

## **Can I park in front of my house?**

## **Can I park on the street in the Development?**

Plain and simple- absolutely NOT.

The Declaration of Covenants, Conditions and Restrictions (CC&Rs) handed down to us from the developers and recorded in the county records is very specific. Article IV, Section 2, Item G- states **“Only off-street parking of motor vehicles shall be permitted in the Development except that on-street parking shall be permitted for short periods of time for guest of an Owner and for construction and service personnel”**.

The Board of Directors has defined **Short Periods of Time** as a maximum of 8 hours for a guest. **Construction and service personnel** does not refer to your own vehicle which is being used for service or construction or a company vehicle you may be using to get back and forth to your job. **Construction and service personnel means an outside agency coming to your home for a construction project or to service something at your home.**

## **Okay- so where can I park?**

The above article also states **“Garages, if any, shall be used for parking at least one vehicle”**. All the homes in the development were constructed with at least a two car garage and about 50% of the homes were constructed with more than two car garages. You should be able to park at least one vehicle in the garage, leaving room on the two car driveway for two more vehicles. If you can not do this- the garage needs to be cleaned out so that at least one vehicle can be parked inside. Vehicle refers to a car or truck and not ATVs, boats, trailers or motorcycles.

Other options for parking are (1) rear yard- if you have an RV gate or (2) side yard if it is **“dust proofed”**. Per City of Phoenix parking regulations- **“dust proofed”** means a depth of 2”(inches) of crushed rock or gravel no smaller than ¼” and no larger than ¾”. This area must also have a permanent border to delineate the parking and maneuvering area from the remainder of the yard. This permanent border must also contain the gravel. The border can be a berm, landscaping hedges, fencing or similar material. The width of this area plus the width of your driveway can not exceed 35% of the front property line length. If your front property line is 100 feet in length, then the parking and maneuvering **“dust proofed”** area width plus the width of your driveway, can not exceed 35 feet total. Further questions can be answered by the Phoenix Development Services Department at 602-495-0302.

Further clarification is provided by the following municipal code:

Sec. 36-145. Parking on non-dust-free lots.

A. No person shall park, or permit to be parked, any motor vehicle upon any lot or area within the City which is not dust-free. Violation of this section shall constitute a civil traffic violation, and the violator shall be subject to a civil sanction of not less than **one hundred fifty dollars or more than two hundred fifty dollars.**

B. "Dust-free" shall mean that a lot or area is maintained by paving with one of the following methods: asphaltic concrete, cement concrete, penetration treatment of bituminous material and seal coat of bituminous binder and a mineral aggregate, or the equivalent as approved by the Zoning Administrator.

C. An area which encompasses all or part of a residential lot which contains one single-family or duplex residential unit is also dust-free if covered by a smooth layer of crushed rock or gravel maintained to a minimum depth of three inches and contained within a permanent border or an alternative surface treatment as approved by the Development Services Department that will equal or exceed the dust-free characteristic of contained crushed rock or gravel.

D. This section shall not be applicable to vehicles parked in the rear yard of a residential lot which contains one single-family or duplex residential unit.

E. It shall be an affirmative defense to a violation of this section that the condition of the lot was in compliance with a stipulation made by the Zoning Administrator permitting temporary parking for civic events and that the vehicle was parked by or on behalf of an attendee of such an event.

(Ord. No. G-1851, § 2; Ord. No. G-1938, § 2; Ord. No. G-2753, § 3; Ord. No. G-3543, § 1; Ord. No. G-4037, § 2, passed 7-2-1997, eff. 8-1-1997; Ord. No. G-4580, § 8, passed 2-18-2004, eff. 3-19-2004)

**Cross references:** Zoning, ch. 41.

## **I see BIG TRUCKS parked in the neighborhood. Is this okay?**

Plain and simple- Absolutely **NOT**.

Again referring to municipal code: the following two code sections define a truck as over ¾ ton with a box, platform etc. and further define a street to include rights of way. This definition of a street will prevent the parking of a box truck in front of an RV gate or a parking space as defined above.

### **Sec. 36-88.04. Definition; gross weight of trucks and load; curfew.**

(a) **As used in this subsection [section] the term "truck" shall mean any motor vehicle designed or used primarily for the carrying of property other than the effects of the driver or passengers, and includes a motor vehicle to which has been added a box, platform or other equipment for such carrying.**

(b) The axle loads and the gross weight and loads of any truck or truck and load driven upon City streets shall not exceed the loads and weights set forth in A.R.S. §§ 28-1099 and 28-1100, the provisions of which are hereby adopted by this reference as though fully set forth herein word for word.

(c) The prohibitions of subsection (b) shall not apply to trucks operating pursuant to a special permit for the movement of overdimensional vehicles as provided in this division. (Ord. No. G-2130, § 2; Ord. No. G-2644, § 1; Ord. No. G-2743, § 1; Ord. No. G-4043, § 11, passed 10-1-1997, eff. 10-1-1997)

### **Sec. 36-140. Parking trucks and trailers and certain other vehicles on residential streets.**

A. No person shall stand or park a vehicle with a rated chassis capacity **in excess of three-fourths of a ton or any tractor, semi-trailer, tractor-trailer, trailer, or bus on a**

**local, collector, or arterial street in a residential zone except during the process of loading or unloading such vehicle.**

B. As used in this section, the term "*street*" shall mean the entire width between the boundary lines of every right-of-way including the improved or unimproved shoulder or berm thereto.

(Code 1962, § 37-50.09; Ord. No. G-1977, § 1; Ord. No. G-2741, § 1; Ord. No. G-4580, § 7, passed 2-18-2004, eff. 3-19-2004)

**Cross references:** Zoning, ch. 41.

36-140	Tractor, semi-trailer, or bus in excess of three-fourths ton in a residential zone	150.00 Fine
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## **Other Parking Problems**

36-161	Inoperable or unregistered vehicle on residential property	65.00 Fine
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### **THE CODE OF THE CITY OF PHOENIX, ARIZONA**

**Codified through  
Ordinance No. G-5434, adopted Oct. 7, 2009, effective Nov. 6, 2009.  
(Supplement No. 25, Update 1)**

This publication, consisting of Volumes I and II, and a separately bound volume of zoning ordinances, is a republication of the Charter of the City of Phoenix and the Code of the City of Phoenix, 1969. Except as otherwise noted, the original arrangement and the original numbering system have been retained. State law references have been verified and updated. A uniform style of punctuation and capitalization has been employed. Obvious typographical errors and misspellings have been corrected without notation. Figures have been deleted where they are merely a repetition of written words. Words or phrases added to the text by the editor for clarity are enclosed in brackets. None of the revisions are intended to effect a substantive change in the existing law or to alter the sense, meaning or effect of any ordinance.

Source materials for the republication were the City's 1969 Code as updated through Ordinance No. G-4269, adopted May 17, 2000, and subsequent amendments through Ordinance No. G-4328, adopted February 7, 2001. This publication omits all special ordinances, all titles to ordinances, all enacting and repealing clauses, all declarations of emergency, and all purpose, validity and construction clauses unless, from their nature, it may be necessary to retain them to preserve the full meaning and intent of the ordinance. The original true and correct text of the Charter and all general ordinances, and all subsequent amendments, is on file and a matter of record in the office of the City Clerk.