ITEM NO. 23

STAFF REPORT

CITY OF OCEANSIDE

DATE: September 10, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **ORDINANCE AMENDING CHAPTER 5, SECTION 5.12, OF THE OCEANSIDE CITY CODE AND ARTICLE 10, SECTION 10.13, OF THE OCEANSIDE TRAFFIC CODE TO REVISE PARKING RESTRICTIONS WITHIN BICYCLE LANES**

SYNOPSIS

Staff and the Transportation Commission recommend that the City Council introduce an ordinance amending Chapter 5, Section 5.12 (Parking restrictions), of the Oceanside City Code and Article 10, Section 10.13 (No parking in designated bicycle lane), of the Oceanside Traffic Code to revise parking restrictions within bicycle lanes throughout the City.

BACKGROUND

A request was made by a member of the Bicycle Committee to revise the Oceanside municipal code to modify the current parking restrictions within bicycle lanes in the City of Oceanside. Section 21207 (Bicycle Lanes) of the California Vehicle Code (CVC), allows local authorities to establish bicycle lanes on city streets. In the Oceanside City Code, one section allows vehicle parking in bicycle lanes from 6:00 p.m. to 8:00 a.m., and another section of the code allows parking from 7:00 a.m. to 7:00 p.m. Staff recommends updating the code to current standards prohibiting parking at any time in bicycle lanes.

ANALYSIS

There are currently parking prohibition signs supplementing all existing bicycle lanes throughout the City. Revising the City's municipal code to reflect the existing conditions may reduce confusion and written violations.

There are three classes of bikeways. Class I, Bicycle Path or Trail, is a completely separate right-of-way for the exclusive use of nonmotorized travel. Class II, Bicycle Lane, is a designated lane for one-way bicycle travel identified by special signs, lane striping, and other pavement markings. Class III, Bicycle Route, is a shared right-of-way designated by signs only, and bicycle traffic shares the roadway with motor vehicles.

Chapter 5, Section 5.12, of the Oceanside City Code, and Section 10.13 of the Oceanside Traffic Code pertain to a Class II bikeway. The signage that supplements Class II bicycle lanes indicate that parking is prohibited in the bicycle lane. There are legends in the bicycle lane stating "BIKE LANE" or a bicycle symbol, supplemented with an arrow.

Chapter 5, Section 5.12 (Parking restrictions), currently states the following:

> "No person shall park, stand or stop any vehicle in any designated bicycle lane or other facility where appropriate signs have been posted, between the hours of 7:00 a.m. and 7:00 p.m. on any day including Sundays and holidays, except for emergency purposes."

Article 10, Section 10.13 (No parking in designated bicycle lane), of the Oceanside Traffic Code currently states the following:

> "No person shall park, stand, or stop any vehicle in any designated bicycle lane or other facility where appropriate signs have been posted, between the hours of 8:00 a.m. and 6:00 p.m. on any day including Sundays and holidays, except for emergency purposes."

Staff is recommending that Chapter 5, Section 5.12, of the Oceanside City Code and Article 10, Section 10.13, of the Oceanside Traffic Code be revised to state the following:

> "No person shall park, stand or stop any vehicle in any designated bicycle lane for one-way bicycle travel identified by special signs, lane striping, and other pavement markings, except for emergency purposes."

FISCAL IMPACT

Does not apply.

COMMISSION OR COMMITTEE REPORT

At the June 17, 2008, meeting, the Transportation Commission reviewed and approved the request to revise Chapter 5, Section 5.12 (Parking restrictions), of the Oceanside City Code and Article 10, Section 10.13 (No parking in designated bicycle lane) of the Oceanside Traffic Code.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff and the Transportation Commission recommend that the City Council introduce an ordinance amending Chapter 5, Section 5.12 (Parking restrictions), of the Oceanside City Code and Article 10, Section 10.13 (No parking in designated bicycle lane), of the Oceanside Traffic Code to revise parking restrictions within bicycle lanes throughout the City.

PREPARED BY:

Teala Cotter
Assistant Engineer

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

George Buell, Development Services Director

David DiPierro, City Traffic Engineer

Scott O. Smith, City Engineer

Attachment:
Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, AMENDING CHAPTER 5, SECTION 5.12 OF THE OCEANSIDE CITY CODE AND ARTICLE 10, SECTION 10.13 OF THE OCEANSIDE TRAFFIC CODE BY REVISING PARKING RESTRICTIONS WITHIN BIKE LANES

WHEREAS, the City has the authority to establish parking restrictions on city roadways; and

WHEREAS, parking vehicles at any time in a designated bicycle lane poses a safety concern towards bicyclists; and

WHEREAS, unrestricted bicycle lanes allow bicyclists to have their own travel lane outside of the vehicle travel lane.

NOW THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. That Chapter 5, Section 5.12 of the Oceanside City Code is amended in its entirety to read as follows:

"Section 5.12. No parking in designated bicycle lane. No person shall park, stand, or stop any vehicle in any designated bicycle lane for one-way bike travel identified by special signs, lane striping, and other pavement markings, except for emergency purposes."

SECTION 2. That the Oceanside Traffic Code, Article 10, Section 10.13 be amended in its entirety to read as follows:

"Section 10.13. No parking in designated bicycle lane. No person shall park, stand, or stop any vehicle in any designated bicycle lane for one-way bike travel identified by special signs, lane striping, and other pavement markings, except for emergency purposes."

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California held on the _____day of _____, 2008, and thereafter,

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PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2008, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Barbara Hamilton, ASST.
CITY ATTORNEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, AMENDING CHAPTER 5, SECTION 5.12 OF THE OCEANSIDE CITY CODE AND ARTICLE 10, SECTION 10.13 OF THE OCEANSIDE TRAFFIC CODE BY REVISING PARKING RESTRICTIONS WITHIN BIKE LANES