

## RESOLUTION NO. PC-XXXX-25

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO APPROVING FIVE SITES FOR THE ROTATING OVERNIGHT SAFE PARKING PILOT PROGRAM THAT PROVIDES INDIVIDUALS EXPERIENCING HOMELESSNESS A SAFE PLACE TO TEMPORARILY PARK A VEHICLE OVERNIGHT TO FACILITATE THE TRANSITION TO PERMANENT HOUSING, WITH STATUTORY AND CATEGORICAL EXEMPTION FROM ENVIRONMENTAL REVIEW; APPLICANT CAPSLO; LOCATIONS 1545 CALLE JOAQUIN, 25 PRADO ROAD, 680 INDUSTRIAL WAY, 2075 JOHNSON AVE, AND 317 FOOTHILL BLVD**

**WHEREAS**, on December 10, 2014, the Planning Commission of the City of San Luis Obispo approved a conditional use permit for the 40 Prado Homeless Services Center (USE-0413-2014) that included 7 overnight safe parking spaces, to be administered by the Community Action Partnership of San Luis Obispo (CAPSLO), a qualified social service provider; and

**WHEREAS**, on January 24, 2024, the Planning Commission approved an amendment to CAPSLO's conditional use permit to allow an additional 5 overnight safe parking spaces at the 40 Prado Homeless Services Center; and

**WHEREAS**, on July 6, 2021, the City Council adopted Resolution No. 11264 (2021 Series), authorizing emergency actions in response to the COVID-19 pandemic, and the City and CAPSLO implemented the Railroad Safe Parking Program from April 2021 to August 2023, under the City's Emergency Proclamation to provide safe shelter options for individuals and families experiencing homelessness during the COVID-19 Pandemic; and

**WHEREAS**, on March 21, 2023, the City Council adopted Resolution No. 11403 approving the Homelessness Response Strategic Plan that identifies the need for additional safe parking locations in conjunction with San Luis Obispo County's Countywide Plan to Address Homelessness; and

**WHEREAS**, on July 12, 2023, the Planning Commission approved a Conditional Use Permit (USE-0304-2023) to establish CAPSLO, a qualified social services provider with a proven track record of successfully facilitating the transition to permanent housing for participants of their operating overnight safe parking program in the City, as the Overnight Safe Parking Program Administrator to oversee overnight safe parking sites at various locations in the City in addition to the overnight safe parking program at the 40 Prado Homeless Services Center; and

**WHEREAS**, 2024 Point-in-Time Count data demonstrated the continued need for safe parking opportunities to accommodate the 140 individuals who reported a vehicle as their sleeping accommodation in the City of San Luis Obispo; and

**WHEREAS**, the Community Development Director has received and referred the request for Director's Action for the initial inclusion of five proposed sites as part of the Rotating Overnight Safe Parking Program to the Planning Commission pursuant to San Luis Obispo Municipal Code (SLOMC) § 17.108.010; and

**WHEREAS**, on January 22, 2025, 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, for the purpose of considering Director's Action application numbers DIR-0612-2024, DIR-0639-2024, DIR-0640-2024, DIR-0641-2024 & DIR-0642-2024; and

**WHEREAS**, notice of said public hearing was made at the time and in the manner required by law; and

**WHEREAS**, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

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

**Section 1.** Environmental Review.

The proposed Program has been evaluated at each of the proposed site locations, and as the Program is intended to serve as a Low Barrier Navigation Center, it is a use by right/ministerial activity exempt from the California Environmental Quality Act (CEQA) by California Government Code Section 65660(b), in accordance with CEQA Guidelines Section 15268 (exemption for ministerial projects) and 15061(b)(1). Additionally, under California Public Resources Code Section 21080.10(c) (pursuant to SB 1361), actions taken by local agencies to approve a contract for providing services for people experiencing homelessness are exempt from CEQA review. Issuing this Director's Action Permit will allow the City to enter into an agreement with CAPSLO to provide services for people experiencing homelessness. The project is also exempt under the Class 32 categorical exemption for in-fill development (CEQA Guidelines Section 15332.) Finally, the project has no potential for causing a significant effect on the environment and is therefore exempt under CEQA Guidelines Section 15061(b)(3).

**Section 2.** Findings. The Planning Commission hereby determines that the proposed five sites for inclusion in the Rotating Overnight Safe Parking Pilot Program are consistent with findings required for Directors Action per SLOMC Section 17.108.040, Conditional Use Permit (USE-0304-2023) and meet all requirements of SLOMC 17.86.230 for Safe Parking for the purposes of facilitating the transition to permanent housing based on the following facts:

Findings for Director's Action (SLOMC 17.108.030)

1. Complete application packages have been received by the City including information and materials specified by SLOMC 17.86.230 allowing a thorough review of the proposed request;
2. The application was reviewed for location, design, configuration on the effect of the proposed action on adjacent properties, in compliance with SLOMC 17.86.230; and
3. City staff have performed on-site inspections for the proposal and have confirmed the request complies with all of the applicable criteria and provisions identified in SLOMC Chapter 17.108.

*I. 1545 Calle Joaquin*

1. The site is part of the Rotating Overnight Safe Parking Pilot Program operated by CAPSLO, an organization with demonstrated success operating overnight safe parking programs in the City, and who has submitted a site plan, hours of operation, a Monitoring and Oversight Plan, and a Neighborhood Relations Plan as required in conformance with (USE-0304-2023) and SLOMC 17.86.230;
2. The site location meets SLOMC 17.10.020 Table 2-1 because it is located in the Tourist Commercial (CT) district and will accommodate 12 vehicle spaces and operate between the hours of 6:00 p.m. to 7:00 a.m.;
3. As conditioned and shown on submitted site plan, the property conforms to the 50-foot residential buffer standards in conformance with (USE-0304-2023) and SLOMC 17.86.230;
4. As conditioned and shown on submitted site plan, participants will have access to restrooms, as well as water and trash facilities during program operating hours;
5. As conditioned, all program participants will be enrolled in case management to facilitate transition to permanent housing; and
6. As conditioned, CAPSLO will require, and all program participants will provide sufficient participant and vehicle information and agree to the rules of program operation in conformance with (USE-0304-2023) and SLOMC 17.86.230 prior to site operation.

*II. 25 Prado Road*

1. The site is part of the Rotating Overnight Safe Parking Pilot Program operated by CAPSLO, an organization with demonstrated success operating overnight safe parking programs in the City, and who has submitted a site plan, hours of operation, a Monitoring and Oversight Plan, and a Neighborhood Relations Plan as required in conformance with (USE-0304-2023) and SLOMC 17.86.230;

2. The site location meets SLOMC 17.10.020 Table 2-1 because it is located in the Public Facilities (PF) district and will accommodate 12 vehicle spaces and operate between the hours of 6:00 p.m. to 6:00 a.m.;
3. As conditioned and shown on submitted site plan, the property conforms to the 50-foot residential buffer standards in conformance with (USE-0304-2023) and SLOMC 17.86.230;
4. As conditioned and shown on submitted site plan, participants will have access to restrooms, as well as water and trash facilities during program operating hours;
5. As conditioned, all program participants will be enrolled in case management to facilitate transition to permanent housing; and
6. As conditioned, CAPSLO will require, and all program participants will provide sufficient participant and vehicle information and agree to the rules of program operation in conformance with (USE-0304-2023) and SLOMC 17.86.230 prior to site operation.

### *III. 680 Industrial Way*

1. The site is part of the Rotating Overnight Safe Parking Pilot Program operated by CAPSLO, an organization with demonstrated success operating overnight safe parking programs in the City, and who has submitted a site plan, hours of operation, a Monitoring and Oversight Plan, and a Neighborhood Relations Plan as required in conformance with (USE-0304-2023) and SLOMC 17.86.230;
2. The site location meets SLOMC 17.10.020 Table 2-1 because it is located in the Public Facilities (PF) district and will accommodate 12 vehicle spaces and operate between the hours of 6:00 p.m. to 7:00 a.m.;
3. As conditioned and shown on submitted site plan, the property conforms to the 50-foot residential buffer standards in conformance with (USE-0304-2023) and SLOMC 17.86.230;
4. As conditioned and shown on submitted site plan, participants will have access to restrooms, as well as water and trash facilities during program operating hours;
5. As conditioned, all program participants will be enrolled in case management to facilitate transition to permanent housing; and
6. As conditioned, CAPSLO will require, and all program participants will provide sufficient participant and vehicle information and agree to the rules of program operation in conformance with (USE-0304-2023) and SLOMC 17.86.230 prior to site operation.

#### *IV. 2075 Johnson Ave*

1. The site is part of the Rotating Overnight Safe Parking Pilot Program operated by CAPSLO, an organization with demonstrated success operating overnight safe parking programs in the City, and who has submitted a site plan, hours of operation, a Monitoring and Oversight Plan, and a Neighborhood Relations Plan as required in conformance with (USE-0304-2023) and SLOMC 17.86.230;
2. The site location meets SLOMC 17.10.020 Table 2-1 because it is located in the Medium Density Residential (R-2) district, accessory to a religious assembly facility use, and will accommodate 12 vehicle spaces and operate between the hours of 6:00 p.m. to 7:00 a.m.;
3. As conditioned and shown on submitted site plan, the property conforms to the 50-foot residential buffer standards in conformance with (USE-0304-2023) and SLOMC 17.86.230;
4. As conditioned and shown on submitted site plan, participants will have access to restrooms, as well as water and trash facilities during program operating hours;
5. As conditioned, all program participants will be enrolled in case management to facilitate transition to permanent housing; and
6. As conditioned, CAPSLO will require, and all program participants will provide sufficient participant and vehicle information and agree to the rules of program operation in conformance with (USE-0304-2023) and SLOMC 17.86.230 prior to site operation.

#### *V. 317 Foothill Blvd*

1. The site is part of the Rotating Overnight Safe Parking Pilot Program operated by CAPSLO, an organization with demonstrated success operating overnight safe parking programs in the City, and who has submitted a site plan, hours of operation, a Monitoring and Oversight Plan, and a Neighborhood Relations Plan as required in conformance with (USE-0304-2023) and SLOMC 17.86.230;
2. The site location meets SLOMC 17.10.020 Table 2-1 because it is located in the Low Density Residential (R-1) district, accessory to a religious assembly facility use, and will accommodate 12 vehicle spaces and operate between the hours of 6:00 p.m. to 7:00 a.m.;
3. As conditioned and shown on submitted site plan, the property conforms to the 50-foot residential buffer standards in conformance with (USE-0304-2023) and SLOMC 17.86.230;
4. As conditioned and shown on submitted site plan, participants will have access to restrooms, as well as water and trash facilities during program operating hours;

5. As conditioned, all program participants will be enrolled in case management to facilitate transition to permanent housing; and
6. As conditioned, CAPSLO will require, and all program participants will provide sufficient participant and vehicle information and agree to the rules of program operation in conformance with (USE-0304-2023) and SLOMC 17.86.230 prior to site operation.

**SECTION 3. Action.** The Planning Commission hereby grants final approval to the project with incorporation of the following conditions:

1. This Director's Action Permit can be referred to the Planning Commission for review 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 Director's Action Permit or of City ordinances or regulations has occurred, or due to Police Department response. At the time of review, to ensure compliance with applicable laws and conditions of Director's Action Permit, conditions of approval may be added, deleted, or modified, or the Director's Action Permit may be revoked.
2. The project sites shall comply with all applicable conditions established under Planning Commission Resolution No. PC-1079-2023 (USE-0304-2023).
3. The cumulative duration of operation at each safe parking site as part of the CAPSLO Rotating Overnight Safe Parking Pilot Program shall be limited to no more than 120 days annually, beginning within one year of the approval date of this Director's Action Permit, and annually thereafter. Expansion, modification and/or change of the use, not substantially in conformance with this permit, shall require review and approval by the Community Development Department.
4. To ensure project compliance with USE-0304-2023 and SLOMC 17.86.230, a Memorandum of Understanding shall be executed between CAPSLO and the property owner for each host site. The Memorandum of Understanding shall memorialize the following rules and requirements for each site:
  - a. The maximum number of vehicles allowed as part of the Safe Parking Program shall be twelve (12) vehicles. The layout of the Safe Parking Program at the subject location shall be in substantial compliance with the approved site plan. Each site plan shall identify the location of the portable restroom, hand washing station, and trash and recycling facilities, as well as the designated ADA accessible parking space.

- b. 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. (with the exception of the 25 Prado site, which shall be limited to 7:00 p.m. to 6:00 a.m.). Check-in for the program shall not occur any earlier than 6:00 p.m.
- c. Signage shall be posted at each site that provides a description of the approved program and contact information for CAPSLO and the site host.
- d. No stormwater discharges shall be permitted; no leaks, spills, or other dumping shall occur. No vehicle maintenance activities shall be allowed. Any violations shall be the responsibility of CAPSLO.
- e. Noise-generating activities that violate the City's Noise Ordinance shall be prohibited.
- f. The Program Administrator shall implement the Neighborhood Relations Plan for the Safe Parking Program. Any changes to the Neighborhood Relations Plan shall be approved by the Community Development Director.
- g. The Program Administrator shall ensure that all participants acknowledge and sign the Participant Agreement prior to participation. The Participant Agreement shall include all terms and conditions set forth in SLOMC 17.86.230(E)(9). Any changes to the Participant Agreement shall be approved by the Community Development Director.
- h. The Program Administrator shall implement a Monitoring and Oversight Plan for the Safe Parking Program.
- i. Any changes to the Overnight Monitoring Plan shall be approved by the Community Development Director. The Program Administrator shall provide restroom, water, and trash facilities for participant use during program hours. Trash and restroom maintenance shall be provided at least twice per week, or as otherwise stipulated by the Public Works Director. Restrooms and trash facilities may be stored on site during the duration of the program and shall be locked and secured from any public use outside of the program operating hours, subject to the satisfaction of the Public Works Director.
- j. The subject property shall be maintained in a clean and orderly manner at all times, free of excessive leaves, branches, and other materials. The Program Administrator shall be responsible for the clean-up of any landscape material in the public right-of-way, subject to the satisfaction of the Public Works Director.

5. Indemnification. The Program Administrator 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 of the Indemnified Claim.
  
6. Expiration of Entitlement. If the Program is not implemented within three years of this discretionary action, the approval shall expire. Requests for renewals may be granted in conformance with Section 17.104.070.

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 22<sup>nd</sup> day of January 2025.

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Tyler Corey, Secretary  
Planning Commission