


City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 10, 2008

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CONSIDERATION OF PROPOSED AMENDMENTS TO THE
RESIDENTIAL PERMIT PARKING PROGRAM

ISSUE: Amending the residential permit parking program to: (1) continue allowing in-home health care providers to obtain temporary parking permits in order to provide services at residences in parking districts, and (2) allow nonresident owners of properties in parking districts; to obtain temporary parking permits for persons who are doing business at their residential properties.

RECOMMENDATION: That City Council:

1. Receive the recommendations of the Traffic and Parking Board for changes in the City's permit parking program; and
2. Request the City Attorney to docket an ordinance implementing the recommended changes.

BACKGROUND: In June 2005, Council amended City Code section 5-8-74(1)(b) to allow issuance of district parking permits to health care providers who are providing in-home health care services to residents of a permit parking district. As adopted, this amendment included a sunset provision that expired on June 30, 2006. The proposed amendment removes this sunset provision, thereby allowing issuance of district parking permits to in-home health care providers on a permanent basis.

City Code section 5-8-74(4) allows issuance of up to three temporary permit parking permits, valid for up to 30 days, to persons doing business at a parking district residence upon request of the resident. The proposed amendment would also allow nonresident property owners to request these temporary parking permits.

Both proposed amendments were considered by the Traffic and Parking Board following public hearing in June 2008, and unanimously recommended to Council for adoption by the Board.

DISCUSSION:

1. **District Parking Permits for In-Home Health Care Providers.** At the request of former Vice Mayor Andrew Macdonald in 2004, staff proposed amending the City Code to allow issuance of one district parking permit per residence for either an in-home health or day care provider. This proposal was referred to and considered by the Traffic and Parking Board, which returned a recommendation to Council that City Code be amended to allow issuance of district parking permits health care providers only, finding no material distinction among day care providers, nannies and tradespersons, and other commuting workers who desire to park close to their places of employment. The Board recommendation and an ordinance amending City Code to allow issuance of district parking permits to both health and day care providers were presented to City Council for consideration in June 2005. Following public hearing, Council adopted an amended ordinance with all provisions related to issuing district parking permits to day care providers deleted. In preparing the current proposal, staff reconsidered provisions for day care providers, but do not recommend that they be included at this time.

While considering allowing district parking permits to be issued to health care providers, there was concern that these permits might be abused. Accordingly, Council directed that this change be implemented on a trial basis by including a sunset provision in the adopted ordinance. To date, this provision has been well received and helps lower stress on residents who require the services of an in-home health care provider. Although the sunset provision date has already passed, City staff continued to allow permits to be issued as the demand for such permits has been very low. The one resident currently participating in the program has provided the necessary certification from a medical professional. Since it appears that this provision is being used in a manner that is consistent with Council's intent, staff recommends that it be adopted as a permanent part of the district parking program.

2. **Temporary Business Parking Permits for Nonresident Property Owners.** Under the current City ordinance, nonresident owners of property in parking districts cannot currently obtain parking permits for their vehicles, or for the vehicles of guests, visitors or persons doing business at their residential properties. Thus, when hiring a contractor to maintain or upgrade an occupied property, the nonresident owner must ask the tenant to obtain any needed temporary parking permits for the contractors. If a property is vacant and the nonresident owner desires to make improvements or renovations prior to occupancy, the owner cannot obtain temporary parking permits for contractor vehicles, which may needed to store the tools and equipment necessary to complete the work.

The proposed amendment will make it possible for nonresident property owners to obtain temporary parking permits for persons doing business at their property. This amendment applies to residential properties only and retains the limit of three temporary parking permits per property, valid for up to 30 days.

FISCAL IMPACT: None

ATTACHMENT: Proposed Changes in City Code

STAFF:

Richard J. Baier, Director, Dept. of Transportation & Environmental Services
Laura Triggs, Director, Dept. of Finance

Proposed Changes in City Code

(Note: Text to be deleted text is shown as ~~striketthrough~~. Text to be added is underlined.)

Sec. 5-8-74 Parking permits; issuance.

Except as provided in subsection (6), the city manager shall, upon payment of the fee provided for by this article, issue permits to natural, but not corporate, persons who reside in a dwelling located within the boundaries of a permit parking district authorizing the parking of motor vehicles in such district for more than the consecutive hour limitation in effect in the district, as follows:

(1) to persons who reside in a permit parking district or to persons who both reside in a dwelling located on a block adjacent to an existing permit parking district where parking on said block is controlled by time limits set by official signs or metered parking and lack adequate alternative nearby parking facilities available to them, as determined by the city manager or the manager's designee:

(a) one permit for each vehicle belonging to such persons for which the persons have paid all personal property taxes imposed thereon by the city and which displays a valid license windshield tag issued pursuant to the provisions of section 3-2-321 et seq. of this code. Such permits shall be valid from July 1 or, if later, the date of issuance through November 15 of the following year. Applicants for permits issued pursuant to this subsection shall provide proof of residence and, for each vehicle for which a permit is sought, a motor vehicle registration card issued by the division of motor vehicles and proof of payment of all personal property taxes and license taxes imposed thereon by the city; and

(b) one permit per residence for a health care provider providing health care services at the residence. Permits issued under this paragraph (b) are not vehicle specific and may be transferred to different vehicles, but the use of such permits other than by persons providing health care services at the residence or other than during such times as they are providing health care services at the residence (or are in the immediate process of coming or going from the residence in connection with providing health care services at the residence) is prohibited. Such permits shall be valid for up to one year and will expire on October 5, annually. Applicants for permits issued pursuant to this paragraph (b) shall provide proof of residence, a notarized certification that a permanent resident is receiving health care services at the residence, and a written statement from a licensed medical professional that a permanent resident is receiving health care services at the residence. ~~The provisions of this paragraph (b) shall expire on June 30, 2006, and no permit issued hereunder shall be valid after such date.~~

For permits issued to a person or renewed pursuant to paragraph (a) of this subsection, there shall be imposed a fee of \$15 for the first vehicle, \$20 for the second vehicle, and \$50 for each additional vehicle. Any person who has been issued a permit for a vehicle pursuant to paragraph (a) of this subsection may obtain a replacement permit for use on another vehicle registered in such person's name, upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of \$1. For permits issued to a person or renewed pursuant to paragraph (b) of this subsection, there shall be imposed a fee of \$50 per permit.

(2) to persons who are visitors at a residence within a permit parking district on the application of the resident, one permit for any vehicle used by such person during the visit, which permit shall be valid for a maximum of 30 days but shall not be renewed; provided, that permits may be issued to no more than two visitors to the same residence at the same time. A \$5 fee shall be charged for any permit issued pursuant to this subsection for a period of more than seven days.

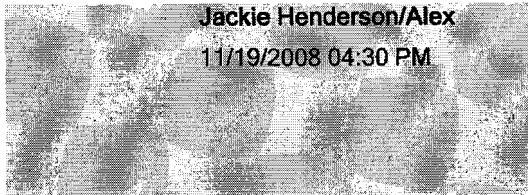
(3) to persons who are guests at a residence in a permit parking district on the application of the resident, one permit for any vehicle used by such person while a guest at the residence, which permit shall be valid for a date certain or portion thereof; provided that the number of permits issued under this subsection shall not at any time exceed 50 percent of the number of parking spaces in which they are valid; provided further, that no permit shall be issued under this subsection except upon a showing by the resident making application therefor that during the hours for which the permit is to be issued his residence will be used and occupied in a manner which is both lawful and not inconsistent with the residential character of the permit parking district in which it is located, and unless it shall be found that the issuance of the permit or permits will not unduly impair traffic safety during the time of their validity; provided further, that, notwithstanding any provision of this subsection to the contrary, up to 10 self-validating guest permits shall be issued in any calendar month for the guests of any residence located in a permit parking district upon the application of a person residing in the residence. Any permit issued pursuant to this subsection may be limited to certain streets or portions thereof in the permit parking district for which the permit is issued.

(4) to persons doing business with a resident **or a nonresident property owner of a property located within** a permit parking district on the application of the resident **or nonresident property owner**, one permit for the vehicle used while doing business in the permit parking district; provided, that such permits may be issued to no more than three persons doing business at the same residence at the same time. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the resident **or nonresident property owner** to be required for completing the business transaction for which the permit is sought, and in no event shall any permit be valid for more than 30 days.

(5) whenever a holder of a permit issued under this section is no longer qualified to possess the permit, the permit shall be invalid and shall be returned to the director of finance.

(6) permits shall not be issued to persons who reside in a residential development which is subject to a special use permit, to the extent the residents, visitors, guests or business-invitees within such development are excluded by the special use permit from eligibility for one or more of the permits described above in subsections (1), (2), (3) or (4). (Code 1963, Sec. 22-121.16, as amended by Ord. No. 2414, 11/27/79, Sec. 1; Ord. No. 2532, 12/13/80, Sec. 1; Ord. No. 2540, 1/27/81, Sec. 1; Ord. No. 2962, 6/27/84, Sec. 2; Ord. No. 3129, 5/27/86, Sec. 3; Ord. No. 3215, 5/26/76, Sec. 5; Ord. No. 3296, 6/18/88, Sec. 2; Ord. No. 3325, 9/24/88, Sec. 2; Ord. No. 3602, 11/14/92, Sec. 1; Ord. No. 3658, 9/18/93, Sec. 3; Ord. No. 3871, 6/15/96, Sec. 6; Ord. No. 4096, 12/18/99, Sec. 1; Ord. No. 4407, 6/21/05, Sec. 1)

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11-19-08



Jackie Henderson/Alex

11/19/2008 04:30 PM

To Gloria Sitton/Alex@Alex

cc

bcc

Subject Fw: COA Contact Us: residential parking permits - daycare workers

----- Forwarded by Jackie Henderson/Alex on 11/19/2008 04:29 PM -----



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11/19/2008 03:50 PM

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Subject COA Contact Us: residential parking permits - daycare workers

COA Contact Us: Mayor, Vice Mayor, and Council Members

Time: [Wed Nov 19, 2008 15:50:29] IP Address: [151.200.117.33]

Issue Type: Mayor, Vice Mayor, and Council Members

First Name: Katie

Last Name: Wiegmann

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Email Address: katie.wiegmann@verizon.net

Subject: residential parking permits - daycare workers

I understand you will be addressing a proposed amendment to the residential parking permit program tonight.

I am interested in the council again

discussing the need for parking permits for nannies. I would also like to understand what the rationale was for explicitly denying nannies the ability to park on the streets.

I've been a resident of Alexandria for almost 20 years now and have lived most of that time near the business district in Old Town. I'm aware of the parking problems here both from discussing them among neighbors and from my own experiences. I'm concerned about 2 things: one that there seems to be a general attitude that parking is a problem and "there isn't anything that can be done about it"; and two: that there was a finding of no "material distinction among day care providers, nannies and tradespersons, and other commuting workers who desire to park close to their places of employment." I disagree with both of these things.

First - there

is a parking problem in Old Town for the residents (some much more than others) and I believe there are things which can be done. Some things are simple - hire additional parking enforcement people. And some things aren't as simple - change some streets to 1 hour parking or perhaps "resident only" parking. I'm sure these are complex issues but I do believe there is a solution. Perhaps there has already been a study done. If so, I would like to see it. If there were some changes made to the residential parking program to improve parking there might not be such resistance to allowing parking permits for nannies.

Comments:

Second - there certainly is a

"material distinction between nannies and other commuting workers". Most other commuting workers are at their place of employment to stay. Perhaps you are unaware that most nannies are required by their employers to transport children to and from school, playdates, soccer, gymnastics, ballet and other activities. Multiply that by two or 3 kids. This is not an "at home" job. Children are not sent outside to make their own fun anymore as when I was growing up. A nanny must have a car and the car can't be parked in a garage that is 6 blocks away. I also believe that, as with the healthcare providers, the demand for nanny parking permits will not overwhelm Old Town. There could be a pilot program, restrictions, etc. but I do believe that Old Town benefits from

having families here and I do believe there is a solution.

Thank you

for your consideration

Katie Wiegmann
511 Cameron St.