

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: February 20, 2024

To: Honorable Mayor and City Councilmembers
From: Police Chief Ron Nelson
Subject: SAVS/Horizon Shine update

RECOMMENDATION: Accept this update on Horizon Shine.

EXECUTIVE SUMMARY:

This is an informational report regarding the status of the SAVS/Horizon Shine. It is highly likely that SAVS will miss the March 3rd deadline to place all residents in permanent housing.

BACKGROUND:

The focus of this report is the transition of SAVS' clients at Horizon Shine to other locations, as well as planning for vehicle relocations. It is the City's goal to support the placement of all residents in permanent housing as the ultimate solution to homelessness. If permanent housing is not available, the goal is to find safe and adequate interim housing for all the current residents.

This report provides updated and clarifying information requested by the City Council regarding SAVS clients and vehicles at Horizon Shine. This information is in addition to the fourth quarter report from the Sonoma Applied Villages for the Horizon Shine 24/7 RV safe parking village at 845 Gravenstein Highway North, as required by their Temporary Use Permit.

The City approved a Temporary Use Permit to support clients by providing a safe, temporary location while SAVS pursued permanent housing. SAVS has found it challenging to provide this housing despite significant increases in the supply of permanent housing in Sonoma County; although we recognize the supply of housing is insufficient to meet the need.

It appears that SAVS has also not pursued alternative interim housing until very recently. SAVS has also demonstrated a lack of understanding of interim housing options.

ANALYSIS:

At the time of this report the SAVS organization does not have any of their clients guaranteed housing. SAVS will be giving the client's 3-day eviction notices in three phases with 7 clients in each phase. The reason for the three phases is so SAVS can facilitate the moves and site clean-up in the

most expeditious manner. SAVS staff does not have the capacity to manage all the likely eviction processes and resident placements at one time due to limited staff capacity.

The first phase of 7 clients will be noticed on February 28th. This contrasts with the last report due to an error by the SAVS organization. SAVS discovered that the 90-day notice listed February 28th instead of February 1st as originally reported. SAVS is legally bound by the February 28th date before they can take any further action. SAVS has stated that they will serve the 3-day notices to the first phase of clients on Feb. 28th. They do not have a target date for issuing 3-day notices to phase Two and Three residents.

There are 21 total clients on-site. SAVS was asked to provide the following information:

- a. How many vehicles are there as of February 13, 2024?
- b. How many of the vehicles are occupied (excluding the SAVS office)?
- c. How many are not occupied (excluding the SAVS office)?
- d. How many people are there?
- e. How many of the people have confirmed locations to move to?
- f. How many do not have confirmed locations?

This chart summarizes the information SAVS provided to us.

Clients:

21	0	21
Living onsite	Confirmed Placement	Unconfirmed Placement

Vehicles:

21	19	2
Onsite	Occupied	Unoccupied

Although SAVS does not have any guaranteed placement housing for their clients, they state they are actively working on placements. This is the breakdown for possible placements:

- 9-clients moving to The Commons in Santa Rosa. This site likely requires permits from the City of Santa Rosa which as of this writing, St. Vincent de Paul, the owner of both sites, has not applied for. It is unclear if the permits will be approved and how long the approval process will take.
- 5-Clients moving into shelters
- 4- Clients to Sam Jones
- 1-2 Clients moving to Washington State
- 1-Likely relocated based on legal proceedings
- 1-Trying to move onto employer’s property

There are 22 vehicles on the site with 20 being occupied. The two vehicles that are unoccupied are the SAVS office and the burn damaged trailer. SAVS has stated that they have funds to remove any vehicles left behind by clients and they will also clean the site prior to turning it over to SVDP.

A written response as to plans for addressing vehicles left behind has been requested from SAVS but as of this report it has not been received.

Jack Tibbets of St. Vincent De Paul has stated that in anticipation of the Homekey 3 Award, SVDP expects SAVS to completely relocate all the parking guests/clients and have the site completely free of people and debris, by no later than April 1st, 2024. Should the Homekey 3 Award not be awarded, SAVS would likely not have to vacate the site for a short period of time after April 1st.

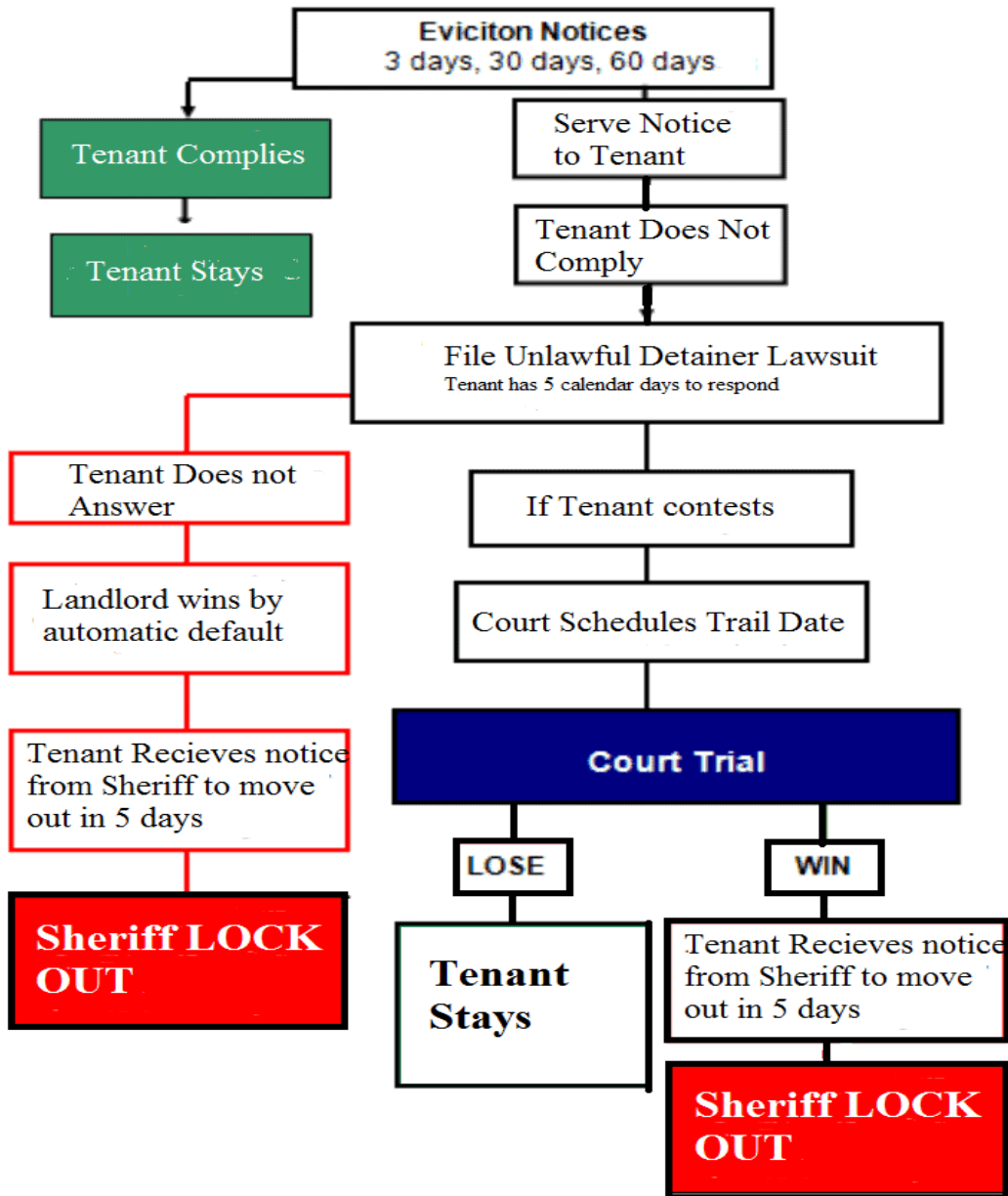
The Homekey 3 project is the permanent supportive housing to be built on the site after the lease expiration and closure of Horizon Shine.

Because we have been asked about the eviction process, we describe it here:

1. SAVS has to serve a “three-day notice” to the client that they are required to move out.
2. If the client does not move out SAVS will file an unlawful detainer.
3. If the client does not answer the detainer, the client will receive notice to move out within 5 days. If they do not move out, they will be locked out of the property by the Sheriff’s Department Civil Bureau.
4. If the Client contests the law suit the court will schedule a court date (usually within 20 days) at which time a decision will be made by a judge and the client will have 5 days from that point to move out if the judge upholds the unlawful detainer.

The next page has an eviction flow chart that illustrates the process. The SAVs organization has already served the 90-day notice and once the 3-day notice is served the eviction will follow the flow chart. The City does not have a role in the eviction process. The Sonoma County Sheriff’s Office is responsible for enforcement of court orders relating to the eviction process and the removal and lock out process of tenants remaining.

EVICTON PROCESS



COMMUNITY OUTREACH:

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

FISCAL IMPACT:

There is no fiscal impact as this report is informational.

OPTIONS:

No options to discuss. Informational report only.

ATTACHMENTS:

SAVS Safe Parking Site Conditional Use Permit.

Approvals:

Department Head Approval: RN Approval Date: 2/14/24

CEQA Determination (Planning): KS Approval Date: 2/14/24

N/A. Informational Report only with no CEQA Impacts.

Administrative Services/Financial Approval: AK Approval Date: 2/14/24

Costs authorized in City Approved Budget: Yes No N/A

City Attorney Approval: LM Approval Date: 2/15/24

City Manager Approval: DS Approval Date: 2/14/24



City of Sebastopol
Planning Department

November 17, 2022

Patrick O’Laughlin
1275 4th St Suite 101, Box
196 Santa Rosa, CA 95404

**Re: 845 Gravenstein Highway North,
Sonoma Applied Village Services (2022-073)**

Dear Patrick O’Laughlin:

The City Council denied the appeal and approved your application (2022-073). at their November 15, 2022 meeting. This approval is for the continuation of the existing safe parking/RV Village program “Horizon Shine” designed to provide a safe place to live and provide a way to permanent housing. This approval is in accordance with the findings and subject to the conditions contained in this letter.

This approval is final. Please feel free to contact me if you have any questions.

Sincerely,

Kari Svanstrom, Planning Director
Ksvanstrom@cityofsebastopol.org

cc:
Jack Tibbets, St Vincent De Paul, Property Owner (via
email) City Departments (via email)

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RESOLUTION NUMBER: 6491-2022 CITY

OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DENYING AN APPEAL FROM ZACKARY IMBROGNO / FRIENDS OF NORTHWEST SEBASTOPOL (PL 2022-088) AND UPHOLDING THE PLANNING COMMISSION APPROVAL OF A TEMPORARY USE PERMIT FOR THE OPERATION OF A TEMPORARY 24-7 RECREATIONAL VEHICLE (RV) SAFE PARKING SITE AT 845 GRAVENSTEIN HIGHWAY NORTH (APN 060-261-030) BY SONOMA APPLIED VILLAGES (SAVS) (PL 2022-73)

WHEREAS, the City of Sebastopol received an application by Sonoma Applied Villages for a Temporary Use Permit to operate a 24-7 safe parking site for Recreational Vehicles (RVs) at 845 Gravenstein Highway North on September 22, 2022 (File PL 2022-73); and

WHEREAS, such a temporary use may be authorized through the approval of a Temporary Use Permit (TUP), as outlined in the Sebastopol Municipal Code Section 17.430 "Temporary Use Permits"; and

WHEREAS, a Temporary Use Permit of more than six months may be granted if the Planning Commission finds that the "establishment, maintenance or operation of the proposed use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City."

WHEREAS, on October 11, 2022 the Planning Commission conducted a duly noticed public hearing to consider the application by Sonoma Applied Villages for a "Temporary Use Permit of more than six months" to operate a 24-7 safe parking site for Recreational Vehicles (RVs) at 845 Gravenstein Highway North, considering the written and oral staff report, public testimony, and resolution, all of which the Planning Commission duly considered and unanimously approved adopted Planning Commission Resolution 22-07 confirming the CEQA exemption and adopting Findings for Approval and Conditions of Approval; and

WHEREAS, an appeal was received on October 17 from Zackary Imbrogno, President, Friends of Northwest Sebastopol, and Friends of Northwest Sebastopol, appealing the Planning Commission's decision on the basis that: 1) a two-year extension of the RV Village is not a Temporary Use; 2) the Commission may not make the findings necessary to approve a two-year extension as a temporary use; 3) the proposed two-year extension is not categorically exempt from CEQA (the California Environmental Quality Act) (File PL 2022-88); and

WHEREAS, the City Council conducted a duly noticed public hearing on November 15, 2022 to consider the Appeal of Zack Imbrogno, President, Friends of Northwest Sebastopol of the Planning Commission's approval of the application by Sonoma Applied Villages for a "Temporary Use Permit of more than six months" to operate a 24-7 safe parking site for Recreational Vehicles (RVs) at 845 Gravenstein Highway North, in which it considered the written and oral staff report, presentations from the Appellant and the Applicant, heard public testimony, duly deliberated the appeal.

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016, and a Housing Element that was adopted on March 30, 2015; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA, codified at Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 CCR, § 15000 et seq.), on November 15, 2016, the City Council certified and adopted an Environmental Impact Report (EIR) for the Sebastopol General Plan (the "Project"; State Clearinghouse No. 2016032001); and

WHEREAS, the City adopted a Resolution 6213 on October 2, 2018, declaring a local Homeless Emergency and Shelter Crisis, as there were 69 persons within the City of Sebastopol, and an additional 214 persons within the greater Sebastopol and West County area, that were homeless and living without shelter in 2018; and

WHEREAS, the 2020 Homeless Count found that this number had risen to 129 homeless and living without shelter;

WHEREAS, the 2022 Homeless Count found that a significant reduction from 2020 from 129 to 78 homeless and living without shelter; and

WHEREAS, the Homeless Count includes those living in their vehicles, including recreational vehicles, at 'safe parking' sites, and in temporary residential use and homeless shelters such as Horizon Shine and RV spaces at Park Village mobile home park; and

WHEREAS, the number of homeless is significant, and these persons are without the ability to obtain shelter; and

WHEREAS, the health and safety of unsheltered persons in Sebastopol is threatened by a lack of shelter; and

WHEREAS, the City of Sebastopol City Council Adopted Resolution 6386-2021 on November 30, 2021, proclaiming the existence of a Local Homeless Emergency, and finding that living in such conditions continue to result in a critical threat to the physical and mental health and safety of those experiencing homelessness, as well as to the natural environment and the

public health and well-being of the surrounding community, and thereby continue to place the safety of persons and property at extreme peril within the territorial limits of the city; and

WHEREAS, scope of the local homeless crisis is beyond the resources of the City standing alone and require the combined forces of adjacent jurisdictions and state agencies, as well as non-profit organizations; and

WHEREAS, the Project site provides a location for other non-profit organizations and social service providers to administer assistance to these individuals, including health care, nutrition, counseling and case management; and

WHEREAS, the provision of safe parking for the homeless at this site significantly reduces the number of individuals without a location to stay and without access to needed social support services; and

WHEREAS, reducing the number of homeless individuals without shelter is in the interest of the City and its residents, and is not detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and

WHEREAS, as the Temporary Use Permit involves only the operation and permitting of the existing RV Village and does not expand the existing use of the RV Village; and

WHEREAS, the City Council finds that the Temporary Use Permit is exempt under CEQA Guidelines Section 15301 "Existing Facilities" which covers the "operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."

WHEREAS, as there are no physical changes to the environment proposed by the Project, the City Council finds that the Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines, § 15061(b)(3), which exempts Projects 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;

WHEREAS, the City Council finds that the Project is categorically exempt from the requirements of CEQA pursuant to Section 15304, Class 4, which includes minor temporary uses of land having negligible or no permanent effects on the environment. The use is consistent with this categorical exemption as this is a temporary use and does not require permanent improvements. And,

WHEREAS, the City Council finds the use, a temporary residential use for a 24-7 safe parking for RV (Recreational Vehicles), and the proposed two-year limited time frame is a temporary use consistent with the Zoning Ordinance, Section 17.430 – Temporary Use Permits, and therefore eligible for the granting of a Temporary Use permit; and

WHEREAS, the City Council finds that the Project is consistent with the goals and policies of this adopted General Plan, in that the provision of this site for temporary housing for homeless individuals complies with a number of the Adopted General Plan Housing Element policies, including:

Policy D-2 – Encourage expansion of housing opportunities for extremely low-income households, in that it provides temporary location for temporary housing at the site for unhoused individuals, and

Policy D-6 – Work to prevent homelessness and support housing services to the homeless, in that a number of non-profit organizations, including SAVS but also Gravenstein Health Center and West County Community Services, are able to provide ‘wrap-around’ supportive services both to support potential transition to permanent housing as well as other needed services such as health care and meals; and

WHEREAS, the Sonoma Applied Villages will be subject to a number of conditions of approval during the two-year duration of the Temporary Use Permit to ensure that it is compatible with the neighborhood and to ensure transition of the residents of the site once the use ends; and

WHEREAS, the City Council finds that, based on the above findings of fact, the granting of the Temporary Use Permit will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and

WHEREAS, the City Council finds that the granting of a Temporary Use Permit for Sonoma Applied Villages to operate the Project, the “Horizon Shine” 24-7 recreational vehicle safe parking site at 845 Gravenstein Highway North for two years is consistent with the above findings, the General Plan, and the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the City of Sebastopol City Council hereby adopts a Resolution denying the appeal and upholding the Planning Commission’s approval, based on the findings above, and subject to the Operating Parameters included in Exhibit A, and the Conditions of Approval included in Exhibits B and C, approving the application for the temporary use permit to Sonoma Applied Villages (SAVS) to operate a 24-7 safe parking site for Recreational Vehicles (RVs) at 845 Gravenstein Highway North until December 31, 2024, by the following vote:

The above and foregoing Resolution was duly passed, approved, and adopted at a meeting by the City Council on the 15th day of November, 2022.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter
Noes: None
Absent: None
Abstain: None

APPROVED:


Mayor Patrick Slayter

ATTEST:



Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:



Larry McLaughlin, City Attorney