

Legislation Details (With Text)

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In control: City Council
On agenda: 1/13/2020 **Final action:** 1/13/2020
Title: Allowing organized vehicle-camping.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Welcoming and Livable Community.

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Written Testimony received by 3:30 p.m. 1-13-20

Date	Ver.	Action By	Action	Result
1/13/2020	1	City Council	received and filed	

TO: Mayor and City Council
THROUGH: Steve Powers, City Manager
FROM: Norman Wright, Community Development Director

SUBJECT:

Allowing organized vehicle-camping.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Welcoming and Livable Community.

ISSUE:

Information only.

RECOMMENDATION:

Information only.

SUMMARY:

Methods and best practices to allow organized vehicle-camping.

FACTS AND FINDINGS:

Salem has a large number of unsheltered residents who sleep or live in vehicles, such as passenger cars, campers, or recreational vehicles ("vehicle-camping"). These residents park their vehicles on streets, public areas, and private property, including churches, non-profits, businesses, and residential driveways.

Currently, there are few legal options for vehicle-camping within the city due to zoning restrictions and other restrictions on the use of property. Unorganized vehicle-camping creates negative impacts on property being used for camping and neighboring property, and health and safety issues for the campers as well as the public.

Allowing organized vehicle-camping, at certain locations, and subject to reasonable limitations, may provide a more suitable option for campers, protect health and safety, and reduce negative impacts on neighboring properties.

The City of Eugene has a program, created through ordinance, that permits overnight sleeping in different locations, including sleeping in vehicles. The Eugene program has two options: 1) Sites partially sponsored by the City of Eugene and managed by St. Vincent de Paul, and; 2) Privately-sponsored sites managed and operated by private property owners.

Under both options, camping is limited to overnight sleeping within a vehicle on the site, with the permission of the property owner. Hours of operation/occupancy of the sites is 9:00 p.m. to 7:00 a.m. The number of vehicles is limited to six for each site.

Privately Sponsored and Operated

The Eugene ordinance allows overnight sleeping in a vehicle in a parking lot of a religious institution, business or public entity parking lot or structure with the permission of the property owner.

Overnight sleeping is limited to a maximum of six vehicles per site. "Vehicle" includes a car, tent, camper, trailer, or Conestoga hut.

Overnight sleeping, for one family, is also allowed in the backyard of a single-family residence, with permission of the owner and tenant of the residence. In the alternative to backyard overnight sleeping (not in addition to), up to one family may sleep in a vehicle, camper or trailer parked in the driveway of a single-family residence. "Family" is defined as an unlimited number of related individuals, or no more than two unrelated adults.

The Eugene ordinance allows overnight sleeping in a vehicle on a paved or graveled surface located on a vacant or unoccupied property, with the permission of the owner, and a maximum of six vehicles. The site must be registered with the City by the owner.

City-Sponsored

Under the City-sponsored option, the specific sites are approved by the City Council, and an agreement is executed with the property owner, St. Vincent de Paul, and the City regarding the operation of the site. Under this option, sites may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or business located in a commercial or industrial zone.

The City of Eugene provides funding for portable restrooms and trash service and for St. Vincent de Paul staff to administer the program.

Best Practices

If the City moves forward to allow vehicle-camping within the city, the privately sponsored and operated model, with the requirement that site owners and operators provide supervision and access to restrooms and trash receptacles, has several advantages. First, the start-up time for a privately sponsored and operated vehicle-camping location would be significantly less than a City-sponsored site. Second, the City does not have the resources (in terms of personnel, materials, or funding) to manage a City-sponsored program. The only action needed by the City is to pass an ordinance allowing vehicle-camping either through normal processes or through an emergency declaration, and establish minimum standards.

The advantage of Eugene's partnership with St. Vincent de Paul is that St. Vincent de Paul manages the sites at no cost to the property owner, ensuring the managers of the sites have experience with this type of activity, and uniformity in operation. However, it is doubtful a local entity has the capacity or resources to undertake this responsibility.

The recommended standards for the allowance of vehicle-camping include:

- Only allowed on properties operated by a non-profit, public, or commercial entity, and not located within or adjacent to a residential zone, or property currently used for a residential use;
- Hours of operation - 9:00 p.m. to 7:00 a.m.;
- Property owner must register the location with the City;
- Property owner must provide access to adequate restrooms and trash receptacles;
- Camping limited to vehicles, and not tents or other improvised camps;
- No more than six vehicles per location;
- No open flames at the location, including within the vehicles;
- Strict compliance with applicable noise regulations;
- No illegal drugs;
- Stay limited to less than 30 calendar days within any six-month period per location;
- Owner-operator of a location may not charge a fee for use of the property for camping, and has the right to refuse entry or discontinue use for any individual, subject to SRC chapter 97 - human rights, and;
- Owner-operator must provide a storage area for personal property so items are not visible from the right-of-way.

Regulatory barriers

Overnight vehicle-camping within specified locations is deemed a homeless shelter use under the City Code. As such, locations will likely need to obtain conditional use approval before conducting the

use. Another option would be to amend the Code to allow use, subject to the standards outlined above. A process to amend the Code in this manner would take approximately three to six months, and require a public hearing, either before the Planning Commission, or City Council, or both.

In the alternative, as with a City-sanctioned campsite for unsheltered residents, the City Council could declare an emergency for a limited duration to allow the waiver to the regulations.

BACKGROUND:

On December 9, 2019, the City Council adopted a motion from Councilor Hoy, to direct staff to report to City Council on methods and best practices to allow vehicle-camping, including any changes to the City Code that may be required.

Brady Rogers
Neighborhood Enhancement Administrator

Attachments:

1. None.