

MINUTES
PARKING FACILITIES COMMITTEE MEETING
6:00 P. M., MAY 6, 2019
A/V CONFERENCE ROOM

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Parking Facilities to order at 6:00p.m., May 6, 2019, in the Audio/Visual Room in City Hall.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Brent Burton
Mary Beth Hoover
Keeley Steele

Vice Chairperson Reishman asked for unanimous consent to dispense with the reading of the minutes for the November 19, 2018 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

I. BILLS:

Bill No. 7815 Committee Substitute - A BILL to amend and reenact Chapter 114, Article VII, Sections 114-565, 114-575, 114-576, 114-578, 114-602, 114-622, and 114-628 of the Code of the City of Charleston, as amended, relating to providing a specific exemption for parking building no. 2; updating terminology and certain requirements regarding parking and traffic; and clarifying the authority of the director of parking and director of traffic.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Chapter 114, Article VII, Sections 114-565, 114-575, 114-576, 114-578, 114-602, 114-622, and 114-628 of the Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Chapter 114 – Traffic Ordinance
Article VII. STOPPING, STANDING AND PARKING

Sec. 114-565. - No parking at entrances to certain buildings.

The chief of police, with the approval of the city council planning/streets and traffic committee, may establish no parking areas appropriately marked at the principal street entrances to all schools, hospitals, post offices, churches, theaters, hotels, libraries, passenger transportation depots, government-owned and -occupied buildings, and eleemosynary charitable institutions, with such conditions as may be considered proper by the chief of police approved by the city council planning/streets and traffic committee.

Sec. 114-575. – Procedure for establishment of loading zones; conditions governing; loading zone record.

(a) The director of the traffic, parking, in consultation with the director of traffic, and transportation department shall have authority, in the manner provided in this section, to establish and lay off loading zones upon the streets of the city.

(b) Loading zones may be established by the director of the traffic, parking and transportation department upon approval by the city council planning/streets and traffic committee. Such zones shall be for the sole purpose of providing on-street facilities for the loading and unloading of commodities and equipment in the conduct of business and where no adequate off-street loading facilities are available.

(c) The director of the traffic, parking, and transportation department, with the approval of the city council planning/streets and traffic committee, may, with respect to the establishment of any such loading zone, prescribe limitations as to curb space and the time of day within which such loading zone may be used, which shall be designated by appropriate signs.

(d) Any citizen may apply for the establishment of a loading zone. Such application shall be submitted in writing to the director of the traffic, parking, and transportation department on a form to be prescribed by him or her and approved by the city council planning/streets and traffic committee.

(e) All loading zones established under this section may be abolished by the director of the traffic, parking, and transportation department by and with the approval of the city council planning/streets and traffic committee.

(f) Any applicant for the establishment of a loading zone whose application has been denied by the abolition of any such loading zone may appeal such action to the city council, whose action on such appeal shall be final.

(g) The traffic, parking and transportation department shall keep an accurate record of all loading zones established under this section, showing the date when such loading zone was established, its location, and the special limitations, if any, attached to the zone.

Sec. 114-576. – Permitted uses of loading zones.

No person shall stop, stand or park any vehicle for any purpose or any length of time in any space designated as a loading zone by the Director of the Traffic, Parking and Transportation Department under and pursuant to the provisions of section 114-575, except while such vehicle is being used in the business of loading or unloading as provided in section 114-575 and has a loading zone permit. In no case shall a lawful stop within a loading zone

exceed one-half hour, except where special permission from the Director of the Traffic, Parking and Transportation Department has been obtained for such extension. Any vehicle stopping, standing or parking in a loading zone established by the Director of the Traffic, Parking and Transportation Department pursuant to section 114-575, for any purpose other than loading or unloading as provided in section 114-575 of this Code may be impounded by the police department pursuant to the provisions of section 114-552.

Sec. 114-578. – Residential permit parking.

(a) *Residential permit parking area designation:* A residential permit parking area may only be established in areas of the city zoned R-O, R-2, R-4, R-6, and R-8. A residential permit parking area may be established by filing a petition with the city traffic engineering department upon a form to be prescribed by the traffic engineering department and approved by the city council planning/streets and traffic committee. The cost of the permits must be stated on the form.

(1) The petition must contain the boundaries of the area sought for residential permit parking, the number of residential units in the area, the address of each residential unit in the area, the license numbers for all vehicles owned by the residents of each residential unit in the proposed area, and the reason that the residential permit parking area is requested. The petition must be signed by at least one resident of a minimum of 67 percent of the residential units in the proposed area. The petition must set forth the hours during which the applicant is seeking restricted residential permit parking.

(2) Residential permit parking may be sought for day time hours (8:00 a.m. to 6:00 p.m.), night time hours (6:00 p.m. to 8:00 a.m.), or on a 24-hour basis. A nonrefundable filing fee of \$100.00 must accompany the petition. Upon filing, a copy of the petition shall be promptly provided to the ward councilperson.

(3) Upon receipt of the petition and the filing fee, the City of Charleston Traffic Engineering Department shall verify the names, addresses, and vehicle information on the petition. The traffic engineering department shall then cause appropriate traffic surveys to be conducted in the area sought for residential permit parking. If the traffic engineering surveys find that on average 80 percent of the available on street parking spaces are occupied and more than 50 percent of the vehicles parked in the area belong to nonresidents, then the area is eligible for designation as a residential permit parking area, and the petition and the results of the survey shall be transmitted to the ward councilperson. The ward councilperson shall submit a bill to designate the area as a residential permit parking area to city council for consideration. The bill shall be referred to council's committee on planning/streets and traffic which will report to council its recommendation. City council shall make its decision on whether to designate area based upon the recommendation from its committee on planning/streets and traffic, the recommendation from the traffic engineering department, input from members of the public and any other material information.

(b) *Authorized permits:* If a residential permit parking area is established by city council, each residential unit in the residential permit parking area may obtain a maximum of two permits for specific vehicles owned by the residents. One visitor permit per residential unit may also be obtained. Owners of nonresidential buildings within the designated areas may purchase

one visitor permit to be used by the owner or his or her designee. Exception: A resident experiencing a health condition or disability which substantially impairs the resident and results in a need for special in-home medical care and attention, including, but not limited to, assistance by family members or other caregivers, may request up to three additional visitor permits. The request shall be made by the resident to the Traffic Commander of the Charleston Police Department director of parking. Additional permits shall not be issued unless the resident is able to provide credible evidence satisfactory to the city of the qualifying health condition or disability and the necessity of special in-home medical care, attention and assistance; said evidence shall, at a minimum, consist of a signed statement from a physician verifying the health condition or disability and the necessity of the special in-home medical care, attention and assistance. The issuance of additional permits shall be at the discretion of the Traffic Commander of the Charleston Police Department director of parking, in consultation with the director of traffic, based on the circumstances and evidence provided by the resident. Any additional permits issued pursuant to this exception shall be valid for the period of time approved by the traffic commander director of parking not to exceed a year. Additional permits shall cost \$25.00 per year. A resident may apply hereunder each year.

(1) Each permit will be valid for one year. The cost for each residential parking permit and visitor permit is \$25.00 per permit annually.

(2) The permits shall be issued and used in accordance with the residential permit parking policy established by council.

Notwithstanding the foregoing provisions, the Traffic Commander of the Charleston Police Department director of parking, in consultation with the director of traffic, shall have discretion to issue a temporary permit, at no cost and not to exceed one calendar year unless thereafter renewed, to a licensed health care provider, including, but not limited to, a hospital, Hospice, doctor, nurse, or physical therapist, upon request by the provider and upon sufficient proof satisfactory to the city that the certified health care provider is administering necessary in-home medical care, attention or assistance to a person who resides in a residential permit parking area.

(c) *Violations:* Any vehicle parking in a residential permit parking area in violation of the terms of this ordinance shall be subject to a fine of \$75.00 and/or shall be impounded in accordance with the provisions of section 31-209 114-121 through 114-131 and any associated rules or regulations. Vehicles of persons making deliveries or providing service, including but not limited to, home maintenance or repair, utility installation or repair, medical treatment or care, yard maintenance, or other similar services, to residential units within the permit area may be parked without a permit for the duration of the delivery or the provision of service.

(1) Any residential permit parking area in the City of Charleston established prior to the adoption of this ordinance shall be subject to the provisions of subparagraphs (b) and (c).

(d) *Decertification procedure:* A residential parking area may be decertified if at least one resident of a minimum of 67 percent of the residential units in the designated area sign and file a petition with the city traffic engineering department requesting elimination of the residential permit parking area designation. Such an application for decertification must be accompanied by a nonrefundable filing fee of \$100.00. Upon receipt of the petition and the filing fee, the city traffic ~~engineering~~ department shall verify the names and addresses on the petition. Once the names and addresses are verified as area residential unit owners, a copy of

the petition shall be promptly provided to the ward councilperson. The ward councilperson shall submit a bill to decertify the area as a residential permit parking area to city council for consideration. The bill shall be referred to council's committee on planning/streets and traffic which will report to council its recommendation. City council shall make its decision on whether to decertify the area based upon the recommendation from its committee on planning/streets and traffic, the recommendation from the traffic engineering department, input from members of the public and any other material information.

Sec. 114-602. - Management of and regulations governing city-owned lots and buildings.

(a) Unless otherwise provided herein, all parking lots and parking buildings owned or operated by the city shall be operated under the control and management of the parking facilities committee, who are hereby authorized to promulgate rules and regulations governing such usage not inconsistent herewith. There shall be a Director of Traffic, Parking, and Transportation, who shall be the department head with the responsibility and authority to carry out the efficient administration of the provisions of this section and the any associated rules and regulations, promulgated by the parking facilities committee, including but not limited to the authority and discretion to enter into and suspend agreements to lease parking spaces on a month to month basis, set days and hours of operation, collect and adjust parking fees and fines, and to make provisions for special events or open rent-free parking when deemed in the best interest of the city.

(b) Motor vehicles shall be parked, placed, handled and driven into, from, in and on such parking lots and such parking buildings in accordance with the applicable laws and ordinances of the city relative to traffic upon the streets in the city, and in accordance with the any rules and regulations respecting usage of such parking lots and parking buildings which are adopted and promulgated by the parking facilities committee and in accordance with the directions, instructions and order of the Director of Traffic, Parking and Transportation or official city attendants at any such lot or building.

(c) It shall be unlawful for any person or vehicle to block any driveway or passageway in or upon such parking lots or parking buildings, or for persons to leave or park cars therein contrary to the applicable ordinances, rules and regulations and instructions of attendants, as aforesaid, or without paying the required rental fees.

(d) No fees or charges shall be required for metered or unmetered spaces in such lots or buildings at times other than those expressly posted at the site, or when provisions have been made for event parking, or as expressly provided herein.

(1) Specific unmetered spaces may be reserved from 7:00 a.m. through 5:00 p.m., Monday through Friday, by paid-up lease on a month to month basis according to the rates identified in this section; provided, nothing herein shall preclude the Director for good cause from designating spaces as assigned or reserved at other times.

(2) All fees for monthly rentals shall be paid in advance prior to the first day of the month; provided, the rental fee for the initial month of any newly activated account may be prorated based upon the date of activation.

(3) An administration fee of \$15.00 per space shall be charged to any account that is delinquent past the tenth day of the month. The director of parking shall provide notice of the

assessment of the administrative fee with the further statement that if the account is delinquent past the twentieth day of the month, then the account will be considered closed and the vehicle associated with the account will be treated as a typical vehicle without a monthly account.

(4) An administration fee of \$10.00 per space shall apply for the activation of any monthly rental agreement, or the replacement of an electronic entry key or any placard or decal provided to identify license or assignment of a reserved space. or in addition to any accrued late charges to reactivate an account that has remained delinquent past the last day of the month.

(5) Nothing herein shall preclude the immediate revocation and/or reassignment of parking privileges in the event of nonpayment or a violation of the rules.

(6) Unless otherwise provided herein, Event Parking at any city-operated lot or building shall be at the minimum rate of \$3.00 per vehicle.

(e) *City Off-Street Lots.* The daily rental fee for each separate usage of any single parking space on any city owned or operated parking lot not specifically set forth below shall be at the rate of \$3.00 per day. The monthly rental fee for reserved usage of any unmetered space in a city owned or operated lot not otherwise expressly set forth below shall be \$50.00 per month. The rental fee for each separate usage of a single metered parking space in a city owned or operated off-street parking lot, not otherwise expressly set forth below, shall be at the rate of \$0.25 per hour.

(1) *Municipal Auditorium.* The rental fee for each separate usage of any single metered parking space in the city-owned lot behind the municipal auditorium shall be \$0.50 per hour and the rental fee for the reserved usage of any unmetered space shall be \$40.00 per month.

(2) *Summers Street Alley.* The rental fee for the reserved usage of any unmetered space in the Summers Street alley shall be \$80.00 per month.

(3) *West Side Lots.* The rental fee for each separate usage of any single metered parking space in city owned or operated lots on the West Side, Elk City district, shall be \$0.25 per hour and the rental fee for the reserved usage of any unmetered space shall be \$35.00 per month.

(4) *Morris Street Lot.* The rental for each separate usage of any space that is not otherwise made available for metered parking in the city-owned Morris Street lot shall be \$40.00 per month; provided, any such rented space which is unoccupied at the commencement of an event parking period shall be available for event parking on a first come first served basis and subject to the event parking rate.

(5) *Smith Street Lot.* The rental for each separate usage of any space that is not otherwise made available for metered parking in the city-owned Smith Street lot shall be \$30.00 per month; provided, any such rented space which is unoccupied at the commencement of an event parking period shall be available for event parking on a first come first served basis and subject to the event parking rate.

(6) *Union Building Parking Lot.* The monthly rental rate for each parking space at the city-owned Union Building Parking Lot located between Kanawha Boulevard and the Kanawha River just east of the Union Building shall be at a rate of \$70.00 per month; provided, any such rented space which is unoccupied at the commencement of an event parking period shall be available for event parking on a first come first served basis and subject to the event parking rate.

(f) *City Parking Buildings.* Unless otherwise provided herein, the following provisions of this section shall apply to city-owned parking buildings.

(1) *Parking Building No. 1—McFarland Street Garage.* The rental fee for the reserved usage of any unmetered space on Floor 6 or above in Building No. 1 shall be \$45.00 per month; on all other floors, the rental fee shall be \$65.00 per month.

(2) *Parking Building No. 2—Washington Street Garage.* The rental fee for the reserved usage of any unmetered space in Parking Building No. 2 shall be \$35.00 per month.

(3) *Parking Building No. 3—Convention Center North/Greyhound Garage.* Parking Building No. 3 shall be under the control and management of the Charleston Coliseum and Convention Center. Unless a Charleston Coliseum and Convention Center Rate Ordinance provides for other or additional fees for parking in Building No. 3, event or daily parking shall be the rate of \$3.00 per vehicle; monthly parking shall be at the rate of \$25.00 per vehicle.

(4) *Parking Building No. 4—Convention Center South/Quarrier Street Garage.* Parking Building No. 4 shall be under the control and management of the Charleston Coliseum and Convention Center. Unless the Charleston Coliseum and Convention Center Rate Ordinance provides for other or additional fees for parking in Building No. 4, event or daily parking shall be the rate of \$3.00 per vehicle; monthly parking shall be at the rate of \$25.00 per vehicle.

(5) *Parking Building No. 5—Shanklin/City Hall Garage.* The rental fee for the reserved usage of any unmetered space on Floor 4 and above in Parking Building No. 5 shall be \$45.00 per month; on all other floors, the rental fee shall be \$65.00 per month.

(6) *Parking Building No. 6—Summers Street Garage.* The rental fee for the reserved usage of any unmetered space in Parking Building No. 6 shall be \$80.00 per month.

(7) The Director shall designate no fewer than 20 spaces at the lowest or most convenient level practical within each city-owned parking building and equip the same with SMART meters for the use of daily or itinerate parkers, and shall designate as many spaces as practical on the unsheltered rooftop of each building and equip the same with mechanical meters for the use of daily or itinerate parkers; provided, this provision shall not apply to Buildings No. 3 or No. 4 which shall be controlled and operated by the Charleston Coliseum and Convention Center; provided further, that this provision shall not apply to Building No. 2, which shall be controlled and operated by the director of parking consistent with the provisions of subdivision (10) of this subsection.

(8) The rental fee for each separate usage of a SMART metered parking space in a city-owned parking building shall be \$1.00 per hour between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday.

(9) The rental fee for each separate usage of a single metered parking space on the rooftop of a city-owned parking building shall be at the rate of \$0.25 per hour, from 7:00 a.m. through 5:00 p.m., Monday through Friday.

(10) Parking Building No. 2 will continue to be operated with an electronic entry key and ticketed system at the direction of the director of parking. Parking in Parking Building No. 2 shall be free on Saturdays, Sundays, and holidays. The director of parking has the authority to set parking rates for the building and to set hours during which parking rates are charged and collected on Monday through Friday, excluding holidays, provided that the hours during which parking rates are charged shall begin no later than 9:00 a.m. and end no earlier than 5:00 p.m. The hours during which the parking booth may be attended and actively collecting parking fees

may be set at the discretion of the director of parking. The discretion given to the director of parking in this subdivision is subject to active lease agreements maintained by the City with tenants of Parking Building No. 2.

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

Rate of \$1.00 per hour:

400 block of Laidley Street
500 and 600 block of Donnally Street

Rate of \$.25 per hour:

500 block of Summers Street
700 and 800 block of Donnally Street
500 and 600 block of Capitol Street
600 block of Eagan Street
700 and 800 block of Christopher Street
300, 400 and 500 block of Dickenson St.
300, 400 and 500 block of Leon Sullivan Way
300, 400, 500, 600 block of Morris Street
1200 block of Lewis Street
1000, 1100, and 1200 block of Washington Street
1100 and 1200 block of Virginia Street East

Beginning on May 21, 2018, or upon installation of web-based parking meters, whichever occurs later, and continuing thereafter, the rental fee for use of single on-street metered parking, and maximum parking times in the following areas will be according to the following schedule, as required by the instructions printed upon each meter:

Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third hour with a 3-hour maximum time:

100 and 200 block of Hale Street
Unit block of Dunbar Street
200 block of Leon Sullivan Way
Unit block to 400 block of Capital Street
Unit block to 300 block of Summers Street
Unit block to 300 block of Laidley

800 block of Kanawha Blvd.
1000 block of Virginia Street East
500 to 1000 block of Quarrier Street

Provided, where it is determined by the planning/streets and traffic committee that there is a need for further regulation and control of vehicles parking within this area, the city may designate individual on-street metered parking spaces within this area to allow for less than the maximum of three hours at a rate of not more than \$0.50 per 15-minute increments. Any such parking space shall have the time restrictions and rates printed upon each meter.

If the city consents to temporarily bagging or removing a meter to accommodate construction or other activity, the rental fee shall be \$15.00 per day or any portion of a day for each such meter.

Sec. 114-628. - Parking spaces; erecting and relocating meters.

The director of traffic, in consultation with the director of parking, engineer shall have authority, upon the approval of the planning/streets and traffic committee of the city council, to designate all the streets where parking meters shall be permitted; and on all such streets or parts so designated or as shall be made available and designated for parking, the director of traffic, engineer, with the approval of the committee, may:

(1) Cause parking spaces approximately 20 feet in length to be marked by lines on the curb or pavement or by other appropriate markings;

(2) On the sidewalks adjacent to each such parking space, cause to be erected parking meters upon which the deposit of a coin will indicate the duration of the legal parking period and the time when such period has elapsed; and

(3) Change the location of the parking space and meters on such streets where they are erected and located and cause such parking meters as located to be moved, transferred and erected on the sidewalks opposite from where such parking spaces are located.

Councilmember Jenkins asked Kevin Baker to explain the bill and the proposed changes to the Committee. He stated that the bill adjusts the standards related to the parking building next to the cinema to make it clear that it will continue with the ticketed system and will not have meters installed. Additionally, it was decided to update some outdated terminology. Also, a monthly parker must pay by the 20th of the month to keep their account open. The Committee Substitute makes a few additional changes as to the outdated terminology missed in the initial bill. Additionally changes for the bill will be:

Page 1 Line 28, "The director of the traffic, parking, in consultation with the director of traffic,"

Page 8 Line 354, "The director of traffic, in consultation with the director of parking,"

Councilmember Jenkins thanked Kevin Baker. He added that these changes are to conform to current practice and will maintain consistency.

Councilmember Reishman moved to approve the Resolution. With a majority of members elected recorded thereon as voting in the affirmative Chairperson Jenkins declared Bill 7815 Committee Substitute approved.

Mayor Goodwin stated that she had been meeting with the Parking Director, Terri Allen, and they are working on a plan for the parking garages. Current updates to date include: private security patrolling the parking garages from 1:00 pm – 5:00 am, upgrading to energy efficient LED lighting, adding and upgrading more than 100 security cameras, adding meters, employees staying in the garages later for safety, identifying floors by color. Councilmember Reishman advised the Parking Director that AEP will issue a credit for switching to LED lights.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.