



Legislation Details (With Text)

File #: 2019-0011 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 1/4/2019 **In control:** Board of Port Commissioners
On agenda: 4/9/2019 **Final action:**
Title: CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.14 PARKING METERS - TIME OF OPERATION, REVISING THE LISTED PARKING METER HOLIDAYS TO ADD PRESIDENT'S DAY AND CESAR CHAVEZ DAY AND REMOVE COLUMBUS DAY TO ALIGN WITH THE CITY OF SAN DIEGO'S PARKING METER HOLIDAYS

Sponsors:

Indexes:

Code sections:

Attachments: 1. 14. 2019-0011 Attachment A, 2. 14. 2019-0011 Attachment B, 3. 14. 2019-0011 Attachment C, 4. 14. 2019-0011 Attachment D, 5. 14. 2019-0011 Draft Ordinance

Date	Ver.	Action By	Action	Result
4/9/2019	1	Board of Port Commissioners	adopted	Pass

DATE: April 9, 2019

SUBJECT:

CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.14 PARKING METERS - TIME OF OPERATION, REVISING THE LISTED PARKING METER HOLIDAYS TO ADD PRESIDENT'S DAY AND CESAR CHAVEZ DAY AND REMOVE COLUMBUS DAY TO ALIGN WITH THE CITY OF SAN DIEGO'S PARKING METER HOLIDAYS

EXECUTIVE SUMMARY:

The San Diego Unified Port District (District) currently manages approximately 1,200 meter and pay station parking spaces along tidelands within the City of San Diego. The District currently observes nine parking meter holidays and the City of San Diego observes ten parking meter holidays. On these holidays, the public can park at parking meters and pay stations for free all day. In some locations, such as along the North Embarcadero and Shelter Island Drive, the District's parking meters are near the City of San Diego's parking meters. Due to the proximity of the District's and the City of San Diego's parking meters and the difference in the regulations related to holidays between the two jurisdictions, public confusion and frustration has occurred when the City of San Diego recognizes a holiday with free parking and the District does not (and vice versa).

To minimize public confusion and improve the customer experience along the waterfront, staff recommends that the Board of Port Commissioners (Board) adopt an Ordinance amending San Diego Unified Port District (SDUPD) Code Article 8, Section 8.14 Parking Meters - Time of Operation, by adding President's Day and Cesar Chavez Day, and removing Columbus Day to align with the City

of San Diego's parking meter holidays.

RECOMMENDATION:

Conduct a Public Hearing and Adopt an Ordinance Amending San Diego Unified Port District Code Article 8, Section 8.14 Parking Meters - Time of Operation, Revising the Listed Parking Meter Holidays to Add President's Day and Cesar Chavez Day and Remove Columbus Day to Align with the City of San Diego's Parking Meter Holidays.

FISCAL IMPACT:

The District anticipates that these changes (a net increase of one (1) holiday) will result in a decrease of parking meter revenue of approximately \$13,000 annually.

Additionally, the District will need to communicate this proposed change to the public with additional signage and decals at the meters and pay stations. The signage and decals are estimated to cost approximately \$5,000. These costs will be covered through existing approved and budgeted Non-Personnel Expense.

COMPASS STRATEGIC GOALS:

Staff's recommendation of aligning the District's parking meter and pay station holidays to those parking meter and pay station holidays that the City of San Diego observes, will minimize public confusion and improve the customer experience of the residents and visitors accessing the waterfront.

This agenda item supports the following Strategic Goals.

- A Port that the public understands and trusts.
- A vibrant waterfront destination where residents and visitors converge.

DISCUSSION:

SDUPD Code Section 8.14 Parking Meters - Time of Operation provides that parking meters be operated Monday through Sunday, except New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day (July 4th), Labor Day, Columbus Day, Veteran's Day (November 11th), Thanksgiving Day and Christmas Day (December 25th). A copy of the current SDUPD Code Section 8.14 (Attachment A - Current SDUPD Code Article 8, Section 8.14) and the proposed revised SDUPD Code Section 8.14 (Attachment B - Proposed Amendment to SDUPD Code Article 8, Section 8.14) are attached hereto respectively. On holidays identified within the SDUPD Code Section 8.14, meters and pay stations are free all day. Staff has received complaints from the public concerning the difference of parking meter and pay station holidays between the District and the City of San Diego. Currently, the District has meters and pay stations at approximately 1,200 parking spaces within the City of San Diego at Shelter Island, Spanish Landing, North Embarcadero, Tuna Harbor, Ruocco Park, Embarcadero Marina Park North and Embarcadero Marina Park South. In some areas, such as along the North Embarcadero and Shelter Island Drive, the District's parking meters and the City of San Diego's parking meters are next to one another or on the opposite sides of the street. A map of District meters and pay station parking areas are delineated on Attachment C - Map of District's Parking Metered Areas. Due to the proximity of the District's and the City of San Diego's

parking meters and the difference in the regulations related to holidays between the two jurisdictions, public confusion and frustration has occurred when the City of San Diego recognizes a holiday with free parking and the District does not (and vice versa).

Below is a table that indicates the days that the District and the City of San Diego currently recognize as free parking meter and pay station holidays:

	Port of San Diego (District)	City of San Diego
Free Holidays	9	10
New Year's Eve		
New Year's Day	X	X
Martin Luther King Jr. Day	X	X
President's Day		X
Cesar Chavez Day		X
Memorial Day	X	X
Independence Day	X	X
Labor Day	X	X
Columbus Day	X	
Veterans Day	X	X
Thanksgiving Eve		
Thanksgiving Day	X	X
Christmas Eve		
Christmas Day	X	X

Background

SDUPD Code Section 8.14 has not been changed since May 5, 1992, when the Board approved adding Martin Luther King Jr. Day and removing Washington's Birthday as parking meter holidays to align with the City of San Diego. Since 1992, the City of San Diego has made multiple revisions to their parking meter holidays, resulting in differences between the District's and the City of San Diego's parking meter holidays. The last revision made by the City of San Diego was on December 5, 2000, which added Cesar Chavez Day to its parking meter and pay station holidays. The State of California established March 31st as Cesar Chavez Day on August 18, 2000. Staff recently spoke with the Parking Manager at the City of San Diego, and it was confirmed that the City of San Diego is not currently in the process of revising their parking meter and pay station holidays at this time.

Staff conducted research on parking meter holidays and gathered information from 29 coastal cities within California (Attachment D - Holiday Research Table - Various California Cities) to detail the number of parking meter holidays that other cities observe. The research indicated a wide range of practices with some cities recognizing zero (0) holidays and one (1) city recognizing 14 holidays.

Staff also found that five (5) of the 29 cities, which includes the City of Imperial Beach and the City of National City, do not have on-street metered parking. Staff also discussed the topic with various members of the California Public Parking Association (CPPA) and obtained information and best practices from these cities related to parking meter holidays. The information collected helped guide staff in exploring and considering the four (4) options below. Staff is recommending approval of Option No. 4 that will align District parking meter and pay station holidays with the observed parking meter and pay station holidays of the City of San Diego, as well as enforcing time limits on holidays.

- **Option No. 1 - Eliminate all District meter holidays and charge 365 days a year.**

Staff researched and found eight (8) coastal cities, listed in Attachment D - Column J, that charge 365 days a year and have no free parking meter holidays. Below are the pros and cons of this option.

Pros	Cons
<ul style="list-style-type: none"> • Promotes turnover • Improves accessibility • Minimizes abuse of parking spaces • Estimated yearly parking revenue increase of approximately \$85,000 	<ul style="list-style-type: none"> • Further increases public confusion (District would continue to be different from the City of San Diego) • Possible negative perception for the District by charging on holidays

Staff does not recommend this option, since it does not address the concern of minimizing public confusion.

- **Option No. 2 - Allow three free meter holidays: New Year's Day, Thanksgiving Day and Christmas Day.**

Staff researched and found three (3) coastal cities, listed in Attachment D - Column H, that observe the above three (3) holidays. The Port of San Francisco and the City of San Francisco are two (2) of the three (3) cities. The Port of San Francisco and the City of San Francisco have parking meters near each other. They both have different meter times and days of operation, but align on their parking meter holidays. Below are the pros and cons of this option.

Pros	Cons
<ul style="list-style-type: none"> • Promotes turnover • Improves accessibility • Minimizes abuse of parking spaces • Estimated yearly parking revenue increase of approximately \$55,000 	<ul style="list-style-type: none"> • Further increases public confusion (District would continue to be different from the City of San Diego) • Possible negative perception for the District by charging on holidays

Staff does not recommend this option, since it does not address the concern of minimizing

public confusion.

- **Option No. 3 - Align District parking meter holidays with the observed parking meter holidays of the City of San Diego (without enforcing time limits on holidays).**

Staff researched and found that many of the cities, listed in Attachment D - Columns B, C, D, E and F, have anywhere between nine (9) and 14 parking metered holidays. The City of Chula Vista and the City of Coronado are among the cities that have ten (10) parking meter holidays. Below are the pros and cons of this option.

Pros	Cons
<ul style="list-style-type: none"> • Minimizes public confusion (match City of San Diego's holidays) • Improves customer experience (match City of San Diego's holidays) 	<ul style="list-style-type: none"> • Does not increase turnover and accessibility • No fair use of parking spaces • Lost parking revenue of approximately \$13,000

Staff does not recommend this option, since it does not address the concern of improving turnover and accessibility.

- **Option No. 4 - Align District parking meter holidays with the observed parking meter holidays of the City of San Diego and enforce time limits on holidays (enforceable per District Code Section 8.16).**

Staff researched and found that this option will improve the following: public confusion, the customer experience, turnover and accessibility. Below are the pros and cons of this option.

Pros	Cons
<ul style="list-style-type: none"> • Minimizes public confusion (match City of San Diego's holidays) • Promotes turnover and improve accessibility (enforce time limits on holidays) • Improves customer experience (match City of San Diego's holidays) 	<ul style="list-style-type: none"> • Cost of approximate \$5,000 for additional decals and signage to minimize public confusion (costs will be covered through existing approved and budgeted Non-Personnel Expense) • Lost parking revenue of approximately \$13,000

Staff recommends this option as it reduces public confusion and increases turnover and

accessibility on the holidays when parking demand is highest. A key element of this option is enforcing time limits on holidays, which distinguishes this option from Option No. 3. Enforcement of time limits on holidays is described below.

Holiday Time Limit Enforcement

Demand for parking has increased greatly over the past several years due to new attractions and developments on and adjacent to tidelands, as well as continued success and popularity of businesses and activities along the waterfront. On non-holidays, meter and pay station parking spaces along tidelands are managed by charging for parking by the hour and enforcing time limits. To manage accessibility and turnover at the meters and pay stations parking spaces on holidays when parking is free, staff recommends enforcement of time limits as detailed in Option No. 4, above. In order to publicly notice that meter and pay station time limits will be enforced every day of the year including holidays, the following will be implemented:

- Press release and tenant notification prior to holidays
- Installation of signs and decals at all meter and pay station parking areas
- Smart meter display of holiday information
- Posting of information on District's website

Public Outreach

On Monday, March 18, 2019, staff held a public outreach meeting. The meeting was to present to the public, tenants and stakeholders the recommended revisions to the District's parking meter holidays, enforcement of time limits on holidays, and to receive feedback related to these recommended revisions. The meeting was attended by only one member of the public that was supportive of the recommended revisions to the parking meter holidays and enforcement of time limits. A press release was sent to the media, the public, stakeholders, and tenants on Tuesday, March 5, 2019, and the morning of the meeting on Monday, March 18, 2019.

Conclusion and Recommendation:

Based on the research and options considered, staff's conclusion is to manage tidelands parking by aligning with the City of San Diego's holidays to reduce public confusion and manage turnover and accessibility at meters and pay stations on holidays.

Staff recommends that the Board conduct a public hearing and adopt an Ordinance amending San Diego Unified Port District (SDUPD) Code Article 8, Section 8.14 Parking Meters - Time of Operation, by adding President's Day and Cesar Chavez Day, and removing Columbus Day to align with the City of San Diego's parking meter holidays.

General Counsel's Comments:

The General Counsel's Office has reviewed the agenda sheet and attachments as presented to it, and approves them as to form and legality.

Environmental Review:

The proposed Board direction or action, including without limitation, an ordinance amending the code to revise the listed parking meter holidays to add President's Day and Cesar Chavez Day and to remove Columbus Day is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) Section 3.a. of the District's Guidelines for Compliance with CEQA because the project in question would result in no expansion of use beyond that previously existing. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). No further action under CEQA is required.

In addition, the proposed Board direction or action complies with sections 21, 35, and 87 of the Port Act, which allow for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board direction or action is considered "excluded development" pursuant to Sections 8.a. (Existing Facilities) of the District's Coastal Development Permit Regulations because the project would involve no expansion of use beyond that previously existing. Issuance of a Coastal Development Permit is not required for the proposed Board direction or action.

Equal Opportunity Program:

Not applicable.

PREPARED BY:

Liza Anderson
Assistant Parking Manager, Port As A Service - Parking

Kristine Love
Department Manager, Port As A Service - Parking

Attachment(s):

Attachment A:	Current SDUPD Code Article 8, Section 8.14
Attachment B:	Proposed Amendment to SDUPD Code Article 8, Section 8.14
Attachment C:	Map of District's Parking Metered Areas
Attachment D:	Holiday Research Table - Various California Cities