

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: July 8, 2014

SUBJECT: INTRODUCE ORDINANCE NO. 14-7 AMENDING THE CITY OF CONCORD MUNICIPAL CODE TO INCLUDE A NEW SECTION ON VALET PARKING PASSENGER LOADING/UNLOADING ZONES AND OTHER RELATED UPDATES; AND, IF ADOPTED, AUTHORIZE STAFF TO APPROVE THE FIRST QUALIFIED VALET PARKING REQUEST AS A PILOT PROJECT ON A SIX-MONTH TRIAL BASIS

Report in Brief

Community and Economic Development (CED) staff, in coordination with the City Attorney's Office, Public Works and the Police Department, has completed a thorough review of the feasibility of permitting private businesses in the City (such as full-service eating establishments or others) to operate valet parking passenger loading/unloading zones in the public right-of-way. Based on this review, it was determined that business-operated valet parking services could potentially benefit the financial wellbeing of businesses in the City by offering parking convenience to patrons. Furthermore, it was determined that adding a new policy on valet parking passenger loading/unloading zones into the City's Municipal Code will provide a process to review and approve requests by sponsor businesses to operate valet parking services on a case-by-case basis, to ensure these services are safely and properly operated.

Staff recommends that the City Council introduce Ordinance No. 14-7 amending the City of Concord Municipal Code to include a new section on valet parking passenger loading/unloading zones and other related updates; and, if adopted, authorize staff to approve the first qualified valet parking request as a pilot project on a six-month trial basis.

Background

Recently, the owner of Agave Grill at 1985 Willow Pass Road (adjoining Galindo Street) requested a valet parking passenger loading/unloading zone be established within the public right-of-way on the west side of Galindo Street near the intersection with Willow Pass Road. Agave Grill is a full-service restaurant and night club business. A parking lot is available for use by patrons of this restaurant/night club, which can be accessed from Willow Pass Road approximately 300 feet from the restaurant entrance.

CED Transportation staff has reviewed the business's request and determined that the establishment of a valet parking passenger loading/unloading zone at this location appears to be feasible during the off-peak (non-commute) traffic periods under both existing lane configurations and planned realignment changes on

**INTRODUCE ORDINANCE NO. 14-7 AMENDING THE CITY OF CONCORD
MUNICIPAL CODE TO INCLUDE A NEW SECTION ON VALET PARKING
PASSENGER LOADING/UNLOADING ZONES AND OTHER RELATED
UPDATES; AND, IF ADOPTED, AUTHORIZE STAFF TO APPROVE THE FIRST
QUALIFIED VALET PARKING REQUEST AS A PILOT PROJECT ON A SIX-
MONTH TRIAL BASIS**

July 8, 2014

Page 2

Galindo Street. However, there is no Council approved policy in place to guide staff through the review/approval process of this request or other similar requests for valet parking zones in the future to ensure public safety and that the City is protected from legal liability.

Currently, valet parking passenger loading/unloading zones do not exist in the City of Concord. However, if implemented, valet parking may attract more patrons to businesses in downtown Concord or other parts of the City, thereby contributing toward economic development in the City.

Discussion

Several cities in California have adopted policies and a permit process (in varying forms) to allow businesses to operate valet parking services in the public right-of-way, including, but not limited to, the cities of Burbank, Glendale, Los Angeles, Pasadena and Walnut Creek. If valet parking on public rights of way in Concord is approved by the City Council, the review/approval process should be based on a similar policy foundation and a permitting process that is streamlined for the purposes of the sponsor businesses, and yet is robust enough to ensure the safety and general welfare of the City and the public.

Currently, there is no policy on valet parking in Chapter 10.30 (Stopping, Standing, and Parking) of the Concord Municipal Code. It is recommended that a new section on valet parking passenger loading/unloading zones (Section 10.30.305) be added to Article II (Stopping for Loading or Unloading) of Chapter 10.30 of the Municipal Code as shown in Attachment 1.

The proposed new policy to permit valet parking passenger loading/unloading (as described in Attachment 1) would provide City staff with the necessary tools and guidelines to conduct a thorough review of requests by sponsor businesses to establish these zones in the public right-of-way. The guidelines are proposed to include the following elements:

- Several factors must be considered by staff when reviewing requests for valet parking, including: the availability and proximity of a designated off-street parking location; potential impacts to surrounding businesses within one block (including feedback from said businesses in response to a pre-notice conducted by the City); proposed vehicle circulation for valet parking; potential impacts to pedestrian, bicycle and vehicular traffic flow and safety; and qualifications of the valet company that will provide the valet services, including mandatory possession and maintenance of a valid business license.
- Sponsor businesses seeking to operate valet parking must submit several items for staff review, including: a signed statement by the sponsor business that indicates a need for valet parking services; the name of the valet company and a copy of a valid California driver's license for all valet attendants; certificate of insurance and additional insured endorsement from the valet operator or the sponsor business (if directly providing the valet parking services) listing the City of Concord as additional insured on the required general liability

**INTRODUCE ORDINANCE NO. 14-7 AMENDING THE CITY OF CONCORD
MUNICIPAL CODE TO INCLUDE A NEW SECTION ON VALET PARKING
PASSENGER LOADING/UNLOADING ZONES AND OTHER RELATED
UPDATES; AND, IF ADOPTED, AUTHORIZE STAFF TO APPROVE THE FIRST
QUALIFIED VALET PARKING REQUEST AS A PILOT PROJECT ON A SIX-
MONTH TRIAL BASIS**

July 8, 2014

Page 3

and automobile liability insurance; the proposed location for the valet parking passenger loading/unloading zone and the designated parking facility for vehicle storage; and a circulation map.

- If the request for valet parking is approved by staff, the sponsor business will be required to obtain an encroachment permit from the City at the current filing fee (presently \$86) to operate valet parking. The sponsor business will be required to reimburse the City for the costs of acquiring and installing new signs and markings to establish the valet parking passenger loading/unloading zone. The valet parking signs will reflect the days and hours of operation of the valet parking as approved by staff.
- Certain operational requirements must be met when providing a valet parking passenger loading/unloading zone, including: maintaining public safety; avoiding impacts to pedestrian, bicycle and traffic flow; and meeting all the insurance requirements listed above.
- Staff is authorized to modify or eliminate the valet parking passenger loading/unloading zone previously granted to a sponsor business in the event that the sponsor business fails to satisfy any of the requirements noted above or the valet parking service is no longer needed or other changed circumstances.
- An appeal process to the City Manager in response to any person aggrieved by a decision of the Director of the responsible City Department or his/her designee to approve, modify or eliminate a valet parking passenger loading/unloading zone. The decision of the City Manager is proposed to be final and binding.

Additional Updates to the Municipal Code

In addition to the proposed new section on valet parking passenger loading/unloading zones, staff recommends that housekeeping updates be made to Chapter 10.30 of the Concord Municipal Code to clarify that authority shall be vested to the Director of the responsible City Department or his/her designee to carry out the policies set forth in this chapter of the Municipal Code. This proposed designation of responsibility allows for a flexible, non-time sensitive assignment of authority that will avoid the need to go back to the City Council for language modifications to the Municipal Code should the City Department structure undergo reorganization changes in the future.

City Review of Valet Parking Policy

The City Attorney, Concord Police, and Public Works staff have reviewed the proposed revisions to the Concord Municipal Code, including the proposed new section on valet parking passenger loading/unloading zones, and provided input and comments, which have been incorporated into the proposed policy on valet parking.

**INTRODUCE ORDINANCE NO. 14-7 AMENDING THE CITY OF CONCORD
MUNICIPAL CODE TO INCLUDE A NEW SECTION ON VALET PARKING
PASSENGER LOADING/UNLOADING ZONES AND OTHER RELATED
UPDATES; AND, IF ADOPTED, AUTHORIZE STAFF TO APPROVE THE FIRST
QUALIFIED VALET PARKING REQUEST AS A PILOT PROJECT ON A SIX-
MONTH TRIAL BASIS**

July 8, 2014

Page 4

Pilot Project

Staff recommends that the first approved valet parking passenger loading/unloading zone be implemented as a pilot project on a six-month trial basis. This measure will allow staff to monitor this project, obtain feedback from the public and the operator, and determine whether the valet operation should be continued as is, modified, or possibly ended if deemed necessary. The pilot project will allow for risk evaluation to the public and the City and will help staff and the community gain insights into the benefits from valet parking in order to be confident with moving forward with full implementation of valet parking in the City. Staff will report back to Council if any revisions or modifications to the proposed policy on valet parking passenger loading/unloading zones are recommended based on the outcomes of the pilot project.

Currently, only one business in the City (Agave Grill) has expressed interest in operating valet parking. If proposed Ordinance No. 14-7 (included in Attachment 2) is adopted by the City Council, Agave Grill could be the first approved business sponsor to operate valet parking passenger loading/unloading zone in the City. If this were the case, valet parking service for Agave Grill would be the pilot project and, as such, would be subject to a six-month trial period as noted above. This information has been shared with the ownership of Agave Grill to ensure that there was a mutual understanding regarding this approach as recommended by staff.

Additionally, staff recommends that the encroachment permit filing fee be waived for the pilot project. Subsequent permits for valet parking will be subject to the filing fee. However, the pilot will still require the sponsor business to pay for the acquisition and installation costs of new signs and markings to operate valet parking.

Adoption Schedule

Following the introduction of Ordinance No. 14-7 on July 8, 2014, if the ordinance is passed and adopted by the City Council on July 22, 2014, it will become effective thirty (30) days following its passage and adoption, or August 21, 2014.

Fiscal Impact

The sponsor business seeking permission to operate valet parking service will be responsible for the costs to install new signs and markings to establish the valet parking passenger loading/unloading zone. The encroachment permit to operate valet parking will be issued at the current filing fee (presently \$86).

Increased costs to the City to maintain new signs and markings for valet parking will be minor and there are potentially long-term benefits to economic development in the City from improved parking services

**INTRODUCE ORDINANCE NO. 14-7 AMENDING THE CITY OF CONCORD
MUNICIPAL CODE TO INCLUDE A NEW SECTION ON VALET PARKING
PASSENGER LOADING/UNLOADING ZONES AND OTHER RELATED
UPDATES; AND, IF ADOPTED, AUTHORIZE STAFF TO APPROVE THE FIRST
QUALIFIED VALET PARKING REQUEST AS A PILOT PROJECT ON A SIX-
MONTH TRIAL BASIS**

July 8, 2014

Page 5

to business patrons. For example, valet parking may contribute to improved business conditions in the City by attracting more customers to restaurants and other retail establishments.

Public Contact

The posting of the Council Agenda and the publishing of a Public Hearing Notice in the newspaper provide information to the public.

Recommendation for Action

Staff recommends that the City Council introduce Ordinance No. 14-7 amending the City of Concord Municipal Code to include a new section on valet parking passenger loading/unloading zones and other related updates; and, if adopted, authorize staff to approve the first qualified valet parking request as a Pilot project on a six-month trial basis.

Prepared by: Ray Kuzbari
Transportation Manager
ray.kuzbari@cityofconcord.org



Valerie J. Barone
City Manager
valerie.barone@cityofconcord.org

Reviewed by: Victoria Walker
Director of Community & Economic Development
victoria.walker@cityofconcord.org

Enclosure:

Attachment 1 – Proposed Revisions to the City of Concord Municipal Code

Attachment 2 – Proposed Ordinance No. 14-7

Intentionally left blank

Attachment 1

CITY OF CONCORD MUNICIPAL CODE

Chapter 10.30 STOPPING, STANDING, AND PARKING

Sections:

Article I. General

- [10.30.010](#) Applicability of regulations.
- [10.30.020](#) Stopping or standing in parkways prohibited.
- [10.30.030](#) Installation of signs and curb markings.
- [10.30.040](#) Stopping, standing or parking prohibited in certain places.
- [10.30.050](#) Use of streets for storage of vehicles.
- [10.30.060](#) Repairing or greasing vehicles on street.
- [10.30.070](#) Washing or polishing vehicles on street.
- [10.30.080](#) Parking in vicinity of schools.
- [10.30.090](#) Parking on narrow streets.
- [10.30.100](#) Parking on grade.
- [10.30.110](#) Parking in taxicab stand.
- [10.30.120](#) Emergency parking prohibitions.
- [10.30.130](#) Parking on city property.
- [10.30.140](#) Fifteen- or thirty-minute parking zones (green curb marking).
- [10.30.150](#) Ninety-minute parking.
- [10.30.160](#) Four-hour parking.
- [10.30.170](#) One-hour parking.
- [10.30.180](#) One-hour parking zones.
- [10.30.190](#) Two-hour parking zones.
- [10.30.200](#) Continued parking after expiration of time limit.
- [10.30.210](#) Diagonal parking.
- [10.30.220](#) Parking space markings.
- [10.30.230](#) Parking of commercial vehicles.

Article II. Stopping for Loading or Unloading

- [10.30.240](#) Authority to establish loading zones.
- [10.30.250](#) Curb markings.
- [10.30.260](#) Effect of permission to load or unload; parking time limits.
- [10.30.270](#) Stopping, standing, or parking in loading zone.
- [10.30.280](#) Stopping, standing, or parking in passenger loading zone.
- [10.30.290](#) Stopping, standing, or parking in alley.
- [10.30.300](#) Bus zones.
- [10.30.305](#) Valet parking passenger loading/unloading zones.

Article III. Parking on Private Property

- [10.30.310](#) Posting of notices prohibiting parking.

Article IV. Parking for Physically Handicapped Persons

- [10.30.320](#) Designation of spaces; removal of vehicles from off-street parking facilities.
- [10.30.330](#) Violations.

Article V. Vision Safety Parking Zones

- [10.30.340](#) Authority to establish.
- [10.30.350](#) Installation of signs.
- [10.30.360](#) Violations.

Article VI. Permit Parking Areas

- [10.30.370](#) Purpose.
- [10.30.380](#) Definitions.
- [10.30.390](#) Areas eligible for designation.
- [10.30.400](#) Designation criteria.
- [10.30.410](#) Designation process and recommendations.
- [10.30.420](#) Issuance of resident parking permits.
- [10.30.430](#) Revocation of resident parking permits.
- [10.30.440](#) Guest parking permits.
- [10.30.450](#) Appeal.

[10.30.460](#) Exemptions.

[10.30.470](#) Installation of signs; warning period.

[10.30.480](#) Violations.

Cross references: Off-street parking for carnivals, circuses, fairs, and amusement places, § [5.40.110](#) et seq.;
off-street parking facilities, § 122-841 [recodified in Title 18] et seq.

Article I. General

10.30.010 Applicability of regulations.

(a) The provisions of this chapter prohibiting the stopping, standing, or parking of a vehicle shall apply at all times or at those times herein specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

(b) The provisions of this chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or the ordinances of this city prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

(Code 1965, § 3248; Code 2002, § 106-311. Ord. No. 743)

10.30.020 Stopping or standing in parkways prohibited.

No person shall stop, stand, or park a vehicle within any parkway.

(Code 1965, § 3249; Code 2002, § 106-312. Ord. No. 743)

10.30.030 Installation of signs and curb markings.

(a) The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to establish, by appropriate signs or by paint upon the curb surface, all no stopping zones, no parking areas, and restricted parking areas, as defined and described in this chapter.

(b) When said curb markings or signs are in place, no operator of any vehicle shall stop, stand, or park such vehicle adjacent to any such curb marking or sign in violation of any of the provisions of this chapter.

(Code 1965, § 3250; Code 2002, § 106-313. Ord. No. 743)

Deleted: Public Works

Deleted: and maintain

10.30.040 Stopping, standing or parking prohibited in certain places.

No operator of any vehicle shall stop, stand, park, or leave standing such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or other authorized officer or traffic sign or signal:

(1) Within or adjacent to any divisional island or median strip unless authorized and clearly indicated with appropriate signs or markings;

(2) On either side of any street between the projected property lines of any public walk, public steps, street, or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface;

(3) In any area where the Director of the responsible City Department or his/her designee determines that the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface;

Deleted: Public Works

(4) In any area established by resolution of the Council or by order of the Director of the responsible City Department or his/her designee as a no parking or no stopping area, when such area is indicated by appropriate signs or by red paint upon the curb surface, and during the hours and on the days designated on the signs or at all times;

Deleted: Public Works

(5) Upon, along, or across any railway track in such manner as to hinder, delay, or obstruct the movement of any vehicle traveling upon such track;

(6) In any area where the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property;

(7) On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair, or construction of the street or highway or the installation of underground utilities; or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic; or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles, or structures of unusual size and the parking of such vehicle would prohibit or interfere with such use or movement, provided that signs giving notice of such no parking are erected or placed at least 24 hours prior to the effective time of such no parking;

(8) At any place within 20 feet of a crosswalk or an intersection, when such place is indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop;

(9) Within 40 feet of the approach to any traffic signal, stop sign, or official traffic control device, when indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop;

(10) Within any bridge approach bounded by guardrail or other protective barrier;

(11) In a construction area when appropriate signs have been erected as authorized by the Director of ~~the responsible City Department or his/her designee.~~

Deleted: Public Works

(Code 1965, § 3251; Code 2002, § 106-314. Ord. No. 743)

10.30.050 Use of streets for storage of vehicles.

No person who owns or has possession, custody, or control of any vehicle shall permit such vehicle to remain upon any street or alley for more than a consecutive period of 72 hours.

(Code 1965, § 3252; Code 2002, § 106-315. Ord. No. 743)

10.30.060 Repairing or greasing vehicles on street.

No person shall construct, repair, grease, or dismantle any vehicle or any part thereof upon any public street in this city. Temporary emergency repairs may be made upon a public street.

(Code 1965, § 3254; Code 2002, § 106-316. Ord. No. 743)

Cross references: Streets, sidewalks, and other public places, Title [12](#).

10.30.070 Washing or polishing vehicles on street.

No person shall wash or polish any vehicle, or any part thereof, upon any public street in this city, when a charge is made for such service.

(Code 1965, § 3255; Code 2002, § 106-317. Ord. No. 743)

Cross references: Streets, sidewalks, and other public places, Title [12](#).

10.30.080 Parking in vicinity of schools.

(a) The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to ~~direct the installation of~~ signs indicating no parking on any street in the vicinity of a school when such parking would, in his/~~her~~ opinion, interfere with traffic or create a hazardous situation.

Deleted: Public Works

Deleted: erect

(b) When such signs are erected prohibiting parking on any such street in the vicinity of a school, no person shall park a vehicle in any such designated place.

(Code 1965, § 3256; Code 2002, § 106-318. Ord. No. 743)

10.30.090 Parking on narrow streets.

(a) The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to ~~direct the installation of~~ signs or markings indicating no parking upon any street when the width of the roadway does not exceed 25 feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed 34 feet.

Deleted: Public Works

Deleted: place

(b) When such signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

(Code 1965, § 3257; Code 2002, § 106-319. Ord. No. 743)

Cross references: Streets, sidewalks, and other public places, Title [12](#).

10.30.100 Parking on grade.

No person shall park or leave standing any vehicle unattended on any highway or street in the city upon any grade exceeding three percent without blocking the wheels of said vehicle by turning them against the curb or by other appropriate means.

(Code 1965, § 3258; Code 2002, § 106-320. Ord. No. 743)

10.30.110 Parking in taxicab stand.

The curb surface within each taxicab stand shall be painted white and marked "Taxicab Stand" in red lettering or shall be designated by signs of a type and size approved by the Director of ~~the responsible City Department or his/her designee~~; and when such markings or signs are in place, no operator of any vehicle other than a taxicab or vehicle for hire shall park said vehicle in such taxicab stand.

Deleted: Public Works

(Code 1965, § 3259; Code 2002, § 106-321. Ord. No. 743; Ord. No. 88-14)

10.30.120 Emergency parking prohibitions.

(a) Whenever the Chief of Police shall determine that an emergency traffic congestion is likely to result from the holding of public or private assemblages, gatherings, or functions, or for other reasons, the Chief of Police shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking, or standing of vehicles is prohibited on such streets and alleys as the Chief of Police shall direct during the time such temporary signs are in place. Such signs shall remain in place only during the existence of such emergency, and the Chief of Police shall cause such signs to be removed promptly thereafter.

(b) When signs authorized by the provisions of this section are in place giving notice thereof, no person shall operate, park, or stand any vehicle contrary to the directions and provisions of such signs.

(Code 1965, § 3260; Code 2002, § 106-322. Ord. No. 743)

10.30.130 Parking on city property.

(a) Whenever the City Manager shall determine that the orderly, efficient conduct of the city's business requires that parking or standing of vehicles on city property be prohibited, limited, or restricted, the Director of ~~the~~ **responsible City Department or his/her designee** shall order signs or markings to be installed, indicating that the parking of vehicles is prohibited, limited, or restricted. If the City Manager determines that the public safety, health, or convenience requires that the city be able to remove vehicles found standing or parked in violation of this section, the ~~Director of the responsible City Department or his/her designee~~ shall cause signs or markings to be installed which give notice that such vehicles are subject to removal.

Deleted: Public Works

Deleted: Public Works

(b) When signs or markings authorized by the provisions of this section are in place, it shall be unlawful for any person to park or stand any vehicle contrary to the directions or provisions of such signs or markings. Any regularly employed and salaried officer of the Police Department of this city may remove or cause to be removed any vehicle parked or left standing upon city property where such parking or standing has been prohibited, limited, or restricted, and signs or markings have been posted which give notice or warnings of such removal.

(Code 1965, § 3262; Code 2002, § 106-323. Ord. No. 743; Ord. No. 1162)

10.30.140 Fifteen- or thirty-minute parking zones (green curb marking).

(a) Green curb marking shall mean no standing or parking for a period of time longer than 15 or 30 minutes at any time between 7:00 a.m. and 6:00 p.m. on any day except Sundays and holidays.

(b) When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department or his/her designee to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park said vehicle adjacent to any such curb marking, sign, or parking meter in violation thereof.

(Code 1965, § 3264; Code 2002, § 106-324. Ord. No. 743; Ord. No. 84-2; Ord. No. 84-7)

Deleted: Public Works

10.30.150 Ninety-minute parking.

When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department or his/her designee to be necessary and are in place giving notice thereof, no operator of a vehicle shall stop, stand, or park said vehicle between the hours of 7:00 a.m. and 6:00 p.m. on any day except Sundays and holidays for a period longer than 90 minutes.

(Code 2002, § 106-324. Ord. No. 02-3.1)

Deleted: Public Works-Maintenance Services

10.30.160 Four-hour parking.

When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department or his/her designee to be necessary and are in place giving notice thereof, no operator of a vehicle shall stop, stand, or park said vehicle between the hours of 7:00 a.m. and 6:00 p.m. on any day except Sundays and holidays for a period longer than four hours.

(Code 2002, § 106-324. Ord. No. 02-3.2)

Deleted: Public Works-Maintenance Services

10.30.170 One-hour parking.

When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department or his/her designee to be necessary and are in place giving notice thereof, no operator of a vehicle shall stop, stand, or park said vehicle in designated parking spaces on Adobe Street and Salvio Street between Concord Avenue and Adobe Street between the hours of 8:00 a.m. and 8:00 p.m.

(Code 2002, § 106-324. Ord. No. 02-3.3)

Deleted: Public Works

10.30.180 One-hour parking zones.

When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department of his/her designee to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park said vehicle between the hours of 7:00 a.m. and 6:00 p.m. on any day except Sundays and holidays for a period of time longer than one hour.

Deleted: Public Works

(Code 1965, § 3265; Code 2002, § 106-325. Ord. No. 743; Ord. No. 84-2; Ord. No. 84-7)

10.30.190 Two-hour parking zones.

When authorized signs, parking meters, or curb markings have been determined by the Director of ~~the~~ responsible City Department or his/her designee to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park said vehicle between the hours of 7:00 a.m. and 6:00 p.m. on any day except Sundays and holidays for a period of time longer than two hours.

Deleted: Public Works

(Code 1965, § 3266; Code 2002, § 106-326. Ord. No. 743; Ord. No. 84-2; Ord. No. 84-7)

10.30.200 Continued parking after expiration of time limit.

Each hour of continued parking after the expiration of time specified on any parking sign or curb shall constitute a separate offense and shall be punishable as such.

(Code 1965, § 3267; Code 2002, § 106-327. Ord. No. 743; Ord. No. 1024; Ord. No. 1139; Ord. No. 84-2; Ord. No. 84-7)

10.30.210 Diagonal parking.

(a) On any of the streets or portions of streets established by resolution of the Council as diagonal parking zones, when signs or pavement markings are in place indicating such diagonal parking, it shall be unlawful for the operator of any vehicle to park said vehicle, except:

- (1) At the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles and entirely within the limits of said allotted space;
- (2) With the front wheel nearest the curb within six inches of said curb.

(b) The provisions of this section shall not apply when such vehicle is actually engaged in the process of loading or unloading passengers, freight, or goods, in which event the provisions applicable in section [10.30.200](#) of this chapter shall be complied with.

(Code 1965, § 3268; Code 2002, § 106-328. Ord. No. 743; Ord. No. 84-2; Ord. No. 84-7)

10.30.220 Parking space markings.

(a) The Director of ~~the responsible City Department or his/her designee~~ is authorized to ~~direct the installation of~~ parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.

Deleted: Public Works

Deleted: install and maintain

(b) When such parking space markings are placed on the highway, subject to other and more restrictive limitations, no vehicles shall be stopped, left standing, or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

(Code 1965, § 3269; Code 2002, § 106-329. Ord. No. 743; Ord. No. 84-2; Ord. No. 84-7)

10.30.230 Parking of commercial vehicles.

(a) No person shall stop, stand, or park, or permit to be stopped, left standing, or parked, any commercially registered bus, semi-truck, trailer, tractor, or motor truck having a manufacturer's gross vehicle weight rating of 10,000 pounds or more on any street for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m.

(b) Commercial vehicles having a manufacturer's gross vehicle weight rating of 10,000 pounds or more are prohibited from parking or standing on any street in any residential district unless the commercial vehicle is making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located in a residential district 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 located in a residential district for which a building permit has previously been obtained.

(Code 1965, § 3270; Code 2002, § 106-330. Ord. No. 743; Ord. No. 892; Ord. No. 84-2; Ord. No. 84-7; Ord. No. 85-18; Ord. No. 92-14)

Article II. Stopping for Loading or Unloading

10.30.240 Authority to establish loading zones.

(a) The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

Deleted: Public Works

- (1) At any place in any business district, except at locations designated as no parking or no stopping areas;

(2) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

(b) In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

(c) Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones.

(d) Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones.

(Code 1965, § 3271; Code 2002, § 106-351. Ord. No. 743)

10.30.250 Curb markings.

(a) The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized, subject to the provisions and limitations of this chapter ~~or when required herein~~, to ~~direct the installation of~~ the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth.

Deleted: Public Works

Deleted: place and, when required herein, shall place

(1) Red shall mean no stopping, standing, or parking at any time, except as permitted by the Vehicle Code and except that a bus may stop in a red zone marked or signed as a bus zone.

(2) Yellow shall mean no stopping, standing, or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of materials, provided that the loading or unloading of materials shall not consume more than two hours.

(3) White shall mean no stopping, standing, or parking for any purpose other than loading or unloading of passengers or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed the time necessary therefor or a maximum of ten minutes, and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays, except as follows:

a. When such zone is in front of a hotel or in front of a mailbox, the restrictions shall apply at all times;

b. When such zone is in front of a theater or place of public assembly, the restrictions shall apply at all times, except when such theater or place of public assembly is closed.

(4) The Director of ~~the responsible City Department or his/her designee~~ may designate curb markings restricting the use of such curb as taxistand locations only.

Deleted: Public Works

(5) When the Director of ~~the responsible City Department or his/her designee~~, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand, or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

Deleted: Public Works

(Code 1965, § 3272; Code 2002, § 106-352. Ord. No. 743; Ord. No. 1030)

10.30.260 Effect of permission to load or unload; parking time limits.

(a) Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor and in no event for more than two hours.

(b) The loading or unloading of materials shall apply only to commercial deliveries, and also the delivery or pickup of express and parcel post packages and United States mail.

(c) Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than ten minutes.

(d) Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

(Code 1965, § 3273; Code 2002, § 106-353. Ord. No. 743)

10.30.270 Stopping, standing, or parking in loading zone.

No person shall stop, stand, or park a vehicle in any yellow loading zone for any purpose other than loading or unloading passengers or materials for such time as is permitted in section [10.30.260](#).

(Code 1965, § 3274; Code 2002, § 106-354. Ord. No. 743)

10.30.280 Stopping, standing, or parking in passenger loading zone.

No person shall stop, stand, or park a vehicle in any passenger loading zone for any purpose other than the loading or unloading of passengers for such time as is specified in section [10.30.260](#).

(Code 1965, § 3275; Code 2002, § 106-355. Ord. No. 743)

10.30.290 Stopping, standing, or parking in alley.

No person shall stop, stand, or park a vehicle for any purpose other than the loading or unloading of persons or materials in any alley.

(Code 1965, § 3276; Code 2002, § 106-356. Ord. No. 743)

10.30.300 Bus zones.

The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to establish and designate bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers and to determine the location and length thereof.

Deleted: Public Works

(Code 1965, § 3277; Code 2002, § 106-357. Ord. No. 743)

10.30.305 Valet parking passenger loading/unloading zones.

~~(a) The Director of the responsible City Department or his/her designee is hereby authorized to establish and designate on-street spaces in front of business establishments as valet parking passenger loading/unloading zones. The Director of the responsible City Department or his/her designee shall review requests by sponsor businesses for permission to operate valet parking service to customers. If permission is granted, any pre-existing parking prohibition or restriction at the location proposed for a valet parking passenger loading/unloading zone shall remain in effect unless otherwise determined by the Director of the responsible City Department or his/her designee, with the exception that the approved valet parking passenger loading/unloading zone shall supersede any pre-existing parking prohibition(s) or restriction(s) or non-restricted parking during the hours and days of the week valet parking is in effect as indicated by appropriate signage.~~

Formatted: Not Highlight

Formatted: Font: 9 pt

~~(b) The Director of the responsible City Department or his/her designee shall consider several factors when reviewing requests by sponsor businesses for permission to operate valet parking service to customers, including, but not limited to:~~

- ~~1) The availability and proximity of a designated off-street storage location, such as a parking structure or surface lot, which has a surplus of parking spaces sufficient to accommodate the~~

Formatted: List Paragraph, Indent: Left: 1", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.28" + Indent at: 0.53", Tab stops: 1.19", Left

anticipated number of valet-parked automobiles from the business seeking permission to operate valet parking service.

2) Potential impacts to the surrounding businesses within one block of the proposed valet parking passenger loading/unloading zone, including feedback from said businesses in response to a pre-notice that shall be conducted by the Director of the responsible City Department or his/her designee.

3) A proposed circulation map indicating the route(s) to be used between the vehicle drop-off point, the parking storage location, and the return trip to the pickup point.

4) Potential impacts to traffic flow and safety on the street and pedestrian and bicycle circulation.

5) Potential impacts to peak period commute traffic flow and safety.

6) Qualifications of the valet company that will provide services to the sponsor business and all valet attendants employed by the valet company or by the sponsor business.

7) The valet company shall have and maintain a valid business license.

(c) The following items must be submitted to the Director of the responsible City Department or his/her designee when requesting consideration for valet parking:

1) A signed statement by the sponsor business that indicates that there is a need for valet parking services.

2) The name of the valet company, a copy of a valid business license, and a copy of a valid California driver's license for all valet attendants employed by the valet company or by the sponsor business.

3) Certificate of insurance and additional insured endorsement from the valet operator or the sponsor business (if directly providing the valet parking services) listing the City of Concord as additional insured on the required general liability and automobile liability insurance policy described in Section e(12) below.

4) Proposed location for the valet parking passenger loading/unloading zone, parking facility or storage area designated as the parking or storage location, and a circulation map, as noted above, demonstrating the adequacy of the proposed vehicular circulation and off-site loading facilities.

(d) If approved by the Director of the responsible City Department or his/her designee, the sponsor business shall obtain an encroachment permit from the City of Concord to operate valet parking at the current filing fee. The Director of the responsible City Department or his/her designee shall authorize the installation and proper placement of appropriate new signs (listing the name of the sponsor business) and markings to establish the valet parking

Formatted: List Paragraph, Indent: Left: 1", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 1.19", Left

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

passenger loading/unloading zone. The sponsor business shall pay for the acquisition and installation costs of said new signs and markings, as determined by the Director of the responsible City Department or his/her designee. All valet parking signs shall reflect the days and hours of operation as approved by the Director of the responsible City Department or his/her designee.

(e) All sponsor businesses shall conform to the following requirements when operating a valet parking passenger loading/unloading zone:

- 1) No double parking shall be allowed at the valet parking passenger loading/unloading zone.
- 2) No vehicle queuing shall be allowed in the public right-of-way at any time. No vehicle may stop or stand at the loading/unloading area for longer than the time necessary therefor, up to a maximum of five (5) minutes.
- 3) The valet parking services shall not impede on- or off-site traffic, pedestrian and bicycle circulation.
- 4) The valet parking services shall not impact peak period commute traffic flow and safety.
- 5) Valet operators shall only park vehicles in the approved parking facility as submitted with their valet request.
- 6) All valet parking operators shall adhere to the posted valet parking signs reflecting the days and hours of operation as approved.
- 7) The operator shall, upon receipt of each motor vehicle accepted for valet parking, give a claim check to the owner. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted.
- 8) Valet parking passenger loading/unloading zones located in the public right-of-way shall be operated within the approved (marked) locations and in a manner that minimizes interference with the flow of pedestrian traffic on the sidewalk.
- 9) No signs, cones, delineators, or other items may be placed in the public right-of-way without receiving prior approval from the Director of the responsible City Department or his/her designee.
- 10) No parking of overflow vehicles shall be permitted in residential areas.
- 11) The sponsor business is ultimately responsible for ensuring that the valet parking operator, or any employee of the business providing the valet parking services, complies with all the requirements listed above for the valet parking operation.
- 12) The valet parking operator shall maintain a valid business license.

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Formatted: List Paragraph, Indent: Left: 1", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 1.19", Left

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Formatted: Not Highlight

Formatted: Not Highlight

13) Prior to the issuance of an encroachment permit allowing the establishment of any valet parking, the sponsoring business and/or the valet parking provider shall obtain the following insurance, and meet the following conditions:

a. Commercial general liability coverage with limits of no less than one million dollars (\$1,000,000) combined per occurrence / aggregate limit for bodily injury, personal injury, and property damage.

b. Automobile liability insurance covering all vehicles driven by the valet parking operator and its employees/agents providing a one million dollar (\$1,000,000) combined limit per occurrence/aggregate for bodily injury, personal injury, and property damage.

c. The City of Concord, its officers, agents, employees, and volunteers are to be covered as an additional insured as respects the insurance policies described above. The coverage shall contain no special limitations on the scope or protection afforded to the City, its officers, officials, employees, or volunteers. The policies described in this Section 12 shall provide for notice of cancellation to the City of Concord. Said policies shall be primary insurance with respect to the City of Concord, its officers, officials, employees, and volunteers.

d. The sponsoring business and/or the business providing valet parking services shall furnish the City of Concord with certificates of insurance and the original endorsements effecting coverage required by this Section 12. Such policies and certificates shall be in a form approved by the City Attorney.

(f) The Director of the responsible City Department or his/her designee is hereby authorized to modify or eliminate the valet parking passenger loading/unloading zone previously granted to a sponsor business and shall cause signs and markings to be modified or removed promptly thereafter, if any of the following conditions occur:

1) Double parking activity occurs on a repeated basis, impacting the traffic flow and/or vehicular/pedestrian safety.

2) The valet parking is in conflict with newly adopted policies or programs in the City of Concord.

3) The operation of the valet parking passenger loading/unloading zone is deemed detrimental to the safety or general welfare of the City or the public.

4) The valet parking service is no longer needed by the sponsor business due to the closure or relocation of the business or any other changed circumstances.

5) One or more of the requirements listed above for operating the valet parking passenger loading/unloading zone is violated or can no longer be met by the sponsor business.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Underline, Not Highlight

Formatted: Not Highlight

Formatted: No underline, Not Highlight

Formatted: Not Highlight

Formatted: Underline, Not Highlight

Formatted: Not Highlight

Formatted: No underline, Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: List Paragraph, Indent: Left: 1", Tab stops: 1.19", Left

Formatted: Not Highlight

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Formatted: List Paragraph, Indent: Left: 1", First line: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 1.19", Left

Formatted: Not Highlight

Formatted: Indent: Left: 0.5", No bullets or numbering

(g) Any person aggrieved by the decision of the Director of the responsible City Department or his/her designee with reference to the failure to approve a valet parking passenger loading/unloading zone, or a modification or elimination of a valet parking passenger loading/unloading zone shall have the right of appeal to the City Manager. Such appeal shall be in writing on a form prescribed by the City Manager and shall be filed with the City Manager's Office within ten (10) calendar days of the action being appealed. The City Manager shall issue a written decision on the appeal within ten (10) calendar days after receipt of the appeal. The decision of the City Manager shall be final and binding.

Formatted: List Paragraph, Font Alignment: Auto, Tab stops: 0", Left

Formatted: Font: (Default) Arial, 9 pt, Font color: Black

Article III. Parking on Private Property

10.30.310 Posting of notices prohibiting parking.

It shall be unlawful for any person to drive upon or park any vehicle upon any land or premises when there is posted thereon, at each and every vehicle entranceway, a printed notice that it is private property, restricting the use thereof and warning against trespassing. Said printed notice shall state: "Private Property--No Trespassing" or "Private Property--Customer Parking Only," or such other language as may restrict the use thereof to described persons and warn against trespassing. Such notice must also contain the language "Section [10.30.310](#), City of Concord Municipal Code." The letters on such notice shall be at least two inches in height, of one-half-inch stroke, and in a color contrasting with the background.

(Code 1965, § 3297; Code 2002, § 106-381. Ord. No. 754)

Article IV. Parking for Physically Handicapped Persons

10.30.320 Designation of spaces; removal of vehicles from off-street parking facilities.

(a) *Designation of spaces on streets.* The Director of ~~the responsible City Department or his/her designee~~ may recommend to the City Council and the City Council shall indicate by resolution which street parking spaces shall be designated for the exclusive use of physically handicapped persons whose vehicles display a distinguishing license plate issued pursuant to Vehicle Code § [9105](#) or [22511.5](#). Whenever the City Council so designates a parking space, it shall be marked by blue paint on the curb or edge of the paved portion of the street adjacent to the space. In addition to the blue paint, the space may also be marked by signs or other suitable means.

Deleted: Public Works

(b) *Off-street parking facilities.*

(1) *Designation of spaces.* Any person owning or operating an off-street parking facility may designate stalls or spaces in such facility for the exclusive use of physically handicapped

persons whose vehicles display a distinguishing license plate issued pursuant to Vehicle Code § 9105 or 22511.5. Such designation shall be made by posting immediately adjacent to, and visible from, each stall or space a sign consisting of a profile view of a wheelchair with occupant in white on a blue background. Designation of such spaces in an off-street parking facility owned or operated by the city shall take place after authorization by City Council resolution.

(2) *Removal of vehicles.* The owner or person in lawful possession of an off-street parking facility, after notifying the city Police Department and the city with regard to any off-street parking facility it owns or operates, may cause the removal, from a stall or space designated for physically handicapped persons in such facility to the nearest public garage, of any vehicle not displaying one of the distinguishing license plates specified in this section if there is posted immediately adjacent to, and visible from, such stall or space a sign which clearly and conspicuously states the following:

Unauthorized vehicles not displaying distinguishing license plates issued to physically handicapped persons will be towed away at owner's expense. Towed vehicles may be reclaimed at _____ (address) or by telephoning _____ (telephone number of Concord Police Department).

(Code 1965, § 3298; Code 2002, § 106-401. Ord. No. 1042)

10.30.330 Violations.

It shall be unlawful and punishable as a misdemeanor pursuant to section 1.05.230 of this Code for the operator of any vehicle not displaying a distinguishing license plate issued to disabled persons pursuant to Vehicle Code § 22511.5 or to disabled veterans pursuant to Vehicle Code § 9105 to stop, stand, park, or leave standing such vehicle in any parking space properly designated for the exclusive use of physically handicapped persons pursuant to this division.

(Code 1965, § 3299; Code 2002, § 106-402. Ord. No. 17; Ord. No. 1042)

Article V. Vision Safety Parking Zones

10.30.340 Authority to establish.

The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to create vision safety parking zones in any parking area alongside a street, which immediately precedes an intersection, driveway, or other area, that requires unobstructed visibility to facilitate the entry into or across a street.

Deleted: Public Works

(Code 1965, § 3299; Code 2002, § 106-421. Ord. No. 1138)

10.30.350 Installation of signs.

The Director of ~~the responsible City Department or his/her designee~~ is hereby authorized to establish signs which would prohibit the parking of any vehicle alongside any street which might obstruct the visibility required for safe entry into or across a street, or which is in excess of five feet in height.

Deleted: Public Works

Deleted: and maintain

(Code 1965, § 3299; Code 2002, § 106-422. Ord. No. 1138)

10.30.360 Violations.

When said signs are in place, it shall be unlawful and shall constitute an infraction for any operator of a vehicle to park a vehicle in violation of said sign or in violation of any provision of this Code.

(Code 1965, § 3299; Code 2002, § 106-423. Ord. No. 1138)

Article VI. Permit Parking Areas

10.30.370 Purpose.

This division sets forth procedures for the establishment of permit parking areas within the city in order to alleviate, in certain areas and neighborhoods, motor vehicle congestion caused by longterm parking by nonresidents of those areas and neighborhoods. In order to protect the health, safety, and welfare of residents of areas and neighborhoods affected by longterm parking and to protect and promote the integrity of these areas and neighborhoods, it is necessary to establish the procedures herein.

(Code 1965, § 3940; Code 2002, § 106-441. Ord. No. 1186)

10.30.380 Definitions.

Director of Finance or Director. The person occupying the position of Director of Finance in the city organization or his designee.

Parking permit or permit. A decal, sticker, or similar device to be affixed to a vehicle containing specific information required by section(s) 10.30.420 and/or 10.30.440, as applicable.

Permit parking area. An area with streets and boundaries designated by the City Council by resolution within which vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this division.

Valid application. A resident parking permit application obtained from the city Finance Department which contains all information requested by the application, including: (1) evidence of residency within the permit parking area, and (2) evidence of vehicle ownership with the vehicle registered to the same address as the resident. Appropriate evidence shall include, but not be limited to, a current vehicle registration, a current driver's license, a recent utility bill, or photocopies of these items, and the appropriate application fee, if any, established in the Resolution Establishing Fees and Charges for Various Municipal Services.

(Code 1965, § 3941; Code 2002, § 106-442. Ord. No. 1186)

Cross references: Definitions generally, § [1.05.100](#).

10.30.390 Areas eligible for designation.

Areas meeting and satisfying the objective criteria established in these procedures shall be considered for designation as a permit parking area. Permit parking areas may be designated by resolution in which motor vehicles displaying a valid parking permit may stand or be parked without limitation as to the parking time restrictions established by the resolution. Said resolution shall also state the applicable time limitation and the period of the day and days of the week for its application.

(Code 1965, § 3942; Code 2002, § 106-443. Ord. No. 1186)

10.30.400 Designation criteria.

(a) An area shall be deemed eligible for consideration as a permit parking area if data for surveys and studies prepared at the direction of the Director of ~~the responsible City Department or his/her designee~~ satisfy the objective criteria that the area is impacted by vehicles belonging to nonresidents for any extended period during the day or night, on weekends, or during holidays.

Deleted: Public Works

(b) In determining whether an area identified as eligible for permit parking may be designated as a permit parking area, the following factors shall be included in the review and consideration:

- (1) The extent of the desire and need of the residents for permit parking and their willingness to bear the costs associated therewith;

(2) The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;

(3) The extent to which vehicles parking in the area during the period proposed for parking restriction are vehicles belonging to nonresidents rather than vehicles of residents;

(4) The extent to which motor vehicles registered to persons residing in the area cannot be accommodated by the number of available off-street parking spaces; and

(5) The location and number of spaces available as alternative parking locations for vehicles of nonresidents which are to be displaced in the proposed permit parking area.

(Code 1965, § 3943; Code 2002, § 106-444. Ord. No. 1186)

10.30.410 Designation process and recommendations.

(a) Upon receipt of a verified petition signed by at least 50 percent of the residents in the area proposed for designation and which represents at least 50 percent of the residential units in the area proposed for designation, the Director of ~~the responsible City Department or his/her designee~~ shall undertake such surveys or studies as are deemed necessary to determine whether an area is eligible for permit parking.

Deleted: Public Works

(b) At the completion of surveys and studies to determine whether designation criteria are met, a determination shall be made by the Director of ~~the responsible City Department or his/her designee~~ as to the eligibility of the area under consideration for permit parking, the boundaries for the proposed permit parking area, the appropriate time limitation on parking, and the period of the day and days of the week for its application.

Deleted: Public Works

(c) A written report shall be submitted by the Director of ~~the responsible City Department or his/her designee~~ to the City Council, including a recommendation whether to designate the area under consideration as a permit parking area based upon the surveys and studies performed.

Deleted: Public Works

(d) In the report, evidence generated as a result of surveys and studies performed, the findings relative to the designation criteria deemed applicable to the area, conclusions as to whether the findings justify preferential parking for that particular area, the proposed boundaries of the permit parking area, the proposed time limitations, period of the day, and days of the week for its application, and the availability of alternate parking spaces or areas, shall be presented.

(e) The designation process and designation criteria shall also be utilized by the Director of ~~the responsible City Department or his/her designee~~ and the City Council in determining whether to remove the designation of an area as a permit parking area.

Deleted: Public Works

(Code 1965, § 3944; Code 2002, § 106-445. Ord. No. 1186)

10.30.420 Issuance of resident parking permits.

(a) The Director of Finance (~~Director~~) shall be responsible for the issuance of parking permits to persons residing in a permit parking area designated in accordance with section [10.30.390](#). A permit shall be issued by the Director only upon receipt of a valid application.

(b) The Director may issue permits only to residents of a permit parking area.

(c) The Director may not issue more than four permits to any one address for residents at that address, unless the Director finds more than four licensed drivers residing at one address with more than four vehicles registered to that address.

(d) The Director shall either grant or deny a resident parking permit within ten working days from the receipt of a valid application. If the permit is granted, the Director shall issue it in accordance with this division and the permit shall be valid for the calendar year for which it is issued, unless a different period is established in the resolution creating the permit parking area. If the Director denies a permit, the written reasons for the denial shall be provided to the applicant, in person or by mail, within the time period specified herein.

(e) The permit shall be affixed to the left rear bumper of the vehicle for which it has been issued.

(f) The Director shall maintain a record of the number of parking permits issued to each residence, the names of permit holders, the license numbers of vehicles for which a permit has been issued, the preprinted number of the permit, and a notation of the documents checked to establish residency and vehicle ownership.

(Code 1965, § 3945; Code 2002, § 106-446. Ord. No. 1186)

10.30.430 Revocation of resident parking permits.

The Director may revoke the parking permit(s) of any person known to the Director to no longer be eligible for a permit(s). The Director shall give written notice to the permit holder of said revocation, the reasons therefor, and that the permit shall be removed from the individual vehicle.

(Code 1965, § 3946; Code 2002, § 106-447. Ord. No. 1186)

10.30.440 Guest parking permits.

(a) The Director may issue one guest parking permit per resident in a designated permit parking area upon receipt of a completed application for a guest permit. Among the items required in said application shall be:

- (1) Evidence of the applicant's residency within a designated permit parking area;
- (2) The license plate number of the guest's vehicle; and
- (3) The address of the residence being visited, which must coincide with the applicant's address.

(b) The guest permit shall be of a different color than resident parking permit(s) and shall be valid for a period of 14 consecutive days, unless written proof acceptable to the Director has been submitted to show that such a 14-day period would be a detriment to the health or welfare of the guest or resident whom the guest is visiting, in which case the permit shall be valid for a period of 30 consecutive days. The first and last day of the permit shall be written upon it, together with the license plate number of the guest's vehicle. There is no restriction on the number of times a guest permit may be obtained.

Deleted: Finance

(c) The guest parking permit shall be affixed to the left rear bumper of the guest's vehicle.

(d) The Director shall maintain, or cause to be maintained, a record of the number of guest parking permits issued to each residence within a designated permit parking area and the vehicle license plate numbers for which guest parking permits have been issued.

(Code 1965, § 3947; Code 2002, § 106-448. Ord. No. 1186; Ord. No. 1224)

10.30.450 Appeal.

Any person who has been denied a permit(s) or had a permit(s) revoked by the Director may appeal that decision to the City Council within ten days after the decision of the Director has been given or sent to the appellant in accordance with section [2.05.050](#) of this Code. An appeal shall be set forth on a form provided by the City Clerk and shall be accompanied by a fee, if any, as set forth in the Resolution Establishing Fees and Charges for Various Municipal Services.

(Code 1965, § 3948; Code 2002, § 106-449. Ord. No. 1186)

10.30.460 Exemptions.

(a) *Emergency vehicles.* Any emergency vehicle, including but not limited to an ambulance, fire engine, or police vehicle, which is under the control of an individual providing service to a property located in the permit parking area shall be permitted to stand or be parked on a street in the area without being limited by the time restrictions.

(b) *Delivery and service vehicles.* Any vehicle, including but not limited to a delivery, utility, or service vehicle, which is under the control of an individual providing service to property located on a street in the permit parking area shall be permitted to stand or be parked on a street in the area without being limited by the time restrictions. Identification of such vehicle as commercial, utility, or service vehicles shall be the responsibility of the driver of such vehicle.

(c) *Vehicles displaying handicap plates.* Any vehicle which is identified as used by disabled or handicapped individuals meeting the requirements of Vehicle Code § [22511.5](#), and displaying the handicap plates, shall be permitted to stand or be parked on a street in the area without being limited by the time restrictions.

(Code 1965, § 3949; Code 2002, § 106-450. Ord. No. 1186)

10.30.470 Installation of signs; warning period.

(a) Upon the designation of an area as a permit parking area, the Director of [the responsible City Department](#) or his/her designee shall cause appropriate signs to be erected in the area.

Deleted: Public Works

(b) Once appropriate signs are erected in a permit parking area, a warning period not to exceed 15 days shall go into effect. During this warning period, motor vehicles not displaying a permit which are parked on the street in excess of the posted time limit shall not be ticketed.

(Code 1965, § 3950; Code 2002, § 106-451. Ord. No. 1186)

10.30.480 Violations.

Any person that does or causes to be done any of the following shall be deemed guilty of a misdemeanor punishable pursuant to section [1.05.230](#) of this Code:

- (1) To stand or park a motor vehicle without a current permit properly displayed on a street within the permit parking area for a period of time exceeding the posted time limit hours during the effective times and days of the permit parking system;
- (2) To falsely represent himself as eligible for a parking permit or to furnish false information in an application for a permit;
- (3) To permit the use or display of, or to use or display, a valid parking permit issued under this division on a motor vehicle other than that for which the permit was issued;
- (4) To copy, reproduce, or otherwise bring into existence a facsimile or counterfeit resident or guest parking permit;
- (5) To knowingly use or display a facsimile or counterfeit resident or guest parking permit in order to evade time limitations on parking applicable in the permit parking area;
- (6) To knowingly commit any act which is prohibited by the terms of this division.

(Code 1965, § 3951; Code 2002, § 106-452. Ord. No. 1186; Ord. No. 17; Ord. No. 07-12)

Intentionally left blank

ORDINANCE NO. 14-7

**AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TO INLCUDE
NEW SECTION 10.30.305 (VALET PARKING PASSENGER
LOADING/UNLOADING ZONES) AND OTHER RELATED UPDATES**

WHEREAS, valet parking may facilitate vehicular access and parking at full-service eating establishments and other businesses in the City of Concord; and

WHEREAS, valet parking, if implemented in an efficient and safe manner, may enhance community and economic development in the City; and

WHEREAS, the City of Concord should continue to proactively promote business development to help private businesses in Concord prosper and succeed; and

WHEREAS, the Concord Municipal Code should be amended to include a new section on valet parking passenger loading/unloading zones to provide the necessary tools to review and approve proposals submitted by sponsor businesses to operate valet parking services.

THE CITY COUNCIL OF THE CITY OF CONCORD DOES ORDAIN AS FOLLOWS:

Section 1. Concord Municipal Code Section 10.30.305 (Valet parking passenger loading/unloading zone) is hereby added to read as follows:

10.30.305 Valet parking passenger loading/unloading zones.

(a) The Director of the responsible City Department or his/her designee is hereby authorized to establish and designate on-street spaces in front of business establishments as valet parking passenger loading/unloading zones. The Director of the responsible City Department or his/her designee shall review requests by sponsor businesses for permission to operate valet parking service to customers. If permission is granted, any pre-existing parking prohibition or restriction at the location proposed for a valet parking passenger loading/unloading zone shall remain in effect unless otherwise determined by the Director of the responsible City Department or his/her designee, with the exception that the approved valet parking passenger loading/unloading zone shall supersede any pre-existing parking prohibition(s) or restriction(s)

1 or non-restricted parking during the hours and days of the week valet parking is in effect as
2 indicated by appropriate signage.

3 (b) The Director of the responsible City Department or his/her designee shall consider several
4 factors when reviewing requests by sponsor businesses for permission to operate valet parking
5 service to customers, including, but not limited to:
6

7 1) The availability and proximity of a designated off-street storage location,
8 such as a parking structure or surface lot, which has a surplus of parking spaces
9 sufficient to accommodate the anticipated number of valet-parked automobiles
10 from the business seeking permission to operate valet parking service.

11 2) Potential impacts to the surrounding businesses within one block of the
12 proposed valet parking passenger loading/unloading zone, including feedback
13 from said businesses in response to a pre-notice that shall be conducted by the
14 Director of the responsible City Department or his/her designee.

15 3) A proposed circulation map indicating the route(s) to be used between the
16 vehicle drop-off point, the parking storage location, and the return trip to the
17 pickup point.

18 4) Potential impacts to traffic flow and safety on the street and pedestrian and
19 bicycle circulation.

20 5) Potential impacts to peak period commute traffic flow and safety.

21 6) Qualifications of the valet company that will provide services to the sponsor
22 business and all valet attendants employed by the valet company or by the
23 sponsor business.

24 7) The valet company shall have and maintain a valid business license.

25 (c) The following items must be submitted to the Director of the responsible City Department
26 or his/her designee when requesting consideration for valet parking:
27
28

- 1 1) A signed statement by the sponsor business that indicates that there is a
2 need for valet parking services.
- 3 2) The name of the valet company, a copy of a valid business license, and a
4 copy of a valid California driver's license for all valet attendants employed by
5 the valet company or by the sponsor business.
- 6 3) Certificate of insurance and additional insured endorsement from the valet
7 operator or the sponsor business (if directly providing the valet parking
8 services) listing the City of Concord as additional insured on the required
9 general liability and automobile liability insurance policy described in Section
10 e(12) below.
- 11 4) Proposed location for the valet parking passenger loading/unloading zone,
12 parking facility or storage area designated as the parking or storage location,
13 and a circulation map, as noted above, demonstrating the adequacy of the
14 proposed vehicular circulation and off-site loading facilities.

15 (d) If approved by the Director of the responsible City Department or his/her designee, the
16 sponsor business shall obtain an encroachment permit from the City of Concord to operate
17 valet parking at the current filing fee. The Director of the responsible City Department or
18 his/her designee shall authorize the installation and proper placement of appropriate new signs
19 (listing the name of the sponsor business) and markings to establish the valet parking
20 passenger loading/unloading zone. The sponsor business shall pay for the acquisition and
21 installation costs of said new signs and markings, as determined by the Director of the
22 responsible City Department or his/her designee. All valet parking signs shall reflect the days
23 and hours of operation as approved by the Director of the responsible City Department or
24 his/her designee.

25
26 (e) All sponsor businesses shall conform to the following requirements when operating a valet
27 parking passenger loading/unloading zone:
28

- 1) No double parking shall be allowed at the valet parking passenger loading/unloading zone.
- 2) No vehicle queuing shall be allowed in the public right-of-way at any time. No vehicle may stop or stand at the loading/unloading area for longer than the time necessary therefor, up to a maximum of five (5) minutes.
- 3) The valet parking services shall not impede on- or off-site traffic, pedestrian and bicycle circulation.
- 4) The valet parking services shall not impact peak period commute traffic flow and safety.
- 5) Valet operators shall only park vehicles in the approved parking facility as submitted with their valet request.
- 6) All valet parking operators shall adhere to the posted valet parking signs reflecting the days and hours of operation as approved.
- 7) The operator shall, upon receipt of each motor vehicle accepted for valet parking, give a claim check to the owner. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted.
- 8) Valet parking passenger loading/unloading zones located in the public right-of-way shall be operated within the approved (marked) locations and in a manner that minimizes interference with the flow of pedestrian traffic on the sidewalk.
- 9) No signs, cones, delineators, or other items may be placed in the public right-of-way without receiving prior approval from the Director of the responsible City Department or his/her designee.
- 10) No parking of overflow vehicles shall be permitted in residential areas.
- 11) The sponsor business is ultimately responsible for ensuring that the valet parking operator, or any employee of the business providing the valet parking

1 services, complies with all the requirements listed above for the valet parking
2 operation.

3 12) The valet parking operator shall maintain a valid business license.

4 13) Prior to the issuance of an encroachment permit allowing the establishment
5 of any valet parking, the sponsoring business and/or the valet parking provider
6 shall obtain the following insurance, and meet the following conditions:

7 a. Commercial general liability coverage with limits of no less than one
8 million dollars (\$1,000,000) combined per occurrence / aggregate limit
9 for bodily injury, personal injury, and property damage.

10 b. Automobile liability insurance covering all vehicles driven by the
11 valet parking operator and its employees/agents providing a one million
12 dollar (\$1,000,000) combined limit per occurrence/aggregate for bodily
13 injury, personal injury, and property damage.

14 c. The City of Concord, its officers, agents, employees, and volunteers
15 are to be covered as an additional insured as respects the insurance
16 policies described above. The coverage shall contain no special
17 limitations on the scope or protection afforded to the City, its officers,
18 officials, employees, or volunteers. The policies described in this
19 Section 12 shall provide for notice of cancellation to the City of
20 Concord. Said policies shall be primary insurance with respect to the
21 City of Concord, its officers, officials, employees, and volunteers.

22 d. The sponsoring business and/or the business providing valet parking
23 services shall furnish the City of Concord with certificates of insurance
24 and the original endorsements effecting coverage required by this
25
26
27
28

1 at a regular meeting of the City Council of the City of Concord on July 22, 2014, by the following
2 vote:

3 **AYES:** Councilmembers -

4 **NOES:** Councilmembers -

5 **ABSTAIN:** Councilmembers -

6 **ABSENT:** Councilmembers -

7 **I HEREBY CERTIFY** that the foregoing is a true and correct copy of an ordinance duly and
8 regularly introduced, passed, and adopted by the City Council of the City of Concord, California.

9

10

Mary Rae Lehman, CMC
City Clerk

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28