



Legislation Details (With Text)

File #: 06-0664 **Version:** 1 **Name:** PW - Hearing receive supporting docs, request Attorney to amend Long Beach Municipal Code

Type: Public Hearing **Status:** Concluded

File created: 7/27/2006 **In control:** City Clerk

On agenda: 8/8/2006 **Final action:** 8/8/2006

Title: Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request the City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking District "R" to include the Palo Verde Avenue service road between the Atherton Street service road and Marita Street, Tevis Avenue between the Atherton Street service road and Dayman Street and Marita Street between Fanwood Avenue and San Vicente Avenue as recommended by the City Traffic Engineer. (District 4)

Sponsors: Public Works

Indexes: Amendments

Code sections:

Attachments: 1. CH-2sr, 2. CH-2att, 3. H-4att.pdf, 4. H-4sr.pdf, 5. H-4att-protest_letters, 6. H-2handout.pdf

Date	Ver.	Action By	Action	Result
8/8/2006	1	City Council	approve recommendation	Pass
8/1/2006	1	City Council	laid over	Pass

Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request the City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking District "R" to include the Palo Verde Avenue service road between the Atherton Street service road and Marita Street, Tevis Avenue between the Atherton Street service road and Dayman Street and Marita Street between Fanwood Avenue and San Vicente Avenue as recommended by the City Traffic Engineer. (District 4)

Residents of the west side of the Palo Verde Avenue service road between the Atherton Street service road and Marita Street, Tevis Avenue between the Atherton Street service road and Dayman Street and Marita Street between Fanwood Avenue and San Vicente Avenue have requested an expansion of Preferential Parking District "R" to include both sides of the Palo Verde Avenue service Road between the Atherton Street service road and Marita Street, both sides of Tevis Avenue between the Atherton Street service road and Dayman Street, and both sides of Marita Street between Fanwood Avenue and San Vicente Avenue.

The residents of the west side of the aforementioned portion of the Palo Verde Avenue service road have requested the implementation of preferential parking and a two-hour parking restriction between the hours of **9:00** a.m. and **9:00** p.m. Monday through Friday, except holidays, in order to seek on-street parking relief at this location which has become impacted due to overflow parking from the nearby California State University, Long Beach (CSULB) campus. In addition, the residents of the aforementioned portion of Tevis Avenue have requested the implementation of preferential parking to seek exemption from the existing one-hour parking restriction

currently in effect on this street. Furthermore, the residents of the aforementioned portion of Marita Street have requested the implementation of preferential parking and a two-hour parking restriction between the hours of 8:00 a.m. and 10:00 p.m. everyday, except Sundays and holidays.. The affected street segments are highlighted on the vicinity map included as Attachment A.

Section 10.32.020.C of the Long Beach Municipal Code states that the City Council shall determine if an area is to be designated for preferential parking based upon the following criteria:

75 percent of the legal on-street parking spaces must be occupied by motor vehicles during the period proposed for parking restrictions.

50 percent of the vehicles parked on the streets during the period proposed for parking restrictions must be non-resident vehicles.

The district, alone or in combination with other existing or potential preferential parking districts, constitutes a reasonably self-contained area of parking demand and supply

In cases where a time limit parking restriction or prohibition is already in place, the City Traffic Engineer shall use reasonable judgment as to whether the demand criteria would likely be met without the restriction or prohibition.

A parking survey conducted by the Traffic and Transportation Bureau determined that 100 percent of the available parking spaces on both sides of the Palo Verde Avenue service road between the Atherton Street service road and Marita Street were occupied during the daytime hours and that 93 percent of the parked vehicles were registered to owners not residing on this street. Based on the close proximity of the subject portion of Tevis Avenue to the CSULB campus, the City Traffic Engineer determined that the subject portion of Tevis Avenue would satisfy the aforementioned criteria as required for the establishment of preferential parking if the existing one-hour parking restriction was not currently in effect on this street. In addition, a parking survey conducted on Marita Street between Fanwood Avenue and San Vicente Avenue showed that 100 percent of the available parking spaces on this portion of the street were occupied during the daytime hours and that 80 percent of the parked vehicles were registered to owners not residing on this street.

Attachment B is a copy of the petition submitted by the residents on the west side of the aforementioned limits of the Palo Verde Avenue service road, formally requesting the establishment of a two-hour parking restriction and the expansion of Preferential Parking District "R" to include both sides of this portion of the service road, as well as the west side of the main portion of Palo Verde Avenue between Marita Street and Atherton Street. A review of the petition demonstrates that 91. percent of the residents on this portion of the service road support the establishment of the two-hour parking restriction and the district expansion on the aforementioned limits of the service road and the west side of the main portion of Palo Verde Avenue. Following the submittal of the petition, however, the City Attorney opined that the inclusion of this portion of the west side of the main portion of Palo Verde Avenue would not be legally justifiable in the context of the City's Preferential Parking Program given that there are no residential properties directly fronting this portion of Palo Verde Avenue. The properties along the west side of the 1800 block of the Palo Verde Avenue service road were subsequently notified by mail of staffs intention of forwarding this matter for the expansion of

Preferential Parking District “ R without the main portion of Palo Verde Avenue. Attachment C is a copy of the petition submitted by the residents on Tevis Avenue, formally requesting the expansion of Preferential Parking District “ R to include both sides of this street. A review of the petition demonstrates that 85 percent of the residents on Tevis Avenue support the district expansion on this street. Attachment D is a copy of the petition submitted by the residents on Marita Street formally requesting the expansion of Preferential Parking District “R” to include both sides of the aforementioned portion of this street. A review of the petition demonstrates that 100 percent of the residents on Marita Street support the district expansion on this street. Upon the approval of this item by the City Council and following the effective date of the ordinance, the requested parking restrictions along with preferential parking will be implemented on the Palo Verde Avenue service road and Marita Street and preferential parking will be established on Tevis Avenue as proposed.

Contingent upon City Council approval, it is recommended that the City Attorney be requested to prepare the following modification to Section 10.32.1 10 of the Long Beach Municipal Code to read as follows:

“District R: Both sides of McNab Avenue between Atherton Street and Marita Street; both sides of Conquista Avenue between Atherton Street and Dayman Street; both sides of Fanwood Avenue between Atherton Street and Marita Street; north side of Dayman Street from Conquista Avenue to a point two hundred sixty two feet (262’) west of Carfax Avenue; south side of Dayman Street between Conquista Avenue and Tevis Avenue; both sides of the Palo Verde Avenue service road between the Atherton Street service road and Marita Street; both sides of Tevis Avenue between the Atherton Street service road and Dayman Street; and both sides of Marita Street between Fanwood Avenue and San Vicente Avenue:”

This letter was reviewed by Deputy City Attorney Lisa Peskay Malmsten on July 18, 2006, and Budget Management Officer David Wodynski on June 9,2006:

[Timing Considerations]

The cost of materials and installation for the preferential parking signs is estimated at \$2,000. Sufficient funds are budgeted in the Capital Improvement Project PWT300 in the Capital Projects Fund (CP) in the Department of Public Works (PW) to support this activity.

Approve recommendation.

[Enter Body Here]

NAME
TITLE

APPROVED:

GERALD R. MILLER
CITY MANAGER