



Agenda Item A.2
CONSENT CALENDAR
Meeting Date: November 18, 2025

TO: Mayor and Councilmembers

SUBMITTED BY: Winnie Cai, Assistant City Attorney

SUBJECT: Second Reading of an Ordinance to Amend Encampment, Vehicle Camping, and Administrative Citation Amendments

RECOMMENDATION:

- A. Conduct second reading (by title only) and adopt Ordinance No. 25-__entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Encampments and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act;" and
- B. Direct staff to file a Notice of Exemption.

BACKGROUND:

On October 7, the City Council heard an agenda item that contemplated the community impacts of people who set up encampments on City property and live in vehicles parked on City streets. The impacts include fire risks to life and property, public health sanitation issues, noise nuisances, damage to environmentally sensitive habitats, and other residential neighborhood disturbances. While staying true to the City's Homelessness Strategic Plan to implement a compassionate approach to the homeless population, the City Council authorized staff to create a forgivable administrative citation tool against individuals who camp or live in their vehicles parked on a City street in violation of the Goleta Municipal Code.

On October 21, 2025, the City Council introduced and conducted the first reading of an ordinance that would amend the City's encampment, vehicle camping, administrative citation and ancillary regulations. These code amendments will complement the forgivable administrative citation tool authorized by Council.

DISCUSSION:

The City Council now has the opportunity to conduct the second reading and adopt the proposed Ordinance (Attachment 1). In compliance with Council direction, the proposed Ordinance:

1. Removes the requirement that staff is to ensure adequate shelter is available before enforcement to making reasonable efforts to offer services before enforcement;
2. Adds indicia of what dwelling in one's vehicle entails;
3. Removes the authority to tow a person's vehicle parked on City streets that has been used for dwelling for more than 72 hours;
4. Incorporates state law with regard to City's cost recovery remedies and prevailing party recovery of costs and fees with respect to administrative citations; and
5. Makes other ancillary amendments to effectuate the above-mentioned goals.

If Council conducts the second reading of the proposed Ordinance, the Ordinance will become effective upon the 31st day after the second reading.

Environmental Review:

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.) Section 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; Section 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Sections 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. Furthermore, none of the exceptions to the exemptions identified in State CEQA Guidelines Section 15300.2 apply. The amendments to the Goleta Municipal Code made by this proposed Ordinance do not impact an environmental resource of hazardous or critical concern, do not result in cumulative impacts, do not have a significant effect on the environment due to unusual circumstances, do not damage scenic resources within a state scenic highway, are generally applicable and not to a hazardous waste site, and would not result in a substantial adverse change to the significance of a historical resource.

Staff requests Council to approve the Notice of Exemption included as Attachment 2 and direct staff to file it after Council's second reading of the proposed Ordinance.

FISCAL IMPACTS:

There are no fiscal impacts of the proposed Ordinance amendments other than staff time.

ALTERNATIVES:

All alternatives have been provided above.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENT:

1. "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Camping and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act."
2. Notice of Exemption

Attachment 1

“An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Camping and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act.”

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING CHAPTER 1.02 OF TITLE 1, CHAPTER 2.02 OF TITLE 2, CHAPTER 10.04 OF TITLE 10, AND CHAPTER 12.01 OF TITLE 12, OF THE GOLETA MUNICIPAL CODE, REGARDING ADMINISTRATIVE CITATIONS AND CAMPING AND VEHICULAR CAMPING ON CITY PROPERTY AND FINDING THE ORDINANCE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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; and

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, 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, prohibiting forms of camping and vehicular camping on designated areas of public property within the City's control is necessary, as that public property is ill-suited to support camping, with a lack of facilities or services necessary to support a form of residential habitation; and

WHEREAS, the City recognizes that services should be offered as a first step for those impacted by the City's authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents, and this Ordinance will require that, absent exigent circumstances, reasonable efforts be made to offer shelter and supportive services in advance of taking enforcement actions contemplated herein; and

WHEREAS, the City created a regulatory framework to authorize owners of parking lots to receive a license to allow overnight vehicular camping within the City, and these parking lots will provide available locations in the City for those needing to sleep in their vehicles; and

WHEREAS, the City has a substantial interest in protecting sensitive environmental areas, including its creeks, waterways, and designated high fire hazard

areas, from pollution, environmental degradation, and the risk of fire often associated with encampments; and

WHEREAS, the unregulated long-term habitation of vehicles on public streets and property can lead to public health and safety concerns, including inadequate sanitation, disposal of greywater and sewage, accumulation of trash, fire hazards, threats to environmentally sensitive areas, and the potential for unsafe or inoperable vehicles to obstruct public rights-of-way; and

WHEREAS, at its October 7, 2025 meeting, the City Council provided its policy directive that administrative citations be forgivable when issued to a person experiencing homelessness who camps on public property or camps in their vehicle in violation of the Goleta Municipal Code, if such person agrees to receive services approved by the Neighborhood Services Department; and

WHEREAS, the City Council seeks to balance the needs of the residents, including those experiencing homelessness with the City's responsibility to maintain safe, clean, and accessible public areas, such as parks, sidewalks, and public buildings for use by the entire community; and

WHEREAS, reasonable enforcement mechanisms are necessary to prevent and prohibit unsafe and unsanitary conditions that run contrary to the public peace, health and safety; and

WHEREAS, the City wishes to make minor amendments to its code enforcement and administrative citation regulations pursuant to its police power authority; and

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 1.02.100 of Chapter 1.02 of Title 1 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 1.02.100 Request for Administrative Hearing—Appeal of Administrative Citation.

A. Any recipient of an Administrative Citation may contest the citation by completing a request for administrative hearing form and filing it with the City's Department of Planning and Environmental Review – Code Compliance within 15 days after the issuance date of the Administration Citation.

B. A request for hearing must be accompanied by an advance deposit of the fine assessed by the citation for the initial violation, unless a request of hardship has been approved by the City Manager or designee.

C. A request for hearing shall not postpone or avoid the requirement of a responsible person to abate a violation nor toll the daily fines accruing for a continuing violation until the abatement of the offense is properly verified. In the event the Hearing Officer upholds the citation, the responsible person shall be liable for the total fines accrued from the issuance of the citation to the date the abatement is properly verified unless reduced by the Hearing Officer. Any Administrative Citation fine which has been deposited shall be refunded if it is determined, after a hearing, that there was no violation(s) as charged in the Administrative Citation.

D. A person seeking an administrative hearing can request a hardship waiver, if they are unable to post the advance deposit. The request for hardship must be properly completed and filed with the City's legal office assistant. The form must be signed by the party to be charged under penalty of perjury. The person requesting the waiver bears the burden of proving that such person does not have the financial ability to make the deposit.

E. The request for a hardship waiver will be decided by the City Manager or designee within 10 business days from date the request is received, and that decision is final. The applicant shall be notified by telephone, facsimile, or via mail of the decision on the request. The filing of a request for hardship waiver does not extend the time to file for an administrative hearing or pay the civil fine when due. If the request for hardship waiver is denied, an administrative hearing shall not be scheduled unless the fine deposit is paid within five business days following the City Manager's determination on the request for hardship waiver.

F. Failure to submit a timely and complete request for hearing shall terminate a person's right to contest the citation and result in a failure to exhaust administrative remedies, and the order of the citation shall serve as a final determination and conclusive evidence of the named responsible person's liability for the citation. Where the administrative hearing form is mailed by the appellant, the request shall be deemed filed on the date it is received by the City.

G. The City's legal office assistant shall set a hearing before a City Hearing Officer on a date that is not less than 15 and not more than 60 days from the date that the request for hearing is properly filed in accordance with the provisions of this section. The person requesting the hearing shall be notified by first class mail of the date, time and place set for the hearing at least 10 days prior to the date of the hearing and be given any additional written reports filed concerning the violation that are provided to the Hearing Officer.

SECTION 3. Section 1.02.140 of Chapter 1.02 of Title 1 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 1.02.140 Collection of Unpaid Fines.

A. City Remedies. The City, at its discretion, may pursue any and all legal, equitable, and administrative remedies for the collection of unpaid civil administrative fines.

1. Remedies Cumulative. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total fines owed by a person under this chapter have been collected.

2. Refusal to Issue Permits. A City department may refuse to accept an application for a City permit or license or to refuse to issue, extend, or renew to any person, who has unpaid delinquent fines, liens, or assessments, any City permit, license, or other City approval pertaining to the property that is the subject of a Notice of Administrative Citation and an unpaid administrative fine.

3. Suspension of Issued Permits. Notwithstanding any other provision of the Code, any permit, license, or any type of land use approval issued by the City to a person who has unpaid administrative fines totaling \$500.00 or more which remain delinquent for 30 days or longer may be suspended by the department which issued the permit or other entitlement. The suspension becomes effective 10 days after the date the notice of the suspension is placed by the issuing department in the United States mail, postage prepaid, addressed to the person, and continues until the administrative delinquency is paid in full. The person may request an appeal or review hearing pursuant to the specific permit, license, or other City approval procedures or ordinance if such a request is filed before the 10-day period ends. Continuing to operate under a suspended permit, license, or approval shall also be grounds for the Planning Commission to revoke the permit, license, or approval.

4. Remedies. The code enforcement officer may, at his or her discretion, also issue an administrative, civil, or criminal citation to any person for a Code violation.

5. Criminal Complaints. The City Attorney shall have the authority to determine whether a criminal complaint should be filed pursuant to this section and Goleta Municipal Code Section 1.01.190.

B. Violations Constitute a Public Nuisance. The City may pursue the remedies described in this section whether or not the City is pursuing any other action to terminate an ongoing Code violation that was the basis for an administrative fine to otherwise abate the violation or to sanction the property owner.

C. Civil Debt Collection. The City may also recover attorneys' fees via a civil debt collection action. The prevailing party in such a civil action may recover its reasonable attorneys' fees if the City elects, at the initiation of that action, to seek recovery of its own attorneys' fees. In no action may an award of attorneys' fees to any prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action.

D. Administrative Costs for Nuisances. The City may also recover administrative costs through a lien or special assessment under the authority of Goleta Municipal Code Section 12.13.130, Government Code Section 38773.5, or any other method allowed by law.

E. Civil Penalties. Civil penalties may be collected by any method allowed by statute or law.

SECTION 4. Section 2.02.030 of Chapter 2.02 of Title 2 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 2.02.030 Liability to City for Enforcement Costs.

A. Any owner or responsible party in an enforcement action shall be liable to the City for enforcement costs incurred by the City in an enforcement action. The City may recover any enforcement costs incurred in the enforcement of any provision of the zoning code, the housing code, building code, electrical code, plumbing code, mechanical code or the uniform code for the abatement of dangerous buildings as provided in this Code. The amount of any enforcement cost shall not exceed the actual cost incurred.

B. The prevailing party in any civil action, administrative proceeding or special procedure to abate, or cause the abatement of, a violation of this code or any public nuisance, or in any appeal or other judicial action arising therefrom, may recover reasonable attorney's fees in those individual actions or proceedings wherein the City elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. In no action, administrative proceeding, or special proceeding may an award of attorney's fees to any prevailing party exceed the amount of reasonable attorney's fees incurred by the City in the action or proceeding. Unpaid attorney's fees are a debt that is collectible in any manner allowed by law.

SECTION 5. Section 10.04.010 of Chapter 10.04 of Title 10 of the Goleta Municipal Code, Miscellaneous Rules is hereby repealed and replaced in its entirety as follows:

§ 10.04.010 Parking for More Than 72 Consecutive Hours Prohibited—Removal of Unlawfully Parked Vehicles.

A. No person shall park or leave standing any vehicle up on any street or highway or any public property within the City for a period of more than 72 hours.

B. In addition to the circumstances enumerated in Section 22651 of the California Vehicle Code, any officer described in that section is hereby authorized to, in compliance with applicable law, remove or cause to be removed any unattended vehicle from any street, highway or public property to the nearest garage or other place of safety or to a garage designated or maintained by the City or City contractor when such vehicle has been parked or left standing upon any street or highway for a period of 72 or more consecutive hours.

C. In the event of such removal as authorized herein the officer removing the vehicle, or causing it to be removed, shall give notice as provided in Sections 22852, 22853 and 22854 of the Vehicle Code, and the keeper of any garage in which such vehicle is stored may have a lien upon it for compensation for towage and for storage and safekeeping of the vehicle and may satisfy the lien in compliance with and under the conditions stated in Section 22851 of the Vehicle Code.

D. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or other ordinances of this City, to the extent applicable.

SECTION 6. Section 10.04.040 of Chapter 10.04 of Title 10 of the Goleta Municipal Code, Miscellaneous Rules is hereby repealed and replaced in its entirety as follows:

§ 10.04.040 Inhabiting a Vehicle on Any Public Street, Highway, Right-of-Way or Any Public Property Within the City—Generally Prohibited.

A. No person shall park any vehicle, recreational vehicle or trailer upon any street, highway, right-of-way or any public property within the City for the purposes of using said vehicle or trailer for habitation.

B. “Habitation” may be evidenced from the presence of two or more of the indicia below, where, based on a totality of the circumstances, it is more likely than not that a vehicle is being used for camping or a more longstanding dwelling use. Indicia of habitation may include, but is not limited to the following factors:

- i. The presence of sleeping materials, such as blankets, pillows, sleeping bags, mattresses.
- ii. The presence of materials over the windows that obscure the view into the vehicle.

iii. The presence of sanitation or toilet devices or facilities, including but not limited to commodes, make-shift toilets and restroom facilities, containers of urine, or the presence of other signs of human waste in or around the vehicle.

iii. The vehicle remains stationary for three or more hours with one or more persons present.

iv. The presence of cooking appliances, portable stoves, utensils, cookware like pots and pans, or devices allowing for refrigeration in a vehicle.

v. The vehicle is inoperable, which may be evidenced by the following non-exclusive list: missing wheels, flat tires, missing parts, severe damage, or an inability to move as designed.

vi. The vehicle has been parked or stored in the same location, or within a 500 foot radius of that location, for a period exceeding 72 consecutive hours.

C. A violation of this section shall not occur when a person is engaged in habitation of a vehicle as permitted by Section 12.01.035 of this Goleta Municipal Code or when engaging in habitation of a vehicle on public property with the permission of the City. Except in exigent circumstances involving a threat to life, safety, health, or infrastructure, City officials, or any agent acting on their behalf, shall make every reasonable effort to identify and offer shelter and supportive services to persons in violation of this section prior to enforcement.

D. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or other ordinances of this City, to the extent applicable.

SECTION 7. 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, parks, open space, or creeks;
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. Except in exigent circumstances involving a threat to life, safety, health, or infrastructure, City officials, or any agent acting on their behalf, shall make every reasonable effort to identify and offer shelter and supportive services to persons in violation of this chapter prior to enforcement. Enforcement shall occur in the manner provided in the policies or guidelines, including those issued by the Department of Neighborhood Services pursuant to Section 12.01.050 of this Code.
- 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 applicable law. In addition to all available enforcement methods under the Municipal Code, notwithstanding Section 12.01.030(B) above, such illegal fire shall be immediately abated. Exceptions to this requirement must be approved by the Public Works Director or designee.

SECTION 8. Section 12.01.050 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

§ 12.01.050 Camping in Certain Areas—Enforcement and Authority.

The terms and provisions of Sections 12.01.010 through 12.01.050 shall be implemented and enforced by the Neighborhood Services Department and the Police Chief or by any other peace officer, including city police officers. The Neighborhood Services Department is authorized to issue policies or guidelines, in consultation with the City Attorney's Office, as necessary to implement this Ordinance and its purposes, or to enforce this Ordinance in a manner consistent with state or federal law.

SECTION 9. Section 12.01.060 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

§ 12.01.060 Watercourses—Erecting Buildings or Structures Prohibited.

A. The term “watercourses” means a natural or artificial channel through which water flows, and includes but is not limited to, streams, creeks, arroyos, gulches, washes and the beds thereof, whether containing water or dry.

B. It is unlawful for any person to construct or maintain, or to permit to be constructed or maintained, in or within 150 feet of any watercourse, any building or structure without a permit or license issued by the City.

SECTION 10. 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 11. 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 12. 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.) Section 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; Section 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Sections 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 13. 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 14. 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 15. Effective Date.

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

INTRODUCED ON the 4th day of November, 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 November 4th, 2025, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the __th of _____, 2025, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

Attachment 2
Notice of Exemption

NOTICE OF EXEMPTION (NOE)

To: ☒ Office of Land Use and Climate Innovation
<https://ceganet.lci.ca.gov/>

☒ Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117



Subject: Filing of Notice of Exemption

Project Title: An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Encampments and Vehicular Camping on City Property

Project Applicant: City of Goleta

Project Location (Address and APN): Citywide

Description of Nature, Purpose and Beneficiaries of Project:

The proposed Ordinance amends the City's regulations on encampments (Goleta Municipal Code Chapter 12.01), vehicle dwelling (Goleta Municipal Code 10.04), and administrative citations (Goleta Municipal Code Chapters 1.02 and 2.02) in the following ways:

1. Removes the requirement that staff is to ensure adequate shelter is available before enforcement to making reasonable efforts to offer services before enforcement of encampment and vehicle dwelling regulations;
2. Adds indicia of what dwelling in one's vehicle entails;
3. Removes the authority to tow a person's vehicle parked on City streets that has been used for dwelling for more than 72 hours;
4. Incorporates state law with regard to City's cost recovery remedies and prevailing party recovery of costs and fees with respect to administrative citations; and
5. Makes other ancillary amendments to effectuate the above-mentioned goals.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: City of Goleta

Exempt Status: *(check one)*

- ☐ Ministerial (§15268)
- ☐ Declared Emergency (§15269 (a))
- ☐ Emergency Project (§15269 (b) (c))
- ☐ Categorical Exemption: (Insert Type(s) and Section Number(s))
- ☒ Statutory Exemption: Public Resources Code § 21083.3; CEQA Guidelines § 15183)
- ☒ Other: CEQA Guidelines § 15060(c)(3), § 15378(a), § 15378(b)(5), § 15061(b)(3);

Reason(s) why the project is exempt:

NOTICE OF EXEMPTION (NOE)

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.) Section 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; Section 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Sections 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. Furthermore, none of the exceptions to the exemptions identified in State CEQA Guidelines Section 15300.2 apply. The amendments to the Goleta Municipal Code made by this proposed Ordinance do not impact an environmental resource of hazardous or critical concern, do not result in cumulative impacts, do not have a significant effect on the environment due to unusual circumstances, do not damage scenic resources within a state scenic highway, are generally applicable and not to a hazardous waste site, and would not result in a substantial adverse change to the significance of a historical resource.

City of Goleta Contact Person:

Peter Imhof

Director, Planning & Environmental Review

Date