



TO: Mayor and Councilmembers

SUBMITTED BY: JoAnne Plummer, Neighborhood Services Director

PREPARED BY: Chuck Flacks, Homelessness Services Coordinator

SUBJECT: Second Reading of Amendments to Chapter 12.01 of the Goleta Municipal Code Regarding Safe Parking Sites

RECOMMENDATION:

Conduct second reading (by title only) of Ordinance No. 25-__ entitled “An Ordinance of the City Council of the City of Goleta, California, Amending Sections 12.01.030 and 12.01.035 of Chapter 12.01, Title 12, of the Goleta Municipal Code, Regarding Safe Parking Sites; and Finding the Regulations Categorically Exempt from the California Environmental Quality Act.”

BACKGROUND:

Current City ordinances prohibit camping or living in vehicles on public or private property, with limited exceptions (e.g., napping in a vehicle for safety purposes or temporary permits for RV/camper loading and unloading).

Despite these restrictions, the number of individuals living in vehicles continues to grow. Outreach groups estimate 100–200 vehicles in Goleta are used for overnight shelter. In the past three months alone, Neighborhood Services received over 20 service requests through City Assist about people living in vehicles.

Under the Temporary Camping Ordinance (§12.01.035), the City operates 36 spaces across five safe parking lots, managed by New Beginnings Counseling Center. These sites provide safe, regular overnight parking along with showers, sanitation, and trash services. Participants also receive case management, enrollment in the Coordinated Entry System, and access to services including food, medical/dental care, legal aid, mental health treatment, and substance use support. New Beginnings also administers Rapid Rehousing subsidies for up to two years, covering rent, deposits, and move-in costs.

Most safe parking sites are located on City- or church-owned property. The City Council adopted the Temporary Overnight Camping Permit system in April 2012 to expand these

opportunities, but in 13 years, the process has only been used once, demonstrating the need for reform.

On August 12, 2025, the Homelessness Issues Standing Committee (HISC) heard testimony from staff, New Beginnings, and the public about both the need for more parking sites and challenges with the current ordinance.

DISCUSSION:

On September 16, 2025, the City Council reviewed draft amendments to §12.01.030 and §12.01.035, heard public comments, and unanimously voted to introduce the Ordinance with amendments, as follows. At the request of the City Manager, and approved by the City Council, the proposed amendments will not make any changes to the existing language in Goleta Municipal Code §12.01.030 (B). The substantive changes to that subsection will be discussed at a future meeting. The existing language reads as follows:

Absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the provisions of this section will not be enforced against indigent homeless persons sitting, lying, or sleeping on City-owned public property, except in High Fire Areas, when no alternative shelter or publicly available campsite is available in accordance with the holding in *Martin v. City of Boise* (9th Cir. 2019) 920 F.3d 584.

The remaining amendments to §12.01.030 and §12.01.035 were accepted.

FISCAL IMPACTS:

There is no immediate direct fiscal impact associated with this item. Implementation would be carried out primarily by existing staff within the Neighborhood Services Department. Staff will issue licenses for new parking lots to be used for people living in vehicles.

There may be a slight increase in workload due to the review of new proposals and applications for Temporary Overnight Camping license. The amendments to the Ordinance authorize the City to recover costs through a license fee. At this time, staff is not recommending establishing a fee, effectively setting the fee at \$0 and subsidizing the application cost. This approach is recommended because there are no pending license applications, the administrative workload can be absorbed by existing staff, and a limited number of lots are anticipated, as it must include a program administered by a nonprofit. The subsidy is currently estimated at approximately \$100 to \$150 per license application. If demand increases or workload impacts grow, staff may return to Council with a proposed cost-recovery fee as part of the future user fee update.

ALTERNATIVES:

The Council could choose not to adopt the Ordinance amending Temporary Camping (§12.01.035) at this time.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. Ordinance No. 25-___, entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Sections 12.01.030 and 12.01.035 of Chapter 12.01, Title 12, of the Goleta Municipal Code, Regarding Safe Parking Sites; and Finding the Regulations Categorically Exempt from the California Environmental Quality Act"

ATTACHMENT 1

Ordinance No. 25-___, entitled “An Ordinance of the City Council of the City of Goleta, California, Amending Sections 12.01.030 and 12.01.035 of Chapter 12.01, Title 12, of the Goleta Municipal Code, Regarding Safe Parking Sites; and Finding the Regulations Categorically Exempt from the California Environmental Quality Act”

ORDINANCE NO. 25-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GOLETA, CALIFORNIA, AMENDING SECTIONS 12.01.030
AND 12.01.035 OF CHAPTER 12.01, TITLE 12, OF THE
GOLETA MUNICIPAL CODE, REGARDING SAFE
PARKING SITES; AND FINDING THE REGULATIONS
CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, within the City of Goleta ("City") and other cities in the surrounding region, and throughout the State of California, there is a significant number of people experiencing homelessness due to economic hardship, inability to afford housing, or other circumstances, and such individuals reside and sleep in their vehicles within City limits;

WHEREAS, camping in certain areas within the City can create unsanitary, unhealthy, and dangerous conditions that risk the public health and safety, including but not limited to sanitation issues, fire hazards, pollution, or obstruction of the public right-of-way; and

WHEREAS, Article XI, Section 7 of the California Constitution confers upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents;

WHEREAS, the City of Goleta addresses homelessness in the City by providing grants to community organizations, performs outreach to homeless or at-risk individuals, and engages in programming to prevent homelessness and assist those at-risk of homelessness; and

WHEREAS, Goleta Municipal Code sections 12.01.010 through 12.01.050 currently regulates camping on public roads, public property and private property, and subject to limited exceptions, GMC 12.01.030 prohibits camping in all of these areas; and

WHEREAS, the City intends to provide a legal path to allow property owners and nonprofit organizations to assist those who live in their vehicles with access to basic services, such as sanitation and waste disposal, at designated vehicular camping areas, to improve public health and reduce the environmental impact of vehicular camping; and

WHEREAS, the City has a legitimate governmental interest in regulating the use of public and private property and ensuring that such use does not interfere with the public's access to and enjoyment of those properties; and

WHEREAS, the licensing of designated vehicular camping areas at particular and appropriate locations will reduce the impact of this activity on residential neighborhoods, commercial districts, and other sensitive areas; and

WHEREAS, the City seeks to adopt an ordinance that provides a humane and effective response to overnight vehicular sleeping within the City while prohibiting unregulated overnight vehicular sleeping in all other areas of the City.

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 2. Section 12.01.030 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

**§ 12.01.030 Camping and Open Fires in Certain Areas
Prohibited—Generally—Exceptions.**

A. It is unlawful for any person to camp, whether inside or outside of a vehicle in or on any:

1. Public road.
2. City-owned building or parking lots, except that vehicles may be parked in and used for overnight sleeping in parking lots on City owned property if the following conditions are met:
 - a) The City has entered into a management agreement under which the contracting party agrees to assume administration and management of a program to oversee such use of City-owned property; and
 - b) The management agreement referenced above satisfies all City concerns regarding liability, due process, evictions, fair housing notice and employee safety, and specifically states the location and number of vehicles permitted at that location; and
 - c) All vehicle occupants enter into a written agreement with the contracting party in a form approved by the City and comply with all terms and conditions of that agreement.
3. All other public property, including but not limited to, high fire areas;
4. Private property, unless:
 - a) Located in a Recreational Vehicle Park as defined by

Goleta Municipal Code Chapter 17.72 or as allowed for living purposes not exceeding 14 days in a six-month period as more particularly described in Goleta Municipal Code section 17.38.080; or

- b) Temporary Overnight Camping License. The activity of using or occupying of a vehicle for living or overnight camping, living or sleeping purposes shall be allowed if such activity occurs within a parking area of real property owned or leased by a property owner who has obtained a temporary overnight camping license from the Neighborhood Services Department pursuant to the requirements defined in Section 12.01.035.
- B. Absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the provisions of this section will not be enforced against indigent homeless persons sitting, lying, or sleeping on City-owned public property, except in High Fire Areas, when no alternative shelter or publicly available campsite is available in accordance with the holding in *Martin v. City of Boise* (9th Cir.2019) 920 F. 3d 584.
- C. Fires. No person shall build, maintain or light an open fire on any public property except within those facilities and/or areas provided and designated for that purpose by the City or otherwise allowed by the City or other application law. In addition to all available enforcement methods under the Municipal Code, such illegal fire shall be immediately abated. Exceptions to this requirement must be approved by the Public Works Director or designee.

SECTION 3. Section 12.01.035 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

§ 12.01.035 Temporary Overnight Vehicle Camping License.

A temporary overnight camping license shall be issued by the Neighborhood Services Department and considered valid, subject to the requirements of this section.

A. License Requirements and Conditions. A property owner, or nonprofit organization with written permission from a property owner, may apply for a license to the Neighborhood Services Department to allow the activity of overnight camping, occupying,

living, or sleeping in a vehicle on a portion of real property that is designated for vehicular parking as an interim housing alternative, provided that the following conditions are met:

1. Any vehicle used for overnight accommodation shall be removed from the property at the time specified in the temporary overnight vehicle camping license issued to the property owner;
2. The use of the property for overnight vehicular camping must not conflict with express conditions imposed by the City on a use permit for the use of the real property;
3. The licensee must make adequate and sanitary bathroom facilities and garbage disposal services available on-site to the occupants of the vehicle;
4. The number of vehicles allowed at any one time shall be specified and shall be determined based on the size of the parking area available for such activity, but in no event shall the number of vehicles exceed the number of parking spaces available on the property;
5. Each vehicle shall not be allowed to be parked less than 50 feet from the property line of any real property being used for any residential purpose;
6. The vehicle must be properly and currently licensed for operation on the highway in accordance with the California [Vehicle Code](#);
7. The vehicle occupant(s) shall not allow persons not authorized by the licensee to enter onto the property;
8. No fee, rent or other legal consideration shall be received by the licensee for the overnight camping activity; however, the occupant of a vehicle may serve as night-time security personnel on the property;
9. A temporary overnight camping license has been obtained pursuant to this section and all conditions, restrictions, and limitations pursuant to this section have been satisfied;
10. The property owner has agreed to assume administration and management of the use of the property for temporary overnight camping pursuant to the temporary overnight camping license or has entered into a management agreement with the licensee under which the licensee agrees to assume administration and management of a program to oversee such use of the property pursuant to the temporary overnight camping license.

B. Application for Temporary Overnight Camping License. The Neighborhood Services Department may issue a license, subject to the following conditions for application being met:

1. The applicant for the license shall be the property owner or their designee, with written permission from the property owner to apply for the license;

2. The applicant shall file with the City a completed City application form providing the proposed location where the vehicles will be located and all additional information requested;

3. The applicant shall pay any application fee for cost recovery that the City may require as established by City Council resolution.

4. The temporary overnight camping license may be renewed following administrative review by the Neighborhood Services Department. In order for the Neighborhood Services Department to renew the license, the licensee must submit an annual report for the temporary overnight parking site to the Neighborhood Services Department, at least one month prior to the date the license was originally issued. The annual report shall include information regarding the number of persons served by the site, known outcomes of persons served by the site, measures taken to comply with this section, and any violations of this section and actions taken by the licensee to resolve such violations. The Neighborhood Services Department may refuse to renew any license which is associated with violations of the Goleta Municipal Code, state, or federal law that remain uncured at the time the annual report is due, including the failure to submit an annual report.

C. Grounds for Denial or Revocation of License. The Neighborhood Services Department may deny or revoke a temporary overnight camping license for any of the following reasons:

1. The activity is incompatible with the uses of properties within a 300-foot radius of the subject parcel;

2. The activity constitutes or has resulted in a nuisance or any other threat to public health, safety, or welfare; or

3. Any condition of the license has been violated, the operator has been given written notice of the violation, and fails to cure the violation within the time period established by the condition itself, or if there is no cure period set in the condition, as reasonably determined by the Neighborhood Services Department upon discovery of the violation; or

4. For license denials only, the Neighborhood Services Department determines, in its reasonable discretion, that a sufficient number of temporary overnight parking licenses have been granted to accommodate the number of persons needing temporary overnight parking accommodations in the City. A license shall not be revoked by the Neighborhood Services Department on this basis.

D. Hearing and Appeal on License Decision. Any party may file a written request for a hearing before the Director of Neighborhood Services within 10 days following a decision by the City to grant, deny or revoke a temporary overnight camping license. The public shall be provided notice of the hearing in compliance with State law. The hearing

shall be opened no more than 45 days following the request for hearing being received by the City. A decision shall be made by Director of Neighborhood Services within 10 days of the hearing. Any decision of the Director of Neighborhood Services regarding denial of an application for a temporary overnight camping license may be appealed to the Homelessness Issues Standing Committee by filing a written appeal with the Neighborhood Services Department within 10 days of the Director of Neighborhood Services Decision. The decision of the Homelessness Issues Standing Committee is final.

E. Issuance upon Grant of License Application. A temporary overnight camping license shall be issued on a form approved by the City. The license shall be issued and valid only for the specific activity and property and under such conditions as indicated on the license.

SECTION 4. Effect of Amendment. To the extent any provision of this Ordinance repeals, amends, or supersedes any previous approvals, such repeal or replacement will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed or superseded part of previous approvals will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. No Conflict with Federal or State Law. Nothing in this Ordinance is intended to create any requirement, power, or duty that is in conflict with any federal or state law.

SECTION 6. CEQA. The City of Goleta has determined that the adoption of the proposed ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code § 21000 et seq.), pursuant to State CEQA Guidelines (14 Cal. Code Regs.) §15061(b)(3), which applies where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; § 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and §§ 15307 and 15308, which apply to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement of natural resources, or protection of the environment.

SECTION 7. 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.

SECTION 8. Certification. The City Clerk shall certify to the adoption of this Ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 9. Effective Date.

This Ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

INTRODUCED ON the 16th day of September, 2025.

PASSED, APPROVED AND ADOPTED this ____th day of _____, 2025.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

ISAAC ROSEN
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 25-__ was introduced on September 16th, 2025, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the 7th of October, 2025, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK