

COUNCIL BILL NO.

ORDINANCE NO.

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**AN ORDINANCE AMENDING SECTION 10.12.019 OF THE CODE OF ORDINANCES CONCERNING DESIGNATION OF AREAS AND PROCEDURES FOR RESIDENTIAL PARKING PERMITS.**

**WHEREAS,** the Parking Management Study performed by Carl Walker Company and adopted by the City recommends the creation of a Residential Parking Permit program, particularly for application in areas adjacent to the residential areas bordering the Downtown commercial area; and

**WHEREAS,** the Parking Authority Board, with the assistance of City Staff, has developed and recommends adoption of the following process and criteria for the request and consideration of areas to be designated for Residential Parking Only and for issuance of Residential Parking placards/permits; and

**WHEREAS,** the City Council hereby finds and concludes that Section 10.12 “Parking” of the Code of Ordinances would benefit from updates to the provisions concerning on-street Residential Only Parking area designations and issuance of permits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** The following Section 10.12.019 “Parking on Upper Ruxton Avenue west of Hydro Street restricted” of the Manitou Springs Municipal Code is hereby repealed and replaced in its entirety as follows:

**10.12.019 Residential Parking Only Area - Definitions, Designation, and Permit.**

A. Definitions:

Resident

A person occupying a housekeeping unit within the proposed residential parking only area for a period of a minimum of 30 consecutive days.

B. Designation.

Requests for designation of on-street parking for use by residents only shall be made to the City Administrator, or designee, and shall be reviewed by the Parking Authority Board with final approval by the City Council. Such requests shall be submitted in written form and provide the following information:

- 1) Name, Mailing Address, Telephone Number, and Email Address of person(s) making request. This shall take the form of a petition signed by property owners/residents within the area proposed for designation.
- 2) An application fee of \$100, plus \$10 additional fee for each property within the proposed parking permit area.

- 3) Addresses and/or physical description of area(s) proposed for resident parking only designation.
- 4) Information on the zoning of the area proposed for residential parking only. Residential parking only areas must be zoned residential.
- 5) A map of the proposed area, including a to-scale parking plan that meets the City's criteria outlining the number of on-street parking spaces available and indicating properties with off-street parking and the amount of such. In lieu of submission of such a plan, the Applicant may submit a deposit of \$500 for the City to obtain consultant services to have a plan developed. In the event that the deposit is not fully expended, any remaining funds shall be returned to the applicant at the end of the review process. Should the cost of developing the parking plan for the proposed residential parking permit area exceed the deposit amount, the applicant shall be charged for the additional costs.
- 6) A statement regarding the reasoning for the request and outlining the issues which the designation is sought to resolve and addressing, to the applicant's best ability the items in 10.12.019.C.
- 7) Evidence of Mailed Notification of the request to the property owners/residents within and surrounding the proposed designated area within 200', excluding any areas of right-of-way. This notification shall provide copies of this section of the Municipal Code, the information being provided to the City, and instructions to contact the appropriate City personnel with questions or comments.

C. A complete request shall be placed on the agenda for consideration at the next available Parking Authority Board meeting following completion of the staff evaluation and any Parking Survey. The request shall be transmitted to the board with a staff evaluation and recommendation.

D. The following shall be considered before recommendation by the Parking Authority Board is made to the City Council for designation of a residential parking area:

- 1) A majority (51%) of the property owners and residents within the area proposed for residential parking only agree with the request for designation as illustrated by the petition filed in 10.12.019.A.1.
- 2) The availability and amount of off-street parking for each of the properties in the proposed area.
- 3) The availability and amount of on-street parking spaces within the proposed area. If approved, the parking permits/placards issued within a residential only parking area shall be allocated to each property in the area boundaries based on the number of available on-street parking areas. In no case shall the City issue more Residential Parking Placards than there are on-street parking spaces within a designated area.
- 4) Proximity of the proposed area to commercial activity.
- 5) The proximity of the proposed area to off-street public parking.

6) Results of a Parking Survey indicating:

- a) Number and % of vehicles parking within the proposed area registered to non-residents.
- b) Number and % of vehicles parking within the proposed area for at least 3 hours or more.
- c) Any periods of highest parking usage by nonresidents (i.e., summer season, year-round).
- d) That the proposed residential parking only area incorporates all the contiguous area in which a similar parking demand occurs and excludes area in which there is no similar demand.

E. The Parking Authority Board shall recommend approval, approval with alterations/conditions, or denial of a residential parking only request. Conditions of approval may include, but are not limited to: payment of the cost of signage and any physical improvements determined necessary to facilitate residential parking, day/time limits for residential only parking, time limit on the approval of a residential parking area for either reevaluation by the City or in instances where adjacent parking generators are of a temporary natures (such as a major construction project). The request shall be placed on the agenda for the next available City Council Meeting. The request shall be transmitted to the City Council with staff and the Parking Authority Board’s recommendations.

F. Following consideration by the City Council, all property owners/tenants within the proposed area shall be notified in writing of approval or denial of the request. A denial shall state the reasoning for such.

G. Unless physical improvements, such as but not limited to paving, striping, and/or installation of curb and gutter, are necessary to facilitate Residential Parking Only, a designated parking permit area shall be prominently marked with signage placed by the City within 30 days of approval, either freestanding or wall mounted, or both, which includes any time limits or special provisions that apply to the particular area of designation. In cases where physical improvements are required, these shall be scheduled and performed as quickly as possible following City approval and signage as outlined above shall be installed within 30 days of the completion of such improvements.

H. Residential Parking Permits shall be issued by the office the City Clerk or designee upon application of property owners/residents in an approved area. Application shall be made on a form provided by the City and accompanied by proof of residency within the designated area.

I. An official Residential Parking placard issued by the City shall be displayed in each vehicle when parked within the designated residential parking area. Each permit shall identify the property and resident for which it is issued. Temporary use of an official placard by a guest of the person to whom it was issued is allowed. For the purposes of this regulation, “temporary use” shall be defined as a term of 30 days or less.

J. It shall be unlawful to give, sell or otherwise transfer an official Residential Parking placard to someone other than who the City issued such placard to.

K. Residential Parking placards shall be issued for a term of one year and shall be renewed upon application by property owners/residents in an approved area. Application shall be made on a form provided by the City and must be accompanied by proof of residency within the designated area.

L. Residential Parking Permit Required.

1. It is unlawful to park on the following streets during the times designated without the display of a current Residential Parking Placard issued by the City:
  - a) Ruxton Avenue west of Hydro Street at any time.
  - b) Washington Avenue between Canon Avenue and the Highway 24 Bypass Exit from 6:00 p.m. to 8:00 a.m. Monday through Friday and anytime on Saturdays and Sundays and nationally-designated holidays.
2. Parking on these designated streets shall be limited to parking spaces as authorized by the City.

**Section 2:** This Ordinance shall take effect five days after final approval and adoption on second reading.

Passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_  
City Clerk

A Public Hearing on this ordinance will be held at the \_\_\_\_\_, 2009, City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published:  
*Pikes Peak Bulletin*

Passed on second reading and adopted by Council this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Approved for Council Action: \_\_\_\_\_  
City Administrator

Approved as to form: \_\_\_\_\_  
City Attorney