
SALT LAKE CITY COUNCIL MEMORANDUM

DATE: December 9, 2005

SUBJECT: Proposed amendments to City Parking Permit Program, Section 12.64.020 *Salt Lake City Code*, and enacting Section 12.64.175 *Salt Lake City Code* relating to emergency procedures for a temporary parking permit area

STAFF REPORT BY: Sylvia Jones, Research and Policy Analyst

KEY ELEMENTS:

In an effort to resolve parking issues for neighborhoods surrounding the Capitol during legislative sessions, and in particular, during the construction period for the renovation of the State Capitol which may compound the current parking situation, Council Member Jergensen has met with members of the Administration to discuss present, available options, ordinance language, and existing timelines. Council Members may wish to note that there is insufficient time between now and the upcoming legislative session to follow the normal process for creating a residential permit area in the Capitol Hill neighborhood.

Council Member Jergensen is requesting the Council's support to allow a shorter process to be used in this type of situation. This process can only be used in what is to be defined as an "emergency situation," where there is insufficient time to complete a normal review process, where the Transportation Director believes there is a significant impact if the permit area is not created and where the area is likely to meet the standard threshold criteria of impact. This process will include public notification and a comment period. It will also initiate the standard process to convert the temporary permit area (maximum duration of 180 days) into either a seasonal or year-round permit area.

To resolve the parking issues, the Transportation Division has suggested that the City could establish regulations for creating temporary residential parking permit areas. The Attorney's Office has provided amendments to the existing ordinance relating to the City Parking Permit Program, and new ordinance language establishing emergency procedures for a temporary parking permit area.

This allows implementation of a parking permit program in a shorter timeframe than what is currently in place. The current process takes several months due to the requirements for a parking study, public hearing, and comment period, etc., before a residential permit area can be initiated. Because the legislative session is coming up quickly, the Transportation Division would not have time to set up a parking permit program this year using the existing ordinance.

Transportation personnel conducted an initial study to determine which streets seem to be most affected. According to the Transportation Director, the Capitol Hill neighborhood streets do not currently meet the threshold criteria for the regular (year-round) neighborhood parking program; however, the streets will likely meet the threshold criteria for the seasonal

parking program, meaning this parking problem is a seasonal (legislative session time period) issue only.

Council Member Jergensen has been in contact with the State Capitol Preservation Board. *Council Members may wish to ask what options the State Capitol Preservation Board is suggesting and/or considering.*

Given that the legislative sessions take place during the first three months of each year, the Transportation Division anticipates that the parking permit program and restrictions will only be applicable approximately January 10 through March 10 of each year. The Transportation Division suggests a one-hour parking restriction for the neighborhoods located east and north of the Capitol. After receiving feedback from the Capitol Hill community, Transportation will identify the participating streets and neighborhoods, and may make any necessary adjustments. *Council Members may wish to ask whether this area will be re-evaluated once the Capitol renovation is completed.*

As mentioned previously, the Attorney’s Office drafted changes to the existing ordinance and created new ordinance language for emergency procedures to establish a temporary parking permit area. The legislative versions of the ordinances are included in your Council packets. A summary of the most significant changes and additions are summarized below.

Current Ordinance for City Parking Permit Program, Section 12.64.020 Definitions

1. A definition for an ‘emergency parking situation’ was added to allow the City to recognize and act in situations where the “tranquility, safety, health or welfare of inhabitants” of a particular neighborhood may be threatened by a parking situation. This may include the use of a facility in or around a neighborhood that, in the opinion of the Transportation Director does the following:
 - (a) Is likely to result in the neighborhood qualifying as a city parking permit area or a seasonal city parking permit area
 - (b) Where the use of the facility appears to be unfavorable or hostile to one or more objectives of the city permit parking program as set forth by ordinance
 - (c) Where a use can be identified, forecast and is repetitive, (as in the case of the legislative sessions).

New Ordinance Section 12.64.175 Emergency Procedures – Temporary Parking Permit Area

The following ordinance language was created to address emergency procedures for a temporary parking permit area, and requires the following at a minimum:

1. An informal public meeting is to be conducted as soon as possible after the Transportation Director determines that an emergency situation exists. This meeting will allow an opportunity to publicly announce the Director’s determination of the emergency situation and details of the proposal regarding the establishment of a temporary city parking permit area and the accompanying regulations. This also allows for verbal public comment and continuing written comment regarding the determination and proposals. Informal notice of the meeting will be given to the residents, business owners and property owners of the proposed parking permit area as determined appropriate by the

Director.

2. Following the informal meeting and after receiving comments from attendees, the Director will review and modify the parking permit area and proposed temporary regulations, or the Director may abandon the proposal. If the Director proceeds, the Director shall file a report with the City Recorder and make copies available to the public upon request. The report will include the following:
 - (a) Significant topics and concerns raised at the informal meeting
 - (b) Preliminary findings and conclusions justifying the implementation of the temporary city parking permit area and temporary regulations, and a declaration of an emergency parking situation
 - (c) The boundaries of the temporary city parking permit area
 - (d) Parking regulations, including administrative provisions for issuing permits
 - (e) Implementation schedule indicating when the temporary city parking permit area will become effective.
3. The regulations for a temporary city parking permit area will be effective for no more than one hundred eighty (180) days.
4. No later than ninety (90) days following the effective date of implementing the temporary city parking permit area, the Director will initiate the procedures for the possible designation of a regularly approved city parking permit area as provided by ordinance which will take the place of the temporary city parking permit area.
5. The Transportation Director has the discretion to adjust the boundaries and regulations of the temporary city parking permit area during the time that the temporary city parking permit area and temporary regulations are in effect. Any adjustments or amendments to the previously issued report from the Transportation Director will be filed with the City Recorder and made available to the public upon request.

**City Permit Parking
For
The State Capitol area**

DRAFT Schedule

December 2005						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7 Deliver draft ordinance to Council office	8	9 Draft ordinance delivered to Council in meeting packet	10
11	12	13 Council adopt ordinance change	14 Flyer neighborhood with proposal and informal public hearing notice	15	16	17
18	19	20	21 Noon – 1 PM Conduct informal public hearing	22 Flyer neighborhood with plan and info to buy permits	23 Begin manufacturing signs and install in time for 1/10 start	24
25 Christmas	26 Holiday	27	28	29	30	31

January 2006						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 New Years Day	2 Holiday	3	4	5	6	7
8	9	10 First day of CPP area. Begin issuing warning notices to violators.	11	12	13	14
15	16 First day of Legislative Session	17	18 Begin issuing real citations	19	20	21
22	23	24	25	26	27	28
29	30	31				

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Emergency Parking Permit Procedures)

AN ORDINANCE AMENDING SECTION 12.64.020, *SALT LAKE CITY CODE*, RELATING TO DEFINITIONS REGARDING CITY PARKING PERMIT PROGRAM, AND ENACTING SECTION 12.64.175, *SALT LAKE CITY CODE*, RELATING TO EMERGENCY PROCEDURES - TEMPORARY PARKING PERMIT AREA.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.64.020, *Salt Lake City Code*, pertaining to definitions regarding the City parking permit program be, and the same hereby is, amended to read as follows:

12.64.020 Definitions:

A. As used in this Chapter:

"Address" means the street number and applicable apartment/condominium number for each dwelling unit, business, or other use. Each apartment or commercial unit is regarded as a unique address.

"Area" refers, irrespective of zoning, to a geographical region, not necessarily contiguous, where residents dwell and businesses may operate.

"Area business" means any professional establishment or nonresident property owner whose business property is located within a City parking permit area.

"Area permittee" means an area resident or an area business which has received from the Transportation Division an authorized area regular permit or an authorized seasonal City permit.

"Area regular permit" or "regular permit decal" means the permanent adhesive decal issued by the parking permit coordinator for assignment to vehicles under the legal control of area residents and businesses.

"Area resident" means any person who dwells or resides within a parking permit area.

"Area seasonal permit" means a permanent adhesive decal issued by the parking permit coordinator for assignment to vehicles under the legal control of area residents and businesses of a seasonal City permit area.

"Area vehicle" means a vehicle that originates from inside a permit area and is under the control of area residents or area business owners and includes automobiles, trucks, motorcycles, or other motor-driven forms of transportation. It does not include boats and trailers.

"City permit area" or "parking permit area" means any officially designated permit parking area within the corporate limits of Salt Lake City wherein motor vehicles displaying a valid permit as described herein shall be exempt from parking regulations or restrictions solely applicable to commuter vehicles.

"City permit program" means Salt Lake City's permit parking program, as a whole, administered by the Transportation Engineer and operated by the parking permit coordinator pursuant to the provisions and regulations of this Chapter.

"Commuter vehicle" means a motor vehicle parked in a City permit parking area that: 1) is not under the control of an area resident, business owner or property owner, and 2) does not bear a permit for the designated area.

"Declaration" is the final action taken by the Transportation Engineer setting the conditions for either approval or denial of the proposed City permit area.

"Director" or "Transportation Director" or "Transportation Engineer" means the Director of the Transportation Division of the City.

"Dwelling" means a building, or portion thereof, which is designated for residential purposes. Such dwelling must bear an address assigned by the City Engineer. The number of independent dwelling units recognized therein shall not exceed the number authorized under permit for zoning.

"Emergency parking situation" means a parking situation that, in the reasonable opinion of the Director, causes a threat to the tranquility, safety, health or welfare of inhabitants of a City neighborhood that will be addressed by implementing temporary permit parking procedures. An emergency situation may include, but is not limited to,

the use of a facility within or adjoining a neighborhood that in the reasonable opinion of the director: (1) is likely to result in the neighborhood qualifying as a City parking permit area or a Seasonal City parking permit area, whether such use is governmental or otherwise, (2) which use appears to the director to be inimical to one or more of the objectives of the City permit parking program as set forth in Section 12.64.010 B or its successor, and (3) where such use can be identified, forecast and is repetitive.

"Guest permit" means the portable card stock placard issued by the parking permit coordinator to area residents and area businesses for use on vehicles under the legal control of guests, customers and/or clients during periods when persons operating said vehicles are actually visiting or engaged in business at the permittee's address not to exceed two (2) days per visit.

"Lease" means that a person pays rent or other remuneration for use of a parcel of real property as such person's residence or place of business.

"Owns" means that a person has at least one-quarter (1/4) of the fee or equitable interest in a parcel of real property within a City permit parking area.

"Permit parking coordinator" refers to the person designated by the Transportation Engineer to operate and manage the permit parking program, including the implementation and operation of permit parking areas, on a routine, daily basis.

"Permit vehicle" refers to any vehicle properly displaying area regular, area seasonal, guest, or temporary visitor permit, issued by the parking permit coordinator for authorized use on such vehicles.

"Permit year" refers to the twelve (12) month period set for the administration of a City permit area, including the expiration and renewal of permit area regular and guest permits.

"Program" means and shall refer to the process of designation, administration and enforcement of all City parking permit areas and regulations established by the Transportation Engineer pursuant to the provisions of this Chapter.

"Regular permit decals" means the permanent adhesive decal issued by the parking permit coordinator for assignment to vehicles under the legal control of area residents and area businesses.

"Resident" means a person who resides in the City parking permit area on a regular basis.

"Seasonal City permit area" or "Seasonal City parking permit area" means an area which meets the criteria for a City permit area as set forth in Section 12.64.040 of this Chapter except that the twenty five percent (25%) or higher occupancy by commuter vehicles is the result of special events occurring continually over a period of less than nine (9) months and more than two (2) months each year.

"Temporary City parking permit area" means a City parking permit area established on a temporary basis pursuant to Section 12.64.175 or its successor.

"Temporary visitor permit" means the temporary disposable paper permit issued for a predetermined length of time, not to exceed forty five (45) days, to area residents and area businesses for use on vehicles under the legal control of service persons, operators of construction vehicles or equipment, and long-term visitors at the area permittee's address.

B. The masculine form, as used in this Chapter, if applicable as shown by the context thereof, shall also apply to a female person.

SECTION 2. That Section 12.64.175, *Salt Lake City Code*, pertaining to emergency procedures – temporary parking permit area be, and the same hereby is, enacted to read as follows:

12.64.175 Emergency Procedures – Temporary Parking Permit Area.

In the event the transportation director determines that an emergency parking situation exists, the director may implement procedures for the establishment of a Temporary City permit parking area. Such procedures shall, at a minimum, include:

A. Conducting an informal public meeting as soon as is practicable after the determination of the emergency situation. The purposes of the meeting are to allow the director an opportunity to announce to the public the director's determination of the emergency situation and of the details of the director's proposal regarding the establishment of a Temporary City permit parking area and of temporary regulations

pertaining thereto and to allow verbal public comment at said meeting and continuing written comment thereafter regarding said determination and proposals. The director shall give whatever informal notice of said meeting to the residents, business owners and property owners of the proposed Temporary City parking permit area the director deems appropriate under the circumstances. Such notice may include the distribution of flyers throughout the said area. The formal notice requirements of Section 12.64.050 or its successor shall not apply to this informal meeting.

B. Following the informal meeting and receiving the comments from those in attendance, the director shall make whatever further review and modifications of the proposed Temporary City parking permit area and proposed temporary regulations the director may deem appropriate or the director may abandon the proposal. If the director determines to proceed with the proposal after such further review, the director shall reduce such decision to writing in the form of a report that shall be filed with the City Recorder and made available to any interested party upon request. Said report shall include:

1. Significant subjects and concerns raised at the informal meeting conducted;
2. Preliminary findings and conclusions justifying the implementation of the Temporary City parking permit area and temporary regulations and a declaration of the emergency parking situation;
3. The boundaries of the Temporary City parking permit area;
4. The parking regulations, including administrative provisions for issuing permits; and

5. An implementation schedule indicating when the Temporary city parking permit area will become effective.

C. No such Temporary City parking permit area or temporary regulations shall remain in effect for more than one hundred eighty (180) days.

D. No later than ninety (90) days following the effective date of implementing the Temporary City parking permit area, the director shall put into place procedures for the possible designation of a regularly approved City parking permit area as provided in this chapter, to take the place of the Temporary City parking permit area.

E. The director shall have discretion to make adjustments as the director may deem appropriate to the boundaries of the Temporary city parking permit area and to the temporary parking regulations during the period that the Temporary City parking permit area and temporary regulations are in effect. The director shall reduce such adjustments to writing in the form of amendments to the previously issued report, which amendments shall be filed with the City Recorder and made available to any interested party upon request.

SECTION 3. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

ATTEST:

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

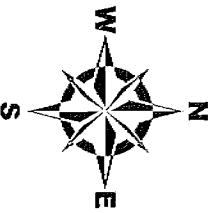
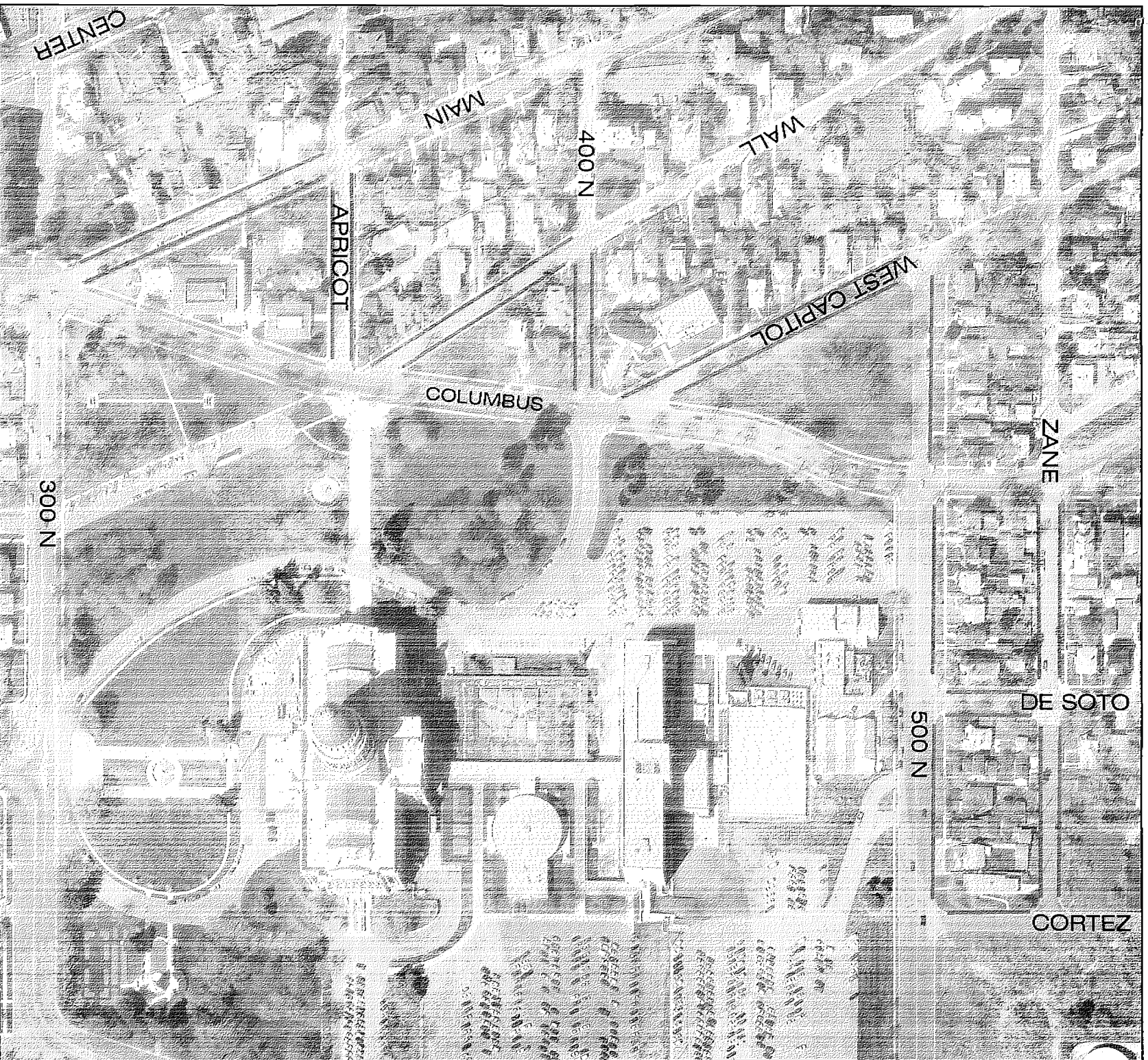
Ordinance 05VA Amending Chapter 12.64 re City Parking Permit Program 12-06-05 draft #3.

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22	23 Begin issuing real citations	24	25	26	27	28
29	30	31				



CAPITOL HILL PARKING STUDY



SALT LAKE CITY CORPORATION
DIVISION OF TRANSPORTATION
349 SOUTH 200 EAST, SUITE 450

DRAWN BY: K. BELL 12/5/2005