

16. Wayfinding Program

The **signage and parking brand should be consistent** throughout each town, including sign format, symbols and colors. Any County-managed parking area including those established with a shared parking agreement needs to be clearly identified and the signage should promote the parking location, any time restrictions and any applicable rates/fees. The parking brand/signage would be required to be used in conjunction with the terms and conditions of the shared parking agreement. The County can deliver parking information through multiple outlets including vehicle messaging systems, wayfinding signage, and various websites, including the tourism board, hotel, travel and parking sources. The technology exists to provide parking and transportation information in real-time. The County must be proactive to **educate and inform** those preparing to visit Lahaina Town or Wailuku Town.

The County should consider hiring a consultant to develop a wayfinding strategy. Typically, a wayfinding strategy is based upon short-, mid-, and long-term scenarios. The first phase of developing a wayfinding strategy is the research and documentation phase. During this phase, the consultant should evaluate existing roadways and parking locations, outline street jurisdictions, and develop preliminary designs. Based upon County feedback, the final designs would be developed next, along with the construction documentation. Following that, a request for proposals (RFP) can be released to procure the recommended wayfinding technology and signage.

Implementation Guide

Short Term Steps

1. Consider hiring a branding consultant to develop the County's overall parking brand and wayfinding strategy. Each town could have its distinct parking brand as part of the overall county system. The comprehensive wayfinding signage system should have a unified and consistent parking brand or theme that is easily recognizable between the towns. This branding should be utilized on all County-owned parking signage as well as by participating private operators that qualify for the program.
2. Install branded wayfinding signage throughout the towns to direct visitors to available parking using arrows.
 - a. Any remote parking locations should be included in the wayfinding program with signage to encourage remote parking.
 - b. "Pay Here" signage should be included with all pay stations.
 - c. Include signage that indicates the location of disabled accessible paid on-street parking. The areas without disabled accessible pay stations should be clearly marked.

Mid-Term Steps

1. Develop an online map to display locations with public parking. This map should only include locations owned by the County and by private operators who are participating in the wayfinding program. This map should be displayed on the Town's website and promoted to visitors through nearby hotels and travel sites. The map will help visitors plan their trip and make informed decisions about where to park.

Long-Term Steps

1. Any County-owned lot or garage could be equipped with a vehicle counting system so that available parking information may be displayed and promoted in real-time.
 - a. In-ground induction loop systems can provide real-time occupancy counts. This is the simplest and most cost-effective method of aggregating the number of available spaces throughout a lot. The loop system would be installed at the ingress and egress points of the lots, and software algorithm uses a simple formula based on the total inventory of the lot to determine how many spaces are available at any time.
 - b. Occupancy data can be displayed via the internet for real time parking availability information.
 - c. The number of available spaces should be displayed on digital messaging monument signage.

17. Wailuku Civic Hub Garage

The County is planning to construct a Parking and Events Facility in Wailuku, which will include the Civic Hub Garage. Through the project, the County aims to **stimulate economic development and revitalize downtown** Wailuku Town. In conjunction with the project, the County intends to offer a portfolio of incentives to local property owners, business owners, and developers to invest in the town. For example, property owners may be able to obtain a parking reduction for property development projects through the allocation of spaces in the Civic Hub Garage. Furthermore, the County is encouraging the formation of a **Special Improvement District (SID)** that will operate partially from PBD funds. The SID is intended to drive and advocate for improvement projects, plan events, and encourage investment in Wailuku Town. While parking occupancy is fairly low today, through the project, the County aims to provide sufficient parking supply for the growing needs of the community.

Based on the current draft plans, the garage is estimated to have a total of **428 parking stalls**. It is recommended that the County install **Parking Access Revenue Control Systems (PARCS)** for all ingress and egress points of the garage. PARCS include gate arms that will improve the compliance rate and reduce the need for enforcement. Drivers would pull a ticket upon entry and either pay at a kiosk or pay at the exit from the garage. Typically, municipalities prefer to implement the 'pay on foot' equipment to reduce congestion at the exit points. The PARCS equipment typically costs around \$27,500 per access point, and the 'pay on foot' pay station equipment costs an additional \$19,000 per unit. With a bill note acceptor, the 'pay on foot' pay station equipment cost around \$34,000. In addition to the equipment costs, there are ongoing software, warranty, and monthly credit card fees. While the equipment may seem costly, the County should consider the improved compliance rate for parking revenue, as well as the cost savings of reducing the amount of necessary enforcement staff.

It is recommended that the County allocate approximately 65% of the spaces for permit parking, and leave the remaining 35% for paid hourly parking. The project will include additional office space, which will increase the demand for long-term parking. If the County proceeds with the recommendation to implement a permit program in the short-term for the Municipal Lot, this will also help the County gauge what the true parking demand will be once the Civic Hub is constructed. Ideally, the permit spaces should be open and **unassigned**, and located on the **upper floors** of the facility. The lower floors, with the most convenient parking, should be available for visitors. One parking management method to address this is to prohibit parking on the lower floor between **7:00am and 10:00am**. This typically forces most daytime employees to park on the upper levels. It would also make permit enforcement easier by only requiring enforcement during the morning hours on the lower floors. From a safety standpoint, the nighttime employees would still be able to utilize the lower floors, which are closer to the garage entrances. This would also accommodate returning to their vehicles at night more convenient and accessible. See Section 4 for rate and time limit recommendations.

Wayfinding will be an important factor to locate and identify the garage. Directional signage should be placed along main arterials and leading up to the entrance of the garage. The County should also consider installing **vehicle detection equipment**, like in-ground loop counters, at the entrance and exit points of the garage. The detection equipment would be able to determine real-time occupancy, which could be displayed on external digital signage. A simple **“full/open” sign** can be helpful for parking guidance.

The embedded travel lane leading up to the entrance of the garage from Market Street would serve as an ideal location for a **valet program** and/or **passenger/ridesharing loading zone**. During special events, the County will be able to fit more cars into the facility using valet. Additionally, a passenger loading zone would be ideal for quick pick-ups and drop-offs for events, and it could serve the nearby MAPA facility. Ideally, retractable bollards or planters could be used to temporarily screen off this area when necessary.

The County should be sure to consider **garbage truck and emergency vehicle access** into and out of the garage. Due to the project’s position next to neighboring buildings, the County will need allow for garage truck access into the garage. The design of the garage should consider the wide turning radius of the trucks. This is critical to avoid damage to the infrastructure and concrete, which will drastically increase maintenance requirements overtime and detract from the garage’s aesthetic. Furthermore, emergency vehicle access needs to be considered, especially because the facility is meant to host several events. The County could consider installing **retractable bollards** that will provide emergency vehicles the option of driving straight into the facility from Vineyard, rather than the proposed Market Street entrance.

During construction, it will be critical for the County to implement an **interim parking plan**. The 12-hour spaces in the existing Municipal Lot are currently highly utilized during the day, so the County would benefit from identifying an interim location for long-term parking during construction. One potential location is at the War Memorial Park Lot. More information can be found in Sections 4 and 11.

Furthermore, the County should consider the impact that construction will have on the nearby businesses. A variety of stakeholders have indicated their concerns about the upcoming construction project. Some are even considering moving out of the town if the County proceeds with the project. The Parking and Events Facility will be a major investment for the County, and **the success relies heavily on the success of nearby businesses**. Knowing this, it is critical for the County to carefully decide the appropriate design elements and project phasing that will **benefit the existing community**.

Implementation Guide

Short-Term Steps

1. The County should develop an interim parking location for during construction where the displaced long-term parkers that utilize the existing Municipal Lot can park.
2. The County should continue with its plans to release a portfolio of incentives to local property owners, business owners, and developers for during construction.
3. Project designs should incorporate considerations for garbage truck and emergency vehicle access, PARCS, valet and ridesharing zones, and wayfinding.
4. The County should ensure that the finalized designs will benefit the existing community.

Mid-Term Steps

1. The upper levels of the garage should be dedicated to permit parking, and the lower spaces for paid hourly parking.
 - a. The County should consider prohibiting parking on the lower floors between 7:00am and 10:00am.

Long-Term Steps

1. Overtime, the County should monitor facility occupancy and utilization to determine any necessary program changes. As occupancy reaches 85%, the County should consider raising rates, implementing a time limit, or changing the space allocations.

18. Prison Street Lot Improvements

It is unclear whether the Prison Street Lot may be developed into a permanent parking location for Lahaina Town due to the Historic District regulations. Regardless, the County should consider how the effective management of parking could benefit Lahaina. The efficient use of the limited parking in the Town could ultimately make parking less of a nuisance and distraction from the Town. Additionally, parking is typically the first and last experience that a visitor will have when visiting Lahaina, so it is important for their parking experience to be positive. It is recommended that the Prison Street Lot be improved in the short-term, and possibly converted into a two-level garage in the future. An assessment of the existing lease agreements should be conducted to determine the feasibility of any proposed site improvements or alterations. At a minimum, **the lot should be paved**, and all the **spaces should be marked**. The County should consider allocating additional **ADA accessible parking stalls** within Prison Street Lot. The County should also consider enhancing the **parking lot lighting** to improve visitor safety at night.



Image 20. Prison Street Tour Bus Parking

Currently approximately 6 bus spaces are identified for tour bus parking within the Prison Street lot daily from 8:00am until 10:00pm. The tour bus operators have identified that **only 4 bus parking spaces are necessary** within Prison Street Lot. Ideally, the two spaces furthest north would be eliminated. Additionally, due to the tour drop-off and pick-up times, these spaces can be **dual-purposed for parent queuing** during the elementary school drop-off and pick-up times.

Implementation Guide

Short-Term Steps

1. Reevaluate the allowed use of the Prison Street Lot for a permanent parking location.
2. Assess the existing Prison Street Lot lease agreements to determine the feasibility of any upcoming alterations and improvements.
3. Hire a parking facility design firm to create an aesthetically pleasing and functional parking lot that may later be converted into a two-level parking structure.
 - a. All spaces should be marked and signed clearly.

- b. Ideally, an increase in ADA accessible spaces should be incorporated into the design.
4. Eliminate two of the six bus parking spaces, and allow parent queuing in the remaining spaces during elementary school drop-off and pick-up times.

Mid-Term Steps

1. Implement paid parking at the Prison Street Lot as outlined in Section 4.
2. Consider creating a set-aside fund from the Prison Street Lot revenue to help fund Lahaina Historic District projects.

Long-Term Steps

1. Improve the various parking areas into a cohesive parking lot.

19. Kamehameha III Elementary School

During the elementary school morning and afternoon pick-up and drop-off times, there is a significant amount of traffic congestion along Front Street. While the issue is specific to certain times of day, it is important to ensure that the traffic flow is managed efficiently, and that pedestrian safety hazards are minimized. It was observed that many parents drop their kids off directly outside of the gate to make sure they can see their child enter the school property safely. One idea to improve the flow of traffic is to **install another gate** opening at the end of the street to allow for the cars to pull all the way forward and utilize more of the block's temporary loading zone (Image 21).



Image 21. Proposed Second Entry Gate

Many of the parents also choose to use the adjacent Prison Street Lot for drop-off and pick-up. Currently, the main congestion times do not seem to pose a major issue for the Prison Street Lot location. However, with the recommended implementation of paid parking, it will be important to ensure that the standing times in the lot are kept to a minimum. One possibility is to designate a certain loading zone within the lot for during the drop-off and pick-up times only. For the other hours of the day, paid parking should be required. All rules should be clearly marked for ease of enforcement.

The elementary school also relies on the Prison Street lot for certain school events. The County should work with the school staff to develop a **special events plan** for the Prison Street Lot. For the events that are too large to be accommodated by this parking lot alone, it has been identified that a nearby Baptist Church parking lot could serve as an ideal location for shared parking with the school.

Elementary school employees should also be considered in the development of the Town's parking plan. While the school currently has some dedicated parking for employees, their current supply is not sufficient. The school has 100 staff members, but just 60 parking stalls on the campus. There is potential for implementing a permit parking

zone on the school side of Front Street south of the school. The spaces at Mokuhina Place and along Front Street are currently underutilized. Ideally, these locations could be posted with permit only signs for a school staff member permit that would be effective between 6:30am and 4:30pm.

For the hours that school is not in session, there is an opportunity to charge for public parking at the reserved school parking. The County should pursue a **shared parking agreement for the designated school parking spaces**. The County would maintain the spaces and provide enforcement, and a portion of the revenue could be allocated towards safety programs. More information on shared parking agreements can be found below in Section 20.

Implementation Guide

Short-Term Steps

1. Encourage the elementary school to install a second gate opening further down the road on Front Street to improve traffic congestion.
2. Work with the school to develop a special events parking plan that makes use of the Prison Street Lot as well as other opportunities for shared parking agreements.
3. Designate a school employee parking permit zone in an underutilized location along the Southern side of Front Street or at Mokuhina Place.
 - a. Permits should be mandated between 6:30am and 4:30pm for longer-term parking.
4. Pursue a shared parking agreement with the school to allow the public to pay for parking in reserved school spaces while school is not in session.
 - a. Install pay stations and signage to serve the shared parking locations.
 - b. Allocate the necessary enforcement resources to manage the shared parking.
 - c. A portion of the revenue should go towards funding safety programs around the school.

Mid-Term Steps

1. Designate a small number of passenger loading zones spaces within the Prison Street Lot that are effective during the typical drop-off and pick-up times. Parent queuing could be allowed in the bus parking spaces during non-bus loading hours, as outlined in Section 18.

20. County Shared Parking

Standard, Non-Monetized:

The County could pursue shared parking agreements with businesses and land owners that may have parking availability. It is important to **utilize the empty parking spaces** within the town's limits and consider all potential solutions.

Implementation Guide

Short-Term Steps

1. Amend the County ordinances to allow for shared parking between multiple properties and businesses, including restaurants, shops and hotels.
2. Establish a framework for a negotiation process for off-street shared/public parking agreements in areas with high parking demand. This process would occur between owners of privately-operated off-street parking facilities, property owners and applicants for new developments. Appendix D has example shared use agreements from the City of Saratoga, CA, and the Village of Oak Park, IL. Some considerations to have when pursuing shared parking agreements with business owners are:
 - a. Term and extension: evaluate return on investment and ensure terms that allow for potential redevelopment.
 - b. Use of Facilities: establish available hours, number of spaces, time limitations and ensure base user will retain use at the end of the sharing period.
 - c. Maintenance: evaluate the added cost of maintenance and operation.
 - d. Operations: consider revenue collection operations (when applicable) and needed signage.
 - e. Utilities and Taxes: determine the responsible parties and any cost sharing agreements.
 - f. Signage: consistency with County signage can improve the public experience.
 - g. Enforcement/Security: determine who handles enforcement and towing.
 - h. Insurance and Indemnification: consider litigation with any cost sharing.
 - i. Termination
3. Explore the possibility of shared parking agreements with any potential locations such as:
 - Lahaina Town**
 - a. Kamehameha III Elementary School reserved parking
 - b. The Outlets of Maui
 - c. Holy Innocents Episcopal Church
 - Wailuku Town**
 - d. Wells Park Lot
 - e. Tennis Court Lot

4. Incorporate the County's unified parking brand into the shared parking agreement contract. Each location should also be required to participate in the wayfinding program.

Mid-Term and Long-Term Steps

1. Implement any opportunities for shared parking agreements. Continue to evaluate new opportunities to utilize parking more efficiently.

Shared Parking - Monetized:

The County should consider offering a monetized shared parking option to supplement the standard shared parking agreement method outlined above. A monetized solution would be **mutually beneficial to the private lot owners and the County**, and it will allow for a more **comprehensive approach** to parking management in Lahaina. A portion of the revenue from shared parking should be set aside to support the enforcement, maintenance and upkeep of shared parking locations. Additionally, funds could be used to **guarantee certain parking lot enhancements** as an additional value add from the shared parking program. A portion of funds received through a shared parking agreement with the elementary school could go towards safety enhancement programs. The County would install the necessary meters or pay stations, help establish the appropriate parking rates, designate any necessary time limits, and provide enforcement and basic maintenance. The shared parking agreement would establish any **potential revenue splits**. For example, if the County pursues a monetized shared parking agreement with the elementary school, Lahaina could retain 25% of the revenue, with the other 75% going to the school.

Prerequisites

For the County to pursue shared parking agreements the ordinances must be amended as discussed above in the non-monetized section.

Short-Term Steps

1. (See steps a.1-4 above in the non-monetized section)
2. Work with property owners to determine the appropriate hourly rates and time limits for each location. Ideally, the convenient parking outside of businesses should be time limited to ensure turnover and accessibility to the businesses.
3. Determine the appropriate revenue split rates to sustain the program.
4. Ensure that existing paid parking vendor contract allows for the ordering of additional infrastructure and order the additional paid parking technology needed.
5. Allocate the necessary parking ambassador resources to manage the participating locations. This may require additional staff as discussed in Section 7.
6. Install paid parking technology at participating shared parking locations. The actual amount of equipment depends on the unique geography and configuration of each location, and it is typically 1 pay station for every 30 parking spaces. Like on-street, the pay stations should be in the pay and display configuration for ease of enforcement.

7. Install the appropriate signage to indicate paid parking and time limits. This signage should incorporate the County's unified parking brand as outlined in Section 16.

Mid-Term and Long-Term Steps

1. The County should assess the parking rates and time limits on an annual basis to make any necessary adjustments to support the overall parking program.

21. Parking Minimums and Phantom Parking

Maui County Code Chapter 19.36A, Section 10 establishes the minimum number of accessible off-street parking spaces required for a variety of uses. For example, 1 parking space for every 100 square feet of serving and dining areas is required for restaurants and bars. Additionally, art galleries are required to provide 1 parking space for every 300 square feet of floor area. Parking space requirements are also outlined for uses such as single-family dwellings, apartments, churches, hotels, etc. Parking spaces are also required to be located on the same lot they serve or within 400 feet of the nearest point of the lot, and “as approved by the planning director”.

The County allows property owners to satisfy the off-street parking requirements through **off-site parking agreements**. This allows property owners to identify parking resources at a privately-owned parking lot to be counted towards the parking minimums through an **Off-Site Permit (OSP)**. Parking Applications are submitted to the Department of Planning, and the off-site parking is reviewed to determine compliance. A comprehensive parking analysis is required as part of the application to outline parking ratio requirements. Additionally, a \$55 non-refundable filing fee, payable to the Director of Finance is required.

Several problems have arisen from the current OSP system. The County **does not track or monitor the off-site parking agreements** to ensure compliance and utilization. A result of this is that the private lot owners will typically resell their spaces once agreements expire or when spaces are underutilized. The County’s OSP approvals **never expire and are not reevaluated**. Spaces are also sold to the highest bidding property owner, meaning that the private lot owners are profiting from the County’s lack of parking supply. The lack of regulation has created a “parking space black market”, and the County is unable to determine whether the parking space goals are being met. The term “Phantom Parking” has evolved to describe these issues resulting from the **lack of regulation**.

The County should consider designating an employee in the Department of Planning who will be responsible for reviewing and monitoring the OSP agreements. Ideally, every OSP should be **verified on an annual basis** to ensure that each agreement is still in place. An **in-lieu of fee could be established** to allow the County to collect a fee instead of providing some or all on-site parking spaces required by the parking minimums. The fee would provide developers with an alternate option to meet parking requirements, while **creating a revenue stream** for the County that may be used for parking management and the development of new supply if necessary. Typically, in-lieu of fees are charged at a per space rate, and the rate is based on construction costs. This could be an upfront cost, or the County could choose to establish an annual fee. This would mean that property owners need to either develop their own parking, have their off-site parking agreement(s) verified on an annual basis, pay the in-lieu of fee, or a combination of the three to satisfy their requirements. This is a concept that was introduced in 1997; Maui

County Code Section 14.72.020 from Ordinance No. 2575 requires a needs assessment study relating to parking assessment fees “before the council may consider the enactment of an ordinance providing for parking assessment fees in lieu of the off-street parking and loading requirements”. This ordinance states that the revenue from parking assessment fees would be dedicated to a fund for “constructing public parking stalls and similar public facilities”. However, an in-lieu of fee has not been introduced to Lahaina Town.

In addition to considering an in-lieu of fee, the County could also **consider reducing or removing parking minimums**. As parking economics expert, Donald Shoup describes, the purpose of parking minimums is often to ensure that sufficient parking supply is provided to allow for access by car, during peak demand periods⁴. However, these minimums are often arbitrary numbers, and they do not necessarily reflect the needs of the community. Because parking is free and unregulated in Lahaina Town today, off-street parking requirements were likely enacted to prevent spillover parking. Instead, **spillover parking could be addressed through paid on-street parking and residential permit parking zones**, as outlined in Sections 4 and 10. The price of parking can instead be used as a tool by the County to achieve adequate parking space vacancy rates and supply. Priced correctly, paid parking can cause a **shift in behavior** towards more walking, cycling, transit use, or visiting the Town during non-peak hours. Additionally, developers will then be able to supply parking based on the market instead of based on minimum parking ratio requirements. **Unbundling the cost of parking** from development, and implementing paid parking, will reduce the cost of development while allowing developers to supply the appropriate amount of parking. Currently, the cost burden for developers of providing parking spaces, either on or off-site, is likely reflected through the cost of goods and services. This means that whether a visitor is using the parking or not, they are still paying for it indirectly. Eliminating parking minimum requirements will be a **more equitable approach to parking management**, and it would allow for more efficient management of parking in Lahaina Town.

Implementation Guide

Short-Term Steps

1. Designate a Planning Department employee to track and monitor all OSP permits and agreements.
 - a. Ideally, OSP agreements should be verified on an annual basis.
2. Assess the feasibility of implementing an off-site parking in-lieu of fee in Lahaina Town and/or reducing or removing the parking minimum requirements.

Mid-Term Steps

1. Update Maui County Code Chapter 19.36A, Section 10 if the County proceeds with either removing or reducing parking minimum requirements.

⁴ Shoup, Donald, “The Trouble with Minimum Parking Requirements”, Transportation Research Part A (1999) <http://shoup.bol.ucla.edu/Trouble.pdf>

2. If the County proceeds with an in-lieu of fee for Lahaina Town, determine an appropriate rate and update the County codes and application process.

22. Appendix A: Wailuku Town Data Analysis

Data Collection Methodology

On- and off-street parking occupancy and utilization data was collected in Wailuku Town on Thursday, September 21st and Saturday, September 23rd, 2017. The purpose of the data collection dates was to capture data on both a weekday and a weekend day. The off-street locations that are not County-owned were included in the study for the purposes of comparison, and to take a comprehensive approach to understanding parking impacts and utilization in Wailuku Town. Parking occupancy data records the number of parked cars that were counted at each location. On the other hand, utilization data is the capture of license plate numbers to determine length of stay and turnover.

Occupancy and utilization data was collected at each location during the morning (9-11am), midday (12-2pm), afternoon (3-5pm), and evening (6-8pm) time periods. The Study Area is outlined below in Figure 1. Additionally, Tables 1 and 2 outline the specific locations for data collection and parking space inventory for on- and off-street parking. Due to a discrepancy during data collection, only a portion of the Vineyard Street Lot was included in the occupancy counts.

Figure 1. Study Area Map



Table 1. Locations and days of on-street occupancy counts and utilization data collection.

On-Street Data Collection			
Location	Inventory (357)	Days	
		Thursday	Saturday
Occupancy			
Main Street (<i>High Street to Central Av.</i>)	32	X	X
Wells Street (<i>High Street to Kinipopo Street</i>)	46	X	X
Church Street (<i>Vineyard Street to Kaohu Street</i>)	45	X	X
Napua Street (<i>Kaohu Street to Uluwehi Street</i>)	11	X	X
Kaohu Street (<i>Napua Street to High Street</i>)	18	X	X
High Street (<i>Wells Street to Vineyard Street</i>)	19	X	X
Vineyard Street (<i>High Street to Central Avenue</i>)	39	X	X
Central Avenue (<i>Vineyard Street to Main Street</i>)	42	X	X
Maluhia Drive	11	X	X
Market Street (<i>Mill Street to Well Street</i>)	71	X	X
Aupuni Street (<i>Koeli Street to High Street</i>)	23	X	X
Utilization			
High Street (<i>Wells Street to Vineyard Street</i>)	19	X	X
Market Street (<i>Mill Street to Well Street</i>)	71	X	X

Table 2. Locations and days of off-street occupancy counts and utilization data collection.

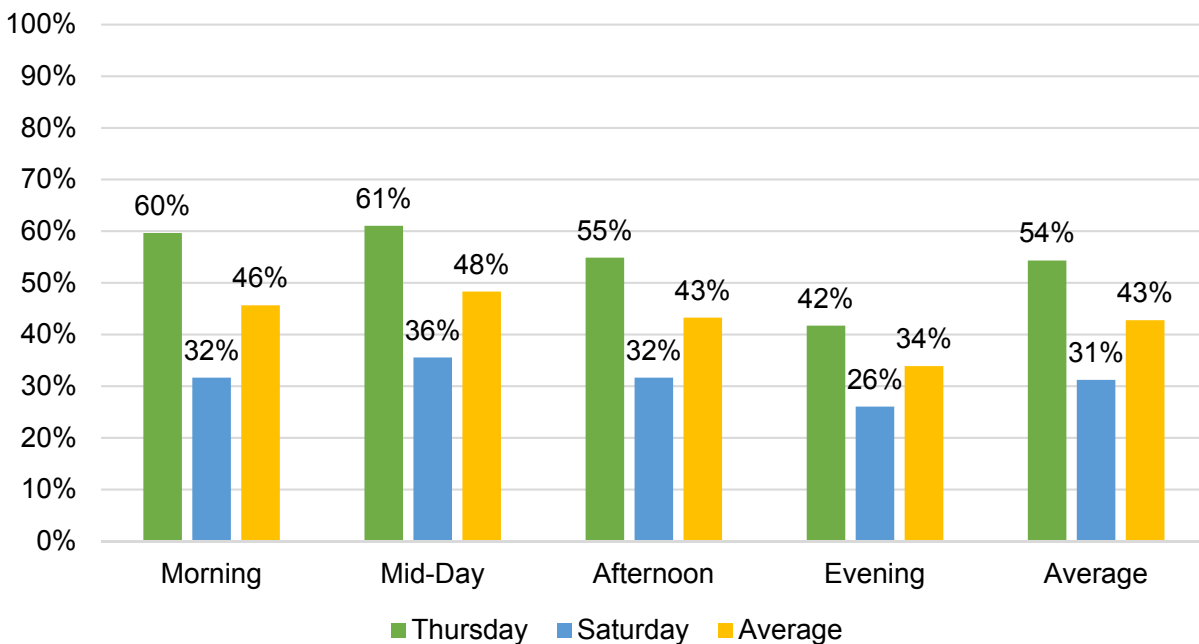
Off-Street Data Collection			
Location	Inventory (414)	Days	
		Thursday	Saturday
Occupancy			
Municipal Lot	218	X	X
Vineyard Street Lot (<i>portion of</i>)	17	X	X
County Public Lot	47	X	X
Wells Park Lot	14	X	X
Tennis Court Lot	34	X	X
State Metered Lot (<i>metered spaces only</i>)	39	X	X
Hoapili Hale State Lot (<i>metered spaces only</i>)	35	X	X
Aupuni State Metered Lot (<i>metered spaces only</i>)	10	X	X
Utilization			
Municipal Lot	218	X	X

Parking Occupancy

On-Street

Over the two-day collection period, higher on-street occupancy rates were observed on Thursday (Figure 2). Across all time periods, Thursday averaged 54% occupancy compared to 31% on Saturday. Both days, however, exhibited a similar pattern of occupancy throughout the course of each day. Occupancy rates were higher during the morning and midday periods, before decreasing in each successive time period. Peak occupancy was observed at 61% during the midday period on Thursday.

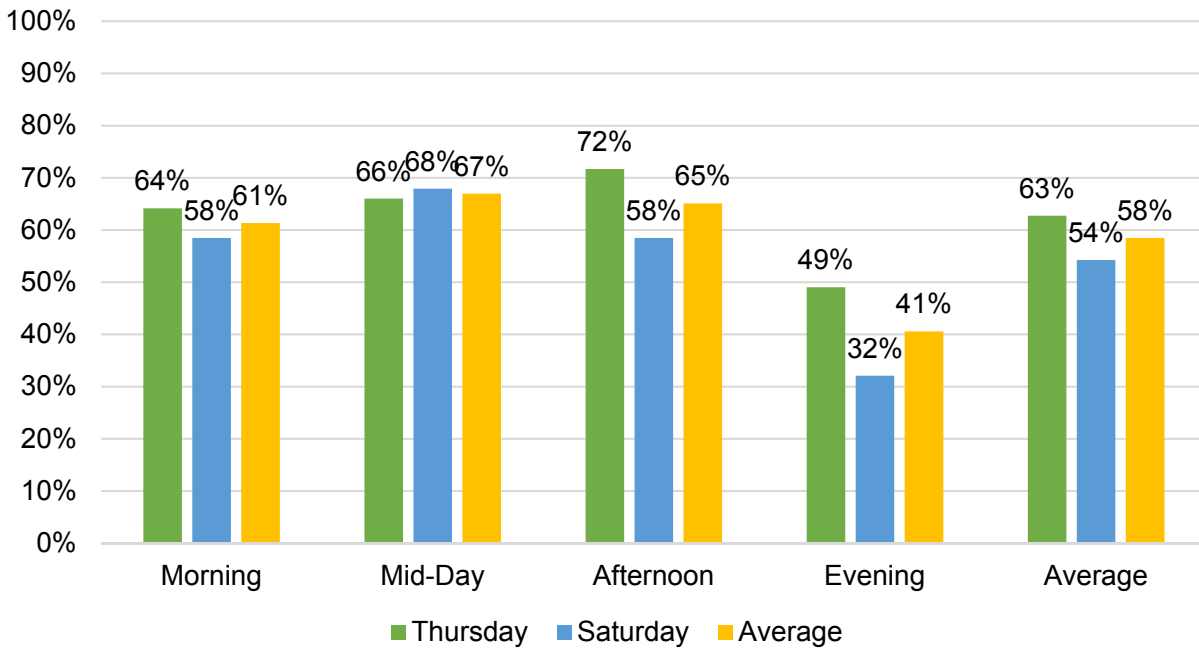
Figure 2. Wailuku Total On-Street Occupancy Rates:



Wailuku’s main commercial center runs along Market Street bordered by Vineyard Street and Wells Street to the north and south, respectively. As Wailuku’s main commercial area, it is important to analyze on-street occupancy separately due to the impact that parking availability can have on economic development. Reviewing the data, it is evident that parking demand is considerably higher in this area (Figure 3). To illustrate this point, across all time periods, Thursday’s average occupancy rate increases to 63% and Saturday’s to 54%.

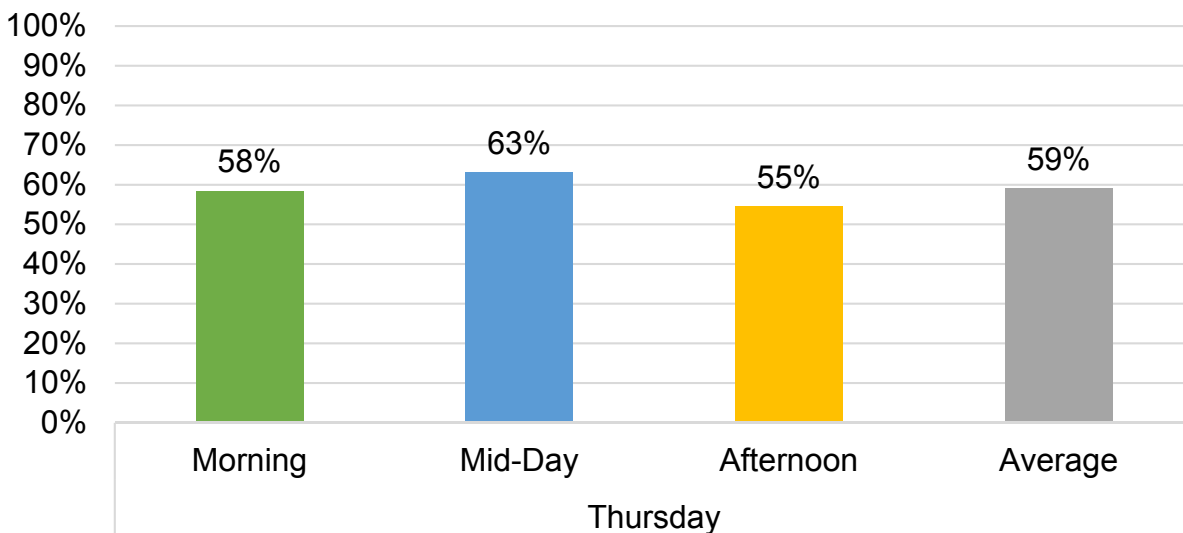
Within the Market Street Zone, occupancy rates display a different pattern throughout the day in comparison to the whole Wailuku Town Study Area. The fundamental difference was observed on Thursday. Throughout Thursday, on-street occupancy increased throughout each time period and peaked at 72% occupancy during the afternoon. Occupancy then declined sharply during the evening period, as it did also on Saturday. Another difference to highlight, is the similarity in occupancy rates between Thursday and Saturday within this area.

Figure 3. Market Street Zone Occupancy Rates:



On-street occupancy was also analyzed separately along streets that are recommended for inclusion in Wailuku’s Proposed Paid Parking Zone. The proposed zone consists of 255 on-street spaces with recommended weekday operating hours of 9am-6pm. Along these streets, Thursday occupancy rates averaged 59% across the morning, midday and afternoon time periods (Figure 4). Occupancy increased throughout the morning to midday hours, before decreasing in the afternoon time period. Peak occupancy was observed at 63% during the midday period, indicating ample parking supply within this area.

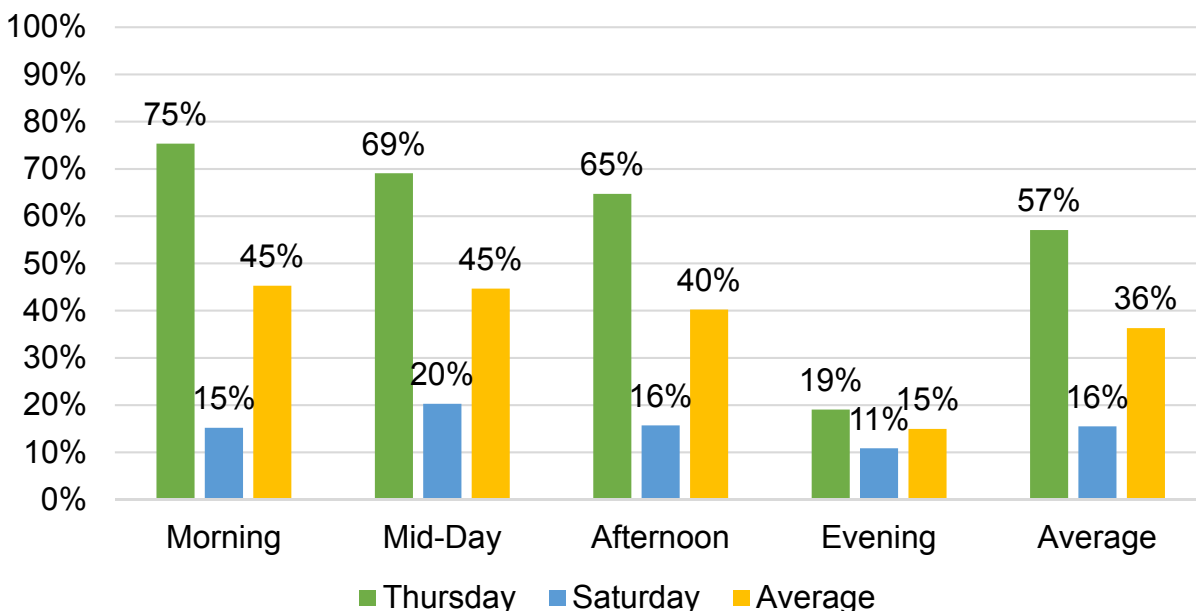
Figure 4. Proposed Paid Parking Zone Occupancy



Off-Street

Examining off-street occupancy data reveals a wider difference between occupancy rates between Thursday and Saturday (Figure 5). Across all time periods, Thursday averaged 57% occupancy compared to 16% on Saturday. This implies that off-street spaces are typically not as heavily utilized during the weekend. On Thursday, occupancy peaked at 75%, before decreasing in each successive time period. During the evening time period, occupancy sharply decreased on Thursday to 19%, comparable to Saturday.

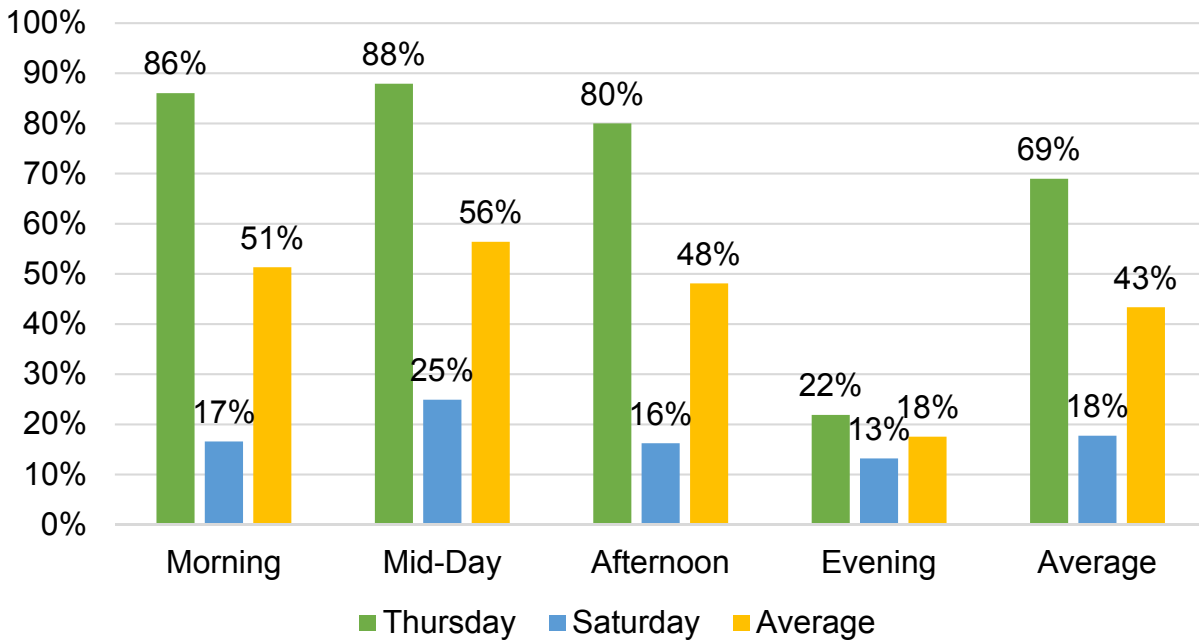
Figure 5. Wailuku Total Off-Street Occupancy:



Within the Wailuku Town Study Area, three off-street lots are County-owned – the Municipal Lot, Vineyard Street Lot and the County Public Lot. Due to a discrepancy during data collection, only a portion of Vineyard Street Lot was accounted for. Therefore, only the Municipal Lot and County Public Lot are included in the “County-Owned” analysis below. Collectively, both lots experienced higher parking demand during both days, particularly on Thursday (Figure 6). To demonstrate, across all time periods Thursday’s average occupancy rate increases to 69% and Saturday’s to 18%. Once again, it is evident that parking spaces at these facilities are not typically utilized during the weekend.

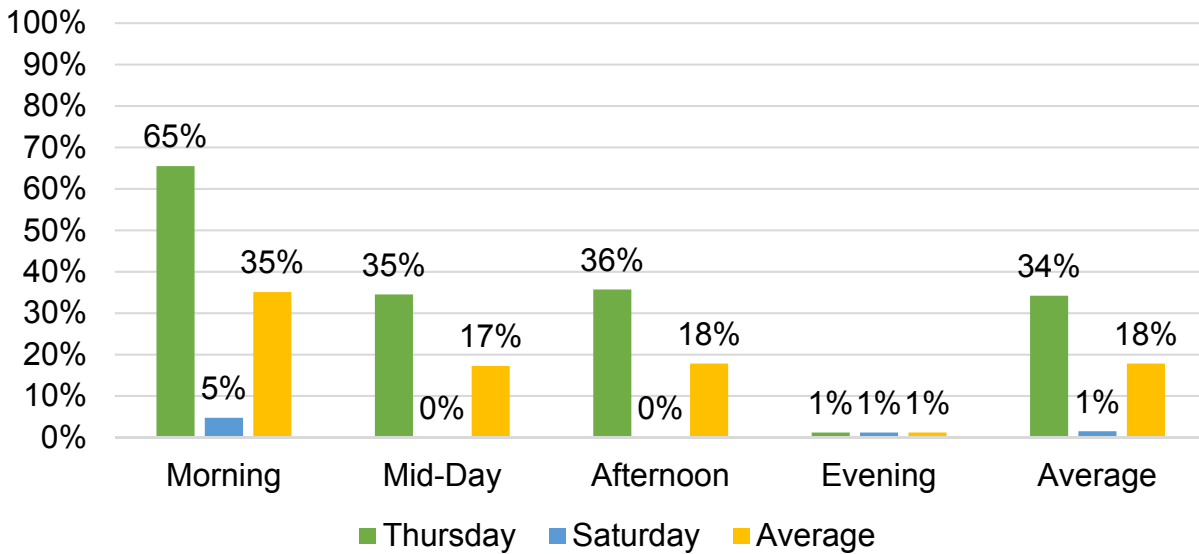
Notably, occupancy exceeded 85% on Thursday during the morning and midday periods. On Thursday, occupancy peaked at 88%, before decreasing in the afternoon and sharply decreasing to 22% during the evening. It is important to note that once occupancy reaches 85% and above, vehicle turnover is often inconsistent and available spaces are minimal leading to increased congestion from vehicles searching for parking spaces. Typically, 85% occupancy equates to 1-2 parking spaces being available at all times.

Figure 6. Wailuku Total County-Owned Off-Street Occupancy:



In addition to County-owned lots in the Wailuku Town Study Area, occupancy rates were also recorded at metered spaces at three State-owned lots – the Hoapili Hale State Lot, Aupuni State Lot, and the State Metered Lot. Collectively, these lots experienced far less parking demand than the County-owned lots described above (Figure 7). Across all time periods, average occupancy on Thursday and Saturday was only 34% and 1% respectively. State-owned lots experienced the highest occupancy rate on Thursday morning at 65%, and had moderate use below 40% occupancy during the midday and evening periods. Finally, these lots were not utilized at all during the evening period on both days.

Figure 7. Wailuku Total State Off-Street Occupancy:



Finally, the Tennis Court Lot and the Wells Park Lot were analyzed separately. Collectively, parking demand at these lots were low. However, due to the nature of the destination that they serve, occupancy rates on Thursday and Saturday were far more comparable. To illustrate this point, across all time periods Thursday averaged 27% occupancy compared to 16% on Saturday. The majority of parking demand on both days occurred during the morning period. The greatest difference between both days occurred during the evening period where Thursday witnessed 33% occupancy compared to 4% on Saturday.

Figure 8. Wailuku Total Parks Off-Street Occupancy:

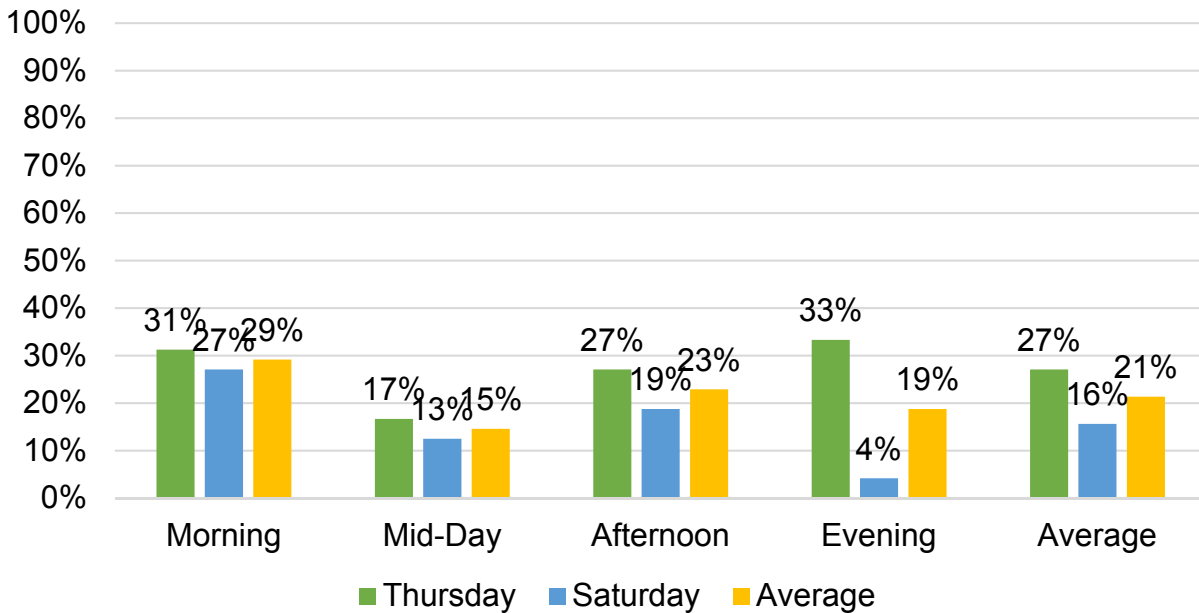


Table 1 displays Thursday occupancies by time period at the eight off-street facilities within the Wailuku Town Study Area. The highest parking demand occurred at the Municipal Lot which averaged 72% occupancy across the day. Table 5 further demonstrates that parking demand is higher during the earlier time periods and is extremely low during the evening.

Table 3. Thursday off-street occupancy counts by time period, Wailuku Town Study Area.

Wailuku Off-Street Occupancy: Thursday						
Location	Inventory	Occupancy Rates				
		Morning	Mid-Day	Afternoon	Evening	Avg.
Municipal Lot	218	89%	91%	81%	25%	72%
Vineyard Street Lot (portion of)	17	82%	94%	76%	24%	69%
County Public Lot	47	70%	74%	77%	6%	57%
Wells Park Lot	14	93%	50%	79%	29%	63%
Tennis Court Lot	34	6%	3%	6%	35%	13%
State Metered Lot (metered spaces only)	39	90%	49%	51%	0%	47%
Hoapili Hale State Lot (metered spaces only)	35	51%	26%	29%	0%	26%
Aupuni State Lot (metered spaces only)	10	20%	10%	0%	10%	10%
Totals	414	75%	69%	65%	19%	57%

Table 4 displays Saturday occupancies by time period at the eight off-street facilities within the Wailuku Town Study Area. It is evident in the data that parking demand is extremely low on Saturday throughout all time periods observed.

Table 6. Saturday off-street occupancy counts by time period, Wailuku Town Study Area.

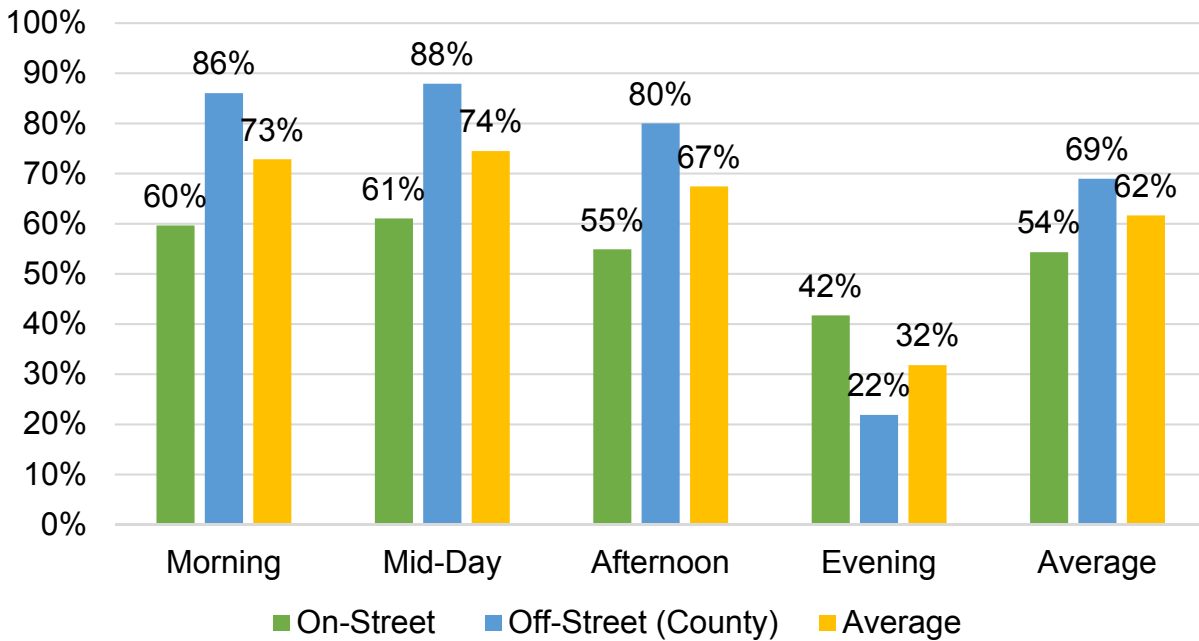
Wailuku Off-Street Occupancy: Saturday						
Location	Inventory	Occupancy Rates				
		Morning	Mid-Day	Afternoon	Evening	Avg.
Municipal Lot	218	20%	29%	19%	16%	21%
Vineyard Street Lot (portion of)	17	12%	71%	76%	41%	50%
County Public Lot	47	0%	4%	2%	2%	2%
Wells Park Lot	14	0%	0%	0%	0%	0%
Tennis Court Lot	34	38%	18%	26%	6%	22%
State Metered Lot (metered spaces only)	39	0%	0%	0%	3%	1%
Hoapili Hale State Lot (metered spaces only)	35	11%	0%	0%	0%	3%
Aupuni State Lot (metered spaces only)	10	0%	0%	0%	0%	0%
Totals	414	15%	20%	16%	11%	16%

On-Street vs. Off-Street

In this section, on-street occupancy rates are compared to off-street rates at the Municipal and County Public Lots. Comparing these occupancies paints a different picture of parking demand within the Wailuku Town Study Area.

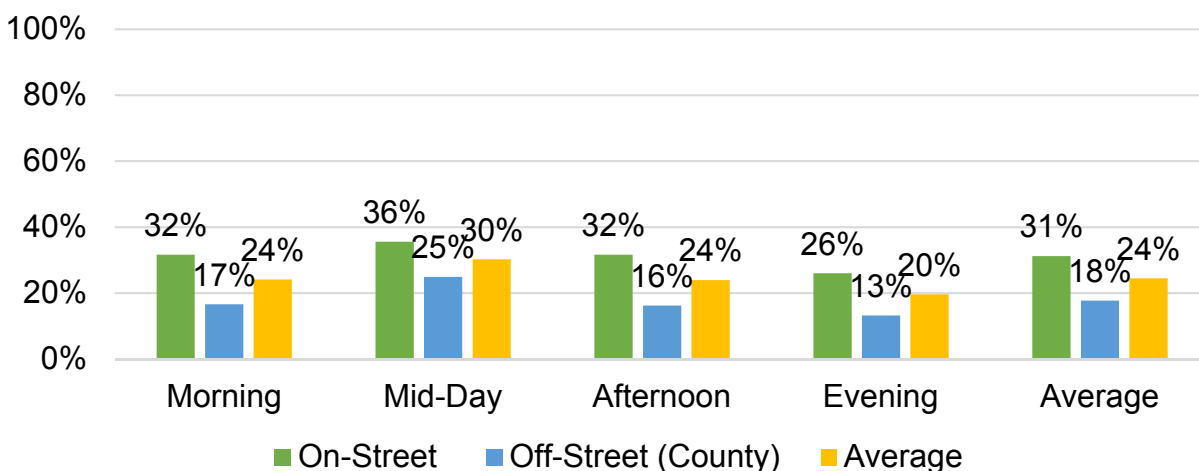
On Thursday, higher occupancy rates were recorded off-street (Figure 9). Across all time periods, occupancy averaged 69% off-street and 54% on-street. Both on- and off-street occupancies exhibit the same pattern of occupancy throughout the day. Occupancy rates were consistent across the morning and midday periods, decreased in the afternoon, and then sharply decreased in the evening period. Additionally, off-street occupancy exceeded 85% during both the morning and midday periods peaking at 88% during the midday period.

Figure 9. Wailuku Total On vs. County Off-Street Occupancy:



Comparing occupancy rates on Saturday, reveals a greater similarity between on-street and County-owned off-street locations. Across all time periods, Saturday’s on-street occupancy decreased to 31% and off-street occupancy decreased to 18% (Figure 10). At both on- and off-street locations, occupancy rates fluctuated less throughout the day with higher occupancies observed during the midday period. The highest observed occupancy was 36% recorded on-street during the midday period.

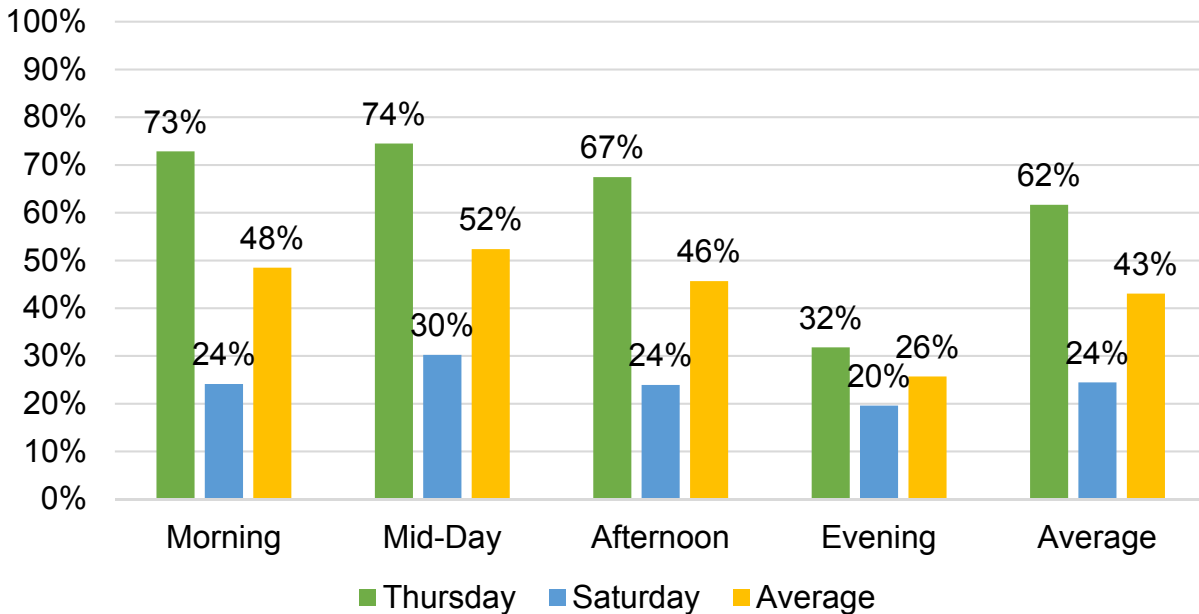
Figure 10. Total Saturday on-street and County off-street occupancy rates by time period, Wailuku Town Study Area:



Combining on- and off-street occupancies at County-owned facilities, makes it possible to view occupancy at locations within the County’s control. Clearly, on-street occupancies are far higher during the week, as indicated throughout this report. This is further

illustrated by a daily average occupancy rate of 62% on Thursday compared to 24% on Saturday (Figure 11). It is clear that the general trend is higher parking demand throughout the morning, midday, and afternoon periods, with relatively low demand during the evening hours. Peak combined occupancy is 74% observed on Thursday during the midday period.

Figure 11. Wailuku Average Combined Occupancy



Parking Utilization

Utilization data supplements occupancy data by tracking the frequency and estimated length of stay of visitors. License plates were recorded on Thursday and Saturday during the morning (9am), midday (12pm), afternoon (3pm), and evening (6pm) time periods. This section discusses vehicle observation counts recorded in the following locations. This data was meant to be a sampling of the Study Area for utilization analysis.

- Market Street between Wells Street and Vineyard Street
- High Street between Main Street and Vineyard Street
- Municipal Lot 2-hour spaces

A total of 239 vehicles were observed on Thursday across all three locations. Of those 239 vehicles, 75% were observed once, 12% three times, and 11% twice throughout the course of the day (Figure 12). Fewer vehicles were observed on Saturday. Of the 170 vehicles observed, 84% were observed once, 9% twice, 5% three times, and 2% four times (Figure 13). In comparison to Thursday, a higher proportion of visitors were observed only once, indicating that on Saturday visitors stay for less time than on Thursday and tend to comply with the time limits at a higher rate. However, it is clear that large portion of drivers are overstaying the posted time limit.

Figure 12. Thursday Vehicle Observations: Wailuku Town Study Area

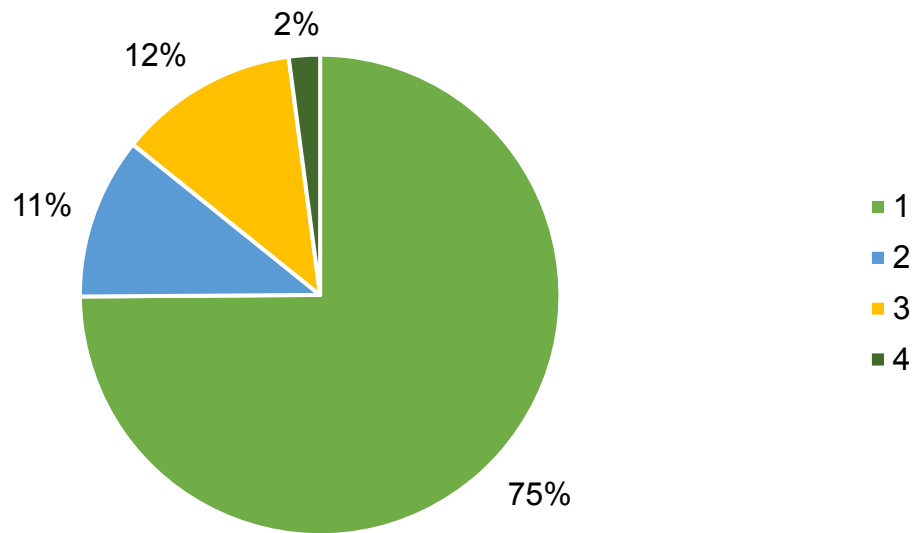
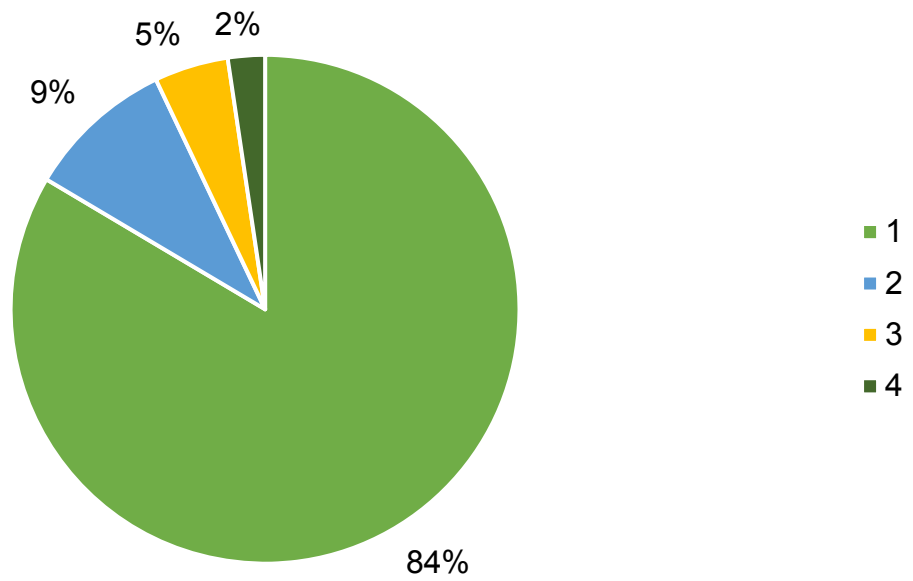


Figure 13. Saturday Vehicle Observations: Wailuku Town Study Area



On-Street

Along Market Street between Wells Street and Vineyard Street, a total of 106 vehicles were observed on Thursday. The overwhelming majority, 91%, were observed once, and 9% of vehicles were observed twice (Figure 14). The same general trend was observed on Saturday. Of the 119 vehicles recorded on Saturday, 94% were observed once, 5% twice, and 1% three times (Figure 15). The sampling of utilization data along Market Street is to get an idea of the effectiveness and consistency of enforcement in Wailuku Town.

Figure 14. Thursday Vehicle Observations: Market Street Zone

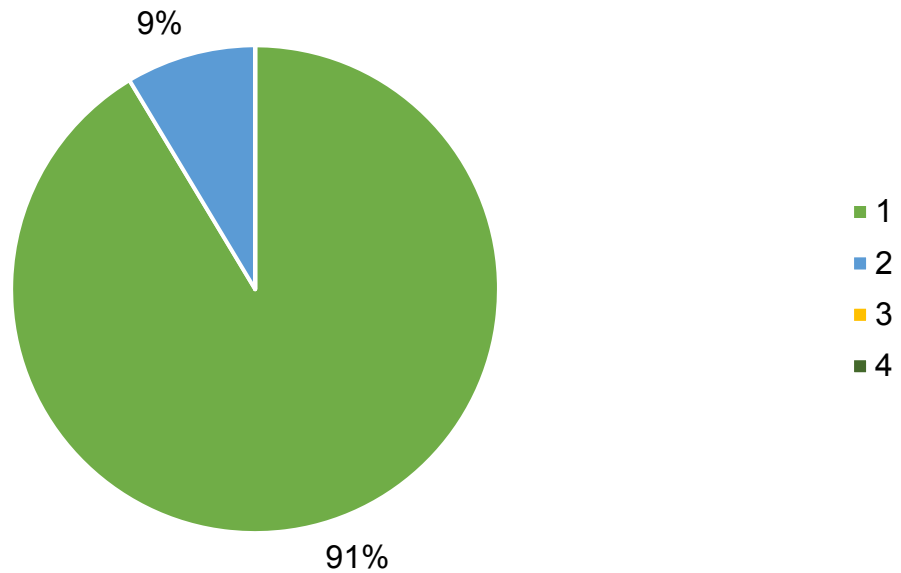
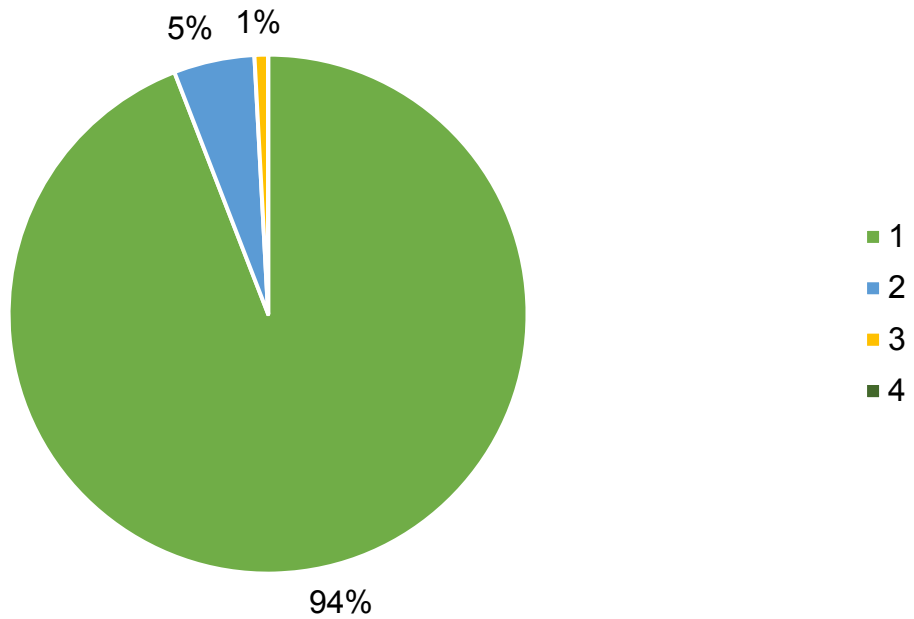
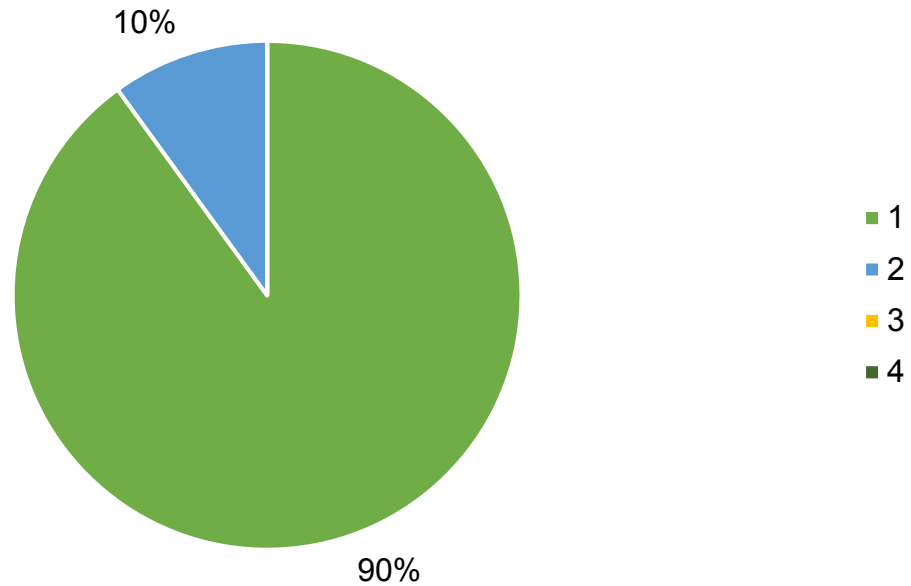


Figure 15. Saturday Vehicle Observations: High Street



Of the 10 vehicles observed on Thursday along High Street, 90% of vehicles were observed once and 10% of vehicles were observed twice (Figure 16). On Saturday, only one vehicle was observed throughout the course of the day. It is important to note, that due to the low number of vehicles observed at this location, it is difficult to draw clear trends. This was meant to be a sampling of utilization data to better understand the effectiveness of enforcement in this area.

Figure 16. Thursday Vehicle Observations: High Street



Off-Street

A total of 116 vehicles were observed in the 2-hour spaces on Thursday within the Municipal Lot. The majority of vehicles (58%) were observed only once (Figure 17). However, a greater percentage of vehicles were observed more than once in comparison to the other sampled locations. For example, 16% of vehicles were observed twice, 22% three times, and 4% four times in the Municipal Lot 2-hour spaces. A similar pattern was observed on Saturday. Of the 50 total vehicles observed, 60% were observed once, 18% twice, 14% three times, and 8% four times (Figure 18).

This confirms that the Municipal Lot attracts longer-term parkers, as expected for an off-street facility, but also because it is free compared to the County campus parking lots. Long-term parkers are often encouraged to park at off-street locations as a means of providing more convenient on-street spaces for short-term parkers. However, the Municipal Lot is likely being used as a free alternative rather than pay for a County parking permit. Furthermore, the sampling of data reveals that 2-hour time limit in the Municipal Lot 2-hour is not being consistently enforced.

Figure 17. Thursday Vehicle Observations: Municipal Lot

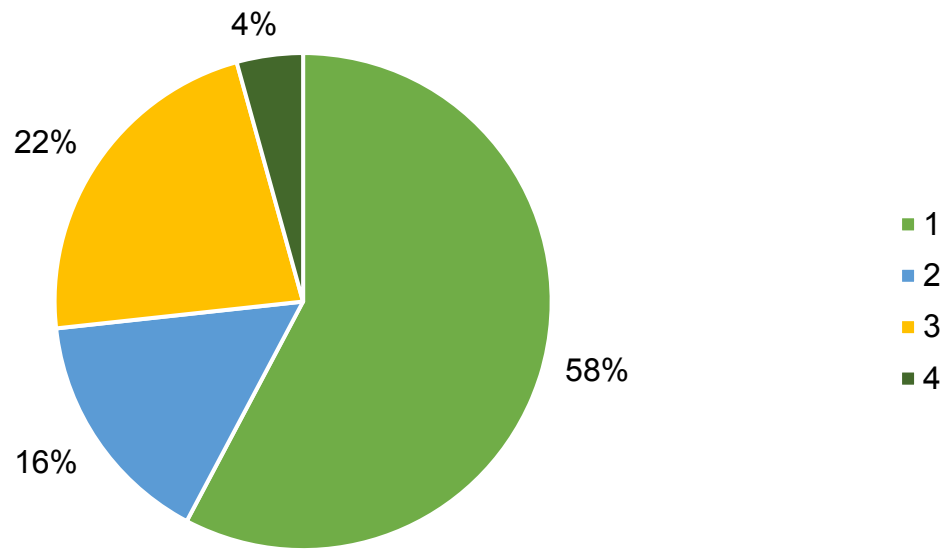
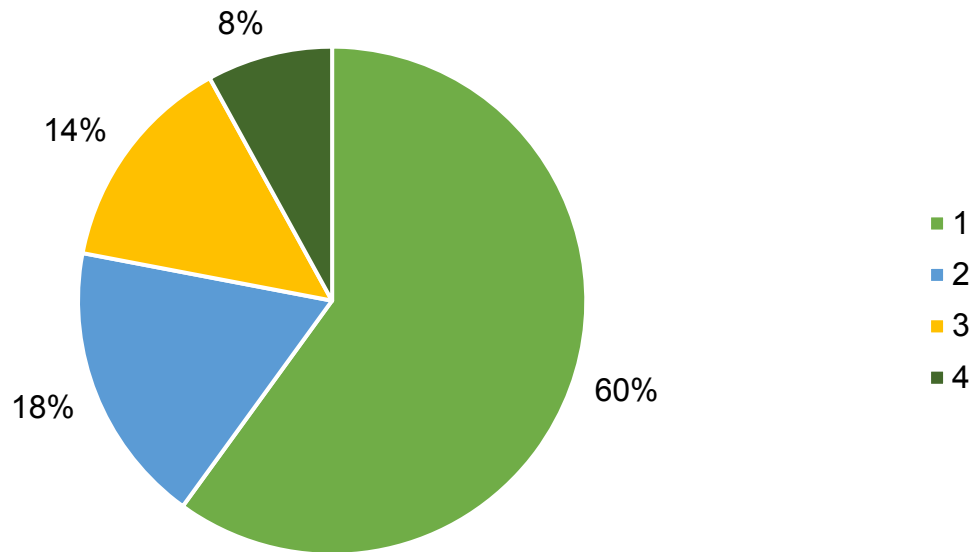


Figure 18. Saturday Vehicle Observations: Municipal Lot



23. Appendix B: Potential Lahaina Town Meter Equipment Placement

The following images summarize recommended meter and pay station placement throughout Lahaina.

Front Street



In this scenario, the County could consider installing the meters along the back side of the sidewalk to minimize their infringement along the sidewalk:



School Loading Zone Pay Stations



24. Appendix C: Ordinance Review

The following list of reference ordinances are meant to allow the County of Maui to develop the proper ordinance language for the implementation of the recommendations made throughout the Parking Action Plan. Important components for consideration have been highlighted in yellow, and a list of comments have been included to further guide the County.

PAID PARKING ORDINANCES		
Parking Meter Rates – Authority		
Source	Ordinance Text	Comments
San Diego Municipal Code: 86.0123	<p>(a) It is the intent of the City Council to establish a target utilization rate of 85 percent for all parking meters within the City of San Diego. Utilization rate refers to the amount of time that vehicles occupy a parking meter space during the allowed hours of operation of the parking meter. The establishment of the target utilization rate of 85 percent is based on well-accepted planning studies as well as the example of other municipalities. The City Council finds that the establishment of the target utilization rate of 85 percent is one of the most effective strategies for managing on-street parking and for recovering at least a portion of the estimated reasonable costs associated with parking and traffic control and management impacting the parking of vehicles within parking meter zones.</p> <p>(b) All parking meter rates heretofore established shall be and remain in effect, unless otherwise set or adjusted by the City Manager or City Council as proscribed in this subsection. Under the authority of California Vehicle Code section 22508, the City Council establishes a range of hourly parking meter rates from \$0.25 to \$2.50. The City Manager shall set the rate of a parking meter, consistent with achieving the 85 percent target utilization rate, based upon parking utilization data and community input as set forth in Council Policy No. 100-18; except that, whenever the Council of the City of San Diego, by resolution or ordinance, sets the parking meter rate, the effective rate shall be the rate set by the Council.</p>	<p>The County of Maui should consider setting the same target utilization rate as outlined in San Diego’s code.</p> <p>Maui should designate a County employee or board/ commission with the authority to adjust parking meter rates.</p> <p>The County should establish a larger range of rates, with maximum rates at or above \$6.00.</p>

<p>Santa Monica Municipal Code: 3.16.170</p>	<p>(2) At least annually and not more frequently than quarterly, the City shall survey the average occupancy for each parking meter zone or area in the City that has parking meters. Based on the survey results, the City may adjust the parking rates up or down in twenty-five cent intervals to seek to achieve the target occupancy rate. The base parking meter rate, and any adjustments to that rate made pursuant to this Chapter, shall become effective upon the programming of the parking meter for that rate. A current schedule of parking meter rates shall be available at the City Clerk's office</p>	<p>A parking study can be conducted to determine any necessary adjustments to meet target utilization goals.</p> <p>A limit to the rate of change will ensure an incremental approach.</p>
<p>Use of Meters</p>		
<p>San Diego Municipal Code: 86.0123</p>	<p>(c) When any vehicle is parked in any space alongside of or next to a single-space parking meter which is located in accordance with the provisions of this chapter, or when any vehicle is parked in any space or zone adjacent to which a multi-space parking meter is located in accordance with the provisions of this chapter, the operator of said vehicle shall, upon entering said parking space or zone, immediately cause to be deposited coins in the appropriate denomination, or otherwise immediately purchase time using an approved method of payment, according to the time interval desired within the maximum limit and the posted parking rates.</p>	
<p>Santa Monica Municipal Code: 3.16.120</p>	<p>(b) Subsection (a) of this Section shall not require an operator of a vehicle to deposit payment in a parking meter when:</p> <p>(1) The parking meter indicates an unexpired portion remains of the period for which payment had been previously made; or</p> <p>(2) An officer of the Fire or Police Department has determined a period of emergency exists; or</p> <p>(3) In compliance with the directions of a police officer or traffic control sign or signal; or</p> <p>(4) A posted sign at the parking space indicates words similar to "Except Sunday" or "Except Sundays and Holidays" and the day is a Sunday or a holiday.</p>	<p>While the Sunday and Holiday exceptions are not recommended in Lahaina Town, it is important to have the flexibility to change operating days</p>
<p>Parking Meters – Parking Regulated</p>		
<p>San Diego Municipal Code: 86.0124</p>	<p>(a) The City Manager is instructed to have lines or markings painted or placed upon the curb or upon the street adjacent to each single-space parking meter for the purpose of designating the parking space for which said meter is to be used, and each vehicle parking alongside of or next to any single-</p>	<p>Space markings are important to ensure that metered spaces are not utilized improperly</p>

	<p>space parking meter shall park within the lines or markings so established, and the City Manager is instructed to have lines or markings painted or placed upon the curb or upon the street in any parking meter zone that is controlled by a multi-space parking meter that does not produce a receipt to be used by the parking user as proof of valid parking as described in section 86.0126.</p> <p>(b) No person shall park any vehicle across any line or marking or park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.</p> <p>(c) When a parking space in any parking meter zone is parallel to the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of and nearest the single-space parking meter except where the single-space parking meter is mounted to the rear of the parking space, in which case, any vehicle parked in such parking space shall be parked so that the rearmost part of such vehicle shall be alongside of and nearest the single-space parking meter.</p> <p>(d) When a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directly at and nearest to such single-space meter except where the single-space parking meter is mounted to the rear of the parking space, in which case, any vehicle parked in such parking space shall be parked so that the rearmost part of such vehicle shall be directly at and nearest to such single-space parking meter.</p>	
Parking Meter Zones – Established		
<p>San Diego Municipal Code: 86.0125</p>	<p>(a) All parking meter zones heretofore established shall be and remain in effect, unless revised or adjusted in accordance with section 82.04.</p> <p>(b) When parking meter zones are hereafter established or when it is determined by the City Council that there is a need for reconsideration and revision of the existing parking meter zones, the City Manager shall conduct a study of the area involved.</p>	

	<p>(c) The City Manager’s study shall be directed toward an analysis of the efficiency, safety and regulation of the traffic upon the public streets. The City Manager shall recommend areas in which new parking meter zones shall be established and recommend changes in existing parking meter zones. The City Manager’s recommendation shall be based upon the following considerations:</p> <p>(1) Character of the neighborhood; (2) Density of metering; (3) Amount and type of off-street parking; (4) Relative vehicle turnover; (5) Such other information as the Council may require or the Manager may deem appropriate.</p> <p>The regulation of traffic by parking meters and the use of any approved method of payment in such meters shall become effective upon the installation of appropriate parking</p>	
<p>Parking Meter – Extra Time Prohibited</p>		
<p>San Diego Municipal Code: 86.0127</p>	<p>(a) No person shall permit a vehicle to remain parked beyond the period of legal parking time established for any parking meter zone.</p> <p>(b) No person shall purchase time from any parking meter using any method of payment for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space or zone adjacent to which said parking meter is placed.</p> <p>(c) Notwithstanding the foregoing, car share vehicles that are operated as part of a fleet owned and operated by a City-approved car share vendor that was selected through a competitive process to participate in a City car share program are exempt from this section, except when the meter, receipt, card, or electronic device is located in a parking meter zone with a time limit of less than 2 hours.</p>	<p>Section (c) may be disregarded; car sharing is not recommended for Maui at this time.</p>
<p>Parking Meter – Time of Operation</p>		
<p>San Diego Municipal Code: 86.0128</p>	<p>(a) Parking meters shall be operated in parking meter zones every day between the hours of 8:00 a.m. and 6:00 p.m., except Sundays and holidays, unless otherwise determined by the City Manager as set forth in section 86.16 (b) or (c); provided, however, that whenever the Council of the City of</p>	<p>In Lahaina, the recommended hours of operation are between 10:00am and</p>

	<p>San Diego specifies by resolution or ordinance the time period of operation of parking meters, the parking meters shall operate during the times set by the City Council.</p> <p>(b) The City Manager may set and adjust the time period of operation of parking meters before 8:00 a.m., but no earlier than 7:00 a.m., and later than 6:00 p.m., but no later than 11:00 p.m., every day except on Sundays and holidays, but in no event for a length of time less than ten hours each day, consistent with achieving the target utilization rate of 85 percent, based upon parking utilization data and community input as set forth in City Council Policy No. 100-18.</p> <p>(c) The City Manager may set and adjust the time period of operation of said parking meters for any length of time between the hours of 7:00 a.m. and 11:00 p.m. on Sundays and holidays, consistent with achieving the target utilization rate of 85 percent, based upon parking utilization data and community input as set forth in City Council Policy 100-18.</p>	10:00pm, 7 days per week.
Parking Meter – Tampering With		
San Diego Municipal Code: 86.0129	It shall be unlawful for and a violation of the provisions of this Chapter for any unauthorized person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meters installed under the provisions of this Chapter.	
Parking Beyond Meter Space		
Santa Monica Municipal Code: 3.16.260	No owner or operator shall allow any portion of his or her vehicle to be parked across any line or marking designating a metered parking space.	
Slugs		
Santa Monica Municipal Code: 3.16.280	No person shall deposit or cause to be deposited in any parking meter any slugs, device, metal substance, or other substitute for lawful payment.	
Proper display of proof of payment receipt		
Seattle Municipal Code: 11.76.005 and 15	It is unlawful to park or permit to be parked any vehicle in a space controlled by a "pay and display" parking pay station without properly displaying a receipt issued from a pay station controlling the space in the manner as described in this section, unless valid payment has been made by mobile device	

	(d) It is unlawful to park or permit to be parked any vehicle in a space controlled by a parking pay station without payment properly recorded as described by the instructions posted on the parking payment device.	
Parking Meter Zones – Authority		
San Diego Municipal Code: 82.04	The Council of the City of San Diego, on the recommendation of the City Manager, shall by ordinance from time to time as traffic conditions require, establish zones to be known as “Parking Meter Zones,” upon such streets or portions of streets of the City of San Diego as are selected for the location of said parking meter zones; and the City Manager shall cause parking meters to be installed and shall cause parking meter spaces to be designated, as hereinafter provided. The Council, on recommendation of the City Manager, may change or eliminate any of said zones.	
Parking Meters – Installation		
San Diego Municipal Code: 82.05	The City Manager is hereby authorized to install or place parking meters in such parking meter zones provided for herein, or to be provided hereafter; and the City Manager is hereby directed to maintain said meters in good workable condition.	Maui must designate a department director for this responsibility
Parking Meters – Installation and Operation		
San Diego Municipal Code: 82.06	Where the Council of the City of San Diego creates a parking meter zone, the installation and operation of parking meters shall be as follows: (a) Single-space parking meters installed in parking meter zones established as provided in Section 82.04 shall be placed upon the curb immediately adjacent to individual parking spaces. Each single-space parking meter shall be placed or set in such manner as to display whether the parking space adjacent to that meter is legally in use or not. Upon the deposit of coins or the purchase of time using an approved method of payment, each single-space parking meter shall be set to display a sign indicating legal parking and shall continue to operate for that period of time not exceeding the limit of parking time which has been established for that area or zone. Upon the expiration of legal parking time, each single-space parking meter shall indicate by proper signal that the lawful parking period has expired.	

	<p>(b) Multi-space parking meters installed in parking meter zones established as provided in Section 82.04 shall be placed upon the curb immediately within the parking meter zone(s) or portions thereof to which they apply.</p> <p>(c) Upon the purchase of time using an approved method of payment, a multi space parking meter shall either produce a receipt to be used by the parking user as proof of valid parking as described in section 86.14, or electronically record the expiration of the time purchased for an individual parking space entered by the parking user, which may be checked for enforcement or other purposes. A receipt produced by a multi-space parking meter shall be displayed by the parking user in a fully visible and conspicuous location as instructed on the receipt, in order to be valid or otherwise considered effective. A vehicle is lawfully parked in a parking meter zone if:</p> <p>(1) the vehicle displays a receipt which is legible to an enforcement officer, evidencing purchase of parking meter time at the posted parking rate and within the maximum time limit at the multi-space parking meter located immediately adjacent to the parking meter zone where the vehicle is parked. The receipt, shall indicate the expiration of parking time, which shall be the equivalent of an expiration time indicated by the parking meter; or</p> <p>(2) the vehicle is parked in a designated parking space which has a multi space parking meter that does not produce a receipt for display, but which indicates a valid parking time.</p>	<p>Maui should allow for the use of mobile payment</p>
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ENFORCEMENT

Enforcement of all parking regulations by Parking Meter Division

<p>City of Monterey Municipal Code: Sec. 20-18</p>	<p>All persons duly assigned by the City Manager to the Parking Meter Division, either as permanent or temporary personnel of such division, are hereby empowered and directed to enforce all laws of the state and the City regulating the parking of motor vehicles. Such regulations include but are not limited to time limits, meter violations, loading zones, no stopping zones, passenger zones, permit parking zones and double parking. Such persons shall have the same authority as peace officers in the enforcement of such regulations</p>	<p>The County of Maui should determine the appropriate division to manage parking meter enforcement. Ideally, non-sworn officers should manage parking enforcement.</p>
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	including the authority to issue citations, or notices to appear and to execute complaints for violations thereof.	
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COLLECTIONS

Accounting for Money

San Diego Municipal Code: 82.09	<p>(a) The City Manager is authorized, to designate a person or persons to make regular collections of the money deposited in said parking meters. The person or persons so designated shall collect and deliver to the Treasurer of the City of San Diego all money deposited in the parking meters; the Treasurer shall keep accurate account of all the parking meter money so delivered to him and any parking meter funds generated through other methods of payment.</p> <p>(b) Money deposited in the parking meters and any parking meter funds generated through other methods of payment may be expended to meet the costs and expenditures involved in the inspection, repair, regulation, installation, operation, control and use of the parking spaces and parking meters described herein, and the costs involved in the regulation, management, and control of the parking of vehicles and the control of traffic, which may affect or be affected by the parking of vehicles in the parking meter zones created hereby, including the purchase, replacement, installation, repair, servicing and operation of mechanical or electrical traffic signals for the direction of said traffic or said parking, and the cost of painting streets, curbs and sidewalks with appropriate markings, lines and signs, and the purchase, construction, erection, repair and replacement of street and curb signs for the direction of said traffic or said parking, and for the cost of patrolling said parking meter zones and enforcing therein all traffic laws and regulations concerning the parking of vehicles and the movement of traffic which may affect or be affected by such parking of vehicles, or for any of said purposes.</p>	<p>If Maui County decides to accept cash or coin in addition to credit card payments, this will require collections and revenue reconciliation.</p> <p>The County Council should determine what meter revenue will be utilized for. It is recommended the County establish Parking Benefit Districts. Examples can be found below.</p>
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PARKING BENEFIT DISTRICT

EXAMPLE #1: CITY OF VENTURA, CA

Establishment of district and of district boundaries

Ventura Municipal Code: Sec. 4.400.010	A Downtown Parking District is hereby established. The boundaries of the district shall be the same as the Downtown Specific Plan	District boundaries will determine the
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	Boundary as approved by the City Council in March 2007, as it may be amended from time to time.	allocation of revenue.
Purpose		
Ventura Municipal Code: Sec. 4.400.020	The Downtown Parking District is established to manage public parking supply and demand within the district boundaries as well as improve transportation and parking related facilities and programs.	Typically, Parking Benefit Districts are meant to improve parking and transportation related programs and facilities within the boundaries.
Use of revenue		
Ventura Municipal Code: Sec. 4.400.030	<p>All revenues collected from parking pay stations, meters, leases, and permits, in the Downtown Parking District shall be placed in a special fund, which fund shall be used exclusively for activities benefiting the parking district. The specific authorized use of revenues shall be as follows:</p> <p>(1) For purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of pay stations and/or parking meters in the parking district and for the payment of any and all expenses relating thereto.</p> <p>(2) For purchasing, leasing, acquiring, improving, operating and maintaining on- or off-street parking facilities.</p> <p>(3) For installation and maintenance of alternative mode programs, landscaping, pedestrian linkages, sidewalk cleaning, street furniture, way finding systems, and traffic-control devices and signals.</p> <p>(4) For the painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles.</p> <p>(5) For proper security within the district.</p> <p>(6) For the proper regulation, control, enforcement and inspection of parking and traffic upon the public streets and off-street parking facilities.</p> <p>(7) To be pledged as security for the payment of principal of and interest on financing mechanisms</p>	Maui County should establish a special parking fund. The Hawaiian cultural restoration fund established in Section 3.38.010 could set precedent for a special parking fund.

	<p>used by the city to meet any of the purposes authorized by this section.</p> <p>(8) For transportation and parking planning, marketing and education programs related to the Downtown Parking District.</p> <p>(9) For construction and maintenance of public restrooms that enhance parking facilities.</p> <p>(10) Revenues from residential parking permits may, in addition to the foregoing, be used for sidewalk, landscaping and other transportation, pedestrian or bicycle enhancements on streets where the residential permit parking is provided.</p>	
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EXAMPLE #2: CITY OF HOUSTON, TX

Designation of district; time limit, continuation, modification or termination of district

<p>Houston Municipal Code Sec. 26-711</p>	<p>(a) City council hereby designates the Washington Avenue Corridor as a parking benefit district for a period ending on the 180th day following the first anniversary of the effective date of its designation (December 12, 2012), provided that the parking benefit district shall continue after the expiration of this period unless city council takes action to terminate the district.</p> <p>(b)As soon as practicable after the time period provided in subsection (a) of this section:</p> <p>(1) The director shall report to city council on the effectiveness of the parking benefit district and provide his recommendations for continuation, modification or termination of the district; and</p> <p>(2) The Washington Avenue Corridor Advisory Committee created in division 4 of this article may make recommendations to the mayor and city council regarding modifications to the parking benefit district.</p> <p>(c) Upon recommendation from the traffic engineer, city council may modify or terminate the parking benefit district prior to or after the time period provided in subsection (a) of this section if the traffic engineer determines that termination or modification is necessary for public safety or mobility purposes.</p>	
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Disposition of revenue

<p>Houston Municipal Code Sec. 26-714</p>	<p>(a) All fees and revenues generated from the use of parking meters in a parking benefit district and the issuance of permits under this article shall be allocated to the parking benefit district. All fees and revenues generated from the issuance of parking citations in a parking benefit district shall be allocated to the parking management special revenue fund.</p> <p>(b) All the total combined fees and revenue of a parking benefit district and the parking management special revenue fund shall be first expended to defray the total administrative costs, signage, enforcement, debt service, and the installation, operation and maintenance of parking meters placed in service in a parking benefit district on or after the effective date of designation of the parking benefit district. The total administrative costs shall be shared and paid by a parking benefit district and from the parking management special revenue fund in proportion to the total combined fees and revenue generated by or deposited into each respectively for the previous year.</p> <p>(c) Sixty percent of fees and revenues in excess of the total administrative costs shall be applied to the projects recommended by the advisory committee. The remaining funds shall be deposited in the parking management special revenue fund.</p> <p>(d) The threshold amount of net revenue (the remaining total combined fees and revenue of a parking benefit district and the parking management special revenue fund after the total administrative costs are paid) that must be generated before a project may be initiated is \$100,000.</p> <p>(e) Fees and revenue generated from a parking benefit district may be used in conjunction with other public funds or public-private partnership funds available for projects to benefit the district.</p> <p>(f) In the event that a parking benefit district is terminated, any fees and revenues generated from the use of parking meters in the parking benefit district that have not been expended shall</p>	<p>The County may want to consider establishing an advisory committee to determine the use of a portion of revenue.</p>
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	be transferred to the parking management special revenue fund.	
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TIME LIMITS

Limited Parking

San Diego Municipal Code: 86.0106	The City Manager is authorized to determine the parking time limit on any designated street or portion thereof. Such limitations shall be effective when appropriate signs giving notice thereof are erected upon such street.	Rather than listing each location, the County should consider simplifying County Code Section 10.48.050-096 with general language, similar to that found in San Diego’s municipal code. Posted signage can indicate the parking requirements.
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San Diego Municipal Code: 86.0108	The City Manager is hereby authorized to determine the location of Loading Zones, Passenger Loading Zones, Bus Loading Zones, Taxi Zones, prohibited Standing or Parking Zones, Time-Limited Parking Zones of 30 Minutes or Less, Time-Limited Parking Zones for Ballpark Event Residential Permit Parking Districts, Safety Zones, Disabled Persons Parking Zones, Alley Parking Zones, Consular Parking Zones, Street Sweeping Zones, Pedicab Resting Zones, Pedicab Parking Zones, Electric Vehicle Charging Station Zones, and Car Share Parking Zones. Such zones shall be effective when appropriate signs or curb markings giving notice thereof are erected upon such zones.	The County could allow a designated department to authorize particular locations or zones, with their implementation and enforcement based on signage and curb markings.
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Parking in excess of 72-hours prohibited

San Diego Municipal Code: 86.0118	No person shall park or cause to be parked or allow to remain standing any vehicle upon any street or highway in excess of seventy-two (72) consecutive hours.	A 72-hour rule helps prevent vehicle storage on public streets and lots.
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RESIDENTIAL PERMIT PARKING

Legislative purpose

San Diego Municipal Code: 86.2001	This Division is enacted in response to the serious adverse effects caused certain areas and neighborhoods of the City of San Diego by motor vehicle congestion, particularly the parking of motor vehicles on the streets of such areas and neighborhoods by non-residents thereof. As set	Maui should consider proactively enacting a residential permit parking program instead. The goal is
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	<p>forth in more specific detail in Section 86.2002 of this Division, such long-term parking by non-residents threatens the health, safety and welfare of all the residents of the City of San Diego. In order to protect and promote the integrity of these areas and neighborhoods, it is necessary to enact parking regulations restricting unlimited parking by non-residents therein, while providing the opportunity for residents to park near their homes. Uniform parking regulations restricting residents and non-residents alike would not serve the public interest. Rather such regulation would contribute to neighborhood decline while ignoring the public transit alternatives to automobile travel available to non-residents. For the reasons set forth in this Division, a system of preferential resident parking is enacted hereby for the City of San Diego.</p>	<p>to make the neighborhoods “permit ready” prior to the implementation of paid parking.</p>
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Legislative findings

<p>San Diego Municipal Code: 86.2002</p>	<p>(a) General Finding. The City Council finds as a result of public testimony, evidence generated by both professional planning studies and derived from other sources, that the continued vitality of the City of San Diego depends on the preservation of safe, healthy and attractive neighborhoods and other residential areas therein. The Council further finds that the flight of residents and property owners from major metropolitan cities can be traced in part to the deterioration of such cities as attractive and comfortable places in which to reside. The Council further finds that one factor that has contributed to this deterioration is the excessive and burdensome practice of non-residents of certain areas and neighborhoods parking their motor vehicles for extended periods of time therein. Since there is in certain areas of the city at any one time a large surplus of motor vehicles over available on and off-street parking spaces, this condition detracts from a healthy and complete environment. A system of preferential resident parking will serve to reduce a number of strains on residents of the city and thus promote the general public welfare.</p> <p>(b) Specific Findings. The following specific legislative findings of the City Council in support of preferential resident parking are set forth as illustrations of the need compelling the enactment of this Division. They are intended as illustrations only and do not exhaust the subject of the factual basis supporting its adoption:</p>	<p>Implementing a residential parking program will help Maui County maintain urban neighborhoods as attractive and comfortable places to reside.</p>
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	<p>(1) The safety, health and welfare of the residents of the city can be greatly enhanced by maintenance of the attractiveness and livability of its neighborhoods and other residential areas;</p> <p>(2) It is a fact of modern living in the city that a large number of San Diego residents possess automobiles and as a result are daily faced with the need to store these automobiles in or near their residences;</p> <p>(3) Certain neighborhoods and areas of the city do not have sufficient on or off–street space to accommodate the convenient parking of motor vehicles by residents thereof in the vicinity of their homes;</p> <p>(4) Such areas as described in (3) above are often further burdened by influxes of motor vehicles owned by non–residents which compete for the inadequate available on–street parking spaces;</p> <p>(5) There further exist certain parking “attractors” within the City of San Diego, i.e. hospital, university, and industrial complexes, military bases, beaches, and locations convenient for commuter parking, which further aggravate resident parking problems;</p> <p>(6) Unnecessary vehicle miles, noise, pollution, and strains on inter– personal relationships caused by the conditions set forth herein work unacceptable hardships on residents of these neighborhoods and other residential areas by causing the deterioration of air quality, safety, tranquility, aesthetics and other values available in a residential environment;</p> <p>(7) If allowed to continue unchecked, these adverse effects on the residents of the city will contribute to a further decline of the living conditions therein, a reduction in the attractiveness of residing within said city and consequent injury to the general public welfare;</p> <p>(8) A system of preferential residential parking as enacted in this Division will serve to promote the safety, health and welfare of all the residents of the city by reducing unnecessary personal motor vehicle travel, noise and pollution, and by promoting improvements in air quality, the</p>	
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	convenience and attractiveness of urban residential living, and the increased use of public mass transit facilities available now and in the future. The public welfare will also be served by ensuring a more stable and valuable property tax base in order to generate the revenues necessary to provide essential public services.	
Designation of residential permit parking areas		
San Diego Municipal Code: 86.2004	The City Council shall upon recommendation of the City Manager, consider for designation as residential permit parking areas those residential areas meeting and satisfying the objective criteria therefor established in this Division. It may in its discretion then designate by resolution certain residential areas as residential permit parking areas in which resident motor vehicles displaying a valid parking permit may stand or be parked without limitation by parking time or parking area restrictions established by this Division. Said resolution shall also state the applicable parking regulation and period of the day for its application, and the fee to be charged upon permit issuance.	Maui should prepare urban neighborhoods for permit parking.
Designation criteria		
San Diego Municipal Code: 86.2005	<p>(a) A residential area shall be deemed eligible for consideration as a residential permit parking area if based on surveys and studies prepared at the direction of the City Manager or his designee, objective criteria establish that the residential area is impacted by commuter vehicles for any extended period during the day or night, on weekends, or during holidays.</p> <p>(b) In determining whether a residential area identified as eligible for residential permit parking may be designated as a residential permit parking area, the City Manager and the City Council shall take into account factors which include but are not limited to the following:</p> <p>(1) The extent of the desire and need of the residents for residential permit parking and their willingness to bear the administrative costs in connection therewith;</p> <p>(2) The extent to which legal on–street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;</p>	

	<p>(3) The extent to which vehicles parking in the area during the period proposed for parking restriction are commuter vehicles rather than resident vehicles; and</p> <p>(4) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces.</p>	
Designation process		
<p>San Diego Municipal Code: 86.2006</p>	<p>(a) Upon receipt of a verified petition by residents of a least 50% of the living units in the area proposed for designation, the City Manager or his designee shall undertake or cause to be undertaken such surveys or studies as are deemed necessary to determine whether a residential area is eligible for residential permit parking. Such surveys or studies shall be completed within 90 days of receipt of a petition calling for such surveys or studies to be undertaken, unless otherwise provided by the City Council.</p> <p>(b) Within thirty days of the completion of surveys and studies to determine whether designation criteria are met, the City Manager or his designee shall notice as herein provided a public hearing or hearings in or as close to the neighborhood as possible on the subject of the eligibility of the residential area under consideration for residential permit parking. Said hearing or hearings shall also be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate area prohibition or time limitation on parking and the period of the day for its application.</p> <p>The City Clerk shall cause notice of such hearing or hearings to be published twice in a newspaper of general circulation printed and published in this city. The first publication shall be not less than ten days prior to the date of such hearing.</p> <p>The City Manager or his designee shall direct the Superintendent of Streets to, and such Superintendent shall cause notice of such hearing to be conspicuously posted in the proposed residential permit parking area.</p> <p>The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively</p>	<p>It is recommended that the County implement a petitioning process for residents that reside in the permit-ready neighborhoods.</p>

	considered for the proposed residential permit parking area and, if applicable, the permit fee to be charged therefor. During such hearing or hearings, any interested person shall be entitled to appear and be heard, subject to appropriate rules of order adopted by the City Manager or his designee.	
Recommendation of the City Manager		
San Diego Municipal Code: 86.2007	<p>(a) Within sixty days of the completion of the hearing or hearings conducted with regard to a particular residential area, the City manager shall recommend by written report to the City Council, based on the record of such hearing or hearings and the surveys and studies performed, whether to designate the residential area under consideration as a residential permit parking area.</p> <p>(b) In the report of the City Manager, he shall set forth the evidence generated as a result of surveys and studies performed, significant subjects and concerns raised at the public hearing or hearings conducted, the findings relative to those designation criteria listed in Section 86.2005 deemed applicable to the residential area and conclusions as to whether the findings justify preferential residential parking for that particular area, the proposed boundaries of the residential permit parking area, any proposed area prohibition or time limitation and period of day for its application.</p> <p>(c) The designation process and designation criteria set forth in this Division shall also be utilized by the City Manager and the City Council in determining whether to remove designation as a residential permit parking area from a particular residential area.</p>	
Issuance of Permits		
San Diego Municipal Code: 86.2008	(a) The City Manager is hereby authorized and directed to issue, upon written application therefor, a parking permit. Each such permit shall be designated by the City Manager or designee to state or reflect thereon the particular residential permit parking area as well as the license number of the motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The City Manager is authorized to issue such rules and regulations, not inconsistent with this Division,	License plate numbers should be used as the unique identifier for each permit.

	<p>governing the manner in which persons shall qualify for parking permits.</p> <p>(b) Parking permits may be issued for motor vehicles only upon application of the following persons:</p> <p>(1) A legal resident of the residential permit parking area who has a motor vehicle registered in his name, or who has a motor vehicle for his exclusive use and under his control;</p> <p>(2) A person who owns or leases commercial property and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.</p> <p>(c) Proof of residency or ownership shall be demonstrated in a manner determined by the City Manager.</p> <p>(d) The City Council may, by resolution, limit the number of permits issued to any resident or dwelling unit if such limitation would further the goals of the residential permit parking program.</p> <p>(e) Proof of motor vehicle ownership or vehicle use and control shall be demonstrated in a manner determined by the City Manager.</p> <p>(f) Temporary residential parking permits may be issued for vehicles which are:</p> <p>(1) owned, rented or under the operational control of any person who owns or leases property in the residential permit area; or</p> <p>(2) used in providing services to persons or property in the residential permit area. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking area. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than fourteen (14) days from the date of issuance. No resident of a residential permit parking area shall be issued more than two</p>	<p>It is important to require proof of residency or ownership to prevent fraud.</p> <p>In most cases, the number of permits will need to be limited.</p>
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	<p>temporary parking permits at any one time. A temporary residential parking permit issued to a vehicle providing services or to vehicles owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.</p> <p>(g) A visitor parking permit is a permit which is not affixed or assigned to an identified vehicle and which may be used on resident or nonresident vehicles as the user may need. The City Council may, by resolution, authorize the issuance of visitor parking permits in any residential permit parking area. When authorized, visitor parking permits may be issued under the following conditions:</p> <p>(1) The permit is issued to a person who qualifies under Section 86.2008(b).</p> <p>(2) The applicant for a visitor parking permit has not reached the limits, if any, set by the Council pursuant to Section 86.2008(d).</p> <p>(3) Only one visitor parking permit shall be issued to any resident or dwelling unit within the permit parking area.</p> <p>(4) Such other conditions and restrictions that the City Council by resolution imposes or that the City Manager deems appropriate.</p>	
Posting of Residential Permit Parking Area		
<p>San Diego Municipal Code: 86.2009</p>	<p>Upon the adoption by the City Council of a resolution designating a residential permit parking area, the City Manager pursuant to Section 82.01 of this Code shall cause appropriate signs to be erected in the area indicating prominently thereon the area prohibition or time limitation, period of the day for its application, and conditions under which permit parking shall be exempt therefrom.</p>	
Display of Permits		
<p>San Diego Municipal Code: 86.2010</p>	<p>Permits shall be displayed in a manner determined by the Chief of Police.</p>	
Permit Parking Exceptions		

<p>San Diego Municipal Code: 86.2011</p>	<p>A resident motor vehicle or transient motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the residential permit parking area for which the permit has been issued without being limited by time restrictions or area prohibitions established pursuant to this Division. Said resident motor vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this Division. All other motor vehicles other than vehicles specified in Section 81.06 of this Code and vehicles where the operator or the passenger being transported by said vehicle is physically disabled and the vehicle displays a license issued under the provisions of Section 9105 or Section 22511.5 of the California Vehicle Code, parked within a residential permit parking area shall be subject to the time restrictions or area prohibitions adopted as provided in this Division as well as the penalties provided for herein.</p>	
<p>Application for and Duration of Permit</p>		
<p>San Diego Municipal Code: 86.2012</p>	<p>Each parking permit issued by the City Manager or designee shall be valid for not more than one year from date of issuance. Permits shall expire on the last day of the anniversary month of the formation of the area for which it was issued. Permits may be renewed during the anniversary month of the area in such manner as may be required by the City Manager. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a residential permit parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the City Manager.</p>	
<p>Permit Fees</p>		

<p>San Diego Municipal Code: 86.2013</p>	<p>(a) The fees for a residential permit parking shall be set by the Council based upon the recommendation of the City Manager. The City Manager shall from time to time recommend such fees to the Council that reflect an amount to equal but not to exceed the cost of the administration of the program.</p> <p>(b) A copy of the fee schedule shall be filed in the rate book of fees on file in the office of the City Clerk.</p>	
<p>Penalty Provisions</p>		
<p>San Diego Municipal Code: 86.2014</p>	<p>(a) It shall be unlawful and a violation of this Division unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the area prohibition established pursuant hereto. Said violation shall be an infraction punishable in accordance with the provisions of Section 12.0201 of this Code.</p> <p>(b) It shall be unlawful and a violation of this Division for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor.</p> <p>(c) It shall be unlawful and a violation of this Division for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this Division both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued.</p> <p>(d) It shall be unlawful and a violation of this Division for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Manager or designee. It shall further be unlawful and a violation of this Division for a person to transfer the beneficial ownership of or a continuous right to use a visitor parking permit or to knowingly use or display a facsimile or counterfeit parking permit in order to evade area prohibitions or time limitations on parking applicable in a residential permit parking</p>	

	area. A violation of this subsection shall be a misdemeanor punishable in accordance with the provisions of Section 12.0201 of this Code.	
Revocation of Permit		
San Diego Municipal Code: 86.2015	The City Manager or designee is authorized to revoke the residential parking permit of any person found to be in violation of this Division and, upon written notification thereof, the person shall surrender such permit to the City Manager or designee. Failure when so requested, to surrender a residential parking permit so revoked shall constitute a violation of law and of this Division.	

25. Appendix D: Reference Shared Parking Agreements

City of Saratoga, CA

DRAFT

PARKING EASEMENT AND MAINTENANCE AGREEMENT

Preamble and Recitals

This Agreement is entered into on _____ 2014 by and between Church of the Ascension, hereafter referred to as "Church," and Congregation Beth David, a California Non-Profit Religious Corporation, hereafter referred to as "Synagogue." Together, Church and Synagogue may be identified as the "Parties" herein.

A. Whereas, Church is the owner of certain real property situated in the City of Saratoga, Santa Clara County, California (hereafter referred to as "Parcel 1"), commonly known as 12033 Miller Rd., Saratoga, CA 95070, APN: _____ and more particularly described in Exhibit A, which is attached to this Agreement and hereby incorporated by reference.

B. Whereas, Synagogue is the owner of certain real property situated in City of Saratoga, Santa Clara County, California (hereafter referred to as the "Parcel 2"), commonly known as 19700 Prospect Rd., Saratoga, CA 95070, APN: 386-35-071 and 386-35-070 and more particularly described in Exhibit B, which is attached to this Agreement and hereby incorporated by reference.

C. Whereas, since the early 1970s, Church and Synagogue have shared parking and maintenance costs for those portions of Parcel 1 and Parcel 2 that are identified as a parking lot, as described by the parking diagram attached hereto as Exhibit C, and incorporated herein by reference. This Agreement is intended to memorialize the long-standing agreement in writing.

NOW, THEREFORE, in consideration of the mutual benefits bestowed by this Agreement, the Parties acknowledge that the above recitals are true and correct, and hereby agree to:

Grant of Easement

1. Church grants to Synagogue, and Synagogue grants to Church cross-easements, for parking on the terms and conditions set forth in this Agreement.

Description of Easement

2. The easement granted in this Agreement is an easement for parking on the cross-hatched areas identified in the Parking Lot Diagram attached hereto as Exhibit C.

A. Synagogue grants to Church the right to park on Synagogue's parking lots at any time where Church's parking needs exceed the available spaces on Church's own lots, (for example, but not limited to: Christmas and Easter);

B. Church grants Synagogue the right to park on Church's parking lots at any time where Synagogue's parking needs exceed the available spaces on Synagogue's own lots, (for example, but not limited to the Jewish High Holy Days).

C. Church grants to Synagogue an easement for shared use of the middle section of the parking lot indicated on the cross-hatched areas set forth in Exhibit C, attached and incorporated herein as if fully set forth.

Maintenance of Easement

3. The Parties may establish and assign maintenance, insurance and other obligations to each other that may be mutually acceptable without an amendment of this Agreement.

Indemnity

4. Synagogue will indemnify and defend Church for any claims filed by a visitor to Synagogue who utilizes Church's parking areas and files a claim against Church. Church will indemnify and defend Synagogue for any claims filed by a visitor to Church who utilizes Synagogue's parking areas and files a claim against Synagogue.

Attorneys' Fees

5. If any legal action or proceeding arising out of or relating to this Agreement is brought by either party to this Agreement, the prevailing party shall be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorneys' fees, costs, and expenses incurred in the action or proceeding by the prevailing party.

Entire Agreement

6. This Agreement constitutes the entire agreement between Church and Synagogue relating to the above easement. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by Church and Synagogue.

Binding Effect

7. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of Grantor and Grantee.

Executed on _____ [date].

CHURCH OF THE ASCENSION

By: _____, it's _____

CONGREGATION BETH DAVID

By: _____, it's President

Notary Acknowledgment

Attachments:

Exhibit A, Legal Description for Church

Exhibit B, Legal Description for Synagogue

Exhibit C, Parking Diagram

Village of Oak Park, IL

Expires Dec 31, 2015

New
Contract

**LICENSE AGREEMENT
BETWEEN THE VILLAGE OF OAK PARK
AND
HARRISON STREET BIBLE CHURCH¹
LOT 93**

This License Agreement is made on the 1st day of June, 2013 by and between the Village of Oak Park, 123 Madison St, Oak Park, IL, a municipal corporation, and the Harrison Street Bible Church, 911 S. Taylor Ave, a not for profit religious corporation.

Whereas, the Village of Oak Park, as a Municipal Corporation, and the Harrison Street Bible Church as a duly organized Illinois Not For Profit Corporation engaged exclusively in charitable, religious, or educational activities, are both recognized as tax exempt under Section 501 of the Internal Revenue Code of 1986; and

Whereas, Harrison Street Bible Church is the owner of a parking lot immediately adjacent to their church located at 911 S. Taylor Ave, Oak Park, IL.

Whereas, Village residents, employees and customers in the Harrison Street business district are in need of public parking; and

Whereas, the Village is willing and able to manage, regulate and enforce public parking on the Harrison Street Bible Church's lot; and

Whereas, both parties understand that this Agreement is designed to encourage the common objectives of each party and to jointly serve the needs of the local community.

Therefore, the Church agrees to permit the Village to use its parking lot subject to the terms of this agreement.

SECTION 1: INCORPORATION OF RECITALS

The foregoing recitals shall be incorporated into this Agreement as if stated herein.

SECTION 2: TERM OF AGREEMENT

¹ PIN: 16-17-304-006-0000

This agreement is for a period of three (3) years commencing on and including services provided on the 1st day of January, 2013 and ending on December 31, 2015.

SECTION 3: DESCRIPTION OF SUBJECT PROPERTY

The property which is the subject of this license agreement is the 90 foot by 90 foot paved parking lot on a parcel of property which is described as follows:

Legal Address: 911 S. Taylor Ave, Oak Park, IL 60304.

PIN: 16-17-304-006-0000

Legal Description of Parcel:

Lots 1 through 4, and the vacated right of way between Lots 1 through 5 and Lot 39 except for the north eight feet adjacent to Lot 5, in Block 4 of the Austin Park Subdivision in the East 1/2 of the Southwest 1/4 of Section 17, Township 39 North, Range 13 East of the Third Principal Meridian in Cook County, IL.

Village Designation: Lot 93

The portion of the property subject to this agreement is depicted by a dark line on the diagram attached as Exhibit A.

SECTION 4: USE RESTRICTIONS

The Village will be entitled to use the parking lot for the limited purpose of providing public parking. The hours the lot will be available will be as described in this section. The Village will provide signs which accurately reflect the limited hours of public parking.

A. Vehicle Weight Restrictions

The Village will only permit motorcycles, motor vehicles of the First Division, and motor vehicles of the Second Division with a gross weight at maximum load of 8,000 lbs or less to park in the parking lot during Village permitted hours.

B. Daytime Parking

The Village shall provide for and regulate free daytime public parking in the lot on weekdays from 6:00 a.m. until 6:00 p.m.

C. Overnight Parking

The Village shall issue a maximum of 20 overnight parking permits for parking between the hours of 10:00 p.m. Saturday to 8:00 a.m. on Sunday, and every other day from 10:00 p.m. to 10:00 a.m.

D. Church's Exclusive Use

The Church reserves for its exclusive use, at all times, the four parking spaces located at the southwest corner of the lot as depicted on the Attached Exhibit A. Although those spaces are not part of the licensed space, for ease of enforcement, the Village will issue the Church six parking permits to park in the those spaces at no cost to the Church.

The Church reserves the lot for its exclusive use weekdays from 6 p.m. to 10 p.m. and on Sundays from 8:00 a.m. until 9:00 p.m.

Special Events

The Church reserves the right to use the entire lot for special events up to 10 times a year. To exercise this right, the Church will notify the Village at least 14 days in advance of the date and hours of the special event to allow the Church to notify permit holders.

E. Parking Meters

The Village will not install parking meters in the lot unless specifically agreed to in writing by the Church.

SECTION 5: LICENSE FEE

The Village will pay an annual license fee to the Church in the amount of 50% of the Village's net receipts. Net Receipts will be defined as annual gross receipts from quarterly parking permit sales and parking meter revenues, in the event meters are installed in the lot,

minus the labor and materials or actual billed costs attributable to cleaning, snow removal, tree trimming, maintenance, and electrical costs.

The Village will pay its annual license fee by March 15th annually. The fee will be calculated based on revenues and expenses incurred from January 1 to December 31, including for the year 2013, regardless of the date this agreement is entered into.

SECTION 6: LOT MAINTENANCE

The Village will maintain the lot in a clean and orderly condition. The Village will provide snow removal for the lot and fix or replace light poles contiguous to the lot if damaged. The Village will also maintain the surface of the lot, such as crack filling or line striping, as deemed necessary by the Village Engineer with approval of the Parking Services Director.

SECTION 7: UTILITIES

The Village will pay the Church \$500 annually for the electrical costs associated with the parking lot lights due by March 15th annually. The Village and Church make no representation concerning the adequacy and sufficiency of the lighting. The Village, upon notice, will change light bulbs in the existing light fixtures.

SECTION 8: REAL ESTATE TAXES

In the event the property becomes subject to real estate taxes, those taxes shall be paid by the Village during the term of this License Agreement, provided, however that the parties agree to allow the Village to apply for any available real estate tax exemption.

If taxes are assessed for any period beyond the period of this License Agreement, the Village will pay only those taxes attributable to the period of this agreement. Taxes shall be prorated as follows: The number of calendar days the lease was in force in the tax year of termination, divided by the lesser of (a) three hundred sixty-five (365) days; or (b) the number of days from the beginning of the tax year until the effective date of any exemption from real estate

taxes granted to the Church. The Church and the Village agree to share any real estate tax exemption information with each other.

The Village agrees that if real estate taxes are assessed against this parcel, at the conclusion of this lease and any subsequent renewals, it will pay the church the reasonable amount of any attorneys fees it incurs to remove the taxable status, up to \$500.

SECTION 9: INDEMNITY AND HOLD HARMLESS

The Village agrees to save, defend, indemnify and hold harmless the Church from any claims, demands, lawsuits, or costs which the Church may incur arising out of the Village's use or operation of the premises during the term of this Agreement.

By agreeing to hold the Church harmless and provide this indemnification, the Village does not waive its right to assert any defenses or immunities available to the Village under the Illinois Local Government and Governmental Employees Tort Immunity Act.

The Village does not waive its right to limit its liability for injuries to its employees to that provided for in the Workers Compensation Act.

SECTION 10: TERMINATION

Either party may terminate this Agreement without cause by providing the other party with written notice at least ninety (90) days prior to the date of its intention to terminate the Agreement.

SECTION 11: RESTORATION

At the expiration of this License, the Village will remove all signs and repair any damage to the lot, normal wear and tear excepted.

SECTION 12: ASSIGNMENT

The Village will not assign its rights under this agreement to any other entity, except as to allow the public the right to parking permits issued in accordance with Village regulations. The Church may assign this agreement to any successor in interest.

SECTION 13: NOTICES

All notices required herein shall be made personally or by registered mail.

Notices to the Church shall be mailed to:

Reverend John R. Sutter, Pastor
Harrison Street Bible Church
911 S. Taylor Ave
Oak Park, IL 60304

Notices to the Village shall be mailed to:

Village Attorney
Village of Oak Park
123 Madison St
Oak Park, IL 60302

SECTION 14: MODIFICATION

This Agreement may not be modified or amended except in writing, signed by authorized representatives of both parties.

HARRISON STREET BIBLE CHURCH

VILLAGE OF OAK PARK

By: _____

Cara Pavlicek
Village Manager

Its: _____

Dated: _____

Dated: _____