



Date: October 10, 2006

To: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

From: Councilwoman Gerrie Schipske, Fifth District *GS*
Councilwoman Rae Gabelich, Eighth District *RG*

Subject: AGENDA ITEM: Request the City Attorney draft a Residential Zone Parking Protection Ordinance.

DISCUSSION

In many areas of Long Beach, residential streets are visually cluttered. These streets are becoming parking lots for limousines, oversize and non-motorized vehicles, vehicles used as advertising signs, and mini "used car lots" for vehicles displaying "for sale" signs.

The City of Lakewood is planning on placing a measure on the November ballot that if approved would ban the parking of RV's and trailers on residential streets in Lakewood. Should this measure pass, it is conceivable that residents of Lakewood will begin parking their RV's and trailers on Long Beach streets.

While the Public Utilities Commission (PUC), which regulates limousines, considers these vehicles to be "commercial" and therefore subject to the restrictions of "commercial vehicles on residential streets" several California cities have found it necessary to enact ordinances specifically prohibiting the parking of limousines on residential streets because limousine companies have argued that the weight of these vehicles is under the weight of typical "commercial" vehicles.

Many cities have attempted to prohibit the parking of vehicles displaying "for sale" signs or other advertising, only to be met with court challenges concerning the protection of commercial speech. The City, however, does have the legal right to regulate and license businesses; requiring a "daily business license" would accomplish this. Requiring obtaining written permission to park a vehicle displaying a "for sale" sign on a commercial or industrial property would also assure that the interests of these property owners is protected.

The vehicles causing visual clutter of residential areas need to be removed and the quality of our neighborhoods protected by enacting an ordinance that protects residential parking.

Policy Question:

Shall the City Council put into effect an ordinance that further regulates the conditions under which vehicles can be parked in a residential zone as a means of maintaining the quality of these residential areas?

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RECOMMENDATION

The City Attorney prepare an ordinance amending existing parking codes to:

- a) prohibit parking of any non-motorized or oversize vehicle on residential streets by non-residents of Long Beach, except for guests who obtain a permit;
- b) prohibit parking of any non-motorized or oversize vehicle on residential streets, between 2:00 am and 5:00 am and by permit at other times;
- c) prohibit street parking of limousines in a residential zone;
- d) prohibit the use of a vehicle as a sign in a residential zone. Vehicles with painted on or attached signs to be subject to restrictions regulating the size of the signs and the location of the vehicle;
- e) require owners of vehicles displaying "for sale" signs and parking such vehicles anywhere but on their own residential property, to obtain a "daily" business license from the City;
- f) require vehicles parked on any commercial or industrial zoned property for the sole purpose of advertising the vehicle "for sale" to have the written consent of the property owner posted on the vehicle. No vehicle "For Sale" may be parked within 100 feet of any street right of way. (Exception: A business that sells vehicles and that is in conformance with all zoning requirements and development standards and has prior plan approval by the City.)