



AGENCY: City Council
MEETING DATE: February 11, 2019
DEPARTMENT: Public Works
PRESENTED BY: C. O'Neal
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AGENDA ITEM SUMMARY

TITLE:

Receive Recommendation from Public Safety Committee, Conduct Public Hearing, and Consider Re-Adopting the Master Traffic Resolution Amending Section H Restricted Parking on Private Property to Remove Residential Properties, Businesses No Longer in Existence, and Properties Not Displaying Signage

ISSUE:

The City Council considers changes to the Master Traffic Resolution once or twice each year. Changes to the Master Traffic Resolution are vetted through the Traffic Committee and typically presented to Council for adoption through the Consent Calendar. Many of the modifications granted by the Traffic Committee do not alter the Master Traffic Resolution (such as changes to Section G, No Parking Zones) while others like Section H, Restricted Parking on Private Property require a Public Hearing be held prior to changes being enacted. On June 20, 2018, Public Safety Committee Recommended changes be made to Section H of the Resolution, and those changes are before you for consideration.

ANALYSIS:

Fort Bragg Municipal Code Section 10.20.035 "Parking on Private Property" states:

- A. *The City Council finds and declares that there are privately owned and maintained off street parking facilities within the City which are **generally held open for use by the public** for purposes of vehicular parking.*
- B. *Pursuant to Cal. Vehicle Code § 21107.8, the City Council shall, by resolution, designate those privately owned and maintained off street parking facilities within the City which are held open for use by the public for the purpose of vehicular parking to which the provisions and penalties of this title shall apply. Each resolution shall also specifically state that Cal. Vehicle Code §§ 22350, 23103, 23109, and the provisions of Division 16.5, commencing with § 38000, shall be applicable.*
- C. *Upon enactment by the City Council of such a resolution, the infraction provisions of this title shall be applicable to the privately owned and maintained off street parking facilities within the City as designated by resolution.*
- D. *In order for the provisions of this section, and any resolution adopted pursuant to this section, to become applicable to a private facility, **the owner or operator** of a designated privately owned and maintained off street parking facility **shall cause to be posted** in a conspicuous place at each entrance to the off street parking facility **a notice**, not less than 17 inches x 22 inches in size with lettering not less than one (1) inch in height, stating that the off street parking facility is subject to the*

public traffic regulations and control of this title. The notice shall also reference this section.

*E. **No resolution** contemplated by this section **shall be enacted or become effective unless a public hearing** is held thereon and ten (10) days' prior written notice of the proposed adoption of the resolution is given to the owner and operator of the privately owned and maintained off street parking facility.*

Code section 10.20.035 is employed by the Master Traffic Resolution Section H which restricts parking on private property. This Resolution section previously identified 66 privately owned and maintained off-street parking facilities subject to the provisions and penalties of Title 10 of the Fort Bragg Municipal Code.

Public Safety Committee made the following recommendations:

1. Signage and enforcement on residential properties is incompatible with 10.20.035 A. This clause states applicable parcels are those "generally held open for use by the public for...parking" and this is not satisfied for residential lots.
 - These properties are shown with red strikethrough
2. Remove all un-signed properties from section H of the Resolution, pursuant to the Municipal Code Section 10.20.035 D. This clause states the owner or operator of designated parking facilities are responsible for posting and maintaining signage in accordance with the code. Businesses which no longer display signage were sent a letter providing them the opportunity to re-install signage instead of being removed from the list.
 - These properties are hi-lighted yellow and they have red strikethrough if timely notification was not received
3. Businesses which no longer exist should be removed from the list.
 - These properties have green hi-lighting and with red strikethrough

The attached Master Traffic Resolution 1271-2019A redline version shows all the changes recommended by Public Safety Committee as well as general edits (like business name changes/relocations). The last time changes were made to the Traffic Resolution was May 29, 2018. Since that time, the Traffic Committee has considered nine (9) Traffic Modification Requests filed with the Traffic Committee by members of the community. FOUR (4) changes are included in this version of the Master Traffic Resolution:

1. Section H Updates per Public Safety recommendation of 6/20/2018
2. Existing Stop sign at Harrison St. and Fir St. for north and southbound traffic was not previously found in resolution
3. Removal of Blue Zone (Section N) at 250 E Chestnut St.
4. New Blue Zone (Section N) at 620 E Redwood on the 200 block of N. Corry St.

RECOMMENDED ACTION:

Conduct public hearing and re-Adopt the Master Traffic Resolution 1271-2019A.

ALTERNATIVE ACTION(S):

1. Conduct public hearing; make minor amendments to the resolutions prior to adoption.
2. Conduct the public hearing and direct staff to make additional changes for adoption at a subsequent meeting.

FISCAL IMPACT:

None.

CONSISTENCY:

Only Section H of the Master Traffic Resolution should be contemplated through the Public Hearing Process (10.20.035 E.). Public Hearing Notices were sent to all effected properties (where the business still exists) at least ten (10) days' prior pursuant to this code section. Any suggested changes to other sections of the Resolution should be made to the Traffic Committee for analysis and consideration at a later time. Traffic Committee Membership, Powers and Duties are established by Municipal Code Section 10.04.

IMPLEMENTATION/TIMEFRAMES:

Immediately upon adoption of Resolution 1271-2019A

ATTACHMENTS:

1. Master Traffic Resolution 1271-2019A
2. Redlined Master Traffic Resolution 1271-2019A
3. Public Hearing Notice

NOTIFICATION:

Affected properties identified in the Redlined version of the Resolution being removed or amended.