

REPORT TO CITY COUNCIL

DATE: FEBRUARY 27, 2013

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: LOUIS CELAYA, DEPUTY CITY MANAGER
RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: ADOPT ORDINANCE NO 13-400, AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS ADOPTED BY REFERENCE, AMENDING PARKING REGULATIONS FOR OVERSIZED COMMERCIAL VEHICLES AND AMENDING CHAPTER 2 OF ARTICLE III OF THE AGOURA HILLS MUNICIPAL CODE

In May 2012, the City Council reviewed the traffic code as it related to oversize and commercial vehicles within residential zones. At that meeting, the City Council directed staff to review and analyze the Preferential Parking District (PPD) exemption and the current code to update the standards to reflect current vehicle specifications, as it was demonstrated that challenges existed within the code. At the February 13, 2013, City Council meeting, the Council received information and was presented the proposed ordinance. The City Council approved, in a 4-1 vote, to move forward with adoption of the ordinance modifications and set the public hearing for February 27, 2013. The City Council introduced, read by title only, and waived further reading of Ordinance No. 13-400, amending Title 15 of the Los Angeles County Code, amending parking regulations for oversized vehicles and amending Chapter 2 of Article III of the Agoura Hills Municipal Code.

The proposed ordinance will remove the PPD exemption from the Code, including references to the exemption in other areas within it, amend the existing Code to reflect changes to the definition of oversized vehicles in the residential areas as it relates to of height, width and length, modify the definition of commercial vehicles by increasing the weight to 11,000 pounds (an additional of 1,000 pounds), and permitting an exemption for pickup trucks. These modifications were made to again reflect current vehicle industry specifications. Under the current code, many personal trucks/SUVs violate the traffic code.

As a point of reference, the current California vehicle code sets the standard for commercial vehicles as a “motor vehicle, singly or in combination, that operates with a declared gross or combined gross weight that exceeds 10,000 pounds” and requires that they be registered. Additionally, within that registration requirement for commercial vehicles, “pickups nor any commercial vehicle or combination that does not exceed 10,000 pounds gross vehicle weight”

shall not have this requirement. Finally, within the California Vehicle Code, there is a weight standard for commercial vehicles with less than 10,000 pounds (pickup trucks) by which fees are paid based on the unladen weight (total gross vehicle weight ratio).

Attached for your reference is a copy of the proposed ordinance.

RECOMMENDATION

Staff respectfully recommends the City Council adopt Ordinance No. 13-400, An Ordinance of the City of Agoura Hills, California, Amending Title 15 of the Los Angeles County Code, as Adopted by Reference, Amending Parking Regulation for Oversize Commercial Vehicles and Amending Chapter 2 of Article III of the Agoura Hills Municipal Code

Attachment: Ordinance No. 13-400

ORDINANCE NO. 13-400

**AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA,
AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS
ADOPTED BY REFERENCE, AMENDING PARKING REGULATIONS
FOR OVERSIZED COMMERCIAL VEHICLES AND AMENDING
CHAPTER 2 OF ARTICLE III OF THE AGOURA HILLS MUNICIPAL
CODE**

**THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS
FOLLOWS:**

Section 1. Findings and Intent.

- A. The City of Agoura Hills previously adopted by reference Title 15, Vehicles and Traffic, Division 1, Traffic Code of the Los Angeles County Code, as the traffic ordinance of the City of Agoura Hills.
- B. The City of Agoura Hills desires to amend the Traffic Code to include regulations for oversized vehicles parking within a residential zone and definitions and regulations for overnight parking for commercial vehicles.
- C. California Government Code Section 50022.2, *et seq.* authorizes the adoption by reference of County Codes and also authorizes amendments to previously adopted County Codes to be adopted in the same manner as adoption by reference.
- D. A duly noticed public hearing, as required by California Government Code Section 50022.3, has been conducted and concluded prior to the adoption of this Ordinance.
- E. At least one (1) copy of Title 15 of the Los Angeles County Code, certified as full, true and correct, has been filed in the office of the City Clerk of the City of Agoura Hills in accordance with the provisions of California Government Code Section 50022.6.
- F. All legal prerequisites to the adoption of this Ordinance have occurred.
- G. The purpose of this Ordinance is to establish parking regulations for oversized vehicles and commercial vehicles pursuant to California Vehicle Code Sections 22507 and 22507.5.

Section 2. Subsection (a) of Section 3201 (Oversize vehicles; parking within residential zone) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby further amended to read as follows:

“(a) No person shall park or leave standing upon any public street or highway within a residential zone, as shown on the official zoning map of the city as amended, any oversize vehicle at any time between the hours of 9:00 a.m. and

5:00 p.m. For the purposes of this section, the term oversized vehicle shall mean any vehicle or combination of vehicles which exceeds any one of the following criteria: twenty two (22) feet in length, one hundred eight inches (108) in width, or eight-foot four (84) inches in height, exclusive of projecting lights or devices allowed by Sections 35109, 35110 or 35112 of the Vehicle Code as may be amended.”

Section 3. Section 3202 (Commercial Vehicles; overnight parking) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby further amended to read as follows:

- “(a) No person shall park or leave standing upon any public street or highway any commercial vehicle having an unladen vehicle weight of eleven thousand (11,000) pounds or more at any time between the hours of 2:00 a.m. and 6:00 a.m. Commercial vehicle shall not mean or include a pick-up truck which is less than twenty two (22) feet in length and eighty-four (84) inches in height.
- (b) This section shall not apply to any person who is actually engaged in making emergency repairs on a commercial vehicle subject to the provisions of this section.
- (c) Violation of this section is hereby deemed to be an infraction and is punishable according to the provisions of section 1200 (b) of this Code. Furthermore, pursuant to Section 22651 of the Vehicle Code, any commercial vehicle having an unladen weight of eleven thousand (11,000) pounds or more parked or left standing on a public street or highway in violation of this section may be removed from the street or highway upon which such vehicle is parked or left standing.”

Section 4. Section 15.48.300 of Chapter 15.48 of Division 1 of Title 15 of the Traffic Code of the Los Angeles County Code, as amended and in effect on April 1, 1983, of Section 3204 of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby deleted in its entirety.

Section 5. Section 3204 (Amendments to County Traffic Code) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby further amended by amending Section 15.48.060 of Chapter 15.48 of Division 1 of Title 15 of the Traffic Code of the Los Angeles County Code, as amended and in effect on April 1, 1983, to read as follows:

“15.48.060. *Commercial Vehicles 11,000 pound Gross Vehicle Weight Rating (GVWR) and over – Operation on certain highways prohibited.* It is unlawful to drive, operate, or cause or permit to be driven or operated any commercial vehicle having a gross excess weight of 11,000 (GVWR) and over on Thousand Oaks Boulevard between Reyes Adobe Road and the west City Boundary, near Lindero Canyon Wash.” Commercial vehicle shall not mean or include a pick-up truck which is less than twenty two (22) feet in length and eighty-four (84) inches in height.

Section 6. Section 3204 (Amendments to county traffic code) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby further amended by amending Subsection (3) of Section 15.64.600 (Definitions) of Part 5 of Chapter 15.64 of Division 1 of Title 15 of the Traffic Code of the Los Angeles County Code, as amended and in effect on April 1, 1983, to read as follows:

“(3) Preferential parking permit district" or "district" shall mean a residential area with streets or boundaries designated by the resolution establishing the district.”

Section 7. Section 15.64.670 (Permit parking exemption) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby deleted in its entirety.

Section 8. Section 3207 (Weight limits on certain streets) of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby amended to read as follows:

“3207. – Weight limits on certain streets.

(a) No person shall drive a commercial vehicle that either has a gross vehicle weight of eleven thousand (11,000) pounds or more, or has more than two (2) axles on the following portion of the streets listed below:

(1) Driver Avenue between Argos Street and Chesebro Road.

(2) Argos Street between Driver Avenue and Thousand Oaks Boulevard.

(3) Thousand Oaks Boulevard between Argos Street and Kanan Road.

(4) Palo Comado Canyon Road between Chesebro Road and Canwood Street.”

Section 9. **CEQA.** The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment because the adoption of this Ordinance will impose greater limitations on parked vehicles in the City, and will thereby serve to reduce potential significant adverse environmental impacts. It is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 10. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 11. Certification and Posting. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law. This Ordinance shall go into effect on the 31st day after its adoption.

PASSED, APPROVED AND ADOPTED this 27th day of February, 2013, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

CITY OF AGOURA HILLS:

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney