

Submitted @ Los Altos City Council Meeting
February 9, 2016
DATE

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HAND DELIVERED

Los Altos City Council
1 North San Antonio Road
Los Altos, CA 94022

Dear Mayor Bruins and Councilmembers:

The Friends of Los Altos (FOLA) Board of Directors has grave concerns that certain downtown property owners' interests have been allowed to infiltrate and corrupt the integrity of City processes with regard to the City-wide Parking Ad Hoc Committee ("Committee"). Our complaint is regarding those closely associated with commercial property owners, namely Los Altos Hills resident Kim Cranston ("Cranston"), David Rock ("Rock"), and Bill Maston ("Maston"). We are concerned that these persons have introduced a new process in the City of Los Altos which is a subterfuge of the Brown Act, contrary to open government, and needs to be nipped in the bud.

In particular, we are concerned that the introduction of Subcommittees has allowed a rampant violation of the Brown Act. Much of the substantive work of the Committee took place in numerous serial meetings of these Subcommittees that were not noticed ahead of time, had no agendas posted, provided no opportunity for public comment, no minutes were taken, no action minutes were published for each meeting, and were not held in a public place that was fully accessible to the community. The cross membership and overlapping subject matters of these Subcommittees rendered Brown Act violations impossible to avoid, with six or seven Committee members often intercommunicating on the same subject. Since many of you were elected based in part on a platform of open government and transparency, we trust that appropriate steps listed at the end of this letter will be taken to cure this problem.

FACTUAL BACKGROUND

At the January 27, 2015, City Council meeting, Councilmember Jean Mordo ("Mordo") requested a future agenda item to discuss the formation of an ad-hoc parking committee and expressed his opinion that Councilmember Mary Prochnow ("Prochnow") should not be excluded from participating in the decision to form the Committee, even though she owns commercial property in downtown Los Altos. The City Attorney Jolie Houston ("City Attorney") disagreed. The motion to have the item on a future agenda was approved, with Prochnow not voting.¹

¹ See City's website, City Council video of meeting on 1/27/2015 at 02:14:55 to 02:17:00.

February 9, 2016 - Public Comments by David Casas

Madam Mayor and members of the council,

My name is David Casas. I'm speaking to you tonight as President of the Friends of Los Altos Board of Directors.

Last April, I came before you to express the Board's concern that the City-wide Parking Committee should comply with all aspects of the Brown Act.

Tonight I request you address an urgent matter. The problem is that Committee member and downtown property owner Kim Cranston, with two of his key supporters David Rock and Bill Maston, have been allowed to compromise the integrity of this Committee through the use of Subcommittees.

To be clear, our concern is both a legal and ethical issue.

Numerous examples are provided in our detailed letter, which I will distribute following my remarks and which will be posted on the FriendsofLosAltos.org website ... based on the written reports of the Subcommittees themselves and recorded statements of its members.

For instance, Cranston, Rock and Maston have been on the parking in-lieu subcommittee, which is making detailed and exhaustive findings and recommendations, with Cranston serving as the chair. But one or more of them sit on two other Subcommittees that have covered the same subject.

Thus through the subterfuge of interlocking and overlapping membership and subject matters, Cranston, Rock and Maston have been able to involve a majority of the Committee's members in gathering information, deliberating, and making proposals in secret meetings without any notice ahead of time, no agendas posted, no opportunity for public comment, no minutes taken, no action minutes published for each meeting, and not held in a public place that was fully accessible to the community.

Similar serial meetings with a majority of Committee members through use of Subcommittees involve many other subjects, including re-striping.

Councilman Jean Mordo openly invited serial meeting violations by stating during an April 2015 meeting that if any Committee member had any specific ideas on the topic of another subcommittee, they should "feel free to email them (*meaning the chairs of that other subcommittee*), meet with them, whatever."

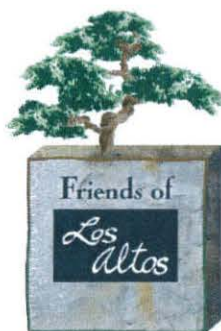
As of this evening, we have not filed a complaint with the District Attorney's office, nor are we threatening a lawsuit. But we expect the Council to walk the talk on this serious open government violation.

We request you stay any further proceedings of the Committee until an outside attorney reviews the Subcommittee process.

If it is inherently suspect, then Cranston, Rock and Maston should be removed from the Committee, and Mordo reprimanded for his lax attitude towards the Brown Act.

Further, an outside consultant needs to review all data used ... and review and verify the accuracy of all findings by the Subcommittees on which Cranston, Rock and Maston sat.

Again, we request that you stay any further proceedings of the City-wide Parking Committee. This is both a legal and ethical issue that requires your immediate attention.



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In particular, we are concerned that the introduction of Subcommittees has allowed a rampant violation of the Brown Act. Much of the substantive work of the Committee took place in numerous serial meetings of these Subcommittees that were not noticed ahead of time, had no agendas posted, provided no opportunity for public comment, no minutes were taken, no action minutes were published for each meeting, and were not held in a public place that was fully accessible to the community. The cross membership and overlapping subject matters of these Subcommittees rendered Brown Act violations impossible to avoid, with six or seven Committee members often intercommunicating on the same subject. Since many of you were elected based in part on a platform of open government and transparency, we trust that appropriate steps listed at the end of this letter will be taken to cure this problem.

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¹ See City's website, City Council video of meeting on 1/27/2015 at 02:14:55 to 02:17:00.

At the February 24, 2015, City Council meeting, Mordo introduced the agenda item for the formation of a city-wide ad hoc parking committee to consist of 11 members, including him and the Mayor Pro Tem Jeannie Bruins (“Bruins”) and a staff member. Prochnow participated in the discussion (contrary to the City Attorney’s prior advice) and explained that parking is an important issue and of public concern. After some discussion, Mordo made the motion to form the Committee, which was seconded by Prochnow. Then Mayor Jan Pepper (“Pepper”) asked Mordo about public notice of meetings, and Mordo explained that they would let people know about the meetings, but not go through the standard “Brown Act thing.” Pepper asked Prochnow as the seconder of the motion if she was ok with that, which she affirmed. The motion passed 4-1, with Councilmember Satterlee (“Satterlee”) voting no.²

At the March 10, 2015, City Council meeting, Mordo announced that the first Committee meeting would be held the following morning, and that it had been decided, with the involvement of the City Attorney, that the committee would be treated as a Brown Act committee since there are two members of the Planning and Transportation Commission on the Committee.³ The other Committee members included the three mentioned above who were members of the Parking In-Lieu Subcommittee, plus Ronit Bodner (“Bodner”), Mark Rogge (“Rogge”), Mike McTighe (“McTighe”), Jack Kelly (“Kelly”), Gary Hedden (“Hedden”), and Lou Becker (“Becker”). All have served on one or more Subcommittees, except for Becker who has not served on any of the Subcommittees and has not participated in any serial meetings.

As will be seen, and by way of overview, the Committee evolved over time. At first it met twice a month as a whole to considered its charge. During that time, Cranston apparently sent one or more emails to all of the Committee members. While technically those were likely serial meetings in violation of the Brown Act, those are not the subject of our concern, unless they became a regular habit. Around April 15, 2015, the Committee created a series of Subcommittees, eventually five, which did the substantive work of gathering information, deliberating that information, formulating recommendations, etc. According to various reports from Committee members, those Subcommittee meetings were very frequent and took up hundreds of hours. The membership in those Subcommittees was fluid and likewise evolved. By the time the Subcommittees were being formed, the role of the two Councilmembers had become more clear as merely non-voting facilitators. It is the work of these Subcommittees that is the subject of our concerns.

On April 13, 2015, FOLA published an online article on its website entitled “Setting Expectations: Good Process & Appropriate Behavior.”⁴ It discussed the accusatory questions raised by Cranston at a Committee meeting in which Cranston suggested forgery by James Walgren, then Community Development Director for the City of Los Altos. The FOLA article also commented at its conclusion that the Committee should be subject to all aspects of the Brown Act to ensure open government and transparency.

On the following day, April 14, 2015, during the public comment portion of the City Council meeting, I presented these concerns as President of the FOLA Board of Directors, and was assured by then Mayor Pepper that FOLA’s one statement regarding the Brown Act was incorrect since, according to her, “the Committee is a Brown Act Committee, the meetings are noticed, they are posted 72 hours ahead of time, there is opportunity for public comment on every agenda item, minutes are taken and action minutes

² See City’s website, City Council video of meeting on 2/24/2015 at 01:07:08 to 01:37:56. Mordo’s comments about the Brown Act are at 1:34:44.

³ See City’s website, City Council video of meeting on 3/10/2015 at 03:05:04 to 03:07:44; 03:09:14 to 03:09:19.

⁴ The article can be found at <http://www.friendsoflosaltos.org/setting-expectations-good-process-appropriate-behavior/>

are published for every meeting, and it is held in a public place that is fully accessible to the community.”⁵ She then requested that FOLA retract the statement that the Committee was not a Brown Act committee.

The following day, at the beginning of the fourth Committee meeting on April 15, 2015, Mordo briefly reviewed the Brown Act with the Committee, and made the following statement:

It [the Committee] is a Brown Act, which, by the way, that means, for those of you who haven't been on a committee before, a Brown Act committee, means that you cannot have meetings of more than five people. The Committee is eleven, the quorum is six, so you cannot have more than five meet either together at one time or a serial meeting like four people meet and then two of those meet with three more. Cannot do that. Of course if you meet at a social event and talk about things that have nothing to do with the affairs of the Committee, that's fine. So that's it.⁶

Later during that same April 15, 2015, meeting, several Subcommittees of the Committee were formed. The most significant was the Subcommittee to investigate a parking in-lieu program, for which Cranston first volunteered and has since served as the chair. Initially, it consisted of Cranston, Bodner, and Rogge. (Ex. 1.) As will be discussed later, however, the membership of this Subcommittee evolved over time with Cranston succeeded in bringing on to it his two downtown property owner supporters, Rock and Maston. (Ex. 2.) This meant that for this key Parking In-Lieu Subcommittee, Cranston was the chair, and Cranston/Rock/Maston held a majority. But that majority also belonged to almost all of the other Subcommittees, each with overlapping subject matters. As a result, Cranston/Rock/Maston were able to exert their influence on almost all aspects of Committee business with six to eight of the Committee members (including themselves) in meetings being held without public notice, without the opportunity for public input, and without minutes. This was a Brown Act violation, whether or not the two non-voting councilmembers were to be counted for Brown Act purposes. The Cranston/Rock/Maston downtown interests created an organizational structure with Subcommittees to do exactly what Mordo said you cannot do for serial meetings: five members of one Subcommittee were meeting with members of other Subcommittees on Committee business.

Adding fuel to the fire, Mordo stated at the same April 15, 2015 meeting that if any Committee member had any specific ideas on any of the topics of another Subcommittee, they should “feel free to email them (the chairs of the Subcommittees), meet with them, whatever.”⁷

At the subsequent May 12, 2015, City Council meeting, the City Attorney presented Resolution No. 2015-09, affirming that the Brown Act would apply to certain City-created advisory committees where members of the committee include members of the public or members of other city commissions. During the discussion, the City Attorney commented on the importance to make the matter clear in light of questions raised by FOLA, Ron Packard and myself regarding secret meetings.⁸

Mordo prepared a two-page document dated June 15, 2015, entitled “Framework for Reporting Findings and Recommendations.” (Ex. 3.) Whether he knew it or not, he acknowledged and institutionalized

⁵ See City's website, City Council video of meeting on 4/14/2015, with my comments beginning at 00:16:51, and Pepper's statements regarding compliance with the Brown Act at 00:19:40 to 00:20:10.

⁶ See video of Committee Meeting 2015-04-15 (Part 1); <https://vimeo.com/126683064> at 00:01:31 to 00:2:15.

⁷ See video of Committee Meeting 2015-04-15 (Part 2); <https://vimeo.com/126683065> at 00:34:26 to 00:34:50.

⁸ See City's website, City Council video of meeting on 5/12/2015 at 04:20:49 to 04:45:08.

the fact that subject matters of the various Subcommittees overlapped. For instance, his general area A for Parking Mechanics has a subcategory of Parking Geometry and another of Parking Ratios. These two subjects are within the scope of the Parking Stall Standards (Re-Striping) Subcommittee and the Parking Ratios Subcommittee. Then he stated that some of the items in his Parking Management/Demand Reduction (the subject of the alternative Subcommittees) may already be incorporated into the mechanics of shared parking areas. He further stated that the shared parking concepts (also the subject of the alternative Subcommittees) may also be included in the mechanics of parking ratios (Parking Ratios Subcommittee). Thus, the overlapping nature of three of the Subcommittees consisted of seven of the nine Committee members.

During the June 17, 2015 Committee meeting, Mordo explained that he and Bruins will only be facilitating the meetings, and the other nine members would be the only ones voting.⁹ He reaffirmed this during the October 13, 2015, City Council meeting.¹⁰ By that time, the Committee itself represented that it consisted of only nine members. For instance, the June 15, 2015 draft report states at the end that it is respectfully submitted by the Committee, and then lists only the nine members. (Ex. 4, p. 11.)

At the December 2, 2015, Committee meeting, it was decided that there needed to be an executive committee to take the detailed recommendations of the various Subcommittees and consolidate them into a unified recommendation, along with a general PowerPoint presentation. Accordingly, an Executive Summary Committee was created, consisting of four members (Cranston/Rock with Rogge and Hedden), with Cranston as the chair. This new Subcommittee was to separately meet and prepare a draft Executive Summary. (Ex. 5.) At the same time, however, the Parking In-Lieu Subcommittee (Cranston, Bodner, Rock, Maston and Rogge) continued to be active with various modifications of its recommendations. Thus from December 2, 2015 forward, Cranston/Rock/Maston have been actively involved in the deliberations of the two key remaining Subcommittees, with Cranston serving as the chair of both. Since combined those two Subcommittees had six Committee members with comingled subject matters, serial meetings were unavoidable with Cranston in charge.

On January 6, 2016, five representatives of the Committee made a presentation of the parking plan to the Government Affairs Committee of the Los Altos Chamber of Commerce. At the beginning, the Chamber chair asked for an explanation of the use of the Subcommittees, stating that the residents of Los Altos were not used to subcommittees in their town. Rogge was the Committee's initial spokesperson and first stated that "The Parking Committee consisted of nine members."¹¹ In order to discuss all of the topics asked by the Council, they divided themselves up into four or five Subcommittees. He explained that "Each Subcommittee would go off and meet on their own, and go over the details of those things, and kind of wrestle among themselves and try to figure out what's the best way of describing this, the best way of addressing it, what's the best way of resolving it. And then bring some sort of report back to the whole."¹² After hearing from others they "would just reiterate that process over and over again"; and "they would go back to their own Subcommittees and say well wait a minute, let's change this or adjust this, based on these comments here, let's make these amendments to this, and then bring that back again to the whole

⁹ See video of Committee Meeting 2015-06-17 (Part 1); <https://vimeo.com/133711463>, at 00:4:18 to 00:4:55.

¹⁰ See City's website, City Council video of meeting on 10/13/2015, at 02:49:34 to 02:49:43.

¹¹ See video of Parking Committee 2016-01-06 (Part 1) - with Chamber of Commerce; <https://vimeo.com/150947885>, at 00:08:04 to 00:08:07.

¹² See of Parking Committee 2016-01-06 (Part 1) - with Chamber of Commerce; <https://vimeo.com/150947885>, at 00:09:30 to 00:09:51.

committee. So through this reiterative process, we meet, I don't know how many meetings, far too many numbers."¹³

On January 11, 2016, a Public Records request was made to the city, which included the following two items (as set forth in Ex. 6):

5. All Brown Act notices or other notices for the meetings held by the various Subcommittees of the City-wide Parking Ad Hoc Committee.
6. All recordings, minutes, documents exchanged or used at any of the Subcommittee meetings held by the various Subcommittees of the City-wide Parking Ad Hoc Committee. This request should exclude all information already available on the city's website regarding the City-wide Parking Ad Hoc Committee.

On January 21, 2016, the City Clerk provided the following response for both items 5 and 6: "There are no public records responsive to this request." (Ex. 7.) This, of course, confirms the obvious, which is that under the leadership of Cranston/Rock/Maston, they made no effort to comply with the Brown Act.

OVERLAPPING OF MEMBERSHIP AND SUBJECT MATTERS OF SUBCOMMITTEES

The membership within the Subcommittees has been somewhat fluid and expanding. When the Subcommittees were first formed during the April 15, 2015, Committee meeting, there were only three subcommittees with no overlapping of membership except for Maston, who served on two of the Subcommittees. The following is the full membership at some point in time for each of the five Subcommittees (plus the post December 2, 2015, Executive Summary Committee) based on written documents prepared by them which are available on the City's public website:

1. **Parking In-Lieu Subcommittee** – which is probably the most significant Subcommittee, consisting of five members: Cranston/Rock/Maston, Bodner and Rogge. They are listed at the beginning of their update dated June 17, 2015. (Ex. 2.)

2. **Square Footage Measurement Subcommittee** – Maston and McTighe. They are listed as the Subcommittee members when the Subcommittee was first formed, per Committee minutes of April 15, 2015. (Ex. 1.)

3. **Parking Ratios Subcommittee** – Rock, Rogge and Kelly. They are listed as the Subcommittee members in their July 15, 2015 Subcommittee memorandum. (Ex. 4.)

4. **Parking Stall Standards Subcommittee (aka Parking Lot Layout and Restriping Subcommittee)** – Rock/Maston. They are listed as the Subcommittee members when the Subcommittee was first formed, per Committee minutes of April 15, 2015. (Ex. 1.)

¹³ See video of Parking Committee 2016-01-06 (Part 1) - with Chamber of Commerce; <https://vimeo.com/150947885>, at 00:010:03 to 00:10:38.

5. **Alternatives Subcommittee** – McTighe and Hedden. They are listed as the Subcommittee members when that Subcommittee was subsequently first formed, per Committee minutes of May 6, 2015. (Ex. 9.)

6. **Executive Summary Committee** – Cranston/Rock/Maston and Hedden are listed as the members when formed by the Committee on December 2, 2015. (Ex. 5.)

Under the Brown Act, if a particular person was temporarily involved in a Subcommittee discussion, and included as a member in a draft report for that Subcommittee, but was not included thereafter, that person, nevertheless, will remain counted towards the prohibited majority for that Subcommittee under the Brown Act during the balance of the Committee's ongoing business. One cannot select four other members to speak to on Committee business one month, and then select another group of four members the next month.

Based on the above, all of the initial five Subcommittees had interlocking Subcommittee members, making serial meetings unavoidable.¹⁴ Maston served on three Subcommittees, which thereby included six Committee members. This constitutes over 50% of the Committee, even if one were to include the two non-voting council members. Not only do the Subcommittee memberships overlap, but the subject matters of the various Subcommittees are so intertwined that serial meetings are likewise impossible to avoid.

An example of the overlapping subject matter and membership involving Cranston/Rock/Maston is the June 17, 2015, update by the Parking In-Lieu Subcommittee, on which all of them were members. The first paragraph identified four issues that it wanted to solve, the fourth being how to deal with parking requirements caused by a change of use after a building is built. (Ex. 2.) That same issue, however, was also being addressed by the Square Footage Subcommittee, on which Maston was also a Subcommittee member, along with McTighe. The Square Footage Subcommittee's fourth recommendation in their October 20, 2015 report specifically mentioned the same issue and recommended an inspection process to ensure that exempt features are not later converted to useable office/retail space. (Ex. 10, p. 9.) Thus the private deliberations on this subject by these two Subcommittees by way of serial meetings expanded to six of the Committee members, again over 50% even if one were to include the two non-voting council members. But this same subject was also solidly within the draft report of the Parking Ratios Subcommittee, which included Rock and Kelly. (Ex. 11, pp. 7, 9, Table 2, p. 2.) Since Rock was on the Parking In-Lieu Subcommittee and the Parking Ratios Subcommittee, further serial meetings on this subject then expanded to also include yet a seventh member, Kelly.

Another example of the overlapping subject matter caused by Cranston/Rock/Maston was the issue of employee use of the public parking. During the June 17, 2015 meeting, Mordo raised the issue and said that it was non-negligible since it takes up a lot of valuable customer parking. When he asked which Subcommittee should address the issue, a Committee member commented that it was being worked on by all of the Subcommittees, thereby acknowledging the unavoidable commonality of the subject matter and the resulting serial meetings due to the cross-pollination of membership. Instead of any expression of concern about serial meetings and the Brown Act, the Committee members merely laughed.¹⁵ It is this contempt for the Brown Act brought in by Cranston/Rock/Maston that is foreign to Los Altos, and needs to be stopped.

¹⁴ Becker is the only Committee member who never was a member of any of the Subcommittees.

¹⁵ See video of Committee Meeting 2015-06-17 (Part 1); <https://vimeo.com/133711463>, at 00:3:09 to 00:04:00.

Another example involving Cranston/Rock/Maston is the central proposal of the Parking In-Lieu Subcommittee, which is an extremely detailed and exhaustive proposal for a parking in-lieu program for Los Altos. (Ex. 12, which for brevity only includes the first 28 pages and the last page.) Rock/Maston are not only on that Subcommittee, they also constituted the full membership of the Parking Stall Standards (Re-Striping) Subcommittee. In its May 6, 2015 report, that Subcommittee's Recommendation #4 was that the "restriping program may be used as part of an in-lieu fee program. . . ." (Ex. 13.) But Rock and Rogge also sit on (and constitute the majority) of the Parking Ratios Subcommittee. With their cross-fertilization of ideas, that Subcommittee's 11-8-2015 Recommendations mention the benefits of an in-lieu program three times: the use of in-lieu fees to cover any subsequent non-compliance, "participation in an in-lieu program" to decrease demand or increase supply, and "an associated in-lieu program would support more shared parking opportunities." (Ex. 11, pp. 7, 9, and 11.) By discussing this same issue of in-lieu parking with members of these three Subcommittees in private and behind closed doors, Cranston/Rock/Maston were able to include six of the Committee members.

Even the subject of re-striping could not remain with the Parking Stall Standards (Re-Striping) Subcommittee, which ostensibly consists of only Rock/Maston. They sit on multiple other Subcommittees and had to include the re-striping concept as part of the other Subcommittees' recommendations. The Parking Ratio Subcommittee's 11-8-2015 Summary of Recommendations included a "multi-pronged approach" with "[e]xpansion of parking supply with (re-striping) more efficient parking layouts in the parking plazas . . ." (Ex. 11, p. 11.) That Subcommittee's membership includes Rock, Rogge and Kelly. Of course, re-striping played a key role in the Parking In-Lieu Subcommittee, where in its 11-26-2015 recommendation, it appears no less than five times (Ex. 12, pp. 2, 8, 20, 21, and 25.) As a result of the serial discussions of this cross-fertilized topic, Cranston/Rock/Maston were able to build a consensus with Bodner, Rogge, and Kelly, over 50% of the Committee, even if one were to include the two non-voting Councilmembers. Even the Alternatives Subcommittee dealt with the re-striping issue. (Ex. 16, last page.)

Another subject as simple as how to count outside dining was the subject of serial meetings, with Cranston/Rock/Maston again playing a key role. It was discussed by the Square Footage Measurement Subcommittee (Maston and McTighe) (Ex. 10, p. 5), the Parking Ratios Subcommittee (Rock, Rogge and Kelly) (Ex. 11, p. 4, and 8), and the Parking In-Lieu Subcommittee (Cranston/Rock/Maston, Bodner, Rogge) (Ex. 12, p. 4). Once again, Cranston/Rock/Maston were able to communicate directly with seven Committee members on this subject, all in private meetings.

We have not attempted to make an exhaustive list of all other comingled subjects. Likely subjects include the use of bicycles to decrease demand, the possible expansion of shared parking, and the establishment of a standing committee (that interestingly enough includes Cranston's organization, the Downtown Los Altos Property Owners Association).

As if this situation was not bad enough, it was exacerbated when the Executive Summary Committee came into being in late 2015. This four-member Subcommittee (Cranston/Rock/Maston and Hedden), have been holding private meetings to summarize and make recommended alterations to all aspects of the Committee's recommendations. At the same time, the five-member Parking In-Lieu Subcommittee (Cranston/Rock/Maston, Bodner and Rogge) was also holding its own separate and private meetings. Cranston/Rock/Maston are on both Subcommittees, with Cranston as chair of both. A review of the proposed report of the most recent Executive Summary Committee (Ex. 15) and the Parking In-Lieu Subcommittee (Ex. 12) will reveal additional overlapping subject matters.

Cranston/Rock/Maston knew or should have known of this significant Brown Act problem they created. An attorney himself, Cranston holds himself out as an open government advocate focusing on government process, and has sued the City before on such issues. Frankly, the extent to which he has corrupted the government process with the introduction of subcommittees which are not accountable to the public, while at the same time representing himself as an advocate for open and transparent government, is shameful.

FINANCIAL SIGNIFICANCE OF COMMITTEE RECOMMENDATIONS

The subject matters being discussed by the Committee and the various Subcommittees are important issues of public concern, and have significant financial impact on commercial property owners. For instance, under their recommendations, the required parking spaces for a new office building downtown would decrease by 32% (a new 10,000 square foot office building would no longer require 33 parking spaces, but only 22). The required parking spaces for a new retail building downtown would decrease by 25% (a new 2,000 square foot retail building would no longer require 10 parking spaces, but only 7). Whether these recommendations are good or bad is not the point. Instead, the point is that all of the fact gathering and deliberations on such significant public issues should have been open and transparent during all phases of the process, and cannot be circumvented by use of secret and serial meetings via overlapping and interrelated Subcommittees.

This is particularly true since a prime mover for Parking In-Lieu has been Cranston, who owns several commercial properties in downtown Los Altos. He is the chair of that Subcommittee which has produced a 27-page recommendation involving numerous complex findings and recommendations. Certainly, the public is entitled to know that this non-resident (who at times has had a less-than-stellar reputation as a downtown landlord), had not skewed the numbers for his own financial benefit. The same with Rock, a Los Altos downtown commercial leasing agent, and Maston, an architect involved in both residential and commercial work. Bodner would also financially benefit since her family owns commercial real estate in Los Altos. Instead of going out of their way to be open and transparent, this Parking In-Lieu Subcommittee worked in secret. Accordingly, its numbers and conclusions are all suspect and unreliable.¹⁶ Likewise, there is no disclosure of the factors and deliberations of why, buried in the Subcommittee's 27-page recommendation, is the requirement that Cranston's organization, the Downtown Los Altos Property Owners Association, always have a seat at the table.

NINE VS. ELEVEN MEMBERS OF COMMITTEE

A question of fact, and possibly of law, is whether the Committee consists of nine or eleven members. That question is probably best answered by the Committee itself. Once the Committee began to consolidate the recommendations of its Subcommittees into written reports and a PowerPoint presentation, it represented to others that it consisted of just nine members. For instance, the September 10, 2015 written report from the Los Altos City-wide Parking Committee – Parking Ratios ends with a list of the nine members in alphabetical order, as follows:

Respectfully submitted by
The City-wide Parking Committee:

¹⁶ During the January 19, 2016 Committee meeting, it was mentioned that one of the Planning & Transportation Commission members had raised a concern that the numbers and findings within the Committee's Report perhaps should be peer reviewed. Rock scoffed at the idea commenting that he had high confidence in his own work.

Lou Becker, Ronit Bodner, Kim Cranston, Gary Hedden,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

(Ex. 8, p. 11.)

One of the first PowerPoints prepared which covered the subjects of many of the Subcommittees was dated September 16, 2015. (Ex. 14.) On the second slide it similarly identified the Committee as nine members, as follows:

Los Altos City-wide Parking Committee

Lou Becker Ronit Bodner Kim Cranston	Mike McTighe David Rock Mark Rogge
Gary Hedden Jack Kelly Bill Maston	City Staff: Marcia Somers James Walgren

At the end of the PowerPoint, on p. 25, the Committee thanked various groups, beginning with Councilmembers Bruins and Mordo “for oversight to the City-wide Parking Committee.” Obviously, Bruins and Mordo were not treated as full members of the Committee.

The Committee itself acknowledged the overlapping nature of the various Subcommittees. For the Committee’s January 20, 2016, meeting, it received a draft dated January 11, 2016, of the various recommendations for the Planning and Transportation Commission. It was prepared by the Executive Summary Committee, of which Cranston/Rock/Maston are three of the four members. That summary discusses the use of Subcommittees who meet separately “to study and report on specific topics to the whole committee”, and then lists the five Subcommittees. The penultimate paragraph acknowledges that while each recommendation can stand on its own, each “builds upon the other” and that the “whole is greater than the sum of the parts.” The Executive Summary once again ends with the following, listing only the nine members of the Committee:

Respectfully submitted by
The City-wide Parking Committee:

Lou Becker, Ronit Bodner, Kim Cranston, Gary Hedden,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

(Ex. 14)

Ultimately, however, it little matters whether there were nine or eleven members of the Committee. The overlapping subject matter of the Subcommittees and the overlapping membership meant that Cranston/Rock/Maston created a structure so that they could gather information, deliberate, and draft detailed legislative proposals outside the view of the public.

ANALYSIS

The Ralph M. Brown Act (Gov. Code, §§ 54950-54962; “Brown Act”) generally requires the legislative body of a local public agency to hold its meetings open to the public. (§§ 54951, 54952, 54953, 54962.) Agendas of the meetings must be posted (§§ 54954.1, 54954.2), and members of the public must be given an opportunity to address the legislative body on any agenda item of interest to the public (§ 54954.3).

The purposes of the Brown Act are thus to allow the public to attend, observe, monitor, and participate in the decision-making process at the local level of government. Not only are the actions taken by the legislative body to be monitored by the public but also the deliberations leading to the actions taken. (See *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363, 373, 375; *Frazer v. Dixon Unified School Dist.* (1993) 18 Cal.App.4th 781, 795-797; *Stockton Newspaper, Inc. v. Redevelopment Agency* (1985) 171 Cal.App.3d 95, 100; *Sacramento Newspaper Guild v. Sacramento County Bd. of Suprs.* (1968) 263 Cal.App.2d 41, 45.) “The term ‘deliberation’ has been broadly construed to connote ‘not only collective discussion, but the collective acquisition and exchange of facts preliminary to the ultimate decision.’ [Citation.]” (*Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234; see *Roberts v. City of Palmdale*, *supra*, 5 Cal.4th at p. 376.)

This is not new law. For years, the Brown Act has been interpreted so as to prevent private deliberative gatherings. As explained in *Frazer v. Dixon Unified School Dist.* (1993) 18 Ca. App. 2d 641 at 651:

It is now well settled that the term “meeting,” as used in the Brown Act (§§ 54950, 54953), is not limited to gatherings at which action is taken by the relevant legislative body; “deliberative gatherings” are included as well. (*Sacramento Newspaper Guild*, *supra*, 263 Cal.App.2d at p. 48, 69 Cal.Rptr. 480.) Deliberation in this context connotes not only collective decisionmaking, but also “the collective acquisition and exchange of facts preliminary to the ultimate decision.” (*Id.*, at pp. 47–48, 69 Cal.Rptr. 480; *Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234, 175 Cal.Rptr. 292.)

As more recently stated in *Page v. MiraCosta Community College Dist.* (2009), 180 Ca. App. 4th 471, at 503:

“To prevent evasion of the Brown Act, a series of private meetings (known as serial meetings) by which a majority of the members of a legislative body commit themselves to a decision concerning public business or engage in collective deliberation on public business would violate the open meeting requirement.” In connection with such meetings, the California Supreme Court has emphasized that “the intent of the Brown Act cannot be avoided by subterfuge; a concerted plan to engage in collective deliberation on public business through a series of letters or telephone calls passing from one member of the governing body to the next would violate the open meeting requirement.” [Citations omitted.]

The prohibitions and requirements of the Brown Act apply to all members of the legislative body, whether appointed or elected by the public. Thus, it applies equally to Cranston, Bodner, Rock and Maston,

along with all members of the various Subcommittees who have violated the spirit and law of the Brown Act, and exposes them to possible criminal action under Govt. Code 54959.

CONCLUSION

Open and transparent government is essential, particularly to Los Altos. Cranston/Rock/Maston, particularly Cranston, has been at the forefront of pointing his finger at others claiming Brown Act violations. It is extremely unfortunate when such a person proclaiming himself a champion of open and transparent government engages in a vast subterfuge of the Brown Act to advance his own financial interests. The result, as explained by Rogge, is that Cranston/Rock/Maston would “go off and meet on their own, and go over the details of those things, and kind of wrestle among themselves and try to figure out what’s the best way of describing this, the best way of addressing it, what’s the best way of resolving it.” And after receiving some public input, they would “just reiterate that process over and over again” deciding “let’s change this or adjust this, based on these comments here, let’s make these amendments to this” so that “through this reiterative process, we meet, I don’t know how many meetings, far too many numbers.” This is precisely the “deliberative gatherings” condemned by the Courts. These serial meetings were not noticed ahead of time, with no agendas posted, no opportunity for public comment, no minutes taken, no action minutes published for each meeting, and not held in a public place that was fully accessible to the community. They violated Mordo’s warnings that “you cannot have more than five meet either together at one time or a serial meeting like four people meet and then two of those meet with three more. Cannot do that.”¹⁷

As a result, the deliberations of the Subcommittees on which Cranston/Rock/Maston sat are unreliable and need to be subjected to a detailed and in-depth analysis. This requires more resources than can be provided by current City staff, since it involves all of the Subcommittees except the Alternatives Subcommittee.

So that our position is clear, we have not filed any Brown Act complaint with the District Attorney’s office. We have not filed any lawsuit against the City or others under Government Code §§54960, 54960.1 or 54960.2, nor under any other statute. We are not threatening to do such. And this letter is not a cease and desist letter under Government Code §§54960.1 or 54960.2.

Instead, we request that the Council to:

1. As of tonight, immediately put on hold on further Committee proceedings until its Brown Act propriety is resolved;
2. Engage an outside consultant (attorney) to review the Subcommittee process, and if it is inherently suspect, remove Cranston/Rock/Maston from the Committee, and reprimand Mordo for his lax attitude towards the Brown Act;
3. Engage an outside consultant to review all data used, and to review and verify the accuracy of all of the findings by the Subcommittees on which Cranston/Rock/Maston sat, to determine if any were inaccurate or overstated the results; and

¹⁷ See video of Parking Committee 2015-04-15 (Part 1), <https://vimeo.com/126683064> at 00:01:31 to 00:02:12.

4. If the accuracy of the Subcommittee findings is suspect, then discard the recommendations and begin the process over, if the Council so desires.

While several of the Committee members may have been innocent and well intentioned, it is far too important that the use of Subcommittees, a new element of bad government foreign to Los Altos, be condemned and stopped. Los Altos deserves good and open government, not just on the campaign trail, but in practice.

Very truly yours,

/s/ David Casas

David Casas, President
Friends of Los Altos Board of Directors

List of Exhibits

- Ex. 1 - Minutes of 4-15-2015 Committee meeting
- Ex. 2 - Parking In-Lieu Subcommittee 6-17-2015
- Ex. 3 - Mordo's Framework recommendations 6-15-2015
- Ex. 4 - Parking Ratios Subcommittee memorandum 7-15-2015
- Ex. 5 - Minutes re formation of Executive Summary Committee 12-2-2015
- Ex. 6 - Public Records request re Subcommittees 1-11-2016
- Ex. 7 - City Clerk response to public records request 1-21-2016
- Ex. 8 - Draft Committee report of 9-10-2015 (without attachments)
- Ex. 9 - Minutes re formation of Alternatives Subcommittee 05-06-15
- Ex. 10 - Square Footage Subcommittee draft 10-20-2015
- Ex. 11 - Parking Ratios Subcommittee memo 11-8-2015
- Ex. 12 - Parking In-Lieu Subcommittee recommendation 11-19-2015
- Ex. 13 - Parking Stall Standards (Restriping) Subcommittee 5-6-2015
- Ex. 14 - One of first Power Points 9-16-2015
- Ex. 15 - Executive Summary 1-11-2016
- Ex. 16 - Alternatives Subcommittee draft recommendations 10-7-2015

City-wide Parking Ad Hoc Committee
Wednesday, April 15, 2015
MEETING MINUTES

Call to Order

Co-chair Mordo opened the meeting at 9:18 a.m.

Roll Call (✓ = Committee members in attendance)

✓	Ronit Bodner	✓	Jean Mordo
	Jeannie Bruins	✓	Mark Rogge
✓	Kim Cranston	✓	David Rock
✓	Gary Hedden	✓	Lou Becker
✓	Jack Kelly	✓	Marcia Somers, CM
✓	Bill Maston	✓	James Walgren, CDD
✓	Mike McTighe		

Approve March 18, 2015 and April 1, 2015 meeting minutes

Kim Cranston provided a comment on the March 18, 2015 minutes and Mark Rogge provided a comment on the April 1, 2015 minutes.

Motion: McTighe/Maston: Approve the March 18, 2015 meeting minutes, as amended. Passed 10-0-1, with Bruins absent

Motion: Maston/Rock: Approve the April 1, 2015 meeting minutes, as amended. Passed 9-0-2, with Bruins absent and McTighe abstaining.

Review parking ratios

Community Development Director Walgren presented the report. Discussion included how to define parking requirements for restaurants and whether to include outdoor dining, a desire to look at the City's current parking ratios, and questions regarding the 2009 report by Fehr and Peers.

Comments were heard from Ted Sorensen and Abigail Ahrens.

Conclusion: A subcommittee of David Rock and Mark Rogge was formed to work with staff to identify potential corrections to the 2009 Fehr and Peers report and to develop a set of recommendations on parking ratios for the City.

Discuss and update problem statements

Jean Mordo presented the draft problem statements identified at the April 1, 2015 meeting. Discussion included a need to define what is a public benefit, looking at a parking in-lieu program, and potential solutions for problem statements.

Comments were heard from Bart Nelson, Ted Sorensen, Penny Lave, Abigail Ahrens and Ron Packard.

Conclusion: A subcommittee of Mike McTighe and Bill Maston was formed to review and make recommendations on how to measure square footage of a development.

Conclusion: A subcommittee of Ronit Bodner, Mark Rogge and Kim Cranston was formed to investigate a parking in-lieu program.

Conclusion: A subcommittee of Bill Maston and David Rock was formed to examine parking stall standards, including size.

Adjournment

Meeting was adjourned at 10:47 a.m.

Date: June 17, 2015

To: City-Wide Parking Committee

From: Parking In-Lieu Subcommittee (Ronit Bodner, Kim Cranston, David Rock, Mark Rogge and Bill Maston)

Re: Subcommittee Update

The Parking In-Lieu Subcommittee is developing a proposal for a Parking In-Lieu Program ("PILP") to help solve the following four issues identified by the City-Wide Parking Committee:

1. Development is restricted by the difficulty of providing onsite parking. There is currently no alternative other than granting waivers to the parking requirements for most properties throughout the Downtown Triangle, but particularly within the Original Parking District ("OPD").
2. There is currently no mechanism to fund additional parking solutions other than use of the General Fund.
3. Properties bordering the OPD unfairly benefit when the City grants them waivers to the parking ordinances.
4. After a building is built, the use may change as allowed by code, but there is no way to adjust the number of parking spaces required.

The PILP is being designed to:

1. Recognize and honor the contribution of the existing property owners who designed and built the OPD in the 1950's (the "OPD Members").
2. Choose the areas where the in-lieu program can be used to allow eligible properties ("PD Eligible") to join the Expanded Parking District ("EPD").
3. Balance credits for existing parking attributable to OPD Members with credits for existing parking attributable to any new program participants ("New Members"), and recommend additional credits, adjustments and/or in-lieu fees that might be applicable to both OPD Members and New Members (together "PD Members").

The Parking In-Lieu Subcommittee's preliminary recommendations are:

1. The City should adopt a PILP.
2. The area within which properties should be eligible to participate in the PILP should initially be the Downtown Triangle.
3. The PILP should take into account existing parking attributable to participating properties and the impacts of proposed developments of participating properties on parking supply.
4. Administration of the PILP should include codifying the PILP, having the funds put into a formal parking fund reserve, and having the program run initially by a new committee.

5. A range of factors need to be considered in setting the Parking In-Lieu fee.
6. The Parking In-Lieu fee may be collected in one of several ways, including a lump sum or a lump sum financed over 20 years paid through tax rolls.
7. Parking In-Lieu fees should always be used only for increasing parking supply or reducing parking demand.

Framework for Reporting Findings and Recommendations

To effectively communicate the work of the Citywide Parking Committee we suggest the following framework. The intent is that the work of the Citywide Parking Committee (“Committee”) be summarized in a way that will provide a good basis for Council consideration and action.

Councilmembers Jeannie Bruins and Jean Mordo, are co-chairs of the Committee. The co-chairs will not take any action, or make any recommendations regarding the work of the Committee, until the City Council is prepared to consider actions recommended by the Committee. The Committee will make a presentation to The Planning and Transportation Commission (“PTC”). The PTC, at their discretion, may or may not make a recommendation to the City Council. Therefore, the Committee’s reports should stand on their own to provide sufficient information necessary to support the recommendations.

The *City-wide parking ad-hoc committee* memo, approved by Council on February 14, 2015, provides the beginning point for the reports. Where applicable, the 2013 *Council Review of Downtown Parking Management Recommendations* (Appendix 1A) should also be addressed.

To facilitate review, the subject areas should be divided into three general areas:

- A. **Parking Mechanics**
 - 1. **Parking Geometry** (parking spaces and lanes dimensions, and related work)
 - 2. **Parking Ratios** (application of parking requirements per building area)
 - 3. Area Calculation (application of net or gross area and any exclusions)
 - 4. Other work relating to the nuts and bolts of parking requirements
- B. **Shared Parking Opportunities**
 - 1. Parking In-lieu program
 - 2. Expansion of existing Parking Districts
 - 3. Creation of new Parking Districts
 - 4. Other work relating to shared parking
- C. **Parking Management/Demand Reduction**
 - 1. Parking Management programs
 - 2. Parking Demand reduction methods (transit, bicycle, pedestrian, shuttle)
 - 3. Parking Meters
 - 4. Structured parking or other options

Some of the items in Section C above may already be incorporated into the mechanics or shared parking Sections A or B above. Shared parking concepts may also be included in the mechanics of parking ratios, as well. Further, some of Section C may be beyond the scope of the current Committee, and could be assigned to a follow-up Committee.

Los Altos Parking Subcommittee – Reporting Framework DRAFT 06/15/15

Outline

Heading

**City of Los Altos Citywide Parking Committee
Memorandum**

To: City Council and Planning and Transportation Commission

From: Citywide Parking Committee

Subject: Parking Mechanics (or other subject)

Background

State the issue, identified in the Council approved action (see attachments,) that is being addressed. State the identified problem(s) in a general, non-judgmental manner.

Discussion

Discuss the evidence or indicators of the identified problem. Explore available opportunities and advantages, as well as possible negative impacts. Describe the benefits of resolving the issue as well as possible consequences of not resolving it.

Options

State a reasonable range of options, including taking no action. Briefly discuss the options. Connect the options to existing codes, documents, policy, etc. Provide examples, possibly in an appendix or attachment.

Recommendation(s)

Select the Committee's recommendation(s) from the listed options. Or provide a range of reasonable options that would be supported by the Committee. Note: recommendations that are more general (city-wide) rather than specific may affect whether or not some Councilmembers may vote, due to conflict of interest rules.

Presentation

A Committee member may provide a verbal presentation, including PowerPoint or other visual aids to simplify the concepts. The presentation should be brief and allow for a question and answer period. A copy of the written report as well as any presentation material should be made available to the City Manager prior to the meeting.

**City of Los Altos Citywide Parking Committee
Parking Ratios Subcommittee
Memorandum**

Date: July 15, 2015

To: Citywide Parking Committee
From: Parking Ratios Subcommittee

Subject: Parking Mechanics – Parking Ratios

The Parking Ratio Subcommittee submits the attached report to the full Citywide Parking Committee. The attached memorandum is written as a draft from the Committee to the Planning and Transportation Commission and City Council. Although considerable work effort has been put into the production of this report, we look forward to your thoughtful review. As necessary any required edits will be made prior to presentation to others.

Five Tables are attached to compare information, summarize results, and provide supporting information. Tables 3, and 5 were previously presented to the Committee as updates on the Parking Ratios Subcommittee's work. Table 4 provides an update to bring past studies up to the present 2015, as requested by the Committee.

Respectfully submitted by
The Parking Ratios Subcommittee:

David Rock, Jack Kelly, Mark Rogge

Attachment

July 15, 2015 Memo – Parking Mechanics – Parking Ratios, with attachments:

- Table 1. Comparison of Current Code and Practice, Studies, and Recommended Parking Standards (2 pages)
- Table 2. Recommended New Parking Ratios and Application Rules (2 pages)
- Table 3. Los Altos Office and Retail Parking Standards – 2007 corrected results (2 pages)
- Table 4. Confirmation Counts to Update Parking Studies to 2015 (2 pages)
- Table 5. Los Altos Parking Ratio Examples – Restaurant Parking (2 pages)

Draft

**City of Los Altos Citywide Parking Committee
Memorandum**

Date: July 15, 2015

To: City Council and Planning and Transportation Commission
From: Citywide Parking Committee

Subject: Parking Mechanics – Parking Ratios

INTRODUCTION

Parking standards are used to properly manage the temporary storage of vehicles for the convenience of people in the community. A parking ratio is an appropriate metric for establishing a standard for the number of parking spaces needed, based upon the type of use and area of the space being used. Frequently, the parking ratio is expressed as the number of parking spaces per 1,000 square feet of building area. Parking ratios can be used to establish a minimum or a maximum requirement for the provision of parking related to a building or use.

Parking ratios are usually established in municipal codes, as is the case in Los Altos and most other cities. Parking ratios are an important tool to provide appropriate parking supply to support people as they live, work, and play in the community.

The Citywide Parking Committee was created by the City Council on February 14, 2015 to address several issues related to parking. The Committee reviewed several examples of past development, parking related studies, and practices. We reviewed other nearby cities and towns to benchmark practices in the area. Field review was also conducted to see what impacts or opportunities were currently evident.

The Committee recommends new and revised parking ratios to serve the City of Los Altos, shown in the attached Table 2. The goal is to have parking ratios that are:

1. Reasonable, so that they can be applied to the vast majority of cases;
2. Within range of what current professional publications suggest, and appropriate for small Bay area cities;
3. Flexible, to address various situations, such as shared parking, or other circumstances;
4. Clear and consistent, eliminating ambiguity or uncertainty.

BACKGROUND

The *City-wide Parking Ad-hoc Committee* memo, approved by Council on February 24, 2015, asks the Committee to address the following questions:

1. Do current parking ratios reflect real parking demand?
2. Do different types of businesses generate different demands?
3. Are current codes applied consistently?

1. Reasonable – Realistic

In many cases, the current parking ratios do not reflect real parking demand and the ratios are not always reasonable for the intended use. This can result in requiring an inappropriate amount of parking, either too much or too little. The City has frequently relied upon granting exceptions or variances to approve a project where the parking requirements have not been met. Reasonable parking ratios should be suitable in most cases, without the need for exceptions or variances.

2. Different Categories

Each type of business or use generates a different parking demand. Parking demand also varies from use to use, from place to place, and time of day. Parking ratios can express a minimum requirement. Some cities also restrict the maximum number of parking spaces allowed, for various reasons, to avoid unwanted or unintended consequences. With ideal planning, varied uses can be mixed to complement each other and provide the most efficient shared parking. In the worst cases, peak parking periods coincide to create parking problems that cause unnecessary traffic and an unpleasant environment.

3. Consistency and Objectiveness

The current Los Altos code contains several methods for calculating parking requirements that can cause inconsistency. Some of the metrics employed are more subjective than objective. For example, restaurant parking is currently based upon the number of restaurant seats and number of employees. A developer or restaurant tenant may have one concept initially, when parking requirements are being calculated, and quite a different concept later, after the parking requirement has been met. Calculations based upon area are more objective, and also relate to fire occupancy codes.

The current codified parking ratios, based on nation-wide standards for "stand-alone" sites, are generally unsuitable for Los Altos, particularly where shared parking is encouraged. Although the City of Los Altos encourages shared parking and has policies to support shared parking, the code lacks parking ratios for shared

parking areas. The result can be, or can appear to be, an inconsistent application of the codes.

The Parking Committee reviewed a great deal of data with the intent of addressing and resolving the aforementioned issues. The review included the following:

1. existing studies relating to parking;
2. several past examples of private development projects that were approved;
3. existing parking conditions in the field and via aerial data, and maps;
4. the municipal code and practices of Los Altos and of other nearby cities.

DISCUSSION

The Committee's review revealed several opportunities to improve the parking ratios and the way they are applied. The Committee also found the complex nature of parking policy makes it difficult to comprehend without defining several parameters. Review of nearby cities' codes illustrates the complexity that drives the need to define terms.

While it seems satisfying to compare code requirements with other cities, we noted several problems with a direct comparison.

1. Many different metrics may be used to calculate parking requirements, including using area with a ratio to determine the number of parking spaces, in which case the area used varies from city to city:
 - a. Gross building area (square-feet of entire building, similar to what insurance companies use.)
 - b. Net building area (gross area less certain utility areas that may not necessarily create parking demand.) The definition of what is excepted from the gross area can include: vertical transportation (elevators, stairwells, and ducts), lobbies, inner courts, atrium, restrooms, utility rooms and other items.
 - c. Parcel area (square-feet of the entire parcel, either gross or net, relating to what zoning may ultimately allow.

Some codes, such as in Los Altos, use applicant information to determine specific use, such as number of employees, patrons, visitors, etc. and applying a "carpooling" ratio to the total. For example, for restaurants, Los Altos divides the total number of seats, plus number of employees by 3 to determine parking requirements. We have demonstrated that this results in an equivalent parking ratio that is at the extreme high end of most cities.

2. Some cities (such as Palo Alto) state parking ratios as either a catchall category when none of the other categories exist, or as a maximum allowance that cannot

be exceeded. Some cities have specific commercial districts throughout the city, each of which has its own parking ratio, based upon shared parking or other factors. The catchall standard is only applied outside of all known commercial districts. Some cities (such as Mountain View) use the parking ratio as a back-up category, where it is only applied if the project does not fall into one of many incentive zones or policies.

3. Cities employ incentives or disincentives to achieve their goals. Those cities (such as Mountain View) that seek to enliven the sidewalks with outdoor dining do not count outdoor dining in their parking demand calculations. Other cities, (such as Saratoga) diminish or eliminate outdoor seating at restaurants by including it in parking demand calculations. Similarly some cities have incentives to attract retail.
4. Looking to the future: cities revise their parking ratios to accommodate new realities. Parking management and alternate modes of travel are two factors that impact existing as well as future parking standards.
 - Mountain View and other cities have developed mass-transit throughout the city, as well city- and corporate-sponsored shuttle buses. Many technology companies provide buses, ride-sharing programs, or transit passes.
 - Bicycle routes, paths and trails reduce motor-vehicle traffic, but require a different kind of parking space at destinations, such as bicycle lockers.
 - Self-driving or autonomous vehicles may pick you up and drop you off at your destination, but may need a place to park as well. The convenience of autonomous vehicles may rely upon adequate parking near traffic-generating attractions to reduce response wait-time and traffic.
 - A large shift in retail from "Main Street" to "big box stores" and from "Main Street" to Internet commerce; has reduced the amount and kind of retail that may be viable for many communities. Delivery services bring meals, goods and services to people's residences or places of work, while causing another type of traffic and momentary parking need.

Los Altos can learn from other cities while respecting the qualities and feelings that make Los Altos a distinctive small community, with vibrant commercial districts, and peaceful neighborhoods. Simplifying parking codes will serve the community and those who wish to serve the community.

The City has conducted several studies of parking and parking related issues. These studies, along with current field review shed light on parking successes and failures. Lack of appropriate parking creates problems when it:

1. Negatively impacts neighboring businesses or residents;
2. Causes unnecessary traffic;
3. Discourages favorable business traffic or commerce;
4. Frustrates residents, customers, employees, or visitors.

The Committee vetted available studies, performed field reviews, and heard Staff explain the permitting process on several recent development projects. This review garnered several conclusions:

1. The current parking code and actual practices are not aligned.
2. Exceptions and variances become the norm, rather than desirable projects that can meet the code without exception. When other projects are rejected for not meeting the code, one wonders why a variance is not similarly applied, leading to the appearance of unfairness.
3. Depending on the specific use some parking demands were found to be below current requirements, yet above current practices. There is too great a degree of reliance on interpretations of the code, exceptions, or variances to reproduce or predict results from one project to the next.
4. Staff must rely upon unwritten rules and interpretations of the code since these rules do not seem to be documented in a single accessible place. This creates the appearance of inconsistency and possible unfairness. An example is that the parking policies practiced in the Downtown Parking District are not clearly defined by code.
5. Inconsistent application of parking standards, regardless of how popular or unpopular the results, raises the suspicion of unfairness and cronyism, whether or not it actually exists.
6. It is an undue and inappropriate burden on City Staff for the parking code to be anything other than reasonable, clear, concise, and predictable.

Table 1 (attached) compares current parking regulations and practices in Los Altos with results of parking studies, and recommendations. The existing parking regulations indicate both current code requirements as well as current practices, indicated by existing conditions or recent project approvals. Where the City Code does not use ratios, equivalent ratios were calculated and indicated to simplify comparison with ratios. Results of parking studies in Los Altos, were reviewed, corrected as necessary, and checked for conformity with current conditions by verification counts. A reasonable range of parking ratios applicable to a small town like Los Altos is shown. Published parking manuals indicate that local information is more appropriate than nationwide standards. Property values in Los Altos and the Bay area clearly suggest different parking patterns than what is found in Midwest cities, urban metropolises, or rural farmland.

OPTIONS

The Parking Committee has developed several options to address and improve the parking ratios and their application.

Area Calculation

- A. Gross Area of Building or Use – This is the simplest and least likely to be misrepresented or misinterpreted.
- B. Net Area of Building or Use – This gets to the heart of what generates parking demand, but requires more Staff review, and is subject to change or differing interpretations. This approach requires clear definitions of what is and is not an exception for the purposes of determining net area. (The Committee's recommendations to determine areas for parking purposes are outlined elsewhere.)
- C. Specific use approach – This requires more documentation from applicants and more staff time, but may be a more precise method of calculating parking demand. On the other hand, it is very subjective, and requires verification and modifications as the market changes, and uses evolve.

Parking Ratios

- A. 100% parked – This approach requires the most parking but covers all foreseeable events and peak usage. This approach works best where property values are inexpensive, (dirt cheap approach.)
- B. Reasonably parked – This approach recognizes that parking congestion may occur for reasonably short peak periods, or during occasional special events.
- C. Specific Use studies – this requires the most documentation and staff time, and is subjective to the applicant's current needs.
- D. Reasonable ranges of parking ratios, by category of use, are provided. These allow the City to impart policy to provide incentive or disincentive for a particular use, all while keeping within the realm of what is supported by best practices and current studies. The recommended specific ratio poses a neutral position. Increasing the ratio would tend to discourage that category of use. Decreasing the ratio would tend to encourage that category of use. Ratios beyond the reasonable range are not recommended as they have little or no basis of support.

RECOMMENDATIONS

Parking Categories

The Parking Committee recommends simplifying categories for types of use based upon uses found in Los Altos. Medical office or clinics were once included in the same category with offices. Los Altos recently revised that practice, by requiring each medical clinic to calculate parking demand on a Use Permit basis. Medical offices remain in the office category.

We recommend that medical offices that are similar to other professional (legal, engineering) offices be considered the same. However, medical/dental clinics are shown as a new category. A parking ratio for medical/dental clinics establishes a minimum parking requirement, while preserving the option for the City and medical/dental clinic applicant to use site-specific parking studies, as appropriate.

Area Calculation

The Parking Committee's Recommended Parking Ratios and Application Rules are tabulated in Table 2 (attached.) After considering several options the Committee recommends that the City calculate parking requirements using a well-defined net area of the building or use, particularly for office buildings. This approach allows the City to encourage architectural features that give a building and a city character but do not necessarily increase parking demand. Whereas, restaurant parking demands are more well established and suited to gross area, since there is far less difference between gross and net. Therefore, the parking ratio for restaurants is based on gross area. Restaurants in multi-story buildings can exclude area for vertical transportation, such as elevators, stairs, and ducts, as these are required for accessibility but do not add to parking demand.

Provided that the City employs mechanisms to verify the area of exceptions, and verify that these areas are not later being converted, the parking ratio would apply to net area for uses such as office buildings. The City code should have provisions that require the applicant to clearly label each relevant dimension and area, so that staff can quickly verify the facts. The dimensioned plan and tabulation of gross and net area should be signed and sealed by the professional-of-record. Furthermore, the code and permit should include language that clearly notifies the applicant, owner, or tenant, that any change to the excluded areas, or net area is subject to revised parking requirements that must be met in kind or in-lieu, (such as parking demand reduction.)

Parking Ratios

We recommend calculating minimum parking requirements based on parking ratios in the attached Table 2, indicating the number of parking spaces per 1,000 square-feet of net area (as herein defined), for most commercial uses. Parking requirements for residential dwellings should be based upon number of bedrooms or number of dwelling units. The Committee presents a reasonable range of parking ratios, suitable for Los Altos, as well as a specific recommended ratio in each category, for stand-alone as well as shared-use cases. The adjustment for shared use is based upon the capacity of that commercial district to share parking. This approach furthers the City goals to encourage shared parking, and should apply to most situations encountered within Los Altos. The 2013 CDM/Smith parking study indicates 22.3% shared use in the Downtown Parking District. An optimal mix of uses can achieve even higher degrees of shared parking. Although we have recommended that parking ratios be adjusted by a very modest 20% shared parking factor, we agree that the reasonable range, for shared parking Downtown, could be between 20% and 25%.

Selecting a ratio within the reasonable range is supported by the facts, studies, and reviews that were conducted. The Council may select a ratio at the higher end of the range, if it seeks to discourage this type of use; or at the lower end of the range, if it seeks to encourage this type of use. The Committee's specific recommendation for each category is neutral on policy and only addresses what we believe is the appropriate ratio for Los Altos without creating incentive or disincentive. We do not recommend parking ratios beyond the reasonable range.

Shared Parking

The capacity for shared use varies based upon the overall size and character of the commercial district. Therefore, shared parking ratios for the Downtown parking district, and Neighborhood Commercial Centers are shown, based upon the capacity or those areas to support shared parking.

Shared parking works best when the mix of uses tends to flatten the parking demand curve. Professional offices tend to have a more uniform parking demand throughout the day with the exception of lunch time, when a portion of the occupants leave for lunch engagements elsewhere. Others within the office may walk to nearby restaurants. Both of these activities have the effect of flattening the lunchtime peak-demand normally generated by restaurants. The Downtown area has sufficient space, adjacent high-density housing, restaurants, retail, grocery and service, so that it can support a greater degree of shared parking. Neighborhood commercial centers can support shared parking, but to a lesser degree than the Downtown, due to their smaller size and limit on the mix of uses that can significantly flatten the peak demand curve. The shared parking percentages have been applied to reflect these circumstances.

Conditions to Apply Parking Ratios

Based on discussions for a vibrant downtown, the City Council may wish to activate the sidewalks, by not counting outdoor sidewalk dining in the parking ratio calculation. Our recommendation would be to not count outdoor sidewalk seating, where the sidewalks have adequate width for both seating as well as unobstructed access, as defined by the Americans with Disabilities Act, and the amount of seating does not exceed 25% of the first floor seating.

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We recommend that all applicants be advised in writing that the parking ratios are minimum requirements, and that property owners are responsible if the uses of the building cause parking to encroach into residential areas, or negatively impact neighboring businesses. Where it can be shown that the use at a property negatively impacts others they shall likewise be required to pay for programs that either decrease the parking demand or increase the parking supply.

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We recommend greater emphasis be placed on safe and convenient pedestrian loading zones with bench seats and shade amenities. Commercial loading should be

restricted to non-peak periods, with those loading zones made available for public parking during those periods.

SUMMARY OF RECOMMENDATIONS AND OBSERVATIONS

Table 2 (attached) summarizes the Parking Committee's recommendations for minimum parking requirements, for stand-alone projects, as well as shared use areas. Where applicable, the parking ratio is based upon the number of parking spaces per 1,000 square feet of area. The method for application of the parking ratios is summarized on the back of Table 2.

We believe that resolving parking issues in Los Altos requires a multi-pronged approach. No one item will adequately address the various factors that result in parking problems. However, each item will contribute to the overall goals. Making parking requirements and ratios simpler, more reasonable, and more predictable serves Los Altos and supports merchants' ability to serve the community while adjusting to shifting market conditions. Reasonable parking ratios should also reduce the frequency of exceptions or variances needed to satisfy parking requirements.

In pursuit of improving overall parking conditions, the City must recognize that the amount of retail and restaurants is greatly out of proportion with the amount of office and nearby residential required to support the retail/restaurant sector, particularly in the Downtown. Parking and traffic issues are exacerbated when the mix of uses are out of proportion. The shifting marketplace, caused by Internet disruption has reduced the amount of "bricks and mortar" retail that can be sustained by cities, particularly cities with smaller populations. Therefore, we also recommend that the City consider policy to encourage mixes of residential and office use that tend to flatten the peak parking demand curve. Furthermore, the Committee's other recommendations for revised parking layout standards, and building area calculation, all work synergistically to support City goals, for a pleasant community.

In the Downtown, expansion of the Downtown Parking District and an associated in-lieu program would support more shared parking opportunities, and greater unity in this unique commercial district. Expansion of parking supply with more efficient parking layouts in the parking plazas, and a parking structure would alleviate parking while supporting vibrancy. Interim measures to reduce parking demand, such as shuttle buses, transit, and bicycle use, can also quickly improve parking in Los Altos. There are several parking management tools that can also work together with parking reform measures to improve the parking experience downtown.

While there are other steps to optimize citywide parking in Los Altos, the recommended parking ratios and their proper application will provide a strong foundation to support subsequent steps. These reasonable ratios will also immediately serve the City by eliminating practices that cast negative perceptions and streamlining practices to better serve the community.

Respectfully submitted by
The Citywide Parking Committee:

Lou Becker, Ronit Bodner, Kim Cranston, Gary Heddon,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

Attachments

Table 1. Comparison of Current Code and Practice, Studies, and Recommended Parking Standards (2 pages)

Table 2. Recommended New Parking Ratios and Application Rules (2 pages)

Appendix

Table 3. Los Altos Office and Retail Parking Standards – 2007 corrected results (2 pages)

Table 4. Confirmation Counts to Update Parking Studies to 2015 (2 pages)

Table 5. Los Altos Parking Ratio Examples – Restaurant Parking (2 pages)

City-wide Parking Ad Hoc Committee
Wednesday, December 2, 2015
MEETING MINUTES

DRAFT**Call to Order**

Co-chair Mordo opened the meeting at 9:15 a.m.

Roll Call (✓ = Committee members in attendance)

✓	Ronit Bodner	✓	Jean Mordo
✓	Jeannie Bruins		Mark Rogge
✓	Kim Cranston	✓	David Rock
✓	Gary Hedden	✓	Lou Becker
✓	Jack Kelly	✓	Marcia Somers, City Manager
✓	Bill Maston	✓	Zach Dahl, Planning Services Manager
	Mike McTighe		

Approve November 4, 2015 meeting minutes

Motion: _____ / _____ : Approve the November 4, 2015 meeting minutes. Passed 6-0-0-____ with _____ absent.

Discuss feedback from Planning and Transportation Study Session

Committee members discussed feedback provided by the Planning and Transportation Commission and how to present recommendations at future Planning and Transportation Commission and City Council meetings.

Comments were heard from Ted Sorensen, Bart Nelson and Jerry Sorensen.

Discussion of next steps

Committee members discussed the process for advancing recommendations to the Planning and Transportation Commission and City Council.

Action: An Executive Summary Committee consisting of Kim Cranston, Gary Hedden, David Rock and Mark Rogge was established and directed to provide a draft Executive Summary for review and discussion by January 13, 2016.

Adjournment

Meeting was adjourned at approximately 11:15 a.m.

Ron Packard
115 Doud Dr.
Los Altos, CA 94022

January 11, 2016

VIA EMAIL

City of Los Altos
One North San Antonio Road
Los Altos, CA 94022
Attn: Jon Maginot, City Clerk

Re: Public records request

Dear Jon:

Pursuant to the California Public Records Act, Govt. Code § 6251 *et seq.*, would you please make the following available for me to copy:

1. All emails and other communications to or from any representative of the City of Los Altos and any of the following: Ted Sorensen, Jerry Sorensen, 40 Main Street Offices, LLC, Gunn Management Group, Inc., and/or anyone acting in their behalf (collectively "Sorensens"). This request is not limited to any potential development of 40 Main Street, but also parking issues, and any other issue.
2. All communications to or from any representative of the City of Los Altos and any person beyond the Sorensens regarding any aspect of 40 Main Street, Los Altos.
3. All memos, documents, or other writings prepared by the City of Los Altos regarding any aspect of 40 Main Street, Los Altos.
4. The fee schedule applicable in 2013 when the Sorensens filed a reapplication for a development of 40 Main Street, Los Altos, and a copy of the fees paid by the Sorensens for their current application at 40 Main Street.
5. All Brown Act notices or other notices for the meetings held by the various subcommittees of the City-wide Parking Ad Hoc Committee.
6. All recordings, minutes, documents exchanged or used at any of the subcommittee meetings held by the various subcommittees of the City-wide Parking Ad Hoc Committee. This request should exclude all information already available on the city's web page regarding the City-wide Parking Ad Hoc Committee.

Hope this is not too much of an inconvenience,

Best regards,

Ron Packard

From: [Jon Maginot](#)
To: [Ron Packard](#)
Subject: FW: Public records request
Date: Thursday, January 21, 2016 2:38:22 PM
Attachments: [Request For Public Records.doc](#)
[Resolution No. 2013-16.pdf](#)
[NoReply_Exec-Sharp@losaltosca.gov_20160121_144545.pdf](#)

Ron,

This email is in response to your request for records dated January 11, 2016 (attached for reference).

1. The City is in the process of ascertaining and collecting those public records which may exist. It is anticipated that these records will be available for your review on or before February 4, 2016.
2. The City is in the process of ascertaining and collecting those public records which may exist. It is anticipated that these records will be available for your review on or before February 4, 2016.
3. The City Council report dated June 10, 2012 related to 40 Main Street can be found at: http://los-altos.granicus.com/MetaViewer.php?view_id=4&clip_id=512&meta_id=28839 (the report is too large to attach to an email). The report sent to the Planning and Transportation Commission is included in the June 10, 2012 City Council report.
4. The applicable fee schedule and receipt from the application fee are attached.
5. There are no public records responsive to this request
6. There are no public records responsive to this request

In conclusion, some of the records may be exempt or subject to privileges; therefore, the City reserves the right to object to disclosure of said records based on the specific exemptions or privileges asserted.

Jon Maginot
City Clerk/Assistant to the City Manager
City of Los Altos

From: Ron Packard [mailto:rdpackard@packard.com]
Sent: Monday, January 11, 2016 3:31 PM
To: Jon Maginot
Subject: Public records request

Jon, please find attached a public records request. Best regards, Ron Packard

**City of Los Altos Citywide Parking Committee
Memorandum**

Date: **September 10, 2015**

To: **City Council and Planning and Transportation Commission**
From: **Citywide Parking Committee**

Subject: **Parking Ratios**

INTRODUCTION

Parking standards are used to properly manage the temporary storage of vehicles for the convenience of people in the community. A parking ratio is an appropriate metric for establishing a standard for the number of parking spaces needed, based upon the type of use and area of the space being used. Frequently, the parking ratio is expressed as the number of parking spaces per 1,000 square feet of building area. Parking ratios can be used to establish a minimum or a maximum requirement for the provision of parking related to a building or use.

Parking ratios are usually established in municipal codes, as is the case in Los Altos and most other cities. Parking ratios are an important tool to provide appropriate parking supply to support people as they live, work, and play in the community.

The Citywide Parking Committee was created by the City Council on February 14, 2015 to address several issues related to parking. The Committee reviewed several examples of past development, parking related studies, and City practices. We reviewed other nearby cities and towns to benchmark practices in the area. Field review was also conducted to see what impacts or opportunities were currently evident.

The Committee recommends new and revised parking ratios to serve the City of Los Altos, shown in the attached Table 2. The goal is to have parking ratios that are:

1. Reasonable, so that they can be applied to the vast majority of cases;
2. Within range of what relevant professional published studies suggest, and that are appropriate for small Bay area cities;
3. Flexible, to address various situations, such as shared parking, or other circumstances;
4. Clear and consistent, eliminating ambiguity or uncertainty

BACKGROUND

The *City-wide Parking Ad-hoc Committee* memo, approved by Council on February 24, 2015, asks the Committee to address the following questions:

1. Do current parking ratios reflect real parking demand?
2. Do different types of businesses generate different demands?
3. Are current codes applied consistently?

1. Reasonable and Realistic

In many cases, the current parking ratios do not reflect real parking demand and the ratios are not always reasonable for the intended use. This can result in requiring an inappropriate amount of parking, either too much or too little. The City has frequently relied upon granting exceptions or variances to approve a project where the parking requirements have not been met. Reasonable parking ratios should be suitable in most cases, without the need for exceptions or variances.

2. Usage Profiles

Each type of business or use generates a different parking demand. Parking demand also varies from use to use, from place to place, and time of day. Parking ratios can express a minimum requirement. Some cities also restrict the maximum number of parking spaces allowed, for various reasons, to avoid unwanted or unintended consequences. With ideal planning, varied uses can be mixed to complement each other and provide the most efficient shared parking. In the worst cases, peak parking periods coincide to create parking problems that cause unnecessary traffic, insufficient parking supply and an unpleasant environment.

3. Consistent and Objective

The current Los Altos Code contains several methods for calculating parking requirements that can cause inconsistency. Some of the metrics employed are more subjective than objective. For example, restaurant parking is currently based upon the number of restaurant seats and number of employees. A developer or restaurant tenant may have one concept initially, when parking requirements are being calculated, and quite a different concept later, after the parking requirement has been met. Calculations based upon area are more objective, and also relate to fire occupancy codes.

The current codified parking ratios, based on nation-wide standards for “stand-alone” sites, are generally unsuitable for Los Altos, particularly where shared parking is encouraged. Although the City of Los Altos encourages shared parking and has policies to support shared parking, the Code lacks parking ratios for shared parking areas. The result can be, or can appear to be, an inconsistent application of the Code.

The Parking Committee reviewed a great deal of data with the intent of addressing and resolving the aforementioned issues. The review included the following:

1. City Resources: presentations by City Staff on recent developments, City reports, memos, studies, City Code; City-sponsored consultant-studies, reports, and memos; public comments at Citywide Parking Committee meetings;
2. Field Resources within Los Altos: site reviews of buildings and parking areas around town, Aerial photos, public records, on-line documents;
3. Outside Resources: parking standards or nearby cities, City Codes; professional publications.

DISCUSSION

The Committee's review revealed several opportunities to improve the parking ratios and the way they are applied. The Committee also found the complex nature of parking policy makes it difficult to comprehend without defining several parameters. Review of nearby cities' codes illustrates the complexity that drives the need to define terms.

While it seems satisfying to compare Code requirements with other cities, we noted several problems with a direct comparison.

1. Many different metrics may be used to calculate parking requirements, including using area with a ratio to determine the number of parking spaces, in which case the area used varies from city to city:
 - a. Gross building area (square-feet of entire building, similar to what insurance companies use.)
 - b. Net building area (gross area less certain utility areas that may not necessarily create parking demand.) The definition of what is excepted from the gross area can include: vertical transportation (elevators, stairwells, and ducts), lobbies, inner courts, atrium, restrooms, utility rooms and other items.
 - c. Parcel area (square-feet of the entire parcel,) either gross or net, relating to what zoning may ultimately allow.

Some codes, such as in Los Altos, use applicant information to determine specific use, such as: number of employees, patrons, visitors, etc. and applying a "carpooling" ratio to the total. For example, for restaurants, Los Altos divides the total number of seats plus the number of employees, by 3 to determine parking requirements. We have demonstrated that this results in an equivalent parking ratio that is at the extreme high end of most Bay-area cities.

2. Some cities (such as Palo Alto) state parking ratios as either a catchall category when none of the other categories exist, or as a maximum allowance that cannot be exceeded. Some cities have specific commercial districts throughout the city, each of which has its own parking ratio, based upon shared parking or other factors. The catchall standard is only applied outside of all known commercial districts. Some cities (such as Mountain View) use the parking ratio as a back-up category, where it is only applied if the project does not fall into one of many incentive zones or policies.
3. Cities employ incentives or disincentives to achieve their goals. Those cities (such as Mountain View) that seek to enliven the sidewalks with outdoor dining do not count outdoor dining in their parking demand calculations. Other cities, (such as Saratoga) diminish or eliminate outdoor seating at restaurants by including it in parking demand calculations. Similarly, some cities have incentives to attract retail.
4. Looking to the future: cities revise their parking ratios to accommodate new realities. Parking management and alternate modes of travel are two factors that impact existing as well as future parking standards.
 - Mountain View and other cities have developed mass-transit throughout the city, as well city- and corporate-sponsored shuttle buses. Many technology companies provide buses, ride-sharing programs, or transit passes.
 - Bicycle routes, paths and trails reduce motor-vehicle traffic, but require a different kind of parking space at destinations, such as bicycle lockers.
 - Self-driving or autonomous vehicles may pick you up and drop you off at your destination, but may need a place to park as well. The convenience of autonomous vehicles may rely upon adequate parking near traffic-generating attractions to reduce response wait-time and traffic.
 - A large shift in retail from “Main Street” to “big box stores” and from “Main Street” to Internet commerce has reduced the amount and kind of retail that may be viable for many communities. Delivery services bring meals, goods and services to people’s residences or places of work, while causing another type of traffic and momentary parking need.

Los Altos can learn from other cities while respecting the qualities that give Los Altos a distinctive village feel, as well as the vibrancy needed for commercial districts to thrive, amid peaceful neighborhoods. Simplifying the parking Code will serve the community and those who wish to serve the community.

The City has conducted several studies of parking and parking related issues. These studies, along with current field review shed light on parking successes and failures.

Lack of appropriate parking creates problems when it:

1. Negatively impacts neighboring businesses or residents;
2. Causes unnecessary traffic;
3. Discourages favorable business traffic or commerce;
4. Frustrates residents, customers, employees, or visitors.

The Committee vetted available studies, performed field reviews, and heard City Staff explain the permitting process on several recent development projects. This review garnered several conclusions:

1. The current parking Code and actual practices are not aligned.
2. Exceptions and variances become the norm, rather than desirable projects that can meet the Code without variance or exception. When other projects are rejected for not meeting the Code, one wonders why a variance is not similarly applied, leading to the appearance of unfairness.
3. Depending on the specific use some parking demands were found to be below current requirements, yet above current practices. There is too great a degree of reliance on interpretations of the Code, exceptions, or variances to reproduce or predict results from one project to the next.
4. Staff must rely upon unwritten rules and interpretations of the Code since these rules do not seem to be well documented. This creates the appearance of inconsistency and possible unfairness. An example is that the parking policies practiced in the Downtown Parking District seem inconsistent and are not clearly defined by Code.
5. Inconsistent application of parking standards, regardless of how popular or unpopular the results, raises the suspicion of unfairness and cronyism, whether or not it actually exists.
6. It is an undue and inappropriate burden on City Staff for the parking Code to be anything other than reasonable, clear, concise, and predictable.

Table 1 (attached) compares current parking regulations and practices in Los Altos with results of parking studies, and recommendations. The existing parking regulations indicate both current Code requirements as well as current practices, indicated by existing conditions or recent project approvals. Where the City Code does not use ratios, equivalent ratios were calculated and indicated to simplify comparison with ratios. Results of parking studies in Los Altos, were reviewed, corrected as necessary, and checked for conformity with current conditions by verification counts. A reasonable range of parking ratios applicable to a small town like Los Altos is shown. Published parking manuals indicate that local information

is more appropriate than nationwide standards. Property values in Los Altos and the Bay area clearly suggest different parking patterns than what is found in Midwest cities, urban metropolises, or rural farmland.

OPTIONS

The Parking Committee has developed several options to address and improve the parking ratios and their application.

Area Calculation

- A. Gross Area of Building or Use – This is the simplest and least likely to be misrepresented or misinterpreted.
- B. Net Area of Building or Use – This gets to the heart of what generates parking demand, but this method requires more Staff review, and is subject to change or differing interpretations. This approach requires clear definitions of what is and is not an exception for the purposes of determining net area. (The Committee's recommendations to determine areas for parking purposes are outlined elsewhere.)
- C. Specific use approach – This requires more documentation from applicants and more staff time, but may be a more precise method of calculating parking demand. On the other hand, it is very subjective, and requires verification and modifications as the market changes, and uses evolve.

Parking Ratios

- A. 100% parked – This approach requires the most parking but covers all foreseeable events and peak usage. This approach works best where property values are low.
- B. Reasonably parked – This approach recognizes that parking congestion may occur for reasonably short peak periods, or during occasional special events.
- C. Specific Use studies – this requires the most documentation and staff time, and is subjective in determining parking demand.
- D. Reasonable ranges of parking ratios, by category of use, are provided herein. These allow the City to impart policy to provide incentive or disincentive for a particular use, all while keeping within the realm of what is supported by best practices and current studies. Each recommended specific ratio poses a neutral position. Increasing the ratio would tend to discourage that category of use. Decreasing the ratio would tend to encourage that category of use. Ratios beyond the reasonable range are not recommended as they have little or no basis of support.

RECOMMENDATIONS

Parking Categories

The Parking Committee recommends simplifying categories for types of use based upon uses found in Los Altos. Medical office or clinics were once included in the same category with offices. Los Altos recently revised that practice, by requiring each medical clinic to calculate parking demand on a Use Permit basis. Medical offices remain in the office category.

We recommend that medical offices that are similar to other professional (legal, engineering) offices be considered the same. However, medical clinics/dental offices are shown as a new category. A parking ratio for medical clinics/dental offices establishes a minimum parking requirement, while preserving the option for the City and medical/dental clinic applicant to use site-specific parking studies, as appropriate.

Area Calculation

The Parking Committee's Recommended Parking Ratios and Application Rules are tabulated in Table 2 (attached.) After considering several options the Committee recommends that the City calculate parking requirements using a well-defined net area of the building or use, particularly for office buildings. This approach allows the City to encourage architectural features that give a building and a city character but do not necessarily increase parking demand.

Whereas, restaurant parking demands are more well established and suited to gross area, since there is far less difference between gross and net. Therefore, the parking ratio for restaurants is based on gross area, with specific exceptions. Restaurants in multi-story buildings can exclude area for vertical transportation, such as elevators, stairs, and ducts, as these are required for accessibility but do not add to parking demand.

Provided that the City employs mechanisms to verify the area of exceptions, and verify that these areas are not later being converted, the parking ratio would apply to net area for uses such as office buildings. The City Code should have provisions that require the applicant to clearly label each relevant dimension and area, so that staff can quickly verify the facts. The dimensioned plan and tabulation of gross and net area should be signed and sealed by the professional-of-record. Furthermore, the Code and permit should include language that clearly notifies the applicant, owner, or tenant, that any change to the excluded areas, or net area is subject to revised parking requirements that must be met in kind or in-lieu, (such as parking demand reduction.)

Parking Ratios

We recommend calculating minimum parking requirements based on parking ratios in the attached Table 2, indicating the number of parking spaces per 1,000 square-feet of net area (as herein defined), for most commercial uses. Parking requirements for residential dwellings should be based upon number of bedrooms or number of dwelling units. The Committee presents a reasonable range of parking ratios, suitable for Los Altos, as well as a specific recommended ratio in each category, for stand-alone as well as shared-use cases.

The adjustment for shared use is based upon the capacity of that commercial district to share parking. This approach furthers the City goals to encourage shared parking, and should apply to most situations encountered within Los Altos. Data from the 2013 CDM/Smith parking study indicates 22% shared use in the Downtown Parking District. An optimal mix of uses can achieve even higher degrees of shared parking. Although we have recommended that parking ratios be adjusted by a very modest 20% shared parking factor, we agree that the reasonable range, for shared parking Downtown, could be between 20% and 25%.

Selecting a ratio within the reasonable range is supported by the facts, studies, and reviews that were conducted. The Council may select a ratio at the higher end of the range, if it seeks to discourage this type of use; or at the lower end of the range if it seeks to encourage this type of use. The Committee's specific recommendation for each category is neutral on policy and only addresses what we believe is the appropriate ratio for Los Altos without creating incentive or disincentive. We do not recommend parking ratios beyond the reasonable range.

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significantly flatten the peak demand curve. The shared parking percentages have been applied to reflect these circumstances.

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Based on discussions for a vibrant downtown, the City Council may wish to activate the sidewalks, by not counting outdoor sidewalk dining in the parking ratio calculation. Our recommendation would be to not count outdoor sidewalk seating, where the sidewalks have adequate width for both seating as well as unobstructed access, as defined by the Americans with Disabilities Act, and the amount of seating does not exceed 25% of the first floor seating.

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We believe that resolving parking issues in Los Altos requires a multi-pronged approach. Approving the proposed parking ratios will form a foundation to support other parking reforms. No single item can completely address the various factors that result in parking problems. Current parking ratios do not accurately reflect parking demand. Making parking requirements and ratios simpler, more accurate and reasonable, and more predictable serves Los Altos and supports merchants' ability to serve the community while adjusting to shifting market conditions. Reasonable parking ratios should also reduce the frequency of exceptions or variances needed to satisfy parking requirements.

In pursuit of improving overall parking conditions, the City must recognize that the amount of retail and restaurants is greatly out of proportion with the amount of office and nearby residential required to support the retail/restaurant sector, particularly in the Downtown. Parking and traffic issues are exacerbated when the mix of uses is out of proportion. The shifting marketplace, caused by Internet disruption has reduced the amount of "bricks and mortar" retail that can be sustained by cities, particularly cities with smaller populations. Therefore, we also recommend that the City consider policy to encourage mixes of residential and office use that tend to flatten the peak parking demand curve. Furthermore, the Parking Committee's other recommendations for revised parking layout standards, and building area calculation, all work synergistically to support City goals, for a pleasant community.

In the Downtown, expansion of the Downtown Parking District and an associated in-lieu program would support more shared parking opportunities, and greater unity in this unique commercial district. Expansion of parking supply with (re-striping) more efficient parking layouts in the parking plazas, as well as a parking structure would alleviate parking while supporting vibrancy. Interim measures to reduce parking demand, such as shuttle buses, transit, and bicycle use, can also quickly improve parking in Los Altos. There are several parking management tools that can

also work together with parking reform measures to improve the parking experience downtown.

While there are several steps to optimize citywide parking in Los Altos, the recommended parking ratios and their proper application will provide a strong foundation to support subsequent steps. These reasonable ratios will also immediately serve the City by eliminating practices that may cast negative perceptions and can help streamline practices to better serve the community.

Respectfully submitted by
The Citywide Parking Committee:

Lou Becker, Ronit Bodner, Kim Cranston, Gary Heddon,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

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PowerPoint Presentation slides “Reasonable Ratios” dated 9/10/2015 (Slides 1-3 and 5-25)

City-wide Parking Ad Hoc Committee
Wednesday, May 6, 2015
MEETING MINUTES

Call to Order

Co-chair Mordo opened the meeting at 9:16 a.m.

Roll Call (✓ = Committee members in attendance)

✓	Ronit Bodner	✓	Jean Mordo
✓	Jeannie Bruins	✓	Mark Rogge
✓	Kim Cranston		David Rock
✓	Gary Hedden	✓	Lou Becker
	Jack Kelly	✓	Marcia Somers, CM
✓	Bill Maston	✓	James Walgren, CDD
✓	Mike McTighe		

Approve April 15, 2015 meeting minutes

Motion: Maston/Rogge: Approve the April 15, 2015 meeting minutes. Passed 8-0-3, with Bodner, Kelly and Rock absent

Review draft Parking Issues and Potential Solutions and sub-committee assignments

Co-chair Mordo presented the revised Parking Issues and Potential Solutions. Bill Maston suggested the inclusion of mobile parking apps for item G (consideration of parking meters), which will be added.

Review Project

4700 El Camino Real, BevMo Retail Project

Community Development Director Walgren presented an overview of the development. Discussion centered around the definition of intensive retail use vs. extensive retail use.

Comments were heard from Ted Sorensen and Abby Ahrens.

Conclusion: Consensus among members of the Committee was that the City needs to address the risk of a change in use from extensive to intensive for developments, possibly through the requirement of Conditional Use Permits (CUP). Staff will look at requiring CUPs and whether they would alleviate the risk of a change in use.

Subcommittee reports

Parking ratios (D. Rock/M. Rogge)

Mark Rogge presented the findings of the subcommittee with regards to the 2009 Fehr and Peers Parking Study and distributed a handout of recommended corrections to the Fehr and Peers report.

Comments were heard from Jerry Sorensen and Ted Sorensen.

Conclusion: Consensus among members of the Committee was that the subcommittee should consider possible differences between 2007 numbers and 2015. Also, the subcommittee should consider if there is another location within the City or in Mountain View or Palo Alto that is stand-alone retail and not mixed-use that could be an example for Los Altos and if there is a source for determining seasonal adjustment.

Parking in-lieu program (R. Bodner/M. Rogge/K. Cranston)

Kim Cranston presented the efforts of the subcommittee thus far and posed questions for the Committee as a whole to consider.

Conclusion: Consensus among members of the Committee was that the subcommittee would develop recommendations regarding the matter and bring them back to the Committee for consideration.

Comments were heard from Abby Ahrens.

Measuring square footage (M. McTighe/B. Maston)

Mike McTighe and Bill Maston presented the efforts of the subcommittee thus far and distributed a draft handout of Building Square Foot Calculations for Determining Parking Requirements.

Parking stall standards (D. Rock/B. Maston)

Bill Maston presented the efforts of the subcommittee thus far and distributed a draft handout of Parking Lot Layout and Restriping Recommendations.

Comments were heard from Ron Packard.

Action: A subcommittee of Gary Hedden and Mike McTighe was created to study alternative transportation options.

Adjournment

Meeting was adjourned at 10:45 a.m.

The City of Los Altos Building Square Footage Calculations Used for Determining Parking Requirements October 20, 2015



Ex. 10

Background

- ▶ A number of city approved projects have used building square footages that are different than those filed with the city in determining the amount of parking required for a specific project. This has resulted in a number of recently approved projects being under parked.
- ▶ The city currently uses FAR to determine the maximum building size, parking requirements, and traffic fees paid.

$$\text{F.A.R.} = \frac{\text{GROSS FLOOR AREA OF A BUILDING}}{\text{TOTAL AREA OF THE LOT}}$$

(Floor Area Ratio)

- ▶ Currently a net building square footage is used that includes some exempted building components, in determining the number of parking spaces required and traffic impact fees to be paid to the city.

Discussion

- ▶ Floor Area Ratio has been an acceptable formula for determining maximum building square footage and other design components for many years.
- ▶ FAR is an accepted method used to determine community impact and parking requirements in addition to building height and mass.
- ▶ These current rules have not been applied evenly when it comes to calculating the required parking spaces for a building or use and traffic impact fees required leaving the surrounding community to “pay the price” for under parked projects.
- ▶ By creating a better FAR definition we believe we can apply these rules with better consistency when it comes to:
 - Determining parking requirements
 - Traffic impact fees
 - Encouraging beneficial architectural features
 - Outdoor dining
 - Other uses

Discussion Continued

- ▶ We recommend that the city modify what is counted in the FAR when determining parking requirements.
- ▶ We've found in surrounding communities that the more exemptions there are in FAR calculations, there is a higher car count per thousand required.
- ▶ A building whose FAR car count is lower includes:
 - Stairwells
 - Elevators
 - Mechanical/Electrical Rooms
 - Restrooms
 - Etc.
- ▶ However, if we were to remove all of these elements from the calculation it would result in a higher parking requirement.

Discussion Continued

- ▶ Could we use the parking square footage calculations as incentive for developers to, for example, create bigger lobbies or other architectural features to enhance the building without increasing the parking requirement?
- ▶ Additionally we could exempt architectural features and wall thickness greater than 10" from the FAR calculation.
- ▶ Further consideration is needed on how outside dining is included in the parking requirements for restaurants or outside sales.
- ▶ A simple approach may be to have FAR calculations that city staff use for building FAR match the FAR used for parking requirements by providing a very clear list of building area types (stairs, lobbies, elevators, etc.) that are exempt for the calculation.
- ▶ This approach would eliminate confusion for both planning staff, the general public, and developers.

Recommendation #1

- ▶ Modify how square footage is counted as floor area ratio for purposes of determining the amount of parking that is required for a specific use or project.

Recommendation #2

- ▶ Start the process by using the gross FAR calculations as the baseline.
- ▶ Do not include the following in the FAR calculations for the purposes of determining the number of car spaces required or city fees paid:
 - Stairwells
 - Elevators
 - Mechanical
 - Electrical rooms
 - Trash enclosures
 - Restrooms
 - Ground floor entries/lobbies (up to 300 sq.ft.)
 - Architectural features
 - Wall thickness in excess of 10" if the thickness is used for purposes of creating architectural features

Recommendation #3

- ▶ Allow a review mechanism as an incentive for developers to create larger lobbies or other architectural features that enhance the building without increasing parking requirements. This incentive could be part of the design review application process.

Recommendation #4

- ▶ Create an inspection process whereby planning staff inspects the building at completion of construction to ensure that architectural features that were considered exempt from the FAR parking requirements are not then converted to useable office/retail space, etc.

Recommendation #5

- ▶ Allow a partial exemption (50% of the total required) of outdoor dining square footage requirements in calculations of parking required through a use permit process for the outdoor dining square footage on private property.
- ▶ Those areas approved for outdoor dining within the public right of way, will be assessed at 25% of the square footage in calculating the required parking.
- ▶ This approach would allow city review of individual projects in order to better understand potential parking impacts.

**City of Los Altos Citywide Parking Committee
Memorandum**

Date: **November 8, 2015**

To: **Planning and Transportation Commission**
From: **Citywide Parking Committee**

Subject: **Parking Ratios**

INTRODUCTION

Parking standards are used to properly manage the temporary storage of vehicles for the convenience of people in the community. A parking ratio is an appropriate metric for establishing a standard for the number of parking spaces needed, based upon the type of use and area of the space being used. Frequently, the parking ratio is expressed as the number of parking spaces per 1,000 square feet of building area. Parking ratios can be used to establish a minimum or a maximum requirement for the provision of parking related to a building or use.

Parking ratios are usually established in municipal codes, as is the case in Los Altos and most other cities. Parking ratios are an important tool to provide appropriate parking supply to support people as they live, work, and play in the community.

The Citywide Parking Committee was created by the City Council on February 14, 2015 to address several issues related to parking. The Committee reviewed several examples of past development, parking related studies, and City practices. We reviewed other nearby cities and towns to benchmark practices in the area. Field review was also conducted to see what impacts or opportunities were currently evident.

The Committee recommends new and revised parking ratios to serve the City of Los Altos, shown in the attached Table 2. The goal is to have parking ratios that are:

1. Reasonable, so that they can be applied to the vast majority of cases;
2. Within range of what relevant professional published studies suggest, and that are appropriate for small Bay area cities;
3. Flexible, to address various situations, such as shared parking, or other circumstances;
4. Clear and consistent, eliminating ambiguity or uncertainty.

BACKGROUND

The *City-wide Parking Ad-hoc Committee* memo, approved by Council on February 24, 2015, asks the Committee to address the following questions:

1. Do current parking ratios reflect real parking demand?
2. Do different types of businesses generate different demands?
3. Are current codes applied consistently?

1. Reasonable and Realistic

In many cases, the current parking ratios do not reflect real parking demand and the ratios are not always reasonable for the intended use. This can result in requiring an inappropriate amount of parking, either too much or too little. The City has frequently relied upon granting exceptions or variances to approve a project where the parking requirements have not been met. Reasonable parking ratios should be suitable in most cases, without the need for exceptions or variances.

2. Usage Profiles

Each type of business or use generates a different parking demand. Parking demand also varies from use to use, from place to place, and time of day. Parking ratios can express a minimum requirement. Some cities also restrict the maximum number of parking spaces allowed, for various reasons, to avoid unwanted or unintended consequences. With ideal planning, varied uses can be mixed to complement each other and provide the most efficient shared parking. In the worst cases, peak parking periods coincide to create parking problems that cause unnecessary traffic, insufficient parking supply and an unpleasant environment.

3. Consistent and Objective

The current Los Altos Code contains several methods for calculating parking requirements that can cause inconsistency. Some of the metrics employed are more subjective than objective. For example, restaurant parking is currently based upon the number of restaurant seats and number of employees. A developer or restaurant tenant may have one concept initially, when parking requirements are being calculated, and quite a different concept later, after the parking requirement has been met. Calculations based upon area are more objective, and also relate to fire occupancy codes.

The current codified parking ratios, based on nation-wide standards for “stand-alone” sites, are generally unsuitable for Los Altos, particularly where shared parking is encouraged. Although the City of Los Altos encourages shared parking and has policies to support shared parking, the Code lacks parking ratios for shared parking areas. The result can be, or can appear to be, an inconsistent application of the Code.

The Parking Committee reviewed a great deal of data with the intent of addressing and resolving the aforementioned issues. The review included the following:

1. City Resources: presentations by City Staff on recent developments, City reports, memos, studies, City Code; City-sponsored consultant-studies, reports, and memos; public comments at Citywide Parking Committee meetings;
2. Field Resources within Los Altos: site reviews of buildings and parking areas around town, aerial photos, public records, on-line documents;
3. Outside Resources: parking standards or nearby cities, City Codes; professional publications.

DISCUSSION

The Committee's review revealed several opportunities to improve the parking ratios and the way they are applied. The Committee also found the complex nature of parking policy makes it difficult to comprehend without defining several parameters. Review of nearby cities' codes illustrates the complexity that drives the need to define terms.

While it seems satisfying to compare Code requirements with other cities, we noted several problems with a direct comparison.

1. Many different metrics may be used to calculate parking requirements, including using area with a ratio to determine the number of parking spaces, in which case the area used varies from city to city:
 - a. Gross building area (square-feet of entire building, similar to what insurance companies use.)
 - b. Net building area (gross area less certain utility areas that may not necessarily create parking demand.) The definition of what is excepted from the gross area can include: vertical transportation (elevators, stairwells, and ducts), lobbies, inner courts, atrium, restrooms, utility rooms and other items.
 - c. Parcel area (square-feet of the entire parcel,) either gross or net, relating to what zoning may ultimately allow.

Some codes, such as in Los Altos, use applicant information to determine specific use, such as: number of employees, patrons, visitors, etc. and applying a "carpooling" ratio to the total. For example, for restaurants, Los Altos divides the total number of seats plus the number of employees, by 3 to determine parking requirements. We have demonstrated that this results in an equivalent parking ratio that is at the extreme high end of most Bay-area cities.

2. Some cities (such as Palo Alto) state parking ratios as either a catchall category when none of the other categories exist, or as a maximum allowance that cannot be exceeded. Some cities have specific commercial districts throughout the city, each of which has its own parking ratio, based upon shared parking or other factors. The catchall standard is only applied outside of all known commercial districts. Some cities (such as Mountain View) use the parking ratio as a back-up category, where it is only applied if the project does not fall into one of many incentive zones or policies.
 3. Cities employ incentives or disincentives to achieve their goals. Those cities (such as Mountain View) that seek to enliven the sidewalks with outdoor dining do not count outdoor dining in their parking demand calculations. Other cities, (such as Saratoga) diminish or eliminate outdoor seating at restaurants by including it in parking demand calculations. Similarly, some cities have incentives to attract retail.
 4. Looking to the future: cities revise their parking ratios to accommodate new realities. Parking management and alternate modes of travel are two factors that impact existing as well as future parking standards.
- Mountain View and other cities have developed mass-transit throughout the city, as well city- and corporate-sponsored shuttle buses. Many technology companies provide buses, ride-sharing programs, or transit passes.
 - Bicycle routes, paths and trails reduce motor-vehicle traffic, but require a different kind of parking space at destinations, such as bicycle lockers.
 - Self-driving or autonomous vehicles may pick you up and drop you off at your destination, but may need a place to park as well. The convenience of autonomous vehicles may rely upon adequate parking near traffic-generating attractions to reduce response wait-time and traffic.
 - A large shift in retail from “Main Street” to “big box stores” and from “Main Street” to Internet commerce has reduced the amount and kind of retail that may be viable for many communities. Delivery services bring meals, goods and services to people’s residences or places of work, while causing another type of traffic and momentary parking need.

Los Altos can learn from other cities while respecting the qualities that give Los Altos a distinctive village feel, as well as the vibrancy needed for commercial districts to thrive, amid peaceful neighborhoods. Simplifying the parking Code will serve the community and those who wish to serve the community.

The City has conducted several studies of parking and parking related issues. These studies, along with current field review shed light on parking successes and failures.

Lack of appropriate parking creates problems when it:

1. Negatively impacts neighboring businesses or residents;
2. Causes unnecessary traffic;
3. Discourages favorable business traffic or commerce;
4. Frustrates residents, customers, employees, or visitors.

The Committee vetted available studies, performed field reviews, and heard City Staff explain the permitting process on several recent development projects. This review garnered several conclusions:

1. The current parking Code and actual practices are not aligned.
2. Exceptions and variances become the norm, rather than desirable projects that can meet the Code without variance or exception. When other projects are rejected for not meeting the Code, one wonders why a variance is not similarly applied, leading to the appearance of unfairness.
3. Depending on the specific use some parking demands were found to be below current requirements, yet above current practices. There is too great a degree of reliance on interpretations of the Code, exceptions, or variances to reproduce or predict results from one project to the next.
4. Staff must rely upon unwritten rules and interpretations of the Code since these rules do not seem to be well documented. This creates the appearance of inconsistency and possible unfairness. An example is that the parking policies practiced in the Downtown Parking District seem inconsistent and are not clearly defined by Code.
5. Inconsistent application of parking standards, regardless of how popular or unpopular the results, raises the suspicion of unfairness and cronyism, whether or not it actually exists.
6. It is an undue and inappropriate burden on City Staff for the parking Code to be anything other than reasonable, clear, concise, and predictable.

Table 1 (attached) compares current parking regulations and practices in Los Altos with results of parking studies, and recommendations. The existing parking regulations indicate both current Code requirements as well as current practices, indicated by existing conditions or recent project approvals. Where the City Code does not use ratios, equivalent ratios were calculated and indicated to simplify comparison with ratios. Results of parking studies in Los Altos, were reviewed, corrected as necessary, and checked for conformity with current conditions by verification counts. A reasonable range of parking ratios applicable to a small town like Los Altos is shown. Published parking manuals indicate that local information

is more appropriate than nationwide standards. Property values in Los Altos and the Bay area clearly suggest different parking patterns than what is found in Midwest cities, urban metropolises, or rural farmland.

OPTIONS

The Parking Committee has developed several options to address and improve the parking ratios and their application.

Area Calculation

- A. Gross Area of Building or Use – This is the simplest and least likely to be misrepresented or misinterpreted.
- B. Net Area of Building or Use – This gets to the heart of what generates parking demand, but this method requires more Staff review, and is subject to change or differing interpretations. This approach requires clear definitions of what is and is not an exception for the purposes of determining net area. (The Committee's recommendations to determine areas for parking purposes are outlined elsewhere.)
- C. Specific use approach – This requires more documentation from applicants and more staff time, but may be a more precise method of calculating parking demand. On the other hand, it is very subjective, and requires verification and modifications as the market changes, and uses evolve.

Parking Ratios

- A. 100% parked – This approach requires the most parking but covers all foreseeable events and peak usage. This approach works best where property values are low.
- B. Reasonably parked – This approach recognizes that parking congestion may occur for reasonably short peak periods, or during occasional special events.
- C. Specific Use studies – this requires the most documentation and staff time, and is subjective in determining parking demand.
- D. Reasonable ranges of parking ratios, by category of use, are provided herein. These allow the City to impart policy to provide incentive or disincentive for a particular use, all while keeping within the realm of what is supported by best practices and current studies. Each recommended specific ratio poses a neutral position. Increasing the ratio would tend to discourage that category of use. Decreasing the ratio would tend to encourage that category of use. Ratios beyond the reasonable range are not recommended as they have little or no basis of support.

RECOMMENDATIONS

Area Calculation

The Parking Committee's Recommended Parking Ratios and Application Rules are tabulated in Table 2 (attached.) After considering several options the Committee generally recommends that the City calculate parking requirements using a well-defined net area of the building or use. This approach allows the City to encourage architectural features that give a building and a city character but do not necessarily increase parking demand.

While gross area is the easiest to determine, net area may serve the City better. However the net area should be clearly defined, for the purposes of determining parking requirements by category. Generally the area for vertical transportation may be subtracted in each category. Vertical transportation includes stairways, elevators, and associated rated corridors that are required by the building code, such as elevator lobbies, and stair landings. Restrooms and Mechanical and electrical rooms that are not suitable for normal employee space may also be excluded. These areas clearly do not generate parking demand.

Provided that the City employs mechanisms to verify the area of exceptions, and verify that these areas are not later being converted, the parking ratio would apply to the net area. The City Code should have provisions that require the applicant to clearly label each relevant dimension and area, so that staff can quickly verify the facts. The dimensioned plan and tabulation of gross and net area should be signed and sealed by the professional-of-record. Furthermore, the Code and permit should include language that clearly notifies the applicant, owner, or tenant, that any change to the excluded areas, or net area is subject to revised parking requirements that must be met in kind or in-lieu, (such as parking demand reduction.)

Consideration was given to first floor lobbies that add architectural quality and interest. These may not necessarily generate additional parking demand to a point. Larger lobbies may increase parking demand if filled with desks, or concessions. Lobbies in restaurants either become waiting areas, or get filled with tables, contributing to parking demand. Therefore, up to 250 square-feet of first floor lobbies may be excluded in office buildings.

Based on discussions for a vibrant downtown, the City Council may wish to activate the sidewalks, (on clear-weather days) by not counting outdoor restaurant seating in the public right-of-way. Although the current Code does not deal with outdoor seating, it has been the City practice to not count it for purposes of determining parking requirements. Our recommendation would be to not count outdoor sidewalk seating, where the sidewalks have adequate width for both seating as well as unobstructed access, as defined by the Americans with Disabilities Act, provided that the outdoor seating is not more than 25% of the total restaurant seating.

Outdoor seating on-site (on private property) may or may not contribute to enlivening the sidewalks, depending upon its placement. Outdoor dining areas may provide an optional seating choice rather than additional seating due to the seasonal nature of outdoor spaces. Therefore, an applicant may apply for a reduction in the area of on-site, outdoor seating of up to 50% of the area of the outdoor seating, provided that the outdoor seating is not more than 25% of the total restaurant seating. If the outdoor space is designed for year-round use, employing heaters and rain protection, it should be counted the same as interior restaurant space.

Parking Categories

The Parking Committee recommends simplifying categories for types of use based upon uses found in Los Altos. Medical office or clinics were once included in the same category with offices. Los Altos recently revised that practice, by requiring each medical clinic to calculate parking demand on a Use Permit basis. Medical offices remain in the office category.

We recommend that medical offices that are similar to other professional (legal, engineering) offices be considered the same. However, medical clinics/dental offices are shown as a new category. A parking ratio for medical clinics/dental offices establishes a minimum parking requirement, while preserving the option for the City and medical clinics/dental office applicant to use site-specific parking studies, as appropriate.

Parking Ratios

We generally recommend calculating minimum parking requirements based on parking ratios in the attached Table 2, indicating the number of parking spaces per 1,000 square-feet of net area (as herein defined), for most commercial uses.

Parking requirements for residential dwellings should be based upon number of bedrooms or number of dwelling units. Similarly hotel parking should be based upon the number of rooms, since room size can vary widely, but parking demand relates more to the number of rooms than the room size.

The Committee presents a reasonable range of parking ratios, suitable for Los Altos, as well as a specific recommended ratio in each category, for stand-alone as well as shared-use cases.

Selecting a ratio within the reasonable range is supported by the facts, studies, and reviews that were conducted. The Council may select a ratio at the higher end of the range, if it seeks to discourage this type of use; or at the lower end of the range if it seeks to encourage this type of use. The Committee's specific recommendation for each category is neutral on policy and only addresses what we believe is the

appropriate ratio for Los Altos without creating incentive or disincentive. We do not recommend parking ratios beyond the reasonable range.

Shared Parking

The capacity for shared use varies based upon the overall size and character of the commercial district. Therefore, shared parking ratios for the Downtown Parking District and Neighborhood Commercial Centers are shown, based upon the capacity or those areas to support shared parking. This approach furthers the City goals to encourage shared parking, and should apply to most situations encountered within Los Altos.

Data from the 2013 CDM/Smith parking study indicates 22% shared use in the Downtown Parking District. An optimal mix of uses can achieve even higher degrees of shared parking. Although we have recommended that parking ratios be adjusted by a very modest 20% shared parking factor, we agree that the reasonable range, for shared parking Downtown, could be between 20% and 25%. Neighborhood Commercial Centers are smaller than the Downtown, providing less opportunity for shared parking. Therefore a 10% reduction in parking requirements is used for Neighborhood Commercial Centers.

Shared parking works best when the mix of uses tends to flatten the parking demand curve. Professional offices tend to have a more uniform parking demand throughout the day with the exception of lunch time, when a portion of the occupants leave for lunch engagements elsewhere. Others within the office may walk to nearby restaurants. Both of these activities have the effect of flattening the lunchtime peak-demand normally generated by restaurants. The Downtown area has sufficient space, adjacent high-density housing, restaurants, retail, grocery and service, so that it can support a greater degree of shared parking. Neighborhood commercial centers can support shared parking, but to a lesser degree than the Downtown, due to their smaller size and limit on the mix of uses that can significantly flatten the peak demand curve. The shared parking percentages have been applied to reflect these circumstances.

Conditions to Apply Parking Ratios

We recommend that all applications and permits that relate to parking clearly specify that any changes from the plans or intended uses on the permit set, shall trigger re-evaluation of parking requirements. If changes increase the parking demand the owner shall be responsible for providing the additional spaces, or to participate in an in-lieu program that will either decrease demand, and/or increase parking. Failure to do so would require restoring the building or use(s) to their former configuration.

We recommend that all applicants be advised in writing that the parking ratios are minimum requirements, and that property owners are responsible if the uses of the

building cause parking to encroach into residential areas, or negatively impact neighboring businesses. Where it can be shown that the use at a property negatively impacts others they shall likewise be required to pay for programs that either decrease the parking demand or increase the parking supply.

We recommend that offices be encouraged to provide bicycle parking within secure facilities at the building. Each three qualifying bicycle parking spaces should satisfy one motor vehicle parking space requirement, up to 10% of the parking requirement. Space set aside for secure bicycle parking would be excluded from the parking area calculations.

We recommend that properties be allowed to count one half of on-street parking spaces, directly in front of their property, on both sides of the street, within Los Altos, to satisfy parking space requirements for visitors or customers. This discourages curb cuts that would reduce on-street parking, while also reducing pedestrian/vehicle conflicts. Counting on-street parking in this manner recognizes the contribution that each property owner made in street dedication. The calculation of one half of spaces on both sides of the street fairly distributes the credit for parking regardless of which side of the street it may fall upon. Narrow streets may have parking only on one side, whereas wider streets may have diagonal parking on one side and parallel on the other. This fairly distributes parking resources, while allowing the location of parking and lanes to be determined by best practices of traffic engineering.

We recommend greater emphasis be placed on safe and convenient pedestrian loading zones with bench seats and shade amenities. Commercial loading should be restricted to non-peak periods, with those loading zones made available for public parking during those periods.

SUMMARY OF RECOMMENDATIONS AND OBSERVATIONS

Table 2 (attached) summarizes the Parking Committee's recommendations for minimum parking requirements, for stand-alone projects, as well as shared use areas. Where applicable, the parking ratio is based upon the number of parking spaces per 1,000 square feet of area. The method for application of the parking ratios is summarized on the back of Table 2.

We believe that resolving parking issues in Los Altos requires a multi-pronged approach. Approving the proposed parking ratios will form a foundation to support other parking reforms. No single item can completely address the various factors that result in parking problems. Current parking ratios do not accurately reflect parking demand. Making parking requirements and ratios simpler, more accurate and reasonable; and more predictable serves Los Altos and supports merchants' ability to serve the community while adjusting to shifting market conditions.

Reasonable parking ratios should also reduce the frequency of exceptions or variances needed to satisfy parking requirements.

In pursuit of improving overall parking conditions, the City must recognize that the amount of retail and restaurants is greatly out of proportion with the amount of office and nearby residential required to support the retail/restaurant sector, particularly in the Downtown. Parking and traffic issues are exacerbated when the mix of uses is out of proportion. The shifting marketplace, caused by Internet disruption has reduced the amount of "bricks and mortar" retail that can be sustained by cities, particularly cities with smaller populations. Therefore, we also recommend that the City consider policy to encourage mixes of residential and office use that tend to flatten the peak parking demand curve. Furthermore, the Parking Committee's other recommendations for revised parking layout standards, and parking management, all work synergistically to support City goals, for a pleasant community.

In the Downtown, expansion of the Downtown Parking District and an associated in-lieu program would support more shared parking opportunities, and greater unity in this unique commercial district. Expansion of parking supply with (re-striping) more efficient parking layouts in the parking plazas, as well as a parking structure would alleviate parking while supporting vibrancy. Interim measures to reduce parking demand, such as shuttle buses, transit, and bicycle use, can also quickly improve parking in Los Altos. There are several parking management tools that can also work together with parking reform measures to improve the parking experience downtown.

While there are several steps to optimize citywide parking in Los Altos, the recommended parking ratios and their proper application will provide a strong foundation to support subsequent steps. These reasonable ratios will also immediately serve the City by eliminating practices that may cast negative perceptions and can help streamline practices to better serve the community.

Respectfully submitted by
The Citywide Parking Committee:

Lou Becker, Ronit Bodner, Kim Cranston, Gary Heddon,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

Attachments – listed on next page

Attachments

Table 1. Comparison of Current Code and Practice, Studies, and Recommended Parking Standards (2 pages)

Table 2. Recommended New Parking Ratios and Application Rules (2 pages)

Appendix

Table 3. Los Altos Office and Retail Parking Standards – 2007 corrected results (2 pages)

Table 4. Confirmation Counts to Update Parking Studies to 2015 (2 pages)

Table 5. Los Altos Parking Ratio Examples – Restaurant Parking (2 pages)

PowerPoint Presentation slides “Reasonable Ratios” dated 11/08/2015 (Slides 1-25)

Los Altos Parking Standards

Comparison of Current Code and Practice, Studies and Recommended Parking Standards

		<u>Current</u>		<u>Studies</u>		<u>Proposed</u>			
		<u>Current Code</u>	<u>Current Practice</u>	<u>Studies Results</u>	<u>Reasonable Range</u>	<u>Citywide</u>	<u>Neighborhood Commercial Centers</u>	<u>Downtown Parking District</u>	
		<small>foot-notes</small>	<small>foot-notes</small>			<small>foot-notes</small>		<small>foot-notes</small>	
		Stand Alone	Stand Alone Shared Use	Stand Alone	Stand alone	Stand alone	10% Shared Use	20% Shared Use	
		spaces/1,000 sf net	spaces/1,000 sf spaces/1,000 sf	spaces/1,000 sf gross	spaces/1,000 sf	spaces/1,000 sf	spaces/1,000 sf	spaces/1,000 sf	
<u>Commercial</u>									
#	Type of Use								
1.a.	Retail - Extensive	2.00	2.00 2.00		2.00 to 3.00	2.50 f-5	not applicable	not applicable	
1.b	Retail - Intensive	5.00	5.00 2.86	3.60	3.50 to 4.00	3.75 f-6	3.38	3.00	
1.c.	Retail - Loyola Cor.	3.33	3.33 3.33				same as above	not applicable	
2	Service	5.00	- 2.86		3.00 to 5.00	4.00 f-7	3.60	3.20	f-7
3	Restaurant	14.00 f-1	5.19 3.03 f-4	9.00	8.00 to 10.00	9.00	8.10	7.20	
4	Office	3.33 f-2	3.33	2.25	2.00 to 3.00	2.50 f-6	2.25	2.00	
5	Grocery	5.00	3.38		3.00 to 4.00	3.50	3.15	2.80	f-9
6	Clinic	3.33 f-3	3.33 f-3		4.00 to 6.00	5.00 f-7	4.50	4.00	f-8
7	Hotel (per unit)	*	1.00 <1.00		0.5 to 1.50	1.00	0.90	0.80	f-9 f-10
* See code - too complicated to summarize									

See back for General Notes, and Footnotes.

General Notes Applies to Table 1

All recommended ratios are minimum requirements. Applicants should be encouraged to provide adequate parking for their needs.

Studies were vetted, corrected as necessary, and updated to with current confirmation counts.

Currently Los Altos has no specific standards for shared use areas.

Current practice has allowed applicants to provide a parking study, subject to staff approval, to allow reduced parking for shared use.

Neighborhood Commercial Centers: Village Court, Rancho, Loyola Corners, and Foothill Crossings.

Footnotes Applies to Table 1 front and back

f-1 Equivalent ratio based upon current Los Altos code. See Table 4.

f-2 Current Los Altos code doesn't distinguish Medical Office from Professional Office.

f-3 Medical Clinics currently require parking per use permit based on applicant-provided information.

f-4 Average of 30 Los Altos restaurants.

f-5 Applies only for El Camino Real area. This discourages big-box type stores in the Downtown or residential neighborhoods.

f-6 Recognizing that parking studies included some shared use the stand-alone ratio has been adjusted up.

f-7 Locations of service establishments may be restricted by zoning code.

f-8 The City may wish to discourage medical/dental clinics in the Downtown core. If so, no shared use ratio would apply.

f-9 Shared usage must be proven, and is only applicable for parking spaces open to the general public during normal business hours.

f-10 Other hotel services, such as dining, conference, or laundry would be calculated using the ratio for that category, reduced by 1/2 the parking required for guest-rooms, (assumes 50% shared use by hotel guests or hotel vacancies.)

Los Altos Parking Standards Recommended New Parking Ratios and Application Rules

<u>Commercial</u>		Reasonable Range	Citywide	foot- notes	Neighborhood Commercial Centers	Downtown Parking District	foot- notes	Comments
#	Type of Use	Stand alone spaces/1,000 sf	Stand alone spaces/1,000 sf		10% Shared Use spaces/1,000 sf	20% Shared Use spaces/1,000 sf		avg. % shared use units-net square feet
1.a.	Retail - Extensive	2.00 to 4.00	3.00	f-1				big box retail
1.b	Retail - Intensive	3.50 to 4.00	3.75		3.38	3.00		
2	Service	3.00 to 5.00	4.00	f-2	3.60	3.20		
3	Restaurant	8.00 to 10.00	9.00		8.10	7.20		
4	Office	2.00 to 3.00	2.50		2.25	2.00		professional or medical
5	Grocery	3.00 to 4.00	3.00		2.70	2.40	f-4	Shared use is usually not applicable
6	Medical Clinic/Dental Off.	4.00 to 6.00	5.00	f-3	4.50	4.00	f-4	medical or dental
7	Hotel (per unit)	0.5 to 1.50	1.00	f-5	0.90	0.80		
All ratios apply to net building area, as defined herein.								
<u>Residential</u>					<u>Comments</u>			
#	Type of Use	spaces/bedroom	spaces/bedroom		units			
8	Single-family	1.00 to 2.00	1.00		visitor parking on-street			
9.a.	Multi-family	1.00 to 2.00	1.00		resident parking			
		1 visitor space/ 3-6 dwellings	1 visitor space/ 4 dwelling units		1 visitor space/ x dwelling units			

See back for Application Rules and Footnotes

Application of Los Altos Standard Parking Ratios

- 1 The Citywide ratio applies unless the property is within a recognized shared parking district.
 - a. Recognized shared parking districts include the Downtown Parking District, and Neighborhood Commercial Centers. In the Downtown Parking District 100% F.A.R is exempt from parking, or may have a credit of 3.5 spaces/1,000 square feet of 100% F.A.R
 - b. The Downtown Parking District includes the Original Parking District plus approved expansions.
 - c. Other properties may use the shared parking ratio if they demonstrate at least 10% shared parking.
- 2 Area is measured as gross area less approved exceptions for determining minimum parking requirements.
 - a. The applicant shall provide a plan with sufficient dimensions to determine area with simple mathematical expressions.
 - b. The applicant shall provide a table with gross area on each floor and each area to be excluded, labeled on the plan.
 - c. The professional-of-record for the plan shall sign and stamp the plan and table indicated in 2.a. and 2.b. above.
 - d. Owners shall acknowledge, in writing, that any changes in the building affecting net area shall be reported to the City in writing.
 - e. Changes to net area shown on the plan shall void use permits unless revised parking requirements have been met.
- 3 All ratios are minimum requirements. **Applicant is responsible for providing adequate parking for their current use.**
 - a. If normal parking demand exceeds the legal parking available to that property, they shall mitigate parking demand.
 - b. Parking demand mitigation includes: providing additional parking, and parking management measures that reduce demand.
 - c. Downtown Parking District members may pay an in-lieu fee, that is used to increase parking or decrease demand.
 - d. Parking demand that spills over into: other's private property, parking districts, or residential neighborhoods, shall be mitigated.
 - e. City should encourage uses within the Downtown Triangle that flatten parking demand curves when plotted over time.
 - f. Optimal uses are encouraged to move towards an area ratio of: 4:4:1 (Office, Residential, Retail + Restaurant) within walking distance.
- 4 Restaurant parking requirements shall not include exterior sidewalk (public right-of-way) seating that is less than 25% of the total seating.

Provided that exterior sidewalk seating keeps adequate access as defined by the Americans with Disabilities Act.

 - a. Interior mezzanines for restaurant offices that are less than 10% of the first floor area are not counted for parking determination
 - b. Interior mezzanines for restaurant seating are counted for parking determination.
- 5 Grocery stores may not be eligible for shared parking unless spaces are not restricted to grocery customers.

Footnotes:

For Table 2 front and back

- f-1 Applies only for El Camino Real area. This discourages "extensive retail" type stores in the Downtown or residential neighborhoods.
- f-2 Locations of service establishments may be restricted by zoning code.
- f-3 The City may wish to discourage medical/dental clinics in the Downtown Parking District, and not allow a shared parking reduction.
- f-4 Shared usage must be proven, and only applicable for parking spaces open to the general public during normal business hours.
- f-5 Other hotel services, such as dining, conference, or laundry would be calculated using the ratio for that category, reduced by 1/2 the parking required for guest-rooms, (assumes 50% shared use by hotel guests or hotel vacancies.)

Los Altos Office and Retail Parking Standards

Table 3

2007 Parking Study in Los Altos

7/15/15

Page 1

This table combines Appendix A, B, and C, in one table, with calculations to support corrections

Note that calculations are for stand-alone sites. These should be reduced for shared parking uses.

See Table 4 for update to 2015

A. Office Sites

C.

Location	Area Square Feet	Survey Dates	Peak Occupancy Spaces	Corrected Peak Demand Spaces/1,000 SF
Packard Foundation	21,400	10/17/07	32	1.50
200 Second Street		10/18/07	39	1.82
Multi-tenant office bldg.	79,150	10/17/07	159	2.01
5150 El Camino Real		10/18/07	157	1.98
Real Estate offices	32,738	10/17/07	84	2.57
161 & 167 San Antonio Rd.		10/18/07	72	2.20
Totals	133,288		Average peak	2.01
			Min.	1.50
			Max.	2.57
(No seasonal correction for office)				
Circulation Factor increase	Average Peak 2.01	Circulation Factor 0.90		Parking Ratio 2.23

B. Retail Sites

Foothill Plaza total	66,356	10/18/07	248	3.74
2310 & 2350 Homestead Rd.	52,315	10/20/07	225	3.39
22356 & 22390 Homestead	14,041			
Elephant Pharmacy	14,004	10/18/07	21	1.50
4470 El Camino Real		10/20/07	31	2.21
Village Court Shopping Center	63,012	10/18/07	220	3.49
4546 El Camino Real		10/20/07	153	2.43
Totals	209,728		Average peak	2.79
			Min.	1.5
			Max.	3.74
Seasonal Correction	Average Peak	Oct. to Dec.	Increase amt.	Total
Increase from Oct. to Dec.	2.79	15.00%	0.42	3.21
		Circulation Factor		Parking Ratio
Circulation Factor increase	3.21	0.90		3.57

Los Altos Office and Retail Parking Standards

Table 3

Page 2

Area by building

Lcn.	Address	Major Tenants	Area in Sq. ft.	% of Reported Area
Foothill Plaza				
	2310 Homestead Rd.	Trader Joe's etc.	29,902	57%
	2350 Homestead Rd.	Rite Aid, Chain Reaction	22,413	43%
	Subtotal	Previously Reported	52,315	100%
	22356 Homestead Rd.	Peets, Subway, etc.	7,257	14%
	22390 Homestead Rd.	Wells Fargo, Starbucks	6,784	13%
	Subtotal	Previously Omitted	14,041	27%
Total Foothill Plaza or Foothill Crossings			<u>66,356</u>	<u>127%</u>

City of Los Altos Citywide Parking Committee
Confirmation Counts to Update Parking Studies to 2015

Table 4
Page 1

Village Court El Camino Real at San Antonio
Area 63,012 Square-feet

Date Thursday 5/28/15								10/18/07 F&P	
Time	Unmarked	Bank	HDCP	Aux. Lot on Louks	Total	Parking Usage/ 1,000 square feet		Total	Parking Usage/ 1,000 square feet
11:00	133	2	4	7	146	2.32		145	2.30
11:30	153	4	2	7	166	2.63		168	2.67
Noon	209	3	2	8	222	3.52		195	3.09
12:30	205	3	4	7	219	3.48		210	3.33
1:00	206	4	5	7	222	3.52	peak	220	3.49
1:30	164	7	2	9	182	2.89		196	3.11
2:00	169	4	1	8	182	2.89		160	2.54
2:30	161	3	1	7	172	2.73		144	2.29
3:00	152	4	1	6	163	2.59		131	2.08
3:30	146	3	0	7	156	2.48		130	2.06
4:00	132	3	1	6	142	2.25		130	2.06
Date Saturday 5/30/15								10/20/07	
Time	Unmarked	Bank	HDCP	Aux. Lot on Louks	Total	Parking Usage/ 1,000 square feet		Total	Parking Usage/ 1,000 square feet
11:30	110	1	2	3	116	1.84		109	1.73
Noon	126	0	4	2	132	2.09		112	1.78
12:30	127	0	3	1	131	2.08		126	2.00
1:00	153	0	3	1	157	2.49	peak	123	1.95
1:30	144	2	3	2	151	2.40		153	2.43
2:00	130	1	2	2	135	2.14		147	2.33
2:30	90	1	2	1	94	1.49		133	2.11
3:00	83	1	4	1	89	1.41		92	1.46
3:30	79	1	2	3	85	1.35		92	1.46
4:00	77	0	1	3	81	1.29		85	1.35
								75	1.19
Average						2.27		Average	2.22

Adjustment for 2015

	Year	2007	2015	% Change
Highest Peak Demand		3.49	3.52	0.86%
Average Demand		2.22	2.27	2.25%

The minor increase in peak parking demand of less than 1% indicates little change from 2007 to 2012.

The minor increase in average parking demand of about 2% indicates a minor flattening of the parking demand curve, showing better overall use of parking supply.

Assuming all areas would increase by the same amount yields the following:

Average Retail Peak Parking Demand

	2007	2015	%
Average Peak Demand	Study	Adjust.	Change
Retail	3.57	3.60	0.86%
Office	2.23	2.25	0.86%

Los Altos Parking Ratio Examples

6/3/15

Table 5

Restaurant Parking

Page 1

Comparison with other Municipalities

Note: Equivalent Ratio of Parking Spaces per 1000 square feet of total area

calculated from Municipal/Planning Code formulas, using Standard Restaurant Examples (page 2)

Municipality	Units/ Example	Total Area Square Feet	Parking Code Formula 1 space/unit of measure	Total spaces	Parking spaces/ 1000 sf ratio	Comment
Cupertino	R #1	5,000	1/250 sf total area	20	4.00	
	R #2	2,500		10	4.00	
Palo Alto Downtown	R #1	5,000	1/250 sf total are	20.00	4.00	
	R #2	2,500		10.00	4.00	
Burlingame	R #1	5,000	1/200 sf total area	25.00	5.00	
	R #2	2,500		12.50	5.00	
San Carlos	R #1	5,000	1/75 sf seating area	33.33	6.67	
	R #2	2,500		16.67	6.67	
Palo Alto Calif. Ave.	R #1	5,000	1/155 sf gross area	32.26	6.45	
	R #2	2,500		16.13	6.45	
Los Gatos	R #1	5,000	1/4 seats	41.25	8.25	
	R #2	2,500		22.25	8.90	
Sunnyvale	R #1	5,000	9/1000 sf min, 13/1000 sf max.	45.00	9.00	
	R #2	2,500	9/1000 sf min, 13/1000 sf max.	22.50	9.00	
Mountain View	R #1	5,000	The greater of A. 1/2.5 seats or B. 1/100 sf total area +	54.00	10.80	These parking standards are frequently not applied.
	R #2	5,000	1/2.5 outdoor seats	62.00	12.40	
	R #1	2,500	A.	35.60	14.24	
	R #2	2,500	B	25.00	10.00	
Saratoga	R #1	5,000	1/75 sf total area, incl. outdoor	71.85	14.37	outdoor seating is scarce
	R #2	2,500		36.50	14.60	
Los Altos <i>current code</i>	R #1	5,000	1/3 (customers + employees)	71.67	14.33	
	R #2	2,500		36.33	14.53	

Los Altos Parking Ratio Examples

6/3/15

Table 5

Restaurant Parking

Page 2

Comparison with: current code, current practice, and nearby communities

Standard Restaurant Examples

Restaurant	R #1	5,000 sf	100%	R #2	2,500 sf	100%
Seating Area		2,500 sf	50%		1,250 sf	50%
Back of House		2,500 sf	50%		1,250 sf	50%
		SF/Seat				
Indoor Seating		135 seats	18.52		70 seats	17.86
Outdoor Seating		30 22%	388.89		19 27%	237.50
Total Seating		165			89	
		SF/Empl.			SF/Empl.	
No. of Employees		50	50		20	63

Current Los Altos

Code Requirement	Pkg. Spaces	People/car	Pkg. Spaces	People/car
No. of Customer spaces	55	3	29.67	3
No. of Employee Spaces	16.67	3	6.67	3
Equivalent Parking Ratio		14.40	parking spaces/1000 sf area	
Total Parking Spaces R #1	71.67		R #2	36.33

Current Practice in Los Altos

Average of 30 Los Altos restaurants		3.82	parking spaces/1000 sf area	
Total Parking Spaces R #1	19		R #2	10

Average Parking Ratios in Nearby Communities - from page 1

Average without including Los Altos	8.19	parking spaces/1000 sf area		
Average including Los Altos	9.17	parking spaces/1000 sf area		

Reasonable Range 8.00 to 10.00 parking spaces/1000 sf area

Recommended Los Altos Parking Ratio 9.00 parking spaces/1000 sf area
Total Parking Spaces R #1 45 R #2 23

Recommendation:

Change the current parking requirement for restaurants, from 1 space per every 3 seats, plus one space per every 3 employees, to: **9.00 spaces per 1,000 total gross square feet.**

Date: November 19, 2015

To: Planning and Transportation Commission

From: City Wide Parking Committee

Re: Consideration of an expanded parking district and a parking in-lieu program ("PILP") for downtown Los Altos.

INTRODUCTION

This preliminary report consists of this Introduction (which includes Background, Guiding Principles, a discussion of What Have Other Cities Done, Relevant Issues Identified by the City, and Relevant Issues Identified by the City-Wide Parking Committee and the Parking In-Lieu Subcommittee), a Summary of Recommendations, a Discussion of Recommendations, a Conclusion, and four Appendixes.

Background

The Original Parking District ("OPD") property owners created an assessment district in the 1950s: they provided real property and cash to create parking plazas 1 through 10 (the "Parking Plazas"). Those property owners found that combining parking resources encouraged shared parking and benefited the City as well as property owners. This sustained the Los Altos downtown for many years. However, in the last 30 years the City has conducted several studies that recommended new parking supplies. Creation of a PILP is one of the essential elements of addressing parking needs in the Downtown Triangle as it will allow an accumulation of parking funds to support construction of new parking supplies pursuant to a Specific, Precise or Master Plan.

Every property in the OPD is supported by parking spaces located in the plazas and on-street. Currently, we enjoy an eclectic mix of buildings and usages that provide a sharing environment for parking. Parking policies have led to excess unused private stalls outside of the OPD in the Downtown Triangle (the area bounded by San Antonio, Foothill and Edith ("DT Triangle")). The result is diminished vibrancy for our retail shops and restaurants. We should attribute and consistently allocate every parking resource in the DT Triangle – whether they are in the plazas, on-street, under the building, or adjacent to it – to the associated property. This will assure the maximum vibrancy for every new building as the town redevelops.

Properties outside of the OPD use parking resources within the OPD. Developing the PILP can ensure adequate parking resources are available to the DT Triangle and that property owners are treated consistently throughout the DT Triangle.

We believe any PILP will need to: (i) recognize and honor the contribution of the existing property owners who designed and built the OPD in the 1950's (the "OPD Members"), (ii) choose the areas where the in-lieu program can be used to allow eligible properties to

join the Expanded Parking District (“EPD”); (iii) balance credits for existing parking attributable to OPD Members with credits for existing parking attributable to any new program participants (“New Members”), and recommend additional credits, adjustments and/or in-lieu fees that might be applicable to both OPD Members and New Members (together “PD Members”). We found that by creating the PILP each of the stated issues is resolved.

We have not found any other City that has all of the elements related to parking found in the DT Triangle, so considerable effort has been made to recognize and account for the unique issues that apply only to Los Altos, while applying principles of parking best practices where applicable. The general idea is to recommend a PILP that all participants will find open and transparent, with predictable and repeatable results that are fair to both the OPD Members and New Members, plus provide key funding for new parking resources. The PILP is intended to be something the City could implement immediately. The PILP could be modified if the City develops a Specific, Precise or Master plan for Downtown Los Altos or Downtown Los Altos and the Civic Center. We explore a variety of new resources that may be considered to increase parking supply, manage parking supply, or reduce parking demand, including: constructing a garage, restriping plazas, creating more on-street stalls with changed signage and reconfigurations, leasing and paying insurance for private stalls for employee or valet parking (including seasonal and/or lunch time valet parking), shuttles to nearby parking areas, subsidizing Uber and/or Lyft carpooling, apps that better enable drivers to find vacant stalls, improved way-finding and/or other similar techniques all of which may be adopted as part of the overall parking program.

Perhaps most important, the PILP must work economically to: (1) enable desired development by property owners and (2) generate funds to create parking solutions. In this context, it is critical that the city determine (1) what, if any, additional development it desires and (2) how various costs imposed on development, such as Traffic Impact Fees and Parking In-Lieu Fees, parking ratios, and zoning. We believe that zoning, not parking, is the proper program to limit height, density, and usages or to encourage or discourage desired development. If all of these factors, and others, such as design guidelines, are not properly aligned with what the City desires in the way of development, the City shouldn’t expect desired development to occur. For example, even with the proposed PILP, little development should be expected in the OPD given it has more restrictive zoning, e.g., a 30-foot height limit (38 feet to the parapet), than non-OPD downtown areas. Conversely, even with less restrictive zoning, e.g., a 45 foot height limit (53 feet to the parapet), little development should be expected in the non-OPD downtown areas without an the PILP, unless the city continues to waive parking requirements. In addition, development will generally require 75 feet of frontage. Aggregation by a developer of 75 feet of frontage on Main Street will be challenging; aggregating 75 feet of frontage on State may be more feasible. However, even if the City aligns all of its resources to encourage desired development, any actual development will be dependent on broader economic conditions that determine interest rates, demand for various usages, and other important factors; consequently, it is critical the City align its

resources to encourage desired development so such development can occur when broader economic conditions permit.

To seek and maintain proper alignment of the factors it can control, the City should update the Parking In-Lieu Fee annually, as it does these other fees, to ensure it is aligned with the City's objectives. In this regard, in-Lieu fees can be set two ways: real cost or reduced cost. For example, the fee can be based on the actual costs of providing the parking spaces in a new public facility or the fee can be set below the actual cost of building the new structure. (Report to Redwood City Mayor and City Council, February 2006, p. 27). Also, "[s]trict standards for location of parking facilities are not defined (such as 'spaces must be provided within 500 feet of each individual development parcel for which in-lieu fees are paid'), nor are specific locations established when the program is implemented. Instead, parking location decisions are made over time, reflecting the changes in need for parking and opportunities to provide parking." (The Tahoe/Placer County Parking Improvement District Study, Public Draft Report dated May 4, 2006, p. 4)

Guiding Principles

1. The PILP can be adopted now as a forward-looking program that will be one of the cornerstones of a more vibrant downtown.
2. Any future Specific, Precise or Master Plan may incorporate the PILP.
3. The PILP should be designed to be durable, with a reduced need for variances or exceptions and attendant staff time requirements.

What have other cities done?

We have reviewed a number of books, articles and web entries in order to gather information about how others have handled the issues relating to the proposed PILP. The Tahoe/Placer County Parking Improvement District Study, Public Draft Report dated May 4, 2006 (Tahoe/Placer Draft Report – Appendix A), contains a review of an in-lieu program developed for the North Tahoe region. It reviewed other jurisdictions and contained general discussions relating to in-lieu programs. We quote various parts of the report as we considered them helpful. Additional information about Parking In-Lieu programs is found in portions of the North Tahoe Parking Study dated March 9, 2015 ("North Tahoe Parking Study" – Appendix B).

"There are a range of potential benefits that can be provided by establishment of an in-lieu parking fee program. There are, however, also some disadvantages and potential pitfalls that must be considered. This chapter presents a review of advantages/disadvantages as they relate to the ...region.

Driven in large part by efforts to reduce the impacts of parking on the urban design of commercial centers, there has been a substantial number of papers and articles written in recent years regarding in-lieu fees and parking districts.

“The likelihood of success in the use of zoning that allows payments of fees-in-lieu of parking is increased when a community can anticipate a rapid rate of development in a concentrated area. Where major developments are proposed, it is more likely that sufficient funds can be collected to help support construction of off-street parking. The funds collected, however, should simply supplement a community’s own resources (land, capital, personnel, and these funds should complement an existing program of municipally constructed off-street parking. Where development projects are to be constructed in a concentrated area and the public has the resources and administrative capacity to build and maintain centralized parking, the conditions may be appropriate for collecting fees-in-lieu of required parking spaces.” (Flexible Parking Requirements (Thomas P. Smith, 1983)

“An in lieu program provides another mechanism for the provision of parking, thereby reducing the need for variances. This helps to ensure that all landowners are treated equitably. [Since 2006, the City of Los Altos has approved 8 development projects that granted variances or exceptions for 292 parking stalls required by code (Appendix C: **Examples of projects granted “waivers” to parking requirements (we use the term “waive” to refer to the granting of exceptions or variances when projects do not meet parking requirements) with calculations of parking required if (1) restaurant outdoor seating is not counted and (2) under proposed code)].**

“Additional funding for public parking improvements is generated, potentially speeding the provision of additional public parking. Funding, moreover, accompanies the development that increases the need for such parking.

By providing an additional, readily available option for developers to address the often-difficult issue of meeting parking requirements, an in-lieu program increases the feasibility of development or redevelopment – particularly for small lots.” (The Tahoe/Placer County Parking Improvement District Study, Public Draft Report dated May 4, 2006, p. 1-2)

An In-Lieu program, however, needs to be an additional option for developers that doesn’t foreclose them from pursuing other options to meet parking requirements.

Relevant issues identified by the City

When the City Council (1) formed the City-Wide Parking Committee in February 2015 and (2) reviewed the Downtown Parking Management Plan Recommendations September 2013, it identified several issues related to the work of the Subcommittee.

When the City Council considered forming the City-Wide Parking Committee in February 2015, the Recommendation was to:

“Form an ad hoc committee to review the City’s existing parking ratios and their application. The scope of the committee would include all business districts and the work plan would include:

...

- Develop a consistent methodology to apply requirements and credits going forward
- Investigate a mechanism to evolve the [Downtown] Parking District
- Analyze how a parking-in-lieu program could help.

Further, when the City Council reviewed and adopted the Downtown Parking Management Plan Recommendations, September 17, 2013, the “summary of their review of each of the parking management strategies presented in Chapter 2 of the Plan and the related strategies that came out of the discussion at the City Council meeting [included]:

- “Seasonal Valet Program – The City Council supported funding this program for the 2013 holiday season and requested that the Chamber of Commerce and Los Altos Village Association share in the cost of implementation.

...

- “Construction parking mitigation – The City Council directed staff to explore the recommendations presented in the Plan and report back to Council on what additional measures could be implemented.

...

- “Financing options for additions to the parking supply. – City Council directed staff to initiate discussions with property owners in the downtown parking district to gauge interest in forming a parking assessment district or to identify other feasible financing mechanisms.

- “Design work for additional parking supply – The City Council did not support moving forward with initial design work on parking supply options until a financing mechanism is identified.

Relevant issues identified by the City-Wide Parking Committee and the Parking In-Lieu Subcommittee

The City-Wide Parking Committee and the Parking In-Lieu Subcommittee have identified five issues the PILP may help solve:

1. Development is restricted by the difficulty of providing onsite parking. There is currently no alternative other than granting “waivers”¹ to the parking requirements for most properties throughout the DT Triangle but particularly within the OPD.

¹ We use the term “waive” to refer to the granting of exceptions or variances when projects do not meet parking requirements. See Appendix C for examples.

2. There is currently no mechanism to fund additional parking solutions other than use of the General Fund.
3. Properties bordering the OPD unfairly benefit when the City grants “waivers” to the parking ordinances.
4. After a building is constructed, the use may change as allowed by code, but there is no way to adjust the number of parking spaces required.
5. Selective or subjective enforcement of parking requirement has resulted in some properties being granted “waivers” from them while other properties have not been granted waivers.

(Of course, solutions of problems often have unintended consequences; in this case, one such unintended consequence might be creation of a PILP may create a disparate outcome for OPD members because OPD zoning is less beneficial than zoning outside the OPD.)

KEY ASSUMPTIONS

- **Preserve Los Altos’ charming village character.**
- **Align parking supply and demand to reduce environmental effects, reduce costs to the City, and help create a better, more vibrant community.**
- **The efficient shared-parking environment of the Original Parking District (“OPD”) should be expanded.**
- **The private auto will remain the predominant transportation mode for the foreseeable future. Too little parking will result in community and economic negative impacts.**
- **The City adopts the proposed new parking ratios.**
- **Zoning is the most effective method to regulate density. The Parking In-Lieu Program (“PILP”) is about preserving village character while creating an equitable approach to addressing parking requirements, and increasing parking supply and reducing demand.**

SUMMARY OF PARKING IN-LIEU SUBCOMMITTEE RECOMMENDATIONS

With the above background, information about what other cities have done, guiding principles, and issues identified by the City, the City-Wide Parking Committee and the Parking In-Lieu Subcommittee in mind, we identified key relevant issues, and analyzed and recommended solutions. While we set out to make a comprehensive list of issues and recommended solutions, we realize we may not have covered all of the possibly important issues and ask that other important issues be brought to our attention so that they can be addressed in any future report to the Los Altos City-Wide Parking Committee, the Planning and Transportation Commission and the Council.

The following is a summary of our recommendations that may help address the issues identified by the City, the City-Wide Parking Committee and the Parking In-Lieu Subcommittee (it is followed by a discussion of each recommendation):

Parking In-Lieu Program

1. The DT Triangle should be the eligible area for expansion of the OPD.
2. OPD Members are automatically included in the PILP and should receive a 2.86 stall credit for every thousand square feet of land, representing each member's original contribution toward parking by cooperating in and funding the creation of the parking plazas. An owner of land within the DT Triangle who is not an OPD Member ("PD Eligible") is eligible to join the members of the OPD and enjoy the benefits of the PILP. If the PD Eligible Member elects to join the OPD and become a member of the expanded parking district ("EPD"), they should make a payment to a parking fund created by the City to hold parking funds for the benefit of the EPD ("Parking Fund") in lieu of creating 2.86 stalls per thousand square feet of land when joining the PILP (net of allowed credits, including credits for parking stalls created on site).
3. The following additional credits should be available to OPD Members and/or PD Eligible Members who elect to join the EPD (EPD Members):
 - i. When considering parking credits, on-street parking must be counted and allocated among DT Triangle properties, in order to avoid over-parking. OPD Members and PD Eligible Members should receive an equal On-Street Parking Stall Credit ("On-Street Parking Stall Credit"), initially 0.57 stalls per thousand square feet (these stalls have always been available to the OPD Members). We recommend that the On-Street Parking Stall Credit be re-evaluated after 100 of the 445 on-street stalls in the OPD have been allocated to new projects in the EPD, at which time the on-street stall credit that can be allocated to proposed future developments should be recalculated.
 - ii. Any PD Member who closes a curb cut that produces one or more parking stalls, receives a Parking Stall Credit for each new stall created.
 - iii. For any new development where a PD Member creates one or more on-site stalls that are made available to the public without restriction then the PD Member receives a parking stall credit for each stall produced.
 - iv. If a PD Member produces one or more on-site stalls that are restricted, then the credit will vary according to restriction as follows:
 - 1) $\frac{1}{4}$ credit for personally designated stalls and $\frac{1}{2}$ credit for all other restricted stalls;
 - 2) No credit for restricted stalls above what the code requires for the use, e.g., 4/1000 for office instead of 3.33/1,000. For example, a 9,000 square foot office requires 30 parking stalls for the current code at one stall per 300 square feet. If a developer provides 36 stalls (4 stalls per thousand square feet) no credit is given for stalls constructed in excess of the required 30 stalls.
 - 3) $\frac{1}{4}$ credit for restricted stalls that are made available for public parking after 5PM weekdays and on weekends and holidays.

- v. Anyone who eliminates a public stall must replace the public stall or pay the parking in-lieu fee for the stall.
 - vi. If PD Member offers a public benefit, the city should develop a way to value it and provide credit for it, possibly including credit in the PILP.
4. If an OPD Member changes to a more intensive use (e.g., retail to restaurant) then no in-lieu fee will be charged so long it does not exceed 100% of Floor Area Ratio (FAR). If an OPD Member redevelops, exceeding 100% of FAR, the redevelopment receives full parking credit for the greater of:
- a. 2.86 parking credits per 1,000 sf., or
 - b. The most parking-intensive use made of the first 100% FAR
- Beyond 100% FAR the shared parking ratios apply.
- If an EPD Member changes to a more intensive use (e.g., retail to restaurant) they should be required to provide additional parking for that more intensive use.
5. No refund is available if an EPD member changes to a less intensive use, but credit stays with the property for potentially more intensive future uses
6. **Unlimited Use Within the OPD:** To preserve the charming village character, properties within the OPD (but not including the Plazas) should have unlimited use of the PILP.
- Unlimited Use Outside the OPD for $\leq 15,000$ sf lots:** For all developments outside the OPD or in the Plazas involving lots of 15,000 sf or less, properties should have unlimited use of the PILP.
- Restricted Use Outside the OPD for $> 15,000$ sf lots:** For all developments outside the OPD or in the Plazas involving lots greater than 15,000 sf, In-Lieu fee spaces should only be used for the first 50 spaces and then for up to 50% of the number of required parking spaces after the first 50, with the fee adjusted to \$28,000 for spaces 51-100 and to \$38,000 for spaces over 100.
7. The initial parking in-lieu fee should be set at \$20,000 per stall.
8. Fees can be collected:
- i. As a one-time lump sum;
 - ii. As a fully amortized (but financed) purchase at \$2,710 per annum for ten years;
 - iii. As a "leasing" program at \$1,500 per stall per annum;
 - iv. If the Council determines that restaurants should be encouraged then the leasing option can be offered at \$750 per stall per annum for those properties.
9. Parking-in-lieu fees should be available only for creating new stalls or decreasing demand through programs such as the following:
- i. Restriping;
 - ii. Construction of a structured garage;
 - iii. Leasing of private stalls;
 - iv. Shuttles to nearby parking;
 - v. Valet parking;
 - vi. Subsidizing car-pooling.
10. The PILP should be administered by the City's Finance Director. A permanent Parking Advisory Committee shall advise the City Council regarding parking supply

and parking management in the Downtown and allocation of PILP funds. The 7 member initial Committee should be composed of one representative each from the following: Chamber of Commerce (who is a downtown merchant or DT commercial property owner), Los Altos Property Owners Downtown, Los Altos Village Association (who is a downtown merchant or DT commercial property owner), Planning and Transportation Commission; Bicycle/Pedestrian Advisory Commission; downtown residents; and the community at large. This parking committee should also be responsible for recommending and/or reviewing any proposed revisions of the PILP and parking management issues.

11. Because of all the options available to increase parking supply and/or reduce parking demand, The PILP may be adopted and implemented immediately; we recommend the following timeline for implementation of the PILP:

Within 60 days of approval by the City Council of the Parking In-Lieu Subcommittee recommendations, the City should:

- i. Create a separate Parking Reserve Fund (PRF) to hold funds (as well as interest generated by these funds) that is reserved for future provision of parking accessible to the public, or other programs to reduce parking demand.
- ii. Establish initial Parking Advisory Committee.

Within 120 days the PILP should be adopted as an ordinance.

DISCUSSION OF RECOMMENDATIONS

ISSUE 1: What area of the City should be eligible for a PILP? Options considered were:

- a. The OPD?
- b. The DT Triangle?
- c. The DT Triangle excluding residential-only areas north/west of Plaza North ("Commercial DT Triangle")?
- d. The DT Triangle, the Civic Center and the San Antonio Offices ("Greater DT Commercial Area")?
- e. Other?

RECOMMENDATION:

The DT Triangle should be the eligible area for expansion of the OPD.

DISCUSSION:

We recommend the eligible area for the PILP be the OPD as well as the other areas of the DT Triangle because Downtown Los Altos has evolved into a significantly larger commercial area in which parking resources are in fact already being shared and the EPD should reflect that reality. When parking, visitors and others do not distinguish between the OPD and adjacent areas outside the OPD.

We have included the residential areas of the DT Triangle in order to permit future owners to join the EPD should that be desired in the future. We do not recommend including the Civic Center and commercial properties on the other side of San Antonio at this time because there is not currently an adequate connection between them and downtown Los Altos with respect to parking. Visitors and others do distinguish between the DT Triangle and areas outside the DT Triangle, including the Civic Center. If a Specific, Precise or Master Plan is developed that includes Downtown Los Altos and the Civic Center (e.g., if a garage is placed in the Civic Center and with easy access to downtown Los Altos) the PD Eligible Property may be expanded to include that area.

We have identified three properties within the OPD that are not OPD Members and recommend they be treated as follows:

- a. 169 State Street. The Costume Bank (3,866 square feet) is located on a 12,197 square foot lot. It was originally the fire station owned by the City. This property was subsequently purchased by the Assistance League of Los Altos. Recently the Assistance League dedicated to the City the portion of its property in which 7 plaza stalls are located.

RECOMMENDATION: With this dedication, we recommend that the Costume Bank property be treated as if it were an OPD Member.

- b. 170 State Street contains 28,230 square feet of building on a 40,571 square foot lot. 170 State Street owns considerable portions of Plaza 9. We believe it is likely that at such time as the redevelopment of 170 State and Plaza 9 is undertaken there will be ample opportunity to negotiate with the owner to become a New Member. For purposes of the analysis in this document, we have decided to treat 170 State as if it is an OPD Member, having theoretically donated its areas of Plaza 9 to the OPD.

RECOMMENDATION: 170 State Street should be treated as if it were an OPD Member.

- c. 146 Main Street. This property is owned by the LOS ALTOS MASONIC TEMPLE ASSOCIATION. This property does not provide any parking resources to the OPD.

RECOMMENDATION: This property should be encouraged to join the EPD if the property is ever redeveloped.

ISSUE 2: Should there be stall credits for parking stalls in the Parking Plazas for OPD Members or New Members?

RECOMMENDATION:

OPD Members are automatically included in the PILP and should receive a 2.86 stall credit for every thousand square feet of land, representing each member's original contribution toward parking by cooperating in and funding the creation of the parking plazas. An owner of land within the DT Triangle who is not an OPD Member ("PD Eligible") is eligible to join the members of the OPD and enjoy the benefits of the PILP. If the PD Eligible Member elects to join the OPD and become a member of the expanded parking district ("EPD"), they should make a payment to a parking fund created by the City to hold parking funds for the benefit of the EPD ("Parking Fund") in lieu of creating 2.86 stalls per thousand square feet of land when joining the PILP (net of allowed credits, including credits for parking stalls created on site).

DISCUSSION:

There should be stall credits for parking stalls in the Parking Plazas for OPD Members. New Members did not contribute and should receive credit only after creating public stalls or paying the parking in-lieu fee. The OPD Members created an assessment district: they provided real property and cash to create the Parking Plazas, and should continue to have credit for the parking stalls they created. "[A]dmitting new properties into the parking district without some kind of contribution does not seem fair to parking district property owners." (Downtown Land Use Plans, Appendix V: History of Downtown Parking Plazas, p. 3 (<http://www.losaltosca.gov/community/page/master-plans-and-studies>))

Credit should be based on the Parking Plaza stalls per thousand square feet of land in the OPD as this is how the original assessment was made to create the OPD.

The estimated number of Parking Plaza stalls in the OPD, the estimated square feet of land in the OPD and the estimated proportion of Parking Plaza stalls per 1,000 square feet of land in the OPD are calculated as follows (the City should do its own counts and calculations to establish these numbers with specificity):

Area	Off-Street Parking Stalls	Square feet of lot land	Off-street parking stalls per 1,000 square feet of lot land
OPD	1204	420,869	2.86 ²

"The Downtown parking plazas were built to provide parking for those businesses that

² Off-Street Count from Table 1-5, p. 10 CDM Smith Report 2013; Land square footage from public records; square footage includes 169 State, 170 State, but excludes 146 Main; 169 State and 170 State were included because the current usage of off-street stalls and the count includes stalls contributed by these two properties; 146 Main was excluded because it has never contributed to or participated in the plaza system.

were included in the original parking district. Those businesses that are not in the parking district are required to provide their own parking on site in accordance with the City's zoning code. The City developed the permit parking program to ensure that those businesses that are located in the district had full use of their shared parking lots. Many have argued that the City should simply expand the parking district and allow properties close to the district to use the parking plazas.

However, admitting new properties into the parking district without some kind of contribution does not seem fair to parking district property owners.

“For example, the property at 233 Third St. was not included in the original parking district.

Annexing the property into the parking district without adding any new parking would impact the current parking ratio to the detriment of the existing merchants and property owners. The current ratio of 2.7 spaces per 1,000 square feet is already small for a Downtown like Los Altos and does not allow room for additional property in the district without the addition of new parking stalls.

“Even if there were enough space in the parking plazas for additional cars, the City cannot fairly give away this parking since the property owners who paid for the building of the plazas still receive the benefit of their investment. Their property is technically worth more than similar properties outside the parking district because they don't have to meet any parking requirements.

They can rent to any tenant, whether they have high or low parking demands. The properties on the periphery of the plazas have fewer options for their tenants and thus should not have as high a value. The uses of their property are limited by the need to meet certain parking requirements.

Since the property at 233 Third St. has not had enough parking for many years, the value of the property should be less than similar properties within the parking district. It would be unfair for the City to add to the property value of one owner who did not pay to build parking in the past by annexing that property into the parking district.

(Downtown Land Use Plans, Appendix V: History of Downtown Parking Plazas, Current Inequities Downtown pages. 3-4 (<http://www.losaltosca.gov/community/page/master-plans-and-studies>))

Despite acknowledging inequity in doing so, since April 2008 the City of Los Altos has approved 7 development projects that waived (granted variances or exceptions) for 289 parking stalls required by code; five of these projects (accounting for 279 parking stalls) were on the periphery of the plazas and one is in the Original Parking District (accounting for 10 parking stalls).

ISSUE 3i: How should on-street parking stalls in the OPD and PD Eligible property be considered in calculating parking requirements for new developments in the EPD?

RECOMMENDATION: When considering parking credits, on-street parking must be counted and allocated among DT Triangle properties, in order to avoid over parking. OPD Members and PD Eligible Members should receive an equal On-Street Parking Stall Credit (“On-Street Parking Stall Credit”), initially 0.57 stalls per thousand square feet

(these stalls have always been available to the OPD Members). The On-Street Parking Stall Credit should be re-evaluated after 100 of the 445 on-street stalls in the OPD have been allocated to new projects in the EPD, at which time the on-street stall credit that can be allocated to proposed future developments should be recalculated;

DISCUSSION:

We identified two issues related to if and how such a credit should be calculated:

1. Should on-street parking stalls be considered in calculating parking requirements for new developments in the EPD?
2. If so, how should on-street parking stalls be considered for new developments in the EPD?

First issue: How should on-street parking stalls be considered in calculating parking requirements for new developments?

After considering a number of issues we concluded on-street stalls should be considered in calculating parking requirements for new developments in the EPD.

The City Parking Management Plan clearly counts on-street parking stalls as part of the OPD shared-parking district, stating “the Downtown Parking District, which includes the ten public parking plazas, the on-street spaces along Main and State Street, and the on-street spaces on the numbered side streets between the north and south parking plaza boundaries.” (CDM Smith Downtown Parking Management Plan for the City of Los Altos (September 2013) P.1)

Similarly, the City’s Safeway Shared Parking Agreement includes on-street parking stalls in establishing the number of parking stalls that must be maintained in the area adjacent to Safeway (Safeway Shared Parking Agreement, Exhibit D).

Counting on-street parking recognized the contribution that each property owner made in street dedication.

Further, “Parking innovations include counting on-street spaces toward code requirements....” Richard W. Willson, *Parking Reform Made Easy* (2013) P. 59.

Every property in the EPD is supported by on-street stalls. If on-street stalls are not considered as part of the parking supply and not factored into calculating how many parking stalls a new development should provide, this will result in (1) production of more parking stalls than are required to provide adequate parking in the EPD, (2) unnecessarily increasing costs for developments or diverting available development resources away from other desired purposes, and (3) decreased vibrancy from too much space being taken up by unnecessary parking stalls. With a new parking policy, there is an opportunity to evaluate every new structure on its own merits, properly predicting parking requirements and fully accounting for all of its existing parking resources whether they are in the Parking Plazas, on-street, under the building, or adjacent to it.

Failure to count any of these resources means that any such building will be over-parked by those uncounted resources. Therefore, we should somehow account for every parking resource in calculating parking requirements for any property and attribute every parking resource in the DT Triangle, including downtown on-street stalls, to the appropriate PD Member. This will assure the maximum vibrancy for the DT Triangle.

The OPD enjoys wider streets and the on-street stalls in the OPD have historically been part of the shared parking upon which the OPD has relied. The OPD Members purchased property with abundant on-street stalls and enjoy their use and availability. These stalls are available to all users and the users do not differentiate in how they are utilized, with people often parking on State Street and shopping on Main Street and vice versa.

Second issue: If they are to be considered, how should on-street parking stalls be considered for new developments in the EPD

PD Eligible Members should receive an equal On-Street Parking Stall Credit, initially 0.57 stalls per thousand square feet. The On-Street Parking Stall Credit should be re-evaluated 100 of the 445 on-street stalls in the OPD have been allocated to new projects in the EPD, at which time the on-street stall credit that can be allocated to proposed future developments should be recalculated.

If on-street parking stalls are considered for new developments in the EPD, we concluded, after considering a number of different possible approaches, that the simplest, most equitable approach is to attribute .57 on-street stalls per 1,000 square feet of land associated with the property being developed until 100 of the 445 on-street stalls in the OPD have been allocated to new projects in the EPD, at which time we recommend a recalculation of the on-street stall credit that can be allocated for proposed future developments.

The estimated number of on-street parking stalls in the OPD, the PD Eligible Property, and the entire EPD (including the OPD), the estimated square feet of land in each of these areas, and the estimated proportion of on-street stalls per 1,000 square feet of land in each of these areas are calculated as follows (the City should do its own counts and calculations to establish these numbers with specificity):

Area	On-street parking stalls	Square feet of lot land	On-street parking stalls per 1,000 square feet of lot land
OPD	245	432,195	.57 ³
PD Eligible Property:	202	1,840,000	.11 ⁴
OPD & PD Eligible Property	447	2,272,195	.20

On-street parking stalls are typically the most visible, convenient, and therefore, the most sought after of the City's parking supply. Perhaps when Los Altos was a smaller, less developed town, on-street stalls may have been associated with an individual property. In practice today, usage of these parking stalls is indiscriminate and does not necessarily correlate to the property it abuts. In an effort to encourage shared parking and discourage reserved parking, treating the entire EPD as one zone will improve overall efficiency of parking by addressing the needs of the area as a whole, rather than allocating to property owners within the OPD greater credit for on-street stalls simply by reason of their location in proximity to OPD members. As such, on-street stalls are a public benefit that inures to all property owners in the EPD equally.

This PILP is intended to improve the overall efficiency of parking by incorporating on-street parking. The most equitable way of treating the allocation of on-street stalls, which to this date has not been considered, is to distribute it equally among all the members of the EPD. A credit-neutral distribution reflects that this benefit is being distributed to property owners to reflect the accurate parking needs of the downtown as a whole and not as a "reward" for a contribution the property owner made currently or in the past. Uniform treatment is also easier for the city to administer, developers to anticipate and residents to understand.

Additional factors considered in reaching the conclusion to include on-street stalls are:

Downtown shared parking environment: The 245 on-street parking stalls in the OPD are used interchangeably with the 1,204 parking plaza stalls.

Significant quantity: These on-street parking stalls represent 17% of parking stalls in the OPD – equivalent to the total net new stalls in a parking garage.

Consequences of Omission: Not taking 17% of the OPD parking supply into account is like trying to balance the City budget without taking into account 17% of its cash.

³ On-Street Count from Table 1-5, p. 10 CDM Smith Report 2013; Land square footage from public records; square footage includes 169 State, 170 State and 146 Main; 146 Main was included because it currently shares the usage of the on-street stalls

⁴ 142 stall On-Street Count from Figure 1-2 of the CDM Smith Report 2013; in addition, we counted 60 stalls outside the zone counted by CDM Smith on First Street and Lyell

Impact of accounting to future applicants: For a typical OPD lot of 2,500 square feet this would represent a nominal credit of 1.43 stalls.

These on-street stalls should be taken into account in managing Downtown Los Altos parking in order to correctly align parking supply and demand which:

- Helps preserve the charming village character
- Reduces costs to the City and others
- Creates a better, more vibrant community

ISSUE 3ii. Should a credit be allowed for closing a curb cut if that closure creates an on-street stall?

RECOMMENDATION: Any PD Member who closes a curb cut that produces one or more parking stalls, should receive a Parking Stall Credit for each new stall created

DISCUSSION: Curb cut closures that create a parking stall deserve credit. Options considered for the amount of the reward are:

- (i) One credit for each stall created.
- (ii) Other credit for each stall created.

ISSUE 3iii: If in any new development a PD Member creates one or more on-site stalls that are made available to the public without restriction, should the PD Member receive a parking stall credit for each stall produced?

RECOMMENDATION: For any new development where a PD Member creates one or more on-site stalls that are available to the public without restriction then the PD Member receives a parking stall credit for each stall produced.

ISSUE 3iv: If a PD Member constructs on-site stalls that are restricted to the PD Member's tenants, should there be a credit for this contribution and, if so, should the amount of the credit be influenced by the nature of the restriction?

RECOMMENDATION: If a PD Member produces one or more on-site stalls that are restricted, then the credit will vary according to restriction as follows:

1. $\frac{1}{4}$ credit for personally designated stalls and $\frac{1}{2}$ credit for all other restricted stalls;
2. No credit for restricted stalls above what the code requires for the use, e.g., 4/1000 for office instead of 3.33/1,000. For example, a 9,000 square foot office requires 30 parking stalls for the current code at one stall per 300 square feet. If a developer provides 36 stalls (4 stalls per thousand square feet) no credit is given for stalls constructed in excess of the required 30 stalls.
3. $\frac{1}{4}$ credit for restricted stalls that are made available for public parking after 5PM weekdays and on weekends and holidays.

DISCUSSION:

We think the city should encourage development of on-site restricted stalls to some extent because it takes pressure off the district but we also want to encourage actual sharing of the stalls for everyone to reduce the number of empty stalls downtown at any given time. Possible options considered include:

- a. Full credit regardless of restriction?
- b. Half credit regardless of restriction? (If owner builds 10 stalls restricted to my tenants, Owner receives credit for 5 against required parking).
- c. Vary credit according to restriction as follows: $\frac{1}{4}$ credit for personally designated stalls and $\frac{1}{2}$ credit for all other restricted stalls.
- d. No Credit?
- e. No credit for restricted stalls above what the code requires for the use, e.g., 4/1000 for office instead of 3.33/1,000. For example, a 9,000 square foot office requires 30 parking stalls for the current code at one stall per 300 square feet. If a developer provides 36 stalls (4 stalls per thousand square feet) no credit is given for stalls constructed in excess of the required 30 stalls.
- f. $\frac{1}{4}$ credit for restricted stalls that are made available for public parking after 5PM weekdays, on weekends and holidays.

We believe c. e. and f. are most appropriate as credits should recognize the varying impacts of restrictions on the availability of parking in the EPD. Therefore, credits should be awarded based on the level of restrictions imposed.

ISSUE 3v: If a PD Member develops a project that results in destruction of public stalls, should they be required to make up for the lost stalls in calculating parking requirements and the in-lieu parking calculation?

RECOMMENDATION: Anyone who eliminates a public stall should replace the public stall or pay the parking in-lieu fee for the stall

ISSUE 3vi: If PD Member offers a public benefit, how is that valued?

RECOMMENDATION: If PD Member offers a public benefit, the city should develop a way to value it and provide credit for it, possibly including credit in the PILP.

DISCUSSION: Value may be based on a number of considerations: (i) value to the City; (ii) value of land required; (iii) value of the development for desired projects like the Hotel; (iv) others.

ISSUE 4: If an existing use changes to a more intensive use within the OPD is an in-lieu fee charged?

RECOMMENDATION: If an OPD Member changes to a more intensive use (e.g., retail to restaurant) then no in-lieu fee will be charged so long as it does not exceed 100% of Floor Area Ratio (FAR). If an OPD Member redevelops, exceeding 100% of FAR, the redevelopment receives full parking credit for the greater of:

- a. 2.86 parking credits per 1,000 sf..or
 - b. The most parking-intensive use made of the first 100% FAR
- Beyond 100% FAR the shared parking ratios apply.

If an EPD Member changes to a more intensive use (e.g., retail to restaurant) they should be required to provide parking for that more intensive use.

ISSUE 5: Is there a refund available if there is a conversion to a less intensive use?

RECOMMENDATION: No refund should be granted if an OPD or EPD member changes to a less intensive use, but credit stays with the property for potentially more intensive future uses.

ISSUE 6: Should there be limits on how many PILP stalls are available for a project?

RECOMMENDATION:

Unlimited Use Within the OPD: To preserve the charming village character, properties within the OPD (but not including the Plazas) should have unlimited use of the PILP.

Unlimited Use Outside the OPD for ≤ 15,000 sf lots: For all developments outside the OPD or in the Plazas involving lots of 15,000 sf or less, properties should have unlimited use of the PILP.

Restricted Use Outside the OPD for > 15,000 sf lots: For all developments outside the OPD or in the Plazas involving lots greater than 15,000 sf, In-Lieu fee spaces should only be used for the first 50 spaces and then for up to 50% of the number of required parking spaces after the first 50, with the fee adjusted to \$28,000 for spaces 51-100 and to \$38,000 for spaces over 100.

DISCUSSION: Stall usage. We believe that there should be some limits on usage of the PILP. Certainly, where one of the plazas is being redeveloped, there should be some recognition that adequate on-site stalls should be developed without using the PILP for all parking needs. Nevertheless, we recognize that redevelopment of some buildings is difficult due to small lots. Further, this is one of the principal motivations for development of the PILP. With these factors in mind, we propose the following as initial rules to be revisited after 5 years:

Unlimited Use Within the OPD: To preserve the charming village character, properties within the OPD (but not including the Plazas) should have unlimited use of the PILP.

- It is detrimental to the village character to build underground parking in the OPD due to: (1) resulting curb cuts, (2) pedestrian-auto conflicts, (3) increased traffic stacking, and (4) damage to the window-shopping pedestrian environment.

Unlimited Use Outside the OPD for $\leq 15,000$ sf lots: For all developments outside the OPD or in the Plazas involving lots of 15,000 sf or less, properties should have unlimited use of the PILP.

Restricted Use Outside the OPD for $> 15,000$ sf lots: For all developments outside the OPD or in the Plazas involving lots greater than 15,000 sf, In-Lieu fee spaces should only be used for the first 50 spaces and then for up to 50% of the number of required parking spaces after the first 50, with the fee adjusted:

We recommend the City also consider the following:

Height considerations. Zoning for properties in the DT Triangle that are not included in the OPD Zone have a zoning advantage which will cause members of the OPD to be considerably less likely to redevelop as those outside the OPD boundaries. Inasmuch as rents for existing properties within the OPD are higher, opportunities for the redevelopment of these properties is already diminished. Zoning could be equalized at 53 feet to the parapet. Any building that exceeds 90% of the street width in height could be setback by the same footage. For instance, a 53-foot building on First Street exceeds 90% of First Street right-of-way (90% times 50' = 45') by 8'. This could require such a building to have a minimum setback of 8' from First Street right-of-way.

Height Exception. For any Project that constructs stalls under its building, where such parking coverage exceeds 60% of its lot area, the building could receive a height exception of 6', subject to setback requirements due to additional height described in 2 above. This recommendation is to encourage development of parking either $\frac{1}{2}$ or one full level down.

ISSUE 7: How should the In-Lieu Parking Fee be set?

RECOMMENDATION: The initial parking in-lieu fee should be set at \$20,000 per stall (if a credit for on-street parking is not included, the recommended fee is \$17,000 per stall).

DISCUSSION:

Los Altos has already essentially established an "In Lieu Fees" in two instances:

- The Safeway Shared Parking Agreement essentially allowed for 72 stalls not to be built for \$6,944 per stall (\$13,899 if Safeway opts out for cause and \$20,833 if Safeway opts out without cause in 2019).
- The Los Altos Grill Licensing Agreement provides for a payment of \$750 per year per stall (net present value equals \$10,000 per stall).

The CDM Smith Downtown Parking Management Plan for the City of Los Altos (September 2013) estimates the cost per space in an above-grade parking structure (3-4 levels) to be \$20,000 to \$28,000.

Good policy dictates that the City wants to make shared parking available in the Downtown at reasonable prices on an equal footing. The price of structured parking without frills in the Downtown area is \$20,000 per stall. The City retains the option of funding these frills by using a portion of the “windfall” from the sale of restriped stalls or by payment out of its maintenance program.

The setting of any impact fee is constitutionally mandated to be no more than the actual cost of the impact

“An in-lieu fee provision provides an option for the developer to pay a one-time or annual fee instead of providing code-required parking on-site. The city in turn uses the fees to build parking that the development will use, usually on a shared basis with other uses.... In-lieu fees can be especially helpful in mixed-use districts that have shared parking potentials and in areas where site size or configuration prevents efficient on-site parking provision. While in-lieu fees offer significant efficiency gains, they are not always popular with developers, who are concerned about the city’s ability to deliver the parking in a timely manner and to manage it efficiently.” (*Parking Reform Made Easy*, Richard Willson, Island Press, 2013, pp 53-54).

An in-lieu fee allows desirable development to occur downtown without impacting others. The accrued in-lieu fees can more affectively resolve parking issues when combined than a single party can. However, an in-lieu fee that is too high is not economically viable. Burlingame Ave., Burlingame offers an in-lieu fee option but it has been little used as the price at \$48,000 per stall makes redevelopment uneconomic. Palo Alto offers a \$60,000 in-lieu fee option but has found that it has not been used.

We believe that resolving parking problems in Los Altos requires a multi-pronged approach. This subcommittee supports recommendations to revise parking ratios to be more reasonable and our recommendations for the amount of the in-lieu fee is dependent on the proposed parking ratios being adopted.

We are fortunate in Los Altos that we have other options to simply constructing structured parking. These options allow the creation of parking stalls more cheaply, thus allowing an in-lieu fee program at a price less than structured parking.

We have identified a number of ways the City can use In-Lieu funds to create stalls in the OPD:

- a. *Increase parking spaces during peak lunchtime hours by banning commercial deliveries in loading zones during that time.* This is a common practice in neighboring communities that could effectively yield 5 to 10 new stalls during peak lunchtime hours (11AM – 2PM).

- b. *Maximize use of curb space.* Where there is one-side-of-the-street-parking only available, consider moving parking stalls to the side of the street with the longest curb. This could yield 15 – 20 new stalls.
- c. *Restriping.* Based on the new geometry recently proposed by the Parking Standards sub-committee, the new stall dimensions offer opportunities of up to 35 stalls per plaza (for the larger plazas). Based on the CDM Smith 2013 Report and a new updated estimate from the O'Grady Company (who performs a lot of pavement work for the City) it would be possible for 7 plazas to be restriped for approximately \$1,460,000. Work can be performed over a 5-month period. Cost of a new stall with this program is about \$9,500 per stall for the creation of 210 to 245 new parking stalls.
- d. *Shuttles to nearby parking.* An estimated 200 parking stalls outside the EPD might be made available with shuttles.
- e. *Leasing of private stalls for employee or valet parking.* There are plenty of empty privately owned stalls in the EPD. None of the reports that we have been provided study private parking stalls in the DT Triangle. In a report prepared in connection with the Greentown parking study completed in 2009, an exhaustive count was completed that listed some 1680 private stalls in the DT Triangle. Some of these have been eliminated since that time, and no effort has been made to adjust that total. But based on the work done by the Parking Ratios sub-committee, we believe that less than half of those stalls are occupied at the daytime peak, at least 800 stalls. Of the 800 unoccupied private stalls in the DT Triangle at any one time, we estimate that roughly one-quarter or 200 stalls may be made available by private owners with proper pecuniary motivation. While few of these stalls are within the confines of the OPD, there are many just outside that, for the right price, could be available for public use. Although insurance is an issue here, we believe that the City can add these private stalls to their own policy relatively inexpensively. The "White Dot" program users could be paired up with these private stalls on a daily basis by an app for employee parking or valet parking. In Lieu fees could be used for this.
- f. *New Garage.* Estimates for simple additional levels on an existing plaza range from \$20,000 to \$28,000 per stall. A three level new garage with 396 stalls might yield 276 net new stalls (according to the City Parking Management Plan, the estimated cost (after factoring in the cost of replacing stalls lost in a plaza where a garage might be constructed) is \$38,081 (CDM Smith Report 2013, p. 102))

- g. **Valet.** This is a program that can work during the Holiday Season for peak periods, perhaps in conjunction with the Leasing of private stalls. It does not appear to be a viable long-term solution but can be used during a period where a particular shortage of parking availability is anticipated. This program could also access the estimated 200 parking stalls outside the EPD.
- h. *Other solutions beyond those outlined above.* We have not yet identified others that are the subject of the alternative solutions Sub-Committee. We understand that parking alternatives beyond additional stalls are being explored by that Sub-Committee.

In light of the proposed EPD, the city should consider aligning the zoning as necessary to provide equity among downtown property owners. We believe that the fairest approach is to make building heights identical across the EPD Zone. We believe this is an important concession to PD owners who are “sharing” their parking resources with those outside the OPD

What have other cities done?

Burlingame.

We spoke with Kevin Gardiner, Planning Manager, City of Burlingame on 6/25/2015

He provided the following information:

1. The In Lieu program was created in 2000. The fee was set at the full replacement cost based on an estimate to build a two level garage on one of Burlingame's existing parking lots.
2. The Original fee was \$34,100, indexed to the CPI. The current fee is \$48,433.06.
3. Burlingame has had very few takers on the in lieu program. Less than five developers with insignificant small projects.
4. Burlingame has had almost no development in the downtown since 1972.
5. Use changes in the downtown are sometimes approved and sometimes not. Historically, the answer has depended on the Planning Commission's mood at the time of application.
6. Two recent projects (the only projects in forty years) included (i) a remodeled Safeway that was given a reduced parking requirement and credits to cover the in-lieu fee; and (ii) a Walgreens that gained approval with a slightly reduced parking requirement.
7. Burlingame is now seeing some office and mixed-use projects proposed. One dropped its application when they were informed of the required in-lieu fee. The other two proposals are at an early stage and are both looking for significant reductions in the parking requirements.

8. In the 1980's Burlingame had a parking fee and existing properties were allowed to pay only 2/3's of the then existing fee. Even with this discount they were unable to attract any new development.
9. He expressed great interest in how Los Altos might solve this problem and allow development to proceed in its downtown core.

Vancouver, B.C.

One of the most forward-looking cities with respect to parking policy is Vancouver, B.C. We note that their policies are repeatedly mentioned in the literature. When Vancouver adopted its in-lieu program, the fee was initially set at \$C10,000. It is now offered at \$C20,300. With the fluctuating Canadian dollar down significantly, this fee is now \$15,526 in U.S. Dollars (based on the current exchange rates). We have not found any discussion about how they actually set the fee but it would appear to be lower than the replacement cost.

Mountain View.

The City of Mountain View now offers an In-Lieu fee of \$26,000. This fee was initially much lower, and was waived for restaurants. The new fee is based on what is perceived as the price of above-ground structured parking. We note that Mountain View created a number of new stalls by restriping prior to the construction of its new garage. An additional new garage is currently being contemplated.

Redwood City.

Redwood City has an In-Lieu Fee of \$25,000.

Berkeley.

Berkeley has a graduated fee as follows:

Stalls 1-5 = \$15,000/stall

Stalls 5-15 = \$20,000/stall

Stalls 16 - 25 = \$25,000/stall

26 or more Stalls = \$30,000/stall

Davis.

Davis has a \$4,000/stall fee; it was \$8,000 in 2004.

North Tahoe.

The North Tahoe Parking Study, dated March 9, 2015 states: "A key issue in an in-lieu fee program is the appropriate level of the fee. The professional literature, and the way in which fees are established in other California jurisdictions, indicates that there is not any legal requirement that fees levels be set to reflect the full cost of the provision of parking."

While many cities apply a strict application of replacement stalls and choose the most expensive stall, the Tahoe/Placer Draft Report includes a review of nearby cities demonstrating that actual in lieu fees are varied.

ISSUE 8: How should the fee be collected?

RECOMMENDATION:

Fees can be collected:

- i. As a one-time lump sum;
- ii. As a fully amortized (but financed) purchase at \$2,710 per annum for ten years;
- iii. As a "leasing" program at \$1,500 per stall per annum;
- iv. If the Council determines that restaurants should be encouraged then the leasing option can be offered at \$750 per stall per annum for those properties.

DISCUSSION:

Many jurisdictions offer payment options designed to make the payment of an in-lieu fee more feasible to test new uses. This is particularly true in the case of restaurants. The City of Burlingame, in its in lieu policy adopted in 2000, noted that there can be significant collection issues associated with payment programs that are not based on lump sum payments granted at the time of the approval of the development. In particular, for general law cities, collecting in lieu fees is difficult because you cannot simply shut a business down when safety issues are not involved. On the other hand, Los Altos has operated an in lieu program for the Los Altos Grill for many years without issue.

Create a "leasing" program where property developers and owners can pay either annually or in lump sum. We are informed that the average "cap rate" (the average annual return on real estate investment in the Bay Area) is about 7.50%. Thus a \$20,000 in lieu payment would be the equivalent of about \$1500 per annum. Each of these programs should use the 7.50% rate to allow maximum flexibility to the user. Anyone who uses this program is susceptible to adjustments to the in lieu fee and an appropriate changes to the annual payment.

Create a "fully amortized" program where property developers and owners can "lock in" the in lieu rate at the current values and, so long as they pay for a set number of years (say 10 years), at the end of those payments, they will be considered paid in full. Thus for a \$20,000 in lieu fee, a payment of \$2,710 per year will retire the parking in lieu payment after 10 payments.

Create a special program for restaurants. This would create an incentive for restaurants to open along First Street and other areas within the EPD. It would allow restaurants a program offering ½ the rental rate of \$1500 per year. In this case, restaurants would qualify at the rate of \$750 per stall. There would be no long-term accumulation of payments toward the PILP.

(Note: This follows past practices. The City of Los Altos has an agreement with the Los Altos Grill where the property owner can pay annually into a parking reserve fund. All payments are counted toward satisfaction of a parking in lieu payment as such payment may be altered from time to time.)

ISSUE 9: What should the In-Lieu Parking Fees and other Parking Funds be used for?

RECOMMENDATION:

Parking-in-lieu fees should be available only for creating new stalls or decreasing demand through programs such as the following:

- vii. Restriping;
- viii. Construction of a structured garage;
- ix. Leasing of private stalls;
- x. Shuttles to nearby parking;
- xi. Valet parking;
- xii. Subsidizing car-pooling.

DISCUSSION:

Fees collected for parking should always be used for parking, or substitutes for parking, such as restriping, new garage, leasing private stalls for employee or valet parking, shuttles to nearby parking, valets, and subsidizing car pooling (enabled by apps such as Uber and Lyft or otherwise). Failure to do so makes those contributing to parking suspicious of motives. For instance, parking fees should not be used for the following purposes:

- i. Landscaping and streetscape greening;
- ii. Street improvements;
- iii. Increased frequency of trash collection;
- iv. Additional street cleaning, power-washing; or graffiti removal;
- v. New lighting;
- vi. Additional oversight and management of downtown infrastructure and amenities;
- vii. Additional police patrols;
- viii. Additional parking enforcement;
- ix. Marketing and promotion of downtown;
- x. Other programs and projects that may be proposed;

ISSUE 10: How should the Parking In-Lieu Program funds be administered?

RECOMMENDATION:

The PILP should be administered by the City's Finance Director. A permanent Parking Advisory Committee shall advise the City Council regarding parking supply and parking management in the downtown and allocation of PILP funds. The initial 7 member Committee should be composed of one representative each from the following: Chamber of Commerce (who is a downtown merchant or DT commercial property owner), Los Altos Property Owners Downtown, Los Altos Village Association (who is a downtown merchant or DT commercial property owner), Planning and Transportation Commission; Bicycle/Pedestrian Advisory Commission; downtown residents; and the community at large. This parking committee should also be responsible for recommending and/or reviewing any proposed revisions of the PILP and parking management issues.

DISCUSSION:

The PILP should be administered by the City's Finance Director. Allocation of PILP funds should be subject to a recommendation by a permanent Parking Advisory Committee established for the purpose of making recommendations to the City Council relating to parking supply and management in the Downtown. This Committee should be in existence until a Parking Benefit District or other more appropriate governing body is formed. As part of the Specific Plan, Precise Plan or Master Plan process, the City may form a permanent parking committee that would make recommendations to the Council as to how in-lieu and other parking funds should be used to increase parking supply, reduce parking demand, or manage parking. The initial Parking Advisory Committee should be composed of one representative each from the following: Chamber of Commerce (who is a downtown merchant or DT commercial property owner), Los Altos Property Owners Downtown, Los Altos Village Association (who is a downtown merchant or DT commercial property owner); Planning and Transportation Commission; Bicycle/Pedestrian Advisory Commission; downtown residents; and the community at large. This parking committee should also be responsible for recommending or reviewing any proposed revisions of the PILP and parking management issues.

ISSUE 11: How should the PILP be implemented?

RECOMMENDATION:

Because of all the options available to increase parking supply and/or reduce parking demand, The PILP may be adopted and implemented immediately; we recommend the following timeline for implementation of the PILP:

Within 60 days of approval by the City Council of the Parking In-Lieu Subcommittee recommendations, the City should:

- iii. Create a separate Parking Reserve Fund (PRF) to hold funds (as well as interest generated by these funds) that is reserved for future provision of parking accessible to the public, or other programs to reduce parking demand.
- iv. Establish initial Parking Advisory Committee.

Within 120 days the PILP should be adopted as an ordinance.

CONCLUSION:

Property Owners who are not currently members of the PD will want to join when it is beneficial to do so. Therefore, the overall strategy is to draw as many property owners as possible into the PD so that as many privately constructed stalls as possible are available for sharing with the general public. We believe that sharing stalls (public and private) to the greatest extent possible is the key to a vibrant downtown. Currently there are some 1,700 privately owned stalls in the DT Triangle that are closed to general public parking (and hundreds more that are associated with condos). Based on the work of the Parking Ratios Subcommittee, it appears that these stalls are occupied at an average rate of about 40% during weekdays and are mostly empty on weekends. Making a contribution toward the creation of new stalls and making any privately owned stalls available to the public is a key long term goal that we have identified to make the Downtown more dense, more vibrant and more active.

In order to induce property owners to make a contribution toward public stalls or, when they construct stalls on their own site, to make their private stalls available to the public, benefits to joining the Parking District must be substantial and clearly identified. Here, we recommend a method of joining the PD. Other benefits and burdens may be offered as well but, for now, we are limiting the proposal as described above. For instance, the in-lieu program will only be available to participants and lower shared parking ratios will apply. Zoning may be aligned throughout the DT Triangle in order to balance development opportunities among property owners. The proposed cost of joining the PD (and the benefits afforded the effected property) are calculated in the examples in Appendix D.

We believe this plan addresses the following items the City recommended the work plan for the City-Wide Parking Committee include:

- Develop a consistent methodology to apply requirements and credits going Forward
- Investigate a mechanism to evolve the Parking District
- Analyze how a parking-in-lieu program could help.

Further, we believe this plan advances the following parking management strategies included in the City Council review of the Downtown Parking Management Plan Recommendations, September 17, 2013:

- “Seasonal Valet Program – The City Council supported funding this program for the 2013 holiday season and requested that the Chamber of Commerce and Los Altos Village Association share in the cost of implementation.

...

- “Construction parking mitigation – The City Council directed staff to explore the recommendations presented in the Plan and report back to Council on what additional measures could be implemented.
- ...
- “Financing options for additions to the parking supply. – City Council directed staff to initiate discussions with property owners in the downtown parking district to gauge interest in forming a parking assessment district or to identify other feasible financing mechanisms.
- “Design work for additional parking supply – The City Council did not support moving forward with initial design work on parking supply options until a financing mechanism is identified.

We believe this plan also primarily satisfies eight individual criteria identified by the North Tahoe Parking Study for considering whether an in-lieu fee program is appropriate and would yield benefits to Los Altos the North Tahoe Parking Study identified as being associated with an in-lieu parking fee program. (Appendix E).

Ultimately, we believe the proposed PILP presents the City with the opportunity to choose between:

1. No Change, which will likely result in more variances, exceptions, etc. to Los Altos Parking Code Requirements (Since 2008 – variances, exceptions, etc. for 289 parking stalls worth up to \$5M+)

OR

2. Adopting a PILP, which is:

- Consistent with best practices and responsible urban planning of many cities in the Bay Area
- Provides equitable, predictable results
- *Reduce demands on City Staff and Council*
- Solves a problem first identified by the City In 2005
- Provides funds to address parking supply and demand

We believe an in-lieu parking fee program would likely yield these benefits to Los Altos, as follows:

1. **Improved Urban Design Focused on Walkability of Commercial Core:**
 - A key concept in planning for pedestrian commercial districts is to provide a continuous series of storefronts that avoid “dead spaces” which break up the window-shopping experience.
 - No intermittent driveways results in a more effective and economically vital shopping district.
2. **Reduce Total Parking Need via Shared Parking:**
 - As public parking is available for shared use, the number of spaces required is lower than if each individual property must provide its peak parking supply on-site.
 - For instance, restaurants can use a higher proportion of a public parking supply in their peak evening period while commercial properties can use a higher proportion in the afternoon. All participating properties in an In-Lieu district benefit from lower shared parking ratios.
3. **Generate Funds to create Public Parking Solutions:**
 - In-Lieu fees provide funds to add to the public parking supply and reduce demand. Redevelopment provides and/or pays for necessary parking.
4. **Encourage Equitable Treatment of all Landowners:**
 - An In-Lieu program provides another mechanism for the provision of parking, rather than using variances and discretionary exceptions to parking codes.
 - Creates an open and transparent process, with predictable and consistent results.
5. **Increase Feasibility of Redevelopment of Small Lots:**
 - An In-Lieu program provides an additional, readily available option for developers to address the often difficult issue of meeting parking requirements, thus creating and increasing opportunities for development for small lots.
 - Similar programs already exist in many neighboring communities: including Burlingame, Mountain View, Palo Alto, Redwood City, and Sunnyvale.

DRAFT

Parking Lot Layout and Restriping Recommendations

May 6, 2015

Currently Los Altos minimum parking dimensions are greater than those required by nearby cities. As a result, a number of inefficiencies exist with the current parking configurations throughout the downtown and city as a whole for commercial, retail, and multi-family residential uses. Establishing a new parking stall configuration will increase those efficiencies and potential yield of the total parking spaces available when existing parking lots are restriped.

Recommendation #1:

Generally speaking, this new policy uses 8 ½ feet wide by 18 feet long parking bays with a double striping configuration where the double striping is 16 feet long even though the actual parking bay is 18 feet long. This reduced length in striping encourages drivers to park deeper into the stall and against the concrete tire stops thereby increasing the perceived width of the drive isle. Additionally, the double wide parking stripes, that are 1 foot in width, encourages drivers to center their cars in individual parking spaces thereby providing more useable space between individual cars. (See attached diagrams)

Recommendation #2:

A restriping program should be established by the city and private land owners as part of a maintenance program rather than capital improvement program. Slurry coating is a required ongoing maintenance item for parking lots. Restriping can create an economical and expedient way to increase parking supply for various existing developments throughout the city. This approach eliminates the need to meet new state mandates regarding storm water retention and other city policies regarding undergrounding of existing utilities, landscaping, etc. Those improvements should be done as capital improvements separate from a restriping maintenance program.

Recommendation #3:

When lot restriping and reconfigurations are proposed where existing landscape tree planters are affected, a tree and landscape replacement plan should be provided either through direct replacement or payment into a replacement fund.

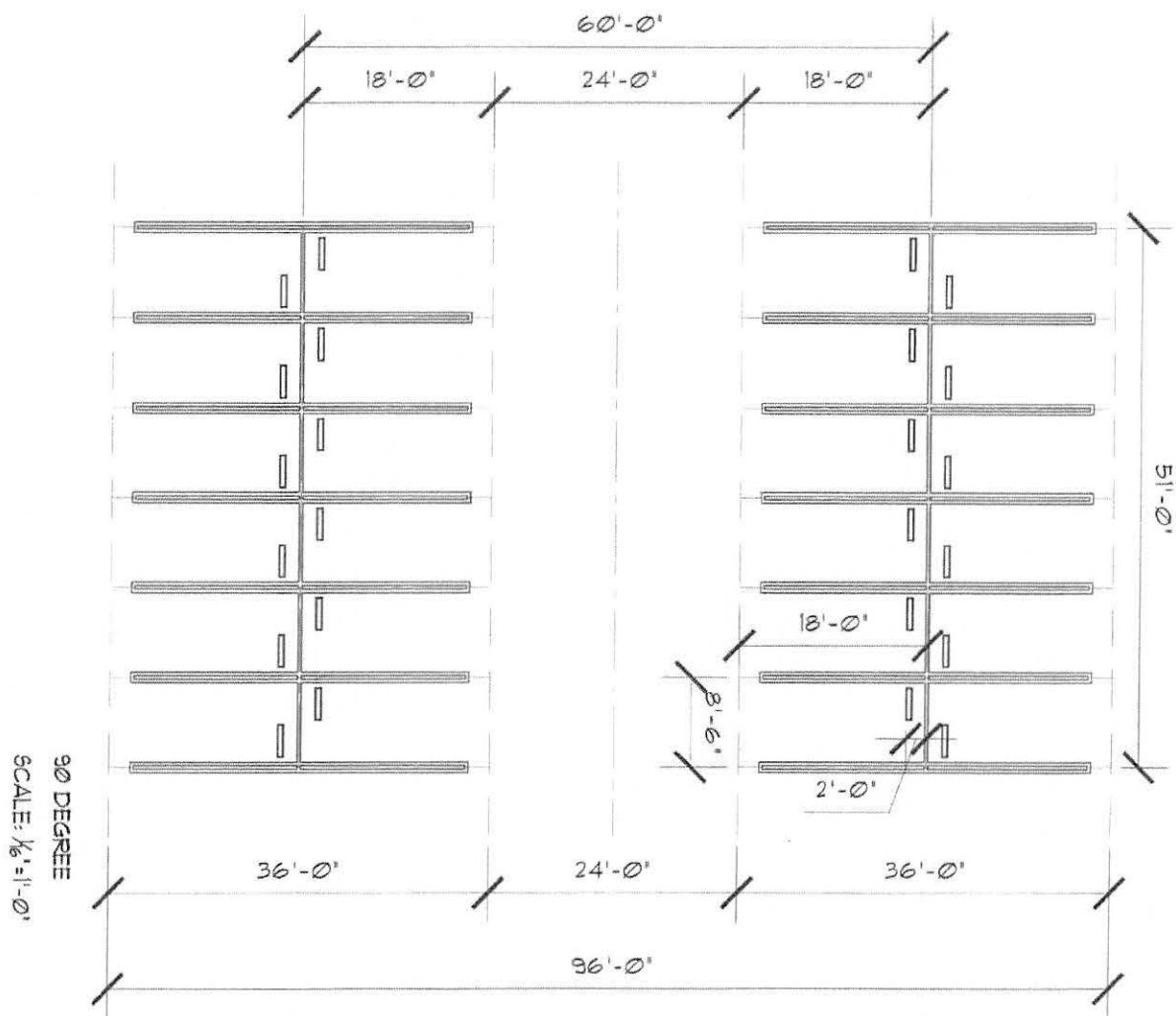
Recommendation #4:

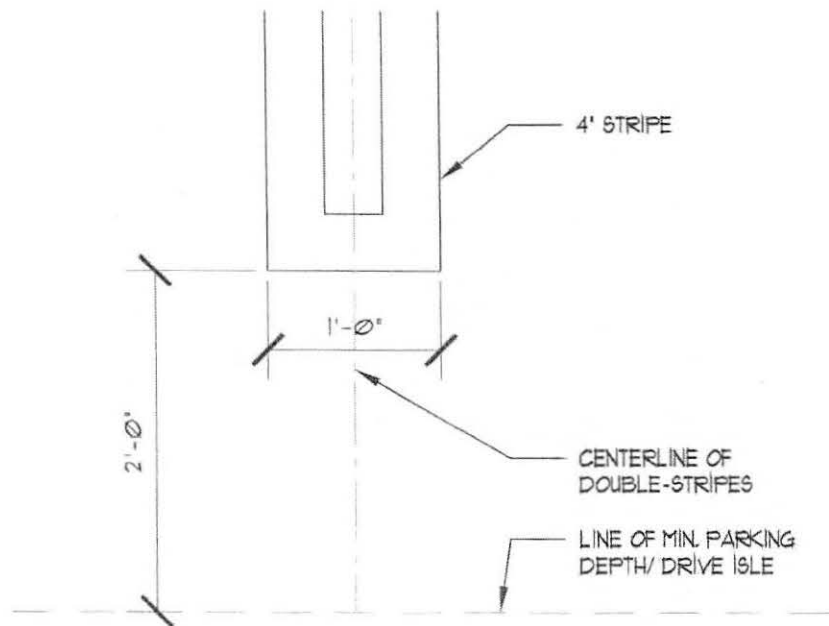
A restriping program may be used as part of an in lieu fee program to increase parking supply.

Recommendation #5:

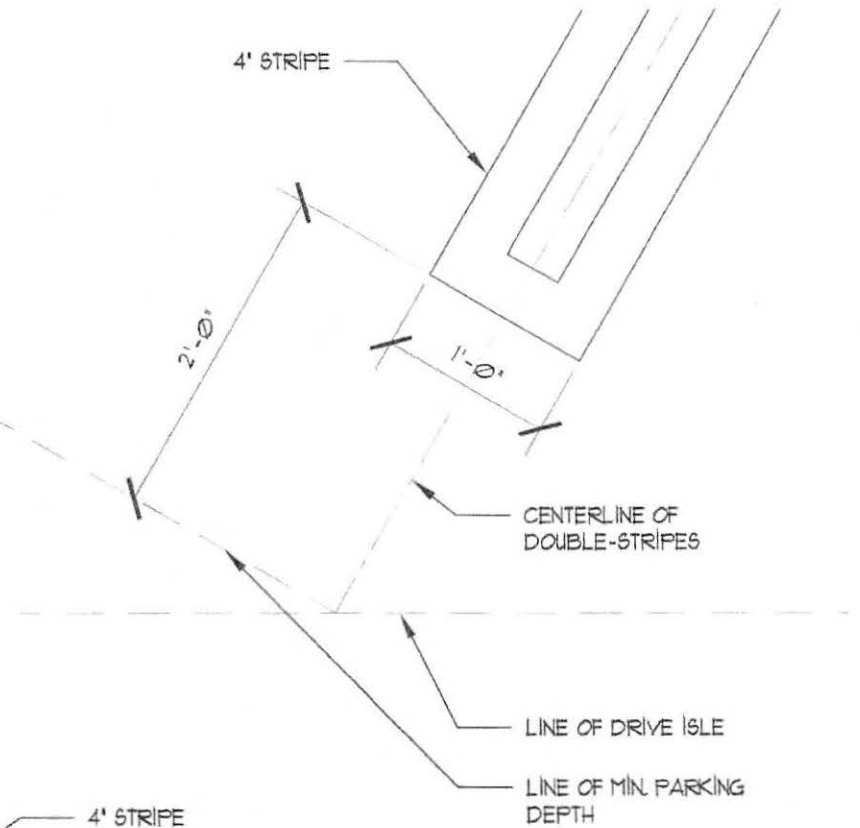
Further discussion.

Comments provided by WJM

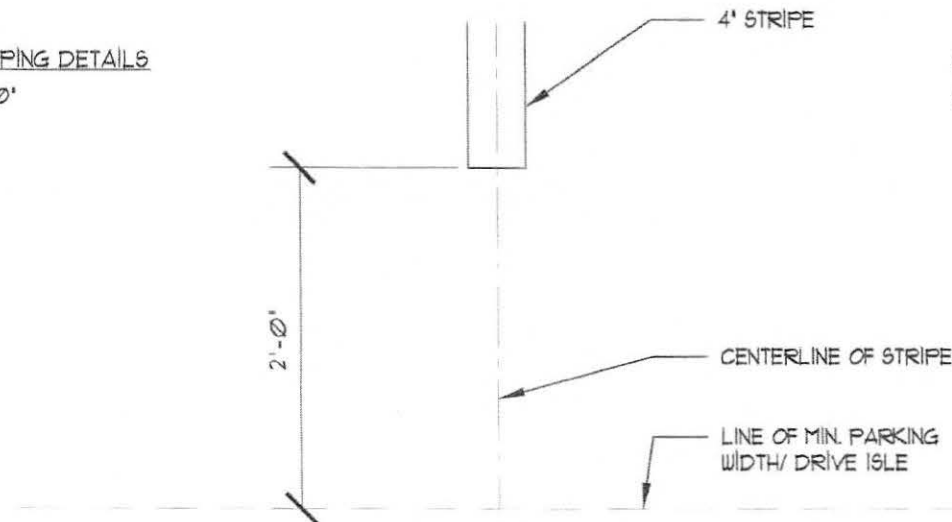




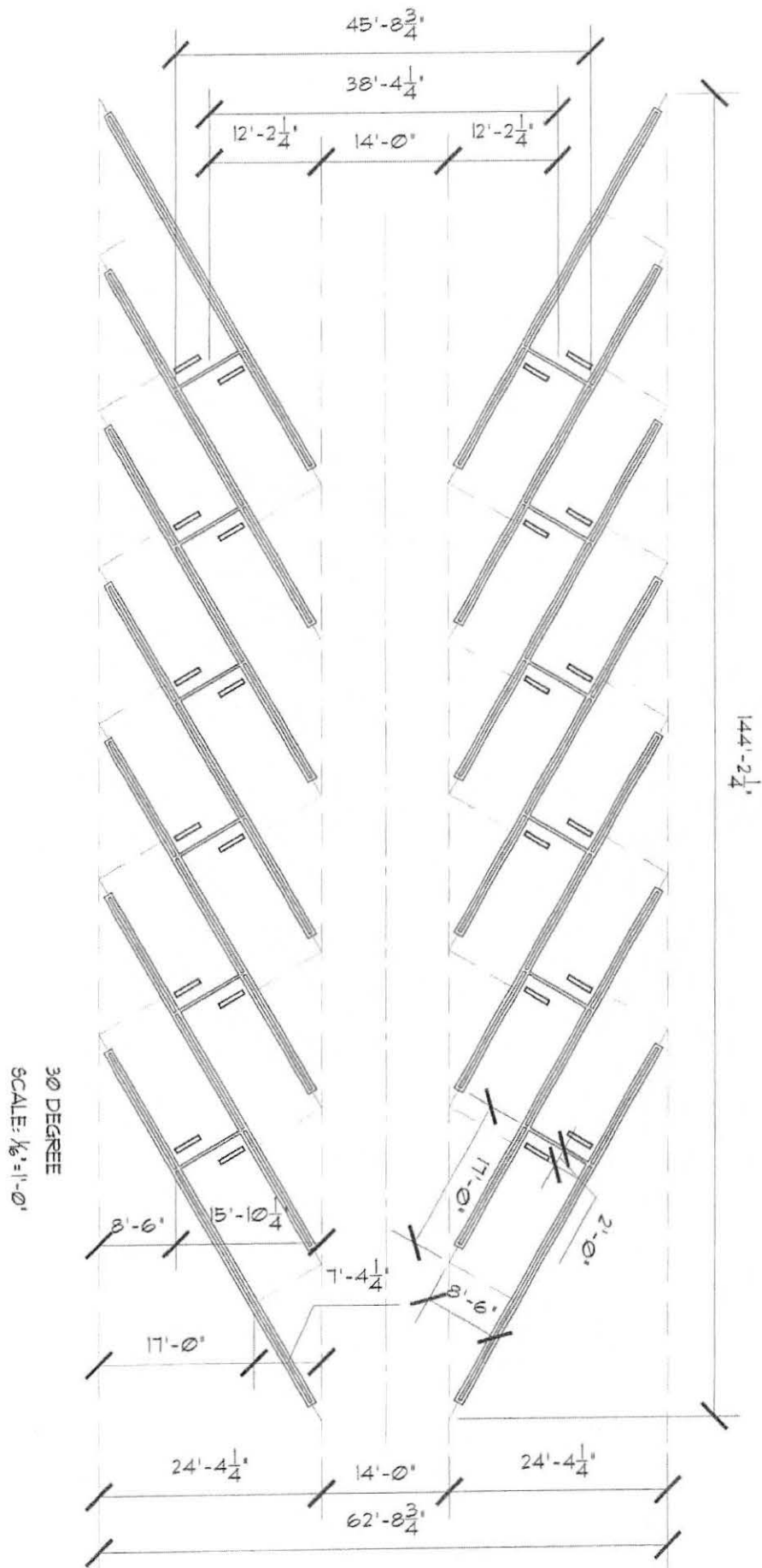
SQUARE STRIPING DETAILS
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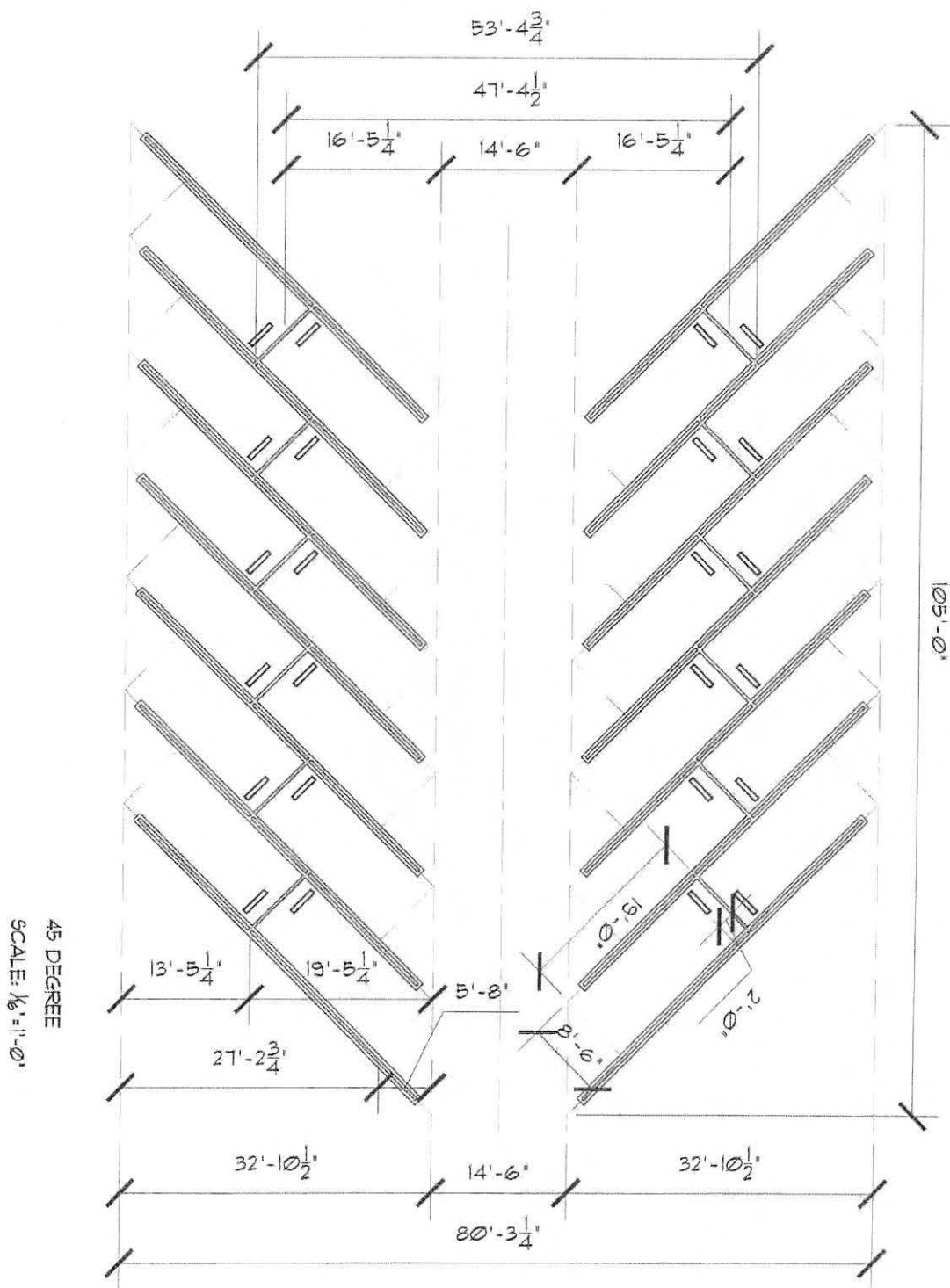


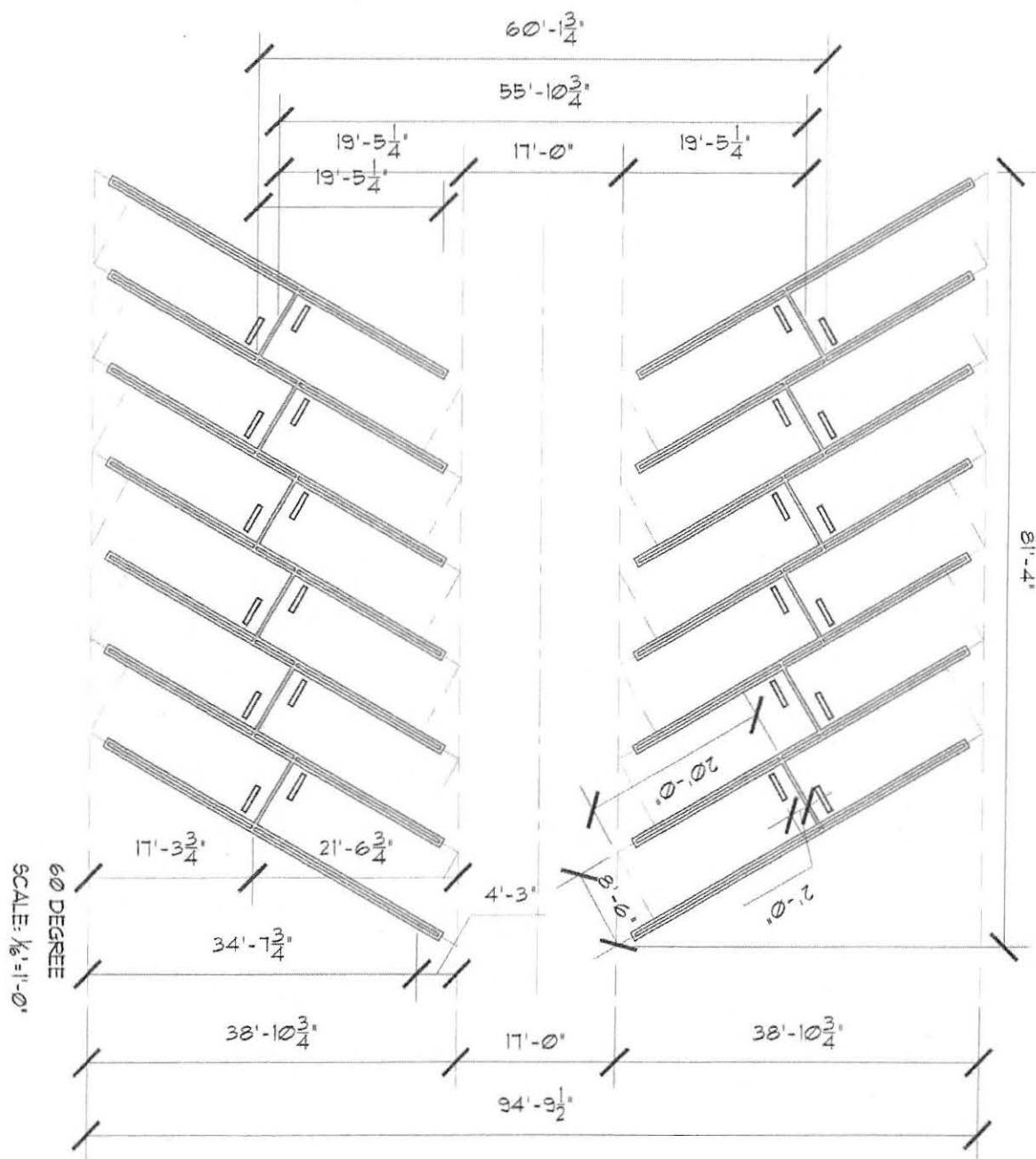
ANGLED STRIPING DETAILS
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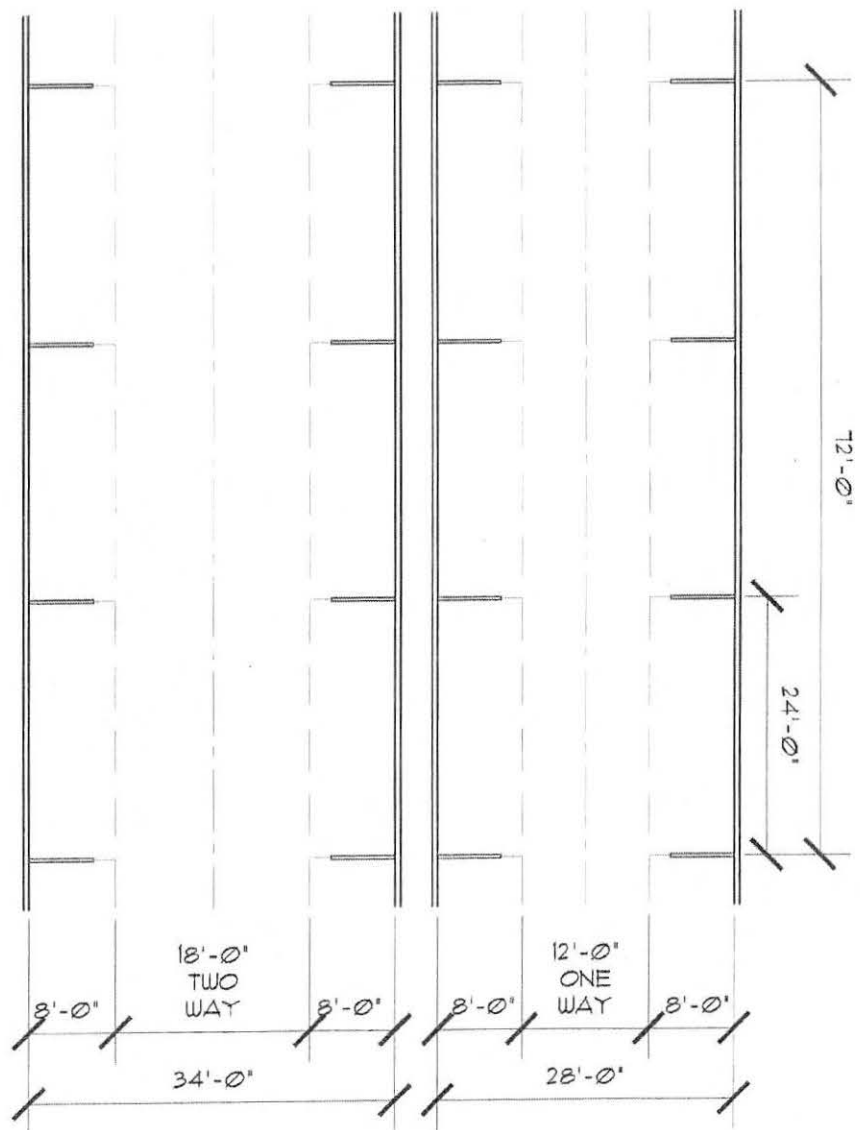
PARALLEL STRIPING DETAILS
SCALE: 1"=1'-0"







PARALLEL
SCALE: $\frac{1}{8}" = 1'-0"$



City of Los Altos Parking Standards

Los Altos
Citywide Parking Committee

September 16, 2015

Los Altos Citywide Parking Committee

Lou Becker

Ronit Bodner

Kim Cranston

Mike McTighe

David Rock

Mark Rogge

Gary Heddon

Jack Kelly

Bill Maston

City Staff:

Marcia Somers

James Walgren

Los Altos Parking Standards

Efficient
Layout

Reasonable
Ratios

Shared
Downtown

Parking
Management

PARKING STANDARDS DIMENSIONS & LAYOUT

**Efficient
Layout**

**INSERT PARKING LAYOUT AND
DIMENSIONS HERE**

Questions Posed by the City Council to the Citywide Parking Committee

Reasonable Ratios

1. Do current parking ratios reflect real parking demand?
2. How do different types of businesses generate different demands?
3. Are current codes applied consistently?

Reasonable?
Realistic?

Usage
Profiles

Consistent?
Objective?

Research - Resources

We reviewed several relevant resources:

Reasonable Ratios

City Resources:

**Presentations by City Staff on recent developments;
City reports, memos, studies, City Code;
City-sponsored consultant: studies, reports, memos;
Public comments at Citywide Parking Committee meetings**

Field Resources within Los Altos:

**Site reviews of buildings and parking areas around town;
Aerial photos, public records, on-line documents**

Outside Resources:

**Parking standards of nearby cities, and their codes;
Professional publications**

Reasonable? – Realistic?

Reasonable Ratios

What is a Parking Ratio?

Number of parking spaces/1,000 square-foot area

How is a parking ratio derived?

Counting parked cars, measuring areas by use.

Variables:

- 1 What spaces are counted, and when?
2. What areas are used and why?

Reasonable? – Realistic?

Reasonable Ratios

What is a Parking Ratio?

Number of parking spaces/1,000 square-foot area

Variables:

1.

Vehicles in parking spaces associated with the buildings, over a statistically relevant period of time.

Statistics are used to adjust for when counts were taken, and to consider circulation, and availability.

2. What areas are used and why?

The relevant area that relates to the usage: gross or net area, excluded area, accuracy of area measurement.

Reasonable? – Realistic?

Reasonable Ratios

What's reasonable?

How do we reflect real parking demand?

Count spaces that are applicable to the building.

1. How do we count on-site spaces not available to the public?

OK for employees, residents

Not OK for customers, visitors

2. How do we count adjacent on-street public parking spaces?

Not OK for employees, residents

OK for customers, visitors

Count building area that relates to parking demand.

3. Should we not count building area that creates demand?

Must count all relevant area that creates parking demand.

4. Should we allow changes that impact parking?

Reasonable? – Realistic?

What's reasonable?

How do we reflect real parking demand?

Reasonable Ratios

Examples	Wrong	Right	Units
Office			
Average Peak Occupancy	158	158	cars
Area of building	76,400	79,150	sf
Avg. Peak Parking Demand	2.07	2.00	/Ksf
Min. 1.55 Max. 2.57			
Recommended Ratio	3.33	2.25	/Ksf
Retail			
Average Peak Occupancy	236.5	236.5	cars
Area of building	52,315	66,356	sf
Avg. Peak Parking Demand	4.52	3.56	/Ksf
Min. 1.50 Max. 3.74			
Recommended Ratio	5.00	3.75	/Ksf

Reasonable? – Realistic?

Parking Ratios of Nearby Cities Restaurant

Reasonable Ratios

Cupertino	4.00
Palo Alto Downtown	4.00
Burlingame	5.00
Palo Alto Calif. Ave.	6.45
San Carlos	6.67
Los Gatos	8.25
Sunnyvale	9.00
Mountain View	12.40
Saratoga	14.37 equivalent
Los Altos	14.33 equivalent

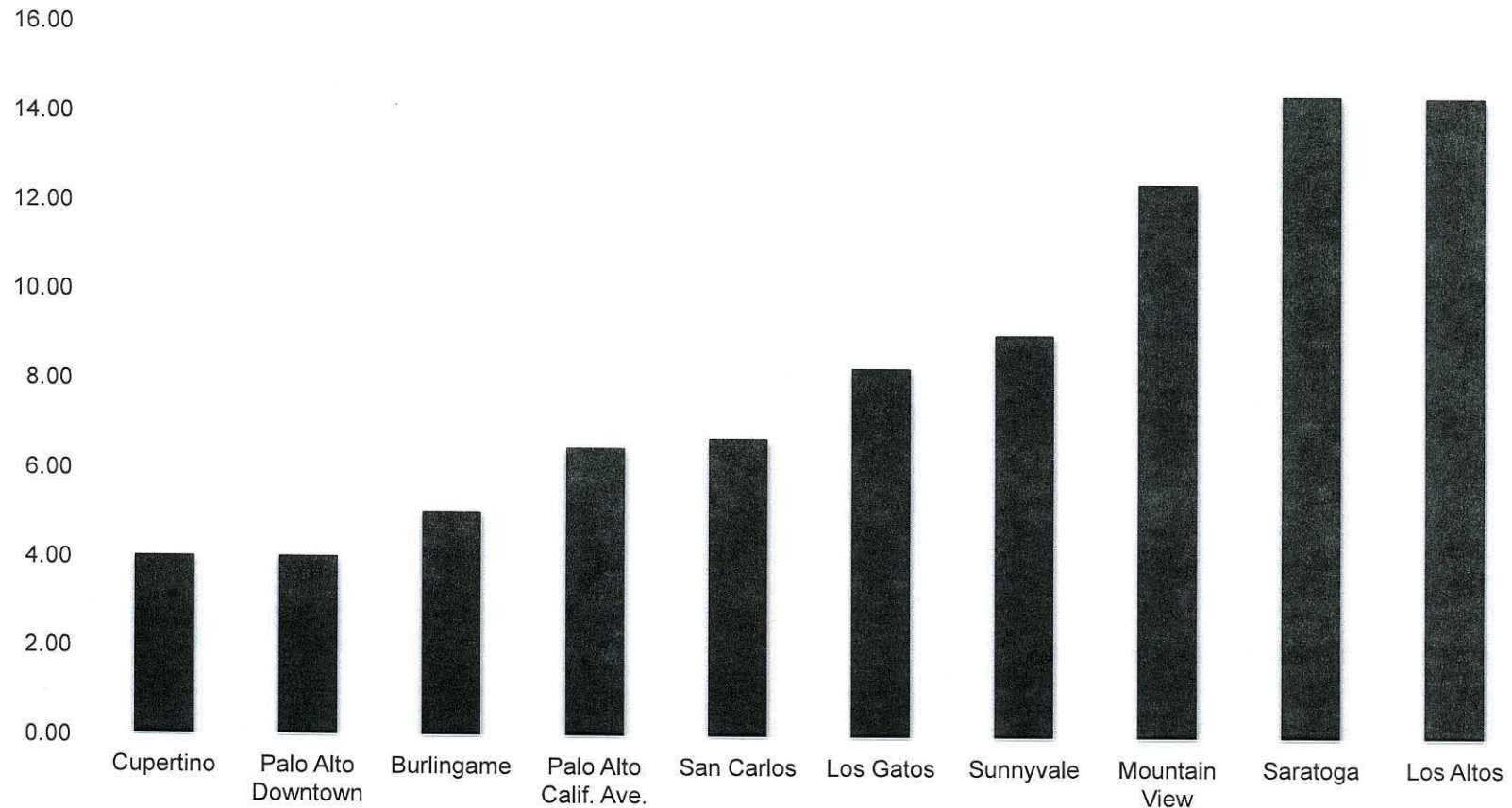
Reasonable? – Realistic?

Parking Ratios of Nearby Cities

Restaurant

Parking spaces/1,000 sf

Reasonable
Ratios



9/16/15

Los Altos Citywide Parking Committee

12

Usage Profiles

Current Conditions

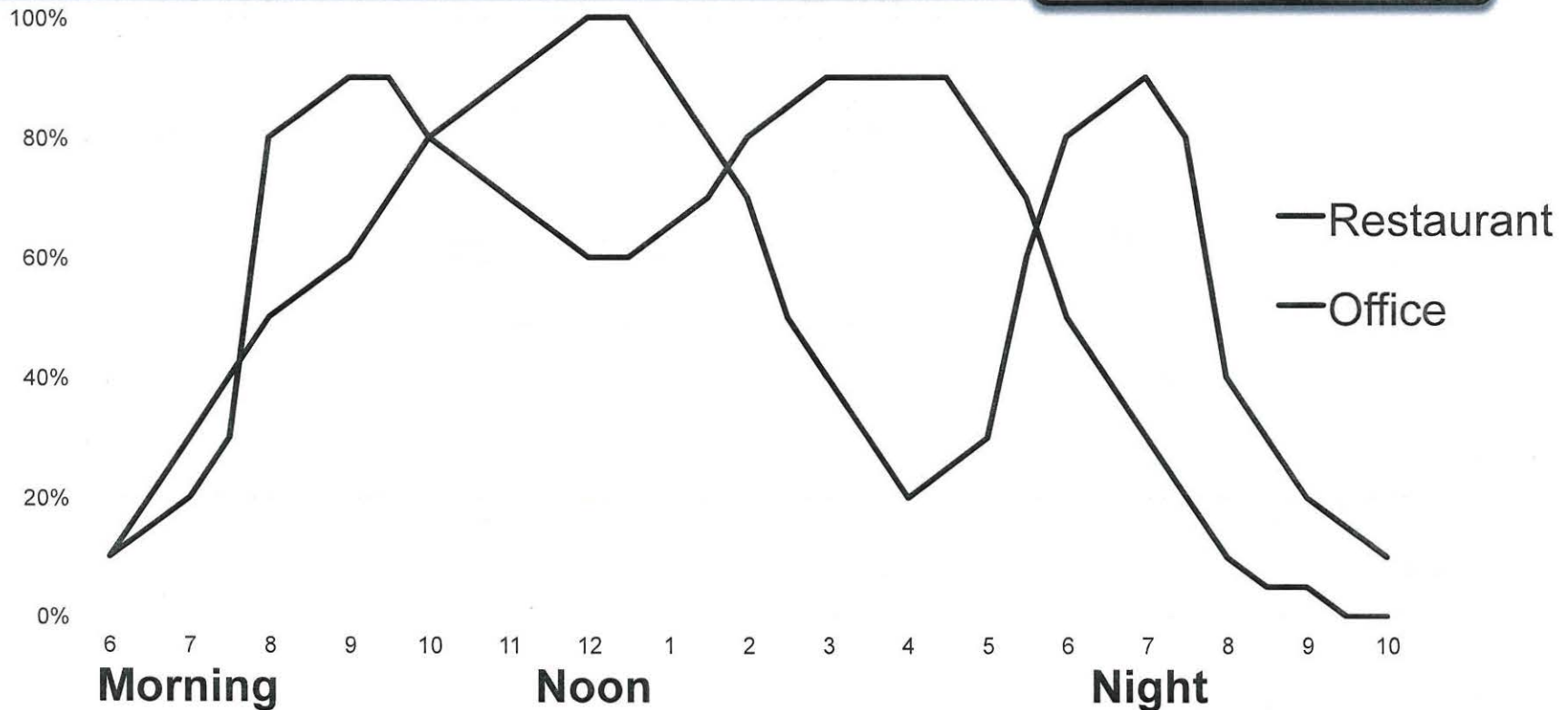
Reasonable Ratios

# Type of Use	<u>Code</u>	<u>Practice</u>	
	Stand Alone	Stand Alone	Shared Parking
1.a) Retail - Extensive	2.00	2.00	2.00
1.b) Retail - Intensive	5.00	5.00	2.86
1.c) Retail - Loyola Cor.	3.33	3.33	3.33
2) Service	5.00	5.00	2.86
3) Restaurant (equiv.)	14.00	5.19	3.03
4) Office	3.33	3.33	2.86
- 5) Grocery	5.00	3.38	
6) Clinic	3.33	3.33	
7) Hotel	*	2.04	1.42

Usage Profiles

Time of Use – Compatible Mix

Reasonable Ratios



Each category has a unique usage profile over time.

Many office workers leave the office for lunch or dinner.

Consistent? Objective?

Reasonable Ratios

The Parking Code lacks specific detail

Interpretations are made.

Interpretations can become subjective or appear subjective.

This may results in inconsistent applications of the parking code.

Examples:

Intensive vs. Extensive Retail

Parking District interpretation of 100% F.A.R exemption

Literal code interpretation

Parking credit as retail

Parking credit as restaurant

Changes in Use

Retail becomes office

Retail becomes restaurant

Consistent? Objective?

Reasonable Ratios

Examples

Intensive vs. Extensive Retail

LAC 14.02.070 – Definitions

1. "Extensive retail" as used with respect to parking requirements, means a retail use primarily selling large commodities such as home or office furniture, floor coverings, stoves, refrigerators, other household electrical and gas appliances, including televisions and home sound systems, and outdoor furniture, such as lawn furniture, movable spas and hot tubs.
2. "Intensive retail" as used with respect to parking requirements, means any retail use not defined as an extensive retail use.

BevMo – sells beverages and more – all defined as Intensive.

Consistent? Objective?

Reasonable Ratios

Examples in Parking District

Parking District interpretation of 100% F.A.R exemption

Hotel

Literal code interpretation
Parking credit as retail (5/1,000 sf)
Parking credit as restaurant

Under-parked by 11 spaces
Adequately parked
Over-parked

Restaurant (2,500 sf)

Literal code interpretation
Parking credit as retail (5/1,000 sf)
Parking credit as restaurant

Adequately parked*
Under-parked by 24 spaces
Adequately parked**
Under parked by
of outdoor seats/3
Adequately parked

* Counting outdoor seating

**Not counting outdoor seating

Consistent? Objective?

Examples not in Parking District
Changes in Use

**Reasonable
Ratios**

Retail becomes Office

Mixed-use Retail/Office/Residential (not in Parking District)

Permit Application – 1st Floor Retail (5/1,000 sf)

Occupancy – 1st Floor converted into Office (3.33/1,000 sf)

Over-parked, yet under-parked per Code at time of application.

Inner Court and Atrium area gets filled in for Office use.

Increased usable area increases parking demand.

Most on-site parking is behind closed gate – not available to the public

Most convenient parking is on the adjacent Parking District Plaza.

Impacts public parking on the Parking District Plaza.

Consistent? Objective?

Reasonable Ratios

Examples not in Parking District Changes in Use

Retail becomes Restaurant

Mixed use Retail/Office (not in Parking District)

Permit Application – 1st Floor Retail (5/1,000)

Occupancy – 1st Floor Restaurant (14/1,000 equiv.) plus Retail

Under-parked by 54 spaces per current Code requirements

On-site office parking behind closed gate is not available to the public.
Most convenient parking is on the adjacent Parking District Plaza.

Impacts public parking on the Parking District Plaza.

Reasonable Range of Parking Ratios For Los Altos

Reasonable Ratios

#	Type of Use	Reasonable Range
1.a)	Retail – Extensive	2.00 - 4.00
1.b)	Retail - Intensive	3.50 - 4.00
2)	Service	3.00 - 5.00
3)	Restaurant	8.00 -10.00
4)	Office	2.00 - 3.00
5)	Grocery	3.00 - 4.00
6)	Med. Clinic/Dental Off.	4.00 - 6.00
7)	Hotel	1.00 - 4.00

Proposed Parking Ratios for Los Altos

Reasonable Ratios

#	Type of Use	Reasonable Range	Stand Alone	Shared Parking	
				10% NCC	20% Dwntrn
1.a)	Retail – Extensive	2.00 - 4.00	3.00	N/A	N/A
1.b)	Retail - Intensive	3.50 - 4.00	3.75	3.38	3.00
2)	Service	3.00 - 5.00	4.00	3.60	3.20
3)	Restaurant	8.00 -10.00	9.00	8.10	7.20
4)	Office	2.00 - 3.00	2.50	2.25	2.00
5)	Grocery	3.00 - 4.00	3.50	3.15	N/A
6)	Med. Clinic/Dental Off.	4.00 - 6.00	5.00	4.50	4.00
7)	Hotel	1.00 - 4.00	2.00	1.70	1.60

Questions Posed by the City Council to the Citywide Parking Committee

Reasonable Ratios

1. Do current parking ratios reflect real parking demand?
2. How do different types of businesses generate different demands?
1. Are current codes applied consistently?

Reasonable?
Realistic?

Usage
Profiles

Consistent?
Objective?

Conclusions

Reasonable Ratios

Reasonable? Realistic?

1. Proposed parking ratios are reasonable and reflect real parking demand.

Usage Profiles

2. The proposed ratios, properly applied, respect how different types of businesses generate different demands.

Optimizing the mix: increases shared parking, reduces parking demand, and decreases unnecessary traffic.

Consistent? Objective?

3. Proposed parking ratios are:
consistent with a village or small-town character;
more realistic, reducing need for exceptions, variances;
more specific, for consistent and objective application.

Recommendations

Reasonable Ratios

Reasonable & Realistic

1. Approve the proposed parking ratios along with associated application rules, as described in the Parking Ratios Report.

Usage Profiles

2. Encourage as policy an optimum mix of uses that tend to: flatten the parking demand curve during peak usage and encourage shared public parking use.

Consistent & Objective

3. Direct the City Attorney to revise the City Code to include the approved parking ratios and unambiguous rules for application of those parking ratios.

The Citywide Parking Committee Thanks:

Reasonable Ratios

City Councilmembers Jeannie Bruins and Jean Mordo
for oversight to the Citywide Parking Committee;

City Staff: City Manager Marcia Somers,
James Walgren, Zach Dahl, Jon Maginot, Wendy Meisner
for supporting the Committee;

The Audience at our Citywide Parking Committee meetings
for well-informed, insightful comments;

The Planning and Transportation Commission
for review and consideration of our work;

The City Council
for review, consideration, and deliberation of our work.

Expanded Downtown Parking District and Parking In-Lieu Program

Shared
Downtown

**INSERT EXPANDED DOWNTOWN PARKING DISTRICT AND
PARKING IN-LIEU PROGRAM HERE**

Parking Demand Reduction
Increasing Parking Supply
Prioritizing Parking Supply

**Parking
Management**

INSERT PARKING MANAGEMENT SLIDES HERE

**City of Los Altos
Citywide Parking Committee
Executive Summary**

I. Introduction – Scope of Work

The Los Altos City Council created the Citywide Parking Committee on February 24, 2015, with the following scope of work, quoted here directly from the staff report:

“The scope of the committee would include all business districts (and Altos Oaks Drive) and the work plan would include:

- Review all recent development projects parking calculations and understand how the current standards have been applied*
- Review the adequacy of the current parking ratios in view of actual demands*
- Review all recent parking studies and compare current Los Altos norms with other cities for parking ratios and ITE’s Parking Generation, 4th Ed.*
- Develop a set of recommendations to address committee findings*
- Develop a consistent methodology to apply requirements and credits going forward*
- Investigate a mechanism to evolve the Parking District*
- Analyze how a parking-in-lieu program could help”*

The staff report also posed the following questions, quoted here verbatim:

“Questions include, but are not limited to:

- 1. Do current parking ratios reflect real parking demand?*
- 2. Do different types of businesses generate different demands?*
- 3. Are current codes applied consistently?”*

II. Process

Regular public meetings of the Citywide Parking Committee have been held since March 11, 2015. At these public meetings: the Committee heard presentations and comments from City staff and the Council liaisons; Committee members addressed the issues raised by the City Council in the February 24, 2015 staff report; and the Committee heard input from the public. The Committee sought to understand what causes parking problems in our community, and what is necessary and appropriate to address parking problems.

In addition, subcommittees were formed to study and report on specific topics to the whole Committee, including:

- Building area subject to parking ratios (Measuring Square Footage);
- Parking ratios;
- Parking stall standards;
- Parking In-Lieu Program;
- Alternatives to reduce and manage parking demand.

Subcommittees sent their reports to the City for City staff review and comment, and for distribution to the whole Committee. Subcommittees also met with City staff to review reports and to receive staff comments. Subcommittee reports were then presented at regularly scheduled Parking Committee meetings. These reports were discussed and commented upon by other Committee members, City Council liaisons, City staff, and the public. The reports were then revised as necessary and after several reiterations, approved by the entire Committee. After presentation and approval by the entire Committee, the reports were also presented at several other public meetings where requested. These included: Los Altos Village Association (LAVA), Los Altos Chamber of Commerce, and Los Altos Property Owners Downtown (LAPOD).

III. Findings

Review of recent development projects revealed several concerns and areas for improvement, within the scope of this Committee. Many issues related to the City's attempts to do reasonable things when the current parking regulations were unreasonable and not well suited to the City's goals. For example, although the City has encouraged shared parking, it is not clearly supported in current parking regulations. The City wishes to maintain its charming village character, yet has approved buildings that don't meet parking requirements, through waivers or exceptions.

Other issues relate to inconsistent or uneven application of parking regulations and practices that are not defined in the Municipal Code. For example, properties within the Downtown Parking District are considered already adequately parked, due to their participation in providing land and money to create the Downtown Parking Plazas. The use of the first 100% F.A.R. (area of the parcel) for properties within the Downtown Parking District may change to uses with greater parking demand without providing any additional parking. However, the City allowed changes of use to properties outside of the Downtown Parking District, without regard to their parking demand. This impacts the Downtown Parking Plazas without any contribution to the Downtown Parking District.

There are several reasons for parking problems within Los Altos:

1. Public parking spaces were removed as part of street beautification projects, without mitigating the lost parking supply.
2. Public parking spaces were lost when City property, purchased to improve parking, was sold, without requiring replacement of the public parking spaces lost.
3. Waivers or exceptions were granted to development projects with deficient parking (per current standards) that impact public parking provided by others, without any mitigation or impact fee to correct or improve the parking situation.
4. Parking stall standards are outdated and inefficient, resulting in various configurations and sub-standard layouts, which can cause unsafe conditions.
5. Current parking ratios, to determine minimum parking requirements, are unreasonable and unrealistic, and bear no relationship with existing parking demands or practices.
6. Several parking requirements are subjective, relying upon applicant-supplied data, rather than objective data. (*i.e.* restaurant parking is based upon the applicant's claim of projected number of seats and employees.)

7. Parking requirements should be (but currently are not) objective and reasonable for whatever uses are permissible. Zoning should clearly enumerate allowable uses, building densities, building heights and setbacks.

Planning and zoning should consider how the appropriate mix of uses can flatten parking and traffic demand curves, and support existing retail uses. There are several other opportunities, as well, to improve parking in Los Altos while still respecting the charm of the City.

IV. Recommendations

The Parking Committee formulated detailed recommendations, which are summarized below. Many of these recommendations may be implemented immediately, creating a foundation for improving the parking situation over time. All of these recommendations can stand on their own and do not hinder future visioning or advance planning. In fact, most are important pre-requisites and serve future planning and visioning. For example, consideration of a parking structure should be based on reasonable parking demand, which the recommended parking ratios express, and widely-accepted standard parking lot geometry that is efficient and safer than non-standard parking configurations.

The major recommendations are as follows:

1. Revise the parking regulations to reflect the reasonable ratios and application rules indicated in the Committee's report.
2. Revise the parking regulations to reflect the safe and standard parking stall dimensions and configurations indicated in the Committee's report.
3. Approve a Parking In-Lieu program that encourages and expands shared public parking and provides funds for future parking improvements as indicated in the Committee's report.
4. Approve a standing parking committee to advise the City Council on: the best use of parking funds as they accrue, increasing parking supply as appropriate, and decreasing parking demand as opportunities arise.
5. Consider alternatives to reduce the parking demand and better manage current parking supply.
6. Approve a policy to require consideration of the optimal mix of uses that are compatible with flattening parking/traffic demand curves, and supporting retail businesses for future planning.

V. Conclusions

Each of the recommendations to improve parking can be acted upon by the City Council immediately. Some may be implemented right away, establishing the basis for good decision-making in the future, such as revising the parking ratios and parking lot dimension standards. Others will take longer to implement, yet will yield immediate positive results once implemented, as well as long-term benefits, such as actual reform of parking plazas. Reformed parking plazas would improve safety, filter storm-water runoff to creeks, add trees, and provide significantly more parking spaces.

Although the work of this parking Committee was truly citywide, there are more studies and available data in the downtown area. Therefore examples in the downtown provide good information that may be extrapolated, with appropriate considerations, to the entire city.

For example, most studies and reasonable people agree that the downtown area currently could use additional parking supply. The CDM/Smith 2013 Study found that from 21 to 141 additional parking spaces were needed for 85% occupancy. Interestingly, past streetscape projects and sale of city property that was originally purchased to provide parking resulted in the loss of 139 spaces in the downtown core area. In addition to that, the City waived 292 parking spaces, which the current city parking code would have required, on several development projects in the downtown area.

As previously stated, these granted exceptions to the parking code were a way of dealing with unreasonable parking ratios and regulations. If our Committee's recommended ratios were applied to the parking requirement on these same projects where parking was waived, the City would still have waived 55 parking spaces. We should not be surprised to find that the loss of 194 parking spaces (using the most conservative count) in the downtown results in a deficiency of parking spaces.

The problem is not that the current parking ratios are not high enough – quite the contrary: it would require an additional 1,300 parking spaces to satisfy the current unreasonable parking ratios in the downtown parking district area. Regardless of shared parking and other exemptions that may apply, it is clear that the current ratios, and the vast expanses of new parking lots that they would suggest, are out of tune with the village character of Los Altos.

The alternative and appropriate approach is to encourage shared parking and the optimum mix of uses. Expanding the downtown parking district using the recommended Parking In-Lieu Program establishes a standard for development that supports the services people want while being sensitive to the residents of Los Altos. This system allows City staff to consider special situations (such as preservation of an historic building) while respecting those who have already contributed to the parking plazas, and the downtown area. Although the Parking In-Lieu system is described in our report for the downtown, its principles can be applied to other areas in the City where shared parking is viable. Of course, parking management will continue to be necessary if we want to keep the most attractive parking spaces available to customers.

The recommended parking regulations should not be confused with planning and zoning. Although the parking regulations currently reside in the Zoning section of the code they should not be used as zoning or planning restrictions. Zoning and building restrictions should be clearly stated. Then, parking regulations should be applied to what is allowed, not the other way around.

The recommended parking regulations can each stand on their own, although each builds upon the other. The whole is greater than the sum of the parts. However, working out the details of one part of the regulations should not delay implementation of the other parts.

The Citywide Parking Committee is proud to present these recommendations to improve parking, maintain Los Altos' unique character, and support responsive open government.

We would like to thank the City Council and City staff for creating and supporting the Committee, and the many members of the public who attended meetings and provided valuable comments.

Respectfully submitted,

The Citywide Parking Committee:

Lou Becker, Ronit Bodner, Kim Cranston, Gary Hedden,
Jack Kelly, Bill Maston, Mike McTighe, David Rock, Mark Rogge

Attachments:

City Council Report dated February 24, 2015 (Agenda Item #8);

Subcommittee Reports, including attachments and presentation slides:

- Building Square Footage Calculation Used for Determining Parking Requirements - memo
- Measuring Square Footage - presentation
- Parking Ratios - memo
- City of Los Altos Parking Standards/Parking Ratios - presentation
- Parking Lot Standard Layout and Striping Standard Recommendations - memo
- The City of Los Altos Parking Lot Standard Layout and Striping Standard Recommendations - presentation
- Alternative Approaches to Parking Management - memo
- Parking Subcommittee The Alternatives Report - presentation
- Consideration of an expanded parking district and a parking in-lieu program - memo
- The City of Los Altos Proposed Downtown Parking In-Lieu Program - presentation

Alternatives Report **DRAFT**
Oct. 7, 2015

Background

A vibrant and successful downtown is a benefit to all Los Altos residents, and good traffic and parking management is a key component to that success. The parking “alternatives” subcommittee evaluated options to manage parking supply as well as some of the many options to reduce demand or increase supply.

The City-Wide Parking Committee received the initial draft report August 5, and a revised draft report Sept. 2.

Discussion/Recommendations

Parking management

- *Oversight.* Assign one key city staff member with clearly defined parking management oversight responsibility.
- *Standing Parking Committee.* Establish a long-term parking committee to recommend changes and evaluate the impact and effectiveness of any implemented changes. “Set it and forget it” is not good policy.¹ This committee should be balanced and represent all groups with an interest in parking and traffic - residents, business and property owners, employees and schools. Many of the existing city commissions have an interest and expertise and should be encouraged to participate. The key city staff member assigned to parking management should be on the committee.
- *Time limits.* Time limits set to achieve 85% peak use facilitate good use of the available space and are one of the most important tools for parking management,² yet time limits are barely discussed in the CDM Smith 2013 Report.³ Attachment 1 shows current conditions. Shorter time limits (90 minutes) on Main, State and Plazas 4, 5 and 6 (the Central Plazas) would encourage employee parking in Plazas 1-3 and 7-10, thus freeing up the more desirable spaces for customers. Improved signage should be considered with or without any changes to time limits. The 90 minute limit at Safeway seems to be working well. Moreover, most customers need less than 60 minutes (65% of those using on-street parking).⁴ Nevertheless, there is continued concern about the impact of shorter time limits on downtown customers. Menlo Park downtown parking is a mix of street parking with one and two hour limits, plazas with two hour limits, and two plazas with parking meter kiosks allowing longer term parking.

¹ Parking Management for Smart Growth, Richard Willson, p. 6

² Parking Management for Smart Growth, Richard Willson, p. 37

³ CDM Smith 2013 Report, p. 68, <http://www.losaltosca.gov/community/page/downtown-parking-management-plan>

⁴ CDM Smith 2013 Report, p. 40, Table 1-16

They also have a policy of no re-parking in the same plaza. This interesting mix of time limits deserves further evaluation by the Standing Parking Committee.

- *Permits.* Permits (white dot program) to move long term parkers (employees) to more distant locations allows customers better access to close locations. The CDM Smith 2013 Report recommended that the white dot program be expanded⁵ and 111 spaces were added to the existing 533, giving a total of 644 spaces.⁶ Los Altos sells 1000 annual permits and 100 quarterly permits. The subcommittee discovered that permits are currently “sold out,” the second straight year that annual permits have been sold out.⁷ This leads some employees to use parking that is better suited for customers. There is typically parking available in the remote lots (8, 9, 10) so the subcommittee recommends that 200 more annual permits be made available. The subcommittee also recommends a price increase from \$36/year. Menlo Park charges \$592; Palo Alto charges \$466. If Los Altos raises the fee to \$120, there is the potential of more than \$144,000 in funding to support parking programs. Protection for low wage employees must be considered.
- *Sensors.* Real time guidance, e.g., sensors + app, allows users to locate available parking spaces. This avoids wasteful and time consuming driving (substantial traffic at peak demand can be due to “cruising,” looking for an open spot).⁸ There is a cost to install and maintain sensors on Main, State and the Central Plazas (about 400 stalls). This option is not recommended at this time.
- *Smart Meters.* Smart Meters with dynamic pricing allow more spaces to be available when actually needed. Smart Meters are successfully used in many cities, and can be cost effective with as few as 200 meters.⁹ The recommended Smart Meter option is to install meters on Main, State and the Central Plaza (400 meters). The cost is estimated at \$800/meter.¹⁰ Dynamic pricing encourages turn-over as pricing can go up over time. The first 20 minutes can be free, then the rate can be 50 or 75 cents/hour. It is dynamic in that the effect on parking can be measured, and the hourly charge adjusted to achieve the 85% peak use goal. There is concern that meters are not consistent with the look and charm of Los Altos. Carmel installed smart meters in January, and took them out in July, partly for that reason.¹¹ This option is not recommended at this time.
- *Enforcement.* Enforcement is an essential tool for parking management, although it has the potential to create considerable ill will. The CDM Smith 2013 Report recommends graduated fines, first citation at \$54.50, second at \$90.80, third and

⁵ CDM Smith 2013 Report, p. 60

⁶ James Walgren, Community Development Director, personal communication

⁷ Tuck Younis, Chief of Police, personal communication

⁸ Parking Management for Smart Growth, Richard Willson, p. 33

⁹ Richard Willson, Professor and Chair, Urban & Regional Planning, California State Polytechnic University, Pomona, personal communication

¹⁰ Chris Degrel, Regional Sales Manager, Duncan Solutions, personal communication

¹¹ Tom Leyde, Monterey Herald, 6/25/2015

subsequent at \$151.40 with a reset each 12 months.¹² The subcommittee recommends a warning citation with the first offense, second at \$54.50, third and subsequent at \$90.80. We do not support the \$151.40 fine (too extreme). We do support a warning citation with the first offense whenever significant changes are made to the parking management strategy, e.g., the recent start of enforcement on Mondays and Saturdays. The enhanced enforcement resulted in an initial increase in parking tickets, but the level has since returned to normal.¹³ Enforcement will be further enhanced with the use of modern technology, e.g. a license plate reader. Menlo Park has successfully used hand-held readers for more than seven years.¹⁴ A license plate reader will allow data collection on the use of Los Altos parking, and all records collected other than violators can be purged at the end of the day.

Reducing demand

Some of the quickest ways to manage parking are options to reduce demand.

- *Bicycle/pedestrian infrastructure.* Bicycle/pedestrian infrastructure enhancements are important. The CDM Smith 2013 Report recommended several changes.¹⁵ The subcommittee recommends one easy change, the addition of more bicycle racks along Main and State. Artistic bike racks should be considered. The subcommittee also recommends a bike parklet on Main St. in front of Red Berry to convert the one stall that forces drivers to back up into a cross walk, and another one on State St. by Peet's.
- *Car share apps.* Car share apps, e.g., GetSafeGo, reduce the number of cars in town. There are a number of appropriate apps that, combined with an education campaign directed primarily at employees, can reduce demand. This is not likely to have a large impact, but the cost is low, so it should be considered by the Standing Parking Committee.
- *Valet parking.* Valet parking has been used during peak holiday seasons and it could be used during peak lunch time demand. A valet service for employees to encourage parking on Lincoln Ave near the churches would divert many cars from Plaza parking and would be useful with shared parking (see below). There may be partners willing to sponsor the lunch valet option. The Standing Parking Committee should continue to evaluate the feasibility.
- *Shuttle service.* Shuttle buses make public transit a more useful option. Shuttle buses are of interest to a large number of employees and would be of immediate and significant value. This is of great interest to employers as well, as it would expand the pool of potential employees. The subcommittee wrote a survey (attachment 2), visited 120 businesses and surveyed 240 employees. The results reveal that 38% of

¹² CDM Smith 2013 Report, p. 58

¹³ Tuck Younis, Chief of Police, personal communication

¹⁴ Ashley Walker, Menlo Park Police Department, personal communication

¹⁵ CDM Smith 2013 Report, p. 69

employees would consider using a shuttle between the transit stops (train and bus) in Mountain View and downtown Los Altos. There is a clear distribution by age and geography. Younger workers are more interested and a large number of workers living in Mountain View, Menlo Park, Redwood City and San Jose are interested. Most workers living in Los Altos are not interested (the commute is easy), and most workers in Sunnyvale and very remote locations are not interested (they do not have good access to public transit heading to Mountain View). The interest in a shuttle primarily relates to problems with commuting, not problems with parking. The Packard Foundation has shown that a shuttle service can be effective.¹⁶ The subcommittee survey didn't explore a shuttle for the greater Los Altos area or for seniors, but several people have suggested it and this expanded service may make the effort more attractive. A joint program with VTA, Mountain View, Stanford, or Foothill College may be possible. This is a longer term measure and the Standing Parking Committee should continue to evaluate the feasibility.

- *Autonomous shuttle.* The autonomous shuttle may be a useful option and would reduce the cost of shuttle service and allow better coverage. The possibility of a pilot program in Los Altos is exciting and was recently discussed with Google.¹⁷ It is premature at this time, but should be kept in mind.
- *Transit passes.* Transit passes (e.g., VTA Bus, Caltrain, Uber) can make public transit a more viable option for employees, but such programs, both public and private have been successfully used. The Standing Parking Committee should continue to evaluate the feasibility.

Increasing supply

Creative use of the existing parking supply offers the most attractive options to increase supply.

- *Shared parking.* Shared parking arrangements to make privately held space available to the public increases parking supply and generates revenue for the property owner. The zoning standards for parking need to be considered and a survey of private spaces in the downtown triangle, both commercial and residential (condominiums) conducted, but the potential is significant. Converting privately held space to public use must make financial sense to the property owners. A reverse auction can be used to establish fair market value. Making the space available to just one or two businesses with large numbers of employees (e.g., restaurants) might make it more attractive to the property owners. This is not considered a quick fix option, but the Standing Parking Committee should continue to evaluate the feasibility.
- *Internet apps.* Internet apps, e.g., SpotOn Parking, make it possible for privately owned space to be made available to members of the app group and generate revenue to the property owner. Privately held space is available but this approach is

¹⁶ Curt Riffle, Program Officer, The David and Lucile Packard Foundation, personal communication

¹⁷ Davis White, Manager, Community & Public Affairs, Google, personal communication

less appealing as it is open to a largely uncontrolled group of participants and the revenue stream is uncertain. This option is probably not worth the nuisance to most property owners, but it could become an important element of a shared parking solution and the Standing Parking Committee should continue to evaluate the feasibility.

Conclusion

The “alternatives” subcommittee evaluated fifteen options that contribute to effective parking management, including options to reduce demand and increase supply and has recommended seven for implementation and three for continued evaluation.

Two additional options to increase supply considered by the City-Wide Parking Committee are included for completeness.

- *Restriping.* Restriping the plazas is being considered separately. The small diagonal areas that will be created provide good locations for bike lockers.
- *Structured parking.* Structured parking will dramatically increase supply. A 396 stall garage built on Plaza 2 or Plaza 7 with three levels of parking in a two-story above-ground structure has been estimated at \$10.5 million.¹⁸ This could be privately financed with the city providing the land, and there are city funds set aside for such a project.¹⁹ This approach will likely take considerable time, it is expensive at \$26,500 per stall, and it requires that the land be provided by the city at no cost.

Parking Management

- Assign one key city staff member with clearly defined oversight responsibility.
- Establish a Standing Parking Committee with a balance composition.

Quick Fixes

- Improved signage directing cars to lots 8, 9 and 10.
- Sell more permits (an increase from 1000 to 1200 per year).
- Raise the permit fee (an increase from \$36 to \$120 per year).
- Change enforcement to include graduated fines, and purchase the required Police Department software.
- Add bike racks and bike parklets to Main and State.

Longer Term Fixes

- Evaluate the feasibility of valet parking.
- Evaluate the feasibility of shared parking.
- Evaluate the feasibility of a shuttle service connecting public transit in Mountain View to downtown Los Altos.

Matrix of recommended options

¹⁸ CDM Smith 2013 Report, p. 94

¹⁹ James Walgren, Community Development Director, personal communication

The ten recommendations by the Alternatives Sub-Committee, plus restriping and structured parking.

Option	Increased Supply	Cost
Management, key staff	0	low
Standing Committee	0	low
Improved Signage	0	low
Additional Permits	0	low
Increased Permit Fee	0	low
Enforcement	0	low
Bicycle Infrastructure	low	low
Valet Parking	100+	med
Shared Parking	200	med
Shuttle Service	200+	high
Restriping	200	med
Structured Parking	400	very high