

# Article 2. Preferential Parking

## 7-3-201: TITLE:

This article of the Beverly Hills municipal code may be referred to as the *PREFERENTIAL PARKING MASTER PLAN ORDINANCE* of the city of Beverly Hills. (1962 Code § 3-6.2203; amd. Ord. 93-O-2169, eff. 7-2-1993)

## 7-3-202: PURPOSE:

The purpose of this article is to create a preferential parking program which is necessary in order to alleviate the severe lack of on street parking on certain residential streets in the city caused primarily by commuter vehicle traffic and to provide reasonably available and convenient parking for the adjacent residents. The preferential parking program consists of a preferential parking district within which zones are established which are aimed at reducing noise, traffic hazards, and environmental pollution and encouraging car pooling, telecommuting and mass transit. (1962 Code § 3-6.2203; amd. Ord. 90-O-2095, eff. 8-9-1990; Ord. 93-O-2169, eff. 7-2-1993)

## 7-3-203: DEFINITIONS:

For purposes of this article, certain words and phrases are defined as follows:

**COMMUTER:** A motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by a resident who lives in the area designated as a preferential parking zone.

**DWELLING UNIT:** Any single-family residence or any multiple residential unit. "Dwelling unit" shall also include any congregate care facility, as defined in section 10-3-1260 or 10-3-1286 of this code, that is not ineligible for participation in a preferential parking zone pursuant to section 7-3-205.5 of this chapter. "Dwelling unit" shall not include hotel guestrooms or suites.

**EXISTING ZONE:** A preferential parking zone established by resolution of the city council on or before July 2, 1993.

**GUEST:** A person who visits or is employed by an occupant of a dwelling unit located in a preferential parking zone.

**PARKING RESTRICTION:** The amount of time and/or time of day vehicles may park on the street in a preferential parking zone. Such restrictions may include, without limitation, "one hour parking except by permit", "two hour parking except by permit", "no parking except by permit", and "no parking 8 a.m. to 6 p.m. except by permit".

**PREFERENTIAL PARKING:** A street block or group of street blocks where vehicles displaying a valid permit shall be exempt from certain daytime and nighttime parking restrictions.

**PREFERENTIAL PARKING DISTRICT:** A group of street blocks having similar land use designations and which are eligible for inclusion in a preferential parking zone upon approval of the city council.

**PREFERENTIAL PARKING MASTER PLAN AREA:** The residentially zoned area of the city south of North Santa Monica Boulevard.

**PREFERENTIAL PARKING ZONE:** A street block or group of street blocks that are designated for preferential parking by the city council.

**RESIDENT:** A person who lives in a dwelling unit located in a preferential parking zone.

**STREET:** The same as set forth in [title 1](#) of this code, except that street shall not include alleys.

**STREET BLOCK:** The portion of a street that lies between two (2) immediately intersecting streets. If a street block has two (2) residential land use designations and an alley is intersecting that street block, a street block shall mean that portion of the street that lies between the alley and the nearest intersecting street. (1962 Code § 3-6.2204; amd. Ord. 93-O-2169, eff. 7-2-1993; Ord. 94-O-2198, eff. 4-22-1994; Ord. 02-O-2405, eff. 9-20-2002; Ord. 03-O-2432, eff. 11-21-2003)

### **7-3-204: PREFERENTIAL PARKING DISTRICT:**

A preferential parking district is hereby established and shall be comprised of certain residential street blocks that are located within the preferential parking master plan area. A map designating such street blocks shall be prepared and maintained on file in the office of the director of transportation. Street blocks included in this district are eligible for inclusion into an existing or new preferential parking zone in accordance with the procedure set forth in section 7-3-206 of this chapter. (1962 Code § 3-6.2204; amd. Ord. 93-O-2169, eff. 7-2-1993)

### **7-3-205: CERTAIN AREAS WHERE PREFERENTIAL PARKING IS NOT ALLOWED:**

No preferential parking zone shall be established on any of the following types of street blocks:

A. Street blocks on an arterial street as designated in the city's general plan.

B. Street blocks with land zoned or used for commercial purposes on both sides of the street. (1962 Code § 3-6.2204; amd. Ord. 93-O-2169, eff. 7-2-1993; Ord. 94-O-2199, eff. 6-17-1994)

### **7-3-205.5: CERTAIN PROPERTY INELIGIBLE FOR PARTICIPATION IN PREFERENTIAL PARKING:**

Any property which receives a reduction in the number of required parking spaces for each dwelling unit in accordance with the provisions of section 10-3-1260 or 10-3-1286 of this code, and all residents of such property, shall be ineligible to participate in a preferential parking zone. (Ord. 03-O-2432, eff. 11-21-2003)

### **7-3-206: STANDARD CRITERIA FOR ESTABLISHMENT OF PREFERENTIAL PARKING ZONES:**

- A. A preferential parking zone may be established by either of the following two (2) methods: 1) a petition signed by more than fifty percent (50%) of the residents residing on property abutting a street within the proposed zone requesting the creation of the zone; or 2) a director of transportation initiated proposal with notice sent to abutting residents if not more than forty percent (40%) of such residents have sent to the city a return form objecting to the creation of the zone.
- B. Whether initiated by petition or by the director of transportation, in order to establish a preferential parking zone, the director of transportation shall do the following: 1) prepare a study on the need for preferential parking restrictions, and 2) make a recommendation to the traffic and parking commission as to whether a preferential parking zone should be established and the maximum parking restriction that may be imposed for vehicles parking in a preferential parking zone.
- C. Whether initiated by petition or by the director of transportation, in order to establish a preferential parking zone, the traffic and parking commission shall, based on the criteria set forth in subsection D of this section, make a recommendation to the city council as to whether a preferential parking zone should be established and the maximum parking restriction that may be imposed for vehicles parking in a preferential parking zone.
- D. Whether initiated by petition or by the director of transportation, in order to establish a preferential parking zone, the city council must find that there is sufficient evidence to conclude that the following criteria are satisfied:
1. Commuter vehicles regularly interfere with the available public street parking adjacent to residential property within the proposed zone and cause or are the source of unreasonable noise, traffic hazards, environmental pollution, or other similar interference with the residential environment.
  2. There is no reasonable alternative which is feasible or practical to reduce the identified street parking problem to acceptable levels, and displaced commuter vehicles will not unduly impact surrounding residential areas.

The city council shall determine the maximum parking restriction that may be imposed for vehicles parking in a preferential parking zone as it deems appropriate. (1962 Code § 3-6.2205; amd. Ord. 93-O-2169, eff. 7-2-1993; Ord. 98-O-2311, eff. 10-23-1998)

### **7-3-207: MODIFICATION OF AN EXISTING ZONE:**

A preferential parking zone once established may be modified as follows:

- A. The director of community development, at the request of the traffic and parking commission or the city council, may initiate a modification to an existing preferential permit zone. If a request is initiated by the city council, the modification shall be heard by the city council and approved by resolution. If the request is initiated by the traffic and parking commission, the traffic and parking commission shall provide a recommendation to the city council and the modification shall be approved by resolution of the city council.
  
- B. Sixty percent (60%) of the residents within the existing zone sign a petition requesting a modification to the parking restrictions in that zone. The traffic and parking commission shall provide a recommendation to the city council. The modification shall be approved by resolution of the city council.

The city council shall determine the maximum parking restriction that may be imposed for vehicles parking in a preferential parking zone as it deems appropriate. (Ord. 09-O-2571, eff. 12-6-2009; amd. Ord. 13-O-2647, eff. 10-11-2013)

### **7-3-208: APPLICATION AND ISSUANCE OF PREFERENTIAL PARKING PERMITS:**

Permits authorizing vehicle parking in a preferential parking zone may be issued by the department of finance administration to residents occupying property within a preferential parking zone, subject to the following requirements and restrictions:

- A. Furnishing satisfactory proof of residency on the street in the zone;
  
- B. Completion of an application on the form designated by the department of finance administration;
  
- C. Payment of the preferential parking permit fee designated by council resolution. (Ord. 93-O-2169, eff. 7-2-1993)

### **7-3-209: MAXIMUM NUMBER OF PERMITS:**

- A. The maximum number of preferential parking permits that may be issued to the inhabitants of a single dwelling unit that has vehicles registered to that address or that has vehicles used on a full time basis by the occupants of that residence shall not exceed three (3), except as provided in subsection B of this section. The maximum number of preferential parking permits which may

be issued to the inhabitants of a single dwelling unit that has no vehicles registered to that address shall not exceed two (2).

- B. The traffic and parking commission has the authority to grant additional preferential parking permits upon application of a qualified applicant and proof that more than three (3) vehicles are registered to the dwelling unit or used on a full time basis by the occupants of the dwelling unit, that sufficient off street parking is not available to the applicant and that an undue hardship will result if the additional permit request is not granted. (Ord. 93-O-2169, eff. 7-2-1993)

### **7-3-210: TERM OF PREFERENTIAL PARKING PERMITS:**

Preferential parking permits shall be valid for a period of one year from the date of issuance or until such time as the applicant ceases to reside in the preferential parking zone, whichever occurs first. (Ord. 93-O-2169, eff. 7-2-1993)

### **7-3-211: USE OF PERMITS BY RESIDENTS AND GUESTS:**

- A. A resident who holds a valid preferential parking permit may use the permit for the purpose of parking on the street block adjacent to the dwelling unit of such resident or adjacent to the dwelling unit of another resident who resides in the same preferential parking zone while they are visiting such resident.
- B. A resident who holds a valid preferential parking permit may allow a guest of such resident to use the permit for the purpose of parking on the street adjacent to the dwelling unit of the resident while visiting with or working for the resident at the resident's dwelling unit. (Ord. 93-O-2169, eff. 7-2-1993; amd. Ord. 97-O-2280, eff. 6-6-1997; Ord. 98-O-2311, eff. 10-23-1998)

### **7-3-212: PROHIBITIONS AND RESTRICTIONS ON PREFERENTIAL PARKING PERMITS:**

- A. No vehicle shall be parked or stopped adjacent to any curb in a preferential parking zone during the time preferential parking is in effect, unless such vehicle shall have prominently displayed a preferential parking permit issued by the city, which permit shall be displayed hanging from the rear view mirror of the vehicle.
- B. It shall be unlawful for any person to sell, rent or lease, or cause to be sold, rented or leased, for any value or consideration any preferential parking permit.
- C. It shall be unlawful for any person to buy or otherwise acquire for value or use any preferential parking permit, except as provided for in this article. (Ord. 93-O-2169, eff. 7-2-1993; amd. Ord. 94-O-2198, eff. 4-22-1994; Ord. 94-O-2204, eff. 8-5-1994; Ord. 97-O-2280, eff. 6-6-1997)

### **7-3-213: REVOCATION OF PERMIT:**

Where any permit issued under this article has been procured through fraud or misrepresentation, or where the permittee has violated provisions of this article, the director of transportation shall hold a hearing, with notice of the time and place of such hearing mailed to the permittee at least ten (10) days preceding the hearing. If the permit is revoked following the hearing, the permittee shall be mailed written notice of the revocation and the reasons therefor. (Ord. 93-O-2169, eff. 7-2-1993)

### **7-3-214: APPEAL OF DIRECTOR'S DECISION TO THE TRAFFIC AND PARKING COMMISSION:**

Any decision of the department of finance administration in granting or denying a permit under this article on any decision of the director of transportation revoking a permit under this article may be appealed to the traffic and parking commission. The appeal shall be in writing, and shall be filed with the commission within fourteen (14) days after the decision. The decision of the traffic and parking commission to uphold or reverse the decision of the department of finance administration or the director of transportation, as the case may be, shall be final. (Ord. 93-O-2169, eff. 7-2-1993)

### **9-8-5: PARKING RESTRICTIONS:**

No more than two (2) hauling or construction related vehicles associated with a single construction site may park on a public street, except as otherwise permitted by the building official or transportation official or when parking at the Greystone Mansion property. Hauling or construction vehicles must park immediately in front of the construction site and must display a parking permit issued by the building official at the time the initial building permit is issued and which corresponds to the specific construction project. The city council may establish by resolution a fee for each parking permit. This section shall not be construed to prohibit any vehicle from parking on private property. (Ord. 15-O-2683, eff. 8-29-2015)