



**City of Santa Cruz CACH  
Community Advisory Committee on Homelessness**

**SAFE SLEEP SUBCOMMITTEE**

1. Overview

- a. RECOMMENDATIONS
- b. OUTREACH MODEL collaboration with the county
  - i. Move to include new policy of Outreach and Engagement supported by Enforcement
  - ii. Share data with county and explore primary response being an Outreach Response Collaboration
    1. Distinguish between Urgent vs Non-Urgent, and Criminal vs Homeless issues for response type.
- c. ALIGNMENT WITH INTENT OF MARTIN VS BOISE
  - i. Report on local ordinances
  - ii. Report on use of SCPD volunteers in warnings and citations
  - iii. Clarify language: public health issue, public nuisance, abandoned
  - iv. Standard Operating Procedures
    1. "Sleep Zones"
    2. "Car Camping Zones"
    3. "Personal Property Management"
      - a. If "abandoned"
      - b. When arrested
      - c. When released
  - v. Towing – sharing information resources and time to correct
- d. PARKING
  - i. Businesses, churches, personal driveways, new overnight restrictions
- e. NEW SITES & PROGRAMS
  - i. Find Funds for new sites & programs
  - ii. Study building inventory for more options



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# BACKGROUND

The CACH Safe Sleep Subcommittee has reached out to national experts on homelessness, including consultants in DC and the Bay Area, and officials focused on homelessness up and down the West Coast. We also met with staff members across a number of departments within the city (City Attorney, Police, Fire, Planning, and Parks & Recreation) to better understand the role each play in addressing homelessness. We also heard from organizations advocating for the legal rights of homeless, poor, and disabled people.

We see our charge to come up with recommendations which address the issue of unsheltered homelessness in Santa Cruz. According to the 2019 Point in Time homeless census count, there were approximately 900 unsheltered people experiencing homelessness in the city of Santa Cruz. We do not have the capacity to adequately shelter our homeless population. This lack of shelter results in people sleeping in their vehicles, and in tents, sleeping bags, and blankets in doorways, alleyways, parks, beaches, and other public and private lands.

The City of Santa Cruz has attempted to manage unsheltered homelessness in recent years via a patchwork of ordinances including a ban on sleeping in public (with or without a blanket) at night, closing public lands, limiting park hours, blocking sidewalks, as well as ordinances regarding sitting and lying in downtown areas. The 9th Circuit Court of Appeals recently found that blanket camping ban ordinances such as Santa Cruz's are unconstitutional, and thus Santa Cruz has suspended enforcement of the prior camping ordinance. The City Attorney has rewritten the Camping Ordinance to try to put it in-line with the *Martin vs. Boise* ruling, but that lawsuit was an "As Applied" case and therefore implementation is also at issue. The City Council has asked our committee to give recommendations of how to move forward in addressing our community's homeless crisis and its effects on businesses and home-owners.

While we support the continued work of the City and County to work towards increasing the shelter capacity and making the shelter system more welcoming, responsive, and efficient, we have created a framework that affords people their right to sleep, and mitigates the problems associated with unsheltered homelessness. The framework we are proposing includes a process for designating areas of the city as temporary sleep areas, and a plan for upkeep of those areas. Equally important, we are also proposing the creation of an outreach-based model of engagement prior to enforcement of human needs based behavior.



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## Standard Operating Procedures of “Sleep Zones”

1. **Outside sleeping** (GENERAL SLEEPING, NOT A paid nonprofit, but still monitored)
  - a. Accessibility (ex for person in wheelchair to access where he lives) with food and such nearby
    - i. “A fair distribution throughout the city”. One west side, one east, one in the middle, and one near northern river street corridor
    - ii. TRANSPORTATION with belongings expands choices
  - b. Bathrooms/hand washing, ADA accessible (present now or new porta pottie)
  - c. Some sites must be ADA accessible.
  - d. Trashcans
  - e. Safe Needle disposal
  - f. Rotating every 2 months with significant notice during transition and engagement with the local community to address needs and share information of pertinent contact information
  - g. Night time and Day time Areas Clearly Separated within the area for cleaning purposes, limitation on “Public Health and Safety” or “Public Nuisance” concerns.
    - i. Storage conex suggested needing funding and a plan of who will operate
    - ii. Clear ground markings for each tent site
    - iii. Regarding number per site:
      1. Initial recommendation: equitably, according to need, starting with 150 camp sites in at least four sleep sites. Re-evaluation may change if there is more or less need.
      2. If full, there will be no enforcement in that area of the city
  - h. *Incorporation of Outreach daily, at the sites*
  - i. *ALL LAWS STILL ENFORCED: substance use, alcohol use, littering, graffiti, theft*
2. **Overnight Car Camping**
  - a. Church and business parking lots\_(bathroom access in encouraged, and the city should research possible incentive programs), and use of personal driveways
    - i. 5 allowed with permission in church parking lots
    - ii. 5 allowed with permission in business parking lots
    - iii. Regarding personal driveways, for rentals, it should match guest privileges in the lease.
    - iv. Regarding personal driveways, for owners, up to owner.
    - v. Regarding Home Owner Associations, it should match the HOA rules.
  - b. We recommend the creation of multiple, Night-Time Only car camping sites, equally distributed across the city to accommodate 150 vehicles. Including bathrooms and hand-washing stations which are ADA and trash cans and needle disposal, and outreach.
    - i. *Conversations should encourage participation for County-owned parking lots.*
    - ii. *Include low-barrier, no barrier policies.*
    - iii. *Enforcement of all regular laws.*



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# CAMPING ORDINANCE

1. Recommendation is not to use as written.
2. If to be implemented, our recommendations for improvements
  - a. Outside camping
    - i. No forced moving to shelter or citing if refusal to go to indoor or nonprofit shelter program. Only citing if camping outside of Sleep Zone. Transportation assistance should be offered.
    - ii. This ordinance shall not be enforced for camping until Sleep Zones are created.
    - iii. If the nearest Sleep Zone is full, this ordinance shall not be enforced in that area of the city.
    - iv. People may sleep in the “Zones” according to “Standard Operating Procedures of Sleep Zones. *(if SOP’s is outside of the Ordinance, easier to modify and improve when necessary).*
    - v. Once the sleep zones have been set up, people may not set up any tent or tarp anywhere else.
    - vi. During the day, housed and unhoused should have the same rights within this ordinance, and through implementation, in all public places, including public parks. This should include blankets and sleeping bags, the setting up of tents or other temporary structures.
      1. *(i.e. picnic blanket = nap in sleeping bag, and family tent for toddlers = homeless day tent)*
    - vii. Regarding, “Two violations in 48 hours is a misdemeanor”, we recommend that this be removed due to “Due Process” concerns.
  - b. Car camping
    - i. We recommend the number of overnight camping vehicles in church parking lots, business parking lots, and residential driveways as allowed according to the “Protocols and Procedures of Implementation of the “Places” “.
    - ii. We recommend allowed overnight car camping according to the P&P.
    - iii. This ordinance shall not be enforced for car camping until Safe Sleepy Zones are created.
    - iv. If the nearest Car Campy Safe Sleepy Zone is full, this ordinance shall not be enforced in that area.
    - v. Regarding, “Two violations in 48 hours is a misdemeanor”, we recommend that this be removed due to “Due Process” concerns (and ineffective policies.) should not be applied to car camping.



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## UNRESOLVED ISSUES WITH PROPOSED CAMPING ORDINANCE

- Definitions: encampment vs using a blanket or tent to enjoy park, public health and safety issue, and public nuisance
- Sleep vs nap for use of park
- Day and/or night?
- Who will respond?
- No present procedure to know availability or eligibility of shelter.
- How does someone get to shelter with all of their belongings?
- What if they have an issue with the shelter or the shelter has an issue with them?
- Where specifically can they go when no shelter is available?
- What is reasonable notice to relocate?
- What is reasonable notice for unattended belongings?
- Side note: there are no ADA shelters, so this cannot legally apply to those with disabilities. (Laurel St. needs accessible height beds vs mats on floors).
- Car camping has the same procedural questions