



## **Agenda Item Details**

---

Meeting	Feb 26, 2014 - City Commission Meeting & Summary
Category	15. 6:00 P.M. PUBLIC HEARINGS
Subject	15.03 Public Hearing of Ordinance No. 14-O-13, authorizing towing of vehicles from reserved parking spaces and approval of new City Commission policy establishing the reserved parking program for historic properties -- Lewis Shelley, City Attorney
Type	Action, Public Hearing
Fiscal Impact	No
Recommended Action	Option 1: Adopt Ordinance No. 14-O-13 and Commission Policy No. 403.

For more information, contact: Louis C. Norvell, Asst. City Attorney, 850-891-8029

### ***Statement of Issue***

On May 22, 2013, the Long Range Planning Target Issue Committee approved a proposed program which would authorize reserved street-side parking spaces for historic properties in the Park Avenue and Calhoun Street Special Character Districts. The City Attorney's Office has drafted proposed City Commission Policy 403 implementing the reserved parking program for historic properties (Attachment 1). In order to enforce the reserved parking, the City Attorney's office has drafted an amendment (Attachment 2) to Chapter 20, Article V, of the Tallahassee Code, which governs trespass towing, and which was introduced on February 12, 2014. The policy authorizes the Public Works Department, following an application and review process, to designate reserved street-side parking adjacent to historic properties in the Park Avenue and Calhoun Street Special Character Districts. The amendment authorizes towing companies, upon request from the historic property owner, to tow vehicles which are parked in reserved street-side parking spaces without authorization.

### ***Recommended Action***

Option 1: Adopt Ordinance No. 14-O-13 and Commission Policy No. 403.

### ***Fiscal Impact***

Under the proposed policy, a historic property owner would pay a \$250 annual fee for each reserved parking space where a parking meter is removed from the space. This fee is intended to offset the loss of parking meter revenue and render the policy revenue neutral.

## **Supplemental Material/Issue Analysis**

### ***History/Facts & Issues***

Under the proposed reserved parking program, street-side parking spaces may be reserved for the exclusive use of individual properties with a historic preservation overlay within the Park Avenue or Calhoun Street Special Character Districts. The Public Works Department will have the ability to designate parking spaces as reserved following submission and review of an application by a historic property owner. The amendment to the trespass towing ordinance is necessary to authorize towing from reserved street-side spaces.

A. Reserved Parking Policy

The City Commission has previously implemented pilot programs authorizing the reservation of street-side parking spaces for historic properties in the Park Avenue and Calhoun Street Special Character Districts: the first pilot program was in 1995 and the second in 2003. Both pilot programs were implemented for one-year terms and expired. On May 22, 2013, the Long Range Planning Target Issue Committee (LRTI) approved a proposal to implement the reserved parking program for historic properties on a permanent basis.

As proposed, reserved street-side parking will be limited to the Park Avenue and Calhoun Street Special Character Districts which comprise approximately 15 square blocks. (Attachments 3 and 4). Currently, there are 34 historic preservation overlay properties in the Park Avenue Special Character District, seven of which are City parks and two are cemeteries, and there are 22 historic preservation overlay properties in the Calhoun Street Special Character District. (Attachment 5)

Under the policy as approved by the LRTI Committee, a historic property owner desiring reserved parking will submit an application to the Public Works Department. No more than two (2) spaces will be reserved for any particular historic property. Signs designating a reserved space will be paid for by the property owner. The property owner will be responsible for enforcement and permitted to tow unauthorized vehicles through a private towing company (as authorized by the amendment to the trespass towing ordinance). In addition, the owner will pay the City an annual fee of \$250 for each reserved space where a parking meter is removed.

The \$250 annual fee is intended to offset the lost meter revenue and to ensure efficient allocation of downtown parking spaces. Based on figures provided by City Traffic Systems (Attachment 6), the average revenue per meter in the Park Avenue Special Character District was \$327.89 in 2011, \$293.43 in 2012 and \$288.41 in 2013. The average revenue per parking meter in the Calhoun Street Special Character District was \$184.21 in 2011, \$186.16 in 2012 and \$204.03 in 2013. As shown in Attachment 6, the revenue for individual meters within the Districts varies substantially based on the location of the metered parking space.

#### B. Amendment to the Trespass Towing Ordinance

Chapter 20, Article V, of the Tallahassee Code currently authorizes trespass towing from private property. Under the current Code, to engage in trespass towing, a property owner must comply with certain requirements including entering into a contract with a towing company on a form approved by and filed with the Tallahassee Police Department (TPD) and posting notices on the property. Upon satisfying these requirements, the property owner may have unauthorized vehicles towed from the property.

This amendment authorizes historic property owners to tow unauthorized vehicles from reserved street-side parking spaces. Currently, a towing company is not authorized to tow from a street-side parking space which is part of the public right-of-way. The amendment requires compliance with requirements which are currently in place for trespass towing including requiring the historic property owner to enter into a contract with a towing company, on a form approved by and filed with TPD, and to post notices on the property. In addition, the amendment extends existing limits on the charges which can be imposed to recover a towed vehicle to towing from a reserved street-side parking space.

Ordinance No. 14-O-13 is before the City Commission for public hearing and action. City Commission Policy No. 403 is before the City Commission for action; a public hearing is not required.

#### ***Options***

1. Adopt Ordinance No. 14-O-13 and Commission Policy No. 403.
2. Do not adopt Ordinance No. 14-O-13 and Commission Policy No. 403 and provide direction to staff.

#### ***Attachments***

1. Proposed Commission Policy 403

2. Proposed Ordinance No. 14-O-13.
3. Map of Calhoun Street Special Character District
4. Map of Park Avenue Special Character District
5. Map of Historic Properties in Downtown Area
6. Parking Meter Revenue - Special Character District Meters

 [1 - Historic Parking Policy.pdf \(14 KB\)](#)  [2 - Amend Ch 20 Art V.pdf \(60 KB\)](#)

 [3 - Map Park Ave Dist.pdf \(329 KB\)](#)  [4 - Map Calhoun St Dist.pdf \(56 KB\)](#)

 [5 - Map HPO Properties.pdf \(251 KB\)](#)  [6 - Meter Revenue.pdf \(8,329 KB\)](#)