



Date: May 19, 2015

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Mark D. Ahrendsen, Director of Transportation
Subject: Controlled Parking Residential Area (CPRA) Ordinance Revisions and Designations

Executive Summary

Residents of the 300 blocks of W. Corporation Street and Northside Circle, and the 800 block of North Street requested parking controls to limit adverse effects from nearby nonresidential uses. Routine parking restrictions were implemented by the Transportation Department; however, the request to designate the area as a Controlled Residential Parking Area (CPRA) exceeded ordinance authority. The current ordinance allows CRPA designations from 8 AM to 5 PM Monday through Friday, but the parking issues identified by residents and confirmed by the Transportation Department were occurring in the evening, night time and early morning.

The Transportation Department and the City Attorney's Office worked to develop a revised ordinance which would allow CPRA designations from 6 PM to 2 AM seven days a week, including other changes discussed below. In anticipation of City Council approving the revised ordinance, residents have petitioned for CPRA designations for the aforementioned street blocks during evening, night time and early morning hours seven days a week as area "F." Additionally, the Transportation Department recommends that the City Council ratify existing CPRAs into five areas identified as "A" through "E" for better administration, enforcement and communication to the public. The proposed ordinances with maps of each area are attached.

Recommendation

1. Adopt Ordinance to Revise Requirements for Controlled Parking Residential Areas;
2. Adopt Ordinance Ratifying Existing Controlled Parking Residential Areas "A," "B," "C," "D," and "E"; and
3. Adopt Ordinance to Establish Controlled Parking Residential Area "F."

Background

In response to residents' complaints about adverse impacts of student parking in residential areas adjacent to N.C. Central University and Duke University, in 1991 the City Council adopted a Controlled Parking Residential Area (CPRA) ordinance. Residential streets which met the ordinance's eligibility criteria, including a petition signed by residents representing a majority of residents, were designated as CPRAs. Parking signs were posted indicating two-

hour time limits between 8 AM and 5 PM Monday through Friday except by permit decal. Three CPRAs have been designated: area “A” includes streets adjacent to N. C. Central University; area “B” includes streets around the Duke University East Campus; and area “C” includes streets near the Duke University West Campus. These areas have been expanded over time as parking impacts have extended into surrounding areas.

Residents with a properly displayed permit decal may park in the respective designated residential areas without time restrictions. Non-residents may park up to two hours per day between 8 AM and 5 PM Monday through Friday and without time restriction at all other times. Permit decals are issued to residents only within the designated CPRA upon submitting a permit application and copies of their vehicle registrations. Residents may also obtain temporary permits for visitors. Special permits may be issued to nonresidents under good cause, such as someone employed at a property abutting the designated CPRA. Permit decals are issued at no charge and are valid for one calendar year. The current civil penalty is \$50 for anyone who parks a vehicle in violation of the ordinance. Parking enforcement is provided by the City’s parking management contractor.

The Transportation Department evaluates requests for proposed CPRAs by assessing on-street parking utilization, the degree of parking by nonresidents, residents’ needs for and access to on-street parking, and other adverse effects of parking from nearby institutional, commercial or industrial areas. If it is determined that a CPRA designation will benefit all or a portion of the residential area, it must further be determined that at least 70 percent of the legal on-street parking capacity of the residential block faces of the proposed CPRA are occupied at any one time during the proposed restricted period. At least 25 percent of these vehicles must also be registered to nonresidents of the proposed CPRA.

If the requested CPRA area meets the criteria above, the Transportation Department prepares and provides a petition form to residents. A successful petition requires signatures from an adult resident of a dwelling unit on a majority of the lots abutting the proposed CPRA. Insufficient petitions are returned to the individual submitting it, with instructions for correction of deficiencies. CPRAs are designated by City Council.

Issues and Analysis

The emergence of new and expanding development in the Durham Central Park area of downtown has significantly increased demand for and utilization of the area’s on-street and off-street parking. On-street parking demand has also increased as a result of Unified Development Ordinance (UDO) revisions which require no on-site parking for new development in downtown districts. With increased demand, adjacent residential streets have been adversely affected.

The area of immediate concern consists of the 300 block of W. Corporation Street, the 300 block of Northwood Circle, and the 800 block of North Street. Complaints included the absence of available on-street parking for residents and their visitors, added traffic from those searching for parking, and increased noise and littering. Field studies and observations over a period of weeks during evening, night time and early morning hours confirmed the parking demands were due to nearby restaurants, bars and entertainment venues. Along the 300 blocks of W. Corporation Street and Northwood Circle, up to 100 percent of the on-street spaces were occupied with a majority of those vehicles registered to nonresidents. By designating these block faces on W. Corporation and Northwood Circle as CPRAs, there is a substantial likelihood that persons going to nearby non-residential facilities

will begin to park in on-street parking spaces in the abutting 800 block faces of North Street. Therefore, the 800 block of North Street is included in the recommend CPRA.

Transportation staff met with residents and identified several traffic control measures which were implemented administratively to address safety concerns. These included prohibiting parking at any time along the north side of W. Corporation Street between Madison and North streets. Parking was also restricted in close proximity to stop signs where parked vehicles were obstructed site distances, and handicapped spaces were designated near the intersection of North and Northside streets.

Residents were advised that the current CPRA ordinance did not allow CPRA designations for evening, night time, and early morning hours or weekends. In response to residents' requests, the Transportation Department and the City Attorney's Office subsequently prepared a revised ordinance for consideration by the City Council. In anticipation of City Council approval, residents submitted petitions requesting the aforementioned blocks be designated as CPRAs from 6 PM to 2 AM seven days a week. The Transportation Department has studied the area and determined it meets the purpose of the ordinance. The petitions have also been determined to meet the sufficiency criteria of the proposed ordinance.

In reviewing the original 1991 ordinance, it was further determined that additional revisions were needed to improve administration of the ordinance, including ordinance definitions. The revised ordinance requires residents' petitions following, rather than preceding, a determination that the area meets all other ordinance criteria. The revision allows the criteria determination to be made upon receipt of a resident's written request. Other ordinance revisions will allow property owners, in addition to residents, to sign the petition for a residence. This can be of particular benefit to petitioners if there are vacant residences or multi-unit buildings with common ownership.

The proposed ordinance also provides for additional CPRA designations by the City Manager without further action by City Council. Where CPRAs are previously established by the City Council, the City Manager can designate additional nearby parking spaces as CPRAs so long as the additional CPRA meets the ordinance criteria, the area qualifies for the same times of day and days of week, and the total cumulative linear feet does not exceed 20% of the total linear feet established by City Council. This administrative authority can expedite CPRA designations when all other ordinance criteria are satisfied.

In recognition of on-street parking needs of non-residents, the revised ordinance exempts certain persons from the ordinance when engaged in the performance of their respective occupations. These include government authorized personnel, firefighting personnel, law enforcement personnel, EMS personnel, and similar. Persons providing services to owners of lots abutting the CPRA are also exempted when their motor vehicle is conspicuously marked on the exterior to indicate a business or service (e.g., an electrician, landscaper, or exterminator).

For easier enforcement, administration and use by residents, the Transportation Department recommends that CPRA designations be re-designated by maps as provided in the attachments. This includes separating the "satellite" areas currently part of areas "B" and "C" into newly designated areas "D" and "E". This would be effective January 1, 2016 to coincide with the distribution of renewal permit decals effective the same date.

Alternatives

1. City Council may adopt the proposed ordinance revisions with or without modifications.
2. City Council may adopt the proposed ordinance revisions with or without ratifying existing CPRAs from three to five areas with maps.
3. If the City Council adopts the revised CPRA ordinance allowing CPRA designation restrictions from 6 PM to 2 AM Monday through Friday, it may or may not adopt the petitioned area “F” designation for the 300 blocks of W. Corporation Street and North Street, and the 800 block of Northwood Circle.

Financial Impact

The designation of additional CPRAs has minimal financial impact. The program administration will be added to those already administered by the Transportation Department and the parking management contractor. Revenues from civil penalties collected from those who violate the ordinance help off-set these costs.

SDBE Requirements

There are no SDBE requirements for this item.

Attachments

Proposed Revised Controlled Parking Residential Area (CPRA) Ordinance
Ordinance Ratifying Existing CPRAs
Ordinance Establishing CPRA “F”