



City of Albuquerque

Department of Municipal Development

Timothy M. Keller, Mayor

Patrick Montoya, Director

INTER-OFFICE MEMORANDUM

October 18, 2022

To: Lawrence Rael, Chief Administrative Officer

From: Patrick Montoya, Director, Department of Municipal Development

^{DS}
PM/DM

Subject: New Regulation Governing the Establishment of Residential Parking Permit Areas and the Issuance of Parking Permits

The Department of Municipal Development (DMD) has drafted a Regulation Governing the Establishment of Residential Parking Permit Areas and the Issuance of Parking Permits (“Regulation”). The Regulation implements certain provisions of the Traffic Code providing guidance on the establishment of new residential permit parking areas, ROA 1994, Section 8-5-1-4(B). The Regulation:

- Sets forth the process and requirements for submitting a request to establish a residential parking permit area.
- Describes DMD’s process for review of residential parking permit area requests, as well as DMD’s process for revocation of parking permit areas.
- Establishes eligibility requirements for residential parking permits.
- Establishes the process for applying for a parking permit, and other requirements.

On May 19, 2022, DMD held a public hearing on the Regulation. No public comment was received, and the appointed Hearing Examiner recommended that the City adopt the proposed Regulation without any substantive changes.

Pursuant to § 2-15-1, et seq. ROA 1994, I request that you review and sign the attached Regulation. The Regulation shall go into effect following your signature and DMD’s filing of the Regulation with the City Clerk.

Should you have questions or concerns, please do not hesitate to contact me.

REGULATION GOVERNING THE ESTABLISHMENT OF RESIDENTIAL PARKING PERMIT AREAS AND THE ISSUANCE OF PARKING PERMITS

1.0 AUTHORITY

- 1.1 This Regulation is promulgated pursuant to ROA 1994, Section 8-5-1-4(B).
- 1.2 In the event that this Regulation is in conflict with the provisions of ROA 1994, Section 8-5-1-4(B), the provisions of Section 8-5-1-4(B) shall prevail.

2.0 PURPOSE AND POLICY

- 2.1 The purpose of this Regulation is to set forth procedures for the establishment of residential parking permit areas and the issuance of parking permits for residents of those areas.
- 2.2 The policy of this Regulation is to balance the interests of residents with the interests of non-residents in access to community amenities and resources, while supporting economic development and community commerce.

3.0 APPLICABILITY

- 3.1 This Regulation applies to all new requests for the establishment of residential parking permit areas and parking permits submitted after the effective date of this Regulation.
- 3.2 This Regulation does not affect existing residential parking permit areas.
- 3.3 This Regulation does not affect existing residential parking permits, however, in the event an existing permit is terminated or expires, a new permit must be requested pursuant to these Regulations.

4.0 DEFINITIONS

- 4.1 **PARKING PERMIT AREA** means an area in which a permit issued by the City of Albuquerque Parking Division is required to park.
- 4.2 **PARKING DIVISION** means the City of Albuquerque, Department of Municipal Development, Parking Division.
- 4.3 **RESIDENT** means an owner of property or a person leasing property within an existing and proposed parking permit area.

5.0 REQUEST TO ESTABLISH RESIDENTIAL PARKING PERMIT AREA

- 5.1 Residents interested in establishing a residential parking permit area shall submit a letter and petition (collectively, a “request”) to the Parking Division.
- 5.2 The petition must be signed by residents representing sixty-seven (67) percent of the properties abutting the residential street(s) upon which permit parking is proposed.
- 5.3 A sample letter and petition are available on the Parking Division website.

6.0 REVIEW OF RESIDENTIAL PARKING PERMIT AREA REQUESTS

- 6.1 Upon receipt of a complete request meeting the requirements of Section 5.0, above, the Parking Division shall conduct an on-street parking study of the area to evaluate the need by residents for the parking permit area. Through examining license plates and interviewing residents over at least a two-week period, the Parking Division shall determine what percentage of the available on-street parking spaces are being used for a significant portion of time by persons who are non-residents of the area.
- 6.2 If, through the study, the Parking Division determines that more than 50 percent of available on-street parking spaces in the area are being used for a significant portion of time by persons who are non-residents of the area, the Parking Division may determine that a need exists by residents for the parking permit area.
- 6.3 Following its need determination, Parking Division shall hold at least one community meeting for residents and members of the general public to voice concerns and considerations about a proposed residential parking permit area.
- 6.4 Following the meeting, the Parking Division shall prepare a recommendation as to whether the request should be granted. The Parking Division may recommend that the permit area be established on a pilot basis for a 12-month initial period or on a permanent basis. In developing its recommendation, the Parking Division shall consider the following criteria:
 - 6.4.1 The demand for on-street parking on the affected street(s) relative to the parking availability, and parking needs of the residents;
 - 6.4.2 The relative value of on-street parking for non-area residents to allow access to community amenities and resources balanced against any significant impacts on the area residents that may justify the need for parking limitations or restrictions;
 - 6.4.3 Economic Development, and support for community commerce; and
 - 6.4.4 Feedback from the community meeting(s).

- 6.5 The Parking Division shall transmit its recommendation to the Director, Department of Municipal Development, who shall then submit it to the Mayor or Mayor's designee.
- 6.6 If, following review of the recommendation and consideration of the criteria set forth in section 6.4, above, the Mayor determines that the petition should be granted, the Mayor shall submit an executive communication to the City Council for its approval of the establishment of a new residential parking permit area designation.
- 6.7 The proposed residential parking permit area will become effective only upon the City Council's approval of the executive communication.
- 6.8 If City Council approves the residential parking by permit area, the Parking Division shall promptly notify the residents and post appropriate signage.
- 6.9 The residents may be required to pay for all direct and indirect costs caused by, or associated with, permit parking, including, but not limited to, signs, installation, and parking permits.

7.0 REVOCATION OF PARKING PERMIT AREAS

- 7.1 The Director of the Department of Municipal Development may, following a recommendation by the Parking Division and 30-days' notice to residents in the residential parking permit area, revoke the residential parking permit area. The Director's determination shall be based upon consideration of changes in the need by residents for the parking permit area, the demand for on-street parking by non-residents, community feedback, economic development, and support for community commerce. Approval by the Mayor or the Mayor's designee of the proposed revocation is required.

8.0 SPECIAL PARKING PERMIT AREAS

- 8.1 The Department of Municipal Development may establish parking permit areas to resolve special circumstances affecting an area.

9.0 PARKING PERMIT ELIGIBILITY

- 9.1 Parking permits will be issued only to residents living within the permit parking area.
- 9.2 Parking permits will only be issued for vehicles that have valid vehicle registration.
- 9.3 A maximum of three (3) permits will be issued for each address, pending location and curb space limitations.

- 9.4 A single lot with multiple addresses will only be issued three (3) permits for all addresses associated with the lot. This includes apartments, casitas, and duplexes.
- 9.5 Written requests for additional permits and an exemption to the outlined criteria will be considered only if the applicant provides sufficient justification of a special need.

10.0 APPLICATION FOR PARKING PERMIT

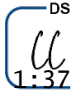
- 10.1 Applications for a parking permit must be submitted to the Parking Division. The application is available on the Parking Division website.
- 10.2 Applications must include:
 - 10.2.1 Current Driver's License for the driver of the permitted vehicle.
 - 10.2.2 Proof of residency in the form of a current utility bill, lease/rental agreement, tax bill, or other acceptable current documentation as determined by the Parking Division that includes the applicant's name and address. Proof of residency must include information regarding the unit requesting a parking permit. The address provided on the application must be an address within the parking permit area.
 - 10.2.3 A valid vehicle registration at the time of permit application.
- 10.3 An applicant for a parking permit may also request a visitor's permit at the time of application, or may separately apply for a visitor's permit.
- 10.4 The City reserves the right to deny an application for a parking permit based on failure to establish residency or provide a valid vehicle registration or driver's license, or parking demand or availability.


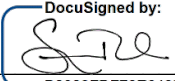
11.0 PARKING PERMIT REQUIREMENTS

- 11.1 Parking permits must be affixed to the lower left corner (driver's side) of the front windshield of the vehicle for which the permit was issued, to be visible for the City of Albuquerque's Parking Enforcement Division. Visitor parking permits must be placed in a clearly visible location for City Parking Enforcement Officers to view, such as hanging from the rear-view mirror.
- 11.2 Parking permits are non-transferrable. Sale, trade, re-registration, or other disposal of a vehicle will render the permit null and void. In the event of the sale, trade, or other disposal of a vehicle with an assigned permit, the portion of the permit with the license plate number must be removed by the permit holder and submitted with an application for a new permit for another vehicle. Any abuse of the program will

cause the resident, tenant, landlord or other from receiving any further permits permanently.

- 11.3 Relocation of a resident to an area outside the permit area will render the permit(s) null and void. Parking Enforcement will be advised of permit status for enforcement purposes.
- 11.4 Rental Properties will be expected to make all reasonable attempts, as part of their tenant clearance procedures to retrieve the portion of the parking permit(s) with the license plate number of the vehicles of tenants who are vacating their rental properties.

These regulations shall become effective on 10/21/2022 |  upon signature by the Chief Administrative Officer and filing with the City Clerk.

 
 Chief Administrative Officer

10/21/2022 | 10:00 AM MDT
 Date