



# MORGANTOWN PARKING DISTRICTS

## Evaluation and Recommendations Report

### PURPOSE and HISTORY

---

In 1983, the City of Morgantown initiated a Parking District Program to address on-street parking congestion within older, densely developed neighborhoods experiencing an increase in parking demand.

Like many university communities across the country, increased on-street parking demand has been attributed, in part, to changing lifestyles and auto-dependency; the under-supply of off-street parking and narrowness of street networks within neighborhoods developed prior to World War II; proximity to campuses and land uses experiencing increasing commuter traffic with limited on-campus parking supply; shifts in land uses and tenancies; studentification of once predominantly owner-occupied single-family neighborhoods, etc.

The purposes of Morgantown's program, as currently set forth in Article 367.02 of the Morgantown City Code, are as follows:

- a. To reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons not residing within the area.
- b. To protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles.
- c. To protect residents of those districts from unreasonable burdens in gaining access to their residences.
- d. To preserve the character of those districts as residential districts.
- e. To promote efficiency in the maintenance of those streets in a clean and safe condition.
- f. To preserve the value of the property in those districts.
- g. To promote the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

### PROGRAM IMPLEMENTATION

---

Currently, the initiation of establishing a parking district rests with City Council. Specifically, Article 367.03 provides that the City Council shall, "...from time to time as it deems necessary, identify, by specific and separate ordinances, areas of the City as designated parking districts."

The first parking district established by ordinance was in the Wiles Hill neighborhood in 1991 (see ORD 091-21). Addendum A of this report identifies the parking districts and related regulations that are currently in place.

## **EVALUATION**

---

Once public policy has been operationalized through the formal adoption of laws, rules, and/or regulations and the Administration has taken action to implement the policy, evaluation is necessary to determine if the policy has achieved the desired outcomes and/or impacts.

Public policy evaluation can be generally characterized as a process by which general judgments about quality, goal attainment, program effectiveness, impact and costs can be determined. In other words, is the policy or program doing what it is supposed to do?

It has been over 20 years since the first parking district was established in Morgantown. There have been changes in program implementation during this period. Additionally, there has been a renewed interest recently in establishing new parking districts.

### Programmatic Changes

Since the inception of the Morgantown Parking District Program, the Police Department was solely responsible for the enforcement of on-street parking violations. During the 2010 regular West Virginia Legislative Session and with the support and assistance of Morgantown's state legislative delegation, related State Code provisions were amended so that the Morgantown Parking Authority could be empowered to assist the Police Department in enforcing certain parking regulations.

Residents within the established parking districts purchased parking passes through the Finance Department until July 1, 2010. Parking pass distribution and program management was subsequently transferred to the Parking Authority.

Since July 1, 2010, overall compliance and management efficiencies within the parking districts have significantly improved. This has been attributed, in part, to the City now being able to utilize staffing, resources, and capacities that specialize in the management of public parking inventories.

### Renewed Program Interest

Given the City's most recent successes in achieving increased compliance within existing parking districts along with existent and perceived on-street parking congestion in certain neighborhoods, City Council directed the City Manager to evaluate the current parking district program. The City Manager delegated this assignment to Engineering and Development Services Departments and the Parking Authority.

## **OBSERVATIONS**

---

### Initiation of Establishing a Parking District

Although the passage of an ordinance establishes a parking district, initiation of this process is not charted in Article 367. For instance, how can a resident or a group of residents initiate the establishment of a parking district? Can the City Manager or City Administration introduce the establishment of a parking district? In other words, there is no process by which the idea of establishing a parking district, regardless of origination, travels before ordinance preparation and consideration by City Council.

Because Article 367 limits the administrative promulgation of rules to parking district enforcement, there does not appear to be sufficient latitude outside the ordinance to establish an administrative application/petition process.

### Analysis and Report

Prior to a public policy being operationalized (adoption of laws, rules, or regulations), an analysis or study of the related objectives, costs, and impacts are normally completed to support the merits of the policy.

Article 367.03 provides the following criteria for which City Council is to consider when designating a parking district, which has been in place since the program's 1983 enactment:

- a. The degree to which traffic congestion and demand for on street parking is generated by drivers of vehicles who do not reside in the proposed district.
- b. The existence of structures or facilities in the immediate vicinity of the proposed designated parking district, the use of which generates significant increased traffic congestion and demand for on street parking spaces within the proposed district.
- c. The existence of an on street parking space shortage defined as utilization of in excess of seventy-five percent (75%) of the on street parking spaces on a continuing basis.

The three criteria provided in Article 367 appear to lack the following:

- A consistent rational methodology of determining the degree to which traffic congestion within and outside the immediate area and parking demand result in a degree of on-street parking congestion warranting the management of parking in the public realm (criteria "a" and "b").
- The inventory of existing and potential off-street parking within the immediate area does not appear to be fully considered (criterion "c").

Additionally, a set of consideration and evaluation criteria should also incorporate:

- A neutral and logical evaluation element to support the political and civic action creating a parking district by ordinance.
- Administratively promulgated rules to establish a methodology and metrics measuring the practicality and determining the efficacy of a parking district.
- Given the number of smaller parking districts created over the years and later repealed and combined into larger parking districts, a logical assessment exploring a broader geographic context to fully understand the function of the parking district and identify unintended consequences.

Parking Permit Distribution

Article 367.04 provides that, "...no more than two regular permits and one regular visitor permit shall be issued to any one household within the district." It appears prudent to allow greater flexibility in determining parking permit distribution in relation to a specific parking district's management needs. Specifically, there may be instances due to existing off-street parking supply that a household within a parking district may not be eligible to purchase a resident and/or visitor parking permit.

Parking Permit Fee Schedule and Program Delivery Costs

Like any public policy program, there are costs associated with ongoing policy administration. It appears that the program's following permit fee schedule provided in Article 367 has remained the same since adoption in 1983.

- Regular permits, one resident and one visitor .....\$5.00/year
- Additional temporary visitor, guest or business vehicle permits.....no charge

According to the U.S. Department of Labor, its online CPI inflation calculator uses the average Consumer Price Index for a given calendar year. This data represents changes in prices of all goods and services purchased for consumption by urban households. For the current year, the latest monthly index value is used.

Using the online CPI inflation calculator, **\$5.00 in 1983** has the same buying power as **\$11.61 in 2012**. In other words, the value of the parking permit fee today is worth over 50% less than its value in 1983.

Addendum B of this report provides the Parking District Program revenues and costs for FY2011 and FY2012 realized by the Parking Authority and Public Works Division.

## RECOMMENDATIONS

---

This report and the following recommendations have been developed by the Parking Authority, Engineering Department, and Development Services Department at the direction of the Office of the City Manager.

Recommendation 1.....Amend Article 367 to authorize the promulgation of rules to make provisions for parking district petition, evaluation, and administrative recommendation processes.  
(see Addendum C)

Recommendation 2.....Amend Article 367 to authorize the promulgation of rules to make provisions for the flexibility in determining how parking permits can be most efficiently distributed.  
(see Addendum C)

Recommendation 3.....Amend Article 367 to revise the parking permit fee schedule in terms of structure and rate.  
(see Addendum C)

Recommendation 4.....Promulgate rules directing parking district petition forms and processing procedures.  
(see Addendum D)

Recommendation 5.....Promulgate rules directing feasibility study and recommendation criteria.  
(see Addendum D)

Recommendation 6.....Promulgate rules directing standards for the eligibility and distribution of parking district permits.  
(see Addendum D)



# MORGANTOWN PARKING DISTRICTS

## Evaluation and Recommendations Report

### ADDENDUM A

#### Current Parking Districts and Restrictions

District Name	Ordinance Number	Enactment Date	Restriction	Time Restriction	Day of Week	Number of Parcels
Wiles Hill	091-21	10/03/1991	permit parking only	no restriction	Mon thru Sun	12
Garrison Street	094-70	08/02/1994	permit parking only	5 PM – 8 AM	Mon thru Sun	8
Pennsylvania Avenue	094-85	12/06/1994	4 spaces: permit parking only	no restriction	no restriction	15
			remaining spaces: two hour parking	two-hour parking: 5 AM – 9:30 PM	except Sunday	
South Park/ Greenmont	05-33 Elmina	07/18/1995	permit parking (only includes Elmina Street)	between hours of 5 – 7 AM	Monday - Sunday	905
	095-34 South Park		permit parking only	7 AM – 7 PM	Mon thru Thu	
	094-67 Greenmont		permit parking only	7 AM – 6 PM	Friday	
			no parking permit needed	no restriction	Sat & Sun	
Price Street	097-05	05/20/1997	permit parking only	except 7 PM – 11 PM	Mon thru Sun	27
Evansdale	00-37	08/15/2000	permit parking only	except 5 PM – 12 AM	Mon thru Sun	112
Parsons Street	003-39	09/16/2003	permit parking only	between hours of 7 AM – 3 PM	Mon thru Fri	4
McCullough Avenue	003-40	09/16/2003	permit parking only	no restriction	Mon thru Sun	14

Total number of parcels included in current Parking Districts = 1,097



**MORGANTOWN PARKING DISTRICTS**  
**Evaluation and Recommendations Report**  
**ADDENDUM B**

**Revenues and Costs for FY2011 and FY2012**

**TO BE DISTRIBUTED AT THE**  
**NOVEMBER 27, 2012**  
**COMMITTEE OF THE WHOLE MEETING**



# MORGANTOWN PARKING DISTRICTS

## Evaluation and Recommendations Report

### ADDENDUM C

The following revisions should be considered DRAFT. A final revision will be prepared based on the direction of City Council and the assistance of the City Attorney.

---

#### ARTICLE 367 Parking Districts

367.01 Established.	367.05 Applicability of other parking restrictions.
367.02 Purposes of article.	367.99 Penalty.
367.03 Selection of districts.	
367.04 Permits; rules; fees.	

#### CROSS REFERENCES Consecutive hours parking – see TRAF. 361.12

#### 367.01 ESTABLISHED

There are hereby established designated parking districts within the City. Within such districts, qualified person may obtain permits to park their vehicles on the streets within the district for periods longer than permitted for those vehicles without such permits. (Ord. 9-6-83.)

#### 367.02 PURPOSES OF ARTICLE.

The purposes of this article are as follows:

- a) To reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons not residing within the area.
- b) To protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles.
- c) To protect residents of those districts from unreasonable burdens in gaining access to their residences.
- d) To preserve the character of those districts as residential districts.
- e) To promote efficiency in the maintenance of those streets in a clean and safe condition.
- f) To preserve the value of the property in those districts.

- g) To promote the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

(Ord. 9-6-83)

### 367.03 SELECTION OF DISTRICTS.

Council shall, from time to time as it deems necessary, identify, by specific and separate ordinances, areas of the City as designated parking districts. During its deliberations, Council shall consider, in addition to the achievement of the purposes defined above, the following criteria:

- a) The degree to which traffic congestion and demand for on-street parking is generated by drivers of vehicles who do not reside in the proposed district.
- b) The existence of structures or facilities in the immediate vicinity of the proposed designated parking district, the use of which generates significant increased traffic congestion and demand for on-street parking spaces within the proposed district.
- c) The existence of an on-street parking space shortage defined as utilization of in excess of seventy-five percent (75%) of the on-street parking spaces on a continuing basis. (Ord. 9-6-83.)

**Comment [CF1]:** Added "-" for consistency.

**Comment [CF2]:** Added "-" for consistency.

**Comment [CF3]:** Added "-" for consistency.

**Comment [CF4]:** Added "-" for consistency.

### 367.04 PERMITS; RULES; FEES.

The City Manager, or his/her designee, which may include the Morgantown Parking Authority, is hereby authorized to issue parking permits to qualified residents of designated parking districts within the City. ~~The City Manager, or his/her designee, which may include the Morgantown Parking Authority, may also, on a case by case basis, issue parking permits to regular visitors of a designated parking district, who are not visiting residents of the district; provided that Council must approve each such issuance.~~

The City Manager shall promulgate rules governing the use of designated parking districts, including, but not limited to, rules governing the determination of eligibility of residents for receipt of one or more parking permits.

**Comment [CF5]:** The legislative direction and intent here is not clear. Specifically, the City Manager is authorized to perform as noted, yet only with City Council's approval for each instance.

Suggest eliminating.

The rules shall make provisions for parking district petition processes, feasibility study procedures, and administrative recommendations.

**Comment [CF6]:** This revision separates this sentence from previous paragraph by beginning new paragraph.

The rules shall make provision for regular permits, as well as for the issuance of temporary permits for the guests and visitors of residents of the district and also for temporary permits to delivery or other business vehicles serving the residents of the district.

**Comment [CF7]:** This revision removes reference to a particular number of permits as some households, although located within a parking district, may not be eligible to purchase a parking permit.

The rules shall make provisions for the distribution of parking permits per household, which may differ from one parking district to another; further provided that no more than two regular resident permits and one regular visitor permit, with the exception of one-day (24 hour) visitor permits, shall be issued to any one household within the district.

**Comment [CF8]:** This revision is intended to provide greater flexibility in the distribution of parking permits, which may differ from one parking district to another, based on relative supply and demand. Also, the term "regular" is changed to "resident" for consistency.

The intent of the permit process is to provide on-street parking for residents, their guests and visitors to their household. Permits are not to be given by residents to individuals so that those individuals may park in the district when not specifically there for the sole purpose of visiting with the residence in question. Visitor permits of any type, with the exception of one-day (24 hour) visitor permits, may not be used for more than five (5) consecutive days for the same vehicle.

**Comment [CF9]:** This revision is intended to address visitor parking permit abuse used by household members in place of resident permits.

The City Clerk shall maintain a book of ordinances that designate, amend, and/or repeal parking districts established under this article.

**Comment [CF10]:** This revision is intended to ensure related ordinances are managed in an easily accessible and functional order.

The following shall be the costs for the issuance of permits issued under this article. The fees for permits issued under this article shall be established by ordinance setting the fee schedule for each designated parking district; provided, parking permit fees shall not be less than:

**Comment [CF11]:** This revision is intended to provide greater flexibility in establishing parking permit types and related fees, which may differ from one parking district to another, based on relative supply and demand.

Regular permits, one resident and one visitor;	\$5.00/yr.
Additional Temporary visitor, guest or business vehicle permits;	no charge
First Resident Permit.....	\$5.00 per year
Each additional Resident Permit .....	\$10.00 per year
Visitor Permits (all types except One-day Visitor Permit).....	\$5.00 per year
One-day Visitor Permit (1 to 8 permits per occurrence).....	\$5.00 per occurrence

**Comment [CF12]:** The recommended minimum rates are based on providing a proximate inflation adjustment to the fee established when the parking district program was created in 1983; on the need to provide a base directory of permit types; on the need to distinguish resident permits from visitor permits in terms of eligibility, distribution, and related fee; and, the need to create a one-day (24 hour) visitor parking permit contingency.

Permits issued under this article are valid only in the designated parking district for which the permit is issued. (Ord. 10-17. Passed 5-18-10)

**367.05 APPLICABILITY OF OTHER PARKING RESTRICTIONS.**

Nothing contained herein shall be construed as permitting the parking of any vehicle in any properly marked “no parking” or restricted parking area or in violation of any other City ordinance or law. (Ord. 9-6-83.)

**367.99 PENALTY.**

Any vehicle violating the provisions of this article shall be subject to the penalties provided under Section 303.99 of the City’s Traffic Code. Any occupant of a residence within a parking district who violates Section 367.04 by giving a parking permit, which has been issued to the residence, to another individual so that he or she may park their vehicle within the parking district when not there for the specific purpose of visiting the residence in question, shall be guilty of a misdemeanor and shall be fined \$50.00. Each such incident shall be deemed a separate offense of this article. (Ord. 05-02. Passed 2-15-05.)



# MORGANTOWN PARKING DISTRICTS

## Evaluation and Recommendations Report

### ADDENDUM D

#### Guiding Principles for Promulgating Parking District Rules

- A resident parking district petition form(s) must be developed that provides, at least, the following information:
  - For each petitioner (household) – name; address; contact information; tax map and parcel information for the realty on which the respective petitioner’s residence is located; number of available off-street parking spaces; etc.
  - A detailed statement of the on-street parking congestion problem; including but not limited to, congestion peaks (days of week and times of day when most congested), perceived causes of the congestion, photographs documenting congestion, etc.
  - A detailed statement of the objectives for establishing the proposed parking district.
  - A detailed description of and map illustrating the proposed parking district boundaries.
  - Original signatures of at least 60% of the households within the proposed parking district (one household, one signature).
  - Petition fee (to be determined) payable to the Parking Authority, 50% of which should be transferred to the City’s General Fund.
  - The Parking Authority will be designated for petition intake and initiation processing.
- A methodology for an administratively initiated parking district petition should be established based on observed trends and consultation among various City Departments, including but not limited to, Engineering & Public Works, Parking Authority, Police, Fire, Development Services, etc.
- A feasibility study methodology must be developed for the purpose of processing the petition, measuring the practicality of the proposed parking district, and developing and reporting recommendations in terms of establishing or not establishing a parking district.
- The feasibility study should address at least the following elements:
  - A land use inventory and related mapping to identify parking requirements within the study area based generally on the Planning and Zoning Code. (Development Services)
  - A residential density and tenancy inventory and related mapping of the study area to identify locational parking demand. (Development Services)
  - An inventory and related mapping of existing off-street parking (including garages) and potential off-street parking within the study area. Potential off-street parking should consider restrictions and design standards provided in various elements of City Code. (Parking Authority and Engineering)

- An inventory and related mapping of on-street parking within the study area, which should be based on the linear distance in feet of on-street parking less restricted areas (i.e., yellow curbs, fire hydrants, driveway entrances, line-of-site obstructions, roadway geometry, distances from intersections, minimum street width standards, utilities, etc.). (Engineering)
- An inventory and related mapping of households with off-street parking, with no off-street parking, insufficient off-street parking, and whether or not on-street parking exists or can be established along curb adjoining the residence within the study area. (Parking Authority and Engineering)
- An identification and documentation of on-street parking congestion within the study area including various days of the week and times of the day. (Parking Authority)
- An investigation of the cause of on-street parking congestion within and/or near the study area. (Parking Authority, Engineering, Development Services)
- Establish a parking space deficit within the study area based on the relationship between parking demand, existing and potential off-street parking supply, and on-street parking supply. (Engineering and Parking Authority)
- An assessment of areas surrounding the study area to ascertain whether or not additional area should be included in the parking district and/or whether or not the parking district may adversely impact outlying areas. (Engineering and Parking Authority)
- An analysis of the cost of parking district implementation. (Engineering and Parking Authority)
- An analysis of a parking permit fee schedule for the respective parking district. (Parking Authority)
- A findings summary and recommendations brief. The brief should restate the congestion trends and substantiate whether or not the parking district be established. (Parking Authority, Engineering, and Development Services)

Assuming the feasibility study validates the merits and benefits of establishing the parking district, recommendations should address parking district boundaries; parking restrictions (days of week and times of day); parking permit eligibility; parking permit distribution and fee schedule; timing of implementation; requisite implementation tasks (signage, curb painting, permit production, etc.); timing of post-implementation performance evaluation, etc.

- City Manager submits findings and recommendations brief along with the feasibility study to the City Council for review.
- Assuming the practicality of establishing a parking district is demonstrated, City Council directs the City Manager to prepare an ordinance establishing the parking district for City Council's final consideration and action.