



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council

Item No. _____

FROM: City Administrator

SUBJECT: Appeal to Traffic Commission Denial of Disabled Blue Curb Parking Request - 5816 Jillson Street

MEETING DATE: August 6, 2018

RECOMMENDATION:

Uphold the Traffic Commission's action to deny blue curb parking request at 5816 Jillson Street based on parking concerns in the City of Commerce and the following circumstances: (1) Applicants' driveway can be used for access by the physically challenged person's vehicle; and (2) Applicants' driveway can be widened to accommodate the need for an additional parking space. These actions are consistent with the Blue Curb Parking Policy passed by City Council on November 7, 2017.

BACKGROUND:

On January 23, 2018, Staff received a completed application for a disabled blue curb parking request (blue curb) from Ms. Roberta de la Cruz and Mr. Andrew Díaz (applicants), residents at 5816 Jillson Street, Commerce (*see Attachment 1*). Staff reviewed the application and it was accepted as complete. The request was for the City to install a blue disabled parking curb in front of this residence, namely at 5816 Jillson Street.

Based on a thorough investigation, Staff recommended that the blue curb request be denied, consistent with the revised "*Policies and Procedures for On-Street Physically Challenged Accessible Parking Spaces (Blue Curb Parking Policy)*" that was adopted by the City Council on November 7, 2017. The applicants were notified of the denial on April 2, 2018, and the applicants subsequently filed an appeal to the Traffic Commission on April 6, 2018 (*see Attachment 2*).

The Traffic Commission during its regularly scheduled meeting on June 13, 2018, moved to continue this item for the July 11, 2018 commission meeting. During the regularly scheduled Traffic Commission meeting on July 11, 2018, the commission heard and analyzed both Staff's report recommending denial and also the applicants' reasons requesting approval of their application. The Traffic Commission voted 3 to 0, with one abstention, denying the applicants' request for a disabled blue curb parking space at 5816 Jillson Street.

The applicants subsequently submitted their appeal to the City Council to overturn the Traffic Commission's decision to deny their application. The City Clerk received the signed and dated appeal form on July 23, 2018 (*see Attachment 4*).

ANALYSIS:

On February 23, 2018, Staff investigated 5816 Jillson Street in which the request for a blue curb was being made. The investigation's findings were the following: (1) Applicants' driveway can be used for access by the physically challenged person's vehicle; and (2) Applicants' driveway can be widened to accommodate the need for an additional parking space.

The above screening procedures are outlined in section II, paragraph A ("Screening") in the Blue Curb Parking Policy (*see Attachment 3*), points #1 and #2. Based on these parameters, Staff was obligated to deny the applicants' request for a blue curb.

The reason behind the rejection of a disabled blue curb parking space request for applicants that have a driveway, a garage, or additional space for a driveway is that accommodations are already available that the applicants can take advantage of. Blue curbs are considered for special hardship circumstances where a disabled person has no other reasonable spaces to park their vehicle (no driveway, no garage, and no other spaces to use as a driveway) to access their residence. The survey of the applicant residence indicated that there is a driveway and a garage where the applicant can park their vehicle either in the driveway or the garage. Storage of items within the driveway or inside the garage is not considered a valid reason for granting a disabled blue curb parking space.

In their assessment of the applicant's request, the Traffic Commission also determined that, the applicants' residence allows for the disabled person to park in her driveway or garage in the back of the alley in order to easily disembark from her vehicle and enter her home (*see photos in Attachment 1*). The applicants' request to have the disabled blue curb parking space be placed in front of 5816 Jillson Street would actually cause her to walk many more steps in order to reach her residence.

Per the adopted Blue Curb Parking Policy passed by City Council on November 7, 2017, the public policy directive to the Traffic Commission and the staff, was to "balance" the need of those who are truly in need of a disabled parking space and have no other recourse, given the physical restrictions within the residence that they are living in, with respect to those who are physically disabled, but live in residences that can accommodate their parking needs. This is in conjunction with the majority of residents in mind, who are not disabled, but may find themselves disadvantaged with the increase of the granting of disabled blue curb parking spaces, thereby reducing the available supply of parking spaces in their own neighborhoods.

ALTERNATIVES:

1. Approve staff recommendation
2. Reject staff recommendation
3. Provide staff with further direction

FISCAL IMPACT:

No fiscal impact if City Council denies applicant's blue curb request. However, if applicants' request is approved, then the cost of installation of a blue curb and sign will be approximately \$500, including both labor and materials. Funds from the Public Works Operations budget will be used to pay for these costs.

RELATIONSHIP TO STRATEGIC GOALS:

Not applicable.

ATTACHMENTS:

1. Application for a Disabled Blue Curb Parking Space Request at 5816 Jillson Street
2. Staff's Denial Letter for Disabled Blue Curb Parking Space Request at 5816 Jillson Street
3. City Council Adopted Disabled Blue Curb Parking Space Policy
4. Appeal Form to City Council to Overturn Traffic Commission's Decision to Deny Applicants' Disabled Blue Curb Parking Space Request at 5816 Jillson Street

Approved by: Maryam Babaki, P.E., Public Works & Development Services Director

Fiscal Impact reviewed by: Vilko Domic, Director of Finance

Approved as to form by: Norma Copado, City Attorney

Respectfully submitted: Edgar P. Cisneros, City Administrator