



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 8, 2019

TO: Mayor and Council

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Sections 17.36.010, 17.36.020, 17.36.035, 17.36.040, 17.36.060, and 17.36.080 Pertaining to Waterfront Parking.

EXECUTIVE SUMMARY:

Parking in Waterfront lots has long been in high demand. On June 13, 2019, Waterfront Department held a workshop to gather input from the public on issues or activities they believed impact this finite resource. Results of the workshop were ranked by popularity and presented at a July 22, 2019 meeting of the Harbor Commission Parking Subcommittee (Subcommittee) and appear as Attachment 1 to this report. At the Parking Subcommittee meeting, staff also presented for consideration several operational changes and proposed amendments to Chapter 17 of the Municipal Code aimed at minimizing abuses of parking resources and improving parking availability for the entire community. The Parking Subcommittee voted 3-0 to support and forward the staff recommendations to full Harbor Commission consideration. On August 19, 2019, the Harbor Commission unanimously (6-0) supported the proposed amendments to Chapter 17 of the Municipal Code and forwarded them to the City Council Ordinance Committee for consideration. The City Council Ordinance Committee forwarded, in a 2-0 vote, the proposed Amendments to City Council for consideration with the caveat that the proposed vehicle height limit allowed for issuance of a Waterfront Annual Parking Permit be increased from the proposed 90 inches (7 feet, 6 inches) to 97 inches (8 feet, 1 inch) to accommodate smaller Sprinter-type vehicles.

BACKGROUND:

The Waterfront Department currently operates eight (8) public parking lots and two (2)

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 2

joint use parking lots, the latter in coordination with Santa Barbara City College. City Council established a pay parking program in the early 1980's following a thorough review process that included an Environmental Impact Report, Harbor Commission, Planning Commission, and Council review, plus a California Coastal Commission Permit.

The Waterfront Department has for years sold two types of annual parking permits for Waterfront public parking lots. The most common type of permit, known as a (red) "General Permit," currently costs \$125 for a calendar year and is available to the general public. The General Permit exempts the vehicle to which it is affixed from hourly parking fees in all Waterfront Department public parking lots, except Stearns Wharf. All other parking laws must be obeyed, such as time restrictions in 15-minute or 90-minute spaces, no-parking in red zones and no illegal parking in handicap stalls. In addition, vehicles with General Permits are allowed to park in the Harbor Main Lot for up to 72 consecutive hours.

The other (blue) permit is known as a "Slip Permittee Permit." It costs \$95 for a calendar year and only one Slip Permittee Permit may be issued per slip permit. Similar to the General Permit, the Slip Permittee Permit exempts the vehicle to which it is affixed from hourly parking fees in all Waterfront Department public parking lots except Stearns Wharf. In addition, the Slip Permittee Permit exempts the vehicle from the 72-hour parking limit in the Harbor Main Lot. In other words, the vehicle can remain in the Harbor Main Lot indefinitely, as long as it is operable. As with the General Permit, all other parking laws must be obeyed.

The Slip Permittee Permit, allowing indefinite stays in the Harbor Main Lot, was initially intended to accommodate commercial fishermen and other mariners who occasionally go to sea for more than three consecutive days.

Available parking spaces in the Harbor Main Lot (and Waterfront lots in general) have long been in high demand. Over the past several years, however, that demand has increased considerably, commensurate with growing popularity of local watersports like kayaking and paddleboarding, plus emergence of the Funk Zone and reopening of Lower State Street. Also, over time, some residents and businesses, recognizing the advantage and cost-benefit of a General Permit vs. on-street parking or standard vehicle storage, began abusing well-intended parking policies by storing vehicles (or goods or merchandise *inside* vehicles) in the Harbor Main Lot. The cumulative result was demand on parking at levels never seen before.

In 2013, Waterfront staff convened a number of public meetings, including a March 12, 2013, meeting of the Harbor Commission Parking Subcommittee, to gather input regarding parking issues and develop possible solutions to alleviate pressure on Waterfront public parking lots. The result was an increase in Harbor Patrol enforcement of the 72-hour parking limit in the Harbor Main Lot and ensuring that vehicles parked in

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 3

the Waterfront lots remain operable. As a result, a number of large vans and vehicles being stored in the Harbor Main Lot moved out and found alternate storage locations.

DISCUSSION:

Increased parking demand, especially on weekends and during summer, has resulted in significantly reduced availability to the general public. For example, on many days the Harbor Main Lot is to capacity well before noon, forcing staff to put out "Lot is Full" signs until public parking spaces open up. The placement of "Lot is Full" signs, at times, last hours. It should be noted that Harbor Main continues to allow vehicles into the lot when these signs are erected.

Additionally, in August 2017, the City's Oversize Vehicle Ordinance (Municipal Code Section 10.44.220) banned (with some exceptions) oversized vehicles (generally, vehicles longer than 25 feet, wider than 80 inches, or higher than 82 inches) from parking on City streets. This Ordinance, as well, likely contributed to more oversized vehicles crowding Waterfront public parking lots, as their previous storage locations, in front of their residences or on City streets, were now mostly prohibited.

Staff has received many complaints from the public, businesses, slip permittees, and visitors regarding a variety of issues related to parking. Complaints have ranged from not enough parking, too many vehicles using public parking lots for long term storage, the cost of the annual permits being too cheap/too expensive, to setting aside reserved parking spaces for certain Marinas. In an effort to ascertain the public's perception regarding Waterfront public parking lot issues, staff convened a Waterfront Parking Issues Workshop on June 13, 2019. The purpose of the meeting was to gather input from the public. Meeting notices were placed on all four Marina gates, signs were posted at the entry to Harbor Main, Harbor West, and Leadbetter parking lots. A BlackBoard Connect notice regarding the Workshop was sent by phone to over 1,400 recipients on Friday, June 7. Over 50 members of the public attended the meeting. At the meeting, members of the public were broken up into five smaller groups to allow maximum participation by all in attendance.

A Waterfront staff member was present at each group and was tasked with recording participant answers, keeping participants on task, and ensuring everyone had an opportunity to participate. A summary of the comments, along with a Staff Response, can be found in Attachment 1. The comments in Attachment 1 are ranked based on how many of the five tables expressed the same concern for the same issue. For example, if four of the five tables expressed the same concern it is labeled (4x). If three of the five tables expressed the same concern then it would be noted as (3x), and so forth. Participants were asked three questions regarding Waterfront parking. The questions were as follows:

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 4

- 1) Thinking about parking in the Waterfront... What is currently working well?
- 2) Thinking about parking in the Waterfront ... What needs to be fixed?
- 3) Thinking about parking in the Waterfront ... What needs to be left alone?

Comments most prevalent related to Question #2...“What needs to be fixed?” They are expressed below, in prioritized order, and include a Staff Response and, if appropriate, Action for the City Council to consider.

Workshop Question #2): What needs to be fixed?

#1 Issue Identified: Enforcement of parking rules and regulations needs to be increased, including 72-hour limits and illegal camping.

Staff Response/Action: This issue was advanced at all five tables. Over the past two calendar years, Harbor Patrol issued 124 citations for 72-Hour violations and eight citations for camping. When operability is a concern, Harbor Patrol contacts the registered owner who is generally given 48 hours to prove operability. No citations have been issued for operability in the last two calendar years. Harbor Patrol currently conducts numerous patrols of Waterfront public parking lots. In light of the responses gathered at the Workshop, however, Harbor Patrol will increase the number of daily patrols with a focus on camping, vehicle size limits, 72-hour violations, and inoperable vehicles.

#2 Issue Identified: Oil industry crew members parking in Waterfront Parking Lots.

Staff Response/Action: Casitas Pier in Carpinteria is the primary pier used to transport goods and employees via workboats to various offshore oil platforms. In March, Casitas Pier was temporarily shut down due to winter storm damage. Members of DCOR and Pacific Operators Offshore, whose employees work on the platforms, approached the Department with an emergency request to use Santa Barbara Harbor as their primary port until the Casitas Pier was back in operation.

In the spirit of regional cooperation, the Department agreed to temporarily assist the oil companies with their emergency needs, allowing them to use facilities like the City Pier and Harbor Main Lot. Oil platform workers, meanwhile, were required to purchase annual parking permits to park in the Waterfront.

DCOR and Pacific Operators Offshore workers used Waterfront Parking lots from early-March until mid-September. During that time, Waterfront staff worked with DCOR and Pacific Operators Offshore to shift employee parking areas to minimize impacts to the public. As of the writing of this report, all oil platform workers have been relocated back to the Casitas Pier in Carpinteria and are no longer using Waterfront Parking lots for employee parking.

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 5

Important to note, however, is that the Waterfront Department currently lacks authority to deny a person or entity (e.g. a commercial business, taxi service, or construction company) an annual parking permit. Staff, therefore, recommends amending Santa Barbara Municipal Code Chapter 17.36.010 to reduce unwarranted impacts to public Waterfront parking lots and maintain the goals and purposes of these facilities, as follows:

17.36.010 Parking in Waterfront Lots.

E. DUTY AND POWER TO MANAGE. The Waterfront Director shall have the duty and power to manage all uses of Waterfront Parking Lots and may deny issuance of parking permits to any person or entity when such permit or permits would unduly interfere with coastal access or public parking.

#3 Issue Identified: Too many storage vehicles in the Waterfront Parking Lots, namely, Harbor Main. Eliminate step vans, box trucks, and other oversized vehicles. Vehicles with (Slip Permittee) Blue Permits shouldn't be allowed to stay in the Harbor Main Lot 24 hours per day/7 days a week/365 days a year.

Staff Response/Action: As discussed earlier in this report, vehicles with Blue (Slip Permittee) Permits may park year-round in the Harbor Main Lot. As a result, numerous Slip Permittees use that lot to store personal vehicles. In addition, many Slip Permittees and Live-Aboard Permittees store large vehicles in Harbor Main and use these as "garages." Both of these uses take up highly sought and very limited public parking spaces, and abuse the intent of the Slip Permittee Permit, which was granted so boaters could leave on multi-day ocean trips and not worry about their vehicles. Consequently, at any one time, 25-50+ "storage" units sit in the Harbor Main Parking Lot, negatively impacting slip permittees, fishermen, merchants, and residents, plus visitors wishing to access beaches, the ocean, or Waterfront shops, restaurants, and other facilities or businesses.

Moreover, recent approval of the City of Santa Barbara's Local Coastal Program included policy language directly addressing the abuse of Harbor parking privileges:

Section 3.1-19: Long Term Parking in the Harbor Lots. Long-term parking of vehicles that are primarily used for storage shall be discouraged and not displace coastal access parking within the Harbor lots.

Recognizing the importance of certain oversized vehicles for delivering goods and services to local businesses, staff believes these vehicles should still be allowed to access Waterfront public parking lots. Examples include delivery trucks from businesses like UPS or Jordano's Market.

However, due to the proliferation of storage vehicles (box trucks, step vans, campers/travel-related vehicles, and oversized vehicles), the Department proposes to

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 6

eliminate annual-permit issuance to any vehicle that exceeds one or more of the following size limitations:

1. 22 feet long (current limit is 20 feet); or,
2. *90 inches high (note: the height limit on City streets is 82"); or,
3. 82 inches wide

Vehicles exceeding one or more of these size limits could still use Waterfront public parking lots, but instead of being granted annual permits, they would be charged per posted hourly and daily rates. The Waterfront Director or his/her designee may grant waivers when size limitations are exceeded by a vehicle necessary to support ocean-dependent needs, including but not limited to commercial fishing, lease-holder businesses, Business Activity Permit holders, or oil-spill response.

*It should be noted that the Ordinance Committee recommended and approved increasing the proposed height limitation from 90 inches to 97 inches. The new limit is reflected in the proposed ordinance amendments. City staff developed the proposed 90-inch height limit for Annual Parking Permits to be consistent with the City's current Residential Parking Program which also has a height limit of 90 inches. Consistency between programs would prevent confusion from residents who participate in the Residential Parking Program and also frequent Waterfront parking lots with the use of an annual Waterfront parking permit. Upon Council's final direction, staff will develop "Enforcement Guidelines" for all appropriate components of the Ordinance to be used by Harbor Patrol and Waterfront Parking Services staff.

Staff recommends adding Section 17.36.035 Annual Parking Permits to the Santa Barbara Municipal Code a follows:

17.36.035 Annual Parking Permits.

A. AUTHORITY. The Waterfront Director may issue nontransferable annual parking permits for Waterfront Parking Lots as provided in this Section.

B. ELIGIBLE VEHICLES. Annual parking permits may be issued to passenger vehicles (as defined in California Vehicle Code section 465 but excluding house cars) or motor trucks (as defined in California Vehicle Code section 410 but excluding trucks with a manufacturer's gross vehicle weight rating of 11,500 pounds or more and an unladen weight of 8,002 pounds or more) which are used by the general public, Waterfront slip permittees, or ocean-dependent commercial fishing businesses upon payment of a fee established by resolution of the City Council.

C. INELIGIBLE VEHICLES. Annual parking permits shall not be issued to any vehicle that exceeds one or more of the following size limitations: 22 feet in length, 97 inches in height or 82 inches in width. Annual parking

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 7

permits shall not be issued to buses, vehicles not licensed for travel on public highways, recreational vehicles, motorhomes or campers. Annual parking permits shall not be issued to vehicles used for commercial purposes unrelated to maritime or ocean uses.

D. WAIVERS. The Waterfront Director or his or her designee may grant waivers from the size limitations established by this section, in the Harbor Main Parking Lot only, when to do so is necessary to promote a commercial, ocean-dependent priority need, including but not limited to commercial fishing operations, lease holders businesses, Business Activity Permit holders business, or oil spill response activities. Such waivers may be granted conditionally.

Regarding the current ability of Slip Permittee vehicles (Blue Permits) to permanently remain in the Harbor Main Lot, this privilege has been abused to a point where it encourages the storage of vehicles (standard or oversized), impeding coastal access for the general public. Therefore, staff recommends amending the Santa Barbara Municipal Code Chapter 17.36.040.B.1, requiring vehicles that have remained parked in the Harbor Main Lot for thirty (30) consecutive days to exit the lot for a minimum of (96) hours before returning.

17.36.040 72-Hour Vehicle Parking Limit in Parking Lots.

A. 72-HOUR VEHICLE PARKING LIMIT IN WATERFRONT PARKING LOTS. Except as provided in subsection B below, 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 any of the Waterfront Parking Lots in excess of a period of 72 consecutive hours.

B. 72-HOUR VEHICLE PARKING LIMIT IN HARBOR PARKING LOT. No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in the Harbor Parking Lot in excess of a period of 72 consecutive hours, except persons with valid permits or prepaid permits as established by City Council Resolution, under the following circumstances:

1. Currently registered and fully operational ~~vehicles~~ owned by harbor slip holders ~~permittees~~ who have also been issued a valid Waterfront slip permittee parking permit may park for no more than thirty (30) consecutive days in the Harbor Parking Lot without exiting the vehicle from the Harbor Parking Lot at least once for a period of no less than ninety-six (96) consecutive hours. ~~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. On or before the thirtieth (30th) day, all such vehicles must exit the Harbor Parking Lot for a~~

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 8

period of no less than ninety-six (96) consecutive hours. The Waterfront Director may issue exceptions to the exiting requirement when necessary to support maritime activities. Such exceptions may be issued conditionally.

Vehicles with red (General) permits are currently allowed to exceed the posted 72-hour limit in the Harbor Main Lot if they receive permission from the Waterfront Department. Often, these extensions are made for people who leave town for a short time, longer than 72 hours, and do not want to store their vehicle at the airport or other locations. Others need the extension for extended sailing trips or other maritime-related activity. Recognizing these needs, the Department proposes codifying exceptions to the 72-hour limit, as provided below in Chapter 17.36.040.B.2:

B.2. The Waterfront Director or his or her designee may permit a Any person wishing to park a vehicle in the Harbor Parking Lot over the 72-hour limit for maritime reasons. The ~~may be allowed to do so if the vehicle owner must registers with the Waterfront parking office and obtain and display in the vehicle written evidence of permission prior to leaving the vehicle in the Harbor Parking Lot.~~

#4 Issue Identified: Los Baños exit hours of operation need to be expanded. The exit needs to be open more often.

Staff Response/Action: Currently, Los Baños exit hours are:

<u>May 1 to September 30:</u>	Wednesday through Friday 3:00 p.m. – 8:00 p.m. Saturday through Sunday 11:00 a.m. – 8:00 p.m.
<u>October 1 to April 30:</u>	Friday 3:00 p.m. – 7:00 p.m. Saturday and Sunday 11:00 a.m. – 8:00 p.m.

Considering input from the June 13th parking workshop, the Department now operates the Los Baños exit as follows:

<u>May 1 to September 30:</u>	Daily from 11:00 a.m. – 8:00 p.m.
<u>October 1 to April 30:</u>	Friday 3:00 p.m. – 7:00 p.m. Saturday – Sunday 11:00 a.m. – 8:00 p.m.

#5 Issue Identified: Event Parking (Wet Wednesday/Semana Nautica/July 4th) and non-ocean related events make it difficult to find parking for Slip Permittees.

Staff Response/Action: As discussed earlier in this report, over the past several years parking demand has increased considerably, commensurate with growing popularity of local watersports like kayaking and paddleboarding, plus emergence of the Funk Zone and reopening of Lower State Street. The number of special events scheduled in the

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 9

Waterfront area, however, has decreased considerably over the past several years from 285 special events in 2011 to approximately 130 in 2018. Waterfront Lots operate on a first-come, first-served basis, providing equal access to public parking.

The Department will continue monitoring special events and their parking needs. In addition, the Department will expand social media use to inform the public of upcoming events in the Waterfront area that might impact access to public parking spaces and encourage the public to plan their visits accordingly.

#6 Issue Identified: Need designated parking for Slip Permittees, especially Marina One. All other Marinas have nearby parking.

Staff Response/Action: Currently, no Waterfront Marinas have designated parking areas. Harbor Main is a public parking lot that successfully uses a first-come, first-served operating model. Designating parking areas for Slip Permittees would preclude public access to the harbor and coast, even if and when such spaces are not occupied. This kind of preferential treatment would not be consistent with the public interest or reflect sound public policy.

That said, Harbor Way's current parking configuration of 15-Minute and 90-Minute spaces from 9 a.m. to 6 p.m. provides valuable parking opportunities for the general public, business patrons, and all permittees.

#7 Issue Identified: Losing parking stalls from restriping. Americans with Disabilities Act (ADA) spots appear and regular spots are lost.

Staff Response/Action: Waterfront public parking lots are patched, slurry-sealed, and re-striped on a recurring basis, generally every five to seven years. As part of this maintenance effort, the Department must provide striping plans and receive permits from the City of Santa Barbara's Building Division. The plans must conform to current building codes and the Americans with Disabilities Act (ADA). These requirements often call for the addition of ADA spaces, which are larger than standard spaces. Therefore, the number of standard spaces is occasionally reduced.

#8 Issue Identified: Non-Waterfront commercial businesses parking in Harbor Main with red permits.

Staff Response/Action: See response to Issue #2 above.

Council Agenda Report

Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking

October 8, 2019

Page 10

CONCLUSION:

In an effort to preserve a working harbor, as defined by the Harbor Master Plan and Local Coastal Program, provide public access to the coast and various Harbor amenities, and address primary Waterfront parking concerns, staff has worked with the City Attorney to develop proposed amendments to Santa Barbara Municipal Code Chapter 17.36 (See Attachment #2).

Staff remains confident the proposed changes will help reduce the misuse of Waterfront parking lots. The amendments will also ensure compliance with Local Coastal Program policies, increase public access to the coast, and provide Slip Permittees, locals, and visitors additional parking opportunities in all Waterfront public parking lots.

It should be noted that on September 24, 2019, the Ordinance Committee amended the proposed height restriction to increase from 90 inches to 97 inches. The recommendation was unanimously approved 2-0. The change in the height limitation has been reflected in the proposed ordinance amendments.

ATTACHMENT: Waterfront Parking Workshop Summary, June 13, 2019

PREPARED BY: Brian J. Bosse, Acting Waterfront Director

SUBMITTED BY: Brian J. Bosse, Acting Waterfront Director