



Council Agenda Report

Item 5f

Department: Public Works
Cost Center: 5101
For Agenda of: 2/15/2022
Placement: Consent
Estimated Time: N/A

FROM: Matt Horn, Public Works Director
Prepared By: Gaven Hussey, Parking Manager
Alexander Fuchs, Parking Services Supervisor

SUBJECT: SECOND READING OF ORDINANCE NO. 1707 (2022 SERIES) AMENDING TITLE 10, CHAPTER 36 (STOPPING, STANDING AND PARKING FOR CERTAIN PURPOSES OR IN CERTAIN PLACES) TO REVISE THE PARKING PERMIT PROGRAM FOR COMMERCIAL PROPERTIES

RECOMMENDATION

Adopt Ordinance No. 1707 (2022 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 10, Chapter 36 (Stopping, Standing and Parking for Certain Purposes or in Certain Places), of the San Luis Obispo Municipal Code."

DISCUSSION

On January 11, 2022, the City Council introduced Ordinance No. 1707 (2022 Series), amending Title 10 Chapter 36 of the Municipal Code for the City's parking permit program allowing for the formation of the preferential parking districts in commercial areas (Attachment A).

Council also directed staff to include minor clarifying language in the Ordinance that indicated parking districts are not allowed in areas that have paid parking as well as clarifying language on when a section of the Municipal Code applies to commercial areas versus residential areas. The following changes outlined below address Council's direction.

Section 10.36.170 – Designation of residential parking permit areas – Adoption of resolution.

- Added language indicating that parking districts are not allowed in areas that have paid parking
- Changed instances of "residential" to "preferential"
- Changed instances of "household" to "addressed unit" and / or "households" to "addressed units"
- Added language regarding persons "working" in an area to broaden the program to include commercial areas
- Removed language regarding Council receiving a request to establish parking districts since requests are received directly by staff.

Section 10.36.180 – Designation of residential parking permit areas – Content of resolution

- Changed instances of “residential” to “preferential”
- Changed instances of “household” to “addressed unit” and / or “households” to “addressed units”

Section 10.36.190 – Designation of residential parking permit areas – Sign posting

- Changed instances of “residential” to “preferential”

Section 10.36.200 – Limitations on parking in a residential permit parking area

- Changed instances of “residential” to “preferential”
- Changed instances of “household” to “addressed unit”
- Changed instances of “residents” to “occupants”
- Added language limiting the parking of vehicles with commercial plates in a parking permit area to no more than twenty-four consecutive hours
- Modified the subsection describing issuance and limitations of guests permits so that it can apply to both residential and commercial parking permit areas

Section 10.36.220 – Residential parking permit – Issuance

- Added clarifying language on when a section applies to commercial areas versus residential areas versus both areas
- Modified the language to reference the issuance of permits in commercial areas from registered property owners to occupants, so that the Municipal Code language matches what was presented to Council
- Changed instances of “households” to “parcels”
- Changed instances of “dwelling unit” to “addressed unit”
- Changed instances of “residents” to “occupant”
- Removed the terms “residential” and “residence” to broaden the program to include commercial areas
- Added language that new applicants must present proof of occupancy prior to issuance of parking permits

Section 10.36.221 – Lost, stolen, or defaced permit replacement

- Removed fees associated with the replacement of lost, stolen, or defaced permits since this fee is now contained within the City’s Comprehensive Fee Schedule
- Changed instances of “resident” to “occupant” and / or “residents” to “occupants”
- Removed language stating that permits will not be issued until the following year in cases of fraud and / or misrepresentation to obtain replacement permits

Section 10.36.230 – Residential parking permits – Display required

- Changed instances of “residential” to “preferential”

Section 10.36.232 – Enforcement

- Changed instances of “residents” to “occupants”

Policy Context

The California Vehicle Code section 22507 allows local authorities to restrict or prohibit parking on certain streets except for permitted residents, merchants, and their guests. The language of this Vehicle Code section has been interpreted to allow cities to establish parking districts exclusively for residents, businesses, or both. The City currently only allows parking districts in residential areas but has the authority to establish parking districts in commercial areas.

Public Engagement

A proposed Ordinance was brought before City Council on January 11, 2022, as a Public Hearing item for review and approval. There was no public comment on the item prior to Council taking action on the item.

CONCURRENCE

The City's Attorney's office has reviewed the ordinance and determined that the amendments to the applicable Municipal code sections are within the authority of the City to enact and enforce.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended action in this report, because the action does not constitute a "Project" under CEQA Guidelines Sec. 15378.

FISCAL IMPACT

Budgeted: Yes

Budget Year: On-going

Funding Identified: N/A

Fiscal Analysis:

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
Parking Fund	N/A			
Total	N/A			

There are no direct costs associated with adoption of this ordinance. Costs associated with the establishment or expansion of parking permit districts, under these amendments, will be funded through the Parking Fund service rates and incorporated into the annual budget appropriation. The Fund's current budget can accommodate one-time and on-going costs associated with the establishment and expansion of parking permit districts. The Fund receives multiple requests each year and staff has included an annual budget for establishing districts in the non-staffing operating expenditure line items.

If the proposed Municipal Code language changes result in an abnormally high number of district requests that cannot be accommodated within the Fund's existing budget, then staff will return to Council at future budget hearings or upon Council's formation of the district to appropriate funds from the Parking Fund's working capital to support the cost of parking district formation.

ALTERNATIVES

Do not adopt the Ordinance at this time. Staff does not recommend this alternative because the City Council has already approved the introduction of the Ordinance and provided direction to staff on minor language changes to the Ordinance language.

ATTACHMENTS

A - Ordinance No. 1707 (2022 Series)