



City of Santa Barbara
Downtown Parking Committee

Memorandum

DATE: September 14, 2017

TO: Downtown Parking Committee

FROM: Rob Dayton, Transportation Planning and Parking Manager

SUBJECT: PROPOSED VALET PARKING ORDINANCE

RECOMMENDATION:

That the Downtown (DPC) Parking Committee receive an update from staff and provide input to the draft Valet Parking Ordinance and the accompanying Rules and Regulations.

DISCUSSION:

Staff recently went to Ordinance Committee with a draft ordinance regulating valet parking. Currently, valet parking is not regulated in the City. Ordinance Committee directed that staff return to the DPC to further vet the draft ordinance and Rules and Regulations governing valet parking and to receive more public input. Staff met with valet operators to review the draft Rules and Regulations and received feedback. We made adjustments to the draft Rules and Regulations and are bringing them to the DPC for their review and public comment.

Staff will also be scheduling meetings with the City's Building Official, and the Access Advisory Committee to review the Americans with Disability Act (ADA) implications of the draft Valet Ordinance. We will return to DPC on a future date to get final recommendations prior to returning to the Ordinance Committee.

BACKGROUND:

Valet parking is a service provided by businesses to the public on an on-going basis, and for one-time events. Valet parking is sometimes provided by individuals, sometimes in residential areas, for their one-time events. Valet operations may occur on-street, in City parking lots, and off-street throughout the City in commercial and residential areas. Typically, valet services are performed by a third party.

At this time, staff is aware of four professional valet operators conducting business within the City.

An on-street Valet operation uses existing curbside parking spaces for loading zones, generally in front of the business that is providing the service. Customers drive onto the parking space and Valet employees take those personal vehicles and transport them to a storage area, either a private or public space, in some cases, to on-street parking spaces.

Staff has observed some valet operators reserving on-street parking spaces for valet stands and for vehicle storage. This practice has created public access issues because on-street public parking spaces are presumed to be available to the public on a first come, first served basis.

Public Safety issues occur when cars queue in the street while approaching the valet stand, dropping off or picking up. Valet operators are often seen driving dangerously, making illegal U-turns, driving against the flow of traffic, double parking and driving too fast. Valet drivers are often seen running in and out from behind parked cars, risking collisions with other cars on the street.

Currently, there is no language in the Santa Barbara Municipal Code that specifically regulates valet operations in the public right of way or within the City's Downtown parking lots. At this time a valet operator's business practices are not subject to approval, review and regulation, unless there is a public safety issue, City staff does not have the authority to approve or modify or improve valet operations when requested by the public or a business.

Based on the feedback received over the past two years from the business community and the public, the Transportation and Circulation Committee, the Downtown Parking Committee, and the Planning Commission, staff developed a draft Valet Parking Ordinance. We presented this to the Ordinance Committee on July 25th.

The ordinance is written in order to regulate the way valet operators conduct their business within the City's right of way. A permit would be issued to the valet operator.

Each proposed valet parking location would be evaluated for: public safety and convenience, the number of people serviced by the location, proximity to other parking valet operations, and existing demands for curb use on the street(s) near the proposed location.

The proposed Valet Parking Ordinance does not address off-street valet operations, where no part of the public right-of-way is being used for drop off, pick-up or storage. Those operations would be addressed in the proposed New Zoning Ordinance proceeding under a separate process.

Staff presented the Ordinance Committee with potential fees to offset the staffing costs of administering the program, including onsite monitoring. A \$100 valet parking event permit fee already exists in the Downtown Parking Fee Resolution. This amount offsets staffing costs to evaluate each proposal, perform onsite monitoring of event operations, and for the use of the public parking facilities. Staff proposes using this fee to permit single, one-time, valet requests within the public right of way.

Staff recommended adding to the Downtown Parking Resolution a \$1,200 annual valet permit fee, as well as an initial set-up fee of \$400. The \$1,200 annual fee would compensate the City for the on-going use of the right of way, and cover the cost of staff to review the Valet Parking Plan annually, and to conduct occasional on-site observations of the valet parking operation. The \$400 initial set-up fee would cover the hard costs of signage, paint, and staff time of producing and installing an on-street valet zone.

Ordinance Committee Comments and Stakeholder Engagement

Ordinance Committee members focused primarily on the need for more stakeholder participation and revision of the fees. One member questioned the need for any regulation of valet parking.

Staff decided to draft Rules and Regulations and then sit down with the valet parking operators to get their feedback. Invitations were sent out and two valet parking operators responded and met with City staff: Signature Parking and Blue Star Valet. A key issue discussed was allowing the storage of valet parked cars in the public right of way. The valet operators believe that this should be permitted as long as public parking spaces are not exclusively reserved. Staff agrees that the owner of a vehicle that is valetted has a right to use public parking as long as it's a first come, first serve situation where another member of the public is not prevented from using available parking (by use of reservation).

The valet operators also agreed with having three types of permits: Annual Permit, Temporary Permit, and a Special Permit. Each operator would be required to have an annual permit to operate at \$1200. This would permit them to operate valet at reoccurring locations. The temporary permit would apply to one-time and multi-day valet operations, but not permanent, in locations where parking duration is regulated. The fee associated with a Temporary Permit, similar to the Parking Waiver Permit issued by Public Works, would be equal to \$30/day per space reserved for loading and unloading. Finally, the Special Permit fee, similar to the permit issued now by Downtown Parking would be \$100. Staff understands that the fee amounts will be the subject of considerable discussion.

Outreach

Prior to introducing the Ordinance to the Ordinance Committee, staff conducted a public outreach process, including public presentations, at various City committees to determine how on-street valet operations should be regulated, and to determine the role of valet parking operations on City streets. City staff reached out to a number of business groups and City Committees, including:

- Greater Santa Barbara Lodging and Restaurant Association
- Downtown Santa Barbara
- Santa Barbara Chamber of Commerce
- Signature Parking
- Milpas Community Association
- Coast Village Road Association
- Transportation and Circulation Committee
- Downtown Parking Committee
- Planning Commission

The questions posed to each group were whether valet parking should be allowed on City streets and if so, whether or not valet parking operators should be allowed to use public parking facilities for vehicle storage. The organizations representing business groups generally felt that offering valet parking could benefit local businesses, and should be allowed. While City Committee members were supportive of on-street valet operations, no City committee members supported using the on-street public parking supplies for vehicle storage.

July 25, 2017, staff introduced the proposed Valet Ordinance to Council's Ordinance Committee. Instead of an approval or denial, the Committee directed staff to take the proposed Ordinance and Rules and Regulations to the DPC to seek their input and guidance.

PROPOSED VALET PARKING ORDINANCE

The proposed ordinance is written in order to regulate the way valet operators conduct their business within the City's right of way. A permit would be issued to the valet operator.

Each proposed valet parking location would be evaluated for: public safety and convenience, the number of people serviced by the location, proximity to other parking valet operations, and existing demands for curb use on the street(s) near the proposed location. The rules and regulations would address valet parking storage of vehicles.

The proposed Valet Parking Ordinance does not address off-street valet operations, where no part of the public right-of-way is being used for drop off, pick-up or storage.

Those operations would be addressed in the proposed New Zoning Ordinance proceeding under a separate process.

A \$100 valet parking event permit fee already exists in the Downtown Parking Fee Resolution. This amount offsets staff costs to evaluate each proposal, to perform occasional event operations, and use of the public parking facilities. Staff will use this fee to permit single valet requests within the public right of way.

Staff recommends adding to the Downtown Parking Resolution a \$1,200 annual valet permit fee, as well as an initial set-up fee of \$400. The \$1,200 annual fee would compensate the City for the on-going use of the right of way, and covers the cost of staff to review of the Valet Parking Plan annually, and to conduct occasional on-site observations of the valet parking operation. Staff intends to make this fee payable on a quarterly basis to create cost increments for smaller business and to account for the starting and stopping of valet parking operations at mid-year. The initial set-up fee is required to cover the cost of producing and installing on-street valet signage.

NEXT STEPS:

On September 5, 2017, staff met with two valet operators to discuss the proposed Ordinance and Rules and Regulations. The following concerns were raised by the valet operators:

The 30 day notice, the operators said that they rarely are given much more than a week notice before an event requiring valet is scheduled.

Reword Section 3 (Permit Required) movement and page 1 Introduction to (Loading and Unloading or drop off and pick up) to address the issue that if a valet company is conducting the event on private property and moving the vehicles to a private location that they should not be required to purchase a permit for the event. *leaving private location and using the public right of way to travel to offsite location.

Clarify that city parking lots are not included within the terms public right of way and that a permit does not allow an operator to conduct business in the City's parking lots without additional permits and fees.

Concern was raised about having to resubmit all new paperwork including insurance, site & traffic plans for an ongoing site and when all remained the same.

Valet companies voiced concerns of page 15 number 22, with the idea that there may be a need to place more than 1 valet stand on the same block. After discussion, they determined that the verbiage is adequate with (unless the applicant demonstrates support for a second zone).

Permanent and temporary Valet signs should be standardized, including size, language and font.

The timeframe for a temp permit should be clarified. What would be the length of time before it qualifies as a more permanent location? Eg; a temp permit is purchased for a company who wants a few months of service but it turns into several months.

Coastal Permits are required for events that are for more than 400 guests. This may be a good idea for requirements for permitted events.

There was a recommendation the City should only be informed of events when they occur along curbs with posted restrictions, and Loading Zones.

Liability insurance was discussed for high priced and ADA modified vehicles. The Operators also stated that they have a liability disclaimer on every valet ticket.

Clarification is needed to require the Valet Operator as the permittee responsible for the application and fees, not the business.

The valet companies would prefer an annual fee, instead of a monthly fee.

Staff is considering the input from the valet operators and may include them in the next version of the draft document.

Staff has begun meeting with the City's Building and Safety staff to gain a thorough understanding of the effects of the Americans with Disabilities (ADA) Act on Valet Parking Operations. Permit applications for Valet Operations will be required to include a site plan that shows how the Valet Operator proposes to comply with ADA requirements.

On September 14, 2017, staff will introduce the proposed Valet Ordinance and proposed Rules and Regulations to the DPC.

PREPARED BY: Robert J. Dayton, Transportation Planning and Parking Manager