



Office of the City Manager

PUBLIC HEARING
January 29, 2019

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Phillip Harrington, Director, Public Works
Subject: Implement Residential Preferential Parking Program on Sections of Fifth Street and Martin Luther King Jr. Way

RECOMMENDATION

Conduct a public hearing and upon its conclusion, adopt a Resolution amending Resolution No. 56,508-N.S. Sections 25J and 25P by adding subsections to implement Residential Preferential Parking on portions of two city streets.

FISCAL IMPACTS OF RECOMMENDATION

Funding of \$2,800 for RPP street signage installation is available in the FY 2019 budget in General Fund, 011-54-622-664-0000-000-431-513110- and 011-54-622-664-0000-000-431-642990-.

CURRENT SITUATION AND ITS EFFECTS

Within the past few months, residents in two Residential Preferential Parking (RPP) eligible areas submitted petitions to join the RPP Program. The two areas that would join the Program are shown in Attachment 3 and include:

1. In Area J: Both sides of the 2900 block of Martin Luther King Jr. Way between Ashby Avenue and Russell Street; and
2. In Area P: The west side of the 1800 block of Fifth Street between Hearst Avenue and a point approximately 244 feet north of Hearst Avenue.

In accordance with Berkeley Municipal Code Section 14.72.050(A)(1), staff verified that residents submitted signatures on qualifying petitions representing a numerical majority of dwellings wishing to “opt-in” to the RPP for the street sections listed in the attached Resolution. Staff also verified that at least 75% of the curb spaces were occupied during mid-morning and mid-afternoon observation periods at all locations.

The addition of one block in existing RPP Area J, and one side of one block in recently added Area P should have a minimal impact on enforcement capabilities. Each new addition to the RPP Program, however, tends to result in slightly diminished

enforcement for all other existing permit areas, due to parking enforcement officers having slightly larger areas to patrol.

BACKGROUND

The RPP Program limits parking for vehicles not displaying the appropriate RPP permit to two hours, and reserves available daytime parking for residents, between 9:00 a.m. and 7:00 p.m. Monday through Friday, and on some blocks Saturday. 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.

Initial expansion of the RPP Program was approved by City Council on February 7, 1989 after the associated Environmental Impact Report (EIR) was certified on September 27, 1988. By Resolution 54,648-N.S., Council increased the number of RPP areas to fourteen (14). To date, sixteen (16) RPP areas (A-P) have been designated by Council, with Areas O and P, the latter serving residents in an area zoned Mixed-Use Residential, added in February 2018.¹ While permit parking has been established for the majority of eligible blocks within the EIR study area, there are approximately 300 additional blocks which do not presently have permit parking restrictions.

The RPP Program currently allows residents to petition the City to “opt-in” or “opt-out” of the Program. The process to install RPP controls requires submittal of a petition signed by residents (including tenants of rental properties) of at least 51% of dwellings sited along the affected block, and a parking survey of those blocks that shows at least 75% of available on-street parking spaces are occupied during the mid-morning and midafternoon time periods.

ENVIRONMENTAL SUSTAINABILITY

Expansion of the RPP Program to include additional blocks may have minor environmental effects. Expansion may increase greenhouse gases generated by commuters searching for parking and move their cars to new locations after the two-hour time limit expires. However, incremental expansion of the RPP Program may also make alternative transportation options more attractive. A modal shift by commuters to walking, bicycling, public transportation, or carpooling could lead to a decrease in greenhouse gas emissions.

RATIONALE FOR RECOMMENDATION

Because the required number of households on the subject blocks have signed a petition, and as parking surveys show more than 75% occupancy of curbside parking,

¹ Mixed-use refers to an area with different adjacent land uses, such as residences next to businesses or other commercial establishments. See February 13, 2018 *City Council Agenda: Residential Preferential Parking (RPP) Program Reform and Expansion*: <https://bit.ly/2s4bn15>

these blocks meet the requirements set forth by the BMC for inclusion into the RPP Program.

ALTERNATIVE ACTIONS CONSIDERED

Council may allow unrestricted parking to remain on these streets. Yet, Council has acted previously to approve the “opting in” of blocks where the requisite number of households signed a petition requesting RPP control, and where the parking utilization exceeds 75%.

CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works (510) 981-7010

Matthew Cotterill, Traffic Engineering Assistant, Public Works (510) 981-6433

Attachments:

1. Resolution
2. Public Hearing Notice
3. Map of Street Sections Opting Into Program

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

IMPLEMENT RESIDENTIAL PREFERENTIAL PARKING (RPP) PROGRAM ON TWO
STREETS

WHEREAS, Berkeley Municipal Code Section 14.72.050.A.1, Designation of a Residential Preferential Parking (RPP) Area, allows residents to petition the City to "opt-in" or "opt-out" of the program and requires submittal of a petition containing signatures of residents of at least 51% of dwellings on the affected block; and

WHEREAS, residents of at least 51% of the dwellings on the following blocks have petitioned to "opt-in" to Residential Preferential Parking:

1. Both sides of the 2900 block of Martin Luther King Jr. Way between Ashby Avenue and Russell Street; and
2. The west side of the 1800 block of Fifth Street between Hearst Avenue and a point approximately 244 feet north of Hearst Avenue.

WHEREAS, staff has conducted field observations and determined at least 75% of available on-street parking spaces are occupied during the mid-morning and mid-afternoon time periods; and

WHEREAS, the designation of these blocks as a residential permit parking area will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the area designated; and

WHEREAS, the \$2,800 implementation cost is available in FY 2019 General Fund (Fund 011).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following subsections of Section 25 of Resolution No. 56,508-N.S. are hereby added to read as follows:

Section 25J MARTIN LUTHER KING JR. BOULEVARD, both sides between Ashby Avenue and Russell Street

Section 25P **RESIDENTIAL PERMIT PARKING AREA P (MIXED USE RESIDENTIAL)**

That a two-hour parking limit between the hours of 8:00 A.M. and 7:00 P.M. is hereby established on the following streets designated as Section 25P in the first three characters, except on Saturdays, Sundays and holidays, and other designated times as indicated, and except for vehicles with a valid residential preferential parking permit for Area P; or any other permit authorized by the City Council.

Section 25P FIFTH STREET, west side between Hearst Avenue and a point approximately 244' north of Hearst Avenue

**NOTICE OF PUBLIC HEARING - BERKELEY CITY COUNCIL
SCHOOL DISTRICT BOARD ROOM, 1231 ADDISON STREET, BERKELEY CA
94702**

**EXTEND RESIDENTIAL PREFERENTIAL PARKING PROGRAM
TUESDAY, JANUARY 29, 2019 AT 6:00 P.M.**

The Public Works Department is proposing to conduct a public hearing and, if recommendations are approved, adopt a Resolution amending Sections 25J and 25P of Resolution No. 56,508-N.S. by adding subsections to extend residential preferential parking on both sides of the 2900 block of Martin Luther King Jr. Way between Ashby Avenue and Russell Street; and the west side of the 1800 block of Fifth Street between Hearst Avenue and a point approximately 244 feet north of Hearst Avenue.

The Residential Preferential Parking (RPP) Program allows for residents to petition the City to "opt-in" or "opt-out" of the Program. Complying with program requirements, residents of the blocks under consideration for opting into the RPP Program have submitted the qualifying signatures on petitions and also have at least 75% of the curb spaces occupied during the morning and mid-afternoon observation periods. Adding blocks within the existing residential study area boundaries through evaluations by an EIR study certified on September 27, 1988, and in accordance with California Environment Quality Act (CEQA) guidelines, are categorically exempt as defined by Section 15.162(c).

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of January 17, 2019.

For further information, please contact **Matthew Cotterill, Traffic Engineering Assistant** at (510) 981-6433.

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.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 10 days prior to the public hearing.

Posted: January 17, 2019

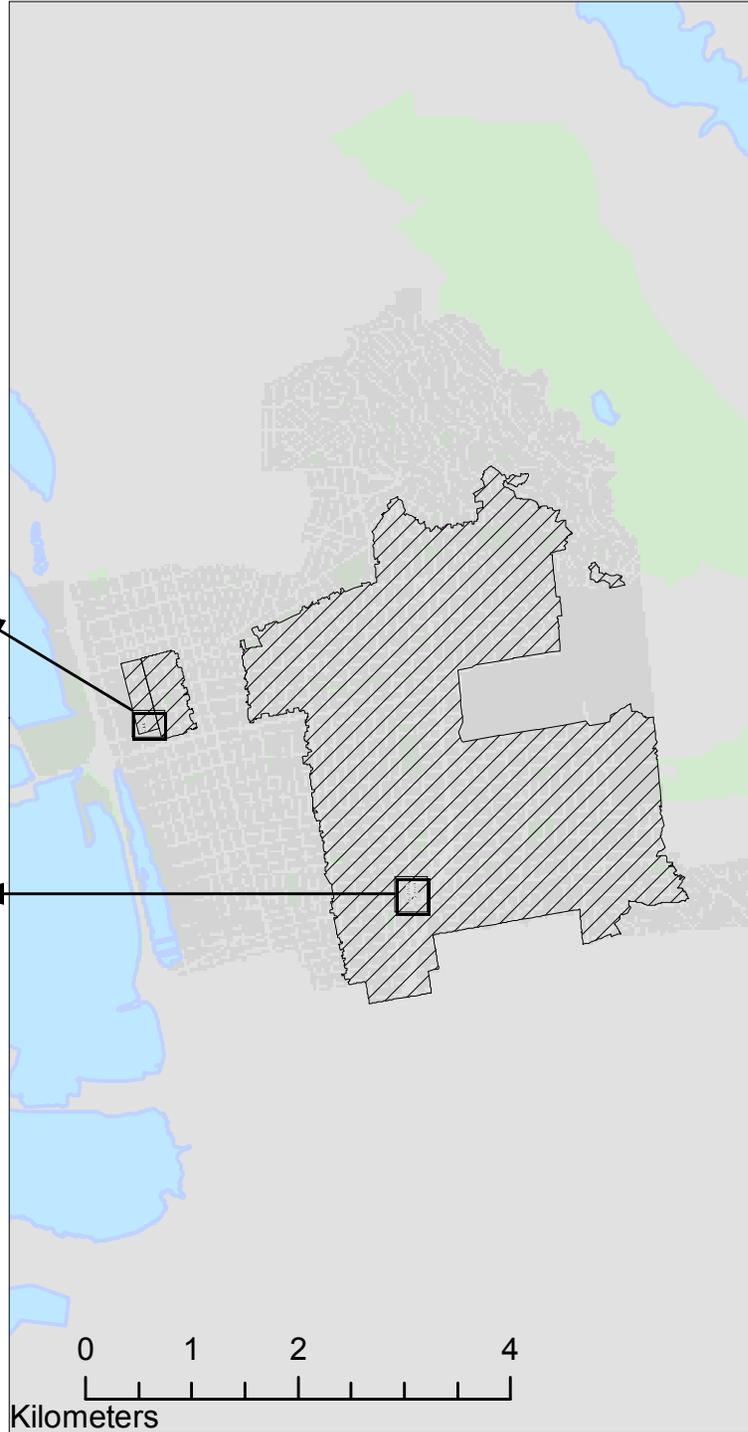
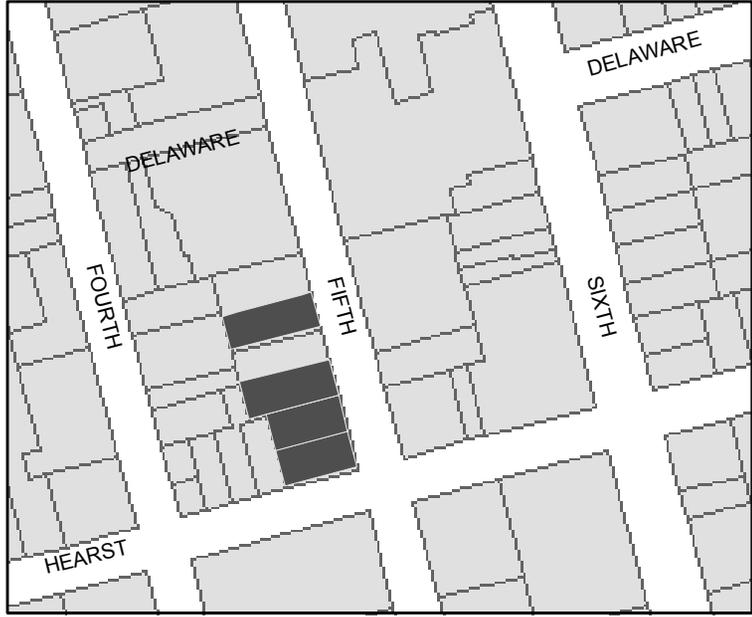
Posting is in accordance with Berkeley Municipal Code Chapter 14.72

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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 Old Berkeley City Hall, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 17, 2019.

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Mark Numainville, City Clerk



# ATTACHMENT 3

- Parcels Opting In
- ▨ RPP Area Boundary

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.  
November 27, 2018



**CITY OF BERKELEY**  
Transportation Division  
1947 Center Street  
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