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A-3-STC-22-0018 (OVERSIZED VEHICLE PARKING RESTRICTIONS) MAY 11, 2023 HEARING EXHIBITS

Table of Contents

Exhibit 1: City's Proposed Oversized Parking Restrictions and Safe Parking Program

Exhibit 2: City's Program Rationale

City of Santa Cruz Safe Parking Program Summary

April 2023

I. Basic Regulations

Subject to certain exceptions, oversized vehicles may not park on City Streets from midnight to 5:00 a.m. (SCMC 10.40.120(a).)

An oversized vehicle is: (a) over twenty feet long, or (b) over eight feet in height and seven feet in width. (SCMC 10.04.106.)

An oversized vehicle does not include pickup trucks, vans, or sport utility vehicles that are less than twenty feet in length and eight feet in height. (SCMC 10.04.106.)

The City will provide temporary permits allowing vehicles, that belong to individuals who are registered for Safe Parking or shelter programs, to temporarily park on City streets, if shelter or safe parking is not available to them due to a lack of Safe Parking or shelter capacity. (SCMC 10.40.120(g)(7).)

Permits will be available that allow for temporary parking of oversized vehicles owned by a resident or an out of town visitor. (SCMC 10.40.120(g)(1) and SCMC 10.40.120(h)-(i).)

II. Safe Parking Program

Parameters for the safe parking program includes a tiered system:

Tier 1: Originally planned as an emergency, one night only, overnight parking for individuals who need an immediate sanctioned parking spot. The demand for Tier 1 has proved to be limited. The City has, therefore, temporality combined the Tier 1 and Tier 2 programs. The Tier 1 program is now co-sited with the Tier 2 program. Tier 1 participants are immediately enrolled in the Tier 2 program as space allows in order to extend their stay from one-night only to a minimum of 30 days. Should the demand for these programs expand, the Tier 1 program may be re-instated as originally planned with its own assigned parking lot and enrollment procedure.

Tier 2: Safe overnight parking for a minimum of thirty vehicles throughout the City, was implemented within four months of passing the OV Amendments. Tier 2 lots provide legal, overnight parking for those living in their RVs who park on City streets. Registered participants receive a permit and designated spot for nighttime parking. Basic hygiene services available on-site. The vehicle must be operable for this night-only program, but current registration is not required. Once registered in the Tier 2 program, participants may generally park in designated spaces from 7 p.m. to 7 a.m. Spaces may be reserved for up to 30 consecutive days. During the daytime hours, these RVs can park in many locations throughout the City based on current parking regulations. This is a low barrier program, and participants simply must sign on to a basic participation agreement that includes a simple “good neighbor” code of conduct. No vehicle registration is required.

Tier 3: A robust safe parking program in partnership with service providers, health providers, and County partners, prioritizing: families with children, seniors, transition-age youth, veterans, and those with a valid disabled placard or license plate issued pursuant to the California Vehicle Code. Tier 3 opened in September 2022, with at least 20 vehicles (and 28 people) having participated in the program to date. Again, this is a low barrier program, and participants simply must sign on to a basic participation agreement that includes a “good neighbor” code of conduct and an agreement to engage in case management and housing navigation. No vehicle registration is required.

City of Santa Cruz Safe Parking Program Summary

April 2023

Expansion planning for existing programs: The original intent was to provide at least 3 Tier 1 parking spots, at least 30 Tier 2 parking spots, and an unspecified number of Tier 3 parking spots. The creation and activation of the safe parking programs began independent of the implementation of the OVO. The City opened the Tier 1 and Tier 2 programs as pilot programs in early 2022 with the intention to expand as demand required. Although the demand for the Tier 1 and Tier 2 programs has been less than anticipated (to date, no more than nine participants at any given time), the City maintains plans to expand capacity to the original goal of 30 parking spots (and beyond), once OV dwellers are incentivized to use the program. Not only have additional parking lots been identified, but so have funds to support the required refuse and hygiene services when new parking lots need to be brought online. Below is a table with the parking lots identified by City staff as expansion locations as demand requires.

Once adequate funding, an operator, and a site was identified, the Tier 3 program was able to open in the September 2022. The program location is able to accommodate 15-20 vehicles, depending on enrolled vehicle sizes. At present, 17 vehicles are enrolled in the program. The Tier 3 program is robust, as mentioned above, offering wrap around services and 24/7 access, which results in a much larger budget and staff demand. Due to the lack of ongoing funding sources, the City is not currently in a position to expand the Tier 3 program. Should program funds become available, staff would begin the process of exploring possible locations to expand the program.

An appointed Council ad-hoc committee will continue to work with City staff and community partners to further develop and ensure implementation of the above-described safe parking framework in a manner that is widely accessible and will report to the Council with additional recommended actions.

Table 1: Safe Parking Locations and General Information

<u>Safe Parking Lots in the City of Santa Cruz*</u>	<u>Tier Number</u>	<u>Lot Capacity</u>	<u>Sanitation Facilities & Refuse Services</u>	<u>General Hours of Operation</u>	<u>Within Coastal Zone</u>	<u>Currently Active Site?</u>
4	1/2	8	Yes	7pm - 7am	No	Yes
6	2	6	Yes	7pm – 7am	No	Expansion site
7	2	6	Yes	7pm – 7am	No	Expansion site
8	1/2	4	Yes	7pm – 7am	No	Yes
13	2	6	Yes	7pm – 7am	No	Expansion site
25	2	6	Yes	8pm – 8am	Yes	Expansion site
26 (PD)	1	3	Yes	7pm - 7am	Yes	Previously Active, Now an Expansion site
Harvey West	2	6	Yes	7pm - 7am	No	Expansion site
Mike Fox	2	4	Yes	8pm – 8am	Yes	Expansion site
Armory**	3	15-20	Yes	24/7	No	Yes

*See next page for a map of locations.

**Map below shows capacity of 22 spaces. Size of enrolled vehicles has limited capacity.

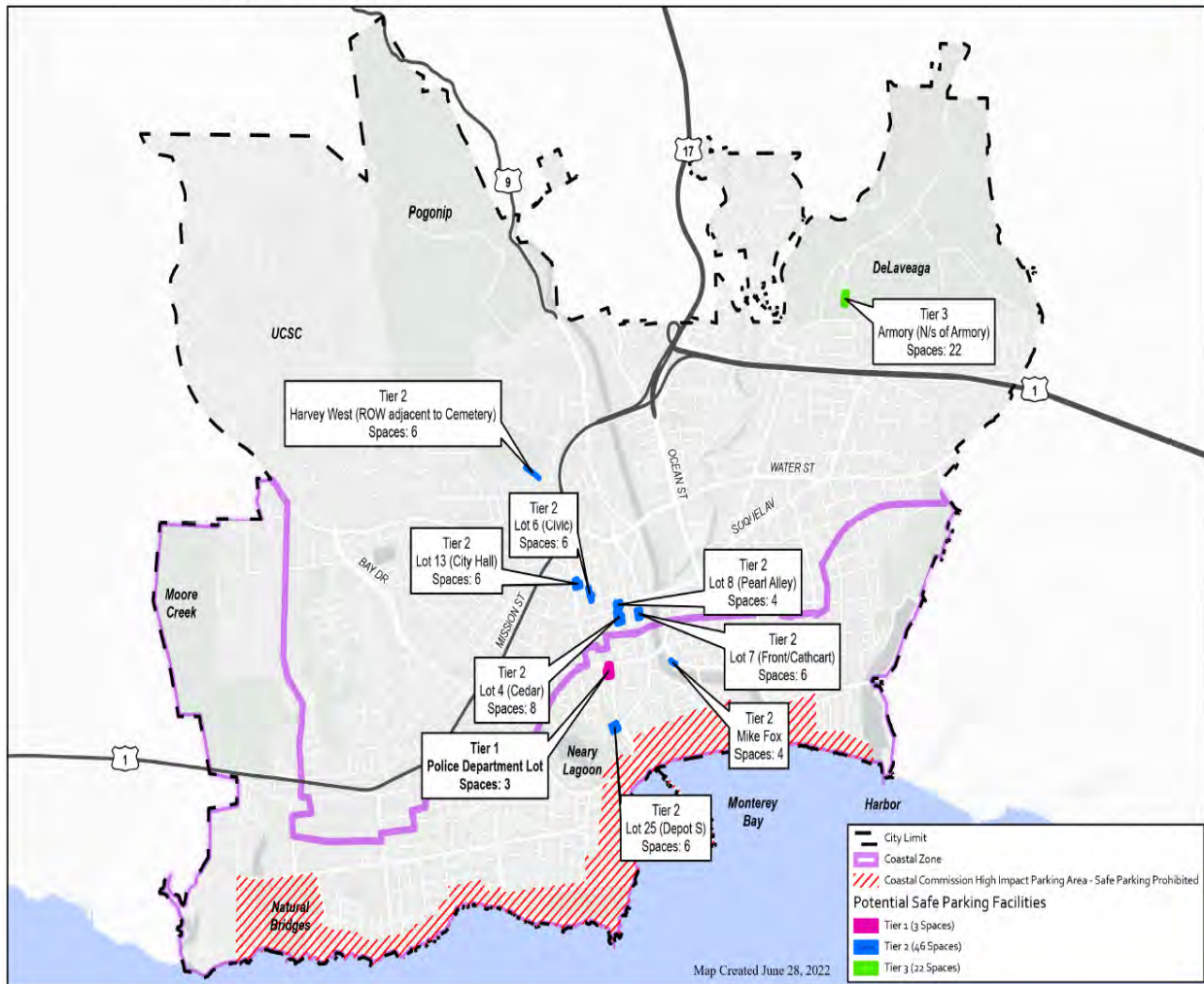
City of Santa Cruz Safe Parking Program Summary

April 2023

Existing and Planned Safe Parking Facilities

City of Santa Cruz

0 1,250 2,500 5,000 Feet



III. Outreach

The Tier 3 program operator engages in active outreach efforts to ensure individuals dwelling in oversized vehicles within the City are aware of both the Tier 2 and Tier 3 programs and how to enroll. Their outreach has been extensive and very successful (engaging with at least 79 RV dwellers in the City since August 2022), resulting in full enrollment of the Tier 3 program within weeks of program opening. The Tier 2 program still has availability, and those on the Tier 3 waitlist know how to access the Tier 2 program. In addition to safe parking, Tier 3 participants receive wrap around case management services as a primary tenet of the program.

City staff regularly distribute flyers regarding our Tier 2 program to individuals who live in oversized vehicles and could benefit from the Safe Parking Program in order to avoid citations and utilize the City's legal overnight accommodations. The City also lists the Safe Parking programs and contact/enrollment information on its website. In addition, the City has shared the Tier 2 flyer with its community partners.

City of Santa Cruz Safe Parking Program Summary

April 2023

The City's Homelessness Response Outreach Team is available to provide interested Tier 2 program participants with connection to wrap around services.

IV. Enforcement

Oversized vehicles parked between the hours of midnight and 5:00 a.m., unless permitted by Section 10.40.120(g), will be subject to a \$50.00 civil penalty (parking ticket), the enforcement of which will be governed by the civil administrative procedures set forth in Division 17, Chapter 1, Article 3 (commencing with Section 40200) of the California Vehicle Code. (SCMC 10.40.120(o).)

The registered owner, driver or lessee of a cited vehicle may request an administrative review of the parking citation within 21 days of the date printed on the front of the citation. If the first review is not satisfactory to the requestor, a request can be made for an administrative hearing and sent to the City's outside administrative examiner governed by the civil administrative procedures set forth in Vehicle Code, Division 17, Chapter 1, Article 3 (commencing with Section 40215(a)(b)).

Low Income citation payment plans are also available for those individuals who meet the requirements to qualify for the program. The program allows payment of parking fines in monthly payments of no more than \$25 a month and waives all late fees and penalty assessments, as governed by the civil administrative procedures set forth in Vehicle Code, Division 17, Chapter 1, Article 3 (commencing with Section 40220).



ZONING / PERMIT PROCESSING

831/420-5100 • FAX 831/420-5434

COMPREHENSIVE PLANNING

831/420-5180 • FAX 831/420-5101

INSPECTION SERVICES

831/420-5120 • FAX 831/420-5434

PLANNING ADMINISTRATION

831/420-5110 • FAX 831/420-5101

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

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Lee Butler, Director

September 21, 2022

Kiana Ford, Coastal Planner
California Coastal Commission
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060
Delivered via email

RE: City of Santa Cruz Coastal Permit for Oversized Vehicle Ordinance Implementation

Dear Ms. Ford,

Thank you for the opportunity to talk with you and other Commission staff in August. The City team has reflected on the conversation and wanted to reach out to you with some updates.

Oversized Vehicle Parking Near Intersections

First, the City would like to address the issue that the Commission staff indicated was a substantial issue. The City remains concerned with oversized vehicles parked near intersections. By virtue of their size and lack of visual permeability, oversized vehicles can obstruct sight lines in a manner that can create conflicts between vehicles, bicycles, and pedestrians. As has been noted in the City's correspondence, the Caltrans Highway Design Manual states that it takes 100 feet for a vehicle to stop after an object in the road becomes visible when the vehicle is traveling just 15 miles per hour. With nearly all City streets having higher speeds, that statistic, in and of itself, supports the City's approach. And California Vehicle Code 22507(a), recognizing the need for special considerations at intersections, where

visibility is key to safety, authorizes cities to prohibit or restrict parking, including parking for “vehicles that are six feet or more in height,” within 100 feet of an intersection.

However, even with what the City believes is adequate justification, the City also understands the Coastal Commission’s desire to maximize coastal access for recreation purposes and understands the Commission staff’s desire to provide more concrete justification in terms of sight line diagrams, specific intersection examples, and other evidence supporting the prohibition of oversized vehicle parking within 100 feet of intersections. Recognizing that it may take some time to provide the Commission staff with the details they desire, coupled with the City’s desire to have the Commission consider the Coastal Permit for implementation of the Oversized Vehicle Ordinance expeditiously, this letter serves as formal notice that **the City no longer wishes to pursue the 24/7 no parking restrictions for oversized vehicles within 100-feet of an intersection as part of the Coastal Permit at this time.**

Existing Laws, Their Challenges, & the Need for New Laws

The City would like to further address some of the comments that have been expressed by the appellants regarding existing laws that could potentially prevent some of the challenges that the City experiences with respect to environmental degradation related to litter and urination/defecation in the Coastal Zone and in environmentally sensitive areas. The City’s prior correspondence has detailed how someone must essentially be caught in the act of littering, urinating, or defecating in order for Police to take action. It is impractical to have Police presence at all times, and even if police officers could be present at all hours, the amount of space that would need to be monitored makes it impossible for the City to address the serious environmental degradation it has experienced by enforcing littering/urination/defecation/dumping laws alone.

Consolidation of oversized vehicle parking in safe parking locations allows the City to provide the necessary sanitation (bathroom and hand washing) resources in closer proximity to the oversized vehicles. While the City has located resources, such as regular dumpster service that is now being emptied five times per week, in close proximity to concentrations of oversized vehicles, the linear nature of on-street parking makes the provision of services in close proximity to vehicle dwellers more challenging than if vehicles can park closer to one another, as is proposed with the safe parking program. And placing portable toilets has proven challenging. If a vehicle were to hit the dumpster, it would only involve damage to the vehicle and the metal dumpster, but, placing a portable restroom in the right of way would put people in danger and could result in human injury or death if a vehicle were to hit the portable restroom. Staff have inquired with property owners regarding placement of portable restrooms. One such owner has allowed for placement of a portable restroom on their property, while others, including two State entities - State Parks and University of California - have not. With only one location of a portable restroom, the proximity issue remains problematic, and again, having vehicles in safe parking locations allows the City to provide these services in close proximity to the vehicles and their occupants.

The City would also like to address the appellants’ statements that safe parking places should be provided without any additional enforcement capabilities such as the midnight to 5:00 a.m. parking restriction. The City has worked diligently to encourage use of the Tier 2 parking

facilities (overnight-only, with restroom and trash services provided), mostly to no avail. Public testimony from those living in their vehicles has indicated that people are not interested in moving their vehicles daily when they could do so just once every three days, and that is if the City has the capacity to enforce every three days, which it does not.

Tier 3 safe parking (24/7 facilities with direct case management and housing navigation services provided) is now operational at the Armory, as of late August 2022. The full capacity has been reached, and a wait list has been established. The outreach associated with that Tier 3 program also advertised the Tier 2 safe parking program, however, participation in the Tier 2 overnight-only program remains very limited.

While it is true that some of the City's laws could, in theory, address some of the negative environmental consequences of overnight oversize vehicle dwelling, in reality, it is not practical to enforce those laws for a variety of reasons. With respect to directly witnessing violations, few City staff work between the hours of midnight and 5:00 a.m., and those – primarily law enforcement – staff are often called to priority issues that require immediate attention. Even when staff are available to monitor, they have a very limited ability to directly observe someone in the act of dumping trash, defecting in public, or emptying their black water tank in the dark of night when their vehicle's headlights announce their approach. And if enforcement personnel were to make the time-consuming effort to directly observe violations, violators will likely just move to another location.

The City believes that the prohibition of oversize vehicle parking between midnight and 5:00 a.m. will facilitate concentrations of vehicles at known locations where hygiene facilities and trash services are in close proximity, thereby encouraging the use of both, and where enforcement personnel will be more equipped to monitor activities given the concentrated nature of the vehicles. Enforcement personnel will not need to spend endless time aiming to observe a violation. Rather, they can immediately provide a warning to the oversized vehicle informing them of the midnight to 5:00 a.m. parking restrictions and directing them to the safe parking programs. If oversized vehicle owners do not heed the warning, enforcement personnel will be able to provide a parking ticket – again, without needing to endlessly wait to directly observe a violation.

Similarly, the current, 72-hour parking limit is both time consuming and ineffective to enforce. It requires that enforcement personnel visit a location two times, three days apart. And if a vehicle has moved during that time, then the three-day process would need to be repeated. And as noted above, this 72-hour timeframe disincentivizes use of the safe parking facilities, where sanitation facilities and trash services are in close proximity, making it more likely that they will be utilized with an accompanying benefit to environmental health and safety.

A significant amount of the environmental damage and access issues associated with sleeping in oversized vehicles overnight is the result of entrenchment and prolonged stays at one location, with those dwelling in their oversized vehicles accumulating belongings in the right-of-way (creating access impacts and potential environmental impacts from runoff/litter) or nearby areas (such as environmentally sensitive habitat). Many photos depict the accumulation of trash and

miscellaneous items, and the accumulation of these items is expected to be reduced if people are traveling to and from a Tier 2 facility each night/morning.

A Better Approach

What is clear is that the current situation is not working well for any of the parties involved. Many individuals living in oversized vehicles do not have access to basic hygiene services, particularly at nighttime, nor do they have access to support services, such as connections to benefits, medical assistance, or housing navigation services, due in part to their scattered presence and changing of locations, both of which make it difficult for services providers to connect to those dwelling in their oversized vehicles. While the City has attempted to provide services, such as waste collection, through the provision of dumpsters emptied up to five times per week at frequent overnight parking locations, the issue of trash accumulation and migration into sensitive habitat continues to be problematic. **Consolidation of the oversized-vehicle dwellers into smaller, concentrated locations allows the City to provide basic hygiene services, trash collection services, and connections to a wide range of personal support services.**

Over the past several months, the City has hired multiple, permanent staff who focus on homelessness response - outreach workers who connect the unhoused community with benefits, services, shelters, and housing (two full-time equivalent positions across three part-time employees) and a Homeless Services Coordinator who collaborates across City departments. City staff actively work with County partners to connect participants in City programs to services in an effort to improve the health, well-being, and housing status of the participants.

The work of these homeless service providers is facilitated by efforts like the safe parking programs that the City is attempting to promote. However, **the utilization rate of the safe parking program is limited when participation is optional. The connection of oversized vehicle dwellers to services, the efficiency of outreach workers in assisting oversized vehicle dwellers, environmental quality, and the availability of coastal access would all be improved if participation in the safe parking programs were increased; staff and the Council believe the best way to do that is to enforce the City's midnight to 5:00 a.m. parking restrictions for oversized vehicles.**

Should you have any questions about the City's updated application, feel free to reach out to me.

Sincerely,

Lee Butler

Director of Planning and Community Development

Staff Note: Not all of the City's exhibits are included in this exhibit, but are available for review in the Commission's office



PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

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LEE BUTLER, AICP, LEED AP

July 8, 2022

Sent via email to kiana.ford@coastal.ca.gov

California Coastal Commission c/o Kiana Ford
Central District Office
725 Front Street #300
Santa Cruz, CA 95060

RE: Appeal No. A-3-STC-22-0018, Staff Report re: Substantial Issue Determination

Dear Chair Brownsey and Commissioners,

The City of Santa Cruz ("City") has reviewed the Commission's staff report for the above-referenced matter. The **City appreciates and agrees with the Commission's staff's recommendation of "no substantial issue"** and wanted to take the opportunity to provide some additional information and clarifications to supplement the report and the materials previously provided by the City. In particular, as detailed below, the City would like to emphasize the following points: 1) the City's Oversized Vehicle (OV) Amendments and Safe Parking programs aim to protect sensitive species and Environmentally Sensitive Habitat Areas (ESHA), along with alleviating coastal parking demands; (2) the City's OV Amendments and Safe Parking programs, together, aim to encourage people living in OVs to utilize Safe Parking facilities, in order to promote additional public access to the coast and to address environmental impacts related to entrenched OVs, many of which are located in the Coastal Zone; and (3) people living in OVs will not be unjustly impacted by the City's OV Amendments, particularly given the broad range of options available to people living in OVs. This final section includes additional details about the City's Safe Parking program that were not previously provided.

I. The City's OV Amendments and Safe Parking Programs Aim to Protect Sensitive Species and Environmentally Sensitive Habitat Areas (ESHA), Along with Alleviating Coastal Parking Demands.

The Commission's staff report cited concerns regarding the City's evidentiary linkage between the impacts that the City is aiming to address and the City's overnight OV parking prohibition. City staff previously provided photos, primarily of refuse in and around OVs but also of blackwater dumping, public access being occupied by OVs and associated belongings, and leaking fluids from OVs. (*See Exhibit 10* to the City's June 23, 2022 letter to the Commission.) However, more emphasis could have been provided that these conditions are prevalent in areas with sensitive species, ESHA, and significant coastal access parking demands.

As noted in the City's letter to the Commission dated June 23, 2022, the majority of OVs in the Coastal Zone are located on the Lower Westside of Santa Cruz. Specifically, the OVs are often parked

along Delaware Avenue, Natural Bridges Drive, and Schaffer Road. See City's Exhibit 11 (submitted with this letter, identifying areas of concentrated OV parking).

Natural Resources. Many areas in the City with severe impacts related to overnight OV parking are in close proximity to and often immediately adjacent to three creeks (Moore Creek, Natural Bridges Creek, and Arroyo Seco Creek) identified in the City's Creeks and Wetlands Management Plan from 2008¹, which is part of the City's Local Coastal Program (LCP). These areas are ESHA for a wide range of sensitive species.

The sensitive species listed below, identified by the City's Creeks and Wetlands Management Plan, are likely to be adversely impacted by improper sewage disposal, inadequate sanitation resources, and trash because their habitat is immediately adjacent to or in very close proximity to areas with a high concentration of overnight OV parking. See City's Exhibit 11 (submitted with this letter, identifying areas of concentrated OV parking and adjacent ESHA).

- *California red-legged frog* (federally listed as threatened and California species of special concern): known to occur in Antonelli Pond and marsh at Natural Bridges;
- *Monarch butterfly* (locally unique species in Santa Cruz's General Plan and LCP): roosts at Natural Bridges;
- *Tidewater goby* (federally listed as endangered and California species of special concern): potentially present at mouth of Moore Creek at Natural Bridges State Beach;
- *Southwestern pond turtle* (federal and California species of special concern): known to occur in Moore Creek, Antonelli Pond, and marsh at Natural Bridges;
- *White-tailed kite* (California-designated Fully Protected Species): known to nest at Natural Bridges and potential habitat along portions of Moore Creek;
- *Coopers hawk* (California species of special concern): known to nest along Moore Creek;
- *Yellow warbler* (California species of special concern): formerly bred at and potential nesting habitat at Antonelli Pond;
- *Yellow-breasted chat* (California species of special concern): potential nesting habitat at Antonelli Pond;
- *Tricolored blackbird* (California species of special concern): historically nested at and potential nesting habitat at Antonelli Pond; and
- *Yuma myotis, Townsend's western big-eared bat, and San Francisco dusky-footed woodrat* (each federal and California species of special concern): each has potential habitat along Moore Creek.

Coastal Commission Senior Ecologist Dr. Lauren Garske-Garcia confirms concerns for some of these species in a letter dated July 17, 2019, where she called for a wildlife corridor for the California red-legged frog leading between Schaffer Road and Antonelli Pond. She also cited the potential for the Western pond turtle and tri-colored blackbirds near Antonelli Pond and cited the need to evaluate the presence of wetlands on the site at the northeast corner of Delaware Avenue and Schaffer Road, all locations immediately adjacent to a high concentration of regular OV parking. Dr. Garske-Garcia also says of the vacant site adjacent to many entrenched OVs that "even highly invaded grasslands may be

¹ See <https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/area-plans-and-city-zoning-code/city-wide-creeks-and-wetlands-management-plan>.

considered ESHA.” See Exhibit 15 for excerpts from Coastal Commission Senior Ecologist Dr. Lauren Garske-Garcia's July 17, 2019 letter to the City.

The City of Santa Cruz and its residents are highly environmentally conscious. The potential impacts to ESHA and sensitive species are of significant concern to both the Council and the citizenry, as is certainly the case for the Commission as well. Exhibit 11 to this letter provides a map showing locations of creeks, wetlands, and habitat, along with a key showing where additional photos in Exhibit 12 were taken. The photos in Exhibit 12 show recent situations related to long-term OV entrenchment and the resulting environmental impacts, such as OVs leaking fluids, riparian areas used as restrooms, and trash associated with OVs, which is often immediately adjacent to ESHA. Contaminants related to long-term OV entrenchment can create environmental damage and be detrimental to both ESHA and the many special status species in the immediate vicinity. Notably, many of the pictures in Exhibit 12 are very recent, having been taken in just the past week or two, as was the case with many of the photos provided in Exhibit 10 to the City's June 23, 2022 letter to the Commission. The purpose of providing these photographs is to show that, even with resources in place (for example, dumpster services nearby and safe parking facilities available), OV entrenchment results in significant pollution in close proximity to ESHA and sensitive species. While the City recognizes that not all OV dwellers cause environmental damage, the pictures show that OV entrenchment in the City is a serious, current, and ongoing problem.

The City also takes its public access requirements seriously. In addition to the environmental concerns noted above, the photographs in Exhibit 12 also show how the OVs occupy many parking spaces along Delaware Avenue and Natural Bridges Drive. These locations are directly adjacent to Natural Bridges State Park. The State Park charges for parking, and thus, the adjacent, free on-street parking is very popular with beachgoers in the spring and summer and with eco-tourists watching the Monarch butterflies in the fall. Because current parking rules allow vehicles to stay in one place for 72 continuous hours, and vehicles tend to only move a short distance after those 72-hours have expired, OVs often remain stagnant in popular on-street parking areas for extended periods of time, occupying parking spaces (with both vehicles and belongings) that would otherwise provide free parking for coastal visitors. See Exhibit 11.

II. The City's OV Ordinance Amendments and Safe Parking Programs, Together, Aim to Encourage People Living in OVs to Utilize Safe Parking Facilities, In Order to Promote Additional Public Access to the Coast and Address Environmental Impact Related to Entrenched OVs, Many of Which are Located in the Coastal Zone.

Page 15 of the Commission's staff report states the following:

Parking restrictions are proposed in local jurisdictions for a variety of reasons. Sometimes it is a matter of a desire to generate a funding stream, other times it is to facilitate desired use patterns (e.g., where a time limit is added to ensure turnover so potential visitor use is not thwarted by vehicles that never move), and yet other times it is to address an identified problem that the parking itself is generating. The parking restrictions proposed here have been framed by the City in terms of the latter, and the City has cited to public safety and public health problems, public nuisance issues, camping in areas not called out for camping (and thus not equipped to handle that type

and intensity of use), and coastal resource impacts associated with such overnight parking.

The City's position is that the OV Ordinance Amendments and Safe Parking Programs are aimed at: (1) facilitating desired use patterns (disrupting OV entrenchment and improving vehicle turnover for the benefit of the community, including potential visitors, thereby reducing the likelihood of environmental impacts and public access impacts); (2) encouraging those living in OVs to utilize Safe Parking lots, thereby addressing public health and safety issues that are associated with OVs that have become entrenched on City streets; and (3) addressing visibility issues related to OVs parked too close to intersections.

The City currently has a problem with entrenched OVs parked on City rights-of-way, and the OV Amendments and Safe Parking Programs are intended to disrupt entrenchment by directing OV dwellers to safe and hygienic OV parking alternatives. The City's experience is that OVs parked in the City tend to stay in one area.² The Vehicle Code requires all cars to move every 72-hours. *See* Vehicle Code 22651(k). With that said, the City's experience is that OVs tend to park in one spot for 72-hours, then move to a nearby location and stay there for another 72-hours, and then move back to the initial location, or somewhere else nearby. *See Exhibit 16*. The record includes ample evidence, showing the impacts of OV entrenchment on City streets. *See, for example, Exhibit 16, Exhibit 10 and Exhibit 12.*

One of the Council's goals in passing the OV Amendments is to break the cycle of entrenchment and encourage OV dwellers to, at minimum, spend the night at a Safe Parking location, where they will be able to access restrooms and trash facilities, reducing the amount that OV dwellers urinate/defecate/litter on City streets, sidewalks, and nearby areas, such as ESHA. If OVs are required to move every night, the City's hope and reasonable expectation is that: (1) OVs will not accumulate the same level of trash, debris, furniture, etc. that currently impact City streets and sidewalks (including streets and sidewalks in the Coastal Zone), and (2) OVs will move daily, helping with on-street parking turnover for the benefit of the community, including potential visitors to the coast.

It is also worth emphasizing that the City's current Safe Parking Programs are *not close* to full. As of the time of this writing, eight out of the nine City-operated Safe Parking spots are available. City staff has provided significant outreach to OV dwellers in the City, but the program, so far, is underutilized.

The demand for these programs has been low, most likely because OV dwellers, under the current regulations, are only required to move, at most, once every 72 hours, and, when movement does occur, it is often a very short distance. Current and former OV dwellers have made comments to City staff along the lines of "Why would I use Safe Parking when I currently don't have to move?"

² *See, for example, Exhibit 16.* Note that Exhibit 16 is select public comment taken from Exhibit 5 to the City's 6-23-2022 letter. It is unclear if Commission staff provided the Commission with the City's bulkier exhibits, so these select public comments are being provided again, in case they were not previously received by the Commission.

The daily movement associated with the Tier 2 Safe Parking program represents a trade-off between an ability for OV dwellers to remain in place for extended periods of time and an attempt to better manage both environmental damage and public access. As described in Section III below, the Safe Parking locations are generally centrally located in the City, so OV dwellers will not need to travel far to reach them. Upon departure from Safe Parking facilities, it is unlikely that the same, large number of OVs will all go to where they are currently concentrated on and around Delaware Avenue and Natural Bridges State Park, where ESHA and sensitive species are concentrated and where coastal public access demand is very high. That location is approximately three miles from the downtown safe parking places, which is relatively far in Santa Cruz's compact boundaries. Instead, many of the OV dwellers will choose to park in other free parking spaces, closer to their designated Safe Parking location, many of which will likely be either outside of the Coastal Zone or in areas of the Coastal Zone where parking is not in such high demand.

III. People Living in OVs Will Not Be Unjustly Impacted by the City's OV Amendments, Particularly Given the Broad Range of Options Available to People Living in OVs.

The City would like to emphasize three points related to the limited potential for parking tickets resulting from the City's OV Ordinance amendments for people living in OVs who make a good-faith effort to comply with the City's Municipal Code.

First, Santa Cruz Municipal Code (SCMC) 10.40.120(g)(7) assures that people living in OVs who are actively seeking safe, legal overnight parking or shelter opportunities will not receive a parking ticket. This section exempts the following individuals from the City's midnight to 5:00 a.m. OV parking restriction:

A person and oversized vehicle that are, collectively, registered and participating in a safe parking program or other safe sleeping or transitional shelter program operated or sanctioned by the city, but do not have access to a safe parking space or other shelter options under such programs due to a lack of capacity.

SCMC 10.40.120(g)(7). This exception will not be difficult or complex to implement. If there is a shortage of available Safe Parking capacity, the City plans to issue overnight parking permits to people living in OVs who register for sanctioned City, County, or non-profit Safe Parking or shelter programs.

Second, the City currently has readily available Safe Parking capacity, and that capacity is vastly expanding. It is worth emphasizing again that, so far, demand for City-sponsored safe parking has been minimal, most likely because, as described above, OVs can legally park in other locations, without needing to relocate daily. To summarize, the following resources are currently available, or will be available, in the very near term:

- Within City limits, the Association of Faith Communities (AFC) manages approximately 21 safe parking spaces, including approximately 20 on religious assembly sites and one on City-owned property. AFC also manages up to an additional 21 spaces within the County of Santa Cruz, but outside City limits.

- As of March 1, 2022, the City began operating three Safe Parking Program locations on public parking lots that allow for nine OVs as part of the Tier 1 and Tier 2 parking programs. Currently, nine spaces are available in two Tier 1 and Tier 2 lots (Police Department Lot and Lot 4, respectively, with six of eight spaces in Lot 4 currently offered). *See Exhibit 14* for a map of the existing and planned Safe Parking facilities.
- On June 14, 2022, the City Council approved a one-year, approximately \$400,000 contract for a Tier 3 Safe Parking Program which will serve approximately 22 OVs, with the operator providing wrap-around services with case management to support people in moving from their vehicles into housing. This is a 24/7 parking program, and participants are provided with free transportation to/from the Armory location and various points in the City. The City is investing in infrastructure improvements at the Armory and working with operators (AFC and The Free Guide) towards an expected start in July 2022.
- The City has direction from the Council to operate at least 30 Tier 2 Safe Parking spaces. While only six Tier 2 spaces are currently in operation (the other three mentioned above are in Tier 1), the City has locations identified for 40 additional Tier 2 spaces in the City, for a total of at least 46 Tier 2 spaces in the City, with most of those centrally located in and around the Downtown. *See Exhibit 14*. The current expectation is that 13 of the potential 49 Tier 1 and 2 Safe Parking spaces will be in the Coastal Zone. Another 18 spots are in Safe Parking locations within 650 feet of the Coastal Zone, and another 12 spots are in Safe Parking locations within approximately one quarter mile of the Coastal Zone. In fact, only six Tier 1 or 2 spaces are planned at any appreciable distance from the Coastal Zone, and even those are only an approximately one-and-a-half mile driving distance to the Coastal Zone. A number of the planned locations have additional capacity that would allow for future expansion beyond the 49 existing/planned spaces, should demand for additional Tier 2 Safe Parking spaces arise. At this time, the City's approach is to operate each location with a relatively small number of OV's and expand locations and capacity at sites when demand increases, while maintaining capacity for a minimum of 30 Tier 2 spaces.
- The City recently significantly liberalized regulations regarding vehicular dwellers on private property. Religious assembly uses can now host six (up from three, pre-2021) OV's on each property with no permits or authorizations required. (SCMC 6.36.030(a)(2).) The City also allows businesses to host up to three safe parking spaces (up from two, pre-2021). (SCMC 6.36.030(a)(3).) The City allows people to dwell in an OV indefinitely (previously only three days per month, pre-2021) on residential properties when certain conditions are met. (SCMC 6.36.030(a)(4).)
- The Santa Cruz Harbor, located in the City of Santa Cruz Coastal Zone and Coastal Appeal Zone, designates 15 parking spaces for recreational vehicles to park. Outside the City but in nearby areas, at least 429 additional recreational vehicle camp sites are available in at least five other locations within the Coastal Zone, for a total of at least 444 recreational vehicle spaces in Coastal Zone areas in and near the City. *Exhibit 13* identifies the locations and number of recreational vehicles that can be accommodated at

each location. Many additional recreational vehicle camp sites are available in the County but outside the Coastal Zone.

Third, the City would like to provide some clarity with respect to the number of people residing in OV's that could be impacted by the City's OV Amendments. A recent Google aerial map (dated September 2021) found approximately 110 OV's parked on City streets. The count did not include trucks over 20 feet in length without a camper shell (SCMC Section 10.40.120(g)(8) exempts commercial vehicles from the 12:00 a.m. to 5:00 a.m. parking prohibition if a permit is properly displayed, and with the potential environmental impacts more likely to stem from people living in vehicles, trucks without a camper shell are unlikely to include a vehicle dweller). ***Of the 110 oversized vehicles identified, many are clearly not used as dwellings.*** For example, City residents might park their OV's or vans, such as Sprinter vans, on public streets. As such, ***the number of OV's used as shelter for people residing in them is likely substantially less than 110.*** A total of 52 of the OV's shown were located within the Coastal Zone, with the vast majority of those parked in the lower West Side neighborhood, raising public access and environmental issues in that area. See Exhibit 9 (submitted with 6-23-2022 letter), City's OV Count Methodology. See also Exhibits 9A-9G (Google Earth Images, submitted with 6-23-2022 letter). With 71 Safe Parking spots identified, the capacity to expand at many of those locations, and the Municipal Code providing for the issuance of parking permits to people living in OV's who register for Safe Parking or other sanctioned programs but cannot park due to lack of capacity, the City's OV Amendments will not result in parking tickets for those who seek to comply with the Municipal Code by utilizing Safe Parking spaces or registering for a Safe Parking program.

No single or simple solution exists that can fully address the environmental and public access impacts associated with OV entrenchment in the City. The City's strategy of prohibiting overnight OV parking on City rights-of-way, while at the same time providing Safe Parking locations, was the City Council's reasonable attempt to balance the needs of RV dwellers, parking access, roadway safety, community quality of life, and environmental resources. This approach is similar to the approach taken by dozens of other coastal communities (*see Exhibit 8*, submitted with the City's June 23, 2022 letter) and was supported by a wide range of the local community, including one Marine Scientist who provided a public comment that is quite relevant to the Commission's decision today:

"I support your efforts to ban overnight parking in our coastal community. As a marine scientist, it is painful to observe the abuse and neglect of our coastal treasures in this community. Santa Cruz is blessed with incredible coastal and marine biodiversity which is being actively degraded by stormwater pollution, human waste, plastic pollution and hazardous materials disposal from RV and large vehicles who live on our streets.

We should protect our coastal watersheds as they are critical to climate change resilience and adaptation in the near term. . . . Protecting our coastal community while finding solutions to our surging homeless issue is not mutually exclusive, but it does mean identifying critical areas and habitats, such as our rivers, low lying areas, and coastal zone which demand immediate attention and protection. Please I urge you to put neighborhood, community and environmental well being at the top of your list when deciding among solutions."

See Exhibit 16, p. 746 (comment from Rikki Eriksen, Ph.D.
California Marine Sanctuary Foundation, Marine Ecologist, Director of Marine Programs).

This comment reflects the environmental stewardship that is at the heart of many City efforts, and while that environmental consciousness serves as guidepost for various efforts, the City's actions related to the OV Amendments also heed the local community's strong social consciousness by providing three tiers of robust Safe Parking options for people living in vehicles who would be affected by the midnight to 5:00 a.m. OV parking restrictions.

Thank you for your attention to this letter, submitted on behalf of the City of Santa Cruz. We look forward to discussing this matter with the Commission and hope that the Commission concurs with its staff in finding no substantial issue.

Sincerely,

Lee Butler, Director of Planning & Community Development
Cassie Bronson, Deputy City Attorney

Exhibits:

Exhibit 11 - Map of ESHA and Key Showing Locations of Photographs
Exhibit 12 - Photographs of OVs Taken Near ESHA
Exhibit 13 - Recreational Vehicle Facilities in the Coastal Zone in the Santa Cruz Area
Exhibit 14 - Map of Existing and Planned Safe Parking Facilities in the City
Exhibit 15 - Excerpts from Coastal Commission Senior Ecologist Dr. Lauren Garske-Garcia's July 17, 2019 letter to the City
Exhibit 16 - Public Comment Discussing OV Entrenchment

(Note, Exhibits 1-10 were provided with the City's June 23, 2022 letter.)

CC: Ryan Moroney (Ryan.Moroney@coastal.ca.gov)
Rainey Graeven (Rainey.Graeven@coastal.ca.gov)
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City Council AGENDA REPORT

DATE: 10/15/2021

AGENDA OF: 10/26/2021

DEPARTMENT: City Council, City Manager, Police, City Attorney, Public Works

SUBJECT: An Ordinance of the City Council of the City of Santa Cruz Amending Title 10 "Vehicles and Traffic" at Chapter 10.04 "Definitions" and Chapter 10.40 "Stopping, Standing and Parking" and Chapter 10.41 "City-Wide Parking Permit" Pertaining to the Parking of Oversized Vehicles and Chapter 16.19 "Storm Water and Urban Runoff Pollution Control" at Section 16.19.070 "Discharge of Sewage Prohibited" (CN/CM/PD/CA)

RECOMMENDATION:

- 1) Introduce for publication an ordinance amending Title 10 "Vehicles and Traffic" at Chapter 10.04 "Definitions" and Chapter 10.40 "Stopping, Standing and Parking" and Chapter 10.41 "City-Wide Parking Permit" pertaining to the parking of oversized vehicles and Chapter 16.19 "Storm Water and Urban Runoff Pollution Control" at Section 16.19.070 "Discharge of Sewage Prohibited."
 - 2) Motion to direct staff to implement City-operated and expand sponsored safe parking programs for unhoused City residents living in oversized vehicles licensed and registered in the City of Santa Cruz, and return to Council with draft-ready contracts and associated costs within four months of the passing of the above listed ordinance. Safe parking programs would include a three-tiered approach that consists of the following:
 - a) Emergency overnight safe parking on City-owned parcels for a minimum of three vehicles to be implemented immediately.
 - b) Safe overnight parking on City-owned parcels or other non-residential approved spaces for a minimum of thirty vehicles throughout the City to be implemented within four months of the passing of the above listed ordinance.
 - c) A robust safe parking program in partnership with service providers, health providers, and County partners. The following subpopulations will be prioritized: Families with children; seniors; transition age youth; veterans; and those with a valid disabled placard or license plate issued pursuant to the California Vehicle Code.
-

BACKGROUND: The City of Santa Cruz is experiencing an increasing number of oversized vehicles parking for long periods of time on city streets, impacting public safety, health, and the environment for those who are housed and unhoused. The City must balance the preservation of

health and safety with helping our most vulnerable. The purpose of this agenda item is to provide tools to improve the health and safety in our community for both people living in their vehicles as well as for housed individuals experiencing the impacts of unsheltered homelessness.

Local Context. The increase in the number of oversized vehicles parking in the City of Santa Cruz, and the subsequent impacts, may be quantified in multiple ways. In July 2021, local residents conducted a two-week oversized vehicle count of the most heavily impacted streets on the lower Westside (Delaware, Shaffer, Natural Bridges, McPherson, Ingalls, Fair, Mission St., and Garfield Park), as well as some other areas of the city (Harvey West etc.). An average of 65 oversized vehicles were found to be parked on city streets in those areas. This number ebbs and flows based on a variety of factors.

Community residents contact the city regularly with requests to address the presence of and/or impacts from extended oversized vehicle parking. These requests come via Santa Cruz Police Dispatch, Public Works Parking Division, and through emails, phone calls, and verbal communications directly to staff and council.

The types of issues raised through these calls for service include: the illegal dumping of trash, debris and human waste onto City streets, sidewalks, and waterways; fires associated with oversized vehicles; lack of access to neighborhood and coastal parking; and increased criminal activities in areas where oversized vehicles are parked, including theft of bicycles and other property, private water connections being used, and gasoline thefts.

Local data demonstrates the extent of the challenges. In the first eight months of 2021 (at the time data collection was completed), there have been at least 15 emergency calls for service to 911 that have been related to oversized vehicles, with seven of those calls related to fire and/or gas leakage. In calendar year 2020 and in the first eight months of 2021, the Santa Cruz Fire Department reported 38 fire incidents that are vehicle related, three that were specifically related to oversized vehicles. Also, in the first eight months of 2021, there were 12 oversized vehicle related service calls and 14 public right of way calls to the Wastewater Collection Division. Additionally, vehicle abatement activities have continued over the years. According to the Vehicle Abatement Officer, in the calendar year 2020, 2,243 abatement notices were issued, 197 vehicles were towed, including 20 which were oversized vehicles or camper vans. Attachment 3 provides additional vehicle abatement information including recent heat map data and graphs of frequency and locations of vehicle abatement activities. As the graph demonstrates, various parts of the city are disproportionately impacted. The five streets with the most vehicle abatement activity (Delaware, Natural Bridges, Shaffer, Mission, and Almar) were all on the West Side, and approximately one third of the abatements citywide are focused on the far West Side. The Vehicle Abatement Officer counted 15 out of state license plates on oversized vehicles that he was able to assess in one morning in certain areas of the West Side. A pilot parking study was conducted using the city's Smart City Sensor located at the Cowell overview parking lot, and showed that fewer than 6% of vehicles were blocking access for almost 30% of all parking spaces (see Attachment 4), with some of those vehicles being oversized vehicles. The City Manager's Office has spent approximately \$10,000 so far this calendar year in refuse services solely on the far Westside to mitigate the illegal dumping from oversized vehicle/car dwellers. This does not include staff time from the City Manager's office or Public Works in coordinating these efforts.

One of the issues that is most often raised with regard to extended oversized vehicle parking is the discharge of raw sewage onto City streets and into storm drains. Runoff from the City's storm drain system is periodically tested as part of regional testing efforts, but not at a scale that would be able to quantify the environmental impacts under discussion. Any verified discharge of human waste into the storm sewer system is considered a violation of the City's Municipal Code (Section 16.19.090); if left unaddressed, the City is at risk of violating its National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit, which could lead to enforcement actions by the Regional Water Quality Control Board.

The challenges described above have been on-going. In 2013, the Public Safety Citizens Task Force came together to address the negative impacts (as described above) created by oversized vehicles on city streets. In late 2013, the Task Force recommended that the City review and implement strict parking ordinances related to oversized vehicles parking on City streets and called for additional enforcement of existing parking restrictions (see Attachment 5). On November 24, 2015 City Council approved the first reading and on December 8, 2015, it finally adopted Ordinance No. 2015-17 adding Section 10.04.085, 10.04.104, 10.04.106, 10.04.165, 10.40.120 and amending Section 10.41.060 of the Municipal Code Relating to the Parking of Oversized Vehicles. After consultation with Coastal Commission staff, City staff processed a Coastal Development Permit (CDP) for implementation of the Ordinance in the Coastal Zone. On June 1, 2016 the City of Santa Cruz Zoning Administrator approved a CDP to prohibit overnight oversized vehicle parking on City streets within the coastal zone from midnight to 5 a.m., which was appealed to the Coastal Commission. On August 10, 2016, the Coastal Commission found "substantial issue" with respect to the Ordinance's consistency with Coastal Act policies. The appeal is currently pending. Since the 2016 Coastal Commission decision, other cities and counties in the coastal zone have passed similar ordinances.

Outreach, Council Direction and Efforts Underway.

This report responds to city council direction at the June 22, 2021 hearing to:

Direct staff to begin evaluating the City's existing RV ordinance (2015-2017) for amendments to align with the existing Camping Services and Standards ordinance including programming such as designated safe parking programs, in partnership with faith community/community partners; as well as time, place, and manner of use of RVs for daytime and nighttime camping, and return to Council to provide input on community engagement approach, with an update in October on ordinance amendment approach, and with an update on California Coastal Commission process for approvals in the coastal zone.

The community input regarding the challenges and impacts of oversized vehicle parking have been substantial since the 2016 Coastal Commission appeal. In February 2019, after a prior city council member's proposal to permit overnight oversized vehicle camping on Delaware Avenue on the lower Westside, over 400 letters in opposition were sent to the city council. Community input concerns cited included environmental impacts, neighborhood safety, increased crime, garbage, human excrement, fire danger, drug dealing, and other illegal and nuisance behaviors. One recent example in which the community provided input regarding impacts from illegally parked oversized vehicles was on a one block section of Olive Street, a residential street off Mission Street. Many community members contacted council to request that oversized vehicles not be permitted to park in this area due to public health and safety impacts and ultimately their request was honored by council. A petition with over 1000 signatures, urging city staff and

council to address the public health and safety impacts of oversized vehicle parking was created on Change.org and sent to city staff and council.

Information was gathered on similar ordinances in other cities and counties throughout California, including coastal areas, in order to explore existing practices and options the City of Santa Cruz may have in addressing the ongoing oversized vehicle parking challenges in our City. Commonalities in impacts of oversized vehicles in like communities were reviewed. The draft ordinance is similar to ordinances passed in other coastal cities, such as Santa Monica.

Within City limits, the Association of Faith Communities (AFC) manages as many as 22 safe parking spaces, including approximately 20 on religious assembly sites and two on city-owned property. AFC also has up to an additional 21 spaces outside the city limits. The city also allows businesses to host safe parking spaces; however, since no permits are required to allow such parking, it is unknown whether or how many such spaces are being provided by businesses. This is a significant increase in overnight safe parking availability compared to what was present and available in the city when this ordinance was first introduced to the city council in 2015.

On September 21, 2021, three Councilmembers brought forth a draft ordinance concept as an introduction to the topic of managing oversized vehicles on city streets. The purpose of this introduction was for other Councilmembers and the community to have the opportunity to provide direct feedback about the ordinance language as well as the safe parking framework. The PowerPoint presentation provided as part of the September 21 hearing is attached to this report for reference.

The Mayor subsequently appointed Vice Mayor Brunner, Councilmembers Golder and Kalantari-Johnson to an ad hoc committee to continue to work with staff and the community in development of recommendations to the Council for the ordinance and safe parking framework. The ad-hoc committee engaged community members, public health/homeless service providers, members of the Association of Faith Communities, county staff and Board of Supervisor members to receive direct feedback and engage in thought partnership to explore opportunities. This community engagement took the form of emails, phone calls, one on one and group meetings. The ad hoc committee also gathered research on existing efforts in similar communities, both with ordinance approach and safe parking program approach. City staff also gathered research and met with county staff to promote alignment and explore collaboration and partnership.

DISCUSSION:

The purpose of this ordinance amendment and policy direction is to:

- 1) Provide parameters on time, place, and manner of parking of oversized vehicles on city streets in order to address environmental and public health impacts.
- 2) Implement a three-tiered safe parking framework to support individuals living in their vehicles. This three-tiered approach would include the following:
 - a) Emergency overnight safe parking on city owned parcels for a minimum of three vehicles, to be implemented immediately.
 - b) Safe overnight parking on city owned parcels or other non-residential approved spaces for a minimum of thirty vehicles throughout the city.

- c) A robust safe parking program in partnership with service providers, health providers and county partners. The following subpopulations will be prioritized: Families with children; seniors, transition age youth; veterans; and those with a valid disabled placard or license plate issued pursuant to the California Vehicle Code.

The proposed ordinance amendments build on existing Santa Cruz Municipal Code provisions that address oversized vehicles' environmental and public health impacts while providing policy direction to expand safe parking programming.

A summary of the amendments are provided below.

Overnight Parking Permit. The following provisions would apply to Overnight Parking Permits:

- Available to a "resident" or "out-of-town visitor," as defined in Section 10.04.165 and 10.04.104, respectively.
 - Residents
 - Valid for one year, allowing parking of an oversized vehicle for four periods of up to 72 consecutive hours per calendar month.
 - Parking location: Street curb immediately adjacent to the residence, or within four hundred feet of that person's residence if adjacent parking is not possible.
 - Out-of-town visitors
 - Valid for a maximum of 72 hours in the location identified above for residents.
 - No more than six out-of-town visitor permits per residential address per calendar year.
- Fee
 - A future Council resolution would establish the permit fee(s).
- Denial of Permits
 - The city may deny the issuance of an oversized vehicle overnight parking permit for up to one year if the city manager or his/her designee finds that: the applicant is not a resident; the resident or out-of-town visitor guests have been issued four or more citations for violations in the prior twelve months; the out-of town visitor is not a guest of the resident applicant; or an owner of an oversized vehicle has procured any oversized vehicle parking permit through fraud or misrepresentation.

City Operated or Sponsored Safe Parking Programs.

- In addition to the private property allowances authorized through Chapter 6.36.030 without the need for any permits from the City, the City may operate, sponsor, or authorize safe parking programs for oversized vehicles on any City owned or leased properties or on city sanctioned private properties. The City Manager shall develop a policy that establishes operational criteria for such safe parking programs.

Safe Parking Program.

As part of its consideration of the proposed ordinance, a safe parking framework is proposed. Site locations would include information and options for sanitation and black water dumping. The safe parking framework will take a three-tiered approach.

- 1) Emergency Safe Parking spaces - A minimum of three emergency safe parking spaces will be provided effective immediately. These emergency spaces will be available for up to 72 hours and are intended to support individuals who require time and support with vehicle registration and repairs.
- 2) Safe Overnight Parking - The City Manager's office, and the City Homelessness Response teams will identify and make available safe parking spaces on city owned land and/or other non-residential approved spaces for a minimum of thirty oversized vehicles. The city will either partner with outside providers or directly provide overnight monitoring. Individuals in these parking spaces will be connected and linked to other transitional sheltering options that are available throughout the county.
- 3) Safe Parking Program - The City Manager's office, Public Works and Homelessness Response teams will continue to work closely with County partners including the Human Services and Health departments, and service providers to either expand the existing, non-profit-run program or establish a new safe parking program. This program will include case management support to assist individuals in directly engaging in pathways to housing. Families with children, seniors, transition aged youth, veterans, and individuals with disabilities will be prioritized. The Safe Parking program will return to Council within four months of the passing of this ordinance with a draft ready contract for services that includes costs.

As part of this approach, the city will implement a permit process that will allow individual vehicles to temporarily park on City streets overnight if, among other requirements, these individuals: (1) have applied to a safe parking or shelter program, (2) are unable to participate in a safe parking or shelter program due to lack of capacity, (3) the location of their vehicle will not cause public health, safety, welfare concerns, or nuisance conditions. These individuals will still be subject to citations or other appropriate law enforcement activity if they engage in otherwise illegal and/or nuisance behaviors (e.g., illegal dumping).

The Santa Cruz Community Advisory Committee on Homelessness (CACH) recommended that the Council adopt "municipal code amendments to increase safe parking capacity at faith-based parking lots" in their August 11, 2020 final report to the Council. The Council has already made such amendments through the Camping Services and Standards Ordinance. While not explicitly called out as one of the final CACH recommendations, the recommendation in this report to further expand the number of safe sleeping locations available within the City and County, including through a City-sponsored program, is consistent with the CACH's desire to expand safe parking capacity on faith-based parking lots (Attachment 6).

Additional Supports

Members of the community are committed to the success of these efforts in both mitigating negative impacts on surrounding neighborhoods where oversized vehicles are parked as well as supporting individuals who reside long-term in oversized vehicles. After analyzing the best practices in other communities, members of the community suggested some ideas to bring forward that they would initiate. These include:

- A voucher Program for Oversized Vehicle Wastewater Dumping. Developing and funding a voucher program for Santa Cruz city residents residing in oversized vehicles, with a partial or full subsidy of the \$15 dump fee at the nearest dumping station. Community members interested in initiating this would coordinate with local nonprofit service providers to distribute and track the vouchers.
- A limited number of financial support subsidies for individuals who are Santa Cruz city residents needing support towards vehicle repair and registration. These funds would be established through partnerships with neighborhood groups.

Consistency with Prior Council Direction.

- Public Safety Task Force Recommendations of 2013 (Attachment 5)
- Adoption of Ordinance No. 2015-17 adding Section 10.04.085, 10.04.104, 10.04.106, 10.04.165, 10.40.120 and amending Section 10.41.060 of the Municipal Code Relating to the Parking of Oversized Vehicles, December 2015
- CACH Final Report and Recommendations, August 2020 (Attachment 6)
- Current council direction provided on June 22, 2021

Health in All Policies.

Health. The health and well-being of all Santa Cruz residents and the environment are of utmost importance. The public health impacts of extended oversized vehicle parking include: dumping of trash, debris, and human waste onto City streets, sidewalks, and waterways, fires and criminal activities such as bicycle and other personal property theft, private water connections being used, and gasoline thefts.

Equity. We acknowledge that the parameters set forth and permitting requirements in this ordinance may be challenging for some community members with oversized vehicles. Therefore appointed council ad-hoc committee will continue to work with city staff and community partners to further develop and ensure implementation of the above described safe parking framework and report to the Council with additional recommended actions.

Sustainability. Environmental sustainability is a core value of the City of Santa Cruz and informs all City operations. Prohibiting the use of public right-of-way for oversized vehicle parking throughout the City of Santa Cruz would accomplish reduction of the likelihood of human waste entering the storm drain system or contaminating the nearby environment.

Environmental Review.

The California Environmental Quality Act (CEQA) provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment. Section 15307 of the CEQA Guidelines “consists of actions taken by regulatory agencies... to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.” Section 15308 of the CEQA Guidelines “consists of actions taken by regulatory agencies... to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for the protection of the environment.” The proposed ordinance is not anticipated to result in any new construction, including but not limited to any construction of new facilities for public

services such as police, parks, or fire. Many individuals already park oversized vehicles in the City, and the ordinance is not anticipated to result in any additional impacts associated with parking of oversized vehicles. By providing safe parking locations where sanitation facilities would be present and by prohibiting overnight parking elsewhere, the proposed ordinance is expected to result in significantly fewer instances of overnight parking on City streets where sanitation facilities, including restrooms and trash services, are unavailable. That change, in and of itself, will create beneficial impacts to the environment through an increase in the proper disposal of waste compared to existing conditions and allowances, where the City has no designated safe parking locations. Further, the City's experience has been that the most significant environmental degradation associated with oversized vehicle overnight parking occurs in places where groups of oversized vehicles congregate and become entrenched in an area and remain in that area for an extended period of time. As such, the ordinance will reduce environmental impacts when comparing its outcomes to the status quo. As the majority of environmental impacts resulting from the ordinance will be beneficial rather than detrimental and with the other potential environmental effects being de minimis, the project is also exempt under Code of Regulations Section 15061(b), the "common sense exemption," since it can be seen with certainty that no significant effect on the environment will occur. Therefore, the adoption of this ordinance is exempt from CEQA.

Summary.

The approaches proposed by the Ad Hoc Committee and City staff includes the amendment of existing codes to prohibit oversized vehicles parking in the City of Santa Cruz for extended periods of time; and an oversized vehicles Permitting system that limits the total amount of time any oversized vehicles or registered owner of an oversized vehicle parks their vehicle on the City's right-of-way, streets, and off-street parking lots.

Additionally, the Ad Hoc Committee proposes a three tiered safe parking approach for individuals who reside in their vehicles, from emergency parking to limited low barriers parking to a robust safe parking program that would provide service support and opportunities for pathways to permanent housing.

FISCAL IMPACT: The exact fiscal impacts of the ordinance and the policy direction contained in these recommendations is unknown at this time. However, each of the three proposed tiers will incur different costs for permit administration, sanitation services, monitoring, and (for tier three) case management services. Cost sharing with the County Health and Human Services departments, and with local non-governmental organizations is desirable and would be sought but is not guaranteed. City staff will need to dedicate time towards the issuance of oversized vehicle parking permits. Costs for said permits, along with the extent of cost recovery, are yet to be determined. The ultimate costs for the safe parking program will vary depending on the number of locations, number of vehicles, and hours of operation, each of which will affect the number of staff necessary to provide oversight and services to the program and participants. Initial research looking at other jurisdictions suggests an annual cost of between \$300,000 - \$500,000 for operating a robust safe parking program. In conversations with a local nonprofit service provider, it was estimated that it would cost approximately \$328,000 to operate a safe parking program for 30 vehicles. This estimate includes some initial infrastructure to establish the program and a staffing plan that includes case managers and counselors consistent with a tier 3 approach. Additional infrastructure costs, such as ongoing costs of hygiene units (port-o-potties and hand washing stations), would be in addition to these costs. The number of hygiene units necessary would depend on how many locations are provided, but

would run in the tens of thousands of dollars range annually. While some estimates are provided herein, more detailed cost estimates for the safe parking sites can be explored as part of the recommended policy direction. For example, the costs for the tier 2 program would be over \$100,000 per year in monitoring and hygiene services alone, though specific proposals or estimates have not been sought at this point. Additionally, increased costs for towing and associated enforcement activities would likely be incurred by the City's Police and parking teams.

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Vice Mayor

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Approved By:
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Interim City Manager

Renee Golder
Councilmember

Renee Golder
Councilmember

Shebreh Kalantari-Johnson
Councilmember

Shebreh Kalantari-Johnson
Councilmember

ATTACHMENTS:

1. DRAFT ORDINANCE OVERSIZED VEHICLES - CLEAN.DOCX
2. DRAFT ORDINANCE OVERSIZED VEHICLES - TRACK CHANGES.PDF
3. SNAPSHOT OF VOLUNTEER VEHICLE ABATEMENT DATA 9-2020-6-2021.PDF
4. WEST CLIFF PILOT PARKING ANALYTICS, 2018 & 2019.PDF
5. 2103 PUBLIC SAFETY TASK FORCE RECOMMENDATIONS.PDF
6. SANTA CRUZ COMMUNITY ADVISORY COMMITTEE ON HOMELESSNESS (CACH) FINAL REPORT AND RECOMMENDATIONS, AUGUST 2020.PDF
7. SEPTEMBER 21, 2021 POWERPOINT PRESENTATION TO COUNCIL ON THE OVERSIZED VEHICLE ORDINANCE.PDF

Photo Documentation of Oversized Vehicle (OV) Conditions and Implications in the City of Santa Cruz

A current Safe Parking Program participant:



Delaware Avenue and Natural Bridges, in the Coastal Zone and mostly in the Coastal Appeal Zone – materials next to or under various oversized vehicles, June 23, 2022:



Sidewalk access restricted and trash on ground (Delaware Avenue, June 23, 2022):



Trash on sidewalk restricting access and trash piled behind adjacent bushes (Delaware Avenue, June 23, 2022):





Items piled under OV (Delaware Ave., June 23, 2022)



Trash and belongings adjacent to sensitive habitat (Delaware Avenue, adjacent to Antonelli Pond (to the right in photo), across the street from Natural Bridges State Park, June 23, 2022):



Belongings piled in right-of-way and OV taking up substantial space in the right-of-way (Delaware Avenue, adjacent to Natural Bridges State Park, June 23, 2022):



Mission Street Extension (June 23, 2022)



RV cantilevered out and restricting sidewalk access (June 23, 2022):



Delaware Avenue, in the Coastal Zone and Coastal Appeal Zone – trash adjacent to a oversized vehicle (June 22, 2022):



Delaware Avenue, in the Coastal Zone and Coastal Appeal Zone – materials spilling out and thrown out from an oversized vehicle onto adjacent right-of-way and private property, while City pays for free dumpster a half mile away (February 5, 2022):



Mission St. Extension, debris piled next to and against an oversized vehicle:



Delaware Avenue in Coastal Zone and Coastal Appeal Zone, debris in foreground and background associated with oversized vehicles:



Natural Bridges Drive in Coastal Zone and Coastal Appeal Zone, debris tossed out of vehicle and blocking sidewalk access:



City-provided dumpster at corner of Delaware Avenue and Schaeffer Road:



Additional photographs of OV's (many of which are in the Coastal Zone):













Dumping of blackwater tank into storm drain on a private road, where it made its way to a storm drain leading to the Monterey Bay. This location is adjacent to Delaware Avenue, where oversized vehicles regularly park. The private property owners had to pay a company specializing in biohazard clean-up to address the illegal dumping. (Photos taken April 12, 2021)



Photographs of Oversized Vehicles Taken Near Environmentally Sensitive Habitat

Exhibit 2
A-3-STC-22-0018
Page 37 of 67

Photos are primarily from the week of June 27, 2022.

Location 1 - Shaffer Road Dumpster



Public Works staff regularly have to pick up debris outside of the dumpster. This adds costs to the regular, \$2,850 per month charge for emptying the dumpster three times per week.

Photos from June 29, 2022.



Items are discarded adjacent to the dumpster, even when space is available inside:



Trash discarded behind dumpster. Photo from June 22, 2022:



Location 2 – Adjacent to and west of Antonelli Pond

Sewage leaking onto street adjacent to environmentally sensitive habitat areas (ESHA)



Bucket catching leaking sewage, adjacent to ESHA



OV and trailer – 40 feet of parking; bucket for overflow sewage between rear tire and rear bumper



Trailer parked adjacent to Antonelli Pond (June 29, 2022)



Location 3 – adjacent to Moore Creek and Natural Bridges State Park

Discarded hypodermic syringe (photo from June 29, 2022)



Moore Creek below (photos from June 29, 2022)



Runoff into storm drain leading to Moore Creek



Moore Creek area with parking above, showing adjacency



Adjacent to Moore Creek, spare tire and debris adjacent to trailer (June 29, 2022)



Location 4 – Adjacent to / east side of Antonelli Pond

Exhibit 2
A-3-STC-22-0018
Page 44 of 67

Trash/debris piled adjacent to OV's and Antonelli Pond (June 29, 2022)



Stains from leaking fluid in street and debris, adjacent to Antonelli Pond (June 29, 2022)



Debris under OV adjacent to Antonelli Pond (June 29, 2022)



OV and debris adjacent to Antonelli Pond (June 29, 2022)





Outdoor toilet area adjacent to Antonelli Pond (June 29, 2022)



Trail to outdoor toilet area, adjacent to Antonelli Pond (OV in background)



Additional outdoor toilet area adjacent to Antonelli Pond



Sewage leaking onto street



Vandalized AT&T Vault at Antonelli Pond

Exhibit 2
A-3-STC-22-0018
Page 50 of 67



Location 5 – Delaware adjacent to Arroyo Seco Creek

OVs and debris partially blocking sidewalk (June 29, 2022)



Storage and trash in public street right-of-way, taking up additional access

Exhibit 2
A-3-STC-22-0018
Page 52 of 67



OV blocking sidewalk, storage under





Same OV with large trash pile behind hedge



Delaware Ave. adjacent to Arroyo Seco Creek





Delaware adjacent to Arroyo Seco Creek – RV fluid leaks

Exhibit 2
A-3-STC-22-0018
Page 57 of 67

Ice chest catching active leak (June 30, 2022)



Active fluid leak from another OV (June 29, 2022)



Stain from previous leak (June 29, 2022):



Delaware Ave. - OV under repair





Delaware - Trash bag and feces adjacent to Arroyo Seco Creek (June 29, 2022)

Exhibit 2
A-3-STC-22-0018
Page 60 of 67





Trash/vehicle parts adjacent to Arroyo Seco Creek and Delaware Avenue (June 29, 2022)

Exhibit 2
A-3-STC-22-0018
Page 62 of 67



The following photographs are from September 23, 2021. While they are not immediately adjacent to ESHA, they show the environmental and public health challenges that can occur with OV's in disrepair that leak or have broken blackwater systems. If not discovered, this would make its way to storm drains and the Monterey Bay National Marine Sanctuary. The photos also show the efforts needed to clean up such instances.



Blackwater leak extends down the street

Exhibit 2
A-3-STC-22-0018
Page 64 of 67



Cleaning:



Vacuum truck capturing runoff



Sensitive Habitat and Riparian Areas Proximate to Concentrated Oversized Vehicle Parking

City of Santa Cruz-Antonelli Pond and Natural Bridges Vicinity

0 0.075 0.15

0.3 Miles
Exhibit 2

A-3-STC-22-0018

Page 67 of 67

