



City of Albany TASK FORCE ON PERMIT PARKING

Memorandum

Date: June 14, 2011

To: Hon. Gerald D. Jennings
Mayor

Fr: Richard Conti
Chair

Re: Permit Parking Report and Recommendations

On August 30, 2010 Governor David Paterson signed into law legislation passed by the NYS Legislature authorizing a “pilot residential parking permit system” in the City of Albany.¹ On September 9, 2010 you announced appointment of a Permit Parking Task Force charged with developing the comprehensive parking plan for Albany’s downtown neighborhoods.² The Task Force held its first meeting on October 5, 2010 and concluded its work on June 3, 2011. This Memorandum summarizes the work of the Task Force and their recommendations for implementation of a permit parking system in the City of Albany within the parameters of the state authorizing legislation.

Background

The City of Albany last had a residential parking permit system in 1987-88. That system was struck down by the Court of Appeals which ruled that local permit systems required prior authorization from the State Legislature. Nearly 25 years later, Albany received that authorization last year; seventeen other New York State localities received it before us.

The new law, as an amendment to the NYS Vehicle and Traffic Law, provides the following:

§ 1640-m. Pilot residential parking permit system in the city of Albany. 1. Notwithstanding the provisions of any law to the contrary, the city of Albany may, by adoption of a local law or ordinance, provide for a residential parking permit system and fix and require the payment of fees applicable to parking within certain areas of the city or as delineated by the common council of the city of Albany in accordance with the provisions of this section.

¹ S.396-A (Breslin)/A.1039-A (McEneny, Canestrari) signed into law as Chapter 454 of the Laws of 2010.

² Members of the Task Force were: Common Council Members Richard Conti (6th Ward/Chair), Ron Bailey (3rd Ward), Dominick Calsolaro (1st Ward) and Anton Konev (11th Ward); Kathy Sheehan (Treasurer); John Marsolais (City Clerk); Michael Klein (Executive Director, Albany Parking Authority); Doug Melnick (Director of Planning); William Trudeau (Supervisor of Traffic Engineering, APD); and Patrick Jordan (Ass’t. Corporation Counsel).

2. Such residential parking permit system may only be established within the areas of the city of Albany described as follows: an area within three-quarters of a mile radius of the Nelson A. Rockefeller Empire State Plaza. The permitted streets within this area shall be described in a local law or ordinance adopted by the common council of the city of Albany pursuant to this section.

3. Notwithstanding the provisions of this section, no permit shall be required on streets where the adjacent properties are zoned for commercial, office and/or retail use.

4. The local law providing for such residential parking permit system shall:

a. Set forth the specific factors which necessitate the implementation of said system and shall include, but not be limited to, findings of facts as to the existence of such traffic hazards, congestion and air and noise pollution within any such areas;

b. Provide that motor vehicles registered pursuant to section four hundred four-a of this chapter shall be exempt from any permit requirement;

c. Provide the times of the day and the days of the week during which permit requirements shall be in effect;

d. Make not less than twenty percent of all spaces within the permit area or areas available to nonresidents which shall provide short-term parking of not less than ninety minutes in duration in such area or areas;

e. Make not more than two thousand seven hundred fifty of the approximately nine thousand residential spaces within the permit area or areas available for residential parking by permit;

f. Provide the schedule of fees to be paid for residential permits; and

g. Provide that such fees shall be credited to the general fund of the city of Albany.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing thereon has been held by the common council of the city of Albany concerning the designation of the certain area or areas in which said parking permit system is to be implemented.

In addition, the legislation limits the duration of the residential permit parking system pilot to a two year period which commences with the date of implementation of the plan as enacted by the Common Council.

Limiting the system to: 2,750 parking spaces; within a three-quarter mile radius of the Empire State Plaza; and a two-year trial period are all elements the City of Albany agreed to as a gesture of compromise to the state public employee unions which have been major opponents of the authorizing legislation.

Task Force Meetings

Between October 5, 2010 and June 3, 2011 the Task Force held eight full meetings. In between there were several small group meetings and discussions with regard to various aspects and technical details of the proposed system; elements of those smaller group meetings were brought back to the full Task Force for review and discussion. In addition, early drafts of a proposed parking permit ordinance were shared with various stakeholders for review and comment, and the Common Council Members serving on the Task Force either coordinated or facilitated discussions and meetings within their respective impacted neighborhoods on elements of a proposed parking permit plan and issues that needed to be decided. In addition, representatives from the Public Employees Federation (PEF) and Civil Service Employees Association (CSEA) were invited to all Task Force meetings and received all material that was provided to Task Force members.

As part of the process of developing a plan, the Task Force developed a work plan, reviewed information from the NYS Office of General Services on utilization of existing state employee parking facilities, reviewed the elements of Albany's prior residential permit parking system as well as a sampling of systems in other localities, worked to develop the center-point for determining the three-quarter mile radius boundary within which a permit system would be allowed, facilitated and reviewed license plate surveys indicating the proportion of resident/non-resident parking on select residential streets within impacted neighborhoods and reviewed financial data related to implementation of a system.

Recommendations

Based on discussions within the Task Force and at neighborhood meetings, the following outlines the parameters of a parking permit system recommended by the Task Force:

Permit Zones

The system should encompass three separate and distinct zones as follows:

- Zone A those neighborhoods generally west of the Empire State Plaza and consisting of designated streets within the neighborhoods identified as Center Square, Hudson/Park, Park South and Washington Park;
- Zone B those neighborhoods generally east of the Empire State Plaza and south of State Street and consisting of designated streets within the neighborhoods identified as Mansion and Pastures;
- Zone C those neighborhoods generally east of the Empire State Plaza and north of State Street and consisting of designated streets within the neighborhoods identified as Ten Broeck Triangle.

Each zone would require separate signage identifying the area; permits would be issued for a particular zone and not be valid outside that zone.

Duration of the System

The system would be in effect Monday through Friday (except for legal holidays) from 8 AM to 6 PM. Permit designated streets would allow two-hour short-term parking during the permit periods (M-F; 8 AM - 6 PM) except for vehicles displaying a valid permit which would be allowed to park all day.

Permit Eligibility and Issuance

The system would include three primary permit classifications:

- Resident Permits would be issued to residents residing within the permit area based on submission of adequate proof of residency and would be coded to the resident's motor vehicle.
- Visitor Permits would be issued to a resident (1) upon purchase of a resident permit associated with the resident's motor vehicle; resident's who do not own a vehicle, or who choose not to purchase a resident permit would be able to purchase a visitor permit upon proof of residency

within the permit area. Visitor permits are for the use of visitors to a residence within a permit area during permit hours and should be used on streets in proximity to the resident's home.

- Merchant/Business Permits would be issued to persons who own or lease real property within a permit area who are not residents but own or lease the property for the purpose of managing a commercial enterprise or professional office there. An additional category of eligibility would be for an employee of a business located within a permit area if their hours of employment are substantially between the hours of 8 AM and 6 PM, Monday through Friday when a permit system is in place. There should be a limitation on the number of such permits that can be issued per business.

Permits would be issued by the City Clerk and activated by the Treasurer upon payment of the applicable fee.

The Task Force recognizes that after implementation of a permit system that a certain level of excess on-street parking capacity is likely to exist through a reduction in all-day commuter parking. The Task Force sees this as an opportunity to make a certain level of this unutilized capacity available on a market-based rate for non-resident commuters. The Task Force recommends that the implementing legislation for the permit system include an option to authorize commuter permits based on a finding after the system is implemented that excess capacity may exist. Any additional revenue from a commuter permit would help to further off-set the cost of administration of the overall permit system.

Permit Fees

The Task Force reviewed financial data from the Treasurer's office and APD Traffic Safety related to initial and ongoing costs of the system. These include the ongoing costs of administration and enforcement and one-time costs related to signage and printing. To some extent costs of administration can be accommodated within existing resources and the need for enforcement related resources should level off with greater familiarity of permit parking system rules and restrictions.

It is the intent that permit fees cover the cost of administration of the system and be set at a reasonable level so as not to create a financial burden on permit area residents. All fees are required to be deposited to the General Fund. The Task Force recommends an annual fee of \$25 for Resident and Merchant/Business Permits and an annual fee of \$10 for Visitor Permits which are separately purchased.

Penalties

In addition to penalties for overtime parking, the Task Force also recommends penalties for fraudulent or unauthorized use of a permit which would include a fine not to exceed \$250 and/or suspension of residential parking permit privileges for a period not to exceed six (6) months.

Designation of Streets and Allocation of Designated Spots

Streets designated as permit streets may only be those abutting residentially zoned property. As part of the process, the Task Force reviewed a comprehensive street map of the area within the three-quarter mile geographic radius which included designations of residential and commercial property and the number of on-street parking spaces per block. The State authorizing legislation limits the number of permit spaces to 2,750. The Task Force recommends that as part of the initial implementation of a

permit system, 2,500 spots be allocated and that the additional 250 spots be held as unallocated for a defined period to provide flexibility in addressing implementation issues.

Members of the Common Council serving on the Task Force, working with APD Traffic Engineering, have identified preliminary street designations for a permit system. At present, preliminary designations exceed available capacity. Members of the Council will continue to work on aligning the designations with the allowable number of spots so as to reflect the street designations in the implementing ordinance to be submitted to the full Common Council.

Implementation Issues & Evaluation

The permit system will require a defined time-line for implementation, which should include an education/public awareness component to ensure compliance upfront. The requirement that the permit system stay within a three-quarter mile radius of the Empire State Plaza will place limitations on the ability to deal with some implementation and displacement issues.

The Task Force recommends that there be an evaluation of the system six months after implementation and annually thereafter. In addition, it is also recommended that the Chief of Police, or his designee, periodically review and assess on-street parking patterns within the residential parking permit areas and those residential areas adjacent to such permit areas and recommend or take such actions as necessary, within his authority to regulate traffic and parking within the city, to address parking or traffic patterns which may prove a nuisance for certain impacted neighborhoods.

Summary and Conclusion

It has been nearly twenty-five years since Albany last had a permit parking system; much has changed since then related to administration and enforcement technology. During the course of Task Force meetings there was detailed discussion on implementation issues related to the Treasurer's office and the City Clerk and the available technology. While those discussions are not fully detailed in this memorandum, they do buttress the recommendations put forth.

Also, during the course of our discussions the Task Force reviewed and commented on several drafts of an implementation ordinance prepared by the Law Department which is reflective of our discussions and the recommendations made in this memorandum. That ordinance, once finalized, needs to be formally submitted to the Common Council for introduction and a public hearing. There may be further revisions to the proposal as a result of the public hearing process and full Common Council review.

Finally, implementation of a permit parking system should provide incentives for alternative forms of commuter transportation downtown that should include greater reliance on public transportation and car-pooling. The Capital District Transportation Authority (CDTA) and the NYS Office of General Services should see this as an opportunity to improve commuter options downtown and create incentives for public transit use, car pooling and other forms of non-vehicle reliant transportation. The Office of General Services should also work with public employee representatives to address legitimate transportation and parking needs for state employees.

Members of the Task Force are ready to meet with you to further discuss these recommendations; we look forward to submission of a formal proposal to the Common Council for review and action.