

<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY)
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): Transportation&Storm Water Dept	DATE: 8/11/2016
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SUBJECT: Expansion of Residential Permit Parking Area "E"

PRIMARY CONTACT (NAME, PHONE): Julio Fuentes,(619) 533-3092	SECONDARY CONTACT (NAME, PHONE): Linda Marabian, (619) 533-3082
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**COMPLETE FOR ACCOUNTING PURPOSES**

FUND					
FUNCTIONAL AREA					
COST CENTER					
GENERAL LEDGER ACCT					
WBS OR INTERNAL ORDER					
CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

FUND					
FUNCTIONAL AREA					
COST CENTER					
GENERAL LEDGER ACCT					
WBS OR INTERNAL ORDER					
CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE):

**ROUTING AND APPROVALS**

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Environmental Analysis	ORIG DEPT.	Yousef, Hasan	08/30/2016
Equal Opportunity Contracting	CFO		
Financial Management	DEPUTY CHIEF	Gomez, Paz	09/09/2016
Liaison Office	COO		
	CITY ATTORNEY		
	COUNCIL PRESIDENTS OFFICE		

PREPARATION OF:     RESOLUTIONS     ORDINANCE(S)     AGREEMENT(S)     DEED(S)

Expand Residential Permit Parking Area "E" to include the properties on Ashford Street, Ashford Place, Ashford Court, Baltic Street, Cullen Street, Argyle Street, Markham Street and Atlas Street as listed in Attachment 2. The subject locations meet the criteria in the San Diego Municipal Code used for designating an area for Residential Permit Parking.

Make a determination that this activity is exempt from CEQA pursuant to State CEQA guidelines 15301.

STAFF RECOMMENDATIONS: Approve the requested Action	
SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)	
COUNCIL DISTRICT(S):	6
COMMUNITY AREA(S):	Clairemont Mesa
ENVIRONMENTAL IMPACT:	This activity is exempt from CEQA pursuant to State CEQA guidelines 15301.
CITY CLERK INSTRUCTIONS:	Forward copy of Resolution to Julio Fuentes at M.S. 609

**COUNCIL ACTION  
EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO**

DATE: 8/11/2016

ORIGINATING DEPARTMENT: Transportation&Storm Water Dept

SUBJECT: Expansion of Residential Permit Parking Area "E"

COUNCIL DISTRICT(S): 6

CONTACT/PHONE NUMBER: Julio Fuentes/(619) 533-3092

**DESCRIPTIVE SUMMARY OF ITEM:**

This action will expand the Residential Permit Parking Area "E" in the Clairemont Mesa Community, and provide the residents with the benefits of exclusive on-street permit parking to mitigate the commuter parking impacts from Mesa College.

**STAFF RECOMMENDATION:**

Approve the requested Action

**EXECUTIVE SUMMARY OF ITEM BACKGROUND:**

The Residential Permit Parking Program was established in 1977 to mitigate the impacts of commuter parking generated by an adjacent facility such as a college, hospital, or a major industrial center to a residential community. Residential Permit Parking Area "E" in the Clairemont Mesa area was established in 2003 due to the proximity of Mesa College and the impact of commuter students parking in adjacent residential areas. The proposed action would be the third modification of the district and would add a total of 84 new properties. This action has been initiated through multiple petitions representing a majority of the affected residences. Studies were conducted in order to determine the number of spaces, average occupancy, average duration, average turnover, and percentage of commuter vehicles within the area under consideration. The affected streets were studied on weekdays in October and November 2015, between the hours of 8:00 a.m. and 6:00 p.m. Based on these studies, it was determined that the area is adversely impacted by commuter parking. The results of these studies are summarized in Attachment 1.

Section §86.2005(b) of the San Diego Municipal Code sets forth the following criteria for designating an area for Residential Permit Parking:

- (1) The extent of the desire and need of the residents for residential permit parking and their willingness to bear the administrative costs in connection therewith;
- (2) The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;
- (3) The extent to which vehicles parking in the area during the period proposed for parking restriction are commuter vehicles rather than resident vehicles; and
- (4) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of off street parking spaces.

The properties on Ashford Place, Ashford Court, Argyle Street, and Baltic Street as listed in Attachment 2 have met all four of the criteria above, having a higher than normal on-street parking occupancy rate.

The properties along Ashford Street, Cullen Street, Markham Street, and Atlas Street experienced a lower average occupancy rate during the time of the study, and therefore do not currently meet criteria number two. However, it is expected that commuter vehicles will impact these immediately adjacent streets as a result of implementing the proposed parking restrictions. In order to mitigate potential impacts on less occupied streets, residential permit parking is also recommended for Ashford Street, Cullen Street, and Atlas Street as listed in Attachment 2. A petition representing 75% of the residences within the proposed expansion area was submitted, and studies conducted in the subject area have determined that 89% of the parked vehicles were commuter vehicles as defined in Municipal Code 86.2003(b).

**CITY STRATEGIC PLAN GOAL(S)/OBJECTIVE(S):** Goal # 3: Create and sustain a resilient and economically prosperous City. Objective # 1: Create dynamic neighborhoods that incorporate mobility, connectivity and sustainability.

**FISCAL CONSIDERATIONS:** The fee for annual permits in Area “E” is \$15.00, as established by the City Council. The maximum number of permits allowed per address is 5. There are a total of 84 households that would be added to the area. The annual revenue could range from 1 permit per address (\$1,260 per year) to 5 permits per address (\$6,300 per year). Additionally, there would be an initial start-up expense for the installation of 50 regulatory signs, at a cost of \$150.00 per sign, for a total of \$7,500.00. Funding for this anticipated expense will be absorbed within Transportation & Storm Water Department, Street Division's Operating Budget.

**EQUAL OPPORTUNITY CONTRACTING INFORMATION:**

There is no subcontractor activity associated with this action. City staff will install the signage, and therefore this action is exempt from Workforce Report Analysis.

**PREVIOUS COUNCIL and/or COMMITTEE ACTIONS:**

Council approved the Area “E” Permit Parking Area on March 25, 2003 by Resolution No. R-297779. Subsequent modifications have been made as follows: Expansion on July 5, 2006 by Resolution No. R-301595; Reduction on July 5, 2006 by Resolution No. R-301596; Expansion on December 24, 2013 by Resolution No. R-308633.

**COMMUNITY PARTICIPATION AND OUTREACH EFFORTS:**

On September 2015, letters were mailed to 249 residents on Armstrong Place, Ashford Street, Beagle Street, Baltic Street, Atlas Street, Bevis Street, Budd Street, Cullen Street, Markham Street, Linda Vista Road, Currant Street, Ashford Place, and Ashford Court notifying them of the proposed expansion to Permit Parking District Area “E”. Twenty one residents that were not originally included in the original proposed expansion area submitted petitions to have their streets added to the proposed expansion. These addresses included the 7500 block of Baltic Street, and the 3400 block of Ashford Street. These streets have been added to the proposed expansion. Residents on Atlas Street between Cullen Street and Baltic Street and on Markham Street between Atlas Street and Linda Vista Road submitted petitions requesting to be removed

from the proposed expansion, and those addresses have been removed. In accordance with the requirements of Section §86.2006 of the Municipal Code, a public meeting was held at the Kearny Mesa Recreation Center on January 28, 2016. There were approximately 25 residents in attendance. The meeting was publicly noticed in The San Diego Daily Transcript. Notices were hand delivered to residences in the expansion area notifying them of the public meeting. The results of the parking studies and surveys were presented at the meeting, and comments favorable to the proposed expansion were offered by residents in attendance. Residents at the hearing who are directly affected by this proposal voiced their approval of the proposed expansion. Staff is not aware of any formal opposition to the proposed expansion of the area. The Clairemont Mesa Community Planning Group has been informed of the proposed expansion. The proposed expansion boundaries have been adjusted to reflect the additional petitions and public input received from affected residents.

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**

The proposed action would relieve residents within the proposed expansion area from the impact of Mesa College commuter parking. The proposed action could result in an increase in commuter parking on adjacent streets, as well as an increase in traffic volume, as students at Mesa College search for free on-street parking. There are no businesses in the area; therefore, no impact on employees or customers is likely. Expansion of the Residential Permit Parking Program to the proposed streets would improve parking conditions for residents.

Yousef, Hasan  
Originating Department

Gomez, Paz  
Deputy Chief/Chief Operating Officer

ATTACHMENT 1

<b>PARKING STUDY SUMMARY</b>						
<b>Street</b>	<b>Capacity</b>	<b>Total Hours Occupied</b>	<b>Number of Parkers</b>	<b>Avg Occupancy (%)</b>	<b>Avg Duration (Hrs)</b>	<b>Avg Turnover (veh/space)</b>
Ashford Pl btwn Ashford St & Cul de sac (North side)	15	88	21	58.67	4.19	1.40
Ashford Pl btwn Ashford St & Cul de sac (South side)	17	57	23	33.53	2.48	1.35
Ashford Ct btwn Ashford St & Cul-de-sac (North side)	3	16	4	53.33	4.00	1.33
Ashford Ct btwn Ashford St & Cul-de-sac (South side)	2	13	4	65.00	3.25	2.00
Atlas St btwn South End & Cullen St (West side)	15	30	4	20.00	7.50	0.27
Atlas St btwn South End & Cullen St (East side)	11	10	1	9.09	10.00	0.09
Baltic St btwn Atlas St & Ashford St (North side)	11	62	13	56.36	4.77	1.18
Baltic St btwn Atlas St & Ashford St (South side)	12	50	9	41.67	5.56	0.75
Cullen St btwn Atlas St & Ashford St (North side)	12	50	8	41.67	6.25	0.67
Cullen St btwn Atlas St & Ashford St (South side)	34	97	14	28.53	6.93	0.41
Ashford St btwn Armstrong Pl & Beagle St (West side)	31	91	14	29.35	6.50	0.45
Ashford St btwn 3199 Ashford St & Beagle St (East side)	57	223	28	39.12	7.96	0.49

<b>LICENSE PLATE STUDY</b>		
<b>Number of Distinct Vehicles</b>	<b>Resident Vehicles (%)</b>	<b>Commuter Vehicles (%)</b>
118	11	89

Avg Occupancy [%] = (total hours occupied \* 100)/(capacity \* hours observed)

Avg Duration [hrs] = (total hours occupied)/(# of parkers)

Avg Turnover [veh/space] = (# of parkers)/(capacity)

**ATTACHMENT 2  
PROPOSED AREA "E" EXPANSION ADDRESS LIST**

<b>No.</b>	<b>ADDRESS NUMBER</b>	<b>STREET NAME</b>
1	3412	ARGYLE ST
2	3420	ARGYLE ST
3	3199	ASHFORD ST
4	3211	ASHFORD ST
5	3233	ASHFORD ST
6	3285	ASHFORD ST
7	3291	ASHFORD ST
8	3297	ASHFORD ST
9	3305	ASHFORD ST
10	3311	ASHFORD ST
11	3317	ASHFORD ST
12	3323	ASHFORD ST
13	3329	ASHFORD ST
14	3334	ASHFORD ST
15	3335	ASHFORD ST
16	3345	ASHFORD ST
17	3355	ASHFORD ST
18	3365	ASHFORD ST
19	3411	ASHFORD ST
20	3412	ASHFORD ST
21	3419	ASHFORD ST
22	3420	ASHFORD ST
23	3427	ASHFORD ST
24	3428	ASHFORD ST
25	3435	ASHFORD ST
26	3436	ASHFORD ST
27	3443	ASHFORD ST
28	3444	ASHFORD ST
29	3451	ASHFORD ST
30	3452	ASHFORD ST
31	3459	ASHFORD ST
32	3460	ASHFORD ST
33	3467	ASHFORD ST
34	3468	ASHFORD ST
35	3475	ASHFORD ST
36	3476	ASHFORD ST
37	7405	ASHFORD PL
38	7414	ASHFORD PL
39	7415	ASHFORD PL
40	7424	ASHFORD PL
41	7425	ASHFORD PL
42	7434	ASHFORD PL
43	7435	ASHFORD PL
44	7444	ASHFORD PL
45	7445	ASHFORD PL

<b>No.</b>	<b>ADDRESS NUMBER</b>	<b>STREET NAME</b>
46	7454	ASHFORD PL
47	7455	ASHFORD PL
48	7464	ASHFORD PL
49	7465	ASHFORD PL
50	7474	ASHFORD PL
51	7475	ASHFORD PL
52	7534	ASHFORD CT
53	7535	ASHFORD CT
54	7550	ASHFORD CT
55	7551	ASHFORD CT
56	7511	CULLEN ST
57	7524	CULLEN ST
58	7533	CULLEN ST
59	7540	CULLEN ST
60	7555	CULLEN ST
61	7556	CULLEN ST
62	7572	CULLEN ST
63	7575	CULLEN ST
64	7603	CULLEN ST
65	3178	ATLAS ST
66	3182	ATLAS ST
67	3190	ATLAS ST
68	3204	ATLAS ST
69	3212	ATLAS ST
70	3215	ATLAS ST
71	3220	ATLAS ST
72	3230	ATLAS ST
73	3240	ATLAS ST
74	3368	ATLAS ST
75	3404	ATLAS ST
76	7603	MARKHAM ST
77	7604	MARKHAM ST
78	7504	BALTIC ST
79	7505	BALTIC ST
80	7515	BALTIC ST
81	7520	BALTIC ST
82	7525	BALTIC ST
83	7541	BALTIC ST
84	7544	BALTIC ST

# PROPOSED EXPANSION OF RESIDENTIAL PERMIT PARKING DISTRICT AREA "E"



- Existing Residential Permit Parking
- Proposed Residential Permit Parking



**Article 6: Stopping, Standing and Parking**

**Division 20: Residential Permit Parking Program**

*(“Residential Permit Parking Program” added 12-14-1977 by O-12236 N.S.)*

**§86.2001 Legislative Purpose**

This Division is enacted in response to the serious adverse effects caused certain areas and neighborhoods of the City of San Diego by motor vehicle congestion, particularly the parking of motor vehicles on the streets of such areas and neighborhoods by non-residents thereof. As set forth in more specific detail in Section 86.2002 of this Division, such long-term parking by non-residents threatens the health, safety and welfare of all the residents of the City of San Diego. In order to protect and promote the integrity of these areas and neighborhoods, it is necessary to enact parking regulations restricting unlimited parking by non-residents therein, while providing the opportunity for residents to park near their homes. Uniform parking regulations restricting residents and non-residents alike would not serve the public interest. Rather such regulation would contribute to neighborhood decline while ignoring the public transit alternatives to automobile travel available to non-residents. For the reasons set forth in this Division, a system of preferential resident parking is enacted hereby for the City of San Diego.

*(“Legislative Purpose” added 12-14-1977 by O-12236 N.S.)*

**§86.2002 Legislative Findings**

- (a) General Finding. The City Council finds as a result of public testimony, evidence generated by both professional planning studies and derived from other sources, that the continued vitality of the City of San Diego depends on the preservation of safe, healthy and attractive neighborhoods and other residential areas therein. The Council further finds that the flight of residents and property owners from major metropolitan cities can be traced in part to the deterioration of such cities as attractive and comfortable places in which to reside. The Council further finds that one factor that has contributed to this deterioration is the excessive and burdensome practice of non-residents of certain areas and neighborhoods parking their motor vehicles for extended periods of time therein. Since there is in certain areas of the city at any one time a large surplus of motor vehicles over available on and off-street parking spaces, this condition detracts from a healthy and complete environment. A system of preferential resident parking will serve to reduce a number of strains on residents of the city and thus promote the general public welfare.

- (b) Specific Findings. The following specific legislative findings of the City Council in support of preferential resident parking are set forth as illustrations of the need compelling the enactment of this Division. They are intended as illustrations only and do not exhaust the subject of the factual basis supporting its adoption:
- (1) The safety, health and welfare of the residents of the city can be greatly enhanced by maintenance of the attractiveness and livability of its neighborhoods and other residential areas;
  - (2) It is a fact of modern living in the city that a large number of San Diego residents possess automobiles and as a result are daily faced with the need to store these automobiles in or near their residences;
  - (3) Certain neighborhoods and areas of the city do not have sufficient on or off-street space to accommodate the convenient parking of motor vehicles by residents thereof in the vicinity of their homes;
  - (4) Such areas as described in (3) above are often further burdened by influxes of motor vehicles owned by non-residents which compete for the inadequate available on-street parking spaces;
  - (5) There further exist certain parking “attractors” within the City of San Diego, i.e. hospital, university, and industrial complexes, military bases, beaches, and locations convenient for commuter parking, which further aggravate resident parking problems;
  - (6) Unnecessary vehicle miles, noise, pollution, and strains on inter-personal relationships caused by the conditions set forth herein work unacceptable hardships on residents of these neighborhoods and other residential areas by causing the deterioration of air quality, safety, tranquility, aesthetics and other values available in a residential environment;
  - (7) If allowed to continue unchecked, these adverse effects on the residents of the city will contribute to a further decline of the living conditions therein, a reduction in the attractiveness of residing within said city and consequent injury to the general public welfare;
  - (8) A system of preferential residential parking as enacted in this Division will serve to promote the safety, health and welfare of all the residents

of the city by reducing unnecessary personal motor vehicle travel, noise and pollution, and by promoting improvements in air quality, the convenience and attractiveness of urban residential living, and the increased use of public mass transit facilities available now and in the future. The public welfare will also be served by ensuring a more stable and valuable property tax base in order to generate the revenues necessary to provide essential public services.

*(“Legislative Findings” added 12-14-1977 by O-12236 N.S.)*

**§86.2003 Definitions**

- (a) “Residential area” shall mean a contiguous or nearly contiguous area containing public streets and highways or parts thereof where residents dwell;
- (b) “Commuter vehicle” shall mean a motor vehicle, other than one described in subparagraph (e) herein, parked in a residential area in which it is not registered with the State of California, Department of Motor Vehicles.
- (c) “Resident vehicle” shall mean a motor vehicle parked in a residential area in which it is registered with the State of California, Department of Motor Vehicles;
- (d) “Residential permit parking area” shall mean a residential area designated as herein provided wherein resident motor vehicles displaying a valid permit as described herein shall be exempt from parking restrictions established pursuant to this Division.
- (e) “Transient vehicle” shall mean a motor vehicle, other than a resident vehicle, which has been issued a temporary residential parking permit pursuant to this Division.
- (f) “Owns” shall mean that a person has at least a one-quarter interest in a parcel of real property within a residential permit parking area.
- (g) “Lease” shall mean that a person pays rent or other remuneration for use of a parcel of real property as his residence or place of business.
- (h) “Motor vehicle” shall include an automobile, truck, recreation vehicle, motorcycle or other motor-driven or self-propelled form of transportation.
- (i) “Person” shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust,

organization, or the manager, lessee, agent, servant, officer or employee of any of them.

- (j) “Legal resident” shall mean a full-time resident of a residential property within a residential area, or a person in the employ of a licensed residential care facility occupying a single-family residential dwelling located within a residential area.

*(Amended 4-7-2003 by O-19166 N.S.)*

**§86.2004 Designation of Residential Permit Parking Areas**

The City Council shall upon recommendation of the City Manager, consider for designation as residential permit parking areas those residential areas meeting and satisfying the objective criteria therefor established in this Division. It may in its discretion then designate by resolution certain residential areas as residential permit parking areas in which resident motor vehicles displaying a valid parking permit may stand or be parked without limitation by parking time or parking area restrictions established by this Division. Said resolution shall also state the applicable parking regulation and period of the day for its application, and the fee to be charged upon permit issuance.

*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2005 Designation Criteria**

- (a) a residential area shall be deemed eligible for consideration as a residential permit parking area if based on surveys and studies prepared at the direction of the City Manager or his designee, objective criteria establish that the residential area is impacted by commuter vehicles for any extended period during the day or night, on weekends, or during holidays.
- (b) In determining whether a residential area identified as eligible for residential permit parking may be designated as a residential permit parking area, the City Manager and the City Council shall take into account factors which include but are not limited to the following:
  - (1) The extent of the desire and need of the residents for residential permit parking and their willingness to bear the administrative costs in connection therewith;
  - (2) The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;

- (3) The extent to which vehicles parking in the area during the period proposed for parking restriction are commuter vehicles rather than resident vehicles; and
- (4) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces.

*(“Designation Criteria” added 12-14-1977 by O-12236 N.S.)*

**§86.2006 Designation Process**

- (a) Upon receipt of a verified petition by residents of a least 50% of the living units in the area proposed for designation, the City Manager or his designee shall undertake or cause to be undertaken such surveys or studies as are deemed necessary to determine whether a residential area is eligible for residential permit parking. Such surveys or studies shall be completed within 90 days of receipt of a petition calling for such surveys or studies to be undertaken, unless otherwise provided by the City Council.
- (b) Within thirty days of the completion of surveys and studies to determine whether designation criteria are met, the City Manager or his designee shall notice as herein provided a public hearing or hearings in or as close to the neighborhood as possible on the subject of the eligibility of the residential area under consideration for residential permit parking. Said hearing or hearings shall also be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate area prohibition or time limitation on parking and the period of the day for its application.

The City Clerk shall cause notice of such hearing or hearings to be published twice in a newspaper of general circulation printed and published in this city. The first publication shall be not less than ten days prior to the date of such hearing.

The City Manager or his designee shall direct the Superintendent of Streets to, and such Superintendent shall cause notice of such hearing to be conspicuously posted in the proposed residential permit parking area.

The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the permit fee to be charged therefor. During such hearing or hearings, any interested person shall be entitled to appear and be

heard, subject to appropriate rules of order adopted by the City Manager or his designee.

*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2007 Recommendation of the City Manager**

- (a) Within sixty days of the completion of the hearing or hearings conducted with regard to a particular residential area, the City manager shall recommend by written report to the City Council, based on the record of such hearing or hearings and the surveys and studies performed, whether to designate the residential area under consideration as a residential permit parking area.
- (b) In the report of the City Manager, he shall set forth the evidence generated as a result of surveys and studies performed, significant subjects and concerns raised at the public hearing or hearings conducted, the findings relative to those designation criteria listed in Section 86.2005 deemed applicable to the residential area and conclusions as to whether the findings justify preferential residential parking for that particular area, the proposed boundaries of the residential permit parking area, any proposed area prohibition or time limitation and period of day for its application.
- (c) The designation process and designation criteria set forth in this Division shall also be utilized by the City Manager and the City Council in determining whether to remove designation as a residential permit parking area from a particular residential area.

*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2008 Issuance of Permits**

- (a) The City Manager is hereby authorized and directed to issue, upon written application therefor, a parking permit. Each such permit shall be designated by the City Manager or designee to state or reflect thereon the particular residential permit parking area as well as the license number of the motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The City Manager is authorized to issue such rules and regulations, not inconsistent with this Division, governing the manner in which persons shall qualify for parking permits.
- (b) Parking permits may be issued for motor vehicles only upon application of the following persons:

- (1) A legal resident of the residential permit parking area who has a motor vehicle registered in his name, or who has a motor vehicle for his exclusive use and under his control;
  - (2) A person who owns or leases commercial property and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.
- (c) Proof of residency or ownership shall be demonstrated in a manner determined by the City Manager.
- (d) The City Council may, by resolution, limit the number of permits issued to any resident or dwelling unit if such limitation would further the goals of the residential permit parking program.
- (e) Proof of motor vehicle ownership or vehicle use and control shall be demonstrated in a manner determined by the City Manager.
- (f) Temporary residential parking permits may be issued for vehicles which are:
- (1) owned, rented or under the operational control of any person who owns or leases property in the residential permit area; or
  - (2) used in providing services to persons or property in the residential permit area. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking area. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than fourteen (14) days from the date of issuance. No resident of a residential permit parking area shall be issued more than two temporary parking permits at any one time. A temporary residential parking permit issued to a vehicle providing services or to vehicles owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.
- (g) A visitor parking permit is a permit which is not affixed or assigned to an identified vehicle and which may be used on resident or nonresident vehicles as the user may need. The City Council may, by resolution, authorize the

issuance of visitor parking permits in any residential permit parking area. When authorized, visitor parking permits may be issued under the following conditions:

- (1) The permit is issued to a person who qualifies under Section 86.2008(b).
- (2) The applicant for a visitor parking permit has not reached the limits, if any, set by the Council pursuant to Section 86.2008(d).
- (3) Only one visitor parking permit shall be issued to any resident or dwelling unit within the permit parking area.
- (4) Such other conditions and restrictions that the City Council by resolution imposes or that the City Manager deems appropriate.

*(Amended 7-8-1985 by O-16459 N.S.)*

**§86.2009 Posting of Residential Permit Parking Area**

Upon the adoption by the City Council of a resolution designating a residential permit parking area, the City Manager pursuant to Section 82.01 of this Code shall cause appropriate signs to be erected in the area indicating prominently thereon the area prohibition or time limitation, period of the day for its application, and conditions under which permit parking shall be exempt therefrom.

*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2010 Display of Permits**

Permits shall be displayed in a manner determined by the Chief of Police.

*(“Display of Permits” added 12-14-1977 by O-12236 N.S.)*

**§86.2011 Permit Parking Exemptions**

A resident motor vehicle or transient motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the residential permit parking area for which the permit has been issued without being limited by time restrictions or area prohibitions established pursuant to this Division. Said resident motor vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this Division. All other motor vehicles other than vehicles specified in Section 81.06 of this Code and vehicles where the operator or the passenger being transported by said vehicle is physically disabled and the vehicle displays a license issued under the



provisions of Section 9105 or Section 22511.5 of the California Vehicle Code, parked within a residential permit parking area shall be subject to the time restrictions or area prohibitions adopted as provided in this Division as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.  
*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2012 Application for and Duration of Permit**

Each parking permit issued by the City Manager or designee shall be valid for not more than one year from date of issuance. Permits shall expire on the last day of the anniversary month of the formation of the area for which it was issued. Permits may be renewed during the anniversary month of the area in such manner as may be required by the City Manager. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a residential permit parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the City Manager.  
*(Amended 8-24-1981 by O-15574 N.S.)*

**§86.2013 Permit Fees**

- (a) The fees for a residential permit parking shall be set by the Council based upon the recommendation of the City Manager. The City Manager shall from time to time recommend such fees to the Council that reflect an amount to equal but not to exceed the cost of the administration of the program.
- (b) A copy of the fee schedule shall be filed in the rate book of fees on file in the office of the City Clerk.  
*(Amended 9-10-1990 by O-17520 N.S.)*

**§86.2014 Penalty Provisions**

- (a) It shall be unlawful and a violation of this Division unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the area prohibition established pursuant hereto. Said violation shall be an infraction punishable in accordance with the provisions of Section 12.0201 of this Code.

- (b) It shall be unlawful and a violation of this Division for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor.
- (c) It shall be unlawful and a violation of this Division for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this Division both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued.
- (d) It shall be unlawful and a violation of this Division for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Manager or designee. It shall further be unlawful and a violation of this Division for a person to transfer the beneficial ownership of or a continuous right to use a visitor parking permit or to knowingly use or display a facsimile or counterfeit parking permit in order to evade area prohibitions or time limitations on parking applicable in a residential permit parking area. A violation of this subsection shall be a misdemeanor punishable in accordance with the provisions of Section 12.0201 of this Code.

*(Amended 8-10-1993 by O-17956 N.S.)*

**§86.2015 Revocation of Permit**

The City Manager or designee is authorized to revoke the residential parking permit of any person found to be in violation of this Division and, upon written notification thereof, the person shall surrender such permit to the City Manager or designee. Failure when so requested, to surrender a residential parking permit so revoked shall constitute a violation of law and of this Division.

*(“Revocation of Permit” added 12-14-1977 by O-12236 N.S.)*

**§86.2016 Severability**

The provisions of this Division are severable and if any provisions, clause, sentence, subsection, section, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, sections, words or parts of the Division or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Division would have been adopted if such illegal, invalid or

unconstitutional provision, clause, sentence, subsection, section, word or part had not been included therein, or if such person or circumstance to which the Division or part thereof is held inapplicable had been specifically exempted therefrom.

*(“Severability” added 12-14-1977 by O-12236 N.S.)*