

## PUBLIC COMMENT: CITY COUNCIL MEETING TUESDAY APRIL 19, 2022

### AGENDA ITEM 12: Clarification of Parking Ord. Sec. 10.76.040 D re Defining “City-Related Business”

**From: Arthur George, Chair, West County Homeless Advocates**

Dear Council Members: The proposed amendment to Sebastopol Parking Ordinance 10.76.040 D as submitted to the Council respectfully continues to fail to provide a definition of “city-related business” for most city-owned lots other than those adjoining public entities such as Police, Fire, City Hall, and Public Works. The ordinance should be further amended specifically to allow for legitimate Library, commercial, shopping, entertainment, and other general uses, while continuing to prevent unauthorized encampments on such city-owned lots, and retaining the proposed limitation upon certain city-owned lots appurtenant to municipal entities.

### PROPOSED FURTHER AMENDMENT: MORE EXPANSIVE LANGUAGE FOR GENERAL USES

It is respectfully suggested further amendment of the proposed revised ordinance as follows, with additional language in boldface:

*Amending Section 10.76.040 D Parking Prohibitions to clarify “city-related business” to the following:*

#### *10.76.040 Parking Prohibitions*

*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. **Such authorized city-related business shall include parking for entertainment, dining, shopping, Library use, public and private meetings, and other commercial and general uses, subject to hourly restrictions as posted and during business hours.** The city-owned parking lots for the Police, Fire, Public Works, and City Hall buildings may only be used when actively conducting business at those specific buildings.*

This further amendment maintains the Council’s goal of limiting general RV parking during business hours on city streets, except as to in city-owned lots for a range of legitimate purposes. As pertains to the unhoused or anyone else, such authorized uses within an inclusive definition of “city-related business” would reasonably facilitate commerce, Library use, and other general uses as described, and states more clearly what the Council may intend.

### ORDINANCE HISTORY

The existing ordinance was passed by the Council and signed into law by Mayor Slater on or about February 23, 2022, as part of a package of RV-related parking laws. Ordinance 10.76.040 D as passed states: “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.”

Around the time of its passage, there was significant discussion among the Council Members, the City Manager, and the Police Chief as to the meaning of the phrase “city-related business.”

--- Chief Kilgore expressed his belief that the phrase would limit parking in city-owned lots to business transactions with city entities, such as City Hall, Police and Fire Departments, and Public Works.

--- City Manager Larry McLaughlin stated his belief that the purpose of city-owned lots was more expansive, to include transactions with city entities **AND** for general commercial business use, such as shopping and restaurant dining.

--- Other Council members expressed concern in the several hearings on the RV parking ordinance that it should not prohibit RVs from using city-owned lots most importantly for the Library, and also for the Senior Center and for shopping, dining, attending concerts and movies, and general uses.

The ordinance was referred out for further clarification along these lines.

## **CURRENT PROPOSED AMENDED ORDINANCE**

The proposed amended ordinance now presented to the Council appears to incorporate Chief Kilgore's original understanding as to "city-related business," but respectfully still fails to clarify, specify, and approve uses of city-owned lots for other uses such as Library, Senior Center, shopping, dining, entertainment, movies, and other general uses. It does not capture what appeared to have been the City Manager's more expansive understanding of appropriate commercial and other uses of city-owned parking lots, nor the concerns of various Council members as to preserving library and legitimate commercial access in the lots. Beyond limitations to city-owned lots adjoining municipal entities, it does not define the term "city-related business."

The present proposed Amendment submitted by Chief Kilgore reads thusly:

*Amending Section 10.76.040 D Parking Prohibitions to clarify "city-related business" to the following:  
10.76.040 Parking Prohibitions 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. The city-owned parking lots for the Police, Fire, Public Works, and City Hall buildings may only be used when actively conducting business at those specific buildings.*

The proposed amendment as submitted by Chief Kilgore ***does***, appropriately, narrow uses in *certain* city lots adjoining Police, Fire, Public Works, and City Hall for official "city-related business" at those locations, properly excluding other commercial or more general uses in those lots. The additional suggested revision as submitted herein would preserve those appropriate limitations.

However such other lots as those adjoining the Library and Senior Center, the Hopmonk/Chamber of Commerce, the Rialto, and opposite the Veterans Auditorium appear swept up within Chief Kilgore's limitation to *official* "city-related business," without definition of that term, and without exception for other legitimate commercial and more general uses in those other city-owned lots not directly related to official municipal entities. Respectfully, this does not appear to have addressed the various concerns raised by Council members nor the statement of the City Manager as to his understanding of legitimate uses for other city-owned lots. It is suggested that the additional language proposed in this Public Comment would address these concerns and provide the necessary clarification and definition of "city-related business."

Thank you for your review and consideration in these regards.

Arthur George  
Chair, West County Homeless Advocates  
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