

# RESIDENTIAL ON-STREET PARKING SPACE FOR THE DISABLED

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City of Milpitas – Traffic Engineering Division – 455 E Calaveras Blvd, Milpitas, CA 95035 – (408) 586-3335

## INTRODUCTION

The Milpitas City Council approved this policy allowing for installation of residential on-street parking spaces for the disabled as a courtesy to help enhance the mobility of disabled residents. The City is not legally required to provide an on-street parking space for persons with disabilities, and the Traffic Engineering Division, has the sole discretion to approve or deny any applications.

Only applications from Certified Disabled Patrons or Disabled Veterans that satisfy the Installation Criteria set forth below, and that agree to the following Installation Conditions and Agreements will be considered.

## INSTALLATION CRITERIA

The following criterion is used in evaluating applications. If a resident with disabilities demonstrates eligibility for the City to install a disabled parking space by satisfying the criteria set forth below, the City will make an effort to offer a disabled parking space. The information must be provided by or demonstrated by the applicant to a City staff member during a coordinated site visit:

- Proof of Residency
- Proof of Permanent Disability and Possession of Disabled Plate or Placard
- Proof of Public Street Residence
- Proof of Garage Impact
- Proof of Driveway Impact

The City also takes into consideration the following elements to ensure that no significant impacts may result from the installation of a disabled parking space:

- *Existing Parking Restrictions:* Existing parking or regulatory restrictions that prohibit parking in front of the applicant's residence cannot be removed to accommodate a disabled parking space.
- *Parking Demand:* The existing on-street parking demand during evenings and weekends should not exceed 70% of the available on-street parking within 500-FT of the requested disabled parking space location. There should also be no other existing disabled parking space within 500-FT of the proposed location.
- *Passenger Side-Vehicle Entry:* In cases where passenger side-entry of the applicant's vehicle is required, the sidewalk or park strip in front of the proposed disabled parking space should be unobstructed or mitigated for access at the cost of the home owner prior to installation of the disabled parking space.
- *Roadway Safety:* No unusual roadway characteristics should be present that may impact roadway operations or entry/exit from the driver-side of the applicant's vehicle such as curves in the roadway or pavement failures.

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## INSTALLATION CONDITIONS AND AGREEMENTS

If the installation criterion above is satisfied, the applicant must agree to the following requirements and conditions:

1. Installation and Maintenance

Sign installation and maintenance costs of \$75.00 must be paid annually by the applicant.

2. Annual Renewal

The applicant shall submit annually his/her Proof of Residency and Proof of Disability. The City shall send via postal mail a renewal reminder one month prior to the initial installation date. The annual maintenance fee shall be requested at that time.

3. Disabled Parking Space - Neighborhood Usage

The disabled parking space is not a private space and must be shared with other persons vehicles licensed to park in a disabled parking zone on a first come first serve basis.

4. No Long-Term storage of Vehicles

a. The disabled parking space shall be used for long-term storage of vehicles. The vehicle must be kept in good repair and shall be operational, as outlined in the California Vehicle Code. For the purpose of this policy, long-term storage of vehicles is defined as any vehicle parked or left standing on a public street in the same location and not driven or moved in excess of three (3) calendar days.

b. If the applicant is unable to move his or her vehicle within the three (3) day period, the Applicant shall request an extension of this period from the City Engineer.

5. Misuse & Removal of Disabled Parking Space

A disabled parking space shall not be misused. Any misuse shall result in the removal of the space. Misuse shall be determined by the City Engineer, at his/her discretion, but include the following factors:

- More than three (3) complaints in a one (1) year period
- Repeated misuse even after the receipt of written correspondences from the City
- Failure to provide annual proof of disability
- Failure to provide annual maintenance fee

6. City Removal of Disabled Parking Spaces

The City may remove any on-street disabled parking space at any time to improve traffic operations and safety or to accommodate temporary construction.

7. Appeal Process for Non-Approved Applications or City-Removed Spaces

The applicant may submit a written appeal to the City Engineer for consideration in response to applications not approved or City-initiated removal of an on-street disabled parking space.

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## COMMONLY ASKED QUESTIONS:

- Q1. How do I obtain certification of a permanent disability?  
Certification of disability is handled by the Department of Motor Vehicles (DMV) during the issuance of a Disability License Plate or Placard. Additional information is available at: [www.dmv.ca.gov/forms/reg/reg195.pdf](http://www.dmv.ca.gov/forms/reg/reg195.pdf)
- Q2. Can I obtain a disabled parking space in front of my home for a temporary disability?  
No, disabilities must be permanent disabilities certified through the state with proof of certification via DMV vehicle registration or placard.
- Q3. I live on a private street managed by a Home Owner’s Association; can I obtain a disabled parking space on the public street in front of my home?  
If the address of the applicant requesting the disabled parking space is on a private street or the primary entrance or garage entry of the unit is located on a private street within a development managed by a Home Owner’s Association (HOA), the application should contact their HOA to seek the accommodation of a disabled parking stall within the community of the HOA.
- Q4. Will the City cover the cost of the installation of the disabled parking space?  
If the location of the disabled parking space meets the installation criterion, the applicant must agree to pay an annual \$75.00 maintenance charge prior to installation.
- Q5. What is a Garage or Driveway Impact?  
The loading and unloading of disabled persons should be accommodated on-site at the resident’s home where possible, either in the garage or driveway. The use of special lift equipment that restricts passenger loading from with a garage or the driveway is considered an impact. Impacts from the storage of private property within the garage is not considered an immitigable impact restricting passenger loading into a vehicle.
- Q6. I need a disabled parking space to accommodate temporary private transport service. Can I apply for a disabled parking space?  
No, temporary parking for use by private transport services or a public transit service, such as the VTA’s Paratransit Service, to load/unload passenger can be accommodate by short-term parking along the frontage of the residences driveway.
- Q7. Where do I submit an application?  
City of Milpitas  
City Hall - Traffic Engineering Division  
455 E Calaveras Blvd  
Milpitas, CA 95035  
O: (408) 586-3335  
F: (408) 586-3305

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## I. REQUESTOR INFORMATION

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Day Phone: (\_\_\_\_) \_\_\_\_\_

Evening Phone: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

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## II. LOCATION OF PROPOSED NEIGHBORHOOD ON-STREET PARKING SPACE

The proposed residential on-street disabled parking space must be in front of the applicant's residence. The proposed location of the disabled parking space being requested is at:

Street Address: \_\_\_\_\_

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## III. Proof of Permanent Disability and Possession of DMV-Issued Disabled Placard

Only requests from Certified Disabled Persons or Disabled Veterans in possession of a valid State-issued Disabled Plate for a vehicle with a matching registration address to the requested address location or Disabled Placard will be considered. Proof can be provided by submitting a copy of a valid DMV vehicle registration or receipt for a recently processed DMV application.

Can a copy of a DMV-Issued Disabled Placard be Provided: Yes \_\_\_\_\_ No \_\_\_\_\_

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## IV. Understanding of Residential On-Street Parking Policy and Use Agreement

I have read and understand the Residential On-Street Disabled Parking Policy, and to the best of my knowledge, my residence meets ALL the installation criteria, requirements and conditions presented. I agree to meet with staff from the City to review the installation request and that if approved understand that I will be required to pay an annual \$75.00 fee for the installation and maintenance of the disabled parking space. I also understand that if approved, this will not be a private space for my residence and that it must be made available to other vehicles that display a disabled placard on a first come first serve basis.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date