

Agenda Item Wording:

..title

Ordinance Adoption – A Public Hearing and first reading of Ordinance No. 2024-13, a request by the City of Visalia to revise Visalia Municipal Code Chapter 10.16.050 Use of Streets for Storage of Vehicles Prohibited

..body

Deadline for Action: 12/16/2024

Submitting Department: Community Development

Contact Name and Phone Number:

Jesse Villegas, Code Enforcement Officer, (559) 713-4191, jesse.villegas@visalia.city

Tracy Robertshaw, Neighborhood Preservation Manager, (559) 713-4187

tracy.robertshaw@visalia.city

Paul Bernal, Planning and Community Preservation Director, (559) 713-4025

paul.bernal@visalia.city

Department Recommendation:

Staff recommends that the Visalia City Council hold a public hearing, receive a presentation and staff report, and introduce the first reading of Ordinance No. 2024-13, amending Visalia Municipal Code Section 10.16.050.

Background Discussion:

During the October 7, 2024, City Council meeting, staff presented a work session item to City Council regarding enforcement concerns and issues related to the use of city streets for storage including personal vehicles, recreational vehicles, travel trailers, mobile homes, unattached trailers, boats trailers, and camper trailers in residential districts. The Visalia Municipal Code (VMC) Section 10.16.050 reads as follows:

“No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.”

Over the past year, Code Enforcement and Visalia Police Department have received numerous complaints related to the storage of personal vehicles and the minimal movement of parked or standing vehicles located on the public street. These complaints tend to mostly consist of recreational vehicles, travel trailers, mobile homes, unattached trailers, boats trailers, and camper trailers. These vehicles/trailers have been found to impact city streets as the storage of these vehicles tends to impair traffic flow, obstruct line of sight visibility near intersections, crosswalks and for drivers backing their vehicles out driveways onto public streets. This has resulted in an increase in new open cases throughout the city for Code Enforcement and increased the number of calls for service for the Visalia Police Department.

During the work session presentation, city staff received comments from City Council regarding requiring a set number of days that recreational vehicles, travel trailers, mobile homes, unattached trailers, boats trailers, and camper trailers could be parked on the city

street, rather than having them moved a set number of feet after reaching the current 72-hour period of time.

Based on the information provided in the work session staff report, and comments received from City Council, staff has prepared revisions to VMC Section 10.16.050 for City Council's consideration as noted below.

Proposed Revisions to Section 10.16.050:

Section 10.16.050 currently reads:

No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours. A "residence district" shall be determined as per California Vehicle Code, Division 1, Section 240 or Section 515, or as those districts or areas zoned as residential and indicated as such on the city zoning map, including low-medium, and high-density residential.

Proposed revisions to Section 10.16.050, as specified by underline & *italics* for additions:

New Section 10.16.050.A:

- A. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours *or move and re-park such vehicle on any street or alley within 1000 feet of the original parking site.*
- B. *No person shall park or stand or permit to park any recreational vehicles or temporary recreational vehicles, travel trailers, mobile homes, unattached trailers, boat trailers, and camper trailers on any street or alley for more than six days in any twelve (12) month period.*
- C. *Recreational vehicles, temporary recreational vehicles, travel trailers, mobile homes, unattached trailer, boat trailers, and camper trailers may be parked or stored with no time limits on a paved surface, on any side or rear yard of a property, and shall not impede the right of way.*

Analysis:

City staff believes these changes will be beneficial as this will lessen the impact of city streets, allow smoother traffic flow, alleviate sight/visibility issues for pedestrians and drivers backing their vehicles out of driveways onto public streets, and define a distance requirement that vehicles/trailers on public streets would need to be moved in order to remain legally parked. As an example of how this ordinance update would be implemented, a vehicle (i.e., car or Truck) will be identified as being stored on the street if said vehicle meets the following criteria: vehicle is not visibly maintained and is covered in dust, dirt, cobwebs and can be proven not to have been moved within a 72-hour period.

Fiscal Impact:

N/A

Prior Council Action:

On October 7, 2024, Council received a presentation by staff seeking direction to make changes to Visalia Municipal Code 10.16.050 "Use of Streets for Storage of Vehicles Prohibited."

Other: N/A

Alternatives:

The City Council may, in lieu of staff recommendation, choose to leave Section 10.16.050 of the VMC unchanged.

Recommended Motion (and Alternative Motions if expected):

..recommendation

I move to introduce the first reading of Ordinance No. 2024-13, amending Visalia Municipal Code Section 10.16.050 as provided in the attached ordinance.

..end

Environmental Assessment Status:

The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061(b)(3) which states that the project is exempted from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed ordinance will establish objective performance standards that regulate the parking of commercial vehicles in residential zones.

CEQA Review:

The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption (NOE No. 2024-59) has been prepared for the project.

Attachments:

1. Ordinance No. 2024-13 – Amending Section 10.16.050 Use of Streets for Storage of Vehicles Prohibited.
2. PowerPoint Presentation
3. Notice of Exemption No. 2024-59