

Agenda

Shady Cove Special City Council Meeting

Shady Cove City Council Chambers
22451 Highway 62, Shady Cove, Oregon
Wednesday, February 19, 2020
9:00 AM

I. Call to Order

- A. Roll Call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer

- 1. Public may comment on agenda items – Public must state name, address and standing to discuss an issue. Issues must have a City-wide impact and not be personal issues. Depending on number of comments and time constraints, Council may limit the amount of time to 3 minutes per speaker.

II. Discussion Only

Parking Standards

III. Adjournment

10.08.120 Parking and storage of vehicles on private property.

The following regulations shall be applicable to vehicles parked, stored or maintained in an R-1, R-2, R-3, R-H, or C and O Zone, or on any other property utilized for residential purposes:

A. Subject to the requirements of subsection B of this section, automobiles, buses, motor homes, motor trucks, vans, campers/camper shells mounted on a vehicle, camp trailers, boats on trailers, and tent trailers may be parked in a front yard, side yard, corner lot rear yard or in a yard clearly visible to a public right-of-way provided that the vehicles are:

1. Fully operable, completely assembled, supported by inflated tires, and not supported by blocks, jacks or similar supports, except that such vehicles may be safely leveled to maintain the proper flow of propane or other gas to built-in appliances;
2. Currently registered for operation on public streets;
3. Owned or leased by residents of the premises;
4. Maintained clean and neat and not significantly damaged nor continuously under repair;
5. Not more than one and one-half ton load capacity if a motor truck;
6. Located entirely on the subject property with no overhang or encroachment permitted into: (a) the public right-of-way, or (b) the area formed by a triangle bordered by five-foot segments of the side lot line and the street line as measured from the point of intersection of the side lot line and the street line if such side lot line is within five feet of a driveway or an approved parking space located on an adjacent lot; and
7. Parked or stored on an approved residential parking space or on an approved residential driveway.

B. Subject to the requirements of subsection A of this section, buses, motor homes, unmounted campers, camper shells mounted on a vehicle, camp trailers, boats on trailers, and tent trailers may be parked in a front or side yard if there is no access to the rear yard and no other approved location can be made available on the property for parking; and:

1. No more than one such vehicle or piece of equipment is located in a front or side yard;
2. Buses have a maximum capacity of no more than eighteen (18) adult persons;
3. Motor homes have a maximum width of eight feet, and a maximum length of thirty-two (32) feet;
4. Unmounted campers are placed on dollies with lockable wheels and the lowest portion of such camper does not exceed a height of twelve (12) inches above the ground and, at such height, cannot be located within the garage due to the limiting height of the garage door;
5. Any area used for parking or storing vehicles or equipment shall be paved with concrete or asphalt;
6. Site plan approval is obtained for any area, in excess of the residential driveway, to be used for parking vehicles or equipment;
7. Site plan approval is obtained for any orientation of the vehicles or equipment other than perpendicular to the street that abuts the front lot line; and
8. No portion of any vehicle or equipment is located on that part of a corner lot within a front or side yard and between the driveway and the property line nearest to the driveway.

C. Automobiles, buses, motor homes, motor trucks, vans, campers/camper shells, camp trailers, boats and similar recreation vehicles or equipment on trailers, utility trailers and tent trailers may be parked in a required rear yard or on any other portion of a property, if such portion is not otherwise regulated by this Section 10.08.120; provided that:

1. The equipment or vehicles are owned or leased by residents of the premises;
2. The equipment or vehicles are maintained clean and neat and not significantly damaged nor continuously under repair;
3. Motor trucks have not more than a one and one-half ton load capacity;
4. The equipment or vehicles are located entirely on the subject property;
5. Buses have a maximum capacity of no more than eighteen (18) adult persons; and
6. Unmounted campers/camper shells are placed on blocks, jacks or similar supports and the lowest portion of such camper does not exceed a height of twelve (12) inches above the ground.

D. Authorized emergency vehicles or tow trucks, as defined by the California Vehicle Code, may be parked in a side yard if:

1. The operator or owner of the tow truck possesses a towing permit that has been approved by the City;
2. An overweight vehicle permit has been obtained from the Department of Public Works for vehicles which exceed a maximum gross weight of three tons;
3. The operator or owner of the vehicle possesses a bona fide contract with the California Highway Patrol, Los Angeles County Sheriff, or an insurance company to provide emergency service on a twenty-four (24) hour basis;
4. No location outside of the side yard is available for parking; and
5. The vehicles are substantially screened from public view.

E. This Section 10.08.120 shall not be deemed to prohibit the infrequent and irregular temporary parking of any vehicle in a front yard or side yard for the purpose of making pickups or deliveries of goods, wares or merchandise from or to any building or structure located on a residentially-used lot, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such residential lot; nor shall any provisions of this section apply to any vehicle subject to the provisions of Article 2, Chapter 5, Part 1, Division 1 of the Public Utilities Code of the State of California, or to any vehicle owned by a public utility while necessarily in use in the construction, installation, maintenance or repair of any public utility.

F. The definitions provided in Chapter XXVII of this code shall govern the interpretation of this Section 10.08.120, unless the context otherwise requires

1

10.10.010 Purpose and intent.

The purpose of this chapter is to promote traffic safety and maintain streets free from hazardous and nuisance conditions by enforcing a uniform parking code. (Ord. 2294 § 1, 2001).

10.10.020 Authority.

A Police Officer or designated employee of the City of Mountlake Terrace may enforce the provisions of this chapter. (Ord. 2294 § 1, 2001).

10.10.030 Designation of zones and restrictions.

In addition to the applicable MTMC Title 19 zoning provisions, the City of Mountlake Terrace shall establish designated no parking zones, time, zones, loading zones, and other restrictions or exceptions by resolution. (Ord. 2294 § 1, 2001).

10.10.040 Definitions.

For the purpose of this chapter and in addition to their common meaning, the following words shall be defined as meaning:

- A. "Alley" means a public right-of-way for the secondary access of a property not intended for general traffic use.
- B. "Abandoned vehicle" means a vehicle left by the owner or person in possession of the vehicle with the intent to relinquish responsibility of the vehicle.
- C. "Boat" means any water vessel, designed to carry persons and/or property upon water, propelled by engine, oars or sail.
- D. "Commercial vehicle" means any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire or a vehicle marked and directly used in association with a licensed business or a truck or tractor trailer that is 10,000 pounds or more gross weight, and/or 20 feet or more in length, and/or is eight feet or more in width.
- E. "Electric vehicle" means, for the purpose of this chapter, any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.
- F. "Planting strip" means that part of a street right-of-way between the abutting property line and the curb or the traveled portion of the street, exclusive of any sidewalk, whether or not the property has been improved.
- G. "Legal owner" means that person or entity with only a financial interest in a vehicle.
- H. "Recreation vehicle" means any vehicle commonly known as a "house trailer," "motor home," "utility trailer," or other name designed or used for human habitation or for carrying persons and/or property therein.
- I. "Registered owner" means the person or persons with legal possession and responsibility of a vehicle.
- J. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards, or otherwise, so as to be plainly discernible.
- K. "Shoulder" means that area between the traveled portion of the roadway and the planting strip, whether or not the property has been improved.
- L. "Storing" means the keeping of any vehicle on the public right-of-way in excess of 72 consecutive hours.

M. "Street" means the portion of a public right-of-way improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder, even though persons riding a bicycle use such a sidewalk or shoulder. For the purpose of this chapter street may also be described as a road, roadway or highway.

N. "Vehicle" includes, but is not limited to, any car, truck, motorcycle, or motor home, or other automobile that is motorized and licensed for street use for the purpose of transporting goods and/or people, electric vehicles and any trailer or towed object licensed for street use. (Ord. 2643 § 2, 2014; Ord. 2294 § 1, 2001).

10.10.050 Stopping, standing or parking prohibited.

A. Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a police officer or official traffic control device, no person shall:

1. Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- b. On a sidewalk or street-planting strip;
- c. Within an intersection;
- d. On a crosswalk;
- e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
- f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- h. In the area between roadways of a divided highway, including cross-overs;
- i. At any place where official signs prohibit stopping; or
- j. Within any fire zone or fire exit;

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- a. In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
- b. Within 15 feet of a fire hydrant;
- c. Within 20 feet of a crosswalk;
- d. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway;
- e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signed;
- f. At any place where official signs prohibit standing; or
- g. At any place where City barricades are placed;

3. Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading property or passengers at any place where official signs prohibit parking;

4. Reserve or attempt to reserve any portion of a street or alley for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

B. Parking or standing shall be permitted in the manner provided by law at all other places except where a time limitation or parking restriction has been imposed.

C. No person shall move a vehicle that is not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is prohibited.

10.10.210 Vehicles for sale or display.

No person shall park any vehicle upon any street or alley for the principal purpose of:

- A. Displaying of commercial, noncommercial or political signs;
- B. Selling merchandise from a vehicle, except when authorized by the City of Mountlake Terrace. (Ord. 2294 § 1, 2001).

10.10.220 Moving vehicles to avoid violation.

No person shall re-park an infrequently used or inoperable vehicle for the purpose of avoiding a violation of the codes. This act is defined as intentionally moving a vehicle a limited distance and re-parking the vehicle to appear as though it is being used. (Ord. 2294 § 1, 2001).

10.10.230 Abandoned/inoperable vehicles.

A. No person shall abandon, park or leave on public property or a right-of-way any inoperable vehicle. Abandoned vehicles are defined as appearing to be inoperable by having any one or more characteristics that include but are not limited to:

- 1. Vehicle license expired in excess of 30 days;
- 2. One or more flat tire;
- 3. Broken windshield;
- 4. Extensive body damage or rust;
- 5. Partially dismantled;
- 6. Wrecked or in a condition that would inhibit or prevent use;
- 7. Missing the rear vehicle license plate.

a. Vehicles that appear to be abandoned but are not a hazard may be impounded after 72 hours' notice.

b. Vehicles that have an expired license or missing rear vehicle license plate are prohibited and, in addition to being subject to impound after 72 hours' notice, the registered owner is subject to a civil violation with a fine amount as shall be established and set forth by resolution.

B. An abandoned vehicle shall be issued a "Notice of Intent to Tow," affixed in a conspicuous place on the vehicle and containing the following information:

- 1. A description of the vehicle;
- 2. The location of the vehicle;
- 3. A description of the violation;
- 4. The time and date the notice was issued;
- 5. The time and date of tow if not moved;
- 6. The officer's name and identifying number; and
- 7. The address and phone number