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City Ordinance Sections 2-2028 through 2-2033."

The City Council Committee on   <u>Ordinances, Licenses and Legal Affairs co-posted Committee of the Whole</u>

met in the Council Chamber on _April 29, 2021_____ at _____6:00_____P.M.

for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on

____April 15, 2021_____ at _____8:10 A.M._____

(This meeting is being recorded)

ATTENDANCE

ABSENT WERE: None

In Attendance from the Committee of the Whole: **Councilors Madore, McCarthy, and Riccardi**

Also in Attendance: Nick Downing, Traffic and Parking Department; Lt. David Tucker, Salem Police Department

SUBJECT(S)

#532 Resident Sticker Parking Permits

Nick Downing gave an overview of the recommended changes to the ordinance related to resident permit parking.

These recommendations were heard in OLLA in September 2020, some edits were made, and resubmitted to OLLA.

- Proposed changes remove references to the Collectors Office, so that Traffic and Parking Department takes over the work associated with parking permits. This benefits the Collectors Office, as it was never intended for them to take on the work of parking and guest parking permits.
- The ordinance has been updated to allow students from any institution to be eligible for parking permits, as well as active duty military personnel. Since parking permits are only for Salem residents, and therefore cars must be registered in Massachusetts, these two groups would be eligible on a temporary basis for parking permits.
- Gendered language has changed to be gender neutral.
- Traffic and Parking Commission will "recommend" changes instead of "adopt" changes. The City Council will continue to adopt changes to the ordinance.
- A recommendation of limiting resident permit parking to 2 permits per dwelling unit is also included. Guest passes would also be limited. The commission and department has recommended that new streets included in permit parking zones are not allowed to have guest parking permits.

Councilor Morsillo asked what kind of feedback residents in these new permit-only parking areas have given to the department regarding not being eligible for guest permits. Mr. Downing replies that there hasn't been too much feedback, and in fact one street contemplating resident only parking has decided against doing so because of this limitation. Resident only parking is about maintaining access to parking on their street. Many residents on these streets also have off-street parking that can be used if guests visit.

Councilor Morsillo asks what kind of feedback the department gets in the situation of not having enough parking for the number of permits given out. Mr. Downing uses Bentley St as an example that 700% more permits were issued than the number of spaces available. Residents complain that they simply cannot ever find parking. The department would like to get to a place where the cars with resident parking stickers are able to find parking.

Councilor Sargent is not comfortable with only two parking permits per dwelling unit. What would happen if the household has a third driver and car? The ordinance should not keep residents from parking on the street, the intent is to keep nonresidents from parking on the street. Mr. Downing admits that there is no easy answer, and no easy place to draw the line. The department is simply trying to find a fair way to provide permit parking to all resident on the street. There will be instances where some residents are not able to get a permit, but the department is just trying to manage the situation of very limited available parking spaces. Generally speaking, 2 passes will cover the majority. His gut tells him that in the situation where there are 3 or 4 drivers, there will likely be available off-street parking. Councilor Sargent disagrees. If you are paying excise taxes, you should be treated fairly. There will never be enough parking. The ordinance needs to be meted out fairly. Mr Downing thinks it is not fair if one dwelling unit gets 7 passes and their neighbor with a parking permit can never park on the street. Councilor Sargent explains that the only way to be completely fair is to allot spaces in front of each home for the resident living there.

Councilor McCarthy states that he has never been a fan of resident parking. Too often we allow cars registered elsewhere. He wants to clarify the definition of a dwelling unit. What happens in a building with 3 units. His own home has 3 cars with the potential for another because of his adult sons living at home. Mr Downing explains that each unit in a 3-family is considered a dwelling unit, and would be eligible for 2 permits each. In the example of his own home, only 2 permits would be given, so the extra cars would need to park elsewhere if his street ws resident only parking.

Councilor Morsillo asks for clarification on the length of time a guest pass can be used. Mr Downing explains that technically they are for 14 days, but the city does not have the staff to properly enforce the use of the guest passes.

Councilor Prosniewski expresses that this is almost impossible to make completely fair, and he appreciates the department taking on this work. He agrees with Councilor Sargent that the only fair way is to allow all residents in a dwelling unit to get a permit, and allow two guest passes per unit.

Councilor Hapworth feels that this is a situation where the data says one thing but the real world says another. Has the department thought of an exception process for obtaining an additional parking permit for a higher price? What do other communities do in this case where the number of cars far outnumber the number of available parking spaces. Mr Downing states that the current ordinance contains an exception process for obtaining a parking permit, which allows the parking department and police department in consultation with the Ward Councilor to obtain a permit for a constituent. This is used for active duty military or those who use a work-owned vehicle. He agrees that not every street or neighborhood is the same and does not necessarily have the same capacity issues as the Derby Street neighborhood. A deep dive into current available spaces could be done to better understand capacity issues. Councilor Hapworth wonders if there should be a priority to parking permit distribution, with drivers owning multiple vehicles on the bottom of the list of priorities for their additional vehicles. Mr Downing thinks the idea of giving everyone a parking permit but limiting the guest passes would be a better solution than trying to come up with all the possible scenarios.

Councilor Madore thinks that without limiting passes we are not addressing the issues of too many cars. If we go with infinite passes per address, maybe we should cap the number of passes per zone. Streets around resident only streets have the same density and the same parking issues, which creates an unfair situation. She believes two permits per dwelling area is sufficient, and with more education about parking supply, will decrease the cars on the street. She also thinks that if we can't enforce the guest passes, we shouldn't specify a time limit in the ordinance. We should look at an online application process for guest passes to decrease the amount of abuse. Either cap the number of guest passes or do away with them since there is no enforcement.

Councilor McCarthy discusses the parking zones, and that they are antiquated and based on Wards. This doesn't work. The issues aren't with the residents but with what else in the neighborhood draws people and cars. Often the issue is seasonal, but we don't have seasonal resident parking passes. Resident parking passes for those living in the Willows allows parking all the way to Hawthorne Blvd. This doesn't make sense. The Willows should be its own zone. Derby St and the Common should be a

zone. Parking is in high demand, especially in the Derby Street area. He gives an example of working on a house in Somerville where he needed to put a guest pass inside his windshield which specified the address of the home where he was going to be working. In Salem, the guest passes are zone passes, not tied to a particular address. This is causing more parking problems. Boston does not give out guest passes, visitors need to park in garages or lots. We will never create a policy that everyone is happy with, there is no easy answer. We need to focus on redefining the zones. A zone pass allows you to park in the zone, it does not entitle you to park in front of your house. He does like including the Ward Councilor in the discussion of exceptions.

Councilor Dominguez agrees that this is a complicated issue. He asks Mr Downing how we are going to find a solution in the long term. If we only have resident parking permits and cap the visitor permits, will this help? Mr. Downing explains the department feels strongly that we need both, a limit on the number of resident permits and guest permits. Councilor Dominguez wonders whether a pilot for both of these makes sense. Mr. Downing doesn't think we would see a difference for several years due to the fact that permits are renewed every two years.

Councilor Sargent understands that it isn't fair that there isn't enough parking, but thinks that the most consistent and fair rule is that everyone who is a resident gets a parking permit. It keeps nonresidents from parking on the street. It's easier to explain that everyone gets a pass, but there isn't enough parking for all the cars.

Councilor Morsillo asks if the city has investigated an online guest pass app. Mr. Downing says they have, but they are hesitant to go down a path of a new app while trying to deal with the overparking due to resident passes and guest passes. Councilor Morsillo states that the guest pass issue needs to be solved because of the abuse happening. The other question is having more than one car per driver. Does the city have any data on this? Mr. Downing says they don't have this data. They also don't have data on the percentage of dwelling units with more than two parking permits. It does happen with some amount of regularity, but they don't have the data. Councilor Morsillo is fearful that limiting each dwelling unit to two permits will simply push the parking problem outward to streets without resident only parking, which will create problems there and result in more resident only parking. She thinks the city should work on a solution to the guest pass problem first.

Councilor Prosniewski would hate to see no guest passes in Salem, but he is thinking about looking at each zone and capping the number of guest passes. We should make one rule across the city regarding guest passes, maybe one guest pass per unit.

Councilor Hapworth supports better control over guest passes. He thinks it is easy to explain to residents that there needs to be more control over the use of the passes, than to explain why residents only get 2 parking permits per dwelling unit. Also, the department should look into the issue of more than one car per driver, and only allowing a parking permit for one vehicle.

Councilor Sargent wonders if the police department can do a better job of enforcing the time limit on parking passes, and canceling passes that are being abused. Word would get around that the passes can't be abused, if we can fairly investigate passes being overused. Councilor Morsillo is hesitant to get residents involved in enforcement of policy by tracking and calling the PD, and Councilor Sargent agreed. It would be good to put a stop to the abuse of guest passes though.

Lt. Tucker agreed it is a tricky situation, and the ultimate answer is a new system which they are looking into, including a license plate system. This is a little way off though. Right now, guest passes work on the honor system. The PD does not have the time or capability to proactively enforce guest passes. Priority is for residents and guest passes come second or third. He encourages at least passing the language changes and having the traffic and parking department administering the program as well as fixing the zones. Mr. Downing agreed.

Councilor McCarthy sees permits linked to license plates in the future, which can be read by plate readers on police cars. A system like this will make it easier for the department and for the police. He encourages the department to focus on better zones.

(Nick Downing dropped off the call due to family issue)

Councilor Prosniewski thinks that if the address is included on the guest pass it will add accountability and will increase enforcement.

Councilor Prosniewski moves to add this. Councilor Morsillo wonders whether we are discussing a transition plan between where we are now and an ultimate solution, as well as whether we should discuss how many guest passes each dwelling unit should get. She asks if the Councilor can wait on his motion.

Lt. Tucker wants to think about adding the address to the visitor pass to make sure we aren't creating issues.

Councilor Riccardi states that there is a lot of work to do and it sounds like we are putting band aids on a broken system. She thinks passes should last for one year only, not two. Also, 14 days for a visitor pass is too long. In Cambridge, visitor passes are for one day only.

Public Comment

Dan Finamore, 59 Summer St comments that when he moved here 15 years ago there was no problem parking on his street. Now there is a problem. All of his neighbors use their guest passes all the time. The cars are registered out of state, so he is paying state taxes and excise taxes and they are not. This is unfair. It is difficult to get anyone to enforce the limits on guest passes. Shortening the length to 4 or 5 days would be a plus.

End Public Comment

Councilor Morsillo states that she is not comfortable moving this out of committee since Mr. Downing is not on the call anymore. She would like to come to consensus on the main issues starting with the number of permits per dwelling unit. The consensus is as follows:

- Allow a parking permit for every car, not limit resident permit parking to 2 per dwelling unit.
- Create more control over guest passes, decreasing the number to 1 per dwelling unit and limiting the period of use to 4 - 6 days.
- Rethink the parking zones to better control parking issues.
- Approve the gender neutral language, removing the Collectors Office from the process, adding language for students at any institution as well as active military, and the language that the Planning Department "recommends" to the Council, while the Council approves changes.
- Special cases for parking permits will be considered by the Parking Department and Police Department in consultation with the Ward Councilor.

Councilor Morsillo states that she intends to take this up again in May, to allow the department time to provide language around the above consensus items.

Lt Tucker underscores the addition of consultation with the Ward Councilor for special cases as an important tool.

Councilor Sargent asks about parking permits for temporary resident and whether that can be added. Lt Tucker stated that there were issues identified, but Mr. Downing will have more information on this. This can be handled through the special cases with consultation between the Ward Councilor, parking department and police department.

Councilor Dominguez motions to keep this in committee, seconded by Councilor Prosniewski. Passes 5-0.

On the motion of C. Sargent the meeting adjourned at 7:52 P.M.

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(Chairperson)