

DEFINITION OF FAMILY STAKEHOLDERS GROUP

Minutes from March 13, 2006

Recap of February 13, 2006 Meeting

Katrina recapped the highlights of the February 13, 2006 meeting which included presentations by the Charlotte-Mecklenburg Police, Solid Waste, and Neighborhood Development. The presentations addressed noise, crime, trash and enforcement issues.

Stakeholders Feedback

Krista and Katrina then discussed the stakeholders homework assignments. (See Attachment #1). There were five main categories listed as the real neighborhood issues identified by the stakeholders. They were:

Occupancy
Secondary Impacts
Single Family Use (Boarding House)
Enforcement
Education

Resolution Ideas

The solutions to resolve the issues were to:

1. Address the number of occupants by tightening the Minimum Housing Code requirements.
2. Continue to Enforce the Minimum Housing Code by increasing the fines and increasing hours of enforcement.
3. Address secondary impacts by providing more enforcement, stricter requirements and stiffer penalties.
4. Restrict boarding houses to no more than 2 borders in a single family residence.
5. Increase public education on existing regulations and good practices

Resolutions Pros and Cons

Staff presented some pros and cons of the resolution identified by the stakeholders (See Attachment #2). The stakeholders also presented additional pro and cons of the suggested resolutions.

The discussion included:

➤ **Trash**

- Limiting the amount of trash that is allowed in single family zoned district will force some people to place their trash in other neighbors trash bin.
- Stakeholders said they would rather see continued education and enforcement of the existing rules, rather than a change in the system.

➤ **Cars Parking**

- Allowing individuals to park cars on improved surface allows some individuals to use unacceptable material in unacceptable locations as a makeshift driveway so that it can be used to park more cars at a residence. Stakeholders suggested that "improved surface" needs to be better defined to clarify how deep the material must be and that edging must be used.
- Stakeholders asked staff to follow up on whether it is legal to restrict the number of operable cars per home.

➤ **Boarding Houses**

- It seems okay to allow a couple to house two boarders but it does seem to be not okay to allow two additional boarders if there is currently a family which includes 2 adults and 3 children living in the residence.

➤ **Minimum Housing**

- Staff should research the number of people/square footage of living area that other jurisdictions require.
- In regard to the equity concern that limiting occupants could have an impact on large families with multiple dependents, stakeholders recommended that hardships be considered.
- The current minimum housing code is antiquated in regards to occupancy limits. It was suggested to lower the number of occupancy per square footage.

➤ **Enforcement**

- Stakeholders suggested that in terms of enforcing secondary impacts, staff should consider reducing the amount of time violators are given to correct the violation and have inspectors available to observe violations 24 hours a day. Stakeholders pointed out the "pro" of having 24 hour

enforcement would be that it would catch violations that occur after people come home from work. The con would be a concern for the safety of the inspector.

➤ **Education**

- Stakeholders suggested that education of the existing rules should be a first step in any process to try to improve neighborhood quality of life and that education should take a multi-pronged approach to have a wider impact.

Next Step

The stakeholders by consensus agreed that a recommendation should be presented to City Council addressing two main issues.

1. The minimum housing Code occupancy standards should be revised to limit the number of occupants per square feet with consideration being given to those large families (not extended families) that would have difficulty meeting the requirement. The International Property Maintenance Guide was identified as a possible resource that could possibly be modeled.
2. Restrict the materials and location of materials that can be used for the parking of vehicles in residential areas.

Attachment #1

**DEFINITION OF FAMILY STAKEHOLDERS GROUP
SUMMARY OF FEBRUARY 13, 2006 HOMEWORK ASSIGNMENT
RESPONSES**

(Numbers in parenthesis represent the number of times this comment was made by different stakeholders.)

1. Based upon the information we have discussed at our stakeholder meetings, what do you consider to be the real issue(s) facing your neighborhood?

Over-occupancy of single family homes regardless of relationship (6)

- Clustering of these homes exacerbates secondary impacts (1)
- It is a slippery slope – once one house becomes over occupied, others think it is okay to do the same (1)

Secondary impacts of over-occupancy (7)

- Trash – volume, dumped in yard (4)
- Noise – humans, equipment and household animals (2)
- Parking – on street, in yard, on sidewalk (4)
- Crime (1)
- Public Health (1)
- Quality of Life (1)
- Secondary impacts are real and perceived (1)
- Secondary impacts affect property values (2)

Boarding Houses (2)

- Renting out of rooms (2)

2. Given the tools we have talked about in these presentations, how would you resolve the issue(s) you listed in question one?

Address number of occupants by tightening up the Minimum Housing Code (8)

- Prevent makeshift bedrooms (2)
- Add clause to address number of occupants per working bathroom (2)
- Focus on number of bedrooms and size of bedrooms, not square footage of habitable rooms (1)
- The number of bedrooms listed on the deed should restrict occupancy limits (1)
- Limit occupants by total habitable square footage AND total lot size (1)
- Larger square footages need to be explored to lessen number of allowable occupants (2)
- Consider a 4 person limit for a 1,000 SF house (total SF not habitable space) and require an additional 250 SF for each person beyond 4. Potentially cap single family household occupancy at 8 persons and require any number above that to pursue a “hardship” consideration by a hearing body. Define “single family household occupancy” in the

zoning ordinance, rather than family, and base the definition upon this amendment to the Minimum Housing Code. (1)

- Modernize the Minimum Housing Code – the code needs to be realistic to the density the City is seeing – homes are closer together and have less acreage (1)

Enforcement of Minimum Housing Code (2)

- Add fines for occupancy violations – make them big enough to deter violation of the code (1)
- We need 24 hour a day enforcement, which would require restructuring the hours of the current zoning/housing inspectors (1)
- Refocus enforcement efforts from “downtown” to outer lying suburbs (1)

Address secondary impacts (5)

- Increase public education on existing regulations and good practices (3)
 - Print and audio media
 - Neighborhood meetings
- Limit the number of operable vehicles by the size of the lot (1)
- Be more specific about the permissible location of residential parking paying attention to setbacks and building envelopes appropriate for neighborhood character – parking on “improved” surfaces in the front lawn may have negative visual and environmental impacts (1)
- Restrict the number of vehicles to those that fit driveway width and street capacity – prevent any additional parking pads (1)
- Facilitate necessary noise permitting for special events (1)

Enforcement of secondary impacts (2)

- Increase follow up on enforcement (1)
- Increase fines/ penalties (1)
- Tie penalties to restricting some other public service – like vehicle registration (1)
- Make homes that produce larger quantities of trash pay for the disposal of this additional trash (1)

Restrict boarding houses (1)

- No more than 2 borders per house in a single family residential neighborhoods (1)

Attachment #2

Issue	Resolution/Ideas	Pros	Cons
<p>Occupancy</p>	<p>Change definition of family in Zoning Ordinance to decrease the number of related occupants. <i>(Idea raised by stakeholder group)</i></p>	<p>Process - Within the Planning Commission's jurisdiction to implement and enforce.</p> <p>Effectiveness - Decreases the number of people living in a residence</p> <p>Effectiveness - May have a direct impact on the secondary impacts to the neighborhood</p> <p>Equity – Increase in property value</p>	<p>Effectiveness - May not ultimately fix all secondary impacts (i.e. - 8 cars is 8 cars no matter if 2 people or 10 people live in a house)</p> <p>Equity - Would most likely impact immigrant families</p> <p>Equity - Would mostly be enforced on lower income families</p> <p>Equity/Legal - If it is a large family (i.e. mom, dad and 10 kids under 18) would we require that someone leave the house?</p> <p>Legal - Is it legal to restrict related occupants? How is "relationship" related to the impacts?</p> <p>Legal - The term bedroom is defined in building code so if someone changes a room to meet the definition of a bedroom per building code we would have to honor it?</p> <p>Legal - How do we determine the number of occupants allowed in a house? What is the rationale basis?</p> <p>Enforceability - How do you determine who is related and who is not? How do you determine who lives in a house and who is visiting?</p>

Issue	Resolution/Ideas	Pros	Cons
<p>Occupancy cont.</p>	<p>Limit number of occupants by tightening space and use standards in Minimum Housing Code <i>(Idea raised by stakeholder group)</i></p>	<p>Process – Minimum Housing is a local code that could presumably be changed locally</p> <p>Effectiveness - Decreases the number of people living in a residence</p> <p>Effectiveness - May have a direct impact on the secondary impacts to the neighborhood</p> <p>Effectiveness - Simple to count persons in house without having to determine relationship</p> <p>Effectiveness - Most likely tie between occupancy and secondary impacts is the volume of trash</p> <p>Effectiveness - Easy to find square footage information</p> <p>Equity - Should be race and ethnically neutral (simply a size of house to number of persons test)</p> <p>Equity – Increase in property value</p>	<p>Effectiveness- May not ultimately fix all secondary impacts (i.e. - 8 cars is 8 cars no matter if 2 people or 10 people live in a house)</p> <p>Equity - Would most likely impact immigrant families</p> <p>Equity - Would mostly be enforced on lower income families</p> <p>Equity - If it is a large family (i.e. mom, dad and 10 kids under 18) would we require that someone leave the house?</p> <p>Legal - How do we determine the number of occupants allowed in a house? What is the rationale basis? Is there a life safety issue? If so what is it?</p> <p>Enforceable - How can we determine who lives in a house and who does not</p>

Issue	Resolution/Ideas	Pros	Cons
<p>Occupancy cont.</p>	<p>Add single family residential occupancy standards to other codes (Fire, Building, Police?)</p>	<p>Effectiveness - Decreases the number of people living in a residence</p> <p>Effectiveness - May have a direct impact on the secondary impacts to the neighborhood</p> <p>Effectiveness - Simple to count persons in house without having to determine relationship</p> <p>Effectiveness - Most likely tie between occupancy and secondary impacts is the volume of trash</p> <p>Effectiveness - Easy to find square footage information</p> <p>Equity - Should be race and ethnically neutral (simply a size of house to number of persons test)</p> <p>Equity – Increase in property value</p>	<p>Effectiveness- What would be the purpose of this in addition to our current Minimum Housing Code? Better/More ways to enforce?</p> <p>Effectiveness- May not ultimately fix all secondary impacts (i.e. - 8 cars is 8 cars no matter if 2 people or 10 people live in a house)</p> <p>Equity - Would most likely impact immigrant families</p> <p>Equity - Would mostly be enforced on lower income families</p> <p>Equity/Legal - If it is a large family (i.e. mom, dad and 10 kids under 18) would we require that someone leave the house?</p> <p>Legal - How do we determine the number of occupants allowed in a house? What is the rationale basis? Is there a life safety issue? If so what is it?</p> <p>Enforceable - How can we determine who lives in a house and who does not?</p>

Issue	Resolution/Ideas	Pros	Cons
Secondary Impacts			
Trash	Pay for what you dispose system <i>(Idea raised by stakeholder group)</i>	<p>Process/ Enforcement - would remove need for notice of violation for excess trash</p> <p>Equity - those who create more trash pay for the disposal of that trash</p> <p>Effectiveness - would improve neighborhood appearance; trash would be picked up regardless of amount</p> <p>Effectiveness - Would encourage recycling, reduction of waste and reuse of materials</p>	<p>Effectiveness - would not resolve the issues of people putting trash in inappropriate locations or at inappropriate times</p> <p>Equity/Effectiveness - will large families, presumably with less money, pay the fee or will this cause more dumping?</p> <p>Equity – The impact of this change would be larger than the problem we are trying to resolve – it would impact everyone, not just overcrowded homes</p>
Cars/Parking	Set limits on the number of operable vehicles a household can have outside. <i>(Idea raised by stakeholder group)</i>	<p>Effectiveness - would improve neighborhood appearance and safety by decreasing number of cars parked in yard and on –street</p> <p>Equity – Increase in property value</p>	<p>Effectiveness – People would find ways to get around this, which may have other impacts</p> <p>Equity - Larger families or households have to carpool or use alternative modes of travel.</p> <p>Legal - Is it an infringement of rights? How do you determine how many cars is too many?</p> <p>Enforceable - How do you determine which cars belong to which house? Or who is visiting and who lives there?</p>
Cars/Parking	Further restrict where operable vehicles can be placed on a parcel outside. <i>(Idea raised by stakeholder group)</i>	<p>Effectiveness - Would improve neighborhood appearance</p> <p>Enforceable - does not require you to know who the car belongs to, only to recognize that it is out of place</p> <p>Equity – Increase in property value</p>	<p>Effectiveness – People would find ways to get around this, which may have other impacts</p> <p>Equity - Would create a hardship for certain groups of people.</p> <p>Enforceable - Details of determining where car can be parked (i.e. what is an improved surface?) can be tricky .</p> <p>Efficiency – Permitting problem. Will a permit be required whenever someone wants to pour concrete</p>

Issue	Resolution/Ideas	Pros	Cons
Single Family Use			
Boarding House	Reduce the number of boarders in a boarding house. <i>(Idea raised by stakeholder group)</i>	<p>Effectiveness - Generally each boarder will have a car and such a restriction would reduce that secondary impact</p> <p>Effectiveness - Each border, living as an individual, probably generates more trash than a typical family</p> <p>Effectiveness - Reducing the number of borders may protect the single-family nature of a neighborhood</p> <p>Equity – Increase in property value</p>	<p>Enforceable - Not always easy to prove that something is operated as a boarding house</p> <p>Equity - Boarding houses are a form of affordable housing</p> <p>Process/Equity - Many condos near UNC-Charlotte are actually operated as a boarding house (i.e. each student rents a bedroom and shares the common living areas) - do we want to stop that practice?</p>
Enforcement			
	Increase penalties for repeat offenders and link fines payment to auto registration or lien on property <i>(Idea raised by stakeholder group)</i>	<p>Effectiveness - Increasing the penalty for continued violations would let people know the City is serious about the issue</p> <p>Effectiveness - higher fines might be a deterrent</p> <p>Effectiveness - Consider court injunction after so many repeats of the same violation which may lead to jail time for continuing a behavior</p> <p>Equity - those who violate, pay</p> <p>Enforceable - Staff time would not be wasted having to build a new case each time there is a repeat</p> <p>Effectiveness – More fines would generate more government revenue which could support more enforcement staff.</p>	<p>Effectiveness - People without the ability to pay may care less about violating fine</p> <p>Effectiveness - Families that cannot afford to live elsewhere can also not afford to pay fine.</p> <p>Equity – Wealthier residences may not care about fines because they can afford to pay them</p>

Issue	Resolution/Ideas	Pros	Cons
Enforcement, cont.	Enforcement/Tighter Regulations for secondary impacts <i>(Idea raised by stakeholder group)</i>	<p>Effectiveness - May get at the issue more directly.</p> <p>Effectiveness - Most secondary impacts can be seen from the street (outside the house)</p> <p>Effectiveness - Gets at a behavior more directly</p> <p>Effectiveness - New eyes on Charlotte program would help with violation reporting</p> <p>Equity - Wouldn't target any single group</p> <p>Equity – Increase in property value</p>	<p>Process - How would we determine how many cars are too many?</p> <p>Enforceable/Effectiveness - Is the issue too much trash generated or the fact that the trash is not in the bin (why not allow for more bins at a monthly cost rather than ticketing someone for creating too much trash to fit into 2 bins)</p> <p>Process - Is there a code enforcement staffing issue if requests go up</p>
	24 Hour Inspection (observe violations but do not knock on door)	<p>Effectiveness - Occupant cannot wait until after hours to violate</p>	<p>Process - Safety for inspectors</p>
Lack of education of existing regulations and enforcement procedures	Educational Outreach <i>(Idea raised by stakeholder group)</i>	<p>Equity - Does not treat any group differently</p>	<p>Effectiveness- How big of an impact will education have on the behaviors we are talking about?</p>