



AGENDA REPORT

Meeting Date: October 27, 2009
Item Number: F-5
To: Honorable Mayor & City Council
From: Aaron Kunz, Deputy Director of Transportation *AK*
Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE MODIFICATION OF AN EXISTING PREFERENTIAL PARKING ZONE AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE
Attachments: 1. Ordinance

RECOMMENDATION

Staff recommends that the City Council: “Move that full reading of the ordinance be waived, and the ordinance entitled: AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE MODIFICATION OF AN EXISTING PREFERENTIAL PARKING ZONE AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE” be introduced and read by title only.

INTRODUCTION

The Traffic & Parking Commission’s role with respect to the establishment of preferential parking zones is advisory to the City Council as are most of the recommendations from the various commissions. Section 2-2-702, establishes their role “as an advisory agency to the council” Currently the Municipal Code has different roles for the Traffic & Parking Commission with respect to establishing a preferential permit parking zone compared to modifying a time restriction in an existing zone. The recommended ordinance would establish that the Traffic & Parking Commission’s role is advisory under both circumstances. This would codify what has been the practice of the department.

DISCUSSION

To establish a preferential permit parking zone, the Traffic & Parking Commission makes a recommendation to the City Council. The City Council determines “the maximum parking

restriction that may be imposed for vehicles parking in a preferential parking zone as it deems appropriate.” Modifying a time restriction within an existing preferential permit parking zone requires both the Traffic & Parking Commission and the City Council to approve the modification, which is not consistent with the Traffic & Parking Commission’s role as advisory to the City Council.

After the City Council approves the establishment or modification of a preferential permit parking zone, there is often interest in modifying the time restriction after a test period or change of opinion. The code as written would require that both the Traffic & Parking Commission and City Council approve any modifications. Staff recommends that the Municipal Code be amended to make clear that in modifying existing preferential parking zones, the Traffic and Parking Commission’s role is advisory similar to its role in establishing preferential parking zones. The proposed amendments to the Municipal Code would provide the City Council authority to modify a zone once approved. The City Council could still request that the Traffic & Parking Commission make a recommendation, but it would not be a requirement for the Commission to approve the zone. This modification is consistent with the role of the Traffic & Parking Commission as an advisory body to the City Council.

FISCAL IMPACT

No fiscal impact

 David Gustavson
Approved By

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE
MODIFICATION OF AN EXISTING PREFERENTIAL PARKING ZONE AND
AMENDING THE BEVERLY HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES ORDAIN AS
FOLLOWS:

Section 1. Section 7-3-207 of Title 7, Chapter 3, Article 2 of the Beverly Hills
Municipal Code is hereby amended to read as follows:

“7-3-207: Modification of an Existing Zone. A preferential parking zone once
established may be modified as follows:

A. The Director of Public Works and Transportation, at the request of the traffic and
parking commission or the City Council, may initiate a modification to an existing preferential
permit zone. If a request is initiated by the City Council, the modification shall be heard by the
City Council and approved by resolution. If the request is initiated by the Traffic and Parking
Commission, the Traffic and Parking Commission shall provide a recommendation to the City
Council and the modification shall be approved by resolution of the City Council.

B. Sixty percent (60%) of the residents within the existing zone sign a petition
requesting a modification to the parking restrictions in that zone. The Traffic and Parking
Commission shall provide a recommendation to the City Council. The modification shall be
approved by resolution of the City Council.”

Section 2. The City Clerk shall cause this ordinance to be published at least once in a
newspaper of general circulation published and circulated in the City within fifteen (15) days
after its passage, in accordance with Section 36933 of the Government Code, shall certify to the
adoption of this ordinance, and shall cause this ordinance and his certification, together with
proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 3. Effective Date. This Ordinance shall go into effect and be in full force and
effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

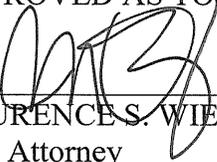
PASSED, APPROVED and ADOPTED this ___ day of _____, 2009.

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT

RODERICK J. WOOD, ICMA-CM
City Manager



DAVID D. GUSTAVSON
Director of Public Works & Transportation



AARON KUNZ
Deputy Director of Transportation