



Management Committee COST 342

Parking Policy Measures and their Effects on Mobility and the Economy

Subject: Overview of national-regional parking policies.

Spain

National Overview

In the following pages it is intended to summarise briefly the legislative framework of transport and parking in Spain. Nevertheless it is important to stress that, as it happens in other countries, parking policies are developed and applied normally at a local level, so that a national overview can only offer the general guidelines for transport policies, but with a small contents regarding parking.

The following index is followed for this description:

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 - Case of Madrid: land use and transport legislation

1. National framework

The **Spanish Constitution** 1978 has, as one of the basis of the State, the division in regions (Comunidades Autónomas), with a distribution of responsibilities, with the idea that these regions can develop increasingly more legislation and administration issues, and the central government can be rid of most of the aspects that are particularly related to the regional level.

Regarding land transport, the Spanish constitution states that the Regions can get responsibilities on railways and roads whose routes are within the area of the region, while the state has exclusive responsibility on railways and roads which are of a national or international level. The Constitution stresses also the importance of the local governments (municipalities), as part of this three leg of the Spanish administration system.

The practical application of this system has led the regions to assume an important role in transport policies, while the local governments are also very active, particularly in parking issues.

1.1 Legislation on land use

Land use is regulated by a national law, called “Ley del Suelo” 1996 (Land Use Act), which establishes that there must be Land Use Master Plans developed at a municipal level (Plan General de Ordenación Urbana), which are the central basis for the land use developments. These plans have a periodicity of 8 eight years.

The aspects that are included in this law are:

- Land use Planning
- Land use regulations
- Implementation of urban developments
- Other complementary issues

Although the municipal Land use Master Plans are the key instruments for land use planning, the law recognises the possible existence of a national Master plan for national strategic issues, and the Regional Land Use Plans, with an strategic view also, but more focused to the regional level. Any development included in these higher level Plans must be adapted and discussed with the local governments, to be included in the Municipal Land use Master Plans. Besides, the regional governments have the responsibility to approve or to reject the local Plans developed by the municipalities. In this way it is intended that municipal plans are coherent with a more strategic regional approach.

The Land Use Act is complemented with the Reglamento de Planeamiento (Planning Regulations), which develop with more detail some aspects of the law.

This Planning regulations are interesting for parking issues, since they establish some standards that are applicable at a national level for land use developments. They are extracted in the following paragraphs.

The detail plans to be developed as a consequence of the Land Use Master Plan, must have some standards regarding public and private services, which have to be met in the different types of land uses. The following are differentiated:

- For household use:
 - Green areas and children areas
 - Cultural and educational centres
 - Services of public interest: sport facilities, commercial areas, social buildings
 - Parking
 - Walking areas and preferential routes
- For industrial use
 - Green areas
 - Services of public interest: sport facilities, commercial areas, social buildings
 - Parking

- For service areas there are two situations:
 - Only service employment areas:
 - Green and walking areas
 - Services of public interest: sport facilities, commercial areas, social buildings
 - Parking
 - Service areas mixed with household areas
 - Green areas, walking and children areas
 - Educational centres
 - Services of public interest: sport facilities, commercial areas, social buildings
 - Parking
 - Walking routes

Regarding parking standards, the Planning regulations state the minimum number of parking places according the different land uses:

Household areas

The standards are established according the following ratios

Parking standards for household use	
Household units	Parking places
Basic Unit (up to 250 households)	1 place/100 m ² built
Medium unit (up to 500 households)	1 place/100 m ² built
Integrated unit (up to 1.000 households)	1 place/100 m ² built
Between 1000-2000 households	1 place/100 m ² built
Between 2000-5000 households	1 place/100 m ² built
More than 5.000 households	As minimum standard will be taken the 2000-5000 households one, but if the Implementation Plan is more than 5.000 households, the standard will have to be specifically located and calculated for the upper level development Plan

Industrial areas

The normal standard will be 1 place/100 m² built.

Service areas

The normal standard will be 1 place/100 m² built.

The parking standards must meet the following conditions:

- Parking places must have a surface minimum of 2,20 x 4,50 m

- The minimum parking surface including the access space will be no less than 20 m²
- Of the total number of places as result of the application of the parking standards, a 2% minimum will be for handicapped people
- A maximum of 50% of the total number of places will be on-street. In household areas the standards are applicable for off street parking.

As it can be seen, there is no variation between the parking standards, neither it is taken into account public transport accessibility or other factors that can influence the parking standards.

1.2 Legislation on transport

The basic law for land transport is the Ley y Reglamentación de Ordenación de los transportes terrestres (Land transport Act and regulations). This law organises the land transport, establishing the rules that are applied globally to every land transport mode with specific sections for road transport and railways.

Nevertheless, the degree of regulation is flexible enough, so that the regions can develop their own specific regulations, within the general framework of this law. This law tries to describe a general legislative framework with common objectives in the Spanish state, but being compatible with the existence of differentiated regulations that try to give response to different needs in the regions.

The law is applicable to interurban and urban transport, although in this latter case the degree of detail is very low. There is no specific reference to parking.

1.3 Legislation by modes

- Road Act

In Spain, due to the existing administrative structure, there have been several specific mode plans, as the National Road Plan, whose main guidelines are:

- To implement the necessary road network at a national level with the goals of integration of the environment, historic and social frameworks
- To contribute to the improvement of the social and territorial equilibrium
- To plan and manage the national network with economic criteria, taking advantage of the existing assets.

- Maritime transport and Air Navigation

For air and maritime transport, the Spanish Constitution gives responsibility to the central government for goods transport, signalling and ship registration, ports

of general interest, air space control, air transport, etc. The main laws regarding these modes are:

- Law 27/1992, State ports and Maritime Goods transport
- Law 48/60, air traffic regulations

1.4 Other important regulations

- Law 18/89 Highway code. It regulates the traffic, vehicle circulation and safety. As it happens in other countries, it contains specific sections on parking, but under a traffic and regulation view.
- Laws on Environment.

In Spain, the legislative framework is based under the royal legislative act 1302/86, which includes the norms imposed by european directives, and the royal legislative act 1131/88, which corresponds to the specific regulations of the previous act.

The Impact Assessment regarding transport in the general regulations includes only “ construction of long distance motorways, highways and railways of new alignment, airports with landing and take off lanes longer than 2.100 m and airports of specific use”. In following regulations, the list of schemes for Impact Assessment is enlarged.

The Spanish Constitution establishes also that the Regions can have responsibilities on environment protection, being generally the regional regulations more detailed than the state regulations.

2. Regional framework

The Spanish constitution, as it was mentioned, indicates that the Comunidades Autónomas (Regions), can have responsibilities regarding railways and roads, whose routes are completely within the region. The responsibilities which in practice have been developed by the different regions are the following:

- Land transport within the region. In some regions they have also legislation on maritime and inland water transport.
- Logistic and good interchanges and terminals
- Passenger and good transport with origin and destination within the region, although they can use state infrastructure

In the case of **Madrid**, the following legislation and planning figures can be stressed:

2.1 Plan Regional de Estrategia Territorial (Regional Strategic Master Plan)-PRET

It is the basic instrument for land use planning in the region of Madrid, which establishes the main actions and schemes of a regional interest, and which co-ordinates other Plans like the Municipal Land Use Master Plans and other specific Planning. Its goals are:

- The description of objectives and strategies to structure and organisation of the territory in the Region of Madrid
- The managing structure of land use regulations in the region to implement the different strategies
- The guidelines for the co-ordination and compatibility of the municipal planning and other specific planning instruments

The PRET includes general guidelines and proposal of new urban developments and location in the region, as well as the structure of transport networks to cover the region, but there is no specific reference to parking policies.

2.2 Other Transport laws

- Law on Roads in the region of Madrid, which defines the road network in the region, the planning regulation, the construction, maintenance, financing and use and the relations with the land use planning and other transport and urban regulations.
- Law on accessibility and elimination of architectural barriers

3. Municipal framework

In terms of land use planning, the Land Use act establishes the municipal planning as a central instrument in the Spanish system. This municipal planning is developed under the Land Use Master Plans or the Planning regulations for smaller municipalities.

These Plans are co-ordinated with the regional and state planning in the way it was mentioned in previous sections.

Besides the land use planning, the municipalities have their own regulation concerning several aspects of their responsibilities, one of them the traffic regulations and the parking policies. The central instrument for developing these policies are the Ordenanzas (local regulations).

In the case of **Madrid**, the regulations dealing with traffic in the city include several restraints for parking in two ways:

- Location of spaces for parking and indications of the cases for parking prohibition.
- Regulation of the parking duration in several areas of the city

There are also specific regulations for the development of other parking policies as the construction of resident parking facilities.

Each municipality in Spain develops specific local regulations on traffic and parking policies and organisation.