case-by-case basis to be sure that the most effective treatment is used.

During the past several years, the city has been successful in installing designated bicycle lanes along several streets. An unintended consequence has occurred in certain areas where vehicles continuously park in the bicycle lane. Ordinance # 19-137 needs to be revised to prohibit parking in a designated bicycle lane (see attachment 2). The Legal Department is currently researching state law to be sure that the city is able to move forward.

The Multi-Modal Transportation Commission will review and consider the subject item(s) on January 28, 2015.

Staff recommends that the Public Safety Committee endorse certain revisions to existing city ordinances in order to accommodate complete streets principles and/or guidelines and moving them forward to City Council for review and consideration.

Please let me know if additional information is needed.

KJP/

Attachments

- **Sec. 19-144. - Method of parking.**

Except when necessary in obedience to traffic regulation or traffic signal or the direction of a traffic officer, it shall be unlawful for the driver of a vehicle to park such vehicle in a highway, street or roadway other than parallel with the edge of the roadway, street or highway, headed in the direction of traffic, and with the curbside wheels of the vehicle within 12 inches of the edge of the road or curb, except that:

- (1) Upon such streets, highways or roadways as may have been marked or signed for angle parking **including reverse angle parking**; vehicles shall be parked at the angle of the curb indicated by such marks or signs.
- (2) In places where and at hours when stopping for loading or unloading of merchandise or material is permitted, vehicles used for the transportation of merchandise or material may back to the curb for the purpose of discharging or taking on loads to remain for a period of not more than 30 minutes, except as provided in [section 19-145](#)

(Code 1965, § 28-102)

- **Sec. 19-164. - Marking of metered spaces; method of parking in spaces.**

- (a) The traffic engineer or such officers or persons as he may select shall place lines or marks on the curb and on the street about, alongside or in front of each parking meter to designate the parking space for which the meter is to be used. No vehicle shall be parked across any such line or mark or in any such way that the vehicle shall not be within the area so designated by such lines or markings.
- (b) Any vehicle parking in any parking space laid out at an angle to the curb shall be parked with the front of the vehicle facing the curb **except for reverse angle parking where the back of the vehicle would face the curb**. Any vehicle parking in any space laid out parallel with the curb shall be parked facing the same direction of travel as the adjacent travel lane. Such vehicle shall also be parked within the lines marked on the street for such parking spaces, whether at an angle or parallel with the curb.

(Code 1965, § 28-116; Ord. No. 3030, § 1(a), 6-10-03)

• **Sec. 19-137. - Parking in front of private driveway, fire hydrant, fire station, intersection of curblines or fire lane.**

(a) It shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or with the direction of a police officer or traffic signal:

- (1) Within an intersection;
- (2) On a crosswalk;
- (3) Between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless otherwise indicated by signs or marks;
- (4) Within 25 feet of the driveway or entrance to any fire station;
- (5) Within 15 feet of any fire hydrant;
- (6) In front of any private driveway;
- (7) On any sidewalk;
- (X) Within a designated bicycle lane;**
- (8) On any curb;
- (9) On any median strip;
- (10) On any landscaped or planted area within the right-of-way of any street, highway or roadway;
- (11) Alongside of or opposite any street excavation or obstruction, when such stopping or parking shall obstruct traffic;
- (12) On the roadway side of any vehicle stopped or parked at the edge of a street, highway or roadway, except in such instances as double parking may be allowed by the regulations of this chapter;
- (13) At any place where official traffic signs have been erected prohibiting standing or parking.

(b) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any public vehicular area, street, highway or roadway in any area designated as a fire lane. This subsection includes designated fire lanes in shopping center or mall parking lots and all other public vehicular areas. However, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended. The prima facie rule of evidence created by G.S. 20-162.1 is applicable to prosecutions for violation of this section. The owner of a vehicle parked in violation of this subsection shall be deemed to have appointed any state, county or municipal law enforcement officer as his agent for the purpose of arranging for the transportation and safe storage of such vehicle. No law enforcement officer removing such a vehicle shall be held criminally or civilly liable in any way for any acts or omissions arising out of or caused by carrying out or enforcing any provisions of this subsection, unless the conduct of the officer amounts to wanton misconduct or intentional wrongdoing.

(Code 1965, §§ 28-95, 28-105; Ord. No. 2024, § 1(a), 4-27-93)

State law reference— Similar provisions, G.S. 20-162.