



# TOWN OF FAIRFAX

## STAFF REPORT

### December 3, 2014

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager *GT*

**SUBJECT:** Discuss/consider Residents' Petition regarding parking issues in the Inyo Avenue neighborhood and possible solutions, including adoption of a resolution to allow overnight parking in the Parkade and Mono Avenue lots

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#### **RECOMMENDATION**

Discuss/consider recommended options to address parking issues in the Inyo Avenue neighborhood and direct staff to:

- 1) Permit residents to park overnight in the Parkade and Mono Avenue parking lots on Sunday nights and monitor overnight parking in the Inyo and Mono Avenue neighborhoods, or
- 2) Adopt a resolution to allow overnight parking in the Parkade and Mono Avenue parking lots and monitor overnight parking in the Inyo and Mono Avenue neighborhoods.

#### **DISCUSSION**

At its November meeting, the Council discussed a petition submitted by residents regarding Inyo Avenue parking issues. The petition concerns the difficulty for residents of Inyo Avenue to find parking on their street, and includes a suggestion to implement residential parking permits to allow parking by permit only between the hours of 12 a.m. and 6 a.m.

At the Council meeting, the speakers seemed to imply that the core issue was related to the unruly behavior of downtown patrons parking in the neighborhood and returning to their vehicles. However, a subsequent letter from a resident clarified their primary concern is the lack of available parking for Inyo residents. The letter suggests that the implementation of a residential permit system would be a simple solution.

While it may appear to be a simple solution, there are always unintended consequences. The issues of overnight parking and time-limited parking are two distinct issues. Neighborhoods adjacent to the downtown are a source for evening and weekend parking for visitors. This raises the larger policy issue of where visitors to the community should park and the Town resources needed to manage and enforce such a system.

It should be noted that there are current practices in place that may affect an interim solution. Specifically, the Town does allow vehicles to be parked overnight in the downtown if the owners either contact PD directly or leave a note on the dash indicating the reason for not moving their vehicles. PD logs approximately 700 such requests per year. Even with the requests, the Town has collected approximately \$11,000 in citations issued to vehicles illegally parked overnight (\$106/violation) in Town lots during 2014.

The Town also currently sells permits (\$60/yr) to allow residents to park overnight in Town lots, but they must comply with the daily time limit of 4 hours beginning at 8:00am. This generates about \$2,000 in revenue for the Town in 2014. Merchants may also purchase permits to allow their employees to park more than 4 hours in the Parkade.

Staff is only proposing two interim options because the development of a residential parking permit system should be considered as part of comprehensive managed parking plan which would include downtown and the adjacent neighborhoods. In addition, any solution should only be an interim measure that can be evaluated and the data used to develop a more permanent solution.

We are proposing two options for Council consideration:

- 1) The Town would allow residents to park overnight in the Parkade and Mono Avenue parking lots on Sunday nights and monitor overnight parking in the Inyo and Mono Avenue neighborhoods.

This solution may address parking issues caused by street sweeping on Monday mornings. Residents would merely need to place a note on their dashboard indicating they are parking overnight. Normally, residents would need to move their cars prior to the noon on Monday, but because of street sweeping in their neighborhoods they would be allowed to park longer than 4 hours with a note. For those residents wishing to park overnight on a regular basis, they would need to purchase a permit (\$60/yr).

This would not require any action by Council. Staff would just inform the neighborhoods of the ability to park overnight on Sunday in Town parking lots. This would probably not affect existing permits nor impact parking revenues.

- 2) Adopt a resolution to allow overnight parking in the Parkade and Mono Avenue parking lots and monitor overnight parking in the Inyo and Mono Avenue neighborhoods.

This solution may address parking issues caused by non-residents parking overnight in the neighborhoods. However, residents who park overnight would need to move their cars prior to noon the next day. The exemption would be on Monday because of street sweeping in their neighborhoods. Residents would need to place a note on the dashboard if they wanted to park longer than 4 hours on Monday. Staff would inform residents of the ability to park overnight in Town parking lots.

This would significantly reduce parking citation and permit revenues to the Town.

As a subset of this option, the Council could also adopt an ordinance to make it illegal for RV's, boats, and trailers to be parked on streets. This would presumably prevent overnight parking of such vehicles and free up some on-street parking. However, it was not clear if this was an issue of concern. It should be noted that Town Code requires garages be used for vehicles and we have, based on complaints, required residents using

their garages for storage to clean out their garage for vehicle parking. Staff is unaware if residents using garages for storage is an issue in the impacted neighborhoods.

At the November Council meeting, the Town Attorney indicated she would research the ability of the Towns to tow vehicles sooner than 72 hours after they are marked. Unfortunately, State law preempts communities from towing vehicles prior to 72 hours after being marked. In residential areas, PD currently mark vehicles based on complaints.

Lastly, as clarification, a residential parking system would not be block-specific, but a designated area consisting of several blocks. Again, such a residential permit system needs to be part of a comprehensive approach to managed parking. A managed parking plan would address such issues as demand pricing for parking, permit fees, permit areas, hours of parking, administration, and enforcement. A managed parking plan was slated to be discussed and considered as part of the process to develop the Town Center Element. We anticipate that discussion would occur in FY15-16.

Staff would continue to monitor the parking situation to evaluate the use of overnight parking in the Town parking lots and any discernible impacts on the Inyo and Mono neighborhoods. We would report back to the Council in 4-6 months.

**FISCAL IMPACT**

None at this time

**ATTACHMENT**

Resident's Letter (identifying information redacted)  
Proposed resolution

RECEIVED  
NOV 18 2014  
TOWN OF FAIRFAX

Steve Ardito  
Inyo Avenue  
Fairfax, CA 94930

November 16, 2014

The Town of Fairfax  
142 Bolinas Road  
Fairfax, CA 94930

Dear Mayor Weinsoff and Members of the Council,

I would like to thank you for affording the residents of Inyo Avenue the opportunity to express our parking concerns at the recent Town Council meeting. While the petition and testimony presented demonstrate the Inyo area has a considerable number of parking related issues, I would like to clarify that **our primary concern is the lack of available parking for Inyo residents.**

Residents, who have a need to park on the street on which they live, are frequently denied the opportunity to do so by numerous non-resident vehicles whose business is elsewhere. Many of those vehicle owners are patronizing down town businesses, cycling Mount Tam, commuting, or living on other area streets. Some of these non-resident visitors stay long-term, for hours or days on end, often creating a myriad of issues to exacerbate the problem. When parking is unavailable on Inyo, it is often unavailable on other neighborhood streets as well, possibly forcing some elderly or mobility challenged residents or their family members to trek unsafe distances to their homes.

We understand these issues may not belong solely to Inyo, and neither does the solution offered. We can address the overcrowding issue on our residential streets by limiting vehicles without an absolute need to be there! We are not trying to prevent these non-resident vehicles from parking on our streets; we are simply attempting to manage their stays.

As homeowners and taxpayers, the area residents are seeking the some of the same conditions granted down town businesses for parking management. To this extent, we believe time-limited parking in near town residential areas is a relatively simple solution that, with reasonable enforcement, will provide some relief from the issues that challenge our quality of life. The effectiveness of this proposal relies on the willingness of the Town to manage and enforce it. We suggest the following multipronged solution:

**Parking Regulation:**

- 1) Maintain the current 72-hour parking ordinance, without exemption.
- 2) Implement a timed (2- or 4-Hour) residential parking limit, from 8am to 6pm, Monday thru Saturday, residents with permits exempt
- 3) Implement "NO PARKING" on residential streets from 12am – 6am, residents with permits exempt
- 4) Implement "OVERNIGHT" parking in the Parkade and Mono Lots, on Broadway (from Bank St. to Pacheco) and Center (from Pacheco to Pastori), without exclusions

**Residential Permitting Process:**

- 1) Permits to be issued by street address only, on a limited basis (\*cost and number of permits per address to be determined), requires proof of residential address (Driver's License and water or utility bill)
- 2) Permits to be placard style (to be placed on rear view mirrors much like a handicapped placard) and transferable
- 3) One permit available at no cost for each street address
- 4) Renewable annually

*\*Examples of cost and distribution (actual cost and distribution may vary) –*

- 1) *A maximum of two permits per residential address. No charge for the first permit, \$25 for the second.*
- 2) *A maximum of four permits per address. No charge for the first two, a \$100 annual fee for the third, and a \$250 annual fee for the fourth. (This is not punitive. The philosophy here is similar to a tiered water or utility bill; the more one uses, the more one pays. If one is incrementally contributing to the problem, one should incrementally contribute to the solution.)*

While this proposal may not eliminate every issue brought before the Council in testimony or petition, it even-handedly addresses a majority of those issues without placing undue burden on the residents or down town businesses. In addition to benefiting our residential neighborhoods, this proposal may present a revenue opportunity for the Town due to the collection of permits fees and enforcement citations.

I invite you to join me in a late afternoon or early evening walk (any time from 4:00 pm – 7:00 pm on a day of your choosing) of the neighborhood prior to the next Council meeting to give you better feel and understanding of the issues and solutions we are discussing. Please feel free to contact me if you wish to make arrangements. Thank you for your time and consideration.

Respectfully,



Steven L. Ardito

RESOLUTION 14-\_\_

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
ALLOWING OVERNIGHT PARKING  
IN THE PARKADE AND MONO ST. PARKING LOTS**

**WHEREAS**, Section 10.08.070 of the Town's Municipal Code allows the Town Council by resolution to adjust the time limit for continuous parking in public parking lots; and

**WHEREAS**, on December 3, 2014, the Town Council discussed at its meeting the possibility of allowing overnight parking in the Parkade and Mono St. lots as a interim solution to address the parking issues in the adjacent residential neighborhoods; and

**WHEREAS**, the Parkade and Mono St. parking lots do not currently allow for overnight parking other than by permit;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Fairfax hereby authorizes the Town Manager to do everything necessary and appropriate to allow overnight parking in the Parkade and Mono St. public parking lots.

The foregoing resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3rd day of December, 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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MAYOR

Attest:

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Michele Gardner, Town Clerk