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AUG 9 2016

**From:** Deborah Lashever <bohemianexchange@gmail.com>  
**Sent:** Monday, August 08, 2016 7:47 PM  
**To:** SantaCruzRVParkingAppeal@Coastal  
**Subject:** Re: Appeal No. A-3-STC-16-0063 (Overnight RV Parking Restrictions, Santa Cruz)

Dear Commissioners,

I am writing with regard to item 16e on your August 11th, 2016 agenda: **Appeal No. A-3-STC-16-0063 (Overnight RV Parking Restrictions, Santa Cruz)**.

I am concerned that the your staff has recommended passing this motion with the reasoning that there is "no substantial issue" with regard to the proposed ordinance. If you are concerned that the CCC needs "factual and legal support for the local government's decision," then you absolutely must not pass this motion. **It directly violates Coastal Act public access policies, the resounding statement recently released by the Department of Justice, and at least two recent Ninth Circuit Court decisions..**

The fact is, RV dwellers need a place to park overnight. Dwelling in RVs is far safer for homeless people than living directly on the street and is better for the community in general because essential property is contained. Santa Cruz has a few RV parks but many of them are full, especially in the summer--with long waiting lists--and can be cost prohibitive for those living in poverty.

**Your staff report states as fact--and bases support of the motion on the assertion--that there are alternative, private places to park so public access to the Santa Cruz coast would not be denied to RV dwellers. That is absolutely not true.** I personally spent the good part of four days researching this assertion; contacting 211, SCPD, SC City Planning Dept., SC County departments, SC City Council offices, the SC Chamber of Commerce, each Homeless Service and Church Organization and many independent churches in Santa Cruz to find these places. They do not exist. I repeat, there are zero church or business lots for people in poverty to sleep in safely within their RVs at night in Santa Cruz. None. I must wonder how staff came up with this complete falsehood. If a list of these places does somehow exist, Santa Cruz needs it!

Some beach cities have Safe Parking Zones or Lots that are specifically used for RV dweller parking. Under these circumstances the proposed ordinance could be in compliance with the Coastal Act (and legal with respect to the recent DOJ statement and Ninth Circuit Courts' decisions.) Now it is not.

By not allowing people in RVs to sleep on any street in Santa Cruz the city is essentially banning them--because of their income level-- from access to the Santa Cruz coast. It is expensive to drive large vehicles to get from some remote location back and forth to Santa Cruz--this law would include all Santa Cruz streets, I remind you. People would have to drive completely out of Santa Cruz altogether and return each day. **This absolutely restricts their access to the Santa Cruz coast, due to their poverty, and it, as you are fully aware, is a direct violation of the Coastal Act.**

Further, **this issue has not only local, but regional and statewide significance and precedential value of the local government's decision for future interpretations of its LCP.** It definitely needs to be reviewed further by your staff, the actual facts uncovered, and a de novo hearing scheduled for this matter. It is a serious issue and will set precedent for not only Santa Cruz but all of California.

Also because in reality there are no Safe Parking Lots in Santa Cruz, **this ordinance has been deemed unconstitutional, by violating the 8th Amendment, according to the recent statement by the Department of Justice, (<https://www.justice.gov/opa/pr/justice-department-files-brief-address-criminalization-homelessness>) and illegal according to the Ninth Circuit Court of Appeals, (Bell v. City of Boise, 2013; Jones v. City of Los Angeles, 2006.)**

**This motion should not be passed. A rather immense "substantial issue" exists. Besides being unconstitutional and illegal it directly violates the California Coastal Act.** Santa Cruz needs to come up with better solutions for homelessness than criminalization--just like everyone else. It is a complex issue, to be sure, but criminalization is not the solution.

I have every faith that you will uphold the Coastal Act and vote no on this motion and schedule a de novo hearing regarding this issue the next time the CCC meeting occurs in the Central Coast region. Thank you.

Sincerely,  
Deborah Lashever  
Concerned Citizen and Resident of Santa Cruz

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"To change something, build a new model that makes the old model obsolete."  
Buckminster Fuller  
"It always seems impossible until its done."  
Nelson Mandela

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