

MEETING DATE: March 23, 2009

AGENDA ITEM: Discussion of Parking Regulations for Large Motor Vehicles and Recreational Vehicles

ATTACHMENTS

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ATTACHMENT 1

Meeting Date: 06/13/05		Item Number: _____	
AGENDA ITEM: Discussion of Options for Regulating Parking of Recreational, Oversized and Non-Motorized Vehicles.			
Contact Person/Dept.: Heather Iker/City Attorney		Phone Number: (310) 253-5660	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Via mail on May 31, 2005: Homeowners' Associations and Neighborhood Groups; Via mail on June 1, 2005: Rollin Rhone (resident who requested notice); Via e-mail on June 6, 2005: Chamber of Commerce; Downtown Business Association; Sam's RV Club; Via e-mail on June 8, 2005: Master Notification List; Via mail on June 8, 2005: All residents on Culver Boulevard between Sepulveda Boulevard and Elenda Street.			
Department Approval: Carol Schwab, City Attorney		CAO Approval:	
City Controller Approval: N/A			

RECOMMENDATION:

That the City Council discuss options for regulating parking of recreational, oversized and non-motorized vehicles and direct staff to come back with an ordinance reflecting Council's recommendations, if any.

BACKGROUND:

Over the last few years, the City has experienced an increase in complaints regarding the parking and/or storage of oversized vehicles, including recreational vehicles, campers, trailers and boats, in residential and commercial areas throughout the City. Such complaints have consisted of concerns regarding safety issues, including reduced visibility of drivers when backing out of driveways and entering intersections resulting from oversized vehicles being parked on public streets and rights-of-ways, as well as complaints of visual blight.

There are various methods of addressing these issues, including vigorous enforcement of current provisions in the Culver City Municipal Code ("CCMC"), which address some but not all of the complainants' concerns, or adopting stricter regulations, such as prohibiting the parking of these vehicles altogether.

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Any Council recommendation will be incorporated into an ordinance and brought back for consideration. Such ordinance will include definitions of the different types of vehicles, regulations, and exceptions. The ordinance will be a cooperative effort between the City Attorney's Office, and the Police and Community Development Departments to address parking and zoning issues.

DISCUSSION:

Currently, existing Culver City Municipal Code ("CCMC") regulations provide the City with the following enforcement capabilities regarding the parking of recreational, oversized and non-motorized vehicles upon residential and commercial streets:

- CCMC § 7.03.030 prohibits overnight parking on certain streets, except by permit (Attachment 1).
- CCMC § 7.03.220 (A) (1) prohibits the parking of any vehicle upon any street or alley, for more than a consecutive period of seventy-two (72) hours (Attachment 2).
- CCMC § 7.03.220 (B) prohibits, with limited exceptions, the parking of any *detached* camp trailer, carry-all, dumpster, semi trailer, special construction equipment or trailer, upon any street between 2:00 a.m. and 6:00 a.m. (See Attachment 2).
- CCMC § 7.03.242 prohibits using a vehicle parked or standing upon any public street, alley, right-of-way, public park or other public property for habitation (Attachment 3).
- CCMC § 37-83 (F) prohibits the parking of commercial vehicles in residential zones, except for loading and unloading purposes (Attachment 4).

Staff has looked at several other cities to see how they are regulating the parking of recreational and oversized vehicles. The survey cities include Beverly Hills, Costa Mesa, Long Beach, Los Angeles, Newport Beach, Redondo Beach, Santa Monica, Thousand Oaks, Torrance, and West Hollywood. Several cities, including Costa Mesa, Redondo Beach, Newport Beach, Santa Monica, Thousand Oaks and West Hollywood have established parking regulations for large vehicles, including pick-up trucks, RVs and commercial vehicles exceeding a certain size or weight. Other cities do not provide for any special regulations pertaining to these types of vehicles.

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Survey of Cities' Regulations

	Oversized Vehicles	Trailers	Commercial Vehicles
Beverly Hills	X	X	X
Costa Mesa	X	X	X
Long Beach	X		
Los Angeles		X	X
Newport Beach	X	X	X
Redondo Beach	X	X	X
Thousand Oaks		X	X
Torrance	X		
Santa Monica	X	X	X
West Hollywood	X		

(See Attachment 5 for detailed information relating to these regulations.)

Options:

A. Time Restrictions.

1. Prohibiting overnight parking or parking within designated hours. Per CCMC § 7.03.030, the City currently prohibits the parking of vehicles on certain streets between the hours of 2:00 a.m. and 4:00 a.m., unless the City issues an overnight parking permit. Enforcement of this provision prohibits persons from overnight parking of oversized vehicles on designated streets. This provision applies to only limited areas of the City, which have been established by resolution of the City Council (e.g. Bentley Avenue near Tellefson Park). It is a useful enforcement tool to prevent individuals from living in their vehicles in those particular areas, but does not provide an enforcement mechanism to address complaints relating to obstruction of drivers' views, visual blight, and habitation in vehicles parked on other streets where there is no overnight parking prohibition. This

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prohibition could be amended to include longer hours for prohibition and/or additional streets.

2. 72-hour prohibition. Per CCMC § 7.03.220, the City currently prohibits the parking of any vehicle for more than 72 consecutive hours. Marking tires would permit the City to remove any vehicle parking in the same location for more than that time period, as most tire markings wear off only if the vehicle is moved some distance. The City can impose stricter standards in this regard, e.g. no parking for more than 48 consecutive hours, or no parking for more than 72 hours in any thirty (30) day period.

Generally, time restrictions are the most difficult to enforce and require more staff time, due to the need to constantly monitor vehicles to ensure they are not exceeding the designated time limits. Overnight parking restrictions usually require enforcement by the police, unless the City has parking enforcement staff working during times other than normal business hours.

B. Complete Prohibition

The City currently prohibits the parking of commercial vehicles in residential zones; however, another option would be a complete prohibition of the parking or storage of oversized vehicles (e.g. based on size, weight, axles or combination thereof) on all City streets. Vehicle Code § 22507 (a) provides "Local authorities may, by ordinance or resolution, prohibit or restrict the stopping, parking, or standing of vehicles . . . on certain streets or highways, or portions thereof, during all or certain hours of the day."

The prohibition can be by specific street name, or by streets in a residential, commercial and/or any other zone, provided that proper signs are posted. If a complete prohibition is recommended, the City should allow for certain exceptions, such as parking for the purposes of loading and unloading. Further, in residential zones, additional exceptions may be include, parking for the purposes of cleaning, battery-charging, or other activity preparatory or incidental to travel. Any such exceptions may be limited to a specific period of time (e.g. not to exceed forty-eight (48) consecutive hours, if in a residential zone, and a shorter period of time if in a commercial zone). The difficulty in enforcing these exceptions is similar to enforcement of time-restricted parking regulations.

The benefit to a complete prohibition is that it is less difficult to enforce than regulations based on time restrictions. If police or parking enforcement staff see the vehicle on a street where it is prohibited, they can cite or, if the ordinance so provides, tow the vehicle, without expending the added staff time necessary to monitor the vehicle to determine if it exceeded a designated time period.

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C. Parking on Private Property

Although most complaints in this area have been limited to parking on the street, the City Council may also consider directing staff to research the possibilities for stricter regulations for parking of such vehicles on private property (e.g. prohibiting parking within any designated setback or in any area visible from the street). Currently, the City's Municipal Code, § 37-88.4(b) (Attachment 6), allows these vehicles to be parked on private property on a paved surface (such as a driveway or RV pad).

As discussed above, there are several options the City may wish to take in an effort to alleviate some of the concerns of the residents. If directed, staff will return to the City Council with a comprehensive ordinance addressing these concerns and incorporating City Council's recommendations.

FISCAL ANALYSIS:

There is no fiscal impact for this agenda item. However, any future adoption of additional regulations restricting or prohibiting the parking of recreational, oversized and non-motorized vehicles, may require increased enforcement activity on City staff, particularly the Police Department. These costs cannot be easily quantified. In addition, there would be a cost for the installation of adequate signage.

ATTACHMENTS:

1. CCMC § 7.03.030
2. CCMC § 7.03.220
3. CCMC § 37-83(F)
4. CCMC § 7.03.242
5. Survey of other cities' regulations
6. CCMC § 37-88.4 (b)

MOTION:

That the City Council:

Discuss options for regulating parking of recreational, oversized and non-motorized vehicles and direct staff to come back with an ordinance reflecting Council's recommendations, if any.

ATTACHMENT 2

June 13, 2005

Item A-13

Discussion of Options for Regulating Parking of Recreational, Oversized and Non-Motorized Vehicles.

Heather Iker, Deputy City Attorney, gave the staff report.

Mayor Vera invited public participation.

The following member of the audience addressed the City Council:

Linda Lee Fernandez

Christopher Armenta, City Clerk read written comments submitted by the following:

Dorothy Knott
Layla Krause
Joan Moon

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER ROSE AND SECONDED BY COUNCILMEMBER GROSS, THAT THE CITY COUNCIL DIRECT STAFF TO COME BACK WITH AN ORDINANCE ALONG THE LINES OF THE ORDINANCE FROM THE CITY OF COSTA MESA.

AYES: Councilmembers Gross, Rose, Silbiger, Vera
NOES: None
ABSTAIN: None
ABSENT: Councilmember Corlin

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Public Comment for Items Not On the Agenda (Continued).

Mayor Vera invited public participation.

There was no response.

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ATTACHMENT 3

PROHIBITED AND LIMITED PARKING OF OVERSIZED, NON-MOTORIZED AND COMMERCIAL VEHICLES

§ 7.03.600 DEFINITIONS.

For the purposes of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any term that is not defined herein shall have the meaning as set forth in the California Vehicle Code.

CHIEF OF POLICE. The Chief of Police of the City of Culver City or his or her designee.

COMMERCIAL VEHICLE. Any vehicle having more than two axles, or any single **COMMERCIAL VEHICLE** or combination of said vehicles that exceed twenty (20) feet in length, or any single **COMMERCIAL VEHICLE** or combination of said vehicles eighty-four (84) inches or more in width, or any single **COMMERCIAL VEHICLE** or combination of said vehicles having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more. A **COMMERCIAL VEHICLE** includes a truck tractor, but does not include a large motor vehicle or non-motorized vehicle, as defined herein, or a pick-up truck without a camper, or a sports utility vehicle.

LARGE MOTOR VEHICLE. Any house car, pick-up truck with camper, recreational vehicle, or any other vehicle, or combination of vehicles, that measures more than twenty (20) feet in length, or is both more than eight-four (84) inches in width and eighty-four (84) inches in height. The term **LARGE MOTOR VEHICLE** does not include a commercial vehicle, as defined herein, a pick-up truck without a camper, or a sports utility vehicle.

NON-MOTORIZED VEHICLE. Any trailer, boat, or any other device that can be used for transporting persons or property, and is not self-propelled.

MOTOR VEHICLE. Any passenger vehicle, pick-up truck without a camper, sports utility vehicle motorcycle or motor-driven cycle, but shall not include a house car.

POLICE DEPARTMENT. The Culver City Police Department.

RESIDENTIAL DISTRICT. Any area within the City that is zoned RI, R2, R3, RLD, RMD, RHD, and those portions of PD Zone districts that are specified for residential uses.

VEHICLE OWNER. The registered owner or person who has possession, custody or control of any motor vehicle, large motor vehicle or non-motorized vehicle.

(Ord. No. 2005-009 §1 (part))

§ 7.03.605 MEASUREMENTS.

To determine the width or length of the vehicles defined in this Subchapter, any extension to the vehicle caused by mirrors, air conditioners, or similar attachments shall not be included.

(Ord. No. 2005-009 §1 (part))

§ 7.03.610 PROHIBITIONS.

A. No person shall, at any time, park or leave standing any large motor vehicle or non-motorized vehicle on any public street, highway, parkway or alley, except:

1. In residential districts, large motor vehicles or non-motorized vehicles attached to a motor vehicle or large motor vehicle, which are parked adjacent to the vehicle owner's residence, are allowed for a period of time not to exceed forty-eight (48) consecutive hours, for the sole purpose of loading, unloading, cleaning, battery-charging, or other activity preparatory or incidental to travel.

2. In residential districts, large motor vehicles, or non-motorized vehicles attached to a motor vehicle or large motor vehicle, which are parked adjacent to the vehicle owner's residence, may be allowed for an additional period of time of up to twenty-four (24) consecutive hours, but no more than a total of seventy-two (72) consecutive hours, provided an extension has been granted by the Chief of Police.

B. Any large motor vehicle, or non-motorized vehicle attached to a motor vehicle or large motor vehicle, which is parked on a public street, highway, parkway or alley, pursuant to either Subsection (A)(1) or (A)(2) herein above, shall, at the end of the permitted period of time, whether forty-eight (48) or seventy-two (72) hours, be removed from its location, and shall not be parked on any public street, highway, parkway or alley for a period of at least forty-eight (48) hours.

C. No person who owns or has possession, custody or control of any commercial vehicle shall park or leave standing any such vehicle on any public street highway, parkway, roadway, alley or thoroughfare for more than three (3) hours, except:

1. For such reasonable period of time in excess of three (3) hours that may be necessary for the purpose of making pick-ups or deliveries of goods, wares and merchandise from or to any building or structure, or for the purpose of delivering materials to be used for repair, alteration, remodeling or construction of any building or structure upon a restricted street or highway; or

2. For such reasonable period of time in excess of three (3) hours that may be necessary when such vehicle is parked in connection with the performance of a service to or on a property in the block in which such vehicle is parked; or

3 For such reasonable time in excess of three (3) hours that may be necessary to make emergency repairs.

D. No person who owns or has possession, custody or control of any motor vehicle, large motor vehicle, non-motorized vehicle or commercial vehicle, which is six (6) feet or more in height, including any load thereon, shall park or leave standing any such vehicle on any street or highway within forty-five (45) feet of any intersection.

(Ord. No. 2005-009 §1 (part))

§ 7.03.615 EXEMPTIONS.

The provisions of this Subchapter shall not apply to the following:

A. Any government, public utility or emergency vehicle; or

B. Any motor vehicle, large motor vehicle, non-motorized vehicle or commercial vehicle that is parked on any public street, highway, parkway, roadway, alley or thoroughfare pursuant to a permit, lease, license or other entitlement issued by the City.

(Ord. No. 2005-009 §1 (part))

§ 7.03.620 REMOVAL AND PENALTIES.

A. Unless otherwise specified, a violation of any provision of this Subchapter shall be deemed a civil offense, and punishable by a fine established by resolution of the City Council.

B. Any vehicle found in violation of this Subchapter may be cited or removed, or both cited and removed, by any member of the Police Department authorized by the Chief of Police, in the manner and subject to the requirements of this section and Cal. Veh. Code §§ 22651 and 22651.05.

C. After any vehicle has been removed summarily, as provided in Subsection (B) above, the registered and legal owners of the vehicle shall be given the opportunity for a post-removal hearing to determine the validity of the storage of the vehicle in accordance with Cal. Veh. Code § 22852.

D. The procedures for hearings provided for in Subsection (C) above shall be established by the Chief of Police, and the hearing shall be held by the Chief of Police or his or her designee. Said designee shall not be the person who directed the storage of the vehicle.

E. The disposition of any stored vehicle shall be in accordance with Cal. Veh. Code §§ 22850.5 through 22855.

(Ord. No. 2005-009 §1 (part))

§ 7.03.625 CONFLICT OF PROVISIONS.

In the event of any conflict between this Subchapter and any other provisions of this Code, this Subchapter shall control.

(Ord. No. 2005-009 §1 (part))

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ATTACHMENT 4

Meeting Date: 10/24/05		Item Number: _____	
AGENDA ITEM: Consideration of Introduction of an Ordinance Amending Various Provisions of Chapter 7.03 of the Culver City Municipal Code Relating to the Parking of Oversized, Non-motorized and Commercial Vehicles, 72-Hour Parking Limitation, and Vehicle Habitation.			
Contact Person/Dept.: Heather Iker/City Attorney; Sgt. Mike Webb/Police Department		Phone Number: (310) 253-5660/(310) 253-6250	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Via mail on October 11, 2005: Homeowners' Associations and Neighborhood Groups; All residents on Culver Boulevard between Sepulveda Boulevard and Elenda Street; Via mail or e-mail on October 11, 2005: Persons who have requested notice or commented on this issue at past Council Meetings; Via e-mail on October 11, 2005: Chamber of Commerce; Downtown Business Association; Via e-mail on October 12, 2005: The Good Sam RV Club; Via e-mail on October 19, 2005: Master Notification List.			
Department Approval: Carol Schwab, City Attorney (10/12/05); John Montanio, Chief of Police (10/13/05)		CAO Approval:	
City Controller Approval:			

RECOMMENDATION:

That the City Council consider the introduction of an Ordinance amending various provisions of Chapter 7.03 of the Culver City Municipal Code relating to the parking of oversized, non-motorized and commercial vehicles, 72-hour parking limitation, and vehicle habitation (Attachment 1).

BACKGROUND:

Over the last few years, the City has experienced an increase in complaints regarding the parking and/or storage of oversized vehicles, including recreational vehicles, campers, trailers and boats, on City streets in residential and commercial areas throughout the City. Such complaints have consisted of concerns regarding safety issues, including reduced visibility of drivers when backing out of driveways and entering intersections, resulting from oversized vehicles being parked on public streets and rights-of-ways; as well as concerns about visual blight and persons living in vehicles. In addition, the City has also received complaints regarding persons

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parking inoperable vehicles in the public streets in violation the City's prohibition against parking a vehicle for more than 72 consecutive hours, and circumventing the law by pushing their vehicle a few inches or removing chalk marks, in order to avoid being issued a parking citation.

There are various methods of addressing these issues, including vigorous enforcement of current provisions in the Culver City Municipal Code ("CCMC"), which address some but not all of the complainants' concerns, or adopting stricter regulations, such as prohibiting the parking of these vehicles on public streets altogether.

At its meeting of June 13, 2005, the City Council discussed additional options for regulating oversized vehicles, including consideration of what other cities are doing to regulate these vehicles. After discussing the matter, the Council determined that a complete prohibition on the parking of oversized vehicles on all public streets should be considered and directed staff to come back with a proposed ordinance similar to the City of Costa Mesa's regulations (Attachment 2 – excerpt from 6/13/05 minutes; and Attachment 3 – Costa Mesa regulations).

DISCUSSION:

A. CURRENT PROVISIONS:

Currently, existing CCMC regulations provide the City with the following enforcement capabilities regarding the parking of oversized, non-motorized and commercial vehicles upon residential and commercial streets, including the parking of inoperable vehicles, and regulations relating to vehicle habitation:

- CCMC § 7.03.030 prohibits overnight parking on certain streets, except by permit (Attachment 4).
- CCMC § 7.03.220 (A) (1) prohibits the parking of any vehicle upon any street or alley, for more than a consecutive period of seventy-two (72) hours (Attachment 5).
- CCMC § 7.03.220 (B) prohibits, with limited exceptions, the parking of any *detached* camp trailer, carry-all, dumpster, semi trailer, special construction equipment or trailer, upon any street between 2:00 a.m. and 6:00 a.m. (See Attachment 5).
- CCMC §§ 7.03.220 (D) and (E) prohibit the parking of commercial vehicles, except for loading and unloading purposes. (See Attachment 5).

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- CCMC § 7.03.242 prohibits using a vehicle parked or standing upon any public street, alley, right-of-way, public park or other public property for habitation (Attachment 6).
- CCMC § 37-83 (F) prohibits the parking of commercial vehicles in residential zones, except for loading and unloading purposes (Attachment 7).

B. SURVEY CITIES:

As discussed at the June 13, 2005 Council Meeting, staff has looked at several other cities to see how they are regulating the parking of oversized, non-motorized and commercial vehicles. The survey cities include Beverly Hills, Costa Mesa, Long Beach, Los Angeles, Newport Beach, Redondo Beach, Santa Monica, Thousand Oaks, Torrance, and West Hollywood. Several cities, including Costa Mesa, Redondo Beach, Newport Beach, Santa Monica, Thousand Oaks and West Hollywood have established parking regulations for large vehicles, including pick-up trucks, RVs and commercial vehicles exceeding a certain size or weight. Other cities do not provide for any special regulations pertaining to these types of vehicles.

	Oversized Vehicles	Trailers	Commercial Vehicles
Beverly Hills	X	X	X
Costa Mesa	X	X	X
Long Beach	X		
Los Angeles		X	X
Newport Beach	X	X	X
Redondo Beach	X	X	X
Thousand Oaks		X	X
Torrance	X		
Santa Monica	X	X	X
West Hollywood	X		

(See Attachment 8 for detailed information relating to these regulations.)

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C. PREVIOUSLY DISCUSSED OPTIONS:

Before directing staff to bring back the proposed Ordinance, the City Council considered the following options for regulating oversized vehicles.

1. Time Restrictions.

a. Prohibiting overnight parking or parking within designated hours. Per CCMC § 7.03.030, the City currently prohibits the parking of vehicles on certain streets between the hours of 2:00 a.m. and 6:00 a.m., unless the City issues an overnight parking permit. Enforcement of this provision prohibits persons from overnight parking of oversized vehicles on designated streets. This provision applies to only limited areas of the City, which have been established by resolution of the City Council (e.g. Bentley Avenue near Tellefson Park). It is a useful enforcement tool to prevent individuals from living in their vehicles in those particular areas, but does not provide an enforcement mechanism to address complaints relating to obstruction of drivers' views, visual blight, and habitation in vehicles parked on other streets where there is no overnight parking prohibition. This prohibition could be amended to include longer hours for prohibition and/or additional streets.

b. 72-hour prohibition. Per CCMC § 7.03.220, the City currently prohibits the parking of any vehicle for more than 72 consecutive hours. Marking tires would permit the City to remove any vehicle parking in the same location for more than that time period, as most tire markings wear off only if the vehicle is moved some distance. (It should be noted that chronic violators of the 72-hour parking restriction, who know the system, may resort to washing off the chalk marks.) The City can impose stricter standards in this regard, e.g. no parking for more than 48 consecutive hours, or no parking for more than 72 hours in any thirty (30) day period; however, the same difficulties with enforcement will apply. At a prior City Council Meeting, it was suggested by a resident that the City amend its 72-hour parking restriction to be consistent with the City of Los Angeles. The City of Los Angeles deems a vehicle parked or left standing in excess of seventy-two (72) consecutive hours, unless during that period of time the vehicle is either driven a minimum of one mile after leaving its parking space or has been removed from the space altogether (Attachment 9). Staff has considered this option and determined that it would be difficult to enforce. Parking enforcement officers would need to have visual access to a vehicle's odometer to determine whether the vehicle has been moved at least one mile. This would be extremely difficult because not all odometers are visible from the outside of the vehicle, those that are visible can be easily obscured by the vehicle owner, and newer vehicles have digital odometers which are not visible at all when the vehicle ignition is turned off. Police Department staff will be attending an upcoming conference on this issue, which is a problem for

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most cities, and may have some new ideas to present to the Council at a future meeting.

Overall, time restrictions are the most difficult to enforce and require more staff time, due to the need to constantly monitor vehicles to ensure they are not exceeding the designated time limits. Overnight parking restrictions usually require enforcement by sworn police officers, unless the City has parking enforcement staff working during times other than normal business hours.

2. Complete Prohibition

The City currently prohibits the parking of commercial vehicles in residential zones; however, another option would be a complete prohibition of the parking or storage of oversized vehicles (based on dimensions of the vehicle) and non-motorized vehicles (i.e. detached trailers, boats, etc.) on all City streets. Vehicle Code § 22507 (a) provides "Local authorities may, by ordinance or resolution, prohibit or restrict the stopping, parking, or standing of vehicles . . . on certain streets or highways, or portions thereof, during all or certain hours of the day."

The prohibition can be by specific street name, or by streets in a residential, commercial and/or any other zone. If a complete prohibition is adopted, the City should allow for certain exceptions, such as parking for the purposes of loading and unloading. Further, in residential zones, additional exceptions may include, parking for the purposes of cleaning, battery-charging, or other activity preparatory or incidental to travel. Any such exceptions may be limited to a specific period of time (e.g. not to exceed forty-eight (48) consecutive hours, if in a residential zone, and a shorter period of time if in a commercial zone). The difficulty in enforcing these exceptions is similar to enforcement of time-restricted parking regulations.

The benefit to a complete prohibition is that it is less difficult to enforce than regulations based on time restrictions. If police or parking enforcement staff see the vehicle on a street where it is prohibited, they can cite or, if the ordinance so provides, tow the vehicle, without expending the added staff time necessary to monitor the vehicle to determine if it exceeded a designated time period.

D. PROPOSED ORDINANCE:

The below discussion serves as an overview of the proposed Ordinance.

1. Large Motor Vehicles

The proposed Ordinance prohibits the parking of large motor vehicles on *any* public street except for limited periods of time and for the limited purpose of activities

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preparatory and incidental to travel, including, but not limited to, loading, unloading, cleaning, and battery-charging. Such parking may only occur for a period of time not to exceed 48 consecutive hours (or 72 consecutive hours where authorized by the Chief of Police). A "large motor vehicle" is defined as any house car, pick-up truck with camper, recreational vehicle or other vehicle that measures more than twenty feet (20') in length, or is *both* more than eight-four inches (84") in width and more than eighty-four inches (84") in height. The term "large motor vehicle" does not include a commercial vehicle, as defined in the proposed Ordinance, a pick-up truck without a camper or a sports utility vehicle.

2. Non-motorized Vehicles

Current CCMC provisions only prohibit the parking of non-motorized vehicles (i.e. detached trailer, boats, etc.) between the hours of 2:00 a.m. and 6:00 a.m., but do not restrict these vehicles from parking on the City's streets during all other hours. The proposed Ordinance would prohibit the parking of non-motorized vehicles on *any* public street at *any* time, except when attached to a motor vehicle or large motor vehicle *and* parked for the limited time and purpose as allowed for large motor vehicles. A "non-motorized vehicle" is defined as any trailer, boat, or any other device used for transporting persons or property, that is not self-propelled.

3. Commercial Vehicles

Although current CCMC provisions regulate the parking of commercial vehicles, the proposed Ordinance further specifies the restrictions and exceptions for these vehicles. The Ordinance limits the parking of commercial vehicles on *any* public street to a period of time not to exceed three (3) hours, with certain exceptions. Reasonable time periods in excess of three (3) hours are permitted for certain necessary activities, such as making pick-ups or deliveries of goods; making deliveries of materials used in the repair, construction, etc. of the building to which such repair or construction is being made; and making emergency repairs to the vehicle itself. An exception to the 3-hour rule is also made where additional time is reasonably necessary when the vehicle is parked in connection with the performance of a service to or on a property in the block upon which the vehicle is parked. A "commercial vehicle" for purposes of these provisions is defined as any vehicle having more than two axles, or any single commercial vehicle or combination of said vehicles which exceed twenty feet (20') in length, any single commercial vehicle or combination of said vehicles eighty-four inches (84") or more in width, or any single commercial vehicle or combination of said vehicles having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more. A commercial vehicle includes a truck tractor, but does not include a large motor vehicle or non-motorized vehicle as defined in the Ordinance or a pick-up truck without a camper or a sports utility vehicle.

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4. Exemptions

The proposed Ordinance includes an exemption for motor vehicles, large motor vehicles, non-motorized vehicles and commercial vehicles that are parked on the street pursuant to a permit, lease, license or other entitlement issued by the City. In addition, consistent with current CCMC provisions, the Ordinance exempts government, public utility and emergency vehicles from these parking restrictions.

5. Penalty and Removal

The penalty and removal provisions of new subchapter 7.03.600 *et seq.*, allow for the citation or removal, or both, of any vehicle parked in violation of these restrictions. The penalty imposed for a violation of the provisions of this subchapter will be a civil penalty established by resolution of the City Council. Staff recommends that the penalty be set at \$38.00, consistent with the majority of other types of parking violations in the City. If the proposed Ordinance is introduced, staff will return with a proposed resolution amending the current Civil Penalty Bail Schedule to include the penalties for the provisions of this subchapter, at the same time as the Ordinance is brought back for adoption. If the vehicle is removed, the vehicle owner will also be responsible for the removal and storage fees incurred by the Police Department. The procedures for removal and appealing the removal of a vehicle are in accordance with the California Vehicle Code and are already in place within the Police Department for other matters. Such procedures include the right to a hearing by the Chief of Police or his or her designee (the designee may not be the person who directed the removal of the vehicle).

6. Vehicle Habitation

Another major concern among residents has been complaints of persons living in recreational vehicles parked on the public streets. As discussed above, CCMC § 7.03.242 currently prohibits this practice; however, staff has included as part of the proposed Ordinance modifications to this Section in order to increase enforceability by better clarifying and defining the prohibited acts. The new section, as set forth in the Ordinance, prohibits using a vehicle as a temporary or permanent substitute for a residence or dwelling unit and indicates that evidence of a violation of this section includes use of the vehicle for living, sleeping, cooking and/or bathing purposes.

7. 72-Hour Parking Restriction

The general restriction prohibiting *any* vehicle from parking for a period of time in excess of 72 hours has been retained and the exemptions to this restriction have been clarified.

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E. ENFORCEMENT:

If the ordinance is adopted, permanent signage will be installed to provide the public with adequate notice of these parking restrictions, prior to enforcement. If the Council determines that additional public notification is required, options include a city-wide postcard mailing, or the posting of a "warning" notice on the affected vehicles prior to issuing a citation for the first time.

F. CONCLUSION:

In summary, the proposed Ordinance prohibits the parking of oversized, non-motorized and commercial vehicles on all City streets, except for limited periods of time and for limited purposes; provides for exemptions to the parking restrictions for government, public utility and emergency vehicles, and any vehicle that is parked on the street pursuant to a permit, lease, license or other entitlement issued by the City; and better clarifies and defines the City's prohibition against vehicle habitation.

It is recommended that the Council consider the introduction of the proposed Ordinance and provide further direction to staff, if any, regarding public notification of the new restrictions.

FISCAL ANALYSIS:

The subsequent adoption of the proposed Ordinance may require increased enforcement activity for City staff, particularly the Police Department. These costs cannot be easily quantified. In addition, signage will need to be posted to provide adequate notice to the public of the new parking restrictions. The estimated cost for the installation of such signage is \$375.00 (approximately 15 signs will need to be posted throughout the City at an estimated cost of \$25.00 per sign). If the Council determines that additional notification measures should be taken, a city-wide postcard mailing will cost approximately \$6,000.00, and the posting of "warning" notices on affected vehicles prior to the issuance of a first citation will involve a nominal cost.

ATTACHMENTS:

1. Proposed Ordinance
2. Excerpt from minutes of June 13, 2005 Council Meeting
3. Costa Mesa regulations
4. CCMC § 7.03.030
5. CCMC § 7.03.220

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6. CCMC § 7.03.242
7. CCMC § 37-83 (F)
8. Survey of other cities' regulations
9. LAMC § 80.73.2

MOTIONS:

That the City Council:

1. Introduce the Ordinance amending Chapter 7.03 of the Culver City Municipal Code relating to the parking of oversized, non-motorized and commercial vehicles, 72-hour parking limitation and vehicle habitation.
2. Direct staff as to whether any additional public notification measures should be taken as discussed in the staff report.

ATTACHMENT 6

October 24, 2005

Item A-3

Consideration of Introduction of an Ordinance Amending Various Provisions of Chapter 7.03 of the Culver City Municipal Code Relating to the Parking of Oversized, Non-motorized and Commercial Vehicles, 72-Hour Parking Limitation, and Vehicle Habitation.

Heather Iker, Deputy City Attorney, gave the staff report.

The following members of the audience addressed the City Council:

Greg Mull
Linda Lee Fernandez
Jeff Nadel
Tom Johnson
Scott Malsin

Christopher Armenta, City Clerk, read the written comments submitted by the following:

Laura Stuart

Police Sergeant Mike Webb explained the citation process.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL INTRODUCE ORDINANCE NO. 2005-009 AMENDING CHAPTER 7.03 OF THE CULVER CITY MUNICIPAL CODE RELATING TO THE PARKING OF OVERSIZED, NON-MOTORIZED AND COMMERCIAL VEHICLES, 72-HOUR PARKING LIMITATION AND VEHICLE HABITATION.

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October 24, 2005

Receipt of Correspondence

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE FOLLOWING CORRESPONDENCE:

Letter addressed to Mayor Albert Vera from California Governor Arnold Schwarzenegger, thanking Mayor Vera for recommending Marta Zaragoza for an appointment in his Administration.

Email from Marie Muckenthaler, regarding problems she has encountered with people parking and living in recreational vehicles on Little Culver Boulevard between Elenda and Sepulveda.

Email from Jeannine Stehlin, regarding people parking and living in recreational vehicles in the Carlson Park area.

Email from Edmund Caplicki, regarding people parking and living in recreational vehicles on Wasatch Avenue.

Letter addressed to the Mayor and Members of the City Council from various residents on Culver Boulevard, in support of the City adopting parking restrictions for recreational vehicles, oversized and non-commercial vehicles.

Email from Betsy Amparan, stating her opposition to the proposed view preservation ordinance.

Email from Susan De Santis, stating her viewpoint regarding the proposed Expo Line.

Letter addressed to the City Council from Kristin duCharme, requesting that the City proceed with vacating an alley near 12304 Washington Place.

Email from Philip Stuart, regarding problems he encountered with a business called Cartaker.

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ATTACHMENT 6

February 6, 2006

Item A-1
(continued)

Discussion ensued regarding a proposal from a group of residents to allow a permit parking system for recreational vehicles for Culver City residents; and whether this item should be sent back for further research.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER ROSE AND SECONDED BY COUNCILMEMBER GROSS, THAT THE CITY COUNCIL LET ORDINANCE NO. 2005-009 STAND AS ADOPTED.

AYES: Councilmembers Corlin, Gross, Rose
NOES: Councilmembers Silbiger, Vera
ABSTAIN: None
ABSENT: None

The City Council recommended to staff that the enforcement of Ordinance No. 2005-009 be suspended for thirty days in order to allow recreational vehicle owners time to find alternate ways to store their vehicles.

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Public Comment for Items Not On the Agenda (Continued).

Mayor Vera invited public participation.

There was no response.

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ATTACHMENT 7

April 17, 2006

Item A-5

Discussion of Enforcement of Recreational Vehicle Parking Regulations.

Mayor Vera indicated he was making progress in locating property for recreational vehicle parking. Mayor Vera requested that enforcement of the recreational vehicle parking regulations be suspended for approximately 60 to 90 days until he was able to resolve the issues with the property.

Councilmember Gross proposed the following motion: Direct staff to postpone the enforcement of recreational vehicles parking regulations for a period of ninety (90) days, with full enforcement to commence automatically after the ninety (90) day period.

Mayor Vera seconded the motion.

Councilmember Rose proposed the following substitute motion: That enforcement of the ordinance relating to the parking of large motor vehicles (including recreational vehicles), non-motorized vehicles and commercial vehicles commence on May 1, 2006.

There was no second for Councilmember Rose's motion.

The following vote was taken:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY MAYOR VERA,
THAT THE CITY COUNCIL DIRECT STAFF TO POSTPONE ENFORCEMENT
OF RECREATIONAL VEHICLES PARKING REGULATIONS FOR A PERIOD
OF NINETY (90) DAYS, WITH FULL ENFORCEMENT TO COMMENCE
AFTER THE NINETY (90) DAY PERIOD.

AYES: Councilmembers Corlin, Gross, Silbiger, Vera

NOES: Councilmember Rose

ABSTAIN: None

ABSENT: None

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ATTACHMENT 8

NOTIFICATION OF IMPORTANT AGENDA ITEM AT A FUTURE CITY COUNCIL MEETING

The City Council will discuss Parking Regulations relating to Oversized/
Recreational Vehicles:

March 23, 2009 at 7:00 p.m.

The City Council Agenda Item report will be available for viewing on the City's website on or after March 18, 2009.

Location:

**Mike Balkman Council Chambers
9770 Culver Boulevard
Culver City, CA 90232**

The Council Chambers are accessible to disabled persons and public parking is available in the City Hall parking structure from Duquesne Avenue. Persons with disabilities may call the Culver City Coordinator of Disability Services at (310) 253-6729, or TDD at (310) 253-6736, to request specific accommodations.

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