

**ORDINANCE NO. 2-17 N.S.**

**ADDING CHAPTER 14.56 TO THE RICHMOND MUNICIPAL CODE (RMC) TO ESTABLISH A NEIGHBORHOOD PERMIT PARKING PROGRAM(NPP) THAT IS INTENDED TO PROVIDE PARKING RESTRICTIONS IN RESIDENTIAL COMMUNITIES LOCATED NEAR MAJOR EMPLOYERS, COLLEGES, MEDICAL INSTITUTIONS AND THOSE IMPACTED BY COMMUTER SPILLOVER PARKING**

---

**Chapter 14.56**

**Neighborhood preferential permit parking**

Sections:

- 14.56.010 Legislative purpose.
- 14.56.020 Legislative findings.
- 14.56.030 Definitions.
- 14.56.040 Designation of neighborhood permit parking areas.
- 14.56.050 Designation and annexation criteria.
- 14.56.060 Designation process of a neighborhood permit parking zone or area.
- 14.56.070 Modification.
- 14.56.080 Issuance of vehicle parking permits.
- 14.56.090 Visitor permits.
- 14.56.100 Commercial permit parking zone.
- 14.56.110 Display of permit.
- 14.56.120 Residential permit parking terms of use.
- 14.56.130 Application for and duration of permit.
- 14.56.140 Permit fees.
- 14.56.150 Penalty provisions.
- 14.56.160 Revocation of permits.
- 14.56.170 Applicability of parking control vehicles.
- 14.56.180 Deletion of streets from neighborhood permit parking areas.
- 14.56.190 Administrative regulations.

**Chapter 14.56 Neighborhood preferential permit parking**

**14.56.010 Legislative purpose.**

This chapter is enacted in response to the serious adverse effects caused in certain 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. As set forth in more specific detail in Section 14.44.100 of this chapter, such parking by nonresidents threatens the health, safety and welfare of all the residents of the city. In order to protect these areas and neighborhoods, it is necessary to enact parking regulations restricting parking by nonresidents, while providing the opportunity for

residents to park near their homes. In these situations, uniform parking regulations restricting residents and nonresidents alike would not serve the public interest. Rather such regulations would contribute to neighborhood decline while ignoring alternatives to automobile travel available to nonresidents who park in these areas. For the reasons set forth in this chapter and pursuant to the authority of California Vehicle Code Section 22507, a system of preferential neighborhood permit parking is enacted for the city.

#### **14.56.020 Legislative findings.**

A. General Findings. The City Council finds, as a result of public testimony, evidence generated by city staff and derived from other sources, that serious adverse effects in certain areas and neighborhoods of the city result from motor vehicle congestion, particularly 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. The neighborhood permit program established by this chapter will relieve these serious adverse effects by:

1. Reducing potential hazardous traffic conditions resulting from the long-term parking of commuter vehicles in neighborhoods;
2. Protecting such areas and neighborhoods from polluted air, excessive noise, trash and refuse caused by the entry and exit of such motor vehicles;
3. Protecting the residents of such areas and neighborhoods from unreasonable burdens in obtaining parking near their residences and in gaining access to their residence;
4. Preserving the character of such areas and neighborhoods as residential; promoting the efficiency of the maintenance of the streets of such areas and neighborhoods in a clean and safe condition;
5. Preserving the value of property in such areas and neighborhoods;
6. Preserving the safety of children and other pedestrians;
7. Promoting traffic safety and the peace, good order, comfort, convenience and general welfare of the inhabitants of the city.

B. Specific Findings. The following specific legislative findings of the City Council in support of preferential neighborhood parking are set forth as illustrations of the need compelling the enactment of this chapter. These findings do not exhaust the subject of the factual basis supporting the enactment of this preferential neighborhood parking program.

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. A large number of Richmond residents possess automobiles and, as a result, are daily faced with the need to store these automobiles at or near their residences;
3. Certain neighborhoods and areas of the city have marginally sufficient or insufficient on- or off-street space to accommodate the convenient parking of motor vehicles by residents in the vicinity of their homes;
4. Some neighborhoods and areas as described in subsection (B)(3) of this section are often burdened by the parking in such neighborhoods and areas of motor vehicles owned by nonresidents which compete for the available on-street parking spaces;
5. There exists certain parking “generators” within the city, e.g., BART station, hospital complexes, and large public office buildings, which attract nonresidents to residential areas to seek parking which increases the severity of the shortage of space for resident parking in such neighborhoods and residential areas;
6. Unnecessary vehicle miles, noise, pollution, and strain on interpersonal relationships caused by the conditions set forth herein create unacceptable hardships on residents of these neighborhoods and areas by causing the deterioration of air quality, safety, tranquility, and other values of the urban residential environment;
7. If allowed to continue, these adverse effects on the residents of the city will contribute to a decline of the living conditions therein, a reduction in the attractiveness of residing within the city, and consequent injury to the general public welfare; and, enacting this chapter 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 improvement 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 preserving a more stable and valuable property tax base in order to generate the revenues required to provide essential public services.

#### **14.56.030 Definitions.**

- A. “Designated neighborhood parking permit area” means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.
- B. “Nonresidential vehicle” means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked. However, it could be eligible for any other parking permit the council shall designate.
- C. “Neighborhood parking permit” (NPP) means a permit issued under this chapter which, when registered to or when displayed upon a vehicle or, as described herein, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.
- D. “Parking permit” means a permit issued under this chapter which, when registered to or displayed upon a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.
- E. “Director” means the Transportation Director.
- F. “Transportation” means the Transportation Department and staff.
- F “Parking Services” means the Parking Services Division and staff.
- G. “Neighborhood – community facility” means churches, schools and senior centers located wholly within the general boundary of an NPP designated area.
- H. “Local business parking permit” means a permit issued under this chapter which, when displayed upon or registered to a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.
- I. “Visitor permit” means a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions pursuant to this chapter, for the date(s) indicated upon the face of said permit.
- J. “Motor vehicle” shall be an automobile, truck, motorcycle or other self-propelled form of transportation not in excess of 8,000 pounds gross weight and not in excess of 20 feet in length. A trailer, trailer coach, utility trailer, motor home/RV, or any other type of vehicle as defined in the California Vehicle Code that is not self-propelled, is not eligible for an NPP permit.
- K. “Controlled curb parking” means any on-street parking with existing parking limitations, such as meters, time restrictions, red zone, disabled zone, etc.

#### **14.56.040 Designation of neighborhood permit parking areas.**

The City Council, by resolution, may consider for designation any residential area in the City as a neighborhood permit parking area. The resolution shall state the boundaries of the area, applicable parking regulations, and fees, if any, to be charged upon permit issuance. The requirements governing the manner in which persons qualify for visitor permits, and local business permits in each residential permit parking area shall be established by the Transportation Department and may include, but not be limited to, current California Department of Motor Vehicle registration and proof of current residency or business license, each which shall reflect the address of the resident or the business to whom the permit is issued.

#### **14.56.050 Designation and annexation criteria.**

In determining whether a residential area may be designated as a neighborhood permit parking area, Transportation shall take into account factors which include, but are not limited to:

A. Whether a majority of the residents residing in the proposed impacted area show a desire and need of at least 51% of the adult residents are for neighborhood permit parking; and

B. The extent that motor vehicles are parked in the residential area during the period proposed for parking regulations.

#### **14.56.060 Designation process of a neighborhood permit parking area.**

A. There shall be three alternative processes by which City Council may consider any area for designation as a neighborhood permit parking area:

1. **Residents petition.** The City Council may consider any proposed area for which an application and a petition has been submitted and which satisfies the following requirements:

a. The application contains a description or a map showing the proposed permit parking area; and

b. The application includes a petition signed by a majority of the residents that reside in the proposed parking area. The petition shall include the following statement:

*“We, the undersigned, are residents and/or business owners of the proposed preferential residential permit parking area described in this petition. We understand that, if this area is designated as a neighborhood permit parking (NPP) area, certain restrictions will be placed upon on-street parking within the designated parking area; and residents of the area will be eligible to obtain permits exempting them from such parking restrictions; that the annual fee for a neighborhood parking permits shall be charged by the City of Richmond in accordance with the Master Fee Schedule; that a neighborhood parking permit may be issued to a resident of the same address, but not more than two parking permits shall be issued to any one address, except in areas where it appears that the number of permits issued would exceed the number of legal on-street parking spaces where the initial sale would be possibly limited to one permit per resident; that no more than one NPP permit shall be issued to each motor vehicle owned or leased for which an application is made; and that annual fees for residential parking, reserved disabled parking, and visitor permits shall be in accordance with the Master Fee Schedule per vehicle. We, the undersigned, hereby request that the City Council of the City of Richmond consider this application for establishment of the above described area as a “neighborhood permit parking area.”*

c. The statement shall be followed by a signature, printed name, address, phone number, email address, and date of signing of the application by a majority of the adult residents residing in the proposed parking area.

d. All petitions shall be the same as the standard petition form developed by Transportation staff.

Any petition form different from the standard petition form shall be deemed invalid for the purposes of this chapter.

2. **City Council initiation.** City Council may consider for designation as a neighborhood permit parking area any area for which the following requirements have been met:

A. City Council initiates an area as neighborhood permit parking area.

B. In the proposed neighborhood permit parking area at least 75% of the block fronts with unlimited on-street parking must be residentially zoned, and 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one hour periods between 100:00 a.m. and 4:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested neighborhood permit parking area.

3. **Recommendation by the Transportation Department.** Transportation may recommend an area for neighborhood permit parking designation.

- a. After Parking determines that a petition contains signatures from at least 51% of the residents of neighborhood in favor of a designation as a residential permit parking area, Transportation shall recommend by written report to the City Council, to designate the residential area under consideration as a neighborhood permit parking area.
- b. The report of the Parking Services Division shall set forth the results of the parking field study, the signed petition, and the proposed boundaries and regulations of the residential permit parking area.
- c. Upon receipt by the City Council of the Transportation's recommendation as described in subsection A of this section, the Council may, by resolution, after public hearing:
  1. Establish a neighborhood parking area based upon application and adopt any regulations and time restrictions determined by City Council to be reasonable and necessary in the area.
- d. Notice of the hearing shall be posted at least ten days prior to the hearing on all blocks proposed to be included in the neighborhood permit parking area.

#### **14.56.070 Modification.**

After public hearing with notice as described in Section 14.56.060 the Council may, by resolution, modify a designated neighborhood permit parking area.

#### **14.56.080 Issuance of vehicle parking permits.**

A. Vehicle parking permits shall be issued by the Transportation Department. Each permit shall state the specific neighborhood permit parking area, the license number of the motor vehicle for which it is issued, and any additional information required by Parking Services to enforce the provisions of this chapter. Only one parking permit shall be issued for each motor vehicle. The requirements governing the manner in which persons qualify for vehicle parking permits in each neighborhood permit parking area shall be established by the Parking Services and may include, but not be limited to, current California Department of Motor Vehicle registration and proof of current residency, both of which shall reflect the address of the resident or owner to whom the permit will be issued.

B. Vehicle parking permits may be issued for motor vehicles only upon application of the following persons:

1. A resident of the residential permit parking area who owns a motor vehicle registered with the California Department of Motor Vehicles at the address where the resident lives;
2. A resident of the residential permit parking area who has a company leased or company-owned vehicle regularly parked in the area;
3. A person who owns or leases commercial property located in the residential permit parking area, who actively engages in business activity at the property and uses a motor vehicle for such business activity which is registered with the California Department of Motor Vehicles in the name of the business and the address of the commercial property (limited to one vehicle);
4. A resident of the residential permit parking area on active military duty with the United States Armed Forces who maintains a separate vehicle registration address.

#### **14.56.090 Visitor permits.**

The Transportation Department is authorized upon application to issue visitor permits to eligible residents and owners of residential properties that are located within a neighborhood permit parking area for use by transient visitors. The requirements governing the manner in which persons shall qualify for visitor permits in each residential permit parking area shall be established by the Parking Services and may include, but are not be limited to, current California Department of Motor Vehicle registration and proof of current residency, both of which shall reflect the address of the resident or owner to whom the permit is issued.

#### **14.56.100 Commercial permit parking zone.**

The City Council may designate by resolution certain streets, areas, or portions thereof, as permit parking zones in which zones commercial vehicles displaying a permit or other authorized indicia may be exempt from the parking restrictions set forth in Sections 14.44.080 and 14.44.110.

(a)

The City Council shall conduct a public hearing on any proposal to establish a permit parking zone. Not less than (10) ten days prior to the date of the public hearing, there shall be mailed notice of said hearing to the property owners of record abutting the streets, or portions thereof, of the proposed permit parking zone. The City Council may establish a permit parking zone if it finds: (1) that a shortage of reasonably available and convenient commercial-related parking spaces exists in the proposed permit parking zone and the surrounding area; (2) that the zone is necessary to provide reasonable available and convenient parking for the benefit of a residence(s), or business(es); (3) that the proposed permit parking zone will not adversely affect residents and businesses within and adjacent to said zone; and (4) that no alternative solution is feasible or practical. If, following the public hearing, the City Council determines that a permit parking zone should be created, the City Council shall adopt a resolution establishing the boundaries of the zone and any parking regulations, fees, or other appropriate provisions.

(b)

All parking permits shall be issued by Parking Services. Parking Services is authorized to issue such rules and regulations, consistent with this section and any resolution adopted by the City Council, governing the manner in which permits shall be issued and used. Parking Services is authorized to deny or revoke the parking permit of any person who does not conform with or violates said rules and regulations or any provision of this section. Prior to the denial or revocation of a permit, the Parking Services shall give the person at least a (10) ten day written notice of the impending denial or revocation and the reasons therefor. Within said (10) ten day period, the person may request a hearing before the Director. Such request for a hearing must be in writing, setting forth the reasons why the permit should not be denied or revoked. The Director shall conduct a hearing on the proposed denial or revocation. The decision of the Director shall be final and conclusive. Upon revocation of a permit, the permittee shall surrender the permit to Parking Services.

(c)

Upon adoption by the City Council of a resolution designating a permit parking zone, the Director of Public Works shall cause appropriate signs and/or markings to be erected in the zone, indicating prominently thereon the parking regulations.

(d)

A parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated permit zone.

(e)

It shall be unlawful for any person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor to Transportation.

(f)

It shall be unlawful for any person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking regulations applicable in the permit parking zone.

(g)

Nothing contained in Section 14.56.080 shall constitute an exemption from or supersede the provision of Article 1 of Chapter 5 of Division 13 of the California Vehicle Code (Section 31303 et seq.).

#### **14.56. 110 Display of permit.**

Permits shall be displayed in a manner as determined by Parking Services.

#### **14.56. 120 Residential permit parking terms of use.**

A motor vehicle displaying a valid neighborhood parking permit may park in the residential permit parking area for which the permit has been issued and within two city blocks from the end of the city block of the address to which the permit is issued without being limited by parking regulations established pursuant to this chapter. The motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this chapter. All other motor vehicles parked within a residential permit parking area shall be subject to the parking regulations established pursuant to this chapter.

With exception to a permit issued for reserved disabled parking, a residential parking permit shall not guarantee or reserve to the holder an on-street parking space within the designated residential permit parking area.

#### **14.56.130 Application for and duration of permit.**

Except as otherwise provided, each vehicle parking permit or visitor parking permit issued by the Parking Services shall be valid for no more than one year based on the permit renewal cycle. Permits may be renewed upon reapplication in the manner required by the Parking Services. Each application or reapplication for a neighborhood parking permit shall contain information sufficient to identify the applicant, his or her residence or business address or address of real property owned or leased within permit parking area, the license number of the motor vehicle for which application is made (for vehicle parking permits), and such other information that may be deemed relevant to the Parking Services.

#### **14.56. 140 Permit fees.**

The fee, if any, for eligible residents or businesses within the neighborhood permit parking area for a parking permit shall be established by resolution of the City council.

#### **14.56. 150 Penalty provisions.**

A. It is a violation of this chapter, unless expressly provided to the contrary, for any person to stand or park a motor vehicle contrary to the parking regulations established by this chapter. A violation shall be subject to civil penalty as specified in the resolution by the city council pursuant to Section 14. 56.080 of this title.

B. It is unlawful and a violation of this chapter for a person to falsely represent him or herself as eligible for a neighborhood parking permit or to furnish false information in order to obtain a permit. Any such violation shall subject the violator(s) to a parking penalty and revocation of the residential permit(s) until the next renewal cycle for that permit area provided that the proper documentation is submitted to obtain any renewal permits at the time of application.

C. It is a violation of this chapter, unless expressly provided to the contrary, for a person holding a valid neighborhood parking permit issued pursuant to this chapter, to permit the use or display of the permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute a violation of the chapter both by the person holding the valid neighborhood parking permit and the person who uses or displays the permit on a motor vehicle other than that for which it is issued. This violation shall be subject to civil penalty as specified in the resolution adopted by the city council pursuant to Section 14.56.080(b) of this title.

D. It is a violation of this chapter to use, or allow to be used, any neighborhood parking permit for commuter parking. Use of any neighborhood parking permit for commuter parking shall mean: (1) use of a neighborhood parking permit more than two city blocks from the address for which it is issued; or (2) use of a neighborhood parking permit for the purpose of parking to go to one's place of employment or educational institution. Use of a neighborhood parking permit for commuter parking shall constitute a violation of this chapter both by the person to whom the parking permit was issued and by the registered owner of the vehicle upon which the parking permit is displayed. This violation shall be subject to civil penalty as specified in the resolution adopted by the city council pursuant to Section 14.56.080 (a) of this title.

E. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise create a facsimile or counterfeit parking permit in order to evade parking regulations applicable in a neighborhood permit parking area. It is also a violation to sell, transfer, exchange or assign any vehicle, visitor or temporary permit. Any such violation shall subject the violator(s)

to a parking penalty and revocation of the neighborhood parking permit(s) until the next renewal cycle for that permit area provided that the proper documentation is submitted to obtain any renewal permits at the time of application.

#### **14.56.150 Revocation of permits.**

In the event a neighborhood parking permit is being used in a manner which violates this chapter, the Parking Services may cancel the permit by issuing a written notice to the holder of the permit. In addition to canceling any neighborhood parking permit used in violation of this chapter, the Parking Services may deny any further application for a neighborhood parking permit by any person who has used a parking permit in violation of this chapter or any application for a neighborhood parking permit by any person for the residence or business in which such person resides or works as long as that person who used a neighborhood parking permit resides there. Any person aggrieved by such a determination made by the Parking Services shall have the right to appeal to the Director within ten (10) days of such determination.

#### **14.56.160 Applicability to parking control vehicles.**

The provisions of this chapter shall not be construed to prohibit the stopping, standing or parking of parking control vehicles while such vehicles are being used in parking control enforcement, provided, however, that this section shall not supersede provisions of this title, which expressly refer to or regulate parking control vehicles.

As used in this section the term "parking control vehicles" means any vehicle used by an authorized official of the city during the enforcement of parking and registration regulations pursuant to the chapters of this code and the California Vehicle Code.

#### **14.56.170 Deletion of streets from neighborhood permit parking areas.**

A. Persons desiring the deletion of a neighborhood permit parking area or portion of a neighborhood permit parking area shall consult with the Parking Services to tentatively establish the boundaries of the area proposed for deletion.

B. If Parking Services determines there is a significant show of interest by the residents in a neighborhood permit parking area for deletion of the area as a permit parking area, the Parking Services shall undertake a parking study to determine whether deletion of the area is appropriate. In the event that the parking study demonstrates an occupancy rate of more than fifty (50) percent, the Parking Services shall decline a request to delete the neighborhood area or a substantial portion of that area, for a period of one year following determination of the occupancy rate unless there is a substantial change in the character of the residential area that impacts the need and desire for deletion of the neighborhood permit parking area or a portion thereof.

C. If the parking study shows a fifty (50) percent or less occupancy rate, the Parking Services shall undertake voting surveys to determine support or opposition to the proposed deletion by property owners of the properties located on the blockface(s) for the area proposed for deletion. Unless a majority of voting surveys are returned with at least two-thirds voting in favor of the deletion, the area shall not be deleted as a neighborhood permit parking area.

D. After determining that a majority of the voting surveys are returned with at least two-thirds voting in support of deletion of the area as a neighborhood permit parking area, the Parking Services shall mail notices to the residents of the neighborhood permit parking area. The notices shall set forth the proposed location and boundaries of the area to be deleted.

E. If it appears, based on the parking study and the voting survey, that the general consensus within the proposed neighborhood permit parking area is in favor of deleting an area as a neighborhood permit parking area, Transportation shall provide recommendations by written report to the city council, whether to delete the area under consideration as a neighborhood permit parking area.

First read at a regular meeting of the Council of the City of Richmond held January 17, 2017, and finally passed and adopted at a regular meeting thereof held February 7, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis,  
Vice Mayor Beckles, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

**PAMELA CHRISTIAN**  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:  
**TOM BUTT**  
Mayor

Approved as to form:  
**BRUCE GOODMILLER**  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Ordinance No. 2-17 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 7, 2017.



---

Pamela Christian, City Clerk of the City of Richmond