

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
CHAPTER 11.48 OF TITLE 11 OF THE SAN JOSE
MUNICIPAL CODE TO ESTABLISH A NEW RESIDENTIAL
PERMIT PARKING ZONE IN THE EDEN NEIGHBORHOOD**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Chapter 11.48 of Title 11 of the San José Municipal Code is amended by adding a Section to be numbered, entitled and to read as follows:

11.48.106 Eden Permit Parking Area

“Eden Permit Parking Area” shall consist of the following streets and portions of streets:

- A. The north side of Payne Avenue, between a point three hundred seventy feet west of Winchester Boulevard and a point one hundred fifty feet west of Eden Avenue;
- B. The north side of Payne Avenue, between a point five hundred forty feet west of Eden Avenue and Phelps Avenue;
- C. Phelps Avenue, between Payne Avenue and Yuba Avenue;
- D. Speno Drive;
- E. Canary Lane;
- F. Valley Square Lane;
- G. Bluebird Drive;
- H. Finch Drive;
- I. Eden Avenue, between Payne Avenue and Pearlstone Drive;
- J. Yuba Avenue, between Eden Avenue and Runnymede Drive;
- K. Runnymede Drive, between Valley Square Lane and Pearlstone Drive; and
- L. Pearlstone Drive.

SECTION 2. Section 11.48.500 of Chapter 11.48 of Title 11 of the San José Municipal Code is amended to read as follows:

11.48.500 Residential Parking Permits

- A. Upon proper application of a resident of property located adjacent to a street or portion of street within a permit parking area, the director shall issue the resident a residential parking permit for each vehicle that is registered in such resident's name or that is under such resident's use and control. Notwithstanding the foregoing, no more than three residential parking permits shall be issued to each residence in the Horace Mann permit parking area and South University permit parking area, and no more than one residential parking permit shall be issued to each residence in the Cahill Park permit parking area; except the limitation shall not apply to: (1) residents living in sororities and fraternities while attending college or other educational institutions, and (2) residents living in a residential care facility, residential service facility, or similar type of group living arrangements located in the Horace Mann permit parking area and South University permit parking area as set forth in Section 11.48.500D. below.
- B. Each resident qualifying for a residential parking permit shall receive no more than one residential parking permit per vehicle.
- C. Each residential parking permit issued shall state the license plate number of the vehicle for which it is issued.
- D. The Director may issue more than three residential parking permits to each sorority and fraternity residence and residential service facility, or similar type of group living arrangements in the Horace Mann permit parking area and South University permit parking area if the Director determines issuance of additional parking permits will not substantially limit the availability of parking in the area based on a review of the current or proposed surrounding land use, parking and traffic conditions, and impact to the community.

- E. Notwithstanding subsection (A), the Director shall have the authority to establish and modify the number of residential permits that may be issued to households in the Cadillac, Lynhaven, Via Monte, Eden and West Berryessa Permit Parking Areas, based on a consideration of factors, including on-street parking occupancy, parking capacity to housing ratio, changes in land-use, and input from residents.

SECTION 3. Section 11.48.510 of Chapter 11.48 of Title 11 of the San José Municipal Code is amended to read as follows:

11.48.510 Permanent Guest Parking Permits

- A. Upon proper application of a resident of property located adjacent to a street or portion of street within a permit parking area, the director shall issue such resident a permanent guest parking permit.
1. A permanent guest parking permit issued to a resident of property located adjacent to a street or portion of street within a permit parking area shall be for the exclusive use of a guest visiting the residence to which the permit was issued.
 2. No more than two permanent guest parking permits shall be issued to each residence located adjacent to a street or portion of street within a permit parking area. Notwithstanding the foregoing, a resident of property located in the Cahill Park permit parking area is not eligible for a permanent guest parking permit if a residential parking permit has been issued to the residence.
 3. Notwithstanding subsection (A)(2), the Director shall have the authority to establish and modify the number of permanent guest permits that may be issued to households in the Cadillac, Lynhaven, Via Monte, Eden and West Berryessa Permit Parking Areas, based on a consideration of

factors, including on-street parking occupancy, parking capacity to housing ratio, changes in land-use, and input from residents.

- B. Upon proper application of a nonresident owner of residential property located adjacent to a street or portion of street within a permit parking area, the director shall issue such owner a permanent guest parking permit.
1. A permanent guest parking permit issued to a nonresident owner shall be for the exclusive purpose of inspecting, repairing, or maintaining the residence for which the permit was issued.
 2. No more than one permanent guest parking permit shall be issued to a nonresident owner of residential property located adjacent to a street or portion of street within a permit parking area.

PASSED FOR PUBLICATION of title this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk