

**PUBLIC REVIEW DRAFT FOR REVIEW AT THE SEPTEMBER 26, 2023**  
**CITY OF SAN BRUNO CITY COUNCIL MEETING**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SAN BRUNO AMENDING TITLE 7 (VEHICLES AND TRAFFIC) TO ADD REGULATIONS RELATING TO PAID ON AND OFF-STREET PARKING AREAS IN THE CITY, AND MAKING A FINDING OF EXEMPTION UNDER CEQA**

**WHEREAS**, the Legislature of the State of California has in California Vehicle Code Section 22508 authorized the City to establish on and off-street parking meter zones, establish rates of fees for parking meters and provide variable fees based upon criteria identified by the City;

**WHEREAS**, the City Council accepted the Downtown Parking Management Plan (Plan) in 2019. This Plan served to implement the City's General Plan (2009) and Transit Corridors Plan (2013) and to support the City Council's on-going efforts and interests in development and revitalization of San Bruno's Downtown while respecting the existing residential neighborhoods and parking demand in the City;

**WHEREAS**, the Plan identifies appropriate supply, distribution and management of parking within the Downtown to meet current and future parking demands and minimize spillover into residential areas;

**WHEREAS**, the Plan identifies parking strategies to meet parking needs in the near-term, medium-term and long-term timeframes, and recommends priorities based on the input of decision makers, stakeholders, and City staff;

**WHEREAS**, the Plan recommends installing parking meters on San Mateo Avenue to encourage short-term parking and direct long-term parkers into lots, adjusting enforcement hours to better manage the heavy-use evening period, and adjusting parking time restrictions, primarily to convert 5-hour spaces to 10-hour spaces for employee use;

**WHEREAS**, the City Council Strategic Initiatives for FY2021-22 included deployment of a downtown parking meter program and enhancement of citywide parking enforcement capabilities;

**WHEREAS**, on March 1, 2022 and November 8, 2022, staff reports were presented to City Council on the Downtown Parking Meters and Enhanced Parking Enforcement Project with an update on staff's progress toward installing parking meters and enhanced parking enforcement;

**WHEREAS**, on April 11, 2023, the City Council adopted Resolution No. 2023-41 authorizing the creation of a Parking Enterprise Fund;

**WHEREAS**, on April 11, 2023, the City Council adopted Resolution No. 2023-43 authorizing the City Manager to execute a contract with T2 Systems in an amount not to exceed \$1.3 million for services related to the purchase, installation and operation of metered parking kiosks. To ensure more adequate and equitable parking enforcement throughout the City, the City Council also adopted Resolution No. 2023-42 authorizing a contract partnership with LAZ Parking for citywide parking enforcement and metered parking management;

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**WHEREAS**, the City Council considered options for paid parking regulations at a Study Session held on August 22, 2023. Council directed staff to proceed with preparation of municipal code amendments and a resolution for parking on City owned or controlled on and off-street parking;

**WHEREAS**, it is in the public interest for the City to establish reasonable, uniform and comprehensive regulations for paid parking;

**WHEREAS**, Title 7 of the City's Municipal Code governs vehicles and traffic in the City; and

**WHEREAS**, on \_\_\_\_\_, 2023, the City Council conducted a duly noticed public meeting and received testimony from City staff and all interested parties regarding the amendments to Title 7 (Vehicles and Traffic) to introduce the ordinance adding regulations relating to paid on and off-street parking areas in the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN BRUNO ORDAINS AS FOLLOWS:**

Section 1. Section 1.28.010 (Violations a misdemeanor or infraction) of the San Bruno Municipal Code is hereby amended in its entirety to read as follows (additions shown with double underline):

A. Except as provided in subsection B, any person violating any of the mandatory requirements of this code or failing to comply with any requirement of this code, or any other ordinance of the city, or any rule or regulation promulgated thereunder, shall be guilty of a misdemeanor. A person convicted of a misdemeanor under this code, unless specific provision is otherwise made, shall be punished by a fine of not less than one thousand dollars or by imprisonment in the county jail of not more than six months, or both.

B. Any person violating any of the mandatory requirements of Chapters 6.36, 7.04, 7.08, 7.12, 7.16, 7.20, 7.26, 7.28, 7.32(except for Section 7.32.020), 7.36, 7.44, 7.52, 9.04, 9.08 and 9.12 of this code, or failing to comply with any requirement thereof, or any rule or regulations promulgated thereunder, or any ordinance specifically providing that a violation thereof shall be an infraction, shall be guilty of an infraction. A person convicted of an infraction under this code, unless specific provision is otherwise made, shall be punished by:

1. A fine of not more than one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of such chapter within one year;
3. A fine not exceeding five hundred dollars for each additional violation of such chapter within one year.

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C. Any person violating any local building and safety codes determined to be an infraction is punishable by: (1) a fine not exceeding one hundred dollars for the first violation; (2) a fine not exceeding five hundred dollars for the second violation of the same local building code or safety code within one year; or (3) a fine not exceeding one thousand dollars for each additional violation of the same local building code or safety code within one year of the first violation.

Section 2. Section 7.16.150 (Parking in excess of time limits prohibited) of San Bruno Municipal Code Chapter 7.16 (Stopping, standing and parking) is hereby amended in its entirety to read as follows:

The City Council of the City of San Bruno, on the recommendation of the Chief of Police or their designee, may establish by resolution time limits for parking.

Section 3. A new Chapter 7.26 (Paid On and Off-Street Parking Areas) is hereby added to Title 7 (Vehicles and Traffic) of the San Bruno Municipal Code to read as follows:

**7.26 PAID ON AND OFF-STREET PARKING AREAS**

**7.26.010 Purpose and intent.**

The purpose and intent of this chapter is to establish provisions for paid parking on City owned or controlled on and off- street parking facilities.

**7.26.020 Establishment of parking meter areas.**

- A. The City Council of the City of San Bruno, on the recommendation of the Chief of Police or their designee shall by resolution from time to time, establish parking meter areas for paid parking on City owned or controlled on and off- street parking facilities.
- B. The regulation of vehicle parking by meter and the requirement for paid parking in parking meter areas shall become effective upon the installation of paid parking devices, as designated by the Chief of Police.

**7.26.030 Establishment of range of paid parking rates, days and hours of paid parking enforcement, time limits, and methodology for periodic adjustment of paid parking rates for parking meter areas.**

The City Council of the City of San Bruno, on the recommendation of the Chief of Police or their designee shall by resolution from time to time, establish the range of paid parking rates, days and hours of paid parking enforcement, and time limits for parking meter areas.

**7.26.040 Payment required.**

- A. Whenever any vehicle shall be parked in a space that requires payment within a parking meter area, the owner, operator, manager, or driver of said vehicle shall upon entering said space, immediately initiate a paid parking session through a designated paid parking device.
- B. It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or metallic substitute for any coin of the United States, or for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter.

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**7.26.050 Unlawful meter parking.**

No person shall cause, allow or permit any vehicle to remain parked in any space that requires payment within a parking meter area unless a paid parking session has been initiated or the paid parking session has commenced and has not expired.

**7.26.060 Additional unlawful meter parking citation.**

For each additional hour or portion thereof during which a vehicle is parked after the paid parking session has expired or is otherwise parked in violation of the provisions of section 7.26.050, the City may issue additional overtime parking citations.

**7.26.070 Parking Meter Area Excess Time Limit Parking.**

It shall be unlawful for the operator of any vehicle to stop, stand or park a vehicle in a paid parking space for longer than the posted parking limit for that space. After a vehicle exceeds the posted parking limit for a paid parking space on a street, the vehicle is prohibited from parking on the same block of that street for two hours. A block is defined as the portion of the street that runs from one intersection to the immediately following intersection. A vehicle parked in violation of this section is subject to additional citations as provided in section 7.26.060.

**7.26.80 Closing of parking lots and removal of unlawfully parked vehicles**

It is unlawful for any person to cause, allow, permit or suffer any vehicle to be parked in any City owned or controlled off-street parking facility during the hours in which it is closed and the Chief of Police or their designee may remove a vehicle that is parked in violation of this section. All expenses for the removal and storage of any such vehicle shall be charged against the owner of said vehicle and said vehicle shall not be released until said charges have been fully paid.

**7.26.090 Parking space use restrictions; presence and removal of personal property; penalties.**

- A. Paid parking spaces shall be indicated by painted lines or markings on the pavement. A vehicle that is parked in a paid parking space shall be parked within the lines or markings for such space.
- B. All vehicles shall park in a single parking space, and shall not park across the lines or markings of that space or to allow any awning or "pop-out" of any motorhome, section of any travel trailer, or any portion of any motor vehicle to extend on or over any line or marking for the parking space, on or over the curb for the parking space, or onto any portion of any other parking space.
- C. Parking spaces are intended for the exclusive use of motor vehicles. It shall be unlawful for any parking space not occupied by a motor vehicle to be blocked from motor vehicle use or otherwise occupied in whole or in part by any items of personal property. Any such unlawfully placed items are subject to removal and disposal in a manner consistent with law.
- D. No person shall reserve, block or secure or attempt to reserve, block or secure an unoccupied paid parking space so as to prevent, inhibit or impair the space from being used for the immediate parking of a motor vehicle.

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**7.26.100. Establishment of parking fines, penalties, fees and related charges for parking**

The City Council may adopt by resolution any fines, penalties, fees, and related charges to further the purposes of this Chapter.

**7.26.110. Funds Collected to be Deposited into Parking Enterprise Fund**

Revenues collected pursuant to this Chapter shall be deposited into the City of San Bruno Parking Enterprise Fund, which shall constitute the operating fund for the purposes of this Chapter.

Section 4. The City Council finds and determines that this ordinance is exempt from the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the parking regulations would have a significant effect on the environment. (Pub. Res. Code Sec. 15061(b)(3).) and the parking regulations are exempt from CEQA pursuant to a Class 1 exemption for existing facilities, which includes existing highways, streets, and sidewalks, and alterations thereto. (14 Cal. Code Regs. 15301 (c).).

Section 5. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the ordinance. The city council hereby declares that it should have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 6. This ordinance shall take effect and be in force 30 days after its adoption.

Section 7. The city clerk shall publish this ordinance according to law.

ATTEST:

\_\_\_\_\_  
Rico E. Medina, Mayor

\_\_\_\_\_  
Lupita Huerta, City Clerk

APPROVED AS TO FORM

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Trisha Ortiz, City Attorney

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I hereby certify that the foregoing Ordinance No.  
\_\_\_\_\_ was introduced on \_\_\_\_\_, 2023, and  
adopted at a regular meeting of the San Bruno City  
Council on \_\_\_\_\_, 2023, by the following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

RECUSE: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
Lupita Huerta, City Clerk