

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 2014, eighteen 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 residents during the public hearings for the Robinson Terminal South, Robinson Terminal North, Edens, and ARHA Ramsey sites. As a result, the City 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, City 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.

DISCUSSION: 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 on-street 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 criterion, 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.

To determine the average on-street occupancy, staff will require the applicant to conduct the parking survey as part of their application. Staff will work with the applicant during the scoping process to determine the applicable blocks to be included in the survey area and the appropriate survey times. The survey will occur during the peak parking day and hour for the area.

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.

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.

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 approved by Council to determine whether these developments would be eligible for permits. The table on slide 4 of Attachment 4 is a preliminary analysis of whether these developments would be eligible based on this draft policy.

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 and programs listed in the Citywide Parking Work Plan and OTAPS Work Plan that staff will be considering for implementation in the coming year. These upcoming tools and programs include: a staff initiated process for amending parking districts, a review of parking permit fees and limits, and the consideration of adding "1 hour" as a district option.

Public Outreach:

The draft policy was posted online for public comment in early March and staff also held an open house on March 16th. 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, some residents

were concerned about how this would affect the existing developments that already have the restriction. In terms of specific feedback on the policy language, many residents commented on the need for the survey times to reflect the actual peak parking conditions rather than the peak during the posted restrictions as originally proposed in the draft policy.

On April 6th, the Planning Commission held a public hearing to receive additional public comment and discuss the proposed policy. Two members of the public spoke at the meeting and their comments focused on how the surveys would be conducted. The Planning Commission voted to recommend approval of the policy with a vote of 5 to 2, with Commissioners Lyle and Macek voting against. The Commission felt the policy was a reasonable approach to addressing the issue through specific criteria about parking conditions near site and about the development. Many of the Commissioners noted that adjusting the price of an on-street parking permit could be a more equitable way to address parking and might encourage residents with off-street parking to use those spaces rather than park on the street. Commissioners Lyle and Macek did not support the policy because they felt it was inequitable to all residents and gave some residents access to a public good while excluding others.

FISCAL IMPACT: The fiscal impact of this policy is minor. Depending on whether a development is eligible for parking permits, there may be some small increases to the revenue generated through the residential parking permit program, which goes towards the cost to administer the program. Since the survey requirement will be conducted by the developer as part of their overall transportation study, no additional staff resources will be required. Determination of a development's eligibility will occur during the normal review process for each development.

ATTACHMENTS:

Attachment 1: Draft Policy

Attachment 2: Residential Permit Parking Map

Attachment 3: List of Developments with and without the restriction

Attachment 4: Presentation

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