



Public Works Department Transportation Engineering Division

Policy Guidelines for Residential Permit Parking Program

Adopted by the Traffic Advisory Committee
Last Update on March 19, 2003

I. INTRODUCTION

The City of Napa's Residential Permit Parking (RPP) program is intended to manage on-street parking in selected residential neighborhoods that exhibit a severe parking supply deficiency. Vehicles that display a valid parking permit are allowed to park in residential permit parking zones. This program helps ensure that residents of densely populated areas have reasonable access to on-street parking near their residences. Cars parked in violation will be ticketed.

Parking prohibitions under the Residential Permit Parking Program are achieved by installing regulatory signs that display the applicable restrictions. The signs are installed upon the passage of an ordinance that specifies the street(s) where the parking restrictions apply.

The perceived advantages of a residential permit parking area include the following:

- Long-term parking by non-residents in residential areas may be reduced or minimized.
- The amount of on-street parking available to residents and their guests may be increased.
- Litter, noise, and traffic created by non-residents may be decreased.

The potential disadvantages of a residential permit parking area include the following:

- Vehicles without permits are subject to parking restrictions, including those belonging to residents and their guests.
- Residents must apply or reapply for permits on a regular basis.
- Additional roadway signs announcing the permit parking restriction must be posted prominently in the area, which may create "visual blight."
- The permit program does not reserve or guarantee a parking space to any resident of a permit area.

II. LEGAL FRAMEWORK ¹

Preferential parking is authorized by Vehicle Code Section 22507. An ordinance or resolution establishing a preferential parking zone or district should contain findings showing why the designated zone or district is necessary to reduce traffic congestion and provide space for parking by adjacent property owners. Recent California case law includes the following provisions:

- A. A preferential parking zone or district designed merely to either preclude non-residents from parking on a street or to allow residents to park on streets longer than the posted limit, but where the street is not already congested, is subject to a risk of court invalidation on grounds that the program violates equal protection rights of non-residents. ²
- B. A preferential parking permit program need not require permit holders to park only in spaces immediately adjacent to their property. "General adjacency" is permitted. ³
- C. A preferential parking ordinance does not have to allow for the issuance of permits for businesses located within the boundaries of the district or zone. ⁴

III. GENERAL PROCEDURES

The overall procedures for establishing a RPP program in a neighborhood or study area include following key steps:

- A. Resident(s) formally requests in writing the establishment of a RPP for a neighborhood. This request shall be forwarded to the Transportation Engineering Division (TED) of the Public Works Department.
- B. TED shall review the request and determine the appropriate boundaries for the study area, which will be the boundaries of an entire neighborhood or an area large enough so that potential parking problems are not moved to adjacent blocks, districts, areas, or neighborhoods. TED shall provide a list of property owners within the defined study area to the resident(s).
- C. Using the study area determined by TED, the resident(s) shall be required to generate a signed petition that must be supported by a minimum of 80 percent of the residents or households in the defined study area. TED will provide standard signature forms, which will include name, address, phone number of signatories and

¹ Ennis, Kevin G., "Legal Issues Regarding the Implementation of Traffic 'Calming' and Neighborhood Parking Control Measures," Presentation to Metropolitan Transportation Commission, March 14, 2003

² County Board of Arlington City v. Richards, (1977) 434 U.S.5; Commonwealth v. Petralia, 362 N.E.2d 513 (1977)

³ Boccato v. City of Hermosa Beach, 158 Cal.App.3d 804 (1984)

⁴ Friedman v. City of Beverly Hills, 47 Cal.App.4th 436 (1996)

date of signing. After completing the signed petition, the resident(s) shall submit the completed petition to TED.

- D. Upon TED's receipt of the completed petition, TED shall evaluate the petition and may undertake or cause to be undertaken such surveys or studies deemed necessary dependent upon funding availability. The following surveys/studies need to be undertaken to focus on recurring, typical, or normal midweek conditions in the study area:

- 1). On-street Parking Utilization Survey
- 2). Parking Users Intercept (Origin/Destination) Survey

Since the Public Works Department does not have adequate funding for this type of surveys, the resident(s) may choose to raise private funds to sponsor the conduct of the needed surveys. TED shall manage the contract on behalf of the residents/sponsors.

- E. Upon completion of the needed parking surveys/studies, TED shall review the reports and shall agendaize the RPP petition for the Traffic Advisory Committee (TAC) if both of the following two conditions are met:

- 1). The on-street parking utilization survey demonstrates that a minimum of 90 percent of the on-street parking spaces in the defined study area are occupied or utilized during peak parking period. Ninety percent is typically taken as the engineering threshold to signify that a parking facility is operating at capacity, beyond which no parking supply is practically available.
- 2). The parking users origin/destination survey demonstrates that a minimum of 50 percent of the vehicles parked in the defined study area during the peak period belong to non-residents of the area. This condition reflects that at least half of the on-street parking supply in the neighborhood is utilized by non-residents.

- F. If both conditions of section E above are met, TED prepares a staff report and brings the proposed RPP petition to the TAC for its consideration at a regularly scheduled meeting. The TAC deliberates on the petition and makes a determination. If approved by the TAC, the following steps are pursued:

- 1). Police Department prepares an amendment or a new section to the Municipal Code regarding the RPP for the defined study area.
- 2). City Council approves the amendment to the Municipal Code for the establishment of the RPP for the area.

- G. Upon the adoption of the amendment to the Municipal code, the followings steps are pursued for the implementation of the new RPP in the area:

- 1). TED prepares traffic change order (TCO) to put up new parking signs within the defined area.
- 2). Street/Electrical Division installs new parking signs.
- 3). Police Department issues new residential parking permits.
- 4). Police Department enforces new parking restriction.
- 5). Finance Department pursues collection of cited parking violations.

IV. OPERATING FEATURES

The new RPP program for an area shall have the following operating features:

- A. Type of Parking Restriction: Within a residential permit parking area, parking shall be limited to vehicles with a valid permit from 9:00 AM through 5:00 PM, Monday through Friday, or as appropriate for the area. Vehicles parked without a valid permit will be cited.
- B. Number of Permits Available: Each household in the defined area can apply for and receive a maximum of two (2) resident permits that are good for five (5) years.
- C. Cost to Residents: The cost of the permits shall be established by the Police Department.

V. LIMITATIONS OF PERMITS

The establishment of a residential permit parking area and the receipt of a permit pursuant to these guidelines do not:

- A. Guarantee or reserve to the permit holder thereof an on-street parking space within the designated residential permit parking area
- B. Authorize the permit parking holder to leave standing his/her vehicle for more than 72 hours
- C. Authorize the abridgment or alteration of regulations established by authority other than this policy guideline
- D. Exempt the permit parking holder from other traffic controls and regulations existing in the designated residential permit parking area