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uses may develop shared parking agreements to satisfy the parking requirements of this Plan in accordance with the following:

- Only 50 percent of the required parking may qualify for shared parking arrangement.
- A minimum of 50 percent of the required parking must be met on-site notwithstanding the parking reduction provisions of this plan.
- Required parking must be calculated based on the land use that demands the greatest amount of parking.
- The shared parking facility must be within a 700 foot radius of the subject use.

If shared parking spaces are located on a different lot, approved off-site parking spaces shall be obtained by a covenant, lease, bond, or other agreement, acceptable to the City Attorney, between the owners, and if applicable the owners and lessees of the off-site parking spaces.

### Mixed Use Parking

When a project contains a vertical mix of uses composed of retail commercial or office uses with residential and/or office use above in the same building, the non-residential portion of the mixed use building may be eligible to receive a reduction in the parking requirements established by this Specific Plan of up to 25 percent, subject to approval of a ADVP. The number of required parking spaces may be reduced subject to the following:

1. Submittal of a parking demand study conducted by a licensed traffic engineer or other traffic professional acceptable to the City, and
2. Agreement to participate in the formation of a future parking assessment district or fee.

### Parking Location

The location of parking spaces may be modified if the Planning Commission finds as follows:

1. The proposed location of the parking does not interfere with pedestrian connectivity and/or the pedestrian character of the Specific Plan.
2. Adequate landscaping buffers are provided to minimize the visual impact of the parking.
3. The parking does not eliminate opportunities for diagonal parking on Agoura Road or Cornell Road.
4. The location of the parking will support other policies and standards of the Specific Plan and will result in a better overall project.



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APPENDIX B:  
SCOPE OF SERVICE

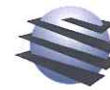


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### TASK A: POLICY DEVELOPMENT

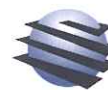
1. Meet with City staff to confirm the goals and priorities of the project (project kick-off meeting). Attendees should include participants from relevant departments throughout City government potentially including staff from planning, finance, transportation, public works, and other departments related to the planning, implementation and operation of parking in the Agoura Village Specific Plan Area (AVSP). At a minimum, the meeting should include:
  - a. A general vision provided by City staff for build out of the AVSP area and a discussion of how development in the area is likely to occur and likely phasing scenarios.
  - b. A discussion of the following key issues that will likely come up during the planning process:
    - i. Appropriate walking distances and pedestrian zones;
    - i. Parking management policies and best practices;
    - ii. Parking planning for different user groups;
    - iii. On-street parking best practices;
    - iv. Shared public off-street parking;
    - v. Financing of shared public parking spaces;
    - vi. Shared private parking and related policies and agreements;
    - vii. Code requirements, covenants and codification of parking management and transportation demand management measures.
2. Obtain from City staff:
  - a. A detailed map of the AVSP area;
  - b. A proposed street and block layout for the AVSP area,
  - c. A list of parcels and owners,
  - d. A list of existing developments,
  - e. A list of proposed developments with contact information and best program data available.
3. Identify existing parking demand within the AVSP area by performing parking occupancy counts on one weekday and one weekend day. Counts will occur hourly from 9AM until 9PM. Occupancy counts will aid in calibrating a shared parking model for the AVSP area.
4. Prepare a shared parking analysis for the entire AVSP area based on EIR conditions.
5. Prepare a hybrid shared parking analysis for the entire AVSP area based on EIR conditions and modified for existing development and known proposed new development.



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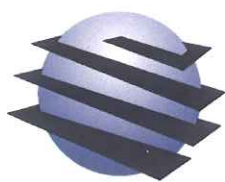
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6. Given the provisional development plans of the AVSP area, create a Draft Strategic Parking Study. The Plan is intended to be a framework for providing effective shared parking to meet the goals of the Specific Plan. The Draft Strategic Parking Study will contain a broad course of action and:
  - a. Follow the priorities outlined in the kick-off meeting;
  - b. Incorporate Walker best practices in the area of municipal and mixed-use parking planning as well as elements of the findings resulting from research and AVSP area occupancy counts;
  - c. Make recommendations in terms of the best course of action for the City in providing public parking and the overall roles of the private sector;
  - d. Identify off-street public (shared) parking locations for City purchase or lease and:
    - i. Discuss whether site would be temporary or long-term;
    - ii. Discuss yield for surface parking;
    - iii. Discuss yield for structured parking at select sites;
    - iv. Provide conceptual estimate of probable cost of improvement for each site in current year dollars (land cost not included).
  - e. Discuss how new parking supply may be phased as much as possible to serve new development as it comes on line;
  - f. Develop a flow chart or other "if then" process in order to provide the appropriate flexibility to accommodate phased development;
  - g. Develop policy regarding on-street parking management (e.g., time and user parking restrictions, max. % on street parking allocated to private development, paid parking, etc);
  - h. Further develop off-street parking policies regarding shared parking and joint-use parking (e.g. develop formulas to provide a reduction range based on uses, attendant parking, valet parking, way finding, etc.;
  - i. Identify triggers for use of possible options to provide off-site parking or parking management if striped spaces on-site cannot meet shared parking requirement.
7. Meet with City staff to discuss the Draft Strategic Parking Study and recommendations for providing parking in the AVSP area.
8. Incorporate one consolidated set of comments from City staff in order to finalize a Strategic Parking Study to create a comprehensive shared parking program in the district.
9. Meet with City staff for up to two (2) additional meetings, and two (2) additional conference calls in order to make adjustments to the Strategic Parking Study and provide assistance with the Plan's initial implementation.



### TASK B: MENU OF OPTIONS

1. Develop a menu of options for developers who may not meet on-site shared or unshared parking requirements.
  - a. Parking management techniques to increase on-site yield.
  - b. Joint parking and/or reciprocal parking agreements with nearby sites for cross-use of parking supply for employee or valet parking.
  - c. Use of public parking to meet site-required parking (based on availability of space and appropriate fees).
  - d. TDM initiatives/policies to reduce employee parking demand.
2. Advise the City regarding financing mechanisms for City-provided public parking supply (in lieu fee payment, on-street meters, parking permits, etc.).
3. Discuss development of parking districts or similar mechanisms to aid in administration, and offsetting operating costs for public supply;
4. Prepare a handout for applicants on which standards to use such as ULI provided base ratios (85<sup>th</sup> percentile) and brief definition of possible reductions, and ranges for those reductions.



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APPENDIX C:  
EXISTING LAND USE  
DETAIL

**AGOURA VILLAGE SPECIFIC PLAN**

STRATEGIC PARKING STUDY



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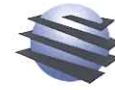
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No.	Owner	Address	Parking Inventory	Bldg. S.F.	Existing Land Uses																	
					Community Retail	Fine/Casual Dining	Family Restaurant	Fast Food	Nightclubs	Cineplex	Health Club/Studio	Office <25,000sq ft	Medical/Dental Office	Construction Rentals	Mini Warehouse							
1	Creekside Terrace(The Martin Group)	4995 Kanan Road	0	Vacant																		
2	MRCA (Conservancy)		0	No S.F.																		
3	Morehart Land Co.	29271 Agoura Rd.	83	9,694		9,694																
4	Pat Kanan Trust(Kanan Village Center)	5003-5029 Kanan Rd.	168	28,960	14,600		6,876	2,800			5,000											
5	Winners Treasure (Tuckman???)	29130 Roadside Drive	23	7,503	7,503																	
6	Kanan Prop East LLC(USA Gas Station)	5000 Kanan Road	13	2,614	2,614																	
7	Mel Adams (Agoura Equipment Rental)	29149 Agoura Road	11	4,950																4,950		
8	Shlema Moyse		0	Vacant																		
9	Artinian	29149 Agoura Road	0	Vacant																		
10	Conejo Valley U Stor	29101 Agoura Road	N/A	30,600																		30,600
11	Conejo Valley U Stor	29055 Agoura Road	N/A	94,143																		94,143
12	Kids from the Valley (Regency Theater)	29045 Agoura Road	468	49,187	6,917	2,696	1,414	1,330		1,728	4,170											
13	Whizin Market Sq. Shopping Center (Tucker)	28912 Roadside Dr.	516	83,379	35,353	16,750	900	1,406	20,210		2,640	10,448	1,200									
14	L.A. Co. Flood Control		0	No S.F.																		
15	Shuman Assoc./Ted Moore		0	Vacant																		
16	L.A. Co. Flood Control		0	No S.F.																		
17	Tuckman/AV Partners	29112 Roadside Drive	19	6,512	6,512																	
18	Bruce Whizen (Adobe Cantina Restaurant)	29100 Agoura Road	30	3,296		3,296																
19	L.A. Co. Flood Control		33	No S.F.																		
20	Agoura Village Center (Chpt. 8, etc.)	29020 Agoura Road	98	19,689	1,982				7,531		4,793	4,507	1,876									
21	Michael Malamut (Padri Restaurant)	29008 Agoura Road	28	3,500		3,500																
22	MNM Partners	28826 Roadside Drive	N/A	3,816	3,816																	
23	MNM Partners		N/A	Vacant (parking lot)																		
24	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
25	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
26	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
27	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
28a	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
28b	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
29	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
30	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
31	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
32	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
33	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
34	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
35	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
36	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
37	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
38	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
39	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
40	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
41	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
42	Agoura and Cornell Roads LP (Cornerstone Project)		0	Vacant																		
44	Shirley Berman		0	Vacant																		
45	Shirley Berman		0	Vacant																		
46	Shirley Berman		0	Vacant																		
47	Shirley Berman		0	Vacant																		
48	County Flood		0	No S.F.																		
49	County Flood		0	No S.F.																		
50	Las Virgenes MWD		0	No S.F.																		
			1490		79,297	35,936	9,190	5,536	27,741	1,728	16,603	14,955	3,076	4,950	124,743							



APPENDIX D:  
RECOMMENDED  
ZONING  
ORDINANCES –  
SHARED PARKING





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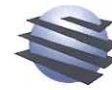
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**Shared Parking:** This approach recognizes that different land uses routinely experience peak parking accumulations at different times of the day, week or season, and that parking spaces not used by one use can often be used by another nearby use. An interrelationship between adjacent land uses can not only increase the vitality of businesses, but simultaneously result in lower combined parking demand. A good example is a combination of restaurant and office uses. The restaurant's noon business will be enhanced by the office building; many of the noon diners will be office employees already counted as being parked at the office site. In the evening, when restaurant parking demand is likely to be at its highest level, the office demand will have declined, making available some or all of the spaces required for the restaurant. The concept of shared parking is not new; the downtowns of many communities have long been a model of the benefits of shared parking.

It had been difficult to develop a reliable and widely accepted means for projecting demand until publication of the first edition of the Urban Land Institute's *Shared Parking*. Recently updated *Shared Parking* provides a method for calculating shared parking effects without resorting to an inflexible formula. It is important to note that to achieve a reduction in demand, there has to be an ability to physically share the parking. Therefore, parking for each land use cannot be physically separated and reserved for a specific user. However, the parking space supply does not have to be under a single ownership to achieve shared parking benefits.

Many ordinances today provide specific preset reductions for shared parking analysis; some prescribe an overall flat adjustment when multiple uses share parking, others prescribe flat adjustments for two specific combinations of uses. Neither is likely to be reasonably accurate, and can significantly underestimate parking needs in some situations, and grossly overestimate the parking needs in others. To prevent the latter, the flat reductions permitted are typically quite conservative, and result in more parking than may be appropriate in most cases. If a city is to reduce the "factor of safety" in flat adjustments resulting in the wasted resource of excess parking, a more site specific analysis must be prepared.

The methodology recommended in the first edition of *Shared Parking* has stood the test of 25 years of application; in 1995 an ITE committee specifically reviewed and tested the methodology and found that while many of the default values should be updated, the recommended base parking ratios should be expanded to cover more



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land uses, and other enhancements would be appropriate, the underlying methodology remains the best way to project parking needs for a particular combination of circumstances.

Therefore, the Parking Consultants Council strongly recommends that ordinances permit reduction of required parking spaces based upon a shared parking study, performed in accordance with the latest edition of *Shared Parking*, by a qualified traffic or parking consultant. The locality can facilitate the process by prescribing acceptable mode adjustments, particularly for employee parking, based on study of census data on modal splits in specific areas of the community. See also the discussion below of ridesharing adjustments. The ordinance could also set a maximum reduction in parking requirements for shared parking public hearing, approval by a zoning board, board of appeals and/or the City Council, depending on the local practice.

One of the impediments to acceptance of shared parking in communities has occurred when the proposed parking is off-site and in particular, if that parking is owned by another entity, as discussed in the following sections.

**Off-site Parking:** Many cities have added clauses allowing off-site parking to be substituted for on-site parking under certain conditions. Such zoning provisions increase the administrative duties of zoning officials, requiring them to judge the convenience, location, and type of users to confirm that shared parking is feasible. Also, many communities require a legally recorded covenant between the property owners involved to guarantee that the parking will be available and maintained for as long as the building use remains. This can be a significant impediment to development, and in particular that occurring in Smart Growth, New Urbanist and Transit Oriented Developments. We recommend that covenants NOT be required in CBD's and other zoning districts with many property owners, and on-street parking. Frankly, the better solution in such districts is to significantly reduce or waive parking requirements generally, but to encourage developers who are able to provide parking to make it available to the public at a reasonable fee. A city might still require covenants outside such districts, for new developments that share parking, but have a multiple property owners. In that case the ability to share parking has made the project more feasible, and the benefits thereof have accrued to the property values.

One of the key provisions in an ordinance should be a maximum distance from the parking to the destination. See the Walkability

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## STRATEGIC PARKING STUDY

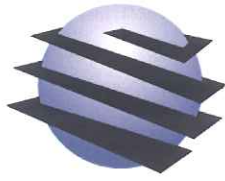


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discussion below. Again however, this requirement should be waived in zoning districts where Smart Growth, New Urbanist and Transit Oriented Developments are encouraged.



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APPENDIX E:  
SHARED PARKING –  
FUTURE CONDITIONS  
(EIR AND PROVIDED  
PLANS)

# AGOURA VILLAGE SPECIFIC PLAN

## STRATEGIC PARKING STUDY



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### EIR CONDITIONS

Land Use/User Group	Weekday					Demand
	Unadj Demand	Month Adj December	Pk Hr Adj 1:00 PM	Non Captive Daytime	Drive Ratio Daytime	December 1:00 PM
Community Shopping Center (<400 ksf)	773	100%	100%	100%	100%	773
Employee	187	100%	100%	100%	89%	166
Fine/Casual Dining	856	100%	75%	100%	100%	642
Employee	154	100%	90%	100%	89%	123
Family Restaurant	341	100%	90%	100%	100%	307
Employee	57	100%	100%	100%	89%	51
Fast Food	278	100%	100%	50%	100%	138
Employee	49	100%	100%	100%	89%	44
Nightclubs	423	100%	0%	100%	100%	0
Employee	35	100%	10%	100%	89%	3
Cineplex	328	23%	45%	100%	100%	34
Employee	17	50%	60%	100%	89%	5
Health Club	110	90%	70%	100%	100%	69
Employee	7	100%	75%	100%	89%	5
Hotel-Leisure	108	50%	65%	100%	100%	35
Employee	30	100%	100%	100%	100%	30
Residential Guest	44	100%	20%	100%	100%	9
Residential Reserved	293	100%	100%	100%	100%	293
Residential Shared, Rental	57	100%	70%	100%	100%	40
Residential Shared, Owned	126	100%	70%	100%	100%	88
Office 100k to 500k sq ft	45	100%	45%	100%	100%	20
Employee	576	100%	90%	100%	89%	461
Medical/Dental Office	9	100%	90%	100%	100%	8
Employee	5	100%	100%	100%	89%	4
Subtotal Customer/Guest Spaces	3,315					2,035
Subtotal Employee/Shared Resident Spaces	1,300					1,020
Subtotal Reserved Spaces	293					293
Total Parking Spaces	4,908					3,348
					% reduction	32%

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## STRATEGIC PARKING STUDY



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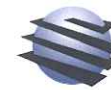
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Land Use/User Group	Weekend					Demand
	Unadj Demand	Month Adj December	Pk Hr Adj 8:00 PM	Non Captive Evening	Drive Ratio Evening	December 8:00 PM
Community Shopping Center (<400 ksf)	853	100%	65%	100%	100%	554
Employee	213	100%	75%	100%	94%	150
Fine/Casual Dining	955	100%	100%	100%	100%	955
Employee	168	100%	100%	100%	94%	158
Family Restaurant	483	100%	65%	100%	100%	314
Employee	85	100%	95%	100%	94%	76
Fast Food	262	100%	50%	50%	100%	65
Employee	44	100%	60%	100%	94%	25
Nightclubs	485	100%	75%	100%	100%	364
Employee	42	100%	100%	100%	94%	39
Cineplex	449	67%	100%	100%	100%	301
Employee	17	80%	100%	100%	94%	13
Health Club	91	90%	30%	100%	100%	25
Employee	4	100%	50%	100%	94%	2
Hotel-Leisure	120	50%	90%	100%	100%	54
Employee	22	100%	55%	100%	100%	12
Residential Guest	44	100%	100%	100%	100%	44
Residential Reserved	293	100%	100%	100%	100%	293
Residential Shared, Rental	57	100%	98%	100%	100%	56
Residential Shared, Owned	126	100%	98%	100%	100%	123
Office 100k to 500k sq ft	5	100%	0%	100%	100%	0
Employee	58	100%	0%	100%	94%	0
Medical/Dental Office	9	100%	0%	100%	100%	0
Employee	5	100%	0%	100%	94%	0
Subtotal Customer/Guest Spaces	3,756					2,676
Subtotal Employee/Shared Resident Spaces	841					654
Subtotal Reserved Spaces	293					293
Total Parking Spaces	4,890					3,623
					% reduction	26%

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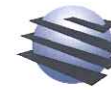
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### PROVIDED PLANS CONDITIONS

Land Use/User Group	Weekday					Demand
	Unadj Demand	Month Adj December	Pk Hr Adj 7:00 PM	Non Captive Evening	Drive Ratio Evening	December 7:00 PM
Community Shopping Center (<400 ksf)	637	100%	75%	100%	100%	478
Employee	154	100%	95%	100%	94%	138
Fine/Casual Dining	1,387	100%	100%	100%	100%	1,387
Employee	250	100%	100%	100%	94%	235
Family Restaurant	83	100%	80%	100%	100%	66
Employee	14	100%	95%	100%	94%	13
Fast Food	122	100%	80%	50%	100%	49
Employee	21	100%	90%	100%	94%	18
Nightclubs	423	100%	50%	100%	100%	212
Employee	35	100%	100%	100%	94%	33
Cineplex	257	23%	80%	100%	100%	47
Employee	14	50%	100%	100%	94%	7
Health Club	110	90%	90%	100%	100%	89
Employee	7	100%	75%	100%	94%	5
Residential Guest	30	100%	100%	100%	100%	30
Residential Reserved	202	100%	100%	100%	100%	202
Residential Shared, Rental	54	100%	97%	100%	100%	52
Residential Shared, Owned	67	100%	97%	100%	100%	65
Office <25,000sq ft	57	100%	2%	100%	100%	1
Employee	659	100%	10%	100%	94%	62
Medical/Dental Office	9	100%	30%	100%	100%	3
Employee	5	100%	30%	100%	94%	1
Banquet	59	100%	100%	100%	100%	59
Employee	15	100%	100%	100%	94%	14
Subtotal Customer/Guest Spaces	3,115					2,362
Subtotal Employee/Shared Resident Spaces	1,280					629
Subtotal Reserved Spaces	202					202
Subtotal Banquet	74					73
Total Parking Spaces	4,671					3,266
					% reduction	30%

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Land Use/User Group	Weekend					Demand December 8:00 PM
	Unadj Demand	Month Adj December	Pk Hr Adj 8:00 PM	Non Captive Evening	Drive Ratio Evening	
Community Shopping Center (<400 ksf)	703	100%	65%	100%	100%	457
Employee	176	100%	75%	100%	94%	124
Fine/Casual Dining	1,546	100%	100%	100%	100%	1,546
Employee	273	100%	100%	100%	94%	257
Family Restaurant	117	100%	65%	100%	100%	76
Employee	21	100%	95%	100%	94%	19
Fast Food	114	100%	50%	50%	100%	28
Employee	19	100%	60%	100%	94%	11
Nightclubs	485	100%	75%	100%	100%	364
Employee	42	100%	100%	100%	94%	39
Cineplex	351	67%	100%	100%	100%	235
Employee	14	80%	100%	100%	94%	11
Health Club	91	90%	30%	100%	100%	25
Employee	4	100%	50%	100%	94%	2
Residential Guest	30	100%	100%	100%	100%	30
Residential Reserved	202	100%	100%	100%	100%	202
Residential Shared, Rental	54	100%	98%	100%	100%	53
Residential Shared, Owned	67	100%	98%	100%	100%	66
Office <25,000sq ft	6	100%	0%	100%	100%	0
Employee	66	100%	0%	100%	94%	0
Medical/Dental Office	9	100%	0%	100%	100%	0
Employee	5	100%	0%	100%	94%	0
Banquet	88	100%	100%	100%	100%	88
Employee	24	100%	100%	100%	94%	23
<b>Subtotal Customer/Guest Spaces</b>	<b>3,452</b>					<b>2,761</b>
<b>Subtotal Employee/Shared Resident Spaces</b>	<b>741</b>					<b>582</b>
<b>Subtotal Reserved Spaces</b>	<b>202</b>					<b>202</b>
<b>Subtotal Banquet</b>	<b>112</b>					<b>111</b>
<b>Total Parking Spaces</b>	<b>4,507</b>					<b>3,656</b>
					% reduction	19%





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APPENDIX F:  
SAMPLE AGREEMENTS



**Appendix F: Model - Shared Use Agreement for Parking Facilities<sup>1</sup>**

Effective: \_\_\_\_\_

This Shared Use Agreement for Parking Facilities, entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, between \_\_\_\_\_, hereinafter called lessor and \_\_\_\_\_, hereinafter called lessee.

In consideration of the covenants herein, lessor agrees to share with lessee certain parking facilities, as is situated in the City of \_\_\_\_\_, County of \_\_\_\_\_ and State of \_\_\_\_\_, hereinafter called the facilities, described as:

[Include legal description of location and spaces to be shared here, and as shown on attachment \_\_\_\_.]

The facilities shall be shared commencing with the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and ending at 11:59 PM on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, for [insert negotiated compensation figures, as appropriate]. [The lessee agrees to pay at [insert payment address] to lessor by the \_\_\_\_ day of each month [or other payment arrangements].]

Lessor hereby represents that it holds legal title to the facilities

**The parties agree:**

**1. USE OF FACILITIES**

This section should describe the nature of the shared use (exclusive, joint sections, time(s) and day(s) of week of usage.

**-SAMPLE CLAUSE-**

[Lessee shall have exclusive use of the facilities. The use shall only be between the hours of 5:30 PM Friday through 5:30 AM Monday and between the hours of 5:30 PM and 5:30 AM Monday through Thursday.]

**2. MAINTENANCE**

This section should describe responsibility for aspects of maintenance of the facilities. This could include cleaning, striping, seal coating, asphalt repair and more.

**-SAMPLE CLAUSE-**

[Lessor shall provide, as reasonably necessary asphalt repair work. Lessee and Lessor agree to share striping, seal coating and lot sweeping at a 50%/50% split based upon mutually accepted maintenance contracts with outside vendors. Lessor shall maintain lot and landscaping at or above the current condition, at no additional cost to the lessee.]

**3. UTILITIES and TAXES**

This section should describe responsibility for utilities and taxes. This could include electrical, water, sewage, and more.

**-SAMPLE CLAUSE-**

[Lessor shall pay all taxes and utilities associated with the facilities, including maintenance of existing facility lighting as directed by standard safety practices.]

**4. SIGNAGE**

This section should describe signage allowances and restrictions.

**-SAMPLE CLAUSE-**

[Lessee may provide signage, meeting with the written approval of lessor, designating usage allowances.]



5. ENFORCEMENT

This section should describe any facility usage enforcement methods.

~~-SAMPLE CLAUSE-~~

[Lessee may provide a surveillance officer(s) for parking safety and usage only for the period of its exclusive use. Lessee and lessor reserve the right to tow, at owners expense, vehicles improperly parked or abandoned. All towing shall be with the approval of the lessor.]

6. COOPERATION

This section should describe communication relationship.

~~-SAMPLE CLAUSE-~~

[Lessor and lessee agree to cooperate to the best of their abilities to mutually use the facilities without disrupting the other party. The parties agree to meet on occasion to work out any problems that may arise to the shared use.]

7. INSURANCE

This section should describe insurance requirements for the facilities.

~~-SAMPLE CLAUSE-~~

[At their own expense, lessor and lessee agree to maintain liability insurance for the facilities as is standard for their own business usage.]

8. INDEMNIFICATION

This section should describe indemnification as applicable and negotiated. This is a very technical section and legal counsel should be consulted for appropriate language to each and every agreement.

~~-NO SAMPLE CLAUSE PROVIDED-~~

9. TERMINATION

This section should describe how to or if this agreement can be terminated and post termination responsibilities.

~~-SAMPLE CLAUSE-~~

[If lessor transfers ownership, or if part of all of the facilities are condemned, or access to the facilities is changed or limited, lessee may, in its sole discretion terminate this agreement without further liability by giving lessor not less than 60 days prior written notice.

Upon termination of this agreement, Lessee agrees to remove all signage and repair damage due to excessive use or abuse. Lessor agrees to give lessee the right of first refusal on subsequent renewal of this agreement.]

10. SUPPLEMENTAL COVENANTS

This section should contain any additional covenants, rights, responsibilities and/or agreements.

~~-NO SAMPLE CLAUSE PROVIDED-~~

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date Set forth at the outset hereof.

[Signature and notarization as appropriate to a legal document and as appropriate to recording process negotiated between parties.]

<sup>1</sup> [http://transtoolkit.mapc.org/Parking/Strategies/shared\\_parking.htm](http://transtoolkit.mapc.org/Parking/Strategies/shared_parking.htm) (accessed December 17, 2008), Stein Engineering.



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