



Office of the City Manager

PUBLIC HEARING
February 27, 2018
(Continued from February 13, 2018)

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Public Works

Subject: Residential Preferential Parking (RPP) Program Reform and Expansion

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt second reading of Ordinance No. 7,589-N.S. amending Berkeley Municipal Code Title 14 to expand eligibility for Residential Preferential Parking to specified areas, allow Residential Preferential Parking in areas zoned Mixed Use Residential, authorize new meters in West Berkeley to manage commercial parking adjacent to residences in mixed-use areas, add a cap on the number of annual permits residents may purchase, and
2. Adopt a Resolution raising permit fees to eliminate the Program's operating deficit and rescinding Resolution No. 66,895-N.S. effective March 1, 2018.

SUMMARY

The recommended actions constitute a package of short-term changes to the RPP Program, developed in response to Council feedback at the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession.¹ The changes include: 1) expanding the RPP Program to three new areas in the City by strategically reallocating Parking Enforcement resources currently assigned to street sweeping; 2) implementing the RPP Program in mixed-use areas near Fourth Street in West Berkeley, under a new set of guidelines specifically developed for mixed-use areas; and 3) strengthening the RPP Program's effectiveness by increasing permit fees to make the program cost-neutral and setting a maximum number of residential permits per address available for purchase in a year.

FISCAL IMPACTS OF RECOMMENDATION

Per established Council Budget Policies,² the RPP Program should pay for itself. Following the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession with Council, staff completed the Fiscal Year (FY)

¹ September 19, 2017 *City Council Agenda: Residential Preferential Parking (RPP) Program Recommendations*: <http://bit.ly/2iWaPDa>

² "Council Budget Policies": <http://bit.ly/2z4UiFY>

2017 RPP Program analysis, which found the Program's structural annual deficit decreased to approximately \$195,800.

The proposed fee structure is projected to generate approximately \$196,400 of additional revenue for the General Fund (Fund 010) beginning March 1, 2018. The following table reflects increases for each type of permit in the RPP fee structure to result in a cost-neutral Program.

Permit Type	Current Fee	Proposed Fee	\$ Increase	% Increase
Annual Residential & In-Home Care	\$55.00	\$66.00	\$11.00	20%
1-Day Visitor	\$2.75	\$3.00	\$0.25	9%
14-Day Visitor	\$28.50	\$34.00	\$5.50	19%
Semi-Annual Residential & In-Home Care	\$27.50	\$33.00	\$5.50	20%
Community-Serving Facility	\$69.00	\$83.00	\$14.00	20%
Merchant	\$154.00	\$185.00	\$31.00	20%
1-Day Senior Center	\$1.25	\$1.00	-\$0.25	-20%
Replacement of Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$12.50	\$15.00	\$2.50	20%

The proposed fee structure will generate approximately \$1,199,400 in revenue for the General Fund in FY 2019. This increase of \$196,400 in revenue would close the current deficit, resulting in a cost-neutral Program (the \$600 difference is within the margin of approximation). With the proposed fee increase, the total Program revenue is projected to be \$2.53 million including the revenue resulting from RPP-related citations.

RPP Program Financial Components	FY 2017 Actuals	FY 2019 Projections
Total RPP Permit Fee Revenue	\$1,003,000	\$1,199,400
RPP-Related Citation Revenue	\$1,332,400	\$1,332,400
Total Revenue	\$2,335,400	\$2,530,900
Total RPP Program Costs	\$2,531,200	\$2,531,800
RPP Program Deficit/Surplus	(\$195,800)	\$600

These revenue projections are based on the RPP Program at its current geographic extents. While RPP revenues are assumed to increase as residents opt-in and purchase permits in new areas (discussed below), actual amounts of new permit purchases and citations are unknown, making future revenues difficult to forecast.

Program Expansion Costs

Program expansion costs primarily consist of new sign installation (labor and materials), which is approximately \$1,150 per block.³ Assuming thirty-two new blocks opt-in, the total cost of expansion will be approximately \$36,800. Within the special West Berkeley Mixed-Use area, new parking meters will cost approximately \$87,040. Funding for the Program expansion will be recommended for appropriation through the FY 2018 Second Amendment to the FY 2018 Annual Appropriations Ordinance from the Parking Meter Fund 840-5505-431.11-01 and 840-5505-431.55-20 (\$36,800), and 840-4940-431.71-41 and 840-4940-431.70-41 (\$87,040). The costs and revenues associated with the parking meters relate to the Parking Meter Fund, not the RPP Program.

Enforcement in the expansion areas will not incur new staff costs, pursuant to a strategic reallocation of labor on street sweeping routes, as discussed in more detail below. Staff expect the modest costs of expansion will be covered by new revenues, particularly with the increase in permit fees. Staff will continue to monitor the costs and revenues of the RPP Program as it expands.

CURRENT SITUATION AND ITS EFFECTS

Parking in residential areas is currently managed through two separate programs: the street sweeping program, which cleans most residential streets in the flat areas of the City; and the RPP Program currently in effect in fourteen zones to the north, west, and south of the University of California at Berkeley (UC-Berkeley) campus. Under the street sweeping program, parking is prohibited on applicable streets for a three-hour window once per month. Streets included in the RPP Program have two-hour time limits for vehicles without an applicable RPP permit. Parking Enforcement staff regularly monitor these areas to ensure motorists consistently adhere to posted street sweeping restrictions and RPP time limits.

Fifteen Parking Enforcement Officers (PEOs) patrol geographic “beats” that include a mix of meters and RPP time limited parking areas. Three more PEOs are solely assigned to enforce street sweeping restrictions, which consists of driving street sweeping routes immediately in front of the sweeper and issuing citations to vehicles in violation of parking restrictions. Under current business practices, when the sweeper reaches maximum rubbish capacity, the PEO must wait for the sweeper to empty its load at the City’s Solid Waste Management and Transfer station, then return to the route before continuing enforcement activities. These three PEOs could be used to enforce additional RPP areas, thus allowing the City to modestly but strategically expand the RPP Program in the short-term without hiring additional PEO staff.⁴

³ Staff assumes six RPP signs per block (three signs on each side of the block).

⁴ Under this proposal, PEOs would no longer accompany street sweeping vehicles, but beat officers would enforce restrictions during the three-hour restriction window, before the sweeper cleans the street, and allow time for other pending responsibilities. This recommendation was developed in collaboration with Police and Parking Enforcement staff. In the future, street sweeping vehicles may be equipped with GPS beacons, which would allow residents to check when streets reopen for parking in real-time.

Staff Proposal: Targeted Expansion of the Existing RPP Program

Based on recent requests by residents to join the RPP Program, staff recommend expanding the existing RPP Program to two areas in the short-term:

1. Expansion of Area L (Claremont). Up to eight blocks of Encina Place, Oakvale Avenue, The Plaza Drive, Parkside Drive, and Nogales Street would be able to petition for Area L RPP designation and right to purchase permits.
2. New West Berkeley Area. Up to sixteen blocks in the residential area bounded by Jones Street, University Avenue, Sixth Street, and Ninth Street would be able to petition for RPP permits.

Residents in these areas would be able to opt-in to the Program under existing guidelines as set forth in BMC Section 14.72,⁵ and would be restricted in the number of permits they are able to purchase per reforms recommended in this report. See Attachment 5 for a map of these targeted expansion areas.

Staff Proposal: RPP Expansion to the Mixed-Use Areas of West Berkeley

Parts of West Berkeley are zoned as Mixed-Use Residential.⁶ In practice, mixed-use development may consist of buildings with ground-floor commercial or retail space and residences in upper floors, or may also manifest as blocks containing residences interspersed with commercial or industrial spaces (or vice versa).

Because the standard RPP Program was developed for implementation in “residentially zoned” neighborhoods only (defined as primarily single- or multi-family homes), a modified approach is needed for the Mixed-Use Residential zone adjacent to the Fourth Street commercial area in West Berkeley.⁷ Presently, curb parking in this mixed-use area is largely unregulated, with a few time-limited spaces adjacent to some businesses. Preliminary observations suggest parking availability during the day is severely constrained and appears to be very popular with local area employees. Staff is sensitive to potential conflicts between employees and residents, and are designing an approach that includes:

- Leveraging existing parking management tools wherever possible, including parking meters for increasing parking availability adjacent to commercial land uses, and standard RPP time-limit restrictions adjacent to residences. Depending on local needs, meter time limits could extend to four or eight hours.
- In blocks with residences interspersed among other uses, designating up to one-half of that block’s curb space for RPP time-limited parking if a majority of these residences petition to opt-in to the Program, leaving the other parking spaces available for other uses. In standard RPP areas, entire block faces adjacent to

⁵ Berkeley Municipal Code Section 14.72: <http://bit.ly/2C0Oob0>

⁶ Berkeley Municipal Code Chapter 23E.84: <http://bit.ly/2zd09sB>

⁷ This area roughly includes Fourth and Fifth Streets between Jones Street and Hearst Avenue. See Attachment 5 for a map showing this area.

residences are typically included in the Program, because of the homogenous nature of these residentially-zoned areas.

- Phasing in the installation of meters on mixed-use blocks, contingent on residential opt-ins, to reduce the impact of “spillover” parking on residents while providing for employee and customer parking.
- Limiting the number of available residential permits to two per address, given on-street supply constraints. In standard RPP areas, the recommended cap is three per address.

Other cities have approached mixed-use areas in different ways: While some (like Oakland) have embraced merchant or employee permits, others (like San Francisco) have focused more on bolstering the use of meters and long time limits to ensure permit parking privileges are not diluted.

Staff Proposal: RPP Program Management Reform

Subsequent to Council’s support at the September 19, 2017 Residential Preferential Parking (RPP) Program Recommendations Worksession, staff will implement a cap for FY 2019 permits where three residential permits per address will be available for purchase in one year. In special circumstances, applicants may request a waiver to this limit. If the waiver is approved by the Traffic Engineer, each additional permit above the cap will incur a surcharge of \$100, in addition to the base annual fee. Any resulting reduction in the number of annual permits sold per each address will increase the Finance Department’s capacity to fulfill permits and provide customer service for an expanding RPP Program.

The attached Ordinance also modifies BMC Chapter 14.72.030 to clarify the definition of a “trapped resident.”

Staff Proposal: RPP Permit Fee Increase

Council last set RPP permit fees via Resolution No. 66,895 on December 16, 2014⁸ with the goal of reducing the program deficit and with the expectation that the remaining deficit would be eliminated through a future Council action. At this time fees do not cover the costs associated with administering the Program. Current fees only partially support: Parking Enforcement staffing costs to enforce parking restrictions in RPP areas; Finance Revenue Collection and Customer Service costs for printing, postage, and processing renewals; and Public Works Transportation costs to manage the Program. As discussed in the Fiscal Impacts section, the current RPP Program operates at a deficit of approximately \$195,800. Staff has proposed an increase of approximately 20% for all permit fees to close the funding gap.

⁸ December 16, 2014: *City Council Agenda: Fees: New Rate Schedule for Residential Preferential Parking Permits*: <http://bit.ly/2DQsKXP>

Next Steps

If these recommendations are approved, staff will begin processing opt-in requests immediately, and will fully implement the targeted expansion in the FY 2019 permit year. Effective March 1, 2018, all FY 2019 permits will be sold at the new rates proposed in the attached resolution.

Staff intend to bring additional mid-term recommendations to Council in coming months, after new Automated License Plate Recognition (ALPR) systems are in full operation. These recommendations will include proposals for staffing, additional RPP Program expansion areas, consistent Monday-Saturday enforcement, and a UC-Berkeley Football Game Day Special Event Permit proposal.

BACKGROUND

In March 2014,⁹ Council asked staff to evaluate the costs and benefits of allowing the RPP Program to expand beyond its then-current geographic boundaries. At the September 19, 2017 Council Worksession, staff presented a comprehensive analysis of challenges to the RPP Program, and proposed solutions to these challenges to be implemented in stages over the next three years. This report responds to Council's comments at that Worksession, particularly in Attachment 4, and provides a road map for strategic reform and expansion of the existing Program in the short-term timeframe (FY 2018-2019).

The RPP Program was instituted in 1980 (1) to protect Berkeley residential neighborhoods from an influx of non-resident vehicles and related traffic; (2) to assure continued quality of life for residents; and (3) to provide neighborhood parking for residents. The Program limits parking for vehicles not displaying an RPP permit in most RPP areas to two hours, and reserves available daytime parking for residents, between 9:00a.m. and 7:00p.m. Monday through Friday, and on some blocks Saturday.

ENVIRONMENTAL SUSTAINABILITY

Expansion of the RPP Program may encourage some drivers who work in commercial areas adjacent to proposed RPP areas to consider using other modes of travel, thereby potentially reducing parking demand and congestion. Implementing a limit on the number of available permits may also encourage residents to consider alternatives to driving and parking for trips within the City. While use of other transportation modes may result in a reduction in vehicle traffic and a corresponding reduction in greenhouse gases, based, however, upon feedback from merchants adjacent to existing RPP Program areas, staff anticipate the "two-hour shuffle" may also begin to occur in RPP expansion areas. This behavior would have an adverse impact on traffic congestion, air quality, and excess fuel consumption.

⁹ March 11, 2014 *City Council Agenda: Expansion of Permit Parking to Impacted Areas*:
<http://bit.ly/2vTgnqD>

RATIONALE FOR RECOMMENDATION

At the September 19, 2017 Worksession, Council consensus was for staff to begin expansion of the RPP Program, impose caps on the number of available residential permits, and reduce the Program deficit. The recommendations contained in this report address these requests.

ALTERNATIVE ACTIONS CONSIDERED

Council could reject these recommendations, which would keep the status quo RPP Program, including its ongoing operating deficit.

CONTACT PERSON

Farid Javandel, Manager, Transportation Division, Public Works (510) 981-7061
Danette Perry, Manager, Parking Services, Public Works (510) 981-7057
Gordon Hansen, Senior Planner, Public Works (510) 981-7064

Attachments:

- 1: Ordinance for Second Reading
- 2: Resolution
- 3: Public Hearing Notice
- 4: Response to Council Questions from September 19, 2017 Worksession
- 5: Map of Targeted Expansion Areas

ORDINANCE NO. 7,589-N.S.

AMENDING BERKELEY MUNICIPAL CODE TITLE 14 TO EXPAND METERED AREAS
IN WEST BERKELEY AND REFORM AND EXPAND THE RESIDENTIAL
PREFERENTIAL PARKING (RPP) PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.52.010 amended to read as follows:

14.52.010 Parking meter zones.

A. Parking meter zones are those streets or portions of streets in the City hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay-and-display stations and/or a City-approved software application that processes pay-by-phone payments from a mobile phone, consisting of:

Acton Street, both sides, from 150 feet north of University Avenue to University Avenue.
Adeline Street, east side, from Ward to Stuart Street.
Adeline Street, both sides, from Stuart Street to Oregon Street.
Adeline Street, east side, from Oregon Street to Russell Street.
Adeline Street, both sides, from Russell Street to Ashby Avenue.
Alcatraz Avenue, south side, from 75 feet east of College Avenue to College Avenue.
Ashby Avenue, both sides, from Domingo Avenue to Claremont Avenue.
Blake Street, both sides, from Telegraph Avenue to 125 feet west of Telegraph Avenue.
Bonar Street, east side, from University Avenue to 150 feet south of University Avenue.
Bonar Street, west side, from University Avenue to Addison Street.
California Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.
Camelia Street, north side, from Ninth Street to Tenth Street.
Camelia Street, north side, from San Pablo Avenue to 100 feet west of San Pablo Avenue.
Claremont Avenue, east side, from Russell Street to Ashby Avenue.
Claremont Avenue, west side, from Russell Street to Claremont Boulevard.
Colby Street, west side, from Webster Street to South Hospital Drive.
College Avenue, east side, from 150 feet north of Alcatraz Avenue to Berkeley-Oakland city limits south of Alcatraz Avenue.
College Avenue, west side, from Alcatraz Avenue to Berkeley-Oakland city limit, south of Alcatraz Avenue.
Colusa Avenue, east side, from 225 feet south of Solano Avenue to Catalina Avenue.
Colusa Avenue, west side, from 180 feet south of Solano Avenue to Catalina Avenue.
Curtis Street, both sides, from 100 feet north of University Avenue to University Avenue.
Derby Street, north side, from 150 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.
Derby Street, south side, from 150 feet east of Telegraph Avenue to Telegraph Avenue.
Derby Street, south side from Milvia Street to 300 feet east of Milvia Street.
Domingo Avenue, both sides, from Berkeley-Oakland city limit to Ashby Avenue.

Dwight Way, north side, from San Pablo Avenue extending 40 feet east of San Pablo Avenue.

Ensenada Avenue, east side, from 90 feet south of Solano Avenue, to 66 feet north of Solano Avenue.

Euclid Avenue, west side, beginning at Hearst Avenue and extending 130 feet north of Ridge Road.

Euclid Avenue, east side, beginning at Hearst Avenue and extending 135 feet north of Ridge Road.

Francisco Street, both sides, from Shattuck Avenue to 100 feet west of Shattuck Avenue.

Fresno Avenue, east side, from 69 feet south of Solano Avenue to Solano Avenue.

Grayson Street, south side, from San Pablo Avenue extending 60 feet west of San Pablo Avenue.

Grove Street, both sides, from Allston Way to Berkeley Way.

Hearst Avenue, north side, from Scenic Avenue to LaLoma Avenue.

Hearst Avenue, north side, from Third Street to Fifth Street.

Hearst Avenue, south side, from Euclid Avenue to Gayley Road.

Hearst Avenue, south side, from Oxford Street to Arch Street

Hearst Avenue, south side, from Third Street to Sixth Street.

LaLoma Avenue, both sides, from Hearst Avenue to Ridge Road.

LeRoy Avenue, both sides, from Hearst Avenue to Ridge Road.

Lincoln Street, south side, from Shattuck Avenue to 150 feet west of Shattuck Avenue.

McKinley Avenue, east side, from approximately 110 feet from Allston Way to 155 feet, Monday through Friday, nine a.m. to six p.m.

Milvia Street, east side from Derby Street to Ward Street.

Modoc Street, east side, from 90 feet south of Solano Avenue to Solano Avenue.

Modoc Street, west side, from 66 feet south of Solano Avenue to Solano Avenue.

Oregon Street, north side, from 75 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.

Oregon Street, south side, from 175 feet east of Telegraph Avenue to Telegraph Avenue.

Oregon Street, both sides, from Adeline Street to Shattuck Avenue.

Page Street, north side, from San Pablo Avenue to Tenth Street.

Pardee Street, south side, from San Pablo Avenue extending 60 feet west of San Pablo Avenue.

Parker Street, both sides, from 200 feet west of Regent Street to 100 feet west of Telegraph Avenue.

Peralta Avenue, both sides, from Solano Avenue to Capistrano Avenue.

Regent Street, west side, from Ashby Avenue to South Hospital Drive.

Regent Street, east side, from Ashby Avenue to 125 feet south of Webster Street.

Ridge Road, north side, beginning 120 feet west of Euclid Avenue and extending 100 feet east of Euclid Avenue.

Ridge Road, south side, from 180 feet west of Euclid Avenue to LeRoy Avenue.

Rose Street, north side, from 100 feet east of Shattuck Avenue to 100 feet west of Henry Street.

Rose Street, south side, from Walnut Street to Shattuck Place.

Russell Street, south side, from 75 feet east of Telegraph Avenue to 100 feet west of Telegraph Avenue.

San Pablo Avenue, both sides, from Hearst Avenue to Allston Way.
San Pablo Avenue, both sides, from Harrison Street to Gilman Street.
San Pablo Avenue, east side, from Gilman Street to Camelia Street.
San Pablo Avenue, both sides, from Camelia Street to Virginia Street.
San Pablo Avenue, both sides, from Virginia Street to Delaware Street.
San Pablo Avenue, both sides, from Delaware Street to Hearst Avenue.
San Pablo Avenue, both sides, from Allston Way to Channing Way.
San Pablo Avenue, east side, from Channing Way to Parker Street.
San Pablo Avenue, both sides, from Parker Street to Heinz Street.
San Pablo Avenue, east side, from Russell Street to Burnett Street.
San Pablo Avenue, west side, from Bancroft Way to Ashby Avenue.
Scenic Avenue, east side, from Hearst Avenue to Ridge Road.
Shattuck Avenue, both sides, from 100 feet north of Rose Street to Hearst Street.
Shattuck Avenue, east side, from Rose Street to Vine Street.
Shattuck Avenue, east side, from Ward Street to Stuart Street.
Shattuck Avenue, west side, from 200 feet south of Ward Street to Stuart Street.
Shattuck Avenue, both sides, from Stuart Street to Oregon Street.
Shattuck Avenue, east side, from Oregon Street to Russell Street.
Shattuck Avenue, both sides, from Russell Street to Ashby Avenue.
Shattuck Avenue, west side, from Ward Street to Ashby Avenue.
Shattuck Place, west side, from Rose Street to Shattuck Avenue.
Solano Avenue, both sides, from Tulare Avenue to The Alameda.
Solano Avenue, north side, from 140 feet to 184 feet east of The Alameda.
South Hospital Drive, south side, from Colby Street to 75 feet west of Colby Street.
Stuart Street, south side, from 50 feet east of Telegraph Avenue to Telegraph Avenue.
Stuart Street, north side, from Adeline Street to 70 feet east of Shattuck Avenue.
Tacoma Avenue, both sides, from Solano Avenue to 66 feet north of Solano Avenue.
Telegraph Avenue, west side, from Dwight Way to Prince Street.
Telegraph Avenue, east side, from Dwight Way to Woolsey Street.
The Alameda, east side, from Los Angeles Avenue to Solano Avenue.
Tenth Street, both sides, from Gilman Street to Camelia Street.
The Alameda, west side, from 220 feet north of Los Angeles Avenue to 90 feet north of Solano Avenue.
Tulare Avenue, east side, from 90 feet south of Solano Avenue to Solano Avenue.
University Avenue, both sides, from McGee Avenue to Third Street.
Vine Street, north side, from 75 feet east of Walnut Street to 100 feet east of Henry Street.
Vine Street, south side, from 100 feet east of Henry Street to 150 feet east of Walnut Street.
Virginia Street, north side, from 150 feet east of Shattuck Avenue to 150 feet west of Shattuck Avenue.
Virginia Street, south side, from Shattuck Avenue to 125 feet west of Shattuck Avenue.
Walnut Street, both sides, from University Avenue to Berkeley Way.
Walnut Street, west side, from Rose Street to 200 feet south of Vine Street.
Walnut Street, east side, from 75 feet north of Vine Street to 125 feet south of Vine Street.
Ward Street, north side from Milvia Street to 300 feet east of Milvia Street.
Webster Street, north side, from Bateman Street to Regent Street.

Webster Street, north side, from Colby Street to 150 feet west of Telegraph Avenue.
Webster Street, south side, from Colby Street to 100 feet west of Telegraph Avenue.
Fifth Street, both sides, from Addison Street to Hearst Avenue.
Fifth Street, west side, from Hearst Street to Virginia Street.
Fourth Street, east side, from Addison Street to Virginia Street.
Fourth Street, west side, from Addison Street to Cedar Street.
Sixth Street, east side, Addison Street to University Avenue.
Seventh Street, east side, from University Avenue to 150 feet south of University Avenue.
Eighth Street, west side, from 100 feet north of University Avenue to 200 feet south of University Avenue.
Ninth Street, west side, from 75 feet north of University Avenue to 150 feet south of University Avenue.
Ninth Street, east side from Gilman Street to 300 feet north of Gilman Street.
Tenth Street, east side, from 100 feet north of University Avenue to 100 feet south of University Avenue.
Tenth Street, west side from Gilman Street to 300 feet north of Gilman Street.

B. goBerkeley Program parking meter zones are those streets or portions of streets in the City located within the goBerkeley Areas hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay-and-display stations, and/or a City-approved software application that processes pay-by-phone payments from a mobile phone at fees set in 14.52.120(B):

Addison Street, north side, from Martin Luther King Jr. Way to 170 feet west of Martin Luther King Jr. Way.
Allston Way, both sides, from Harold Way to Shattuck Avenue.
Allston way, south side, from Oxford Street to Martin Luther King Jr. Way.
Ashby Avenue, north side, from College Avenue to Benvenue Avenue.
Ashby Avenue, south side, from Benvenue Avenue to Elmwood Avenue.
Ashby Place, east side, from Ashby Avenue to a point 80 feet north of Ashby Avenue.
Bancroft Way, both sides, from Piedmont Avenue to Fulton Street.
Bancroft Way, both sides, from Fulton Street to Milvia Street.
Benvenue Avenue, west side, from Ashby Avenue to 100 feet south of Ashby Avenue.
Berkeley Way, south side, from Oxford Street to 385 feet west of Shattuck Avenue.
Berkeley Way, north side, from Oxford Street to Henry Street.
Blake Street, south side, from 80 feet west of Shattuck Avenue to Shattuck Avenue.
Bonita Avenue, east side, from University Avenue to Berkeley Way.
Bowditch Street, east side, from Bancroft Way to Dwight Way.
Center Street, north side, from Oxford Street to Martin Luther King Jr. Way.
Center Street, south side, from Oxford Street to Martin Luther King Jr. Way.
Channing Way, north side, from 200 feet west of Dana Street to College Avenue.
Channing Way, north side, beginning 250 feet west of Shattuck Avenue to Shattuck Avenue.
College Avenue, east side, from 75 feet south of Webster Street to 175 feet north of Russell Street.
College Avenue, west side, from 140 feet north of Russell Street to Webster Street.

College Avenue, east side, from Bancroft Way to 200 feet south of Dwight Way.
College Avenue, west side, from Bancroft Way to Dwight Way.
Dana Street, west side, between Bancroft Way and Channing Way.
Dana Street, west side, from Haste Street to 150 feet south of Haste Street.
Durant Avenue, north side, from Ellsworth Street to College Avenue.
Durant Avenue, south side, from Ellsworth Street to College Avenue.
Durant Avenue, both sides, from Milvia Street to Fulton Street.
Dwight Way, both sides, from Milvia Street to Fulton Street.
Dwight Way, south side, from Hillegass Avenue to Benvenue Street.
Dwight Way, north side, from 300 feet east of Dana Street to 300 feet east of Telegraph Avenue.
Dwight Way, south side, beginning 325 feet west of Telegraph Avenue and extending 125 feet east of Regent Street.
Dwight Way, north side, from Bowditch Street to College Avenue.
Grant Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.
Fulton Street, both sides, from Bancroft Way to Kittredge Street.
Fulton Street, west side, beginning at Durant Avenue and extending south for 80 feet.
Fulton Street, east side, from Bancroft Way to Durant Avenue.
Harold way, both sides, from Allston Way to Kittredge Street
Haste Street, both sides, from Milvia Street to 250 feet east of Shattuck Avenue.
Haste Street, north side, from College Avenue to Dana Street.
Haste Street, south side, beginning 350 feet west of Telegraph Avenue to 300 feet east of Telegraph Avenue.
Haste Street, south side, from Bowditch Street to College Avenue.
Hearst Avenue, north side, from Oxford Street to Shattuck Avenue.
Hearst Avenue, south side, from Shattuck Avenue to Oxford Street
Kittredge Street, both sides, from Shattuck Avenue to Oxford Street.
Martin Luther King Jr. Way, both sides, from Center Street to Addison Street.
Milvia Street, both sides, from Berkeley Way to Addison Street.
Oxford Street, west side, from Hearst Avenue to University Avenue.
Russell Street, north side, from 85 feet east of College Avenue to 175 feet west of College Avenue.
Russell Street, south side, from 200 feet west of College Avenue to 120 feet east of College Avenue.
Shattuck Avenue, both sides, from Hearst Street to University Avenue.
Shattuck Avenue, both sides, of the west roadway, from University Avenue to Addison Street (Shattuck Square).
Shattuck Avenue, both sides, of the east roadway, from University Avenue to Addison Street (Shattuck Square).
Shattuck Avenue, both sides, of the west roadway, from Addison Street to Center Street (Berkeley Square).
Shattuck Avenue, both sides, of the east roadway, from Addison Street to Center Street (Berkeley Square).
University Avenue, both sides, from Oxford Street to McGee Avenue.

Webster Street, north side, from 125 feet east of College Avenue to 100 feet west of College Avenue.

Webster Street, south side, from 100 feet west of College Avenue to 125 feet east of College Avenue.

Addison Street, both sides, from Milvia Street to Oxford Street.

Allston Way, both sides, from MLK Jr. Way to Oxford Street.

Berkeley Square, both sides, from Addison Street to Center Street.

Center Street, both sides, from MLK Jr. Way to Oxford Street.

Harold Way, both sides, from Allston Way to Kittredge Street.

Kittredge Street, both sides, from Milvia Street to Shattuck Avenue.

Milvia Street, east side, from Kittredge Street to Center Street.

Milvia Street, both sides, from Center Street to Addison Street.

MLK Jr. Way, both sides, from Center Street to Allston Way.

Oxford Street, both sides, from University Avenue to Kittredge Street.

Oxford Street, east side, from Hearst Street to University Avenue.

Parker Street, both sides, from 100 feet west of Shattuck Avenue to Shattuck Avenue.

Parker Street, north side, from 100 feet east of Shattuck Avenue to Shattuck Avenue.

Shattuck Avenue, both sides, from Center Street to Carleton Street.

Telegraph Avenue, both sides, from Dwight Way to Bancroft Way.

C. The City Traffic Engineer shall cause parking meters and pay-and-display stations to be installed and maintained in all parking meter zones and goBerkeley Program parking meter zones.

Section 2. That Berkeley Municipal Code Section 14.72.030 amended to read as follows:

14.72.030 Definitions.

A. "Designated residential parking permit area" means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.

B. "Mixed use" means the use of a lot or building with two or more different land uses including, but not limited to, residential, commercial, retail, office or manufacturing, in a single structure or a group of physically integrated structures; in a neighborhood context, it means blocks containing single-use residences interspersed with other land uses, such as commercial or industrial.

C. "Mixed Use-Residential" refers to the zoning designation so defined in Berkeley Municipal Code Chapter 23E.84.

D. "Assessor's Use Code" means the code used by the Alameda County Assessor to assess property for property tax purposes. These codes cover a range of building descriptions and uses, including a variety of residential uses.

E. "Nonresidential vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked. However, it could be eligible for a local business parking permit, or any other parking permit the council shall designate.

F. "Residential parking permit" means a permit issued under this chapter which, when displayed upon a vehicle, as described herein, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

G. "Local business parking permit" means a permit issued under this chapter which, when displayed upon a motor vehicle, shall exempt said vehicle from parking time restrictions established pursuant to this chapter.

H. "Trapped resident" means: 1) any resident whose dwelling is on a block that may not legally opt-in because less than 80% of the block fronts are residentially zoned and either: a) whose address is on a block front adjacent to and/or surrounded by block fronts that are already included in the RPP program; or b) whose address is within the general boundary of a designated RPP area; or 2) any resident whose dwelling abuts controlled curb parking and either: a) whose address is on a block front adjacent to and/or surrounded by RPP areas; or b) whose address is within the general boundary of a designated RPP area.

I. "Neighborhood-service community facility" means churches, schools and senior centers located wholly within the general boundary of an RPP designated area.

J. "Neighborhood-serving business and establishment" means any business or establishment located in a neighborhood commercial district as defined in the Zoning Ordinance Section Cl a, Cl b, Cl c, Cl b(E).

K. "One-day visitor permit" means a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions pursuant to this chapter, for the date indicated upon the face of said permit.

L. "Two-week visitor permit" shall mean a parking permit issued pursuant to this chapter or an ordinance enacted pursuant to authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period of 14 consecutive calendar days, beginning upon the date indicated upon the face of said permit.

M. "Motor vehicle" shall be an automobile, truck, motorcycle or other self-propelled form of transportation not in excess of 8,000 pounds gross weight and not in excess of 20 feet in length. A trailer, trailer coach, utility trailer, motor home/(RV), or any other type of vehicle as defined in the California Vehicle Code that is not self-propelled, is not eligible for a RPP permit.

N. "Controlled curb parking" means any on-street parking with existing parking limitations, such as meters, time restrictions, red zone, etc.

O. "Schools" shall mean any school or other place of learning providing a pre-school, elementary or secondary level of study, and which regularly employs a staff of at least 15 certificated persons regularly employed as a classroom teacher.

P. "Senior centers" means the three senior centers affiliated with the City: North Berkeley Senior Center, South Berkeley Senior Center and the West Berkeley Senior Center.

Section 3. That Berkeley Municipal Code Section 14.72.050 amended to read as follows:

14.72.050 Designation of a residential permit parking area.

A. There shall be two alternative processes by which City Council could consider any area for designation as a residential permit parking area:

1. Residents petition. The City Council shall consider for designation as a residential permit parking area any proposed area for which a petition has been submitted which meets and satisfies the following requirements:
 - a. Prior to obtaining signatures, neighborhood organizers shall consult with City staff to assure that the proposed area meets guidelines set in the administrative regulations for the establishment of permit parking boundaries.
 - b. The petition shall contain a description or a map showing the proposed residential permit parking area.
 - c. Said description or map shall be followed in the petition by a statement describing the residential permit parking program and the current residential permit fees.
 - d. The statement shall be followed by a signature, printed name, address, and date of signing of the application by a number of adult residents including at least 51% of the housing units within the area.
 - e. For applicants in areas zoned Mixed-Use Residential, a petition shall only be deemed valid if at least 51% of the housing units on each block face have an address that has a residential Assessor's Use Code.
 - f. All petitions shall be the same as the standard petition form developed by City staff. Any petition form different from the standard petition form shall be deemed invalid for the purposes of this chapter.
 - g. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.
 - h. In areas zoned Mixed-Use Residential, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.

2. City Council initiation. City Council shall consider for designation as a residential permit parking area any area for which the following requirements have been met:
 - a. City Council shall initiate the area as a residential permit parking area.
 - b. For areas zoned Mixed Use-Residential, Council shall only initiate the area as a residential permit parking area if at least 51% of the housing units on each block face have an address that has a residential Assessor's Use Code.
 - c. In the proposed residential permit parking area at least 80% of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested residential permit parking area.
 - d. In areas zoned Mixed Use-Residential, at a minimum, 75% of all unlimited on-street parking spaces within the proposed area must be occupied during any two one-hour periods between 10:00 a.m. and 4:00 p.m.
 - e. A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.

B. Upon receipt by the City Council of a petition as described in subsection A.1 of this section, or after Council has initiated a residential permit parking area as described in subsection A.2 of this section, the Council shall:

1. Undertake or cause to be undertaken such surveys or studies which it deems necessary.
2. Cause to be drafted a resolution which would establish a residential permit parking area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the Council to be reasonable and necessary in such area.

C. The Council shall thereafter conduct a public hearing on said draft resolution. Notice of the hearing shall be posted at least ten days prior to the hearing on all block fronts proposed to be included in the residential permit parking area. Following the hearing, the City Council may enact, amend or reject said draft resolution in any manner, including but not limited to, modification of boundaries of the proposed area and the restrictions imposed on such proposed area. In order to grant permit parking designation, Council shall find that the designation will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the area of designation. In reaching this decision consideration shall be given to the residents' support for residential permit parking, the existing parking conditions, the expected effectiveness of residential permit parking in improving parking conditions, and the location and size of the residential permit parking area.

Section 4. That Berkeley Municipal Code Section 14.72.090 amended to read as follows:

14.72.090 Residential parking permit.

A. The City Manager and/or his/her designee shall issue residential parking permits with a term not to exceed of one year to motor vehicles which comply with the requirements set forth in this section.

1. No more than three (3) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.
2. In areas zoned Mixed Use-Residential (MU-R), no more than two (2) permits may be purchased for each residential address. Applicants may request a waiver if additional permits are needed.
3. The City Traffic Engineer is authorized to issue such rules and regulations necessary to grant waivers to the annual permit limits.

B. A residential parking permit may be issued for a motor vehicle only upon application of the following person:

1. The applicant must demonstrate that he or she is currently a resident of the area for which the permit is to be issued; and
2. The applicant must demonstrate that he or she has ownership or continuing custody of the motor vehicle for which the permit is to be issued; and
3. Any motor vehicle to be issued a permit must have a vehicle registration indicating registration within the area for which the permit is to be issued.

C. A residential parking permit may in addition be issued for any vehicle in the area regularly utilized by a person who owns or leases commercial property and actively engages in business activity within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular residential permit parking involved area, may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

D. A residential parking permit may be issued for any vehicle utilized in the area by a nonresidential nonbusiness enterprise, such as a church, school, or hospital, located wholly or partially within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular permit parking area involved, may be issued for each such enterprise within each permit area for a motor vehicle registered to or under the control of such an enterprise.

E. Any person to whom a residential parking permit has been issued pursuant to this section shall be deemed a permit holder.

Section 5. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on February 13, 2018, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Maio, Wengraf, Worthington and Arreguin.

Noes: None.

Absent: None.

RESOLUTION NO. ##,###-N.S.

FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS

WHEREAS, on December 16, 2014, Council adopted Resolution No. 66,895-N.S., establishing a revised fee schedule for parking permits for annual residential preferential parking; 1-Day Visitors, 2-Week Visitors, and annual in-home care, annual community-serving facility, annual merchant, 1-Day Senior Center, Semi-annual residential, and Semi-annual in-home care permits issued for the Residential Preferential Parking (RPP) Program, and rescinded Resolution No. 66,075-N.S.; and

WHEREAS, the current RPP Program is operating at an annual deficit of at least \$195,800; and

WHEREAS, it is necessary to increase RPP permit fees in order to operate the RPP Program as a cost-neutral program in accordance with Council Budget Policies.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following fees for the RPP Program are hereby established:

Permit Type	Permit Fees
Annual Residential & In-Home Care	\$66.00
Semi-Annual Residential & In-Home Care	\$33.00
1-Day Visitor	\$3.00
14-Day Visitor	\$34.00
Community-Serving Facility	\$83.00
Merchant	\$185.00
1-Day Senior Center	\$1.00
Replacement Fee for Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$15.00
Surcharge Per Additional Annual Residential Permit Over Cap of Three (3), Only If Waiver is Approved	\$100.00

BE IT FURTHER RESOLVED that these fees shall be effective March 1, 2018 for FY 2019 permit purchases and shall be deposited into the General Fund.

BE IT FURTHER RESOLVED that Resolution No. 66,895-N.S. is hereby rescinded effective March 1, 2018.

**NOTICE OF PUBLIC HEARING – BERKELEY CITY COUNCIL
CITY COUNCIL CHAMBERS, 2134 MARTIN LUTHER KING JR. WAY**

**FEES: RESIDENTIAL PREFERENTIAL PARKING PERMITS
TUESDAY, FEBRUARY 27, 2018 AT 6:00 P.M.**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Public Works is proposing to increase the cost of annual Residential Preferential Parking (RPP) permits, effective March 1, 2018, for permits purchased for FY 2019, as summarized below:

Permit Type	Current Fee	Proposed Fee
Annual Residential & In-Home Care	\$55.00	\$66.00
Semi-Annual Residential & In-Home Care	\$27.50	\$33.00
1-Day Visitor	\$2.75	\$3.00
14-Day Visitor	\$28.25	\$34.00
Community-Serving Facility	\$69.00	\$83.00
Merchant	\$154.00	\$185.00
1-Day Senior Center	\$1.25	\$1.00
Replacement Fee for Annual, 14-Day, Community-Serving Facility, & Merchant Permits	\$12.50	\$15.00
Surcharge Per Additional Annual Residential Permit Over Cap of Three (3), Only If Waiver is Approved	N/A	\$100.00

The hearing will be held on February 27, 2018, at 6:00 p.m. in the City Council Chambers, 2134 Martin Luther King, Jr. Way.

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of **February 15, 2018**.

For further information, please contact Farid Javandel, Transportation Division Manager, at (510) 981-7061.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 981-6418 (V) or 981-6347

(TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

Published: February 16 and February 23, 2018 – The Berkeley Voice

Pursuant to Government Code Section 6062a

~~~~~  
I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City’s website, on February 15, 2018.

\_\_\_\_\_  
Mark Numainville, City Clerk

**City of Berkeley, Public Works Department, Transportation Division  
Responses to Council Questions at City of Berkeley Council Worksession,  
September 19, 2017**

The Mayor and other Councilmembers asked a number of specific questions of staff at the September 19, 2017 Worksession concerning the Residential Preferential Parking (RPP) Program. This document summarizes staff's responses to these questions.

**Question 1: How do we prioritize phasing in blocks? (Mayor Arreguin)**

*Answer: There are two ways blocks can opt-in, either by resident petition or City Council initiation. (BMC [14.72.050](#)) Resident petitions are addressed in the order they are received.*

**Question 2: Can we require residents to park one vehicle on their property? (Hahn)**

*Answer: Likely not, as streets are public property. We can, however, institute caps on the number of permits households can purchase. Neighboring cities have conducted parking inventory studies and indicated which parcels can accommodate off-street parking, and have subsequently reduced the caps to account for driveways, etc.*

**Question 3: Why do certain commercial areas not have meters? (Wengraf)**

*Answer: Parking meters may not be appropriate for all commercial areas, particularly if parking is generally available even at peak times. Due to a combination of historic pushback from businesses, as well as limited staff and materials resources, staff have typically waited for businesses or business districts to request the installation of meters to increase (or maintain) customer parking availability.*

**Question 4: How would you assess [whether visitors have paid to park in RPP areas, under a program wherein non-permitholders are required to pay]? (Maio)**

*Answer: One suggested methodology would be to require payment if a valid RPP permit is not displayed. Pay by phone technology will make it easy to pay to park without meters at every space, and pay stations can be installed at the ends of blocks to ensure those without smartphones can pay as well.*

**Question 5: How do you guarantee enforcement? (Davila)**

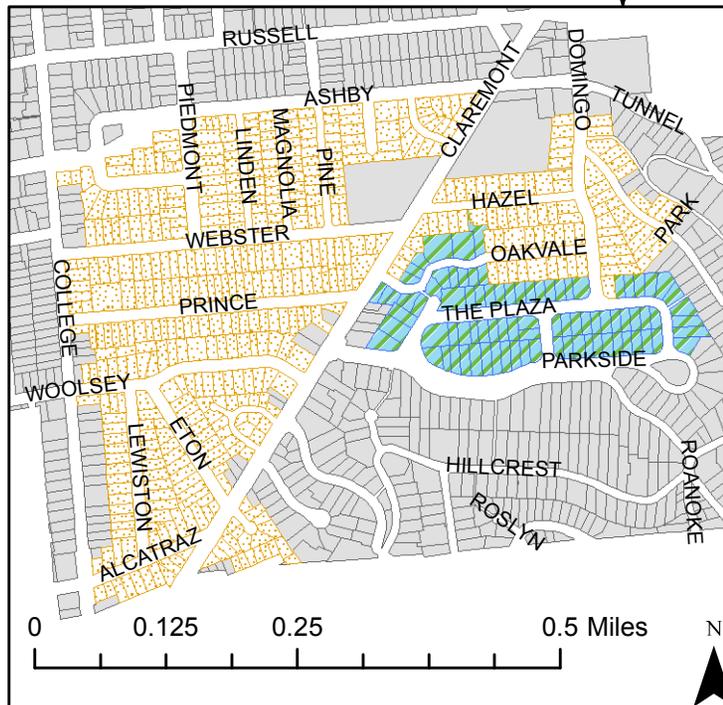
*Answer: Public Works/Transportation cannot guarantee enforcement alone. The Parking Enforcement Unit is overseen by the Berkeley Police Department. However, a service level agreement could help to ensure certain levels of enforcement activity are spent on RPP areas.*

**Question 6: How do you opt-out of the RPP program? (Davila)**

*Answer: By petition. A minimum of 51% of the housing units must sign the petition to exclude their block from residential permit parking designation. (BMC [14.72.060](#))*

**Question 7: Is there a breakdown between revenue from permit purchases and revenue from enforcement? (Wengraf)**

*Answer: Yes. Gross RPP permit revenue for FY 2017 was approximately \$1m. Gross Parking Citation revenue collected for RPP citations during FY 2017 totaled approximately \$1.3m.*



# ATTACHMENT 5: MAP OF TARGETED EXPANSION AREAS

-  Existing RPP Area Boundary
-  Proposed Mixed Use Eligible
-  Proposed New Area Eligible
-  Currently Opted into Area L
-  Proposed Eligible to Opt In

This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.  
January 17, 2018