



MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: JIM BELL, DIRECTOR OF PUBLIC WORKS *JAB*
DATE: June 16, 2009 *6/10/09*
SUBJECT: INTRODUCE AN ORDINANCE OF THE CITY OF
RANCHO PALOS VERDES CREATING CHAPTER 10.36
(ON-STREET PARKING OF OVERSIZED VEHICLES)
OF TITLE 10 OF THE RANCHO PALOS VERDES
MUNICIPAL CODE

REVIEWED: CAROLYN LEHR, CITY MANAGER *CL*

Project Manager: Ron Dragoo, Senior Engineer

RECOMMENDATIONS

- 1 Introduce Ordinance No. _____, "AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES CREATING CHAPTER 10.36 (ON-STREET PARKING OF OVERSIZED VEHICLES) OF TITLE 10 OF THE RANCHO PALOS VERDES MUNICIPAL CODE" by title only, waive further reading, and introduce the ordinance.
- 2 Authorize the implementation of the Oversized Vehicle Permit Parking Program during the 2009/10 FY.
- 3 Direct Staff to add \$82,540 to the draft FY 2009/10 budget.

EXECUTIVE SUMMARY

On November 6, 2008 the City Council directed staff to proceed in developing an ordinance and implementation plan consistent with the Oversized Vehicle Parking Permit Program presented that evening.

The proposed Ordinance, as directed by City Council, requires all oversized vehicle owners to:

- obtain a permit to park on public streets within the City of Rancho Palos Verdes;
- only park in front of their own address;

- refrain from parking between 2A.M. and 5A.M.;
- limit overnight parking to a maximum of six times monthly; and
- call to register with the Lomita Sheriff's Department as well as the City prior to parking an Oversized Vehicle overnight.

Following adoption of the ordinance, oversized vehicle owners will be given a three month grace period to obtain permits. An additional three month period will be provided prior to enforcement of parking penalties.

Permits will not be required for oversized vehicles making deliveries, construction vehicles, Federal or State vehicles conducting official business. Rented oversized vehicles can qualify for a temporary permit.

For the permitted, permit parking privileges could be revoked in the case of repeated violations. Signs advising motorists of the oversized permit parking ordinance will be erected at all entrances to the city.

This program represents a significant expansion of City services. Currently, funding is not programmed in the 2009/10 budget for this program. Impacts on staff equate to one tenth of a full time equivalent person.

BACKGROUND

On November 6, 2008, the City Council reviewed recommendations made by staff and the Traffic Safety Commission specific to regulating oversized vehicle parking. At that meeting, the City Council directed staff to proceed in developing an ordinance to manage oversized vehicle parking within the city.

Additionally, Council directed staff to develop a public outreach plan for the existing Neighborhood Permit Parking program, including permits for oversized vehicles. At its April 20, 2009 meeting, the TSC reviewed and recommended, for City Council consideration, a public education program for neighborhood permit parking of all vehicles. A staff report for consideration of that item will be presented separately.

ANALYSIS

The attached Oversized Vehicle On-Street Parking Ordinance (Attachment A) was developed as the result of citizen complaints and subsequent City Council direction.

Creating a parking permit program and issuing annual parking permits to residents that own an oversized vehicle will provide the framework needed to minimize abuse of the current 72 hour parking rule. Vehicles not parked safely or violating other conditions of the ordinance could have their parking permits revoked and if abuses continued would not be issued further parking permits.

The ordinance requires that:

- All oversized vehicles will need to obtain and display an Annual Parking Permit;
- Oversized vehicle owners would be allowed to park in front of their property only;
- Overnight parking is prohibited between 2:00 A.M. and 5:00 A.M. except: residents with a valid oversized vehicle parking permit that called the Lomita Sheriff Station and a Public Works parking hotline to register their intent to park

on the street overnight (overnight parking is limited to a maximum of 3 exceptions per month; 6 overnight parking exceptions monthly are allowed);

- As an aid in controlling the maximum three day street parking limitation, Oversized Vehicles will need to be absent from the location they last parked for a minimum of 24 hours from the expiration of their last Registration with the Lomita Sheriff and City.
- To implement the permit process, following adoption of an ordinance, residents would be given three months to obtain their oversized vehicle parking permit, enforcement would begin three months later;
- The permit process would not pertain to vehicles actively making pickups or deliveries from any building or structure, oversized vehicles engaged in the construction, installation, or repair or maintenance of a publicly or privately owned improvement, oversized vehicles belonging to federal, state or local authorities or public utilities engaged in active work in the City, permit fees would be waived for oversized vehicles registered with the DMV to a disabled person.
- Property owners who wish to rent an RV could apply for a temporary permit.
- As provided for by the Vehicle Code, vehicles not parking safely or violating other conditions of the plan would be ticketed or towed.
- If an owner received four violations in a year, their permit could be revoked.

Public Education

To effectively educate residents and visitors to Rancho Palos Verdes of the requirements of this ordinance a public education outreach program has been developed and is being presented this evening following this item. A combined public education effort between this program and the Neighborhood Permit Parking Education Outreach program will result in a net cost savings. A professional consultant will assist staff with the public education program. Key elements of the public education program will include:

- Installation of signs at all entry points to the City;
- Resident notification via citywide mailing and the City's quarterly newsletter;
- Notification of program on RPVTV (Channel 33) and City's web site;
- Program flyers at all City facilities and mailed to all HOA's;
- Public presentations at CHOA and some HOA meetings;
- List serve Announcement; and
- Announcement flyers distributed through the Board of Realtors.

Staffing Requirements

Implementation of this program will require an additional 10 percent of one full time equivalent staff person. Staff is recommending that the City Council authorize the City Manager's office to monitor future staffing needs (by department) based on new program requirements like this one. When a department has implemented programs, as directed by the City Council, which equal the need of a full time equivalent staff person, the City Manager will bring the staffing need back to the City Council for hiring consideration. In the interim, an increase in the Public Works Administration, budget program is needed in the amount of one tenth of a full time equivalent (FTE) position. The implementation of this program will result in the use of overtime as Public Works

staff is fully committed.

FISCAL IMPACT

The permit fee can help offset the on-going administrative costs. The City Attorney has indicated that signage will be required at all entry points to the City. Fabricating permits and developing and implementing the Public Education program will require start up funding. A combined public education effort with the Permit Parking program is envisioned for this project. Additionally, funding for Traffic Engineer generated field reviews/reports is needed as outlined below:

Costs:	
Program Start-up	
Install signage **	\$ 31,000
Public Education	\$ 20,000
Fabricate permits	\$ 2,000
PW Staff Processing Permits & Related Work	10% FTE (\$ 26,540)
Field Review	\$ 3,000
Subtotal FY 2009/10	\$ 82,540
Annual/On-going	
Public Education	\$ 1,500
Field reviews	\$ 3,000
Fabricate Permits	\$ 2,000
PW Staff Processing Permits & Related Work	10% FTE (\$ 26,540)
Signage Maintenance	\$ 1,000
Subtotal Subsequent Years	\$ 34,040
Summary	
Sheriff's Department*	Not Determinable
Start Up Costs*	\$ 82,540
Ongoing Costs	\$ 34,040
Revenue Generated through Permit Fees (Start-up)	\$ 20,000
Revenue Generated through Permit Fees (On-going)	\$ 12,000

* City staff time required to implement the program is estimated to be ten percent of a full time staff person, the Sheriff's enforcement costs are not included in this estimate. Costs included are those associated with: resident inquiries; complaints about perceived safety issues; Traffic Engineering evaluation of site conditions between 1 and 5 reviews annually (site visits and a report are estimated to cost between \$300 and \$1,000 per visit); increased monitoring could affect the City's traffic safety program.

** Initially signage would be required at all entry points to the City. Staff has determined thirty locations where signs would be required. This number could increase in the future as recommended by the City Attorney or at the Sheriff Department's request.

The start up costs of this program are \$82,540 (signage - \$31,000, education - \$20,000, permits - \$2,000, field reviews - \$3,000, and blended fully burdened salaries - \$26,540).

Ongoing costs for subsequent years will be \$34,040 (permits - \$2,000, education - \$1,500, reviews - \$3,000, signage maintenance - \$1,000 and blended fully burdened salaries \$26,540).

The Management Partners Report stresses that fees charged for City services should fully cover the costs of services provided and should be established through a cost-based fee analysis and subsequently established by the City Council. Considering that multiple staff personnel may process permit applications a blended fully burdened staff rate was initially used in determining the initial fee which would need to be about \$412 and renewal permit fees would need to be set at \$170 annually. Fees set at this level would be considerably higher than neighboring cities.

Staff has reviewed fees collected in neighboring cities for oversized vehicle parking and found that \$45.00 per year is the average. Staff is proposing for consideration, due to the unique conditions of the City, setting permit fees at \$100 for the initial permit and \$60 per year for subsequent renewal permits. At these rates, if 200 permits are issued annually, the initial subsidy will be \$62,540; and the subsidy for subsequent years will be \$22,040.

These permit fees will be presented to the City Council in the coming months when revisions to the cost based fees program are proposed.

OTHER IMPACTS

Signs notifying drivers of the Oversized Vehicle Parking Ordinance will not be posted at every entry point to neighborhood streets. This would be cost prohibitive.

CONCLUSIONS

Oversized Vehicle parking on public streets is a problem from time to time. If the City Council concurs with concepts presented herein, the City Council should read the attached Oversized Vehicle Parking Ordinance by title only, waive further reading, introduce the Ordinance and direct staff to add \$82,540 to the draft FY 2009/10 budget.

ALTERNATIVE

Given the start-up and annual/ongoing costs of this program and the amount of staff time required to implement and run the program, Council could determine to take no action at this time.

Attachments A) Draft Ordinance No. _____

ATTACHMENT A

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES ADDING CHAPTER 10.36 TO TITLE 10 OF THE RANCHO PALOS VERDES MUNICIPAL CODE RELATING TO OVERSIZED VEHICLE ON-STREET PARKING AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF.

THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Title 10 of the Rancho Palos Verdes Municipal Code is hereby amended by adding new Chapter 10.36 thereto to read as follows:

Chapter 10.36

ON-STREET PARKING OF OVERSIZED VEHICLES

Sections:

- 10.36.010 Definitions.
- 10.36.020 Restrictions on parking of oversized vehicles.
- 10.36.030 Exemptions.
- 10.36.040 Permit Process.
- 10.36.050 Penalties for violation.

10.36.010 Definition of Oversized Vehicle.

A. "Oversized vehicle"

For the purposes of this chapter, the phrase "oversized vehicle" shall mean any motorized vehicle or combination of motorized vehicles and/or nonmotorized vehicles or trailers that exceeds any of the following: twenty-two (22) feet in length; eight (8) feet in height; or seven (7) feet in width, or having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more. In determining the length, height or width of any oversized vehicle, any minor extension to the vehicle caused by mirrors, air conditioners, or similar attachments shall not be included in the measurement.

B. "Director" shall mean the Director of Public Works or the Director's designee.

10.36.020 Restrictions on parking of oversized vehicles.

- A. No person who owns or has possession, custody or control of any oversized vehicle shall stop, stand, park, or leave standing an oversized vehicle on any public street or alley within the City, except as provided below:

1. An oversized vehicle may be parked on the portion of the street that immediately abuts the residence of the person who owns or has possession, custody or control of the oversized vehicle, if an oversized vehicle parking permit, issued by the City of Rancho Palos Verdes, is conspicuously displayed on the rear drivers' side of the vehicle (or on the motorized vehicle when an oversized vehicle includes a trailer) so that it is plainly visible to passing vehicles.
2. Any oversized vehicle, properly displaying an oversized vehicle parking permit issued by the City, may be parked in front of a residence that is not owned by the same person as the person who owns or has possession, custody or control of the oversized vehicle, if: (a) sufficient on-street parking is not available adjacent to the residence of the person who owns or has possession, custody or control of the oversized vehicle, and (b) the owner or person having custody or control of the oversized vehicle has obtained a Parking Permission Agreement executed by the owner of the property adjacent to which the oversized vehicle is parked, which is located on the same block as the residence of the person who owns or has possession or control of the oversized vehicle. Parking Permission Agreement forms may be obtained from the Director.
3. A resident of Rancho Palos Verdes may allow a nonresident to park an oversized vehicle on a public street or alley in accordance with the provisions of paragraphs 1 or 2 of this section, if the resident has obtained a guest parking permit from the Director and the guest parking permit is prominently displayed on the driver's side of the dashboard of the oversized vehicle.
4. Parking is prohibited on public streets or alleys between the hours of 2a.m. and 5a.m., except an oversized vehicle, which displays a valid oversized vehicle parking permit or guest permit, may park lawfully on a public street or alley between the hours of 2a.m. and 5a.m., if the owner or person in custody of the oversized vehicle has orally notified both the Los Angeles Sherriff Department Lomita Station, and the City of Rancho Palos Verdes by telephone ("Registration") each day the permittee intends to park on the street or alley during those prohibited times. No oversized vehicle shall be parked overnight at the location specified on the permit more than six (6) nights during any calendar month.
5. Permitted oversized vehicles shall not remain parked at the location specified in the permit for longer than seventy-two (72) consecutive hours.
6. If a permitted oversized vehicle has been lawfully parked for the maximum period of seventy-two hours, in order for that oversized vehicle to be lawfully parked overnight again at the same location pursuant to the provisions of paragraph 4 of this section, the oversized vehicle shall have been absent from the location for a minimum period of twenty-four (24) hours from the expiration of the last Registration.

7. Any oversized vehicle may be temporarily parked on a public street or alley while the owner or operator of the vehicle is in the process of making emergency repairs to such vehicle or arranging for emergency repairs to be made, provided all repairs are completed within six (6) hours. Emergency repairs shall be limited to repairs necessitated by sudden unforeseen events, such as a flat tire. Emergency repairs shall not include routine or normal maintenance or extensive mechanical repairs.
8. Any oversized vehicle that is capable of expansion by slide-out or a similar feature shall maintain such feature in a retracted position while parked on a public street or alley, except under all of the following conditions:
 - A. While lawfully parked and in the process of loading, unloading, cleaning and/or maintenance.
 - B. The slide out is next to the curb and does not extend into the traveled roadway.
 - C. The slide out does not impede pedestrian traffic.
- B. The provisions of Section 10.36.020 (A) shall not apply until the City has placed signs giving adequate notice of the prohibitions contained in this section at every street, or alley, including collector and arterial streets, that are located at the city limits and are entrances into the City, as defined in the City's General Plan, and on other streets designated by the Traffic Engineer. The signs shall state: "NO PARKING OF OVERSIZED VEHICLES/TRAILERS (EXCEEDING 22 FEET IN LENGTH; 8 FEET IN HEIGHT, OR 7 FEET IN WIDTH, OR HAVING A MANUFACTURER'S GROSS WEIGHT OF 10,000 POUNDS OR MORE) ON ANY STREET OR ALLEY WITHIN THE CITY OF RANCHO PALOS VERDES WITHOUT A PERMIT. ANY OVERSIZED VEHICLE THAT IS PARKED IN VIOLATION OF THIS PROVISION SHALL BE CITED AND/OR REMOVED AT THE OWNER'S EXPENSE."
- C. The provisions of this chapter shall not be construed to allow any activities that are prohibited by any other provisions of this code or any other applicable law.

10.36.030 Exemptions.

- A. The provisions of Section 10.36.020 shall not apply to any of the following:
 1. Oversized vehicles actively involved in making pick-ups or deliveries of goods, wares, or merchandise (loading or unloading) from or to any building or structure during the hours of 7a.m. to 9 p.m.

2. Oversized vehicles engaged in the construction, installation, repair or maintenance of a publicly or privately owned improvement during normal construction hours of 7a.m. to 5p.m.
3. Oversized vehicles belonging to federal, state or local authorities or public utilities that are temporarily parked within the City of Rancho Palos Verdes while the operator of the vehicle is conducting official business.
4. Oversized vehicles registered to residents of Rancho Palos Verdes as described herein and with the state department of motor vehicles to a disabled person as defined in Section 22511.5 of the California Vehicle Code and displaying a distinguishable placard or a license plate issued by the state department of motor vehicles, subject to the following provisions:
 - A. Oversized vehicles registered to a non-disabled driver of a disabled person are not exempt.
 - B. Oversized vehicle parking permit fees will be waived for disabled persons within the City of Rancho Palos Verdes.
 - C. Only one oversized vehicle per address and per disabled person shall be exempt.
 - D. Only oversized vehicles displaying a valid oversized vehicle parking permit, which are parked on the portion of the street that immediately abuts the residence of the disabled person who owns or has possession, custody or control of the oversized vehicle, or which are lawfully parked adjacent to a neighboring property pursuant to the provisions of Section 10.36.020(A)(2) and a Parking Permission Agreement executed by the owner of the neighboring property, are exempt.
5. Buses when loading or unloading passengers at established zones.
6. When the City Council has determined by resolution that the parking of oversized vehicles on certain streets shall be permitted.