

# CITY OF SANTA BARBARA WATERFRONT

## DEPARTMENT MEMORANDUM

Date: May 16, 2013  
To: Harbor Commission  
From: Scott Riedman, Waterfront Director  
Subject: Amendments to Parking Ordinance, 72-hour limit

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### **RECOMMENDATION:**

That Harbor Commission consider proposed changes to Ordinances governing 72-hour parking in Waterfront lots and recommend approval of those changes to City Council.

### **BACKGROUND:**

On January 24, 2013, the Harbor Commission formed a three-member, ad-hoc Parking Committee to review Waterfront parking policies, particularly the problem of vehicle storage in the Harbor Main Lot.

At public meetings in February and March, 2013, the Parking Committee received comments and suggestions from the public about how to resolve various aspects of the vehicle storage problem. Most comments focused on stepping up enforcement of an existing 72-hour limit in the Harbor Main Lot, which had previously only been loosely enforced. Harbor Patrol has since increased enforcement of the 72-hour limit in the Main Harbor Lot, issuing 36 citations between March 18<sup>th</sup> and May 5<sup>th</sup>, with only one cite issued in the past month. This increased presence has also caused some vehicle owners who were overstaying the 72-hour limit to simply leave the lot for good.

### **DISCUSSION:**

While enforcing the 72-hour limit in the main Harbor Lot, two incidents triggered staff's interest in amending existing City Ordinances that address these limits.

First, an individual appealed a citation he received after rolling his vehicle from one stall to another, citing language in MC 17.36.040 that seemingly exempts a vehicle that simply moves a short distance. Staff believes moving a short distance does not reflect the intent of the 72-hour limit, and that vehicles should exit the lot before they can return and "reset the clock."

Second, vehicle stays exceeding 72 hours in "outer" Waterfront lots are not currently addressed in the Municipal Code. Staff believes the 72-hour limit should apply to all Waterfront Lots, despite posted daily closures between 2:00 a.m. and 6:00 a.m. This will allow the City to tow abandoned vehicles much sooner than it currently can.

Finally, existing Ordinance language allows an individual to stay in the Main Harbor Lot as long as he/she wishes, as long as they pay for it—a notion not consistent with enforcement of the 72-hour limit.

To address these three issues, staff proposes the following amendments to MC 17.36.040 and MC 17.36.050.

**17.36.040 72-Hour Vehicle Parking Limit in ~~Harbor Parking Lot~~Waterfront Parking Lots.**

No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in ~~the same parking space in the Harbor parking lot~~ any Waterfront Parking Lot in excess of a period of seventy-two (72) consecutive hours, except persons with valid permits or prepaid permits as established by City Council Resolution, under the following circumstances:

A. Vehicles owned by harbor slip holders who have also been issued a valid Waterfront slip-holder's parking permit will be allowed unlimited parking in the Harbor parking lot, providing that such vehicles are currently registered with the California Department of Motor Vehicles and are fully operational.

B. Any person wishing to park a vehicle in the Harbor parking lot over the seventy-two (72) hour limit may be allowed to do so, providing:

1. The vehicle owner registers with the Waterfront Parking office prior to leaving the vehicle in the Harbor lot.

2. ~~The vehicle owner pays, in advance, the appropriate daily parking fee for each twenty-four (24) hour period the vehicle will remain in the Harbor parking lot, provided that any vehicle bearing a Waterfront parking permit will be allowed to park for the first seventy two (72) hours at no charge. (Ord. 4757, 1992.)~~

**17.36.050 Penalties for Vehicle Parking Over 72 Hours in ~~Harbor Parking Lot~~Waterfront Parking Lots.**

In the event a vehicle is parked, stopped or left standing in ~~the Harbor parking~~ any Waterfront Parking Lot ~~lot~~ in excess of a period of seventy-two (72) consecutive hours, does not have a valid slip holder parking permit, and has not been registered with the Waterfront parking office in advance, the vehicle may be cited and any member of the Police Department authorized by the Chief of Police may remove the vehicle from ~~the Harbor~~ that parking lot in the manner and consistent with the requirements of the California Vehicle Code. (Ord. 4757, 1992.)

**CONCLUSION:**

Staff believes adoption of these Ordinance amendments will clarify the Municipal Code relative to parking enforcement in all Waterfront Lots, especially as they relate to the 72-hour limit. Staff reviewed the proposed changes with the Harbor Commission Parking Committee (Commissioners Cramer, Spicer and Webb) on May 8, 2013 and the Committee supported the staff recommendation.