



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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September 22, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION

Request the City Attorney to draft an ordinance amending Section 10.22.025 of the Long Beach Municipal Code relating to parking in front of private driveways as recommended by the City Traffic Engineer.

Request the City Attorney to draft a resolution establishing an application fee and annual permit fee for driveway parking as recommended by the City Traffic Engineer. (Citywide)

DISCUSSION

City Council had previously directed staff to seek community input and work with the City Attorney to propose a streamlined process for the issuance of permits to allow parking in front of private driveways. LBMC Section 10.22.025, which provides for a process for residents to obtain permits to park in front of their own driveways has been in place for approximately twenty years. However, staff could not find evidence that a single permit has ever been issued pursuant to the ordinance. Despite the lack of permits, it is commonplace to observe vehicles parked in front of driveways, especially in parking impacted neighborhoods throughout the City.

Over the course of the last year, the City Traffic Engineer has met with community members representing parking impacted areas and representatives of the Police Department, Parking Enforcement, Fire Department, Financial Management, and the City Attorney. Based on those discussions, it became clear that, although there were some common themes emerging as to the benefits and drawbacks to an expanded driveway parking permit program, there was little consensus on how to implement or enforce an expanded program.

For example, the existing ordinance provides for garage inspections, which some residents support enthusiastically and others just as emphatically do not.

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Another key issue is public safety and access for those with disabilities. Some staff felt blocking driveways could reduce access to properties for public safety personnel while others did not see that as a significant issue. Some staff also felt that blocking driveways inhibits those in wheel chairs from accessing the sidewalk, while some disabled residents expressed opinions that they prefer not to use driveways. There were also distinct differences of opinions on the enforcement of a permit program. Some felt that the existing Long Beach Police Department practice of only enforcing driveway parking violators on a complaint basis accomplishes the same goal without the inconvenience and cost of permits. Others felt that the existing practice of not citing violations results in less structured parking and contributes to neighborhood parking disputes. Although there was some consensus that the cost of permits should cover the administration of the program, there was also a wide range of opinions on what a reasonable permit cost would be.

Having conducted numerous meetings on the subject, the City Traffic Engineer believes that certain changes to the existing ordinance to update, simplify, and better outline the process is in order. However, he is also of the opinion these changes are unlikely to result in permit sales, or a change in motorist parking behavior unless driveway parking violations are strictly enforced. Abandoning the current enforcement practice and strictly enforcing driveway parking violations would most certainly result in neighborhood complaints and allegations, regardless of their accuracy, that the City made such a change purely to increase revenue.

Based on the many discussions regarding this matter, the City Traffic Engineer proposes a variety of changes to the existing Municipal Code as outlined in Attachment A. The key changes proposed include only allowing permits to be issued within parking impacted areas, eliminating the petition process, eliminating the garage inspection component, although garage inspections may still occur, issuing driveway specific permits for driveways exclusive to single family households, setting of minimum safety standards, and instituting permit approval by the City Traffic Engineer.

In reviewing a fee structure, the City Traffic Engineer recommends that an application fee commensurate with the driveway "red tip" fee currently at \$163.50 be adopted to cover the cost of processing the application and making any curb zone modifications necessary to accommodate driveway parking. The application fee would not be refundable should the application be denied by the City Traffic Engineer. The City Traffic Engineer also recommends that an annual permit renewal fee be commensurate with the current preferential parking permit fee currently at \$32 a year.

This matter was reviewed by Deputy City Attorney Amy R. Burton on September 3, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on September 3, 2009.

TIMING CONSIDERATION

City Council action on this item is required at this time in order for the ordinance to be adopted so that the related fee structures can be included in the next Citywide fee update.

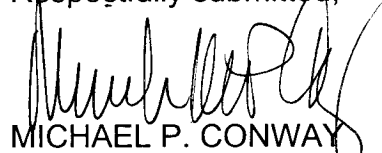
FISCAL IMPACT

Should any revenue be generated by the permit and renewal fees recommended above, it will be deposited in the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:DR:td
P/CL/Driveway Parking.doc

Attachments -Exhibit A

APPROVED:



PATRICK H. WEST
CITY MANAGER

EXHIBIT A
Proposed Modifications to LBMC 10.22.025

Eliminate the provision of sub-section B that requires a resident petition and replace it with language indicating the following:

1. Parking in front of driveways is to be permitted only in areas with severe parking shortage as a way to increase parking supply.
2. Parking in front of driveways is to only be permitted for driveways that are designated for the exclusive use of a single household.
3. Parking in front of driveways is only to be permitted for driveways that are a minimum of 8 feet in width.
4. The provision of a driveway-parking permit does not guarantee a parking space should there be insufficient space between other legally parked vehicles.
5. Driveway-parking permits are address/location specific and can be transferred from vehicle to vehicle.
6. Parking in front of driveways that are located within 35 feet of a corner or 15 feet of a fire hydrant will not be permitted.
7. Parking in front of driveways determined to pose a public safety hazard shall not be permitted.
8. Driveway-parking permits can be revoked by the City at anytime.

Replace sub-section C with language indicating that parking in front of private driveways is only to be allowed in the designated Parking Impacted Area.

Eliminate the provision in sub-section A that applicants must demonstrate to the Director of Planning and Building that the applicant's household are the exclusive users of the driveway for which a permit is requested.

Eliminate sub-section D3 related to garage inspections.

Amend sub-section D1 to require the following information through the application process:

1. Person requesting the permit
2. Address of the property/driveway
3. A certification that the applicants' household are the exclusive users of the driveway
4. Name and endorsement of the property owner or the owner's property manager.
5. Identification of the household vehicles
6. Identification of the off-street parking spaces provided at the property
7. A certification as to why off street parking at the property is insufficient to meet resident parking needs.
8. Additional information as may be required.

Create a new sub-section indicating that applications are to be approved by the City Traffic Engineer.