

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 19 TO CREATE
A RESIDENTIAL PARKING PERMIT PROGRAM

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Sections 19.99.12 through 19.99.22, Residential Parking Permit Program, are hereby added to the City of Mountain View City Code Division 5, Article VIII, Chapter 19 as follows:

“SEC. 19.99.12. Residential Parking Permit Program.

Purpose. The Residential Parking Permit (“RPP”) Program is hereby enacted in response to the serious adverse effects caused in certain residential areas and neighborhoods of the City by motor vehicle congestion, particularly the long-term parking of motor vehicles on the streets of such areas and neighborhoods by nonresidents who do not visit or conduct business with residents.

Findings. The Council finds that the RPP Program will alleviate the excessive and burdensome parking by nonresidents for extended periods of time in certain residential areas and neighborhoods of the City by:

- a. Reducing potential hazardous traffic conditions resulting from long-term commuter parking in neighborhoods;
- b. Protecting such areas and neighborhoods from polluted air, excessive noise, and trash and refuse caused by such parking;
- c. Providing reasonable available and convenient parking for the benefit of adjacent residents;
- d. Preserving the character and quality of life of such areas and neighborhoods as residential;
- e. Preserving the safety of children and other pedestrians; and
- f. Promoting traffic safety and the peace, good order, comfort, convenience, and general welfare of the inhabitants of the City;

The Council further finds that other alternative parking strategies are not feasible or practical.

SEC. 19.99.13. Definitions.

For purposes of the RPP Program, the following words and phrases shall have the meanings set forth in this section:

a. "Block" shall mean a public street segment intersected by two other public streets. Street segments over 600 feet in length but less than 1,200 feet in length shall be considered two blocks; street segments over 1,200 feet shall be considered three blocks.

b. "Contractor Permit" shall mean a permit issued to a contractor or its employee working on a residence within an RPP Zone.

c. "Director" shall mean the City Manager or his/her designee.

d. "Dwelling Unit" or "Residence" shall mean a self-contained house, apartment, condominium, or other residence with an assigned address as used by the U.S. Postal Service or as listed in the City directory.

e. "Guest Permit" shall mean a permit issued to a resident for use by a person visiting a residence in an RPP Zone or for workers providing services such as caregiving, gardening, repair, maintenance, and construction to the resident.

f. "Motor Vehicle" or "Vehicle" shall mean an automobile, truck, motorcycle, or other motor-driven form of transportation that does not include commercial vehicles.

g. "Parking Permit" or "Permit" shall mean a valid residential parking permit, guest permit, contractor permit, or visitor permit, in the form of a decal, sticker, hanger, or similar device issued pursuant to the RPP Program, which, when displayed upon a motor vehicle, shall permit the motor vehicle to park in a designated RPP Zone notwithstanding any parking time restrictions or parking prohibition in that zone established pursuant to the provisions of the RPP Program.

h. "Resident" shall mean a natural person living in a dwelling unit in an RPP Zone.

i. "Residential Parking Permit Program Guidelines" or "Guidelines" shall mean the City of Mountain View Residential Parking Permit Program Guidelines, as promulgated by the City Manager or his/her designee.

j. “Residential Parking Permit Zone” or “RPP Zone” shall mean a geographical area in which City Council has established a preferential parking permit system pursuant to California Vehicle Code Section 22507.

k. “Visitor Permit” shall mean a temporary twenty-four (24) hour permit issued to a resident for use by a person visiting a residence in an RPP Zone.

SEC. 19.99.14. Designation of Residential Parking Permit Zones.

The City Council, in accordance with the requirements set forth herein and in the Guidelines, may designate an RPP Zone in any area which satisfies the criteria set forth in detail in the Guidelines. The designation of an RPP Zone may be initiated by utilizing either of the following methods:

a. **Initiation by Neighborhood Petition.** Residents may request the formation of an RPP Zone in their neighborhood. The request and process shall be made, and considered, in accordance with the forms and procedures set forth in the Guidelines.

b. **Initiation by City Council.** The City Council may, by motion, initiate consideration of an RPP Zone by directing staff to undertake the analysis and outreach process set forth in the Guidelines.

SEC. 19.99.15. Procedure for Establishment of RPP Zones.

a. If the requirements set forth under the Guidelines are satisfied, with the necessary neighborhood support in favor of a proposed RPP Zone, City staff will present the RPP request to the Council Transportation Committee for public input, discussion, and recommendation to the Council.

b. Upon recommendation of the Council Transportation Committee, staff shall prepare a resolution designating the proposed RPP Zone for Council consideration. At a minimum, the resolution shall specify:

1. The findings that the criteria set forth in the Guidelines have been met;
2. The boundaries and the name of the RPP Zone;
3. Hours and days of enforcement of parking time restrictions and parking prohibitions that shall be in effect for nonpermit holders;
4. Other matters as the Council may deem necessary and desirable.

c. **An RPP Zone.** May be established by resolution of the City Council.

SEC. 19.99.16. Posting of Residential Parking Permit Zone Signs.

a. Upon adoption of the resolution by the City Council designating an RPP Zone, the Public Works Director shall cause appropriate signs to be erected in the zone, indicating prominently thereon the time limitations, period of the day for its application, and conditions under which Permit parking shall be exempt therefrom.

b. RPP Zone designation on parking signs may be shown in different colors for different zones such as blue, red, purple, etc.

c. Upon designation of an RPP Zone, City shall provide notice informing residents about implementation of the RPP Zone and its details.

SEC. 19.99.17. Annexation of New Areas to Existing Zones.

Residents may petition the Director for annexation into a contiguous RPP Zone and the request shall be considered pursuant to the Guidelines.

SEC. 19.99.18. Modification or Termination of Zones.

a. The City Council may terminate or modify a designated RPP Zone when the criteria for designating the RPP Zone are no longer satisfied or upon determination that the designated RPP Zone is not in the best interest of the City.

b. The procedure to opt out of an RPP Zone shall be set forth in the Guidelines.

SEC. 19.99.19. Issuance of Parking Permits.

a. Parking Permits shall be issued by the Director or his/her designee in accordance with the Guidelines. Each Permit shall identify the specific RPP Zone for which it is issued.

b. Applicants for Parking Permits shall be required to submit necessary documentation as set forth in the Guidelines.

SEC. 19.99.20. Residential Parking Permit Program Fees.

a. Parking Permit fees shall be established by Council resolution.

b. Permit fees shall not be prorated or refunded.

SEC. 19.99.21. Permit Violations; Revocation and Appeal.

a. No person shall park a vehicle in an RPP Zone in violation of any posted or noticed time restriction or parking prohibition, unless the person has a valid and current Parking Permit for that vehicle, or is otherwise exempt. Violations of this subsection shall be punishable as an infraction.

b. Any willful misuse of the Parking Permits, selling Permits to others, copying Permits, and providing false information to obtain Permits is not permitted and shall be punishable as an infraction. Such misuse shall also result in revocation of the Parking Permits for a period of one year. A revocation of a Parking Permit may be appealed to the Director by filing a request for an appeal within twenty-one (21) calendar days of the revocation. The appeal must state why the Permit should not be revoked. The Director shall respond within twenty-one (21) calendar days and the Director's decision shall be final.

c. Parking Permit holders are not exempt from State and local traffic and parking rules.

d. Parking permits are only valid in the RPP Zone for which the Permit is issued. They are not transferable to other RPP Zones.

SEC. 19.99.22. Permit Exceptions.

a. A valid Parking Permit displayed on a resident motor vehicle or nonresident motor vehicle shall permit such vehicle to be parked in the designated RPP Zone, and is not subject to any time limit restrictions or parking prohibitions posted in the RPP Zone. This provision shall not exempt any person from any other provisions of State law or City Code.

b. Emergency vehicles, vehicles with disabled placards, public utility vehicles, and government vehicles when used in the course of business, and vehicles actively delivering materials and freight are exempt from RPP Zone time-limited parking restrictions or parking prohibitions.

c. All motor vehicles parked within an RPP Zone without an RPP shall be subject to any posted parking restrictions.

d. A Parking Permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated RPP Zone."

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

Section 5. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly); and this ordinance is categorically exempt pursuant to CEQA Guidelines Section 15301(c) (Existing Facilities) because the project involves negligible or no expansion to existing use of highways and streets.

KB/3/ORD
015-10-04-16o-E