

**RESIDENTIAL PARKING PERMIT ORDINANCE-CITY RESPONSE TO  
COMMUNITY CONCERNS & QUESTIONS**

**January 15, 2019**

**RE: City Council members directed the formation of a working group, to reach a consensus for a Residential Parking Permit Ordinance. The City's working group is comprised of The Municipal Parking Department, Law Department, Office of President Pro-Tem Mary Sheffield, Office of Council Member Castaneda-Lopez, Department of Mobility and Legislative Policy Division-City Planning Commission.**

**During the period that the working group convened, the group also engaged several community groups through various meetings across the City. Of those groups engaged, some submitted written questions and concerns to the working group.**

**The following reflects the concerns submitted by the Brush Park Community Development Corporation, Woodbridge Citizen's Council, Corktown community and Lafayette Park Neighborhood Advisory Council (Lafayette West development). The working group has reviewed the concerns submitted by community groups and provides the following responses. Further concerns may be presented at the City Council public hearing for discussion. Date to be disclosed.**

**1. COMMUNITY CONCERN: Petition signatures**

Petition Process (Sec. 55-2-23 a). Petitions must contain signatures of certified residents of at least 60% of all residences in the residential area; only building owners (or authorized agents) are eligible signatories for apartment buildings and multi-family dwellings. Our concern is that many landlords in Detroit (including Woodbridge) are non-resident landlords who are not available to physically sign a petition. Accommodations should be made for obtaining petition signatures for these non-resident landlords. Suggestions include allowing a signed letter from the building owner to be attached to the petition or development, or an electronic petition signature process.

**City Working Group Response:**

It is in the City Clerk's discretion as to the form of the petition. However, the ordinance does currently allow for not only a property owner to sign a petition for Residential Parking Permit process, but also allows for *the signature of a person who is legally authorized to sign on behalf of the property owner* as a qualifying signature. An authorized agent would include anyone who is authorized to act on the building owner's behalf, including building management etc. In short, the ordinance does address this concern.

## **2. COMMUNITY CONCERN: Flexibility in number of parking permits per household (desire to have more permits).**

Limitation on Number of Residential Parking Permits (Sec. 55-2-32 b). A maximum of two residential parking permits may be issued to a valid street address. The maximum number is the same whether the residence is a small apartment or a large single-family home. Our concern is that larger homes, which are more likely to have more than two drivers and more than two vehicles, will be disadvantaged by this limitation. A more equitable alternative would be to tie the maximum number of residential parking permits per residence to the number of residents/vehicles who apply and meet the eligibility criteria in Sec. 55-2-30 "Application for Permit." This aligns with the proposed ordinance's purpose to protect against non-resident vehicle parking, as opposed to placing restrictions on valid resident vehicle parking. The same standard applies to the limit in proposed number of guest passes.

### **City Working Group Response:**

The working group recommends to maintain the draft ordinance language of two (2) parking permits per residence as a maximum, given the limited parking space and to maintain the integrity for the program to be successful. The problem that arises with proposing to issue permits based on the number of people within a household is that the enforceability for the program becomes much more difficult when the departments are trying to verify an individual as a resident of a particular home. This scheme is not verifiable, thus unenforceable.

Having a two (2) permit maximum limits the potential for abuse and provides a verifiable method for enforcement. The City is able to verify addresses, but cannot verify the number of people that reside in a home as easily, if at all in some cases. Any provision that cannot be enforced, adds no value and further dilutes the effectiveness of the program's intent. The program is not created to solve all parking issues, but to alleviate some of the burden on residents who face a parking dilemma in their neighborhood.

## **3. COMMUNITY CONCERN: Caretaker access to permitted area**

Create "Home Care Permit" allowing caretakers/home health care workers of residents into permitted area.

Limitation on Number of Daily Visitor Permits (Sec. 55-2-32 c). The limit of 24 guest permits per year may be a prohibitive limitation to some residents. Exceptions should be made for seniors and home-bound residents who may require more frequent visitors from family or healthcare providers.

**City Working Group Response: City/Municipal Parking Department has revised to address** The City agrees that this is a scenario that should be addressed. After receiving this feedback in community meetings, the Municipal Parking Department worked to identify a way to allow for caretakers of residents in Parking Permit areas.

The working group agreed to revise the ordinance to incorporate a temporary home health care permit designation (Sec. 55-2-32. Issuance of permits #6).

In addition, certain Council Members have also expressed a desire to possibly increase the number of visitor permits. There may be discussion on this issue at the Council table.

**4. COMMUNITY CONCERN: Non-vehicle owning residents: do they have access to guest passes?**

It is not clear if non-vehicle owning residents are eligible to request visitor permits. Sec. 55-2-32(c) indicates that a resident who does not apply for a permit (but is eligible for one) can request guest permits by “opening a Municipal Parking Department account and omitting information which is not applicable.” However, Sec. 55-2-33 indicates that all permits (residential and daily visitor) are linked to the license plate of the permitted vehicle. It is our opinion that non-vehicle owning residents who would otherwise be eligible for a residential permit should be able to request visitor permits.

**City Working Group Response: Amend Draft Ordinance Language to Clarify**

Yes, non-vehicle owning residents may still obtain visitor permits per 55-2-32(c), which states that “upon request, holders of an annual residential parking permit may obtain one daily visitor permit through their Municipal Parking Department account. A resident of a residential parking permit area who is eligible for a residential parking permit but does not apply for the permit may be issued one daily visitor permit by making application as provided in Sec. 55-2-30, opening a Municipal Parking Department account and omitting information which is not applicable.”

**5. COMMUNITY CONCERN: Affordability of permit fees:** The Director of the Municipal Parking Department, based upon the cost of issuance and administration of the residential parking permit area will propose, and the fees shall be approved by resolution of the City Council. The fees shall be posted on a schedule in the Municipal Parking Department. This also applies to guest pass fees.

**City Working Group Response:** The Municipal Parking Department expects that fees should be nominal. There is interest from some Council Members to cap the fees not to exceed a certain dollar amount which is to be determined and will be subject to public discussion.

**6. COMMUNITY CONCERN: Please clarify 'accessory' parking. Does that mean someone with a driveway, alley-access garage gets one permit?**

**City Working Group Response:** Yes, this is correct. A person with a driveway or alley access garage gets one permit. Per the Zoning Ordinance, accessory parking is a parking lot or parking area where such lot is operated in conjunction with a specific land use and no fee is charged for public parking. The working group proposes to maintain

the current provisions in the draft ordinance and not allow any exceptions to be made for alley accessed parking garages as it is still off-street parking that serves the principal residential structure alleviating the need for more than one parking permit.

**7. COMMUNITY CONCERN: There needs to be flexibility in the multi-day stays, without using all of the guest passes, while also avoiding abuse. Allow provision for zip cars, etc.**

**City Working Group Response:** The Municipal Parking Department along with the working group has revised the original ordinance based on community feedback to make provision for rental cars (rented by a permit holder and used in lieu of the registered vehicle) to be allowed when information is uploaded into the data base for verification purposes.

Municipal Parking Department and the working group has added the following language to make provision for certain rental cars. The language is as follows: *“An annual permit holder or a resident of a residential parking permit area who is eligible for a residential parking permit but does not apply for the permit may receive credits for daily visitor permit credits used for a rental car by the annual permit holder when a rental car temporarily replaces the permitted vehicle or a rental car used by the eligible resident. Supporting documentation from a rental car company that matches the name and address or the annual permit holder or eligible resident shall be presented to the Municipal Parking Department. Upon confirmation by the Department, the daily visitor permit(s) shall be credited.”*

**8. COMMUNITY CONCERN: The probability of kiosks in Corktown/residential neighborhoods.**

**City Working Group Response:** There are currently kiosks in residential neighborhoods, but typically on commercial thoroughfares. The purpose of kiosks is to generate turn-over for commercial businesses.

The Municipal Parking Department will describe the approach for where kiosks are to be placed during discussions for Residential Parking Permit areas.

**9. COMMUNITY CONCERN: Program Administration; ways for participants to sign-up for program.**

The ordinance does not specify how the residential permit application process will be administered. It is our understanding that the Park Detroit app will be the primary/preferred method for residential permit application and renewal, and for visitor permit requests. However, an accommodation must be made for non-smart phone users. Users should be able to submit information online via computer, mail, at a city office, or at a kiosk.

**City Working Group Response:** Some areas of program administration were left open in order for the Municipal Parking Department to have flexibility in order to address unforeseen problems in the program and not have to amend the ordinance for minor corrections in day-to-day administration. However, in the public presentations, MPD has stated that the program will not only allow participants to sign up through the department parking app, but also online, at the department offices, and at kiosks. MPD is also working to provide the ability for participants to enroll by phone in the near future. This allows multiple opportunities for residents to receive permits and guest passes.

**10. COMMUNITY CONCERN: How many permits can be issued for residential units?**

Sec. 55-2-32(b)(1): It is unclear what "each valid street address" means. What is the intent for parking at a historic home that has 4 separate residential units. Does "each valid street address" include the unit number (such that each unit would have its own permit access) or would only 1 or 2 permits be issued for the entire home? We are concerned that permit parking would displace residents who otherwise need to park on these streets. Sec. 55-2-32(b)(1)(2): It is unclear what "each legally constituted and existing dwelling unit" means. We disagree that only 1 or 2 permits should be allotted to the apartment building. As an example, the apartment building on Adelaide (between Woodward and John R.) has no dedicated parking. The street is entirely residential and if permit parking is instituted on this street, it will completely displace all of the residents of this building.

**City Working Group Response:** The current draft ordinance allows for every individual *dwelling unit* within a multiple family dwelling (apartment building, etc.) to have one (1) to two (2) permits each. The number of permits allowed per unit will depend on the accessory parking that is available for the subject building. However, to be clear, the program is **not** limited to only 1 to 2 permits per building. Every apartment or unit that is occupied will be eligible for the parking permits once all other applicable requirements are met.

**11. COMMUNITY CONCERN: Parking stickers for program implementation?**

**City Working Group Response:** A sticker or physical permit system for vehicles is not compatible with current license system that the City has planned for the Residential Parking Permit program and current system which utilizes kiosks and the Park Detroit app that is already in operation.