

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2872

PUBLIC HEARING AND ORDINANCES AMENDING SAN DIEGO UNIFIED PORT DISTRICT (SDUPD) CODE, ARTICLE 8, SECTIONS 8.10 – PARKING METER RATES AND 8.14 – PARKING METERS – TIMES AND DAYS OF OPERATION, FOR TIDELANDS PUBLIC PARKING METERS AND PAY STATIONS TO INCLUDE ALL TIDELANDS’ METERS AND PAYSTATIONS, INCLUDING THOSE LOCATED ON SHELTER ISLAND, SPANISH LANDING AND THE CRESCENT WITHIN THE ESTABLISHED RATE RANGE OF \$1.00-\$2.50 PER HOUR, AND MODIFY DAYS OF OPERATION TO SEVEN DAYS PER WEEK (MONDAY - SUNDAY), WITH TIMES OF OPERATION FROM 10:00AM TO 8:00PM; FOR METERS AT SHELTER ISLAND TIMES OF ENFORCEMENT WILL REMAIN FROM 8:00AM TO 6:00PM; AND PAYSTATIONS AT SPANISH LANDING WILL REMAIN FROM 6:00AM TO 10:30PM

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, consistent with the Public Trust Doctrine, Section 36 of the Port Act specifically gives the Board of Port Commissioners (BPC) the authority to “by ordinance fix the rate[s] .or other charges which are appropriate for the use of any of the facilities owned and constructed or services furnished or provided by the [D]istrict” and therefore, it is within the District’s authority to set parking rates on tidelands; and

WHEREAS, demand for parking along the waterfront from the South Embarcadero to Shelter Island has increased greatly over the past several years due to development in the areas including Broadway Landing, the Headquarters, the new Lane Field hotel and park, Hornblower’s operations off Grape Street Pier, Bali Hai and Kona Kai redevelopment on Shelter Island and the San Diego County Waterfront Park as well as expansion of the nearby San Diego Airport; and

WHEREAS, there are currently 736 District-owned Smart Meters from the South Embarcadero up to Grape Street along the North Embarcadero and 264 traditional meters on Shelter Island; and

WHEREAS, these metered spaces provide convenient public access to San Diego Bay, nearby tenants, attractions and amenities; and

WHEREAS, to better manage these public spaces, increase turnover, and respond to District tenants and stakeholders regarding a perceived lack of parking, staff is recommending amending San Diego Unified Port District Code (SDUPD Code) Sections 8.10 and 8.14 to include the Crescent area, just north of Grape Street along North Harbor Drive, Spanish Landing and Shelter Island meters in the set range of rates from \$1.00 to \$2.50 per hour, seven (7) days per week to include Sundays and enforcement hours for each location based on demand; and

WHEREAS, the Crescent area is recommended to have set hours of 10:00 AM to 8:00 PM to match the hours enforced at the nearby North Embarcadero with a four (4) hour time limit per stay along with inclusion within the rate range for meters and the days of enforcement; and

WHEREAS, in the Crescent area, the 54 public parking spaces are heavily used by the adjacent San Diego Mooring subtenants in the A-3 Anchorage; and

WHEREAS, public and stakeholder outreach was held on August 4, 2016, regarding the Crescent area parking spaces and the overall response was that they generally agree that parking management with Smart Meters is an effective way to manage the spaces; and

WHEREAS, Spanish Landing parking is recommended to have set hours of 6:00 AM to 10:30 PM with four (4) pay stations within the parking lots to match the current enforced hours of this park area; and

WHEREAS, after long-term observation of the Spanish Landing parking lots, it has become apparent that a high number of the 214 public parking spaces are utilized daily by employees of businesses at the San Diego Regional Airport Authority (SDRAA) for all-day parking; and

WHEREAS, the SDRAA employees were notified by the District's press release dated July 27, 2016 of staff's plans to recommend pay station managed parking at Spanish Landing and information regarding a Public Outreach meeting scheduled for August 4, 2016 and to date no comments were received and no representatives from SDRAA or their tenants attended the Public Outreach meeting; and

WHEREAS, on Shelter Island, the 264 traditional metered parking spaces have not had a rate change from \$1.00 per hour in over 22 years; and

WHEREAS, staff is recommending including Shelter Island within the current SDUPD Code Section 8.10 rate range of \$1.00 - \$2.50 per hour so that as demand changes the rates can be flexible; and

WHEREAS, staff recommends the rates for Shelter Island match the City's rate of \$1.25 per hour initially, until an increase or decrease is warranted based on demand for parking in this area; and

WHEREAS, the recommendation is to include Shelter Island for enforcement seven (7) days per week since this area is the only metered area on tidelands not currently enforced on Sundays, and Sundays tend to be one of the higher demand days of the week; and the hours of enforcement will remain 8:00 AM to 6:00 PM; and

WHEREAS, on July 28, 2016, staff met with tenants and stakeholders at Shelter Island regarding meter rate modifications and days enforcement where 25 attendees understood the need to manage parking and were not opposed to the modifications so long as the initial rate change is from \$1.00 to \$1.25, pursuant to staff's recommendations to match the City's meter rates; and

NOW, THEREFORE, the Board of Port Commissioners of the San Diego Unified Port District, does ordain as follows:

Section 1. That Section 8.10 to Article 8 of the San Diego Unified Port District Code is hereby amended to read as follows:

SDUPD Section 8.10 – PARKING METER RATES AND PAY STATION RATES

The District has parking meters located within its jurisdiction. When any vehicle is parked in any space that requires payment being inserted into a parking meter or pay station, the operator of said vehicle shall, upon entering said parking space, immediately cause payment to be inserted via coins, ATM card or credit card according to the time interval desired within the maximum limit and posted parking rates.

The parking meter and pay station rates may be set at different rates in the range of \$1.00 to \$2.50 per hour for all tidelands meter and pay station locations, including the following: the North Embarcadero, Tuna Harbor, and Ruocco Park, Embarcadero Marina Park North and Embarcadero Marina Park South, the Crescent area, Spanish Landing and Shelter Island area meters and pay stations based on parking demand. The parking meter and pay station rates shall be posted on the parking meters and pay stations and/or posted on a nearby sign. When an adjustment to a rate is planned, public notice will be posted on the Port

of San Diego website no less than seven (7) days in advance of the adjustments. Rate adjustments must be approved in advance by the Executive Director of the District or his or her designee. Adjustments may be made in increments of \$0.25 up to \$1.00 at a time.

Section 2. That Section 8.14 to Article 8 of the San Diego Unified Port District Code is hereby amended to read as follows:

SDUPD Section 8.14 – PARKING METERS – TIME OF OPERATION

Parking meters and pay stations at all tidelands locations including the North Embarcadero, Tuna Harbor, Ruocco Park, Embarcadero Marina Park North, Embarcadero Marina Park South areas, the Crescent, Spanish Landing and Shelter Island shall be operated Monday through Sunday, except New Year's Day, Martin Luther King, Jr.'s Birthday, Memorial Day, July 4th, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day.

The meters and pay stations shall be operated between the following hours at the various lots on tidelands, which shall be posted on signs in the area:

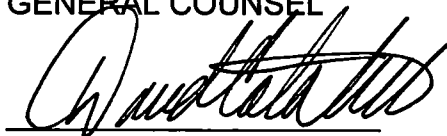
8:00 AM to 6:00 PM – Shelter Island

6:00 AM to 10:30 PM – Spanish Landing

10:00 AM to 8:00 PM – North Embarcadero, Tuna Harbor, Ruocco Park, Embarcadero Marina Park North, Embarcadero Marina Park South and the Crescent

Section 3. This ordinance shall take effect on the 31st day from its passage by the Board of Port Commissioners.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 8th day of September, 2016, by the following vote:

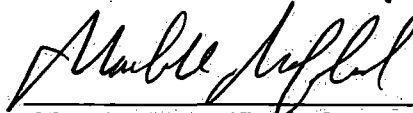
AYES: Bonelli, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Castellanos.

ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)