

----- Original Message -----

Subject:Opposition to Change in LAMC 85.02/Council File 08-3125
Date:Tue, 21 Jul 2009 08:37:15 -0700
From:Mark Ryavec <delphiassociates@ca.rr.com>
Reply-To:delphiassociates@ca.rr.com
To:councilmember.rosendahl@lacity.org, BillRosendahl@aol.com, councilmember.zine@lacity.org
CC:Arturo Piña <Arturo.Pina@lacity.org>

Dear Councilman Rosendahl, dear Councilman Zine,

Please find attached a letter petition from Venice residents who are opposed to Councilman Rosendahl's Motion as written.

This petition was submitted to the City Council and Mayor, with 237 signatures, in January of this year.

With the glut of RVs, campers and vans occupying even more resident parking than in January, I can assure you that Venice residents remain opposed to weakening LAMC 85.02 to allow the establishment of urban RV parks on City streets or parking lots in our community, except under the most controlled manner, as described below.

Please make no changes in LAMC 85.02.

To advance the goal of Councilman Rosendahl's Motion, please consider the recommendations of the VNC's Ad Hoc Committee on Homelessness and Vehicular Occupation, which I co-chaired, below.

Thank you for your consideration.

Mark Ryavec
Venice Stakeholders Association
Co-Chair, VNC Ad Hoc Committee on Homelessness and Vehicular Occupation

Recommendation for a Pilot Vehicle-to-Housing Transition Program

The Committee has examined the experiences of other communities which have established programs and sites to offer those living in vehicles with the opportunity to park overnight off-street while receiving various services to assist them transition to affordable housing.

From these reviews, from discussions with program operators in Santa Barbara, CA and Eugene, OR, and study of Venice's and CD 11's specific conditions and layout, the Committee recommends that the City of Los Angeles establish a program, funded by the City, County and possibly private charitable sources, and operated by a non-profit social service provider, to provide off-street sites and services to assist vehicular dwellers, on a voluntary basis, find affordable housing.

The program would have the following outline:

1. The City would adopt conditional use permit language (recommended language below) to allow the permitting of public or private lots as transition sites per the proposed attached language. The sites would be at least 300 feet from inhabited residences, exempted from LAMC 85.02, no more than three vehicles would allowed on a site at one time, and participants would be restricted to three month stays and must be of very low income status. (Examples of possible sites are below.) Other provisions are contained in the attached proposed permit language to protect the neighborhoods in which the sites are located.
2. The City would develop and release a request for proposals for non-profit social service agencies to submit proposals to operate a vehicle-to-housing transition program (the service provider). The service provider would recruit vehicle dwellers to participate in the program, provide services required by the participants to facilitate placement in affordable housing, and supervise the sites and assure they are operated in a safe and healthy manner.
3. The service provider would be delegated by the City as the "first responder" in the event the City (DOT, Council Office or LAPD) is notified that someone is living in a vehicle on City streets in violation of LAMC 85.02 (ban on using vehicles as living quarters on public streets or parking lots) and/or 80.73.2 (ban on stays of more than 72 hours). The service provider will notify the vehicle dweller that living in vehicles is prohibited by City ordinance and that they will be cited for violation of 85.02 and/or 80.73.2. The service provider shall offer them overnight accommodations on a permitted parking lot, subject to availability, if they are judged to be very low income, agree to program guidelines and to participate in the transition program to place them in affordable housing. If they are not very low income and/or have no interest in finding housing, the service provider will direct them to permitted camping locations in the County of Los Angeles. If they fail to move their vehicles they will be subject to citation by the police and/or DOT.
4. The program would have the following guidelines:

Eligibility

- a. Anyone, individuals or families, living in a motor vehicle (car/truck/van/recreational vehicle) which can be moved to and from the site by its own power, and who is judged to be very low income by a standard set by the Los Angeles Housing Department, is eligible.
- b. Only those who have been accepted into the transition program by the service provider may stay on the permitted lot(s) overnight. All others will be cited for trespassing, and towed away if necessary.
- c. Participant(s) must sign a contract with the service provider agreeing to relocate to permanent housing, if such housing is affordable to the participant and located within 10 miles of the transition site.
- d. Anyone under age eighteen must be accompanied by and supervised by an adult.
- e. The vehicle must have current a California license and insurance.
- f. Dogs and other pets are forbidden (other than an assistance dog, such as a Seeing Eye dog).

Hours and Length of Stay

- a. Vehicles are allowed on the sites overnight only (hours may differ as the lots may have other uses in the early evening or early morning).
- b. Individuals and their vehicles are allowed to use the site overnight for a period of three months provided they abide by all program rules.

Support Services/Clean Up

- a. Portable toilet(s) and trash bags will be provided by the service provided on-site. Overnight sleepers must use the portable toilet(s) provided or the sanitation system installed on their vehicle. The service provider will also make available shower facilities within a reasonable driving distance of the site.
- b. Participants must dispose of human waste which accumulates in their vehicle's tank at proper disposal sites.
- c. Participants are responsible for keeping their space clean and helping to keep the entire site clean.

Behavior

- a. No violent or aggressive behavior, physical or verbal abuse, vandalism, panhandling, gambling or offensive behavior is allowed.
- b. No use or brandishing of weapons or carrying of firearms on the site.
- c. No consumption of alcohol or illegal drugs or open containers of alcoholic beverages allowed on-site.
- d. No loud noises or music.
- e. Disputes between participants to be immediately brought to the attention of the service provider for resolution.
- f. No children to be left unattended in a vehicle or on the site.

Sites

- a. Vehicles are allowed only in prescribed locations on the site.
- b. Vehicles and possessions are to be kept within the boundary lines of individual spaces.
- c. No tents or temporary structures are to be erected on the site.
- d. No cooking devices or open fires allowed on site other than those originally installed by manufacturers in vehicles.
- f. No pets permitted on site.
- g. Any vehicle left unattended for 48 hours will considered abandoned and the process will be started to have it towed away.
- h. Program participants are responsible for their guests abiding by program rules. Guests must leave the site by 9 PM.
- i. Violation of any of these rules can lead to termination from the program and loss of the right to use the site for overnight parking.

J. As multiple sites are developed, there should be separate sites for single individuals, women, and families.

Recommended Conditional Use Permit

SEC. 12.24. CONDITIONAL USE PERMITS AND OTHER SIMILAR QUASI-JUDICIAL APPROVALS.

~~W. Authority of the Zoning Administrator for Conditional Uses/Initial Decision.~~ The following uses and activities may be permitted in any zone, unless restricted to certain zones or locations, if approved by the Zoning Administrator as the initial decision-maker or the Area Planning Commission as the appellate body. The procedures for reviewing applications for these uses shall be those in Subsections B. through Q. in addition to those set out below.

() **Transitional Vehicular Residency on Parking Lots.** Notwithstanding Los Angeles Municipal Code Section 85.02, the use of public parking lots and/or privately-held parking lots overnight as transition sites, with funded services providing for transition to affordable housing, for individuals living in their vehicles, limited to three (3) vehicles or less, with stays of less than three months per year, where the vehicles will be parked at least 300 feet from any inhabited dwelling(s) located on an adjoining or nearby parcel, and the vehicle owner(s)/occupants are determined to be very low income as determined by the transition service provider or the Los Angeles Housing Department, in the CR, C1, C1.5, C2, C4, C5, CM, MR1, MR2, M1, M2, M3, P, and PF Zones, provided that:

(a) **Findings.** In addition to the findings otherwise required by this section, the Zoning Administrator shall make all of the following findings:

(1) that the parking lot meets all the requirements of the Los Angeles Municipal Code for lighting, landscaping, filtration of surface water runoff, and walls blocking view

(2) that the proposed use will not detrimentally affect nearby residentially and/or commercially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and parks, and other similar uses (this does not prohibit a church parking lot from being permitted as a transition site under this section);

(4) that the service provider retained by the City to operate the transition service agrees to provide overnight:

- (a) toilet facilities on-site and access to a shower to the occupants of the vehicles parking on the parking lot;
- (b) sanitary disposal of any human waste and/or trash which may be generated by the inhabitants of the subject vehicles;
- (c) emergency telephone number, which is answered by a person and not voice mail, prominently displayed on-site for overnight response;
- (d) that no guests or visitors are allowed after 9 PM.

and agrees to prohibit amplified music, use of electric generators and the sale or use of illicit drugs and alcohol on-site.

Parking Lots in CD11 for Possible Use as Transition Sites

Location	Notes
Venice	
Ross Dress for Less	Large lot behind store. Potentially could be leased by the City for overnight use.
Del Rey, between Washington and Maxella	Much commercial space with large parking lots on east side of Del Rey. Isolated from residential and retail commercial properties.
Marina	
Fiji Way west of Lincoln	County lots on state property across from Fisherman's Village. Limited stay low income RV lots. Sheriff across the street.
Playa del Rey	
East of Vista del Mar on Airport land	Where houses have been removed, there are streets and underground services in place. Convert to pads. Could place this adjacent to Hyperion plant near existing RV campgrounds.
West of Vista del Mar, Dockweiler Beach Parking Lot #3 at tower #49	This is the location of the Robin Richards/Theresa Skinner proposal. Services in place.
Westchester Parkway	
Buffer zone between Westchester Parkway and Lincoln Blvd	Airport land with removed housing has existing streets and underground services in place.
East of Airport	
Off 96 th Street	Land with city purchased vacant housing and parking lots adjacent.
Jenny and Manchester	Northeast corner lot.
Arbor Vita and Bellanca	Southeast corner lot.
Arbor Vita and 93 rd Street	Much housing taken out of use by city. Potential parking with services.
Westchester	

Westchester at Lincoln Blvd	Park has lots as does the land adjacent to the municipal buildings. Services available.
Playa Vista	
East of Lincoln beyond present development	Large amount of flat vacant land in preparation for succeeding phases. May be vacant for years.
Marina Freeway	
Along Culver Blvd and between the 91-Freeway	State property unused, screened. RV storage lot exists near Lincoln.
Centinela and Rose	
East side of Centinela	Ocean View Farms Park. Big, isolated lot with bathrooms nearby.
Sawtelle south of Exposition	
405 adjacent	Lot on east side of Sawtelle below 405.
Exposition east of Sawtelle	
South side of Exposition between Sawtelle and Sepulveda	Post Office has a large lot. West Los Angeles City Building had a huge parking lot. Possible night use.
Heading north on Sepulveda from Exposition	
Between Ohio and Wilshire	On west side of Sepulveda there is a Salvation Army Center with lot, State property alongside the roadway. On east side is a Park. Area has good bus transit connections.
North of Wilshire	At Constitution, west side of Sepulveda at Robinson Stadium: big parking lot. Getty feeder lot. UCLA Mobile Clinics are parked there; isolated with restrooms nearby. VA adjacent for services.
Veterans Administration	
West of 405	Many lots, much service, security.
Federal south of Wilshire	
On east side of Federal	US Army Reserve Center and National Guard lots. Large parking area available for night use.
Corinth and Iowa Area	
Two situations stand out in this area	The City building in which Councilman Bill Rosendahl has an office has much parking including a section that is walled off from view and adjacent to the building making it almost private. The Felicia Mahood Senior Center has a lot behind it. Much potential here.
Pacific Palisades	
Above Sunset on Temescal Canyon Road	Park with lots and services.
Above Sunset on Los Liones Dr	Near the trailhead there are several parking lots available for night parking.

Venice Stakeholders Association

January 1, 2009

Councilman Eric Garcetti
President, Los Angeles City Council

Councilwoman Wendy Gruel
Chair, Transportation Committee

Councilman Herb Wesson
Chair, Housing, Community and Economic Development Committee

Councilman Ed Reyes
Chair, Planning and Land Use Committee

City Hall
200 North Spring Street
Los Angeles, CA 90012

Re: Rosendahl Motion to Amend Municipal Code Section 85.02 to Allow Persons to Live in Vehicles Parked on City Streets, Parking Lots and Beach Lots.

Dear Councilmembers:

We are writing to express our serious concern regarding the above-referenced motion recently introduced by Councilman Rosendahl to allow persons to live in vehicles on City streets, parking lots and beach lots.

While we believe that any Los Angeles resident forced by circumstances to live in a vehicle deserves City (and County) assistance to secure affordable housing and other assistance, opening up un-controlled urban RV parks, similar to the failed experiment in Ontario, CA, or legalizing living in vehicles on City streets as contemplated in this motion are not appropriate solutions.

We are writing to ask that you to return the enclosed motion to its author for reconsideration and re-drafting to address the concerns we raise below.

As drafted, the motion is seriously flawed:

1. There is no requirement in the motion that the "designated overnight parking areas" be distributed evenly over a council district and certainly no requirement that they be distributed Citywide. There are an estimated 150 RVs/vehicles in which people reside in Venice and many more Citywide. They could all end up on lots (or streets) in Venice, which in turn would attract even more vehicle dwellers as occurred in Ontario. Venice already has an historical dearth of parking and bears the brunt of the ill effects of these urban campers: sewage dumped to the street and ultimately the ocean, loss of resident parking, noise, trash, drug sales from RVs, etc. This is not acceptable.

2. No conditions are set on how many nights a vehicle dweller(s) can park overnight in one of the lots under the proposal, so this would become warehousing of RV/vehicle dwellers, not a transition program. We would support a transition program, with a set time limit, designed with monitoring and a service component, which assists indigent and under-employed RV occupants move to affordable housing.

3. There is no condition set requiring proof of legal disposal of human waste at a proper waste disposal facility. Further, there is no provision for where these RV/vehicles will go during the day when they must leave the parking lots to accommodate day-time users. Having them return to residential streets during the day continues to burden neighborhoods with loss of parking, unsafe waste disposal, trash, and crime.

4. Under the motion, no economic means test is required, so any RV owner, including those now paying to camp at the County lot at Dockweiler or at Leo Carillo State Park, etc., could use the lot(s) designated by Mr. Rosendahl for free. A means test - to be administered either by a non-profit program operator or the LA. Housing Department - must be a component of the motion.

5. A survey of the needs of RV dwellers Citywide needs to be completed before going ahead with any element of the motion:

a. It appears to us that some RV dwellers are simply travelers who are looking to avoid paying \$30 a night at, for example, the County facility at Dockweiler. The City possibly should be considering the establishment of a lower cost RV park, similar to the County facility, on the airport property on Vista del Mar across the street from Dockweiler, at a lower cost per night - say \$10 a night - and longer stays - say one month instead of the two weeks at Dockweiler. Then the police and DOT could start diverting this segment of the RV population to the lower cost lot.

b. RV transition program operators in Eugene, OR and Santa Barbara, CA have found that some RV dwellers are "assistance resistant" and want the freedom of living on the street. The City should determine the number of RV dwellers that would participate in a transition-to-housing program before setting up such a program and designating lots for this use.

6. There is no requirement that the staffing, security and social services for the vehicle dwellers be available before any lots are opened for overnight use. The development and funding of such transition services must pre-date the opening of any lots for overnight use (unless they are paid lots as suggested in #5a above).

7. Any lots designated under the motion should be under a non-fee conditional use permit application through the Planning Department and Planning Commission, and the City (or council office) should be required to go through such a process before any lots are designated. Similarly, there is no provision to establish "quality of life" controls on the behavior of the parking lot users to protect residential and commercial neighbors - and others camping at the same lot. The conditional use process should allow conditions to be imposed to address noise, trash, sewage disposal, provision of toilet and showers, etc., and for the use to be rescinded if the conditions are not met.

8. The designation of overnight RV sites is inherently a land-use decision. The Rosendahl motion must also be referred to the City's Planning and Land-Use Committee for consideration and to the City Planning Department and Planning Commission for comment.

However, in its present form, it would be better if it is withdrawn and re-written to address the issues raised above.

Programs enacted in Eugene, OR, and Santa Barbara, CA, have been cited as examples of municipalities "practicinga balanced approach" to problems associated with RVs camping on city streets. Investigation of both programs shows that their programs are focused on establishing lots for vehicle dwellers while also enforcing and even expanding laws against vehicular residence on city streets because of health, safety, and nuisance concerns. As recently as December 16, 2008, the City Council of Santa Barbara initiated an ordinance (10.44.205) to restrict RV street parking on City streets. We ask the City Council to thoroughly investigate these two programs, which value the rights of residents to the quiet enjoyment of their homes, streets and neighborhoods, free from the nuisance of RV dwellers.

As stated, we agree with Councilman Rosendahl that the City needs to provide assistance to those forced to live in their vehicles. However, we do not believe that his motion is a useful starting point to reach that result.

Thank you for your consideration of our views on these matters.

Sincerely,

Venice Stakeholders
(name)

(address)

Enclosure: Rosendahl Motion

cc: Mayor Antonio Villaraigosa
Councilmember Bill Rosendahl
Other Members of the the Los Angeles City Council
Los Angeles City Neighborhood Councils

Venice Stakeholders Association, 453 Rialto Avenue, Venice, CA 90291

(name)

(address)

Venice Stakeholders Association

FOR IMMEDIATE RELEASE

Contacts: Mark Ryavec
310-392-4843
Stewart Oscars
310-305-8248

Venice Residents Oppose Rosendahl Motion to Legalize Living in Vehicles on City Streets and Parking Lots

(Venice, CA/January 12, 2009) The Venice Stakeholders Association has submitted to the Mayor and City Council a letter petition, with over 237 Venice residents' signatures, opposing City Councilman Bill Rosendahl's Motion to legalize living in vehicles on City streets and parking lots and County beach parking lots.

Calling the Motion "seriously flawed," the residents called upon the City Council committees reviewing the Motion to return it to Rosendahl for re-drafting to address the following concerns:

1. Any solution to RVs camping in urban neighborhoods should be Citywide in design; the Rosendahl Motion leaves the decision to designate RV campgrounds to each councilperson, which could result in RVs being shunted to just two or three council districts.
2. Under the Motion, there is no limit on length of stay in urban campgrounds, which would lead to warehousing of these RV dwellers instead of transition to affordable housing.
3. Under the Motion, there is no requirement for the legal disposal of human waste. The current practice of many RVs dwellers is to dump waste to the street and storm drain, which runs ultimately to the ocean.
4. The Motion would allow tourists in RVs who now pay for camping spots through-out the County to park in new designated lots for free.
5. No study of RV dwellers has been undertaken, so it is unclear what economic or health hardships these individuals may be facing, so it is difficult to craft programs to assist them. A citywide canvass should be conducted; none is called for the Motion.
6. Staffing, security and social services for any campgrounds designated for RVs should be in place before a facility is operational. The Motion is silent on this point.
7. Any parking lots designated for RV use should be permitted under a standard conditional use permit with conditions imposed to address quality of life issues, night time security and disposal of waste.
8. Establishment of urban campgrounds where RVs will be accommodated, if only overnight and for short durations, is fundamentally a land-use decision and the Motion should be referred to the City Council's Planning and Land-use Management Committee and the Los Angeles Planning Department for review.

The residents suggested the Motion should be withdrawn by its author and re-written to address these points.

Attachments: Letter to Mayor and City Councilmembers, Signature pages, Copy of Rosendahl Motion (CF 08-3125)