



City Council Agenda Item

City Council Meeting Date: May 18, 2021

TO: Jim Throop, City Manager

FROM: Brian Halvorson, Planning Manager
b_halvorson@ci.lompoc.ca.us

SUBJECT: Introduction of Ordinance No. 1680(21) Amending Chapter 10.30 and Title 17 of the Lompoc Municipal Code to Revise and Establish Regulations for Safe Parking Programs, and Repeal of City Council Resolution 6179(18) Regarding Safe Parking Programs

Recommendation:

Staff recommends the City Council:

- 1) Hold public hearing; and
- 2) Introduce, for first reading by title only with further reading waived, Ordinance No. 1680(21) amending Chapter 10.30 and Title 17 of the Lompoc Municipal Code to revise and establish regulations for Safe Parking Programs, and repeal City Council Resolution 6179(18) regarding Safe Parking Programs (Attachment 1); or
- 3) Provide other direction to staff.

Background

The Lompoc Municipal Code (LMC) defines "Safe Parking Program" as "a parking program, operated on property located outside of the public right-of-way and managed by a social service provider that provides individuals and families with vehicles a safe place to park overnight while working towards a transition to permanent housing."¹ Although LMC Chapter 10.30 generally prohibits sleeping in vehicles overnight, on both public and private property, it makes an exception for people sleeping in their vehicles as part of a Safe Parking Program.

¹ LMC § 10.30.020

Safe Parking Programs are currently permitted with a Conditional Use Permit in every zone in the City with the exception of the Residential Mobile Home Park Zone (MH) and the Airport Overlay Zone (AO). Because a CUP is required, applications for this use must be considered by the Planning Commission.

Although the Planning Commission can currently place conditions on the approval of a Safe Parking Program, the LMC does not include any standards or requirements for Safe Parking Programs, except that they must be managed by a “social service provider,” which is defined as “an agency or organization licensed or supervised by any federal, state or local health/welfare agency that participates in the federal Homeless Management Information System (HMIS) and has demonstrated experience with the homeless population by assisting individuals and families achieve economic self-sufficiency and self-determination through self-sufficiency programs.”²

In 2018, the City Council adopted Resolution No. 6179(18) (Attachment 2), which established regulations for Safe Parking Programs.

At the February 16, 2021, City Council meeting, the City Council discussed and approved a lease of City-owned property located at 428 North I Street to be used by the tenant, New Beginnings Counseling Center, as a site for a Safe Parking Program. The proposed LMC amendments will assist in the establishment of that program.

The Planning Commission considered and recommended adoption of the proposed ordinance revisions and repeal of Resolution No. 6179(18) at the Planning Commission meeting held on April 14, 2021. (See Attachment 3, Planning Commission Resolution No. 946 (21), recommending adoption.)

Discussion

The proposed code amendments would have two primary effects:

First, the proposed amendments change the permitting requirement so that Safe Parking Programs require an Administrative Use Permit (AUP) rather than a Conditional Use Permit. This means that applications for a Safe Parking Program would be reviewed and decided at the staff level and would not go before the Planning Commission, although appeals of the decision made by staff would still be heard by the Planning Commission. This would simplify the review and approval process and decrease the time and cost required for review, which would benefit the applicants, whom staff expects to be primarily or exclusively nonprofit organizations. The City would still be able to place conditions on the permit to ensure that an approved Program would not be detrimental to the public health and safety nor cause injury to surrounding properties.

² LMC § 10.30.20

Second, the proposed amendments create a new section in LMC Chapter 17.404 (Specific to Use Standards) called “Safe Parking Programs,” which establishes specific requirements for this use. The new section carries over the regulations from Resolution No. 6179(18), including application requirements, site requirements, and operational standards.

The proposed site and operational standards include, but are not limited to, the following:

- Required external lighting for security purposes;
- Requirements for restroom, water, and trash facilities;
- A prohibition on signage relating to the use of the site as a homeless shelter;
- Requirement that the program is operated by a social services provider, which provides case management for program participants;
- A preference for individuals who can prove residency in Santa Barbara County for six out of the last twenty-four months;
- Requirement that the program manager enter into an agreement with program participants and required terms for that agreement; and
- A prohibition on drugs, alcohol, weapons, fires, loud vehicle audio, outdoor cooking, camping tarps, and dumping of any sewage or hazardous fluids.

The City would also be allowed to place limits on the amount of designated parking spaces at each site, could require that the spaces be located on a particular portion of the site, and could require the overnight parking spaces to be set back from surrounding uses, as necessary to protect health and safety and ensure compatibility of the Safe Parking Program with the surrounding uses.

Safe Parking Programs would be allowed (with an AUP) in any zone in the City, with the exception of the MH, AO, and Open Space zones. However, Safe Parking Programs in the RA, R-1, R-2, or R-3 zones (Residential) would only be allowed on property owned by a public entity or as an accessory use on properties with a primary use of community assembly (including, for example, churches).

AUPs for Safe Parking Programs would be valid for two years, and then the permit holder would be required to apply for a permit extension.

Resolution No. 6179(18) states that “All City fees applicable to an application for a use permit required pursuant to this Resolution are hereby waived.” Consequently, the proposed ordinance also waives the application fee for a Safe Parking Program permit and any extension of the permit.

Finally, this Ordinance would repeal Resolution No. 6179(18), because the pertinent provisions of the Resolution will be added to the Municipal Code.

Environmental Determination

Adoption of the ordinance is exempt from CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the approval of these amendments will have a significant effect on the environment.

Fiscal Impact:

There is no fiscal impact to the City beyond the staffing cost associated with preparing this report and future monitoring of the program.

Conclusion:

Staff recommends the City Council adopt the ordinance amendments to establish regulations for Safe Parking Programs.

Respectfully submitted,

Brian Halvorson, Planning Manager

APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Christy Alarcon, Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Jim Throop, City Manager

Attachments: 1) Ordinance No. 1680(21).
2) City Council Resolution No. 6179(18).
3) Planning Commission Resolution No. 946(21).