

City of Hesperia

STAFF REPORT



DATE: January 5, 2021

TO: Mayor and Council Members

FROM: Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

BY: Mike Blay, Assistant City Manager
Tina Bulgarelli, Administrative Analyst

SUBJECT: Consideration of Residential and Non-Residential Commercial Vehicle/Truck Parking Standards and Truck Routes and Adopt Amended City-wide Fee Schedules and Bail Schedules related to the Commercial Truck Parking program

RECOMMENDED ACTION

It is recommended that the City Council introduce and place on first reading Ordinance No. 2020-13 amending Title 16 of the Hesperia Municipal Code related to residential and non-residential Commercial Vehicle/Truck parking standards; amending Title 10 of the Hesperia Municipal Code related to a truck route program; and adopt Resolution No. 2020-78 rescinding Resolution No. 2003-17 and establishing new truck routes within the City; and

Adopt Joint Resolution No. 2021-01, Resolution No. HWD 2021-01, Resolution No. HHA 2021-01, and Resolution No. HCDC 2021-01 amending the City-wide fee schedule related to the fees for the Commercial Truck Parking program; and

Adopt Resolution No. 2021-02 amending the City-wide bail schedule related to the Commercial Truck Parking program.

BACKGROUND

The City of Hesperia has nearly 100,000 residents and lot sizes range from 1/8 of an acre to two or more acres and are situated in a variety of zones including residential and agricultural. Commercial vehicles, when driven on roads within these zones can cause road damage and age roads faster than normal. The current code allows for parking of commercial vehicles on residential and agriculturally zoned properties, with the number of trucks allowed increasing to a maximum of three tractors and six trailers, if the property is at least one and one-half acre.

The original intent of the commercial vehicle parking standards was to allow for operators of commercial vehicles to park their vehicle at their home. However, over time, the number of trucks in the City has increased and some lots appear to be being used as small scale trucking operations, or sublet as commercial parking lots. This is mostly due to the fact that a single residence could be allowed up to six commercial vehicles on one lot. Typically, an owner-operator has one truck and trailer or possible two trailers, but rarely would a truck driver drive five or more different trucks. Given this, the regulations require an update to help restore the original intent.

The City also has an adopted truck route map, however, truck route signs have not been erected and so the routes are not enforceable. The volume of trucks passing through the City has grown over time and the revenue generated from the issuance of transportation permits

does not generate enough to repair even a small portion of a roadway which may be damaged by the continuous use of commercial vehicles.

ISSUES/ANALYSIS

There are three recommended components to the Commercial Vehicle program, they are discussed individually. If the changes are approved there will be a six (6) month grace period in which staff will educate and inform to gain compliance over time to the new ordinance.

Commercial Vehicle Parking Permit (Residential Parking Standards – Title 16)

The intention of the commercial vehicle parking requirements are to provide a way for owner-operators to park their vehicle at their residence, and keeping the safety of neighbors intact, while preserving the look and feel of residential neighborhoods. Providing a parking permit to owner-operators will discourage the use of residential lots as small scale trucking operations.

The parking permit will allow for owner-operators to park their vehicle pursuant to the currently adopted standards, provided they register in a timely manner with the City and maintain their permit. The permit requires the owner to verify that trucks owned or operated by them are the only commercial vehicles that will be parked on their property, and prohibits the operation of a commercial trucking operation or sub-leasing parking spaces to other operators. Persons who apply for a permit in the future will be required to follow new guidelines. Existing commercial vehicle parking arrangements will be grandfathered in keeping their ability to park the same number of commercial vehicles they currently do so long as it complies with the current city ordinance.

The permit will also include a yearly road maintenance fee, designed to allow the City to fund the rehabilitation of residentially zoned streets which are not normally a part of the Capital Improvement Program, but suffer greater aging and debilitation when commercial vehicles travel on them. Residential streets were not designed or constructed to the weight of commercial vehicles.

Implementing these measures will ensure that the spirit of the ordinance, to allow truck drivers to come home and park their vehicle, is maintained. It will also provide a way to fund the rehabilitation of residential roadways due to advanced aging from the impact of commercial vehicles traveling on them.

Non-Residential Parking Standards – Title 16

The code currently provides for a parking permit to allow a commercial vehicle to be parked along the street, or in City right-of-way in non-residential areas. There have been no issued permits since the inception of the program, however, street parking is a constant concern and generates numerous complaints and code enforcement efforts due to illegal parking by commercial vehicle operators. In particular, parking on vacant lots, along the centerline of travel lanes, and along non-residential streets when not making a delivery or pickup generate the most concern. The recommended changes remove the allowance for a permit and continue the prohibition of parking in the City's right-of-way. The parking permit regulations are recommended to be removed as the City's current number of approximate vehicular trips along non-residential streets, most of which are not built to ultimate right-of-way does not provide a safe place to park and so should not be permitted.

The code will continue to provide for parking during the first twenty-four hours when a vehicle is disabled, and for operators to park to make deliveries and pickups. It will continue to prohibit parking in the public right-of-way.

Truck Routes – Title 10

The City of Hesperia has become, over time, a through route for commercial vehicles traveling to neighboring cities and other places. During 2019 and 2020 the City issued over 500 transportation permits to commercial vehicles requesting to travel through the City. This does not include commercial vehicles entering the City to make deliveries, or owner-operators who reside here and travel the roadways to their residence. The heavy traffic of commercial vehicles within the City is mainly due to regulations in other cities that do not allow the free movement of commercial vehicles along their roadways, and the City's proximity to the I-15 freeway with cross-town access to Apple Valley, Lucerne Valley, and Victorville.

There is an existing truck route program in the City, and an adopted truck route map, however, the required signage designating those routes has not been implemented, and so the routes are not enforceable. In addition, when the original truck route map was created, the City had far less residents, and far fewer requests for permits. In 2012 there were five permits issued, in 2013, 178 permits were issued, and the numbers have steadily grown since then. Staff met with the City Engineer and reviewed the previous regulations, which allowed movement on nearly all major arterials within the City. Staff is recommending restructuring this program to allow for movement of trucks passing through the City to be limited to the I-15 freeway, State Highway 395, Bear Valley Road and a limited number of City streets. This will not inhibit commercial vehicles from entering the City to make deliveries or owner-operators to travel to their homes, and park at their homes, provided they obtain a parking permit to do so.

Staff believes that this measure is necessary to preserve the City's roadways which are not meant to handle this volume of traffic by commercial vehicles. Given the fact that a permit to travel through the City is limited to \$16 per trip by the Department of Transportation, not enough revenue is generated to repair roads damaged by commercial vehicles who are passing through on their way somewhere else and so regulations limiting the use of City roadways is recommended.

Limiting the routes trucks may take through the City will also discourage the use of the City as a cross-town freeway for commercial vehicles traveling to other areas and encourage the use of the I-15 freeway, which is designed to handle this type and volume of traffic.

The recommended fines related to the parking program and included in the bail schedule are proposed to ensure compliance. Through the noticing process which does not impose fines until at least two notices to cure a violation have been issued, not including those that threaten life and safety, many violations can be cured without utilizing the bail schedule and so only egregious or continuing violations will be subject to the recommended fines.

FISCAL IMPACT

Based on the approximate numbers of commercial trucks/vehicles estimated to be parked in the City, staff believes that this program can be administered with the use of one code enforcement officer and half of a community development technician position. The fully burdened cost of one

Code Enforcement Officer is \$124,344 and the cost for one-half of a Community Development Technician position is \$50,918. Money will also be set aside for the Sheriff's Department for commercial vehicle enforcement. Staff has also calculated the cost per linear foot of 1" overlay rehab of a residential street at \$19.34 per foot, with the total cost of rehabbing one mile of roadway equaling \$102,115.00.

Staff projects that with conservatively estimating the number of properties that require a permit at 500, and estimating that each property will only have one truck and trailer parked, the program will generate \$475,000 annually. This revenue allows funding of both staff positions and the rehabilitation of nearly three miles of residential roadway per year.

1. Provide alternate direction to staff.

ATTACHMENT(S)

1. Ordinance No. 2020-13
2. Exhibit "A"- Residential Parking Standards
3. Exhibit "B" – Non Residential Parking Standards
4. Exhibit "C"- Truck Routes Program
5. Resolution No. 2020-78
6. Exhibit "B" Proposed Truck Routes
7. Joint Resolution No. 2021-01 with "exhibit A"
8. Resolution No. 2021-02 with "exhibit A"