



Planning Commission
REVISED AGENDA

Wednesday, September 14, 2022, 6:00 p.m.

Council Chambers, 990 Palm Street, San Luis Obispo

The City of San Luis Obispo has returned to in-person meetings. Zoom participation will not be supported. For those attending in-person, City facilities will be at limited capacity and masks are strongly recommended. Planning Commission meetings can be viewed remotely on Channel 20 and the City's YouTube Channel: <http://youtube.slo.city>

INSTRUCTIONS FOR PUBLIC COMMENT:

Public Comment prior to the meeting (must be received 3 hours in advance of the meeting):

Mail - Delivered by the U.S. Postal Service. Address letters to the City Clerk's Office at 990 Palm Street, San Luis Obispo, California, 93401.

Email - Submit Public Comments via email to advisorybodies@slocity.org. In the body of your email, please include the date of the meeting and the item number (if applicable). Emails *will not* be read aloud during the meeting.

Voicemail - Call (805) 781-7164 and leave a voicemail. Please state and spell your name, the agenda item number you are calling about, and leave your comment. Verbal comments must be limited to 3 minutes. Voicemails *will not* be played during the meeting.

**All correspondence will be archived and distributed to members, however, submissions received after the deadline will not be processed until the following day.*

Public Comment during the meeting:

Meetings have returned to an in-person format. To provide public comment during the meeting, you must be present in the Council Chambers.

Electronic Visual Aid Presentation. To conform with the City's Network Access and Use Policy, Chapter 1.3.8 of the Council Policies & Procedures Manual, members of the public who desire to utilize electronic visual aids to supplement their oral presentation are encouraged to provide display-ready material to the City Clerk by 12:00 p.m. on the day of the meeting. Contact the City Clerk's Office at cityclerk@slocity.org or (805) 781-7100.

1. CALL TO ORDER

Vice Chair Steve Kahn will call the Regular Meeting of the Planning Commission to order.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

At this time, people may address the Commission about items not on the agenda. Comments are limited to three minutes per person. Items raised at this time are generally referred to staff and, if action by the Commission is necessary, may be scheduled for a future meeting.

3. CONSENT

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon at one time. A member of the public may request the Planning Commission to pull an item for discussion. The public may comment on any and all items on the Consent Agenda within the three-minute time limit.

3.a. CONSIDERATION OF MINUTES - AUGUST 10, 2022 PLANNING COMMISSION MINUTES

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Recommendation:

To approve the Planning Commission Minutes of August 10, 2022.

4. PUBLIC HEARINGS

Note: Any court challenge to the action taken on public hearing items on this agenda may be limited to considering only those issues raised at the public hearing or in written correspondence delivered to the City of San Luis Obispo at, or prior to, the public hearing. If you wish to speak, please give your name and address for the record. Please limit your comments to three minutes; consultant and project presentations limited to six minutes.

- 4.a. 2223 MONTEREY ST. (ARCH-0327-2021) REVIEW OF A REVISED PROJECT DESIGN FOR THE MOTEL INN, AN 83-ROOM HOTEL WITH 29 BUNGALOW GUESTROOM BUILDINGS, FOUR SMALL OUTBUILDINGS, POOL AREA, AND ASSOCIATED SITE IMPROVEMENTS 11

Recommendation:

Continue consideration of the item to a date uncertain to allow additional time for staff and the applicant to review and address certain items related to the information and analyses set out in the Initial Study and Mitigated Negative Declaration and Addendum for the project.

- 4.b. 950 HIGH ST. & 1940 SANTA BARBARA (USE-0477-2022) ESTABLISH A SAFE PARKING PROGRAM AT RAILROAD SQUARE TO PROVIDE THOSE EXPERIENCING HOMELESSNESS WITH VEHICLES A SAFE PLACE TO TEMPORARILY PARK OVERNIGHT TO FACILITATE THE TRANSITION TO PERMANENT HOUSING 13

*Revised Recommendation:

Staff is recommending that the Planning Commission continue the public hearing to a date uncertain to allow the applicant team time to address concerns that were raised by members of the community during a recent neighborhood meeting. Staff will continue to work with CAPSLO to improve upon the management of the program and provide adequate resources to the neighborhood to address concerns related to homelessness.

5. **COMMENT AND DISCUSSION**

- 5.a. STAFF UPDATES AND AGENDA FORECAST

Receive a brief update from Housing Policy & Programs Manager Teresa McClish.

6. ADJOURNMENT

The next Regular Meeting of the Planning Commission is scheduled for September 28, 2022 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo.

LISTENING ASSISTIVE DEVICES for the hearing impaired--see the Clerk

The City of San Luis Obispo wishes to make all of its public meetings accessible to the public. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (805) 781-7100 at least 48 hours before the meeting, if possible. Telecommunications Device for the Deaf (805) 781-7410.

Planning Commission meetings are televised live on Charter Channel 20 and on the City's YouTube Channel: <http://youtube.slo.city>. Agenda related writings or documents provided to the Planning Commission are available for public inspection on the City's website: <https://www.slocity.org/government/mayor-and-city-council/agendas-and-minutes>.



Planning Commission Minutes

August 10, 2022, 6:00 p.m.

Council Chambers, 990 Palm Street, San Luis Obispo

Planning Commissioners Present: Commissioner Emily Francis, Commissioner Michael Hopkins, Commissioner Bob Jorgensen, Commissioner Juan Munoz-Morris, Vice Chair Steve Kahn, Chair Nick Quincey (*one vacant seat*)

City Staff Present: Community Development Director Michael Codron, Senior Planner Brian Leveille, Assistant City Attorney Markie Kersten, and Megan Wilbanks, Deputy City Clerk

1. CALL TO ORDER

A Regular Meeting of the San Luis Obispo Planning Commission was called to order on August 10, 2022 at 6:02 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo, by Chair Quincey.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Public Comment:

None

--End of Public Comment--

3. CONSENT

3.a CONSIDERATION OF MINUTES - JUNE 22, 2022 PLANNING COMMISSION MINUTES

Motion By Commissioner Francis

Second By Commissioner Hopkins

To approve the Planning Commission Minutes of June 22, 2022.

Ayes (6): Commissioner Francis, Commissioner Hopkins, Commissioner Jorgensen, Commissioner Munoz-Morris, Vice Chair Kahn, and Chair Quincey

CARRIED (6 to 0)

4. PUBLIC HEARINGS

- 4.a 1531 MONTEREY ST. (DIR-0228-2022) REVIEW OF A REQUEST FOR A 50% PARKING REDUCTION FOR A SITE WITH A RESTAURANT (CAFÉ) AND A DWELLING UNIT

Commissioner Francis recused from Item 4a, as she is consulting with Hunter Smith Architecture on a personal project and left the room.

Assistant Planner Walter Oetzell presented the staff report and responded to Commission inquiries.

Applicant, Robin Covey, provided a brief overview of the project and responded to Commissioner inquiries.

Chair Quincey opened the Public Hearing.

Public Comments:

None

--End of Public Comment--

Chair Quincey closed the Public Hearing

Motion By Commissioner Jorgensen

Second By Commissioner Hopkins

Adopt a Resolution approving the Parking Reduction request, based on findings and subject to conditions of approval.

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, APPROVING A 50% PARKING REDUCTION FOR A RESTAURANT (CAFÉ AND BAKERY) AND DWELLING, REDUCING THE PARKING REQUIREMENT TO 7 SPACES WHERE 13 SPACES WOULD OTHERWISE BE REQUIRED; AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED AUGUST 10, 2022 (1531 MONTEREY STREET; APPLICATION DIR 0228 2022)"

Ayes (5): Commissioner Hopkins, Commissioner Jorgensen, Commissioner Munoz-Morris, Vice Chair Kahn, and Chair Quincey (*one vacant seat*)

Recused (1): Commissioner Francis

CARRIED (5 to 0)

4.b 175 VENTURE DR. (ARCH-0084-2022) REVIEW OF THE R-1 PORTION (PHASE 5) OF THE AVILA RANCH DEVELOPMENT PLAN, WHICH WOULD ALLOW UP TO 101 SINGLE-FAMILY DWELLING UNITS

Contract Planner John Rickenbach presented the staff report and responded to Commission inquiries.

Applicant representatives, Carol Florence, Principal Planner with Oasis Associates; Michael Stone, Senior Designer with Bassenian Lagoni Architecture; and Dan Garson, Director of Land Development for Wathen Castanos Homes, provided a brief overview of the project and responded to Commissioner inquiries.

Chair Quincey opened the Public Hearing.

Public Comments:

None

--End of Public Comment--

Chair Quincey closed the Public Hearing.

Motion By Vice Chair Kahn

Second By Commissioner Jorgensen

Adopt a Resolution approving the R-1 portion (Phase 5) of the Avila Ranch project based on findings and subject to conditions of approval.

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO APPROVING SITE DESIGN AND LAYOUT FOR 101 RESIDENTIAL UNITS WITHIN THE R-1 COMPONENT OF THE AVILA RANCH PROJECT TO BE DEVELOPED WITHIN PHASE 5 OF THE DEVELOPMENT PLAN, AND FINDING THE PROJECT IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AS REPRESENTED IN THE AGENDA REPORT AND ATTACHMENTS DATED AUGUST 10, 2022, FOR THE PROJECT LOCATED AT 175 VENTURE DRIVE (ARCH-0084-2022)"

Ayes (6): Commissioner Francis, Commissioner Hopkins, Commissioner Jorgensen, Commissioner Munoz-Morris, Vice Chair Kahn, and Chair Quincey (*one vacant seat*)

CARRIED (6 to 0)

4.c 2223 MONTEREY ST. (ARCH-0327-2021) REVIEW OF A REVISED PROJECT DESIGN FOR THE MOTEL INN, AN 83-ROOM HOTEL WITH 29 BUNGALOW GUESTROOM BUILDINGS, FOUR SMALL OUTBUILDINGS, POOL AREA, AND ASSOCIATED SITE IMPROVEMENTS

Assistant City Attorney Markie Kersten, Community Development Director Michael Codron, and Senior Planner Brian Leveille advised the Commission that staff would be revising their recommendation, to recommend that consideration of the project be continued to a date certain to allow time for staff to consider concerns raised in Agenda Correspondence received regarding environmental review of the project.. Staff requested that the Planning Commission hear the presentation from Assistant Planner Walter Oetzell and the Applicant, receive public testimony, and provide initial feedback to the Applicant for consideration before the continued hearing.

Assistant Planner Walter Oetzell presented the staff report and responded to Commission inquiries. The Applicant, Damien Mavis with Covelop, Inc., and their representative, Ariana Melendez, Project Architect for Studio Design Group Architects, provided a brief overview of the project and responded to questions raised.

Chair Quincey opened the Public Hearing.

Public Comments:

Jim Dantona

--End of Public Comment--

Chair Quincey closed the Public Hearing.

Motion By Commissioner Jorgensen

Second By Commissioner Hopkins

To continue review of the project to a date certain, the September 14, 2022 Planning Commission Meeting.

Ayes (6): Commissioner Francis, Commissioner Hopkins, Commissioner Jorgensen, Commissioner Munoz-Morris, Vice Chair Kahn, and Chair Quincey (*one vacant seat*)

CARRIED (6 to 0)

5. COMMENT AND DISCUSSION

5.a STAFF UPDATES AND AGENDA FORECAST

Senior Planner Brian Leveille provided the following updates:

- Currently, no items are scheduled for the August 24, 2022 Planning Commission meeting so it will be canceled.
- On September 14, 2022, the Planning Commission will continue review of the Motel Inn Project (2223 Monterey St., ARCH-0327-2021), review the Use Permit for the Safe Parking Program at the Railroad Square, and review the Safety Element.

Vice Chair Kahn indicated that he would be absent from the September 14, 2022 Planning Commission Meeting.

Chair Quincey announced that he intends to resign from the Planning Commission, effective immediately, as he is moving out of San Luis Obispo. This resignation will create two vacant positions on the Planning Commission.

6. ADJOURNMENT

The meeting was adjourned at 7:44 p.m. The next Regular Meeting of the Planning Commission is scheduled for September 14, 2022 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo. The Regular Meeting of August 24, 2022 will be canceled.

APPROVED BY PLANNING COMMISSION: XX/XX/2022



PLANNING COMMISSION AGENDA REPORT

SUBJECT: ARCH-0327-2021 (2223 MONTEREY): REVIEW OF A REVISED PROJECT DESIGN FOR THE MOTEL INN, AN 83-ROOM HOTEL WITH 29 BUNGALOW GUESTROOM BUILDINGS, FOUR SMALL OUTBUILDINGS, POOL AREA, AND ASSOCIATED SITE IMPROVEMENTS, INCLUDING AN EXCEPTION FROM WALL HEIGHT STAN

BY: Walter Oetzell, Assistant Planner
Phone Number: (805) 781-7593
Email: woetzell@slocity.org

FROM: Tyler Corey, Deputy Director
Phone Number: (805) 781-7169
Email: tcorey@slocity.org

APPLICANT: Motel Inn, L.P.

REPRESENTATIVE: Studio Design Group Architects

RECOMMENDATION

Continue consideration of the item to a date uncertain to allow additional time for staff and the applicant to review and address certain items related to the information and analyses set out in the Initial Study and Mitigated Negative Declaration and Addendum for the project.



Planning Commission Agenda Correspondence

DATE: September 14, 2022

TO: Chair and Commissioners

FROM: Kyle Bell, Housing Coordinator

VIA: Teresa McClish, Housing Programs Manager

SUBJECT: ITEM #4b - REQUEST TO ESTABLISH A SAFE PARKING PROGRAM AT RAILROAD SQUARE TO PROVIDE INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS WITH VEHICLES A SAFE PLACE TO TEMPORARILY PARK OVERNIGHT TO FACILITATE THE TRANSITION TO PERMANENT HOUSING

REVISION TO STAFF RECOMMENDATION

Staff is recommending that the Planning Commission continue the public hearing to a date uncertain to allow the applicant team time to address concerns that were raised by members of the community during a recent neighborhood meeting¹.

Staff will continue to work with CAPSLO to improve upon the management of the program and provide adequate resources to the neighborhood to address concerns related to homelessness.

¹ [Agenda Correspondence for the September 14, 2022 Planning Commission Meeting](#)

PLANNING COMMISSION AGENDA REPORT

SUBJECT: REQUEST TO ESTABLISH A SAFE PARKING PROGRAM AT RAILROAD SQUARE TO PROVIDE INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS WITH VEHICLES A SAFE PLACE TO TEMPORARILY PARK OVERNIGHT TO FACILITATE THE TRANSITION TO PERMANENT HOUSING

PROJECT ADDRESS: 950 High Street &
1940 Santa Barbara

BY: Kyle Bell, Housing Coordinator
 Phone Number: 805-781-7524
 Email: kbell@slocity.org


FILE NUMBER: USE-0477-2022

FROM: Tyler Corey, Deputy Director

RECOMMENDATION

Adopt the Draft Resolution (Attachment A) approving the project, based on findings and subject to conditions of approval.

SITE DATA

Applicant	CAPSLO	
Representative	City of San Luis Obispo	
Zoning	PF-H (Public Facilities) with a Historic Preservation Overlay	
General Plan	Public	
Site Area	~2.55 acres	
Environmental Status	Categorically exempt from environmental review under CEQA Guidelines section 15301 (Existing Facilities).	

SUMMARY

The proposed project consists of formalizing the temporary Safe Parking Program at Railroad Square through a Conditional Use Permit, in accordance with Zoning Regulations Section 17.10.020 Table 2-1 (Uses Allowed by Zone) and Section 17.86.230 (Safe Parking) (Attachment B, Project Description). The program was initially established under the City's Emergency Proclamation to provide safe shelter options for individuals and families experiencing homelessness during the COVID-19 Pandemic. The program is intended to continue operation of 29 vehicle parking spaces and 6 bus parking spaces, for a total of 35 parking spaces to be used for the Safe Parking Program within Railroad Square, in partnership with CAPSLO to manage and oversee the program.

1.0 PLANNING COMMISSION'S PURVIEW

The Planning Commission's role is to review the project for consistency with the [General Plan](#), [Zoning Regulations](#), [Community Design Guidelines \(CDG\)](#), [Railroad District Plan](#) and applicable City development standards. Planning Commission (PC) review is required for Safe Parking activities within the Public Facilities (PF) zone (USE-0477-2022).

2.0 BACKGROUND

On August 18, 2020, the City Council adopted Resolution No. 11149 affirming the actions of the Emergency Services Director by Emergency Services Director Proclamation No. 5, which was adopted on August 7, 2020. Through the two actions, the City found that emergency measures were necessary to support and facilitate the expansion of safe parking facilities for unhoused persons in order to minimize exposure to the elements that compromise health, to minimize risks of sustained close contact and congregation to mitigate transmission of COVID-19, and to advance social distancing and personal hygiene protocols necessary to prevent or minimize the spread of COVID-19 and protect the public health, safety, welfare and economic security of the citizens of San Luis Obispo.

The emergency proclamation included provisions to suspend the conditional use permit requirements of Municipal Code Section 17.86.230 (Safe Parking Ordinance) associated with any current homeless or supportive services provider permitted or contracted with the City of San Luis Obispo to the extent that such provisions would otherwise limit or prevent the expansion of safe parking facilities within the City. In accordance with the emergency proclamation the City Council established requirements for the Community Development Director to establish new safe parking locations upon review and approval of an application submitted by a new non-profit community partner.

The City has authorized and funded one expanded site at Railroad Square in partnership with the City's only current safe parking services provider CAPSLO. The City's Homeless Response Manager has continuously worked with providers and members of the unhoused community to identify and minimize barriers to utilization and provide flexibility to quickly expand services to move unhoused persons into shelter in a timely manner responsive to diverse needs. On February 25, 2022, the State of California and the County of San Luis Obispo lifted the local health emergency declarations, effectively ending the suspension on the Safe Parking Ordinance provisions, and a Conditional Use Permit is required for the continued operation of the Safe Parking Program at Railroad Square.

Staff has reached out to the neighboring businesses and residences to identify any on-going concerns over the last two years that the program has been operating. As a result of the outreach efforts, staff has not received any complaints regarding the management of the program, however, concerns have been communicated to staff regarding the presence of unhoused individuals at the site, outside of the hours of operation of the program. Staff recommends resolving this concern by establishing an updated Neighborhood Relations Plan (Attachment C) and providing neighboring businesses and residences with an info sheet listing applicable resources and contact information.

Additionally, the City is in the process of hiring a new resource who will assist in conducting more proactive outreach to regularly check in and address neighborhood concerns as they arise.

3.0 PROJECT ANALYSIS

The proposed project must conform to the standards and limitations of the Zoning Regulations and Engineering Standards. Staff has evaluated the project's consistency with relevant requirements and has found it to be in substantial compliance, as discussed in this analysis.

3.1 Consistency with the General Plan

The General Plan Land Use Element Table 1 identifies Homeless Shelters and similar services as appropriate within the Public Land Use Designation. The Housing Element Policy 8.10 encourages the City to assist the homeless and those at risk of becoming homeless by supporting shelters, temporary housing, and transitional housing. The project is consistent with the General Plan Policies because it provides a form of transitional shelter for individuals and families experiencing homelessness or at risk of becoming homeless. City policies further support homeless services and transitional housing opportunities in the PF zone, especially those located close to major transit, bike, and pedestrian corridors.

3.2 Consistency with the Railroad District Plan

The City's Railroad District Plan describes the negative impacts of unregulated homeless encampments within the Railroad area. The Railroad District Plan encourages solutions for addressing homelessness by identifying homeless shelters and similar social service programs as allowed uses within the Railroad District Plan area. The project is limited to the existing parking area within Railroad Square, no other improvements are proposed with the project, except for one additional porta-potty for the limited use of participants of the project. The restroom facilities will be locked outside of the hours of operation of the program.

3.3 Consistency with the Zoning Regulations

In accordance with Zoning Regulations Section 17.10.020 Table 2-1 (Uses Allowed by Zone), safe parking activities are conditionally allowed within the PF zone, subject to a Conditional Use Permit. Section 17.86.230 (Safe Parking) establishes standards required for any Safe Parking Facility within the City of San Luis Obispo. As noted above and within the project description, the applicant provides programming that meets each of these standards (Attachment D, Safe Parking Program Rules). Several factors of the proposed project have been considered and analyzed as part of the use permit review as stipulated in Safe Parking standards. These factors are identified and discussed below:

Number of Vehicles Allowed: The Safe Parking Program at Railroad Square provides 29 vehicles and 6 bus spaces, for a maximum of 35 parking spaces to be dedicated as safe parking spaces.

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Hours of Operation: The facility will operate from 7:00 p.m. to 7:00 a.m. Staff finds that the proposed hours are appropriate per information from the City of San Luis Obispo Police Department and past program practice.

Separation Between Facilities: Currently the only other Safe Parking Program that is in operation is located at 40 Prado Road and is associated with the Homeless Shelter. There is adequate separation between both safe parking facilities.

Neighborhood Relations Plan: The City of San Luis Obispo established the Good Neighbor Policy in order to maintain clear expectations between the community and homeless services. As such the applicant has provided a Neighborhood Relations Plan based on the tools outlined within the Good Neighbor Policy (Attachment 3, Neighborhood Relations Plan).

Monitoring and Oversight: The proposed safe parking program will provide overnight monitoring of the Safe Parking Area with the use of on-site security cameras. The program will use the same monitoring system that was in place during the operation of the temporary Railroad Square Safe Parking. The video footage from the surveillance system is referenced if and when there is a security concern reported on-site. In addition, the applicant will provide a point of contact that community members may contact via e-mail with any issues or concerns related to the program.

Restroom, Water and Trash Facility Plan: The Safe Parking Program currently has one porta-potty, one hand wash station, and one dumpster to service the site. Based on feedback from CAPSLO and nearby businesses, CAPSLO would like to add a second porta-potty to this site, as well as a lock on the dumpster to prevent illegal dumping.

4.0 ENVIRONMENTAL REVIEW

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because it consists of leasing existing public facilities for the purposes of overnight parking for individuals and families experiencing homelessness, which does not result in any expansion of existing uses and is consistent with policies and standards applicable to the Public Facilities zone, as described in State CEQA Guidelines Section 15301 (Existing Facilities). The proposed additional porta-potty is categorically exempt from the provisions of CEQA because the placement of the temporary bathroom facility is located on a public facility and designed for public use of participants of the program, and will have no significant impact on the environment, as described in CEQA Guidelines Section 15311 (Accessory Structures).

5.0 OTHER DEPARTMENT COMMENTS

The project has been reviewed by various City departments and divisions including Planning, Housing & Homelessness, Police, and Code Enforcement. Staff has not identified any unusual site conditions or circumstances that would require special conditions. Other comments have been incorporated into the draft resolution as conditions of approval.

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6.0 ALTERNATIVES

1. Continue project. An action to continue the item should include a detailed list of additional information or analysis required to make a decision.
2. Deny the project. An action denying the project should include findings that cite the basis for denial and should reference inconsistency with the General Plan, Community Design Guidelines, Railroad District Plan, Zoning Regulations or other policy documents.

7.0 ATTACHMENTS

- A - Draft Resolution (USE-0477-2022)
- B - Project Description (USE-0477-2022)
- C - Neighborhood Relations Plan (USE-0477-2022)
- D - Safe Parking Program Rules (USE-0477-2022)

RESOLUTION NO. PC-XXXX-22

A RESOLUTION OF THE CITY OF SAN LUIS OBISPO PLANNING COMMISSION APPROVING A SAFE PARKING PROGRAM AT RAILROAD SQUARE TO PROVIDE INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS WITH VEHICLES A SAFE PLACE TO TEMPORARILY PARK OVERNIGHT TO FACILITATE THE TRANSITION TO PERMANENT HOUSING. PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW; AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED SEPTEMBER 14, 2022 (950 HIGH STREET & 1940 SANTA BARBARA STREET, USE-0477-2022)

WHEREAS, On August 18, 2020, the City Council of the City of San Luis Obispo conducted a web based public hearing adopting Resolution No. 11149 (2020 Series), that authorized the City to establish the Railroad Square Safe Parking Program under the City's Emergency Proclamation to provide safe shelter options for individuals and families experiencing homelessness during the COVID-19 Pandemic, pursuant to a proceeding instituted by the Emergency Services Director Proclamation No. 5; and

WHEREAS, On September 14, 2022, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, pursuant to a proceeding instituted under USE-0477-2022, City of San Luis Obispo, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Findings. The Planning Commission hereby grants final approval to the project (USE-0477-2022), based on the following findings:

1. As conditioned, the use will not harm the general health, safety, and welfare of people living or working in the vicinity because the proposed use is compatible with the project site and with existing and potential uses in the vicinity which include public facilities. Conditions of approval have been included to ensure compatibility with surrounding uses and the facilitation of participants' transition to permanent housing.
2. The proposed project is consistent with General Plan Housing Element policies to support local solutions to meet the needs of the homeless (HE 1.7 and 8.11).

3. The proposed project is consistent with the City's 2021-2023 Financial Plan Major City Goal for (Housing and Homelessness) by providing transitional housing options for individuals and families experiencing homelessness in partnership with a non-profit agency CAPSLO.
4. As conditioned, the proposed safe parking use complies with all provisions of the City's Safe Parking Ordinance (Municipal Code Section 17.86.230).

SECTION 2. Environmental Review. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because it consists of leasing existing public facilities for the purposes of overnight parking for individuals and families experiencing homelessness, which does not result in any expansion of existing uses and is consistent with policies and standards applicable to the Public Facilities zone, as described in State CEQA Guidelines Section 15301 (Existing Facilities). The proposed additional porta-potty is categorically exempt from the provisions of CEQA because the placement of the temporary bathroom facility is located on a public facility and designed for public use of participants of the program, and will have no significant impact on the environment, as described in CEQA Guidelines Section 15311 (Accessory Structures).

SECTION 3. Action. The project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The Planning Commission hereby grants final approval to the project with incorporation of the following conditions:

Planning Division

1. This Conditional Use Permit shall be subsequently reviewed at a public Administrative Hearing if the City receives substantiated written complaints from any citizen, Code Enforcement Officer, or Police Department employee, which includes information and/or evidence supporting a conclusion that a violation of this Conditional Use Permit, or of City ordinances or regulations or Police Department resources (calls for service) applicable to the property or the operation of the Safe Parking Program, has occurred. At the time of the review, to ensure on-going compatibility of the uses on the project site, the Administrative Hearing Officer reserves the authority to elevate the review to the Planning Commission, where conditions of approval may be added, deleted, or modified, or the Conditional Use Permit may be revoked.
2. The maximum number of vehicles allowed as part of the Safe Parking Program at the subject location shall not exceed 35.
3. The hours of operation for the Safe Parking Program at the subject location shall be limited to 7:00 p.m. to 7:00 a.m., daily.

4. The program administrator shall implement the proposed Neighborhood Relations Plan for the Safe Parking Program. Any changes to the Neighborhood Relations Plan shall be to the approval of the Community Development Director.
5. The program administrator shall provide overnight monitoring and oversight of the Safe Parking Area with the use of on-site security cameras. Video footage shall be made available to the Police Department in the event of any security concern on site.
6. The program administrator shall provide water, restrooms and trash facilities for participant use from 7:00 p.m. to 7:00 a.m. Trash and restroom maintenance shall be provided on a weekly basis.

Indemnification

7. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review ("Indemnified Claims"). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

On motion by Commissioner _____, seconded by Commissioner _____, and on the following roll call vote:

AYES:

NOES:

REFRAIN:

ABSENT:

The foregoing resolution was passed and adopted this 14th day of September, 2022.

Teresa McClish, Secretary
Planning Commission

Safe Parking Program Project Description

See responses to Performance Standards in [Blue](#).

17.86.230 – Safe Parking

- A. Purpose and Intent.** Safe parking provides homeless individuals and families with vehicles a safe place to temporarily park overnight to facilitate the transition to permanent housing. The provisions contained in this Section enable safe parking in certain zones in the City subject to specific performance standards and permit requirements. These standards and requirements are intended to ensure that safe parking facilities will be compatible with surrounding uses and effective at facilitating participants' transition to permanent housing.
- B. Permit Required.** The establishment of a safe parking use shall require a Conditional Use Permit approval where allowed, consistent with Table 2-1: Uses Allowed by Zone.
- C. Accessory Use in Residential Zones.** If located in the R-1, R-2, R-3, and R-4 zones, safe parking is only allowed when accessory to a public assembly or religious assembly facility. Safe parking is prohibited as a primary use in the R-1, R-2, R-3, and R-4 zones and in all applicable zones on properties that contain residential uses as the primary use.
- D. Application Requirements.** Whenever a social service provider (or, if the social service provider is not the property owner, a property owner who is affiliated with or can qualify as a social service provider) submits a Conditional Use Permit application for consideration, as a part of the application, sufficient information shall be submitted to the Community Development Department to determine whether the proposed safe parking facility complies with the provisions of this Section. In addition to the required Conditional Use Permit application checklist items, the application shall include the following:
1. Site plan indicating the location of trash and recycling facilities, water, restroom facilities, exterior light fixtures, location and distances to residential properties, public transportation, and location of designated overnight parking spaces.
 2. Hours of operation.
 3. Monitoring and oversight program.
 4. Neighborhood relations plan.
 5. Sufficient information to determine that the applicant is a social service provider that is qualified to operate a safe parking program or is affiliated with a social service provider that demonstrates the experience and qualifications to manage the site and meet the performance standards identified in this Chapter.

6. Any other information the Director may determine is necessary to ensure compliance with the provisions of this Section.

E. Performance Standards.

1. **Social Services Provider.** Safe parking facilities shall be managed by a qualified social service provider, subject to the approval of the Director.

CAPSLO has been funded by the City and County to provide homeless day and sheltering services for approximately 20 years. In addition, CAPSLO has provided case management services to homeless individuals and families for over 10 years.

2. **Case Management.** Participants shall be paired with a case manager and enrolled in a self-sufficiency program to facilitate the transition to permanent housing.

All Safe Parking Program participants are required to be enrolled in case management to facilitate the transition to more permanent housing.

3. **Background Check.** Prospective participants shall submit to a criminal history background check. Participant exclusion shall be determined by the social service provider on a case-by-case basis.

All Safe Parking Program participants are required to submit to a background check see CAPSLO Safe Parking Program Screening form).

4. **Restroom, Water and Trash Facilities.** Restroom, water and trash facilities shall be provided, maintained, and accessible to participants during safe parking facility hours.

A bathroom will be provided for evening use. During the day the restrooms will be locked. A commercial trash bin is located on-site. Regular trash and toilet maintenance is provided.

5. **Residency Preference.** Social service provider shall give preference to those with proof of residency in the County for a minimum period of six months within the last two years. Evidence of residency may include, but not limited to, items such as rental agreements, mortgage, utility, hotel and medical facility bills, paystubs, and intake from homeless service programs.

Preference is given to local residents and is verified during the case management intake process.

6. **Buffer from Residential Use.** Participant vehicles shall maintain a minimum buffer of 50 feet from any property that contains a residential use. Buffers less than 50 feet may be allowed through the Use Permit review process on a case-by-case basis when determined to be compatible with the neighborhood. Buffers greater than 50 feet may be necessary for neighborhood compatibility, which will be determined on a case-by-case basis as part of the Conditional Use Permit review process.

The nearest residence to the project site is located approximately 200 feet from the boundaries of the Safe Parking area, which exceeds the 50 foot buffer requirement.

- 7. Authorized Vehicles Only.** Social service provider shall ensure that only vehicles registered in the program are parked overnight during program hours. A parking permit shall be provided to all participants to be displayed in vehicle windows in a form to be approved by the Public Works Director.

Only vehicles registered in the program are allowed (one vehicle per program participant at the site).

- 8. Participant Information.** At all times, the social service provider shall maintain a roster of the names and vehicle license numbers of each participant who is authorized to park overnight.

An updated roster of names and vehicle numbers are located at the Center office.

- 9. Written Agreement with Participants.** Only participants who have entered into a written agreement with a social service provider shall be allowed to use parking spaces overnight. The written agreement between the social service provider and participant shall include, but not limited to, the following terms and conditions:

- a. Only one vehicle is allowed per participant.
- b. At least one participant per vehicle shall possess a current driver's license, vehicle registration, and insurance for the vehicle that will be parked overnight. The social service provider shall keep a copy of all three on record.
- c. Vehicles may only be occupied by participants and approved registered household members. Guests shall not be allowed.
- d. Participants shall not use or possess any illegal drugs or alcohol either on their person or in their vehicle.
- e. Participants shall not use or possess any weapons or firearms of any kind in program vehicles.
- f. No fires of any kind shall be allowed.
- g. No music may be played that is audible outside participants' vehicles.
- h. No cooking or food preparation shall be performed outside of the participants' vehicles. Cooking inside vehicles is prohibited unless the vehicle was manufactured with cooking appliances.
- i. Camping tarps or equipment beyond the participant's vehicle are prohibited.
- j. Participants shall maintain control of animals. Animals shall be kept on a leash at all times and animal waste shall be picked up immediately and disposed of properly.

- k. Participants shall not dump sewage or other waste fluids or solids, deposit excreta outside a vehicle, or park vehicles that leak excessive fluids (i.e., gasoline, transmission or radiator fluid, or engine oil).

[See attached Safe Parking Program Rules attachment.](#)

F. Use Permit Considerations. Items to be determined by the Planning Commission as part of the Conditional Use Permit review process on a case-by-case basis shall include, but are not limited to, the following:

1. **Number of Vehicles Allowed.** The total number of vehicles allowed at each safe parking facility location.
2. **Hours of Operation.** The days and hours of safe parking facility operation.
3. **Separation between Facilities.** Sufficient distance between existing and proposed safe parking facilities.
4. **Neighborhood Relations Plan.** A neighborhood relations plan shall be provided for each safe parking facility location to address any complaints in a timely manner, including consistency with any adopted good neighbor policy.
5. **Monitoring and Oversight.** Monitoring and oversight shall be provided during safe parking facility hours.
6. **Restroom, Water and Trash Facility Plan.** A restroom, water and trash facility plan shall be provided and include the location, hours of availability and maintenance program for site facilities.

G. Revocation of a Permit. The Conditional Use Permit can be referred to the Planning Commission for reconsideration if determined by the Director upon receipt of substantiated written complaints from any citizen, Code Enforcement Officer, or Police Department Officer, which includes information and/or evidence supporting a conclusion that a violation of the Conditional Use Permit, or of City ordinances or regulations applicable to the property or operation of the facility, has occurred. At the time of review, to ensure compliance with applicable laws and conditions of Conditional Use Permit, conditions of approval may be added, deleted, modified, or the Conditional Use Permit may be revoked.



**COMMUNITY ACTION PARTNERSHIP OF SAN LUIS OBISPO COUNTY
NEIGHBORHOOD RELATIONS PLAN
RAILROAD SAFE PARKING**

In order to mitigate potential impacts of the Railroad Square Safe Parking Program activities, Community Action Partnership of San Luis Obispo County (CAPSLO) will implement the following processes/procedures:

- A. CAPSLO will provide various methods in which the community may contact the organization. During business hours (Monday through Friday, 8am-5pm) concerned community members can contact the CAPSLO administrative office to communicate any concerns they may have. After business hours, CAPSLO maintains a confidential hotline that can be accessed via telephone (805.549.6899) or email (hotline@capslo.org). These contacts are posted on the CAPSLO website (under Contact Us). All concerns are given to, and reviewed by, the Community Services Program Director, COO or CEO, and are promptly (within 24 business hours) addressed.
- B. All concerns or complaints will be documented, with copies given to the Community Services Program Director, COO and/or CEO, who review, contact the complainant and address the issue within 24 business hours.
- C. All participants within the Railroad Square Safe Parking Program must initial and sign the Program Rules which advises participants, in writing, of their obligation to comply with applicable laws and established protocols which address and prevent repeated violation of laws, which have adverse neighborhood or community impacts.
- D. CAPSLO staff is provided with information pertaining to emergency contact procedures during initial training. Police and/or Fire are always contacted in an emergency.
- E. All CAPSLO facilities undergo yearly in-depth inspections by the Facilities and Maintenance Division to identify any large-scale needs. On a quarterly basis, Facilities inspects the facility to develop a “punch list” of needs that are to be addressed in the next 90 days. The Community Services Program Director also conducts a monthly walk-through of facility needs. Work orders that are submitted to the Facilities Division with timeframes for completion. Emergency issues are dealt with immediately.
- F. The project site will maintain security cameras and outdoor lighting for the Safe Parking Program location.
- G. Participants of the Safe Parking Program who are denied or suspended from the program are provided with the San Luis Obispo County Community Services tri-fold resource list as well as a list of Food Distribution Sites for SLO County.

- H. CAPSLO will mail all businesses within a ¼ mile radius their contact information should business owners have concerns regarding the Safe Parking Program. In the case any changes occur to the Safe Parking Program, neighboring businesses within the ¼ mile radius will be notified.
- I. CAPSLO will meet whenever needed and requested by the City and/or other community groups to review reports, issues and policies.

**Community Action Partnership
Railroad Square Safe Parking Program
Rules**

I, agree to abide by the rules and regulations of the Railroad Square's Safe Parking Program.

Please initial all items:

- _____ Program Participants must be enrolled in Case Management to facilitate their transition to more permanent housing.
- _____ Program Participants shall not use or possess any drugs or alcohol either on their person or in their vehicle.
- _____ Program Participants shall not possess any weapons or firearms of any kind either on their person or in their vehicle.
- _____ No fires of any kind shall be permitted.
- _____ No music may be played that is audible outside Program Participants' vehicles.
- _____ No cooking or food preparation shall be performed outside of the Program Participant's vehicles.
- _____ Camping tarps or equipment beyond the top of the Program Participant's vehicle are prohibited.
- _____ Only one vehicle is allowed per Program Participant at the site.
- _____ Overnight parking is limited to the hours between 7:00 p.m. and 7:00 a.m.
- _____ At least one Program Participant per vehicle shall possess a current driver's license, vehicle registration, and insurance for the vehicle that will be parked overnight.
- _____ Utilities such as water, electricity or gas shall not be connected to RVs or other vehicles.
- _____ Vehicles may only be occupied by Program Participants and approved registered household members. Guests are not allowed.