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**Toward a Common Parking Policy:
A Cross-Jurisdictional Matrix Comparison of Municipal Off-Street
Parking Regulations in Metropolitan Dade County, Florida¹**

by
John Bradley

1996 TRB PRESENTATION

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**TOWARD A COMMON PARKING POLICY:
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Abstract

Metropolitan Planning Organizations (MPO's) were developed to promote regional approaches to transportation problems in large metropolitan areas. However, one particular aspect of the overall transportation picture -- off-street parking requirements -- has generally been left to local municipal regulation without a conscious effort to integrate local parking policies into areawide transportation programs. In an effort to promote regional approaches which take into account the impact of parking policies on transportation problems, this study is designed to show the cross-jurisdictional similarities and differences in off-street parking requirements as regulated by local municipal zoning ordinances in a typical multi-jurisdictional setting. Additionally, the study highlights several basic overall parking policy aspects which may serve as starting points in the consensual development of a regional parking policy for metropolitan areas such as Dade County under the aegis of an MPO.

I. Introduction

When a citizen or visitor has a parking problem, his or her perception is that an entire metropolitan area has a "parking problem"; when a citizen or visitor is stuck in traffic in his or her vehicle amongst a sea of other single-occupant vehicles, he or she tends to perceive that the area has a "highway congestion problem." Yet, in many cases these two situations are symbolic of an important and interconnected relationship -- the overall effects of local parking policies on urban transportation issues. Too little parking creates excess traffic in many urban areas as drivers "circle the block" looking for an available spot to park. On the other hand, too much parking encourages excessive use of the single occupant vehicle (SOV) as the primary commuter travel mode, clogging the arteries of both urban and suburban areas and wasting valuable resources. Even the creation of a rapid mass transit system may affect actual or perceived parking issues both within and outside the transit corridors. The public policy issue is how to balance the needs of parking users with publicly mandated goals such as improved access to places of employment or markets, traffic congestion mitigation, and air pollution abatement. Governmental agencies and officials are faced with an imposing central question: *How much parking is enough to satisfy commuters, visitors, shoppers, developers and lenders, and public policy objectives?*

The last two decades have seen a change in the basic policy focus of a number of government agencies that have traditionally been the regulating authorities over parking issues in their local areas. This change is a shift in policy away from the land use-based, zoning-mandated supply of "more parking" to one of regulation of parking supply quantities, in limited attempts to affect the behavior of parking users. For years, parking policy was directed towards a goal of ensuring that sufficient on- and off-street parking spaces were provided to accommodate peak load conditions at all possible sites. The instruments used to implement parking policies were found in municipal transportation planning programs (for municipally-controlled on-street parking space provision) and local zoning codes which required that specific minimum amounts of parking spaces be provided for each site development based on that site's individual land-use. The reason for this change in focus has been the recognition that transportation policy and parking policy were found to have complex, interrelated, and inseparable relationships. As more research was conducted, the relationship between municipal parking policy (found in local zoning codes) and transportation policy (promulgated by state departments of transportation) was more closely examined.¹ Land-use zoning requirements which promoted an abundance of parking spaces meant that more individual vehicle operators (driving the single occupant vehicle - SOV) felt that they should be able to locate a parking space, therefore attracting more vehicles to a site in a circular pattern of demand expanding to reflect an artificially stimulated supply. Change in parking policy has been incremental; it has been evolving ever since at least 1923; and it is still evolving today.

II. Zoning-Based Parking Regulations vs. Traffic Congestion Mitigation Programs

Existing municipal zoning code-based off-street parking provision requirements typically create a parking supply far in excess of demand, resulting in wasted land area, squandered public and private development capital, and excessive commuter dependence on the single occupant

¹ For examples of this research, see: "Emerging Trends/Parking Progress: A Municipal View", John P. Cavallero, Connecticut Association of Parking Agencies Annual Meeting, Darien, CT: October 24, 1979; Factors Related to Transit Use, Center for Urban Transportation Research, University of South Florida, Tampa, FL: 1989; and, in particular, "The Role of Parking in Transportation System Management." presented by Michael J. Demetsky & Martin R. Parker, Jr. at the 57th Annual Meeting of the Transportation Research Board, Washington, DC: January 1978

vehicle.² Concurrently, transportation planners are promoting programs to reduce this same commuter dependence. Swanson (1989) observed that areas such as Texas, California, and Florida, where rapid growth has created an overdependence on (and overuse of) the single occupant vehicle, must be at the cutting edge of innovative parking ordinance implementation.³

Shoup and Pickrell (1978)⁴ directly addressed the issue of parking oversupply requirements in local zoning ordinances. They indicated specific flaws in the land-use zoning approach to what was a transportation-centered problem -- traffic congestion. Land-use planners thought that by requiring "sufficient" off-street parking more cars would be taken off the highways. Instead more people chose to drive to their employer- or retailer-provided "free" parking space, resulting in even more congestion. Although this article was published in 1978, a number of the problems pointed out by the authors remain as factors to be addressed in metropolitan Dade County's present circumstances. Shoup and Pickrell suggested that land-use zoning should be directed towards the goals listed in the *Standard State Zoning Enabling Act*⁵ (to promote health, safety, morals, general welfare, the adequate provision of public services, lessen congestion, etc.). Because these goals may not or cannot be addressed by the land-use market, there is "...a distinct possibility of doing more harm than good by using zoning to resolve a problem that is only indirectly related to the land market." They go on to indicate the following flaws in this land-use zoning approach:⁶

- There may be only a tenuous and casual linkage between explicit zoning intervention in the market, the ultimate consequence hoped for, and the perceived problem;

² "Traffic and Parking, A New Generation of Information" Robert T. Dunphy, *Urban Land*, May 1988; Parking in a Changing Time, Herbert S. Levinson, 1982; Dade County Parking/Transit Ridership Study, K.T. Analytics, 1987; Free Parking as a Transportation Problem, Donald C. Shoup & Don Pickrell, 1980; and many others

³ "Parking: How Much Is Enough" Wayne Swanson, *Planning*, Vol.55, no.7, (July 1989) pp.14-17

⁴ "Problems with Parking Requirements in Zoning Ordinances" Donald C. Shoup & Don H. Pickrell, *Traffic Quarterly*, Vol.32, no.4 (October 1978) p.545-561

⁵ U.S. Department of Commerce (1928)

⁶ Shoup and Pickrell, p.546

- The zoning approach may give the impression that something has been done and a solution arrived at, regardless of the linkage or lack thereof between the intervention and the actual problem addressed;
- The zoning approach disguises the true cost of the intervention, because the cost of compliance is not considered in the public budgeting process;
- If the perceived problem addressed by the zoning intervention is not a land-use market problem, inefficiencies in land use or other unintended consequences may occur.

The authors gave two reasons why land-use zoning approaches to problems in non land-use markets are sometimes chosen:⁷ One is a public sector "...unwillingness or inability to intervene in the malfunctioning [SOV] market." They gave traffic congestion as an example. If the traffic market were addressed by road pricing to alleviate congestion, the effect intended would be direct but the implementation and enforcement would be politically impossible, therefore zoning density limitations are used instead to affect traffic congestion. The second reason offered is that the zoning code-based approach gives the impression of a solution without the expenditure of public funds. Using parking requirements in zoning regulations as an example, Shoup and Pickrell stated that the varieties of requirements, the differences in dimensions for parking spaces, the multitude of methodological approaches in their development, and the apparent randomness in the selection of measurement standards, result in a systemic and unwarranted presumptiveness of effectiveness. They also stated that parking regulations' one common theme is, "...the 'rule of thumb' air about them and the apparent lack of consideration given to the cost of providing the spaces or the price that will be charged for using them. The assumptions appear to be that trip generation rates and parking demand reflect a 'need' to travel by automobile and that demand for parking spaces is not a function of price."⁸ As an example of the variations in requirements, the authors included a table of municipal parking space requirements for a single

⁷ p.546

⁸ p.547

land use (a 10,000 square foot office building of three floors) from nearly 70 California cities.⁹ Cumulatively, these amounted to fifteen different categorical totals of parking spaces, ranging from a low total number of spaces required of 10 to a high of 80; and these were just in the Los Angeles-San Bernardino area. While these quantitative requirements may *appear* to reflect differences in community values, do these differences need to be quantified in municipal zoning codes? This is a fundamental question. In Shoup and Pickrell's view, it would appear that, rather than reflecting community values regarding space utilization, traffic congestion mitigation, access to markets, or other factors, this numerical codification may simply reflect that zoning code writers have no concept of the effects of their ordinances on any of these issues.

The authors suggested that this detailing of numerical parking requirements in zoning regulations "...implies that planners know how to tailor the parking supply to differing local circumstances. But the difficulty inherent in taking these decisions out of the private market is illustrated by the fact that some planners recommend zoning regulations to force the supply of parking *above* the quantity that would be provided by the private market, while others recommend an upper limit on the number of parking spaces to reduce the quantity *below* what would be provided by the private market -- both with the goal of reducing traffic congestion..." [italics the authors].¹⁰ They admitted that both approaches are logical, depending on overall objectives: increased parking use efficiency at a development may reduce local street congestion;¹¹ limited parking may result in a general reduction in automobile use.¹²

Shoup and Pickrell also argued that zoning regulations requiring parking supply minimums actually have two market effects: First, they increase the overall supply of parking to levels above the market-determined equilibrium level, depressing the price. The authors indicated that there is inferred evidence to suggest that "...zoning codes [result in levels] of

⁹ p.548

¹⁰ p. 549

¹¹ See also: "Transportation Demand Management: Planning, Development, And Implementation" Erik Ferguson, *Journal of the American Planning Association* Vol. 56, no. 4 (Autumn 1990) pp.442-456

¹² As reported in: *Rideshare/Parking Management Handbook*, City of Bellevue, Washington: March 1994

inefficiently large amounts of parking space [such] that new parking garages are rarely built as independent commercial ventures..."¹³ This oversupply and underprice also results in encouragement of SOV commuter.

Second, zoning requirements spatially determine the distribution of parking rather than letting the parking user market's demand and cost considerations determine parking user patterns. In cities where zoning codes did not specify minimum requirements, "...submarkets for parking are likely to develop in response to spatial differences in demand and supply functions for parking spaces. That is, parking services will be sold at different prices in differing geographic locations within the downtown area. Demand for parking at each location will depend largely on the density of employment and shopping in the immediate area, the price and service levels of public transit, and travelers' incomes..." and that parking prices "...thus act both to allocate the quantity of land and capital devoted to parking in different parts of the downtown and to ration the number of automobile trips destined there."¹⁴ The authors studied the impacts of zoning regulations that required developers to oversupply the parking user market in an attempt by parking policy makers to affect a non land-use market problem -- traffic congestion. Well-intentioned planners assumed that more off-street parking would result in more cars being taken off the city streets. The planners did not recognize that the parking user market would react as it did, even though conditions that the planners assumed to exist -- development-induced demand -- did, in fact exist. The unintended consequences of the planners use of zoning land-use regulations to affect a traffic-oriented objective did, however, supply evidence to suggest that opposite measures (reducing parking supply) could, in practice, reduce traffic congestion.

III. The Challenge in Metropolitan Dade County

The challenge to local jurisdictions is to change the parking user market by curtailing these codified parking oversupply mandates. Transportation issues do not stop at (nor change because of) municipal borders, and parking supply mandates have been shown to affect

¹³ p. 556

¹⁴ p. 553

commuter transportation mode choices in both urban and suburban areas.¹⁵ Large metropolitan areas with multiple jurisdictions (often not only geographically abutting but economically competing) may require an areawide approach to parking policy -- just as they have adopted a similar approach to transportation policy development and implementation. Metropolitan municipalities have to a large extent renounced uncoordinated transportation policies and turned over development an areawide transportation policy to a metropolitan planning organization (MPO) in recognition of the fact that transportation issues have become borderless. In a typical metropolitan area such as Dade County¹⁶, with a number of large and small municipalities, the development of a countywide parking policy requires that changes in off-street parking provision regulation be made on a consensual basis. While municipalities may believe that they have good reason to retain their zoning-based parking provisions currently in use, these municipalities may simply not be aware of the effects of mandating parking oversupply. In addition, the various municipalities may also not be aware that there are conflicts between their codes and the areawide transportation policies under development by the MPO. Communicating the nature of these problematic conflicts -- between local zoning codes and areawide transportation policy -- may well be the key to development of an areawide parking policy in areas such as Dade County. However, no literature available to me indicated that any attempt has ever been made in Dade County (or elsewhere) to collect, collate, or directly compare and contrast the extant municipal off-street parking policies of a large metropolitan area on a cross-jurisdictional basis.

There are twenty-seven municipalities in metropolitan Dade County and, in addition to

¹⁵ See: "Parking and Traffic Characteristics of Suburban Industrial Developments", Willard A. Alroth, *Highway Research Record* 237 (Washington, DC: Highway Research Board, 1966); "Household reactions to possible options for dealing with future traffic and parking demands in congested urban areas", Elizabeth Ampt and Peter Jones, *Proceedings - 16th Conference of the Australian Road Research Board* Vol.16, Part 7, 1992 (Nunawading, Aust.) pp.51-69; and, An Assessment of Travel Demand Management Approaches at Suburban Activity Centers Kiran Bhatt and Thomas Higgins (Cambridge, MA: USDOT Transportation Systems Center, July 1989)

¹⁶ Roughly 1955 square miles and some 1.9 million residents, plus thousands of tourists and business visitors

the County regulations, each has its own parking-related ordinances.¹⁷ Some jurisdictions codify only parking rules and violations; others include engineering and aesthetic ordinances. Through the use and enforcement of zoning codes and ordinances, jurisdictions also address off-street parking supply provisions for certain land uses and technical details supplementing such requirements. With twenty-eight governmental jurisdictions (and multiple zoning districts in some municipalities) in metropolitan Dade County, each using variations in land-use definitions resulting in myriad categories, and each adopting different independent variables for use in quantitative determination, a comparison of municipal off-street parking regulations could have become excessively complicated. To further complicate matters, some cities (e.g.: Miami and Miami Beach) break up those jurisdictions into specific overlay districts; while the City of Miami adds special requirements within transportation demand management (TDM) areas.

IV. The Matrix Method

Polanis and Price (1991) observed that "...the diversity of land-use tables, parking generation equations, and values used in similar equations makes empirical comparison of parking generation practices across municipalities difficult".¹⁸ For this study, I found that the clearest way to present the differences (and similarities) in parking policies across jurisdictions is through a matrix format. Dade County and all of the municipalities within the MetroDade MPO were requested to provide copies of their zoning code sections that relate to off-street parking requirements -- all complied with this request.¹⁹ These regulations were then reviewed and their requirements categorized by representative types. Five matrices were developed from this data, including *Parking Policy Comparison* (Appendix A).

The *PARKING POLICY COMPARISON MATRIX* shows the similarities and differences

¹⁷ See Countywide Parking Policy Study: Literature and Regulations Review (Tampa, FL: Center for Urban Transportation Research, 1994) *Appendix B: Parking Regulations* for a summary of the parking regulations contained within zoning codes in these municipalities

¹⁸ "Parking Regulations in Southeastern Cities: A Summary Report" Stanley F. Polanis & Keith B. Price, Jr., *ITE Journal*, Vol.61, no.6 (June 1991), pp.32-33

¹⁹ Islandia has no residents, except National Park Rangers, and no codes

in parking policies across jurisdictions.²⁰ For the purposes of this paper, the details of quantitative variations in local parking provision requirements are less important than pointing out that there are inconsistencies, similarities, and differences. These inconsistencies and differences are to be expected in a fragmented metropolitan jurisdiction such as Dade County. However, the matrix method is also found desirable because it is capable of indicating policy similarities. It is the existence of these similarities that can provide the basis for consensual cross-jurisdictional parking policy reform in Dade County.

The *POLICY COMPARISON MATRIX* covers five general parking policy factors:

1. **STALL SIZE** - Physical parking space size. There are some differences across jurisdictions (range: 8.5ft x 18ft to 10ft x 25ft. The "one-size-fits-all" parking stall dimensions of 8.5ft x 18ft suggested by Smith and Hekimian (1985), and the ITE's "Guidelines" (ITE Committee 5D-8, 1990), is used by the County and seven municipalities. Five jurisdictions²¹ do not specify stall dimensions.
2. **COMPACT, TOO?** - Does the ordinance include the use of compact car stall sizes for certain percentages of parking supply provided? Only four municipalities directly address a mix of smaller compact car parking spaces, and specify stall sizes from 7.5ft x 16ft to 8ft x 17ft.
3. **MIXED USES ADDITIVE?** - Does the ordinance address mixed-use (multiple land uses sharing a common parking area) parking supply? The subject is not addressed at all in eight jurisdiction's ordinances.²² Thirteen jurisdictions²³ mandate that mixed-use site parking provision must be additive. That is, the

²⁰ The remaining four land-use matrices were developed using artificial categories within land-use sectors. The quantitative *Residential Facilities*, *Commercial Facilities*, *Industrial Facilities*, and *Public Facilities* are not included in this paper. These land-use sector categories are representative as opposed to specific. That is, the land-use sectors and the artificial categories used to create the matrices are not designed to match with any published categorizations of land-use types (as in *Parking Generation*, ITE, 1987), and no such specificity is implied.

²¹ NOT SPEC'D in the matrix cell under **STALL SIZE**

²² NO MENTION in the matrix cell under **MIXED USE ADDITIVE?**

²³ YES in the matrix cell

parking provision requirements for a mixed-use site must be a cumulative figure derived by adding together each use's parking requirements to reach the total required at the site. Six other jurisdictions²⁴ include wording in the ordinance which allows some alternative method in determining total parking provision requirements for mixed-use sites.

4. **FLEXIBLE PROVISIONS?** - Are there some sections of the ordinance that allow for flexibility in determination of quantities required for land uses or for relief in supply mandates? In six jurisdictions²⁵ the ordinance makes no comment whatsoever. Six others²⁶ indicate that there is no allowance for flexibility, but fifteen²⁷ indicate that there is some section of the ordinance that allows for discretion by planning agencies or provides for methods to gain relief from mandates. That is, the County and fourteen municipalities (including the three that have adopted the Dade County Code) had some ordinance provision that could be qualitatively interpreted as "flexible".
5. **CATEGORIES USED** - How many separate categorizations of land-use types are used in the ordinance that determined the quantity required for each use? The quantitative range (0 - 83) is rather wide. This cross-jurisdictional complication is not helped by the extent of the differences in vocabulary and additional codified land-use breakdowns that involve zoning districts, specific geographic locations, and even lot size.

The *PARKING POLICY COMPARISON MATRIX* shows some of the impacts of jurisdictional fragmentation in parking policies across a large metropolitan area; however, it also can be used as a starting point for a program to bring municipal and county policies into harmony

²⁴ NO in the matrix cell

²⁵ NO MENTION in the matrix cell under **FLEXIBLE PROVISIONS?**

²⁶ NO in the matrix cell

²⁷ YES in the matrix cell

in order to develop a countywide parking policy to more comprehensively address countywide parking-related transportation issues. Deeper insight into the actual differences (and similarities) between jurisdictions may be available by comparing the abstracted Dade County and municipal ordinances found in the Countywide Parking Policy Study: Literature and Regulations Review: Final Report (Center for Urban Transportation Research, 1994).

V. Jurisdictional Issues

The overarching jurisdictional question regarding parking policy involves one of determining which one (or combination of) representational government levels within the State of Florida may, or is required to, assume responsibility for parking policy. That is: *Upon which governmental level (state, county, or municipality) is parking policy development, implementation, administration, and enforcement legitimately presumed to be empowered?*

First, it does not lie with the State of Florida. The State statutes primarily address roadway parking violations and handicapped parking space violations (§§.316.194 through 316.1967 *Florida Statutes*) and the State does not address any mandated parking quantities. The State has assigned all other parking policy responsibility to the counties (§.125.01[1][m]), and, to a much more limited degree, to the municipalities (§.170.01[1][g]). Therefore, in the case of Dade County, with a number of large and small municipalities, and a substantial unincorporated area, upon which "government within government" does the responsibility for, and authority over, parking rest?

The State statutes give broad powers to the counties to go along with the assignment of equally broad responsibilities. In the case of Dade County specifically, the Metropolitan Planning Organization (MPO) has the power to "...provide and regulate parking facilities; and develop and enforce plans for the control of traffic and parking..." (§.125.01[1][m]), and to develop a comprehensive plan which includes an "...element for the development of off street parking facilities for motor vehicles..." (§.163.3177[7][d]). Therefore, it may also follow that along with this planning responsibility should come regulatory authority over parking policy within the county through land development regulations (§.163.3202[2][h]).

It does not appear then, from a simple but liberal reading of the prime statutes (§.125.01[3] [a] and [b]) that these county powers are restricted to unincorporated areas of the

county only by §.163.3171[2], and there would seem to be a potential to create a countywide parking policy under the statutes of the State of Florida. This is not to say that it would be necessary to usurp the powers of municipalities to regulate parking use within their jurisdictions; rather, a cooperative program could be developed under the umbrella of the existing MPO structure. To look at the parking situation in Dade County requires a three-tiered approach: first, an examination of the institutions with parking responsibility; second, an examination of the parking policy instruments available to regulating authorities; and, third, the logistics of parking policy implementation.

Institutionally, the power to regulate parking in the unincorporated areas of the county falls directly on the County government itself (§.125.01); additionally, the County has original jurisdiction over parking on property owned or leased by the county which is located within the boundaries of chartered municipalities (§.316.006[notation]). Municipalities have only been statutorily given jurisdiction over on-street parking, that is, "...with respect to streets and highways under their jurisdiction..." (§.316.008[1][a]). The various parking ordinances in effect in the many municipalities of Dade County may tend to give the impression that all zoning for off-street parking is within the scope of municipal regulatory powers, and yet, this could be argued as inconsistent with Florida Statutes.

Although the element of *Public Transportation (Title XXVI)* which authorizes county MPO "...development of transportation systems...that will maximize the mobility of people...and minimize...transportation related fuel consumption and air pollution..." (§.339.175) does not specifically mention parking as a factor in transportation development, it does reference using existing facilities more efficiently, congestion relief, land use and development, and the "...overall social, economic, energy, and environmental effects of transportation decisions" (§.339.175[5][b]). Additionally, the statutes require that each MPO "...must develop and implement a traffic congestion management system" (§.339.177[2]).

The *Congestion Management Plan* as suggested in *Dade County Transportation Demand Management & Congestion Mitigation Study* (Barton-Aschman, 1992) indicates that such a plan

requires an overall Congestion Management Coordinator²⁸ and countywide parking policies.²⁹ Countywide authority over parking requires countywide regulatory powers. It may be argued that this regulatory power is implied by *Florida Statutes: Chapter 163 Intergovernmental Programs*, and specifically §§.163.3161, 163.3171, and 163.3202, which address local land development regulations. This regulatory power could devolve to a parking administration agency, located either within the MPO, in the Metro-Dade Transit Agency, as a part of the above-mentioned Congestion Management Coordinator, or as a separate institution if necessary. However, it is more important to develop a proactive and cooperative countywide parking policy than it is to develop another countywide institution. Despite the potential of jurisdictional disputes, a cooperative approach between the County and its municipalities could result in a compromise which has beneficial outcomes for all parties. This approach would involve the recognition of the overall County responsibility for establishing instrumental (regulatory) control over all public or private off street parking in the county -- including within the boundaries of chartered municipalities (§.316.3171). The responsibility for ordinances regulating parking meter locations, "no parking" zones and on-street parking within the existing municipal jurisdictions could remain with the various municipalities, if they so chose. Additionally, the various municipalities could retain their aesthetic ordinances over parking of certain types or conditions of vehicles on private property.

The "fill-in" growth of the county in the areas between the (relatively) small municipalities can create problems for these municipalities if a consistent, countywide parking policy does not evolve. By tying regulation of parking with congestion management coordination and the existing countywide transportation authority, an overall policy of parking/transit integration could serve to best benefit Dade County's citizens and meet the explicit county responsibilities inherent in the State statutes. It is imperative that parking management be coordinated with transit management to implement changes in parking policy that will best work with transit rather than against it.

²⁸ See: *Plan*, p.3-4

²⁹ *Plan Part 4*, pp.59, 67-68; Tables 3 & 4

Instrumentally, whatever policy is adopted -- status quo, incremental change, or departures from the norm -- a centralized parking policy could be developed. The *Congestion Management Plan* has identified the need for the implementation of a series of congestion management techniques.³⁰ In particular are four non-statutory measures to create a more cooperative atmosphere between the County MPO, municipal parking managers, commuters and employers.³¹ This task, and the *Dade County Transportation Demand Management & Congestion Mitigation Study*-recommended changes³² to the development regulations incorporated in the 1993 Metro-Dade MPO *Dade County Comprehensive Development Master Plan*, require a single countywide office of parking management to coordinate efforts directly aimed at alleviating real or perceived parking problems; at recognizing parking's role in transportation demand management and congestion mitigation; and increasing transit ridership.

The third level is one of **logistics**. The State of Florida regulates only the number of parking spaces to be provided by governmental (§.316.1955) and nongovernmental (§.316.1956) agencies for certain disabled persons on the basis of the Americans with Disabilities Act (ADA) requirements. The power to regulate the total number (minimums or maximums) of parking spaces which developers must provide for new developments has traditionally rested with local zoning authorities. By establishing the responsibility for parking policy development, administration, implementation, and enforcement upon a countywide authority (§.163.3171[2]), and by that authority maintaining a consistent approach to parking as a manageable asset, certain conditions of parking supply can be set. This approach may be based on the type and size of the development; its distance from existing and future public mass transit facilities; its potential impact on existing and future transportation corridors; and countywide compliance with the Clean Air Act and ISTEA requirements. Flexibility, adaptability, and cooperation are the keys to controlling parking space quantities across a wide and varied jurisdiction such as Dade County.

³⁰ *Plan*, pp.1-20

³¹ *Plan*, pp.10-12

³² *Plan*, pp.13-15

The various planning and regulatory powers identified in the State statutes indicate the State's recognition of the importance of parking policies in development and redevelopment, road transportation congestion relief, tourism, commerce, and industry. This requires a creative, positive, progressive, proactive, and cooperative approach to parking policy. The *Dade County Transportation Demand Management & Congestion Mitigation Study* comprehensively addresses the necessary components -- institutional and instrumental -- needed to attempt such an approach in Metropolitan Dade County.

VI. Implementation Considerations

Parking policy can be a tool towards government control of land use through zoning-based planning programs; however, it is also an important tool in transportation planning and transportation policy implementation. Past mistakes in the use of zoning regulations to affect parking user demand behavior may make parking reform a "difficult sell" to political officials, lenders, developers, employers, and commuters. An areawide parking policy education program that includes state, county, and municipal officials; developers, lenders, and employers; public and private sector employees; and other affected parties, has the potential to produce the most equitable policy. The development of a consistent and areawide approach to parking issues may result in the most efficient use of land zoned for parking. It is important to develop an areawide parking policy in order to make areawide transportation policy development (mandated by the state as the primary role for metropolitan planning organizations) more effective.

Additionally, parking can be an invaluable municipal revenue generation resource; however, some degree of public sector control of the parking market is an obvious prerequisite to such generation. Metered on- and off-street public parking, a parking tax, vigorous enforcement of parking statutes and ordinances, and areawide regulatory authority are potential assets for developing such market control. While political judgements will determine how much market control is possible, a clear presentation to the various affected stakeholders of the benefits of parking policy reform can make the political decision-making process less controversial politically and more efficient economically. The role of parking in economic growth and development attractiveness has been one that has been distorted by the local zoning code conventions now in use. These conventions were based on rules of thumb that are incorrect for

current development goals. A basic lack of communication among the actors involved has resulted in a *de facto* perpetuation of these conventions as *de jure* codes. Today's economic circumstances have presented the public sector with an opportunity to change the private sector's perceptions regarding parking's role in development attractiveness. Again, public sector education of the private sector is the key to parking policy cooperation. Therefore, an area for further investigation would be the "marketing" of parking policy reform to the various actors in Dade County. Many metropolitan areas have already faced the situations that the MetroDade MPO faces now. Some have not come to grips with parking problems. However, those that have seem to have continued to grow and develop through coordinated public/private cooperation.

Areawide parking policy reform, the education of private sector actors, and intergovernmental cooperation can be used as a focal point for positive approaches to the institutional issues circulating around development financing and economic growth. Other metropolitan areas that have been the core instigators of progressive and comprehensive parking management programs and development policies have not appeared to have suffered in the least from parking policy reforms. On the contrary, positive quality of life and civic responsibility issues have tended to overcome negative first impressions of parking policy reform strategies. However, these areas (Los Angeles, San Francisco, Portland, Seattle, etc.) have done so under mandates imposed by state governments or federal air pollution mitigation requirements. In the absence of the imposition from above of such mandates in Dade County, the MPO does not face the political pressures to reform parking policies that were felt by governments in these areas.

Of particular interest in Dade County should be the future possibilities in public/private joint developments in present and future transit corridors. Parking policy reform offers opportunities to create interest in such developments by making them more attractive to the private sector. Parking management is not the only answer to traffic congestion mitigation. However, parking management strategies are some of the more significant tools in the traffic congestion mitigation toolbox. Parking management strategies include: peak-period pricing, transportation demand management (TDM) programs, and a parking tax. The availability of all of these strategies creates the opportunity to adapt incremental changes geared to specific geographic areas within metropolitan Dade County, but only if there is some cross-jurisdictional

overall parking policy consensus developed by the County and the municipalities involved. Developers tend not to remain within the municipal boundaries of one jurisdiction. Large developers -- and especially lenders -- operate all across the metropolitan area and it is to their advantage that a consistent, comprehensive, countywide parking policy is developed, adopted, and implemented.

As more regional planning coordination takes place in growing metropolitan areas, area-wide parking policy development becomes politically more difficult on one hand (as more actors and issues are identified), and somewhat easier (as policy decision-making becomes less "local") on the other. That is, attempts to develop a countywide parking policy must take into consideration the values regarding parking space provisions that are held by municipalities that range from a few hundred residents occupying a few square blocks, to the cosmopolitan sprawl of greater Miami. The MetroDade MPO is in the position -- due to its state-imposed mandate -- to develop comprehensive transportation programs which include parking policies.³³

Economic instruments, including employer cash-out programs, parking taxes, and in-lieu-of fees, can be important modifiers of parking user behavior. The political question is: *May they be implemented?* Strategic area-wide parking policies that are based on sound research and analysis (and on a well-developed political foundation) are policies that may lead to an integration of parking policy with general transportation and development planning. Identification of all the relevant issues and actors (and their hierarchial roles and individual agenda) is important to the success of parking policy reform.

VII. Summary

Off-street parking policy reform in metropolitan Dade County is necessary, not for specific land-use problem resolution, but as an important component of areawide transportation policy. Dade County is in the enviable position of having an existing rapid mass transit system as an available option for commuters. Parking policy reform can have a two-fold purpose: first, to help reduce commuter dependence on the single occupant vehicle, thereby reducing traffic congestion and noxious vehicular emissions; second, to help boost mass transit as a viable

³³ §.339.175 F.S.

commuter transportation mode choice, thereby acting as an economic benefit to the County transit system. These are rational benefits from parking policy reform. Localized parking policy reform by itself may simply chase parking users around the county, never actually helping alleviate areawide congestion or mitigate air quality problems. However, areawide parking policy reform, combined with intelligent overall transportation policy implementation, can be a primary method of efficiently addressing the equally areawide traffic congestion and air quality dilemmas. Efforts directed at traffic congestion mitigation will likely be less successful if parking policy is excluded than they otherwise could be if areawide parking policy strategies are implemented. The State of Florida's statutes leave parking policy up to local county governments or metropolitan planning organizations.³⁴ The county and municipal ordinances extant represent a collection of "rules of thumb," "copy-cat" regulations, guesswork, and conjecture, and result in excess complication in development planning. Nevertheless, there remains the opportunity for the development of an areawide parking policy that may be effectively coordinated with other public policy strategies to address the areawide goals of transportation improvement, air quality enhancement, and economic development.

³⁴ See: *Florida Statutes* Title XI, Chapter 125, §.125.01; Chapter 163, Part II, §§.163.3161 through 163.3202; Title XII, Chapter 170, §.170.01; Title XXIII, Chapter 316, §§.316.002 through 316.1967; Title XXVI, Chapters 334 through 339, specifically §.339.175.

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