


Agenda Report Reviewed by:  
 City Manager: 

**CITY OF SEBASTOPOL  
 CITY COUNCIL  
 AGENDA ITEM**

**Meeting Date:** January 18, 2022  
**To:** Honorable Mayor and City Councilmembers  
**From:** Chief of Police Kevin Kilgore  
**Subject:** Public Hearing: An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code. - Recreational Vehicle Parking Ordinance Draft  
**Recommendation:** That the City Council conduct the public hearing and receive public comment and Introduce for First Reading and Waive Further Reading of Ordinance Number XXXX  
**Funding:** Currently Budgeted: \_\_\_\_\_ Yes  No \_\_\_\_\_ N/A

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

**INTRODUCTION/PURPOSE:**

The item is for Council to receive and discuss parking policy options, conduct the public hearing and receive public comment and Introduce for First Reading and Waive Further Reading of Ordinance Number XXXX, An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code.

**BACKGROUND:**

On November 30, 2021, the City Council held a Special City Council Meeting to discuss the RV Safe Parking Village proposal. During that meeting, the City Council committed to addressing the parking issues and challenges that have occurred on Morris Street. As a result, Council directed City Staff to complete a preliminary draft of possible options related to parking policies. On December 21, 2021, City Council received a staff report with four parking policy options, including:

- Option 1: Adopt an ordinance of no street parking of oversized vehicles (e.g., RVs, trailers, buses, etc.) in residential neighborhoods at any time.
- Option 2: Adopt an ordinance of no parking of oversized vehicles (e.g., RVs, trailers, buses, etc.) in commercial and industrial areas between 7:30am and 10:00pm
- Option 3: Adopt an ordinance of timed daylight parking in commercial and industrial areas (e.g., 3-hr. parking)
- Option 4: Adopt an ordinance that incorporates one or more of the above options

\*Note: An adoption of any ordinance requires a first and second reading and a subsequent 30-day notice

At Council’s direction, City Staff was tasked with drafting a parking policy ordinance that addressed recreational vehicle parking in residential, commercial, and industrial zoned areas of the City, along with an option for permitted short-term stay exceptions in residential zoned areas of the City.

**DISCUSSION:**

Tonight's item is to present to the City Council the proposed Recreational Vehicle Parking Ordinance draft in the City of Sebastopol.

After speaking with legal counsel about the legal foundation needed to move forward with parking policies and restrictions within the City of Sebastopol, the attached Recreational Vehicle Parking Ordinance draft is presented to the Council for consideration. The ordinance before the Council tonight is to define an ordinance that builds the most fair, consistent and sound ordinance possible for the City of Sebastopol community. Either Ordinance seeks to balance compassion and accountability while maintaining the health and safety of Sebastopol.

Key highlights of the ordinance (with no permit provisions) are listed below:

- Definition of RV Vehicles: "Recreational vehicle" or "RV" means a motorhome, travel trailer, truck camper, camping trailer, or other vehicle or trailer, with or without motive power, designed or altered for human habitation for recreational, emergency, or other human occupancy. "Recreational vehicle" specifically includes, but is not limited to: a "recreational vehicle" as defined by California Health and Safety Code Section 18010; a "truck camper" as defined by Health and Safety Code Section 18013.4; a "camp trailer" as defined in California Vehicle Code Section 242; a "camper" as defined in California Vehicle Code Section 243; a "fifth-wheel travel trailer" as defined in California Vehicle Code Section 324; a "house car" as defined by California Vehicle Code Section 362; a "trailer coach" as defined in California Vehicle Code Section 635; a van camper; or a van conversion
- It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned residential at any time.
- It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned commercial, industrial, or community facility at any time between the hours of 7:30am and 10:00pm.
- It is unlawful for a person to park or leave standing any recreational vehicle on any park, square, or alley at any time.
- It is unlawful for a person to park or leave standing any recreational vehicle in any city-owned parking lot at any time unless that person is conducting city-related business during business hours at the location for which the parking lot is designated.

Key highlights of the ordinance (with permit provisions) are listed below (in addition to those listed above):

- Permits would be issued by Sebastopol Police Department.
- Persons holding a valid RV permit issued pursuant to this chapter may park the recreational vehicle for which the permit was issued on a street in a residential zoned area, provided the recreational vehicle is parked along the curb line within the same block as the residence listed in the application for which the permit is issued and the permit is valid.
- RV permits will be issued for a period not to exceed 7 days. Applicants may request an additional 7-day extension. No RV permit will be issued for a residential address for more than 14 total calendar days in any consecutive six-month period.
- If this ordinance was to be approved, staff would return with a separate resolution for fees for permits.

The Ad Hoc Committee for the Unhoused has reviewed the draft ordinance submitted by the Chief of Police. On balance, the Ad Hoc Committee is in support of the draft ordinance without the permit provisions, subject to input from the community and discussion by our fellow City Councilmembers. It is our opinion that the ordinance (without permit provisions) is a simple, uncomplicated, enforceable compromise that recognizes and takes into consideration the needs of multiple community interests, including the unhoused, our businesses, residents, and the community at large. It meets the goals set by the City Council on November 30 to develop a practical, enforceable, realistic parking plan to clear long-term encampments on Morris Street and to make changes in parking rules to prevent future collection of overnight lived-in vehicles on that street, as well as in neighborhoods and elsewhere in town. Additionally, the Committee would like to explore timed parking and has recommended that the Chief of Police provide location(s) and hour(s) of timed parking in commercial, industrial, and community facility zoned areas of the City. Streets under consideration include, but are not limited to, Morris Street, Laguna Park Way, and parts of Johnson Street.

**GOALS:**

This action supports the following City Council Goals and General Plan Actions:

5.1: Expand and Encourage Community Involvement in the Government Process by Increasing the Public's Understanding of local Government Operations and Increasing Interaction with Elected Officials

5.3.3 Encourage and increase public awareness of City Policies, decisions, programs and all public processes and meetings, by investigating effective methods of communication and obtaining feedback from the community.

Goal CSF 6, Policy CSF 6-1: Continue to maximize public participation in local government actions and maintain excellent levels of City government service.

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has received one public comment (see attached). Staff anticipates receiving additional public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

**PUBLIC NOTICE:**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

**FISCAL IMPACT:**

The fiscal impact in its entirety is unknown at this time. Should the Council choose to move forward with the permitted short-term stay exceptions of the Recreational Vehicle Parking Ordinance draft, a staff assessment will need to be conducted in order to determine how many additional staff will be needed to properly manage the permit program.

With the Recreational Vehicle Parking Ordinance draft as proposed, excluding the permitted short-term stay exceptions, it is necessary to convert the 0.75-time employee of the Sebastopol Police Department to full-time employment status (estimated \$20,000 - \$25,000 cost increase) and create one new full-time employee position (estimated with a base pay range of \$49,714 to \$60,420 plus benefits) or two new part-time employee positions (estimated with an approximate hourly pay rate of \$25.00/hour plus the cost of uniforms borne by the City) within

the City, whether that position fall within the Sebastopol Police Department or another City department, to respond to calls for service related to parking-specific issues.

An additional vehicle and required equipment outfitting (estimated \$60,000) is necessary for the additional staffing. Moreover, there will be added costs for the creation and installation of signage (estimated \$355 per sign for materials and labor by Public Works) primarily in commercial, industrial, and community facility zoned areas and City-owned parking lots.

**RECOMMENDATION:**

Staff recommends the Sebastopol City Council Receive and Discuss the report and:

1. Introduce for First Reading and Waive Further Reading of Ordinance Number XXXX, An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code (no permit process)
2. Introduce for First Reading and Waive Further Reading of Ordinance Number XXXX, An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code (permit process);
  - a. Direct staff to return with Resolution Setting User Fees for Permits
  - b. Direct staff to return with an agenda item with:
    - i. Results of staffing assessment and recommendations for actual staffing personnel and costs
    - ii. Recommendations for costs of staff vehicle and equipment
    - iii. Recommendation for actual costs of signage
3. Provide direction to staff for modifications to either ordinance
4. Provide direction to staff to return to Council with locations and hours of timed parking in commercial, industrial, and community facility zoned areas of the City. Streets under consideration include, but are not limited to, Morris Street, Laguna Park Way, and parts of Johnson Street.

**Attachments:**

Recreational Vehicle Parking Ordinance Drafts Public Comment

Received as of Posting of Packet

ORDINANCE NUMBER \_\_\_\_

FIRST READING AND INTRODUCTION

**AN ORDINANCE OF THE CITY OF SEBASTOPOL ADDING CHAPTER 10.76, and AMENDING  
CHAPTER 10.36 OF THE SEBASTOPOL MUNICIPAL CODE**

WHEREAS, the public interest will best be served by having a clear and concise understanding of Recreational Vehicles (RV) rules and regulations of Sebastopol; and

WHEREAS, on November 30, 2021, the City of Sebastopol City Council approved Resolution Number 6386-2021, A Resolution of the City Council of the City of Sebastopol Proclaiming the Existence of a Local Homeless Emergency; and

WHEREAS, at the November 30, 2021 meeting, City Council directed staff to Provide Recommendations for Parking Changes on Morris Street, Laguna Park Way, as well as City-Wide parking changes recommendations; and

WHEREAS, conditions of extreme peril to the safety of persons and property has arisen within the City as to homeless in general and particularly as to those who are living in RVs or cars on Morris Street and Laguna Park Way, and that action is needed; and

WHEREAS, the City of Sebastopol Police Department has recommended that there be parking restrictions for oversized and recreational vehicle; and

WHEREAS, The City Council has reviewed the Police Department's recommendations and desires to amend the Sebastopol Municipal Code; and

WHEREAS, The City Council finds that the proposed changes are in the best health, safety, and welfare interests of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN THE ADDING OF CHAPTER 10.76 AND AMENDMENT OF CHAPTER 10.36 AS FOLLOWS:

**SECTION 1.** Recitals. The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** Amending of Chapter 10.36, Stopping Standing and Parking for Certain Purposes or in Certain Places: Chapter 10.36.010(B), is hereby amended to read as follows:  
The provisions of this chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or the ordinances of this City, *including the Recreational Vehicle Parking Ordinance contained in Chapter 10.76*, prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

**SECTION 3.** Adding of Chapter 10.76: Chapter 10.76, Recreational Vehicle Parking, is hereby added to Sebastopol Municipal Code to read as follows:

**Recreational Vehicle Parking Ordinance**

Chapter 10.76. – **Recreational Vehicle Parking Ordinance**

Sections:

- 10.76.010 Title.
- 10.76.020 Findings and purpose.
- 10.76.030 Definitions
- 10.76.040 Parking Prohibited
- 10.76.050 Exceptions
- 10.76.060 Notice
- 10.76.070 Prohibited Activities
- 10.76.080 Violations

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**10.76.010 Title.**

This chapter shall be known as the “Recreational Vehicle Parking Ordinance.”

**10.76.020 Findings and purpose:**

The regulations enacted by this chapter are intended to ensure there is adequate parking for residents of the city and to regulate the parking of vehicles actively used as sleeping accommodations.

**10.76.030 Definitions**

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

“Homeowner” means any person who owns their home.

“Out-of-town visitor” means any natural person who does not reside in the city and who is temporarily visiting a resident of the city.

“Recreational vehicle” or “RV” means a motorhome, travel trailer, truck camper, camping trailer, or other vehicle or trailer, with or without motive power, designed or altered for human habitation for recreational, emergency, or other human occupancy. “Recreational vehicle” specifically includes, but is not limited to: a “recreational vehicle” as defined by California Health and Safety Code Section 18010; a “truck camper” as defined by Health and Safety Code Section 18013.4; a “camp trailer” as defined in California Vehicle Code Section 242; a “camper” as defined in California Vehicle Code Section 243; a “fifth-wheel travel trailer” as defined in California Vehicle Code Section 324; a “house car” as defined by California Vehicle Code Section 362; a “trailer coach” as defined in California Vehicle Code Section 635; a van camper; or a van conversion.

“Tenant” means any person who occupies land or property rented from a landlord.

### **10.76.040 Parking Prohibitions**

A. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned residential at any time.

B. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned commercial, industrial, or community facility at any time between the hours of 7:30am and 10:00pm.

C. It is unlawful for a person to park or leave standing any recreational vehicle on any park, square, or alley at any time.

D. It is unlawful for a person to park or leave standing any recreational vehicle in any city-owned parking lot at any time unless that person is conducting city-related business during business hours at the location for which the parking lot is designated.

E. It is unlawful for a person to park or leave standing any recreational vehicle less than 30 feet from the corner of any street so as not to impeded site visibility for other motorists.

### **10.76.050 Exceptions**

The prohibitions of this section do not apply to:

A. Recreational vehicles parked or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed 48 hours.

B. Recreational vehicles parked or left standing on any public street in the city that is zoned residential so as to allow the performance of a homeowner, tenant, or out-of-town visitor to load/unload the vehicle for a period not to exceed 48 hours.

C. Nothing in the ordinance is applicable to commercial vehicles providing services to businesses, such as the delivery or picking up of goods or vehicles otherwise approved by other City of Sebastopol departments through that department's permitting process (e.g., construction vehicles).

### **10.76.060 Notice**

Signs giving reasonable notice of the prohibitions contained in this chapter will be erected within the city as required by the California Vehicle Code.

### **10.76.070 Prohibited Activities**

No person shall:

- A. Run electrical cords, extension cords, hoses, cables, or other items across, above, or on the parkway or sidewalk from any property to a recreational vehicle parked on a public street at any time;
- B. Make a sewer connection with a recreational vehicle or dump wastes from a recreational vehicle onto public or private land other than a designated RV dump. Violation of this subsection is a misdemeanor.

**10.76.080 Violations**

Unless otherwise specified, all violations of this chapter shall be an infraction and such persons shall be subject to citation, towing or both. Parking citations may be appealed under California Vehicle Code 40215 et seq.

**SECTION 4.** CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

**SECTION 5.** Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6.** Effective Date. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law. This Ordinance shall take effect and be in full force and effect on \_\_\_\_\_.

APPROVED FOR WAIVING OF FIRST READING AND INTRODUCTION OF ORDINANCE at the Regular City Council Meeting of January 18, 2022.

SCHEDULED FOR SECOND READING AND ADOPTION OF ORDINANCE at a Regular City Council Meeting scheduled for February 1, 2022.

- VOTE:
- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

APPROVED: \_\_\_\_\_  
Mayor Patrick Slayter

ATTEST: \_\_\_\_\_  
Mary Gourley, Assistant City Manager/City Clerk, MMC



APPROVED AS TO FORM: \_\_\_\_\_  
Larry McLaughlin, City Attorney

5039761.1

ORDINANCE NUMBER \_\_\_\_

FIRST READING AND INTRODUCTION

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WHEREAS, conditions of extreme peril to the safety of persons and property has arisen within the City as to homeless in general and particularly as to those who are living in RVs or cars on Morris Street and Laguna Park Way, and that action is needed; and

WHEREAS, the City of Sebastopol Police Department has recommended that there be parking restrictions for oversized and recreational vehicle; and

WHEREAS, The City Council has reviewed the Police Department's recommendations and desires to amend the Sebastopol Municipal Code; and

WHEREAS, The City Council finds that the proposed changes are in the best health, safety, and welfare interests of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN THE ADDING OF CHAPTER 10.76 AND AMENDMENT OF CHAPTER 10.36 AS FOLLOWS:

**SECTION 1.** Recitals. The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** Amending of Chapter 10.36, Stopping Standing and Parking for Certain Purposes or in Certain Places: Chapter 10.36.010(B), is hereby amended to read as follows:

The provisions of this chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or the ordinances of this City, *including the Recreational Vehicle Parking Ordinance contained in Chapter 10.76*, prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

**SECTION 3.** Adding of Chapter 10.76: Chapter 10.76, Recreational Vehicle Parking, is hereby added to Sebastopol Municipal Code to read as follows:

**Recreational Vehicle Parking Ordinance**

Chapter 10.76. – **Recreational Vehicle Parking Ordinance**

Sections:

- 10.76.010 Title.
- 10.76.020 Findings and purpose.
- 10.76.030 Definitions
- 10.76.040 Parking Prohibited
- 10.76.050 Exceptions
- 10.76.060 RV Parking Permits
- 10.76.070 Duration and Limits
- 10.76.080 RV Parking Permit Application
- 10.76.090 RV Parking Permit Issuance
- 10.76.100 RV Parking Permit Display
- 10.76.110 RV Parking Permit Revocation
- 10.76.120 RV Parking Permit Fees
- 10.76.130 RV Parking Permit Appeals
- 10.76.140 Notice
- 10.76.150 Prohibited Activities
- 10.76.160 Violations

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**10.76.010 Title.**

This chapter shall be known as the “Recreational Vehicle Parking Ordinance.”

**10.76.020 Findings and purpose:**

The regulations enacted by this chapter are intended to ensure there is adequate parking for residents of the city and to regulate the parking of vehicles actively used as sleeping accommodations.

**10.76.030 Definitions**

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

“Homeowner” means any person who owns their home.

“Out-of-town visitor” means any natural person who does not reside in the city and who is temporarily visiting a resident of the city.

“Recreational vehicle” or “RV” means a motorhome, travel trailer, truck camper, camping trailer, or other vehicle or trailer, with or without motive power, designed or altered for human habitation for recreational, emergency, or other human occupancy. “Recreational vehicle” specifically includes, but is not limited to: a “recreational vehicle” as defined by California Health and Safety Code Section 18010; a

“truck camper” as defined by Health and Safety Code Section 18013.4; a “camp trailer” as defined in California Vehicle Code Section 242; a “camper” as defined in California Vehicle Code Section 243; a “fifth-wheel travel trailer” as defined in California Vehicle Code Section 324; a “house car” as defined by California Vehicle Code Section 362; a “trailer coach” as defined in California Vehicle Code Section 635; a van camper; or a van conversion.

“Tenant” means any person who occupies land or property rented from a landlord.

#### **10.76.040 Parking Prohibitions**

A. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned residential at any time.

B. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the city that is zoned commercial, industrial, or community facility at any time between the hours of 7:30am and 10:00pm.

C. It is unlawful for a person to park or leave standing any recreational vehicle on any park, square, or alley at any time.

D. It is unlawful for a person to park or leave standing any recreational vehicle in any city-owned parking lot at any time unless that person is conducting city-related business during business hours at the location for which the parking lot is designated.

E. It is unlawful for a person to park or leave standing any recreational vehicle less than 30 feet from the corner of any street so as not to impeded site visibility for other motorists.

#### **10.76.050 Exceptions**

The prohibitions of this section do not apply to:

A. Recreational vehicles parked or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed 48 hours.

B. Recreational vehicles parked or left standing on any public street in the city that is zoned residential so as to allow the performance of a homeowner, tenant, or out-of-town visitor to load/unload the vehicle for a period not to exceed 48 hours.

C. Nothing in the ordinance is applicable to commercial vehicles providing services to businesses, such as the delivery or picking up of goods or vehicles otherwise approved by other City of Sebastopol departments through that department’s permitting process (e.g., construction vehicles).

#### **10.76.060 RV Parking Permits**

A. The Sebastopol Police Department has the authority to issue RV permits and to revoke such permits in accordance with the provisions of this chapter.

B. Persons holding a valid RV permit issued pursuant to this chapter may park the recreational vehicle for which the permit was issued on a street in a residential zoned area, provided the recreational vehicle is parked along the curb line within the same block as the residence listed in the application for which the permit is issued and the permit is valid. If the residence is located on a corner, then the permit holder may park along the curb line of either of the streets on the block on which the residence is located.

C. Except as expressly provided in this chapter, a RV permit does not authorize any vehicle to park in a location or manner that is otherwise prohibited by this code or by the California Vehicle Code.

D. A RV permit does not guarantee the availability of parking at any time.

#### **10.76.070 Duration and Limits**

A. RV permits will be valid for up to 7 days. No more than one RV permit shall be issued for each residential address in the city.

B. RV permits will be issued for a period not to exceed 7 days. Applicants may request an additional 7-day extension. No RV permit will be issued for a residential address for more than 14 total calendar days in any consecutive six-month period, regardless of the number of out-of-town visitors during that period of time.

#### **10.76.080 RV Parking Permit Application**

A. Every resident desiring a RV permit for their own recreational vehicle or a recreational vehicle under their possession and control shall file an application with the Sebastopol Police Department containing the following information:

1. The name, residential address and phone number of the resident applying for the permit along with proof of residency, such as a current driver's license or identification card, property tax bill, or public utility bill;

2. The name, address, and phone number of the registered owner of the recreational vehicle for which a permit is sought along with a copy of the vehicle registration from the California Department of Motor Vehicles or equivalent agency from another state. If the resident applying for the RV permit is not the registered owner, a letter of authorization from the registered owner shall be included;

3. The license number, year, make, model, and color of the recreational vehicle and its dimensions as to width, height, and length;

4. The dates for which the permit is desired; and

5. Any additional information the Sebastopol Police Department may reasonably require.

B. An application for a RV permit for a guest may be filed by the resident and the out-of-town visitor. The application shall include the following:

1. The name, residential address and phone number of the resident that the out-of-town visitor will be visiting;
2. The name, address, and phone number of the registered owner of the recreational vehicle for which a permit is sought along with a copy of the vehicle registration from the California Department of Motor Vehicles or equivalent agency from another state. If the resident and out-of-town visitor applying for the RV permit is not the registered owner, a letter of authorization from the registered owner shall be included;
3. The license number, year, make, model, and color of the recreational vehicle and its dimensions as to width, height, and length;
4. The dates for which the permit is desired; and
5. Any additional information the Sebastopol Police Department may reasonably require.

#### **10.76.090 RV Parking Permit Issuance**

A. The Sebastopol Police Department shall issue a RV permit unless one of the following findings is made:

1. The applicant is not a city resident;
2. The resident is not the registered owner of the recreational vehicle and does not have the required letter of authorization from the registered owner to use such vehicle;
3. A RV permit has already been issued for a resident at the listed address;
4. There are public safety concerns relating to the parking of the recreational vehicle on the street on which the parking would be provided, including but not limited to a street being too narrow to safely accommodate the recreational vehicle;
5. The street on which parking would be provided prohibits parking of all vehicles; or
6. The applicant provided information that was materially false.

B. The Sebastopol Police Department shall issue a RV permit for a guest unless one of the following findings is made:

1. The out-of-town visitor is not the registered owner of the recreational vehicle and have the required letter of authorization from the registered owner to use such vehicle;
2. There are public safety concerns relating to the parking of the recreational vehicle on the street on which the parking would be provided, including but not limited to a street being too narrow to safely accommodate the recreational vehicle;
3. The street on which parking would be provided prohibits parking of all vehicles;

4. The applicant provided information that was materially false;
5. The out-of-town visitor is not visiting the resident listed in the application;
6. The address associated with the resident that the out-of-town visitor is visiting has already exceeded the number of days allowed for a RV permit for guests in the previous six months; or
7. The resident that is being visited has unpaid parking citations issued by the City of Sebastopol.

#### **10.76.100 RV Parking Permit Display**

- A. All RV permits shall include the license plate number of the designated recreational vehicle, the date of issuance, the date of expiration, and the permit number.
- B. All RV permits shall be conspicuously displayed in the lower driver's side of the windshield or nearest window so that it is clearly visible from the exterior of the vehicle so that all information is visible in order to avoid a parking ticket. The possession of a valid, unexpired permit that was not properly displayed shall not be considered a defense to a citation for an illegally parked recreational vehicle.
- C. Any person who displays a counterfeit, forged, altered, or fraudulent RV permit is subject to citation, towing or both.

#### **10.76.110 RV Parking Permit Revocation**

- A. The Sebastopol Police Department shall have the authority to revoke a RV permit in the following circumstances:
  1. A ground exists which would have justified denial of the permit in the first instance;
  2. The recreational vehicle has fallen into a state of disrepair and has become a public nuisance;
  3. The recreational vehicle has created a disturbance in the neighborhood due to the manner in which it has been used;
  4. The recreational vehicle has become inoperable;
  5. There have been at least two parking citations issued for the recreational vehicle associated with the permit;
  6. There has been a violation of any of the items listed under Prohibited Activities
- B. The Sebastopol Police Department shall issue a notice of revocation in writing to the permittee specifying the effective date of the revocation, which date shall be at least two days after the date of service. Mailed notice shall be deemed served three days after deposit in the United States mail.
- C. The permittee shall have the right to appeal in accordance with the provisions of Section 10.76.130.

#### **10.76.120 RV Parking Permit Fees**

An application fee shall be included for the review and consideration of an RV permit. The amount of such fee shall be set by separate resolution.

#### **10.76.130 RV Parking Permit Appeals**

An administrative appeals process shall be available for applicants whose RV permit applications were denied or whose RV permits were revoked by the Sebastopol Police Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion, or wherein their decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review. A filing fee, as established by resolution of the City Council, shall be paid at the time of filing the written appeal. Upon receipt of the appeal, the City Clerk shall set the date for consideration thereof, and, not less than five calendar days prior thereto, shall give written notice to the appellant and to any known adverse parties of the time and place of the consideration of the appeal. Appeals shall be heard by the City Manager or the City Manager's designee. Decisions by the City Manager on any appeal shall be final and are not appealable to the City Council.

#### **10.76.140 Notice**

Signs giving reasonable notice of the prohibitions contained in this chapter will be erected within the city as required by the California Vehicle Code.

#### **10.76.150 Prohibited Activities**

No person shall:

- A. Run electrical cords, extension cords, hoses, cables, or other items across, above, or on the parkway or sidewalk from any property to a recreational vehicle parked on a public street at any time;
- B. Make a sewer connection with a recreational vehicle or dump wastes from a recreational vehicle onto public or private land other than a designated RV dump. Violation of this subsection is a misdemeanor.

#### **10.76.160 Violations**

Unless otherwise specified, all violations of this chapter shall be an infraction and such persons shall be subject to citation, towing or both. Parking citations may be appealed under California Vehicle Code 40215 et seq.

**SECTION 4.** CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

**SECTION 5.** Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council



hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6.** Effective Date. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law. This Ordinance shall take effect and be in full force and effect on \_\_\_\_\_.

APPROVED FOR WAIVING OF FIRST READING AND INTRODUCTION OF ORDINANCE at the Regular City Council Meeting of January 18, 2022.

SCHEDULED FOR SECOND READING AND ADOPTION OF ORDINANCE at a Regular City Council Meeting scheduled for February 1, 2022.

VOTE:  
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED: \_\_\_\_\_  
Mayor Patrick Slayter

ATTEST: \_\_\_\_\_  
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: \_\_\_\_\_  
Larry McLaughlin, City Attorney

5039100.3



**THE BARLOW**

City Council  
Police Department  
City Mayor

Subject: Parking ordinance comments for consideration and public comment

January 11, 2022

Dear Mayor Slayter, Chief Kilgore and City Councilmembers,

Thank you for working diligently on preparing a parking ordinance to restrict oversized vehicle parking on City streets throughout Sebastopol. As stakeholders in Sebastopol's commercial district, we do not feel like the revised ordinance addresses all concerns at hand, but we recognize the efforts towards finding solutions and believe that enforcing a new ordinance would greatly benefit residents and business owners in Sebastopol. With some slight modification to the proposed ordinance and support services from the City, we feel confident that conditions can improve.

We understand that an ordinance is being drafted to consider eliminating parking of oversized vehicles in all residential zones. We also understand that prohibiting parking of oversized vehicles in commercial zones between the hours of 6am and 10pm is being considered.

We would like the Police Chief and City Council to consider adjusting the no oversized vehicle parking hours from 10pm-6am to 11pm-6am. The Barlow has submitted an application to convert the vacant lot located at 385 Morris Street (commonly known as the Batch Plant) to a permanent parking lot. This lot would allow employees and guests to park in the lot from as early as 6:00am- midnight. Many businesses at The Barlow close at 10pm and some even later, and then are required to shut down which takes some time.

By pushing the restricted parking hours back one hour, we feel that the majority our campus employees and guests would be safer accessing the parking lot. By keeping the current hours in place, it would force our late night employees and patrons to



## THE BARLOW

potentially walk past several oversized vehicles including campers with unknown residents. These oversized vehicles create a blind spot between the public view and the sidewalk which mimics the existing condition. Additionally, once the parking lot is built, we don't anticipate lighting to be exceptionally bright due to the proximity to the lagoon and the wildlife protection requirements in place.

We would also like to ask that the City inspect commercial areas within City limits each morning as oversized vehicles are removed. We believe that dumping is likely to be an issue and believe that the City needs to allow for a few hours to clean up public areas before businesses in the area open. For this reason, we ask that the Police Chief and City Council avoid extending the overnight parking allowance beyond 6am so that we can be assured that there is ample time to conduct any such clean up before customers and business owners access the commercial district for the day. Additionally, we want to ensure that kids walking to school or the skate park may do so without interruption from oversized vehicles.

Thank you for your consideration and your strong efforts in finding resolution to our long-standing parking issues.

The Barlow Management

## **Region.**

180 Morris St. Ste 170  
Sebastopol, CA 95472

City Of Sebastopol  
Administrative Services Director: Ana Kwong  
7120 Bodega Avenue  
Sebastopol, CA 95472  
Phone: 707-823-7863  
Email: akwong@cityofsebastopol.org

**ATTN: Police Chief Kilgore AND Assistant City  
Manager Mary Gourley**

### **PARKING ORDINANCE COMMENTS FOR CONSIDERATION AND PUBLIC COMMENT**

Dear Mayor Slayter, Chief Kilgore and City Councilmembers,

I am writing today to bring to light the issues we face and are severely impacted by as an influx of recreational vehicles continues to increase along Morris Street and Laguna Park Way.

Region is arguably the closest public business in Sebastopol and faces this issue daily. As a result, Region has been facing continued sanitation, health, and safety issues that impact our customers, facilities, and staff daily.

Our staff refuses to close our business alone due to how many incidents we continually face with vehicles and non customers along Morris St.

After multiple emails to the police department reporting incidents, I decided now to write the city directly in light of the new ordinance being considered . Below are just a few examples of what our business has dealt with other the last year, during our first year in business.

List of incidents: ( w/ photos if desired)

- Theft Of \$2K Patio Heater Chained Down
- Theft of 10 Propane Tanks
- Drug Paraphernalia And Pipes Left On Tasting Room Patio Multiple Times
- External Electrical Plugs Broken And Tapered With
- Outside Patio Natural Gas Lines Damaged, Valves And Fireplace In Attempts To Turn On
- Human Feces Smearred Over Entire Outdoor Patio
- Repetitive Verbal Threats To Staff Closing The Tasting Room Late At Night
- Patio Equipment/Tables/Chairs Broken And Thrown In Surrounding Trees
- Staff And Customer's Afraid To Use Restroom
- Loud Portable Generators Running On Sidewalk Adjacent to Our Space

Please consider our business and the safety of our staff when addressing the vehicles and residents along Morris St. We understand and sympathize with the growing homeless issues our city faces and the answer is never a straightforward one, but safety should always be first on the list in our opinion. The addition of the Sebastopol Inn as a part of Project Homekey should also be considered.

Please consider banning recreational vehicles or overnight parking on Morris St entirely.

Thank you for your time and consideration.

Best,

Johan Eide  
Owner



**From:** [Sam Levy](#)  
**To:** [Kevin Kilgore; mgourley@cityofsebastopol.org](mailto:Kevin.Kilgore;mgourley@cityofsebastopol.org)  
**Subject:** Parking ordinance comments for consideration and public comment  
**Date:** Tuesday, January 11, 2022 6:25:56 PM

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Dear Mayor Slayter, Chief Kilgore and City Councilmembers,  
The effort to secure a lasting and safe place for people without stable housing is much appreciated. Thank you for the work you are doing to provide for those at risk. I grew up in Sebastopol and care about our community. I supported the effort to buy the hotel across from The Barlow, even though other business owners felt it would bring trouble to our doors. That being said, we are having things stolen, employees are scared to walk to their cars, and things are being broken outside our businesses repeatedly. It is hard on everyone right now, so a stable location for people to get on their feet, a stable environment to operate a business, and a safe environment for residents and visitors alike are more important than ever. An ordinance to limit large vehicle parking will be a big step in that direction.

Thank you for your time and consideration.

Cheers,

Sam Levy



Fern Bar  
6780 Depot St. #120  
Sebastopol CA 95472

**From:** [Jessica Green](#)  
**To:** [Mary Gourley](#)  
**Cc:** [Jessica Switzer Green](#)  
**Subject:** Parking ordinance comments for consideration and public comment  
**Date:** Thursday, January 13, 2022 12:04:10 PM

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Dear Mayor Slayter, Chief Kilgore and City Council Members,

I very respectfully would like to make a plea to NOT allow permanent parking of any kind on or near our city streets - especially Morris and Laguna near The Barlow. My business, JG SWITZER is adversely effected by this growing encampment, and the sidewalks that have been taken over by RVS, dumpy cars, garbage, pets, generators and gas hook ups no longer feel like they belong to me, my clients, Barlow visitors or the citizens of Sebastopol. My costs go up when, as a Barlow business, I pay CAMS and ultimately it is NOT the landlord(EG The Barlow) who pays for these campers - it is ME, and my fellow small businesspeople, working so hard all day to keep our community thriving. Visitors to The Barlow need to be able to park in nearby streets without feeling like they are stepping into someone who is squatting on the sidewalk.

We have survived so many natural disasters here and it's hard enough without a homeless encampment on our doorstep.

Please, Please do something to keep things from getting worse. I agree that no day parking will help. Thanks so much for your consideration.

Sincerely,  
Jessica Switzer Green  
Founder  
JG SWITZER

