



Office of the City Manager

## **REVISED AGENDA MATERIAL for Supplemental Packet 1**

**Meeting Date:** March 21, 2023

**Item Number:** 26

**Item Description:** Notice of Public Hearing

**Submitted by:** Liam Garland – Director of The Department of Public Works

[Brief Statement identifying Changes/Additions to the Report]

The first paragraph of the Notice of Public Hearing has been updated to "...extend residential preferential parking on the east side of the 1600 block of Fifth Street between Cedar Street and Virginia Street."



Office of the City Manager

PUBLIC HEARING  
March 21, 2023

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Liam Garland, Director, Public Works  
Subject: Implement Residential Preferential Parking (RPP) Program on the 1600 Block of Fifth Street

RECOMMENDATION

Conduct a public hearing and upon its conclusion, adopt a Resolution amending Resolution No. 56,508-N.S. Section 25P by adding a subsection to implement Residential Preferential Parking (RPP) on the east side of the 1600 block of Fifth Street in Area P.

FISCAL IMPACTS OF RECOMMENDATION

Funding of \$1,899.08 for RPP street signage installation is currently available in the FY 2023 budget in the General Fund (011-54-622-664-0000-000-431-513110- and 011-54-622-664-0000-000-431-642990-).

CURRENT SITUATION AND ITS EFFECTS

Residents on the 1600 block of Fifth Street, which is in an RPP eligible area, have submitted a petition to join the RPP Program. The area that would join the Program is shown in Attachment 3:

1. In Area P: The east side of the 1600 block of Fifth Street between Cedar Street and Virginia Street.

In accordance with Berkeley Municipal Code (BMC) Section 14.72.050(A)(1), staff verified that residents submitted signatures on a qualifying petition representing a numerical majority of residentially zoned parcels wishing to “opt-in” to the RPP Program for the street section listed in the attached Resolution. Staff verified that at least 75% of the curb parking spaces were occupied during mid-morning and mid-afternoon observation periods at the location.

The addition of the east side of one block in Area P should have a minimal impact on enforcement capabilities, as RPP restrictions are already in place nearby. 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 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 8:00 a.m. and 7:00 p.m. Monday through Friday, and on some blocks Saturday.

The RPP Program currently allows residents within RPP program boundaries 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 mid-afternoon time periods.

The RPP Program is a Strategic Plan Priority Project, advancing our goal to be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Expansion of the RPP Program to include additional blocks may have a minor beneficial environmental effect. Incremental expansion of the RPP Program may make alternative transportation options more attractive. A modal shift by commuters to walking, bicycling, public transportation, or carpooling may also lead to a decrease in greenhouse gasses.

### 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, 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. However, Council has previously approved 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, Deputy Director of Public Works, Transportation and Engineering, (510) 981-7010

Samuel Agate, Assistant Planner, Public Works (510) 981-6433

Implement Residential Preferential Parking (RPP) Program on the  
1600 Block of Lincoln Street

PUBLIC HEARING  
March 21, 2023

**Attachments:**

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

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

IMPLEMENT RESIDENTIAL PREFERENTIAL PARKING (RPP) PROGRAM ON 1600  
BLOCK OF FIFTH STREET

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 residentially zoned parcels 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. East side of the 1600 block of Fifth Street between Cedar Street and Virginia Street;

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 \$1,899.08 implementation cost is currently available in the FY 2023 budget in the General Fund 011 for Transportation Traffic Maintenance.

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

Section 25P FIFTH STREET, east side between Cedar Street and Virginia Street

## NOTICE OF PUBLIC HEARING BERKELEY CITY COUNCIL

### EXTEND RESIDENTIAL PREFERENTIAL PARKING PROGRAM TO 1600 BLOCK OF FIFTH STREET

The Department of Public Works is proposing to conduct a public hearing and, if recommendations are approved, adopt a Resolution amending Section 25P of Resolution No. 56,508-N.S. by adding a subsection to extend residential preferential parking on the east side ~~both sides~~ of the 1600 block of Fifth Street between Cedar Street and Virginia Street.

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 block under consideration for opting into the RPP Program have submitted the qualifying signatures on a petition and also have at least 75% of the curb spaces occupied during the morning and mid-afternoon observation periods. Adding a block 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).

The hearing will be held on, March 21, 2023 at 6:00 p.m. The hearing will be held at the Berkeley Unified School District Board Room located at 1231 Addison Street, Berkeley, CA 94702.

A copy of the agenda material for this hearing will be available on the City's website at [www.berkeleyca.gov](http://www.berkeleyca.gov) as of **March 9, 2023**. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology.**

For further information, please contact Samuel Agate, Assistant Planner at (510) 981-6433.

Written comments should be mailed directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or emailed to [council@cityofberkeley.info](mailto:council@cityofberkeley.info) 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. 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](mailto:clerk@cityofberkeley.info) for further information.

**Posted by:** March 11, 2023 - Pursuant to 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 the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on March 9, 2023.

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Mark Numainville, City Clerk