



Legislation Details (With Text)

**File #:** ID 16-1515    **Version:** 1    **Name:**  
**Type:** Ordinance  
**File created:** 11/18/2016    **In control:** City Council  
**On agenda:** 12/6/2016    **Final action:**  
**Title:** Consider adoption of an ordinance of the City of Denton, Texas, amending the provisions of Chapter 18 relating to Motor Vehicles and Traffic by adding Section 18-91.50 to prohibit stopping or parking of vehicles in certain places: providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance: and providing for an effective date. The Traffic Safety Commission recommends approval (5-0).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 On-street Parking.pdf, 2. Exhibit 2 On-Street Parking.pdf, 3. Exhibit 3 On-Street Parking (002).pdf, 4. Exhibit 4 - Minutes On Street Parking.pdf, 5. Exhibit 5 Parking Enforcement Code.pdf

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**Agenda Information Sheet**

**DEPARTMENT:** Transportation

**CM/ ACM:** John Cabrales, Jr.

**Date:** December 6, 2016

**SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas, amending the provisions of Chapter 18 relating to Motor Vehicles and Traffic by adding Section 18-91.50 to prohibit stopping or parking of vehicles in certain places: providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance: and providing for an effective date. The Traffic Safety Commission recommends approval (5-0).

**BACKGROUND**

At the September joint Traffic Safety Commission (TSC) and Mobility Committee meeting, staff recommended a minor change to the City Code intended to enhance traffic safety in the community by improving line of sight at intersections. Commissioners and Council Members were briefed on the concern with sight distance or line of sight issues often related to vehicles parked too close to the intersection or a driveway. Residents in neighborhoods adjacent to the University of North Texas (UNT) and TSC Commissioners have registered concerns with staff and submitted requests to improve line of sight at intersections in these areas in an effort to enhance safety of motorist, cyclist and pedestrians. The staff presentation at the September meeting included photo documentation of on-street parking encroachment at various intersections.

At the September meeting, staff stated that under the current City of Denton Municipal Code, parking restrictions can be enforced along a public street under certain conditions. The section from the code is attached as Exhibit 3 (Sec. 18-91.50). Per current City Code, parking of vehicles is restricted in front of driveways or within five (5) feet of a driveway. Additionally, at intersections parking is restricted within 20 feet of a crosswalk at an intersection. It should be noted that the crosswalk is not defined and can be a ‘marked’ or ‘unmarked’ crosswalk. Per Texas Transportation Code 541.302 (2) (Exhibit 2), Crosswalks are defined as:

- (A) the portion of a roadway, including an intersection, designated as a pedestrian crossing by surface markings, including lines; or
- (B) the portion of a roadway at an intersection that is within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

Based on the current City Code, parking restrictions can be enforced near driveways and intersections without installation of additional signs and markings. It is important to note the current code does not include the definition of “Crosswalk” and does not address some specific roadway conditions that exist, such as the absence of a sidewalk or curb. As such, staff recommended an update to the current code to add the following description under Section 18-91.50. (b) (*Italicized and underlined text*).

- (b) An operator may not, except momentarily to pick up or discharge a passenger, stop or park an occupied or unoccupied vehicle:
  - (1) In front of a public or private driveway or within five (5) feet of a driveway;
  - (2) Within fifteen (15) feet of a fire hydrant;
  - (3) Within twenty (20) feet of a crosswalk at an intersection, where crosswalk means;
    - (A) the portion of a roadway, including an intersection, designated as a pedestrian crossing by surface markings, including lines; or
    - (B) the portion of a roadway at an intersection that is within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.
  - (4) Within twenty (20) feet of the extension of the curbs or, in the absence of curbs, from the edges of the traversable area of the adjacent cross-street;
  - (5) Within thirty (30) feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
  - (6) Within twenty (20) feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within seventy-five (75) feet of the entrance, if the entrance is properly marked with a sign; or
  - (7) Where an official sign prohibits stopping or parking.

The existing concerns at the intersections regarding line of sight and sight distance can be improved with the enforcement of parking restrictions per existing code and through the adoption and subsequent enforcement of the proposed changes to the code. Addressing the parking restriction issue at intersections and driveways through the enforcement of the code will result in a more uniform approach throughout the City, thus avoiding a biased, location-specific and/or complaint-based approach. Additionally, this revision will enhance traffic and pedestrian safety.

## **RECOMMENDATIONS**

The Traffic Safety Commission recommends that the City Council consider the proposal to clarify the municipal code related to authority granted to the Traffic Engineer to improve traffic safety by amending Section 18-91.50 of the City Code as outlined above.

### **OPTIONS**

1. Clarify municipal code related to authority granted to the Traffic Engineer to safeguard traffic safety as by amending Ordinance 2011-113.
2. Provide staff additional direction and/or language regarding authority granted to the Traffic Engineer in the City Code.
3. Take no action

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

November 7, 2016 - Traffic Safety Commission recommended approval of the proposed ordinance .

September 12, 2016 - The proposal to make changes to the City Code (Sec. 18-91.50) was discussed as part of the Joint TSC and Mobility Committee Meeting.

### **FISCAL INFORMATION**

Undetermined at this point.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:**    **Safe, Liveable & Family-Friendly Community**

**Related Goal:**               **4.1 Enhance public safety in the community**

### **EXHIBITS**

1. Ordinance 2011-113 - Municipal Code Parking
2. Excerpt - Texas Transportation Code 541.302 (2)
3. Proposed revisions to Ordinance 2011-113
4. Draft Minutes Traffic Safety Commission, November 7, 2016
5. Draft Ordinance

Respectfully submitted:  
Mark Nelson  
Transportation Director