

SANTA BARBARA SAFE PARKING RESOLUTION

RESOLUTION NO. ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING A PROCESS FOR THE TRANSITIONAL USE OF RECREATIONAL VEHICLES AS TEMPORARY OVERNIGHT ACCOMMODATIONS IN CERTAIN ZONES OF THE CITY AND IN CERTAIN CITY PUBLIC PARKING LOTS AS PART OF THE SAFE OVERNIGHT RV PARKING PROGRAM AS ORIGINALLY ESTABLISHED SET FORTH IN CITY RESOLUTION NO. 05-072

WHEREAS, the City Council previously adopted an ordinance of the City amending Title 28 of the Santa Barbara Municipal Code (the “Zoning Ordinance”) to allow the use of recreational vehicles as overnight accommodations in certain non-residential zones of the City and on church and nonprofit parking lots and, under some circumstances, in parking lots owned and operated by the City in accordance with a process to be established by the City Council;

WHEREAS, in amending the Zoning Ordinance, the City Council also previously authorized the use of some City public parking lots as temporary locations for the use of recreational vehicles as overnight accommodations and such amendment ordinance provides that the City Council will designate which City parking lots are appropriate for such overnight use;

WHEREAS, the City Council established a program for the use of the designated City parking lot location such that the program assures that the use is safe and appropriate for the participants, minimizes any potential impacts on the adjacent neighbor and real properties and which assures that the use is transitional and designed to assist recreational vehicle dwellers in eventually obtaining safe and decent housing alternatives within the Santa Barbara community;

WHEREAS, the City Council has previously authorized the use of five parking spaces at the City’s Carrillo/Castillo Commuter Parking Lot for this purpose; and

WHEREAS, the City Council desires to add at least three City public parking lots, for a total of 9 spaces, to the list of City lots presently allowing the overnight parking of recreational vehicles belonging to persons entered into a recreational vehicle parking program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

Section 1. THIRD PARTY PROGRAM ADMINISTRATOR; PROGRAM ELIGIBILITY FACTORS. The City Council hereby authorizes the City Administrator to enter into an annual agreement for the purposes of retaining a nonprofit social service organization to administer the Recreational Vehicle Accommodation Program established herein and in Santa Barbara Municipal Code Section 28.87.180. Such agreement shall provide a well-defined and express process for the certification of those Recreational Vehicle owners which the City may deem eligible to utilize the City designated public parking lots sites as well as, if necessary, for the certification of eligibility for private recreational vehicle sites made available by churches, and nonprofit organizations within the zones designated by SBMC Section 28.87.180.

The eligibility criteria established in the standard agreement shall include, but not be limited to, the following factors:

A. Certification that the intended Recreational Vehicle site appears to meeting the site locational and the health and safety requirements established in SBMC Section 28.87.180.

B. Certification on an initial and on-going basis (such as every 90 days) that the Recreational Vehicle owners (and all occupants of an Recreational Vehicle) meet certain maximum income criteria requirements and that each has agreed to cooperate and work with Santa Barbara County area social service providers in a good faith effort to seek and to obtain permanent and decent housing, as may be appropriate within their means, as an alternative to the temporary Recreational Vehicle accommodation being made available by this Program.

C. Certification that the Recreational Vehicle owner will abide by all rules and regulations established by the City Housing & Redevelopment Division for the day to day use of the designated City Recreational Vehicle locations, particularly with respect to compliance with the law and with respect to minimizing any adverse impact on the neighboring property owners and on the safe and healthy use of the site upon which the Recreational Vehicle is located.

The agreement shall also provide a process for the issuance of dated permits to be displayed on the windshield of a Recreational Vehicle in order to establish the right of the owner of the Recreational Vehicle to participate in this Program and to have their vehicle parked overnight at a particular permitted and designated location.

SECTION 2. DESIGNATED CITY PARKING LOT LOCATIONS. Notwithstanding the previously approved 5 parking spaces at the Carrillo/Castillo Commuter Parking Lot, beginning 90 days after the adoption of this resolution, the City Council hereby designates the following City surface parking lots for temporary transitional use for overnight Recreational Vehicle accommodations which use shall be pursuant to a standard license agreement acceptable to the City Administrator and approved as to legal form by the City Attorney as provided in paragraph 3 hereof:

- A. Carrillo/Castillo Streets Commuter Parking Lot - 400 West Carrillo Street (8 spaces);
- B. Cota Commuter Lot – 119 East Cota Street (3 spaces)
- C. Garden/Cabrillo Visitor Center Lot – 15 Santa Barbara Street (“Pony Ride” Lot) (3 spaces)

SECTION 3. LICENSE AGREEMENT FOR THE USE OF CITY PARKING LOTS. The exact sites within such City parking lot locations and the express rules and regulations and conditions for the use of such lots by Recreational Vehicle owners and occupants may be established by the City’s Downtown Parking Division in accordance with and incorporated into a standard license agreement offered to each Recreational Vehicle owner. Such a license may be revoked, in the sole and absolute discretion of the City, upon any violation of its terms or at the termination of this Program as may be determined appropriate by the City Council.

SECTION 4. RESOLUTION NO. 05-072. City of Santa Barbara Resolution No. 05-072 is hereby superseded and repealed.

28.87.180 Recreational Vehicles, Mobilehomes and Modular Units.

A. RESIDENTIAL USE OF RECREATIONAL VEHICLES AND MOBILEHOMES. No recreational vehicle shall be used or occupied for living or sleeping purposes unless it is located in a recreational vehicle park and complies with all provisions of any ordinance of the City of Santa Barbara regulating such park.

B. TEMPORARY OVERNIGHT USE. Notwithstanding subsection A above or any other provision of this code, the overnight use of a paved parking area by the registered owner of a recreational vehicle (as defined in Section 18010 of the State [Health & Safety Code](#)) is allowed under the following expressly limited circumstances:

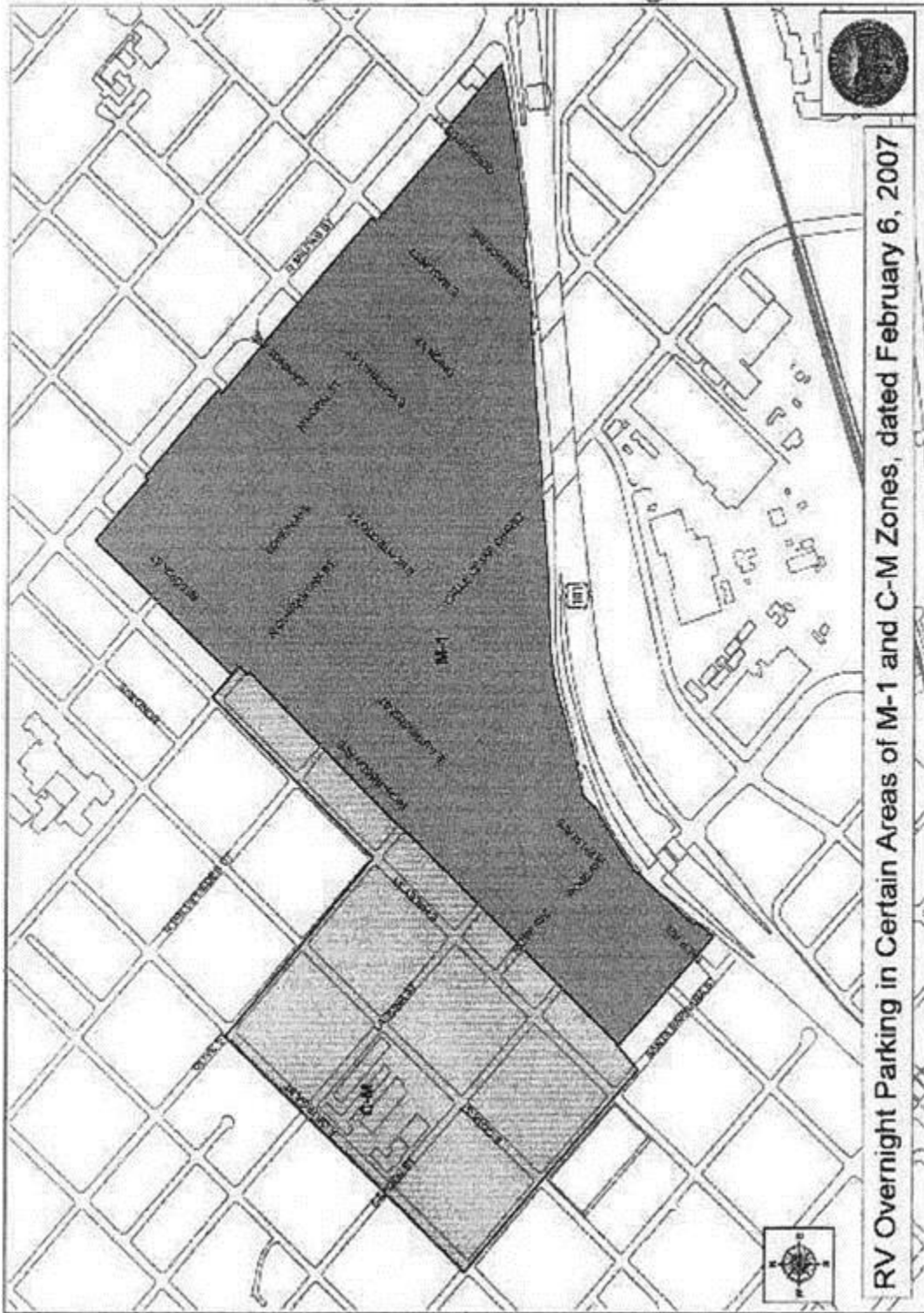
1. Church and Nonprofit Parking Lots. A church or other public benefit nonprofit corporation (which utilizes its real property for a permitted church or nonprofit institutional use) may allow the overnight use of an adjacent paved vehicular parking portion of their real property by the registered owner of a recreational vehicle as a transitional housing alternative under the following limited circumstances:
 - a. Such overnight use does not conflict with express conditions imposed by the City on a permit for the church or non-profit institutional use.
 - b. No more than five recreational vehicles are on the church or institutional real property for overnight accommodation use at any one time.
 - c. During the overnight use, each recreational vehicle is sited at a location not less than 50 feet from any real property being used for residential purposes.
 - d. Such recreational vehicles are properly and currently licensed for operation on the highway in accordance with the California [Vehicle Code](#).
 - e. The church or non-profit organization has sole and exclusive control of the parking being used for this purpose.
 - f. The church or non-profit organization makes adequate and sanitary bathroom facilities (as approved by the Santa Barbara County Health Officer) available to the occupants of the recreational vehicles.
 - g. No rent is received by the church or non-profit organization for this overnight accommodation use, as the term "rent" is defined in Section 26.08.030.N.
 - h. The owner of the RV has been issued a permit for such use of the RV by a non-profit entity designated by the City for supervising the Safe RV Parking Program and designated by the City to assist such RV owners in transitioning to permanent housing.
2. Parking of RVs in Certain Areas of Certain Zones. An owner of real property in the M-1 zone, north of the U.S. Highway 101, and the C-M zone, east of Santa Barbara Street to the City limits (as depicted on the map attached to this chapter entitled "RV Overnight Parking in Certain Areas of M-1 and C-M Zones, Dated February 6, 2007"), may allow the overnight use of a paved parking portion of their real property by the registered owner of a recreational vehicle as a transitional housing alternative under the following limited circumstances:
 - a. Such overnight use does not conflict with express conditions imposed by the City on a use permit for the use of the real property.

- b. No more than one recreational vehicle is on the real property for overnight accommodation use at any one time.
 - c. During the overnight use, each recreational vehicle is parked at a location not less than 50 feet from any real property being used for residential purposes.
 - d. Such recreational vehicles are properly and currently licensed for operation on the highway in accordance with the California [Vehicle Code](#).
 - e. The owner of the real property makes adequate and sanitary bathroom facilities (as approved by the Santa Barbara County Health Officer) available to the occupants of the recreational vehicles.
 - f. No rent is received by the owner of real property for this overnight accommodation use, as the term “rent” is defined in Section [26.08.030](#), so long as the occupant of the recreational vehicle serves as night-time security personnel.
 - g. The owner of the RV has been issued a permit for such use of the RV by a non-profit entity designated by the City for supervising the Safe RV Parking Program and designated by the City to assist such RV owners in transitioning to permanent housing.
3. City Parking Lots. The recreational vehicle being used is located within a City public parking lot as such lots (including the locations thereon) as may be designated by a resolution of the City Council under use conditions and permit restrictions which shall be expressly established in the City Council resolution. Such Council resolution shall also establish criteria for and a process to certify the continuing need for the occupants of a recreational vehicle to use the recreational vehicle as a transitional housing alternative pending an eventual transition to an acceptable and safe housing alternative.

C. COMMERCIAL USE. No recreational vehicle, mobilehome, or modular unit shall be used for office, retail or any other commercial purpose except in the following situations:

1. A recreational vehicle or mobilehome may be used as a sales office for a new or used recreational vehicle or mobilehome sales business if such recreational vehicle or mobilehome is on the same lot or parcel of land where the business is located and if, on such same lot or parcel of land, new or used recreational vehicles or mobilehomes, other than that used for a sales office, are normally kept for display to the public;
2. A recreational vehicle or mobilehome may be used as a sales office for a new or used auto sales business conducted on the same lot or parcel of land in areas other than a City designated landmark district;
3. A recreational vehicle or mobilehome may be used as a construction building or office at the site of a construction project for the duration of such project;
4. A mobilehome in a residential zone may be used for the conduct of a home occupation upon the same conditions and regulations as apply to single family residences in the zone;
5. A modular unit or mobilehome in a residential zone may be used for temporary office purposes in connection with the use of real property as a dedicated public park provided that the owner of the property or the operator of the park has received the required City approvals to construct a permanent park office building and all of the following conditions exist:
 - a. All required building permits are obtained.
 - b. Each modular unit or mobilehome is located outside the construction zone.

- c. No required parking spaces are eliminated by the placement of the modular units or mobilehome.
 - d. No retail sales are made from the modular units.
6. One or more modular units may be used during the term of a construction project by employees of an existing business which has been displaced due to the project, provided all of the following conditions exist:
- a. All required building permits are obtained.
 - b. Each modular unit is located outside the construction zone.
 - c. No required parking spaces are eliminated by the placement of the modular units.
 - d. No retail sales are made from the modular units.
7. A mobilehome or modular unit may be used as an office for the initial sale, rental or leasing of lots and dwellings in a project on the site provided all of the following conditions exist:
- a. All required building permits are obtained.
 - b. All necessary street improvements and off-street parking spaces are provided to the satisfaction of the Public Works Director and Community Development Director.
 - c. The sales office is closed after a period of two years, unless the time period is extended by the Community Development Director.
8. A modular unit or mobilehome in a residential zone may be used for interim fire protection purposes in connection with the use of City Fire Station No. 7 (Sheffield/Stanwood Station) provided that such use complies with the requirements of Section [28.15.040](#).



RV OVERNIGHT PARKING IN CERTAIN AREAS OF M-1 AND C-M ZONES
 FEBRUARY 6, 2007

(Ord. 5411, 2007; Ord. 5368, 2005; Ord. 5275, 2003; Ord. 5222, 2002; Ord. 4525, 1988; Ord. 4269, 1984; Ord. 3710, 1974; Ord. 3001, 1964)