



CITY OF LONG BEACH

R-28

DEPARTMENT OF PUBLIC WORKS

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November 18, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION

Request the City Attorney to draft ordinances and amendments as needed to modify various sections of the municipal code as recommended in Exhibits A and B, to provide more clarity as to applicable regulations, and to provide the City Traffic Engineer with additional authority and flexibility in the implementation of traffic and parking controls. (Citywide)

DISCUSSION

On May 6, 2008, the City Council requested that the City Manager and City Attorney return to City Council with potential modifications to the municipal code providing the City Traffic Engineer with greater discretion to develop more flexible parking solutions primarily in the designated parking impacted areas. In the conduct of reviewing the municipal code, it was determined that a number of changes in the approval and implementation of both parking and traffic controls would be beneficial in streamlining approval and providing flexibility to encourage unique solutions not only in the designated parking impacted areas, but throughout the City.

In early days of traffic and parking controls the City Council maintained complete authority over the implementation of all regulations relating to the movement of traffic and the regulation of parking. Over the past twenty years, the City Council has made numerous amendments to the municipal code delegating those authorities to city management, the Chief of Police, and the City Traffic Engineer. Currently, the City Traffic Engineer has authority to implement the majority of traffic and parking controls in the city; however, City Council still retains some authorities related to stop signs, crosswalks, limited time parking, unattached trailer regulations, angled parking, and bus stops. Similarly, management retains some authorities related to traffic signals, the removal of traffic control devices, and the implementation of temporary traffic controls. In order to improve accountability, improve the delivery of services, and encourage innovation in the testing and implementation of new traffic and parking controls, it is recommended that the City Traffic Engineer be authorized to implement, modify, and remove all traffic and parking controls in the city that do not require the adoption of an

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ordinance by state law. The identification of one-way roadways, the establishment of speed limits, prohibition of the parking of vehicles for sale, and the identification of preferential parking districts would continue to require City Council approval through the adoption of an ordinance.

It is recommended that specific changes be made in a variety of municipal code sections related to red zones, loading zones, disabled zones, time limited parking zones, oversized vehicle parking, unattached trailer parking, parking space markings, and parking in alleys to provide the City Traffic Engineer with discretion and flexibility in considering parking controls and parking solutions tailored to the urban environment. The exercise of engineering discretion is not intended to compromise safety but to balance the application of engineering principles with the desire to maximize parking in designated parking impacted areas. It is also recommended that the list of official parking holidays be updated, that parking regulations related to mobile vendors be expanded to apply to the entire designated parking impacted area, and that a new prohibition be created addressing the parking of advertising vehicles based on recent case law. Exhibit A outlines the specific municipal code sections related to vehicular parking proposed for amendment as well as a description of the proposed modifications.

In reviewing the municipal code it was also discovered that Section 10.58 related to pedestrians is in need of amendment specifically in relation to crosswalks. Crosswalks and their placement can have a significant impact on parking availability. The existing municipal code provides for the establishment of crosswalks by both the City Traffic Engineer and through ordinance, which can lead to confusion as to the appropriate approval mechanism for the installation of crosswalks. Additionally, the municipal code is silent on the process for removal or relocation of crosswalks. In the last five years only one crosswalk was established by ordinance while the City Traffic Engineer created more than fifty new crosswalks over that same time period. Therefore, to better define authorities related to crosswalks it is recommended that installation and removal authority for crosswalks be delegated to the City Traffic Engineer. Furthermore, in 1999, a new state law became effective requiring that the removal of crosswalks following specific notification and public input procedures and the municipal code should be modified to recognize this change. Exhibit B outlines the specific municipal code sections related to pedestrians and crosswalks proposed for amendment, as well as a description of the proposed modifications.

This matter was reviewed by Deputy City Attorney Amy Burton on October 8, 2008 and Budget Management Officer Victoria Bell on November 4, 2008.

TIMING CONSIDERATIONS

Council action on the matter is not time critical.

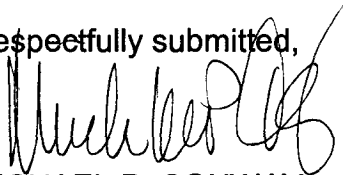
FISCAL IMPACT

There is no fiscal impact.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

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APPROVED:



PATRICK H. WEST
CITY MANAGER

Attachments

**PROPOSED MODIFICATIONS TO THE MUNICIPAL CODE
RELATED TO TRAFFIC AND PARKING CONTROLS**

Amend the following municipal code sections to replace references to traffic engineer, manager, city manager, and city council with city traffic engineer:

- 10.04 Administration
- 10.08 Traffic Control Devices
- 10.10 Turning Movements
- 10.14.010 Establishment
- 10.20.030 Stop intersections designated
- 10.22.060 Places parking is prohibited
- 10.22.140 Parking prohibited at certain times for street sweeping
- 10.24.010 Angled Parking
- 10.24.030 Stopping Prohibited Where Posted
- 10.24.050 Parking Prohibited Where Posted
- 10.24.075 Parking of unattached trailers prohibited where posted
- 10.24.090 Limited time parking
- 10.24.140(b) Designated parking areas on certain streets
- 10.26 Stopping while loading or unloading

- 10.02.40 Holidays

Amend the section to recognize official State of California holidays and specifically add Martin Luther King Jr Day and Cesar Chavez Day to the list of official holidays for the purpose of parking controls.

10.22.060 Places Parking is Prohibited

(a)4 Amend the subsection to provide the city traffic engineer with the discretion to reduce the length of no parking distances in the case of one-way streets and in the Parking Impacted Area.

(a)5 Amend the subsection to refer to "marked crosswalks" without the "intersection" limitation and provide discretion to city traffic engineer to reduce the length of no parking distance in the case of one-way streets and in the Parking Impacted Area.

(a)9 Provide the city traffic engineer with discretion to reduce the length of no parking areas adjacent to driveways in the Parking Impacted Area if doing so would enhance on-street parking availability or access.

(a)10 Add a new subsection indicating parking within 15 feet of a fire hydrant. Authorize the city traffic engineer to reduce the no parking distance in the Parking Impacted Area with the concurrence of the Fire Marshall.

(a)11 Add a new subsection indicating that parking within 20 feet of the approach to an intersections and 10 feet on the departure to provide for visibility of traffic control devices and

to maintain visibility of cross traffic. Provide the city traffic engineer with the discretion to reduce the no parking distance on one-way streets and in the Parking Impacted Area and opposite the termination of a street at "T" intersections in the Parking Impacted Area.

10.22.090 Food Vendor Parking Prohibited Area

Rename this Section indicating all "mobile vendors" and redefine the area of implementation to be the Parking Impacted Area.

10.22.095 Advertising Vehicle Parking Prohibited Area

The operation of advertising vehicles is regulated in 10.18.030 but the parking of such vehicles is not specifically prohibited anywhere in the City. Create a new Section as indicated above prohibiting the parking of vehicles intended solely for the purpose of advertising in the Parking Impacted Area.

10.24.075 Parking of Unattached Trailers Prohibited

Authorize the city traffic engineer to prohibit the parking of unattached trailers within the Parking Impacted Area, business districts, frontage roads of arterial streets, residential streets of less than 36 feet in width, and along any curb where the parking of unattached trailers may pose a safety risk to traffic or pedestrians. In addition, authorize the city traffic engineer to install unattached trailer parking prohibitions along streets in which the general consensus, or majority, of the adjacent businesses or occupants support the implementation of such prohibitions.

10.24.79 Designation and Termination of Oversized Vehicle Parking Restrictions

Amend the section to identify the Parking Impacted Area as a specific consideration by the city traffic engineer for the implementation of oversized vehicle parking regulations. Amend the section to authorize the city traffic engineer, at the request of applicable Councilmember, to install oversized vehicle parking restrictions in a self-contained area where the general consensus, or majority, of adjacent businesses or occupants of the area support the implementation of such prohibitions.

10.24.90 Limited Time Parking

Authorize the city traffic engineer to install signs restricting the duration of parking when such parking restrictions are reasonably deemed to facilitate business activity, improve access to public facilities, or enhance resident access to parking in neighborhoods. In deciding to implement or remove time limited parking restrictions, the city traffic engineer is to consider the input of businesses and residents that may be affected by the change. Also amend the section to be consistent with 10.22.130 (c) which requires a parked vehicle to move more than one block under its own power from its original parked position or be subject to citation.

10.24.130 Parking Space Markings

Add new subsection (d), authorizing the city traffic engineer to exercise discretion in the marking of parking space sizes in Parking Impacted Areas to maximize on-street parking availability.

10.24.140 Designated Parking Areas on Certain Streets

Amend subsection (b) to indicate that the city traffic engineer has the authority to implement such parking treatments at his or her discretion in the Parking Impacted Area and remove references to specific locations.

10.26.010 Yellow, White or Green Curb Markings

Remove the restriction that specialized curb zones cannot exceed 35 feet in length. Authorize the city traffic engineer to create commercial and passenger loading zones with signage for specific days and times to accommodate specialized demands as necessary to balance the parking and loading needs of businesses and residents.

10.26.020 Red Curb Markings

Remove the restriction that red zones shall not exceed one hundred fifty feet, or one-half block in length, whichever is less.

10.26.30 Stopping in Alley

Amend subsection (b) to provide the city traffic engineer with the authority to permit parking in alleys or portions of alleys through signage with the concurrence of the Fire Marshall and the Chief of Police. Remove the specific reference to the alley adjacent to Livingston Drive.

10.34.025 Application of Disabled Parking Designation

Amend the section authorizing the city traffic engineer to conduct biannual renewals to assure continued eligibility and need for disabled parking spaces.

**PROPOSED MODIFICATIONS TO THE MUNICIPAL CODE
RELATED TO PEDESTRIANS**

10.58.010 Crosswalks – Establishment

Amend subsection (b) to remove the reference of designating crosswalks by ordinance and rescind subsection (d).

10.58.015 Crosswalks – Removal

Add new Section indicating that the city traffic engineer is authorized to remove crosswalks after the conduct of an engineering study finding that such crosswalks are no longer needed by pedestrians or that crossing at another location would improve safety, traffic flow, or accessibility. The Section also needs to outline a procedure in accordance with CVC 21950.5 by which the city traffic engineer is required to post the crosswalk with a notice indicating that the crosswalk is slated for removal for no less than 30 days and to provide the public with a way to provide input into the final decision. The city traffic engineer is to consider all input received prior to the final determination as to if the crosswalk is to be removed or remain.

10.58.060 Crosswalk -- Locations

Rescind this Section since the listing is incomplete and lists roadway crossings that no longer exist.