

[Commission Name]

ACTION CALENDAR

February 9, 2016

(Continued from January 12, 2016)

To: Honorable Mayor and Members of the City Council
 From: Disaster and Fire Safety Commission
 Submitted by: Robert Flasher, Chairperson, Disaster and Fire Safety Commission
 Subject: Restrict Parking in the Hills Hazardous Fire Area

RECOMMENDATION

Refer to staff the design of a parking restriction program in the Hills Fire Zone to ensure access for emergency vehicles and to allow for safe evacuations in an emergency and to hold public meetings to get community input in the design of such a program.

SUMMARY

Parking on Berkeley's narrow, winding streets in the Hills Hazardous Fire Area is out of compliance with the State Fire Code. This will impair both the ability of emergency vehicles to respond to emergencies and the likelihood that citizens will be able to evacuate. Many jurisdictions in southern California have already created successful restricted parking programs. A Parking Restriction pilot program would enhance public safety and begin to address the challenges of safe emergency evacuation and emergency vehicle access.

FISCAL IMPACTS OF RECOMMENDATION

The costs will vary depending on program design recommended by staff. Staff evaluations could include an analysis on the relative minor cost of possible revenue loss from diverting parking enforcement resources versus the enormous cost of cleanup after an event like the 1991 Tunnel Fire. Long term additional costs of not implementing a program to mitigate risks might include loss of sales tax revenues, long term insurance premium hikes and reduced insurance coverage. The city may also find itself incurring expensive legal fees for defending litigation against the city because of possibly avoidable loss of life and private property.

CURRENT SITUATION AND ITS EFFECTS

Some public safety measures have been taken since 1965 to address increasing density in what is known as the Berkeley Hills. Less has been done after the initial backlash from the 1991 Oakland Hills Fire storm-one of the worst urban blazes in U.S. History. Approximately 25% of Berkeley's population has settled in the Hill Fire District. The remaining empty, steep lots are now being developed; in addition the city has relaxed its housing code to permit an increase in accessory dwelling units- further

exacerbating the ability of hill residents, visitors and first responders to safely and quickly navigate the narrow, winding streets in the Berkeley hills.

Most Hills Hazardous Fire Area streets do not meet the California Fire Code* standards for road width and allowable street parking. By failing to enforce Berkeley's adoption of these fire code standards, most of these streets can only function as one way streets. Not only are the streets obstructed by parked vehicles, but vehicular traffic is hampered by persons walking in the road because there are few sidewalks. Vegetation on city and private property at the edges of road pavement affects visibility. Trash bins, construction materials and bins, large trucks, and accessory trailers parked on the streets all contribute to further narrowing already narrow roadways. There have been repeated incidents where busses and delivery trucks have gotten stuck, stopping traffic in both directions for hours at a time.

In this unprecedented drought and rising average temperatures, fuel moisture is at an all time low, the fire fuel load is abnormally high and the number and severity of wildland fires has increased substantially. Hill residents, participating in 2014 and 2015 public information forums, have raised concerns about parking on these narrow streets, Residents are aware and concerned that emergency vehicle access to those needing medical or firefighting assistance is unfavorably impacted and residents' ability to evacuate safely is impaired. Their disquiet has generally been brushed aside by officials claiming the public will not support Hills Hazardous Fire Area parking restrictions because hill residents prefer on-street parking over their own and their families' safety.

At the September 16, 2015 special meeting of the Disaster and Fire Safety Commission, the below motion was passed.

Motion to recommend to City Council to refer to staff the design of a possible parking restriction program in the Hills Fire Zone to ensure access for emergency vehicles and to allow for safe evacuations in an emergency and to hold public meetings to get community input in the design of such a program and authorize the Chair of the Commission to work with to prepare the report: Smukler;
Second: Legg; Vote: (6 Ayes: Flasher, Jones, Legg, Grimes, Zummo, Smukler; 0 Noes; 2 Absent: Degenkolb, King;)

BACKGROUND

In 1983 a report from the Assistant Fire Chief to Planning and Community Development outlined the fire department's recommendations for limiting the number of living units on specifically named streets deemed to have an 'adverse impact to safety'.

In the 1983 report and later reports, reference was made to 1965, 1973 and 1978 reports expressing continuing concern. These dates roughly correlate to the residential development taking place in the Berkeley Hills around that time.

In response to the 1991 hills fire, the City Manager wrote a hills community letter outlining recommendations for a designated assessment district to include parking restrictions on streets deemed to be “bottlenecks”.

The FEMA grant application of 2004 made no mention, other than identifying the particularly hazardous risks for residents of Panorama Way, of the need to develop a comprehensive vehicular traffic plan for the hills. The grant proposal did specifically state that “Berkeley intends to do everything in its power not to let that (meaning huge property loss) happen, or to be able to contain such a blaze with significantly increased speed and efficiency, saving lives and property.”

The Disaster and Fire Safety Commission Priorities Report for 2007 and 2008 addresses critical traffic choke points, specifically Panorama Way.

In 2008 and 2009 a discussion memo was prepared to urge the city to complete its underground utility project based on “established criteria of widespread and significant public use, including evacuation routes”.

A memo from 2009 encouraged city personnel to participate in “city walkabouts” so they could experience first hand “neighborhoods having problems that adversely affect public safety”, including conditions that impede emergency response. A walkabout did take place- but only on Panorama Way.

After the 1991 fire, some 68 streets were deemed too narrow for fire apparatus to safely get by and one sided parking was instituted on select blocks or sections of blocks. These are listed on the City of Berkeley website. However in the October 4, 1983 memo from the then Assistant Fire Chief to the Planning and Community Development Department, 144 street and pathway areas were identified as being in the “Hazardous Fire Area” and considered “narrow or otherwise restricted” with respect to fire suppression apparatus.

Today we are 24 years after the devastating Oakland Hills Fire and 50 years after concern was first expressed for the safety of residents given the condition of streets in the Berkeley hills. We are long overdue for responsible solutions that will save lives and property.

ENVIRONMENTAL SUSTAINABILITY

Environmental sustainability will vary depending on program design recommended by staff.

RATIONALE FOR RECOMMENDATION

From 1965 forward, over 15 reports have been prepared for the benefit of city council and relevant commissions about the danger to life and property caused by vehicle parking congestion in the Hills Hazardous Fire Area. Nearly every report requests action to limit housing density and endorse and enforce strict parking regulations throughout

the fire zone, including red zoning all curves and most narrow streets, either on one side or both sides depending on street width.

In the seventy years between 1923 and 1993, eleven Diablo wind driven fires burned in the East Bay Hills, on average once every 6.36 years. Twenty-four years have passed since the last Diablo wind driven fire burned 750 houses in the first hour and over 3,300 houses before the wind direction changed and the fire was contained. We are not only long overdue for a Diablo wind-driven fire in the hills fire zone, but the density and resulting challenges to safe evacuation in the Berkeley Hill Fire District has steadily increased over the years.

During this historic drought, and noting that Laguna Beach, California (see attachment for additional details) was able to implement a similar program in four weeks, the commission recommends staff design a Red Flag Day No Parking pilot program which would enhance public safety while allowing the city to refine, expand or replace the pilot with a permanent program throughout the entire Hill Hazardous Fire Area.

ALTERNATIVE ACTIONS CONSIDERED

The Commission considered and provided staff with information on numerous alternatives, some of which, are enumerated below:

1. Follow the LA basin, Pasadena, Santa Barbara model requiring all vehicles be completely off narrow streets on red flag days. Notification could come via Nixle or BFD equivalent, by Twitter and posted on the city website. It is the responsibility of residents to comply. The Fire Marshall has the authority to tow vehicles left parked on narrow streets. See #5 and #6 for definitions of narrow streets and parking restrictions.
2. Similar to prohibiting wood burning on high smog days, prohibit outdoor open flames from any source in the Hills Hazardous Fire Area, including BBQs during red flag days. Prohibit any activities that use equipment that could spark and start a fire: this would include chain saws, mowers or similar type equipment. Burn permits are automatically cancelled.
3. Follow the Mill Valley/Corte Madera model wherein the Fire Marshall has the authority to determine which streets represent a dangerous condition for both first responders and residents, should the need for evacuation arise. The department responsible for roads would meet with the Fire Marshall and determine where parking turnouts can be carved off the existing paved roadway. A street by street resident meeting is held and the street is then marked, prohibiting street parking except at turnouts. Residents may appeal to the city council but Mill Valley reports this is almost never done.
4. The current Berkeley model for one-sided parking and no parking is that 100% of residents on the affected street must sign a petition in favor of restricted parking. However, the political reality is that there is almost never 100% agreement, over anything, much less parking. In some cases the resident unwilling to sign is a landlord

or the dwelling may be vacant or used as a secondary home. In these cases, the property owners are far less likely to experience the public safety hazards associated with narrow, curvy streets. Democratically the model should be 51% in agreement, not 100%.

5. Follow the California/International Fire Code for emergency equipment apparatus access as follows: No parking either side if street width is 28 feet or less, one sided parking on streets wider than 28 feet and less than 36 feet. Two sided parking allowed only on streets as wide or wider than 36 feet. Narrow street turnouts can be provided every 500 feet. No parking within 15 feet of any fire hydrant.

6. Designate No Parking on streets 20 feet wide or less, One Sided parking on streets wider than 20 feet and less than 28 feet and Two Sided parking on streets wider than 28 feet unless the Fire Marshall deems these restrictions for a particular street are still insufficient to meet the needs of emergency apparatus access and public safety in an evacuation scenario.

7. Prohibit parking any time on all Hills Hazardous Fire Area designated evacuation routes.

8. Prohibit overnight street parking in the Hills Hazardous Fire Area. If residents require more off street parking than their garage/driveway allows, land owners may apply for a permit to create a code compliant vehicular turn out in an approved designated spot on their property.

9. Designate the Hills Hazardous Fire Area as a "No Parking Without A Resident Permit Zone" thus limiting the number of vehicles that would otherwise park on these streets.

10. Institute an online request for residents in the Hills Hazardous Fire Area for "Voluntary Defensible Space Inspections" as is done in Santa Barbara.

11. Institute mandatory inspections and fine any property owners not in compliance with specified acceptable vegetation management. Adopt LA Basin vegetation management enforcement practices including charging property owners the cost of clearing vegetation if not in compliance.

12. Expand the "prohibited to plant list of trees" and prohibit plantings that create "fire ladders" in the Hills Hazardous Fire Area.

13. Enforce parking restrictions near hydrants, along red painted areas and in already established No Parking areas.

14. Prohibit street side-storage of trash bins and street parking of ancillary vehicles such as trailers. Owners will be fined and ancillary vehicles removed if tickets are issued more than two times in any three month period.

15. Step up Berkeley's fire safety education campaign beyond the chipper program and dedicate a whole section of BFD's website to fire prevention and safety. Host a series of community education meetings and have council members send out newsletters. Use social media to raise awareness. Topics might include vegetation management, personal and home preparedness for evacuation, neighborhood safety with a special emphasis on responsibility to keep streets clear during fire season (now 10 months long), how to safely advise neighbors of evacuation orders, how to protect your property before you leave, and how to park in driveways to minimize impact on first responders and evacuees.

16. As far as coming up with a more permanent solution, have BFD and BPD jointly apply for a grant to study alternative parking strategies for the Hills Hazardous Fire Area. We could approach the UC Institute of Transportation, whose professors and graduate students have already participated in other regional and local studies. Their report would serve to boost the legitimacy of any long term solution we propose.

CITY MANAGER

The City Manager recommends that Council accept the Commission's report and refer to staff for additional analysis and inclusion in the City's strategic planning process and community input in the design of such a program.

CONTACT PERSON

David Brannigan, Assistant Fire Chief, Berkeley Fire Department, 510-981-5508

Attachments:

- 1: Memorandum to Disaster and Fire Safety Commission, March 10, 2015
- 2: Photographs of Narrow Streets
- 3: Memorandum to Disaster and Fire Safety Commission, August 26, 2015
- 4: Red Flag Fire Safe Pilot Parking Restriction Program

Hills Fire District Parking Hazards

Date: March 10, 2015

To: D&FS Commission
From: Victoria Q. Legg

On Monday, June 2, 2014 Susan Wengraf hosted a meeting for her district residents at the Northbrae Church. The topic was the increased fire hazard due to drought conditions in California. Chief Dong and head of Berkeley Fire Department's OES, CAL Fire, EBMUD and East Bay Regional Park District were there to speak to a packed room of concerned residents.

It was a very informative meeting and I am proud to mention that Chief Dong asked how many in the audience were CERT trained. As I recall, nearly one third raised their hands.

During the Q&A someone asked what the city could do to alleviate the problems associated with narrow winding streets in the hills. The stated concerns were ready access by emergency apparatus and evacuation safety. The suggestion was made that street parking be restricted to one side of the street during high fire danger days. This was deemed impractical since there is not a way to inform everyone which days are designated high fire danger days.

After the meeting I approached Susan Wengraf and suggested, given the severity of the drought, the city impose a temporary parking restriction during the 2014 fire season. She insisted voters would not support any parking restrictions even though the residents themselves could be in danger if an evacuation is called for.

Based upon my reading of the, possibly incomplete, history of "streets in hazardous Fire Area of the city" there have been a number of attempts to get the city council to recognize and proactively address this problem. Below is a list of what I have reviewed:

1. In 1983 a report from the Assistant Fire Chief to the Planning and Community Development outlined the fire department's recommendations for limiting the number of living units on specifically named streets deemed to have an 'adverse impact to safety'.

In the 1983 report and later reports, reference was made to 1965, 1973 and 1978 reports expressing concern were written. These dates roughly correlate to the residential development taking place in the Berkeley Hills around that time.

2. In response to the 1991 hills fire, the City Manger wrote a hills community letter outlining recommendations for a designated assessment district to include parking restrictions on streets deemed to be "bottlenecks".

3. The FEMA grant application of 2004(?) made no mention, other than identifying the particularly hazardous risks for residents of Panorama Way, of the need to develop a comprehensive vehicular traffic plan for the hills. The grant proposal did specifically state that "Berkeley intends to do everything in its power not to let that (meaning huge property loss) happen, or to be able to contain such a blaze with significantly increased speed and efficiency, saving lives and property."

4. D&FS Commission Priorities Report for 2007 and 2008 addresses critical traffic choke points, specifically Panorama Way.

Hills Fire District Parking Hazards

5. In 2008 and 2009 a discussion memo was prepared to urge the city to complete its underground utility project based on “established criteria of widespread and significant public use, including evacuation routes”.

6. A memo from 2009 encouraged city personnel to participate in “city walkabouts” so they could experience first hand “neighborhoods having problems that adversely affect public safety”, including conditions that impede emergency response. A walkabout did take place- on Panorama Way.

After the 1991 fire, some 68 streets were deemed too narrow for fire apparatus to safely get by and one sided parking was instituted on select blocks or sections of blocks. These are listed on the City of Berkeley website. However in the October 4, 1983 memo from the then Assistant Fire Chief to the Planning and Community Development Department, 144 street and pathway areas were identified as being in the “Hazardous Fire Area” or considered “narrow or otherwise restricted” with respect to fire suppression apparatus.

Which brings us to today, 24 years after the devastating Oakland Hills Fire and 50 years after concern was first expressed for the safety of residents given the condition of streets in the Berkeley hills.

Using the City of Berkeley’s estimated population for 2013, 14,025 additional persons have moved to Berkeley since 2000. Council districts 5 and 6, comprising the majority of the hills residents, together have 28,195 residents per city clerk files related to the city council redistricting plan.

The US Department of Agriculture has reported that their fire suppression expenses have risen 260% from 1995 to 2014, severely handicapping their ability to devote resources to fire mitigation. In 2014 California had 12 major wildfires, 11 of them in Northern California. There were 1000 more wildfires in California in 2014 than the historical average. It is expected that not only the number of fires will increase but their intensity will as well.

This hazard is further complicated by the drought which we all know is continuing unabated. Some experts estimate this drought will last decades. Some say this is the worst in the last 500 years, even 1200 years. A recent poll indicates 73% of Bay Area residents view the drought as serious.

Complicating the lack of rain is California’s 2014-15 winter of record breaking warm weather. Both are major contributors to the additional fuel load in the hills as is Sudden Oak Death, affecting nearly every Coastal Oak in parts of Tilden Park and the Hills fire district.

It is my understanding that Berkeley accepts streets 22 feet or wider will safely accommodate fire apparatus. Robert Flasher and myself did a 2 mile walkabout on March 6, 2015 to look at the parking situation on select streets in the hills just West of Grizzly Peak between Marin and Centennial Drive. Our sampling discovered:

- An unrestricted parking section of Bret Hart measuring 17 feet wide;
- Several streets met the 22 feet wide criteria but we could imagine parking situations that would make the street difficult to navigate or impassible;

Hills Fire District Parking Hazards

- On S. Fairlawn, measuring 25 feet wide, the street width, fender to fender between parked cars on opposite sides of the street, was only 8 feet, 10 inches;
- Unenforced no parking area;
- Red zone divided to allow two cars to park on a narrow street curve;
- No parking sign and red zone for only half of a narrow street curve.

Today's vehicles may be wider than the typical vehicles on the road when the 22 foot road width standard was adopted. A 2015 Honda Civic is 5 feet 6 inches wide. A 2015 Ford f150 is 8 feet 8 inches wide including standard mirrors. The two together take up 13 feet 9.6 inches, leaving a mere 8 feet 2.4 inches for vehicles to pass between them. These figures do not include vegetation and trash cans taking up road space or vehicles parked with space for front seat passengers to enter and exit the vehicle.

I can personally vouch for the efforts of our fire fighters to navigate the hill streets, having watched them attempting to navigate curvy streets. The going is slow, sometimes very slow and occasionally impassable. Parking on both sides of the street, overgrown vegetation, unenforced parking restrictions, poor signage and the proliferation of households with multiple roommates and cars all contribute to BFD's difficulty and will ultimately contribute to our difficulty in navigating the hills.

There is no question in my mind that hill residents unwittingly contribute to slower response times by first responders in a medical or other emergency and may very well endanger themselves and their families if faced with wildfire steadily advancing. We want BFD to respond timely to our calls and the condition of street parking in the hills seriously hampers their ability to serve the community, and doing so without damaging its very expensive and much needed emergency equipment.

In addition, I think it is important to consider that we tend to assume a fire will require an evacuation from the hills toward the Bay. However there may well be a fire or some other hazard or emergency that requires citizens to evacuate East into the hills. The danger to everyone increases by drivers having a lack of familiarity with the territory. Making wrong turns and getting lost is a common occurrence in the hills. Fear only will exasperate this problem and turning around may not be an option with many others sharing these roads.

ing Hazards



Car and vegetation sharing the road
Fairlawn Drive



A 25 foot roadway section of Fairlawn
reduced to 8' 9" fender to fender



Car in unenforced no parking zone- Keeler



s Fire District Parking Hazards

Cars parked in red zone break on narrowest, least visible section of curve- Stevenson



Street measures 22 feet but trash cans and vegetation prevent cars from parking partially off the road

District Parking Hazards



Red zone indicated for only a portion of road curve-Sterling

Incident 3.12.15 South Fairlawn Dr. (measures 25 feet wide)



Bus stuck for approx 1.5 hrs. No cars could be moved because their owners were not residents of the street and could not be found.



Street parking on this day- typical on weekdays



Grizzly Peak reduced to one lane due to emergency vehicles simulating a fire during Wildland Urban Interface fire exercise, August 17, 2015.



Maneuvering emergency vehicles is a slow process with tight access on narrow streets, August 17, 2015.

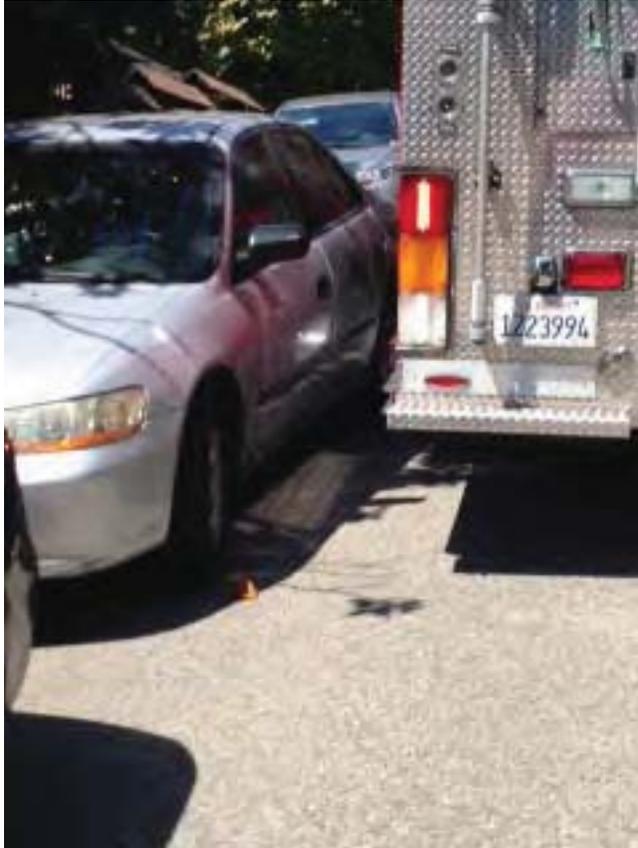
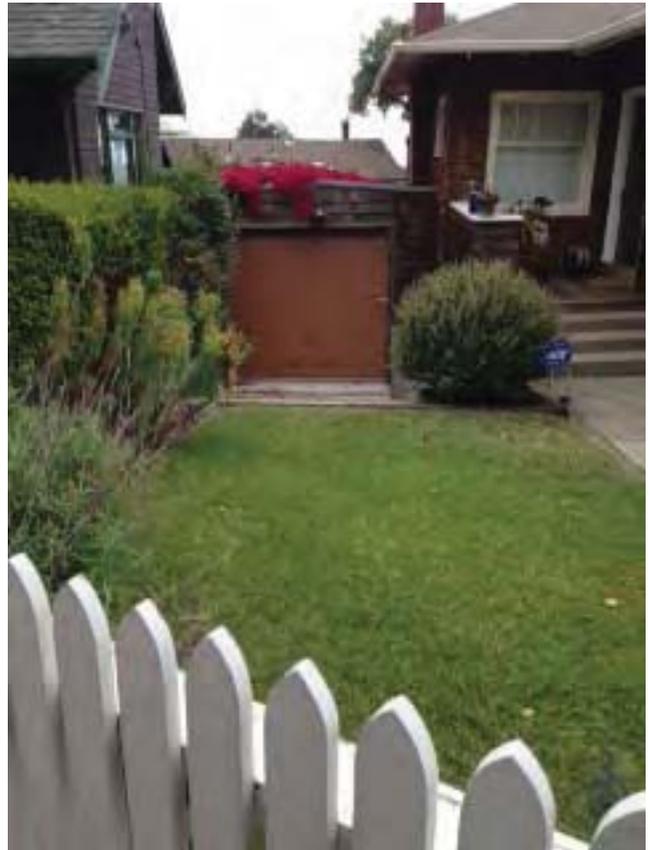


Illustration of the narrow passing lane available to emergency vehicles due to parking on narrow streets.



Home in Berkeley Hills where off street parking has been converted for other use.

Hills Update 8.26.15

To: DFSC
From: Bob Flasher, Victoria Legg

Previous to our last meeting, Bob and I were asked to talk to communities using the Red Flag Day No Parking option and find out the extent of public compliance. I spent a few hours on the phone with Laguna Beach OES and watched video of their city council meetings in July and early August, 2015 to find the presentation of their one year end to their pilot project. The upshot was that there was no indication that residents wanted the pilot project terminated.

The Laguna Beach Model

Summarizing briefly, Laguna Beach is made up of wealthy, older long time residents who strongly favor parking in front of their homes. It also has very congested streets. Their chosen pilot neighborhood best fits the Panorama Hill topography with similar access and egress issues. The pilot is the outgrowth of a newly formed Disaster Safety Committee designated by the mayor and quite similar to our commission. It was the work of FD and PD to assist the committee getting off the ground that led to the Red Flag Day No Parking program. They emulated much of the LA County and Pasadena programs including adopting their signage almost word for word. The signs were described to me as large blank sheets of silver which hinge flip open to become RED FLAG DAY NO PARKING TOW AWAY ZONE signs. These signs neatly address real estate agent concerns of labeling a neighborhood as a “hazardous area” while reminding residents and visitors of the inherent wildfire danger.

The OES Coordinator credits public safety education through a series of outreach steps as key to getting the community to accept restricted parking; aided by the fact that many residents remember Laguna Beach’s own 1993 disastrous fire. (Note that Oakland’s WPAD suggests that 70% of current hill residents did not live in the hills in 1991).

Two community meetings, one a weeknight and another on a Saturday morning were held to test support before the program was officially adopted by city council;

Once the program was approved and ready to roll out, PD and FP walked the designated area knocking on doors, explaining the program and emphasizing resident responsibility to get their cars off the street. They also left flyers with program details;

An ongoing media blitz to raise awareness, explaining the details of the program and encouraging residents to sign up for the Red Flag Day No Parking alert system;

Additional flyers were provided to Senior Citizens and the disabled.

The Laguna Beach Red Flag Day No Parking Program

Red Flag Day determined by NOAA;

Residents informed at least 12 hours before and up to 48 hours before the Red Flag Day event;

FD charged with unhinging signs when the Red Flag Day event is called and covering signs when period has passed;

PD, charged with traffic control, sends parking ticket folk into the designated area 12 hours after a Red Flag event is announced or the next morning after 9 am. Their current instructions are to issue tickets, return in an hour and have vehicles towed if they weren’t already moved. They return once again in the afternoon and repeat the same procedure.

Hills Update 8.26.15

Laguna Coast Fire Safe Council and Red Flag Patrol members volunteer to help protect the local region from future disaster. The council receives grants to cover costs of informing residents about fire danger and promoting fire mitigation efforts (I assume these grants are from the Fire Safety Council). On Red Flag days, members will display red "Fire Alert" flags.

There are no exceptions made for Senior citizens or the disabled and turnouts are not considered an option based on topography. The city encourages neighbors to work together by sharing unused off street parking spaces and to park downhill and use Uber or taxis to return home if alternatives cannot be found. Residents are reminded it is unlawful to leave any car parked on the street for more than 72 hours.

Estimated tow and ticket costs range from \$218 to \$290 plus \$50/day storage fee.

During the initial four month grace period warnings were issued to move cars rather than ticket and tow. In the pilot project area of 200 homes, 31 warning tickets were issued on the first Red Flag Day and on the last Red Flag Day in the grace period only three tickets were issued. PD determined that residents were readily complying with the program but service and contracting businesses were not sufficiently aware to comply. FD/PP then created new English/Spanish warning flyers and specifically invited contractors to attend an informational meeting held at the Chamber of Commerce.

Since December and likely because of a NOAA reclassification for the Laguna Coast area, there have been no Red Flag days. The decision made, post report to city council, is that Laguna Beach will not expand this program until a car is towed and ticketed in the belief that a ticket and tow event is a necessary test of community acceptance.

Other Southern California Red Flag Day Programs

Sherman Oaks falls under the LA County Red Flag Day No Parking Ordinance. A blog post dated 2005 specifically stated that Red Flag Day NO PARKING applies to streets narrower than 28 feet and one sided parking on streets is allowed on street less than 36 feet and wider than 27.9 feet.

LA County noted they do have good resident registration compliance, jurisdictions are advised of a Red Flag day event the day before, their DOTs patrol the designated area on the day of the event and ticket and tow as necessary. There are signs in the hills to alert non-residents that they are parking in a "red flag corridor" and to call 311 for information and registration to receive alerts.

Sierra Madre uses the Red Flag Day parking system for debris removal and mudslides.

City of Pasadena adopted its program in August, 2009. They created a map color coded for street widths in their designated fire region. They use gateway signs at strategic major intersections and place Red Flag Day Parking restriction signs every 500 feet in the designated area. Their grace period was in two stages, first 3 Red Flag day warnings or first 10 days warning only, then repeated for ticketing after which they repeated the time frame again before ticket and tow. became the norm.

Santa Barbara County raises symbolic red flags at fire stations and in severely impacted neighborhoods on Red Flag event days and use the Red Flag No Parking ticket and tow program along with flip down signs in designated areas.

Off Street Parking, Berkeley Hills

Bob and I did a very unscientific visual survey of select streets of the N side hills area. Between us we surveyed 879 properties. Extrapolating from the 2014 Berkeley Hazard Mitigation Report which identified 8300 structures (not housing) in the Hill Fire Zone, we came up with the following estimate for off street parking capacity. Unless a garage has obviously been repurposed, our count included garages, any existing, legal or otherwise, turnouts and tandem parking.

- 4.9% or 43 structures with no off street parking
- 11.9% or 105 structures with one off street parking spot
- 22.8% or 200 structures with two off street parking spots
- 60.4% or 531 structures with more than 2 off street parking spots

The city has two downtown garages with extended hours; UCB's upper campus has underutilized parking spaces and their lots are open between 5 am and 2 am. Orinda BART, for one, has long term parking space available.

Proposed Action

Our goal is to strengthen the partnership between city and its residents by having an informed, educated public that takes responsibility to mitigate the potentially disastrous effects of widespread fire. A multi-pronged approach would include the following:

- An effective wildfire suppression program;
- An aggressive hazardous fuels management program, on both private and on municipal property;
- Reliable and responsible enforcement of Cal Fire/Cal Vehicle and City Municipal codes that enhance the ability of emergency response and thus positively impacting overall public safety;
- Continually review and adopt best practices land use policies and standards that protect life, property, and natural resources;
- Enforce building and fire codes that reduce structural ignitions from windblown embers and flame contact from WUI fires, and impede or halt fire spread within the structure once ignited;
- Educate and promote construction and property standards that provide defensible space.

The following recommendations relate to the above goal:

Publicly congratulate the work of Berkeley's Fire Department for the WUI summer drills and raising awareness of good fire safe and evacuation practices;

Fund ongoing education with an emphasis on personal responsibility to manage the risk of fire - especially targeting the Hill Fire Zone. The danger is not only increased fuel load from climate factors but also from earthquake. An ill-timed firestorm event or earthquake combined with fire could potentially destroy Berkeley because of extraordinary loss of life and massive destruction of property. Use every opportunity at the city's disposal to raise awareness (Ex. City Manager's Annual Report (September), Chipper Program brochure (June), city council constituent status reports, community education flyers and workshops, and local media);

Recommend Real Estate disclosure requirements to include wording on the inherent risks associated with living in the designated Hill Fire Zone;

Hills Update 8.26.15

DSFC, BFD and BPD host two community workshops, one on a Saturday and one on a weeknight, to promote a restricted parking pilot program. These workshops serve as the primary impetus for the city to enact this program. See attached proposed agenda for Susan Wengraf's community meeting planned for late September;

Recommend the adoption of a Red Flag Day No Parking pilot program which would enhance public safety during this historic drought while allowing the city to refine, expand or replace the pilot with a permanent program throughout the entire Hill Fire Zone. Note-Laguna Beach was able to implement their program in four weeks;

Recommend the city have one designated 24 hour parking garage to accommodate hill dwellers who are unable to find alternative sites to park their cars;

The recommendation includes a comment on the relative minor cost of possible revenue loss from ticketing downtown for a few hours twice a day for (5-10?) days a year vs the enormous cost of cleanup after an event like the 1991 Tunnel fire. Long term additional costs might include loss of sales tax revenues, longterm insurance premium hikes and reduced insurance coverage. The city may also find itself incurring expensive legal fees for defending litigation against the city because of possibly avoidable loss of life and private property.

City of Laguna Beach
AGENDA BILL

14

NO:

MEETING DATE: 08-05-14

SUBJECT: RED FLAG FIRE SAFE PILOT PARKING RESTRICTION PROGRAM

SUMMARY OF THE MATTER:

At the City Council meeting on January 21, 2014, the Emergency/Disaster Preparedness Committee (EDPC) received direction from the City Council to implement three recommendations to improve fire safety in the City. The three recommendations were as follows:

- I. Initiate a Pilot program to test "Red Flag" parking regulations in a single neighborhood for one to two years and consider expanding after evaluating efficacy, public acceptance, implementation costs, etc.
- II. Improve signage to designate streets that are "dead end," provide "no outlet" or have limited turnaround for fire apparatus.
- III. Direct the Fire Department to work with the Orange County Park Rangers to close off public access to the Laguna Coast Wilderness Park and Aliso and Wood Canyons Park during "Red Flag" conditions.

The Public Works Department is finishing the installation of the new signage in Item II and this project should be completed by August 30, 2014. This improved signage will allow emergency responders to more effectively make critical decisions regarding the positioning of apparatus. The City has been working with the Orange County Parks Department (OC Parks) on a number of items. Specifically, recommendation III, which is the ability to close the surrounding parks on "Red Flag" days. This is predicated on the National Weather Service (NWS) updating the process on how it determines the specific zones for "Red Flag" areas. Currently, the City of Laguna Beach falls into a zone that covers from the beach cities to inland areas of Fullerton, Yorba Linda, and Brea. Once the zone is sub-divided into a true coastal zone and an inland zone, we will better be able to work with the Park Rangers on a process that will close the parks on "Red Flag" days impacting our local weather versus conditions in inland Orange County.

(continued)

RECOMMENDATION: It is recommended that the City Council:

- 1) Receive a report from the Emergency/Disaster Preparedness Committee; and
- 2) Ask the City Clerk to read the title of the Ordinance, to approve a motion to waive further reading of the Ordinance and to pass it to a second reading; and
- 3) Adopt the attached Resolution establishing a Red Flag Fire Safe Pilot Parking Restriction Program; and
- 4) Direct the City Manager to report back to the City Council after July 1, 2015.

Appropriations Requested: \$ _____

Submitted by: Jeff LaTendresse
Jeff LaTendresse, Fire Chief

Fund: _____

Coordinated with: _____

Attachments: A) Ordinance B) Resolution

C) Map of Diamond/Crestview Area

Approved: John Pietig
John Pietig, City Manager

Red Flag Parking Program

August 5, 2014

Page 2 of 3

Based on conversations with the NWS and OC Parks, we expect to report progress by the end of the year.

The remaining recommendation was to initiate a pilot program in a single neighborhood for a period of one to two years. At the January meeting, direction was given to the EDPC to work with the Fire Department and hold neighborhood meetings with residents impacted by the proposed parking restrictions in the Diamond/Crestview neighborhood and conduct a pilot parking restriction program as developed through community involvement for a period of at least one year. The lower portion of Diamond/Crestview was identified as a preferred "pilot" area as it can be easily studied and has significant access issues. There are approximately 100 homes in this area that would be impacted (see Attachment C). The neighborhood has only one street in/out, and many of the streets are extremely narrow. Following consultation with the Fire and Police Departments, the EDPC determined that during "Red Flag" conditions, any street narrower than 27 feet would have parking temporarily eliminated on either side and streets between 27 and 32 feet would have parking permitted on one side only. These parking restrictions would create a 20-foot lane of travel, allowing fire apparatus to position side-by-side for emergency operations and also permit resident evacuation while firefighting operations are in progress.

On May 17, 2014, the EDPC held a public workshop at the City's Community Center for the residents of the Diamond/Crestview neighborhood. All homes in the pilot area were noticed and the meeting was announced on the City's web site and various media outlets. Approximately 50 individuals attended the one-hour presentation, which was followed by a one-hour question and answer period.

At the conclusion of the public workshop presentation, it appeared that the vast majority of those in attendance support the idea of restricting parking in a number of marked parking spaces in the neighborhood during "Red Flag" weather conditions. As a matter of fact, the local resident that initially expressed opposition to the proposal was supportive following the question and answer period. In addition, the City has not received any negative response from those in attendance or those in the proposed pilot area. Also, all residents in the pilot neighborhood have all been noticed of this meeting to discuss the proposed program. It should be noted that during this workshop three items were raised by the residents of the Diamond/Crestview neighborhood that should be addressed:

- Concern about lack of current parking enforcement for construction related vehicles
- Concern that there is not a secondary vehicle exit out of the neighborhood. Can the gate between "upper" and "lower" Diamond Street be improved and made more readily available?
- Status on a proposed pedestrian egress from the end of Crestview Place down to Ruby Street

On June 26, 2014, the EDPC presented the proposed Red Flag Fire Safe Pilot Parking Restriction Program at one of the "Open for Construction" public workshops hosted by the Chamber of Commerce. Again, this workshop was attended by more than fifty members of the development community, including architects, contractors, and the business community. The purpose of sharing this information with this group was to let them know that on "Red Flag" weather days the ability to conduct their business would be impacted. At the end of the presentation and a question and answer period, it seemed as if the EDPC had full support of the program. To date, no comments have been submitted as a result of this presentation.

As explained to participants at both of the meetings, the impact to the neighborhood should be minimal as “Red Flag” days occur infrequently. In the past six years, “Red Flag” conditions have been declared in Laguna Beach as follows:

- 2008 – 3 Red Flag warnings
- 2009 – 4 Red Flag warnings
- 2010 – 2 Red Flag warnings
- 2011 – 3 Red Flag warnings
- 2012 – 7 Red Flag warnings
- 2013 – 7 Red Flag warnings

While the last two years have seen an increase in the number of “Red Flag” days and there have already been approximately ten “Red Flag” days this year in our area; it is believed that when the NWS creates a true “Orange County Coastal Area” later this year, the number of “Red Flag” days in Laguna Beach should drop by more than half. A “Red Flag” condition exists when:

Either Relative humidity less than or equal to 15%, with sustained winds greater than or equal to 25 mph and/or frequent gusts greater than or equal to 35 mph for a duration equal to or greater than six hours.

Or Relative humidity less than or equal to 10% for a duration greater than or equal to ten hours regardless of wind.

Or Widespread and/or significant dry lighting

Residents, those affiliated with the construction industry, or any other concerned individual would be able to sign-up for “Red Flag” notification via the City’s website for email and text alerts. A new category will be created for “Red Flag” warnings and all individuals who sign up will receive notification of an upcoming “Red Flag” weather event at least twenty-four hours in advance of any enforcement action. In addition, the Fire Department’s website will have a section dedicated to “Red Flag” information and it will display the current weather status. In the neighborhood, an entrance sign will be installed that will only be open and visible on “Red Flag” days. This sign will be located near the intersection of Diamond Street and Catalina; the only street into the neighborhood. Vehicles found parking in pre-identified marked parking spaces will be ticketed and towed. A grace period during which warnings will be issued shall be in effect through December 31, 2014. Funding for the above items was provided by City Council at the January 21 meeting.

Laguna Beach is located almost entirely in a Very High Fire Hazard Severity Zone. In 1993 the seventh most costly fire in United States history occurred in our City. Close to 400 homes were lost and many more damaged. The State is in its third straight year of drought conditions, receiving only 3.25 inches of rain in 2013. The fuel moisture levels in the vegetation on the hillsides are at a critical stage and continue to dry out. The approval of the attached Ordinance and Resolution will significantly enhance the ability of the Fire Department, and other emergency responders, to gain access into this neighborhood and attempt to fight a potential fire. In the Fire Department’s opinion, this could be critical in preventing loss of life, reducing damage to property, and minimizing the risk that a fire in Diamond/Crestview could quickly spread to other areas of the City. At the same time, it will provide the residents with room to pass fire apparatus as they evacuate the neighborhood. Similar programs have been implemented in hillside neighborhoods in the City of Los Angeles and Pasadena with positive results.

The EDPC plans to work with City staff and evaluate the effectiveness of this pilot program for approximately one year. At the first City Council meeting in July 2015, the EDPC will appear before this Council with a progress report. If the pilot program goes favorably, the EDPC would like to work with staff on expanding this program city-wide in the hillside areas that have substandard streets.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF LAGUNA BEACH,
CALIFORNIA, ADDING SECTION 10.06.240 TO THE LAGUNA BEACH
MUNICIPAL CODE, ESTABLISHING A "RED FLAG" PARKING PROGRAM.**

Whereas, the urban-wildland interface area within and surrounding the City of Laguna Beach contains narrow and winding roads that would make resident evacuation from these areas difficult as well as hamper ingress and egress for fire and other emergency equipment; and

Whereas, the City Council finds that adoption of parking restrictions on certain streets on "Red Flag" days would assist in protecting the residents and visitors of Laguna Beach from fire hazards; and

Whereas, the City Council also finds that active brush fires in and around the interface areas and canyons of the City and the current fire hazard conditions constitute an emergency and that the adoption of this Ordinance is required for the protection and preservation of public health and safety and the general welfare;

Now, therefore, the City Council of the City of Laguna Beach does hereby ORDAIN as follows:

SECTION 1. Section 10.06.240 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

10.06.240 Parking restricted on certain streets on "Red Flag" days.

(A) Whenever, with reference to any street or portion of a street, whether such street is public or private, identified by resolution of the City Council, that is situated within the City's Very High Fire Hazard Severity Zone, as currently adopted or hereafter amended, the Fire Department determines that parking in any substandard street would create a hazard to life or property by interfering with emergency vehicle access and resident evacuation during a major vegetation fire, the installation and maintenance of signs and markings at that place is authorized to provide notice that no person shall park a vehicle within a described area during a "Red Flag"

warning. Any sign or markings shall provide that the parking of vehicles on "Red Flag" days is prohibited and that vehicles parked in violation of any sign may be cited and may be removed at the owner's expense.

(B) It shall be unlawful, when authorized signs and markings are in place giving appropriate notice, to park any vehicle on any of the streets or portions of streets identified by resolution of the City Council that are situated within the City's Very High Fire Hazard Severity Zone.

(C) Signs and street markings prohibiting parking that are installed pursuant to this section are enforceable only on "Red Flag" days as declared by the Fire Chief or his/her designee.

(D) Signs and markings that prohibit parking as authorized in subdivision (A) shall not be applicable to the following:

(1) Vehicles operated by employees of the City, or under contract to the City, as required for the performance of such persons' official duties and only while such person is actually present.

(2) Commercial delivery vehicles, provided the vehicle is parked at the address receiving delivery for no longer than 15 minutes and only while the driver is actually present.

(E) In addition to or as an alternative to criminal remedies, violations of this section shall be subject to enforcement in accordance with the administrative citation provisions of Chapter 1.15, including, but not limited to, the imposition of penalties. Any person found liable for a civil penalty under Chapter 1.15 shall be required to pay the penalty, late payment penalty, administrative fee, and any other related charges as established by resolution of the City Council.

SECTION 2: The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15305 of the State CEQA Guidelines, in that the Ordinance does not have the potential for causing a significant effect on the environment.

SECTION 3: This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption, or until otherwise repealed or superseded by action of the City Council or by operation of State law.

SECTION 4: The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

ADOPTED this _____ day of _____, 2014.

Elizabeth Pearson, Mayor

ATTEST:

Lisette Chel-Walker, City Clerk

I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance No. _____ was introduced at a meeting of the City Council on August 5, 2014, and was finally adopted at a regular meeting of the City Council of said City held on _____, 2014, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

City Clerk, City of Laguna Beach, CA

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, ESTABLISHING A RED FLAG FIRE SAFE PILOT PARKING RESTRICTION PROGRAM IN THE DIAMOND/CRESTVIEW NEIGHBORHOOD.

WHEREAS, the urban-wildland interface area within and surrounding the City of Laguna Beach contains narrow and winding roads that would make resident evacuation from these areas difficult, as well as hamper ingress and egress for fire and other emergency equipment; and

WHEREAS, the City Council finds that adoption of parking restrictions on certain streets in the Diamond/Crestview neighborhood on “Red Flag” days would assist in protecting the residents and visitors of Laguna Beach from fire hazards; and

WHEREAS, the City Council also finds that active brush fires in and around the interface areas of the Diamond/Crestview neighborhood of the City and the current fire hazard conditions constitute an emergency; and

WHEREAS, the Laguna Beach General Plan states that the Diamond/Crestview area is an extreme fire hazard area and it is probably one of the most difficult areas of the City in which to provide fire protections; and

WHEREAS, the Diamond/Crestview Specific Plan states that during Santa Ana winds, the area is especially vulnerable to wildfires and in addition to the fire hazards, fire protection is hindered by the existing roadway conditions; and

WHEREAS, the City Council has adopted Ordinance No. _____ to add Section 10.06.240 to the Laguna Beach Municipal Code, prohibiting parking on certain streets on “Red Flag” days;

NOW, THEREFORE, THE CITY COUNCIL OF LAGUNA BEACH does RESOLVE and ORDER as follows:

1 SECTION 1. The "Red Flag Fire Safe Pilot Parking Restriction" program shall be in effect
2 in the Diamond/Crestview neighborhood from the effective date of this Resolution through and
3 including July 1, 2015, at which time the Emergency/Disaster Preparedness Committee shall
4 prepare a written progress report to the City Council.
5

6 SECTION 2. The parking restrictions shall be in effect on "Red Flag" days for which the
7 Fire Chief has provided at least 12 hours prior notification.

8 1. Notification of "Red Flag" events shall be done by means of communication
9 normally available to the City that are appropriate to the circumstances. In
10 addition to electronic notification, an entrance sign into the Diamond/Crestview
11 neighborhood shall be visible, with a red flag, to alert residents and visitors that
12 parking restrictions are in effect.
13

14 a. While the City will attempt to notify residents and visitors to the
15 Diamond/Crestview neighborhood of the parking restrictions, lack of
16 knowledge of the "Red Flag" conditions shall not preclude any fine or
17 towing fee imposed for a violation of the restrictions.
18

19 2. A "Red Flag" condition shall be in effect when declared by the San Diego
20 Office of the National Weather Service for the Coastal Orange County Area.

21 Red Flag weather conditions include, without limitation:

- 22 a. Relative humidity less than or equal to 15%, with sustained winds
23 greater than or equal to 25 mph and/or frequent gusts greater than or
24 equal to 35 mph for a duration equal to or greater than six hours; or
25 b. Relative humidity less than or equal to 10% for a duration greater than
26 or equal to ten hours regardless of wind; or
27 c. Widespread and/or dry lightning in the area.
28

1 SECTION 3. Areas where parking restrictions are in effect shall be clearly identified by
2 either signs and/or markings as determined by the City.

3 SECTION 4. Vehicles that are parked in properly identified restricted parking areas on
4 "Red Flag" days shall be cited and towed as set forth and authorized in the Laguna Beach
5 Municipal Code Section 10.06.240.
6

7 1. From the effective date of this Resolution through and including December 31,
8 2014, the City shall provide a "courtesy notice" to any violators for parking in
9 properly identified restricted parking spaces.

10 2. From and after January 1, 2015, any vehicle parked in a properly identified
11 restricted parking space on a "Red Flag" day shall be cited and towed.
12

13 SECTION 5: Any person found liable for a civil penalty under provisions of the Laguna
14 Beach Municipal Code shall be required to pay the penalty, and any associated costs for towing,
15 prior to retrieving his or her vehicle.

16 SECTION 6: The fine for violation of Laguna Beach Municipal Code Section 10.06.240
17 shall be \$43.00 per occurrence.

18 SECTION 7: Any fine not paid within 30 days of its due date shall be subject to a late
19 penalty of \$34.00.
20

21
22 ADOPTED this 5th day of August, 2014
23

24 _____
Elizabeth Pearson, Mayor
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27 ATTEST:
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Lisette Chel-Walker, City Clerk

I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. _____ was duly adopted at a Regular Meeting of the City Council of said City held on August 5, 2014, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

City Clerk, City of Laguna Beach

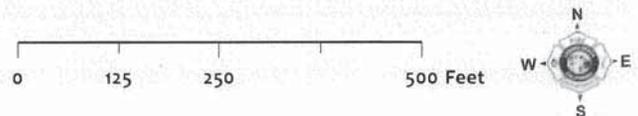
Diamond / Crestview Neighborhood

Proposed "Red Flag" Fire Safe Parking Pilot Program
Boundary Area



CITY OF LAGUNA BEACH DISASTER PREPAREDNESS COMMITTEE

For further information please contact:
Jim Beres, Civilian Supervisor
Laguna Beach Police Department
949-464-6669 or jberes@lagunabeachcity.net





April 24, 2014

NOTICE OF PUBLIC MEETING

CITY OF LAGUNA BEACH EMERGENCY/DISASTER PREPAREDNESS COMMITTEE

Proposed Diamond/Crestview Red Flag Fire Safe Parking Pilot Program

The City of Laguna Beach Emergency/Disaster Preparedness Committee will hold a public meeting on **Saturday, May 17, 2014, at 10:00 a.m., at the Susi Q Community Center, 380 Third Street,** to explain a proposed pilot program in the Diamond/Crestview neighborhood. This program would improve fire safety through limited parking restrictions during periods of extreme fire danger, so-called "Red Flag" days. Committee Members, the Fire Department, and the Police Department will discuss this proposal and obtain public feedback.

The proposed Red Flag Fire Safe Parking Pilot Program is based on similar programs which have proven successful in both cities of Los Angeles and Pasadena. The Diamond/Crestview area was selected to initiate this pilot program because access/circulation limitations make it one of the most difficult areas of the City to protect lives and homes during typical brush fire conditions.

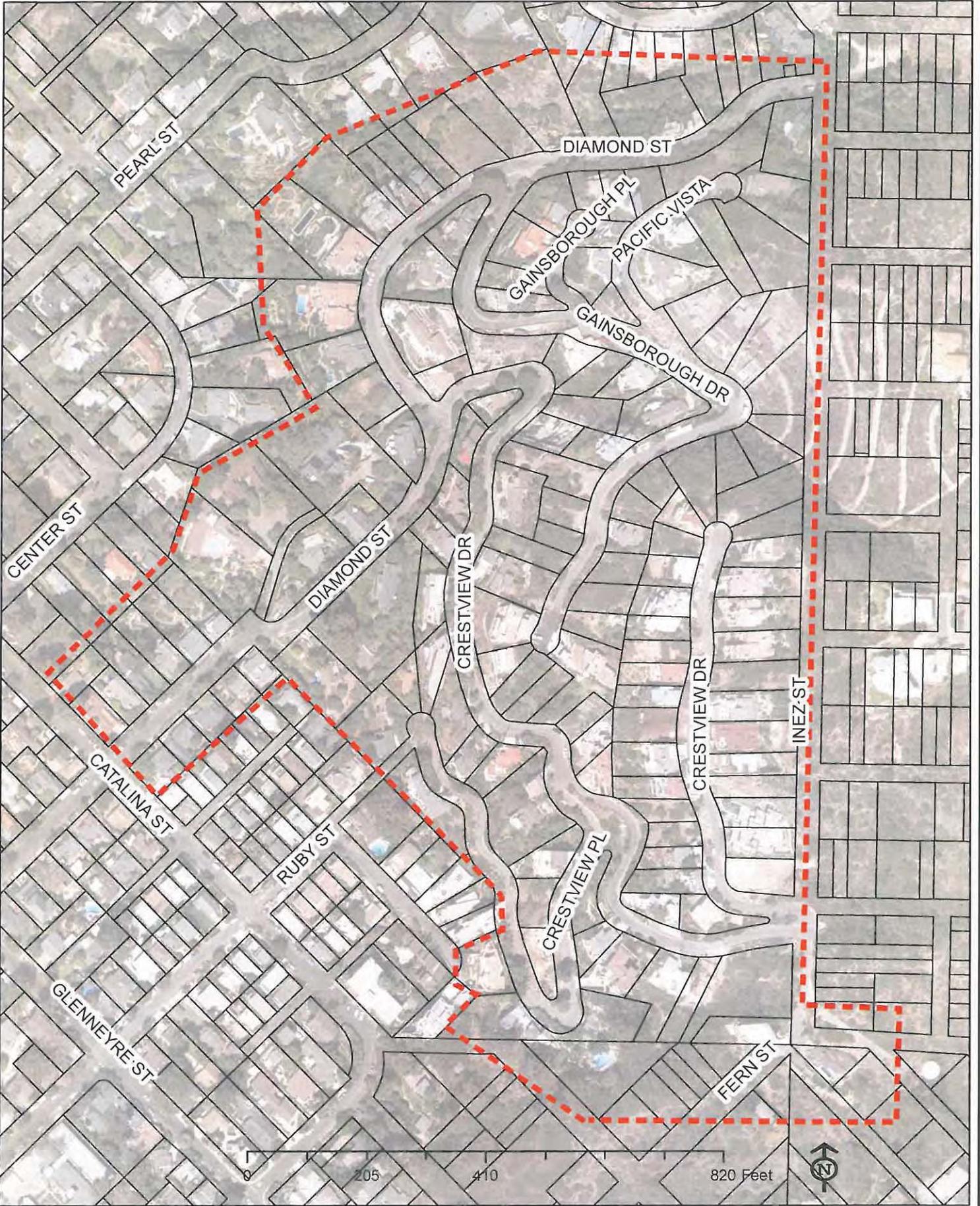
An official "Red Flag" warning is issued by the National Weather Service anytime a specific area is subjected to winds greater than 25 mph with relative humidity less than 15%. Upon a "Red Flag" warning being issued, the City would, under this proposal, restrict parking in 34 of the marked parking spaces in the Diamond/Crestview neighborhood while the "Red Flag" warning is in effect.

These limited parking restrictions are designed to create an ingress and egress route for emergency vehicles and help facilitate emergency evacuation of residents. In order to provide the needed space for a fire engine to be stopped on the street, and still leave room for a second vehicle, or fire engine to pass, an unobstructed road width of 20 feet is required. Members of the City's Disaster Preparedness Committee, Fire Department and Police Department surveyed the entire pilot program area and determined that 34 existing marked parking spaces would need to be designated as "No Parking" during "Red Flag" fire condition days and the requirement to park entirely within marked spaces will be strictly enforced. After a brief phase-in period, offending vehicles will be ticketed and towed by the Police Department. **During the past five years, a "Red Flag" condition has been declared for Laguna Beach on average of approximately five times per year.**

Public input from this meeting will be shared with the City Council when the Emergency/Disaster Preparedness Committee reports back to the Council at a future date, yet to be determined. On the reverse side of this announcement a map shows the pilot program area, which includes most, but not all, of the Diamond/Crestview Specific Plan as well as, a small part of Diamond Street just above Catalina Street.

(over)

**Diamond / Crestview Neighborhood
Proposed "Red Flag" Fire Safe Parking
Pilot Program Boundary Area**



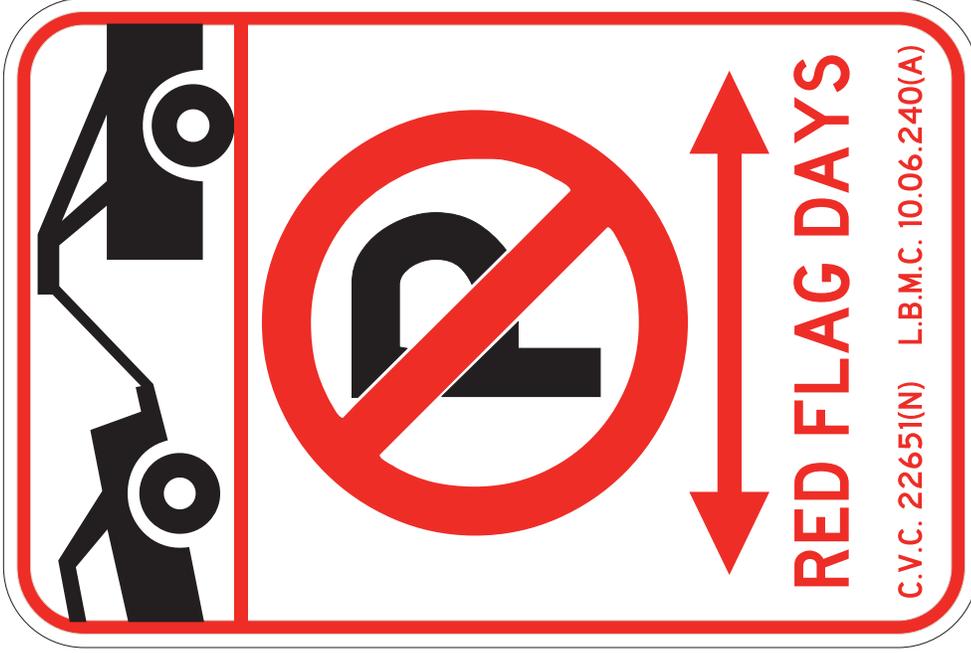
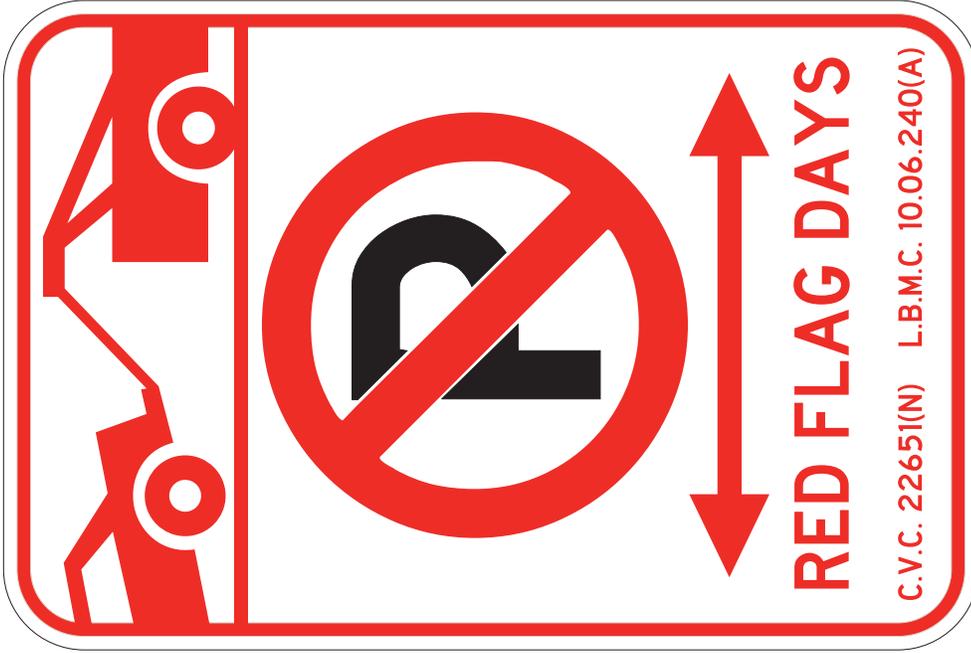


Red Flag Parking

PARKING IS PROHIBITED ON THIS SIDE OF DIAMOND STREET BETWEEN CRESTVIEW AND CATALINA DURING RED FLAG ALERTS. ONLY WARNING NOTICES WILL BE ISSUED UNTIL DECEMBER 31, 2014. STARTING ON JANUARY 1, 2015, VEHICLES PARKED ON THIS SIDE OF DIAMOND STREET DURING A RED FLAG ALERT WILL BE CITED AND TOWED AWAY AT THE VEHICLE OWNER'S EXPENSE.

YOU MAY SIGN UP TO RECEIVE RED FLAG TEXT ALERTS ON THE CITY WEBSITE AT:
WWW.LAGUNABEACHCITY.NET/PORTAL/DEFAULT.ASP

Laguna Beach Police Department: (949) 497-0701



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Job Name: Red Flag Days
Job Address: Laguna Beach Police Department
Contact: Jim Beres

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