

RESOLUTION NO. 3190**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
REPEALING RESOLUTION NO. 2596 AND MODIFYING VILLAGE
PREFERENTIAL PARKING RULES AND REGULATIONS**

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY RESOLVES AS FOLLOWS:

Section I. Resolution No. 2596 is hereby repealed in its entirety.

Section II. Village Preferential Permit Parking Program.

A. Enforcement/Administration. The Chief of Police is hereby authorized to comprehensively enforce and administer the Village Preferential Parking Permit Program established by this Resolution.

B. Permit Entitlement.

1. To the extent set forth in this section B(1) and illustrated in the matrix attached as Exhibit A to this Resolution, household units in the "Village Permit Eligibility Area" depicted in Exhibit B to this Resolution shall be entitled to village preferential parking permits.

a. Household units occupied on a full-time basis which have no off-street parking spaces shall be entitled to receive a maximum of two village preferential parking permits for vehicles legally registered at that household address.

b. Household units occupied on a full-time basis which have no off-street parking spaces and one vehicle legally registered to that household address shall be entitled to a maximum of one village preferential parking permit.

c. Household units occupied on a full-time basis which have one off-street parking space and two or more vehicles legally registered to that household address shall be entitled to a maximum of one village preferential parking permit.

d. Household units occupied on a full-time basis which have one off-street parking space and one vehicle legally registered to that address shall not be entitled to a village preferential parking permit.

e. Household units with or without off-street parking but with no vehicles legally registered to that address shall not be entitled to a village preferential parking permit.

Section II. B. 1. (Continued)

f. Household units occupied on a part-time basis, including vacation rentals and units periodically occupied by non-resident owners, which have no off-street parking spaces and with at least one vehicle shall be entitled to a maximum of one village preferential parking permit. The parking permit may be transferable among different vehicles.

g. Under no circumstances will a household unit with two or more off-street parking spaces be entitled to receive a village preferential parking permit.

h. Household units with vehicles legally registered to that household address, which are not eligible for a village preferential parking permit, may apply for and receive a free Pacific Cove parking permit subject to the fifty permit limitation set forth in Section C.

i. Household units with vehicles legally registered to that household address which are eligible for a village preferential parking permit may opt to exchange a village preferential parking permit entitlement for a free Pacific Cove parking permit subject to the fifty permit limitation set forth in Section C.

j. Under no circumstances will a household unit be entitled to receive more than two village preferential parking permits.

C. Life of Permit/Maximum Number of Permits. Village preferential parking permits and Pacific Cove parking permits shall take effect on January 1 of the calendar year for which the permit is issued and shall expire on December 31 of the year for which the permit is issued. Permits for a given calendar year shall be issued on a "first come/first served" basis. The maximum number of village preferential parking permits which may be issued for any calendar year is 350. The maximum number of optional Pacific Cove parking permits which may be issued pursuant to Section B for any calendar year is 50.

D. Parking Permit Privileges.

1. Vehicles displaying a village preferential parking permit or an optional Pacific Cove parking permit shall be exempt from the parking meter requirements relative to parking meters in the Pacific Cove parking lot and shall not be bound by the twelve-hour parking limitation in effect at the Pacific Cove parking lot.

2. Subject to subsection (4), vehicles validly displaying village preferential parking permits are exempt from the Capitola Municipal Code Section 10.36.290 two-hour maximum parking limitation in the "Village Two Hour Parking Limit" area depicted in Exhibit C to this Resolution.

3. Subject to subsection (4), vehicles validly displaying village preferential parking permits are exempt from the Capitola Municipal Code Section 10.36.045 requirement to pay parking meter fees at metered parking spaces in the Village two-hour parking limit area depicted in Exhibit B to this Resolution.

Section II. D. (Continued)

4. Esplanade Metered Parking – No Exemption. Notwithstanding the privileges conferred by subsections (3) and (4), vehicles validly displaying village preferential parking permits shall not be exempt from the two-hour parking limit or parking meter requirements as those requirements apply to the 24 metered parking spaces diagonal to the seawall on the ocean side of the Esplanade between the intersection of San Jose Avenue and the entrance to Esplanade Park.

E. Permit Fee. The permit fee for village preferential parking permits shall be \$25.00 per permit per year.

Section III. Village Employer/Employee Parking Permits Program.

A. Subject to the requirements and limitations set forth in this section, owners of businesses located in the Village Preferential Parking Permit eligibility area as depicted on Exhibit B to this Resolution shall be eligible to purchase “village employer/employee parking permits.” Vehicles validly displaying such permits shall be exempt from paying parking meter fees in the Pacific Cove parking lot only and shall not be bound by the twelve-hour parking limitation in effect at the Pacific Cove parking lot only.

1. Notwithstanding the foregoing 35 percent limitation, each eligible Village business may apply for at least two village employer/employee parking permits. The maximum number of village employer/employee parking permits issued to any Village business shall not exceed 35 percent of the total number of that Village business’s employees, as documented by the business’s State Reporting Form DE-9.

2. Village employer/employee parking permits may be transferable among different vehicles.

3. Village employer/employee parking permits may be used only when the driver of the vehicle displaying the permit is actually working at the Village business which holds the permit.

4. The permit fee for village employer/employee parking permits shall be \$25.00 per permit per year.

5. Village employer/employee parking permits shall expire on December 31 of the year during which the permit is issued. Permits for a given calendar year shall be issued on a “first-come/first served” basis. The maximum number of village employer/employee parking permits which may be issued for any calendar year is fifty (50).

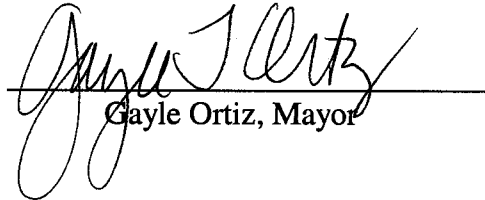
I HEREBY CERTIFY that this resolution was conceptually adopted by the City Council of the City of Capitola at a Special Meeting held on the 23rd day of January 2002, by the following vote:

AYES: Council Members Norton, Gualtieri, Arthur and Mayor Ortiz

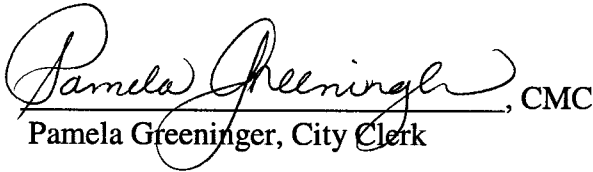
NOES: Council Member Harlan

ABSENT: None

ABSTAIN: None


Gayle Ortiz, Mayor

ATTEST:


Pamela Greeninger, City Clerk

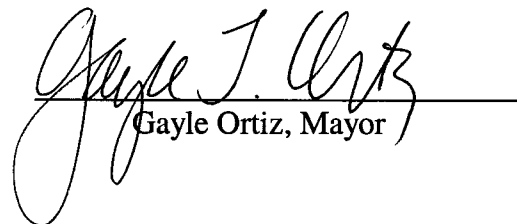
I FURTHER CERTIFY that the above and foregoing resolution was finally passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 14th day of March, 2002, by the following vote:

AYES: Council Members Norton, Gualtieri, and Arthur.

NOES: Council Member Harlan and Mayor Ortiz

ABSENT: None

ABSTAIN: None


Gayle Ortiz, Mayor

ATTEST:

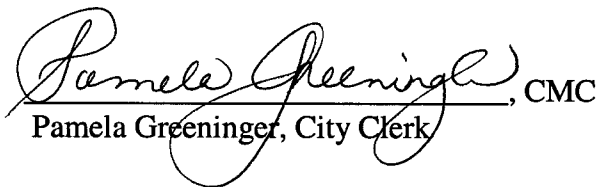

Pamela Greeninger, City Clerk

EXHIBIT A

	FULL TIME**** OCCUPANCY	PART TIME**** OCCUPANCY	VEHICLES	OFF- STREET PARKING	VILLAGE PREFERENTIAL PARKING PERMITS
a.	X		2 + *	0	2**
b.	X		1	0	1**
c.	X		2+*	1	1**
d.	X		1	1	0
e.	X	X	0	0	0
f.		X	1+	0	1**/***
g.	X	X	0+	2+	0

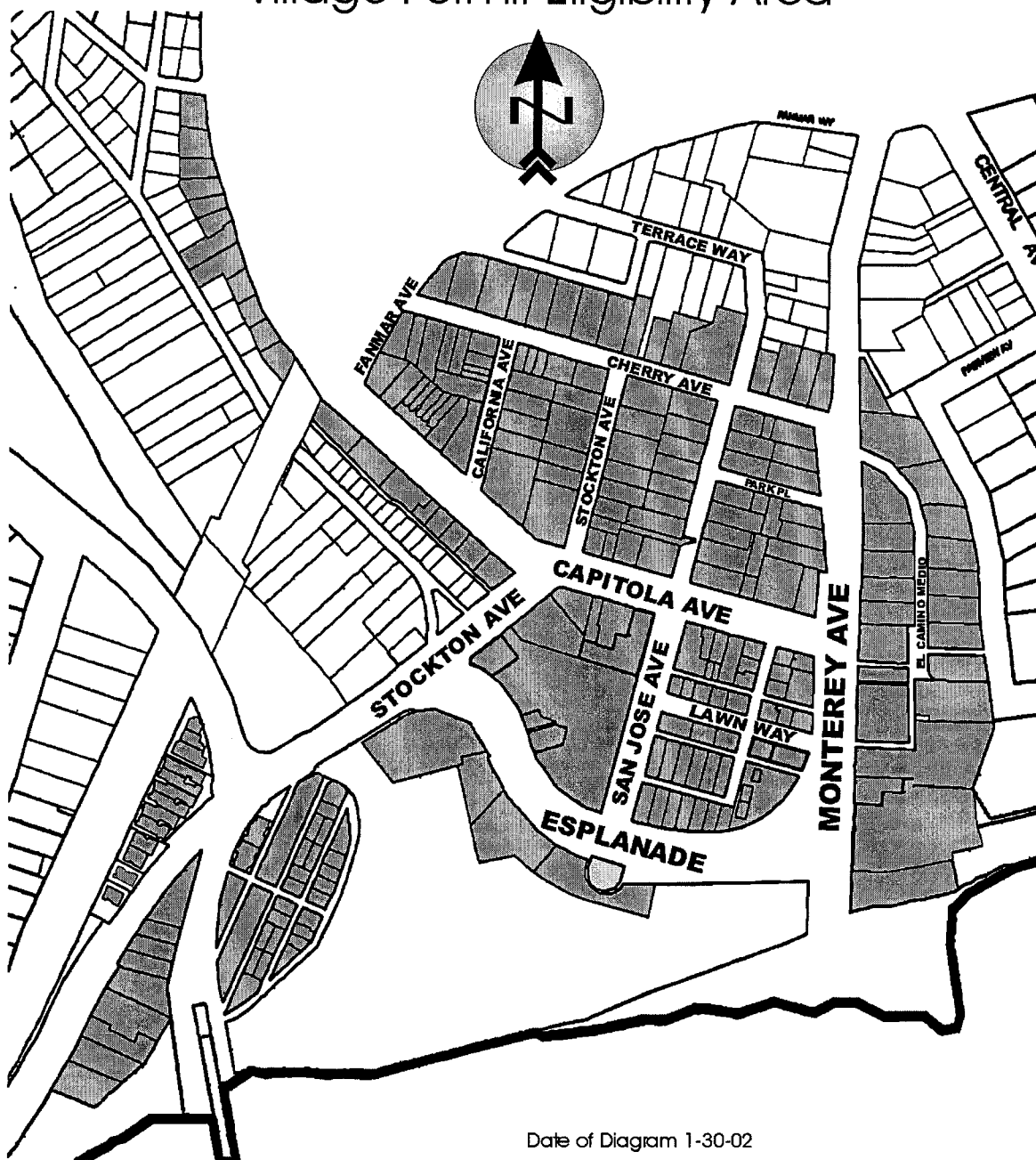
***For Vehicle Nos. 3 and above legally registered to that household address, occupant may apply for and receive at no cost a Pacific Cove Parking Permit subject to the cumulative fifty-permit limit.**

****May opt to exchange one or more Village Preferential Parking Permits for a free Pacific Cove Parking Permit subject to the cumulative fifty-permit limit.**

*****Parking permit may be transferable among different vehicles.**

******The Chief of Police is authorized to determine whether a particular occupancy is a full-time occupancy or part-time occupancy.**

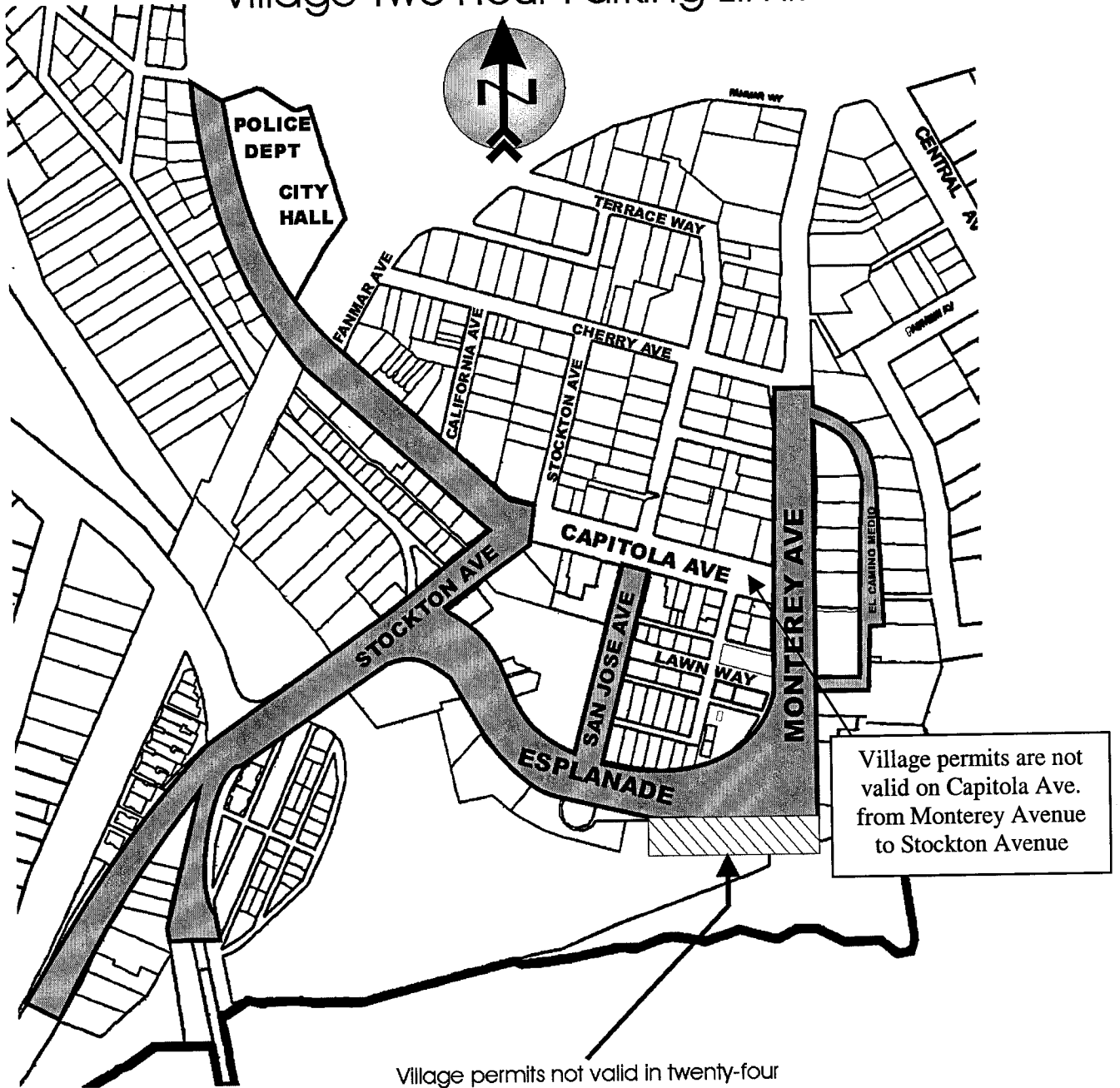
Village Permit Eligibility Area



Date of Diagram 1-30-02

EXHIBIT B

Village Two Hour Parking Limit



Village permits are not valid on Capitola Ave. from Monterey Avenue to Stockton Avenue

Village permits not valid in twenty-four metered parking spaces on the ocean side of the Esplanade.

Date of Diagram 1-30-02

EXHIBIT C