



CITY COUNCIL AGENDA REPORT

DATE: November 16, 2015

AGENDA OF: November 24, 2015

DEPARTMENT: City Manager

SUBJECT: Introduction of Recreational Vehicle Parking Program Ordinance (CM)

RECOMMENDATION: Motion to introduce for publication an ordinance of the City Council of the City of Santa Cruz amending Santa Cruz Municipal Code (SCMU) Title 10 “Stopping, Standing and Parking” pertaining to the parking of oversized vehicles; and

Review options for a Safe Zone Parking Program, including development of safe zone(s) for women, transgender and children specifically, and provide direction to staff as appropriate.

BACKGROUND: The City Council provided direction to staff at its September 8, 2015 meeting regarding numerous options to abate illegal dumping and other community impacts related to recreational/oversized vehicles (RVs) and large trailers. Council directed staff to further develop several policy and programmatic recommendations for its consideration within 45 days, including: additional parking regulations in targeted areas, RV permit programs, safe zones for non-resident owners of RVs and environmental programs designed to reduce illegal discharges from RVs.

Recreational Vehicle Impacts

As noted in previous City Council reports on RVs (September 8th City Council agenda report and July 2015 Information Report to Council), the community has experienced substantial and often negative impacts from RVs, to include environmental, parking and public safety.

From an environmental perspective, RV owners who dump sewage or greywater from their vehicles into the public right-of-way pollute the storm water system and adjacent waterways. That is in addition to individual RV owners who leave behind trash and their belongings, for the City or community members to clean up. City Council and staff receive frequent complaints regarding illegal dumping and discarded trash. City staff work to enforce existing ordinances, but oftentimes arrive to a dumping scene after the activity has taken place, and without clear evidence of who conducted the dumping, can only offer warnings and cleanup the refuse.

Long-term RV parking (defined here as longer than 24 consecutive hours) take up limited parking spaces from residents and visitors in neighborhoods, business corridors and tourist areas. RVs also park for extended hours along highly trafficked coastal areas such as West Cliff; oftentimes occupying multiple parking spaces, thus limiting coastal access for residents and visitors. Additionally, RVs parked in close proximity to intersections or crosswalks create view

passageway barriers that can lead to accidents between vehicles and vehicles and pedestrians and bikers. From a parking enforcement perspective, in just twelve months (between 2013 to 2014), City staff estimated that at least 400 notices of illegal parking were placed on RVs.

Finally, residents from across the City have complained about illegal activity transpiring in and around RVs, including overnight camping, drug use, and public intoxication. It should be noted that the 400 notices of illegal parking were the result of proactive parking violation abatement. The number does not reflect total calls for service about activities in and around RVs that necessitated patrol officers. The vehicle abatement officer routinely receives complaints about refuse, bicycle theft, pirating of private water connections, gasoline theft, and wastewater leaking onto the pavement in close proximity to parked RVs. The officer also receives complaints about increased foot traffic to and from these vehicles that is consistent with drug activity. Additionally, City staff and Council have heard from many residents who attribute increases in nuisance and criminal activity in their neighborhoods to the presence of RVs that do not belong to residents. In short, complaints across the board have significantly escalated.

Comprehensive RV Parking Program

In order to reduce the incidences of illegal dumping and mitigate parking impacts and public safety concerns, City Council directed staff to return with a comprehensive RV parking program by November 2015, to include citywide overnight RV parking restrictions, environmental programming and “safe zone” parking for non-residents.

Overnight RV Parking Restrictions

Staff researched RV parking best practices as part of developing of a comprehensive program to mitigate the abovementioned impacts. Staff researched *all* California coastal cities’ municipal codes and found that the vast majority of these cities currently enforce overnight restrictions on RVs. These communities, ranging from small cities (Goleta) to metropolises (San Diego), reported experiencing similar impacts stemming from RVs to those here in Santa Cruz as cause for instituting restrictions. Representatives from these municipalities relayed that restrictions, once implemented, largely mitigated these impacts. Staff has prepared a draft RV parking ordinance for City Council consideration with language consistent with these communities.

Educational Programming

Council further directed staff to develop educational programming that informs RV owners of the importance of legal and safe dumping, in addition to reaching out to State Parks and other partners to garner their interest in partnering on a legal dumping voucher program. Staff prepared some educational material (attached) to assist in efforts to reduce illegal discharges from RVs. Staff will discuss a partnership with State Parks soon. No other partnerships have formed, though staff continues to seek such opportunities throughout the City.

Safe Parking Zones – for Non-residents

Finally, City Council directed staff and two Councilmembers to work with the County to develop a “safe zone” parking program for non-resident RV owners who are homeless. Mayor Don Lane and Councilmember Micah Posner reviewed opportunities within the City and County to develop such a program and discussed with staff the basic framework for a safe zone parking program. Councilmember Posner and Mayor Lane queried County officials to discuss partnership opportunities and staff reviewed existing safe zone programs in other jurisdictions. At least one Supervisor has expressed an interest in extending County funding to such an effort, but no

explicit support to provide safe zone parking in the County. If the Council supports the creation of safe zones, City staff and Councilmembers will work with the County to specifically determine their level of financial support for the program.

Additionally, the Commission for the Prevention of Violence Against Women took action at its November 4, 2015 meeting, formally requesting that City Council identify a safe and supervised location for homeless women, transgender and children to sleep within Santa Cruz City limits. The Commission's letter is attached to this report.

In researching other communities, staff learned of only two cities that have successfully created safe parking zones for non-residents. The Santa Barbara "New Beginnings" program (described in detail in the attachment) is a partnership between the City of Santa Barbara, City of Goleta, Santa Barbara County, churches, non-profits and private sector, which in total provides a multitude of managed overnight parking lots throughout the community. The program, operated by a local non-profit, has rather strict guidelines and connects participants to social services. New Beginnings' annual costs total \$200,000, and provides off street parking to over 100 vehicles each night in 18 participating parking lots. The City, County and churches provide parking lots for the program, while a non-profit manages the program operations and monitoring.

The San Luis Obispo program operates similarly to Santa Barbara. As with Santa Barbara, the San Luis Obispo program seeks to connect participants to services and provide a pathway to housing. Attached is a sample ordinance from the San Luis Obispo zoning code, which specifies the process by which the City can designate, approve and manage parking zones and the eligibility requirements and rules for participating vehicle owners.

DISCUSSION: As directed by Council, staff has prepared an ordinance that includes RV parking restrictions and an RV permit program for residents and their visitors. Mayor Lane and Councilmember Posner, in coordination with staff, have drafted a framework for safe parking zones for RV owners who are homeless. The following section will discuss the major aspects of the proposed RV program.

Recreational Vehicle Parking Regulations

If approved, the proposed ordinance (attached) would make it unlawful to stop, stand, park or leave standing any oversized vehicle (RV) on any public highway, street or city parking lot at any time between the hours of 10:00 p.m. and 5:00 a.m. unless they owners meet qualified exemptions. RVs are defined as any motorized vehicle or combination of vehicles and/or non-motorized vehicles or trailers that meets or exceeds 22 feet in length at any time or a combination of the two following criteria, exclusive of fixtures, accessories or property: 7 feet in height and 7 feet in width.

This ordinance would help address RVs that are left on City streets for days on end, then move from one neighborhood to the next to avoid the 72 hour prohibition of storing vehicles on City streets. Based upon research of other cities, there is reason to believe that overnight RV parking regulations will mitigate some of the nuisances attributed to long-term RV parking on city streets. RV owners would otherwise be free to park their vehicles in the City during day time hours, in accordance with existing parking parameters established in the Santa Cruz Municipal Code.

Santa Cruz Police officers would largely be responsible for enforcing the ordinance given the proposed overnight parking prohibition. This would provide them with a much more effective tool to cite RVs, as they currently must make contact with RV owners who may be camping within City limits before issuing a citation. With this ordinance, RVs would be cited for a parking violation, obviating the need to contact the owner.

Given the large number of RVs owners within the City, staff recommends affixing warning signs at all major entry ways into the City and conducting an outreach campaign to inform residential and non-residential RV owners of the new restrictions. Public Works anticipates that up to 25 signs would be required, at an expense of \$10,000-\$15,000 to the Parking Division. Outreach expenses may cost up to \$2,000.

The proposed ordinance would not apply to vehicles involved in an emergency or being repaired under emergency conditions, vehicles belonging to the government (all levels), vehicles actively engaged in the loading or unloading and deliveries in the course of construction or other work, paid guests of a hotel displaying a permit, and pickup trucks, vans or sport utility vehicles which are less than twenty-five feet in length or eight feet in height. Finally, City residents and their visitors whom display a permit obtained from the City may park their RV on City streets, in accordance with ordinance and as summarized below.

Staff anticipates that the Coastal Commission will request that the City apply for a Coastal Development Permit (CDP) should this ordinance be approved and adopted. As such, staff will coordinate with Coastal Commission staff to determine the process to move it forward, and report back to City Council once such a determination has been made.

Resident and Visitor RV Permit Program

Overnight RV parking regulations will impact RV owners in the City who park their vehicles on City streets. In order to account for RVs owned, leased, or rented by City residents and their visitors, the ordinance would permit the temporary parking of such vehicles on City streets overnight. The ordinance allows bona fide residents -- those who customarily reside or maintain a place of abode or who own lands within the City of Santa Cruz -- to park their RVs and trailers in front of their home, or within 400 feet should space be unavailable in close proximity to their residence, for four periods of up to 72 consecutive hours per calendar month. Visitors of City residents shall be allowed to park up to 72 consecutive hours via permit. No more than 6 out-of-town visitor permits shall be issued to a resident in a calendar year. RVs shall be prohibited from parking within 20 feet of crosswalks, stop sign, and official electronic flashing device or within 30 feet of the approach to any traffic signal. Parking permit requests may be denied by the City Manager or his/her designee for parking in locations that would create a traffic hazard or otherwise adversely affect public safety, traffic flow or access.

The intent of the permit provision is to allow residents sufficient time to unload their RVs after trips and provide space for out-of-town visitors in RVs over the period of a weekend. As such, residents or their out-of-town visitors shall prove that the vehicle is owned, leased, rented to or registered to them. However, the ordinance in no way shall be construed to permit sleeping or camping in a vehicle as prohibited by the Santa Cruz Municipal Code.

Permit requests will be denied if the following conditions exist: the applicant or the person the applicant is visiting is not a bona fide resident; the visitor is not a guest of the resident applicant,

the resident or out-of-town visitor guests of a resident have been issued two or more citations in the same calendar year for either exceeding the allotted 72 hour permit time or parking greater than 400 feet from the designated residence; the permit is obtained through fraud or misrepresentation, or the hotel/motel establishment is issuing permits to non-paying guests or hotel guests are camping in their vehicles rather than residing in the commercial establishment.

Santa Cruz Police officers will ensure permit compliance. Any violation of the permit conditions, including those RVs parked without a permit, will result in an infraction. Subsequent offenses committed within one year of previous citation may be charged as a misdemeanor. Fines for violation of the ordinance and fees for parking permits will be set by City Council resolution.

Most cities with RV Parking permit programs provide their permit applications online for the public. It appears the City's existing online software is equipped to add an online RV permit application function for public use. If the ordinance is adopted, staff recommends issuing permits through existing technology under a pilot phase. Staff expects the technology to work, however, testing and piloting of the program will be necessary prior to making a permanent decision regarding software. Should the permitting requirements be incompatible with existing City technology, staff will research and procure other software and advise City Council of any budgetary impacts.

The City's preferential parking program currently allows residents to park permitted vehicles (including RVs and trailers) in their preferential parking zone beyond the posted parking restriction (typically 2 hours), to include overnight parking. Staff recommends removing RVs and trailers from the list of eligible vehicles for preferential parking permits in such zones in order to maintain the citywide applicability of the proposed RV overnight parking restrictions. Should City Council pursue this change in the first reading, staff will notify all preferential parking permit holders that the Council will consider a second reading of the RV ordinance which will formally adopt this change to the parking permit program at the December 8, 2015 City Council meeting. Additionally, staff would only enforce this component after the currently issued preferential parking permits for oversized vehicles expire.

Safe Parking Zones

The proposed ordinance should help mitigate negative impacts stemming from long-term overnight RV parking in the City. However, many current RV owners in the City use their RV as their primary place of habitation, and would be ineligible to obtain a parking permit to park in the City overnight. This may have the consequence of pushing RV owners, who are otherwise homeless, out of their vehicles, into other areas of the County for overnight parking or out of the County altogether. In acknowledging this potential outcome, City Council directed staff to review existing safe zone programs and develop options that are developed in partnership with the County for its consideration. As noted above in this report, the County has not expressed interest in hosting safe zones in their jurisdiction, but may support funding for such a program.

Councilmember Posner and Mayor Lane are recommending that City Council consider implementing a safe zone program within the City similar to that of Santa Barbara and San Luis Obispo. The program should provide space to a limited number of participants, be conducted in such a way that minimizes impacts on its surrounding neighbors, include coordination with the County and other partners and be managed by a non-profit organization that helps connect

individuals with services and housing. In addition, they advocate for inclusion of a separate facility(ies) for homeless women, transgender and children only, as requested by the Commission for the Prevention of Violence Against Women (CPVAW). Separate and secure facilities provide women, transgender and their children a safe place, as homeless women and transgender people are far more susceptible to sexual assault than the general population.

Taken together, Councilmember Posner and Mayor Lane recommend that City Council direct staff to issue a request for proposals (RFP) to qualified non-profits to set up safe zones wherein sleeping would be allowed in RVs and other vehicles in a City Parking Lot/owned property or combination of City Owned and privately owned lots/property. If this direction is approved by the Council, City staff will attempt to locate a suitable non-profit sponsor and work with them to create a proposal that meets the concerns of the City to include the following:

- Only operate at night.
- Exact location(s) and hours.
- Maximum number of vehicles - total and per lot.
- Procedures to clear the area in the morning.
- Insuring safety for participants, including and especially women, transgender and children.
- Mitigating negative consequences to surrounding properties owners and renters.
- Prohibitions on drug or alcohol use.
- Availability of counseling and related services to participants.
- A reservation/ use system whereby use of the safe zone would prioritize people who were already parking in the City of Santa Cruz and not draw new RVs to town.
- The source(s) of funding to create and implement the program, including funding allocations by other jurisdictions.

The City Council should also consider if certain zones within the City would be exempt from the program, such as residential zones. RV owners would be allowed to park in the designated safe zones and in accordance with the above mentioned restrictions.

If City Council is supportive of the Safe Zone Program staff will need direction in terms of moving the process forward. Assuming City Council supports the Safe Zone Program, staff recommends first identifying the non-profit operator of the program. Then, staff would work with the non-profit to develop the program guidelines, in accordance with City Council direction and identify suitable locations to host vehicle campers. Staff will return to City Council with municipal code revisions if they are required to permit those locations. Changes may include the Camping Ordinance and zoning code depending on the location and preexisting use of those locations.

Staff requests City Council direction on how to proceed with safe zones. Should City Council support the basic framework for the program, staff will begin its work on ordinance revisions (as determined by Council) and develop an RFP for potential program operators.

Staff Impacts

Implementing, administering and enforcing the RV parking program will minimally impact staff. As noted above, SCPD will enforce the program, and they anticipate that the program will fold

well into existing patrols. Public Works staff will oversee the signage program, with some impacts to staff in terms of sign planning, fabricating and installation. Additionally, the PW work plan includes educational elements outlined in this report. IT staff will pilot the online permit system, which will require some shifting of existing work to accomplish. City Manager's Office and Planning staff will coordinate with the Coastal Commission regarding any requested Coastal permit process.

Developing, implementing and monitoring the safe zone program will exact a significant cost and investment of staff time. Staff will need to develop the request for proposal, coordinate closely with the selected non-profit and identify suitable parking locations. Managing the contract, monitoring operator performance and responding to community issues will require substantial ongoing staff time from multiple departments. Given current workloads and prioritization of implementation of the Strategic Plan projects, re-prioritizing will be necessary, should the Council proceed with the program.

FISCAL IMPACT: Approval of the RV Parking Ordinance will result in an approximate \$15,000 to \$20,000 impact to the General Fund to account for signage fabrication and installation costs and printing of educational materials. Staff will prepare a budget adjustment for City Council review once the initial program costs have been fully vetted. Additional costs may result from the ordinance, including software and staffing requirements. As such, staff will review the program after 6 months of operation and advise City Council of any unforeseen expenses.

Should City Council pursue a Safe Zone Parking Program, staff anticipates significant staff time investment and costs, upwards of \$200,000 annually depending on the scope and scale of the program. This figure is based upon the Santa Barbara "New Beginnings" model, which operates 18 parking lots, for 100 participants.

Submitted by: Approved by:

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Manager

Attachments:

Ordinance

Environmental Education Material (RV Dumping Flyer)

Santa Barbara "New Beginnings" Safe Parking Zone Program Fact Sheet

CPVAW Safe Zones Recommendations

Sample Safe Zone Ordinance (City of San Luis Obispo)