



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Truck Parking Restrictions Citywide

MEETING DATE: September 1, 1999

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council introduce an ordinance amending the Lodi Municipal Code (LMC) Title 10 to restrict commercial vehicle parking as described.

BACKGROUND INFORMATION: At its previous meeting, the City Council voted to implement commercial vehicle parking restrictions during daytime hours citywide except in industrial areas that are not fronting retail uses. This prohibition would be in effect for one year, after which the parking would be eliminated completely. Staff indicated this would take specific language that would need to be developed to ensure clarity and enforceability. Staff is presenting a modification to the LMC to implement this direction (Action 1). In addition, staff is presenting additional changes to address some of the other comments raised during the last meeting (Action 2).

Action 1 – Truck parking – This includes previous Council direction and some “clean-up” language to the current code. Specifically, amend LMC §10.52.050 as follows (see Exhibit A for full text of Section and amendments):

1. Amend Paragraph A to add “rating (GVWR)” to the weight specification.

This allows use of the vehicle nameplate for enforcement instead of actual weighing.

2. Add new Paragraph B as follows:

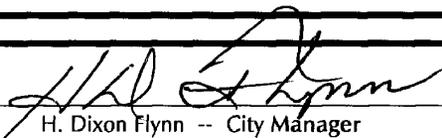
B. It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone except where specifically signed to allow commercial vehicle parking between the hours of 7 p.m. and 7 a.m. unless otherwise indicated. This paragraph shall remain in effect until January 1, 2001, at which time the following paragraph shall become effective:

It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone.

3. Change current Paragraph “B” to “C”.
4. Amend Traffic Resolution 97-148 to delete Paragraphs C.9, C.10 and C.11 of Section 3, to be effective upon posting the above restriction.

These are the current locations where specific commercial vehicle restrictions have been posted. The new ordinance will require posting at the city limits at a minimum and leaving these specific locations posted will lead to confusion.

APPROVED:


H. Dixon Flynn -- City Manager

Action 2 – Additional changes – In addition to problems caused by large trucks parking on-street, there are circumstances where any vehicle, and particularly a tall one, causes sight obstructions. Restricting parking of these vehicles presently requires Council action. Staff is recommending that the following changes be made to allow administrative action in these cases:

1. Amend LMC §10.44.020 F. from “twenty” feet to “one hundred” feet (see Exhibit B).
This would mainly be used at intersections and driveways where parking causes a sight problem.
2. Amend LMC §10.44.070 to strike the phrase “. . . in the traffic resolution” regarding vehicles six feet or more in height (see Exhibit C).
This would only be used at intersections as provided in Vehicle Code §22507.
3. Amend Traffic Resolution 97-148 to delete Section 3, Paragraph D.
These are the current locations where this specific restriction has been posted. The signs would remain in place but would not need to be listed in the Traffic Resolution.

Staff will also need to seek concurrence from Caltrans regarding applicability of these restrictions to State Highway 12. Ordering and posting the necessary signs will take six to eight weeks. Staff will prepare and distribute maps describing available parking areas for truckers.

FUNDING: Street maintenance account for signs.


Richard C. Prima, Jr.
Public Works Director

RCP/lm

Attachments

cc: Randy Hays, City Attorney
Larry Hansen, Police Chief
Bruce McDaniel, Police Lieutenant
George Bradley, Street Superintendent
Paula Fernandez, Associate Traffic Engineer
Concerned Citizens
Gary Lund
California Trucking Association

Lodi Municipal Code

10.52.050 Parking restrictions.

A. It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a residential district. For the purposes of this section, "residential district" means residentially zoned areas designated by the city zoning code (any "R" district) and includes schools, parks, playgrounds, community centers, churches, museums, golf courses (excluding miniature golf courses) and similar recreational uses of a noncommercial nature, and public utility service buildings where they are located in a residential district.

B. It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone except where specifically signed to allow commercial vehicle parking between the hours of 7 p.m. and 7 a.m. unless otherwise indicated. This paragraph shall remain in effect until January 1, 2001, at which time the following paragraph shall become effective:

It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone.

B.C. This section shall not prohibit parking of commercial vehicles in the process of being loaded or unloaded.

Lodi Municipal Code

**10.44.020 Prohibit stopping,
standing or parking.**

F. In any area ~~twenty-one~~ hundred feet or less in length, where the public works director determines that the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property, or on the approach to a traffic control device when such place is indicated by appropriate signs or by red paint upon the curb surface;

Lodi Municipal Code

**10.44.070 Parking not to obstruct
sight distance.**

No person shall park or leave standing a vehicle which is six feet or more in height, including any load thereon within one hundred feet of any intersection so designated in the traffic resolution.

ORDINANCE NO. 1680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING TITLE 10 – VEHICLES AND TRAFFIC BY REPEALING AND REENACTING SECTION 10.44.020(F) “PROHIBITED STOPPING, STANDING OR PARKING,” SECTION 10.44.070 “PARKING NOT TO OBSTRUCT SIGHT DISTANCE,” AND SECTION 10.52.050 “PARKING RESTRICTIONS,” TO THE LODI MUNICIPAL CODE RELATING TO TRUCK PARKING

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Title 10, Section 10.44.020(F) – Prohibited Stopping, Standing or Parking of the Lodi Municipal Code is hereby repealed and reenacted to read as follows:

10.44.020 Prohibit stopping, standing or parking.

- F. In any area one hundred feet or less in length, where the public works director determines that the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property, or on the approach to a traffic control device when such place is indicated by appropriate signs or by red paint upon the curb surface;

SECTION 2. Title 10, Section 10.44.070 – Parking Not to Obstruct Sight Distance” of the Lodi Municipal Code is hereby repealed and reenacted to read as follows:

10.44.070 Parking not to obstruct sight distance.

No person shall park or leave standing a vehicle which is six feet or more in height, including any load thereon within one hundred feet of any intersection so designated.

SECTION 3. Title 10, Section 10.52.050 “Parking Restrictions” of the Lodi Municipal Code is hereby repealed and reenacted to read as follows:

10.52.050 Parking restrictions.

- A. It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a residential district. For the purposes of this section, “residential district” means residentially zoned areas designated by the city zoning code (any “R” district) and includes schools, parks, playgrounds, community centers, churches, museums, golf courses (excluding miniature golf courses) and similar recreational uses of a noncommercial nature, and public utility service buildings where they are located in a residential district.
- B. It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone except where specifically signed to allow

commercial vehicle parking between the hours of 7 p.m. and 7 a.m. unless otherwise indicated. This paragraph shall remain in effect until January 1, 2001, at which time the following paragraph shall become effective:

It is unlawful to park a commercial vehicle exceeding a maximum gross vehicle weight rating (GVWR) of ten thousand pounds on any street in a commercial or industrial zone.

- C. This section shall not prohibit parking of commercial vehicles in the process of being loaded or unloaded.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this _____ day of _____, 1999.

KEITH LAND
Mayor

Attest:

Alice M. Reimche
City Clerk

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State of California
County of San Joaquin, ss.

I, Alice Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1680 was introduced at a regular meeting of the City Council of the City of Lodi held _____, 1999, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1999 by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1680 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney

AMR

August 24, 1999

COMMERCIAL VEHICLES PARKING ON CITY STREETS

Dear Mayor and Councilmen,

The trucking industry is a very important component of moving all goods and produce in and out of the City of Lodi. A large portion of Lodi's population owes their lively-hood to the trucking industry and its inter-dependant businesses.

I implore the council to not over-react to minor inconveniences caused by the parking of commercial vehicles. Making large parked vehicles a safety issue would open Pandora's Box. An example would be to blame a parked truck for the cause of an accident. Large vehicles obstruct vision, but they do not cause accidents. Would you be opening the door for all large vehicles to be banned on our city streets?

I would like to recommend several alternative ideas to the total prohibition of truck parking in the City:

- A. The City of Lodi should encourage the private sector to develop large truck stops and parking facilities. This would encourage truckers to park their rigs in these areas. The City would also receive tax dollars on the businesses.
- B. The City of Lodi should incorporate the area around SR-12 and I-5. By supplying utilities to these areas for truckers. The system would pay for itself in a matter of time, eventually, providing the City with additional millions of dollars in tax revenues. This would be a great trade-off!

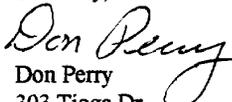
To illustrate a city without vision for the future, the example would be Manteca. Yellow Freight Lines wanted to build a large truck terminal on S. Manteca Road at SR 120. A few small-minded citizens didn't want the increased truck traffic in their city.

Consequently, Manteca turned them down. Tracy, on the other hand, invited Yellow Freight to build next to I-205. Tracy is now receiving four to six million dollars in taxes each year. And guess what? There was no increase of truck traffic on the city streets. In addition, Yellow Freight is pumping fifty plus million each year into the local economy for wages and purchases made in Tracy. Tracy's vision was Manteca's loss.

- C. The City of Lodi could build a parking facility. Charge a fee for parking and run a shuttle bus from the terminal to the new transportation hub being built downtown. The facility would soon pay for itself in a matter of years, and then generate revenue for our City.

Council members, be creative! Look to the future. Who knows when the City of Lodi may reach I-5? When I was growing up in Lincoln Village as a boy, Lincoln Village was 5 miles outside the City of Stockton. Look at it now!

Sincerely,



Don Perry
303 Tioga Dr.
Lodi, CA 95242
369-8156

CITY COUNCIL

KEITH LAND, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
SUSAN HITCHCOCK
ALAN S. NAKANISHI
PHILLIP A. PENNINO

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

August 26, 1999

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

Meeting 10/1/99

SUBJECT: Truck Parking Restrictions Citywide

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, September 1, 1999. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Alice Reimche, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call me at (209) 333-6759.



Richard C. Prima, Jr.
Public Works Director

RCP/lm

Enclosure

cc: City Clerk

MR RICHARD SANBORN
SANBORN CHEVROLET
1210 S CHEROKEE LN
LODI CA 95240

PERKO'S RESTAURANT
ATTN MIKE REZA
1170 S CHEROKEE LN
LODI CA 95240

SUBWAY SANDWICHES
ATTN BARRY STIRM
429 E KETTLEMAN LN
LODI CA 95240

LARAMIE ROBERTS
412 TIOGA DR
LODI CA 95242

LODI FAMILY TAEKWONDO CNTR
ATTN MANAGER
523 W HARNEY LN #3
LODI CA 95240

TOKAY MARKET
ATTN HARJINDER HUNDAL
2525 S HUTCHINS ST
LODI CA 95240

MR MIKE FURNISH
1736 S CHURCH ST
LODI CA 95240

JOHN & JACQUE SUTPHIN
321 E CENTURY BLVD
LODI CA 95240

MS MARY KAY MEYER
805 S ROSE ST
LODI CA 95240

PLAZA LIQUORS
ATTN TOM GRAVES
2420 W TURNER RD
LODI CA 95242

GEWEKE PROPERTIES
ATTN DALE GILLESPIE
P O BOX 1210
LODI CA 95241

MARILYN HARO
PARKING HEARING TECH

MR GARY LUND
P O BOX 22
LODI CA 95241

PLUMMER PONTIAC
ATTN GENERAL MANAGER
1011 S CHEROKEE LN
LODI CA 95240

HOLIDAY INN EXPRESS
ATTN MANAGER
1140 S CHEROKEE LN
LODI CA 95240

RALEY'S SUPERMARKET
ATTN MANAGER
333 S LWR SACRAMENTO RD
LODI CA 95242

VALLEY CINEMAS
ATTN MANAGER
2750 W LODI AVE
LODI CA 95242

USA GASOLINE
2500 W LODI AVE
LODI CA 95242

CALIFORNIA TRUCKING ASSN
ATTN W RONALD COALE
LOCAL GOVT CONSULTANT
33 W ALPINE AVE
STOCKTON CA 95204

SAN JOAQUIN CO PW DEPT
ATTN TOM FLINN
DEPUTY DIR/ENGINEERING
P O BOX 1810
STOCKTON CA 95201-1810

MS PENNY RISTER
2223 BURTON WAY
LODI CA 95242

MR JON WITHERS
2448 CORBIN LN
LODI CA 95242

MR DON PERRY
303 TIOGA DR
LODI CA 95242