

## REPORT TO CITY COUNCIL

**DATE: MAY 23, 2012**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: RAMIRO ADEVA III, DIRECTOR OF PUBLIC WORKS/CITY ENGR.**

**SUBJECT: POTENTIAL AMENDMENTS TO THE TRAFFIC REGULATIONS OF THE MUNICIPAL CODE RELATED TO PREFERENTIAL PARKING DISTRICTS AND CODE ENFORCEMENT FOR PARKING OF OVERSIZE AND/OR COMMERCIAL VEHICLES ON PUBLIC ROADWAYS**

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On April 11, 2012, a petition containing signatures from 22 homes on Foothill Drive was submitted to the City Council, collectively expressing concerns regarding the regulations specific to Preferential Parking District No. 3, along a portion of Foothill Drive, in relation to the general traffic regulations of the municipal code, namely sections 3201-3204 of Chapter 2 of Article III.

Following the submittal of the petition, staff discussed this issue with the Public Works Subcommittee, where it was decided that this item should be agendaized and discussed at the Council level.

The particular residents who signed the petition support a position that vehicles exceeding limits (length, height, width, and/or weight) outlined in the code for oversize and/or commercial vehicles should be deemed in violation of the code, and therefore issued citations or have their vehicles removed from the public roadway.

As a matter of understanding what the City's current code reads, the following is a brief summary of the aforementioned sections:

Section 3201 – Prohibits oversize vehicles from parking in a residential zone at any time between 9:00am – 5:00pm. “Oversize” is defined as either exceeding twenty (20) feet in length, eighty (80) inches in width, or eighty-two (82) inches in height.

Section 3202 – Prohibits commercial vehicles from parking on any public street between the hours of 2:00am – 6:00am. “Commercial” is defined as having an unladen vehicle weight of eight thousand (8,000) pounds or more.

Section 3203 – Allows an oversize vehicle to temporarily park in a residential zone if a one-day parking pass has been issued by the City. This pass would be given to owners who wish to load and/or unload their oversize vehicles adjacent to their home, or to allow out-of-town motorists a chance to park an oversize vehicle while visiting a residential neighborhood. Only two (2) such passes can be granted in any thirty (30) day period.

Section 3204 – Outlines amendments to the county traffic code (which is adopted by reference into the Municipal Code as the City’s official traffic ordinance). For the purposes of this report, attention is placed on a specific part of this section, namely 15.64.600 (3) which defines a “Preferential Parking Permit District” as a residential area...wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to the rest of the general traffic regulations of the code.”

Tonight, the City Council is being asked to discuss and consider the following options, and to direct staff to proceed with a planned course of action:

- (1) Strictly enforce the code sections as written, and cite and/or tow vehicles parked on public roadways throughout the entire city without regard to magnitude or reasonableness of the violation, or
- (2) Consider amending the code to reflect an updated, average maximum size and weight of a vehicle to be more reasonable and reflective of vehicles driven in current times, or
- (3) Continue to allow Preferential Parking Districts to be exempt from the general traffic regulations of the City, or remove the “exempt” clause as stated above under section 3204.

If #1 is the direction, the code will remain unchanged, and staff will direct the sheriff’s department to ramp up their enforcement efforts citywide to cite and/or tow vehicles that violate the code length, height, width, and/or weight thresholds.

If #2 is the direction, staff will begin coordinating with the City Attorney to draft ordinance amendment language to bring back to the City Council at a later date for consideration.

For #3, if Council prefers to leave the code as is, no action is required from staff. However, if the Council prefers the “exemption” be removed, staff will also consult with the City Attorney to amend the code and eliminate any inconsistencies throughout the rest of the code that may arise by doing so.

## **RECOMMENDATION**

Staff respectfully recommends the City Council discuss the options, and direct staff to proceed with a desired course of action.