

# COUNCIL COMMUNICATION

	Number:	<b>19-075</b>	Meeting:	<b>February 25, 2019</b>
	Agenda Item:	<b>38</b>	Roll Call:	<b>19-300</b>
	Submitted by:	<b>Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

- A. Code modifications related to the Woods of Copper Creek Plats 1-4 and Ruby Rose Ridge Residential Development.
- B. Code modifications related to the removal of the traffic signal at the intersection of 4th Street and Walnut Street.
- C. Code modifications related to the resident parking district and permits.
- D. Code modifications related to special parking permit fees.

## SYNOPSIS:

Recommend approval of the staff recommendation and the ordinance regarding the traffic regulation changes.

## FISCAL IMPACT:

Amount: Minor costs for sign installations.

Funding Source: 2018-19 Operating Budget, Page 84 Engineering Department Traffic and Transportation—Sign, Painting, Signal and Lighting, EG062080

## ADDITIONAL INFORMATION:

- A. The proposed code modifications will add parking restrictions and stop sign locations to the new City streets constructed as part of The Woods of Copper Creek Plats 1 through 4 and Ruby Rose Ridge Residential Development.

Sec. 114-2061.5 Northeast Twenty-third Avenue.

Northeast Twenty-third Avenue, at East Forty-seventh Street, stop.

Northeast Twenty-third Avenue, at East Fiftieth Street, stop.

Northeast Twenty-third Avenue, at East Fiftieth Court, stop.

Sec. 114-2123.02 East Fiftieth Street.

East Fiftieth Street, at East Sheridan Avenue, stop.

Sec. 114-2336. East Sheridan Avenue.

East Sheridan Avenue, at East Fiftieth Court, stop.

Sec. 114-2375. Wisconsin Avenue.

Wisconsin Avenue, at East Forty-seventh Street, stop.

Sec. 114-2936.5. East Forty-eighth Street--Wisconsin Avenue to north city limits.

East Forty-eighth Street, on the west side, from Wisconsin Avenue to the dead end north and including any part of the cul-de-sac East Sheridan Avenue, no parking any time.

Sec. 114-2938.5. East Forty-ninth Court—Dead end south of East Sheridan Avenue to north city limits.

East Forty-ninth Court, on the west side, from the dead end south of East Sheridan Avenue to East Sheridan Avenue, no parking any time.

Sec. 114-2942.5. East Fiftieth Street—~~East Broadway Avenue to Dead End~~ Northeast Twenty-third Avenue to East Broadway Avenue.

East Fiftieth Street, on the west side, from Northeast Twenty-third Avenue to the dead end north of East Sheridan Avenue, no parking any time.

Sec. 114-3033.09. Brook View Drive--~~Brook Ridge Court to dead end~~ Wisconsin Avenue to East Fifty-second Street.

Brook View Drive, on the west side, from Wisconsin Avenue to the dead end north of East Sheridan Avenue, no parking any time.

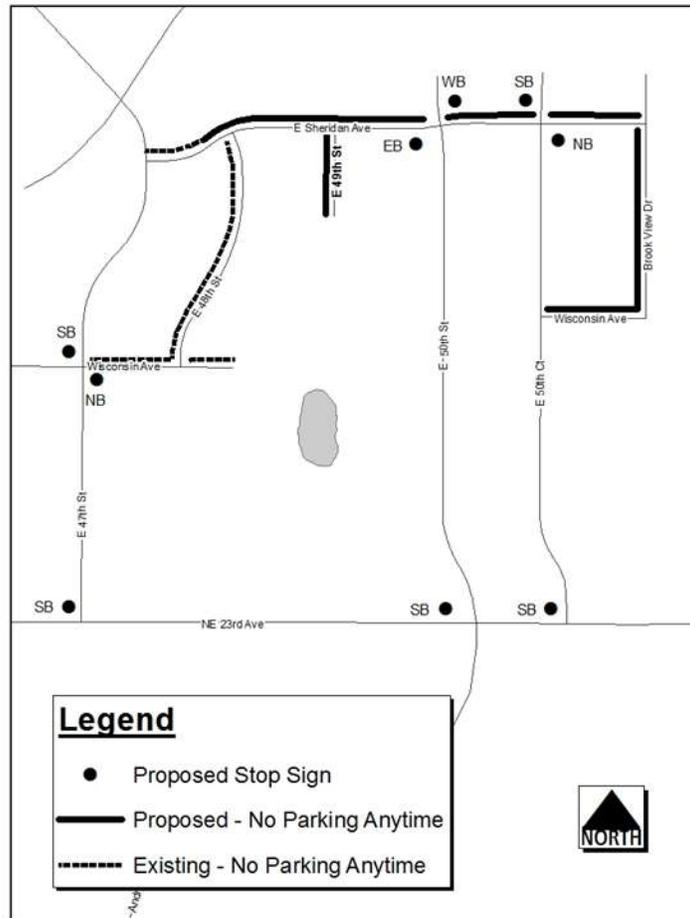
Sec. 114-3637. East Sheridan Avenue First Street to east city limits.

East Sheridan Avenue, on the south side, from East Forty-second Street to the east city limits a point 590 feet east thereof, no parking any time.

East Sheridan Avenue, on the north side, from the dead end west of East Forty-eighth Street to Brook View Drive, no parking any time.

Sec. 114-3793. Wisconsin Avenue North Union Street to ~~dead end east of East Forty-eighth Street~~ east city limits.

Wisconsin Avenue, on the north side, from East Fiftieth Court to Brook View Drive, no parking any time.



B. The 2nd Avenue and 3rd Street at Walnut Street Traffic Signal Replacements project includes the removal of the traffic signal at the intersection of 4th Street and Walnut. The project includes the installation of bump-outs at the intersection and stop signs to make the intersection all-way stop controlled. These improvements are scheduled for this Spring. This month, one (1) of the traffic signal poles at this intersection was damaged beyond repair. As a result, the intersection is currently operating as an all-way stop controlled intersection. The following changes to the Municipal Code are necessary to implement this change.

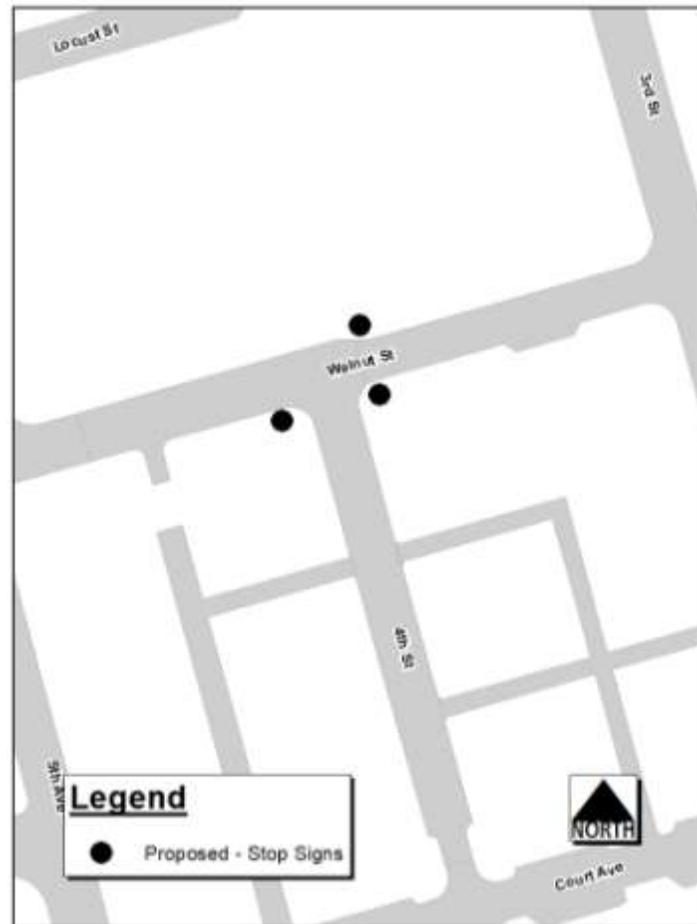
Sec. 114-319.02. Locations of three-way stop intersections.

The following intersections are hereby designated as three-way intersections. Stop signs shall be installed and maintained at the following intersections and the driver of a vehicle approaching these intersections from the directions hereinafter designated shall stop in accordance with this chapter before entering these intersections:

(9) Walnut Street and Fourth Street. The driver of a vehicle approaching this intersection from the south, east and west shall stop before entering the intersection.

Sec. 114-1499. Walnut Street.

~~Walnut Street and Fourth Street, traffic control signal.~~



- C. In the 1990s, the City adopted parking restrictions in what was considered the “downtown loop area” in an effort to decrease loitering in this area at night. In 2002, in response to concerns that the Arlington-Hallett Apartment’s residents had been negatively impacted by the night-time parking restrictions, a residential parking permit was established. Since that time, this downtown area (now referred to as the Western Gateway) has changed significantly. There is more residential housing, businesses are open nights and weekends, events occur almost weekly during the summer months and more parking options are available to both residents and visitors. As a result, reserving parking for only one (1) purpose is no longer feasible and there is no longer a need for resident parking permits. Only two (2) residents currently have resident parking permits. Both residents were notified in December 2018 that the Traffic and Transportation Division would be discontinuing the residential permit program upon Council approval. The following changes to the Municipal Code are necessary to implement this change.

~~Sec. 114-613.01. Parking in spaces designated for resident parking permits.~~

- ~~(a) When official signs are erected, no person shall park a vehicle in a parking space for resident permit parking unless the vehicle displays a resident parking permit, in accordance with the requirements of Sec. 114-640.02, issued by the city traffic and transportation division. Resident parking permits may be either of two types, with a Type A permit valid 24 hours per day and a Type B permit valid from 6:00 p.m. to 7:00 a.m. daily, Monday through Friday, plus all day Saturday and Sunday, but do not supersede~~

~~additionally posted parking restrictions as defined in Sec. 114-602 or temporary restrictions posted under authority of the chief of police.~~

~~(b) A person who violates any provision of this section shall pay a fine of \$15.00.~~

Sec. 114-636. Parking meter ~~and resident permit parking~~ district.

The parking meter ~~and resident permit parking~~ district shall be constituted of all the streets and avenues located within the area bounded by the north right-of-way line of West Martin Luther King Jr Parkway beginning at the west bank of the Des Moines River, thence west to the west side of Sixteenth Street, thence north along the westerly side of Sixteenth Street to the south side of Locust Street, thence west along the south side of Locust Street to a point even with the west side of Eighteenth Street, thence northwest along the westerly side of Eighteenth Street to the south side of Grand Avenue, thence west along the south side of Grand Avenue to the west side of Nineteenth Street, thence north along the west side of Nineteenth Street to the north side of Woodland Avenue, thence east along the north side of Woodland Avenue to the north extension of the west side of Twelfth Street, thence north along the north extension of the west side of Twelfth Street to a point even with the westerly extension of the north side of Chestnut Street, thence east along the west extension of the north side of Chestnut Street and along the north side of Chestnut Street to the west side of Ninth Street, thence north along the west side of Ninth Street to the south side of Keosauqua Way, thence northwest along the south side of Keosauqua Way to the west side of Tenth Street, thence north along the west side of Tenth Street and along the north extension of the west side of Tenth Street to the south right-of-way line of Interstate 235, thence east along the south right-of-way line of Interstate 235 to the west bank of the Des Moines River, thence south along the west bank of the Des Moines River to the north side of Grand Avenue, thence east along the north side of Grand Avenue to the west side of Robert D. Ray Drive to a point even with the westerly extension of the north side of Lyon Street, then east along the west extension of the north side of Lyon Street and along the north side of Lyon Street to the east side of to the east side of Pennsylvania Avenue; thence south along the east side of Pennsylvania Avenue to the point of intersection with the east extension of the south side of East Locust Street and said point also being the east side of East Seventh Street; thence south along the east side of East Seventh Street and Southeast Seventh Street to the north right-of-way line of East Martin Luther King Jr Parkway; thence west along the north right-of-way line of East Martin Luther King Jr Parkway and along the right-of-way line West Martin Luther King Jr Parkway to the point of beginning.

Sec. 114-639. Parking Meter ~~and Resident Permit Parking~~ District Map.

The city traffic engineer shall cause to be filed in the office of the city clerk a detailed map depicting the boundaries of the parking meter ~~and resident permit parking~~ district as established by this division.

Sec. 114-640. Designation of parking spaces.

The city traffic engineer may apportion the appropriate parts of the streets in the parking meter ~~and resident parking~~ district into individual parking spaces and may cause such parking spaces to be designated by meters placed on the sidewalk or border area of the street. No vehicle shall be parked which is not entirely within the limits of the space adjacent to the

parking meter. The city traffic engineer may cause the removal of any parking meter placed for any parking space.

~~Sec. 114-640.01. Resident parking permits.~~

- ~~(a) The city traffic engineer is authorized to issue a resident parking permit for residents living within the parking meter and resident parking permit district, as defined by Sec. 114-636. Resident parking permits may be issued on an annual or monthly basis. The fee for a Type A permit shall be \$50.00 per month, while the fee for a Type B shall be \$25.00 per month. Fees may be prorated on a monthly basis from the start of the effective period of the permit for permits issued after the start of the effective period. Resident parking permits will be of a color and design, as determined by the city traffic engineer, and this color and design will change as needed for enforcement purposes.~~
- ~~(b) The city traffic engineer is authorized to issue, at no charge, a Special Parking Permit to any current holder of a Resident Parking Permit, when it is determined that an authorized activity within the Resident Parking Permit District precludes the holder of a Resident Parking Permit from being able to use the adjacent parking area designated for Resident Permit Parking.~~
- ~~(c) A Special Parking Permit daily meter fee shall not be waived when the reason for a parking restriction is related to a valid emergency restriction, such as but not limited to, snow removal. The holder of a valid Resident Parking Permit may apply and would be eligible for issuance of a Special Parking Permit under Sec. 114-361.21, with the permit fee waived, but would still be responsible for paying the daily cost of any parking meter, as computed under Sec. 114-361.19(e), at any parking metered space not temporarily restricted. The issuance of a Special Parking Permit will not supersede any emergency parking restrictions imposed by an authorized city official.~~

~~Sec. 114-640.02. Resident parking permit placement.~~

~~Residents issued residential parking permits are required to display the permit on the vehicle in compliance with placement and visibility requirements established by the city traffic engineer. The resident parking permit will be of such a design that annual permits may be applied to the inside of the windshield of the vehicle or monthly permits may be hung from the rear view mirror. Both types of permits must be clearly visible for enforcement purposes.~~

~~Sec. 114-640.03. Residency requirements for issuance of a resident parking permit.~~

~~Residents must establish to the satisfaction of the city traffic engineer that they have a current residence within the boundaries of the parking meter and resident permit parking district to be eligible for issuance of a resident parking permit. Proof of residence will normally be a copy of a signed and executed lease document.~~

~~Sec. 114-643. Parking meter rates and time zones.~~

- ~~(a) Three parking meter rate and time zones within the parking meter and resident permit parking district designated as zone I, zone II and zone III shall be established and may subsequently be amended by resolution adopted by the city council. The parking meter rate and time zones may be comprised of contiguous or non-contiguous area. Zone 1 shall designate a peak pricing area and all zones shall designate the locations of thirty-minute meter parking spaces and the locations of handicapped meter parking spaces. The resolution establishing the parking meter~~

rate and time zones together with all appended zone maps and descriptions incorporated therein shall be filed in the office of the city clerk.

Sec. 114-644. Hours of meter operation.

Except on Sundays and the legal holidays of New Year's Day, January 1; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25, parking meters in the parking meter ~~and resident parking~~ district established by this division shall be operated every day between the hours of 9:00 a.m. and 9:00 p.m.; provided, however, that on those segments of streets where parking is prohibited during specified times by this chapter, the parking meters on such segments of streets shall be operated only at times parking is permitted.

Sec. 114-2737. Thirteenth Street--Walnut Street to Locust Street.

~~Thirteenth Street, on the east side, from Walnut Street to Locust Street, resident parking permit parking.~~

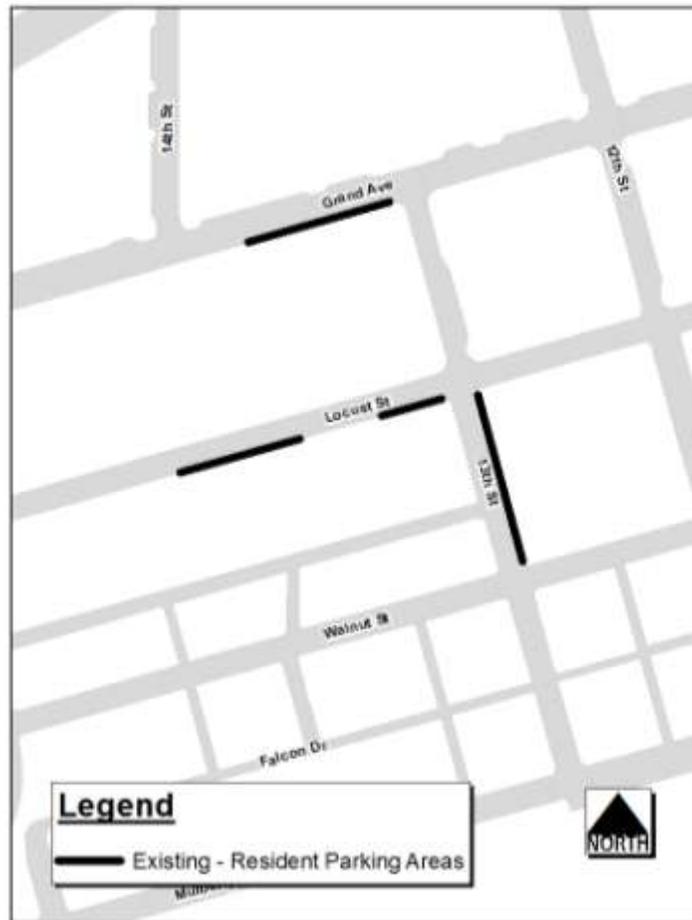
Sec. 114-3256. Grand Avenue--Thirteenth Street to Fifteenth Street.

~~Grand Avenue, on the south side, from a point 20 feet west of Thirteenth Street to a point 260 feet west thereof, resident parking permit parking.~~

Sec. 114-3431. Locust Street--Thirteenth Street to Fifteenth Street.

~~Locust Street, on the north side, from a point 20 feet west of Thirteenth Street to a point 90 feet west thereof, resident parking permit parking.~~

~~Locust Street, on the north side, from a point 165 feet west of Thirteenth Street to a point 140 feet west thereof, resident parking permit parking.~~



- D. In 2018, the City changed the meter hours of operation to include weekdays until 9:00 p.m. and Saturdays. At that time changes were not made to the special parking permit section to match the updated hours of operation. The following changes to the Municipal Code are necessary to implement this change. Changes are also included to remove references to resident parking permits.

Sec. 114-361.19. Special parking permit issuance.

- (e) Applicants are required to pay an application fee and the daily meter rate of the reserved meter(s) for the time period the meters are reserved, not less than a 24-hour period, except as specified in Section 114-36.19(g). Payment is required at the time the permit is issued except as specified in Section 114-361.19(ih). The charges for the application fee, daily meter rate, and the meter hood may be waived at the discretion of the city traffic engineer or his or her designated representative.
- ~~(f) If parking meters are hooded specifically for use after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, the only charges shall be the application fee and meter hood fee for each meter listed in the permit.~~
- (gf) The application fee and meter hood fees shall be defined in the Schedule of Fees. The daily meter rate charged for hooding parking meters shall be calculated using the specific parking meter district location of the meter(s) to be hooded and the daily meter rates designated in section 114-643 of this code. In all instances the daily meter fee shall be calculated based upon a ~~ten~~twelve-hour day. The daily meter fee shall be an additional

fee only during normal ~~hours~~days of parking meter operations as designated in Section 114-644 of this code. A meter hood fee will be charged for days when daily meter rates are not charged.

- (hg) Vehicles owned or operated by governmental agencies, shall be exempt from the permit fee requirements. Vehicles and equipment working directly under contract or subcontract to the City of Des Moines shall also be exempt from these permit fee requirements.
- (ih) For a permit issued for special handicap consideration for persons who possess a permanent state of Iowa handicap placard or state of Iowa handicapped license plates, and a physician's certificate that substantiates a significant degree of disability related to coin handling dexterity, the fee for the permit shall be as provided above, but any daily meter fee shall be waived.
- (ji) A person who parks a vehicle in violation of any provision of this section or of the terms of the special parking permit shall pay a fine as defined in the Schedule of Fees.

Sec. 114-361.21. Standards for issuance of special parking permits.

For the purposes of section 114-361.19 of this article, the term "parking or standing required in the performance of a public service or to satisfy a public need" is defined under authority of the city traffic engineer. This shall generically include but not be limited to the following use of a parking space:

- ~~(8) — Residents within the parking meter and resident permit parking districts I, II or III who are holders of a valid Resident Parking Permit shall be eligible for issuance of a Special Parking Permit, at no charge, if displaced by an authorized special event. A Special Parking Permit shall not be issued at no charge when parking within the resident permit parking areas is because of an emergency situation beyond the control of the city. No Special Parking Permit shall supersede emergency parking restrictions imposed by an authorized city official.~~
- (98) Temporary moving storage containers in actual service for adjacent properties.
- (109) Dumpsters in actual service for adjacent construction activity.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: August 20, 2018

Roll Call Number: [18-1452](#)

Action: [On](#) 2nd Avenue and 3rd Street at Walnut Street Traffic Signal Replacements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as TK Concrete, Inc. (Tony J. Ver Meer, President), \$525,955. ([Council Communication No. 18-430](#)) Moved by Mandelbaum to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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