



CITY COUNCIL AGENDA REPORT

MEETING DATE: 12/15/2020

DEPARTMENT: Public Works

SUBJECT:

DRAFT PERMIT PARKING PROGRAM FOR RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

RECOMMENDED ACTION(S):

1. Review the draft citywide regulations related to recreational vehicle parking in residential areas; and
 2. Direct staff to issue a Request for Proposals to procure online permit parking software
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EXECUTIVE SUMMARY:

On February 18, 2020, the City Council adopted an Oversized Vehicle Parking Ordinance in response to various complaints from residents and business owners related to oversized and Recreational Vehicles (“RVs”) parking and being stored on public streets. The new Ordinance prohibits oversized vehicles parking in commercial and industrial areas of the City. The ordinance provides an exemption for RVs parked in residential areas for up to 72 hours.

Shortly after the approval of the Ordinance, staff began developing a program to manage RV parking in residential areas. While parking is the most frequently reported issue in the community, the City has not seen an increase in RV-related complaints since the adoption of the Oversized Vehicle Parking Ordinance in February 2020. However, staff recommends the City Council review a potential program that requires residents to obtain a permit to park their own or a guest’s RV on a residential street for more than 24 hours.

The City Council was scheduled to vote on an earlier version of this program on March 17, 2020. However, due to the COVID-19 pandemic, the item was continued to a future meeting. With more time to consider this matter, staff revised the proposed program based on input from the Traffic and Parking Commission (“TPC”), potential permitting software companies, Homeowners Associations (“HOA”), Orange County Sheriff’s Department (“OCSD”), and staff responsible to implement the permitting system.

A summary of the draft program is outlined below:

- RVs may park without a permit for purposes of loading and unloading for up to 24 consecutive hours. Parking more than 24 hours requires a Recreational Vehicle Parking Permit.
- Residents may pull a permit on an annual basis (January 1 – December 31)
- Residents may obtain permits on behalf of out-of-town guests or rental RVs.
- Permittees must park within 1/10th of a mile of the registered permit address.
- Permits will be issued on a per RV basis and the permit cost will not be prorated.
- RVs with a permit are allowed to park on public residential streets for up to 72 consecutive hours (consistent with current code).
- After an RV has been parked for 24 hours without a permit or for 72 hours with a permit, the RV must then vacate the public right-of-way and may not park on any public street or highway in the City for at least 24 hours.

In addition to updating the City's RV parking regulations, the draft Ordinance also revises Lake Forest Municipal Code Sections 6.14.002 and 12.16.040 to comply with recent case law and ensure consistency within the Code concerning RV parking regulations.

Staff recommends the City Council review the draft RV Permit Parking Program regulations and direct staff to issue a Request for Proposals to procure online permit parking software for the City. This would allow staff to procure software that is capable of managing both Neighborhood Permit Parking as well as RV permit parking programs comprehensively. Once staff procures a contractor through the Request for Proposal ("RFP") process, staff would return to the City Council with: (1) a final Ordinance to update the code; (2) any associated fee changes; and, (3) a recommendation regarding the need to implement RV Permit Parking based upon complaints and observations by the Sheriff's Department and staff.

BACKGROUND:

During the past few years, staff received an increased number of complaints related to RV parking, including phone calls, emails, and Ask Lake Forest ("ALF"), requests from residents and business owners. Staff observed those parking RVs in the City included residents and non-residents utilizing public streets as long-term vehicle storage. The concerns raised by members of the public included general long-term parking complaints, line-of-sight issues, traffic hazards, water quality issues, and safety concerns. Given their size, RVs also utilize valuable curb space that could accommodate parking for several smaller vehicles.

In response to these concerns, on February 18, 2020, the City Council amended LFMC section 12.16.070 to prohibit various types of oversized vehicles from parking on public streets citywide. RVs, however, are still allowed to park on public residential streets for up to 72 consecutive hours. Staff believes that additional updates to LFMC section 12.16.070 may be warranted to prevent a potential increase in the number of RVs parked in residential neighborhoods.

To address these concerns, staff started developing a draft RV permit parking program that would restrict RV storage in residential neighborhoods. In March 2020, staff presented a set of draft regulations to the TPC to allow residents to obtain a RV parking permit providing a 48-hour window for loading and a separate 48-hour window for unloading. One of the TPC recommendations was to reduce the permit parking timeframe from 48 hours down to 24 hours. On March 17, 2020, City staff prepared a staff report and Ordinance which would amend LFMC section 12.16.070 to adopt and implement a RV Permit Parking Program. However, due to the COVID-19 pandemic, the public was not able to directly comment on the program and thus the item was continued for a future meeting (Attachment 1).

Since March 2020, staff revised the draft RV Permit Parking Ordinance. Staff brought the draft Ordinance before the TPC at its October 5, and November 2, 2020 meetings. At the October meeting, the TPC expressed concerns on how the City's draft RV parking regulations would interact with RV parking regulations implemented by HOAs. The TPC recommended staff discuss draft regulations with the City's HOAs to better understand how the City's regulations would potentially affect regulations maintained by the HOAs. Staff contacted several HOAs and found that most have RV parking regulations that extend to public streets. Staff learned that most HOAs do not allow RV parking but struggle with enforcement of such restrictions. Staff sent draft regulations to all known HOAs and informed them of the TPC scheduled for November 2, 2020 to discuss the draft program. In addition, the TPC requested that staff revise the draft Ordinance to: (1) remove language prohibiting "hook-ups" between an RV parked on the street and adjacent property; and (2) remove language allowing a permit holder to park an RV at an approved "alternate location" (instead of 1/10th of a mile from the permit's registered residential address). Lastly, the TPC also suggested that staff explore ways to allow for exceptions to the RV parking regulations for COVID-19 impacted residents (e.g., first responders or individuals in quarantine).

Staff revised the Ordinance consistent with the TPC's suggestions from the October meeting. With respect to accommodating COVID-19 impacted residents, staff determined that given the unique and fact-specific nature of such requests, such accommodations would best be addressed outside of an Ordinance through the encroachment permit process.

Staff presented an updated program to the TPC at its November 2, 2020 meeting. Following the TPC's discussion on this item, the TPC recommended that staff further revise the draft program to: (1) allow RVs to park on public residential streets without a permit for up to 24 hours for purposes of loading and unloading; and (2) require residents desiring to park an RV (owned by a resident or his/her guest) in excess of 24 hours to obtain an RV parking permit from the City. Staff concurs with the TPC's November 2nd recommendations and updated the draft program accordingly (Attachment 2)

DISCUSSION:

Staff is presenting the draft Residential RV Permit Parking Program to the City Council for review and comment. Upon receiving the City Council's feedback, staff intends to issue a RFP for a software system to comprehensively manage the City's permit parking program. The program is envisioned to include permits issued due to overflow parking and RV parking. Once a vendor and software package is selected, staff would return to the City Council with an award of contract for software, a recommended Permit Parking fee (if needed), and a recommendation regarding the need to implement a RV Permit Parking program. At this time, staff has not observed an increase in complaints or the number of RVs parking in neighborhoods as a result of the Ordinance change last February. The staff recommendation merely assures that if an RV permit parking program becomes necessary, staff has some guidance as to the proposed program so it could be included in a future software procurement process.

DRAFT REGULATIONS FOR RECREATION VEHICLE PARKING

Recreational Vehicle Parking Permit Program:

The draft Ordinance would amend LFMC section 12.16.070 to allow RV parking on public residential streets – without a permit – for up to 24 consecutive hours for purposes of loading and unloading. If a resident desires to park his or her RV for more than 24 hours, the resident must procure an RV parking permit from the City. Obtaining an RV parking permit would allow a resident to park their RV on public residential streets for up to 72 consecutive hours (consistent with the current code). The permit may be obtained at any time and would be valid for the calendar year. However, the cost of an annual permit would not be prorated. Under the RV Parking Permit Program, residents may obtain RV parking permits on behalf of out-of-town guests. All permittees would be required to park their RV within 1/10th of a mile of the registered permit address. Permits would be issued on a per RV basis. After an RV has been parked for 24 hours without a permit, or for 72 hours with a permit, the RV must then vacate the public right-of-way and may not park on any public street or highway in the City for at least 24 hours.

Staffs' intention is not to constrain residents from enjoying their personal property. The draft Ordinance is intended to prevent long-term RV storage on the City's public residential streets while also not overburdening residents with too many restrictions. In its present form, the draft Ordinance would not limit the number of permits that a resident can obtain. In the event that staff begins to observe abuses of the RV Permit Parking Program, staff would bring additional recommendations to the City Council to address such issues.

With respect to how the City's RV parking regulations interact with an HOAs' CC&Rs, the City Attorney's Office clarified that the City's draft RV Parking Permit Ordinance contains the requirements RV owners must follow to not receive a citation from OCSD. The City's parking regulations are independent of any RV parking regulations imposed by an HOA on its residents through CC&Rs. Compliance with, and enforcement of an HOA's parking regulations is a private matter between a resident and their HOA. Thus, in addition to complying with the City's RV parking regulations, residents who live within an HOA would also need to ensure that their RV is parked in compliance with their HOA's parking regulations.

Revisions to Lake Forest Municipal Code Sections 6.14.002 and 12.16.040

In addition to the provisions described above, the draft Ordinance would also amend LFMC sections 6.14.002 and 12.16.040. Section 6.14.002 subsection (T) declares it a public nuisance to use a parked or stored RV for temporary or permanent living space. Under current case law, the City cannot enforce this prohibition, so this draft Ordinance removes subsection (T) from Section 6.14.002. With respect to section 12.16.040, this draft Ordinance amends subsection (B) to clarify that section 12.16.070 governs the parking of oversized vehicles in the City. Additionally, because this draft Ordinance's revision to section 12.16.070 subsection (A) clarifies that all RVs are included in the Citywide ban (unless an exception applies), section 12.16.040 subsection (C) is redundant. Section 12.16.040 subsection (C) also contains language prohibiting camping in an RV on a City street – which the City cannot enforce under current case law. Accordingly, this draft Ordinance removes section 12.16.040 subsection (C).

Next Steps

As noted above, to facilitate implementation of the City's RV Permit Parking Program, staff is currently evaluating options that would allow residents to apply for permits online. Residents would be able to upload documents required to apply for a permit and receive approval through the online system. This potential solution would increase public convenience and decrease the amount of staff time required to verify and process parking permits. Staffs' goal is to ensure the cost per permit through an online provider does not exceed the established fee. Staff is developing a RFP for potential software providers to procure this online service. Staff is seeking further guidance from the City Council on the details of

the draft program, so potential software companies can better understand the expectations and submit an informed proposal.

Once the online permit system and the contractor is selected, staff would be able to provide a definitive fee structure for the City's RV Permit Parking Program (if needed) and would return to City Council with a recommendation to approve and adopt an Ordinance. Staff will continue to monitor RV parking related complaints, and the Sheriff's Department will continue to enforce existing Code as well as monitor RV parking throughout the City to determine if an RV permit parking program would be recommended.

FISCAL IMPACT:

The fiscal impact of the recommended action is the cost of staff time required to conduct a Request for Proposal process.

ATTACHMENTS:

1. Meeting Minutes – March 17, 2020 City Council Meeting
2. Attachment – Draft Ordinance for Recreational Vehicles

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Submitted By: Thomas Wheeler, P.E., Director of Public Works/City Engineer

Approved By: Debra Rose, City Manager