

### III | RECOMMENDATIONS

#### RECOMMENDATION #8

#### TO ADDRESS UTILITY VEHICLES SUCH AS CEMENT MIXERS OR LANDSCAPE TRUCKS WITH JUNK AND/OR DEBRIS AND COMMERCIAL VEHICLES ON DRIVEWAYS



#### ISSUE

Oversized commercial vehicles, semi-trucks and trailers with visible equipment, materials and debris concern neighbors because they see these conditions as creating visual blight in their neighborhoods. This issue is particularly impactful in traditional neighborhoods that do not have homeowner association covenants prohibiting the storage of commercial vehicles and equipment in residential neighborhoods.

#### BACKGROUND

The City of Chandler Zoning Ordinance permits home businesses but places conditions on operational activity that might negatively impact residential neighborhoods. A home business registered within the city would not be permitted to store business equipment or debris at the residence of the business. However, there are residents employed by outside businesses that are not registered as Chandler home businesses. In these cases, the return of business equipment on private property is not expressly regulated in code. In 2000 the City of Chandler Neighborhood Standards and Maintenance Nuisance Abatement and Code Enforcement code included language limiting the parking of construction equipment on residentially zoned property to one trailer and one modified vehicle used for business purposes. Commercial vehicles with a gross vehicle weight exceeding fourteen thousand five hundred (14,500)



pounds were also prohibited in residential zones. An exception was provided for equipment actively used in onsite construction. This language closely resembled street parking ordinance restrictions in residential districts which remain in effect today. The 2000 Neighborhood Standards and Maintenance Nuisance Ordinance language also prohibited outside storage of materials outside of buildings (Sec. 30-3.5). Both the private property construction vehicle limitations and outside storage sections were excluded from the 2007 Neighborhood Preservation Ordinance rewrite. Lacking information explaining the change, this change was potentially an unintended oversight. See Section IV Appendix, Exhibit #8 for Comparison of Other City Ordinances Regulating Stored, Abandoned and Oversized Vehicles on Residential Streets.

#### TASK FORCE RECOMMENDED ACTION

The City should consider restoring ordinance language limiting the number of commercial vehicles and trailers in residential areas. The language should closely follow the related on-street parking ordinance language.

#### LEGAL CONSIDERATION

Defining something as a nuisance is not the end of the inquiry of whether the restrictions are proper governmental actions of private activities on private property. Any changes to Chapter 30 must be examined and determined that they are protections of legitimate health, welfare, and safety standards, i.e., actual nuisances.