



City of Palo Alto

City Council Staff Report

(ID # 9219)

Report Type: Consent Calendar

Meeting Date: 5/14/2018

Summary Title: Resolution Correcting and Amending the Southgate RPP Program Resolution

Title: Adoption of a Resolution Correcting an Error in the Previously-adopted Resolution for the Southgate Residential Preferential Parking Program Related to the Availability of Daily Employee Parking Permits and Restating the Program Provisions

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff recommends that the City Council adopt the attached Resolution (Exhibit A) to remove the limit on the number of daily permits available to employees.

Executive Summary

A resolution adopted by the City Council on March 5, 2018 regarding the Residential Preferential Parking (RPP) program in the Southgate neighborhood inadvertently limited the number of daily employee permits, which was not consistent with the City Council's direction on January 29, 2018. On January 29, 2018, the City Council directed staff to maintain all aspects of the current "pilot" phase of the parking program except for changes to the boundary to include sections of El Camino Real and the contingent release of 15 employee permits if Caltrans approves the boundary change. A copy of the Council's motion from January 29, 2018 is available here:

<https://www.cityofpaloalto.org/civicax/filebank/documents/63464>. A video recording of the same meeting is available here:

<http://midpenmedia.org/city-council-152/>.

Background & Discussion

The City Council established the Southgate RPP Program as a one-year pilot program by adoption of Resolution No. 9688 in June 2017. Permit sales for the Southgate RPP Program

pilot began in October 2017, soft enforcement (only issuing warnings, no citations) began in November, and full enforcement rolled-out in December.

With only two commercial properties within the Southgate neighborhood, only ten six-month employee parking permits were made available. Despite there being only two commercial properties in the Southgate neighborhood, there are seven businesses registered at these two addresses and some employees and some businesses were unable to secure the total number of employee parking permits desired.

Early in the program's implementation, some of these business owners requested that the City make available more six-month employee parking permits because the limited supply had quickly sold out and they were unable to secure permits for their employees. In response, City staff recommended to Council program modifications to add 15 additional six-month employee parking permits through the remainder of the pilot phase and other actions.

On January 29, 2018, the City Council considered staff's recommendation and provided alternative direction to keep the program generally as-is during the remainder of the pilot period, except for specific changes related to the inclusion of El Camino Real in the RPP district, the contingent release of 15 additional employee permits designated for a new zone on El Camino Real (upon Caltrans' approval of extension of the RPP district to El Camino Real), and the addition of clarifying language regarding re-parking.

When the revised resolution was presented to Council for adoption on March 5, 2018, the resolution inadvertently retained the previously proposed amendment to limit the number of daily employee parking permits that had accompanied the proposed increase in the number of six-month employee parking permits. Without an increase in the six-month permits, the cap on daily permits (4 daily permits per month per employee) is a significant change in the middle of the pilot period and has created greater difficulties for businesses that were already experiencing problems with the limit on six-month employee permits. The cap is also contrary to the Council's expressed desire to maintain the pilot program as-is for the time being, except as to the specific items addressed in the Council's approved motion.

The proposed Resolution would restore all provisions of the pre-existing Southgate resolution establishing the pilot program, except for the specific changes addressed in the Council's motion from January 29, 2018.

Policy Implications

The following Comprehensive Plan programs and policies are relevant to the Southgate RPP program:

Policy T-5.5 Minimize the need for employees to park in and adjacent to commercial centers, employment districts and schools

Policy T-5.11 Work to protect residential areas from parking impacts of nearby businesses and uses, recognizing that fully addressing some existing intrusions may take time.

Policy B-1.2 Promote Palo Alto's image as a business-friendly community. Assume an active role in fostering businesses, including small start-ups, entrepreneurs, and innovative businesses.

Policy B-1.3 Engage with all stakeholders in the community, including businesses of all sizes, local retailers, the public, and City decision-makers in order to understand the challenges businesses and employers face.

Policy B-2.3 Recognize that employers, businesses and neighborhoods share many values and concerns, including traffic and parking issues and preserving Palo Alto's livability, and need to work together with a priority on neighborhood quality of life.

Policy B-3.3 Develop strategies for promoting businesses and employers that generate revenues that will support a full range of high-quality City services, including retain and attract revenue-generating businesses.

Policy B-4.2 Attract and support small businesses, start-ups, non-profit organizations, and professional services, which are vital to a diverse and innovative economy.

Resource Impact

The sale of additional daily employee parking permits will generate additional revenue for the City, while also creating additional expenses related to the sales and administration of these permits. Funding to cover any additional costs is available in the operating budget.

Timeline

If the Council adopts the proposed Resolution, staff would immediately resume the sale of daily employee parking permits without a cap, as previously administered. A review of the "pilot" phase of the Southgate RPP program is scheduled to occur later this year.

Environmental Review

This program is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations since it can be seen with certainty that there is no possibility the adoption and implementation of this program may have a significant effect on the environment and Section 15301 in that this proposed resolution will have a minor impact on existing facilities.

Attachments:

Attachment A - Resolution Amending Southgate RPP (PDF)

Attachment B - Public Letters to Council (PDF)

Resolution No. ____
Resolution of the Council of the City of Palo Alto Continuing the Southgate Residential
Preferential Parking District (RPP) Pilot Program Established by Resolution No. 9688 and
Amended by Resolution 9742

R E C I T A L S

A. California Vehicle Code Section 22507 authorizes the establishment, by city council action, of permit parking programs in residential neighborhoods for residents and other categories of parkers.

B. On December 15, 2014, the Council adopted Ordinance No. 5294, adding Chapter 10.50 to Title 10 (Vehicles and Traffic) of the Palo Alto Municipal Code, which established the city-wide procedures for Residential Preferential Parking (RPP) Districts in the city.

C. On May 9, 2016, the City Council directed City staff to implement a Residential Preferential Parking program in the Southgate area.

D. In July 2016, a stakeholders' group comprised of Southgate residents and business interests met and made its recommendations to the City on the particular rules to be applied to the Southgate RPP District.

E. On April 26, 2017, the Planning and Transportation Commission held a public hearing to consider the proposed Southgate residential preferential parking program.

F. On June 19, 2017, the Council adopted Resolution No. 9688, which established the Southgate Residential Preferential Parking Program pilot and rescinded existing parking restrictions that conflicted with the restrictions established by this RPP district. On March 5, 2018, the Council adopted resolution 9742 to amend the Southgate RPP program.

G. The Council desires to continue the Southgate Residential Preferential Parking Program pilot established by Resolution No. 9688 with modifications, including expansion of the RPP district boundary to include a portion of the west side of El Camino Real, a state highway subject to Caltrans' jurisdiction, and increasing the number of permits contingent on Caltrans' approval of the boundary expansion, and to restate the applicable Program provisions for this RPP district in the subject Resolution.

NOW, THEREFORE, the Council of the City of Palo Alto RESOLVES, as follows:

SECTION 1. Findings. The criteria set forth in Section 10.50.030 for designating a Residential Preferential Permit Zone have been met as follows:

A. That non-resident vehicles do, or may, substantially interfere with the use of on-street or alley parking spaces by neighborhood residents in that based on observation there are

few available parking spaces available midday, while the streets are relatively unoccupied at midnight thus demonstrating the parking intrusion is largely by nonresidents.

- B. That the interference by the non-resident vehicles occurs at regular and frequent intervals, either daily or weekly, in that the parking intrusion is most severe during daytime hours during the regular workweek.
- C. That the non-resident vehicles parked in the area of the District create traffic congestion, noise, or other disruption (including shortage of parking spaces for residents and their visitors) that disrupts neighborhood life in that based on information from residents and other city departments the vehicle congestion is interfering with regular activities.
- D. Other alternative parking strategies are not feasible or practical in that the City has implemented a series of alternative parking strategies in the past and concurrently and there is still a shortage of parking available.

SECTION 2. Trial Period. The Trial Period for the Southgate RPP Program shall be for one year, and reevaluated at that time.

The RPP Program shall remain in force until the City Council takes action to extend, modify, or rescind. The City Council shall consider whether to make this RPP Program and its parking programs permanent, modify the Program and/or its parking regulations, or terminate it no later than September 30, 2018.

SECTION 3. Hours and Days of Enforcement. The parking regulations shall be in effect Monday through Friday from 8:00 AM to 5:00 PM, except on holidays as defined in Palo Alto Municipal Code Section 2.08.100. During the regulated days and hours of enforcement, no person shall park a vehicle adjacent to any curb for more than two hours. Re-parking a vehicle more than two hours after initially parking on the same day is prohibited. Vehicles properly displaying a valid Parking Permit as described in Section 4 of this Resolution or exempt from the parking regulations contained in Chapter 10.50 are exempt from these regulations. Electric vehicles parked at an electric vehicle charging station shall be regulated by signage installed at the charging station. Outside of these enforcement hours, any motor vehicle may park in the Southgate RPP Program area, subject to other applicable parking regulations.

SECTION 4. Parking Permits.

- A. Employee Parking Permits. The City may issue Employee Parking Permits for the use by employees working in the businesses located within the area identified in the **Exhibit A** Southgate RPP Program area table. Employee Parking Permits shall be subject to the following regulations:
 - a. Duration. Employee Parking Permits will be available as six-month permits and one-day permits.
 - b. Form of Permit. The City may issue Employee Parking Permits in any form it deems practicable, including stickers or hangtags or combination thereof.
 - c. Commuting Only. Employee Parking Permits are for the exclusive use by employees working for Southgate businesses while commuting to work.
 - d. Maximum Number of Permits Issued. A maximum of 10 six-month Employee Parking Permits will be available under the Southgate RPP Program. Upon

Caltrans' approval of the incorporation of a portion of El Camino Real into the District by this Resolution, an additional 15 Six-Month Employee Parking Permits shall be granted, for a total of 25 Six-Month Employee Parking Permits granted at any given time.

- e. Zones. Upon Caltrans' approval of the incorporation of a portion of El Camino Real into the District by this Resolution, Employee Parking Permits shall be specific to one of the Parking Zones shown in **Exhibit A** and shall entitle the permit holder to park only in the Parking Zone designated on the Employee Parking Permit.

B. Resident Parking Permits.

1. Each dwelling unit within the Southgate RPP Program area may receive up to six (6) annual permits. Dwelling unit as used herein shall have the same meaning as it is defined in Palo Alto Municipal Code section 10.50.020.

2. The City may issue Resident Parking Permits in any form it deems practicable, including stickers or hangtags or combination thereof.

3. Each dwelling unit within the Southgate RPP Program area may receive up to 50 transferable one-day permit hangtags per year, which may be used on any vehicle including household visitor vehicles.

C. Applicability.

1. The regulations and restrictions of this Southgate RPP Program, adopted by this resolution, shall apply to the city blocks identified in Table 1 below.

Table 1

STREET	BLOCKS ENFORCED
Castilleja Avenue	1500 and 1600
Churchill Avenue	12 to 100
El Camino Real	East Side of El Camino Real, starting 190 feet North of Park Boulevard and ending at Churchill Avenue
El Camino Real	West Side of El Camino real between Park Boulevard and Churchill Avenue
Escobita Avenue	1500 and 1600
Madrono Avenue	1500 and 1600
Manzanita Avenue	200 and 300
Mariposa Avenue	1500 and 1600
Miramonte Avenue	100, 200, 300, 400 and 500
Portola Avenue	1500 and 1600
Sequoia Avenue	200, 300, and 400

SECTION 5. Other Matters.

- A. Cost of Parking Permits. During the initial trial period of one year the cost of Parking Permits shall be:
 - a. Resident Parking Permits
 - i. Resident Annual Sticker – First free; additional \$50/each/year;
 - ii. Resident Annual Hangtag – \$50/each/year;
 - iii. Resident One-day Hangtag – \$5/each.
 - b. Employee Parking Permits
 - 1. Employee Six-month Hangtag – \$74.50/each/six-months;
 - 2. Low-income Reduced-price Employee Six-month Hangtag – \$25/each/six-months;
 - 3. Employee One-day Hangtag – \$5/each.
- B. Future permit fees would be set by the Municipal Fee Schedule and updated on an annual basis.

SECTION 6. CEQA. This resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations since it can be seen with certainty that there is no possibility the adoption

and implementation of this resolution may have a significant effect on the environment and Section 15301 in that this proposed resolution will have a minor impact on existing facilities.

SECTION 7. Effective Date. This resolution shall take effect immediately upon its passage. The provisions with respect to El Camino Real will take effect upon the approval of Caltrans which has jurisdiction over this state highway. Enforcement shall commence, pursuant to Chapter 10.50 of Title 10 of the Palo Alto Municipal Code and the California Vehicle Code, when signage is posted.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning and Community
Environment

Exhibit A

EMPLOYEE ZONES AND PERMIT ALLOCATION			
Zone Name	Employee Permit Allocation	STREET	BLOCKS ENFORCED
S	10 permits	Castilleja Avenue	1500 and 1600
		Churchill Avenue	12 to 100
		Escobita Avenue	1500 and 1600
		Madrono Avenue	1500 and 1600
		Manzanita Avenue	200 and 300
		Mariposa Avenue	1500 and 1600
		Miramonte Avenue	100, 200, 300, 400 and 500
		Portola Avenue	1500 and 1600
		Sequoia Avenue	200, 300, and 400
		El Camino Real	East Side of El Camino Real starting 190 feet North of Park Boulevard and ending at Churchill Avenue
S1	15 permits	El Camino Real	West Side of El Camino Real between Park Boulevard and Churchill Avenue

Carnahan, David

From: angeline.f.lim@gmail.com on behalf of Dr. Lim <drlim@duetplasticsurgery.com>
Sent: Thursday, April 26, 2018 12:03 PM
To: Keene, James; City Mgr; Council, City; Mello, Joshua
Cc: Medical Director Plastic Surgery Center; Dorothea Tiong; drweintraub@duetplasticsurgery.com
Subject: Southgate RPP heading toward crisis level for small businesses

To the Palo Alto City Council and City Manager:

As a physician who has been taking care of patients in the Southgate neighborhood for over ten years, I was recently delighted to receive several letters from the City of Palo Alto Business Registry thanking me for choosing to conduct business in the City of Palo Alto. "A healthy business community is a key factor in a vital local community, and your business is greatly valued for its contributions."

However, the actions of the city seem completely contradictory to its words. The draconian parking restrictions implemented by the Southgate RPP in November 2017 were difficult enough for a healthy business to deal with, but now it appears that Council made further restrictions to parking in Southgate without public notice or input.

An even more egregious blow to the "greatly valued" businesses: *our online accounts have been locked out for weeks, making it impossible for most of us to purchase any parking permits at all.* The Southgate permit holders received emails from the city on March 26th reminding us that our permits would expire on April 30 and that we would be able to purchase permits beginning April 16. We were also notified that "Any vehicle not displaying a permit can park up to two (2) hours during these specified time periods. Enforcement begins May 1, 2018."

How does this work? The City of Palo Alto believes that a healthy business community is a key factor in a vital local community, yet is going out of its way to asphyxiate small businesses by impeding their ability to get to work. You tell me that my employees need to display parking permits, that enforcement begins May 1, but you will not enable us to purchase these permits?

I am not sure what is the more horrifying possibility:

- 1) Is the City of Palo Alto trying to force small businesses that are minority owned and primarily serve women out of the Southgate neighborhood?
- 2) Or is the City trying to generate a new revenue stream at the expense of the businesses by creating a Catch-22 of restricting parking/requiring permits/ticketing violators?

I, my fellow Southgate business colleagues, and our employees and patients eagerly await your answer. May 1, 2018 approaches rapidly.

Angeline Lim, M.D.

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Angeline Lim, M.D.

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