



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: December 16, 2008

TO: Mayor and Councilmembers

FROM: Public Works Department and Police Department

SUBJECT: Introduction Of Ordinance Regulating Parking Of Recreational Vehicles

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Section 10.44.205 to Chapter 10.44 of Santa Barbara Municipal Code Title 10 Pertaining to Parking of Recreational Vehicles Within the City and Parking Restrictions Necessary to Protect the Public Health and Safety.

DISCUSSION:

The number of individuals living in recreational vehicles (which, under the state Vehicle Code includes campers, buses, trailers, semi-trailers, and mobile homes) on City streets appears to be increasing and this continues to present various public nuisances and safety challenges to the City. The significant public nuisance problems are primarily related to the fact that RVs are not an appropriate safe or healthy permanent form of housing, primarily due to the lack of proper sanitation and the lack of proper fire safety protection. In addition, illegal dumping and littering adjacent to these inhabited vehicles and excessive noise is very common. These problems are further exacerbated because the illegal RV habitation seems to concentrate in certain neighborhoods and on certain streets adjacent to City parks.

Since recreational vehicles are not designed or equipped for permanent habitation, in recent months, the Police Department has also received numerous complaints from residents and business owners within certain impacted neighborhoods that many RV occupants are disposing of the waste from their holding tanks on City streets instead of disposing of it properly. Abandoned property left by RV occupants on City streets, sidewalks, and right-of-ways (hereinafter collectively referred to as the "right-of-way") are also complaints regularly received by the City Public Works Department and the Police.

City streets are also adversely impacted by the placement by the RV owners of personal belongings outside of the RV including such things as extension cords, generators, barbeques, bikes, chairs, tables, and various other personal items which should not be occupying the public rights of way. These personal belongings often block pedestrian access and are unsightly and are often abandoned. Along with these items, many RV occupants own dogs which they sometimes allow to roam unleashed near their vehicles. Further, the Police Department has observed that RV occupants often gather together within the right-of-way and create an area in which many RVs and their occupants essentially dominate two or three blocks. Alone or collectively, there have also been other more serious public safety issues associated with RVs such as drug dealing, assaults, and prostitution. In sum, these concentrations of semi-permanent RVs (aside from being an unsafe form of housing) create an environment of fear and anxiety for the public and a public nuisance in general and in the impacted neighborhoods in particular.

Based on the foregoing, City Public Works Transportation staff has been working with the Police Department and the City Attorney's office on strategies to address these issues. Recently, the City installed "no RV parking" signs near Alameda and Ortega Park, and Alice Keck Park Memorial Garden directed at the long-term parking of recreational vehicles due to the traffic hazards caused by parked recreational vehicles and pedestrians (typically children) either exiting or entering the parks between vehicles. While these signs have been effective in these areas, they have only been used near these City parks, not in other areas in the City. At present, such signs are authorized by Title 10 of the Municipal Code because their use adjacent to parks (especially those block faces adjacent to park play grounds) can be justified on a traffic safety basis.

As a result of our concerns for the adverse health and safety impacts of having concentrations of semi-permanent RV parking, Public Works staff and the Police Department are now proposing an ordinance which provides the Public Works Director, upon consultation with the Chief of Police, with the authority to designate those streets (or portions thereof) as no parking for recreational vehicles where it is necessary to decrease parking by excessive numbers of such vehicles. The restriction would be enforced through the issuance of parking citations and would only be effective when the street (or portion of a street or block face) is fully and properly signed. California Vehicle Code Section 22507 provides the City with the authority to restrict on-street parking for certain vehicles and under certain conditions such as this. Section 22507 also requires that such parking restrictions may not be enforced until signs giving "adequate notice" have been installed.

On November 11, 2008, the Council Ordinance Committee reviewed the initial draft of a proposed ordinance intended to allow the Public Works Director, upon consultation with the Chief of Police, to post certain streets (including the block faces of certain streets) to prohibit or time restrict the parking of recreational vehicles. The Committee asked staff to rewrite the draft ordinance to limit this discretion so that the ordinance only allow RV parking restrictions in those areas of the City where RV parking could be found to be inappropriate on a more objective basis, such as restricting excessive RV parking when it occurs in immediate proximity to a school or a neighborhood center.

On December 9, 2008, staff returned to the Ordinance Committee with a revised ordinance. The ordinance now provides that the Public Works Director, with the advice of the Police Chief, may post "no RV parking" signs and therefore regulate recreational vehicle parking when an excessive number exists within 500 feet of various land uses, including schools, child care centers, certain public recreational facilities, and community centers (see ordinance for complete list as revised by the Ordinance Committee). The Committee voted unanimously to forward the ordinance to Council for introduction and adoption. The Committee also recommended that Council consider expanding the supply of off-street parking spaces in the City for RV dwellers who are participating in the recreational vehicles within the New Beginnings Counseling Center's Safe Parking Program. Staff has been working on this and will continue to work with New Beginnings to analyze and identify more spaces within the City for inclusion in the Program. Finally, the Ordinance Committee also recommended that staff provide a report to the Ordinance Committee three months after the ordinance has become effective so that the Committee may assess the initial implementation of the Ordinance.

BUDGET/FINANCIAL INFORMATION:

The estimated cost for the purchase and installation of signs to address the two affected areas (East Montecito Street and Santa Barbara Junior High School) is \$15,000. This cost will be absorbed in the Streets Division budget. Staff will install the signs.

ATTACHMENT: Draft Ordinance

SUBMITTED BY: Public Works Transportation Staff
Police Department
City Attorney's Office

APPROVED BY: City Administrator's Office