

City of Bend Citywide Parking Study Residential Parking Permit Zone Programs **DRAFT**

I. BACKGROUND

The City of Bend (City) is interested in developing clear criteria for the formation of residential parking permit zones (RPPZ¹). The purpose of this document is to provide a potential policy and implementation framework for new RPPZs within the City of Bend. Elements of this draft policy and procedures draw upon RPPZ plans currently in place in cities such as Boise, Idaho; Boulder, Colorado; Corvallis and Portland, Oregon; and Tacoma, Washington.



RPPZs respond to situations where parking from abutting commercial or institutional use extends into residential neighborhoods. RPPZs are generally initiated at the request of residents in areas zoned residential.² RPPZs allow parking management, usually through parking permits and time limits that give preference to residents and their guests when instances of constraint create conflicts between residential and commercial parking demands. Those who live in the area may be provided or purchase a permit to allow parking beyond a posted visitor time limit within the residential parking permit zone.³

The strategies presented in this document are optional tools that may be initiated at the request of and with input from the affected area stakeholders.

¹ RPPZs are distinct from Commercial Parking Management Districts (CPMD) that are also currently under consideration by the City of Bend. The processes for RPPZ's and CPMD's are separate, but could be concurrently considered in areas where commercial and residential zoning abut.

² In most cities requests are made through a community initiated petition.

³ Provisions are made in some cities that allow for the sale of non-residential permits (e.g., employee permits from an adjacent commercial district) within RPPZs if there are demonstrated surpluses of parking within the zone that would allow for the sale of such permits without adverse impacts on access for residents and their guests.

II. PRECURSORS TO RESIDENTIAL PARKING PERMIT ZONES

Public Right of Way

The City has the sole responsibility to manage and maintain public rights of way (ROW) for the public benefit. A ROW includes all of the land from property line to property line and may include sidewalks, landscaping, utilities, drainage, bicycle lanes, and travel lanes – as well as on-street parking. One of the main functions of the public ROW is to provide access to adjacent property (including emergency access to each property) and circulation within areas of the community for all modes of transportation.

On-street Parking Policy Guidance

Policy guidance specific to on-street parking is necessary to inform ROW allocation decisions in a thoughtful and consistent manner. The fundamental purpose of on-street parking within public ROW is to provide access to nearby properties. On-street parking on public streets in areas zoned and built as residential should be primarily for residential purposes.

In areas of Bend where demand for on-street parking in an area rises to a level where access needs of adjacent properties are not being met, or where there is confusion over who has priority to use the supply (especially when constrained), this situation may lead members of the community, neighborhoods, businesses, institutions or associations to seek action by the City.

Best practice suggests that the City respond to such requests by meeting with interested and affected property owners, businesses and/or residents to better understand the situation and determining whether or not there is a need to: (1) clearly establish the purpose of the on-street parking in an area through signing, time limit and/or permits; (2) enforce time limits in the area; and/or (3) delineate the on-street parking to better define where parking is allowed with street markings.

III. POLICY FRAMEWORK

The process outlined in this document refers to RPPZs and establishes a set of guidelines and minimum thresholds that should be met to establish parking management in a residential zone.⁴

Purpose and Intent of Residential Parking Permit Zones

- A. The RPPZ program is intended to ensure priority access to residents and their guests, reduce conflicts, increase safety, and promote the use of transit, carpooling, and other alternative modes of transportation.
- B. Each area that implements an RPPZ will have a unique set of parking needs. These needs will be based in part on the cause and extent of the parking conflicts;, including the proximity of the neighborhood to the parking generator(s), the mix of residential/nonresidential use,

⁴ RPPZs are defined here as areas whose base zoning is residential and/or whose base zoning prioritizes residential land uses at the street level.

number and frequency of guests visiting the area, availability of off-street parking; types of parking problems in surrounding areas; availability of alternative modes of transportation; possibility of alternative parking solutions; and the physical layout and boundaries of the area.

- C. Each area would need to meet the eligibility criteria and follow the prescribed process in order to form a permit program. Eligibility and process are described below (Section IV).
- D. Area residents could either be provided or required to purchase a permit for on-street parking in the area where they reside.⁵ A permit would allow a vehicle under the legal control of a resident, worker or visitor, with a properly displayed permit decal or card, to exceed the area permit parking program time limits that are posted within a designated area.
- E. Businesses located within the program boundary could be sold permits for employee parking. Permits for business employees located outside the program zone would be considered for permits only if it could be demonstrated that surplus supplies of on-street parking are available within the RPPZ and that issuance of such permits would not adversely impact residential access and/or or access of businesses located within the zone. Demonstration of a surplus would be through data collection and demand analysis conducted in **Area Eligibility** outlined in Section III below.

IV. IMPLEMENTING THE RPPZ

The following section, based on best practices from other cities, presents a potential decision framework that could be used by the City to evaluate the potential for, and then establishment, of RPPZs. The recommendations are not necessarily intended to be sequential, but rather a general framework that establishes *minimum requirements*. Areas that meet all of these requirements could then enter into negotiation with the City to initiate parking management within the public ROW.

Area Eligibility

All of the following eligibility criteria should be met before the area would be considered for the residential parking permit zone program:

- A. The requesting area should consist of a minimum of 10 block faces or 1,500 lineal feet of curb space.⁶
- B. An area that feels it is adversely affected by parking and is requesting permit parking would be required to work through its Neighborhood



⁵ Most cities require purchase of permits, though there are cities that provide the permit free. The reason for requiring the purchase is to cover the cost of administration and enforcement.

⁶ Because this policy, if adopted, would be new to Bend, initial provisions could be made for smaller RPPZs to facilitate establishment of zones that are reasonably sized (given the unique nature of Bend neighborhoods) and efficient to manage and administer.

Association. If the area is not formally organized, it should directly contact the Director of the Department of Growth Management or another department director who is responsible for parking management for assistance.

- C.** A petition would be distributed to residents of the proposed area with 60% or more of residents (owners or renters) signing in favor of program participation.
- D.** After review of information submitted in A – C above, the City would need to agree that the RPPZ would promote benefits within the designated area. These benefits may include, but are not limited to:
 - Increased access to area residents and businesses
 - Reduced traffic
 - Increased safety

Adverse effects that might prevent implementation of the RPPZ may include:

- Transferring the problem to a different area
- Inability to enforce program restrictions
- Availability of simpler, cheaper solutions

Process

The following process (considered best practice) must be followed to establish residential parking permit zones:

- A.** An area would apply to participate in a permit program through a community-initiated petition to be submitted to the Director of the Department of Growth Management or another city department director with responsibility over on-street parking. An initial district boundary would need to be identified. Substantiation would be required to demonstrate that there is stakeholder agreement that parking activity in a residential area is causing adverse impacts to access and livability.

This petition should include:

- A narrative of the parking problem.
 - The probable cause of the parking problem.
 - The proposed boundaries of the affected area.
 - The number of individual addresses in the affected area.
- B.** The Neighborhood Association would discuss the request with the Director of Growth Management (or their designee) to determine if there are any conditions (as specified in Eligibility D above) that would prevent the implementation of an area permit parking program.⁷ If the City determines there are none, and recommends that the petition process

⁷ This may include the City's Traffic Engineer.

continue, the neighborhood association would be required to work with the area residents and businesses to determine its eligibility and appoint an Area Parking Committee.⁸

- C. If an area is approved as eligible, the Area Parking Committee would work with the City to develop an approved ballot petition that would be mailed to all addresses in the proposal area. Information in the ballot will describe the program plan, its cost and fees. The legal occupant of an address would be eligible to vote. Typically, a minimum of 50% of the ballots must be received, of which 60% must be "yes" votes, to approve the program.⁹
- D. If the vote in Paragraph C. is negative, a minimum of 12 months should elapse before any new proposal can be initiated.
- E. If the vote in Paragraph C. is positive, the Director of Growth Management (or his/her designee) would submit to the City Council an ordinance authorizing the permit system and required funding. If approved by Council, the City would notify all addresses of the approval and enclose application materials. Permit fees from at least 50% of the addresses are typically collected prior to the installation of signs.
- F. If the Growth Management Director or their designee declines the request in Paragraph B, the Neighborhood Association may request one review of the decision from the City Manager. If the City Manager overturns the Growth Management Director's decision, the Neighborhood Association would move onto Paragraph C.
- G. The program would renew on a regular basis, typically annually, unless:
 - The Director of Growth Management or their designee receives a petition, representing 50% or more of the addresses within the designated permit program area, requesting termination of the program; or
 - The designated area does not meet the rules or procedures established by the Director of Growth Management (or their designee).

⁸ "Area Parking Committee" is the group of not less than two people and not more than five people (excluding alternates) appointed by the neighborhood association which implements an RPPZ Program. Area Parking Committees will assist the City in establishment of the RPPZ Program and ongoing review of the program.

⁹ The petition standards presented here reflect the best practice cities evaluated for this study. Bend could set different thresholds.

Program Administration

The following are best practice recommendations for administration of the residential permit program.



- A.** For each approved RPPZ, the Growth Management Department (or their designee) would guide the area in establishment, pricing, evaluation, revision, or termination of the RPPZ by:
- Meeting with the Area Parking Committee;
 - Planning and coordinating registration and enforcement; and
 - Completing any other such duties developed with the Area Parking Committee and Neighborhood Association as provided in the approved program plan.
- B.** Establishing Initial Program Fees: The goal for setting fees should be the reasonable cost necessary to cover expenses related to establishment, administration and enforcement of the RPPZ. Costs could include (but not be limited to) signage, permit printing, program staffing, communications and enforcement.¹⁰
- C.** Annual Review of Program Fees: Services charges and fees are typically reviewed annually and updated per the City's financial policy, and are effective with the adoption of the annual budget. Fees can include cost of administration, service delivery, supporting infrastructure (e.g., signage, striping, notification) and program enforcement. A current listing of service charges and fees would be made available to the public.
- D.** It would be the obligation of area residents (and potentially affected businesses) to apply for permits in a timely manner and in accordance with protocols and procedures established during program formation/implementation.¹¹ For example:
- An area resident would be required present proof of current occupancy within the permit boundary and current proof of a vehicle registered to an address in the permit boundary.
 - An approved area business would be required present proof of current occupancy and a payroll record or a list of employees and the hours each employee works per week.
- E.** One guest permit could be issued to each address for an area permit. A guest permit would not be convertible to any other use.¹² Additional guest permits could be issued to an address according to the rules of the program plan developed in Process, C above.

¹⁰ Several cities quantify the total estimated first year costs and divide that by the total number of unique household addresses in the proposed RPPZ to determine a first year permit fee. Subsequent fee adjustments would then be covered in item C: Annual Review of Program Fees.

¹¹ There are no common precedents or industry best practices regarding vacation rentals located in RPPZs. Dealing with this could possibly be through the issuance of guest permits with the burden on the property owner to secure them.

¹² Ibid.

- F. It would be the obligation of the permit holder to notify the City of loss or theft of a permit within 3 business days. The permit holder would be able to purchase a replacement for one half of the current fee.

Violation and Enforcement

The following are best practice recommendations for enforcement of a RPPZ.

- A. A permitted vehicle which is parked in accordance with posted RPPZ signing and in accordance with parking regulations would generally be permitted to be parked in excess of the visitor parking time limit.
- B. Display of a zone parking permit would not convey any privileges other than that of exceeding the posted permit parking visitor time limit in that zone. It would not authorize parking in any other restricted zone. Permitted vehicles would be subject to all City provisions related to the storage of vehicles on-street. Long-term storing of property on street would be prohibited.
- C. During permit designated hours (hours of enforcement), it would be unlawful for a non-permitted vehicle to:
- Exceed the maximum visitor time limit allowed within the signed permit area;
 - Return to the signed permit area for a period of 12 hours after parking for any time period.
- D. It would be unlawful for a vehicle to display an unauthorized permit. A vehicle displaying an unauthorized permit may be cited, or a fine assessed for each violation. Permits are assigned to a unique license number registered to an address within the proposed permit zone.

V. SUMMARY

A suggested policy and criteria framework for establishing RPPZs is outlined above. The key to establishment of such zones is to provide management for areas that are experiencing adverse impacts where parking is not currently managed. The framework would allow the establishment of such zones through a formal process that would engage the affected stakeholders in initiating and developing the boundary and parking permit program. The policy and criteria would establish a stakeholder process and partnership relationship with the City.