

DATE: January 15, 2008

TO: Mayor and City Council Members
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FROM: Public Works Department

SUBJECT: **ORDINANCE NO. 1106 – AN ORDINANCE AMENDING CHAPTER 10.20 OF THE FOLSOM MUNICIPAL CODE REGARDING RESIDENTIAL PERMIT PARKING ZONES (INTRODUCTION AND FIRST READING)**

BACKGROUND / ISSUE

Overflow parking from non-residential uses often encroaches into adjacent residential areas; not only can this prevent residents and their visitors from parking but can also lead to quality of life impacts such as increased litter, noise and confrontational behavior. Situations such as this currently exist in the Historic District and near Folsom High School, prompting residents in those areas to seek some form of parking restriction.

Time-limit parking was considered in the vicinity of Folsom High School, but was not favored by many residents due to the impacts associated with time limits that affect all users. The current parking ordinance in the Folsom Municipal Code does not allow for preferential parking (such as permit parking); therefore the Public Works Department and City Attorney's Office drafted an amendment to the Folsom Municipal Code which will authorize staff to implement permit parking zones where necessary and if supported by the affected neighborhood.

This ordinance also removes two sections (10.20.220 and 10.20.230) that refer to parking on Folsom Dam Road.

POLICY / RULE

Adoption of an ordinance revising parking regulations in the Folsom Municipal Code requires City Council approval.

ANALYSIS

The proposed ordinance is based on similar programs adopted in other jurisdictions and generally includes the following elements:

- A process for requesting a residential permit parking zone
- Determination of eligibility based on the size of the requested area and the amount of non-residential parking that is occurring
- An approval process, which requires that the majority of affected property owners and the City Council approve the parking zone prior to implementation
- Permit allocation and cost distribution; the City will cover the cost of parking signs and enforcement, while the cost of the permits and administration would be borne by the residents

- Enforcement criteria, such as legal permit placement and restrictions on transferability

The proposed ordinance allows the City to establish residential permit parking zones when requested by the community, contingent upon the approval of most of that community and the City Council.

Establishment of the above residential permit parking zones would require approval of a City Council Resolution for each area, once an ordinance is established

The references to the Folsom Municipal Code pertaining to parking on the Folsom Dam Road are no longer applicable due to the closure of Folsom Dam Road.

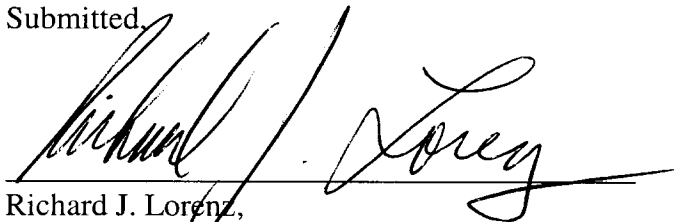
ATTACHMENT

Ordinance No. 1106 – An Ordinance Amending Chapter 10.20 of the Folsom Municipal Code Regarding Residential Permit Parking Zones (Introduction and First Reading)

CITY COUNCIL ACTION / RECOMMENDATIONS

The Public Works Department recommends that the City Council introduce Ordinance No. 1106 - An Ordinance Amending Chapter 10.20 of the Folsom Municipal Code Regarding Residential Permit Parking Zones (Introduction and First Reading)

Submitted,



Richard J. Lorenz,
PUBLIC WORKS DIRECTOR/CITY ENGINEER

ORDINANCE NO. 1106

AN ORDINANCE AMENDING CHAPTER 10.20 OF THE FOLSOM MUNICIPAL CODE
REGARDING RESIDENTIAL PERMIT PARKING ZONES

The City Council of the City of Folsom hereby does ordain as Follows:

SECTION 1 PURPOSE

The City Council finds that in certain areas of the City, the long-term, non-resident parking of motor vehicles on streets infringes upon the quality of life, health and safety of residents, and denies them the use of a reasonable amount of parking space in front of or near their own homes. These modifications and additions to the Folsom Municipal Code are adopted in response to the impacts caused by such parking.

SECTION 2 AMENDMENTS TO THE FOLSOM MUNICIPAL CODE

10.20.110 Curb Markings and Signs (amend as follows)

G. White sign with red border and printing – No person shall park, stop, or leave standing any vehicle at any time, except during hours specifically exempted on the posted sign, **or unless legally displaying a valid parking permit placard on the vehicle's back windshield within the parking permit zone for which the parking permit was issued;**

10.20.220 (Deleted)

10.20.230 (Deleted)

Residential Parking Permits Zones

10.20.280 Definitions.

Within this Article, the following words shall be defined as follows:

“Residential Area” means an area of not less than 0.5 square miles of at least 80 percent residential street frontage.

“Adversely Affected” means any occurrence when parked vehicles in a Residential Area occupy 80 percent or more of the total available on-street parking space.

10.20.281 Eligibility Criteria

A Residential Area shall be deemed eligible for consideration as a residential parking permit zone if the Residential Area is Adversely Affected by vehicles parked within the Residential Area for any extended period during the day or night, including weekends and holidays.

10.20.282 Initiating Process to Designate Residential Parking Permit Zones

- A. Persons interested in designating a residential parking permit zone shall consult with the Public Works Director to tentatively create boundaries for the proposed residential parking permit zone.
- B. Upon receipt of a letter from a group of neighborhood residents or appropriate neighborhood association requesting designation of the area described in this section, the Public Works Director shall undertake or cause to be undertaken studies to determine whether the eligibility criteria as described in Section 10.20.281 have been met for the requested area.
- C. If the studies conclude that the eligibility criteria described in Section 10.20.281 have been met for the requested area, the Public Works Director shall undertake a mailed survey of all property owners within 300 feet of the area proposed to become a residential parking permit zone to determine the level of support for the designation. The survey shall provide information regarding the tentative boundaries, and potential parking restrictions and associated costs.

If the studies conclude that the eligibility criteria described in Section 10.20.281 have not been met for the requested area, the Public Works Director shall provide the requesting group or association with written notice of the results of the studies and inform the group or association that the Public Works Director shall not be making a recommendation regarding the requested area.

- D. The Public Works Director shall provide notice to affected property owners and hold at least one public meeting on the subject of the proposed residential parking permit zone. Said public meeting(s) shall be conducted for the purpose of affixing the boundaries for the proposed residential parking permit zone, as well as to consider appropriate parking regulations for the proposed zone.

10.20.283 Recommendation of the Public Works Director

- A. If a majority of the property owners within the proposed residential parking permit zone are in favor of being designated, the Public Works Director shall recommend by written report to the City Council, based on the record of the public meetings, the surveys performed, and comments received from the residents indicating support for or opposition to the designation of the residential parking permit zone, whether or not to designate the Residential Area under consideration as a residential parking permit zone.
- B. The written report of the Public Works Director shall include the proposed boundaries of the residential parking permit zone and the proposed parking regulations.
- C. The Public Works Director may also recommend to the City Council, by written report, the removal of a residential parking permit zone where he/she determines that the designated zone is not serving the intended purpose of this ordinance.

10.20.284 Designation of Residential Parking Permit Zones

- A. Upon receipt of a recommendation described in Section 10.20.283, the City Council may by resolution designate or remove a residential parking permit zone. In any resolution designating a residential parking permit zone, the resolution shall include the zone's boundaries, parking regulations, and fees, if applicable.
- B. Prior to approving a resolution designating or removing a residential parking permit zone, notice of the proposed designation or removal shall be provided to owners of record within 300 feet of the proposed or existing residential parking permit zone.
- C. Upon a residential parking permit zone being designated by the City Council, the Public Works Department shall issue parking permit placards to the residents with street frontage within the residential parking permit zone. For purposes of this Chapter, placards shall include stickers or other items as evidence of a permit as developed by the City.

10.20.285 Application for Permits

- A. Two parking permit placards shall be available for each residence having street frontage in the posted area within the residential parking permit zone. Such parking permit placard is only valid for automobiles, pickup trucks/SUVs and motorcycles and shall not apply to trailers, attached or unattached, to a vehicle displaying a placard. There shall be a fee calculated based on the number of signs and permits created for the area designated for parking permit exemption. The Public Works Director shall record the residence address and name of each person issued a parking permit placard.
- B. A parking permit placard is only valid for the residential parking permit zone for which it was issued. A parking permit placard shall be valid for two (2) years from the date of issuance and shall immediately become invalid when the person issued the parking permit placard moves to another residence, whether or not such residence has street frontage within the residential parking permit zone.

10.20.286 Additional Parking Permit Placards

The Public Works Director may, in his or her discretion, issue additional parking permit placards to persons occupying residences with street frontage within a residential parking permit zone in cases of special circumstance (e.g., in-home caregivers) or hardship.

10.20.287 Other Vehicle Regulations

- A. Nothing in this article shall be construed to permit any person to park a vehicle in violation of any other restriction on parking, including, but not limited to, the regulation of the California Vehicle Code and this title relating to handicapped parking, tow-away zones, 72-hour limitations regarding on-street parking, or curb markings.
- B. Vehicles which display a distinguishing license plate or placard issued pursuant to California Vehicle Code section 22511.5 for handicapped persons or California Vehicle

Code section 9105 for disabled veterans shall be exempt from the provisions of this article.

10.20.288 Transfer and Cancellation

It is unlawful to sell, transfer, or convey, or to offer to sell, transfer, or convey, any parking permit placard issued pursuant to this article.

10.20.289 Parking in Residential Parking Permit Zone Without Placard Prohibited

No person shall park a vehicle in a residential parking permit zone designated for the exclusive use of vehicles which display a distinguishing placard issued pursuant to this article unless such person displays a valid parking permit placard.

SECTION 3 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 or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby 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 4 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City of Folsom.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on February 12, 2008, and the second reading occurred at the regular meeting of the City Council on February 26, 2008.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 12th day of February 2008, by the following vote, to wit:

AYES: Council Member(s)
NOES: Council Member(s)
ABSENT: Council Member(s)
ABSTAIN: Council Member(s)

Eric S. King, MAYOR

ATTEST:

Christa Schmidt, CITY CLERK