

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
REDWOOD CITY AMENDING CHAPTER 20, ARTICLE VII OF
THE REDWOOD CITY MUNICIPAL CODE BY AMENDING
SECTIONS 20.96 THROUGH 20.96.21 IN THEIR ENTIRETY
AND DIVISIONS 4, 5 AND 9 IN THEIR ENTIRETY**

RECITALS

Whereas, planned new development in Downtown Redwood City is likely to increase traffic and parking demand. (*Downtown Mixed Use Retail/Cinema Project Environmental Report, 2000*); and

Whereas, the City has conducted a substantive review of the literature and the practices of other cities to determine the most effective ways of managing the traffic and parking demand; and

Whereas, based on that review the City has determined that the most effective tool for managing on-street parking is a program of pricing the on-street public parking at a rate so as to achieve a fifteen percent (15%) vacancy rate in the parking spaces on each block. (*See Shoup, Donald. The High Cost of Free Parking, American Planning Association Planners Press. 2005*); and

Whereas, underpriced on-street parking causes "cruising," which adds to traffic congestion. *Shoup, page 291*; and

Whereas, a vacancy rate of about 15% is necessary to avoid cruising-induced traffic, to facilitate easy ingress and egress, and to offer parking opportunities to as many different people as possible. *Shoup, page 297*; and

Whereas, California Vehicle Code Section 22508 authorizes cities to establish parking meter zones and to fix the rate of fees for such zones; and

Whereas, parking meter rate ordinances "may ... justify a fee system intended and calculated to hasten the departure of parked vehicles in congested areas, as well as to defray the cost of installation and supervision." *DeAryan v. City of San Diego, 75 CA2d 292, 296 (1946)*; and

Whereas, such parking meter rate ordinances are for the purpose of regulating traffic and the parking of vehicles in the public streets, not a tax for revenue purposes. *Id* at 293; and

Whereas, receipts from such parking meter rate ordinances "may be used not only in defraying the expenses of installation, operation and control of such parking space and parking meters, but also those incurred in the control of traffic which may affect or be affected by the parking of vehicles in the parking meter zones thus created, including those incurred in connection with painting lines and signs, maintaining mechanical traffic signals and other expenses of regulating traffic and enforcing traffic regulations with respect to all traffic which may affect or be affected by the parking of vehicles in parking meter zones." *Id* at 296; and

Whereas, using parking meter rates to achieve a vacancy rate of about 15% negates the necessity for time restrictions on the use of parking spaces; and

Whereas, certain formerly unmetered off-street parking facilities must be metered in order to meet the demands of changing patterns of use of Downtown parking; and

Whereas, the parking permit program requires modifications in order to meet the demands of changing patterns of use of Downtown parking.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY THAT: [excerpt]

Sec. 20.120. PERIODIC ADJUSTMENT OF DOWNTOWN METER ZONE METER RATES:

Under the authority of California Vehicle Code section 22508, the City Council hereby adopts the following process for adjusting Downtown Meter Zone meter rates from time to time to manage the use and occupancy of the parking spaces for the public benefit in all parking areas within the Downtown Meter Zone.

A. To accomplish the goal of managing the supply of parking and to make it reasonably available when and where needed, a target occupancy rate of eighty-five percent (85%) is hereby established.

B. At least annually and not more frequently than quarterly, the Parking Manager shall survey the average occupancy for each parking area in the Downtown Meter Zone that has parking meters. Based on the survey results, the Parking Manager shall adjust the rates up or down in twenty-five cent (\$0.25) intervals to seek to achieve the target occupancy rate. The base parking meter rate, and any adjustments to that rate made pursuant to this ordinance, shall become effective upon the programming of the parking meter for that rate. A current schedule of meter rates shall be available at the City Clerk's office.

C. The hourly meter rate shall not exceed one dollar and fifty cents (\$1.50) without the express approval of the City Council.

D. This Section does not apply to the parking facilities described in Section 20.119 of this Division during the "peak hours."

Sec. 20.121. USE OF DOWNTOWN METER ZONE PARKING METER REVENUES:

Revenues generated from on-street and off-street parking within the Downtown Meter Zone boundaries shall be accounted for separately from other City funds and may be used only for the following purposes:

A. All expenses of administration of the parking program

B. All expenses of installation, operation and control of parking equipment and facilities within or designed to serve the Downtown Core Meter Zone

C. All expenses for the control of traffic (including pedestrian and vehicle safety, comfort and convenience) which may affect or be affected by the parking of vehicles in the Downtown Core Meter Zone, including the enforcement of traffic regulations as to such traffic.

D. Such other expenditures within or for the benefit of the Downtown Core Meter Zone as the City Council may, by resolution, determine to be legal and appropriate.

This ordinance shall take effect on February 1, 2006.