



Folsom City Council Staff Report

MEETING DATE:	9/27/2022
AGENDA SECTION:	Old Business
SUBJECT:	Ordinance No. 1331 – An Ordinance of the City of Folsom Adding Sections 10.20.290, 10.20.295, and 10.20.300 to the Folsom Municipal Code to Establish a Residential Permit Parking Program in Designated Areas of the Historic District (Second Reading and Adoption)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council conduct the second reading and adoption of Ordinance No. 1331 - An Ordinance of the City of Folsom Adding Sections 10.20.290, 10.20.295, and 10.20.300 to the Folsom Municipal Code to Establish a Residential Permit Parking Program in Designated Areas of the Historic District.

BACKGROUND / ISSUE

In 2019 the City Council directed the formation of the Historic District Ad Hoc Parking Solutions Committee, which was a committee comprised of residents, business owners, and other community stakeholders to develop recommendations to address the parking issues facing the Historic District. The committee completed their work in Spring 2020 and reported their findings and recommendations back to City Council, which the City Council then in turn directed staff to implement over time. One of the committee's high-priority recommendations was to establish a Residential Permit Parking Program to limit the intrusion of non-resident parking into designated residential areas within the Historic District.

In June 2022 the City completed a six-month permit parking pilot and determined that a permit parking program could be a viable element of the overall parking management strategy in the Historic District. At the July 23, 2022 meeting, the Council directed staff to prepare an ordinance for their consideration that would enact a permanent program that would allow

interested parties to request that the City designate and post permit parking restrictions in their residential area of the Historic District and to obtain permits that would allow them to park within those designated areas.

In directing staff to prepare an ordinance, the Council requested that the draft ordinance give the Council the ability to determine the number of permits which could be issued to each address, the cost of each permit, and whether guest permits should be issued. These variables will be defined in a companion resolution that Council can approve for each, specific permit parking zone and are not specifically defined in the ordinance.

The introduction and first reading of Ordinance No. 1331 was conducted on August 23, 2022. Other than the removal of brackets from proposed Section 10.20.290, subsection B, no other changes have been made to the final ordinance.

At the September 12, 2022 meeting of the Historic Folsom Residents Association, it was suggested that the proposed wording of Section 10.20.290, subsection C, be revised to delete bicycles as a vehicle that would be subject to permitting requirements. If this revision is acceptable to Council, staff will make the revision to the final ordinance.

FINANCIAL IMPACT

The implementation of a permit parking program will result in an as-yet determined number of staff hours for program administration and potentially parking enforcement. At the August 23, 2022 meeting, Council provided direction to staff to proceed with a permit cost of \$50 per permit. Staff intends to proceed with that cost and will report back to Council after the first year of the program to report on the actual financial impact of the program.

ENVIRONMENTAL REVIEW

This action is exempt from environmental review under the California Environmental Quality Act (CEQA).

ATTACHMENTS

Ordinance No. 1331 - Ordinance of the City of Folsom Adding Sections 10.20.290, 10.20.295, and 10.20.300 to the Folsom Municipal Code to Establish a Residential Permit Parking Program in Designated Areas of the Historic District (Second Reading and Adoption)

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

ORDINANCE NO. 1331

AN ORDINANCE OF THE CITY OF FOLSOM ADDING SECTIONS 10.20.290, 10.20.295, AND 10.20.300 TO THE FOLSOM MUNICIPAL CODE TO ESTABLISH A RESIDENTIAL PERMIT PARKING PROGRAM IN DESIGNATED AREAS OF THE HISTORIC DISTRICT

The City Council of the City of Folsom does hereby ordain as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to establish a Residential Permit Parking Program in areas designated by the City Council in the Historic District by adding Sections 10.20.290, 10.20.295, and 10.20.300 to the Folsom Municipal Code.

SECTION 2 ADDITION TO CODE

Section 10.20.290 is hereby added to the Folsom Municipal Code to read as follows:

10.20.290 Residential permit parking program.

- A. A residential permit parking program in the Historic District is established in areas designated by Resolution of the City Council, which may be amended from time to time, to provide preferential parking to residents of those specified areas by exempting them from limitations or prohibitions established for parking of vehicles in such areas.
- B. Unless displaying a valid permit issued under this Section or otherwise exempt under Section 10.20.300, no person shall stop, stand, or park a vehicle in areas designated for residential permit parking during the times set by Resolution of the City Council.
- C. For purpose of the residential permit parking program, vehicles include any device designed for transportation such as, for example, motor vehicles, motorcycles, bicycles, as well as carts and trailers whether or not attached to a vehicle.

SECTION 3 ADDITION TO CODE

Section 10.20.295 is hereby added to the Folsom Municipal Code to read as follows:

10.20.295 Permits to be issued.

Upon payment of a fee to be set and amended from time to time by Resolution of the City Council, the City shall issue residential parking permits, in a quantity to be specified by Resolution of the City Council, to residents residing in the designated areas. When such permit is appropriately displayed, that permitted vehicle shall be exempt from any parking limitation or prohibition in effect at that location. Permits shall not exempt residents from all other provisions of the California

Vehicle Code or Folsom Municipal Code in force and effect within such area notwithstanding the permit program.

SECTION 4 ADDITION TO CODE

Section 10.20.300 is hereby added to the Folsom Municipal Code to read as follows:

10.20.300 Exemption for official duties.

The following vehicles shall be exempt from the permit parking requirements while used in the performance of their official duties:

- A. City, county, state, federal government vehicles.
- B. Emergency vehicles.
- C. Public/private ambulances.
- D. Utility company vehicles (e.g., natural gas, electrical, telephone, internet, etc.)
- E. Federal and private mail and package delivery vehicles.
- F. Any private commercial business vehicle performing a service (e.g., landscaping, construction, pest control, housekeeping, pool cleaning, etc.)

SECTION 5 SCOPE

Except as set forth in this Ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 6 NO MANDATORY DUTY OF CARE

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 7 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 8 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on August 23, 2022 and the second reading occurred at the regular meeting of the City Council on September 27, 2022.

On a motion by Council Member _____ seconded by Council Member _____, the foregoing Ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 27th day of September 2022, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

This page is intentionally left blank.