

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF CAPITOLA
AMENDING SECTION 10.36.055 OF THE CAPITOLA
MUNICIPAL CODE PERTAINING TO PARKING METER RATES AND ZONES AND AMENDING
SECTION 10.38 SPECIFICATION OF PARKING METER RATES**

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, Chapter 10.36 of the Capitola Municipal Code is part of the Capitola's LCP-Implementation Plan ("LCP-IP"); and

WHEREAS, Section 10.36.055 of the LCP-IP includes parking meter rates and parking meter zones which were last updated in 2009; and

WHEREAS, because the City's parking meter rates and parking meter zones are included within the City's LCP-IP, any amendments to those provisions, including routine updates to adjust parking meter rates with inflation, require an amendment to Capitola's LCP-IP and certification by California Coastal Commission; and

WHEREAS, the City of Capitola is the only California coastal city with parking meter rates included within the City's LCP-IP; and

WHEREAS, it is common practice in other cities located within the Coastal Zone to obtain a Coastal Development Permit, rather than amend their LCP-IP, to modify parking meter rates and zones to ensure consistency with the Coastal Act; and

WHEREAS, the City of Capitola is required to establish parking meter zones and rates within the Municipal Code consistent with State of California Vehicle Code Section 22508; and

WHEREAS, staff evaluated the potential impact on public coastal access, and maintaining existing levels of public access in determining appropriate parking meter rates; and

WHEREAS, the proposed amendments support opportunities for alternative access to the Coastal Zone so as to fully mitigate any potential negative impacts and maximize access opportunities; and

WHEREAS, revenue from fee-based parking programs within the Coastal Zone shall be utilized to fund public access to coastal resources, protect public safety in the Coastal Zone, and provide public services in the Coastal Zone.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:

Section 1. Capitola Municipal Code Section 10.36.055 is hereby amended to read as follows:

10.36.055 Parking meter zones/rates.

A. ~~The following parking meter zones are hereby established in the city of Capitola:~~

1. ~~Parking Meter Zone A(1). The area labeled as Zone A(1) on the map attached hereto as Exhibit "A" found on file in the office of the city clerk, shall constitute parking meter Zone A(1). The city public works director, acting in the director's capacity as superintendent of streets, is hereby authorized to install parking in all public parking spaces located in zone A(1) and to place appropriate signage in zone A(1) relative to said metered parking. Parking meters will operate in~~

~~zone A(1) each day of the week from the hours of eight a.m. to eight p.m. The city council, by resolution or minute order, may designate days when said parking meters will not operate.~~

~~———— Parking meter zone A(1) includes parking spaces along both sides of the following streets located in and surrounding the Capitola Village:~~

- ~~———— a. ——— Capitola Avenue from Monterey Avenue to Beulah Drive;~~
- ~~———— b. ——— Monterey Avenue from Esplanade to the Union Pacific Railway;~~
- ~~———— c. ——— Esplanade along its entire length from Stockton Avenue to Monterey Avenue;~~
- ~~———— d. ——— San Jose Avenue from Capitola Avenue to Esplanade;~~
- ~~———— e. ——— Stockton Avenue from Capitola Avenue to Cliff Drive;~~
- ~~———— f. ——— Wharf Road from Stockton Avenue to the Capitola Municipal Wharf;~~

~~———— 2. Parking Meter Zone A(2). The area labeled as Zone A(2) on the map attached hereto as Exhibit "A" found on file in the office of the city clerk, shall constitute parking meter zone A(2). The city public works director, acting in the director's capacity as superintendent of streets, is hereby authorized to install parking meters in all public parking spaces located in zone A(2) and to place appropriate signage in zone A(2) relative to said metered parking. Parking meters will operate in zone A(2) each day of the week from the hours of eight a.m. to eight p.m. The city council, by resolution or minute order, may designate days when said parking meters will not operate.~~

~~———— Parking meter zone A(2) includes parking spaces along both sides of the following street:~~

- ~~———— a. ——— Cliff Drive from Stockton Avenue to the city limits;~~

~~3. Parking Meter Zone B. The city-owned parking lot adjacent to, and directly to the north and east of Capitola City Hall, portion of APN 35-141-33 located at 426 Capitola Avenue, which encompasses the area known as Pacific Cove Parking Lot, as depicted on the map attached hereto as Exhibit "B" found on file in the office of the city clerk, shall constitute parking meter zone B. The city public works director, acting in the director's capacity as superintendent of streets, is hereby authorized to install parking meters in all public parking spaces located in zone B and to place appropriate signage in zone B relative to said metered parking. Parking meters will operate in zone B each day of the week from the hours of eight a.m. to eight p.m. The city council by resolution or minute order may designate days when said parking meters will not operate.~~

~~B. ——— The following parking meter rates are hereby established in the city of Capitola:~~

Zone A(1) (Village Area).....	———— \$2.00 per hour
Zone A(2) (Cliff Drive Area).....	———— \$1.00 per hour
Zone B (Pacific Cove Parking Lot).....	———— \$0.75per hour

~~Section 2. — This ordinance shall take effect and be in force thirty (30) days after final adoption or upon approval of Coastal Development Permit No.09-002, which ever occurs last.~~

~~A. ——— Parking meter zones and rates.~~

- ~~1. The City Council may establish parking meter zones and rates consistent with State of California Vehicle Code Section 22508.~~
- ~~2. Changes to parking meter zones and rates shall only be upon the issuance of a Coastal Development Permit.~~
- ~~3. When considering a Coastal Development Permit application for parking meter zones and rate modifications, the City shall evaluate the potential impact on public coastal access, and ensure existing levels of public access are maintained, including through ensuring that alternative access opportunities, including bike lanes and parking, pedestrian trails, and relocated free~~

vehicular parking spaces, are provided so as to fully mitigate any potential negative impacts and maximize access opportunities. Any revenue from fee-based parking programs within the Coastal Zone shall only be used to fund public access to coastal resources, protect public safety in the Coastal Zone, and provide public services in the Coastal Zone.

Section 2. Capitola Municipal Code Section 10.38.010 is hereby amended to read as follows:

10.38.010 Specification of Parking Meter Zones and Rates

A. The following Parking Meter Zones are hereby established in the City of Capitola:

1. Parking Meter Zone A(1). The area labeled as Zone A(1) on the map attached to the ordinance codified in this chapter as Exhibit "A" found on file in the office of the city clerk shall constitute Parking Meter Zone A(1).

Parking Meter Zone A(1) includes parking spaces along both sides of the following streets located in and surrounding the Capitola Village:

- a. Capitola Avenue from Monterey Avenue to Beulah Drive;
- b. Monterey Avenue from Esplanade to the Union Pacific Railway;
- c. Esplanade along its entire length from Stockton Avenue to Monterey Avenue;
- d. San Jose Avenue from Capitola Avenue to Esplanade;
- e. Stockton Avenue from Capitola Avenue to Cliff Drive; and
- f. Wharf Road from Stockton Avenue to the Capitola Municipal Wharf.

2. Parking Meter Zone A(2). The area labeled as Zone A(2) on the map attached to the ordinance codified in this chapter as Exhibit "A" found on file in the office of the city clerk shall constitute Parking Meter Zone A(2). Parking Meter Zone A(2) includes parking spaces along both sides of the following street: Cliff Drive from Stockton Avenue to the city limits.

3. Parking Meter Zone B. The city-owned parking lots adjacent to, and directly to the north and east of Capitola City Hall, comprised of APN 35-141-33 located at 426 Capitola Avenue, which encompasses the area known as the Upper and Lower Pacific Cove Parking Lots, as depicted on the map attached to the ordinance codified in this chapter as Exhibit "B" found on file in the office of the city clerk, shall constitute Parking Meter Zone B.

B. The city public works director, acting in the director's capacity as superintendent of streets, is hereby authorized to install parking meters in all public parking spaces located in all meter zones and to place appropriate signage relative to said metered parking. Parking meters will operate in each day of the week from the hours of eight a.m. to eight p.m. The city council, by resolution or minute order, may designate days when said parking meters will not operate in any meter zone.

C. The following parking meter rates are hereby established in the city of Capitola:

Zone A(1) (Village Area)	\$1.50 <u>\$2.00</u> per hour
Zone A(2) (Cliff Drive Area)	\$1.00 <u>\$2.00</u> per hour

Zone B (Pacific Cove Parking Lot)

~~\$0.50~~ \$1.00 per hour

Section 3. Compliance with the California Environmental Quality Act ("CEQA"). Adoption of this Ordinance is not a project within the meaning of CEQA Guidelines Section 15378 and 15061(b)(3) as it has no potential for physical effects on the environment because it involves a modification of certain rates and/or charges imposed by the City and additional administrative activity and does not commit the City to any specific project.

Section 4. Severability. If any section, subsection, sentence, clause or phrase or word of this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This Ordinance shall take effect 30 days following adoption, or upon certification by the California Coastal Commission of Amendments to Chapter 10.36, whichever is later.

Section 5. Publication. The City Clerk is directed to publish this Ordinance as required by State law.

This ordinance was introduced on the 8th day of June, 2023 and was passed and adopted on the ___ day of ___, 2023 by the City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Margaux Keiser, Mayor

ATTEST:

_____,
Julia Moss, City Clerk