



## ***Docket Item #5 Residential Permit Parking for New Development Policy***

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<b>Issue</b>	<b>General Data</b>	
Residential Permit Parking (RPP) for New Development Policy	PC Hearing:	April 6, 2017

### **Purpose of Application**

Review the proposed residential parking permits for new development policy and forward a recommendation to the City Council.

### **Staff Reviewers:**

Katye North, Transportation and Environmental Services

## **I. RECOMMENDATION & SUMMARY**

At the direction of the City Council, staff has prepared a draft policy to provide guidance on the issuance of residential parking permits to residents of new development. This specific issue has been discussed at the public hearings for several recent development cases and the need for a consistent policy was identified. At the public hearings, residents have stated support for restricting residents of new development from being eligible for on-street parking permits due to existing parking constraints in their neighborhoods and the concern that additional residents would worsen the problem. However, since this restriction is imposed on future residents who are not able to comment at the time of the decision, the residents who are ultimately impacted by this restriction are often frustrated and confused that access to public streets is not available to them as it is other residents.

This draft policy (Attachment 1) attempts to standardize when residents of new development should be ineligible for on-street parking permits based on objective criteria. The policy proposes considering the development based on two specific criteria and if either instance is met, the residents would be ineligible for permits. The criteria includes a measurement of the existing on-street parking occupancy in the neighborhood and the amount of non-residential ground floor street frontage. Staff recommends endorsing this policy and applying it to all future development proposals within an existing residential permit parking district.

## **II. BACKGROUND**

As new developments have been proposed within existing neighborhoods, concerns about impacts to parking from the existing residents are often raised. Although new developments are required to provide adequate off-street parking, many residents are concerned that the overall size or type of building will lead to spillover parking onto the public streets. Since many of these residents depend on the public streets as their only source of parking, additional demand for on-street parking could directly impact them. To address this concern, from 2000 to 2008, twenty developments approved through the DSP/DSUP process included a condition that prohibited residents from obtaining residential parking permits that would allow them to park on street.

After several of these developments were constructed and sold or leased to the new residents, staff began to receive complaints from those residents about lack of access to the public street in front of their homes. Many felt that they were being unfairly denied equal access to the public street and since the decision had been made at the time of the development approval, they had little recourse for changing this condition. Partially in response to some of these concerns, starting in 2008, new development approved did not include this condition. From 2008 to 2015, nineteen new developments approved in or near an existing parking district did not include the restriction and residents are eligible for on-street permits.

In 2015, the issue was raised by several citizens during the public hearings for the Robinson Terminal South, Robinson Terminal North, Edens, and ARHA Ramsey sites. As a result, the council included a condition restricting future residents of these new residential buildings from obtaining district parking permits *unless* a comprehensive policy was established that outlines

when and where this is appropriate. In Spring 2015, the Council directed staff to include a review of this issue and development of a policy as a project in the Citywide Parking Work Plan.

Attachments 2 and 3 depict and summarize the applicable developments that have been approved with and without this condition since 2000.

### **III. STAFF ANALYSIS**

#### ***A. Policy Criteria***

The proposed policy would be applied to any future development with more than 10 units that is reviewed through the Special Use Permit (SUP), Development Site Plan (DSP), or Development Special Use Permit (DSUP) process. The policy suggests using two different criteria as triggers to determine when residents of a new development would then be ineligible for residential parking permits. If either of these criteria are met, the residents would not be able to obtain parking permits.

The first criterion addresses development that is proposed in areas of high on-street parking occupancies. While all new development will still be required to provide adequate off-street parking for the development, staff acknowledges that some residents may prefer to park on the street if it is an option available to them. According to this criteria, if the average on-street parking occupancy around the proposed site is 85% or higher at the time of approval, the restriction would be applied to the development. This is intended to ensure that in areas where parking conditions are documented at being near capacity, new residents would not worsen the conditions by having an option to park on street. Parking professionals generally target 85% occupancy to ensure maximum usage while still retaining roughly every seventh space free.

The second criterion addresses development that changes the character of the street from residential to commercial, and therefore calls for different types of on-street parking management. If the ground floor of a proposed building is predominately non-residential, the adjacent on-street parking will likely be used to support those commercial uses. Hourly parking restrictions or meters may be included to promote turnover of these spaces as what is best parking management practices for mixed use development, which would limit residents' ability to park long term adjacent to their residence. In this case, any resident parking on-street from the proposed development would not park in front of their residence and the impact to existing residents would be greater. Furthermore, the development would not be contributing any new residential parking spaces to the overall district. This criteria states that residents of new developments with more than 50% non-residential ground floor street frontage would not be eligible to obtain parking permits.

#### ***B. Policy Details and Application***

To determine the average on-street occupancy, staff will require the applicant to conduct the parking survey as part of their application. In many cases, these developments already trigger the requirement for a transportation study, which could include this survey. Staff will work with

the applicant to determine the applicable blocks to be included in the survey area and the appropriate survey times.

Staff originally proposed that the survey times should be conducted during the peak times within the hours of the posted restrictions on adjacent blocks. For example, if the posted restrictions were from 8AM to 5PM, Mon-Fri, the survey would likely be conducted in the early afternoon in the middle of the week. If the posted restrictions were 8AM to 11PM Mon-Sat, the survey would likely be conducted on a Friday or Saturday evening. However, to be more comprehensive in data collection and to respond to feedback received on the draft policy, staff has revised the policy to note that the survey times will be during the peak parking hour and day of the week for the area. The specific hour and day will be determined during the scoping process.

To determine the percentage of non-residential ground floor street frontage, staff will use the preliminary plan. Non-occupied spaces such as garages and mechanical areas will not be included in the percentage. Residential lobbies would count as residential frontage.

If an application meets either of these criteria, the site will be removed from the residential permit parking district, which would then make residents within the site ineligible to receive parking permits. Since the site would no longer be within a parking permit district, residential parking permit signage would not be permitted on adjacent block faces. As part of the SUP, DSP, or DSUP conditions, the applicant will be required to notify residents through Home Owners Association (HOA) documents or rental agreements that they are not within a parking permit district and thereby ineligible for on-street parking permits.

### ***C. Existing Developments with the Restriction***

This policy is intended to provide guidance for decisions on *future* developments. If a policy were endorsed by the Council, the twenty existing developments with the restriction would *not* become automatically eligible for parking permits if their site did not trigger the criteria. Each of these developments included specific conditions of approval that would require a review through the same process they were originally approved to remove the condition. In most cases, this would mean a public hearing before the Planning Commission and City Council. These requests would be initiated by the residents of that development rather than by staff. While the policy does not retroactively approve parking permits for existing developments with the restriction, it is important to be aware that some residents in these developments may decide to request an amendment to their DSP/DSUP approval to remove the restriction if the final policy could benefit their specific circumstances.

An exception to applying this policy to already approved development would be for the four developments that were recently approved (Robinson Terminal South, Robinson Terminal North, Edens, and ARHA-Ramsey) where the condition language in the approvals restricts the residents from obtaining permits unless a comprehensive policy is adopted by council. Staff will review the approved final language of the policy if one is endorsed by the Council to determine whether these developments would be eligible for permits. The table below is a preliminary analysis of whether these developments would be eligible based on this draft policy.

<b><i>Development</i></b>	<b><i>New residents eligible for permits under proposed policy?</i></b>	<b><i>Reason</i></b>
Robinson Terminal South	No	Exceeds 85% on-street parking occupancy
Robinson Terminal North	No	Exceeds 50% non-residential street frontage
Edens	No	Exceeds 50% non-residential street frontage
Ramsey	<i>This application did not trigger a parking study. A parking study would need to be conducted in order to determine eligibility.</i>	

#### ***D. Other Parking Management Tools***

This policy is not intended to be the sole tool used to manage parking in residential parking districts. There are additional tools that staff will be considering for implementation in the coming year that were recommended through the Old Town Area Parking Study (OTAPS) Work Group and in the Citywide Parking Work Plan (Attachment 4).

In particular, one of the OTAPS Work Group recommendations included reviewing the fees for parking permits for additional vehicles in a household. Increased fees for additional vehicles at a household may discourage residents from obtaining permits for multiple vehicles, which could provide additional on-street spaces.

With regard to the Citywide Parking Work Plan, staff will be looking at changes to the Code that would allow staff to initiate or make changes to residential permit parking districts. A potential application of this staff initiated process could be a review and removal of commercial properties currently within the residential parking districts. By removing commercial properties from the parking prior to a potential residential redevelopment, the eligibility for obtaining parking permits could be removed prior to an application for redevelopment since the site would no longer be part of a parking district. This could streamline the future development review because discussions and decisions concerning RPP restrictions would not be a consideration.

## **IV. COMMUNITY**

The draft policy was posted online for public comment in early March and a number of citizens emailed staff with their feedback. Staff also held an open house on March 16<sup>th</sup> where the public could learn more about the history of the restriction and provide comments on the proposed policy. Staff individually notified many of the civic associations and residents that have been interested and involved in this issue in the past. In addition, information was posted on the

T&ES Facebook and Twitter pages as well as an ENews to notify and invite comment on this proposed policy.

In general, there were concerns about how this would affect the existing developments that already have the restriction. In terms of specific feedback on the policy language, many citizens commented on the need for the survey times to reflect the actual peak parking conditions rather than the peak during the posted restrictions.

## **V. CONCLUSION**

Staff recommends approval of the draft policy.

## **VI. ATTACHMENTS**

Attachment 1: Draft Policy

Attachment 2: Residential Permit Parking Map

Attachment 3: List of Developments with and without the restriction

Attachment 4: Citywide Parking Work Plan

Attachment 1: Draft Policy

**Residential Permit Parking for New Development Policy**

*Draft – March 23, 2017*

**Purpose:**

This policy outlines when residents of new development should be ineligible to obtain residential parking permits.

**Policy:**

Future residents of a development within an existing residential parking district with more than 10 units that is reviewed through an SUP, DSP or DSUP are *not eligible* for obtaining a City issued residential parking permit when either of the following conditions exist:

1. The average on-street parking occupancy is 85% or higher at the time of approval.
2. More than 50% of the total occupied ground floor street frontage is a non-residential use.

**Additional Details:**

*Average On-Street Occupancy:*

- Average occupancy will be determined based on parking conditions surveyed prior to the development's review by Planning Commission and City Council (if an SUP or DSUP).
- Parking occupancies will be reviewed with the transportation study for the development during the assumed peak hour and day of the week for the area. Specific survey times will be determined during the transportation study scoping process.
- The average occupancy will be taken of the number of spaces occupied over the number of spaces surveyed for all applicable block faces within one block of the development. Along block faces without delineated parking spaces, the applicant will assume that a parking space to be approximately twenty (20) feet of curb length, and avoiding restricted areas (e.g. fire hydrants, proximity to intersections, etc.). The Director of T&ES or his/her designee may adjust block faces to be surveyed to address specific circumstances of the parking near the proposed development.

*Ground Floor Street Frontage:*

- The percentage of non-residential street frontage will be determined using the preliminary site plan.
- Non-occupied spaces such as garages and mechanical areas will not be included in the percentage.
- Residential lobbies shall count as residential frontage.

**Application:**

If a development is determined to meet this criteria, the site will be removed from the Residential Parking Permit District Map. RPP signage will not be permitted on block faces adjacent to the development.

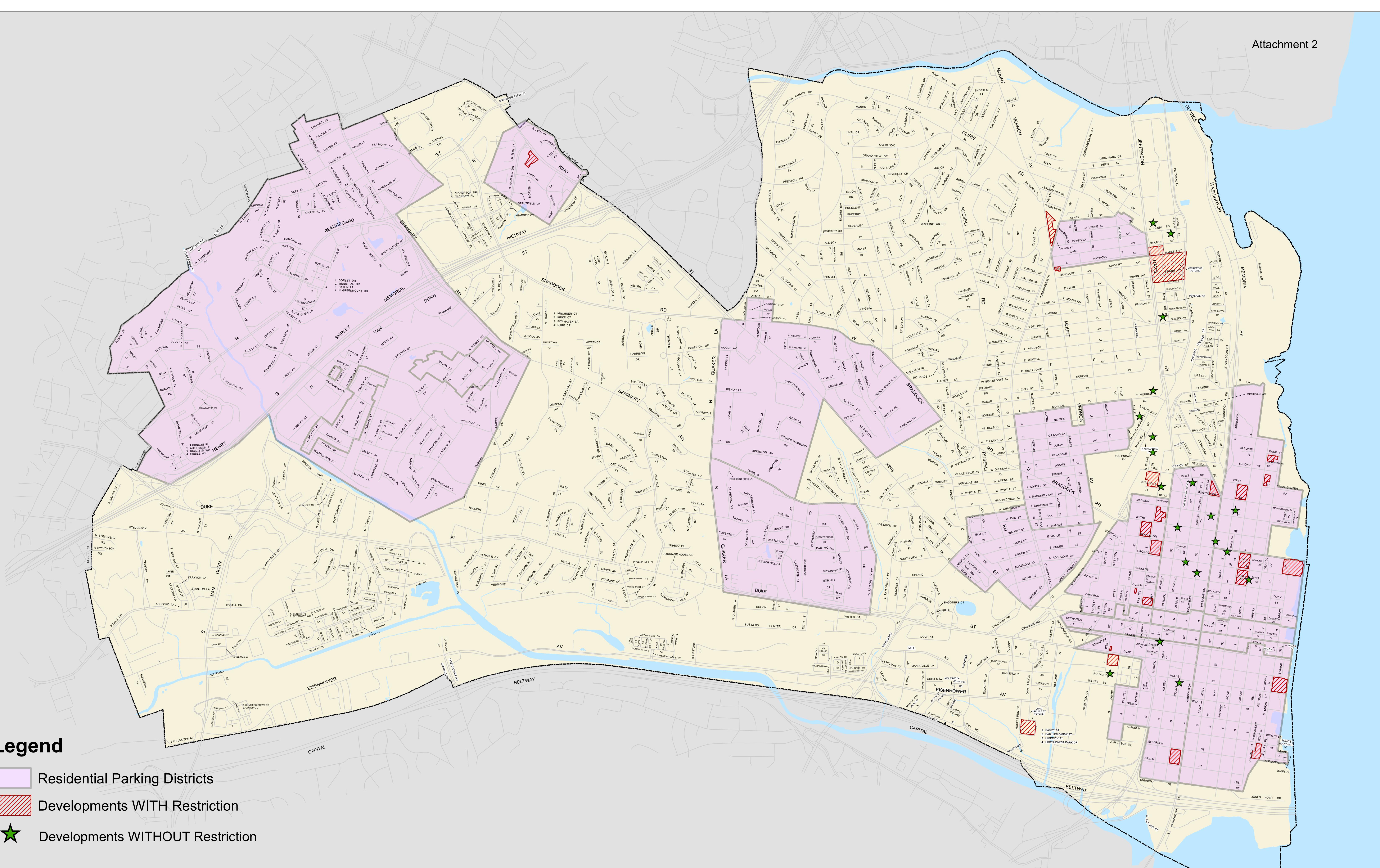
## Residential Permit Parking for New Development Policy

If parking conditions change or the building is modified, the affected residents may submit a petition pursuant to Section 5-8-75 to be considered for inclusion in an adjacent permit parking district.

The development's SUP/DSP/DSUP conditions will require HOA documents and/or rental agreements to notify residents that they are not eligible for residential parking permits.

**Timeframe:**

Staff will review the effectiveness and impacts of this policy after at least five (5) years after implementation.

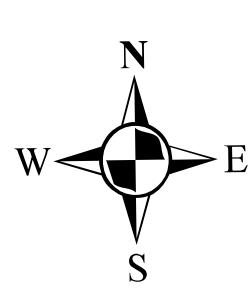


# Legend

-  Residential Parking Districts
-  Developments WITH Restriction
-  Developments WITHOUT Restriction

# Residential Permit Parking Districts and Approved Developments

A horizontal bar chart with a black background. A white bar is positioned in the center. The left end of the bar is labeled '1' and the right end is labeled '0'. The center of the bar is labeled '0.5'. The entire bar is labeled '1' at its far right end.



## **Developments Approved WITH Restriction**

	<b>Development Name</b>	<b>Case Number</b>	<b>Date approved</b>	<b>Parking District</b>	<b>Notes</b>
1	Backyard Boats	SUP 2000-0024	June 2000	1	
2	Braddock Lofts	SUP 2000-0021	September 2000	5	
3	Northampton Place Apartment	DSUP 2001-0014	November 2001	8	
4	Meridian At Braddock	SUP 2002-0018	October 2002	n/a	
5	Chatham Square	DSUP 2002-0029	December 2002	2	
6	Clayborne Apartments	DSUP 2003-0020	December 2003	4	
7	The Prescott	DSUP 2004-0001	October 2004	5	
8	Abingdon Row	DSUP 2002-0043	November 2004	9	
9	The Henry	DSUP 2003-0019	November 2004	5	
10	Beasley Square	DSUP 2004-0015	December 2004	4	
11	Cromley Lofts	SUP 2005-0050	June 2005	5	
12	The Duke (Fannon)	DSP 2005-0016	January 2006	n/a	Across Duke Street from District 4
13	900 N Washington	DSP 2005-0024	September 2006	3	
14	Printers Row (windows)	DSP 2005-0018	October 2006	9	
15	PY landbay H	DSUP 2004-0048	October 2006	n/a	Across Route 1 from District 11
16	Carlyle Center	DSUP 2006-0012	December 2006	n/a	
17	Station at PY	DSUP 2006-0026	February 2007	n/a	Across Route 1 from District 11
18	Del Ray Lofts	DSUP 2007-0004	May 2007	11	Partially within district 11
19	Del Ray Central (Triangle)	DSUP 2008-0011	June 2008	n/a	Across Commonwealth Avenue from District 11 boundary
20	The Asher	DSUP 2008-0008	September 2008	5	
21	Robinson Terminal South	DSUP 2014-0006	April 2015	1	
22	Robinson Terminal North	DSUP 2014-0007	October 2015	2	
23	Edens (ABC Giant)	DSUP 2015-0019	March 2016	9	
24	Ramsey	DSUP 2014-0035	November 2016	3	

## **Developments Approved WITHOUT Restriction**

	Development Name	Case Number	Date approved	Parking	
				District	Notes
1	Old Town Commons	DSUP 2008-0013	October 2008	3	
2	The Belle Pre (the Madison)	DSUP2010-0028	February 2011	5	
3	The Kingsley/Harris Teeter	DSUP 2010-0027	June 2011	9	
4	Braddock Gateway - Phase 1	DSUP 2011-0002	September 2011	n/a	
5	PY Townhouses - LB I/J West & L	DSUP 2008-0022	September 2011	n/a	Near District 6 (Landbay L)
6	Bell Del Ray (PY LB L)	DSUP 2011-0001	January 2012	n/a	Near District 6 (Landbay L)
7	The Alric (PY LB G MF)	DSUP 2011-0026	March 2012	n/a	Near District 11
8	Braddock Gateway - Phase 2	DSUP 2012-0004	June 2012	n/a	Near District 3 and 5
9	Notch 8/Giant (PY LB G MF)	DSUP 2012-0013	October 2012	n/a	Across Route 1 from District 11 boundary
10	Princess Street Townhouses	DSP 2012-0018	April 2013	3	
11	The Middleton	DSP 2012-0029	May 2013	2	
12	Cromley Row	DSP 2012-0024	July 2013	3	
13	700 N. Washington	DSUP 2013-0002	October 2013	3	
14	Brightleaf & Cooper (Health Dept)	DSUP 2013-0016	February 2014	2	
15	South Patrick St Residences	DSUP 2013-0021	June 2014	4	
16	Wilkes Townhouses	DSUP 2013-0020	June 2014	4	
17	West Parc Townhouses	DSUP 2014-0008	October 2014	n/a	across the street from District 4 boundary
18	The Mill	DSP 2013-0023	February 2015	2	
19	The Park Townhouses (601 N Henry)	DSUP 20140017	October 2015	3	

# CITYWIDE PARKING WORK PLAN

Attachment 4

2016				2017				2018				2019			
FY 2016		FY 2017			FY 2018			FY 2019			FY 2020				
Jan-Mar	Mar-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Mar-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Mar-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Mar-Jun	Jul-Sep	Oct-Dec
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
<b>DEL RAY PARKING STUDY IMPLEMENTATION</b> (CURRENTLY UNDERWAY)															
<b>MOTORCOACH STUDY/TASK FORCE</b> (CURRENTLY UN- DERWAY)															
<b>OLD TOWN AREA PARKING STUDY (OTAPS) SHORT-TERM IMPLEMENTATION</b> (CURRENTLY UNDERWAY)															
				<b>OLD TOWN AREA PARKING STUDY (OTAPS) MID- TERM IMPLEMENTATION</b>											
								<b>OLD TOWN AREA PARKING STUDY (OTAPS) LONG-TERM IMPLEMENTATION</b>							
				<b>CITY CODE AMENDMENT: REVIEW OF POTENTIAL RESTRICTIONS ON ISSUING RESIDENTIAL PARKING PERMITS TO RESIDENTS IN NEW DEVELOPMENT</b>											
				<b>PARKING STANDARDS FOR NEW DEVELOPMENT (PHASE 2— COMMERCIAL AND OFFICE)</b>											
				<b>CITY CODE AMEND- MENT: REVIEW OF THE 72 HOUR PARKING RULE</b>											
				<b>CITY CODE AMENDMENT: STAFF INITI- ATED PROCESS FOR AMENDING RESI- DENTIAL PARKING PERMIT DISTRICTS</b>											