



M E M O R A N D U M
COUNCIL PRESIDENT PRO TEM KEVIN L. FAULCONER
CITY OF SAN DIEGO
SECOND DISTRICT

DATE: October 2, 2012

TO: Councilmember Lorie Zapf, Chair, Land Use and Housing Committee

FROM: Council President Pro Tem Kevin L. Faulconer

SUBJECT: Neighborhood Parking Protection Ordinance

The proliferation of illegally parked oversized vehicles on City streets is a public safety, quality of life and environmental issue that has an acute impact on San Diego's visitor-serving beach and bay communities. It is a significant concern for many of the community groups in my district. Neighborhood parking must be protected by providing public safety officers the necessary tools to effectively enforce the law.

My office has been contacted by several community groups and private citizens regarding illegally parked oversized vehicles. Constituents report that vehicles are parked in front of homes and businesses for weeks—or even months—at a time, taking up valuable parking spaces, blocking view corridors and limiting access to driveways and alleys. In many cases the occupant is illegally living inside the vehicle. Residents in my district have observed several instances of individuals disposing waste from vehicles into storm water drains. In one extreme case, a generator running in a vehicle malfunctioned that caused a fire resulting in damage to an adjacent business.

This is an appropriate time to revisit an ordinance that provides more effective tools for the City to address illegally parked oversized vehicles. My goal is to work collaboratively to find a workable and fair solution that protects the quality of life that San Diegans deserve and enables the City to better enforce the law.

Attached is background on previous stakeholder meetings and legislation that have been implemented in other nearby jurisdictions.

I agree with the 2006 Parking Advisory Board (PAB) recommendation to implement a pilot program and believe we have an opportunity to improve upon the draft ordinance considered in the past.

I respectfully request that the Neighborhood Parking Protection pilot program is placed on the Land Use and Housing Committee agenda as soon as possible for discussion. I look forward to working with you to bring results for San Diego neighborhoods.

KLF:kj

Attachment

Neighborhood Parking Protection Background Attachment 1

San Diego has a 72-hour rule that states vehicles, including recreational and oversized vehicles, may not be parked in the same location on a public street for over 72 consecutive hours. In theory, this municipal code provision should control the problem. However, in practice it has proven ineffective and is a significant drain on the City's already limited police resources.

An ordinance was first discussed in December 2004 when the item was heard at Land Use and Housing. In April 2005, a draft ordinance was presented to the committee, and a working group was created to analyze the issue and create a practical solution. The working group presented its proposal to the citywide Parking Advisory Board (PAB) in May 2006. PAB requested a pilot program be implemented.

The previously drafted ordinance defined an oversized vehicle as any vehicle, including attached trailers, vehicles or loads thereon, that exceeds 22 feet in length or 7 feet in height. The ordinance prohibits overnight parking of oversized vehicles on public streets between the hours of 10:00 p.m. and 6:00 a.m. unless an overnight permit is displayed. Only residents and their guests are eligible for the permits which are valid for a period of time not to exceed 72 hours. A resident is granted a maximum of 24 permits per year.

In 2008, a pilot program and a citywide ordinance were brought before the Council for consideration. At that time, due to budgetary constraints, the item was tabled and never voted on.

Other Municipalities

Other Southern California municipalities have regulations to address similar issues and can be used as legislative models for San Diego. Those municipalities that regulate oversized vehicles in some capacity include the cities of Torrance, Oxnard, Thousand Oaks, Long Beach, Los Angeles, Redondo Beach, San Clemente and Laguna Beach. **The cities of San Diego and Imperial Beach are the only jurisdictions in San Diego County located on the coast without any legislation regulating oversized vehicles.**

The following cities and jurisdictions in San Diego County have ordinances that regulate oversized vehicles:

- Encinitas
- Del Mar
- Coronado
- El Cajon
- The Port of San Diego

These ordinances are similar to the ordinance that came before the City Council in 2008. The ordinances prohibit the parking of oversized vehicles on public streets unless an overnight permit is displayed; however, the definition of an oversized vehicle varies by jurisdiction.

The following cities have ordinances more limited in scope:

- Solana Beach—Solana Beach prohibits any motorhome or camper from parking on any public street or public parking lot for more than 24 hours.
- Oceanside—requires residents to move their vehicle ½-mile every 72 hours; however, unlike San Diego, the vehicle must remain there for at least 24 hours. In San Diego, a vehicle must move at least 1/10th-mile every 72 hours, but the vehicle can return to the same parking space after traveling 1/10th-mile. This policy is easily abused in San Diego. Parking enforcement officers have reported that individuals in the past have simply adjusted their speedometer rather than move.
- Carlsbad— In 2011, the Carlsbad City Council passed an ordinance restricting recreational vehicles and other oversized vehicles from parking on Carlsbad Boulevard near the downtown area during summer months.