



# CITY OF CARSON

## Legislation Text

File #: 2018-802, Version: 2

### Report to Mayor and City Council

Wednesday, November 07, 2018

Discussion

#### **SUBJECT:**

**CONSIDER ORDINANCE NO. 18-1815 AMENDING CHAPTER 2 OF ARTICLE III OF THE CARSON MUNICIPAL CODE TO ADD SECTIONS 3255 THROUGH 3255.6 (PARKING OF OVERSIZED VEHICLES) TO PART 6 (PARKING REGULATIONS) OF CHAPTER 2 (TRAFFIC REGULATIONS) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE, TO ESTABLISH PARKING RESTRICTIONS FOR OVERSIZED VEHICLES**

#### **I. SUMMARY**

Staff is presenting a draft ordinance that restricts the parking of all oversized vehicles anywhere in the City, with the exception of oversized vehicles that are eligible to obtain a residential parking permit. The City has received numerous complaints from residents and businesses concerning oversized vehicles parking for extended times in their neighborhoods to include illegal dumping of trash and human waste.

The City has been working proactively with the Los Angeles County Sheriff's Department to combat these issues while ensuring the health and safety of its residents. The proposed ordinance would phase in the parking restriction over a 90 day time period to allow Carson residents to either make provisions on their properties to park their oversized vehicles or find a suitable storage lot.

#### **II. RECOMMENDATION**

WAIVE further reading and INTRODUCE Ordinance No. 18-1815 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA ADDING SECTION 3255 THROUGH 3255.6 TO PART 6 OF CHAPTER 2 OF ARTICLE III TO THE CARSON MUNICIPAL CODE ALLOWING FOR OVERSIZED VEHICLE PARKING PERMITS."

#### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

On August 21, 2018, the City Council reviewed recommendations made by staff to regulate oversized vehicle (“OV”) parking. At that meeting, the City Council directed staff to proceed in developing an ordinance that would allow for OV parking in the City of Carson. Staff has worked on the proposed ordinance with the City Attorney’s Office, as well as the ad hoc committee comprised of Councilmembers Davis-Holmes and Santarina.

In the past several months, neighboring cities such as Long Beach and Torrance have adopted OV registration ordinances, which have resulted in a sudden increase in parking of such vehicles in the City of Carson. These oversized vehicles can present a variety of public safety and public health problems, from impaired sight lines for road users to illegal dumping of garbage and waste matter on City sidewalks and streets.

As a result in the increase of OV’s, City staff has inventoried at least 377 OV’s that park in the City, with 115-125 usually parked in the City at any time of the day or night. During the last 5 months, the City has red-tagged 17 OV’s because they were either abandoned or had expired tags. Similarly, the Los Angeles Sheriff’s Department (LASD) has encountered inconspicuous abandoned OV’s such as Boats, Mail Truck and Food Trucks.

#### **Analysis:**

The definition of an Oversized Vehicle (OV) in the proposed ordinance is purposely broad, and includes any vehicle or combination of attached vehicles that exceeds 20 feet in length, 80 inches in width, or 85 inches in height (exclusive of lights, mirrors, antennas, or other legal projections), including, but not limited to, motor homes, recreational vehicles, boats, busses, tour busses, truck tractors, decommissioned mail trucks, auxiliary dollies, trailers, semi-trailers, utility trailers and fifth-wheel travel trailers. (Proposed Section 3255.1) This is because code enforcement and the sheriffs have been finding an increasing variety of oversized vehicles parked on City streets, and it is the intent of the ordinance to regulate parking of all such vehicles.

The ordinance would prohibit parking of all oversized vehicles anywhere in the City, with the exception of OV’s that are eligible to obtain a resident parking permit (annual), or a guest parking permit (24 hours). Permits would only be issued for residential properties, thus completely prohibiting parking such vehicles in commercial or industrial zones. The prohibition would also not apply to: commercial vehicles making pickups or delivery or while providing services to a residence; tow trucks and similar vehicles; public or utility vehicles; and emergency vehicle.(Proposed Sections 3255.2, 3255.3)

The proposed Ordinance would require all oversized vehicle owners who reside in the City to park their oversized vehicle directly in front of their homes (proposed Section 3255.4):

- Obtain and display an annual resident parking permit, which will have to be displayed on the oversized vehicle

- Residents can obtain a guest permit valid for 24 hours (maximum 20 per year per property)
- Permits can only issue for single family homes, and will not issue if the home has available parking that is being used otherwise (e.g., parking used for storage)
- Parking permits shall be subject to permit fees, per Council resolution
- Disabled individuals may obtain an accessibility permit, which would be free of permit fees and would allow the individual to park an oversized vehicle directly in front of their property closer than 750 feet from schools and parks. Accessibility permits are only available for handicapped individuals whose oversized vehicles are their sole form of transportation.
- Vehicles who obtain a resident permit (or an accessibility permit) are exempt from the 72 hour parking limitation on city streets, but must move their vehicles for street cleaning and otherwise obey all other parking and traffic laws.

The ordinance provides permit application procedures. (Proposed Section 3255.5.)

Permit holders must follow certain rules, violation of which can result in the denial or revocation of their permit (proposed Sections 3255.4(f), 3255.6):

- Vehicles must park directly in front of the permit holder's property
- Vehicles cannot park within 750 feet of any daycare, school or within 750 feet of any park where children regularly gather, and permits cannot issue for property addresses within such a radius.
- Vehicles must be kept clean and in good condition, and must be operable, i.e., they must have current tags and must be able to move. Vehicles with flat tires or on cinder blocks are not operable under the proposed ordinance.
- Vehicles cannot encroach on private or public property, cannot create a public nuisance, and cannot obstruct traffic visibility or create any kind of hazard.
- Vehicles parked on public streets cannot run utilities from any property.
- (Proposed Section 3255.6 also includes revocation procedures. In the event a permit has been denied or revoked, the applicant must wait 90 days to reapply.)

Violations provisions are found in proposed Section 3255.7.

Finally, Council directed that the ordinance, once adopted, not be effective for 60 days after adoption. Staff is recommending 90 days (the statutorily required 30 days, plus 60) if the

Council introduces the ordinance today and adopts it at the next meeting because of the holiday season, which will make implementation more time consuming than normal.

OV's have hindered crime prevention for LASD and City Public Safety staff. LASD believes that limiting the parking of OV's will afford Deputies clear and unobstructed view of the sidewalks, parks and various areas in the City that are providing a camouflage for violators. OV's also conceal pedestrians walking along sidewalks and can become unsafe pathways. LASD has responded to multiple violations of the law such as consumption of alcohol, smoking of narcotics, hazardous waste and trash left on sidewalks and streets as well as individuals in medical distress within OV's parked in the City.

As documented by LASD staff and City staff, a subset of the OV's are used by a transient populations for temporary housing. The City implements advanced programs to address the regional homeless issues, which are further described below. The City has seen an increase in abandoned OV's by homeless individuals, which require extensive clean up. An example of this occurred last month when LASD was dispatched to an abandoned OV in the City (Exhibit 2). Deputies arrived on the scene to find an abandoned OV with an excessive amount of trash debris around the vehicle including leaking hazardous waste onto the street. A hazardous waste company was called in to cap the leaking OV. In addition, a tow was required to remove the vehicle, but could not initially tow due to a broken axle and flat tire. As a favor to the LASD, the tow company made the repairs and was not compensated for its actions. This resulted in a \$450 dollar loss which would be an expenditure to the City. Once the OV was removed, City staff came behind to remove trash, power wash and deodorize the street and sidewalks.

The City has stated that the purpose of the proposed permit program is to reduce the number of OV's that are parked for long periods of time, increase the availability of on-street parking and clear the City of those that are utilizing these OV's as a haven for drugs and other violations. An uptick in the number of complaints for OV's through The Los Angeles County Sheriff's Department (LASD).

Creating a parking permit program and issuing annual parking permits to residents that own an OV will provide the framework needed to minimize abuse of the current 72 hour parking rule. Annual Resident OV Parking Permits will be provided to a resident of Carson who owns or leases an operable (must be able to physically move and not merely an engine being engaged) OV to be parked in front of the residence. For guests visiting the City of Carson, a temporary permit for an OV shall have duration of 24 hours and a maximum of 20 such permits can be obtained each calendar year for any particular address or vehicle. The City of Carson will work vigorously to provide adequate outreach and advanced notice to inform residents before enforcement begins and citations are issued for the parking permit program. An existing contract with a Hazardous Waste agency will be implemented to assist in capping leaking OV's to ensure the tow will be solidified and placed legally in a tow yard.

The City has been diligent in its efforts to combat urban blight and other challenges such as abandoned vehicles and transitioning the homeless to affordable housing. In 2015, the City formed a task force to deal with the increasing number of homeless in Carson. The task force meets every two weeks to develop and implement homeless programs. As a

result of this task force, the City conducts a Homeless Outreach Fair annually to provide services such as haircuts, clothes, shoes, laundry, toiletries, dental exam, vision test, food vouchers and a shower. Approaching in the Fall of 2019, the City will open its first Veteran’s Homeless Affordable Housing Community to provide housing for homeless Veterans and their families.

**V. FISCAL IMPACT**

The permit fee can help offset start up and on-going administrative costs. Initial signage would be required at all entry points to the City. Staff has determined that approximately fifty signs would be required. This number could increase based on recommendations by either the City Attorney or at the request of the Sheriff’s Department.

Staff surveyed ten RV Lots to rent within a 30 mile radius of the City. Average RV Lots rent for \$360 a month or \$4,320 annually. Staff has reviewed fees collected in Los Angeles County for OV parking and found that \$65.00 per year is the average permit fee. City staff time required to implement the parking program is estimated to be fifteen percent of a Full-Time employee. Considering that multiple staff may process permit applications, a blended staff rate was used in determining the initial fee which would be \$200 and the renewal permit fees would be set at \$100 annually.

Staff blended rate is as follows:

Blended Rate			
CLASSIFICATION	% OF TIME	Rate per Month	Annual Cost
Business License Tech	4	\$519	\$6,228
Code Enforcment Officer	3	\$549	\$6,588
Parking Enforcement Officer	3	\$490	\$5,880
Traffic Engineer	5	\$741	\$8,892
SUBTOTAL	15%	\$2,299	\$27,588
TOTAL	15%	\$2,300	\$28,000

<b>COSTS (Program Start-up)</b>	
<b>Item</b>	<b>Item cost (quote or estimate)</b>
Signage	\$10,000
Fabricate Permits	\$1,000
Staff processing permits and other related work (15% FTE)	\$28,000
Public Education (Flyers/Carson Report/Internet)	\$300
<b>SUBTOTAL</b>	<b>-\$39,300</b>
<b>COSTS (Ongoing)</b>	
<b>Item</b>	<b>Item cost (quote or estimate)</b>
Public Education (Carson Report/Internet)	\$100
Fabricate Permits	\$1,000
Staff processing permits and other related work (15% FTE)	\$28,000
Signage Maintenance	\$1,500
<b>SUBTOTAL</b>	<b>-\$30,600</b>
<b>SUMMARY TOTALS</b>	
<b>Item</b>	<b>Item cost (quote or estimate)</b>
Start-Up Costs	-\$39,300
Revenue Generated through Permit Fees (Start-up)	\$30,000
<b>TOTAL</b>	<b>-\$9,300</b>
Ongoing Costs	\$30,000
Revenue Generated through Permit Fees (On-going)	\$15,000
<b>TOTAL</b>	<b>-\$15,600</b>

**VI. EXHIBITS**

1. Proposed Ordinance No. 18-1815 (pgs. 7 - 14)
2. Oversized Vehicles Photos (pgs. 15 - 20)

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