



CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING

Hayward City Hall – Conference Room 2A

777 B Street, Hayward, CA 94541-5007

Mission Statement:

Make Hayward a more sustainable community in order to ameliorate negative impacts of climate change, conserve natural resources and promote a clean environment.

April 7, 2010

4:30 p.m. – 6:00 p.m.

A G E N D A

- I. Call to Order
- II. Roll Call
- III. **Public Comments:** *(Note: All public comments are limited to this time period on the agenda. For matters not listed on the agenda, the Committee welcomes public comments under this section, but is prohibited by State Law from discussing items not listed on the agenda. Items not listed on the agenda brought up under this section will be taken under consideration and may be referred to staff for follow-up as appropriate. Speakers will be limited to 5 minutes each; organizations represented by more than one speaker are limited to 5 minutes per organization.)*
- IV. Approval of Minutes of March 3, 2010
- V. South Hayward BART Area Parking Strategy Options
Patrick Siegman, Principal, Nelson\Nygaard Consulting Associates
- VI. Opposition to Proposition 16
Erik Pearson, Senior Planner
- VII. General Announcements and Information Items from Staff
- VIII. Committee Referrals and Announcements
- IX. Next Meeting: Wednesday, May 5, 2010
Large Commercial Energy Users Efficiency Program Development
Energy Efficiency and Conservation Strategy (Informational Item Only)
- X. Adjournment



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CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING
Hayward City Hall – Conference Room 2A
777 B Street, Hayward, CA. 94541-5007

March 3, 2010
4:30 p.m.

MEETING MINUTES

I. Call to Order – Meeting called to order at 4:35 p.m. by Mayor Sweeney.

II. Roll Call

Members:

- Michael Sweeney, Mayor
- Olden Henson, Council Member
- Bill Quirk, Council Member
- Julie McKillop, Planning Commissioner
- Al Mendall, Planning Commissioner
- Marvin Peixoto, Planning Commissioner
- Doug Grandt, Keep Hayward Clean and Green Task Force (KHCG)

Staff:

- Fran David, Assistant City Manager
- Robert Bauman, Public Works Director
- Alex Ameri, Deputy Director of Public Works
- Vera Dahle-Lacaze, Solid Waste Manager
- Erik Pearson, Senior Planner
- Arlyne Camire, Associate Planner
- Katy Ramirez, Administrative Secretary (recorder)

Others:

- David Tucker, Waste Management
- Henry Schleiger, Blanchard Associates
- Simon Wong, Tri-City Voice Newspaper

III. Public Comments

Henry Schleiger, Blanchard Associates, spoke briefly on behalf of his company about LED street light fixtures. He showed the Committee a light fixture and explained that it is a new product and there are lot on the market with various qualities and price ranges. Mr. Schleiger said that he would leave his business card for staff and Committee members to contact him with questions.

- IV. Approval of Minutes of February 3, 2010 – minutes approved.
- V. Summary of Issues and Regional Efforts Regarding a Ban on Plastic Bags and Styrofoam Containers

Robert Bauman, Public Works Director, said that Alex Ameri, Deputy Director of Public Works, would be providing an overview of the staff report and PowerPoint presentation.

Mr. Ameri provided a PowerPoint presentation and overview of the staff report, and outlined what other municipalities are doing regarding the banning of plastic bags and Styrofoam containers. In addition, he passed around sample alternatives to plastic bags and Styrofoam containers for the Committee Members to examine (i.e., canvas bag; compostable bag and plate; biodegradable corn cup, etc.).

At the conclusion of his PowerPoint presentation, Mr. Ameri asked the Committee to provide staff with their concerns and issues regarding plastic bags and Styrofoam containers and to also provide direction to staff. Mr. Ameri noted that staff will monitor regional efforts and neighboring local jurisdictions' ordinances, and reminded the Committee that staff is scheduled to come back with an update and recommendations at their December meeting.

Council Member Bill Quirk asked if Stopwaste.org has done a life cycle analysis of paper and plastic bags. Councilmember Henson responded no, a life cycle analysis is not in the works. Council Member Quirk expressed his concern that without a life cycle analysis, it would be difficult to determine which is worse for the environment, plastic or paper bags.

Council Member Quirk also expressed that he feels this is a difficult and complicated issue, and politically, it can become a real problem. He further stated that this item is the lowest on the Committee's list of priorities and he would much rather focus on higher priority items, such as retrofitting current commercial buildings and homes, and sustainability outreach and education.

Council Member Olden Henson explained that one of the reasons why Stopwaste.org did not prepare a life cycle analysis is because he believes Berkeley is engaged in preparing one, and Oakland plans to integrate with Berkeley's analysis in an effort to re-implement their ban. Council Member Henson said that he agrees with Council Member Quirk that a life cycle analysis is really key to setting policy.

Council Member Henson said that based on the meetings he has attended; the information obtained regarding plastic bags, and as the person who suggested that we do this in the first place, he believes that the Committee should still move forward with this issue. Council Member Henson suggested that we wait and see what the master environmental assessment (MEA) report is about, and of the outcome of the various challenges with other cities.

Planning Commissioner, Al Mendall, said that because of the political aspect of banning plastic bags and because there have been no legal challenges; he is fine with moving slowly on the plastic bags issue and favors a regional effort. Mr. Mendall said that once other cities and Stopwaste.org get through their processes, then the City of Hayward should explore these as a model.

Mr. Mendall said that Styrofoam is a special case in terms of its long-term effect, and that it is unrecyclable, non-biodegradable, and ends up as debris that floats on top of the ocean. Mr. Mendall noted that there are ready alternatives to Styrofoam that may not be the exact replacements but are very close in terms of cost and utility, and supports moving forward with the ban of Styrofoam.

Keep Hayward Clean and Green Task Force member Doug Grandt expressed that the Committee move forward on the plastic bags regionally; however, he indicated that he has a concern with Styrofoam. Mr. Grandt said that they have to go hand-in-hand with education and outreach, which will probably cost money.

After further discussion, Mayor Sweeney said that the consensus of the Committee is to wait on moving forward with the banning of plastic bags, pending additional information from staff at the December meeting, and to move forward with the ban on Styrofoam containers sooner. Mayor Sweeney requested staff to examine timeframes, indicated that the Committee should review a draft ordinance before going to City Council, and requested staff to schedule this item on the Sustainability Committee calendar.

Mayor Sweeney asked that the Committee jump ahead on the agenda to schedule the Draft Ordinance for the Ban on Styrofoam containers on the Sustainability Committee calendar. Council Member Quirk suggested that the item be scheduled for the June meeting. Mayor Sweeney tentatively scheduled the Draft Ordinance for the June meeting with the understanding that the scheduled is again reviewed at the April meeting, and after staff has had an opportunity to further evaluate how long it will take to prepare the Draft Ordinance.

VI. General Announcements and Information Items from Staff

None.

VII. Committee Referrals and Announcements

Planning Commissioner Mendall said that he and his wife have their solar panels and Bay Friendly Landscaping, and are now looking at an instant-on hot water heater. Mr. Mendall noted that the cost is ridiculous because of the additional plumbing that is required. Mr. Mendall said in looking at long-term, that it be considered for incorporation into the Green Building Ordinance or building code so as to be built into the home in the first place.

IX. Next Meeting: Wednesday, April 7, 2010

X. Adjournment – Meeting adjourned at 5:30 p.m.



DATE: April 7, 2010
TO: City Council Sustainability Committee
FROM: Development Services Director
SUBJECT: South Hayward BART Form-Based Code Parking Strategies Options

RECOMMENDATION

That the Committee reads and provides feedback on this report and related presentation.

BACKGROUND

In May of 2009, the City Council approved the hiring of Hall-Alminana, Inc. (Hall-Alminana) to develop a Form-Based Code for the South Hayward BART station area. The Form-Based Code project area aligns with that of the 2006 Concept Design Plan for the area, extending along Mission Boulevard from Industrial Parkway to Harder Road.

As part of the Form-Based Code project, a Parking Strategy report has also been prepared, by subconsultant Nelson/Nygaard Consulting Associates (Nelson/Nygaard). Attachment I is a draft of that report, which identifies strategies the City could implement in the future that would help manage parking and encourage less reliance on the automobile to further promote transit-oriented development in the project area. Reducing use of automobiles and associated vehicle miles travelled (VMTs) directly relates to reducing greenhouse gas emissions. In fact, Hayward's adopted Climate Action Plan indicates that 62 percent of the total 1.18 million metric tons of greenhouse gasses emitted in 2005 were associated with the transportation sector, and of those emissions, 39 percent were associated with transportation on local roads. Furthermore, Strategy 1 of the Climate Action Plan (Transportation and Land Use: Reduce Vehicle Miles Traveled) states, "The goal of Strategy 1 is to reduce vehicle miles traveled (VMT) by encouraging residents to use alternative modes of transit, by improving the effectiveness of the transportation circulation system, and through land-use and zoning mechanisms. In the context of this report, alternative mode of transit means any mode that is not driving alone. This could include walking, biking, carpooling, or riding public transit."

Related to this strategy are several actions identified in the Climate Action Plan, particularly the last action item listed, which are identified below.

Citywide

| Action Item | Priority | Text |
|-------------------|------------------------|--|
| Action 1.4 | 16 th | expand public transit services to encourage reductions in vehicle travel |
| Action 1.2 | 18 th | assist businesses in establishing car share / bike-share programs |
| Action 1.1 | 21 st | assist businesses in providing commuter benefits programs |
| Action 1.3 | 23rd | update parking policies to encourage reduction in vehicle travel |

Patrick Siegman of Nelson/Nygaard will summarize the eight major strategy recommendations within the attached report, and will provide examples of communities that have successfully implemented these strategies. This draft report is presented as an information item, with the goal of receiving feedback from the Committee members on whether they think these strategies would be useful and appropriate for the South Hayward BART/Mission Boulevard area.

DISCUSSION

The attached draft report covers several major areas, including the following:

1. Strategies for managing on-street parking, with the goals of: (a) ensuring the availability of customer parking in commercial areas; and (b) protecting residential neighborhoods from excessive “spillover parking” by commuters. These on-street parking management strategies would be designed to protect both the residential streets within the boundaries of the Form-Based Code, and also all of the adjacent residential neighborhoods that could potentially be impacted by redevelopment within the Code area. The recommended strategies directly related to parking management in the attached report are:

Recommendation #1: Create a Commercial Parking Benefit District

Recommendation #5: Create Residential Parking Benefit Districts

2. Strategies for reducing the number of vehicle trips generated by new development, including transportation demand management requirements for future new developments within the Code area. Such strategies related to this topic in the report are:

Recommendation #2: Invest Meter Revenues in Transportation Demand Management Programs

Recommendation #3: Provide Universal Transit Passes

Recommendation #4: Require Parking Cash Out

Recommendation #6: “Unbundle” Parking Costs

Recommendation #7: Encourage Carsharing Programs

Recommendation #8: Remove Minimum Parking Requirements (included in the South Hayward BART Draft Form-Based Code)

Also, City staff is currently working with BART staff and its consultant, Nelson/Nygaard, AC Transit staff, and the Wittek-Montana-Eden Housing South Hayward BART mixed-use project team to develop a detailed parking and access plan (Plan) for the BART station and the mixed-use project. The Plan will include a specific strategy for managing parking in and around the BART

station and mixed-use project. An important goal of the Plan will be to protect residential neighborhoods near the BART station from excessive spillover parking impacts. The Plan will also provide recommendations for improving access to the BART station and the mixed-use project by transit, bicycle, and foot.

In many ways, the Plan for the mixed-use project will represent a first application of the strategies recommended in the attached draft report. Finalizing the attached report after the BART Plan is completed will ensure that the Final Parking & Transportation Demand Management (TDM) Strategy for the entire South Hayward BART/Mission Boulevard area works in concert with the more specific strategies developed for the mixed-use project, and vice versa. Also, the final Parking & Transportation Demand Management Strategy will be more specific about when, how, and where the strategies should be applied.

The final report will also include several items that are not in this current draft, including:

1. An executive summary;
2. A description of implementation steps, providing a clearer explanation of when and where these recommendations should be implemented;
3. Additional information about costs and revenues, by describing the typical range of costs and revenues for each recommendation, since the strategies recommended in the attached report would create both costs and revenues. (Note that an overall aim of the recommendations in the report is to avoid placing any additional strain upon the City's General Fund. The strategies in this report are designed to be self-funded, rather than requiring General Fund support.)

ECONOMIC IMPACT

The strategies identified in the attached report are measures that can be implemented to manage the impacts of higher-density, transit-oriented development. Such developments would add value to the City's coffers, but would also generate costs related to service demands. Also, such developments that are oriented to transit use and less use of the automobile will create more sustainable and attractive neighborhoods. The impacts related to service demands are to be addressed in a fiscal impact report that will be presented to City Council in the future.

FISCAL IMPACT

The range of potential fiscal impacts associated with implementing the various strategies identified in the attached draft report will be identified in a general manner in the final Strategy report.

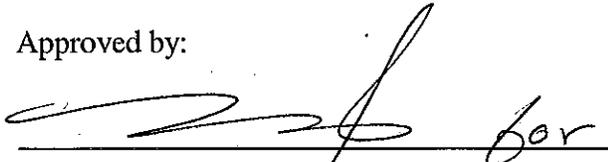
NEXT STEPS

Incorporating feedback from the Committee, a final Strategy Report will be developed by the end of May, which will serve as the basis for discussion of future parking and TDM strategies to be implemented for the South Hayward BART area. A work session on the Draft Form-Based Code is

scheduled for April 27, 2010. It is anticipated that the final Form-Based Code, Parking and TDM Strategy report, and Fiscal Impact Analysis report will be presented to City Council this summer.

Recommended by: David Rizk, AICP, Development Services Director

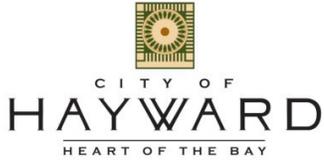
Approved by:



Gregory T. Jones, City Manager

Attachments:

Attachment I *Draft Final South Hayward BART/Mission Boulevard Form-Based Code Parking & Transportation Demand Management Strategy, dated March 2010.*



South Hayward BART/Mission Boulevard
Form-Based Code

Parking & Transportation Demand Management Strategy

March 2010

DRAFT FINAL

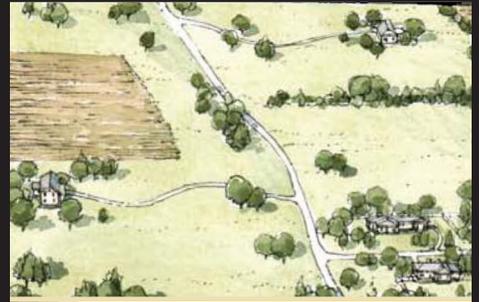


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Chapter 1. Introduction

Project Overview

In 2009, the City Council directed City staff to replace the South Hayward BART/Mission Boulevard Concept Design Plan with a form-based code. To fulfill the Council's direction, the City contracted with a consultant team led by Hall Alminana Inc., and including Nelson\Nygaard Consulting Associates, to work with City staff to develop the South Hayward BART/Mission Boulevard Form-Based Code¹. As part of this effort, Nelson\Nygaard was tasked with developing a coherent parking and transportation demand management strategy to complement and support the vision of the new Code.

Planning Approach

Nelson\Nygaard's approach in undertaking this work was as follows:

- We analyzed existing transportation and parking challenges and opportunities in the Code area, including a thorough review of existing documents, plans, data, and policies, combined with stakeholder interviews and site visits. This included reviewing the following reports, which contain extensive information on existing and proposed transportation conditions²:
 - South Hayward BART/Mission Boulevard Concept Design Plan
 - South Hayward BART Development, Design and Access Plan
 - South Hayward BART Station Area Plan – Transportation Assessment
- We completed a comprehensive review of best practices in parking and transportation demand management, with an emphasis on communities comparable to Hayward.
- We participated in an extensive community outreach process in partnership with the project team and City staff, including a multi-day design charrette. Throughout the process, the project team sought to hear which transportation and parking management issues were most pressing from the perspective of policymakers and City staff, local residents, and property owners; and to get feedback on preliminary recommendations. Among others, the team met with:
 - City Council & Planning Commission members
 - Property owners & developers
 - Area residents & neighborhood association leaders
 - Bay Area Rapid Transit and AC Transit staff
 - Public Works & Development Services staff

¹ References to "Code" within the text of this report are references to the South Hayward BART/Mission Boulevard Form-based Code unless the context clearly indicates otherwise (e.g., references to the "Municipal Code" mean the Hayward Municipal Code).

² To avoid repetition, and for the sake of brevity, the existing conditions section of this report briefly summarizes the most relevant information from these prior reports, rather than reproducing them in their entirety.

Purpose of This Document

The *South Hayward BART/Mission Boulevard Form-based Code* establishes a clear vision for the future of the Code area. This report is designed to support that Code, and presents Nelson\Nygaard's recommendations for the most cost-effective parking and transportation strategies to support and advance that vision.

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Chapter 2. Existing Conditions

On-Street Parking

Current Regulations: The majority of on-street parking within the study area is free and unrestricted, as can be seen in Figure 2-1, which details parking location and restrictions. There are some no-parking zones within the area, notably the blocks fronting Harder Road, both sides of Tennyson Road, and Mission Boulevard between Tennyson Road and Industrial Parkway. In addition there is a 2-hour time-limited parking zone on part of the block on Mission Boulevard between Hancock Street and Monticello Street.

Overall Parking Occupancy: Anecdotal evidence received from the public during the recent charrette indicated that on some residential blocks, on-street parking completely fills up at night due to residential demand. A comprehensive occupancy survey (i.e., one covering all blocks in the study area) is not available. However, a parking occupancy survey covering the BART station parking lots and all curb parking spaces within ½ mile of the station was recently conducted as part of the planning for the Wittek/Montana mixed-use development. [Note: the results of that survey are forthcoming, and will be incorporated in the final version of this report.]

Curb Parking near the South Hayward BART Station: A parking inventory conducted by Fehr & Peers Transportation Consultants in 2008 on behalf of BART found 293 curb parking spaces within ¼ mile and 1569 spaces within ½ mile of the South Hayward BART station. All of these spaces are currently free and unrestricted. BART's parking occupancy surveys of the station lots find that the lots do not fill to capacity, even at peak hour, and both the team's observations of the streets in the vicinity of the station and input received during the outreach process indicate that there are currently no problems with spillover parking in the area around the South Hayward BART station (i.e., few or no BART commuters currently park on streets in the vicinity of the station).

However, it should be noted that BART has recently introduced parking fees at several East Bay BART stations, and parking fees are being considered for the South Hayward station. If parking fees are introduced and on-street parking in the vicinity remains free and unrestricted, BART commuters will then seek to park on the street, not due to a lack of parking, but in order to avoid the parking fees.

Hayward's Existing Parking Meter Ordinance & Residential Permit Parking Zones: The City Traffic Code allows for the establishment of metered parking on City streets, though no parking meters are currently in place³. The existing ordinance is stated in terms general enough to allow for the introduction of modern multi-space parking pay stations, as well as conventional single space meters. Hayward currently has three residential permit parking zones, which were established to protect residents from spillover parking problems, in the vicinity of the following major destinations:

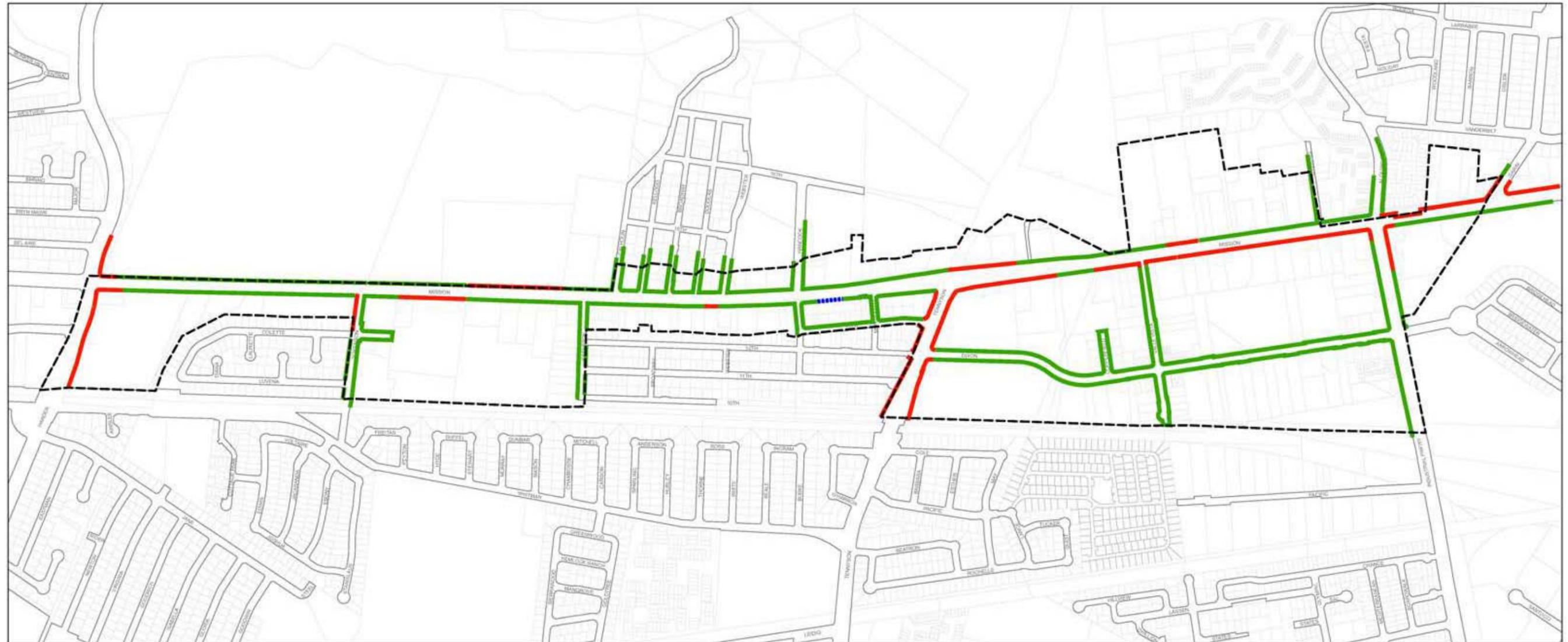
- Chabot College
- Post Office and County Courthouse

³ Hayward Traffic Code, Article 7: Parking Meter Zones – See Appendix B

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Figure 2-1 Existing On-Street Parking Locations and Restrictions



Legend

- Project Area
- ▭ Parcels

On-Street Parking

- No Parking
- Free Parking (Truck Parking Restrictions Only)
- - - 2-Hour Parking



Image source: Hall Alminana Inc.

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On neighborhood streets within these zones, parking permits are issued to qualified residents and businesses in return for a nominal annual fee⁴. To illustrate how the current residential permit parking process works, Appendix C provides some sample documents: (a) a copy of the City's residential permit parking application form, and (b) an example of a public hearing notice regarding the establishment of one of the City's current residential permit parking zones.

Off-Street Parking

Most of Hayward has conventional auto-oriented suburban parking standards, with relatively high minimum parking requirements⁵. However, in 2006, the *South Hayward BART/Mission Boulevard Concept Design Plan* established new, more transit-oriented parking standards for several zones within the Plan area. Within the South Hayward BART/Mission Boulevard Parking Area, minimum parking requirements for residential land uses were eliminated, and replaced by maximum parking limits⁶. The South Hayward BART/Mission Boulevard Parking Area is defined as land zoned as Station Area Residential or Mission Boulevard Residential, as well as that zoned Neighborhood Commercial-Residential in the area bounded by Harder Road and Industrial Parkway along Mission Boulevard⁷.

The standards for the South Hayward BART/Mission Boulevard Parking Area appear to allow developers of transit-oriented projects to provide an amount of parking which they find appropriate to meet the demands of their particular target market. They have not, as is sometimes feared by those unfamiliar with maximum parking requirements, resulted in the provision of no parking at all. For example, the Wittek/Montana mixed-use development at the South Hayward BART Station, which proposes approximately 788 multi-family residential units, proposes to build approximately 898 parking spaces for the residential units (although *no* parking spaces for these residents are required by the current zoning).

⁴ City of Hayward Master Fee Schedule, 2010

⁵ Hayward Municipal Code, Off-Street Parking Regulations, SEC. 10.2-300 – 10.2.350

⁶ Hayward Municipal Code, Off-Street Parking Regulations, SEC. 10.2.419

⁷ Hayward Municipal Code, Off-Street Parking Regulations, SEC. 10.2-100

Chapter 3. Recommendations

Introduction

This chapter presents eight fundamental recommendations. They are based on the premise that parking and transportation demand management policy must be planned with a clear view of the City's overall goals, in order for these policies to contribute to the community's vision rather than detract from it. In the Mission Boulevard Concept Design Plan⁸, the community's goals for the Plan area were stated as:

- Create a vibrant, livable neighborhood with high-quality, safe, well-used public spaces,
- Encourage the highest-intensity residential uses and essential community services within a short walking distance to the BART station,
- Encourage coordinated development that enhances the existing neighborhood fabric,
- Manage public and private parking resources to enhance the livability of the neighborhood,
- Encourage development that is oriented towards the street and is scaled to the pedestrian and
- Promote design that relates to the existing neighborhoods through building height, setbacks and massing that steps down to transition to existing buildings.

The recommendations that follow are aimed at achieving those goals. It is important to note that these recommendations are intended to permit flexibility. They are designed to provide a long-range strategy: that is, an overall policy framework that can remain useful and viable, even as new buildings are added, blocks are redeveloped, new streets are introduced, and land uses change over time.

Why does parking policy matter so much for transit-oriented development?

Perhaps the most fundamental difference between transit-oriented development and conventional auto-oriented development is in the way that parking (both on-street and off-street) is developed and managed. For Hayward, parking policy is important for three key reasons. First, unlike decisions about the provision of transit, parking policy decisions lie squarely in the hands of the City of Hayward. Second, parking policy is perhaps the single most important lever within Hayward's grasp for affecting the quantity of traffic on Hayward city streets. Third, as one Southern California real estate developer put it, "Parking is destiny." Parking requirements, as written into the zoning codes of most every California city, dominate architecture, powerfully shaping the form of our buildings and dictating what is financially feasible to build.

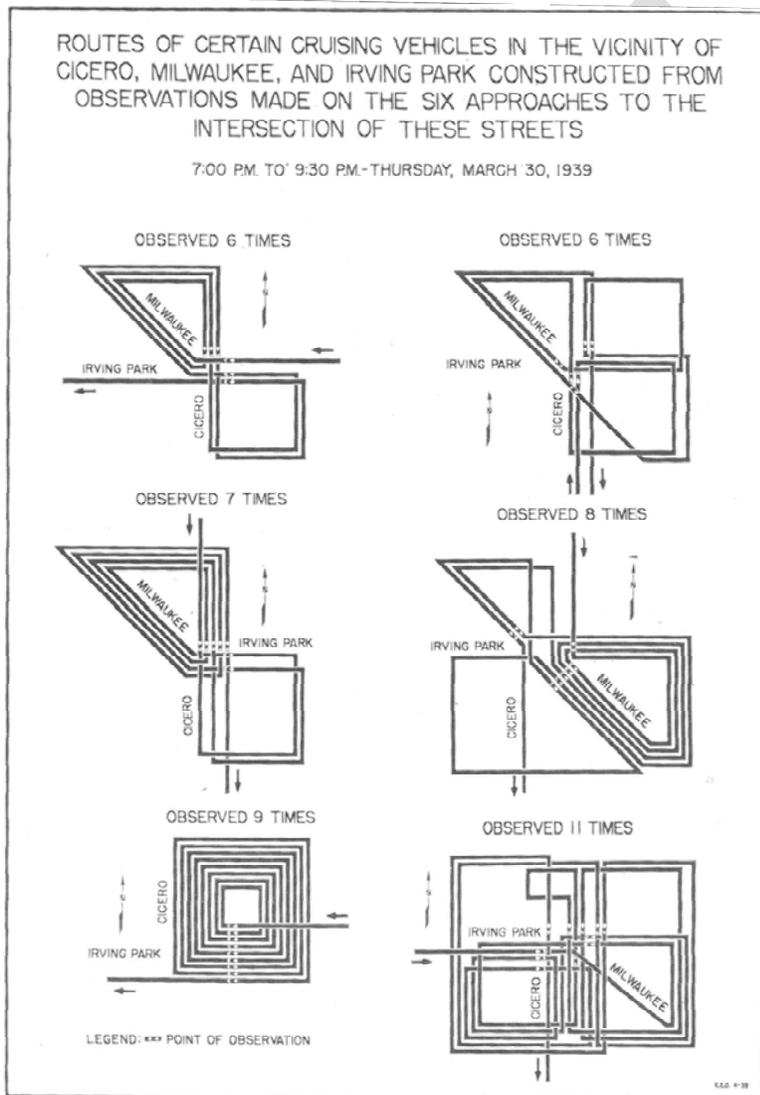
In the years immediately after World War II, most communities in California, including Hayward, adopted *minimum parking requirements*. Minimum parking requirements are government regulations that specify the minimum number of parking spaces that must be provided for every land use. They are intended to ensure that cities have more parking spaces than they would if the matter was left up to the free market.

⁸ South Hayward BART/Mission Boulevard Concept Design Plan, CD+A and Nelson\Nygaard, 2006

When did Hayward first adopt minimum parking requirements, and why? While we are not absolutely certain, it appears from the Municipal Code that Hayward first adopted minimum parking requirements in 1959. According to the Code, Hayward's minimum parking requirements were adopted "to relieve congestion on streets".

Why was it believed that setting minimum parking requirements would alleviate traffic congestion? By the 1920s, the new problem of "spillover parking" had already arrived in many downtowns. Automobiles filled up all of the curb parking in front of shops and apartments, and any nearby private parking, and then sometimes spilled over into nearby neighborhoods, crowding the streets there. In search of free parking near their destination, motorists often took to circling about, waiting for a space to open up. For example, Figure 3-1 shows the observed patterns of various motorists circling in search of parking spaces in Chicago, as observed in a 1939 study. Many motorists simply double-parked, clogging traffic lanes.

Figure 3-1 Observed Routes of Cruising Vehicles, Chicago, 1939



From the Report: "A Plan to Relieve Traffic Congestion in the Portage Park Retail Shopping Center." A Survey by City of Chicago, Chicago Motor Club, Chicago Surface Lines, April 1939

FIGURE 4—Observed Routes of Cruising Vehicles

To reinforce its minimum parking requirements, Hayward also enacted a prohibition against charging separately for parking at apartment buildings.⁹ (Of course, requiring that parking be given away free of charge does not mean that the cost of parking goes away: the cost is instead hidden in the price of all the other goods and services that we use, from apartment rents to groceries.)

Minimum parking requirements, however, had unintended consequences for traffic. So did requirements that parking be given away for free. As described later in this chapter, dozens of studies have now demonstrated that when parking is given away free of charge, people drive more. The amount of driving induced is substantial, as is the increase in parking demand. Moreover, minimum parking requirements have also had many other unintended consequences, including increasing housing costs, decreasing transit ridership, and decreasing the financial feasibility of transit-oriented development.

Transitioning from auto-oriented development to transit-oriented development

In a nutshell, truly transit-oriented development -- that is, development which actually lives up to the promise of delivering high transit ridership and the low traffic -- can be distinguished from auto-oriented development by just a few key factors.

- *In conventional auto-oriented development, minimum parking requirements are introduced, so that on-street parking need not be managed. In transit-oriented development, actively managing on-street parking, using tools such as parking pricing and residential parking permits, is an essential first step.*
- *In conventional auto-oriented development, the cost of parking is always hidden in the cost of other goods and services. In transit-oriented development, the cost of parking is revealed, so that citizens can save money by using less of it.*
- *In conventional auto-oriented development, parking is free and abundant, and transit service is expensive and scarce. In the best transit-oriented developments, transit service is frequent and (for many users) free, and parking, while readily available, is not given away for free.*

The recommendations which follow are designed to provide a practical, cost-effective, step-by-step approach to transitioning the study area from auto-oriented development to transit-oriented development. As noted earlier in the Existing Conditions section, the 2006 *Concept Design Plan* for the Plan area began that process by, for example, eliminating minimum parking requirements for certain residential categories, and instituting maximum parking requirements. These recommendations, which are illustrated by numerous examples of success from comparable cities, are intended to take the next step.

⁹ Hayward Municipal Code, Off-Street Parking Regulations, SEC. 10-2.310

Recommendation 1: Create a Commercial Parking Benefit District

Goals:

1. Efficiently manage demand for parking while accommodating customer, employee, resident, and commuter parking needs.
2. *Put customers first* by creating vacancies and turnover of the most convenient “front door” curb parking spaces to ensure availability for customers and visitors.
3. Generate revenues for desired improvements such as upgraded security and enhanced streetscapes in commercial areas.

Recommendation: Install multi-space, pay-by-space parking meters on any block face in commercial areas where parking occupancy routinely exceeds an 85% occupancy rate. Set parking prices at rates that create a 15% vacancy rate on each block, and eliminate time limits. Dedicate parking revenues to the cost of managing such a district, and to public improvements and public services that benefit the blocks where the revenue was raised. Create a "Commercial Parking Benefit District" to implement these recommendations.

Discussion:

Over time, as individual blocks in the Code area transition from conventional strip development (i.e., the familiar roadside landscape of strip malls, diners, convenience stores and other isolated buildings, each set back from the highway and surrounded by parking) to transit-oriented development, where buildings move closer to the street, and shops rely more, as in the classic American Main street pattern, on curb parking for shoppers, it will become essential to actively manage the on-street parking in these blocks.

To understand how to do that properly, is helpful to review the issues encountered in many of California's existing downtowns (i.e., in California's oldest transit-oriented developments). In many California downtowns, there is no lack of parking space overall, but the new visitor driving down Main Street may perceive a parking shortage, while lots and garages just a block away remain underused. To quote a typical Main Street business leader, "Parking is a problem for businesses because employees park on Main St. and side streets and prevent customers from parking... We need parking management and enforcement strategies to prevent employees from doing the '2-hour shuffle' downtown [that is, employees moving their cars every two hours to evade time limits]." To avoid this, pricing incentives and good wayfinding signs are essential to steer employees and commuters to long-term spots, and dissuade them taking the front-door spots.

Always available, convenient, on-street customer parking is of primary importance for ground-level retail to succeed. To create vacancies and rapid turnover in the best, most convenient, front door parking spaces, it is crucial to have price incentives to persuade some drivers to park in the less convenient spaces (on upper garage floors or a block or two away): higher prices for the best spots, cheaper for the less convenient, currently underused lots.

Motorists can be thought of as falling into two primary categories: bargain hunters and convenience seekers. Convenience seekers are more willing to pay for an available front door spot. Many shoppers and diners are convenience seekers: they are typically less sensitive to

parking charges because they stay for relatively short periods of time, meaning that they will accumulate less of a fee than an employee or other all-day visitor. By contrast, many long-stay parkers, such as employees, find it more worthwhile to walk a block to save on eight hours worth of parking fees. With proper pricing, the bargain hunters will choose currently underutilized lots, leaving the prime spots free for those convenience seekers who are willing to spend a bit more. For merchants, it is important to make prime spots available for these people: those who are willing to pay a small fee to park are also those who are willing to spend money in stores and restaurants.

What are the alternatives to charging for parking?

The primary alternative that cities can use to create vacancies in prime parking spaces is to set time limits, and give tickets to violators. Time limits, however, bring several disadvantages: enforcement of time limits is labor-intensive and difficult, and employees, who quickly become familiar with enforcement patterns, often become adept at the "two hour shuffle", moving their cars regularly or swapping spaces with a coworker several times during the workday. Even with strictly enforced time limits, if there is no price incentive to persuade employees to seek out less convenient, bargain-priced spots, employees will probably still park in prime spaces.

For customers, strict enforcement can bring "ticket anxiety", the fear of getting a ticket if one lingers a minute too long (for example, in order to have dessert after lunch). As Dan Zack, Downtown Development Manager for Redwood City, CA, puts it, "Even if a visitor is quick enough to avoid a ticket, they don't want to spend the evening watching the clock and moving their car around. If a customer is having a good time in a restaurant, and they are happy to pay the market price for their parking spot, do we want them to wrap up their evening early because their time limit wasn't long enough? Do we want them to skip dessert or that last cappuccino in order to avoid a ticket?"

A recent Redwood City staff report summarizes the results found in Burlingame, California:

In a recent "intercept" survey, shoppers in downtown Burlingame were asked which factor made their parking experience less pleasant recently... The number one response was "difficulty in finding a space" followed by "chance of getting a ticket." "Need to carry change" was third, and the factor that least concerned the respondents was "cost of parking." It is interesting to note that Burlingame has the most expensive on-street parking on the [San Francisco] Peninsula (\$.75 per hour) and yet cost was the least troubling factor for most people.

This is not an isolated result. Repeatedly, surveys of shoppers have shown that the *availability* of parking, rather than price, is of prime importance.

What is the right price for parking?

If prices are used to create vacancies and turnover in the prime parking spots, then what is the right price? An ideal occupancy rate is approximately 85% at even the busiest hour, a rate which leaves about one out of every seven spaces available, or approximately one empty space on each block face. This provides enough vacancies that visitors can easily find a spot near their destination when they first arrive. For each block and each parking lot, the right price is the price that will achieve this goal. This means that pricing should not be uniform: the most desirable blocks need higher prices, while less convenient lots and block faces are cheaper. Prices should also vary by time of day and day of week: for example, higher at noon, and lower at midnight.

Ideally, parking occupancy for each block and lot should be monitored carefully, and prices adjusted regularly to keep enough spaces available. In short, prices should be set at market rate, according to demand, so that just enough spaces are always available. Professor Donald Shoup of UCLA advocates setting prices for parking according to the "Goldilocks Principle":

The price is too high if many spaces are vacant, and too low if no spaces are vacant. Children learn that porridge shouldn't be too hot or too cold, and that beds shouldn't be too soft or too firm. Likewise, the price of curb parking shouldn't be too high or too low. When about 15 percent of curb spaces are vacant, the price is just right. What alternative price could be better?

If this principle is followed, then there need be no fear that pricing parking will drive customers away. After all, when the front-door parking spots at the curb are entirely full, under-pricing parking cannot create more curb parking spaces for customers, because it cannot create more spaces. And, if the initial parking meter rate on a block is accidentally set too high, so that there are too many vacancies, then a policy goal of achieving an 85% occupancy rate will result in lowering the parking rate until the parking is once again well used (including making parking free, if need be).

Eliminating Time limits

Once a policy of market rate pricing is adopted, with the goal of achieving an 85% occupancy rate on each block, even at the busiest hours, then time limits can actually be eliminated. With their elimination, much of the worry and "ticket anxiety" for customers disappears. In Redwood City, where this policy was recently adopted, Dan Zack describes the thinking behind the City's decision in this way:

Market-rate prices are the only known way to consistently create available parking spaces in popular areas. If we institute market-rate prices, and adequate spaces are made available, then what purpose do time limits serve? None, other than to inconvenience customers. If there is a space or two available on all blocks, then who cares how long each individual car is there? The reality is that it doesn't matter.

The recommendations for pricing parking, eliminating time limits, and the creation of a Commercial Parking Benefit District are discussed in greater detail below.

Boundaries of the metered parking in the Commercial Parking Benefit District

Given a primary goal of creating vacancies on the blocks where parking becomes overused, and shifting some parking demand to underused parking lots, meters should be installed on blocks and in parking lots where occupancy routinely reaches 85% or greater during the peak hours of demand. In addition, meters should be installed on immediately adjacent blocks, where demand is likely to shift and parking will become overcrowded if the blocks remain entirely free. Similarly, on blocks in the vicinity of a major new development, where it is clearly foreseeable that curb parking will fill up if left unmanaged, meters should be installed, and turned on as soon as the development opens for business. Parking meter prices should be set to maintain a 15% vacancy rate, according to the "Goldilocks Rule": if occupancy rates are consistently above 85%, the parking rates are too low and if occupancy rates are consistently below 85%, the parking rates are too high.

Potential boundaries for the Commercial Parking Benefit District at full build-out of the Code area are shown in Figure 3-2. These potential boundaries were chosen based on future zoning within the Code area. Commercial Parking Benefit Districts are potentially useful for all zones except

those which are purely residential. In predominantly residential districts, such as the blocks immediately adjacent to the Code area, Residential Parking Benefit Districts (as described later in this report) or residential permit parking districts are more appropriate for managing on-street parking. For example, blocks with ground floor shops and residences above are appropriate for inclusion in a Commercial Parking Benefit District; blocks consisting primarily of single-family homes are generally not. Therefore, all blocks within the mixed-use T-4 General Urban and T-5 Urban Center Transect Zones should be *considered* for inclusion. However, blocks within these Zones which are (or which become) predominantly residential are candidates for inclusion in a Residential Parking Benefit District.

The boundaries for the Commercial Parking Benefit District and adjacent Residential Parking Benefit Districts should be viewed as flexible and subject to change over time, since the built fabric and land uses will change over time as the area is built out. The precise boundary drawn for the initial Parking Benefit District should reflect the land uses and levels of parking demand at the time that the District is initiated.

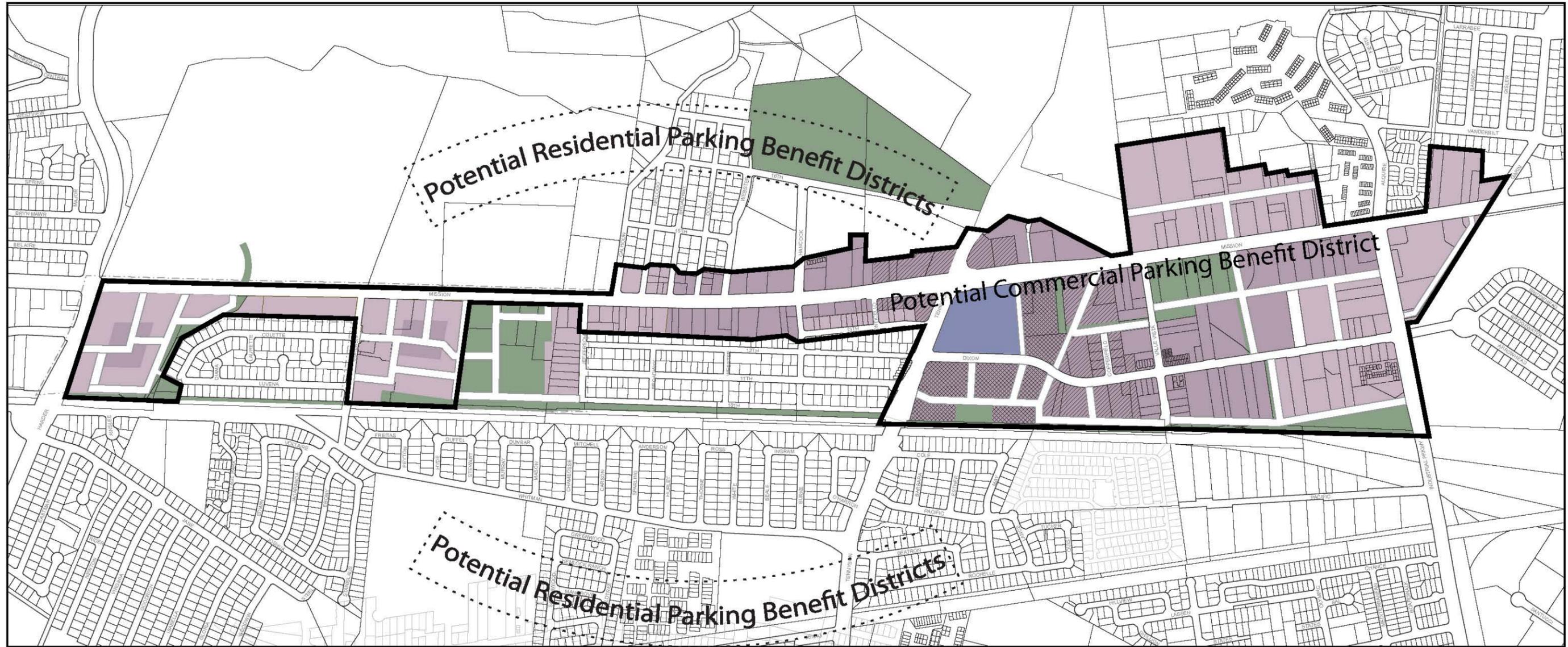
In the initial phases, it is likely that a Commercial Parking Benefit District will be needed only in the immediate vicinity of the BART station and the Wittek/Montana mixed use development.¹⁰ Over time, as additional projects are constructed, additional blocks should be added to the Commercial Parking Benefit District. Since changes in on-street parking demand will be driven primarily by the arrival of new development, the timing of these additions cannot be determined now. Instead, City policy should authorize the Public Works Director to recommend the addition of additional blocks to the Commercial Parking Benefit District when either: (a) approved building projects will foreseeably add additional parking demand to a block, or (b) occupancy surveys demonstrate that free parking spaces on the block adjacent to the District are routinely more than 85% full.

Note that in the case of the Wittek/Montana development, the project's Conditions of Approval¹¹ require the developer to fund a neighborhood parking survey to be conducted one year after build out and occupancy of the project, in order to determine if there are substantial parking impacts to surrounding areas. Further, the developer is required to implement measures to mitigate any parking impacts that are found. The measures may include (but are not limited to), measures such as managing the existing on-street parking to improve turnover, and implementing and administering a residential parking permit program. For future developments in the Code area (especially larger ones), it may be useful to implement similar conditions of approval, so that new developments help to carry the burden of establishing the on-street parking management systems that will be needed to successfully integrate these new developments into the neighborhood, and needed to help the developments function well and prosper in the future.

¹⁰ Nelson\Nygaard is currently preparing the South Hayward BART Station Access Strategy, which will provide more specific recommendations on access and parking management strategies, and this will form the basis for development of a parking management plan for the station and the surrounding area.

¹¹ Conditions of Approval, South Hayward BART Station Development, 28601 Dixon Street, Zone Change Application No. PL-2008-0547 PD, Wittek Development LLC (Applicant), pp. 13, 28, 29.

Figure 3-2 Potential Parking Benefit Districts



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Adjusting meter rates and hours of operation

Meters should operate on days and at hours when demand is high enough to make parking occupancy exceeded 85%. Initial meter rates should be set using the parking manager's best judgment: for example, curb parking rates typically need to be higher than in adjacent garages to create any availability, but it is often best to initially err on the side of lower rates, to avoid driving customers away. After an initial trial period, occupancy rates for each block in each parking should be reviewed and then adjusted down or up to achieve the 85% occupancy goal, as described earlier. To ensure that this happens on a regular schedule, promptly, and with clear assurance to policymakers, citizens and the community that the goal of parking prices is to achieve the desired vacancy rate, the following procedure for adjusting parking meter rates and hours is recommended:

1. *Set Policy:* By ordinance, City Council should establish that the primary goal in setting parking meter rates and hours for each block and each lot is to achieve an 85% occupancy rate. Additionally, the ordinance should both require and authorize City staff to raise or lower parking prices to meet this goal, without requiring further action by the City Council. Appendix E, the adopted Redwood City and Ventura downtown parking ordinances, provide two examples of the recommended approach. A Parking & Transportation Manager should be hired (unless there are already sufficient staff within the Public Works Department to handle these duties), and charged with the responsibility of running the District, including monitoring occupancy rates and adjusting meter rates. It is assumed that parking revenues will fund this position.
2. *Monitor occupancy:* Modern, wirelessly-networked multi-space parking meters are capable of instantly transmitting current information on the number of spaces in use on each block where the meters are installed, giving the Parking & Transportation Manager the ability to constantly monitor parking usage in the system. Reports can also be generated to track occupancy by the hour over the course of a day, weeks, or months.
3. *Adjust rates:* Armed with good information on recent parking occupancy rates, the Parking & Transportation Manager should adjust the rates (and hours of operation) up or down on each block, to achieve the policy goal (an 85% occupancy rate) set by City Council. Typically, rates should be adjusted quarterly (four times per year), but in the case of major changes in the Code area, such as the opening of a new development, it may be advisable to adjust rates in response to particular events. To provide additional input to the process, an advisory board (as described below) may be desirable to review the proposed rate changes and provide feedback to the Parking & Transportation Manager.

Legal basis for setting fair market parking rates

The California Vehicle Code (CVC Sec. 200258) allows local jurisdictions to set parking meter prices at fair market rates necessary to achieve 85% occupancy. California case law authorizes local jurisdictions to enact parking meter ordinances with fair market rates that “may...justify a fee system intended and calculated to hasten the departure of parked vehicles in congested areas, as well as to defray the cost of installation and supervision.”¹² California case law also recognizes that parking meters ordinances are for the purpose of regulating and mitigating traffic and parking congestion in public streets, and not a tax for revenue purposes.¹³

Recommended Payment System and Metering Technology

There are several meter technologies and payment systems that Hayward could use, but a review of best practices in cities comparable to Hayward and a review of the capabilities of existing metering technologies found that the preferred approach would balance the following goals:

- Maximize ease of use in order to increase customer convenience and reduce uncertainty and anxiety
- Minimize capital and operations costs (administration, maintenance, and enforcement)
- Promote turnover of curb parking spaces (so that visitors can always find a space)
- Achieve other revitalization goals (good urban design, cleanliness, etc.)

These goals and a review of available technology suggest that Hayward should:

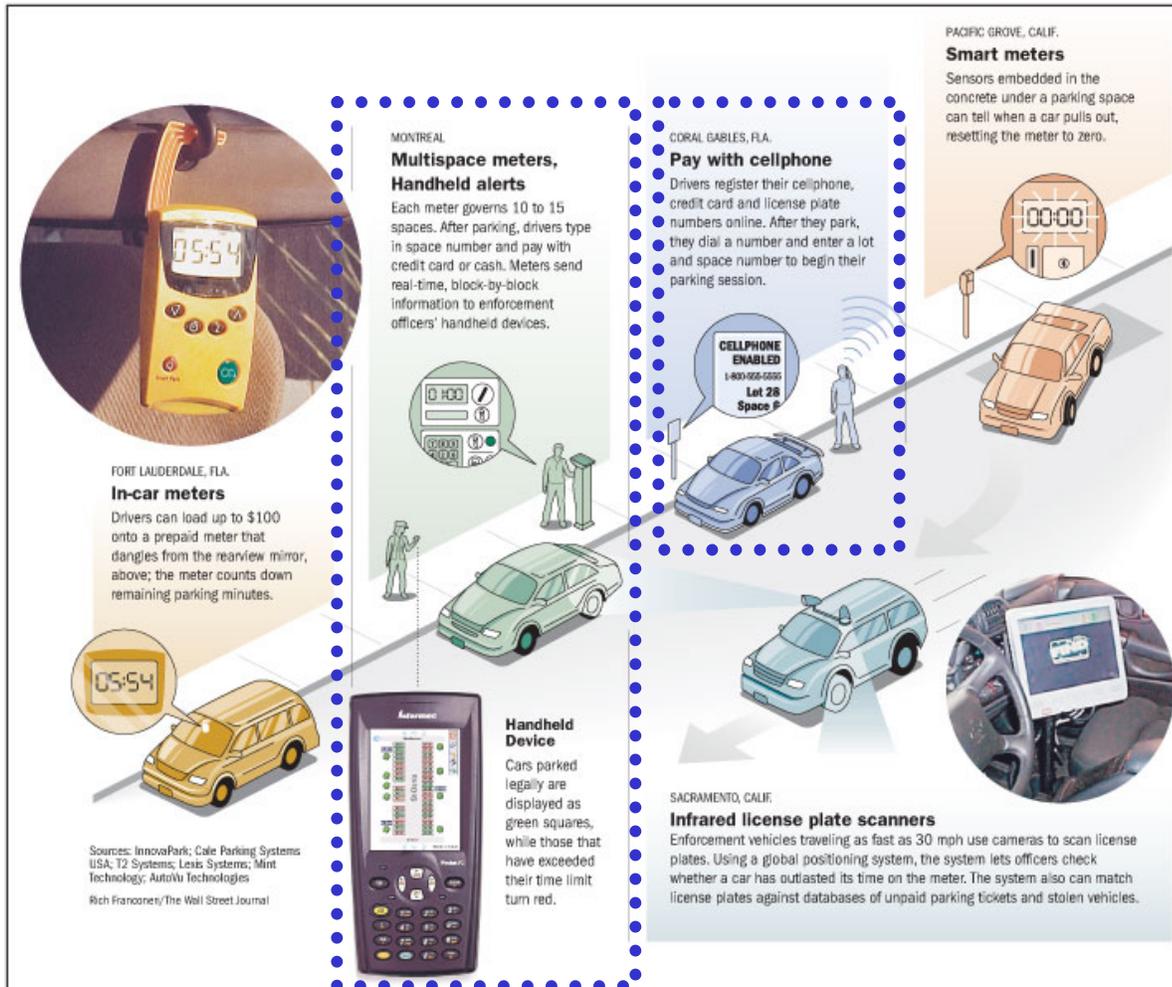
- Install multi-space meters (not single-space meters) that:
 - Can control 10-20 parking spaces, resulting in just one or two meters per block face
 - Accept multiple forms of payment (coins, credit cards) and allow the user to extend time from any other meter, or by cell phone, to provide ease of use
- Are solar powered with battery back-up (so no need for electrical hook-ups or electricity costs) and centrally networked with wireless technology, to reduce operations costs and improve parking management and pricing decisions
- Implement a “pay-by-space” payment system which allows motorists to park, pay, and go (not pay-and-display, which requires customer to return to vehicle to display a receipt and can contribute to litter problems)

Examples of multi-space meters with pay-by-space systems are illustrated in Figure 3-3.

¹² DeAryan v. City of San Diego, 75 CA2d pp 292, 296, 1946.

¹³ Ibid., p293. For more information, on California Vehicle Code statutes and case law that provide the legal basis for charging market rate parking prices and creating Parking Benefit Districts see Appendix E, Redwood City Ordinance.

Figure 3-3 Example of multi-space meters with pay-by-space system



Source: The Wall Street Journal Online.

Compared to previous generations of meter technology, multi-space meters using a pay-by-space payment system (along with pricing parking at fair market rates and eliminating time limits) confer multiple benefits. As detailed below, they minimize operations costs for administration, maintenance, and enforcement, and provide better customer service:

- **Ease of enforcement:** violation alerts automatically transmitted to officer's handheld or in-vehicle terminal, instead of requiring multiple passes to chalk tires (as is necessary to enforce time limits), or checking multiple meters (as is required with single-space meters); auto-filling of repetitive input fields on citations (up to 10 citations at once)
- **Automated audit trail, reduced revenue loss:** Fully automated audit trail of all service actions, cash transactions, and parking purchases helps reduce operations costs and revenue loss
- **Reduced downtime:** Harder to vandalize; if failure occurs, service alerts sent wirelessly by e-mail, cell phone, or text message to multiple responsible parties (maintenance worker, parking enforcement dispatcher, etc) to reduce downtime and help resolve customer service issues

- Demand-responsive pricing: Prices can be easily adjusted from a central terminal, using the wireless network features; unlike older meters, allows rate structures that vary by hour of day or day of week, including programming changes for special events.
- Better user interface: Large, interactive display screens can convey more info (instructions, etc)

Establish Parking Benefit District: Dedicate parking revenues to public improvements and services that benefit the blocks where the revenue is collected.

Net revenues from paid parking in the Commercial Parking Benefit District should fund public improvements that benefit the blocks where the revenue is collected ("net revenues" means total parking revenues from the area, less revenue collection costs, such as purchase and operation of the meters, enforcement and the administration of the District). If parking revenues seem to disappear into the General Fund, where they may appear to produce no direct benefit for the Code area, there will be little support for installing parking meters, or for raising rates when needed to maintain decent vacancy rates. But when local merchants and property owners can clearly see that the monies collected are being spent for the benefit of their blocks, on projects that they have chosen, they become willing to support market rate pricing -- and if experience from other cities is any guide, many will become active advocates for the concept.

To ensure such continuing support for a Parking Benefit District, and for continuing to charge fair market rates for parking, it is crucial to give local stakeholders a strong voice in deciding how parking revenues should be spent, and overseeing the operation of District to ensure that the monies collected from their customers are spent wisely.

To accomplish this, the City Council should consider establishing an advisory board, similar to examples such as the City of Pasadena's Old Pasadena Parking Meter Revenue Advisory Board, which advises the City on policies, rates and expenditures of meter revenue in the Old Pasadena Parking Meter Zone. City Council would appoint the members of the advisory board, with the recommended composition including local business and property owners and other downtown leaders). In particular, the Advisory Board should advise City Council how the community would like the meter revenue spent. City Council should retain final approval over all expenditures. Bonding against future revenue (i.e. issuing revenue bonds) will enable to fund larger capital projects (including the cost of the meters) in the early stages of implementing the Parking Benefit District.

Potential uses of meter revenue from Parking Benefit District

Estimating potential revenue from the Parking Benefit District is beyond the scope of this report. To accomplish this will require additional study of the timing, location and quantity of future development; current and estimated future parking occupancy rates; and information on various other factors. However, the Best Practices Appendix (see Appendix A) provides examples of revenues generated in several transit-oriented districts.

Potential uses for Parking Benefit District revenues include:

- Additional police patrols to provide additional security
- Landscaping and streetscape improvements
- Street cleaning, power-washing of sidewalks, and graffiti removal
- Pedestrian-scaled lighting

- Transit, pedestrian, and bicycle infrastructure and amenities
- Oversight and management of District infrastructure and amenities
- Additional parking enforcement
- Marketing and promotion of local businesses
- Purchase and installation costs of meters (e.g., through revenue bonds or a “build-operate-transfer” financing agreement with a vendor)
- Additional programs and projects as recommended by community via an advisory board and approved by City Council

For South Hayward, both the perception and the reality of crime has emerged as a key issue. In order to address this, meter revenues can be spent on having an active on-street security presence in the form of additional police patrols and/or “District Ambassadors.” These latter individuals can serve multiple purposes by escorting motorists to their vehicles at night, patrolling the commercial areas, and acting as information resources to visitors who need assistance in getting directions. Other cities, such as Pasadena, San Francisco, Washington, DC and others have implemented similar programs with great success in making customers feel welcome and secure.

Organizational structure for the Parking Benefit District

A number of different organizational structures can be used to establish a Parking Benefit District. The District can be a public or quasi-public entity, such as a Business Improvement District. Alternatively, the District can be established as simply a financial entity (somewhat like an assessment district), which would require by ordinance that meter revenues raised within the District be spent to benefit the District. In this latter case, establishing the District would serve primarily to reassure the community that it would benefit the blocks where the revenue is collected. Under this arrangement, the District would be managed and housed within an existing City agency such as the Development Services Department or Public Works Department.

Regardless of the ultimate organizational structure implemented, a focused effort, with dedicated and well-trained staff, will be needed to refine and implement the recommendations made within this report, and to then manage the ongoing operation of the system. The most important recommendations would likely include:

- Establishing the Parking Benefit District, and managing it thereafter. This would include responsibility for installing and operating the parking meter system, monitoring parking occupancy and proposing rate adjustments, overseeing collection and expenditure parking revenues, and in general, operating the parking system in a customer-friendly way.
- Establishing and managing any public parking facilities that may be developed in the future. This would likely include both everyday operations and negotiating purchase and/or lease of existing private parking, as well as the leasing of public spaces to new development when necessary.
- Establishing and managing alternative transportation programs for the District (as recommended elsewhere in this report) to ensure that the District invests in the most cost-effective mix of parking, transit, rideshare, bicycle and pedestrian improvements.

- Explain and assist in enforcing the transportation demand management requirements (such as "unbundling" parking costs from office leases and residential rents) recommended elsewhere in this report.

Additional recommendations for implementing the Commercial Parking Benefit District

The City of Hayward should pursue the following additional strategies when implementing the Commercial Parking Benefit District:

- Conduct extensive community outreach & education prior to launch of meters
- Install user-friendly signage to explain meter operation, rates, and hours/days of operation
- Use "Mobility Ambassadors" to assist with meters during first few weeks/months of implementation & during peak visitor demand periods
- Create mechanisms (such as regular advisory board meetings, surveys, etc.) for soliciting ongoing input from local businesses, visitors, and other key stakeholders and for resolving customer service issues and stakeholder concerns

Summary of benefits from all Parking Benefit District recommendations

The recommendations for metered parking and the creation of a Commercial Parking Benefit District will result in the following benefits:

- Ensure that there is always a short-term parking space available in high demand areas – approximately 1 in 7 spaces will always be available for customers and visitors
- Prevent "cruising" for parking, thereby preventing traffic congestion
- Encourage long-term parkers and daily commuters to park in off-street garages and lots
- Avoid the "2-hour shuffle" of employees moving cars from one curb parking space to another every few hours
- Eliminate "ticket anxiety" of short-term parkers worried about overstaying time limits
- Reduce capital, operations, maintenance, and enforcement costs compared to single-space meters or time limits
- Reduce downtime and revenue loss compared to single-space meters
- Prevent rows of single-space meters from cluttering the streetscape (no parking meter "picket fences")
- Generate significant revenue to help pay for District improvements (for cleaning, security, pedestrian /bicycle infrastructure, lighting, etc.)

Recommendation 2: Invest Meter Revenues in Transportation Demand Management Programs

Goal: Invest in the most cost-effective mix of transportation modes for access to the District, including both parking and transportation demand management strategies.

Recommendation: Invest meter revenues in a full spectrum of transportation demand management strategies for District employees and residents, including transit, carpool, vanpool, bicycle and pedestrian programs.

Discussion: The cost to construct new parking garages in South Hayward can be expected to be in the range of \$22,000 to \$45,000 per space, judging from recent cost estimates for garages at the South Hayward BART Station.¹⁴ This results in a total cost to build, operate and maintain new spaces ranging from \$139-\$254 per month per space, every month for the expected 35-year lifetime of the typical garage. These dismal economics for parking garages lead to a simple principle: it can often be cheaper to reduce parking demand than to construct new parking. Therefore, Hayward should invest in the most cost-effective mix of transportation modes for access to the District, including both parking and transportation demand management strategies.

By investing in the following types of demand reduction strategies, other cities have cost-effectively reduced parking demand (and the resulting traffic loads). The Parking Benefit District should invest a portion of parking revenues (and other fees, grants, and/or transportation funds, when available) to establish a full menu of transportation programs for the benefit of all residents and employees. These programs should include:

- **Universal Transit Passes.** As described more fully in Recommendation 3, a universal transit pass program would provide free transit passes for every employee and resident of the Code area. The annual passes would be purchased at a deeply-discounted bulk rate by the Parking Benefit District from the transit operators. For AC Transit (which already offers this type of group transit pass program) and other regional transit operators, universal transit passes provide a stable source of income, while helping them meet their ridership goals.
- **Carpool & Vanpool Incentives.** Provide ride-sharing services, such as carpool and vanpool incentives, customized ride-matching services, a Guaranteed Ride Home program (offering a limited number of emergency taxi rides home per employee), and an active marketing program to advertise the services to employees and residents.
- **Bicycle/Pedestrian Facilities.** Provision of bicycle facilities, such as clothes lockers, secure bike parking, and shower facilities.
- **Transportation Demand Management Staff.** A Parking & Transportation Manager (and this person's staff, if revenues permit more than one position) can provide personalized information on transit routes and schedules, carpool and vanpool programs, bicycle routes and facilities and other transportation options. The Parking & Transportation Manager

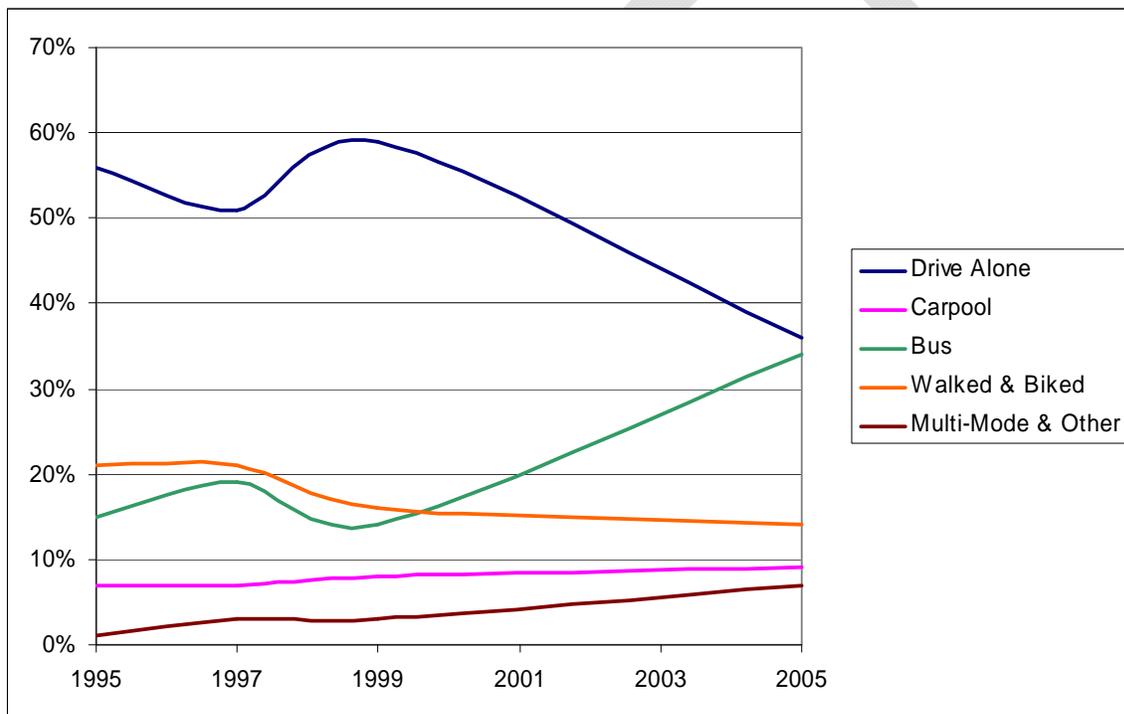
¹⁴ According to the South Hayward BART Proposition 1C Infill Infrastructure Grant Application, the cost for a 910-space parking structure for BART commuters was estimated at \$19,893,240, or \$21,861 per space, while the cost for a 190-space subterranean garage for retail parking was estimated at \$8,479,789, or \$44,630 per space. The cost figure for the 910-space garage does not include land value, so it is a conservative figure.

should also take responsibility for administering and actively marketing all demand management programs. Parking District operations and administration could be housed here as well.

Case Study: Boulder, Colorado

An excellent example of a Parking Benefit District that funds transportation alternatives is the City of Boulder (Colorado) Downtown Management Commission & Central Area General Improvement District (CAGID), which is profiled in Appendix A. Since the downtown baseline figures were established in 1995, the drive-alone rate has fallen 20 percentage points, from 56% in 1995 to 36% in 2005, while the transit rate has more than doubled from 15% to 34% (see Figure 3-4). The resulting ridership is estimated at a parking equivalent of 4,390 spaces. Overall, Boulder has found that in many cases, it is cheaper to provide free transit and strong ridesharing programs to all employees, than to provide them parking.

Figure 3-4 Downtown Boulder Mode Split



Recommendation 3: Provide Universal Transit Passes

Goal: Increase transit ridership and provide incentives for District employees and residents to reduce parking demand by providing free transit passes to all residents and employees.

Recommendation: Using deeply-discounted group transit pass programs, provide free transit passes to all existing employees and residents. Fund this program using Parking Benefit District revenues and other sources as available. For all new developments, require that universal transit passes be provided to employees and residents through a universal transit pass program.

Discussion: In recent years, growing numbers of transit agencies, including the Alameda/Contra Costa Transit District (AC Transit), have teamed with universities, employers, or residential neighborhoods to provide universal transit passes. These passes typically provide unlimited rides on local or regional transit providers for low monthly fees, often absorbed entirely by the employer, school, or developers. A typical example of a universal transit pass is the Eco-Pass program in downtown Boulder, which provides free transit on Denver's Regional Transportation District (RTD) light rail and buses to more than 7500 employees, employed by 700 different businesses in downtown Boulder. To fund this program, Boulder's downtown parking benefit district pays a flat fee for each employee who is enrolled in the program, regardless of whether the employee actually rides transit. Because every full-time employee in the downtown is enrolled in the program, the Regional Transportation District in turn provides the transit passes at a deep bulk discount.

A review of existing universal transit pass programs found that the annual per employee fees are between 1% and 17% of the retail price for an equivalent annual transit pass. The principle of employee or residential transit passes is similar to that of group insurance plans – transit agencies can offer deep bulk discounts when selling passes to a large group, with universal enrollment, on the basis that not all those offered the pass will actually use them regularly.

In the case of South Hayward residents and employees, the cost savings would be considerable. AC Transit's Easy Pass program provides steeply discounted universal transit passes and is available to employers, educational institutions and residential developments at an *annual* cost of between \$41 – 115 per person, depending on the size of the organization and the level of transit service provided within ¼ mile of the employer location.¹⁵ This compares to single ride fares of \$2, or monthly passes priced at \$80 - \$132.50. A key advantage of AC Transit's Easy Pass program is that it is already established, and AC Transit is seeking new customers for the program. Therefore, this recommendation can be implemented simply by requiring that new developments enroll employees and residents in the program.

Other alternatives include developing similar deeply-discounted group pass programs for other existing transit agencies (such as BART), and/or developing a Hayward shuttle system and creating a similar program for that future shuttle system.

Benefits from universal transit pass program

Universal transit passes provide multiple benefits, as discussed below.

¹⁵ See <http://www.actransit.org/riderinfo/easypass/>

For transit riders

- Free access to transit (e.g., eliminating the current \$2 per ride or \$80-\$132.50 per month AC Transit pass price)
- Rewards existing riders, attracts new ones
- For employees who drive, making existing transit free can effectively create convenient park-and-ride shuttles to existing underused remote parking areas

For transit operators

- Provides a stable source of income
- Increases transit ridership, helping to meet agency ridership goals
- Can help improve cost recovery, reduce agency subsidy, and/or fund service improvements

For commercial districts

- Reduces traffic congestion and increases transit ridership
- Reduces *existing* parking demand: Santa Clara County's (CA) ECO Pass program resulted in a 19% reduction in parking demand
- Reduces *unmet* parking demand: UCLA's BruinGo! program resulted in 1,300 fewer vehicle trips which resulted 1,331 fewer students on the wait list for parking permits (a 36% reduction)
- Reduces *future* growth in parking demand: University of Washington's U-Pass program helped avoid construction of 3,600 new spaces, saving \$100 million (since 1983 the university population increased by 8,000 but actually reduced the number of parking spaces)

For developers

- Universal transit pass programs can benefit developers if implemented concurrently with reduced parking requirements, which consequently lower construction costs
- Providing free transit passes at new developments provides an amenity that can help attract renters or home buyers as part of lifestyle marketing campaign appealing to those seeking a "transit-oriented lifestyle"

For employees/employers

- Reduces demand for parking on-site
- Provides a tax-advantaged transportation benefit that can help recruit and retain employees

Figure 3-5 illustrates, free transit passes are usually extremely effective means to reduce the number of car trips in an area; reductions in car mode share of 4% to 22% have been documented, with an average reduction of 11%. By removing any cost barrier to using transit, including the need to search for spare change for each trip, people become much more likely to take transit to work or for non-work trips.

Figure 3-5 Mode shifts achieved with free transit passes

| Location | Drive to work | | Transit to work | |
|---|---------------|-------|-----------------|-------|
| | Before | After | Before | After |
| Municipalities | | | | |
| Santa Clara (VTA) ¹⁶ | 76% | 60% | 11% | 27% |
| Bellevue, Washington ¹⁷ | 81% | 57% | 13% | 18% |
| Ann Arbor, Michigan ¹⁸ | N/A | (4%) | 20% | 25% |
| Universities | | | | |
| UCLA ¹⁹ (faculty and staff) | 46% | 42% | 8% | 13% |
| Univ. of Washington, Seattle ²⁰ | 33% | 24% | 21% | 36% |
| Univ. of British Columbia ²¹ | 68% | 57% | 26% | 38% |
| Univ. of Wisconsin, Milwaukee ²² | 54% | 41% | 12% | 26% |
| Colorado Univ. Boulder (students) ²³ | 43% | 33% | 4% | 7% |

Case Studies

General universal transit pass programs

Silicon Valley (CA): Silicon Valley’s Valley Transportation Authority (VTA) EcoPass program charges employers between \$7.50 and \$120 per year per employee, instead of the usual \$990 per year for a transit pass. The result has been a 19 percent decrease in parking demand at employers participating in the program. Neighborhood EcoPass programs apply the same principle to residential developments.²⁴

Boulder (CO): In Boulder the Eco Pass is an annual bus pass purchased by employers for all full-time employees. The annual cost for a normal pass varies between \$540 and \$1,620 whereas

¹⁶ Santa Clara Valley Transportation Authority, 1997.

¹⁷ 1990 to 2000; http://www.commuterchallenge.org/cc/newsmar01_flexpass.html.

¹⁸ White et. al. “Impacts of an Employer-Based Transit Pass Program: The Go Pass in Ann Arbor, Michigan.”

¹⁹ Jeffrey Brown, et. al. “Fare-Free Public Transit at Universities.” *Journal of Planning Education and Research* 23: 69-82, 2003.

²⁰ 1989 to 2002, weighted average of students, faculty, and staff; From Will Toor, et. al. *Transportation and Sustainable Campus Communities*, 2004.

²¹ 2002 to 2003, the effect one year after U-Pass implementation; From Wu et. al, “Transportation Demand Management: UBC’s U-P ass – a Case Study”, April 2004.

²² Mode shift one year after implementation in 1994; James Meyer et. al., “An Analysis of the Usage, Impacts and Benefits of an Innovative Transit Pass Program”, January 14, 1998.

²³ Six years after program implementation; Francois Poinsette et. al. “Finding a New Way: Campus Transportation for the 21st Century”, April, 1999.

²⁴ VTA EcoPass website. Accessed at http://www.vta.org/ecopass/ecopass_corp/index.html.

the annual per employee fee for the Eco Pass ranges from \$31 to \$279. Six years after the program implementation the Eco Pass has reduced the drive to work mode share by 10 percent. The Eco Pass program alone has also reduced commuter parking demand by 850 spaces, according to Boulder's Downtown Management Commission.²⁵

King County (WA): A King County Metro FlexPass costs \$65 per year per employee for employers compared to the normal annual cost of \$396-1584. The King County Metro, WA, notes that in downtown Bellevue, FlexPass is responsible in part for a 24 percent drop in drive alone commutes from 1990 to 2000 (81 percent to 57 percent).²⁶

Residential transit pass programs

Transit subsidies can also be used for a wide range of residential developments. Under AC Transit's Easy Pass program for residential communities, and also in Santa Clara County, CA (under the Valley Transportation Authority's Eco-Pass program) and Portland, OR, property managers can bulk-purchase transit passes for their residents at deeply discounted rates. In Portland, transit use among residents increased by between 79 percent and 250 percent in two different developments after transit passes were offered there.²⁷ This is the model recommended for new residential developments in South Hayward: once an agreement has been reached with AC Transit and other transit operators on the cost of the residential transit pass programs, new developments should be required to provide them to all residents. To provide ongoing funding for this expense, a portion of condominium association dues, or rents (for rental units) can be used.

As another example, in the City of Boulder, both residential building managers and entire neighborhoods (even typical single-family areas) can purchase Eco-Passes for their residents. In the latter, neighborhood volunteers collect contributions on an annual basis, and once the minimum financial threshold is met, everyone living in the neighborhood is eligible for the transit pass. Alternatively, a neighborhood can elect to increase property taxes to purchase neighborhood-wide Eco-Passes.

A cost-effective transportation investment

Many cities and institutions have found that trying to provide additional parking spaces costs much more than reducing parking demand by simply providing everyone with a free transit pass. For example, a study of UCLA's universal transit pass program found that a new parking space costs more than 3 times as much as a free transit pass (\$223/month versus \$71/month).²⁸

In addition, on-street parking spaces formerly taken by residents' autos free up more spaces for short-term parkers. This can provide additional parking revenue to pay for improvements in the Commercial Parking Benefit District. For example, the same study of UCLA's universal transit pass program mentioned above found that an hourly space on-campus generates 30% more revenue than a monthly space if used 50% of the time and 149% more revenue than a monthly space if used 100% of the time.²⁹

²⁵ Interviews and e-mail correspondence with local developers, planners, and CAGID staff.

²⁶ Accessed at http://www.commuterchallenge.org/cc/newsmar01_flexpass.html.

²⁷ Caltrans. "Parking and TOD: Challenges and Opportunities," 2002.

²⁸ Jeffrey Brown, et. al. "Fare-Free Public Transit at Universities: An Evaluation." Journal of Planning and Education Research, 2003: Vol 28, No. 1, pp 69-82.

²⁹ Ibid.

Implementation Details

Purchase of a universal transit pass program for all existing employees and residents should be managed by the Parking Benefit District (as described elsewhere in this plan).

Funding sources

Given the goal of providing universal coverage for all employees and residents, implementation of this program will require phasing in coverage over time as new development projects go forward and transportation revenues permit.

- For existing residents and employees, on-going funding for a transit pass program can be provided through a combination of Parking Benefit District revenues, supplemented by, as available, other federal, state and local transportation funding, and new assessment district revenues.
- New developments can be required to provide all residents and employees within the development with universal transit passes, as a condition of development approval.

Implementation priorities

In implementing a universal transit pass program, Hayward's Parking & Transportation Manager should emphasize:

- Universal coverage for all residents and employees , which allows lower per rider costs and allows a deeper discount to be offered
- Automatic opt-in, which lowers sign-up barriers and encourages greater participation and ridership gains
- Plan for targeted service improvements to further encourage usage of the universal transit pass and/or to respond to increased ridership after the program is launched

Recommendation 4: Require Parking Cash Out

Goal: Subsidize all employee commute modes equally and create incentives for commuters to carpool, take transit, and bike or walk to work.

Recommendation: Require all new and existing employers that provide subsidized employee parking to offer their employees the option to “cash out” their parking subsidy.

Discussion: Many employers in Hayward provide free or reduced price parking for their employees as a fringe benefit. Under a parking cash-out requirement, employers will be able to continue this practice *on the condition that they offer the cash value of the parking subsidy to any employee who does not drive to work.*

The cash value of the parking subsidy should be offered in one of two forms:

- A transit/vanpool subsidy equal to the value of the parking subsidy (of which up to \$230 is tax-free for both employer and employee)³⁰
- A bicycle subsidy equal to the value of the parking subsidy (of which up to \$20 per month is tax-free for both employer and employee)
- A taxable carpool/walk subsidy equal to the value of the parking subsidy

Employees who opt to cash out their parking subsidies would not be eligible to receive free parking from the employer, and would be responsible for their parking charges on days when they drive to work.

Benefits of Parking Cash Out

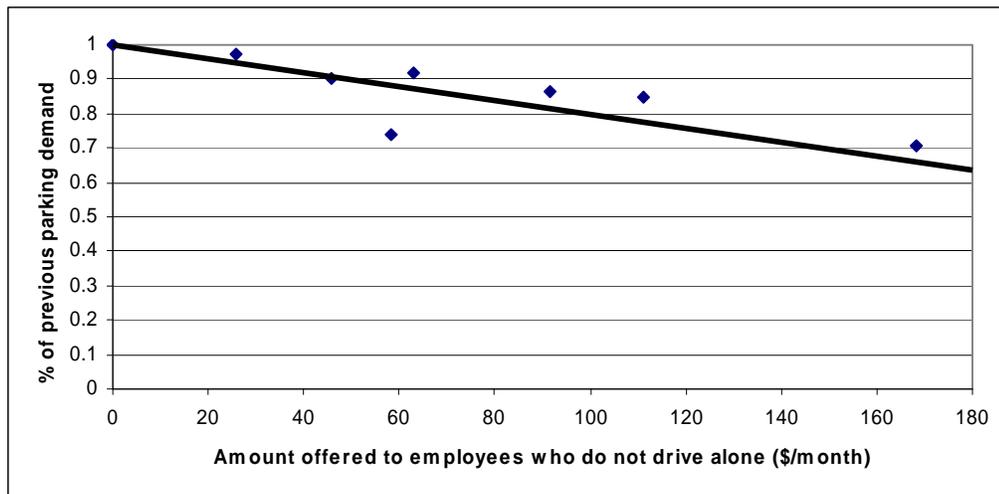
The benefits of parking cash out are numerous, and include:

- Provides an equal transportation subsidy to employees who ride transit, carpool, vanpool, walk or bicycle to work. The benefit is particularly valuable to low-income employees, who are less likely to drive to work alone.
- Provides a low-cost fringe benefit that can help individual businesses recruit and retain employees.
- Employers report that parking cash-out requirements are simple to administer and enforce, typically requiring just one to two minutes per employee per month to administer.

In addition to these benefits, the primary benefit of parking cash-out programs is their proven effect on reducing auto congestion and parking demand. Figure 3-6 illustrates the effect of parking cash out at seven different employers located in and around Los Angeles. It should be noted most of the case study employers are located in areas that do not have good access to transit service, so that a large part of the reduced parking demand that occurred with these parking cash-out programs resulted when former solo drivers began carpooling.

³⁰ Under the federal “Commuter Choice” law. More info at the Federal Transit Administrations’ Commuter Choice website http://www.fta.dot.gov/initiatives_tech_assistance/customer_service/2172_ENG_HTML.htm.

Figure 3-6 Effects of parking cash out on parking demand



Source: Derived from Donald Shoup, "Evaluating the Effects of Parking Cash Out: Eight Case Studies," 1997. Based on the cost in 2005 dollars.

Figure 3-7 outlines key research on commuter responsiveness to financial incentive programs implemented throughout the United States. The studies illustrate programs implemented in cities, colleges, and by individual employers, covering tens of thousands of employees and hundreds of firms. The findings show that, even in suburban locations with little or no transit, financial incentives can substantially reduce parking demand. On average, a financial incentive of \$70 per month reduced parking demand by over one-quarter. At the University of Washington, a financial incentive of just \$18 per month reduced parking demand by 24 percent.

Implementation Details

Additional details on implementing a parking cash-out program – including how this could be implemented for different types of employers and how the program could be enforced – are discussed below.

Firms that lease employee parking

If the City requires the unbundling of parking costs from commercial lease costs for all new commercial development (as recommended elsewhere in this plan), parking cash out will already be required under state law for those employers with 50 or more employees who lease their parking under California's existing "Parking Cash Out" law.³¹

³¹ "California's Parking Cash Out Law: An Informational Guide for Employers." California Air Resource Board, 2002. Accessed at http://www.arb.ca.gov/planning/tsag/cashout/cashout_0502.pdf.

Figure 3-7 Effect of financial incentives on parking demand

| Location | Scope of Study | Financial Incentive per Month (1995 \$) | Decrease in Parking Demand |
|---|------------------------------------|---|----------------------------|
| Group A: Areas with little public transportation | | | |
| Century City, CA ¹ | 3500 employees at 100+ firms | \$81 | 15% |
| Cornell University, NY ² | 9000 faculty and staff | \$34 | 26% |
| San Fernando Valley, CA ¹ | 1 large employer (850 employees) | \$37 | 30% |
| Bellevue, WA ³ | 1 medium-size firm (430 empl) | \$54 | 39% |
| Costa Mesa, CA ⁴ | State Farm Insurance employees | \$37 | 22% |
| Average | | \$49 | 26% |
| Group B: Areas with fair public transportation | | | |
| Los Angeles Civic Center ¹ | 10,000+ employees, several firms | \$125 | 36% |
| Mid-Wilshire Blvd, LA ¹ | 1 mid-sized firm | \$89 | 38% |
| Washington DC suburbs ⁵ | 5500 employees at 3 worksites | \$68 | 26% |
| Downtown Los Angeles ⁶ | 5000 employees at 118 firms | \$126 | 25% |
| Average | | \$102 | 31% |
| Group C: Areas with good public transportation | | | |
| University of Washington ⁷ | 50,000 faculty, staff and students | \$18 | 24% |
| Downtown Ottawa ¹ | 3500+ government staff | \$72 | 18% |
| Average | | \$102 | 31% |
| Overall Average | | \$67 | 27% |

Sources:

¹ Willson, Richard W. and Donald C. Shoup. "Parking Subsidies and Travel Choices: Assessing the Evidence." *Transportation*, 1990, Vol. 17b, 141-157 (p145).

² Cornell University Office of Transportation Services. "Summary of Transportation Demand Management Program." Unpublished, 1992.

³ United States Department of Transportation. "Proceedings of the Commuter Parking Symposium," USDOT Report No. DOT-T-91-14, 1990.

⁴ *Employers Manage Transportation*. State Farm Insurance Company and Surface Transportation Policy Project, 1994.

⁵ Miller, Gerald K. "The Impacts of Parking Prices on Commuter Travel," Metropolitan Washington Council of Governments, 1991.

⁶ Shoup, Donald and Richard W. Wilson. "Employer-paid Parking: The Problem and Proposed Solutions," *Transportation Quarterly*, 1992, Vol. 46, No. 2, pp169-192 (p189).

⁷ Williams, Michael E. and Kathleen L Petrait. "U-PASS: A Model Transportation Management Program That Works," *Transportation Research Record*, 1994, No.1404, p73-81.

To achieve the full potential of parking cash-out, Hayward should adopt local legislation that extends parking cash-out requirements to all employers in the Code area who provide free/reduced price parking to their employees, including both those who own or lease their parking. Such an ordinance would simply require that any employers that provide subsidized parking to one or more of their employees must provide all their employees with the option to “cash out” their employee parking by taking the cash value of the parking subsidy. To establish the value of parking, the ordinance should define the market value of parking using the most recent estimate of the cost to add additional parking spaces, including both the opportunity costs of land, and the cost to build operate and maintain parking itself.

Local enforcement measures to ensure compliance

Several local jurisdictions have developed enforcement mechanisms to enforce parking cash out requirements. For example, Santa Monica requires proof of compliance with the State's parking cash out law before issuing occupancy permits for new commercial development. Another enforcement mechanism that has been considered in San Francisco is to require employers to provide proof of compliance (via an affidavit signed by a company officer) at the same time that they receive/renew their business license or pay their annual business taxes. This method ensures that all employers are in compliance with parking cash out requirements on an ongoing basis, rather than limiting proof of compliance to a one-time enforcement for employers occupying new or renovated commercial buildings.

Recommendation 5: Create Residential Parking Benefit Districts

Goal: Prevent “spillover” parking in neighborhoods adjacent to commercial uses.

Recommendation: At the same time as parking meters are implemented for curbside parking in commercial areas, implement Residential Parking Benefit Districts in adjacent residential areas. Residential Parking Benefit Districts are similar to residential permit parking districts, but allow a limited number of commuters to pay to use surplus on-street parking spaces in residential areas, and return the resulting revenues to the neighborhood to fund public improvements. These Districts should be implemented as necessary once a parking evaluation has taken place.

Discussion: In order to prevent spillover parking in residential neighborhoods, many cities, including Hayward, implement *residential permit parking districts* (also known as preferential parking districts) by issuing a certain number of parking permits to residents, usually for free or a nominal fee. These permits allow the residents to park within the district while all others are prohibited from parking there for more than a few hours, if at all. At least 130 other cities and counties currently have such residential parking permit programs in effect in the US and Canada.³²

Residential permit parking districts are typically implemented in residential districts near large traffic generators such as central business districts, educational, medical, and recreational facilities but have several limitations.

Most notably, conventional residential permit districts often issue an unlimited number of permits to residents without regard to the actual number of curbside parking spaces available in the district. This often leads to a situation in which on-street parking is seriously congested, and the permit functions solely as a “hunting license”, simply giving residents the right to hunt for a parking space with no guarantee that they will actually find one. (An example of this is Boston’s Beacon Hill neighborhood, where the City’s Department of Transportation has issued residents 3,933 permits for the 983 available curbside spaces in Beacon Hill’s residential parking permit district, a 4-to-1 ratio.)³³

An opposite problem occurs with conventional residential permit districts in situations where there actually are surplus parking spaces (especially during the day, when many residents are away), but the permit district prevents any commuters from parking in these spaces even if demand is high and many motorists would be willing to pay to park in one of the surplus spaces.

In both cases, conventional residential parking permit districts prevent curbside parking spaces from being efficiently used (promoting overuse in the former example and underuse in the latter).

To avoid these problems, Hayward should implement *Residential Parking Benefit Districts* in residential areas adjacent to commercial uses at the same time that parking meters are implemented for curbside parking in commercial areas. This will prevent excessive spillover parking from commuters trying to avoid parking charges and further Hayward’s community revitalization goals.

³² “Residential Permit Parking: Informational Report.” Institute of Transportation Engineers, 2000, p1.

³³ Shoup, Donald. *The High Cost of Free Parking*. APA Planners Press, 2005, p516.

Implementation details

The following steps are recommended to implement each Residential Parking Benefit District.

[Note that a parking occupancy survey covering the BART station parking lots and all curb parking spaces within ½ mile of the station was recently conducted as part of the planning for the Wittek/Montana mixed-use development. The results of that survey are forthcoming, and will be incorporated in the final version of this report.]

- 1) Count the number of available curb parking spaces in the area where the Residential Parking Benefit District is being considered. Counting the number of curb parking spaces available in an area where a Residential Parking Benefit District is being considered is an essential first step for any parking manager. It is the equivalent of knowing how many seats are in a movie theater, for the manager of the movie theater. Just as the manager of a movie theater cannot know how many tickets to sell without knowing how many seats exist, a parking manager cannot know how many parking permits to issue, unless he or she knows how many parking spaces exist.
- 2) Make a map showing the results of the count. On blocks where individual parking stalls are not marked, assume that one parking space exists for every 20 feet of available curb space.³⁴ (By "available" curb space, we mean curb space where parking is legal, so curb space where parking is prohibited, such as red painted curbs near fire hydrants should be excluded.) Usually, "left over" fragments of curb space will exist, after all of the segments that are at least 20 feet long have been counted. For example, if there is a 96-foot long segment of curb space where it is legal to park, then the segment contains four 20-foot long parking spaces, plus a leftover 16-foot long fragment. Similarly, it is common to find "fragments" of legally available curb space (i.e., sections of curb space that are less than 20 feet long) between driveways, or between a driveway and a fire hydrant. Count any leftover fragment that is at least 16 feet long as a parking space. Disregard fragments that are less than 16 feet long. (One may consider these longer fragments to be the equivalent of compact parking spaces: while not all cars fit in a space of this length, many cars will.) On the map, delineate clearly the number of curb parking spaces on each block face. Count the number of residential units on each parcel within the same area. Add this information to the map of curb parking spaces completed in Step #1. As a base map for this effort, an Assessor's Parcel Map is often very useful. The Assessor's Parcel Map can be combined with Assessor's Parcel Data on the ownership of each parcel to help identify how many properties exist in an area, the legal boundaries of those properties, the homeowners and/or landlords for each residential unit, and in turn, this information can help clarify the number of residential units on each property, and the tenants who reside in those units.
- 3) Compare the existing number of residential units in the area to the number of available curb parking spaces in the area. Usually, the best visual presentation is to prepare a map showing (a) the total number of residential units on each block, and (b) the number of available curb parking spaces on each block face. For the entire area, it is important to determine the ratio of curb parking spaces to residential units. (For example, if there are 1000 curb parking spaces and 500 residential units, then the ratio is 2.0 curb parking spaces per unit.)

³⁴ In areas where parking is tight, so that drivers park close together, or in neighborhoods where the average vehicle size is smaller than average, this figure may be adjusted downward: one method is to count the number of cars actually parked on blocks where the parking is full, in order to estimate the average curb length required for each parked car.

- 4) Decide how many curb parking permits to issue to residents. This step determines what percentage of spaces will be left available at all times for visitors. For example, issuing eight permits for every 10 curb spaces leaves 20% of spaces available for visitors, even when all resident permit holders are present.
- 5) Resident permits should be priced to balance multiple considerations, including: (a) the need to win acceptance for the program from existing residents (which is often best achieved by "grandfathering in" existing residents by providing them with free or nominally priced permits); (b) the need to fund the program's ongoing administrative costs; (c) the desire of local residents to raise funds for neighborhood improvements; and (d) the need for prices to balance supply and demand for the limited number of curb parking spaces. To reduce the price for residents, funding from non-resident sources, such as Commercial Parking Benefit District revenues, fees charged for commuter parking, and fees on new development can also be used.
- 6) Rather than entirely prohibit non-resident parking as is done in many conventional residential parking permit districts, the City should sell permits for any surplus parking capacity to non-resident commuters at fair market rates. These non-resident permits, though, should only be permitted during daytime hours when residential occupancy rates are lower.
- 7) Finally, the rates for non-residents' parking permits should be set at fair market rates (i.e., at the price which maintains an 85% occupancy rate) as determined by periodic City surveys, and all net revenues above and beyond the cost of administering the program should be dedicated to pay for public improvements in the neighborhood where the revenue was generated.
- 8) Implement appropriate technology for charging non-residents for parking: for Residential Parking Benefit Districts in Hayward, the most efficient and least capital-intensive technology is likely to be to follow the lead of the Borough of Westminster in London. In Westminster's residential parking permit districts, visitors may pay by cell phone for parking (the number to call is posted on the residential parking signs); or by purchasing books of parking cards from local libraries.³⁵ In Pasadena, CA, pay stations for purchasing visitor parking permits are located at each neighborhood fire station, and may also be purchased online and printed out at home.

Community Participation & Local Control

As with Hayward's existing residential permit parking ordinance, Residential Parking Benefit Districts should only be implemented if a majority (55% threshold) of property owners on a block supports formation of the District.

Once implemented, residents, property owners, and business owners in the District should continue to have a voice in recommending to City Council how they would suggest new parking revenue be spent in their neighborhood. This could occur via City staff attendance at existing neighborhood association meetings, mail-in surveys or public workshops. Another option is to appoint advisory committees in each Parking Benefit District, tasked with recommending to City Council how the revenue should be spent in their neighborhood.

³⁵ See: <http://www.westminster.gov.uk/services/transportandstreets/parking/permits/visitorsparkingfaq/>

Benefits of Residential Parking Benefit Districts

Residential Parking Benefit Districts have been described as “a compromise between free curb parking that leads to overcrowding and [conventional residential] permit districts that lead to underuse...[parking] benefit districts are better for both residents and non-residents: residents get public services paid for by non-residents, and non-residents get to park at a fair-market price rather than not at all.”³⁶

Benefits of implementation of Residential Parking Benefit Districts in Hayward include the following:

- Excessive parking spillover into commercial adjacent neighborhoods will be prevented.
- Scarce curb parking spaces are used as efficiently as possible.
- Need for construction of additional costly parking structures is reduced
- Residents will be guaranteed to find a parking space at the curb.

Examples of Residential Parking Benefit Districts

Residential Parking Benefit Districts have been implemented in various forms in the following jurisdictions:

- Aspen, CO (non-resident permits: \$5/day)
- Boulder, CO (resident permits \$12/year; non-resident permits \$312/year)
- Santa Cruz, CA (resident permits \$20/year; non-resident permits \$240/year)
- Tucson, AZ (resident permits \$2.50/year; non-resident permits \$200-\$400/year, declining with increased distance from University of Arizona campus)
- West Hollywood, CA (resident permits \$9/year; non-resident permits \$360/year)

³⁶ Ibid., p435.

"Permitless" Parking (a.k.a. "Virtual Parking Permits")

License Plate Recognition (LPR) technology eliminates the need for paper parking permits by utilizing a camera and laptop computer that uses software to interpret or read images of license plates and then verifies the read image against a list of authorized plates from an online database. If a license plate is not found in the database, the owner is issued a citation.

LPR technology is connected to a computer database, where the license plates of all vehicles permitted to park in a garage, lot or neighborhood are entered. This data is then loaded into the LPR system which is mounted on a parking patrol vehicle. As the patrol vehicle is patrolling through the given area, the system will issue an alert whenever it identifies a vehicle that is not authorized to park in the area. The system can also issue an alert when an authorized vehicle has exceeded the time limit for the area.

There are a number of advantages to using the "permitless" parking system. By eliminating the need for paper permits, the staff time needed to manage parking permits is reduced, issues surrounding lost or forgotten permits greatly decrease, unwarranted citations are also reduced when compared to traditional parking systems, and the time needed to verify a vehicle takes only a few seconds rather than the few minutes it may take for a thorough search if a permit is not immediately visible. Additionally, an online interface can be setup allowing permit holders to manage their accounts through the web based system.

In the fall of 2007, UC Irvine introduced a new Parking Management System utilizing LPR technology at two on-campus housing complexes. A web based application allows residents to manage their parking options online while the administrators overseeing the database still retains ultimate control over the system and user accounts. As a result of the implementation of this new system, citation complaints have decreased by 75%, the number of steps in the permit process has been reduced from 18 to three, staff time devoted to entering license plates has been eliminated since residents now enter their license plate information online, and there has been a significant reduction in the number of citations that were cancelled because vehicle operators forgot to display a parking permit, patrol error, or due to ambiguity of the prior license plate registration system.^[1]

The implementation of a "permitless" parking system could enable the City to eliminate the paper permits which they currently use, reduce the staff time required to process permits, and increase the efficiency of parking enforcement. Given that the License Plate Recognition system, including cameras and software, costs roughly \$70,000, the subsequent savings in staff time and improved enforcement may make this system cost-effective.

Recommendation 6: “Unbundle” Parking Costs

Goal: Increase housing affordability and housing choice.

Recommendation: Require new office and residential development to “unbundle” the full cost of parking from the cost of the housing or commercial space itself, by creating a separate parking charge for employee and resident spaces.

Discussion: Parking costs are generally subsumed into the sale or rental price of offices and housing for the sake of simplicity, and because that is the more traditional practice in real estate. But although the cost of parking is often hidden in this way, parking is never free. Each space in a parking structure can cost upwards of \$30,000, while in Hayward, given land values, surface spaces can be similarly costly.

Looking at parking as a tool to achieve revitalization goals requires some changes to status quo practices, since providing anything for free or at highly subsidized rates encourages use and means that more parking spaces have to be provided to achieve the same rate of availability.

Unbundling parking costs from commercial leases

New office developments in the Code area should be required to unbundle parking costs by identifying parking costs as a separate line item in the lease, and should be required to allow employers to lease as few parking spaces as they wish.

An example of requiring the unbundling of parking costs in office leases

Bellevue, Washington: Bellevue requires downtown office buildings of more than 50,000 square feet to identify the cost of parking as a separate line item in all leases, with the minimum monthly rate per space not less than twice the price of a bus pass. For example, since the price of a monthly bus pass was \$72 in 2003, the minimum price of a leased parking space was \$144 a month. This requirement for “unbundling” parking costs does not increase the overall cost of occupying office space in a building because the payment for the office space itself declines as a result. In other words, unbundling separates the rent for offices and parking, but does not increase their sum. Bellevue is perhaps unique in routinely requiring the unbundling of parking costs from office leases. This innovative policy has several advantages. It makes it easy for employers to “cash-out” parking for employees (that is, to offer employees the value of their parking space as a cash subsidy if they do not drive to work), since employers can save money by leasing fewer spaces when fewer employees drive. It also makes it easier for shared parking arrangements to occur, since building owners can more easily lease surplus parking spaces to other users.

Unbundling parking costs from housing costs

For both rental and for-sale housing, the full cost of parking should be unbundled from the cost of the housing itself, by creating a separate parking charge. The exception to this policy should be in the residences with individual garages (such as detached single-family homes and townhouses) rather than common, shared parking areas. This provides a financial reward to households who decide to dispense with one of their cars, and helps attract that niche market of households, who wish to live in a transit-oriented neighborhood where it is possible to live well with only one car, or even no car, per household. Unbundling parking costs changes parking from a required

purchase to an optional amenity, so that households can freely choose how many spaces they wish to lease. Among households with below average vehicle ownership rates (e.g., low income people, singles and single parents, seniors on fixed incomes, and college students), allowing this choice can provide a substantial financial benefit. Unbundling parking costs means that these households no longer have to pay for parking spaces that they may not be able to use or afford.

It is important to note that construction costs for residential parking spaces can substantially increase the sale/rental price of housing. This is because the space needs of residential parking spaces can restrict how many housing units can be built within allowable zoning and building envelope. For example, a study of Oakland's 1961 decision to require one parking space per apartment (where none had been required before) found that construction cost increased 18% per unit, units per acre decreased by 30% and land values fell 33%.³⁷

As a result, bundled residential parking can significantly increase "per-unit housing costs" for individual renters or buyers. Two studies of San Francisco housing found that units with off-street parking bundled with the unit sell for 11% to 12% more than comparable units without included parking.³⁸ One study of San Francisco housing found the increased affordability of units without off-street parking on-site can increase their absorption rate and make home ownership a reality for more people.³⁹ In that study, units without off-street parking:

- Sold on average 41 days faster than comparable units with off-street parking
- Allowed 20% more San Francisco households to afford a condominium (compared to units with bundled off-street parking)
- Allowed 24 more San Francisco households to afford a single-family house (compared to units with bundled off-street parking)

Charging separately for parking is also the single most effective strategy to encourage households to own fewer cars, and rely more on walking, cycling and transit. According to one study, unbundling residential parking can significantly reduce household vehicle ownership and parking demand.⁴⁰ These effects are presented in Figure 3-8.

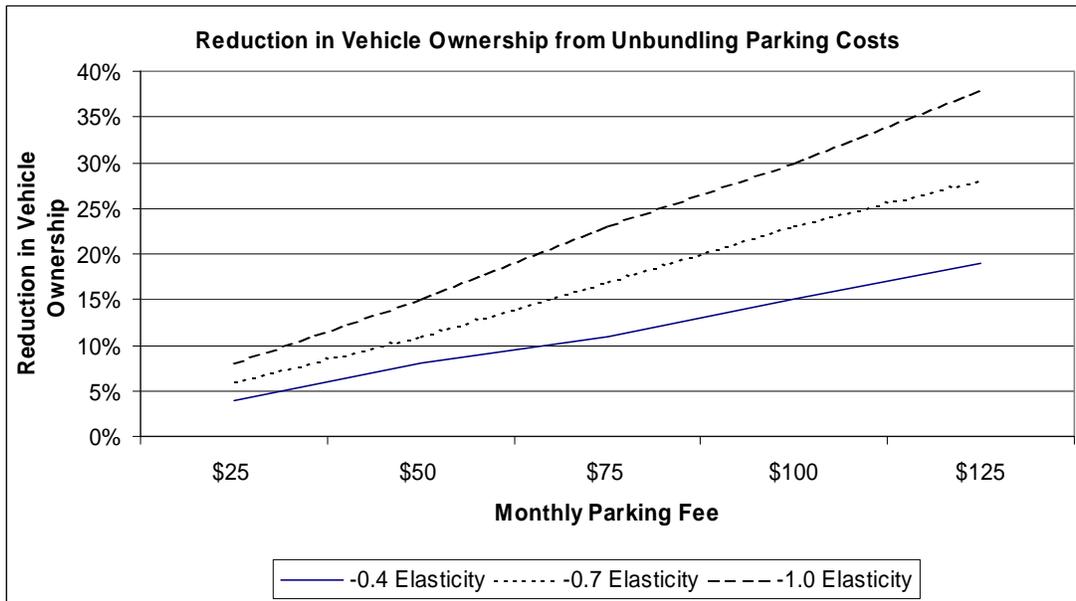
³⁷ Bertha, Brian. "Appendix A" in *The Low-Rise Speculative Apartment* by Wallace Smith UC Berkeley Center for Real Estate and Urban Economics, Institute of Urban and Regional Development, 1964.

³⁸ Wenyu Jia and Martin Wachs. "Parking Requirements and Housing Affordability: A Case Study of San Francisco." University of California Transportation Center Paper No. 380,1998 and Amy Herman, "Study Findings Regarding Condominium Parking Ratios," Sedway Group, 2001.

³⁹ Ibid.

⁴⁰ Litman, Todd. "Parking Requirement Impacts on Housing Affordability." Victoria Transport Policy Institute, 2004.

Figure 3-8 Reduced vehicle ownership with unbundled residential parking



Source: Litman, Todd. "Parking Requirement Impacts on Housing Affordability." Victoria Transport Policy Institute, 2004.

It is critical that residents and tenants are made aware that rents, sale prices and lease fees are reduced because parking is charged for separately. Rather than paying "extra" for parking, the cost is simply separated out – allowing residents and businesses to choose how much they wish to purchase. No tenant, resident, employer or employee should be required to lease any minimum amount of parking.

Case study: San Francisco's ordinance requiring the unbundling of parking costs from housing costs

In April 2008, the City of San Francisco expanded their previous unbundling ordinance to require all residential developments in DTR, C-3, RTO, and NCT districts to unbundle parking costs from housing costs. Previously, unbundled parking requirements were done on an ad-hoc basis through the conditions of approval process under the jurisdiction of the Planning Commission or required under a neighborhood specific plan (e.g. Rincon Hill, Downtown and Market/Octavia).

Under Section 167 of the San Francisco Municipal Code, all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, in the aforementioned districts, must be leased or sold separately from the rental or purchase fees for the life of the dwelling unit. Currently, there are no tracking and enforcement procedures in place.

The San Francisco ordinance reads as follows:

SEC. 167. PARKING COSTS SEPARATED FROM HOUSING COSTS IN NEW RESIDENTIAL BUILDINGS.

- (a) In DTR, C-3, RTO, and NCT Districts, all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or

sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 315 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and at a price determined by the Mayor's Office of Housing, subject to procedures adopted by the Planning Commission notwithstanding any other provision of Section 315 et seq.

(b) Exception. The Planning Commission may grant an exception from this requirement for projects which include financing for affordable housing that requires that costs for parking and housing be bundled together.

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Recommendation 7: Encourage Carsharing Programs

Goal: Encourage carsharing operators to establish operations within the District, thereby allowing District residents and employees to have access to shared cars when needed.

Recommendation: The City of Hayward should encourage the establishment of a car sharing service in Hayward with one or more shared vehicle “pods” strategically located in the Code area. In order to help establish a car sharing service in the area, the City should consider the following strategies:

1. Require developers of large projects to offer car sharing operators the right of first refusal for a limited number of parking spaces
2. Require new developments to pay into a car-share start-up fund.
3. Partially or fully subsidize operation costs for a specified term.
4. Provide other incentives, such as offering convenient and visible curb spaces to car sharing providers for locating car sharing “pods”.

Discussion: National and Bay Area car sharing operators such as City CarShare and ZipCar, using telephone and Internet-based reservation systems, allow their members a hassle-free way to rent cars by the hour, with members receiving a single bill at the end of the month for all their usage. The shared cars are located at convenient neighborhood “pods”.

This strategy has proven successful in reducing both household vehicle ownership and the percentage of employees who drive alone because of the need to have a car for errands during the workday. As a result, car sharing can be an important tool to reduce parking demand.

For residents, car sharing reduces the need to own a vehicle, particularly a second or third car. Recent surveys have shown that more than half of car-share users have sold at least one vehicle since joining the program in the San Francisco Bay Area.⁴¹ For employees, car sharing allows them to take transit to work, since they will have a vehicle available for errands during the day.

While a carsharing operation may not be immediately implementable in the District, with the development and redevelopment over time of new transit-oriented projects and the implementation of other strategies recommended in this plan (such as requiring that parking costs be unbundled from housing costs and that employers offer the option to employees to cash-out parking at work), car sharing will become much more viable over time. If parking costs remain bundled into housing costs, or employee parking remains free with no cash-out program, then the prospects for successful car sharing programs will be considerably diminished.

⁴¹ April 2002 survey by Nelson\Nygaard Consulting Associates for City CarShare.

Recommendation 8: Remove Minimum Parking Requirements

Goal: Remove barriers to new development in the Code area, and create a healthy market for parking, where parking spaces are bought, sold, rented and leased like any normal commodity.

Recommendation: Remove all remaining minimum parking requirements in the Code area. (Proposed in the draft South Hayward form-based code.)

Discussion: In order for Hayward to realize its goals for the ongoing revitalization of the area, the City's parking policies must support those goals.

Minimum parking requirements, however, have emerged as one of the biggest obstacles to many cities' efforts to encourage new residential and commercial development in their proposed transit-oriented districts. Moreover, minimum parking requirements work at cross purposes to virtually all of Hayward's other adopted goals for the Code area. As UCLA professor Don Shoup describes it, "Parking requirements cause great harm: they subsidize cars, distort transportation choices, warp urban form, increase housing costs, burden low-income households, debase urban design, damage the economy, and degrade the environment... [O]ff-street parking requirements also cost a lot of money, although this cost is hidden in higher prices for everything except parking itself."

Communities that have eliminated parking requirements

Examples of communities that have partially (in particular neighborhoods and districts) or entirely eliminated minimum parking requirements include:

- Coral Gables, FL
- Eugene, OR
- Fort Myers, FL
- Fort Pierce, FL
- Great Britain (entire nation)
- Los Angeles, CA
- Milwaukee, WI
- Olympia, WA
- Portland, OR
- San Francisco, CA
- Stuart, FL
- Seattle, WA
- Spokane, WA

The one useful purpose that minimum parking requirements do currently serve is to prevent spillover parking, the phenomenon of commuters filling up all of the parking spaces on a destination's streets, and then spilling over into adjacent areas. However, as the recommendations of this plan come into effect, market rate prices for the on-street parking in the commercial areas will ensure that ample vacancies exist on the street. In the adjacent residential neighborhoods, the mechanism of Residential Parking Benefit Districts will ensure that unwanted spillover parking is prevented there as well. Once these two key policies have been implemented, imposing minimum parking requirements becomes superfluous.

Once on-street parking is properly managed, so that spillover problems are solved, it will become possible for Hayward to join the many communities and places (see list), such as the entire nation of Great Britain, that have removed minimum parking requirements. Doing so will provide numerous rewards, allowing Hayward to achieve its goals of a more walkable and transit-oriented district, a healthier economy and environment, lower housing costs and better urban design.

Next Steps

These recommendations are intended to further the values and vision of the *South Hayward BART/Mission Boulevard Form-based Code*. They are intended for implementation over time. The redevelopment of the Code area is likely to unfold over many years, at a pace which depends highly on the vagaries of the economy. Therefore, the recommendations in this report have been designed to provide a flexible, lasting strategy which is capable of accommodating substantial change over the coming years.

The recommendations are designed to be largely self-funding, implementable in phases as new development arrives, and are designed as lasting principles (e.g., the goal of an 85% occupancy rate for curb parking), rather than fixed quantities (a \$1 per day parking fee). Clearly, a key next step is the adoption of the *Form-based Code* itself. Once the Code is adopted, the next moves (for example, working to establish the Commercial Parking Benefit District) must depend upon the progress of particular redevelopment projects: as these projects move forward, implementation of the parking management steps outlined herein should proceed in tandem.

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APPENDIX A

BEST PRACTICES IN PARKING MANAGEMENT

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Appendix A: Best Practices in Parking Management

This memorandum reviews the parking and transportation policies of four highly successful mixed-use, transit-oriented communities, in order to inform the development of parking strategies for the South Hayward BART/Mission Boulevard Form-Based Code. It includes two elements:

- Four case studies, which showcase some of the best management techniques available for parking and transportation
- Some lessons that can be drawn from these models (and some fundamental choices to be made) about parking and transportation policies for Hayward.

Peer Review

The four communities considered in this memorandum provide glimpses of Hayward's potential future. All are now known as vibrant, walkable and mixed-use districts, which deliver powerful economic benefits to their communities. It is less well known that several of them only relatively recently emerged from economic decline. Moreover, several have transformed themselves from low-density, auto-oriented places with no serious transit, to communities where driving is a choice, rather than a necessity.

This memorandum considers these places not because Hayward is currently identical to them, but because they are models of transition: from decline to lively and enjoyable places to live, work and play. Some are undoubtedly now taller and more urban than Hayward will ever wish to be. However, in part because they have been the site of major revival and transit-oriented development, they have also developed some of the nation's most sophisticated techniques for handling the challenges of parking, traffic and preserving quality of life for nearby single-family neighborhoods. The four communities are:

- **Arlington County, Virginia:** In the 1960's and 1970's, Arlington's Rosslyn-Ballston corridor consisted largely of tired strip malls with ubiquitous free parking, a surrounding fabric of single-family homes with a required minimum lot size of ¼-acre, and sharply declining population and retail sales. Arlington transformed itself by choosing to surround its new Metro stations with intense, high-density transit-oriented development and market-rate parking, rather than the more usual swathes of free park-and-ride lots and parking structures. Today, the Metrorail corridors generate 50% of the County's tax base on just 7% of its land, making it possible for the County to give its residents the best levels of government services in the region, with the lowest tax rates.
- **Boulder, Colorado:** In the 1970's, the downtown of this university community was dying, saddled (among other problems) with a shortage of convenient customer parking and very little transit. Its economic revival has been catalyzed on the transportation side by several key policies: the complete abolition of parking requirements for all non-residential uses; charging for parking, with all revenues used to benefit the downtown; and a policy of funding the most cost-effective mix of transportation modes, instead of only parking structures. Recognizing that "the economics of parking structures are dismal", as one planner put it, the business led downtown district now uses parking meter revenues to fund a range of demand reduction alternatives, including free transit passes for every downtown employee.
- **Santa Monica, California:** Santa Monica is known for the lively pedestrian mall that anchors its downtown. Less known is the "Park Once" philosophy that allows the theaters,

restaurants, offices and residences gathered along it to thrive with far less parking than conventional manuals predict is required for its constituent uses. Shared public lots and structures, strategically located, allow the downtown to function well with just 2.1 spaces per 1000 square feet of building space.

- **Old Pasadena, California:** In recent years, Old Pasadena has reemerged from its decline into Skid Row status. In 1993, the district's nascent revival was being hindered, as in Boulder, by a serious lack of convenient, available, front door parking spots for customers. Old Pasadena then had no parking meters, and proposals to install them were opposed by local merchants, who feared charges would drive customers away. Today, the \$1 per hour meters have funded the district's beautified alleys, street furniture, trees, tree grates and historic lighting fixtures, and fund its marketing, mounted police patrols, daily street sweeping and steam cleaning of sidewalks. Sales tax revenues quadrupled from 1992 to 1999, showing, perhaps counter-intuitively, that charging for parking can go hand-in-hand with remarkable revenue increases for local retailers.

These jurisdictions' parking policies support vibrant, mixed-use walkable environments. At the same time, they have also reduced traffic impacts, furthered economic development objectives, and increased transit ridership. Hayward is a less urban community than some of these peers, and may wish to choose a strategy that is less aggressive than those employed in, say, Arlington. However, Boulder in particular provides a good example of how parking policy is used to help promote the growth of a mixed-use, successful center. Its assessment district was introduced in the 1970s, when downtown Boulder was moribund. In addition, all the peers began with surface parking. They gradually transitioned to structured parking as development intensified, in order to free up surface lots for new development; cater to greater parking demand; and improve urban design.

Ten Key Insights

These four examples – Boulder, Arlington, and Pasadena and Santa Monica – are each discussed in detail in the following sections. The overall conclusion from these case studies, however, is that well-designed parking policies are an absolutely essential prerequisite for a developer- and business-friendly environment: without powerful reform of parking policies, mixed-use and transit-oriented development is often financially infeasible. Ten key lessons from these case studies are:

1. **Involve the business community.** The case studies demonstrate significant involvement from businesses, whether through actually running parking and transportation services (as in Boulder, through the Downtown Management Commission), or in designing the parking policy strategies (as in Pasadena).
2. **Put customers first.** Business owners and employees in these districts recognize that they must relinquish the best spaces to customers, accept (if grudgingly) strict enforcement of short-term parking limits on these spaces, and park instead in upper structure floors (if they are willing to bear the cost) or in all-day spots at the periphery, where spaces can be less expensively provided.
3. **Focus on parking *availability*, not *supply*.** These case studies have substantially lower parking provisions than the norms shown in the Institute of Transportation Engineers' Parking Generation manual and other standard references. However, demand management and allocation policies have meant that convenient, front door, short-term parking availability for shoppers and visitors has been maintained. The case studies show that parking *availability*, not *supply*, is the crucial factor in determining economic success. Most of the downtowns profiled here aim to set parking prices at the "Goldilocks price": that is, the prices that leave about 15% of the spaces on a block vacant even at the

busiest hours, so that visitors can easily find a space. If the prices result in more empty spaces than this, they are too high, and if all spaces are full at the busiest hours, they are too low: these downtowns then adjust prices until the desired level of parking availability is reached.

4. **Abolish minimum parking requirements.** Developers in these case studies are generally able to build as little parking as they choose (or to “buy their way out” of parking requirements by paying small nominal fees), making it possible, both financially and physically, to build pedestrian-friendly buildings on small lots. If they choose to build little or no on-site parking, they are able to purchase permits for public lots from the district for resale to their tenants’ employees.
5. **Establish a market for parking.** In the districts studied, businesses and residents now choose how much (or how little) parking to buy or rent. As a result, parking is efficiently used and shared, making compact development possible; housing and development costs are lower; transit use is higher; and parking revenues provide critical support for parking construction and other public improvements.
6. **Create a “Park Once” environment.** Santa Monica and Boulder are particularly good examples of successful Park Once districts, where a centralized, shared parking supply serves a number of different uses. Parking, these communities recognize, must be managed as a public utility, just like streets and sewers, with public parking provided in strategically placed municipal lots and structures. This approach generates more pedestrian activity, and reduces the impacts of parking facilities on the built environment.
7. **Pay attention to a place’s strengths.** All of the communities profiled here recognize their unique strengths, whether transit resources, historic buildings, or a pedestrian-friendly environment. They have been careful not to jeopardize these strengths through oversupply and poor management of parking.
8. **Prevent spillover parking with Residential Parking Permits or Parking Benefit Districts, not minimum parking requirements.** The presence of major generators of parking demand, and/or demand management strategies such as pricing, does not mean that adjacent neighborhoods need to be impacted by overspill parking. These problems can be addressed through careful design of Residential Permit Parking or Parking Benefit District programs, and pricing and/or time limits to manage commuter demand. This is true regardless of whether the parking demand is generated by a rail station or a commercial district.
9. **Invest in all transportation modes.** The cost to build, operate and maintain a new downtown parking space often exceeds \$125 per month per space, every month for the expected 35-year lifespan of the typical structure. This leads to a simple principle: it is often cheaper to reduce parking demand than to construct new parking. Successful districts invest heavily in all strategies – from free transit passes to bicycle improvements to rideshare incentives – that get employees out of their cars for less than the cost to build a new space.
10. **Choose your town’s future deliberately.** The districts studied here charted a deliberate course. Rather than attempting to out-compete K-Mart and shopping malls by providing more and better parking, they focused on their own strengths, as compact and walkable districts. They envisioned their transit stations not as acres of park-and-ride lots, but as the centerpiece of transit villages, where the streets and plazas would bustle with pedestrians. Each of the places confronted difficult decisions head-on: because of both financial realities, and sheer physical space requirements, they could be either energetic, pedestrian-filled town centers, or they could be primarily park-and-ride lots with ample free parking, but they could not be both.

For Hayward, this last choice is fundamental. Few if any districts have succeeded in financing both parking structures, with unlimited free parking for visitors, commuters and residents (at a typical cost exceeding \$1500 per space per year), and a lively town center. To make real the City's vision of vibrant, livable neighborhoods, with many residents and businesses upstairs providing lively street life, and customers for local merchants, free parking for all will need to transition, over time, to market-rate parking, so that those who do choose to drive provide the funds needed to support their parking. Of course, not all cities wish to put pedestrians first: some seek to become more like a suburban shopping mall. For Hayward, the important thing is to choose deliberately: if the future is chosen by passively responding to each month's demand for free parking, the district may become mediocre, functioning well neither as conventional suburban development nor as pedestrian-friendly downtown.

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Case Study 1 - Boulder, Colorado (Downtown)

Introduction

Boulder's downtown business district, having recovered from near death in the 1970's, today comprises over 1,200 businesses and roughly 10,000 employees. Faced with both a shortage of parking for customers and citizens' aversion to additional traffic, the city developed a program that combines reduced subsidies for downtown parking with aggressive transportation demand management. These initiatives have been introduced through a special district – the Central Area General Improvement District (CAGID), which was established in the 1970s. The Board of CAGID, which makes the final decisions on issues such as new parking construction, is comprised of the City Council. However, considerable power over decisions such as parking charges is held by the Downtown Management Commission (DMC), which is made up of local businesses and property owners, although its actions are subject to City Council review.

The program was set up in conjunction with the creation of the Pearl Street pedestrian mall. The intention was to provide parking on a district-wide basis on the periphery of the mall, avoiding the need to provide on-site parking for each business. It was seen as a tool for economic revitalization and promoting a good pedestrian environment, with the two going hand in hand.

Boulder is useful as an example of a community that has been steadily evolving from a relatively low density, auto-oriented suburban city, to a community focused on parking management and transit-oriented development. Key characteristics include a desire to create a walkable, vibrant community, with a focus on a high quality of life. In addition, Boulder (at least at present) is dependent on bus transit to meet its public transportation needs. It should be noted that Boulder had very little transit at the time that CAGID was established; bus service improvements have arrived subsequently.

Transportation Policies

Boulder is most notable for its integrated approach, which allows CAGID to invest in the optimum mix of transit, demand management and parking supply to improve downtown access. These measures are designed to reduce auto dependence and promote alternate modes of transportation. The following specific transportation strategies have been employed in Boulder.

Transit

Boulder's only mode of transit is the bus. Instead of operating services by number, however, the city has chosen to name each of its local services in its Community Transit Network – HOP, SKIP, JUMP, BOUND, DASH, STAMPEDE, and BOLT (which connects Boulder to Longmont). All of these lines are accessible for free, to holders of the Eco-Pass described below. The first of these lines, HOP, was intended as, "the first fully-packaged community transit service to meet the specific needs and requests of the Boulder community." HOP now provides 1.1 million annual rides and was a major catalyst to the downtown's revitalization.

The Central Area General Improvement District in downtown Boulder, provides free transit passes (the Eco-Pass program) on Denver's Regional Transportation District (RTD) light rail and buses to more than 8,300 employees, employed by 1,200 different businesses in downtown Boulder. To fund this program, Boulder's downtown parking benefit district pays a flat fee for each employee who is enrolled in the program, regardless of whether the employee actually rides

transit. Because every single employee in the downtown is enrolled in the program, the Regional Transportation District in turn provides the transit passes at a deep bulk discount. Due to its large size, CAGID purchases passes at the rate of \$83 per person per year.

Bicycling

Bicycling is a strongly encouraged mode of transportation. The City of Boulder offers over 350 miles of bicycle facilities, which include on-street lanes, designated routes, and multi-use paths. The downtown Boulder Transit station provides free bicycle storage lockers and all local Boulder and RTD regional buses are equipped with bike racks. Maps covering city, university, mountain, and regional trails and paths are available through the City.

Parking & Transportation Demand Management

- **No parking requirements.** The City has no minimum parking requirements for non-residential uses within the CAGID area. Developers are allowed to build as much or as little parking as they choose, subject to design standards in the zoning code, and to manage it as they see fit. If they choose to build little or no parking on-site, they can purchase permits for public lots and garages from the DMC for resale to their employees. This is usually a much cheaper strategy than building parking onsite.

Public structure permits cost \$213 per quarter (\$852 per year), and surface lot permits (for which there is a waiting list) \$134 (\$536 per year). Residential minimum parking requirements are set at one space per unit, although these have had little impact since developers have tended to provide two spaces per unit given perceived market demands.



- **Funding of public parking.** Shared public parking facilities are constructed and operated by CAGID, and funded through CAGID's general obligation bonds. This debt is supported primarily by revenue from parking charges (including meters), and secondarily by property and other taxes paid by property owners (providing 16% of revenue). Thus, compared to many downtowns, where parking is heavily subsidized by public contributions of both dollars and land, much of the cost of the parking system is paid for by those who park, resulting in lower drive alone rates. In Boulder, while the parking permit prices for public structures and lots would not be able to fund the full cost of constructing and operating a parking space, the rates nonetheless cover a substantial portion of the cost. The DMC currently manages 202 spaces in non-metered surface lots, 2,209 spaces in five structures, and 871 metered spaces, 61 of which are in a surface lot (2004 figures).
- **Demand management.** On-street meter revenue is used to provide all employees with benefits such as a free universal transit pass (called an Eco-Pass); Guaranteed Ride Home; ride-matching services; bicycle parking; and a number of other benefits. In 2002, these programs cost just under \$325,000. This focus was prompted by the reality of limited street capacity to handle more traffic, and simple economics. "CAGID realized that the economics of parking structures are dismal," according to James Bailey, a former planner who helped establish the system. The DMC determined that demand management was a cheaper strategy than building new parking alone. These TDM programs are not directly managed by CAGID, but through the City's Downtown and University Hill Management Division.
- **Curb parking.** All downtown parking meter revenue – more than \$1 million per year – is transferred to CAGID from the City's General Fund. This responsibility, together with the fact that local businesses and property owners comprise the DMC, gives it a strong incentive to create new curb parking. One of its first moves was to create more curbside, metered parking through converting parallel spaces to diagonal.
- **Reduced parking requirements.** Outside of the CAGID area, the City has also experimented with lower, more flexible parking requirements in mixed-use districts. A single parking requirement for all non-residential uses allows the use to change freely. For example, an office use can be converted into a restaurant, without the barrier of having to add new parking. There are also low parking requirements for residential uses in many parts of the city.
- **Residential Parking Benefit Districts.** Neighborhood Permit Parking initiatives have been introduced to prevent overspill parking from commuters trying to avoid parking restrictions and charges downtown. Commuters are eligible, however, to buy on-street parking permits for \$60 per quarter – another example of the integration of on-street and off-street management. Commuter permits are limited to four per block face, on blocks where average occupancy is lower than 75%. This RPP program is designed to be revenue neutral, and so commuter fees cross-subsidize low annual resident fees of \$12 per year. Sophisticated enforcement is used, with license plates entered into a handheld commuter, meaning that motorists cannot evade the restrictions by simply moving their cars every few hours.
- **Discounted validated parking.** Downtown businesses can bulk-purchase meter tokens or validated stamps, in order to offer free parking to their customers. A common practice in many downtowns with parking charges, it avoids the risk of customers turning to other retail destinations in order to avoid parking charges.

Figure 0-1 CAGID Revenue and Expenditure, 2002

| Revenue | |
|---|--------------------|
| Taxation (inc. property/owner/IIIF tax) | \$775,293 |
| Short Term Fees | \$925,757 |
| Long Term Fees | \$1,302,507 |
| Meter Revenue ¹ | \$1,026,820 |
| Meterhood and Tokens ² | \$106,777 |
| Interest | \$70,751 |
| Rental Income | \$380,766 |
| Mobility Center Grant | \$84,969 |
| Miscellaneous | \$25,779 |
| Total Revenue | \$4,699,419 |
| Expenditures | |
| Parking Operations | \$737,928 |
| Major Parking Maintenance | \$50,569 |
| Downtown & University Hill Management Division ³ | \$924,565 |
| Eco-Pass Program | \$257,550 |
| Major Maintenance to Pearl Street Mall | \$942,158 |
| Debt Service | \$1,964,028 |
| Other Expenditure | \$169,660 |
| Total Expenditure | \$5,036,358 |

¹ Meter revenue is transferred from the City's General Fund.

² Meterhoods are paid for by contractors, special events, utility companies, etc. to use a curb parking space. Tokens are purchased by businesses to provide parking validation for their customers, or others who prefer tokens to quarters.

³ Includes all costs that are not directly related to parking facility and meter maintenance and revenue collection. Includes \$392,000 for personnel, \$65,000 for Transportation Demand Management, and \$62,000 for planning for a new structure.

Source: City of Boulder

Figure 0-2 Boulder Neighborhood Permit Parking Program Revenue and Expenditure, 2002

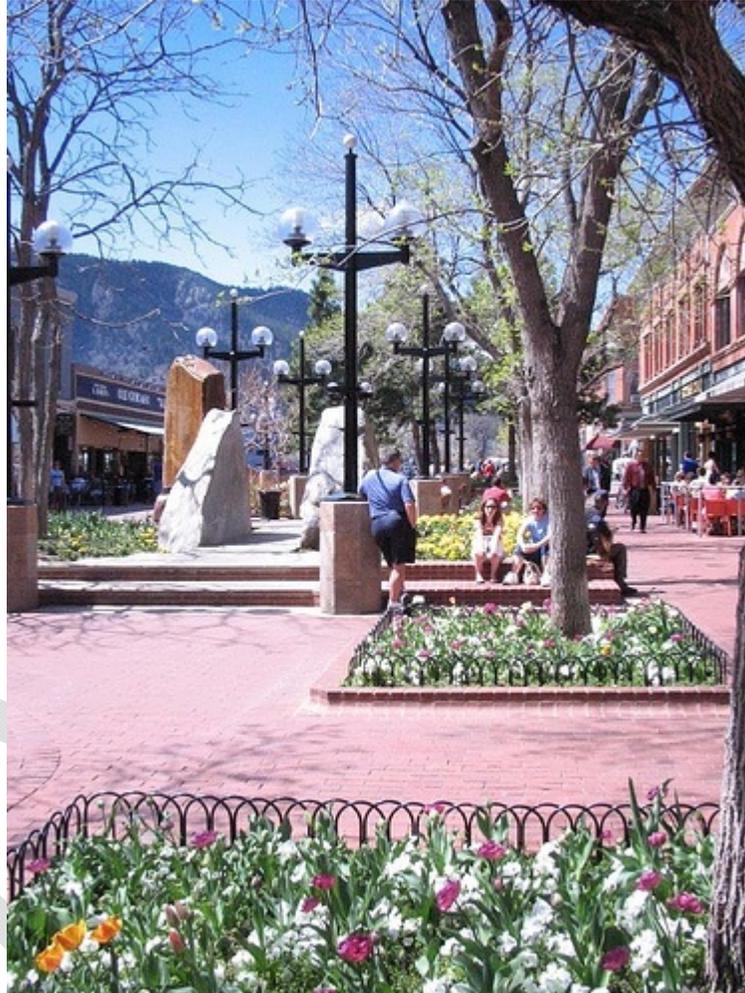
| | |
|--|-----------|
| Residential Permit Sales | \$26,395 |
| Commuter Permit Sales | \$69,936 |
| Citation Revenue | \$239,231 |
| Administrative Costs (excluding enforcement) | \$70,027 |

Source: City of Boulder. Staff estimate that Neighborhood Parking Program enforcement accounts for 60% of the City's enforcement resources (11 officers) while generating 13% of citation revenue.

Impacts of Transportation Policies

Development Feasibility

Initially, developers and property owners were skeptical of the proposals to create CAGID, but according to local planners and developers, they have been convinced by its success in catalyzing economic development. According to James Bailey: “In the 1970s, downtown was dying. They had to do something. This was a pretty pragmatic approach.”

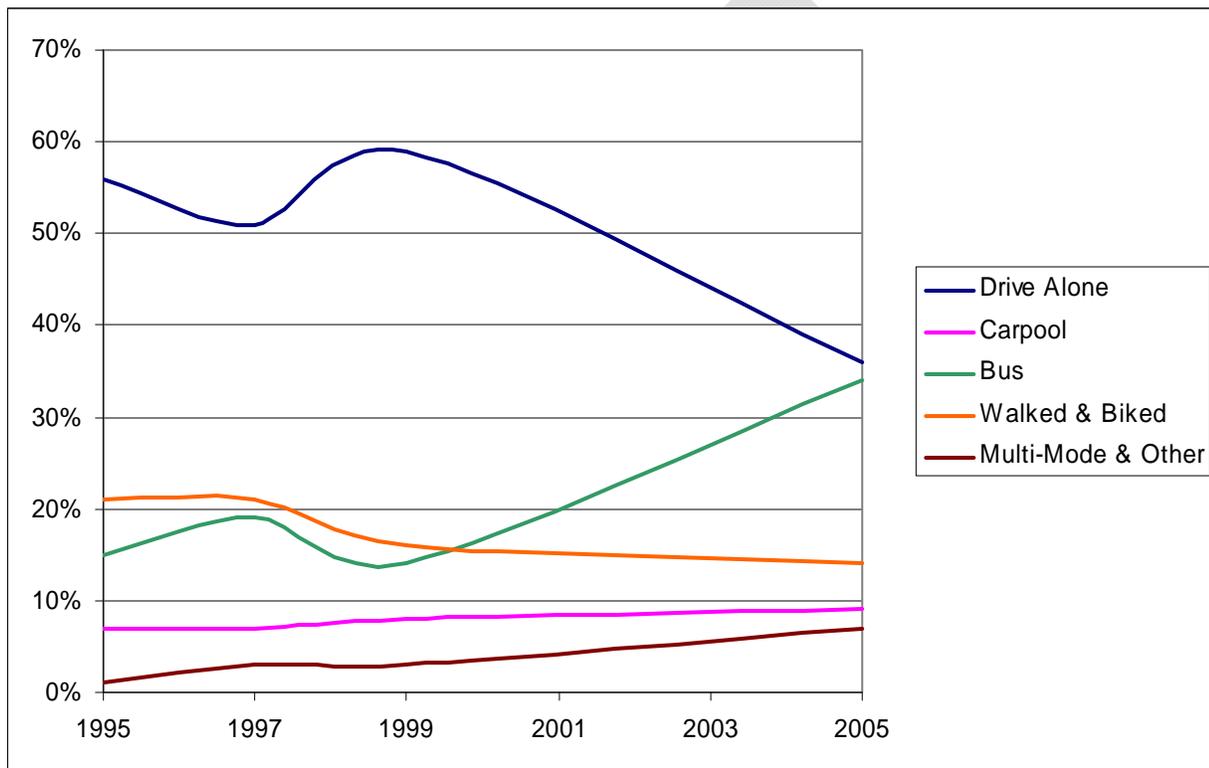


Already, rapid growth has brought Boulder close to the population and employment levels that in 1996 were projected for 2020. The downtown pedestrian-oriented “Pearl Street Mall” has tripled in length in the past decade, as automobile-oriented parcels at either end have been redeveloped. There are numerous examples of new developments that have taken place in recent years, such as the 300,000 square foot One Boulder Plaza. Pearl Street is one of the only examples of a successful pedestrian mall in the United States. According to local planners, a small mixed-use zone on East Pearl Street, close to the city’s downtown, was established in the 1980s but barely used for more than a decade, at least partly due to high parking requirements. A reduction in requirements adopted in 1997 to one space per 400 square feet of non-residential development (one space per 500 square feet if commercial makes up less than 50% of the development) has been a key to encouraging recent development.

Traffic and Parking

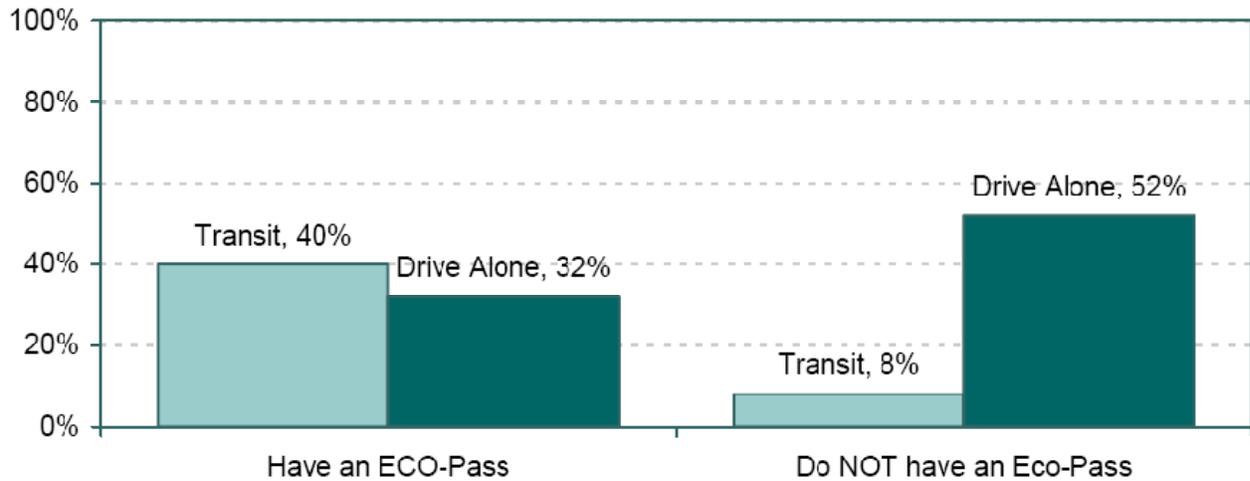
According to the Downtown Management Commission, there has been an increase in available parking, partly due to the construction of new structures, but also due to more employees taking transit. Since the downtown baseline figures were established in 1995, the drive-alone rate has fallen almost 36% from 56% to 36% in 2005, while the transit rate has more than doubled from 15% to 34%. According to the City of Boulder, the drive alone rate dropped dramatically after 1999 because of an increase in transit service (17 different routes at 15 minute headways) and the emergence of an Eco-Pass “culture.” Roughly 50% of downtown employees now live within two blocks of a transit stop and the resulting ridership is estimated at a parking equivalent of 4,390 spaces.

Figure 0-3 Downtown Boulder Mode Split



The Eco-Pass program has enjoyed great success in part due to the support of the business community. There are 10,000 employees working in the downtown area with 83% participating in the program. Those individuals with an Eco-Pass commuted by transit at five times the rate than those without as shown in the figure below.

Figure 0-4 Travel Mode Used for Work Commute



While new development is not required to incorporate on-site parking, some projects have done so due to market demands – but only to the point where it is economic. At the 400,000 square foot One Boulder Plaza, for example, two stories of underground parking are provided, equivalent to 1.2 spaces per 1,000 square feet. However, site constraints meant that about half the parking for employees is provided off -site through CAGID. The cost to the individual of these off-site permits is about \$50 per month less per employee.

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Case Study 2 - Old Pasadena, California

Introduction

In contrast to the image of the City of Los Angeles itself, Old Pasadena has gained a reputation for being a pedestrian-friendly, vibrant downtown, that combines a mix of uses with easy access by the automobile. Much of the area's success can be attributed to its parking management policies that have spawned a wide variety of streetscape improvements and new opportunities for increased transit ridership and development. Old Pasadena, however, was not always so prosperous.

By the 1970s, much of Pasadena's downtown had been slated for redevelopment, as the decaying neighborhood had become the city's "Skid Row." Since then, it has been revived as "Old Pasadena" – a revival in which extensive investments in the public realm, funded by parking meter revenue, have played a major role. In 2001, net parking meter revenue (after collection costs) amounted to \$1.2 million, all of which is used for public services in that part of the city.

Sales tax revenue in Old Pasadena increased more than tenfold over 10 years, to more than \$2 million per year in 1999. In contrast, sales tax revenue at the adjacent shopping mall, Plaza Pasadena, which provided free parking, has been stagnant. The mall was "turned inside out" and converted to mixed uses in 2001. Its blank walls were changed to storefronts that resemble those in Old Pasadena, while hundreds of apartments were added on top.

This revival has also been enabled by the City's policies on public parking, in-lieu fees, and adaptive reuse. According to Marsha Rood, former Development Administrator for Pasadena: "Without the parking structures, revitalization of Old Pasadena would not have happened – period." Stefanos Polyzoides, a local architect and urban designer and co-founder of the Congress for the New Urbanism, attributes much of the success of Old Pasadena to the "rules that allowed development to go forward with less than the traditional parking requirements. This has encouraged pedestrian activity in Old Pasadena, giving it a dynamic pedestrian environment." Shoup calculates that the Parking Credit program (i.e., the in-lieu fees) reduces the cost to the developer of parking provision for adaptive reuse projects to 2.5% of the cost of on-site provision.

Pasadena is continuing to exhibit strong growth. In March 2004, the City listed nine major development projects underway in Old Pasadena, both new construction and adaptive reuse. These include Ambassador Campus (1,431 residential units plus some office and neighborhood-serving retail), Boston Building (addition of a second story to create a mixed-use development), and Pasadena Place (38 residential units and 8,200 square feet of ground floor retail). This situation can be contrasted with that in communities such as South Central Los Angeles and Petaluma, where developers have cited parking requirements as one of the greatest barriers to rehabilitating historic buildings. (Both cities have recently enacted similar adaptive reuse ordinances.)

Parking Tools

- **Parking Benefit District.** Until 1993, Old Pasadena had no parking meters, and proposals by City staff to install them were opposed by local merchants, who feared charges would drive customers away. The compromise solution was to install the meters, but to spend all the revenue on public investments in the district. A relatively high rate of \$1 per hour (including

Sundays and evenings) was agreed. The City provided \$5 million in bond funding for street furniture, trees, tree grates and historic lighting fixtures, with the meter revenue stream used to repay the debt. In 2001, about one-third of meter revenue went to debt service, with the remainder used to fund new services such as marketing, mounted police patrols, daily street sweeping and steam cleaning of sidewalks. Many of these services are provided through the Business Improvement District. The merchant's fear of driving customers away was not borne out. The Pasadena example shows that, perhaps counter-intuitively, charging for parking can actually increase business for local retailers. As Douglas Kolozsvari and Don Shoup point out:

"If no curb spaces are available, reducing their price cannot attract more customers, just as reducing the price of anything else in short supply cannot increase its sales. A below-market price for curb parking simply leads to cruising and congestion. The goal of pricing is to produce a few vacant spaces so that drivers can find places to park near their destinations."

What charging does in this case is provide a basis for rationalizing the parking supply. When parking is free, employees, for example, who need to park all day, will use the available spaces leaving none for customers. Even with enforced time limits, many employees perform the "two-hour shuffle", moving their cars every couple of hours to circumvent time restrictions. By charging for parking, employees will seek free or cheaper spaces a little farther away leaving the most convenient spaces available for customers. In Pasadena, the introduction of parking meters has forced employees to park further away, freeing up prime "front door" spaces for customers. A study in 2001 found that the average occupancy rate for curb parking was 83%, which represents around the optimum balance between revenue/efficiency and availability. Similarly, compared to someone running a quick errand, someone with a long appointment is less inconvenienced by parking at a short distance instead of at the front door. Rather than being used all day by a single parker, metered parking can be used throughout the day by many customers who only use the spot for 15 or 30 minutes or an hour. So, while pricing cannot make more spaces it can make existing spaces more 'productive' by promoting turnover and making parking spaces more available.

- **In-lieu parking fees.** The city's "Parking Credit Program" allows property owners in Old Pasadena to pay a small fee in lieu of satisfying minimum parking requirements on-site. This is particularly important in allowing adaptive reuse of historic buildings that were built without parking, where minimum parking requirements would be triggered by a change in use. Since few of the buildings in this historic part of the city have off-street parking, this removed one of the major barriers to adaptive reuse. The fee is annual, rather than the lump sum common for similar fees in many other cities, allowing developers to avoid financing problems. (On the downside, this has created some revenue collection issues, particularly where property has changed owners.) The fee is set at an extremely low rate (\$127 per year per space in 2004). In 2002, the criteria were tightened, with eligibility limited to designated historic buildings, and buildings that would require additional parking following rehabilitation or a change in use.
- **Public parking facilities.** This in-lieu fee revenue has helped to fund two public parking structures, and provided a public contribution to a private structure that is open to the public. (One space has been built for every 1.5 parking credits awarded; fewer spaces are required since the spaces are shared between different uses.) These in-lieu fees provide only a small portion – 5% – of the funding needed to build and operate the structures, but they do provide the link between the waiver in minimum parking requirements, and the provision of public parking. The public parking structures provide 90 minutes of free parking, and then charge \$2 per hour up to a maximum of \$6 per day. This provides spaces for visitors who are unwilling to pay the \$1 per hour charge for metered spaces.
- **Residential Permit Parking.** The Gold Line light rail commenced service to Pasadena in 2003. While some commuter parking is provided at stations in the city, many stations have

little or no parking. Spillover parking into residential neighborhoods has been avoided through the City’s Residential Permit Parking program, in which a neighborhood can have permit-only parking. This program also covers the areas around the commercial districts, and trip generators such as Caltech. Vehicles parked without permits during certain hours (which vary by district) are towed.

- **Urban design excellence.** The City’s new structures have been wrapped in ground floor retail and restaurants, in order to minimize their impact on the pedestrian environment. In addition, parking meter revenue has funded the beautification of many downtown alleys. These are often used for loading in the early morning, and provide space for outdoor cafes during the day. The alleys also provide pedestrian access and light wells for many structures. The public structures in Old Pasadena are located one-half to one block from Colorado Boulevard, one of the main pedestrian corridors, and parking lots or structures that face Colorado Boulevard are prohibited.
- **Parking Pricing.** Over 750 parking meters have been installed in Old Pasadena (Figure 0-5). Rates are either \$0.75 or \$1.25 per hour. Hours of operation vary by day.

Figure 0-5 Parking Meter District in Old Pasadena

| Supply | Hourly Rates | Mon - Thurs | Fri - Sat | Sunday |
|------------------|--------------------------------------|-------------|-----------------|-------------|
| 750 ¹ | \$1.25/hr core, \$.75/hr outlying | 11am to 8pm | 11am - midnight | 11am to 8pm |

¹ This is an approximate number.

Additionally, three off-street parking facilities provide almost 1,600 parking spaces, see Figure 0-6. For these facilities, the first 90 minutes are free, followed by an hourly fee of \$2 and a maximum daily rate of \$6.

Figure 0-6 Off-Street Parking Facilities in Old Pasadena

| Facility | Supply | Hours of Operation | Hourly Rates | Monthly Rate |
|-------------------------------------|------------|----------------------------------|---|---------------------------------|
| Schoolhouse Block Parking Structure | 901 spaces | 24 hours a day, 7 days a week | First 90 minutes free \$2/hour \$6 maximum \$5 flat (10PM-5AM) | \$55 |
| De Lacey Parking Structure | 516 spaces | 24 hours a day, 7 days a week | 90 minutes free \$2/hour \$6 maximum \$5 flat (midnight-5AM) | \$65 |
| Marriott Parking Structure | 147 spaces | 24 hours a day, 7 days a week | First 90 minutes free \$2/hour \$6 maximum \$5 flat (midnight-5AM) | \$65 (5 days), \$75 (7 days) |

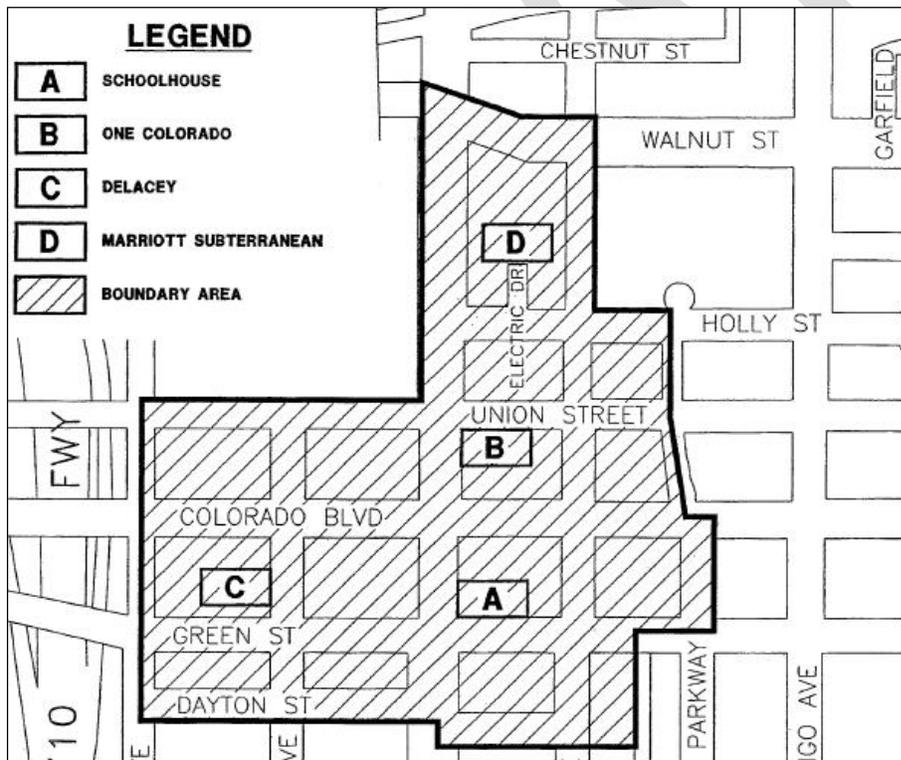
Until a recent amendment, the City had prohibited overnight parking on streets since 1921. The restriction is intended to promote street sweeping, make it easier to identify abandoned cars and prevent long-term on street parking. Residents can buy both yearly and monthly permits, at \$63 and \$21 respectively, and are also entitled to five overnight permits per vehicle in a six month period.

The City of Pasadena has recently decided to charge \$3 for overnight parking permits, and sell the permits at five machines to be located at the Pasadena Police Department and at four fire stations around Pasadena. Currently about 150,000 overnight parking permits are issued per year.

Reduced / Removed Minimum Parking Requirements. One measure taken by Pasadena is the establishment of a Zoning Parking Credit program. This allows owners of a property within the Old Pasadena Fund boundary to meet parking requirements of the zoning code when the owner or tenant is proposing to rehabilitate the property, and there is no on-site parking available. It entitles them to apply parking spaces in one of three publicly available parking structures in Old Pasadena to their parking requirement. The owner/tenant pays an annual fee per space; as of April 1 2006, this fee is \$134.67 per space per year. The fee has been kept reasonably low through the efforts of the Business Association in Old Pasadena. This program helps preserve the historical character of Old Pasadena by allowing an alternative to creating parking lots in this section of Pasadena. See

- Figure 0-7 for a map of the Parking Development Fund boundary.

Figure 0-7 Parking Development Fund Boundary



- **Maximum Parking Requirements.** Pasadena's Zoning Code (Chapter 17.50.340) specifies that new development projects located within 1,320 feet (1/4 mile) of a light-rail station platform are subject to parking maximums.

Pasadena has adopted maximum parking requirements for all new development located within 1,320 feet (1/4 mile) of a light-rail station platform or within the Central District Transit-Oriented Area. Within the Central District, these standards apply to the area identified in Figure 0-8. Parking requirements in new TOD developments are as follow:

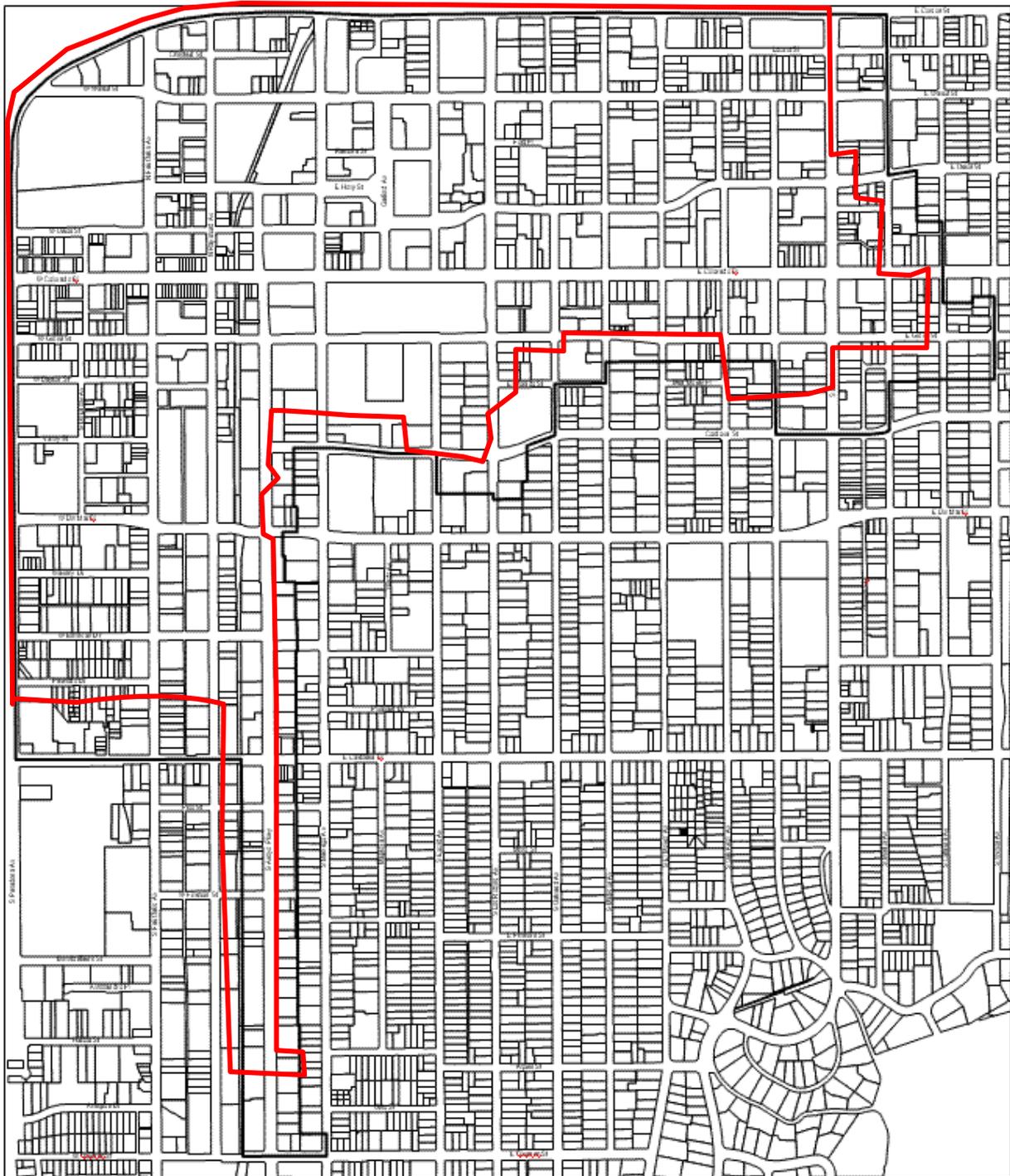
- In multi-family residential and mixed-use development projects proposing at least 48 dwelling units per acre, parking should be provided as follows:
 - A minimum of 1 space for each unit with 550 square feet or less to a maximum of 1.25 spaces per unit; and
 - A minimum of 1.5 spaces for each unit with over 550 square feet to a maximum of 1.75 spaces per unit.
- For offices the minimum amount of required off-street parking (3 spaces per 1,000 sq. ft.) is reduced by 25 percent to 2.7 spaces per 1,000 sq. ft. This ratio is also the maximum allowed quantity of parking spaces.
- For all other nonresidential uses the minimum amount of required off-street parking is reduced by 10 percent, and this ratio is also the maximum allowed quantity of parking spaces.

Nelson\Nygaard has compared Pasadena's TOD maximum parking requirements to actual parking occupancy observed in North America in the Institute of Transportation (ITE) *Parking Generation*, 3rd Edition. This comparison reveals whether the parking maximums in Pasadena are low enough to actually have an impact on parking demand. In other words, if the maximums are set higher than the average parking occupancy observed in the ITE studies, it is likely that the requirements do not have an impact on parking demand in Pasadena.

In addition, it should be noted that the *Parking Generation* manual is careful to advise the reader that, "Most of the data currently available [and presented in the manual] are from suburban sites with isolated single land uses with free parking. More parking data are needed in order to understand the complex nature of parking demand. As future studies are submitted, the findings will provide a basis to assess factors such as the type of the area, parking pricing, transit availability and quality, transportation demand management plans, mixing of land uses, pedestrian friendly design, land use density, trip chaining/multi-stop trip activity, the split between employee and visitor parking, the split between long-term and short-term parking and other issues in our detail."

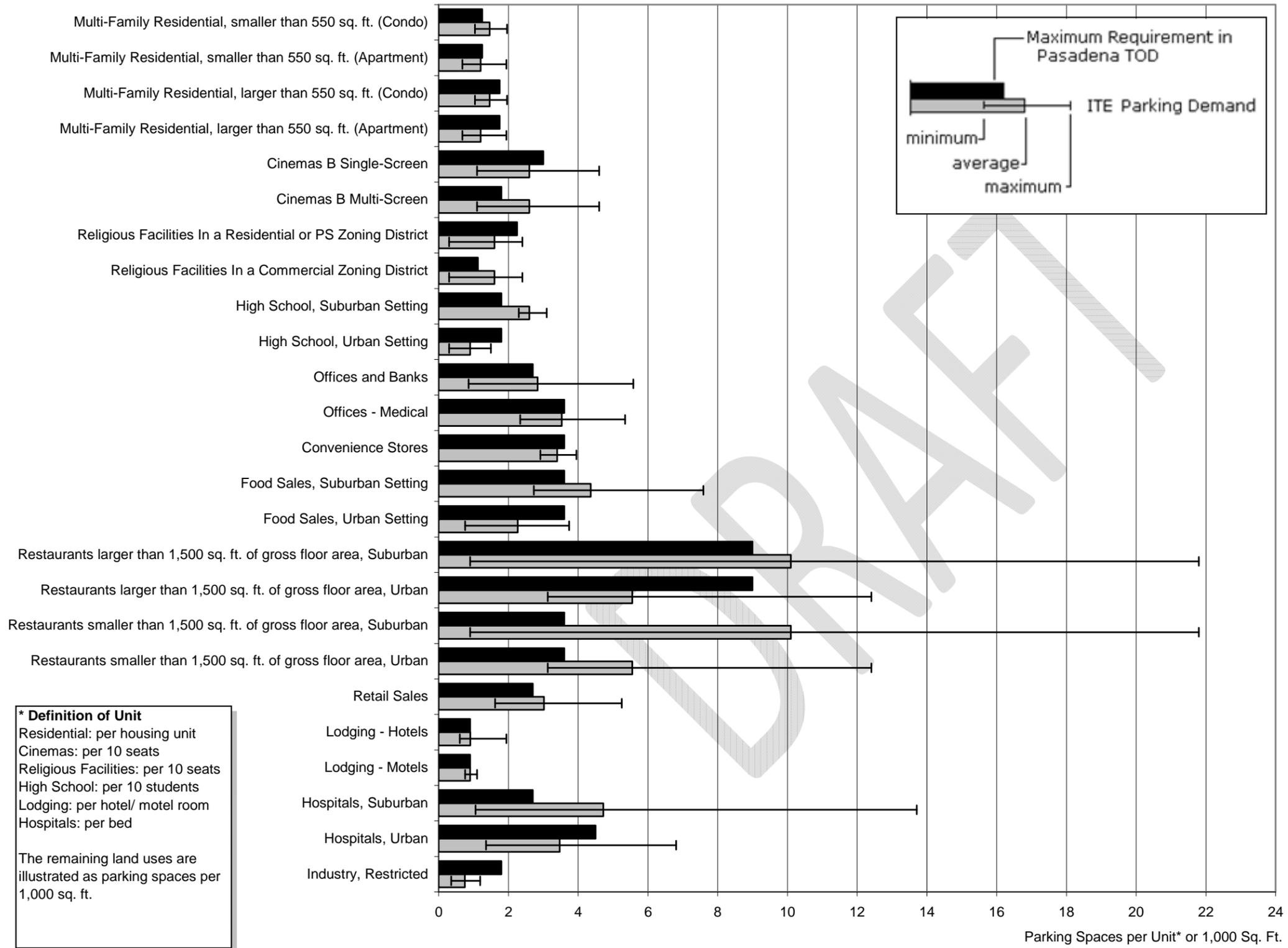
A comparison between Pasadena's maximum parking requirements and ITE's observed demand is shown in Figure 0-9. The chart illustrates that the maximum requirement is very similar to the ITE average parking demand for many land uses. For instance, offices and banks in a Pasadena TOD zone are not permitted to provide more than 2.7 parking spaces per 1,000 sq. ft. This can be compared to an observed average peak parking demand of 2.8 parking spaces per 1,000 sq. ft. in various locations in the United States. Furthermore, multi-family housing units larger than 500 sq. ft. in a Pasadena TOD may not have more than 1.75 parking spaces per unit. This can be compared to an observed average peak parking demand of 1.2 parking spaces for low/mid-rise apartments and 1.5 spaces for condos/townhouses in the United States.

Figure 0-8 Central District Transit-Oriented Area



Source: Pasadena On-Line Zoning Code. Article 3 – Specific Plan Standards.

Figure 0-9 Pasadena Maximum Parking Requirements in TOD Developments Compared to ITE's Observed Parking Demand



*** Definition of Unit**
 Residential: per housing unit
 Cinemas: per 10 seats
 Religious Facilities: per 10 seats
 High School: per 10 students
 Lodging: per hotel/ motel room
 Hospitals: per bed
 The remaining land uses are illustrated as parking spaces per 1,000 sq. ft.

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Case Study 3 - Arlington County, Virginia, Rosslyn-Ballston Corridor

Introduction

Arlington County, Virginia is an inner suburb in the Washington, DC region, located across the Potomac River from the District of Columbia. The County's development policies over the past thirty years have turned Arlington into one of the best United States based case studies of intense development designed to maximize the benefits of a new rail line. This case study focuses on the Rosslyn-Ballston Corridor – the route of Metro's Orange Line, which opened in 1979.

Nearly 18,000 residential units, almost 14 million square feet of offices, 1.5 million square feet of retail and 1,218 hotel rooms have been built since the start of the 1980s in the area served by Rosslyn, Courthouse, Clarendon, Virginia Square and Ballston stations. Other major development areas include the Jefferson Davis and Columbia Pike Corridors. In total, the County offers more than 46 million square feet of office and retail space -- more than either downtown Dallas, Denver or Seattle.

The County has sought to preserve many of its older residential neighborhoods, and protect them from parking "spillover" and other impacts from new development around transit. These neighborhoods have benefited from substantial investment.

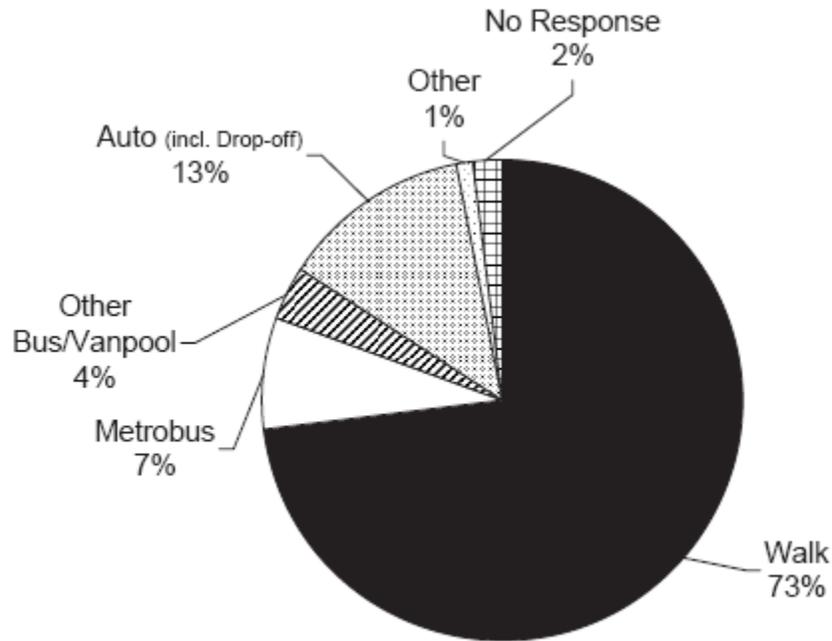
This degree of success in economic revitalization would not have been possible without the planning decisions taken in the 1960s regarding Metrorail. At the time, the Rosslyn-Ballston corridor was an aging, low-density commercial stretch that was facing decline and losing population and retail business. In a move to support this corridor and spur future development, County leaders insisted that Metro be built underground, rather than in freeway median.

In turn, the County channeled nearly all development along the two Metro rail lines. Over and above the stations, it has promoted high-density development, with floor area ratios of 4.0-10.0 and 15-20 stories high. Densities then rapidly taper down first to townhouses, and then to existing single-family residential areas.

The result: Arlington has been able to grow rapidly without major expansions in the highway network. It has also achieved economic prosperity, with the lowest property tax rate among the major cities and towns in northern Virginia and a AAA bond rating. The Metrorail corridors provide 50% of the County's tax base, on only 7% of the land. The County also enjoys far lower vacancy rates and higher lease and sale prices, compared to other locations in the region.

Transit ridership has increased rapidly as a result. An important benefit from the point of view of the transit agency has been that the mixed-use nature of Arlington's transit oriented development has promoted balanced ridership over the course of the day -- rather than the sharp peaking experienced at more park-and-ride oriented Metro stations. It is also worth noting that thanks to transit-oriented development policies and market-rate parking charges at the stations, just 13% of passengers boarding at the five Rosslyn-Ballston corridor stations use a car to reach the station. Nearly three-quarters of Metro riders walk to reach the rail stations.

Figure 0-10 Metrorail Mode Access Split



*Metrorail Access at five Rosslyn-Ballston Corridor Stations - 39,500 Daily Boardings.
Source: WMATA May 2002 weekday Metrorail ridership and access data*

While accommodating growth at the stations, the County has sought to preserve many of its older residential neighborhoods, and protect them from spillover parking and other impacts from new development around transit. These neighborhoods have benefited from substantial reinvestment.



Key Transportation Policies

Arlington County's key parking and transportation demand management policies have included the following:

- **Protection of residential areas.** Arlington County has Residential Permit Parking zones around all Metro stations and major commercial areas, in order to prevent rail commuters from parking in residential neighborhoods during the day. This is particularly important as many older single-family home neighborhoods, where residents are dependent on curb parking, are located within a short walk of the rail stations.
- **Reduced parking minimums close to Metro stations.** In the Rosslyn-Ballston corridor, the County's Zoning Ordinance significantly reduces minimum parking requirements for certain uses. For commercial development within ¼ mile of a Metro station, they are halved from 1 per 530 square feet to 1 per 1000 square feet. For retail and service-commercial uses within 1,500 feet of a Metro station, they are waived entirely for the first 5,000 square feet. Actual parking ratios are often lower, following negotiations between the County and developer – in some cases, no additional parking is required.
- **Parking maximums.** The National Capital Planning Commission (NCPA) sets parking maximums for all federal government buildings in the region. In Arlington County, the maximum is one space per three employees. While these are advisory only, outside the District of Columbia, they are generally followed in suburban counties such as Arlington.
- **Parking & transportation demand management conditions.** The County requires developers to agree to a number of parking and transportation demand management conditions, through the site plan approval process. While these are negotiated on a case-by-case basis, those for recent developments have usually included:
 - Market-rate parking charges for single occupant vehicles
 - Unlimited discount-rate parking reserved for carpools and other rideshare vehicles
 - Monitoring of parking demand and traffic generation
 - Provision of short-term public parking (metered) at structure entrances
 - Shared parking
 - Car-sharing provision
- **Shared parking.** Most parking in Arlington is privately owned and managed. However, the County does run one structure, at Ballston Metro Center. It has also opened a structure serving a County office building for public use at evenings and weekends.
- **Unbundled Parking Pricing.** Although Arlington does not have a comprehensive policy regarding the unbundling of parking costs from housing costs, several new developments have adopted the practice. (Across the river in Washington, DC, unbundling is also the norm for condominiums and rental apartments.) For example, developer Charles E. Smith recently constructed a new high-rise apartment building and charges each unit \$50 per month for the first parking space and \$200 per month for each additional space.

Impacts of Transportation Policies

Development Feasibility

Arlington's policies overall have had an extremely positive impact on development feasibility in the Rosslyn-Ballston corridor. In the 1960s and 1970s, retail sales and population were declining sharply. Now, Arlington County has the lowest vacancy rates and highest rents in the entire region, outside the District of Columbia. According to developers and real estate attorneys who

have worked in Arlington, the Rosslyn-Ballston Corridor remains attractive for development because of its location, transportation access, good government services, and predictable development review and approval process.



Key statistics include:

- Fourfold increase in office space between 1972 and 2002, from 4.9 million to 21.1 million square feet.
- Eight per cent increase in housing supply from 1972 to 2002.
- Continuing demand for development. In 2002, there were several thousand apartment units in the development pipeline.
- The Metrorail corridors provide 50% of the County's tax base, on 7% of the land.

Traffic Levels

Arlington's development has generated only modest levels of additional traffic on local streets. Census Journey-to-Work Survey data show that almost half of corridor residents take transit to work. Traffic counts from 1997 to 2004 show that while office and residential development grew by 17.5% and 21.5% respectively, traffic along the Rosslyn-Ballston corridor grew by only 2.3%. Most transit riders get to stations by foot or bus – there is little long-term commuter parking. Surveys at large apartment buildings have shown peak hour auto trip generation rates of one per

5.9 units, far below the standard in the Institute of Transportation Engineers' Trip Generation manual.

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Case Study 4 - Santa Monica, California

Introduction

Santa Monica is situated in a compact, walkable area of roughly 8.3 square miles. Although the city does not possess rail transit, it does have very effective bus service and is ideally suited for pedestrian and cyclists. Its parking policies, particularly in regards to its enforcement of parking cash-out law and Park-Once strategy, make it one of the most progressive planning communities in California. From this combination of parking management and connectivity, virtually the entire city is easily accessible and convenient, even without a vehicle.

Parking Tools

- **Park Once district.** The conventional development pattern in US cities over the past half century has been to require parking facilities on-site, for example in front setbacks. Visitors often drive between different uses – for example from a restaurant to a movie theatre, or between different shops – even if they are within comfortable walking distance. A Park Once district, in contrast, uses shared parking facilities to allow visitors to literally “park once,” and then walk between different destinations. This technique reduces the amount of parking that has to be provided to maintain a given level of availability, and promotes pedestrian activity. The approach emphasizes prominent identification of parking entrances so that visitors park at the first available parking. The City also runs an electric shuttle bus, the Tide Shuttle, which circulates between major attractions and the parking structures. In addition, Santa Monica has established a new real-time website (parkingspacenow.smgov.net) that displays the number of available parking spaces for public structures and surface beach lots. People traveling into Santa Monica's central area will be able to check beforehand for information that could help steer them to the best location, and help alleviate congestion.
- **Parking demand assessment.** A parking demand study commissioned by the City, which used conventional parking generation estimates, concluded that there would be a 2,400-space “deficit” in downtown by 2010. A separate analysis by the consultant for the city's Downtown Parking Task Force, however, took a different approach, instead calculating the current ratio of parking spaces to square footage. This concluded that the downtown currently functioned well on a ratio of 2.42 spaces per 1,000 square feet, meaning that only 400 (not 2,400) spaces needed to be added.
- **In-lieu fees and assessments.** There is an annual levy of \$1.50 per square foot on all new space built after 1989, which funds public parking facilities. The City also levies a 10% parking tax.
- **Parking Cash Out.** California State law mandates the provision of a parking “cash out” alternative for certain employers that lease parking and then offer it to employees free of charge. Under the “parking cash-out” law, these employers must offer employees who don't drive the cash value of a leased parking space. This reduces the financial incentives to drive to work. Santa Monica is one of the few California jurisdictions to actively enforce this law. Parking cash out has reduced single occupancy vehicle use by commuters by 7-8%.

- **Management of monthly parking.** The City shifts spaces for monthly parkers to underused structures, particularly those on the fringe of downtown. This frees up spaces for short-term parkers in the most attractive, well-used parking facilities in the heart of downtown.

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APPENDIX B

HAYWARD PARKING METER ORDINANCE

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ARTICLE 7.

PARKING METER ZONES

Section 7.00 PARKING METER ZONES. Subject to approval of Council, parking meter zones shall be established by the Traffic Engineer upon such streets, portions of streets or in municipal parking lots within the City of Hayward as may be necessary for traffic or parking control purposes.

The City Manager shall cause parking meters to be installed and maintained in such designated parking meter zones and the existence of a parking meter installed shall designate its location as a parking meter zone for the purposes of this Article.

Section 7.01 PARKING METER DEFINED. For the purposes of this Article, the term "parking meter" shall mean any receptacle, instrument, device, indicator, or machine which upon the deposit therein of an authorized token or coin of the United States as may be required, shows, indicates, registers, displays or permits legal parking in the parking meter zone wherein or adjacent to which such parking meter is situated.

Section 7.02 PARKING METERS - INSTALLATION. Parking meters shall be installed upon the street, parkway, curb, sidewalk, or municipal parking lot area immediately adjacent to the individual parking spaces designated as herein prescribed. The Traffic Engineer shall cause to have lines or markings painted or otherwise designated upon the parkway, curb, sidewalk, street, or municipal parking lot area adjacent to each parking meter in such manner as to identify the parking space with each respective parking meter.

It shall be unlawful to park or leave standing any vehicle across any such line or marking or in any position other than within the parking area so designated.

Section 7.03 PARKING METERS - OPERATION. It shall be unlawful for any person to park or leave standing any vehicle in any parking meter zone at any time during which the parking meter indicates that the parking space is illegally in use, except during the time necessary to deposit tokens or coins in said parking meters, or on Saturdays, Sundays, and holidays, or between the hours of 5 p.m. to 9 a.m. on all other days. (As amended by Ord. 79-044 C.S., adopted December 18, 1979; and as amended by Ord. 86-037 C.S., adopted October 28, 1986)

Section 7.04 PARKING METERS - TIME LIMITS. Notwithstanding the fact that a parking meter shall indicate legal parking, it shall be unlawful for any person to park or leave standing any vehicle in any area or parking space for a period of time in excess of parking limits prescribed and established by traffic regulations of this City. (As amended by Ord. 63-006 C.S., adopted March 12, 1963)

Section 7.05 PARKING METERS - DAMAGE TO. It shall be unlawful for any person to deface, injure, tamper with, or willfully break, destroy, or impair the usefulness of any parking meter.

Section 7.06 PARKING METER RATES. The sum of 10¢ per hour is hereby established as a schedule of rates for parking meters. (As added by Ord. 80-025 C.S., adopted September 2, 1980)

Section 7.10 RATES FOR ATTENDANT MUNICIPAL PARKING FACILITIES. The following rates are hereby established for attendant municipal parking facilities:

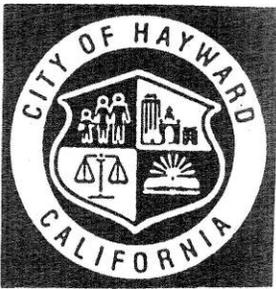
1. Ten cents (10¢) or merchant validation for the first hour or portion thereof;
2. Twenty-five cents (25¢) for each additional hour or portion thereof.

The above rates are effective between the hours of 9:00 a.m. and 6:00 p.m., Monday through Friday, holidays excepted. (As added by Ord. 81-021 C.S., adopted June 9, 1981)

APPENDIX C

HAYWARD RESIDENTIAL PARKING PERMIT FORMS

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| | |
|--------|------------|
| Area - | Permit # - |
|--------|------------|

CITY OF HAYWARD

25151 CLAWITER ROAD
HAYWARD, CA 94545
(510) 293-5361

PREFERENTIAL RESIDENTIAL PERMIT PARKING APPLICATION

RESIDENTIAL INFORMATION

| | | |
|--------------------|---------------------|-------------------------|
| NAME: _____ | | |
| <i>(Last Name)</i> | <i>(First Name)</i> | <i>(Middle Initial)</i> |
| ADDRESS: _____ | PHONE NUMBER: _____ | |

| | FEE | TOTAL |
|--|------------------|----------|
| BASE FEE (MARK ONE CHOICE) | | |
| <input type="checkbox"/> 2 Resident Permits | | |
| <input type="checkbox"/> 1 Resident and 1 Visitor Permit | | |
| <input type="checkbox"/> 2 Visitor Permits (Non - resident vehicles only) | \$ 25.00 | \$ 25.00 |
| <input type="checkbox"/> Additional Resident Permit <i>(Not to exceed 3 per address, including base fee permits)</i> | \$ 10.00 | |
| <input type="checkbox"/> Additional Visitor Permit (3 maximum) <i>(Not to exceed 5 per address, including base fee permits)</i> | \$ 5.00 each | |
| | TOTAL DUE | |

RESIDENTIAL VEHICLE INFORMATION (Please attach copies of registration)

| Vehicle | License Plate | Make/Model |
|---------|---------------|------------|
| #1 | | |
| #2 | | |
| #3 | | |

| | |
|--|----------------------|
| I certify under penalty of perjury that the above statements are correct and true. | |
| _____ <i>Signature</i> | _____ <i>Date</i> |
| For Office Use Only | |

**CITY OF HAYWARD
OFFICIAL NOTICE OF PUBLIC HEARING**

DATE: OCTOBER 31, 1995
TIME: 8:00 P.M.
PLACE: COUNCIL CHAMBERS, CENTENNIAL HALL, ROOM 6
 22292 FOOTHILL BOULEVARD
 HAYWARD, CA 94541

On the above date the City Council will hold a public hearing on the following matter:

PREFERENTIAL RESIDENTIAL PERMIT PARKING PROGRAM - Recommendation to include a portion of the Santa Clara Neighborhood in the existing preferential residential permit parking program. The area is as follows:

Elmhurst Street, south side from 408 to 474

Surrey Way, east side, from 24510 to 24570, west side between Elmhurst Street and Larchmont Street

Santa Clara Street, east side from Elmhurst Street to 24610, west side from Elmhurst Street to 24609

Townsend Avenue, east side from Elmhurst Street to 24608, west side from Elmhurst to 24605

Larchmont Street, north side, between Santa Clara Street and Surrey Way

A Notice of Exemption, which is a document indicating that the above project(s) is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) and State and City implementing guidelines, will be filed with the County Clerk if this matter is approved.

Notice of this meeting has been sent to persons who live and/or own property within 300 feet of the above mentioned property. However, any person interested in this matter is invited to attend the meeting to speak and/or offer written evidence for or against any aspect of this proposal.

FOR ADDITIONAL INFORMATION, PLEASE CONTACT RAYMOND SANTIAGO, CITY OF HAYWARD ENGINEERING AND TRANSPORTATION DIVISION, 25151 CLAWITER ROAD, HAYWARD, CA 94545 - TELEPHONE (510) 293-5162

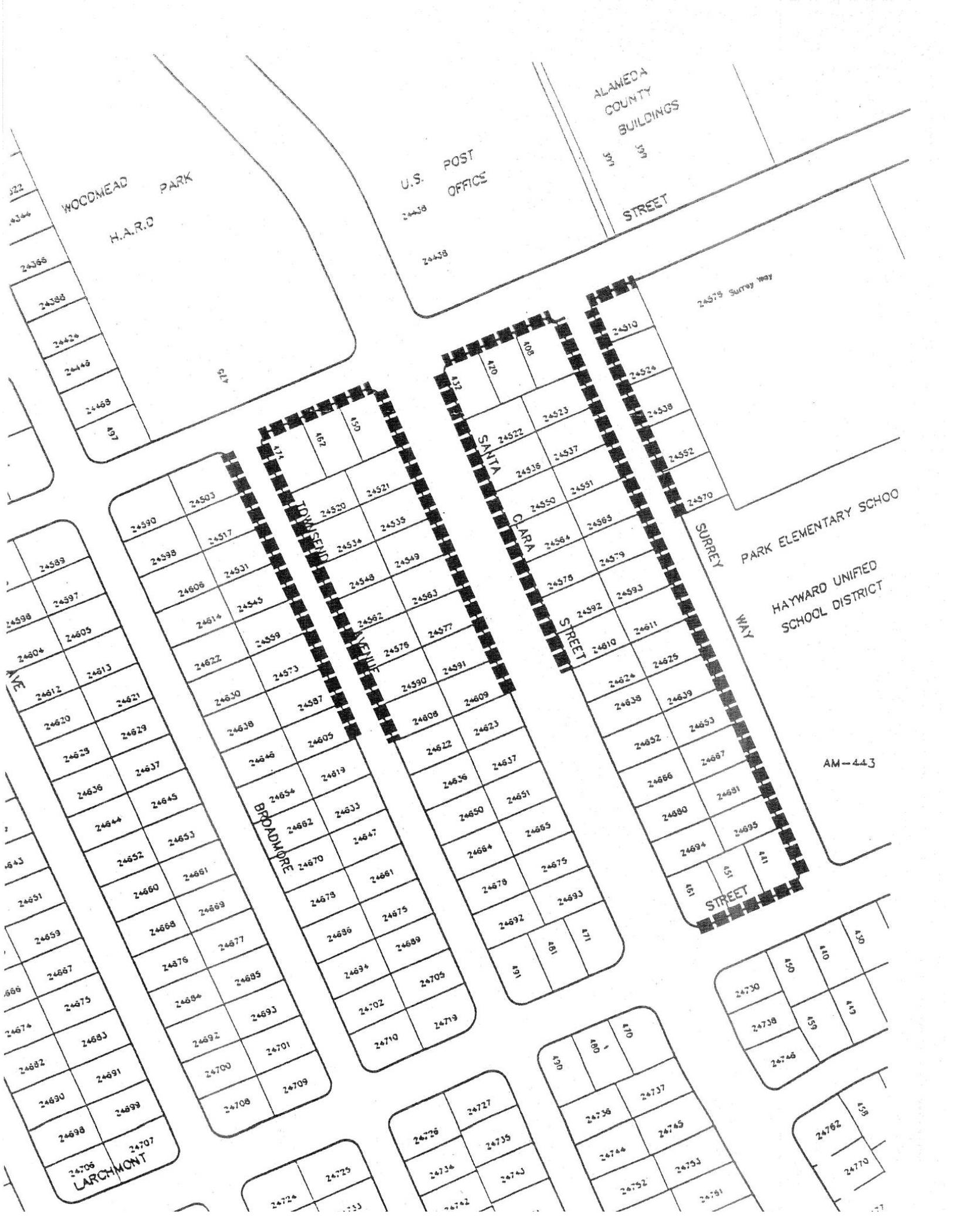
PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on the subject of this notice, the issues in the lawsuit may be limited to the issues which were raised at the city's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that the City Council has adopted Resolution No.87-181 C.S., which imposes the 90-day time deadline set forth in Code of Civil Procedure Section 1094.6 for filing of any lawsuit challenging final action on an item which is subject to Code of Civil Procedure section 1094.5

DATE OF NOTICE: October 18, 1995



ASSISTANCE WILL BE PROVIDED TO THOSE REQUIRING ACCOMMODATIONS FOR DISABILITIES IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. PLEASE REQUEST THE ACCOMMODATION AT LEAST 72 HOURS IN ADVANCE OF THE MEETING BY CONTACTING RAYMOND SANTIAGO AT (510) 293-5162, OR BY CALLING THE TDD LINE FOR THOSE WITH SPEECH AND HEARING DISABILITIES AT (510) 293-1590.



ALAMEDA COUNTY BUILDINGS

U.S. POST OFFICE

WOODMEAD PARK
H.A.R.O

STREET

24519 Surrey Way

TOWNSEND AVENUE

SANTA CLARA STREET

SURREY WAY

PARK ELEMENTARY SCHOOL

HAYWARD UNIFIED SCHOOL DISTRICT

AM-443

STREET

24522
24544
24566
24588
24424
24446
24468
497

24598
24599
24604
24612
24620
24628
24636
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24668
24676
24684
24692
24700
24708
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24701
24709
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24706
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LARCHMONT

24590
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24606
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24630
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24646
24654
24662
24670
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24702
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24523
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24551
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24726
24734
24742

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24762
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24770

APPENDIX D

HAYWARD TRAFFIC CODE PARKING PENALTIES

DRAFT

Section 6.36 PERMIT P ARKING - ON DESIGNATED STREETS. PENALTIES.

- (a) Whenever any regulation of this City designates and describes any street or portion thereof as a street the parking or standing on which shall be restricted to holders of permits therefore, the Public Works Department shall erect and maintain appropriate signs on those streets or portions thereof affected by such restriction.

No person shall park or leave standing on such street or portion thereof any vehicle unless such vehicle has displayed thereon an appropriate permit issued by the Finance Department which entitles the holder thereof to preferential parking privileges on the street or portion thereof in question. Motor vehicles identified as used by disabled persons meeting the requirements of Section 22511.5 of the California Vehicle Code shall be exempt from this subsection.

- (b) Penalties. The following acts constitute an infraction and shall be punishable as set forth in Sections 40000.1 and 40000.28 of the California Vehicle Code and Section 36900 of the California Government Code, and by revocation of any permit currently held:
- (1) For any person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in an application therefore.
 - (2) For any person holding a valid parking permit issued pursuant hereto to permit use or display of or to use or display such permit on a motor vehicle other than that for which the permit was issued.
 - (3) For any person to copy, reproduce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the Finance Department of the City of Hayward.
 - (4) For any person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a preferential residential parking permit area.
 - (5) For any person holding a valid parking permit issued pursuant hereto to sell, give, loan, transfer, or exchange said permit to any other person except as is specifically authorized in the Traffic Regulations of the City.
 - (6) For any person to knowingly commit any act which is prohibited by the terms of this Section or any permit parking regulations enacted pursuant to authority granted by California Vehicle Code Section 22507.

(As amended by Ord. 87-035 C.S., adopted December 1, 1987)

APPENDIX E

SAMPLE PARKING ORDINANCES

DRAFT

Appendix E: Sample Parking Ordinances

City of Ventura, CA

ORDINANCE NO. 2009-____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTERS 2.410, 2.455, 4.400, 16.215, 16.220 AND 16.225 OF THE SAN BUENAVENTURA MUNICIPAL CODE FOR THE PURPOSES OF REGULATING PUBLIC PARKING IN THE DOWNTOWN AND CREATING A DOWNTOWN PARKING DISTRICT AND A DOWNTOWN PARKING ADVISORY COMMITTEE

The Council of the City of San Buenaventura does ordain as follows:

Section 1. The City Council finds and determines as follows:

- A. The City provides vehicular parking in the downtown area within parking structures, upon surface parking lots, and upon public streets; and
- B. The City has conducted a substantive review of current parking practices and literature to determine the most effective ways of managing parking supply and demand; and
- C. The City has conducted public meetings about parking supply, parking demand and parking management as a part of, and subsequent to, the development and adoption of the Downtown Specific Plan; and
- D. Based upon that review and subsequent public meetings the City Council adopted a Downtown Parking Management Program as a part of the Downtown Specific Plan that establishes a program of managing on-street and off-street parking to achieve a 15% vacancy rate through various programs and pricing outlined in the adopted Downtown Parking Management Program; and
- E. A vacancy rate of approximately 15% is necessary and desirable to facilitate utilization of parking resources by as many different people as possible; and
- F. Using metered parking to achieve a vacancy rate of 15% eliminates the need for time restrictions on those metered parking spaces; and
- G. The existing parking permit and parking meter ordinances require modification in order to meet the changing parking demands; and
- H. California Vehicle Code section 22508 authorizes cities to establish parking meter zones and to fix the rates for such zones; and
- I. The City Council has determined that a parking meter system is justified to defray the cost of installation, operation, and control, as well as the costs of other parking management activities; and
- J. This Chapter is for the dual purposes of regulating traffic and the parking of vehicles and collecting fair and reasonable charges for parking services; and

- K. Revenues from parking meters may be used not only in defraying the expenses of installation, operation, and control of such parking spaces and parking meters, but also those incurred in the control of traffic and enforcement of traffic regulations; and
- L. Revenues from parking meters may be used to fund alternative transportation programs, projects and enhancements that reduce the demand for, or increase supply of parking resources in the parking district which receipts are generated; and
- M. Nothing in this ordinance shall be deemed to affect any existing parking district.

Section 2. Section 2.410.120 is amended to read as follows:

Sec. 2.410.120. Commissions. Boards and Committees Established.

The following boards, commissions and committees are established:

- A. Planning Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.415.
- B. Design Review Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.420.
- C. Parks and Recreation Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.425.
- D. Historic Preservation Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.430.
- E. Cultural Affairs Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.435.
- F. Library Advisory Commission consisting of five members with qualifications, duties and powers as specified in Chapter 2.440.
- G. Public Art Commission consisting of seven members with qualifications, duties and powers as specified in Chapter 2.445.
- H. Tree Advisory Committee consisting of five members with qualifications, duties and powers as specified in Chapter 2.450.

Section 3. Chapter 2.455 is added to read as follows:

Chapter 2.455 Downtown Parking Advisory Committee

Sec. 2.455.010. Administration.

The director of public works, or designee, shall serve as the committee secretary and custodian of its records but shall have no vote.

Sec. 2.455.020. Qualifications for Service.

- A. One member shall be a City resident whose principal address is within the Downtown Parking District Area.
- B. Two members shall be business owners, operators or managers whose business is within the Downtown Parking District Area.
- C. Two members shall be the owners of commercial property situated within the Downtown Parking District Area.
- D. One member shall be a City resident of the recommended for appointment by a downtown organization that has been identified by the City Council.

E. One member shall be a City resident appointed to represent parking users in general.

Sec. 2.455.030 Duties.

The downtown parking advisory committee shall have the power, and it shall be its duty, to:

1. Consider and make recommendations on issues or questions relating to downtown parking.
2. Assist, advise, and make recommendations actions to the City Council, Planning Commission, and staff, upon request of those bodies and persons.
3. Advise on parking management strategies and programs in the Downtown Parking District area.
4. Review and make advisory recommendations regarding management, maintenance and operations of the Downtown Parking District, including such matters as maintenance, operating and capital budgets, hours of operation, parking pricing policies, valet programs, and employee commuter parking policies.

Section 4. Chapter 4.400 is added to read as follows:

Chapter 4.400 Downtown Parking District

Sec. 4.400.010. Establishment of District and of District Boundaries.

A Downtown Parking District is hereby established. The boundaries of the district shall be the same as the Downtown Specific Plan Boundary as approved by the City Council in March 2007, as it may be amended from time to time.

Sec. 4.400.020. Purpose.

The Downtown Parking District is established to manage public parking supply and demand within the district boundaries as well as improve transportation and parking related facilities and programs.

Sec. 4.400.020. Use of Revenue.

All revenues collected from parking pay stations, meters, leases, and permits, in the Downtown Parking District shall be placed in a special fund, which fund shall be used exclusively for activities benefiting the parking district. The specific authorized use of revenues shall be as follows:

1. For purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of pay stations and/or parking meters in the parking district and for the payment of any and all expenses relating thereto.
2. For purchasing, leasing, acquiring, improving, operating and maintaining on- or off-street parking facilities.
3. For installation and maintenance of alternative mode programs, landscaping, pedestrian linkages, sidewalk cleaning, street, way finding systems, and traffic-control devices and signals.
4. For the painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles,
5. For proper security within the district.

CITY OF HAYWARD

6. For the proper regulation, control, enforcement and inspection of parking and traffic upon the public streets and off-street parking facilities.
7. To be pledged as security for the payment of principal of and interest on financing mechanisms used by the city to meet any of the purposes authorized by this section.
8. For transportation and parking planning, marketing and education programs related to the Downtown Parking District.
9. For construction and maintenance of public restrooms that enhance parking facilities.
10. Revenues from residential parking permits may, in addition to the foregoing, be used for sidewalk, landscaping and other transportation, pedestrian or bicycle enhancements on streets where the residential permit parking is provided.

Section 5. Section 16.215.030 is repealed and reenacted in its entirety to read as follows:

Sec. 16.215.030 Parking prohibited during certain hours on certain streets.

- A. Signs designating hours. When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by sign on any day except Sundays and public holidays upon any of the streets so posted.
- B. Twenty-four-minute parking. Green curb markings shall mean no standing or parking for a period of time longer than 24 minutes at any time during certain hours on any day as posted. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle adjacent to any such legible curb marking or sign or parking meter in violation thereof.
- C. Forty-minute parking. When authorized signs, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle during certain hours of any day as posted, for a period of time longer than 40 minutes.
- D. One-hour parking. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle during certain hours of any day as posted for a period of time longer than one hour.
- E. Two-hour parking. When authorized signs, pay stations, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours posted of any day for a period of time longer than two hours.
- F. One-hour or two-hour parking in certain school neighborhoods. When authorized signs, parking meters or curb markings have been determined by the city traffic engineer, with the approval of the city manager, to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle on any portion of a local street that is within a one-quarter mile radius of a high school or college for a period of time longer than one hour between the hours of 8:00 a.m. and 3:00 p.m. of any day that the nearby high school or college is holding classes. Notwithstanding the parking restrictions of this section,

CITY OF HAYWARD

residents on those streets where a parking restriction is posted contiguous to their residence pursuant to this section may receive a preferential parking permit. Permits may be obtained at City Hall by completing an application. The required application shall include, at minimum, a valid California Department of Motor Vehicles registration showing the address of the registered owner as meeting the requirements of this section. No more than three permits will be issued per parcel. Each permit will require a separate registered vehicle to which it is assigned. A fee will be charged and the permit will remain valid for two years.

- G Special event or construction permits. The city traffic engineer is authorized to issue special permits to reserve parking spaces for special events or activities related to construction or maintenance. A daily fee will be charged to the permittee.
- H. Downtown residential parking permits. Notwithstanding the parking restrictions of this section and when determined by the city traffic engineer, residents within the Downtown Parking District on those streets where a one-hour, two-hour, or paid parking restriction is posted may receive a preferential residential parking permit. Permit stickers may be obtained at City Hall by completing an application. Residential permits will be issued based upon on-street utilization, offstreet utilization, impact from non-residential uses, impact to neighborhood commercial and retail activity, existing land uses, nonconforming uses and other essential factors determined by the city traffic engineer. The required application shall include, at minimum, a valid California Department of Motor Vehicles registration showing the address of the registered owner as meeting the requirements of this section. No more than one sticker per residential unit will be issued. Each sticker will require a separate registered vehicle to which it is assigned. A fee will be charged and the permit will remain valid for two years.

Section 6. Section 16.220.010 is repealed and reenacted in its entirety to read as follows:

Sec. 16.220.010. Generally.

- A. Authority to establish loading zones.
 - 1. The city traffic engineer is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:
 - (a) At any place in the central traffic district or any business district.
 - (b) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.
 - 2. In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.
 - 3. Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones and with markings indicating the time and days in effect.
 - 4. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones and with markings indicating the time and days in effect.
- B. Curb markings to indicate no-stopping and parking regulations.
 - 1. The city traffic engineer, with the approval of the city manager, is hereby authorized, subject to the provisions and limitations of this chapter, to place, and when required herein, shall place, the following curb markings to indicate parking and standing regulations, and said curb markings shall have the meanings as herein set forth:

CITY OF HAYWARD

- (a) Red zones shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
 - (b) Yellow zones shall mean no stopping, standing or parking at certain posted hours of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three minutes nor the loading or unloading of materials more than 20 minutes. Loading zones are in effect only for posted hours as determined by the city traffic engineer, with the approval of the city manager.
 - (c) White zones shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed three minutes. White zones are in effect only for posted hours as determined by the city traffic engineer, with the approval of the city manager of any day except Sundays and holidays and except as follows:
 - (1) When such zone is in front of a hotel, the restrictions shall apply at all times.
 - (2) When such zone is in front of a theater, the restrictions shall apply at all times except when such theater is closed.
 - (d) Blue zones shall mean no stopping, standing, or parking at any time, except for the handicapped, as defined and permitted by the Vehicle Code.
 - (e) When the city traffic engineer, as authorized under this section, has caused curb markings to be placed, no person shall stop, stand, or park a vehicle adjacent to such legible curb markings in violation of any of the provisions in this section.
- C. Effect of permission to load or unload.
- 1. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefore, and in no event for more than 20 minutes.
 - 2. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pick-up of express and parcel post packages and United States mail.
 - 3. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading of personal baggage but shall not extend beyond the time necessary therefore and in no event for more than three minutes.
 - 4. Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

Section 7. Section 16.220.060 is added to read as follows:

Sec. 16.220.060. Valet Parking

- A. The city traffic engineer may permit valet parking stands to use public streets in such places and in such a manner as he or she shall determine and approve. Valet parking may be permitted only when the permittee demonstrates availability and control of sufficient off-street parking to meet projected demand. A fee shall be charged in an amount determined by the City Council.

CITY OF HAYWARD

- B. Appropriate signs approved by the city traffic engineer shall identify each valet parking stand. The signs shall be posted during operation hours at each location where they take possession of vehicles. The sign shall identify the name, address and telephone number of the operator, the rate charged and hours of operation. In addition, the permittee shall be responsible for the cost of regulatory signage determined to be necessary by the city traffic engineer.
- C. The valet parking operator shall, upon receipt of each motor vehicle accepted for valet parking, give a claim check to the owner. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted. The valet parking operator shall not disclaim the responsibilities of a bailee.
- D. The city traffic engineer, police chief, or fire chief, or their designee, may suspend valet parking operations, without prior notice or hearing, when it may interfere with public safety efforts or programs, street improvement activities, special events, construction activities, cleaning efforts or with the health, welfare or safety of the public.

Section 8. Chapter 16.225 is repealed and reenacted in its entirety to read as follows:

Chapter 16.225 Parking Pay Stations and Parking Meter Zones

Sec. 16.225.010. Generally.

- A. Parking pay station and meter zones are those streets or portions of streets established by ordinance of the City Council as zones within which the parking of vehicles may be controlled, regulated, and inspected with the aid of parking pay stations or parking meters.
- B. Parking pay stations and meter zones may be established in areas to manage the supply of parking and to make it reasonably available when and where needed. To accomplish this goal, a target on-street occupancy rate of eighty five percent (85%) is hereby established for pay station and parking meter zones.
- C. The city traffic engineer shall cause parking pay stations or meters to be installed and maintained in all parking pay station and meter zones. The maximum rate shall be set by the City Council. During a fiscal year, the City Transportation Manager may adjust pay station and meter rates up or down 50 cents per hour in 25-cent increment based on average occupancy rates in order to achieve a target occupancy rate of eighty five percent (85%). Any increase over 50 cents per hour in a fiscal year shall require City Council approval.

Sec. 16.225.020. Manner of installation.

- A. Parking pay stations and meters shall be installed upon the curb or sidewalk area adjacent to parking spaces. Each pay station or meter shall be placed in such manner as to show or display that the parking space is or is not legally in use.
- B. Each parking pay station or meter shall be able to clearly display, after the operational procedure has been completed, a sign or signal indicating when the lawful parking period will expire for that space.

Sec. 16.225.030. Parking pay stations and meters.

- A. Time of operation. The provisions of this ordinance relating to the operation of parking pay stations or parking meters shall be effective for posted hours and days as determined by the city traffic engineer.
- B. Operational procedure to be followed. Immediately after occupancy of a paid parking space, the operator of a vehicle shall deposit a coin or paper currency of the United States or use a

CITY OF HAYWARD

credit card or other acceptable form of payment in said parking pay station or meter and follow operational procedures in accordance with the instructions posted on the parking pay station or parking meter.

- C. Unlawful to park after pay station or meter time has expired. No operator of any vehicle shall permit said vehicle to remain parked in any parking space during any time that the pay station or meter is illegally in use other than such time immediately after the original occupancy as is necessary to operate the pay station or meter to show legal parking.
- D. Unlawful to extend time beyond limit. No person shall allow a vehicle to be parked for a period beyond the maximum legal parking time limit that has been established for the parking space.
- E. Improper use of pay station or meter. No person shall deposit, attempt to deposit, or cause to be deposited in any parking pay station or meter any defaced or bent coin, or any slug, device or metallic substitute for a coin of the United States, or deface, injure, tamper with, open or willfully break, destroy or attempt in any manner to impair the usefulness of any parking pay station or meter.
- F. Deposit of payment in pay station or meter by unauthorized person. No person, other than the owner or operator of a vehicle, shall deposit any acceptable form of payment in any parking meter without the knowledge or consent of said owner or operator of the vehicle using the parking space controlled by said meter or pay station.
- G. Parking pay stations, meters and parking meter standards not to be used for certain purposes. No person shall attach anything to or allow a bicycle, news rack or any other chapter or thing to lean against a parking pay station, parking meter or parking meter standard.
- H. Special reservation of parking pay station or parking meter spaces. The city traffic engineer is authorized to issue special permits to reserve pay station or parking meter spaces. A pay station space or parking meter space may be reserved for special events or it may be reserved for activities related to construction or maintenance, thereby allowing parking of commercial vehicles for the performance of work . A daily fee will be charged to the permittee.

Sec. 16.225.040. Rule of evidence.

The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this ordinance.

Sec. 16.225.050. Use of money deposited in parking pay stations and meters.

All moneys collected from parking pay stations, and meters in this city shall be placed in a special fund, which fund shall be devoted exclusively to purposes within the geographic boundaries of the parking district from which the revenue is collected. Such moneys shall be used for the purposes stated in the parking district establishment ordinance:

Sec. 16.225.060. Application of other chapters.

No section of this chapter shall be construed as permitting any parking in violation of any other provision of this ordinance.

Sec. 16.230.020. Permits for loading or unloading at curb.

- A. The police department or city traffic engineer is authorized to issue special permits to permit the loading or unloading of merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- B. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.
- C. If the permit is in a parking pay station or parking meter zone, the permittee shall pay an amount at least equal to the lost revenue of the parking spaces.

Section 9. No Effect on Existing Parking Districts.

The City Council does not intend this ordinance to be interpreted to have any effect on existing parking districts within the City.

Section 10. CEQA Findings.

EXEMPTION, FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council finds that the enactment of the parking regulations pursuant to this Ordinance is determined to be exempt under Section 15061 (b)3 of the of Title 14 of the California Code of Regulations (the "State CEQA Guidelines") in that the adoption of these regulations will not result in reasonably foreseeable construction activities or other physical activities, either directly or indirectly. It can therefore be foreseen that the enactment of this ordinance does not have the potential to result in significant effects on the environment.

Redwood City, CA

ORDINANCE NO., ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AMENDING CHAPTER 20, ARTICLE VII OF THE REDWOOD CITY MUNICIPAL CODE BY AMENDING SECTIONS 20.96 THROUGH 20.96.21 IN THEIR ENTIRETY AND DIVISIONS 4, 5 AND 9 IN THEIR ENTIRETY.

RECITALS

WHEREAS, planned new development in Downtown Redwood City is likely to increase traffic and parking demand. (Downtown Mixed Use Retail/Cinema Project Environmental Report, 2000); and

WHEREAS, the City has conducted a substantive review of the literature and the practices of other cities to determine the most effective ways of managing the traffic and parking demand; and

WHEREAS, based on that review the City has determined that the most effective tool for managing on-street parking is a program of pricing the on-street public parking at a rate so as to achieve a fifteen percent (15%) vacancy rate in the parking spaces on each block. (See Shoup, Donald. The High Cost of Free Parking, American Planning Association Planners Press. 2005); and

WHEREAS, underpriced on-street parking causes "cruising," which adds to traffic congestion. Shoup, page 291; and

WHEREAS, a vacancy rate of about 15% is necessary to avoid cruising induced traffic, to facilitate easy ingress and egress, and to offer parking opportunities to as many different people as possible. Shoup, page 297; and

WHEREAS, California Vehicle Code Section 22508 authorizes cities to establish parking meter zones and to fix the rate of fees for such zones; and

WHEREAS, parking meter rate ordinances "may ... justify a fee system intended and calculated to hasten the departure of parked vehicles in congested areas, as well as to defray the cost of installation and supervision." *OeAryan v. City of San Diego*, 75 CA2d 292, 296 (1946); and

WHEREAS, such parking meter rate ordinances are for the purpose of regulating traffic and the parking of vehicles in the public streets, not a tax for revenue purposes. *Id* at 293; and

WHEREAS, receipts from such parking meter rate ordinances "may be used not only in defraying the expenses of installation, operation and control of such parking space and parking meters, but also those incurred in the control of traffic which may affect or be affected by the parking of vehicles in the parking meter zones thus created, including those incurred in connection with painting lines and signs, maintaining mechanical traffic signals and other expenses of regulating traffic and enforcing traffic regulations with respect to all traffic which may affect or be affected by the parking of vehicles in parking meter zones." *Id* at 296; and

WHEREAS, using parking meter rates to achieve a vacancy rate of about 15% negates the necessity for time restrictions on the use of parking spaces; and

WHEREAS, certain formerly unmetered off-street parking facilities must be metered in order to meet the demands of changing patterns of use of Downtown parking; and

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WHEREAS, the parking permit program requires modifications in order to meet the demands of changing patterns of use of Downtown parking.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY THAT:

1. Sections 20.96 through 20.96.21 of Chapter 20, Article VII, Division 1, are hereby amended in their entirety to read as follows:

Sec. 20.96. PARKING TIME LIMITED ON CERTAIN DESIGNATED STREETS DURING CERTAIN DESIGNATED PERIODS: When signs are erected giving notice thereof, parking shall be limited as specified in the table below. Such limitations on parking shall be effective daily except on Sundays and holidays.

| Street | Side | Limits | Maximum Parking Period | Applicable Hours |
|-----------------|---------------|---|------------------------|--|
| Arch Street | Easterly | Brewster Avenue to a point one hundred twenty-five feet (125') northerly of Brewster Avenue | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Arguello Street | Both | Brewster Avenue to Alden Street | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Arguello Street | Westerly | Alden Street to Hopkins Avenue | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Arguello Street | Westerly | Whipple Avenue to a point one hundred feet (100') southerly of Whipple Avenue | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Birch Street | Both | Broadway to a point one hundred ninety five feet (195') northerly of Broadway | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Brewster Avenue | Both | Warren to Arguello | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Brewster Avenue | Northwesterly | From a point sixty feet (60') northeasterly of northeasterly line of Arch Street to Broadway | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Brewster Avenue | Southeasterly | Broadway to Arch Street | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Broadway | Both | Brewster Avenue to Duane Street | One (1) hour | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Broadway | Southerly | From Douglas Avenue to a point two hundred twenty four feet (224') easterly of Douglas Avenue | One (1) hour | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Cedar Street | Southerly | Main Street to El Camino Real | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Charter Street | Northerly | Hancock to El Camino Real | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Clinton Street | Both | Brewster to Broadway | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |
| Clinton Street | Easterly | Seventy five feet (75') northerly of Broadway | Two (2) hours | Between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. |

2. Division 4 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 4. PARKING METER ZONES

Sec. 20.115. MANNER OF ESTABLISHING PARKING METER ZONES: Parking meter zones in streets, public rights-of-way, and publicly controlled off-street parking facilities rates and regulations for use therein shall be as established in this Division.

Sec. 20.116. ESTABLISHMENT OF DOWNTOWN METER ZONE: The Downtown Meter Zone is hereby established and is described as follows: That certain area of the City of Redwood City, County of San Mateo, State of California, bounded by the following described line:

Commencing at the point where the centerline of Brewster Avenue intersects with the northeasterly edge of the Veterans Boulevard right-of way, extending along the centerline of Brewster Avenue to the southerly edge of the Broadway right-of-way; extending along the southerly edge of the Broadway right-of-way to the centerline of El Camino Real; extending along the centerline of the El Camino Real to the centerline of James Avenue; extending along the centerline of James Avenue to the centerline of the Southern Pacific Railroad; extending along the centerline of the Southern Pacific Railroad to the westerly edge of the Maple Street right-of way; extending along the westerly edge of the Maple Street right-of-way to the centerline of Stambaugh Street; extending along the centerline of Stambaugh Street to the westerly edge of the Walnut Street right-of-way, extending along the westerly edge of the Walnut Street right-of-way to the southerly edge of the Broadway right-of-way; extending along the southerly edge of the Broadway right-of-way to the centerline of Beech Street; extending along the centerline of Beech Street to the northerly edge of the Broadway right-of-way; extending along the northerly edge of the Broadway right-of-way to the centerline of Maple Street; extending along the centerline of Maple Street to the northerly edge of the Veterans Boulevard right-of-way; extending along the northerly edge of the Veterans Boulevard right-of-way to the point of commencement.

Sec. 20.117. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR ON-STREET PARKING AREAS: Under the authority of California Vehicle Code section 22508, the City Council hereby establishes the following Base Meter Rates for the following onstreet parking areas within the Downtown Meter Zone:

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| Street | Side | Limits | Base Meter Rate (Per Hour) | |
|-----------------|---------------|--------------------------------------|--|---|
| | | | Monday through Friday, 10:00am to 6:00pm | Monday through Friday, 6:00pm to 10pm; and Saturday through Sunday, 10:00am until 10:00pm |
| Allerton Street | Southwesterly | Brewster Avenue to Fuller Street | \$0.25 | Free |
| Allerton Street | Northeasterly | Brewster Avenue to Fuller Street | \$0.25 | Free |
| Allerton Street | Southwesterly | Fuller Street to Bradford Street | \$0.25 | Free |
| Allerton Street | Northeasterly | Fuller Street to Bradford Street | \$0.25 | Free |
| Arch Street | Southwesterly | Brewster Avenue to Broadway | \$0.25 | Free |
| Arch Street | Northeasterly | Brewster Avenue to Broadway | \$0.25 | Free |
| Arguello Street | Southwesterly | Brewster Avenue to Marshall Street | \$0.25 | Free |
| Arguello Street | Northeasterly | Fuller Street to Bradford Street | \$0.25 | Free |
| Arguello Street | Northeasterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Arguello Street | Northeasterly | Marshall Street to Broadway | \$0.50 | \$0.75 |
| Bradford Street | Northwesterly | Arguello Street to Warren Street | \$0.25 | Free |
| Bradford Street | Southeasterly | Arguello Street to Warren Street | \$0.25 | Free |
| Bradford Street | Northwesterly | Warren Street to Allerton Street | \$0.25 | Free |
| Bradford Street | Southeasterly | Warren Street to Allerton Street | \$0.25 | Free |
| Bradford Street | Northerly | Middlefield Road to Jefferson Avenue | \$0.25 | Free |
| Bradford Street | Southerly | Middlefield Road to Jefferson Avenue | \$0.25 | Free |
| Bradford Street | Northerly | Jefferson Avenue to Main Street | \$0.25 | Free |
| Bradford Street | Southerly | Jefferson Avenue to Main Street | \$0.25 | Free |
| Bradford Street | Northerly | Main Street to Walnut Street | \$0.50 | Free |
| Bradford Street | Southerly | Main Street to Walnut Street | \$0.50 | Free |
| Broadway | Northerly | Arch Street to El Camino Real | \$0.25 | Free |
| Broadway | Southerly | Arch Street to El Camino Real | \$0.25 | Free |
| Broadway | Northerly | El Camino Real to Perry Street | \$0.50 | \$0.75 |
| Broadway | Southerly | El Camino Real to California Street | \$0.50 | \$0.75 |
| Broadway | Northerly | Arguello Street to Winslow Street | \$0.50 | \$0.75 |
| Broadway | Southerly | Arguello Street to Winslow Street | \$0.50 | \$0.75 |
| Broadway | Northerly | Winslow Street to Hamilton Street | \$0.50 | \$0.75 |
| Broadway | Southerly | Winslow Street to Hamilton Street | \$0.50 | \$0.75 |
| Broadway | Northerly | Hamilton Street to Middlefield Road | \$0.50 | Free |
| Broadway | Northerly | Middlefield Road to Jefferson Avenue | \$0.50 | \$0.75 |
| Broadway | Southerly | Middlefield Road to Jefferson Avenue | \$0.50 | Free |
| Broadway | Northerly | Jefferson Avenue to Main Street | \$0.50 | \$0.75 |
| Broadway | Southerly | Jefferson Avenue to Main Street | \$0.50 | \$0.75 |

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| | | | | |
|-------------------|---------------|---------------------------------------|--------|--------|
| Broadway | Northerly | Maple Street to Beech Street | \$0.25 | Free |
| Broadway | Southerly | Cassia Street to Beech Street | \$0.25 | Free |
| California Street | Westerly | Broadway to Winklebleck Street | \$0.50 | Free |
| California Street | Easterly | Broadway to Winklebleck Street | \$0.50 | Free |
| California Street | Westerly | Winklebleck Street to James Street | \$0.25 | Free |
| California Street | Easterly | Winklebleck Street to James Street | \$0.25 | Free |
| El Camino Real | Northeasterly | Brewster Avenue to Broadway | \$0.25 | Free |
| El Camino Real | Southwesterly | Brewster Avenue to Broadway | \$0.25 | Free |
| El Camino Real | Northeasterly | Winklebleck Street to James Street | \$0.25 | Free |
| Fuller Street | Northwesterly | Warren Street to Allerton Street | \$0.25 | Free |
| Fuller Street | Southeasterly | Warren Street to Allerton Street | \$0.25 | Free |
| Fuller Street | Northwesterly | Allerton Street to Winslow Street | \$0.25 | Free |
| Fuller Street | Southeasterly | Allerton Street to Winslow Street | \$0.25 | Free |
| Hamilton Street | Westerly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Hamilton Street | Easterly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Hamilton Street | Westerly | Broadway to Winslow Street | \$0.50 | \$0.50 |
| Hamilton Street | Easterly | Broadway to Winslow Street | \$0.50 | \$0.50 |
| Jefferson Avenue | Easterly | Veterans Boulevard to Bradford Street | \$0.25 | Free |
| Jefferson Avenue | Westerly | Veterans Boulevard to Bradford Street | \$0.25 | Free |
| Jefferson Avenue | Easterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Jefferson Avenue | Westerly | Bradford Street to Marshall Street | \$0.25 | Free |
| Jefferson Avenue | Easterly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Jefferson Avenue | Westerly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Jefferson Avenue | Easterly | Broadway to Middlefield Road | \$0.50 | \$0.75 |
| Jefferson Avenue | Westerly | Broadway to Middlefield Road | \$0.50 | \$0.75 |
| Main Street | Easterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Main Street | Westerly | Bradford Street to Marshall Street | \$0.25 | Free |
| Main Street | Easterly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Main Street | Westerly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Main Street | Easterly | Stambaugh Street to Middlefield Road | \$0.50 | \$0.50 |
| Main Street | Easterly | Broadway to Stambaugh Street | \$0.50 | \$0.50 |
| Main Street | Westerly | Broadway to Middlefield Road | \$0.50 | \$0.50 |
| Maple Street | Northwesterly | Marshall Street to Broadway | Free | Free |
| Marshall Street | Northwesterly | Arguello Street to Warren Street | \$0.25 | Free |
| Marshall Street | Northwesterly | Warren Street to Winslow Street | \$0.25 | Free |
| Marshall Street | Southeasterly | Arguello Street to Winslow Street | \$0.25 | Free |
| Marshall Street | Southerly | Winslow Street to Hamilton Street | \$0.25 | Free |
| Marshall Street | Northerly | Hamilton Street to Middlefield Road | \$0.25 | Free |
| Marshall Street | Southerly | Hamilton Street to Middlefield Road | \$0.25 | Free |
| Marshall Street | Northerly | Middlefield Road to Jefferson Avenue | \$0.25 | Free |
| Marshall Street | Southerly | Middlefield Road to Jefferson Avenue | \$0.25 | Free |
| Marshall Street | Northerly | Main Street to Walnut Street | \$0.25 | Free |
| Marshall Street | Southerly | Spring to Walnut Street | \$0.25 | Free |
| Marshall Street | Southerly | Walnut Street to Maple Street | \$0.25 | Free |
| Marshall Street | Northerly | Walnut Street to Marshall Court | \$0.25 | Free |

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| | | | | |
|--------------------|---------------|---------------------------------------|--------|--------|
| Marshall Street | Northerly | Marshall Court to Maple Street | \$0.25 | Free |
| Middlefield Road | Easterly | Veterans Boulevard to Bradford Street | \$0.25 | Free |
| Middlefield Road | Westerly | Veterans Boulevard to Bradford Street | \$0.25 | Free |
| Middlefield Road | Easterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Middlefield Road | Westerly | Bradford Street to Marshall Street | \$0.25 | Free |
| Middlefield Road | Easterly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Middlefield Road | Westerly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Middlefield Road | Westerly | Broadway to Winslow Street | \$0.50 | \$0.75 |
| Middlefield Road | Northeasterly | Winslow Street to Jefferson Avenue | \$0.50 | \$0.75 |
| Middlefield Road | Northeasterly | Jefferson Avenue to Main Street | \$0.50 | \$0.50 |
| Perry Street | Southwesterly | Brewster Avenue to Commercial Way | \$0.25 | Free |
| Perry Street | Southwesterly | Commercial Way to Broadway | \$0.50 | \$0.50 |
| Stambaugh Street | Northeasterly | Main Street to Maple Street | \$0.25 | Free |
| Stambaugh Street | Southwesterly | Main Street to Maple Street | \$0.25 | Free |
| Veterans Boulevard | Northeasterly | Brewster Street to Main Street | Free | Free |
| Veterans Boulevard | Southwesterly | Brewster Street to Middlefield Road | Free | Free |
| Veterans Boulevard | Southwesterly | Middlefield Road to Jefferson Avenue | Free | Free |
| Veterans Boulevard | Southerly | Walnut Street to Maple Street | \$0.25 | Free |
| Veterans Boulevard | Northerly | Walnut Street to Maple Street | Free | Free |
| Walnut Street | Westerly | Veterans Boulevard to Bradford Street | \$0.50 | Free |
| Walnut Street | Westerly | Bradford Street to Marshall Street | \$0.50 | Free |
| Walnut Street | Easterly | Veterans Boulevard to Marshall Street | \$0.50 | Free |
| Walnut Street | Easterly | Marshall Street to Spring Street | \$0.25 | Free |
| Walnut Street | Westerly | Marshall Street to Spring Street | \$0.25 | Free |
| Walnut Street | Westerly | Broadway to Spring | \$0.25 | Free |
| Warren Street | Northeasterly | Brewster Avenue to Fuller Street | \$0.25 | Free |
| Warren Street | Southwesterly | Brewster Avenue to Fuller Street | \$0.25 | Free |
| Warren Street | Northeasterly | Fuller Street to Bradford Street | \$0.25 | Free |
| Warren Street | Southwesterly | Fuller Street to Bradford Street | \$0.25 | Free |
| Warren Street | Northeasterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Warren Street | Southwesterly | Bradford Street to Marshall Street | \$0.25 | Free |
| Winklebleck Street | Southerly | El Camino Real to California Street | \$0.50 | Free |
| Winklebleck Street | Northerly | El Camino Real to California Street | \$0.50 | Free |
| Winslow Street | Easterly | Brewster Avenue to Bradford Street | \$0.25 | Free |
| Winslow Street | Westerly | Brewster Avenue to Fuller Street | \$0.25 | Free |
| Winslow Street | Westerly | Fuller Street to Bradford Street | \$0.25 | Free |
| Winslow Street | Westerly | Bradford Street to Marshall Street | \$0.25 | Free |
| Winslow Street | Easterly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Winslow Street | Westerly | Marshall Street to Broadway | \$0.50 | \$0.50 |
| Winslow Street | Easterly | Broadway to Hamilton Street | \$0.50 | \$0.50 |
| Winslow Street | Westerly | Broadway to Hamilton Street | \$0.50 | \$0.50 |

Sec. 20.118. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR SPECIFIED OFF-STREET PARKING AREAS: The following base meter rates are hereby established for certain off-street parking areas:

| Parking Facility | Description of Location | Base Meter Rate | |
|----------------------------|---|--|---|
| | | Monday through Friday, 10:00am to 6:00pm | Monday through Friday, 6:00pm to 10pm; and Saturday through Sunday, 10:00am until 10:00pm |
| Library Parking Lot "A" | Located southwesterly of the intersection of Main Street with Middlefield Road | \$0.50 | \$0.50 |
| Library Parking Lot "B" | Located southeasterly of the intersection of Jefferson Avenue with Middlefield Road | \$0.50 | \$0.50 |
| City Hall Parking Lot | Located at the east side of City Hall, near the rear entry thereof, 1017 Middlefield Road | \$0.75 | \$0.75 |
| Winslow Street Parking Lot | Located northwesterly of the intersection of Winslow Street with Hamilton Street | \$0.25 | \$0.25 |
| Perry Street Parking Lot | Located northwesterly of the intersection of Perry Street with Commercial Way | \$0.50 | \$0.50 |
| Main Street Parking Lot | Located at the southerly of Broadway, between Main Street and Jefferson Avenue, and northeasterly of City Hall, 1017 Middlefield Road | \$0.25 | \$0.25 |

Sec. 20.119. ESTABLISHMENT OF DOWNTOWN METER ZONE BASE METER RATES FOR SPECIFIED OFF-STREET PARKING AREAS: The following base meter rates are hereby established for certain off-street parking areas:

| Parking Facility | Description of Location | Peak Hours | Hourly Rate For Peak Hours | Base Hourly Rate For Non-Peak Hours |
|------------------------------|--|---|----------------------------|-------------------------------------|
| Jefferson Avenue Garage | Located southwesterly of the intersection of Broadway with Jefferson Avenue | Monday through Thursday, 5:00pm until closing, but no later than 3:00am; Friday, from 12:00pm until closing, but no later than 3:00am; and Saturdays, Sundays, and holidays from opening until closing, but no later than 3:00am. | \$5.00 | \$0.25 |
| Middlefield Road Parking Lot | Located westerly of the intersection of Middlefield Road and Jefferson Avenue | Monday through Thursday, 5:00pm until closing, but no later than 3:00am; Friday, from 2:00pm until closing, but no later than 3:00am; and Saturdays, Sundays, and holidays, from opening until closing, but no later than 3:00am. | \$5.00 | \$0.25 |
| Marshall Street Garage | Located southerly of Marshall Street, between Jefferson Avenue and Main Street | Monday through Friday, 5:00pm until closing, but no later than 3:00am; and Sundays, and holidays from opening until closing, but no later than 3:00am | \$5.00 | \$0.25 |

Sec. 20.120. PERIODIC ADJUSTMENT OF DOWNTOWN METER ZONE METER RATES:

Under the authority of California Vehicle Code section 22508, the City Council hereby adopts the following process for adjusting Downtown Meter Zone meter rates from time to time to manage the use and occupancy of the parking spaces for the public benefit in all parking areas within the Downtown Meter Zone.

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- A. To accomplish the goal of managing the supply of parking and to make it reasonably available when and where needed, a target occupancy rate of eighty-five percent (85%) is hereby established.
- B. At least annually and not more frequently than quarterly, the Parking Manager shall survey the average occupancy for each parking area in the Downtown Meter Zone that has parking meters. Based on the survey results, the Parking Manager shall adjust the rates up or down in twentyfive cent (\$0.25) intervals to seek to achieve the target occupancy rate. The base parking meter rate, and any adjustments to that rate made pursuant to this ordinance, shall become effective upon the programming of the parking meter for that rate. A current schedule of meter rates shall be available at the City Clerk's office.
- C. The hourly meter rate shall not exceed one dollar and fifty cents (\$1.50) without the express approval of the City Council.
- D. This Section does not apply to the parking facilities described in Section 20.119 of this Division during the "peak hours."

Sec. 20.121. USE OF DOWNTOWN METER ZONE PARKING METER REVENUES:

Revenues generated from on-street and off-street parking within the Downtown Meter Zone boundaries shall be accounted for separately from other City funds and may be used only for the following purposes:

- A. All expenses of administration of the parking program
- B. All expenses of installation, operation and control of parking equipment and facilities within or designed to serve the Downtown Meter Zone
- C. All expenses for the control of traffic (including pedestrian and vehicle safety, comfort and convenience) which may affect or be affected by the parking of vehicles in the Downtown Meter Zone, including the enforcement of traffic regulations as to such traffic.
- D. Such other expenditures within or for the benefit of the Downtown Meter Zone as the City Council may, by resolution, determine to be legal and appropriate.

Sec. 20.122. ACQUISITION, INSTALLATION, MAINTENANCE, REGULATION, OF METERS;

ROLE OF CITY MANAGER: The City Manager is hereby directed to provide for the purchase, acquiring, installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this Division and to maintain the meters in good workable condition.

Sec. 20.123. LOCATION AND OPERATION OF METERS:

- A. Conventional parking meters installed in a parking meter zone shall be placed immediately adjacent to individual parking places described in the following section and shall be placed on the curb or sidewalk if the parking place is adjacent to a curb or sidewalk. Each conventional parking meter shall be arranged so that upon the expiration of the time period for which payment was deposited it will indicate by a proper visible signal that the lawful parking period for the adjacent parking meter space has expired and in such cases the right of such a vehicle to occupy the space shall cease.
- B. Each pay-by-space machine, pay-and-display machine, or pay-on-foot machine shall conspicuously display the applicable parking rates and instructions for use of the machine. Each pay-by-space or pay-and-display machine shall, upon the deposit of the appropriate United States coins, currency, credit card, or city prepaid parking card with respect to a

parking meter space controlled thereby, dispense a receipt showing the amount of time purchased and when the lawful parking period will expire for that space. Upon expiration of the lawful parking period, the right of a vehicle to occupy the space shall cease.

Sec. 20.124. MARKING OF INDIVIDUAL PARKING SPACES; VEHICLES TO BE PARKED WITHIN MARKED LINES: The City Manager shall have lines or markings painted or placed upon the curb, right of way or parking lot adjacent to each parking meter for the purpose of designating the parking space for which the parking meter is to be used. Spaces regulated by pay-by-space machines shall be assigned numbers, which shall be clearly painted onto the curb next to each such space. It shall be unlawful and a violation of this Division to park any vehicle across any such line or marking or to park the vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

Sec. 20.125. MANNER OF PARKING IN SPACES PARALLEL TO CURB: When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk and is regulated by a conventional parking meter, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

Sec. 20.126. USE OF METER REQUIRED:

- A. When a vehicle is parked in any space controlled by a conventional parking meter or a pay-by-space machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking space, immediately purchase time by depositing coins indicated on such meter or by depositing other forms of payment which may be accepted at pay-by-space and pay-and-display machines such as dollar bills, credit cards, or prepaid city parking card as specified on such machines. Failure to put the meter in operation by purchasing time, and (if applicable) failure to place the receipt on the vehicle dashboard as prescribed, shall constitute a violation of this Division.
- B. When a vehicle is parked in any space controlled by a pay-and-display machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking space, immediately purchase time by depositing coins indicated on such meter or by depositing other forms of payment which may be accepted at pay-by-space and pay-and-display machines such as dollar bills, credit cards, credit cards, or prepaid city parking card as specified on such machines. The operator of the vehicle shall immediately cause the parking receipt provided by the machine to be placed face up on the driver's side dashboard of the vehicle. Failure to put the meter in operation by purchasing time, and (if applicable) failure to place the receipt on the vehicle dashboard as prescribed, shall constitute a violation of this Division. Upon the deposit of payment and placing such meter in operation, the parking space may be lawfully occupied by such vehicle for the time indicated by the meter.
- C. When a vehicle is parked in any space controlled by a pay-on-foot machine and payment is required pursuant to Sections 20.117, 20.118, or 20.119, the operator of the vehicle shall upon entering the parking facility, press the specified button at the gate to receive a voucher. Prior to departure from the facility, the operator of the vehicle shall deposit the voucher into the pay-on-foot machine and shall pay for the time used by depositing the amount of money specified by the machine in a form of payment which may be accepted at the machine such as coins, dollar bills, credit cards, or prepaid city parking card as specified on such machines. Failure to remove vehicle from the parking facility within fifteen (15) minutes of payment shall constitute a violation of this Division. Failure to pay for time used shall constitute a violation of this Division.

Sec. 20.127. INJURING OR TAMPERING WITH METERS: It shall be unlawful and a violation of the provisions of this Division for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Division or post supporting such parking meter.

Sec. 20.128. USE OF SLUGS AND SIMILAR DEVICES PROHIBITED: It shall be unlawful and a violation of the provisions of this Division to deposit or cause to be deposited in any parking meter any slugs, device or metallic substance, or any other substitute for any of the coins or other payment types specified in Section 20.123.

Sec. 20.129. OVERTIME PARKING: If the vehicle shall remain parked in any such parking space beyond the time for which payment has been made, the parking meter shall indicate such illegal parking and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this Division. It shall be unlawful and a violation of the provisions of this Division for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone.

Sec. 20.130. PARKING OR REMAINING ADJACENT TO EXPIRED METER: It shall be unlawful and a violation of the provision of this Division for any person to permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

Sec. 20.131. DUTY OF POLICE WHERE VEHICLE PARKED OVERTIME; ISSUANCE OF CITATION: It shall be the duty of each police officer or parking enforcement deputy to take the number of any meter at which any vehicle is over-parked, as provided in Section 20.124; the state vehicle license of such vehicle; the time and date of such overparking, and make of such vehicle; and issue, in writing, a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the State applicable to the traffic violations within the City.

Sec. 20.132. PAYMENT OF FINE TO AVOID PROSECUTION: Any operator or owner of a vehicle to whom a citation has been issued in accordance with the preceding section may, within fifteen (15) days of the time of the issuance of such citation, pay to the appropriate court, as a penalty for and full consideration of such violation, the sum of twenty-five dollars (\$25.00). The mailing, in a sealed envelope properly addressed through the United States mail, of a check, money order, or postal order, within fifteen (15) days from the time of issuance of the citation, or notice of such violation, or the deposit at the City Hall of the sum of twenty-five dollars (\$25.00) within fifteen (15) days constitutes a compliance with this provision. Delivery of such envelope shall be the responsibility of such owner or operator. The failure of such owner or operator to make such payment within the fifteen (15) days shall render such owner or operator subject to the penalties provided for violation of the provisions of this Division.

Sec. 20.133. PROVISIONS FOR TEMPORARY SUSPENSION OF METER RATES: The provisions of Division may be suspended from time to time by motion of the City Council in any case where the Council finds that strict compliance would not serve the public interest, including but not limited to the use of public streets and sidewalks for celebrations, special public events, celebration of holiday seasons and any other such activity or purpose as the City Council in its sole discretion shall determine.

CITY OF HAYWARD

Sec. 20.134. DEFINITIONS: For the purposes of this Division the following words and phrases shall have the meanings respectively ascribed to them by this Section:

OPERATOR: Every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

PARKING MANAGER: The person so designated by the City Manager to, among other responsibilities, monitor the occupancy of parking areas and adjust meter rates according to the provisions of Division 4.

PARKING METER: Any mechanical device which accepts payment for the use of parking spaces as described in this Division. Such mechanical devices shall include but not be limited to conventional parking meters, pay-by-space machines, pay-and-display machines, and pay-on-foot machines.

STREET: Any public street, avenue, road, boulevard, highway or other public place located in the City and established for the use of vehicles.

VEHICLE: Any device in, upon or by which any person or property is, or may be transported upon a street or highway, except a device which is operated upon rails or tracks.

Sec. 20.135--20.149. RESERVED

3. Division 5 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 5. PARKING PERMITS Sec. 20.150. ISSUANCE; FEE:

A. The City Manager is hereby authorized to issue parking permits to the public in accordance with the following schedule and subject to th payment of the following fees:

| Permit Type | Valid Area | Valid Times | Monthly Cost | Yearly Cost |
|-------------------------------------|---|---|--------------|-------------|
| Marshall/Middlefield Bronze Permit | Marshall Street Garage and Middlefield Parking Lot | Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage Monday through Friday, from the time at which meters begin operation until 7:00pm | \$30.00 | \$330.00 |
| Marshall/Middlefield Silver Permit | Marshall Street Garage and Middlefield Parking Lot | Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage Monday through Friday, all hours | \$35.00 | \$385.00 |
| Marshall/Middlefield Gold Permit | Marshall Street Garage and Middlefield Parking Lot | Valid in Middlefield Parking Lot Monday through Friday, from the time at which meters begin operation until 7:00pm; valid in Marshall Street Garage at all times | \$40.00 | \$440.00 |
| Perry/Winslow/Main Bronze Permit | Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot | Monday through Friday, from the time at which meters begin operation until 7:00pm | \$40.00 | \$440.00 |
| Perry/Winslow/Main Silver Permit | Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot | Monday through Friday, all hours | \$50.00 | \$550.00 |
| Perry/Winslow/Main Gold Permit | Perry Street Parking Lot, Winslow Street Parking Lot, and Main Street Parking Lot | All times | \$60.00 | \$660.00 |
| Library Parking Lot "C" Gold Permit | Library Parking Lot "C" | All times | \$20.00 | \$220.00 |

CITY OF HAYWARD

B. The City Manager is hereby authorized to issue parking permits, without charge, to City employees, officers, volunteers, and visitors as follows:

| Permit Type | Valid Area | Valid Times |
|--------------------------|---|---|
| "C.E." Permit | Library Parking Lot "B" and Library Parking Lot "C" | Valid in Library Parking Lot "B" on Mondays through Fridays, from the time which meters begin operation until 6:00pm; valid in Library Parking Lot "C" at all times |
| "C.O." Permit | Main Street Parking Lot | All times |
| City Hall Visitor Permit | City Hall Parking Lot | All times, with the exception that such permits shall be of a temporary nature and shall only be valid on they day during which they were issued. |

C. In order to ensure orderly and efficient use of the parking supply, the City Manager is authorized to limit the number of permits which may be issued, in which case priority shall be based on the order in which requests for such permits are received.

D. The City Manager is authorized to collect deposits, require the submission of application forms, and to establish other administrative procedures for the parking permit program as may be necessary from time to time.

Sec. 20.151. FORM: The parking permit may consist of a windshield card or may be in such other form as the City Manager may prescribe.

Sec. 20.152. PAYMENT OF FEE IN ADVANCE; PRORATION; REFUNDS: Payment shall be made to the City in advance on an annual calendar year basis for an annual permit, or on a calendar month basis for a monthly permit. The fee payable for a monthly permit purchased after the sixteenth of the month shall be one-half (1/2) the monthly fee established by resolution of the City Council. The fee payable for an annual permit shall be the fee established by resolution of the City Council, which amount shall be prorated on a monthly basis for issuance thereof after January 1 of any year; provided, however, during the last two (2) months of each calendar year monthly permits only may be purchased.

Sec. 20.153. DISPLAY WHERE VISIBLE; RELIEF FROM PAYMENT OF METER FEES: When a windshield card parking permit is placed so as to be clearly legible through the windshield of a vehicle, the operator thereof shall be relieved of the obligation of putting the meter, pay-by-space machine, or pay-and-display machine in operation by the deposit of money therein during the time periods for which such permit is valid. If the permit is not so visible, the vehicle and operator shall be subject to the provisions of Division 4 of this Article. If the permit is visible but is used during periods for which it is not valid or in a manner for which it is not valid as established by this Division, the vehicle and operator shall be subject to the provisions of Division 4 of this Article.

Secs. 20.154 -20.159. RESERVED:

4. Division 9 of Chapter 20, Article VII is hereby amended in its entirety to read as follows:

DIVISION 9. REGULATED, UNMETERED OFF-STREET PARKING FACILITIES

Sec. 20.184. REGULATED, UNMETERED OFF-STREET PARKING FACILITIES DESIGNATED: The following off-street parking facilities, owned or operated by the City, are hereby designated as regulated, unmetered off-street parking facilities:

CITY OF HAYWARD

- A. Police Department Parking Lot, located at the front, unenclosed area, of the Police Department building, 1301 Maple Street.
- B. Municipal Services Center Parking Lot, 1300 Broadway.
- C. Library Parking Lot "C," located directly behind and southerly of the Main Library branch, 1044 Middlefield Road. The City Manager shall cause parking spaces to be designated and shall cause appropriate signs to be posted, and markings to be made, in all regulated, unmetered off-street parking facilities designated in this Section.

Sec. 20.185. PERMITS ISSUED: The City Manager is hereby authorized to issue parking permits for use in regulated unmetered off-street parking facilities in accordance with such rates and regulations as shall be established by resolution of the City Council.

The parking facility permit may consist of a windshield card or may be in such other form as the City Manager may prescribe.

Sec. 20.186. PERMIT OR CITY IDENTIFICATION REQUIRED:

- A. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Police Department Parking Lot for more than one hour, except on Sundays and holidays, when signs are erected giving notice thereof, unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.
- B. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Municipal Services Center parking lot for more than one hour, except On Sundays and holidays, when signs are erected giving notice thereof, unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.
- C. It shall be unlawful for any person to permit any vehicle to occupy or remain in any space in the Library Parking Lot "C" unless such vehicle displays a valid parking permit or said vehicle bears distinctive markings, or logo, or sign (collectively, "City identification") identifying said vehicle as City-owned or as an otherwise duly designated City vehicle.

Sec. 20.187. DISPLAY OF PERMIT: Windshield card permits shall be placed so as to be clearly legible through the windshield of a vehicle parked in a regulated unmetered parking facility.

Sec. 20.188. NO PARKING AREAS: It shall be unlawful for any person to permit any vehicle to occupy or remain in, or adjacent to, any area marked or posted by signs for no parking, or parking prohibited, or adjacent to any curb painted red, as so designated by the City Manager in any off-street parking facility described in Section 20.184, or in any turnaround circle or other traffic circulation portion of said facility so designated

Sec. 20.189. VEHICLES TO BE PARKED WITHIN LINES: It shall be unlawful and a violation of this Division to park any vehicle across lines designated parking spaces or to park a vehicle in such position that the same shall not be entirely within the area so designated by such lines.

Sec. 20.190. ISSUANCE OF CITATION: It shall be the duty of each police officer or parking enforcement deputy to take the designated name or description of the regulated unmetered parking facility at which any vehicle is parked in violation of Sections 20.186 through 20.189 of this Division; the state vehicle license of such vehicle; the time and date of such parking; and

the make of such vehicle; and issue, in writing, a notice to appear (citation) for illegal parking in the same form and subject to the same procedures provided by the laws of the State applicable to traffic violations within the City.

Sec. 20.191. PAYMENT OF FINE TO AVOID PROSECUTION: Any operator or owner of a vehicle to whom a citation has been issued in accordance with the preceding section may, within fifteen (15) days of the time of the issuance of such citation, pay to the appropriate court, as a penalty for and full consideration of such violation, the sum of twenty-five dollars (\$25.00) plus applicable surcharges established by resolution. The mailing, in a sealed envelope properly addressed through the United States mail, of a check, money order or postal order, within fifteen (15) days from the time of issuance of the citation, or notice of such violation, or the deposit with the court of the sum of twenty-five dollars (\$25.00), plus applicable surcharges, within fifteen (15) days constitutes compliance with this provision. Delivery of such envelope shall be the responsibility of such owner or operator. The failure of such owner or operator to make such payment within the fifteen (15) days shall render such owner or operator subject to the penalties provided for violation of the provisions of this Division

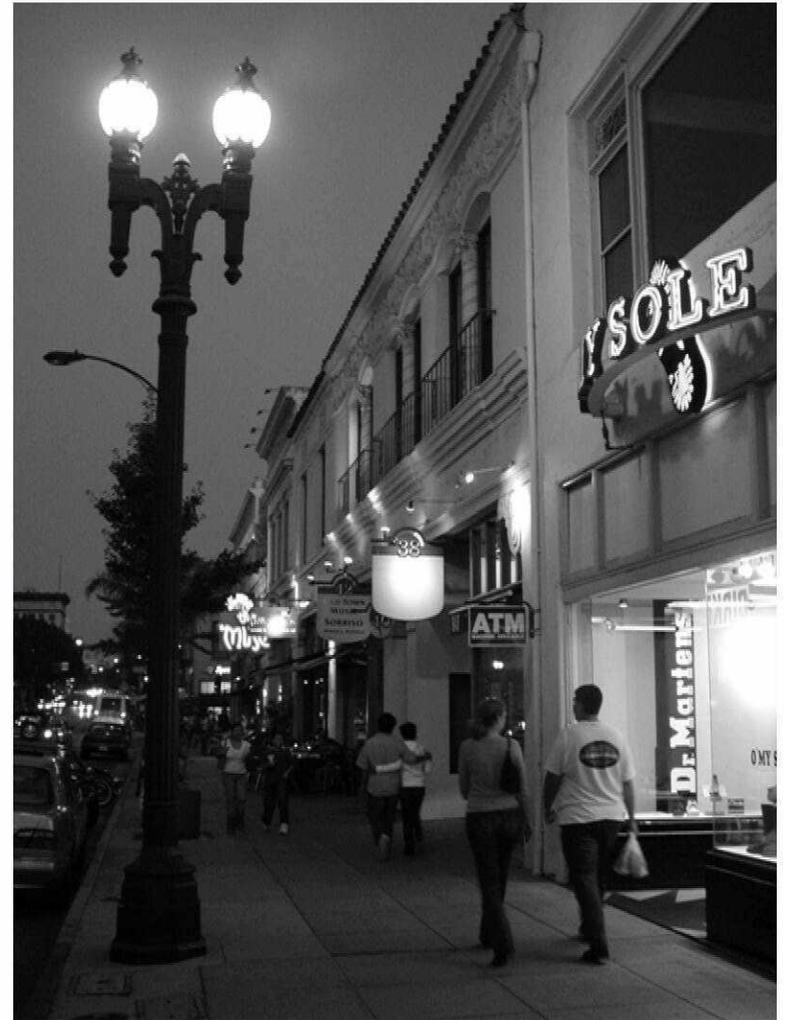
Sec. 20.192-20.199. RESERVED 5. This ordinance shall take effect on February 1, 2006.

City of Hayward
South Hayward Mission Boulevard
Form-Based Code

Draft
***Parking & Transportation Demand
Management Strategy***

April 2010

Patrick Siegman
Nelson\Nygaard Consulting



Nelson | Nygaard
Transportation Planning
for Livable Communities

Agenda

1. Goals
2. Background
3. Recommendations
 - ❖ Case studies

Step 1: Set Goals

- Transportation is a means for achieving larger community goals, not an end in itself
- Technical analysis can inform decisions, but cannot substitute for setting clear goals & a vision



Step 1: Set Goals

Goals that we heard from the public included:

- Protect existing neighborhoods
- Allow desired new development while minimizing traffic, parking & pollution impacts



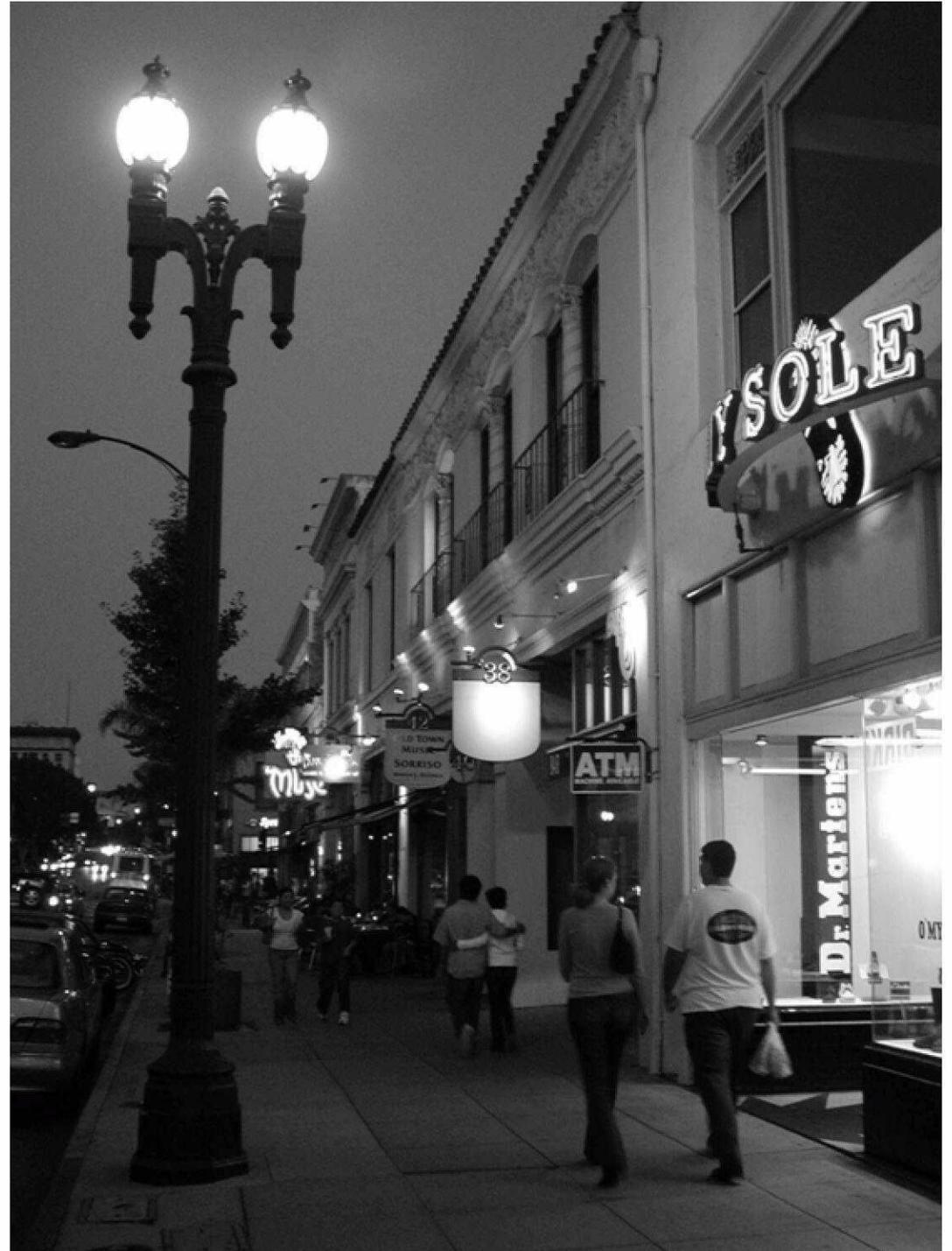


Background

A Brief History of an Effort to Relieve Traffic Congestion

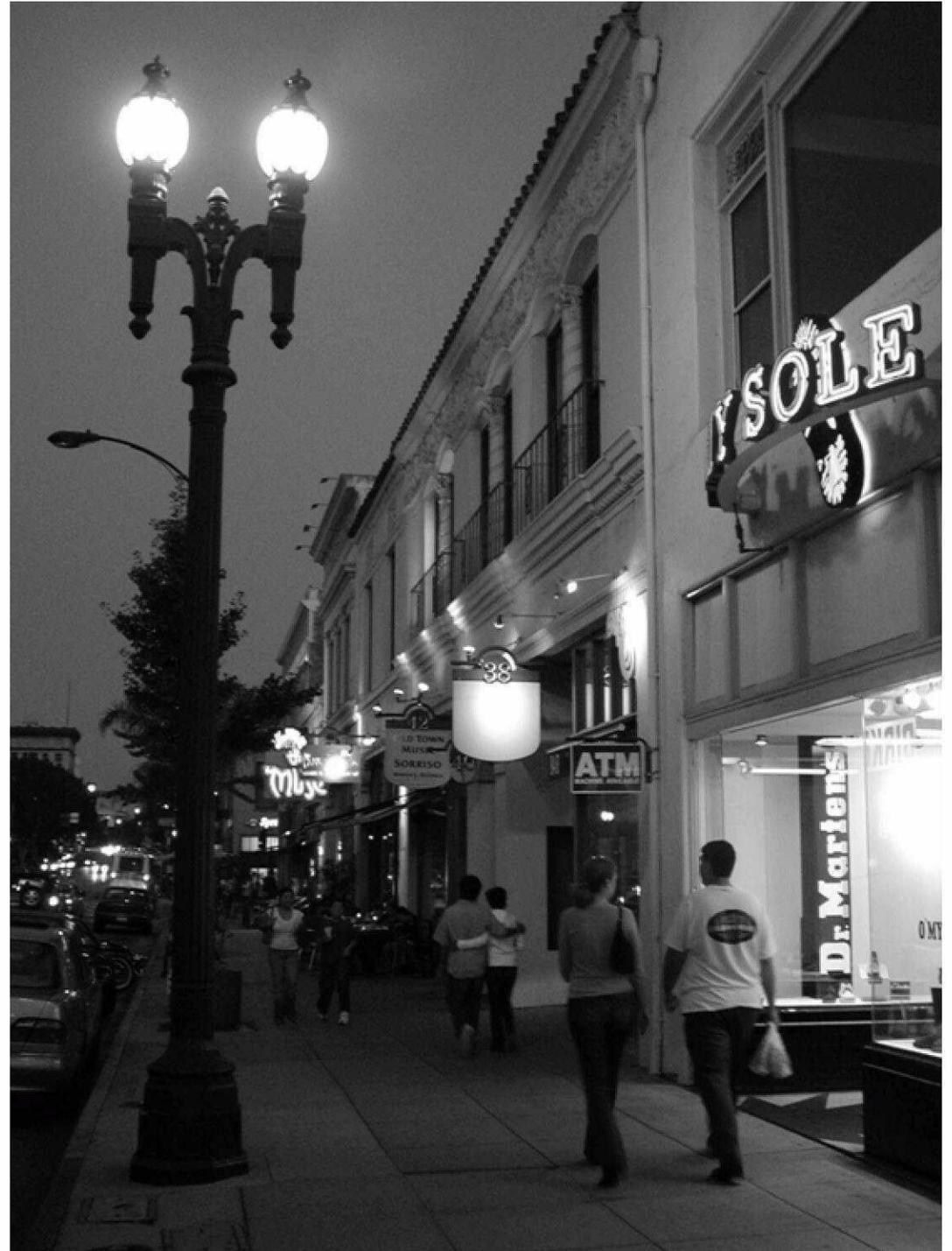
Background

When did cities first adopt minimum parking requirements, and why?



Background

What is the goal
of your
community's
parking
requirements?



Minimum Parking Requirements

Purpose

Palo Alto: "to alleviate traffic congestion"?

San Diego: "to reduce traffic congestion and improve air quality"

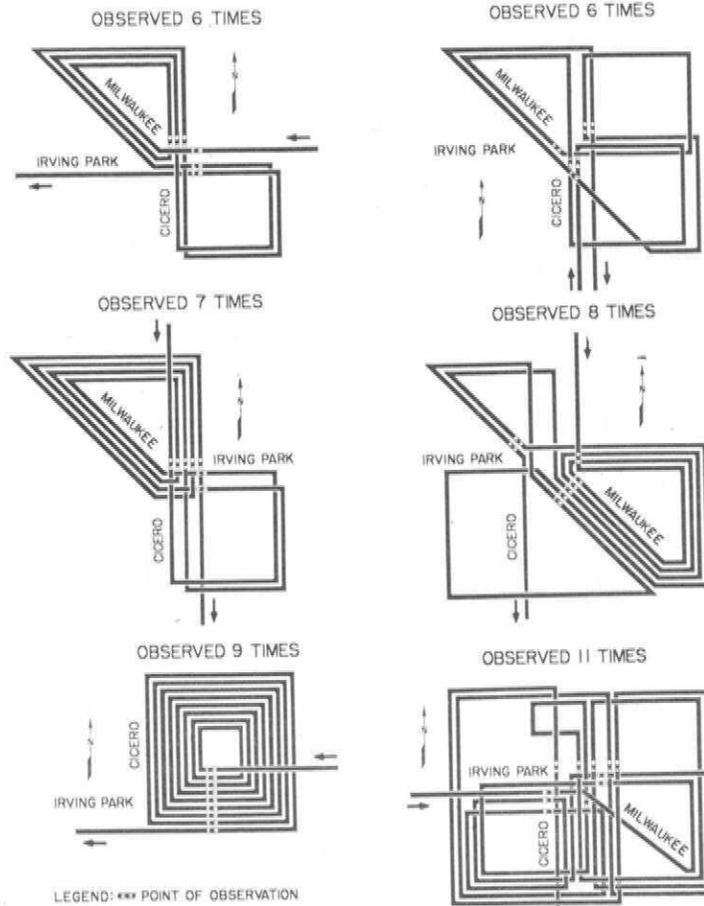
Hayward: "to relieve congestion on streets"

...to prevent spill-over parking problems



ROUTES OF CERTAIN CRUISING VEHICLES IN THE VICINITY OF
CICERO, MILWAUKEE, AND IRVING PARK CONSTRUCTED FROM
OBSERVATIONS MADE ON THE SIX APPROACHES TO THE
INTERSECTION OF THESE STREETS

7:00 PM. TO 9:30 PM.-THURSDAY, MARCH 30, 1939



From the Report: "A Plan to Relieve Traffic Congestion in the Portago Park Retail Shopping Center." A Survey by City of Chicago, Chicago Motor Club, Chicago Surface Lines, April 1939

FIGURE 4—Observed Routes of Cruising Vehicles

Minimum Parking Requirements - Source



Example: Office Parks

Peak Occupancy Rates, in spaces per 1000 sf of building area:

Lowest: 0.94 spaces

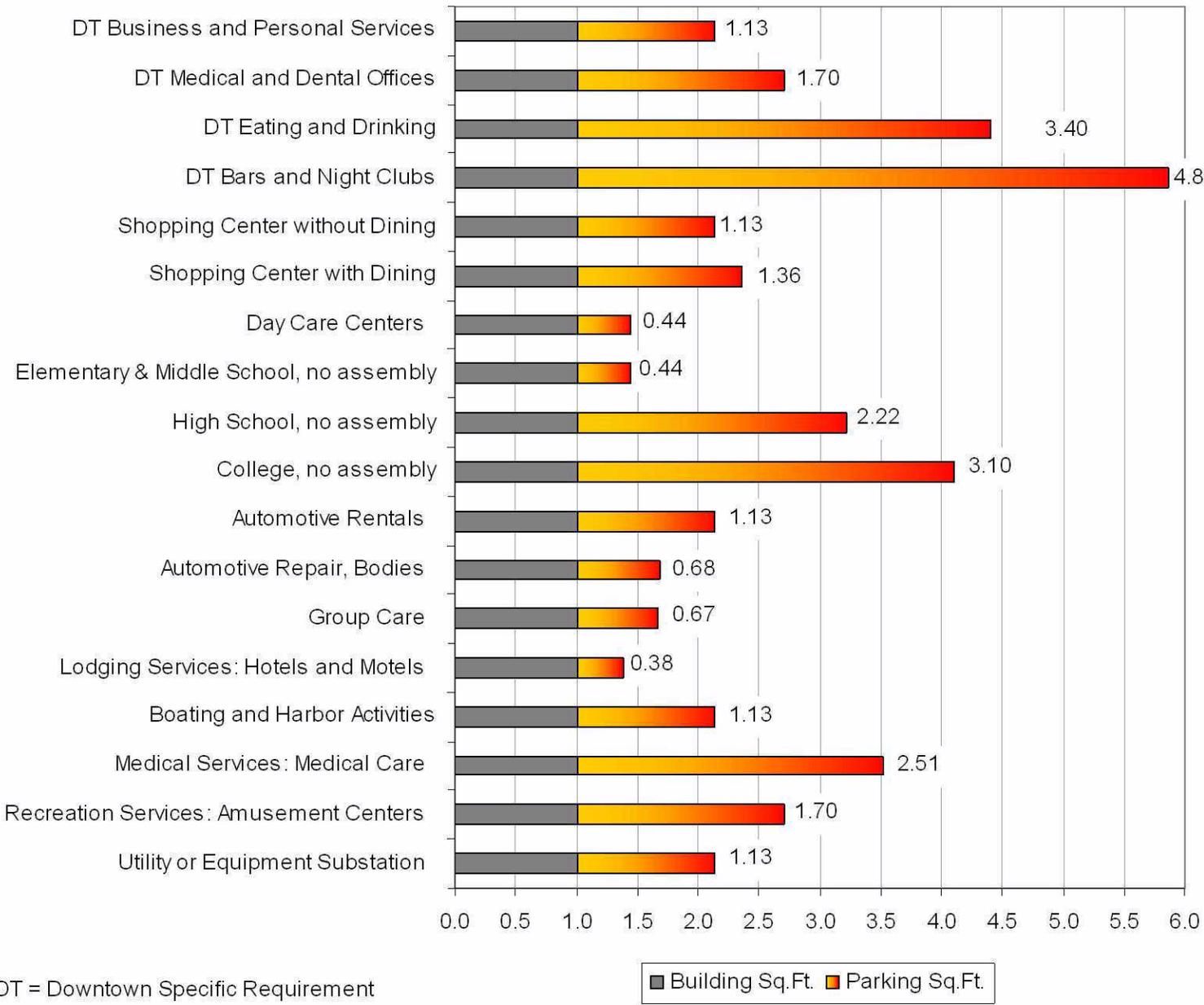
Average: 2.52 spaces

Highest: 4.25 spaces

**Typical requirement:
4.0 spaces/1000 sf**

Typical office: 4 parking spaces per 1000 sq.ft.
1.3 sq. ft. of asphalt per sq. ft. of building area

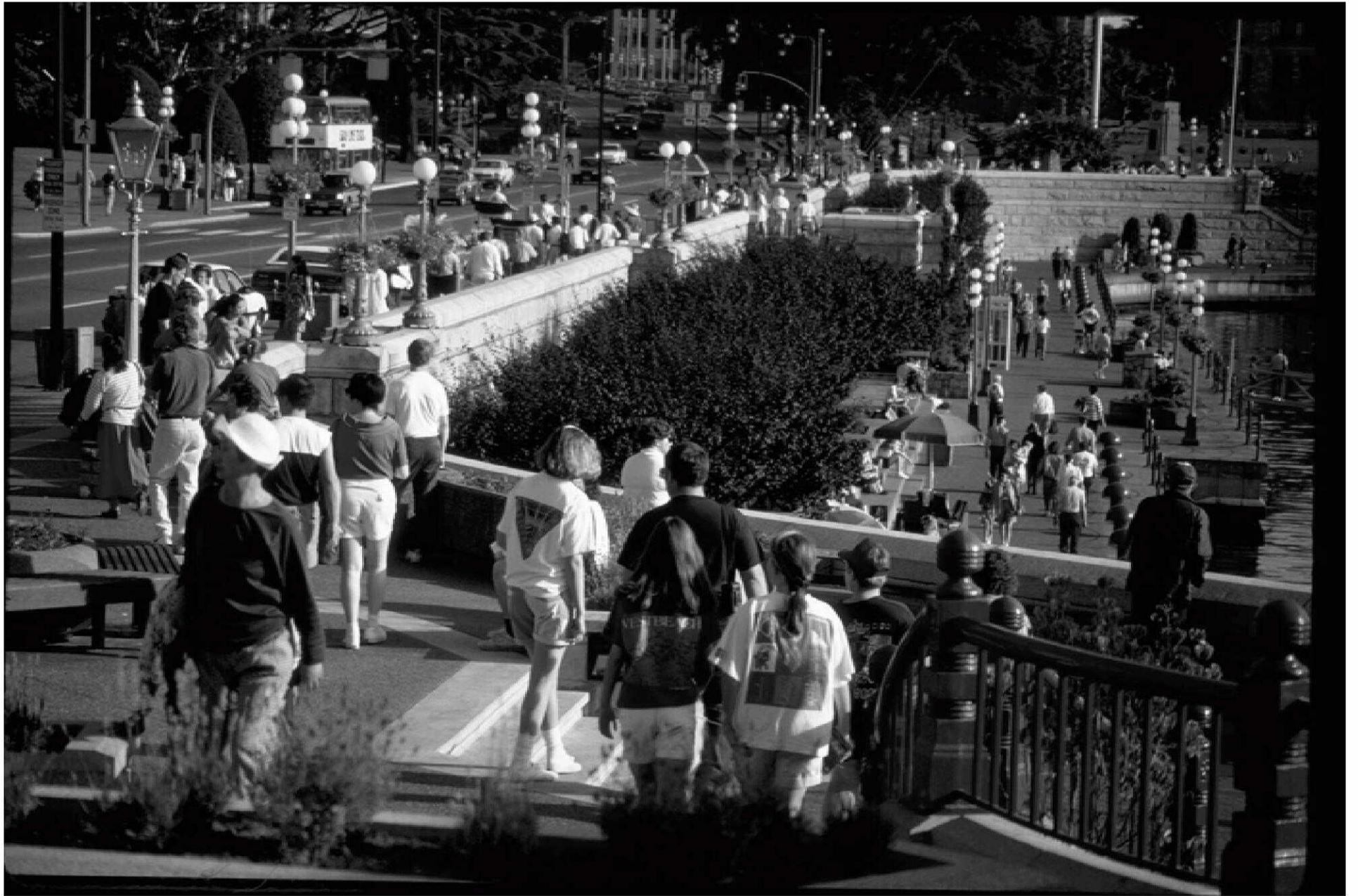




Ventura's downtown minimum parking requirements...

...often required more parking than building...

...and this was especially true for uses that help create vibrancy and life downtown (restaurants, night clubs, etc)...







Kmart



Unintended Consequences of Parking Requirements

1. Minimum requirements set to provide excess spaces even when parking is free, even at isolated locations with no transit.
2. Parking is then provided for free at most destinations and its costs hidden.
3. Bundling the cost of parking into higher prices for everything else skews travel choices toward driving.

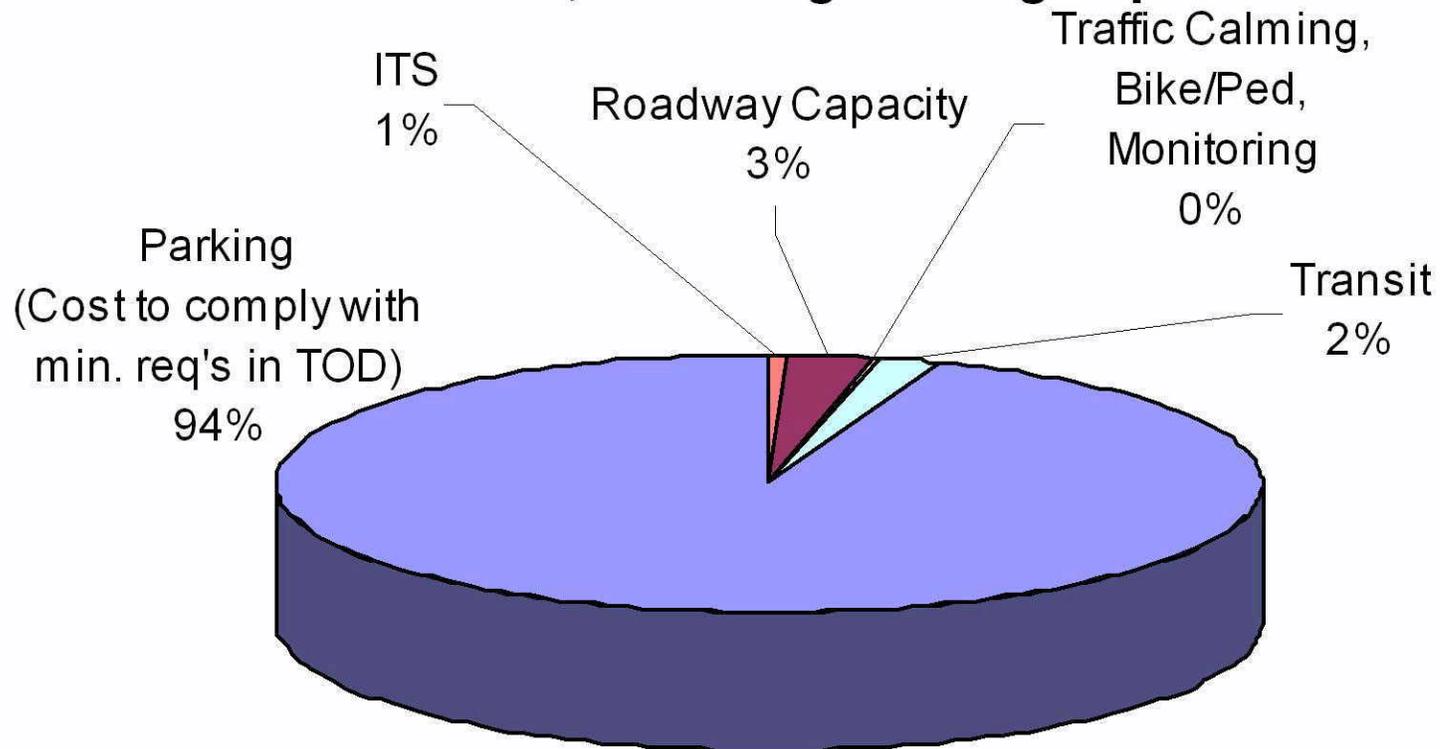




Estimated Transportation-Related Development Costs

Example: Pasadena, CA, Transit-Oriented Development Zones

New Fee Schedule, Including Parking Expenses



How do parking prices affect vehicle trips?

Areas with little public transportation

| Location | Scope of Study | Financial Incentive Per Month (in 1995 \$) | Decrease in Parking Demand |
|--|---------------------------------------|--|----------------------------|
| Century City District, West Los Angeles | 3500 employees surveyed at 100+ firms | \$81 | 15% |
| Cornell University, Ithaca NY | 9000 faculty & staff | \$34 | 26% |
| San Fernando Valley, Los Angeles | 1 large employer (850 employees) | \$37 | 30% |
| Bellevue, WA | 1 medium-size firm (430 employees) | \$54 | 39% |
| Costa Mesa, CA | State Farm Insurance employees | \$37 | 22% |
| <i>Average</i> | | <i>\$49</i> | <i>26%</i> |

A Toolkit of Strategies

Traffic Reduction Case Studies – Lessons Learned

| Place | Parking Cash-Out Required | Congestion Pricing | Unbundling of Parking Costs Required | Universal Transit Pass Program | Parking Tax | Low Minimum Parking Requirements | Eliminated Minimum Parking Requirements | Set Maximum Parking Requirements | Priced Parking | Shared Parking/Park Once | Residential Parking Districts | Carpool/Ride Matching Services | Car Sharing | Bicycle Parking Requirements | Rail Transit | Bus Rapid Transit |
|------------------------------|---------------------------|--------------------|--------------------------------------|--------------------------------|-------------|----------------------------------|---|----------------------------------|----------------|--------------------------|-------------------------------|--------------------------------|-------------|------------------------------|--------------|-------------------|
| Arlington County, VA | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Bellevue, WA (Downtown) | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Boulder, CO (Downtown) | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Cambridge, MA | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Lloyd District, Portland, OR | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| London, Great Britain | ✓ | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Portland, OR (Downtown) | | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| San Francisco, CA (Downtown) | | ✓ | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Stockholm, Sweden | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| Vancouver, B.C. | | | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

Recommendations

- 1. Create a commercial parking benefit district**
 - Charge the right price for curbside parking
 - Return the resulting revenues to the neighborhoods that generate it
- 2. Invest some parking revenues in transportation demand management programs**
- 3. Provide Universal Transit Passes**
- 4. Require parking cash out**
- 5. Create residential parking benefit districts**
- 6. “Unbundle” Parking Costs**
- 7. Encourage carsharing programs**
- 8. Remove Minimum Parking Requirements**

Recommendations

1. Create a commercial parking benefit district

- Charge the right price for curbside parking.
- Return the resulting revenue to the neighborhoods that generate it.



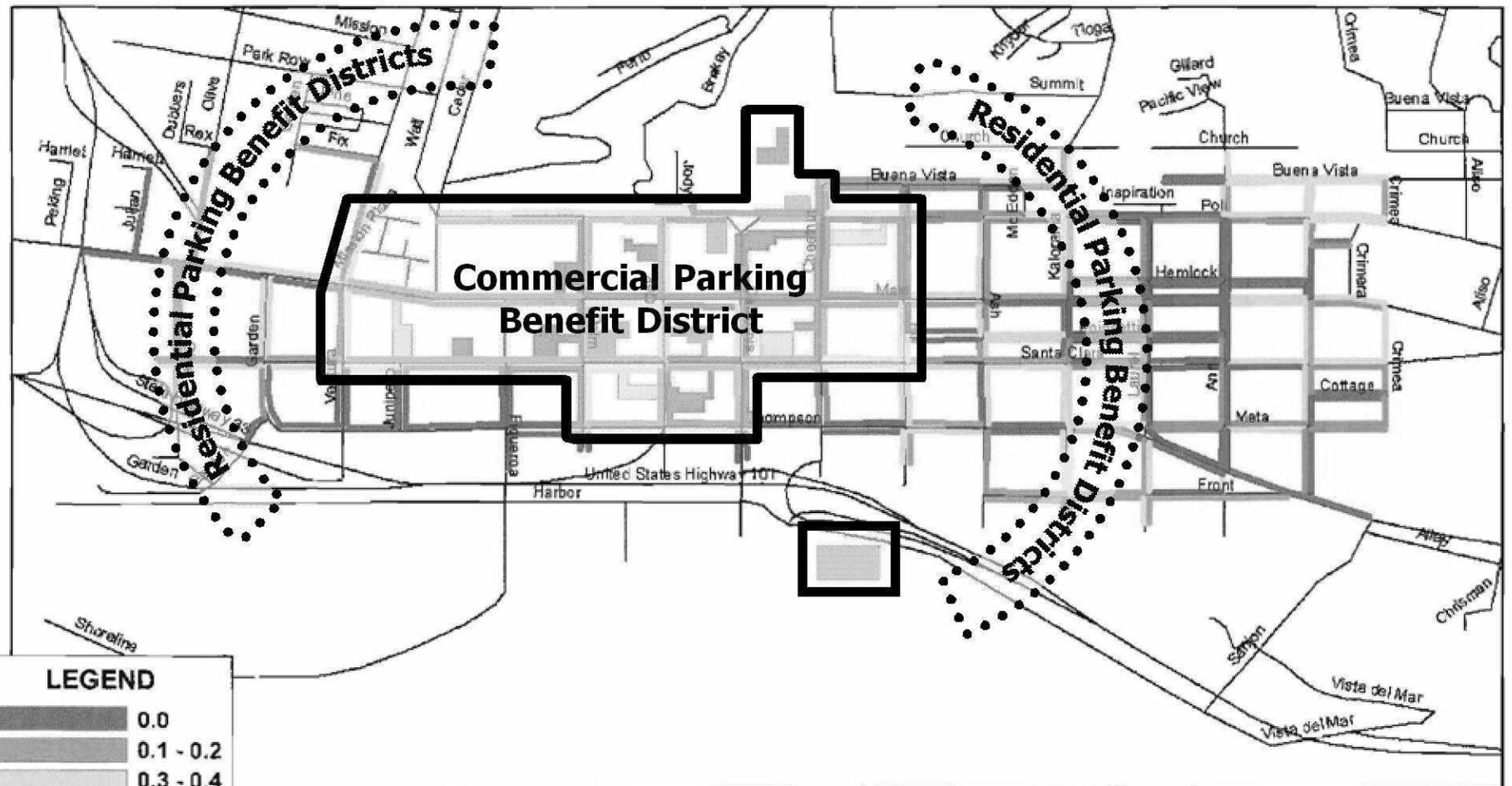




Hours of Operation
Sunday - Thursday
11 AM to 8 PM
Friday - Saturday
11 AM to 12 midnight
Except Holidays



Ventura Parking Benefit District Boundaries



LEGEND

| | |
|--|-----------|
| | 0.0 |
| | 0.1 - 0.2 |
| | 0.3 - 0.4 |
| | 0.5 - 0.6 |
| | 0.7 - 0.8 |
| | 0.9 - 1.0 |

Source of Base Map: April 2003 Katz, Okitsu and Associates Parking Study

20:00

What is the "Right" Price?

MONTREAL
Multispace meters, Handheld alerts
Each meter governs 10 to 15 spaces. After parking, drivers type in space number and pay with credit card or cash. Meters send real-time, block-by-block information to enforcement officers' handheld devices.

FORT LAUDERDALE, FLA.
In-car meters
Drivers can load up to \$100 onto a prepaid meter that dangles from the rearview mirror; above, the meter counts down remaining parking minutes.

CORAL GABLES, FLA.
Pay with cellphone
Drivers register their cellphone, credit card and license plate numbers online. After they park, they dial a number and enter a lot and space number to begin their parking session.

PACIFIC GROVE, CALIF.
Smart meters
Sensors embedded in the concrete under a parking space can tell when a car pulls out, resetting the meter to zero.

SACRAMENTO, CALIF.
Infrared license plate scanners
Enforcement vehicles traveling as fast as 30 mph use cameras to scan license plates. Using a global positioning system, the system lets officers check whether a car has outlasted its time on the meter. The system also can match license plates against databases of unpaid parking tickets and stolen vehicles.

Handheld Device
Cars parked legally are displayed as green squares, while those that have exceeded their time limit turn red.

CELLPHONE ENABLED
1-800-905-0000
Lot 28
Space P

SOURCES: InCarPark; Cole Parking Systems USA; T2 Systems; Lexis Systems; Mint Technology; AutuV Technologies
BY: Ben Franzone/The Wall Street Journal

Performance-based Pricing

- Charge the *lowest* price that will leave one or two vacant spaces on each block
- Eliminate the traffic congestion caused by drivers cruising for parking

3 Steps to Pricing Parking



1. Establish Optimal Occupancy Rate of 85%
 - 1 in 8 spaces, or about one per block, will always be available
2. Grant Staff Authority to Adjust Hourly Rates
 - To reach this goal
3. Plan Regular Occupancy Checks and Adjust Rates
 - Quarterly Basis

Example: Redwood City, CA

Tools: Parking Benefit Districts

Devote meter & permit revenue to district where funds raised

Example: **Old Pasadena**

- Meters installed in 1993: \$1/hour
- Garage fees
- Revenue: \$5.4 million annually
- Tiny in-lieu of parking fees

Funds garages, street furniture, trees, lighting, marketing, mounted police, daily street sweeping & steam cleaning

Focus on *availability*, not *price*



Old Pasadena, 1992-99:
***Sales Tax Revenues
Quadruple***

Recommendations

2. Invest some parking revenues in Transportation Demand Management

Tool: Transportation Improvement District

Example: Boulder (CO) Downtown Management Commission

- District analyzes most cost-effective mix of new parking or transportation alternatives
- Cheaper to provide free transit to all downtown employees than provide them parking
- Provides buying power/negotiating strength for small businesses



“In the 1970s, downtown was dying.”

Boulder's Transportation Improvement District

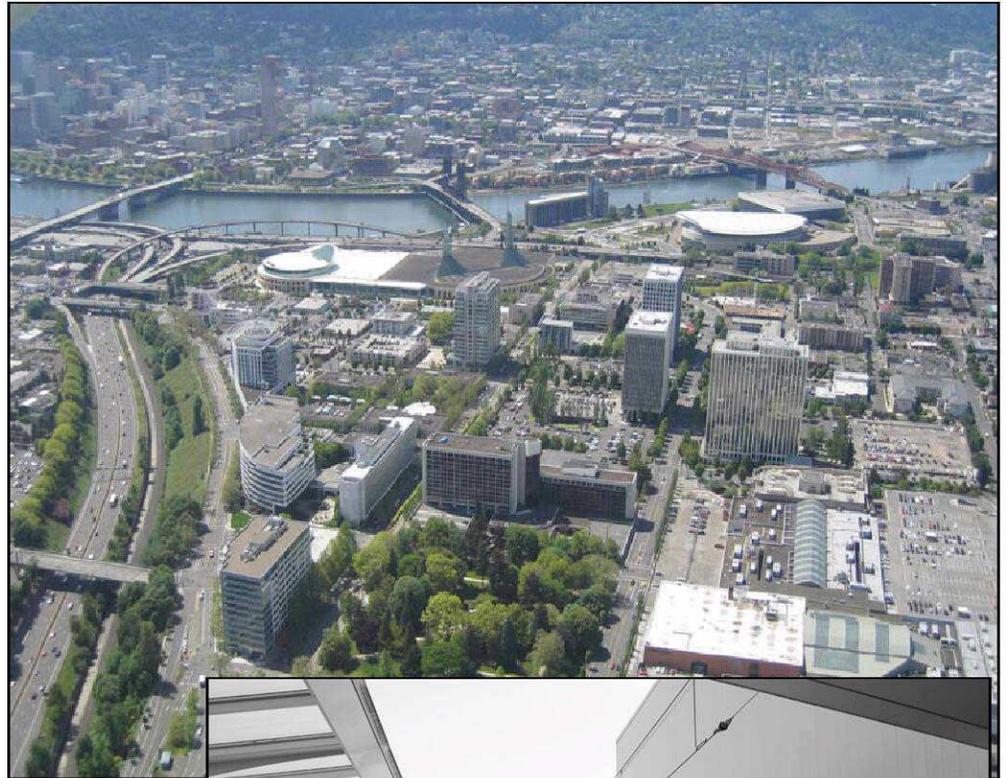
- No nonresidential parking requirements in CAGID area
- Public garages – 84% funded by parking fees, 16% by taxes
- Parking benefit district: \$1 million per year in meter revenue kept
- Employee benefits: free universal transit pass (Eco-Pass); Guaranteed Ride Home; ride-matching services; bicycle parking, etc.
- \$325,000/year TDM budget
- Eco-Pass: reduces commuter parking demand by 850 spaces



Tool: Transportation Improvement District

Example: Portland (OR) Lloyd District Transportation Management Association

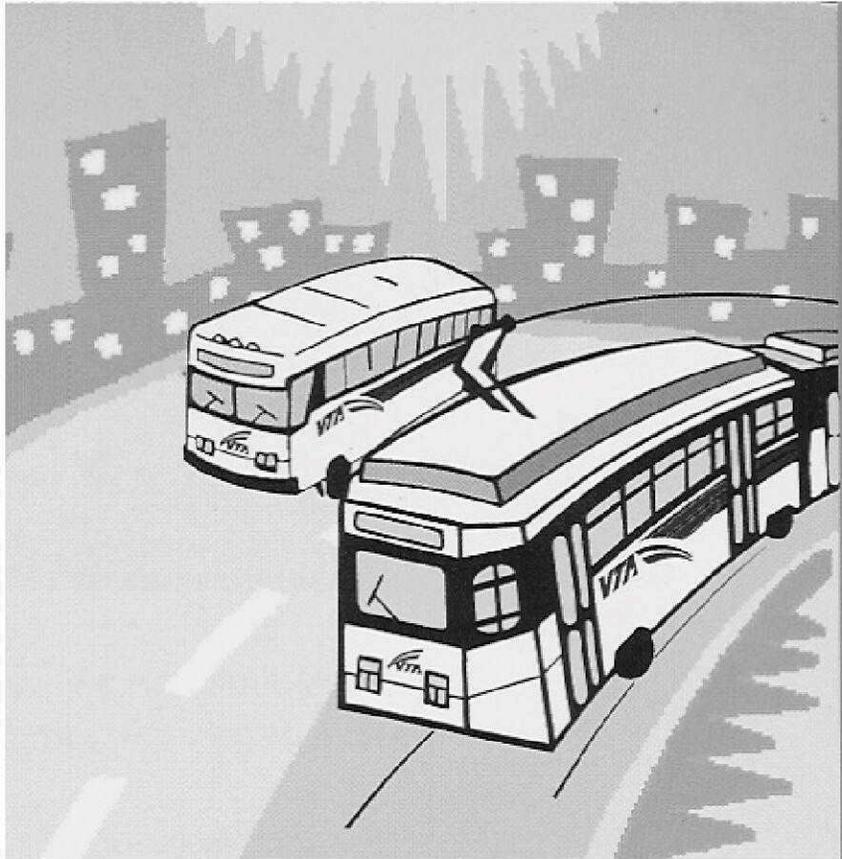
- Invests over \$1 million annually into commute trip reduction programs
- Meter revenues fund 1/3 of TMA's budget
- Programs include free transit passes, carpool matching & carsharing
- Since 1997, district-wide drive alone rate has fallen 29%



Recommendations

3. Provide Universal Transit Passes

Universal Transit Passes: Employer-Based



Boulder, CO "Eco-Pass"

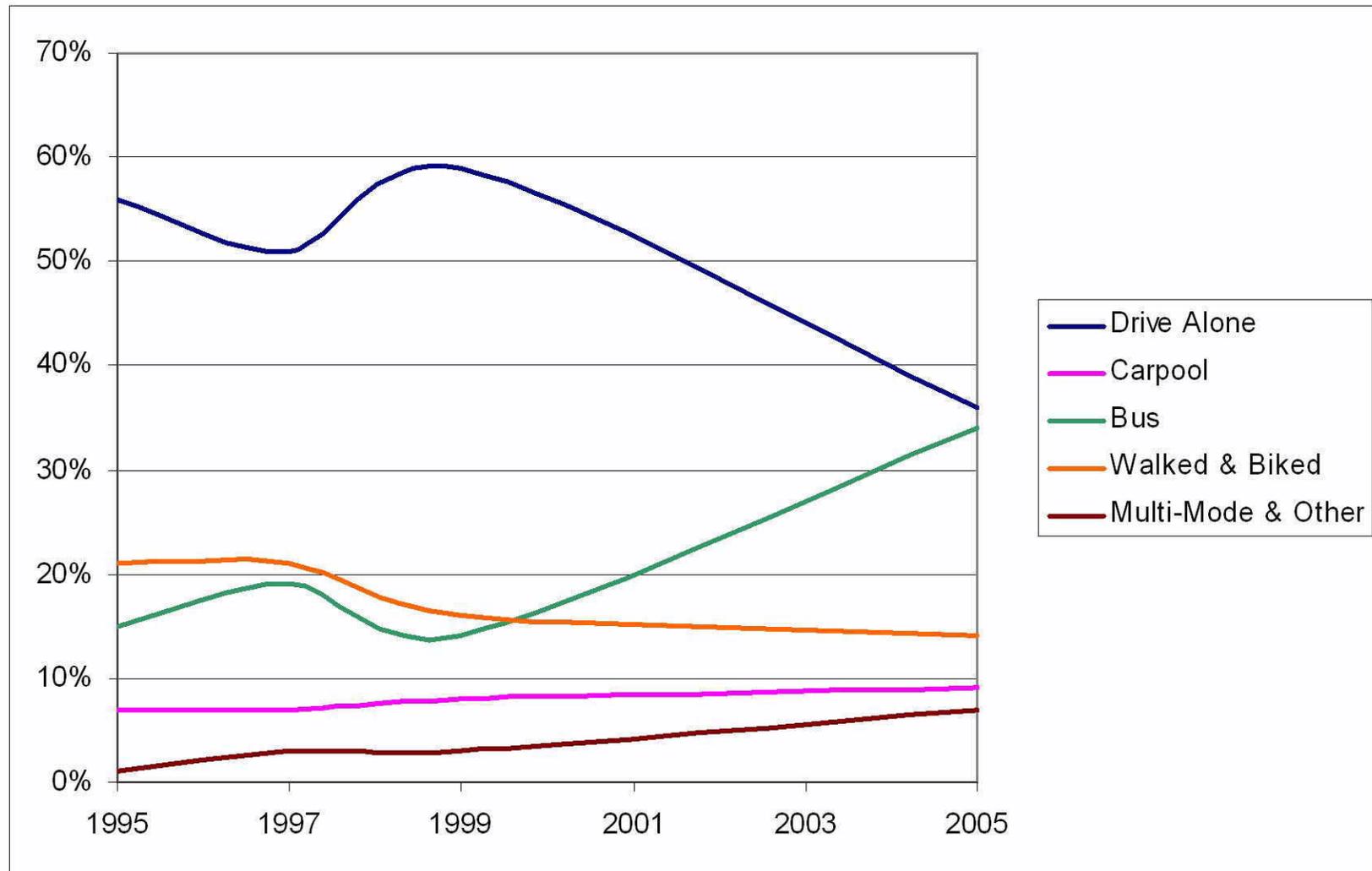
\$83 per year per worker

Deep discount for group enrollment
– only 6% of normal cost (\$1,485)

Program includes over 1,200
downtown businesses

**Results: Drive alone
rates fell from 56% to
36%**

Downtown Boulder, Colorado



AC Transit's Easy Pass program

- A deep discount group pass program
- Price: \$41-115/person/year
(\$55-155 for colleges)
- Price depends on organization size and the level of transit service in the area
- Available to employers, educational institutions & residential developments
- Regular pass price: \$80-132.50/month



www.actransit.org/riderinfo/easypass/

AC Transit's Easy Pass program

Members include:

- City of Alameda
- City of Berkeley
- Mills College
- Peralta Community Colleges
- UC Berkeley



www.actransit.org/riderinfo/easypass/

| Location | Drive to work | | Transit to work | |
|-----------------------------------|---------------|-------|-----------------|-------|
| Municipalities | Before | After | Before | After |
| Santa Clara (VTA) | 76% | 60% | 11% | 27% |
| Bellevue, Washington | 81% | 57% | 13% | 18% |
| Ann Arbor, Michigan | N/A | (4%) | 20% | 25% |
| Downtown Boulder, Colorado | 56% | 36% | 15% | 34% |
| Universities | | | | |
| UCLA (faculty and staff) | 46% | 42% | 8% | 13% |
| Univ. of Washington, Seattle | 33% | 24% | 21% | 36% |
| Univ. of British Columbia | 68% | 57% | 26% | 38% |
| Univ. of Wisconsin, Milwaukee | 54% | 41% | 12% | 26% |
| Colorado Univ. Boulder (students) | 43% | 33% | 4% | 7% |

Recommendations

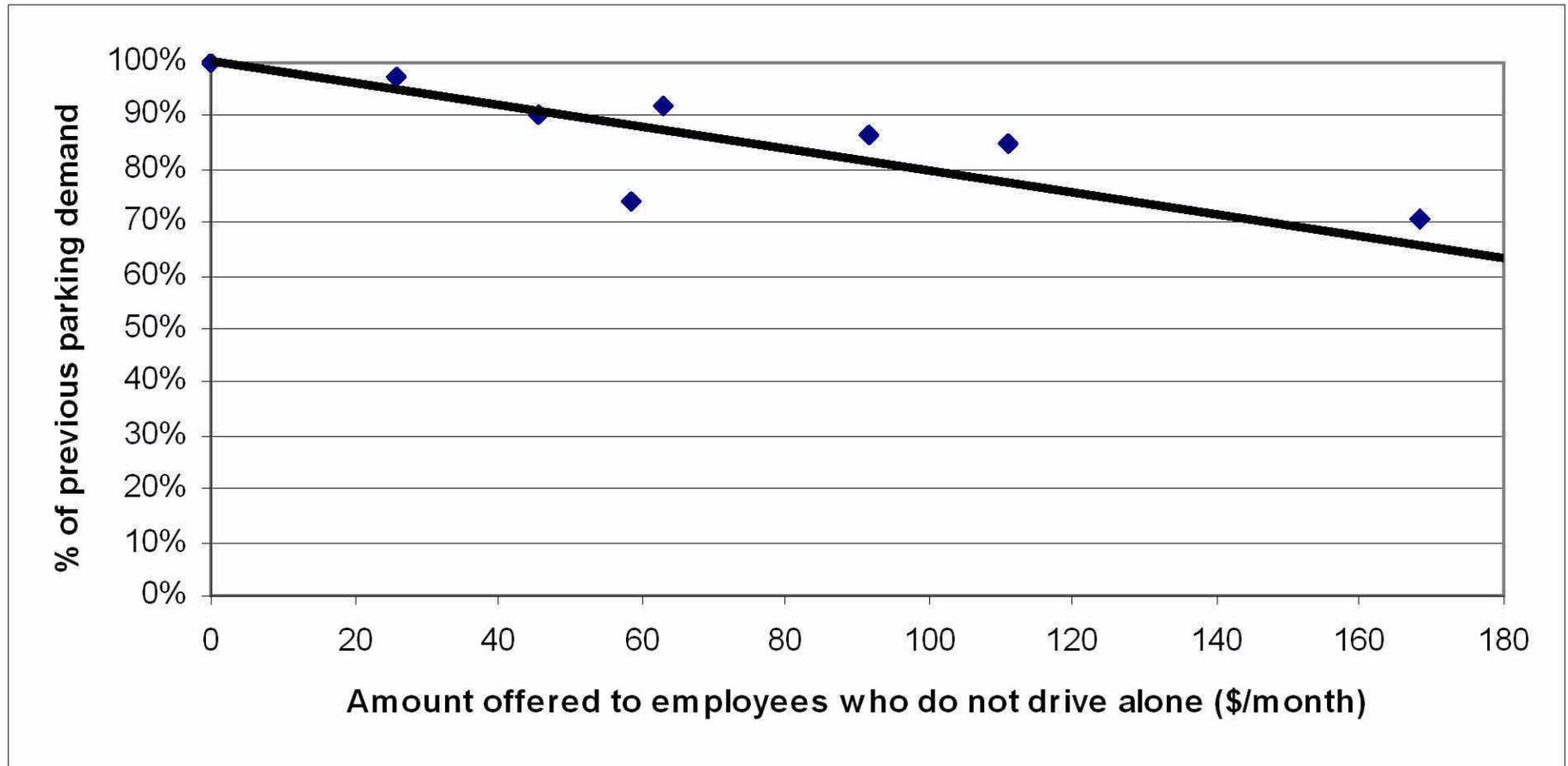
4. Require Parking Cash-Out

Require Parking Cash-Out

- Politically/financially not feasible to charge for parking? *Offer cash value of parking to those who don't drive*
- Consider it part of a cafeteria-style employee benefits package, like health benefit choices
- Example: Santa Monica
- Tenants must make cost of parking visible to employees
 - Full-cost parking fees, OR
 - Full parking cash-out



Parking Cash Out Reduced Demand for Parking



Recommendations

5. Create residential parking benefit districts

Residential Parking Benefit Districts

Implement in areas next to commercial zones, as needed

One Version:

Residents park free or cheaply

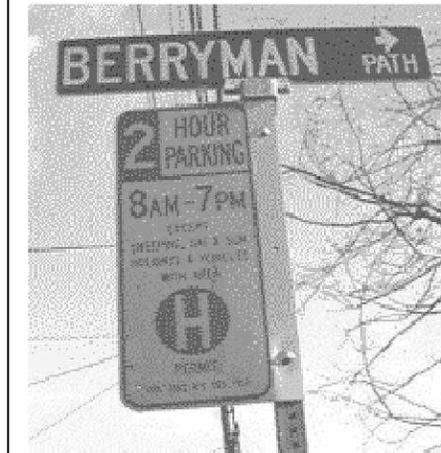
- Limit permits issued to available curb space

Sell excess space to nonresidents

- *Payment methods:* Hang-tag permits, in-vehicle meters, pay stations, and/or pay-by-phone
- Residents decide how to spend revenue

Examples:

- Santa Cruz, CA
- West Hollywood, CA
- Austin, TX
- Boulder, CO



Parking on local streets is limited to 2 hours on weekdays, unless an "H" permit (for residents) is obtained.



Recommendations

6. Require the “unbundling” of Parking Costs

Unbundling parking costs from commercial leases

- Example: Downtown Bellevue, WA
- Requires building owners to include parking costs as a separate line item in leases
- Minimum rate for monthly long-term parking: \geq twice the price of a bus pass
- Minimum rate in 2003: \$144/month
- *Maximum* parking requirements: 2.4 spaces / 1000 sf GLA

Results: drive alone commute rate fell by 30%, from 81% driving alone to 57%



Unbundling parking costs at residences

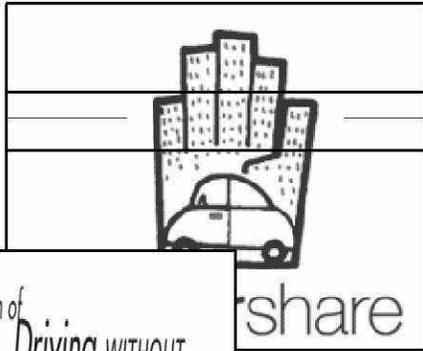
Example: The Gaia Building, Berkeley, CA





Parking costs are "unbundled"

Parking fee: \$150/month



The Freedom of
Driving WITHOUT
The Hassles of *Ownership*

share

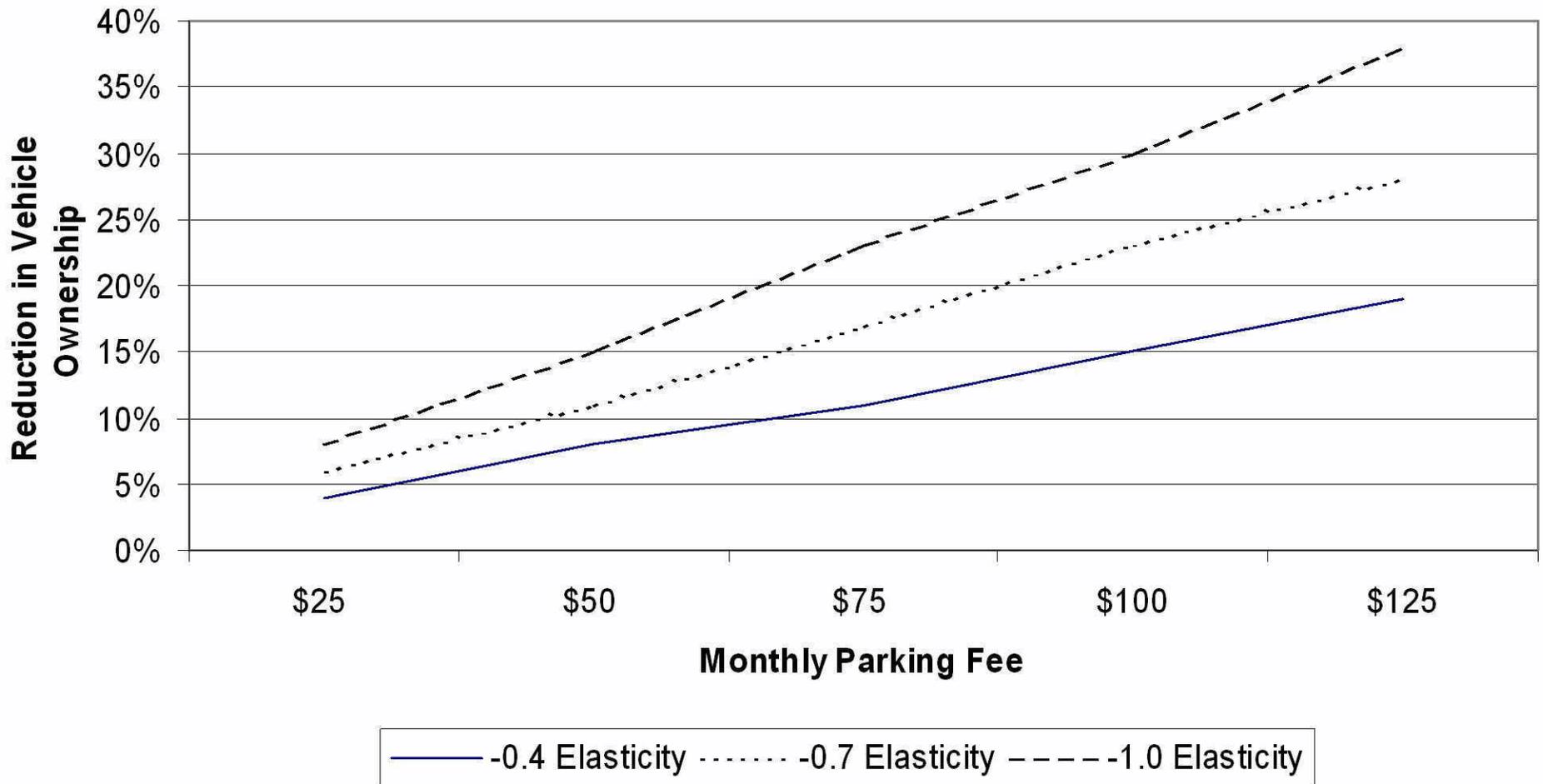


The Gaia Building – Parking Demand



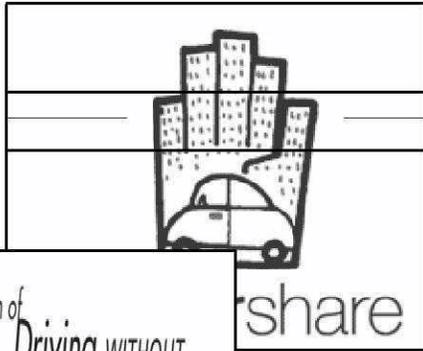
- 91 apartments, theater, café & office space
 - 42 parking spaces supplied
- Result: 237 adult residents with just 20 cars

Reduction in Vehicle Ownership from Unbundling Parking Costs



Recommendations

7. Encourage carsharing programs



The Freedom of
Driving WITHOUT
The Hassles of *Ownership*

rshare



2A

1A

Recommendations

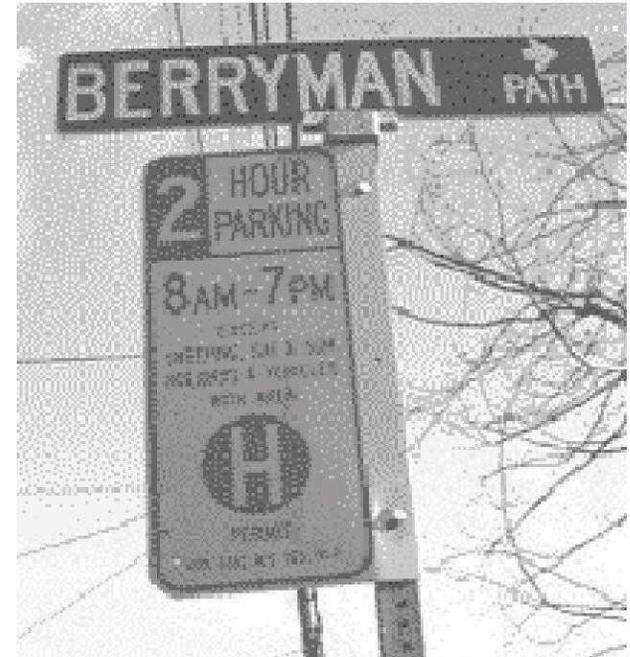
8. Remove Minimum Parking Requirements

Before Removing Minimum Requirements

1. Commercial Areas: Set curb parking prices to keep 15% vacancy rate (the “Goldilocks Rule”)
2. Nearby Neighborhoods: Prevent spill-over with Residential Parking Benefit Districts (with 15% vacancy rate).

Why remove requirements?

- Unless they can save on parking costs, property owners have little incentive to reduce parking demand
- Improve urban design, raise property values, improve housing affordability



Parking on local streets is limited to 2 hours on weekdays, unless an “H” permit (for residents) is obtained.

Conclusions

Traffic Reduction Case Studies – Lessons Learned

| Place | Parking Cash-Out Required | Congestion Pricing | Unbundling of Parking Costs Required | Universal Transit Pass Program | Parking Tax | Low Minimum Parking Requirements | Eliminated Minimum Parking Requirements | Set Maximum Parking Requirements | Priced Parking | Shared Parking/Park Once | Residential Parking Districts | Carpool/Ride Matching Services | Car Sharing | Bicycle Parking Requirements | Rail Transit | Bus Rapid Transit |
|------------------------------|---------------------------|--------------------|--------------------------------------|--------------------------------|-------------|----------------------------------|---|----------------------------------|----------------|--------------------------|-------------------------------|--------------------------------|-------------|------------------------------|--------------|-------------------|
| Arlington County, VA | | | | | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | |
| Bellevue, WA (Downtown) | | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Boulder, CO (Downtown) | | | ✓ | | | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Cambridge, MA | | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Lloyd District, Portland, OR | | | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| London, Great Britain | ✓ | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Portland, OR (Downtown) | | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| San Francisco, CA (Downtown) | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Stockholm, Sweden | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| Vancouver, B.C. | | | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |





DATE: April 7, 2010
TO: Mayor and City Council Sustainability Committee
FROM: Development Services Director
SUBJECT: Resolution Opposing Proposition 16

RECOMMENDATION

That the Committee reads and comments on this report and recommends that the City Council adopts the attached resolution (Attachment I) opposing Proposition 16.

BACKGROUND

Proposition 16, titled the *New Two-Thirds Requirement for Local Public Electricity Providers Act*, is targeted at the formation of Community Choice Aggregation (CCA) programs. As reported to the Committee in April 2009¹, the CCA program was established by the California legislature in 2002 (AB117) to give cities and counties the authority to procure electricity in bulk for resale to customers within their jurisdictional boundaries. Under the CCA program, PG&E would deliver the electricity to end-use customers and PG&E would continue to read the electric meters and issue monthly bills to customers enrolled in the CCA program. Unlike traditional utility service, the source of the electric supply and the price paid by customers for the generation services procured by the CCA program would be determined by the CCA. Customers would have the choice of being automatically enrolled in the program following a notification process or remaining with PG&E by enrolling in an opt-out process.

The San Joaquin Valley Power Authority and the Marin Energy Authority have been trying to establish CCA programs. As reported by the Kings River Conservation District², the San Joaquin Valley Power Authority (SJVPA), at its regular board meeting on June 25, 2009, suspended activities to implement a Community Choice Aggregation program. The SJVPA cited market conditions, the volatility in energy prices, and strong opposition from PG&E as reasons for halting efforts to establish a CCA.

¹ <http://www.hayward-ca.gov/citygov/meetings/csc/ccsc/2009/CSC-CCSC040109.pdf>

² <http://www.krcd.org/newsletters/vol7-no1-connections/>

The Marin Energy Authority³ is currently challenging the findings of a report by the Marin County Civil Grand Jury titled *Marin Clean Energy: Pull the Plug*⁴, which states that the Marin Energy Authority should be abandoned, that the cities and county of Marin should resume talks with PG&E to “work toward a more favorable mix of renewable energy”, and that the “citizens of Marin are being led down a costly and extremely risky path not yet traveled by any other community in California”.

Since the California legislature adopted Assembly Bill 117, several other cities and counties have also expressed interest and/or have studied possible adoption of Community Choice Aggregation. With funding from the California Energy Commission's Public Interest Energy Research program, the Local Government Commission has worked with Navigant Consulting, Inc. to assist twelve California communities in their investigation of CCA feasibility. They are: Berkeley, Beverly Hills, Emeryville, Los Angeles County, Oakland, Pleasanton, Richmond, San Diego County, San Marcos, Vallejo, and West Hollywood. Each community was provided preliminary feasibility studies. Several of the cities and counties moved forward with further studies.

DISCUSSION

Proposition 16, the *New Two-Thirds Requirement for Local Public Electricity Providers Act*, will be on California's June 8, 2010 ballot. If passed, the Act would amend the California constitution by requiring a two-thirds vote of the electorate before a public agency could enter the retail power business. This will make it more difficult than it is currently for local entities to form either municipal utilities, or CCAs. If this measure is enacted, forming a local municipal utility or a CCA will require the approval, through election, of two-thirds of the voters who live in the area of the would-be local municipal utility or CCA.

Following is a summary of Proposition 16 provided by the Legislative Analyst's Office⁵:

The measure places new voter approval requirements on local governments before they can use "public funds"—defined broadly in the measure to include tax revenues, various forms of debt, and ratepayer funds—to start up electricity service, expand electricity service into a new territory, or to create a CCA. First, if an authorized local government entity seeks to start up electricity service, it must receive approval by two-thirds of the voters in the area proposed to be served. Second, if an existing publicly owned utility seeks to expand its electric delivery service into a new territory, it must receive an approval by two-thirds of the voters in both the area currently served by the utility and the new area proposed to be served. Third, the measure requires two-thirds voter approval for a local government to create a CCA.

³ <http://www.marinenergyauthority.org/index.cfm>

⁴ http://www.co.marin.ca.us/depts/GJ/main/cvgrjr/2009gj/clean_energy.pdf

⁵ <http://www.lao.ca.gov/ballot/2009/090395.aspx>

In general, restricting any local government action by requiring a two-thirds vote results in a loss of flexibility and may limit the City's ability to take innovative steps in a timely manner to address fiscal and sustainability issues.

Hayward's Climate Action Plan, adopted in July 2009, recommends implementing Action 5.4, which states "To increase the renewable portion of utility electricity generation by advocating for increased state-wide renewable portfolio standards; and consider participating in community choice aggregation, or other means." AB 117 requires that utility customers have the opportunity to "opt out" of a CCA. Notices would be mailed directly to customers. This process ensures community approval of a CCA before it is implemented.

According to Ballotpedia⁶, Pacific Gas & Electric is the primary financial sponsor of the initiative, having contributed \$28.5 million through March 26, 2010. Proposition 16's opponents have raised \$40,000 through late March.

The City of Berkeley unanimously passed a resolution similar to the attached resolution on September 22, 2009. The California League of Cities, the California Association of Counties, Marin County, and San Francisco have all taken formal positions opposing Proposition 16.

ECONOMIC IMPACT

The impact of Proposition 16 on Hayward's economy would not be significant. If Proposition 16 becomes law, Hayward voters would need to vote by a two-thirds majority to enact a CCA. The economic impacts of implementing a CCA are unknown at this time and would be studied prior to implementation of a CCA.

FISCAL IMPACT

Council adoption of the attached resolution will have no fiscal impact to the City of Hayward. If Proposition 16 is approved by voters, and if the City of Hayward decides to pursue formation of a CCA, then the costs associated with holding an election would be need to be considered. The Legislative Analyst's Office concluded that the passage of Proposition 16 would have an "unknown net impact on state and local government costs and revenues, depending on future voter decisions, due to the measure's potential effects on electricity rates and publicly owned utility operations".

NEXT STEPS

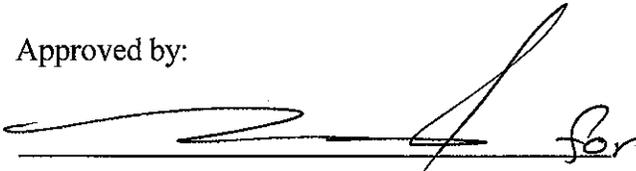
The attached resolution will be presented to the Council on April 20, 2010. Green Cities California, of which Hayward recently became a member, plans to announce collective opposition to Proposition 16 pending local action by each of the members.

⁶ [http://www.ballotpedia.org/wiki/index.php/California_Proposition_16_\(June_2010\)](http://www.ballotpedia.org/wiki/index.php/California_Proposition_16_(June_2010))

Prepared by: Erik J. Pearson, AICP, Senior Planner

Recommended by: David Rizk, AICP, Development Services Director

Approved by:

A handwritten signature in black ink, appearing to read 'Gregory T. Jones', is written over a horizontal line. The signature is stylized and cursive.

Gregory T. Jones, City Manager

Attachments:

Attachment I Draft Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-

Introduced by Council Member

RESOLUTION EXPRESSING THE CITY OF HAYWARD'S
OPPOSITION TO PROPOSITION 16 AND PROTECTING THE
CITY'S ABILITY TO PURSUE COMMUNITY CHOICE
AGGREGATION TO REDUCE GREENHOUSE GAS
EMISSIONS

WHEREAS, AB117 was signed into law in 2002 and established Community Choice Aggregation to give cities and counties the authority to procure electricity in bulk for resale to customers within their jurisdictional boundaries; and

WHEREAS, the Marin Energy Authority determined that Community Choice Aggregation is the most cost-effective way that the county and cities of Marin can reduce greenhouse gas emissions; and

WHEREAS, Hayward's Climate Action Plan, adopted in July 2009, established a goal of reducing greenhouse gas emissions by 82.5 percent below 2005 levels by 2050; and

WHEREAS, Hayward's Climate Action Plan recommends the consideration of Community Choice Aggregation as one way to meet the long term emission reduction goal; and

WHEREAS, PG&E delivered about 14 percent eligible renewables in 2009; and

WHEREAS, PG&E is required to meet a state mandated goal of 20 percent eligible renewable energy by 2010; and

WHEREAS, PG&E is financially backing a California ballot initiative called the "New Two Thirds Requirement for Local Electricity Providers"; and

WHEREAS, the initiative would require a local government entity seeking to start up electricity service to receive approval by two-thirds of the voters in the area proposed to be served; and

WHEREAS, restricting local government action by requiring a two-thirds vote results in a loss of flexibility and may limit the City's ability to take innovative steps in a timely manner to address fiscal and sustainability issues; and

WHEREAS, the initiative would be a new hurdle for Hayward to exercise its ability to serve as an aggregate electricity provider; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward opposes the "New Two Thirds Requirement for Local Electricity Providers" ballot initiative.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Sustainability Committee Monthly Meeting Topics for 2010

| Presenting Department | Date | Topics | Climate Action Plan Action Number(priority) |
|---|-------------------|---|---|
| DS | January 6, 2010 | Annual Review of Green Building Ordinances and Implementation | Actions 4.1, 4.2, 4.3 |
| DS | | Bay Area Climate Collaborative (BACC) | |
| DS | | Summary of Education and Outreach Efforts (Permit Center Green Display, Website, etc.) | Actions 9.1, 9.2, 9.3 |
| DS <i>Sustainability Coordinator</i> | February 3, 2010 | Introduction of Sustainability Coordinator and Initial Discussion on the Residential Energy Conservation Ordinance (RECO) and Commercial Energy Conservation Ordinance (CECO) | Actions 3.1(11), 3.2(12), 3.3(2) |
| DS | | Review of Purpose and Productivity of the Sustainability Committee and 2010 Meeting Topics | |
| PW | March 3, 2010 | Summary of Issues and Regional Efforts Regarding a Ban on Plastic Bags and Styrofoam Containers | Action 6.4(25) |
| DS | April 7, 2010 | South Hayward BART Form-Based Code Parking Strategies Options | Action 1.3(23) |
| DS | | Opposition to State Proposition 16 | |
| DS <i>Sustainability Coordinator</i> | May 5, 2010 | Large Commercial Energy Users Efficiency Program Development | Actions 3.9(1), 5.2(5) |
| DS | | Energy Efficiency and Conservation Strategy (Informational Item Only) | |
| DS <i>Sustainability Coordinator; Grad Student Kali Steele</i> | June 2, 2010 | Update on Development of a Residential Energy Conservation Ordinance (RECO) and Commercial Energy Conservation Ordinance (CECO) | Actions 3.1(11), 3.2(12), 3.3(2) |
| DS <i>Sustainability Coordinator</i> | July 7, 2010 | Overview of Community Outreach Plan | Actions 9.2*(10), 9.3*(11) |
| PW | | Draft Ordinance-Ban on Styrofoam Containers | Action 6.4(25) |
| DS | | Introduction of the Climate Action Management Team | CAP Implementation |
| | August 2010 | <i>No Meeting - annual recess</i> | |
| DS <i>Building Division staff</i> | September 1, 2010 | Update on State Green Building Code and its Impacts on Hayward's Green Building Ordinance, including Solar Requirements | Actions 4.1(9), 4.2(7), 5.3(8) |
| DS <i>Sustainability Coordinator</i> | October 6, 2010 | Draft Residential Energy Conservation Ordinance (RECO) and Commercial Energy Conservation Ordinance (CECO) | Actions 3.1(11), 3.2(12), 3.3(2) |
| DS <i>Sustainability</i> | November 3, 2010 | CaliforniaFirst Pilot Financing Program Implementation and Program Continuation | Actions 3.7(3), 3.8(4), 3.9(1), |

*emissions reductions not quantified in the Climate Action Plan

| | | | |
|--------------------|------------------|--|---|
| <i>Coordinator</i> | | | 5.1(15), 5.2(5), |
| PW | December 1, 2010 | Increase Participation in Food Scraps Collection, Recycling, and Construction and Demolition Debris Programs | Actions 6.1(14), 6.2(13), 6.3(6), 6.6(19) |
| | | Update on Ordinances to Ban Plastic Bags and Styrofoam Containers | Action 6.4(25) |