

Council Meeting of
May 17, 2011

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the City Council:

SUBJECT: Community Development – Adopt ORDINANCE amending the Torrance Municipal Code prohibiting non-parking activities in City owned parking lots and structures.

Expenditure: None

RECOMMENDATION

Recommendation of the Community Development Director that the City Council:

- (1) Adopt an ORDINANCE adding Section 13 to Article 3 of Chapter 1 of Division 6 of the Torrance Municipal Code prohibiting non-parking activities in City owned parking lots and structures;
- (2) Approve an ordinance summary for publication.

FUNDING

Funding is not required for this item.

BACKGROUND AND ANALYSIS

The City has received a complaint that “non-parking” activities have been taking place on weekends in the City owned parking lot on the south east corner of Skypark Drive and Madison Street known as the “Meadow Park parking lot”, see Attachment A. Some of the non-parking activities include go-cart and motorcycle racing, use of remote controlled cars and automotive work.

The Meadow Park parking lot is located in the Meadow Park Redevelopment Project Area. The parking lot has over 500 designated parking stalls and is approximately 4.4 acres in size. During the work week (Monday-Friday), the Meadow Park parking lot is utilized by adjacent property owners and tenants. However on weekends the parking lot is nearly empty and has become a place where non-parking activities occur.

The use of the parking lot for non-parking activities is problematic in many ways. The non-parking activities negatively affect the safety of those who utilize the lot for its intended use (parking of vehicles). Because the Meadow Park parking lot is a City property, these non-parking activities may increase liability to the City. In addition, the non-parking activities can negatively impact neighboring properties.

The City's intra-departmental committee, Specialty Multi-Agency Response Team (SMART) initially was asked to review the non-parking activity issue. The Team found that existing signage at the Meadow Park parking lot and current codes (California Vehicle Code and the Torrance Municipal Code) do not adequately address non-parking activities within City owned parking lots. To address the non-parking activities and assist with enforcement, it was recommended that an amendment be made to the Torrance Municipal Code.

Staff from Community Development, City Manager's Office, City Attorney's Office, General Services and Risk Management collaborated to develop an Ordinance to address the non-parking activities at the Meadow Park parking lot. This proposed Ordinance states that City owned parking lots are to be used only for parking vehicles in designated parking stalls. All other activities in the parking lot are prohibited unless authorized by the City Manager or the City's Manager's designee. The Ordinance also states that any person who violates this section is guilty of a misdemeanor and will be subject to citation.

Since non-parking activities may occur at other City owned parking lots, the City Attorney's Office advised that the proposed Ordinance shall not only address the current non-parking activities in the Meadow Park parking lot but apply to all City owned parking lots and structures, Attachment D – Map.

Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

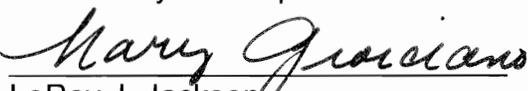
By 

Ted Semaan, Manager
Redevelopment & General Plan Division

CONCUR:

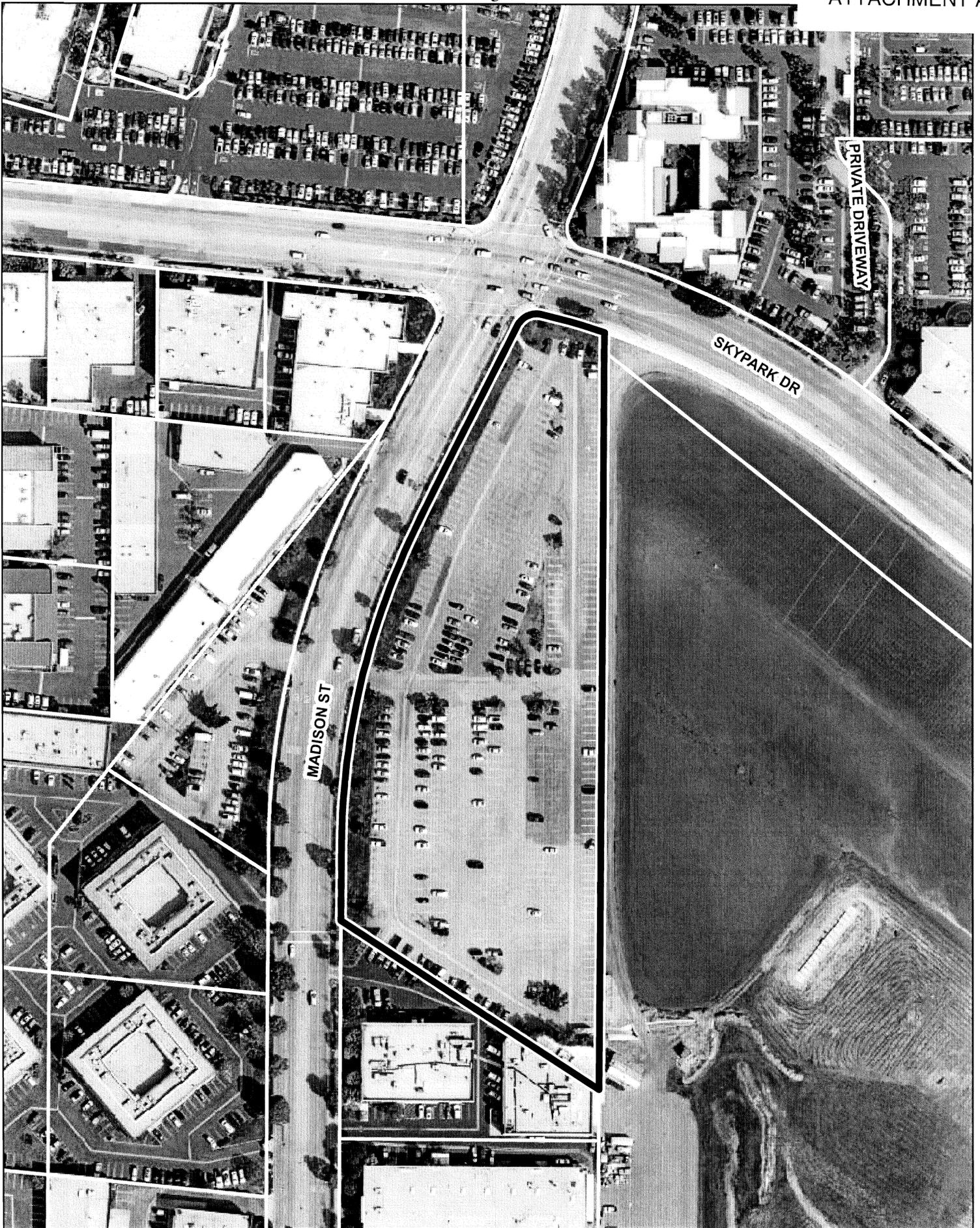


Jeffery W. Gibson
Community Development Director


for LeRoy J. Jackson
City Manager

Attachments:

- A. Map – Meadow Park parking lot
- B. Ordinance
- C. Ordinance Summary
- D. Map – City Owned parking lots



MADISON ST

SKYPARK DR

PRIVATE DRIVEWAY

Lines and photos are approximate, not to be used for establishing absolute or relative positions

Meadow Park Parking Lot



ORDINANCE NO. _____**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING NEW SECTION 13 TO ARTICLE 3 OF CHAPTER 1 OF DIVISION 6 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE PROHIBITION OF NON-PARKING ACTIVITIES IN CITY-OWNED PARKING LOTS OR PARKING STRUCTURES.**

The City Council of the City of Torrance does ordain as follows:

SECTION 1

The City Council of the City of Torrance finds, determines and declares as follows:

- A. The use of City-owned parking lots or parking structures for non-parking activities negatively affects the health and safety of those who use the lots or structures for their intended use;
- B. The use of City-owned parking lots or parking structures for non-parking activities increases liability to the City as injury and property damage claims and lawsuits may result due to the unintended use;
- C. The use of City-owned parking lots or parking structures for non-parking activities can negatively impact neighboring properties; and
- D. Current ordinances are inadequate to address the problem of non-parking activities within City-owned parking lots or parking structures.

SECTION 2

That a new Section 13 is added to Article 3 of Chapter 1 of Division 6, entitled **USE OF CITY-OWNED PARKING LOTS OR PARKING STRUCTURES FOR PARKING PURPOSES ONLY**. This section reads in its entirety as follows:

“SECTION 61.3.13 – USE OF CITY-OWNED PARKING LOTS OR PARKING STRUCTURES FOR PARKING PURPOSES ONLY.

- a) City-owned parking lots or parking structures, including those within City parks, are to be used only for parking vehicles in designated parking stalls. All other activities are prohibited unless expressly authorized by the City Manager or the City Manager’s designee.

- b) All applicable sections of the California Vehicle Code and Torrance Municipal Code relating to vehicular movement upon public streets or highways shall apply to all City-owned parking lots or parking structures.
- c) No vehicle shall be operated in City-owned parking lots or parking structures at a speed in excess of ten miles per hour, unless expressly authorized by the City Manager or the City Manager's designee.
- d) The prohibitions in this Section will apply at all times. Nothing in this Section will relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the Torrance Municipal Code.
- e) Any person who violates any provision in this Section is guilty of a misdemeanor and will be subject to citation."

SECTION 3

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

SECTION 4

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

SECTION 5

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the ___ day of _____, 2011.

ADOPTED AND PASSED this ___ day of _____, 2011.

Frank Scotto, Mayor

ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Patrick Q. Sullivan, Assistant City Attorney

ORDINANCE NO. _____

SUMMARY

On _____, 2011, the City Council of the City of Torrance adopted Ordinance No. _____, relating to the prohibition of non-parking activities in City-owned parking lots or parking structures.

The Ordinance adds a new Section 61.3.13 to the Torrance Municipal Code.

The Ordinance prohibits any person from using a City-owned parking lot or parking structure for any activity other than parking a vehicle in a designated parking stall, unless expressly authorized by the City Manager or the City Manager's designee. No vehicle shall be operated in any City-owned parking lot or parking structure at a speed in excess of 10 miles per hour, unless expressly authorized by the City Manager or City Manager's designee.

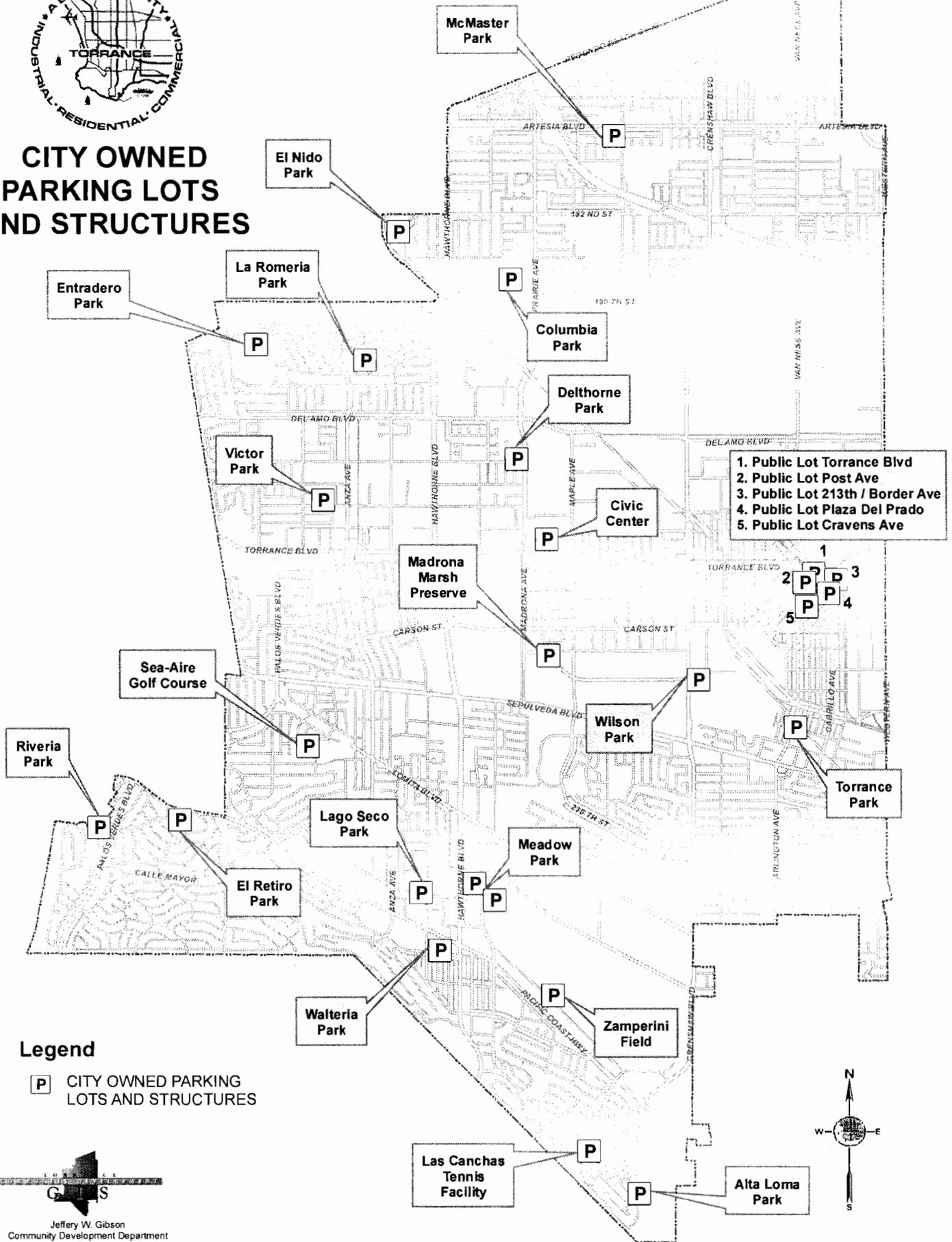
The Ordinance specifies that all applicable sections of the California Vehicle Code and Torrance Municipal Code relating to vehicular movement upon public streets or highways shall apply to all City-owned parking lots or parking structures. The Ordinance further specifies that the prohibitions specified in Section 61.3.13 shall apply at all times. Any violation of a provision of Section 61.3.13 is punishable as a misdemeanor.

This Ordinance shall take effect immediately upon its passage.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.*****



CITY OWNED PARKING LOTS AND STRUCTURES



1. Public Lot Torrance Blvd
2. Public Lot Post Ave
3. Public Lot 213th / Border Ave
4. Public Lot Plaza Del Prado
5. Public Lot Cravens Ave

Legend

P CITY OWNED PARKING LOTS AND STRUCTURES

