

CITY OF SANTA BARBARA

COUNCIL ORDINANCE COMMITTEE

AGENDA

DATE: October 29, 2002
TIME: 1:00 p.m.
PLACE: Council Chambers -
City Hall

Gregg Hart, Chair
Iya Falcone
Babatunde Fodayemi

Office of the City
Administrator

Office of the City
Attorney

Marcelo A. López
Assistant to the City Administrator

Daniel J. Wallace
City Attorney

ITEM FOR CONSIDERATION

RE: RECREATIONAL VEHICLE PARKING

That the Ordinance Committee

- A. Review the package of proposed ordinances previously reviewed and endorsed by the Ordinance Committee concerning recreational vehicle parking; and
- B. Forward final recommendations to the City Council for introduction and subsequent adoption of the proposed ordinances.

OCT 29 2002 # 19

120.03



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 29, 2002
TO: Ordinance Committee
FROM: City Administrator's Office
SUBJECT: RECREATIONAL VEHICLE PARKING
RECOMMENDATION: That the Ordinance Committee:

- A. Review the package of proposed ordinances previously reviewed and endorsed by the Ordinance Committee concerning recreational vehicle parking; and
- B. Forward final recommendations to the City Council for introduction and subsequent adoption of the proposed ordinances.

BACKGROUND:

On June 25, 2002 the City Council received a Report and Recommendations from the Task Force on Vehicle Dwelling (TFVD) and directed Staff to return to Council within 30 days with recommendations for implementation. On July 23 and 30, the Council reviewed and approved a proposed plan for implementation of these recommendations. In summary, the Council approved implementation plan included the following:

- Support private sector development of an RV park;
- Work with housing developers to construct Single Room Occupancy (SRO) projects and continue drafting new zoning standards to encourage development of this type of alternative housing;
- Develop a linkage program working with non-profits and social services agencies to support the placement of vehicle dwellers in legal parking areas, address employment and health care needs, and assist in their transition into permanent housing;
- Draft amendments to the Municipal Code to allow for temporary overnight parking on specific City properties and in certain commercial zones in addition to the current allowances for such use in parking lots owned by churches and non-profits; and
- Draft amendments to the Municipal Code to restrict parking of oversized vehicles in Waterfront parking lots and to limit parking of large vehicles on City streets including a prohibition on overnight parking. These new regulations would include a provision to delay enforcement for 90 days to allow time for vehicle dwellers to locate legal places to park.

REVIEWED BY: _____ Finance  Attorney

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The proposed implementation plan includes both short-term and long-term strategies working towards the goal of connecting people with needed social services and transitioning to safe and permanent housing. The strategies are intended to provide both a temporary legal alternative for some who cannot currently find or afford a traditional form of housing in the community, and to support the development of alternative housing developments such as an RV park and SROs. In addition, the plan includes strategies to adopt firmer parking regulations and enforcement tools aimed at reducing the negative impacts of vehicle dwelling currently encountered by many residents and businesses in the waterfront and downtown neighborhoods.

As directed by Council in July, the Ordinance Committee reviewed and considered the draft ordinances referenced above at meetings on August 20, August 27, September 24 and October 1. As part of the Ordinance Committee's action on October 1, Staff was directed to return and present a summary of the actions taken to date by the Ordinance Committee prior to referring the package to the City Council for consideration and action. Following is a summary description of each of these draft ordinances along with a recap of the Ordinance Committee's recommendations.

Waterfront Parking Lots

On August 20, the Ordinance Committee reviewed a proposed ordinance and two companion resolutions all related to parking regulations in Waterfront lots. Following a presentation by Waterfront Department Staff and taking public comment, the Ordinance Committee unanimously recommended to the City Council that the ordinance amendment and resolutions be adopted. Mayor Blum served on the Committee at this meeting, standing in for Council Member Hart.

Ordinance Amending Chapter 17.36

The proposed ordinance (Attachment 1) amending Municipal Code Chapter 17.36, if adopted, will limit the number of oversized vehicles (between 20 and 33 feet in length), including recreational vehicles, using Waterfront parking lots. Vehicles longer than 33 feet would be prohibited from entering or using Waterfront lots. Additionally, a limited number of spaces (23) for oversized vehicles would be distributed to five lots (Cabrillo West, Palm Park, Garden Street, Harbor West, and Leadbetter).

The proposed ordinance requires that vehicles only park within the striped area of a single space that is sized appropriately for the particular vehicle. The Waterfront Department uses a similar system in the boat launch ramp parking lot, where vehicles with trailers use specially designated stalls. The ordinance also prohibits placement of personal property such as tables, chairs, generators, etc., adjacent to a parked vehicle. It should be noted that two end-to-end parking stalls are required to make one oversized vehicle/RV-parking stall.

The main harbor parking lot will not be affected by the ordinance since vehicles in excess of 20 feet in length have been prohibited from using the main Harbor parking lot since November 1988.

Resolution Prohibiting Overnight Parking

Attachment 2 is one of two companion resolutions recommended by Waterfront Department Staff. If adopted, it will prohibit parking in the outer Waterfront lots (excluding the main Harbor lot) between the hours of 2 a.m. and 6 a.m. Special permits may be issued to owners of vehicles who require access to Waterfront facilities during this time period.

Resolution Amending Waterfront Parking Fees

The other companion resolution (Attachment 3) recommended by Staff will increase the parking fees in Waterfront lots for oversized vehicles and for vehicles displaying handicapped placards. If adopted by Council, the fee for parking in the oversized stalls would double the normal hourly or daily rate for the respective parking lot since two stalls are required to make one oversized stall.

Additionally, staff has become aware of an inconsistency between Downtown and Waterfront parking policy that should be addressed. Currently, the Waterfront Department does not charge parking fees to owners of vehicles displaying handicap placards. Staff recommends adding a parking fee for these vehicles to be consistent with the policy in City-managed parking lots downtown. For all lots except Stearns Wharf, Staff proposes a fee of \$2 for three hours of parking with a maximum daily charge of \$4 for vehicles displaying handicap placards. For Stearns Wharf, Staff recommends a minimum of \$1 and maximum of \$10 per day.

Long-term and Overnight Parking on City Streets

On August 27, the Ordinance Committee reviewed the proposed ordinance amending Municipal Code provisions that prohibit the long-term parking and overnight parking for certain vehicles on City Streets. After receiving a presentation from Public Works and Police Department Staff, the Committee voted 2 to 1 to recommend to the City Council that the ordinance amendments be adopted. Mayor Blum served on the committee at this meeting, standing in for Council Member Hart. Council Member Folayemi voted against the motion.

Proposed Ordinance Amendment

The proposed ordinance (Attachment 4) amends Municipal Code Sections 10.44.180 and 10.44.200. The proposed changes seek to standardize parking restrictions for all large vehicles (any vehicle over $\frac{3}{4}$ ton capacity) throughout the City. The amendment also provides for enforcement of these regulations with issuance of parking citations. Specific changes include:

- The elimination of Section 10.44.180, which currently applies only to overnight parking of large vehicles in residential areas;
- Amending Section 10.44.200 (a) to include a more comprehensive listing of large vehicles that would be restricted from long term (over 2 hours) parking on any (residential or otherwise) City street; and
- Amending Section 10.44.200 (b) to restrict overnight parking of large vehicles [same list as in (a)] between 2 a.m. and 6 a.m. Citywide.

The proposed changes to Chapter 10.44, if adopted, will apply to property owners, business owners, tourists and vehicle dwellers equally. Residents who own RV's will not be allowed to park their vehicles in front of their homes or their businesses for longer than two hours at a time and not at all between the hours of 2:00 a.m. and 6:00 a.m. Business owners will be restricted from storing large commercial vehicles on public streets, unless actively engaged in business near where the vehicle is parked. Touring RV owners will be restricted to two hour parking during the day on City streets and to spaces available for large vehicles in Waterfront parking lots.

The draft ordinance includes a provision to delay enforcement of the revised parking regulations for 90 days from the date the ordinance becomes effective. This will allow time for vehicle dwellers to secure legal, off-street parking or appropriate alternatives.

The City Attorney's Office will also be recommending to the City Council that the City's standard parking offense bail schedule be amended to establish a standard bail amount for violations of SBMC Section 15.16.080, which generally prohibits the use of an RV for habitation purposes while an RV is parked on a City street. This recommendation is in response to a recent decision by a Superior Court traffic commissioner that violations of Section 15.16.080 should be prosecuted as a civil parking offense rather than as a criminal infraction.

Overnight Parking in City Lots & M-1 Zone

The Ordinance Committee met on September 24, and October 1, 2002, to review the proposed ordinance to allow parking in commercial-industrial zones and on certain City properties. The discussion also addressed the linkage program and management contract with a non-profit organization.

Public comment was provided at the first meeting, and included statements of both support and opposition. Those in support stated that the City is to be commended for taking these steps to provide alternatives for people living/sleeping in vehicles, and some requested to be involved in further developing how the program will be managed. Several speakers were opposed to use of City parking lots and described the negative experiences of neighbors impacted by people living in vehicles on the streets.

At the October 1 meeting the Committee voted 2 to 1 to recommend to Council that the proposed ordinance, resolution and linkage program be adopted. Council Member Hart voted against the motion and stated that the City should not be supporting vehicle dwelling as a housing/shelter alternative and that it is deceptive to give the impression that it is "OK" to live in a car in this community.

Proposed Zoning Ordinance Amendment

On February 5, 2002, the Council adopted an amendment to SBMC Section 28.87.180 to allow for overnight parking in parking lots owned by churches and non-profit organizations. The proposed draft ordinance (Attachment 5) is a further amendment to that section to allow similar situations on specific City owned property and in certain industrial zones. The proposal initially presented by Staff included both the C-M Commercial Manufacturing Zone and the M-1 Light Industrial Zone as areas of the City where temporary overnight parking would be allowed. The provisions of the ordinance in terms of definition of the allowed vehicles; a 50 foot setback from residential property; availability of sanitary facilities; and no charging of rent were the same as that adopted for churches and non-

profits, however two changes were proposed. Only one vehicle instead of up to three per business site was recommended, and a new certifying process for finding a vehicle owner eligible to participate in the program was introduced to further define the program as one that serves as a transition opportunity for people who are connecting with social services and are in search of permanent housing.

The Ordinance Committee voted to recommend that Council adopt an ordinance that allowed such overnight temporary parking on private commercial properties in the M-1 Light Manufacturing Zone only. It was noted that this program should be simple and start slowly so that we can learn what works and where changes may be made if the Council extends the Ordinance after two years.

Proposed City Lots

Public Works Staff developed a list of potential sites to be considered for overnight parking. It is envisioned that in addition to an ordinance authorizing the use of these properties, Council would adopt a resolution with a set of standard operating procedures and requirements that would be applied on all sites and that in some instances site-specific parameters would be in place. An important element of the program as specified in the resolution would be the requirement that the day-to-day operations necessary to properly manage and enforce the standards would be the responsibility of a third party program administrator under contract to the City.

After considerable evaluation the Ordinance Committee recommended the following sites:

- The Depot Lot (subject to reconsideration based on hours of operation);
- End of Santa Barbara Street Lot and Visitor Center Lot at Garden Street/Cabrillo Boulevard;
- Two Commuter Lots at Carrillo/Castillo Streets and Cota/Santa Barbara Streets; and
- City Hall Lot and 630 Garden Street Lots adjacent to David Gebhard Public Meeting Room and employee lot across the street.

The general parameters that would apply to vehicle dwellers in City lots have been drafted to include the following:

- A screening process where participants are "certified" or found eligible for a parking permit based on a personal goal and efforts to connect with social services and transition into permanent housing of some form;
- Each participant would sign a form agreeing to abide by the rules;
- A large visible "permit" would be displayed in each vehicle and it would specify a specific site and parking space that is approved for overnight parking;
- Unless otherwise specified – RVs may enter lots at 11:00 p.m.;
- RV's must leave by 6:00 a.m.;

- No parking on "Special Events";
- RVs may not connect to any utilities;
- RVs must have self-sufficient sanitary facilities; and
- No campfires, exterior cooking facilities, or generators.
- Explain the management responsibility and authority to enforce rules.

Linkage Program/Management

The Task Force and City Staff recognize that management and success of the program are linked. Although much of the work is day-to-day operations and problem solving, the underlying goal is still to help people connect with needed social and health services and ultimately find a permanent housing solution.

The Ordinance Committee requested that the Resolution and agreement with the non-profit agency be further developed as the program progresses.


BUDGET/FINANCIAL INFORMATION:


A complete financial analysis of potential costs the City would bear to implement the ordinance and related programs, has not yet been finalized. Preliminary cost estimates associated with a contract with a non-profit entity to manage the program have been developed and indicate that approximately \$80,000 would be necessary for the first year. It is anticipated that scope and cost of this contract would be completed following action by the City Council on the package of ordinances described above.

It should be noted that the ordinance as approved by the Council for non-profits and church sites, as well as the proposed amendments for City properties and commercial zones, has a sunset clause of two years. Therefore, the financial analysis would only cover that time period and would need further evaluation if the ordinance were subsequently extended.

ATTACHMENTS:

1. Draft Ordinance Amending Municipal Code Chapter 17.36
2. Draft Resolution Closing Waterfront Parking Lots from 2:00 a.m. to 6 a.m.
3. Draft Resolution Amending Waterfront Parking Fees
4. Draft Ordinance Amending Municipal Code Chapter 10.44
5. Draft Ordinance Amending Municipal Code Section 28.87.180
6. Draft Resolution for Program Administration and Designation of City Lots

PREPARED BY: Don Olson, City Special Projects Manager 

SUBMITTED BY: James L. Armstrong, City Administrator 

APPROVED BY: City Administrator's Office 