



A BILL FOR AN ORDINANCE

RELATING TO RESTRICTED PARKING ZONES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and Purpose. The purpose of this bill is to establish a restricted parking zone (RPZ) program to help ease parking congestion in residential neighborhoods surrounded by major traffic generators like hospitals and universities, while balancing the needs of all people to be able to use the public streets. RPZs help neighborhoods deal with the impacts from major traffic generators through transportation and parking demand management strategies and signed time limits from which vehicles displaying a valid RPZ permit are exempt.

SECTION 2. Chapter 15, Revised Ordinances of Honolulu 1990, is amended by adding a new article to be appropriately designated and to read as follows:

"Article __. Designation of Restricted Parking Zones

Sec. 15- __.1 Definitions.

For the purposes of this article, unless otherwise indicated, the following definitions apply:

"Business" means any person or entity that possesses a valid State of Hawaii general excise tax license and that conducts commercial work at the business address listed on the license, including but not limited to, retail sales and service, warehouse, non-household sales and service, or entertainment.

"Department" means the department of transportation services of the city.

"Director" means the director of transportation services of the city or the director's designee.

"Dwelling unit" means the same as the term is defined in Chapter 21. Each unit of a multiple-unit residential dwelling is considered a separate dwelling unit.

"Employee" means any individual who performs work, labor, or services and is on the payroll of a business or institution. This includes all full-time, part-time and temporary employees including partners of the business or institution located in or adjacent to a restricted parking zone.



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"Guest" means a person temporarily visiting residents or temporarily having business with residents who are eligible for restricted parking zone permits.

"Guest permit" means a card, decal or other identification issued to an eligible person to be placed in the vehicle that enables it to park in a restricted permit parking zone, for an annual, biennial or single-day timeframe.

"Institution" means any organization of a public character, including but not limited to, a school, hospital, religious facility, health care facility, social or community service agency, library, university, or museum.

"Resident" means any person residing in a dwelling unit that is located adjacent to or in a prescribed vicinity of a restricted parking zone.

"Restricted parking zone" or "RPZ" means a portion of the street commonly used for vehicular parking where vehicles properly displaying a permit or other authorization pursuant to this article are exempt from the posted restricted parking zone parking restrictions.

"Restricted parking zone permit" means a card, decal or other identification issued to an eligible person to be placed on the vehicle that enables it to park in a restricted parking zone.

"Volunteer" means any individual who performs volunteer work for a business or institution at least three times a week.

Sec. 15-__2 Administration of restricted parking zones.

- (a) Signage: A restricted parking zone shall be appropriately signed and/or marked.
- (b) Program components and permit use:
 - (1) A restricted parking zone may have one or more of the following components:
 - (A) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit, guest permit, or other identification issued by the director as part of the RPZ program;
 - (B) Parking in the street is reserved during certain posted hours for exclusive use of vehicles displaying a valid RPZ permit, guest



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permit, or other identification issued by the director as part of the RPZ program; or

- (C) Time limits are established for parking in the street that apply to all vehicles except vehicles with a valid RPZ permit, guest permit, or other identification issued by the director as part of the RPZ program.
 - (2) In any restricted parking zone, the director may issue permits or other means of identification, maintain lists of vehicles owned or used by permit holders, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone.
 - (3) A permit shall not guarantee or reserve to the holder an on-street parking space within the designated RPZ.
 - (4) If issued to a resident, a permit must be used within six contiguous city blocks of the dwelling unit address or, if issued to a business, institution, or employee, a permit must be used within six contiguous city blocks of the place of business or the institution.
- (c) Application:
 - (1) In order to obtain an RPZ permit, any restricted applicant must present proof of residency in or adjacent to the restricted parking zone boundary in addition to submittal of a complete application to the director. Any residential applicant must also present proof that the address of vehicle registration matches the applicant's dwelling unit address or that the applicant is an out of state non-resident or active military personnel.
 - (2) In order to obtain an employee restricted parking zone permit, an employer must present, for each employee requesting a permit, proof of employment within the restricted parking zone boundary in addition to submittal of a complete application to the director.
- (d) Permit limit: Each eligible dwelling unit is entitled to have no more than four RPZ permits at any one time.
- (e) Exception: The director may issue more restricted parking zone permits than the permit limit per dwelling unit for the following land uses:
 - (1) Adult family home;



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- (2) Assisted living facility;
 - (3) Domestic violence shelter; and
 - (4) Permitted congregate residence, provided the amount does not exceed one per sleeping room.
- (f) In determining whether to grant additional permits in excess of the four-permit per dwelling unit limit, the director may also consider the availability of on-street parking in the requestor's residential area and demonstrated need for additional permits.
- (g) Guest permits. Each eligible resident may obtain no more than one annual or biennial guest permit per dwelling unit. It is illegal to use a guest permit on a resident's vehicle. Eligible residents may obtain no more than 50 single-day use guest permits per year.
- (h) Motorcycles and scooters. Motorcycles and scooters are authorized to park in a restricted parking zone without a restricted parking zone permit.
- (i) Free-floating car sharing vehicles. Any free-floating car sharing vehicle authorized by the director to implement transportation and parking demand strategies that displays a valid free-floating car sharing permit is authorized to park in any RPZ with the same privileges as a vehicle with a valid RPZ permit.

Sec. 15-__3 Employee permits.

Employee permits. Separate from the program for residents established in the previous subsections, the director shall consider requests from employers within a RPZ for employee permits under certain conditions provided that this can be done while maintaining the following goals of the RPZ program: reduce neighborhood traffic impacts by large parking demand generators; support mixed-use neighborhoods and local business districts; continue to reduce overall energy use and vehicle emissions; keep demand by residents and employees from exceeding available on-street parking spaces in residential areas; and implement a customer-oriented permit program. If RPZ permits are subsidized in a particular RPZ, an employee is not eligible for such a subsidy. Among the criteria the director shall consider in determining whether to grant requests for employee RPZ permits are:

- (a) Availability of on-street parking on non-RPZ-signed blocks that is within a reasonable walking distance of the employer;



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- (b) Availability of alternate modes of transportation within a reasonable distance;
- (c) Availability of off-street parking within a reasonable distance;
- (d) Availability of on-street parking in the RPZ;
- (e) Time of day that employees work;
- (f) Number of permits requested by the employer;
- (g) Existence of other employers within the restricted parking zone that could potentially also request employee permits; and
- (h) Other hardships that may exist.

Sec. 15-__4 Establishing, expanding and reducing restricted parking zones.

- (a) The director shall consider whether an RPZ within a designated area, would promote certain benefits or would result in adverse impacts.
 - (1) Benefits that may lead to establishing a restricted parking zone include, but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promoting the use of alternative modes of transportation.
 - (2) Adverse impacts that may prevent establishing a restricted parking zone include, but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper or more effective solutions.
 - (3) Regardless of potential benefits or adverse impacts that may result, the director will not install restricted parking zones in any downtown area, the boundaries of which are set forth in the Downtown Transit-Oriented Development Plan in part because of high demand and multiple, competing needs for on-street parking.
- (b) The director may establish a new or expand an existing restricted parking zone whenever 75 percent or more of the capacity of the streets available for parking



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on ten contiguous blocks (or 20 block faces) in such designated area is generally occupied; over 35 percent of the vehicles parked on the street in the area are not owned by residents of the designated area; there is an identifiable parking generator; there has been a strong and effective community engagement effort indicating that generally stakeholders in the designated area have reviewed and support the restricted parking zone, which could include a petition signed by a majority of the residents in the designated area in support of the restricted parking zone; and the public interest would be served. In cases where the criteria listed above are not met, the director is authorized to establish a restricted parking zone when, in the director's judgment, the parking problem will be ameliorated by a restricted parking zone and the public interest would be served.

- (c) The director is authorized to engage affected and interested community stakeholders to review and assist in refining any future restricted parking zone proposals.
- (d) The public information and involvement program may include department presentations to business and community organizations, information distribution through the city's web site, news releases and related media, direct mailings of informational materials, facilitated meetings, sounding boards, walking tours, surveys, and other techniques as appropriate to the scale of the proposal.
- (e) Prior to the director's decision to establish, not to establish, to dissolve, to expand, or to reduce a restricted parking zone by more than two contiguous blocks, the director must hold a public hearing at which the director provides interested persons an opportunity to submit written and oral comment into the public record.
- (f) At least 20 days prior to the public hearing, the director shall mail a notice of hearing containing the hearing time and location to all owners, commercial lessees and residents of property within 300 feet of the affected restricted parking zone.
- (g) At least 20 days prior to the public hearing, the director shall publish in a local newspaper a notice of the hearing that states the hearing time and location.
- (h) The director's decision to establish, not to establish, to expand, to reduce, or to dissolve a restricted parking zone is subject to reconsideration within 15 days of publication of the notice in a local newspaper. Requests for reconsideration may be initiated, in writing, by residents, business owners, or employees or volunteers in or adjacent to the proposed restricted parking zone. On reconsideration, the



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director shall designate a review officer, who shall, after reviewing the reconsideration materials and other relevant information, make a recommendation to the director. The director may, at the director's discretion, stay implementation of a decision pending review. The director shall have 30 days to issue a decision.

- (i) Time limit for initiation of an appeal. Notice of an appeal from the Decision of the director shall be filed with the director within 20 days following issuance of the director's Decision on Reconsideration.
- (j) Form of Appeal. The notice of appeal must contain a brief statement of the issues on appeal, the specific objections to the decision being appealed, along with supporting facts and documentation, and the relief sought. The notice of appeal must list the name of the appellant, and the signature, address, phone number, and fax and e-mail address if available, of the person appealing.
- (k) Decision. After reviewing the notice of appeal and supporting documentation and conducting a hearing, the director shall issue a written decision within 30 days after the conclusion of the hearing. The written decision shall contain the reasons for the decision and the provisions for further appeal and shall be provided to the person appealing and to the director. This decision is the final decision of the city.
- (l) The director may modify hours of an existing restricted parking zone or expand or reduce boundaries of an existing restricted parking zone by two contiguous blocks or less by following an administrative process that seeks to identify possible changes suggested by the community, review proposed changes to the restricted parking zone with affected community stakeholders, and make a determination for what best serves the public interest, without holding the public hearing specified in subsection (e).
- (m) A restriction of parking shall first take effect on a street segment when it is signed or posted, and shall cease when the signs or posting are removed pursuant to lawful order; provided that vandalism or destruction of parking control signs shall not affect the validity of a restriction upon parking on any street segment designated by the director if other signs or traffic control devices give notice that parking on the street segment is restricted.
- (n) The director may initiate dissolution of a restricted parking zone when the director determines that dissolution best serves the public interest and meets at least one of the following criteria, including but not limited to, low permit sales in a zone, a small number of blocks with restricted parking zone signs, or the absence of the



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original traffic generator. The zone would be removed at the beginning of a new permit cycle.

Sec. 15-__5 Fees for restricted parking zone permits—Waiver or reduction of fees.

(a) The parking fees to be collected by the department for restricted parking zone permits are as follows:

Type of Permit	Fee
Resident parking permit	\$65.00 for a 2-year cycle
Temporary permit	\$25.00 for first 60-day period; \$25.00 for second 60-day period
Guest permit issued with resident permit	\$30.00
Replacement of resident and guest permit	\$15.00 for first permit, \$25.00 for second permit
Elderly/low-income permanent permit	\$10.00
Single-day guest permit	\$1.00

(b) The director may waive or reduce a restricted parking zone fee in subsection (a) whenever:

- (1) The waiver or reduction is in the overall public interest due to extraordinary facts or circumstance;
- (2) The waiver or reduction is consistent with the goals of the restricted parking zone program; or
- (3) Dire consequences may result if the request is denied."



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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Carol Fukunaga

DATE OF INTRODUCTION:

JUL 02 2015

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu