



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 4, 2014
TO: Ordinance Committee
FROM: Operations Division, Waterfront Department
SUBJECT: Municipal Code Title 17 Amendments-Waterfront Parking

RECOMMENDATION:

That Ordinance Committee forward a recommendation to City Council to approve an ordinance amending Municipal Code Title 17 pertaining to parking in Waterfront Parking Lots.

DISCUSSION:

The Waterfront Department has stepped up enforcement of 72-hour parking restrictions in the Harbor Parking Lot, which, in turn, has created a need to clarify Title 17 relative to 72-hour restrictions in all Waterfront Parking Lots. In addition, the recent implementation of "Pay and Display" parking systems has generated a similar need to clarify requirements for people using these facilities.

72-Hour Limit

In early 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 Parking Lot. At two subsequent public meetings, the 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 Parking Lot, which had previously only been loosely enforced. Harbor Patrol has since increased enforcement of the 72-hour limit in the Harbor Parking Lot, initially issuing dozens of citations, though that pace has tapered off considerably with time. This increased presence has also caused some vehicle owners who were overstaying the 72-hour limit to simply leave the lot for good.

While enforcing the 72-hour limit in the Harbor Parking Lot, two incidents triggered staff interest in amending existing City Ordinances that address this limit. 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 72-hour clock."

Second, the Municipal Code currently does not address vehicle stays exceeding 72 hours in Waterfront Parking Lots other than the Harbor Parking Lot. 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.

Additionally, existing Ordinance language allows an individual to stay in the Harbor Parking 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.

The proposed Code revision will require that vehicles parked in the Harbor Parking Lot must exit the lot (not just move from stall to stall) every 72 hours, in keeping with the intent of this time limitation. In addition, the prohibition against leaving any vehicle in a Waterfront Parking Lot (with provided exceptions in the Harbor Parking Lot) will allow the City to post these regulations and tow vehicles abandoned in those lots.

Pay and Display Parking

Since July 2011, the Department has installed thirteen Pay and Display Parking Management Systems at five Waterfront Parking Lots, replacing either staffed kiosks or “honor fee boxes” into which the vehicle’s owner or operator entering a parking lot would fold and insert bills into designated slots corresponding to numerically marked parking stalls. The boxes required significant staff time to collect, unfold and count fees, and to compare the fees to the amount of time a vehicle remained in a stall. They also proved less than customer friendly. Unlike the honor-fee boxes, the “pay-and-display” systems accept credit/debit cards (60% of current business) and deliver a receipt to the driver, who, per language on the receipt and on parking-lot signs, should display it on the driver’s side dashboard. The systems also allow parking staff to monitor Waterfront Parking Lots more efficiently, comparing displayed receipts to the amount of time a vehicle has remained in a stall. Finally, the pay-and-display systems have reduced by 50% time spent by the Department’s accounting staff counting parking revenues, as they no longer have to unfold crumbled bills jammed into honor-fee boxes.

While described by language found on the driver’s receipt and on signs entering Waterfront Parking Lots regulated by Pay and Display Parking Management Systems, the Municipal Code currently does not articulate the requirement to display the receipt, nor does it describe penalties for not displaying the receipt.

The proposed Code revisions will clarify and codify the requirement to properly display receipts from Pay and Display Parking Management Systems.

CONCLUSION:

Adoption of this Ordinance will clarify the Municipal Code relative to parking enforcement in all Waterfront Lots, especially as they relate to the 72-hour limit. It will also clarify requirements to display a payment receipt for vehicles parked in lots regulated by Pay and Display Parking Management Systems. To facilitate enforcement, the proposed Ordinance also includes definitions of Harbor Parking Lot, Waterfront Parking Lots and Pay and Display Parking Management System.

The Harbor Commission recommended approval of the Ordinance in May 2013. Pending a favorable recommendation from Ordinance Committee, staff will present the draft ordinance for City Council review and adoption.

ATTACHMENT: Draft Ordinance, showing changes

PREPARED BY: Mick Kronman, Harbor Operations Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING THE MUNICIPAL CODE
BY AMENDING CHAPTER 17.36 OF TITLE 17
PERTAINING TO PARKING IN THE WATERFRONT
PARKING LOTS.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN
AS FOLLOWS:

SECTION 1. Section 17.36.010 of Chapter 17.36 of Title 17
of the Santa Barbara Municipal Code is amended to read as
follows:

17.36.010 Parking ~~Fees~~ in Waterfront Parking Lots.

A. WATERFRONT PARKING LOTS. Waterfront Parking Lots shall mean all parking lots managed and maintained by the Waterfront Department, including Leadbetter Parking Lot, Harbor West Parking Lot, Harbor Parking Lot, Garden Street Parking Lot, Palm Park Parking Lot, Cabrillo West Parking Lot, Cabrillo East Parking Lot and Stearns Wharf.

B. HARBOR PARKING LOT. The Harbor Parking Lot shall mean the Waterfront Parking Lot bounded on the east by West Beach, on the West by Harbor Way, on the north by Shoreline Drive and Cabrillo Boulevard and on the south by Marinas 2, 3, 4 and the small-boat launch ramp.

C. PARKING FEES AND PERMITS. No person shall park a vehicle in the Waterfront Parking Lots without having paid or paying the required parking fee. Parking fees and the permit system for Waterfront Parking Lots shall be established by resolution of the City Council.

D. PAY AND DISPLAY PARKING MANAGEMENT SYSTEMS.

When entering Waterfront Parking Lots operated by a Pay and Display Parking Management System, the owner or operator of a vehicle entering the lot must purchase a receipt from a Pay and Display Parking Management System machine in accordance with instructions and requirements posted on the machine. Such receipt shall be prominently displayed on the driver's side dashboard in such a manner that the date and expiration time of the receipt are readily visible from the exterior of the vehicle. Any owner or operator of a vehicle who fails to purchase or properly display a valid receipt purchased from a Pay and Display Parking Management System machine shall pay a fee as described by City Council Resolution.

SECTION 2. Section 17.36.040 of Chapter 17.36 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

Section 17.36.040 72-Hour Vehicle Parking Limit in Harbor
Parking Lots.

A. 72-HOUR VEHICLE PARKING LIMIT IN WATERFRONT PARKING LOTS.

Except as provided in Subsection B, 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 seventy-two (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 ~~same parking space in the~~ Harbor 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:

1A. 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.

2B. 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 ~~if, providing~~ Tthe vehicle owner registers with the Waterfront Parking office prior to leaving the vehicle in the Harbor Parking Lot.

~~b2. 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.~~

SECTION 3. Section 17.36.050 of Chapter 17.36 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

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

A. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS IN WATERFRONT PARKING LOTS.

In the event a vehicle is parked, stopped or left standing in ~~the Harbor~~ any of the Waterfront Parking Lots, except the Harbor Parking Lot pursuant to the provisions of Section 17.36.040B, ~~parking 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 the vehicle may be removed from the Waterfront Parking Lots by any member of the Police Department authorized by the Chief of Police ~~may remove the vehicle from the Waterfront Parking Lots Harbor parking lot~~ in the manner and consistent with the requirements of the California Vehicle Code.

B. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS IN HARBOR PARKING LOT.

In the event a vehicle is parked, stopped or left standing in the Harbor ~~P~~parking ~~L~~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 removed from the Harbor Parking Lot by~~and~~ any member of the Police Department authorized by the Chief of Police may ~~remove the vehicle from the Harbor parking lot~~ in the manner and consistent with the requirements of the California Vehicle Code.