

Inhabited Vehicles and the Public Parking System

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The following article discusses inhabited vehicle policies and programming related to the public right-of-way, utilizing examples from communities throughout the mountain and coastal west regions of the United States. This research is not intended to address issues related to inhabited vehicles concerning public safety, health, homelessness or other issues related inhabited vehicles.

Introduction

Whether due to economic hardship or by choice of lifestyle, inhabited vehicles are becoming more common throughout the United States, specifically within the Mountain region and along the West Coast. In some areas the high cost of living or limited availability of housing drives the growing trend in vehicle habitation. In other areas, it can be the desire for close proximity to popular destinations or services that is the primary driver.

Inhabited vehicles include:

- Vehicles inhabited by those experiencing homelessness
- Vehicles inhabited by those traveling for leisure, such as in recreational vehicles or converted vans
- Vehicles inhabited by those choosing “van life” or “nomadic living”

These vehicles present unique challenges for communities looking to balance the demand for the public right-of-way and equitable access to public resources. In response, many communities have developed policies and programming to address the various impacts of inhabited vehicles on the public parking system.

This effort is informed through interviews conducted with parking and transportation managers from the respective communities as well as research and available articles and research of municipal codes.

Location Trends

Based on interviews with agency representations from communities throughout the Mountain and West Coast regions, the location of inhabited vehicles is reported to be highly correlated to the type of inhabitant. Along the west coast, inhabited vehicles were most frequently reported to congregate in residential areas near the coastal zone, presumably in search of free parking with convenient access to beach areas. Similarly, in other mountain destination communities, recreational vehicles (RVs) were found in residential areas with proximity to shopping and attractions. Users typically associated with these locations were recreational vehicle and converted van owners that have chosen to inhabitant their vehicle as a lifestyle choice, either permanently or temporarily as part of an extended trip. While this user group was reported to be least impactful in terms of waste, it does appear to be the group whose behavior is most difficult to change. The difficulty in changing behaviors among this group appears to be tied to the nomadic nature of these users, because they do not intend to remain in the area permanently.

Those living in a vehicle due to economic circumstance generally were reported by interview participants to be in areas that were either close in proximity to social services or in light industrial areas where their presence was most likely to go unnoticed. Interviewed agencies with paid parking noted that inhabited vehicles avoid these areas during enforced hours. This user group appears to be those most mobile, moving frequently to avoid detection and potential enforcement, but predominantly remaining within the same municipality. Along with increased reports of waste and illegal dumping associated with this user group, abandoned vehicles that were previously inhabited but no longer in operating condition were reported as a significant cost for some communities interviewed.

Storage of recreational vehicles and converted vans was reported in some communities as having a greater impact on public parking accessibility than inhabited vehicles. Residents utilizing the public right-of-way to store large vehicles decreases turnover of spaces and reduces available inventory with each oversized recreational vehicle occupying space that could otherwise accommodate up to two to three standard-sized personal vehicles.

Strategies to Manage Inhabited Vehicles and Storage of Oversized and Recreational Vehicles within the Public Right-of-Way

In addition to parking management strategies utilized to balance parking demands in core areas, such as paid parking and permitted zones, many communities also employ broader ordinances to address inhabited vehicles and the storage of oversized and recreational vehicles within the public right-of-way.

Directly Restricting Inhabited and Recreational Vehicles

Some communities have addressed the issue of inhabited vehicles by prohibiting the practice within the agency's boundaries or restricting potential inhabited vehicles to specific locations and connecting them to specific residences. For instance, Adams County, Colorado's Development Standards and Regulations prohibit the inhabitation of vehicles unless the vehicle is associated with a specific residence, and even then, is only permitted once each calendar year for up to 30 days.¹

In another example, while the municipal code does not expressly prohibit the inhabitation of all vehicles in Colorado Springs, Colorado, it does prohibit the use of a recreational vehicle as a permanent dwelling unit. City ordinance also prohibits the storage of recreational vehicles within the public right of way on a city-wide basis. Outside of the expeditious loading of the vehicle, a recreational vehicle must be parked on private property and is still subject to storage restrictions related to the surface material and location of the parking.²

Time Limits

For several communities, the use of time limits is intended to enable equitable access to public parking resources without the negative perceptions that may be associated with outright prohibitions on inhabited vehicles. With some feeling that such laws unfairly punish those living in vehicles for their economic

¹ Adams County Colorado Development Standards and Regulations, Chapter 4.03.03.02.12

<http://www.adcogov.org/sites/default/files/dsr-chapter-04.pdf>

² City of Colorado Springs Municipal Code

https://www.sterlingcodifiers.com/codebook/index.php?book_id=855&ft=4&find=2.1

circumstances, time limits are used to provide access to the resource equitably, without prejudice against any user type. In other applications, time limits are used to facilitate temporary access for these vehicles.

The City of Carlsbad, California is a coastal community about 35 miles north of San Diego, known for Tamarack Surf Beach and Legoland California. As a popular destination for those vacationing in recreational vehicles, the City developed a RV Ordinance in March of 2013 to protect access to the coastal zone for both visitors and residents of the area. Per this ordinance, the City prohibits parking of oversized vehicles on public streets from 2:00am to 5:00am. Oversized vehicles are defined by the City as those either 22 feet in length or 7 feet in height and 7 feet in width.

To accommodate those residents with oversized and recreational vehicles that may utilize the public right-of-way for loading and unloading, or other short-term needs, annual permits are made available at no cost. These permits must be registered in association with a residence; and the vehicle is permitted to park within 400 feet of the associated residence for up to 72 hours, four times each month. A similar permit is available for guests, allowing residents' visitors to park a recreational vehicle on the street near their residence for up to 72 hours, six times per year per residence. As of February 1, 2020, overnight parking restriction were expanded to include the Ocean Street Parking Lot based on reports of excessive overnight parking at the facility.³

The Seattle, Washington Department of Transportation (SDOT) has a more relaxed and iterative approach in their response to complaints of inhabited vehicles. When inhabited vehicles complaints are received, SDOT's typical first step is responding by a letter to the complainant advising them that the City no longer installs or enforces overnight parking prohibition areas unless there is a business need for them, "as this simply moves the issue down the street." The letter reminds complainants to have empathy for those experiencing homelessness and that as long as the vehicle abides by the City's 72-hour ordinance, and otherwise does not violate any laws, the vehicle and its inhabitant(s) are not considered to be in violation of any offences.

The Town of Jackson, Wyoming has implemented a unique approach regarding inhabited vehicles. Home to some of the best recreation and skiing in the world thanks to its proximity to Grand Teton National Park and resorts such as Jackson Hole and Grand Targhee, the Town has the second highest per-capita income in the country as of the most recent census reporting.⁴ These high-income levels coupled with a housing shortage, have created an affordable housing issue for the seasonal workforce of the resorts, where the median sale price of a home in Teton County is \$1.3 million⁵.

In response, the Town approved a municipal "campground" behind the Teton County Recreation Center in 2017. Spaces are reserved for those able to provide proof of employment within Teton County. In addition to a designated parking space, access to a porta-potty and picnic tables are provided. Access to showers and bathrooms with running water inside the Rec Center come at an additional fee above the \$225 per month off-season rate and \$465 per month peak summer season rate. Parking is not available during winter months.⁶

³ Carlsbad Parking Enforcement <https://www.carlsbadca.gov/services/depts/police/community/parking.asp>

⁴ U.S. Bureau of Economic Analysis, 2010

⁵ Home values in Teton County, WY, Realtor.com, accessed April 13, 2020

⁶ Council Ok's Parking Lot Camp for Workers, Jackson Hole News & Guide, May 17, 2017

To avoid the storage of recreational vehicles and discourage inhabited vehicle parking on street, the Town requires all vehicles parked on street to be moved at least every 72 hours, except as otherwise marked, with no overnight parking allowed on-street during winter months. The no overnight parking on-street policy also addresses issues with vehicles obstructing snow removal efforts.

Supplementary Services to Address Urban Camping and Inhabited Vehicles

The City of Portland, Oregon has developed a thorough policy framework with regards to urban camping and inhabited vehicles as a key component of the City's overall package of solutions for homelessness, which has emerged as a major problem in the area within the last decade. Through the City's Homelessness and Urban Camping Impact Reduction Program (HUCIRP), the City has developed programming for the cleanup of illegal campsites on public property and the removal of abandoned and illegally stored vehicles. An essential guiding principle to the development and implementation of the programs discussed below is that simply addressing the complaints without providing support services to aid those experiencing homelessness and housing challenges will only push the problem to other areas within the City. There are several programs serving the HUCIRP initiative, not all of which are discussed here with the Clean Start program, the Portland Bureau of Transportation's (PBOT) Vehicle Inspection Team and Abandoned Auto Team, and the Service Coordination Team.

Clean Start

The Clean Start program provides an opportunity for those who have personally experienced homelessness to become more self-sufficient through structured training and employment that allows participants to become comfortable with routine, authoritative structuring, and regular work in a supportive environment. Many Clean Start participants receive housing in one of the City's transitional housing facilities during their employment, in addition to access to services to aid in such matters as addiction recovery, employment services, and educational support.

Participants in the program are employed in mobile trash removal services specifically related to homelessness. Teams of two are dispatched to reported urban camp sites to assess the site and provide inhabitants with educational materials and information on available resources. Through their own experiences, and additional training provided through the program, Clean Start participants have a unique understanding of the challenges faced by these individuals that often makes their presence more welcomed and accepted than is historically experienced by law enforcement or social services personnel.

Often the first to respond to complaints of encampments, Clean Start employees utilize a risk assessment to determine next steps and the appropriate level and timing of the response. A scored system, sites will fall into one of three categories: 1) low impact sites that receive general clean up and whose inhabitants receive advice on resources and alternative housing options available; 2) sites listed to be posted where contact with the inhabitants is attempted to provide notice that the site will be cleaned up within 24 hours to 1 week; and 3) high impact sites posted with notice of clean up within 24 hours that are prioritized and addressed by Rapid Response (a third-party vendor) with increased specialized training such as de-escalation and handling of hazardous materials. Of the complaints received, approximately 15% receive an evaluation resulting in posting for cleanup. The risk assessment matrix utilized was created and vetted by City staff, as well as several community groups.

Abandoned Auto and Vehicle Inspection Teams

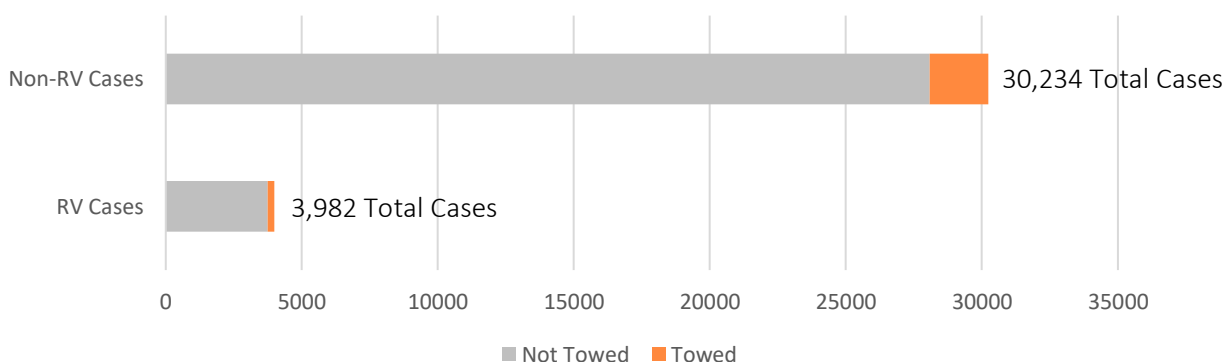
When complaints include an inhabited or abandoned vehicle, the response include members of the Vehicle Inspection Team (VIT). Members of this team are required to speak with the occupants of inhabited vehicles prior to acting on removal of a vehicle, and like the Clean Start program participants, have specialized training to provide resources and advice to inhabitants on resources and alternative housing options. More than half of reported inhabited vehicles are gone when VIT staff arrive to investigate, or the vehicle is not violating any laws and the inhabitants move to a new location, making recurrence of complaints frequent.

Instances where there is no violation, VIT closes the case and leaves a notice on the vehicle that it was reported, checked, and that there was no violation determined. In addition to any determination of violation resulting in a warning or citation, if the vehicle is determined to be derelict, has expired or no valid registration, or is otherwise prohibited from being on the street or at the location, VIT issues a tow warning. Returning in 72 hours to 1 week the VIT officer will recheck the vehicle. If the vehicle is in compliance at that time, the case is closed. If not, or the vehicle owner has not requested or received an extension, then an additional citation for an abandoned vehicle is issued and the vehicle is towed.

Part of the Parking Enforcement Division, VIT members were honored by the Portland Police Bureau in 2018 for their efforts in assisting the department and those inhabiting vehicles. The VIT had partnered with a local emergency food assistance program to better connect vehicle inhabitants with its resources, handing out food from the organization to those encountered during inspections.

Extensions are frequently requested in connection with inhabited vehicles, and these instances are handled with a greater level of care than other abandoned vehicles. Extensions are typically provided for those needing additional time to arrange a place to relocate legally or arrange for basic mechanical repairs. The intent in providing flexibility is recognizing that individuals living in their vehicles would generally otherwise be living unsheltered on the street. In those instances when towing is necessary, VIT officers try to do so with empathy, providing vehicle inhabitants reasonable opportunity to retrieve personal belongings from the vehicle, along with information on how to recover their vehicle, and social services resources. The figure below summarizes the frequency in which reported abandoned and inhabited cases result in towing.

Inhabited & Abandoned Vehicles Cases in Portland FY2017-18



Challenges and Outcomes

While the benefits of programming to support such reductions in homelessness and inhabited vehicles are widely recognized, the costs associated with administration and resources can be a barrier for many communities. However, based on data provided by the Portland Office of Management and Finance (OMF), there is a real financial return to be realized. Outcomes shared by the OMF concerning the Service Coordination Team (SCT) program and Clean Start program include:

- 30% of individuals who engage in Phase 1 of programming for 30 days or longer go on to successfully graduate the program.
- 82% reduction in post-program arrests for those who graduate the program.
- 77% of all participants had reduced arrests post program.
- For every \$1 spent on the SCT, there is a \$13 benefit to the community in reduced costs associated with the crimes previously committed in the targeted areas.

Other projects that have supported those with housing challenges in the Portland area that contribute to long-term efforts to reduce homelessness and housing challenges include Operation Nightwatch and the Portland Police ID Project. Operation Nightwatch provides shelter and a community center, games, monthly birthday nights, movie nights, social services such as food, medical care, and social connection at night when other services typically unavailable during evening and overnight hours. Those facing difficult economic circumstances are not always able to use services during typical business hours due to work schedules, educational efforts, and the need to care for others. Recognizing this, Portland continues to offer services during hours that meet the needs of its constituents. Additionally, a lack of personal identification is one of the largest hurdles to accessing services, obtaining employment, and registering for educational opportunities. Through the Portland Police ID Project, police officers help those in the communities without proper identification overcome barriers such as a lack of a permanent address and associated documentation to establish proof of residency, in order to obtain identification.

Inhabited and Recreational Vehicles During the Pandemic

As the impacts of COVID-19 spread throughout the U.S., reports of essential workers electing to temporarily house in recreational vehicles to avoid exposure to their families are widespread. In some areas, parking and code enforcement staff were furloughed or reassigned, essentially ‘turning a blind eye’ to these activities in areas where such actions violated parking regulations. In other areas, City staff and leaders moved quickly to put temporary, flexible orders into place to support vulnerable and front-line individuals.

In late March, Fort Collin’s City Manager, Darin Attebury, signed an emergency order temporarily allowing residents to use recreational vehicles for social distancing and to self-isolate during the outbreak. According to the order, the occupant of the RV must be parked either on private property with the property owner’s written permission or on a private street adjacent to the RV owner’s residence and not obstructing vehicular traffic or obstructing site lines of intersections or traffic control devices. The order did not, however, permit the parking of recreational vehicles on public streets. Rather, it prevents homeowner associations from enforcing conflicting regulations on private streets during this time to promote social distancing and self-isolation.

“They might want to self-isolate, but they don’t have enough room in their house to be able to do that effectively, so the opportunity to either use an RV they already own or to rent one, and to be able to self-

isolate, but still be near their family was very important, so that's why we decided to make this emergency order," Mark Standriff, Director of Communications for the City of Fresno is quoted by the Your Central Valley news.⁷ An emergency order signed into effect on April 2, 2020 allowed essential workers choosing to self-isolate to prevent exposure to COVID-19, as well as those ordered to self-isolate by a doctor or public health official, to park an RV on the street in front of their residence or in the driveway or other approved surface of their property for the purposes of self-isolation. The emergency order does not exempt others from existing regulations concerning the parking and storage of recreational vehicles within the City.

Agility, creativity, and compassion have been a recurring theme among many communities and their agency departments and partners throughout the pandemic response. In an industry often viewed by the public as immovable, outdated, and interested in revenues over customer service, parking professionals throughout the country have moved quickly and identified solutions to support increased take-out and delivery through modified curb management policies and infrastructure, redirecting parking revenues to purchase personal protective equipment for employees of area businesses and other resources needed for them to reopen, as well as recommendation and development of emergency orders such as those identified above. This agile approach will be necessary as we continue to recover, and our transportation and housing needs continue to adapt to our new environment.

Moving Forward

As parking professionals and local leaders look to address issues related to inhabited vehicles within their community, they should consider the various users effected and the intended outcomes of the regulations or management strategies being evaluated. They should not only consider the parking system's efficient use, but also the equitable access of this public resource for the community, including vehicle inhabitants.

Leaders can maximize resources available by collaborating with organizations having similar goals and identifying services targeted to the needs of vehicle inhabitants. This is a highly passionate issue for many, impacting far more than just the availability of parking supply or flow of traffic; as such, the process of identifying and evaluating appropriate measures to address inhabited vehicles should include input from community stakeholders at every step. These leaders should also leverage their parking and mobility networks and reach out to consultants and subject matter experts for assistance. If this issue applies to you, know that this is an increasing trend throughout the country and your community is not alone in addressing the impacts and driving factors behind inhabited vehicles in the public parking system.

⁷ Living in an RV Outside: How Essential Workers in Fresno and Clovis Can Stay Close to Their Families
<https://www.yourcentralvalley.com/news/living-in-an-rv-outside-how-essential-workers-in-fresno-and-clovis-can-stay-close-to-their-families/>