



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 2

Agenda Date: May 15, 2024

In Control: City Council B Session

DEPARTMENT: Police Department

DEPARTMENT HEAD: William McManus, Chief of Police

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Overnight Oversized Commercial Vehicle Parking Regulations

SUMMARY:

This item provides a briefing by the San Antonio Police Department (SAPD) on a proposed ordinance amendment to regulate the overnight parking of oversized commercial vehicles on non-residential public streets.

The Public Safety Committee was briefed on the proposed ordinance in September 2023 and in March 2024. The Public Safety Committee referred the consideration of the proposed ordinance to a City Council B Session.

BACKGROUND INFORMATION:

In May 2022, Councilmember Pelaez filed a City Council Consideration Request (CCR) requesting a revision to the City Code to regulate the overnight parking of oversized commercial vehicles in a manner that better protects the right of business and homeowners to quiet enjoyment of their properties.

The CCR was heard by the Governance Committee in December 2022 and referred to the Public Safety Committee. In September 2023, SAPD presented an initial proposal to amend Chapter 19 of the City Code to regulate the parking of oversized commercial vehicles more restrictively to the Public Safety Committee. The Committee requested additional research and community outreach on the parking of oversized commercial vehicles. Following two community meetings and analysis of similar ordinances in other Texas cities, SAPD presented a proposed ordinance amendment to the Public Safety Committee on March 19, 2024. The Public Safety Committee referred the consideration of the proposed ordinance to City Council B Session.

Current Unified Development Code (UDC) and City Code prohibits the parking of oversized vehicles within twenty specified residential areas as defined in City Code Sections 19-194 (a) and 35-383. The UDC defines an oversized vehicle as “a motor vehicle, trailer, or boat which by itself or together with other structure(s) or vehicle (s) attached to it exceeds any one (1) of the three (3) following dimensions: twenty-four (24) feet in length, eight (8) feet in width, or eight (8) feet in height, exclusive of appurtenances such as antennas, air conditioners, luggage racks, and mirrors.”

The San Antonio Police Department works in coordination with Development Services and Center City Development Office (Parking Enforcement) to investigate and address concerns associated with oversized vehicles parked within neighborhoods and other prohibited areas. The SAPD SAFFE Unit also maintains regular communication with neighborhood organizations to provide updates on identified locations of concern.

During the September 19, 2023, Public Safety Committee meeting, the San Antonio Police Department recommended that the parking of oversized commercial vehicles in non-residential streets be prohibited between the hours of 2:00 am and 6:00 am except during the act of loading or unloading. At this meeting the Public Safety Committee requested that SAPD obtain input from the trucking industry and identify where parking areas exist for oversized commercial vehicles.

In February 2024, the Department hosted two trucking industry input meetings for San Antonio-area truck companies to provide information on the proposed amendment and solicit feedback. Invitations to the meetings were mailed out to over 400 truck companies with a total of six attendees participating. The Department also completed a review of oversized vehicle regulations and restrictions implemented by other major Texas cities.

Based on the Department’s research, feedback received at the Public Safety Committee and feedback received at the public input meetings held in February, SAPD revised its September 2023 recommendation to be less restrictive and still achieve the goals of the CCR to regulate the overnight parking of oversized commercial vehicles in a manner that better protects the right of business and homeowners to quiet enjoyment of their properties

The table below provides a summary of the current law, the September 2023 proposal and the March 2024 revised proposal that will be presented to City Council at B Session on May 15, 2024.

Current Law	September 2023: Initial Proposal	March 2024: Revised Proposal
<p><u>State Law Transportation Code:</u> <u>Section 545.307</u> <ul style="list-style-type: none"> It is a Class C Misdemeanor to park a commercial vehicle (gross weight over 26K lbs.) in or near residential subdivision between hours of 10:00pm and 6:00am </p> <p><u>Unified Development Code (UDC):</u> Section 35-383 <ul style="list-style-type: none"> Prohibits the parking of oversized vehicles within the restricted parking area (front yard of property) in residential districts </p> <p><u>City Municipal Code Section 19-194(a)</u> <ul style="list-style-type: none"> Prohibits the parking of an oversized vehicle in front of any lot, parcel or street used solely for residential use in residential districts </p>	<p><u>City Municipal Code</u> Chapter 19, Article VI Sec. 19-179 Parking of oversized commercial vehicles during certain hours</p> <p>It shall be unlawful for any person to park or stand any oversized commercial vehicle, defined as motor vehicle, or trailer which by itself or together with other structure(s) or vehicle(s) attached to it exceeds any one (1) of the three (3) following dimensions: (24) feet in length, eight (8) feet in width or eight (8) feet in height, exclusive of appurtenances such as antennas, air conditioners, luggage racks, and mirrors on or upon the streets in non-residential districts between the hours of 2:00 a.m. and 6:00 a.m. except during the act of loading or unloading.</p>	<p><u>City Municipal Code</u> Chapter 19, Article VI Sec. 19-194 (h) Parking of certain vehicles prohibited on certain streets, and parking of certain motor vehicles prohibited on front lawns of residential zones.</p> <p>The parking of an oversized commercial motor vehicle, defined as a motor vehicle designed or used primarily to transport property which exceeds twenty-four (24) feet in length, eight (8) feet in width or eight (8) feet in height, exclusive of appurtenances such as antennas, air conditioners, luggage racks, and mirrors, is prohibited within 1,000 feet of any area zoned residential between the hours of 12:00 a.m. and 6:00 a.m. with the following exceptions:</p> <ul style="list-style-type: none"> the vehicle is being actively loaded or unloaded; or during the time to make any emergency repairs to the vehicle.

ISSUE:

Proposed ordinance amendment to restrict parking of oversized commercial vehicles on non-residential public streets as follows:

The parking of an oversized commercial motor vehicle, defined as a motor vehicle designed or used primarily to transport property which exceeds twenty-four (24) feet in length, eight (8) feet

in width or eight (8) feet in height, exclusive of appurtenances such as antennas, air conditioners, luggage racks, and mirrors, **is prohibited within 1,000 feet of any area zoned residential between the hours of 12:00 a.m. and 6:00 a.m.** with the following exceptions:

- the vehicle is being actively loaded or unloaded; or
- during the time to make any emergency repairs to the vehicle.

ALTERNATIVES:

No alternatives.

FISCAL IMPACT:

Should the ordinance amendment be approved by City Council, signage will be installed in areas that experience chronic violations at an initial cost of \$70,000.00.

RECOMMENDATION:

Staff recommends forwarding the proposed ordinance amendment to the City Council for adoption.