



## CITY COUNCIL AGENDA REPORT

### City of Anaheim DEPARTMENT OF PUBLIC WORKS

**DATE:** MARCH 27, 2018  
**FROM:** DEPARTMENT OF PUBLIC WORKS  
**SUBJECT:** REQUEST FOR ACTION ON PROPOSED RESIDENTIAL PERMIT PARKING GUIDELINES AND RELATED PROPOSED ORDINANCES TO INCREASE THE AVAILABILITY OF PARKING FOR CITY RESIDENTS AND VISITORS

**ATTACHMENT (Y/N):** YES ITEM # 38

#### **RECOMMENDATION:**

That the City Council by Resolution:

1. Rescind City Council Policy 5.7 (Permit Parking.)

That the City Council, by Motion:

1. Approve the Residential Permit Parking Guidelines.
2. Introduce an Ordinance amending Section 14.32.450 of Chapter 14.32 (Parking and Stopping) of Title 14 (Traffic) of the Anaheim Municipal Code Section relating to preferential parking zones and permit parking on designated.
3. Introduce an Ordinance adding Section 14.32.206 and amending Section 14.32.205 of Chapter 14.32 (Parking and Stopping) of Title 14 (Traffic) of the Anaheim Municipal Code Section restricting the parking of Oversized Vehicles and Large Commercial Vehicles in the City.
4. Introduce an Ordinance amending Section 14.32.181 of Chapter 14.32 (Parking and Stopping) of Title 14 (Traffic) of the Anaheim Municipal Code restricting the display of vehicles for sale on designated public streets.
5. Determine that the above actions are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), 15060(c)(3) and 15061(B)(3) of the State of California Guidelines for Implementation of CEQA.

#### **BACKGROUND**

The City of Anaheim (City) has been working with the community to update its Residential Permit Parking Program in order to provide neighborhoods with options to balance parking needs on public streets. A comprehensive approach updating the existing citywide program, policies and implementation plan is needed to provide individual neighborhoods with the tools necessary to address their parking concerns.

A majority of Anaheim's housing stock was built in the 1950s and 60s, and, especially in the case of multi-family housing, was designed with less on-site parking than required by the Zoning Code today. On-street parking spaces are increasingly in high demand as a result of changes in land uses, state mandates for reduced parking requirements to incentivize affordable housing and accessory dwelling units, and evolving mobility options such as transit and transportation network companies (ie. Uber, Lyft). Vehicle ownership per household and overcrowded housing have both significantly increased in recent years resulting in an increased demand for parking on city streets. This additional parking supply pressure results in challenging behavior from those competing for parking spaces. Collectively, these dynamics have led staff to develop, refine, and propose a package of parking updates for Council consideration.

## **DISCUSSION**

On January 24, 2017, the Department of Public Works held a public workshop before the City Council in response to the Council's request for a comprehensive review of the residential permit parking program. The City Council also requested that the processing of pre-community meeting permit parking petitions be suspended until policy recommendations were developed. In Spring 2017, Public Works conducted a procurement process for consultant services to aid in the development of comprehensive recommendations and hired Nelson\Nygaard Consulting Associates, Inc., (Consultant), which began reviewing the program with Public Works in Fall 2017.

Since that time, a staff team comprised of representatives from a number of city departments and the Consultant have been engaged in a comprehensive review of the program and related items which included the following elements:

1. Review of the existing program structure and administrative process.
2. Review of the existing program district boundaries and processes for establishing individual districts.
3. Interviews with participants and stakeholders in the program.
4. Review of a 2016 opinion by the California Attorney General that concluded that implementation of preferential parking regulations should not discriminate among residents based on dwelling type.
5. Review of current technology and opportunities for increased administrative efficiencies.
6. Public outreach.
7. Case study comparisons of key program components.
8. Incorporation of internal and external comments and considerations into a set of recommendations that identify options where appropriate.
9. City Council and community workshops to review comments and refine recommendations, which include growing concerns from residents regarding oversized vehicle parking and vehicles parked "for-sale" and the resulting negative impacts to the parking supply.

## 10. Development and refinement of recommendations.

Concurrent with the Consultant's comprehensive review of the parking program, the Public Works Department worked with the Planning and Building (including Code Enforcement), Community Services and Police Departments to reach out to the community and gain public input. Staff sought to gain a better understanding of community concerns and receive stakeholder input in an effort to provide informed recommendations on streamlining the existing program to create parking efficiencies in Anaheim. The key outreach and feedback steps of this comprehensive program are outlined below:

1. City staff conducted a Permit Parking Survey from September 18 to October 6, 2017 to obtain feedback on the existing Permit Parking program and potential policy options. The survey was distributed electronically and received 1,221 total responses. English and Spanish links were promoted through email and printed materials. Survey respondents included different user groups: multi-family property owners/managers, permit holders, permit petitioners, and non-permit holders and petitioners. The survey responses were intended to crowdsource program ideas and provide conceptual feedback. The survey was advertised via our City website, email, and social media.
2. City staff held a Community Workshop on October 3, 2017 in Council Chambers. The Workshop included a review of the background of the program, description of the need to review and modify certain components of the program, and potential ideas that could be considered as recommendations. Over 200 attendees had the opportunity to provide comments. Key themes from public comment and from the survey included: concern about the root causes of parking constraints; recognition that the program can help but is a limited tool; complaints about littering and other quality of life issues that seem associated with unregulated parking; requests among existing permit holders to retain their districts; and concern about uneven distribution of parking demand.
3. Stakeholder sessions were held to discuss specific issues or challenges. These included multifamily and single-family residential property representatives, ranging from apartment complex owners who have requested permits, homeowners who have already obtained permit parking, and apartment association organizations (Apartment Association of Orange County and California Apartment Association) that provide some guidance and oversight to multifamily properties.
4. A City Council Workshop was held on November 7, 2017, to update City Council on the review process and preliminary concepts. The presentation included a summary of the history of the program, a summary of feedback received to date, and an overview of the key variables and preliminary recommendations or options for each. The workshop included public comment and City Council discussion of the review and preliminary recommendations. The City Council's direction to staff was to continue its evaluation and formulation of recommendations and return to City Council with recommendations for the program in early 2018.

These steps resulted in a set of proposed recommendations formulated by staff that were presented to City Council on February 27, 2018, in draft form for review and comment. Staff also made the Draft Permit Parking Guidelines and Draft Ordinances available for

public review and comment between February 27 – March 19, 2018. Staff hosted a town hall meeting on March 13, 2018 to gather detailed feedback from stakeholders on the draft guidelines and related ordinances. There were over 100 stakeholders in attendance.

5. Along with providing the draft documents online to be available for review ([www.anaheim.net/permitparking](http://www.anaheim.net/permitparking)) there was also an online survey distributed to synthesize broad input on these documents, including from those unable to attend the town hall meeting in person. Comments on the draft documents were taken by staff for consideration through Monday, March 19, 2018. The online survey was distributed through similar methods as the survey conducted in September 2017. There were 793 survey responses received. Comments received were taken into consideration into the revisions to the guidelines and related ordinances. Highlights of the survey results include:
  - 72% of respondents strongly supported/support some aspect of the proposed guidelines.
  - 70% of respondents agree the new policies would streamline the process, and
  - 75% of respondents support the measures prohibiting oversized vehicles and/or cars for sale on public streets to balance on-street parking demands

As a result of the comprehensive review and public feedback received, staff has formulated a number of recommendations to be considered for City Council approval. These recommendations include:

1. Establish all city public streets as permit parking eligible; refine the permit parking petition process; and authorize the Department of Public Works to administer the permit parking program. Rather than having the individual neighborhood petitions reviewed and approved by the City Council, the Department of Public Works would process, review and approve or disapprove petitions in alignment with the transparent process set forth in the Residential Permit Parking Guidelines ("Guidelines") This will decrease the length of time currently required to process and review petitions. The proposed process may be found in "Section 2- The Process" of the attached Proposed Guidelines.
2. Broaden the size of future districts to better balance supply and demand, and to minimize unintended consequences such as perpetual spillover parking. Common stakeholder feedback was that some permit districts currently cause spillover to surrounding blocks. The resident-driven nature of the district boundaries currently incentivizes small zones. Public Works has proposed district boundary guidance that recommends larger district boundaries based on the Circulation Element of the City's General Plan, which would be utilized for petitions in the future. The Guidelines emphasize major arterials and walkable distances as key considerations for determining district boundaries and district size.
3. Process multi-family and single family permit parking petition requests and multiple petitions together if they are all part of the same district. This will decrease the time required for processing petitions currently in the queue and allow petitions within proximity to implement permit parking simultaneously should they reach the 75% approval required per street segment.

4. Residential streets and street segments designated as permit parking only as of April 10, 2018 shall be continue to be designated as permit parking only.
5. Remove the requirement for mandatory neighborhood meetings. Instead, neighborhood meetings would be optional at the request of the neighborhood or if determined necessary and beneficial at the discretion of Public Works. A common request from stakeholders was to remove steps and speed up the petition review process. A neighborhood meeting can typically add more than a month to the process due to staff, resident and room availability as these meetings are typically held in the evenings.
6. Adjust the number of permits issued. For all residences, whether single family or multi-family, the maximum number of permits issued would be based on the permitted bedroom count below:
  - a. 0-2 bedrooms = 1 permit
  - b. 3-4 bedrooms = 2 permits
  - c. 5+ bedrooms = 3 permits (maximum)
7. Continue to enforce the permit parking program, which is performed primarily by the Code Enforcement Division of the Planning and Building Department with assistance from the Police Department. Staff will adjust the resources dedicated to enforcement on an “as needed” basis as the program scales. If enforcement needs exceed existing staff hours, staff will recommend and make adjustments.
8. Incorporate Good Neighbor Practices into the permit parking program.
9. Maximize parking supply on City streets by restricting parking of oversized vehicles and cars parked and displayed “for sale,” per the attached proposed ordinances. Each of these proposed ordinances is summarized in subsequent sections of this staff report.

The input received from the March 13 Town Hall meeting, the online survey, emails and other correspondence from stakeholders, resulted in the following key adjustments to the draft documents such as:

- Reduction of the \$500 petition fee so that in no case shall it exceed \$50 per household to address smaller petition areas. For example, for a petition on a street segment that has six homes, the fee would be reduced to \$300 (6 homes x \$50/home).
- Refinement of proposed district boundaries to better align with arterials of surrounding neighborhood streets, resulting in a number of smaller districts.
- Incorporation of a temporary placard system implemented pursuant to administrative guidelines that may be established by the City Manager if deemed necessary to facilitate the loading and unloading of oversized vehicles and/or the preparation of such vehicles for travel or storage.
- Inclusion of a process for revocation in instances where a permit holder has violated the Anaheim Municipal Code (AMC), the California Vehicle Code (CVC), or the California Penal Code or if the permit issued to a vehicle has received two or more citations for violation of the permit parking ordinance within a continuous period of six months. The revocation process may include a hearing by the City Hearing Officer for final decision.

- As part of the revised permit parking ordinance, the addition of a prohibition against moving solid waste containers in a manner that precludes collection of solid waste, obstructs driveways or other rights of way, or otherwise interferes with vehicular traffic in order to park on a street or portion thereof designated as permit parking only.

This package of recommendations also includes a proposal to amend AMC Section 14.32.450 (Permit Parking on Designated Streets), and to rescind City Council Policy 5.7 (Permit Parking). Staff recommends that the administrative procedures for permit parking be in the Guidelines (attached) instead of the AMC and Council Policy. The proposal includes the Council giving the Director of Public Works the authority to update the Guidelines as needed in order to administer the program in future years. If the City Council approves these recommendations and once the related ordinances become final, the Public Works Department would then move to:

1. Implement program changes through the Guidelines.
2. Communicate permit parking program changes via the City website and electronic communication with stakeholders.
3. Process the queue of petitioned permit parking districts that are currently on hold.

Oversized Vehicles: Typical on-street parking spaces within the City are 22 feet in length. When vehicles exceed this length it affects parking supply in our neighborhoods. Over the past year, complaints regarding large vehicles have increased with approximately 210 complaints received through the Anaheim Anytime system. Staff is able to respond and take enforcement action if the vehicle: (1) meets the definition of a Commercial Vehicle as defined by reference or directly in the AMC, which are currently prohibited from parking in residential neighborhoods; or, (2) if the vehicle has been parked for more than 72 hours, which is also currently prohibited. However, there is an increasing number of oversized vehicles on City streets that do not fall within one of these two categories that further reduce the number of available parking spaces and create public safety concerns, especially in residential neighborhoods.

Staff recommends the City Council approve an ordinance amending specified Sections of Chapter 14.32 of the AMC to prohibit the parking of oversized vehicle on public streets in the City. The attached proposed ordinance defines “oversized vehicles” to include several types of recreational vehicles and any vehicle that (i) exceeds 22 feet in length, (ii) exceeds 7 feet in height, and exceeds 7 feet in width. There would be specified exceptions to the prohibition, including exceptions for oversized vehicles that are loading or unloading, oversized vehicles parked so they can perform a service for a residence or business, and emergency service vehicles. Under the proposed ordinance, the City Manager may establish a notification or registration system, to be administered by the City, to facilitate implementation and enforcement regarding the loading and unloading of oversized vehicles and/or the preparation of such vehicles for travel or storage.

Of the 34 cities in Orange County, there are only two cities that do not have these similar restrictions. The proposed ordinance would preserve the City’s current parking provisions for commercial vehicles that prohibit the parking of large commercial vehicle in residential districts; and, permit the parking of large commercial vehicles in commercial and industrial areas, with the exception of the parking of vehicles between 3 a.m. and 6 a.m.

Cars Parked “For-Sale”: Unrestricted parking of vehicles for commercial purposes, such as cars displayed "for-sale," reduces the number of parking spaces on public streets for residents and their guests. The City has many residential properties that front primary and secondary arterials with the closest off-site parking being on the arterials they front. Cars parked and displayed “for-sale” on these streets is a frequent source of complaint from residents who feel that parking supply, for which there is an increasing demand, is being consumed for commercial purposes. This has been an on-going issue in the City and has been a source of enforcement frustration due to the challenges of tracing the vehicles to the commercial brokers/dealers that are displaying them. In addition, through studies in collaboration with the Department of Motor Vehicles (DMV), there is a known and pervasive problem on certain City arterials due to unlicensed vehicle sales. This documented evidence establishes the health and safety issues, dangerous traffic conditions due to slow downs to view vehicles, double parking, and jaywalking.

Consequently, staff recommends that the City Council approve an ordinance amending Section 14.32.181 (Parking for Certain Purposes Prohibited) of Chapter 14.32 (Parking and Stopping) of the AMC to strengthen provisions addressing vehicles parked and displayed “for-sale.” The attached proposed ordinance retains the existing prohibition on conducting commercial car sales without the required dealer permit and business license; it also retains the existing authority for residents to place a “for-sale” sign on a car parked on the resident’s property and on streets not listed as prohibited, as discussed further. However, it prohibits the parking and displaying of cars “for-sale” on specified categories of streets in the City (e.g., Major, Primary, Secondary, Hillside and Hillside Secondary), and within 80 feet of these streets, which includes streets where the problem is prevalent. These streets are shown on the attached map.

Environmental Impact Analysis: Staff has reviewed the recommended actions to rescind City Council Policy 5.7; approve Residential Permit Parking Guidelines; and introduce ordinances related to permit parking on designated public streets, large vehicle parking and the parking of vehicles “for-sale” on designated public streets, in relation to the requirements of CEQA. Staff recommends that Council find and determine that the actions are not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(B)(3) of Title 14 of the California Code of Regulations because there is no possibility that these actions may have a significant effect on the environment and because these actions do not constitute a "project" as defined in Section 15378 of Title 14 of the California Code of Regulations.

**IMPACT ON BUDGET:**

A typical permit parking application process has averaged \$7,000 per petition to process. Funding for these changes is budgeted in the Public Works, Community Services, Planning and Police Department’s Fiscal Year 2017/18 General Fund operating budgets.

Respectfully submitted,

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David Belmer  
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Manager/Planning and  
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Julian Harvey  
Acting Chief of Police

**Attachments:**

1. Resolution Rescinding City Council Policy 5.7
2. City Council Policy 5.7
3. Proposed Residential Permit Parking Guidelines
4. Permit Parking Ordinance (Amending AMC Section 14.32.450)
5. Red-line AMC Section 14.32.450 – marked to show changes to show changes from current AMC Section 14.32.450)
6. Oversized Vehicle Ordinance (Adding AMC Section 14.32.206 and Amending Section 14.32.205)
7. Red-line AMC Section 12.32.205 - marked show changes
8. Ordinance Restricting the Display of Cars "For-Sale" (Amending AMC Section 14.32.181)
9. Red-line AMC Section 14.32.181 - marked to show changes
10. Map Depicting Affected Arterials Prohibiting Cars For-Sale