

**PLEASE NOTE:**

This copy of Ordinance No. 43.212 is a “redlined” version for your convenience. Text additions are designated by an underline and text deletions are designated with a strikethrough.

**REGULAR**

**NUMBER: 43.212**

**TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING TITLE V, CHAPTER 100, SECTION 15.06 "PARKING TIME LIMITED ON CERTAIN ENUMERATED STREETS" OF THE MILPITAS MUNICIPAL CODE**

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, 2019, upon motion by Councilmember \_\_\_\_\_ and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, 2019, upon motion by Councilmember \_\_\_\_\_. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Rich Tran, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney

## **RECITALS AND FINDINGS:**

**WHEREAS**, the Milpitas Bay Area Rapid Transit (BART) station is located within the City's Transit Area Specific Plan (TASP) area; and

**WHEREAS**, the Milpitas BART station is expected to open for passenger service before December 31, 2019; and

**WHEREAS**, consultation with the Valley Transportation Authority (VTA) and BART resulted in concerns that BART riders would seek free, unrestricted on-street parking around the new Milpitas BART station rather than pay to park within the VTA/BART parking lot and garage; and

**WHEREAS**, this behavior would significantly reduce public on-street parking supply affecting adjacent neighborhoods, City parks, and businesses; and

**WHEREAS**, the City of Milpitas conducted a study to quantify the effects of BART riders/commuters on City streets and developed parking strategies to address these issues; and

**WHEREAS**, the study found that BART commuters would likely walk up to a half mile from their vehicles to the transit center to avoid transit center parking fees and continuously occupy on-street parking for full workdays, which would reduce on-street parking supply for other uses;

**WHEREAS**, the study recommended the implementation of weekday restrictions for on-street parking for streets within a half-mile radius of the BART station; and

**WHEREAS**, the City desires to implement such weekday restrictions for on-street parking for streets within a half-mile radius of the BART station, without restricting on-street parking on such streets during nights, weekends, or holidays.

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

### **SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

### **SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE SECTION 15.06, CHAPTER 100, TITLE V**

Section 15.06 entitled "Parking Time Limited on Certain Enumerated Streets" of Chapter 100, Title V (Traffic) of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-15.06 - Parking Time Limited on Certain Enumerated Streets**

In accordance with the provisions of Section 12.01 and when signs are erected giving notice thereof, no person shall stop, stand, or park any vehicle for a period time in excess of the time therein indicated on the streets or portions of streets described as follows:

No.	Street	Segment	Duration	Time
.1	Deleted by Ord. 43.81			
.2	Deleted by Ord. 43.81			
.3	Deleted by Ord. 43.198			
.4	Deleted by Ord. 43.207			
.5	Milpitas Library	Parking Zones in front of the Library Parking Lot Facing the Main Entrance	5-Minutes	Any Time
.6	Deleted by Ord. 43.210			
.7	Deleted by Ord. 43.210			
.8	Deleted by Ord. 43.209			
.9	Alvarez Court	East Side	4 Hours	7 a.m.—9 p.m.
.10	Thompson Street	West Side from Great Mall Parkway to Machado Street	3 Hours	Any Time
.11	Thompson Court	West Side from Machado Street to North End-of-Street	3 Hours	7 a.m.—6 p.m. Everyday
.12	Thompson Court	East Side from Machado Street to North End-of-Street	10 Hours	7 a.m.—6 p.m. Mon—Fri
.13	S Hillview Drive	East Side from Calaveras Boulevard to Los Coches Street	4 Hours	7 a.m.—6 p.m. Mon—Fri
.14	Hammond Way	West Side from Curtis Avenue to 1,500-Foot North of Curtis Avenue	10 Hours	7 a.m.—6 p.m. Mon—Fri

No.	Street	Segment	Duration	Time
<u>.15</u>	<u>Gladding Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.16</u>	<u>Piper Drive</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.17</u>	<u>Merry Loop</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.18</u>	<u>Garden Street</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.19</u>	<u>McCandless Drive</u>	<u>Great Mall Parkway to Penitenica Creek</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.20</u>	<u>Centre Pointe Drive</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.21</u>	<u>Jubilee Drive</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.22</u>	<u>Expedition Lane</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.23</u>	<u>Momentum Drive</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.24</u>	<u>Waston Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.25</u>	<u>Pectan Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.26</u>	<u>Sango Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.27</u>	<u>Tarob Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.28</u>	<u>Houret Drive</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>
<u>.29</u>	<u>Houret Court</u>	<u>Entire</u>	<u>4 Hours</u>	<u>7 a.m. - 6 p.m., Mon - Fri</u>

### **SECTION 3. SEVERABILITY**

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

### **SECTION 4. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance to be published in accordance with Section 36933 of the Government Code of the State of California.