

City of Piedmont
COUNCIL AGENDA REPORT

DATE: March 3, 2025

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Approval of the Second Reading of Ordinance 776 N.S. Amending Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code to Prohibit Parking Within 20 Feet of the Approach Side of a Crosswalk, Consistent with California Law

RECOMMENDATION

Approve the Second Reading of Ordinance 776 N.S. amending Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code to prohibit parking within 20 feet of the approach side of a crosswalk, consistent with California law.

BACKGROUND

On November 18, 2024, the City Council approved a first reading of Ordinance 776 N.S. amending Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code to prohibit parking within 20 feet of the approach side of a crosswalk, consistent with California Law.

A second and final reading is required for adoption. If passed, this ordinance will become effective April 2, 2025. Once adopted, Public Works will implement the policy direction received at the November 18th Council meeting, including the following:

1. Identify and remove existing, designated on-street parking spaces that are delineated with “L” or “T” parking brackets and are located within 20-feet of marked or unmarked crosswalks.
2. Red curb select locations that are within 20-feet of marked or unmarked crosswalks and are located along “High Priority Bike/Pedestrian Corridors” as identified in the Piedmont Safer Streets Plan.
3. Add red curbing to reflect the full 20-feet for those areas where parking spots are to be removed and where red curbing is already present.
4. Implement the proposed parking modifications on each individual roadway as part of the next major roadway capital improvement project, which is scheduled to occur in summer 2025.

FISCAL IMPACT

There is no direct fiscal impact at this time; however, if the approach outlined herein is implemented, there will be minimal costs associated with painting and maintaining red curbs.

CITY ATTORNEY REVIEW

The City Attorney has reviewed this item.

ATTACHMENTS

Exhibit 1: Ordinance 776 N.S. Amending Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code to Prohibit Parking Within 20 Feet of the Approach Side of a Crosswalk, Consistent with California Law

By: Daniel Gonzales, Director of Public Works

ORDINANCE NO. 776 N.S.

AN ORDINANCE AMENDING SECTION 11.47 WITHIN ARTICLE 5 OF CHAPTER 11 OF THE PIEDMONT CITY CODE TO PROHIBIT PARKING WITHIN 20 FEET OF THE APPROACH SIDE OF A CROSSWALK, CONSISTENT WITH CALIFORNIA LAW

WHEREAS, in 2023, the California Legislature adopted AB 413, a bill to improve pedestrian safety statewide by increasing drivers' visibility at crosswalks, and providing for full enforcement of the law beginning on January 1, 2025; and

WHEREAS, AB 413 amended California Vehicle Code section 22500 to generally prohibit parking within 20 feet of the approach side of a crosswalk, even if the curb is not painted red, and even if there is no signage; and

WHEREAS, Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code, entitled "Unlawful parking generally," specifies limitations on where a vehicle may park within the City, and includes a prohibition on parking "[w]ithin fifteen feet of the property line of another street that crosses, intersects or terminates in such street," which prohibition is generally more restrictive of parking than AB 413; and

WHEREAS, an amendment to the City Code is appropriate to ensure there is not a conflict between State law and the City Code.

NOW, THEREFORE, the City Council of the City of Piedmont hereby ordains, based on the oral and written staff report, all oral and written comments received and all other evidence in the record, as follows:

Section 1. Intent

It is the intent of the City Council of Piedmont to amend Section 11.47 within Article 5 of Chapter 11 of the Piedmont City Code to ensure that there is not a conflict between the City Code and California Vehicle Code section 22500.

Section 2. Findings

The City Council hereby makes the following findings:

- A. The above recitations are true and correct and incorporated herein by reference.
- B. The proposed amendments further public health, safety, and welfare of the community.

Section 3. Amendments (deletions shown in ~~strike through~~ and additions shown in underline)

Section 11.47 within Article 5 of Chapter 11 shall read in its entirety as follows:

“It shall be unlawful for the operator of any vehicle to 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.

(a) Within any divisional island unless authorized and clearly indicated with appropriate signs or markings.

(b) ~~Within fifteen feet of the property line of another street that crosses, intersects or terminates in such street.~~ Within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present, or within such distances provided by California Vehicle Code section 22500(n), as it may be amended from time to time.

(c) On any street within the area opposite a street terminating into the first street where the first street is less than fifty feet wide.

(d) 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.

(e) In any area established by resolution of the Council as a no-parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface.

Section 4. Conflicts

If a previous City Council ordinance or resolution is in conflict with this Ordinance, that ordinance or resolution is superseded, and the provisions of this Ordinance prevail.

Section 5. Severability

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

Section 6. Codification

The City Clerk is directed to codify this Ordinance in a manner which reflects the legislative intent of the City Council.

Section 7. California Environmental Quality Act

The Ordinance is exempt under California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§

15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378(a), as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment. In addition, if adoption of the Ordinance were considered to be a “project”, it would be exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)), because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment, and the Ordinance does not propose or permit any new development, nor does it increase the intensity or density of use of any property.

Section 8. Posting, Effective Date, and Submission

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least 30 days and shall become effective 30 days after the second reading.

[END OF ORDINANCE]