

On November 4, 2010, the Planning Commission considered the request, reviewed the proposed Emergency Shelter Overlay Zone map, and recommended adoption of the Negative Declaration, and approval of Amendment No. A-157-10 to the City Council with a 6-0 vote, with one vacant Commission seat. No members of the public spoke in favor of or in opposition to the proposed Amendment.

DISCUSSION

The proposed Amendment to Title 9 of the Municipal Code will introduce new definitions and development standards for Emergency Shelters (Homeless), Transitional Housing and Supportive Housing, to comply with Program 10 of the General Plan Housing Element and Senate Bill 2.

Emergency Shelters (Homeless)

An Emergency Shelter is a facility that provides temporary nightly shelter to homeless individuals and families on a first-come, first-serve basis.

Senate Bill 2 (SB 2) requires every jurisdiction to identify a zone where emergency shelters will be permitted by right without subjecting the use to a discretionary approval.

The M-1 (Limited Industrial) zone has been identified as the zone that can accommodate emergency shelters as the zone provides sufficient separation from R-1 (Single-Family Residential) zone properties. An Emergency Shelter Overlay zone has been created to identify the M-1 zone properties where emergency shelters will be permitted by right (see attached map).

SB 2 also specifies that emergency shelters are subject to the same development standards as other developments located within the same zone; however, SB 2 does give jurisdictions the ability to apply written, objective development and management standards for emergency shelters as described in the statute.

The statute specifies that cities can: regulate the number of persons or beds that can be served nightly by a shelter; require off-street parking based on demonstrated need; regulate the size and location of exterior and interior on-site waiting and client intake areas; require on-site management; regulate the distance between emergency shelters provided that the distance is not more than 300 feet; limit the length of stay for clients; regulate property lighting; and require security during hours that the emergency shelter is in operation. The drafted Ordinance specifies the proposed regulations for emergency shelters that comply with SB 2.

Transitional and Supportive Housing

Senate Bill 2 stipulates that Transitional Housing and Supportive Housing are a residential use, and can only be subject to the same restrictions that apply to other residential uses of the same type located within the same zone.

Transitional Housing is a type of housing designed to assist homeless individuals and families to move beyond an emergency shelter and into permanent housing. Homeless persons or families may live in transitional housing for up to two years.

Supportive Housing is permanent, affordable housing linked to on-site supportive services, such as medical and medical health care, vocational and employment services, substance abuse treatment, offered to a "target population" that includes adults with low-income having one or more disabilities, including mental illness, HIV, AIDS, and substance abuse. Supportive Housing is designed to help individuals maintain stable housing while maintaining their health and leading fuller lives.

Transitional Housing and Supportive Housing can be configured as either group living facilities or as residential apartments. Table 2 below identifies the residential zones where Transitional Housing and Supportive Housing will be allowed when configured as either group living facilities or as residential apartments.

Table 2: Land Use Matrix for Transitional Housing and Supportive Housing

Use	R-1	R-2	R-3	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Supportive Housing										
Residential Apartments	-	P	P	-	-	-	-	-	-	-
Residential Group Living 6 Persons or Less	P	P	P	-	-	-	-	-	-	-
Residential Group Living 7 Persons or More	-	C	C	-	-	-	-	-	-	-
Transitional Housing										
Residential Apartments		P	P	-	-	-	-	-	-	-
Residential Group Living 6 Persons or Less	P	P	P	-	-	-	-	-	-	-
Residential Group Living 7 Persons or More	-	C	C	-	-	-	-	-	-	-

Legend: P = Permitted C = Conditional Use Permit - = Not Permitted

The proposed Amendment is intended to implement Program 10 of the General Plan Housing Element and to comply with the requirements of Senate Bill 2.

FISCAL IMPACT

There is no fiscal impact to the City regarding this proposed Amendment.

RECOMMENDATION

The Planning Commission recommends that the City Council:

- Adopt a Negative Declaration, and
- Introduce the attached ordinance for the first reading approving Amendment No. A-157-10.



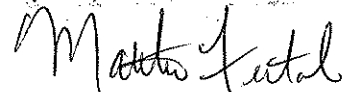
SUSAN EMERY
Community Development Director



By: Maria Parra
Urban Planner

- Attachment 1: Planning Commission Staff Report dated October 21, 2010 with Initial Study Environmental Checklist Form
- Attachment 2: Planning Commission Staff Report dated November 4, 2010
- Attachment 3: Planning Commission Resolution No. 5725
- Attachment 4: Planning Commission Minute Excerpt of October 21, 2010
- Attachment 5: Draft Planning Commission Minute Excerpt of November 4, 2010
- Attachment 6: Draft Ordinance for Code Amendment for No. A-157-10

Approved for Agenda Listing



Matthew Fertal
City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2.	SITE LOCATION: Citywide
HEARING DATE: October 21, 2010	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-157-10	ZONE: N/A
APPLICANT: City of Garden Grove	
OWNER: N/A	CEQA DETERMINATION: Negative Declaration

REQUEST:

Amendment to Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

BACKGROUND:

In 2008, Senate Bill 2 (SB 2) was adopted to address California's homeless population by requiring jurisdictions to incorporate language in their General Plan Housing Element that would facilitate the development of homeless and low-income housing, including Emergency Shelters, Transitional Housing, Supportive Housing, and Single-Room Occupancy (SRO). SB 2 specifically requires jurisdictions to identify a zone where Emergency Shelters would be permitted by right without requiring discretionary approval, and also requires development standards for Transitional Housing, Supportive Housing, and Single-Room Occupancy.

Program 10 of the Garden Grove General Plan Housing Element indicates that in order for the City to comply with SB 2, Title 9 of Municipal Code (Land Use) will be amended to adopt development standards for Emergency Shelters, Transitional Housing, Supportive Housing, and Single-Room Occupancy. At this time, the proposed amendment will only establish standards for Emergency Shelters, Transitional Housing, and Supportive Housing as the development standards for Single-Room Occupancy will be adopted concurrently with the adoption of the Residential/Commercial Mixed Use zones.

The proposed amendment will amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

DISCUSSION:

The proposed amendment to Title 9 of the Municipal Code will introduce new definitions and development standards for Emergency Shelters (Homeless), Transitional Housing and Supportive Housing, to comply with Program 10 of the General Plan Housing Element and Senate Bill 2.

A) Emergency Shelters (Homeless)

An Emergency Shelter is a facility that provides temporary nightly shelter to homeless individuals and families on a first-come, first-serve basis. While the transient population is the group most commonly associated with seeking shelter at emergency or homeless shelters, these facilities can also provide temporary shelter to working individuals or families who have suffered an economic hardship or who cannot afford the high cost of housing, and only have the option to stay at an emergency shelter while they find a program that can assist them with housing.

Senate Bill 2 (SB 2) requires every jurisdiction to identify a zone where emergency shelters will be permitted by right without subjecting the use to a Conditional Use Permit or any other discretionary approval. SB 2 also specifies that emergency shelters are subject to the same development standards as other developments located within the same zone; however, SB 2 does give jurisdictions the ability to apply written, objective development and management standards for emergency shelters as described in the statute. The following is a list of the objective standards that cities can regulate as described in the statute:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of exterior and interior on-site waiting and client intake areas.
- The provision for on-site management.
- The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Light.
- Security during hours that the emergency shelter is in operation.

In identifying a zone where emergency shelters will be permitted by right, the primary goal was to identify a zone that would have the least impact to R-1 (Single-Family Residential) zoned properties. Staff determined that the M-1 (Limited Industrial) zone (see Table 1) would be the most appropriate zone to accommodate an emergency shelter as the zone provides sufficient separation from

R-1 zone properties, and also the M-1 zone areas in Garden Grove are centrally located within the City to provide convenient access to public transportation and commercial centers that can serve the daily needs of the homeless.

Table 1: Land Use Matrix for Emergency Shelter (Homeless)

Use	R-1	R-2	R-3	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Emergency Shelter (Homeless)	-	-	-	-	-	-	-	P*	-	-

Legend:

P = Permitted use

* = Use is subject to special operating conditions

- = Not Permitted

In determining the number of beds or persons allowed to be served nightly by a single emergency shelter, the City relied on a 2007 Point-in-Time Study conducted by the County of Orange to estimate Garden Grove’s homeless population.

According to the City’s General Plan Housing Element, the County of Orange conducted a Point-in-Time Study in 2007 to estimate the county’s homeless population. Based on Garden Grove’s population, the study concluded that at any give point-in-time there were approximately 200 homeless persons in the City of Garden Grove, including approximately 60 unsheltered individuals. The Housing Element describes an unsheltered individual as a person that does not reside in an emergency shelter or transitional housing. An unsheltered individual can live on the streets or in a car. Based on the estimated number of unsheltered individuals identified in the study, the City will use this number to limit the maximum number of beds or persons allowed to be served nightly in a single emergency shelter. Therefore, the proposed regulations will limit the maximum number of beds or persons, to be served nightly by a single emergency shelter, to 60.

To encourage individuals to move from an emergency shelter and into a transitional housing program or to permanent housing, the City will limit the maximum stay at an emergency shelter to 120 days within a 365 days period. Furthermore, the facility is required to operate on a first-come, first served basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 8:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 8:00 a.m. during Pacific Standard Time. Clients are required to vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night.

The City will require emergency shelters to maintain a minimum distance of 300 feet from any another emergency shelter, as measured from the property line, and in compliance with the distance requirement stipulated in SB 2.

A Security and Safety Plan will also be required for every emergency shelter that addresses how the facility will separate the male, female, and family sleeping areas; how the facility will minimize clients from loitering when the facility is not in

operation; how the facility will manage outdoor areas including a system for daily admittance and discharge procedures, and monitoring of waiting areas with goals to minimize disruption to nearby land uses; and how the operator will control and regulate illegal drug and alcohol use by clients on the premises.

SB 2 requires parking for emergency shelters based on a demonstrated need, but the parking cannot be greater than the parking required for uses within the same zone. In reviewing the parking standards adopted by other jurisdictions, the City of Garden Grove will remain consistent with the parking standards adopted by those communities and require parking for emergency shelters at a rate of 1 space per 4 beds, and/or .5 per bedroom designed as family unit with children, plus 1 per staff member.

The proposed amendment will amend Section 9.04.060 (Definitions) to introduce new definitions for Emergency Shelter (Homeless), and will amend Section 9.16.020.030 (Uses Permitted) to establish Emergency Shelter (Homeless) in the Land Use Matrix as identified in the attached Resolution No. 5725.

B) Transitional Housing and Supportive Housing

Transitional Housing is a type of housing designed to assist homeless individuals and families to move beyond an emergency shelter and into permanent housing. Homeless persons or families may live in transitional housing for up to two years while they receive services that enable them to live independently. Transitional Housing only allows a maximum stay of two years in order to allow the housing to be circulated to other homeless persons/families.

Supportive Housing is permanent, affordable housing linked to on-site supportive services, such as medical and medical health care, vocational and employment services, substance abuse treatment, offered to a "target population" that includes adults with low-income having one or more disabilities, including mental illness, HIV, AIDS, and substance abuse. Supportive Housing is designed to help individuals maintain stable housing while maintaining their health and leading fuller lives.

Senate Bill 2 stipulates that Transitional Housing and Supportive Housing constitute a residential use, and can only be subject to the same restrictions that apply to other residential uses of the same type located within the same zone.

Transitional Housing and Supportive Housing can be configured as either group living facilities or as residential apartments. Staff has identified that Transitional Housing and Supportive Housing configured as group living facilities are similar to state licensed Community Care Facilities, and therefore, will be subjected to the same regulations.

Group living facilities can be configured to serve 6 persons or less, or 7 persons or more. Group living facilities that serve 6 persons or less will be permitted by right in any residential zone, R-1 (Single-Family Residential), R-2 (Limited Multiple Residential), or R-3 (Multiple-Family Residential) zone, while those that serve 7 persons or more will only be allowed in the multi-family zones (R-2 and R-3), and subject to a Conditional Use Permit (see Table 2).

Transitional Housing and Supportive Housing that are configured as residential apartments are considered similar to typical multi-family residential developments, and will be subject to the same development standards as those residential developments, including setbacks, parking, open space requirement, and will be permitted by right in the R-2 and R-3 zones (see Table 2).

Table 2: Land Use Matrix for Transitional Housing and Supportive Housing

Use	R-1	R-2	R-3	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Supportive Housing										
Residential Apartments	-	P	P	-	-	-	-	-	-	-
Residential Group Living 6 Persons or Less	P	P	P	-	-	-	-	-	-	-
Residential Group Living 7 Persons or More	-	C	C	-	-	-	-	-	-	-
Transitional Housing										
Residential Apartments	-	P	P	-	-	-	-	-	-	-
Residential Group Living 6 Persons or Less	P	P	P	-	-	-	-	-	-	-
Residential Group Living 7 Persons or More	-	C	C	-	-	-	-	-	-	-

Legend:
P = Permitted
C = Conditional Use Permit
- = Not Permitted

The proposed amendment will amend Section 9.04.060 (Definitions) to introduce new definitions for Transitional Housing and Supportive Housing, and will amend Sections 9.08.020.030 and 9.12.020.030 (Uses Permitted) to establish Transitional Housing and Supportive Housing in the Land Use Matrix as identified in the attached Resolution No. 5725.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Recommend adoption of the Negative Declaration and approval of Amendment No. A-157-10 to the City Council.



KARL HILL
Planning Services Manager



By: Maria Parra
Urban Planner

ENVIRONMENTAL CHECKLIST FORM

1. PROJECT TITLE:

Amendment No. A-157-10

2. LEAD AGENCY:

City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840

3. CONTACT PERSON:

Maria Parra, Urban Planner

4. PROJECT LOCATION:

Citywide

5. PROJECT SPONSOR:

City of Garden Grove

6. GENERAL PLAN DESIGNATION:

N/A

7. ZONING:

N/A

8. DESCRIPTION OF PROJECT:

Amendment to Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

9. OTHER AGENCIES WHOSE APPROVAL (AND PERMITS) IS REQUIRED:

None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

<input type="checkbox"/> Land Use	<input type="checkbox"/> Transportation/Circulation	<input type="checkbox"/> Public Services
<input type="checkbox"/> Housing	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Utilities and Services
<input type="checkbox"/> Geophysical	<input type="checkbox"/> Energy Resources	<input type="checkbox"/> Aesthetics
<input type="checkbox"/> Hazards	<input type="checkbox"/> Water Quality	<input type="checkbox"/> Cultural Resources
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Recreation
	<input type="checkbox"/> Mandatory Findings of Significance	

DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

Maie Parra

Signature

September 30, 2010

Date

Maria Parra

Printed Name

For:

City of Garden Grove

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take into account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of significance. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Potentially Significant Unless Mitigated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

Negative Declaration for A-157-10

Potentially Significant Impact Significant Unless Mitigated Less than Significant Impact No Impact

I. LAND USE AND PLANNING

- a. Conflict with General Plan designation or zoning.
- b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project.
- c. Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses).
- d. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community).

Response (a-d): The proposed amendment is consistent with the adopted General Plan and Title 9 of the Municipal Code for the City of Garden Grove. The proposed amendment will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing to comply with Program 10 of the General Plan Housing Element, and with Senate Bill 2 that requires jurisdictions to provide housing options to the homeless and low-income individuals. No construction is proposed with this request. Future projects will be reviewed on a case-by-case basis.

II. POPULATION AND HOUSING

- a. Cumulatively exceed official regional or local population projections.
- b. Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure).
- c. Displace existing housing, especially affordable housing.

Response (a-c): The proposal is a code amendment to Title 9 of the Municipal Code to adopt new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing to comply with Program 10 of the General Plan Housing Element and with Senate Bill 2 that requires jurisdictions to provide housing options to the homeless and low-income individuals. No construction is proposed with the request that will affect population and housing; however, future projects will be reviewed on a case-by-case basis to determine impacts.

III. GEOPHYSICAL

- a. Seismicity: Fault rupture.
- b. Seismicity: Ground shaking or liquefaction.
- c. Seismicity: Seiche or tsunami.
- d. Landslides or mudslides.

Negative Declaration for A-157-10

	Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
e. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Subsidence of the land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expansive soils.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Unique geologic or physical features.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-h): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. This request is not site specific, and no construction is proposed. Therefore, any future projects will be evaluated on a case-by-case basis to determine impacts.

IV. HYDROLOGY AND WATER QUALITY

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place structures within a 100-year flood hazard area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Negative Declaration for A-157-10

	Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
which would impede or redirect flood flows?				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Result in significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Could the project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Result in increased impervious surfaces and associated increased run-off?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o. Create a significant adverse environmental impact to drainage patterns due to changes in run-off flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
s. Have a potentially significant adverse impact on ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
Significant Impact			

Response (a-u): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. The request is not site specific, and no construction is proposed that will affect the hydrology and water quality. Any future construction will be analyzed on a case-by-case basis.

V. AIR QUALITY

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Expose sensitive receptors to pollutants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Alter air movement, moisture, or temperature, or cause any change in climate? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Create objectionable odors. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-d): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No new construction is proposed with this amendment that will affect air quality. Future projects will be analyzed on a case-by-case basis.

VI. GREENHOUSE GAS EMISSIONS

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-b): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No new construction is proposed with this amendment that will affect air quality. Future projects will be analyzed on a case-by-case basis.

VII. TRANSPORTATION

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Inadequate emergency access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Conflicts with adopted policies supporting alternative transportation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
Significant Impact			

- g. Rail, waterborne or air traffic impacts?

Response (a-g): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed with this amendment that will affect transportation. Any future projects involving construction will be evaluated on a case-by-case basis.

VIII. BIOLOGICAL RESOURCES

- a. Endangered, threatened species, or their habitats (including but not limited to plants, fish, insects, animals, and birds)?
- b. Locally designated species (e.g., heritage trees)?
- c. Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?
- d. Wetland habitat (e.g., marsh, riparian and vernal pool)?
- e. Wildlife dispersal or migration corridors?

Response (a-e): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. The amendment will not affect biological resources as no construction is proposed.

IX. ENERGY AND MINERAL RESOURCES

- a. Conflict with adopted energy conservation plans.
- b. Use non-renewable resources in a wasteful and inefficient manner?

Response (a-b): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. The proposed request will not conflict with adopted energy conservation plans as no construction is proposed.

X. HAZARDS

- a. A risk of accidental explosion or release of hazardous substances (e.g., oil, pesticides, chemicals, and radiation)?
- b. Possible interference with an emergency response plan or emergency evacuation plan?
- c. The creation of any health hazard or potential health hazard?
- d. Exposure of people to existing sources of potential health hazards?

Negative Declaration for A-157-10

	Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
--	-----------------------	---	------------------------------------	--------------

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. Increased fire hazard in area with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Would the project include new, or retrofitted, storm water Treatment Control BMPs (e.g., water quality treatment basin, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g., increase vectors and odors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-f): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed with this request. Any future projects will be reviewed on a case-by-case basis to determine impacts.

XI. NOISE

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exposure of people to extreme noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-b): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed at this time that will affect noise levels. Future projects will be reviewed on a case-by-case basis and are subject to the regulations of CEQA.

XII. PUBLIC SERVICES

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-e): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No impacts to public services will occur with this amendment. Future projects will be reviewed on a case-by-case basis to determine impacts.

XIII. UTILITIES AND SERVICE SYSTEMS

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Local or regional water treatment or distribution facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Negative Declaration for A-157-10

	Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
d. Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-f): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed that will affect utilities and service systems. Future projects will be reviewed on a case-by-case basis to determine impacts.

XIV. AESTHETICS

a. Affect on a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-c): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed with this request that will affect aesthetics.

XV. CULTURAL RESOURCES

a. Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Affect historical resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have the potential to cause physical change, which would affect structures of unique cultural or ethnic value?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-e): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed with this request that will affect cultural resources.

XVI. RECREATION

a. Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Affect existing recreation facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-b): The proposal is a code amendment to Title 9 of the Municipal Code that will introduce new uses, definitions, and development standards for emergency shelters, transitional housing, and supportive housing. No construction is proposed with this request that will affect recreation.

	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
Significant Impact			

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. The project does not have the potential to achieve short-term, to the disadvantage of long-term environmental goals.
- c. The project does not have impacts that are individually but cumulatively considerable ("Cumulatively considerable" means the incremental effects of a project are considerable, when viewed in connection with the effects of past projects, the effects of current projects and the effects of probable future projects).
- d. The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

XVIII. EARLIER ANALYSIS

Earlier analyses may have been used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

a. **EARLIER ANALYSIS:**

- 1. The City of Garden Grove General Plan Update
- 2. The City of Garden Grove Existing Condition Report
- 3. The City of Garden Grove Final Environmental Impact Report for the General Plan Update, State Clearinghouse No. 93051015
- 4. Title 9 of the Garden Grove Municipal Code

b. **IMPACTS ADEQUATELY ADDRESSED:**

- 1. Geophysical
- 2. Hydrology and Water Quality
- 3. Transportation
- 4. Noise
- 5. Public Services

c. **MITIGATION MEASURES:**

None required.

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Citywide
HEARING DATE: November 4, 2010 (continued from October 21, 2010)	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-157-10	ZONE: N/A
APPLICANT: City of Garden Grove	
OWNER: N/A	CEQA DETERMINATION: Negative Declaration

REQUEST:

Amendment to Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

BACKGROUND/DISCUSSION:

On October 21, 2010, the Planning Commission considered the request for Amendment No. A-157-10. At the meeting, the Planning Commission directed staff to create an Overlay Zone identifying the properties in the M-1 (Limited Industrial) zone in which Emergency Shelters would be permitted in order to minimize impacts to adjacent schools and residential properties. The attached map in Resolution No. 5725 identifies the properties of the Emergency Shelter Overlay Zone. The properties are bordered by Newhope Street, Westminster Avenue, and Harbor Boulevard, and are located on West Street, Seaboard Circle, Cardinal Circle, Woodbury Road, Salinaz Avenue, Anabel Avenue, A Better Way, and Westminster Avenue. The properties are identified by the following Assessor Parcel Numbers:

100-130-10, 35, 38, 41; 100-471-03, 05-10, 12-17; 100-472-03, 6-10, 16-19; 100-592-01; 100-591-27; 100-611-08, 09-12, 20, 21, 23; 100-122-01, 02-04, 16 20, 21, 24, 27; 100-123-01, 04, 06, 08; 100-130-39, 54, 55; 100-591-4, 5, 8-13, 15-16, 21-24, 32, 33, 38; 100-130-58, 61-69

In addition, page 6 of Resolution No. 5725, Section 9.16.020.050, No. 1 has been amended to specify that emergency shelters are permitted in the Emergency Shelter Overlay Zone. Also, page 7 of Resolution, subsection No. 10.f. has been amended to address that the operators of the shelter are required to comply with all state laws pertaining to client residency and occupancy.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Recommend adoption of the Negative Declaration and approval of Amendment No. A-157-10 to the City Council.



KARL HILL
Planning Services Manager



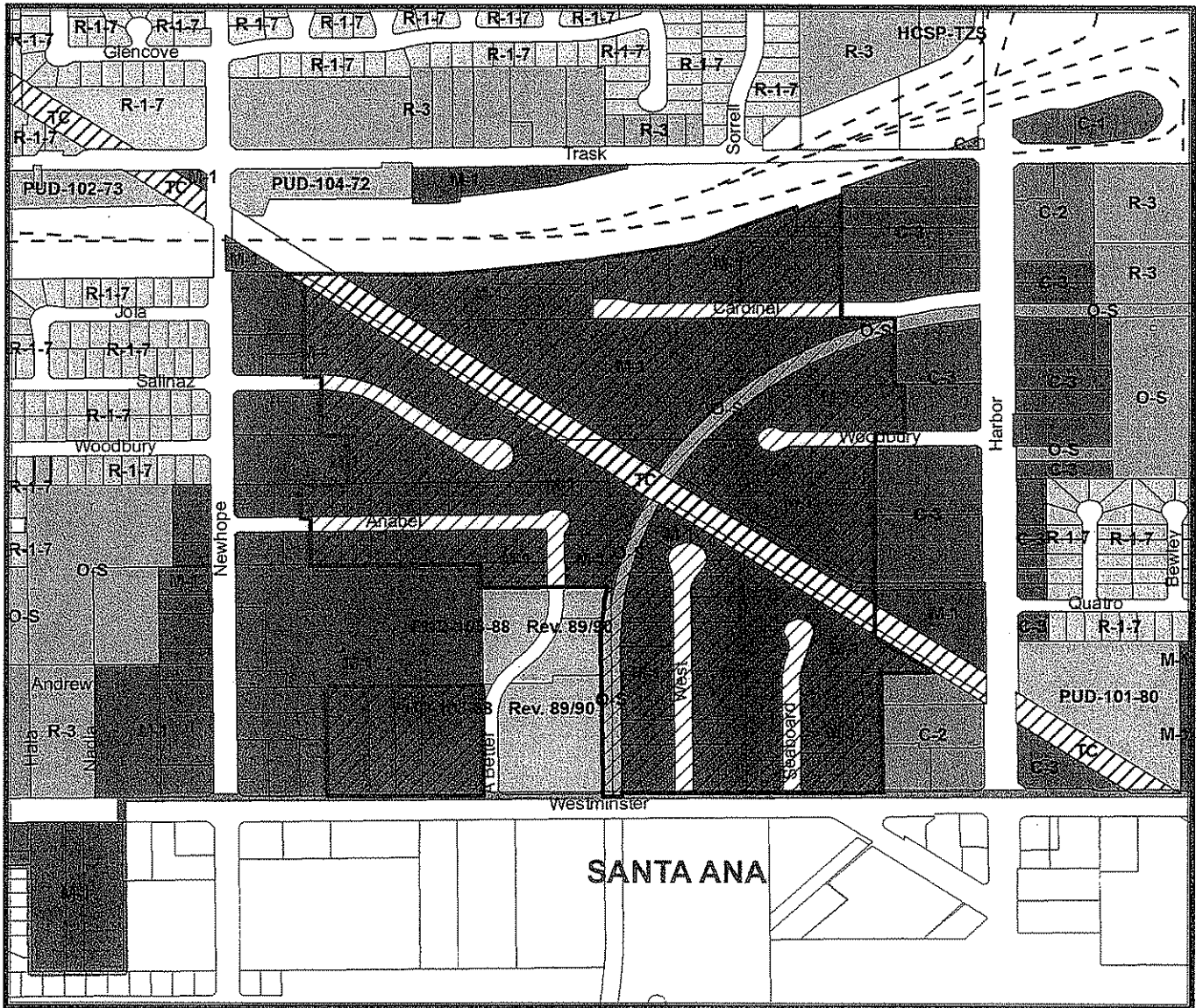
By: Maria Parra
Urban Planner




GARDEN GROVE

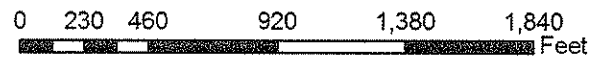
EMERGENCY SHELTER OVERLAY ZONE

Amendment No. A-157-10



LEGEND

 PROJECT SITE - EMERGENCY SHELTER OVERLAY ZONE



CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 OCTOBER 2010

RESOLUTION NO. 5725

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING ADOPTION OF A NEGATIVE DECLARATION AND APPROVAL OF AMENDMENT NO. A-157-10 TO THE CITY COUNCIL.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby recommend adoption of a Negative Declaration and approval of Amendment No. A-157-10 to the City Council.

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Negative Declaration together with comments received during the public review process. The record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment. Therefore, the Planning Commission recommends that the City Council adopt a Negative Declaration for this project.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-157-10 the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by the City of Garden Grove.
2. The applicant is requesting approval to amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.
3. The Community Development Department has prepared a Negative Declaration for the project, that (a) concludes that the proposed project can not, or will not, have a significant adverse effect on the environment, (b) was prepared and circulated in accordance with applicable law, including the California Environmental Quality Act, Public Resources Code of Regulations Section 15000 et. Seq.
4. Report submitted by City Staff was reviewed.
5. Pursuant to a legal notice, a public hearing was held on October 21, 2010, and all interested persons were given an opportunity to be heard. The Planning Commission continued the item to the November 4, 2010 Planning Commission Public Hearing, and all interested persons were given an opportunity to be heard.

6. The Planning Commission gave due and careful consideration to the matter at its meeting on October 21, 2010, and on November 4, 2010, and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 are as follows:

FACTS:

In 2008, Senate Bill 2 (SB 2) was adopted to address California's homeless population by requiring jurisdictions to incorporate language in their General Plan Housing Element that would facilitate the development of homeless and low-income housing, including Emergency Shelters, Transitional Housing, Supportive Housing, and Single-Room Occupancy (SRO). SB 2 specifically requires jurisdictions to identify a zone where Emergency Shelters would be permitted by right without requiring discretionary approval, and also requires development standards for Transitional Housing, Supportive Housing, and Single-Room Occupancy.

Program 10 of the Garden Grove General Plan Housing Element indicates that in order for the City to comply with SB 2, Title 9 of Municipal Code (Land Use) will be amended to adopt development standards for Emergency Shelters, Transitional Housing, Supportive Housing, and Single-Room Occupancy.

The proposed amendment will amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

On October 21, 2010, the Planning Commission considered the request. The Planning Commission motioned to continue the item to the November 4, 2010 Planning Commission Public Hearing in order for staff to create an overlay zone that would identify the properties within the M-1 (Limited Industrial) zone where Emergency Shelters will be permitted to minimize impacts to adjacent schools and residential properties.

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, objectives and elements of the City's general plan.

The requested Amendment is internally consistent with the goals, objectives and the elements of the General Plan. Program 10 of the General Plan Housing Element indicates that the zoning code will be amended to provide standards

for Emergency Shelters, Transitional Housing, and Supportive Housing to comply with Senate Bill 2.

2. The Amendment is deemed to promote the public interest, health, safety and welfare.

The Amendment will promote the public interest, health, safety, and welfare, as it will implement Program 10 of the General Plan Housing Element that will provide standards for Emergency Shelters, Transition Housing, and Supportive Housing to provide housing options to homeless and low-income individuals and families.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Amendment No. A-157-10 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment).
2. The Amendment does possess characteristics that would indicate justification of the request.
3. The Planning Commission recommends approval of Amendment No. A-157-10 as follows:

Section 9.04.060 (Definitions) is amended to include definitions for "Emergency Shelter (Homeless)"; "Transitional Housing"; and "Supportive Housing", to be placed in alphabetical order, and to read as follows:

"Emergency Shelter (Homeless)" means a facility that provides immediate and short-term housing, limited to occupancy of six months or less, to homeless persons or families on a first-come, first serve basis where the individual(s) must vacate the facility each morning and have no guaranteed bed for the next night. The facility may offer minimal supplement supportive services that may include counseling, food, and access to social programs. No individual or household may be denied emergency shelter because of an inability to pay (consistent with Section 5067514(b) of the California Health and Safety Code.

"Supportive Housing" pursuant to Health and Safety Code Section 50675, means housing with no limit on length of stay (permanent affordable housing), that is occupied by the "target population", and that is linked to on-site or off-site services that assist tenants to retain the housing, improve their health status, maximize their ability to live and, when possible, to work in the community. The "target

population" means adults with low-incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people. Supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Supportive housing may be designed as residential group living facilities or residential apartments.

"Residential Apartments" means two or more dwelling units on one parcel, where each unit functions as a single housekeeping unit. This use is subject to the Duplex/Triplex or Multiple Family Dwelling development standards of the zoning code.

"Residential Group Living 6 Persons or Less" means one residential facility on a parcel, with 6 residents or less (including minor children), excluding staff, that operates as a group living facility, where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 6 persons or less, and subject to the same development standards.

"Residential Group Living 7 Persons or More" means a residential facility, with 7 or more residents, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 7 persons or more, and subject to the same development standards.

"Transitional Housing" means temporary rental housing with length of stay that ranges between six months to two years for homeless individuals or families who are transitioning to permanent housing, operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time. "Transitional housing development" means a housing development configured such that each unit constitutes a unit of Transitional Housing.

"Residential Apartments" means with two or more dwelling units on one-parcel, where each unit functions as a single housekeeping unit. This use is subject to the Duplex/Triplex or Multiple Family Dwelling development standards of the zoning code.

"Residential Group Living 6 Persons or Less" means one, residential facility, on a parcel, with 6 residents or less (including minor children), excluding staff, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential

Community Care Facility with 6 persons or less, and subject to the same development standards.

“Residential Group Living 7 Persons or More” means a residential facility, with 7 or more residents, excluding staff, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 7 persons or more, and subject to the same development standards.

Section 9.08.020.030 (Uses Permitted), Table 1: City of Garden Grove Land Use Matrix, is amended to introduce “Transitional Housing” and “Supportive Housing”, and is placed in alphabetical order, as follows:

USES	R-1
RESIDENTIAL	
Supportive Housing	
Residential Apartments	P
Residential Group Living	
6 Persons or Less	P
Transitional Housing	
Residential Apartments	P
Residential Group Living	
6 Persons or Less	P

Section 9.12.020.030 (Uses Permitted), Table 1: City of Garden Grove Land Use Matrix, is amended to introduce “Transitional Housing” and “Supportive Housing”, and is placed in alphabetical order, as follows:

USES	R-2	R-3
RESIDENTIAL		
Supportive Housing		
Residential Apartments	P	P
Residential Group Living		
6 Persons or Less	P	P
Residential Group Living		
7 Persons or More	C	C
Transitional Housing		
Residential Apartments	P	P
Residential Group Living		
6 Persons or Less	P	P
Residential Group Living		
7 Persons or More	C	C

Section 9.16.020.030 (Uses Permitted), Table 1: City of Garden Grove Land Use Matrix, is amended to introduce “Emergency Shelter (Homeless)” and is placed in alphabetical order, as follows:

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
RESIDENTIAL							
Emergency Shelter (Homeless)	-	-	-	-	p*	-	-

Section 9.16.020.050 (Special Operating Conditions and Development Standards) shall be amended to introduce new special operating conditions for "Emergency Shelter (Homeless)", as follows, and is placed in alphabetical order, and subsequently with the subsection re-numbered accordingly:

Emergency Shelters (Homeless). Subject to the following conditions:

1. Emergency Shelters shall be permitted in those areas shown on the map attached to the ordinance codified in this subsection, which shall constitute the Emergency Shelter Overlay Zone.
2. Maximum number of beds or persons to be served per night by a single shelter shall not exceed 60.
3. The facility shall operate on a first-come, first serve basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 8:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 8:00 a.m. during Pacific Standard Time. Clients must vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night.
4. The maximum stay at the facility shall not exceed 120 days in a 365 days period.
5. A minimum distance of 300 feet shall be maintained from any other Emergency Shelter, as measured from the property line.
6. A minimum of one staff member per 15 beds shall be awake and on duty when the facility is open.
7. Exterior lighting shall be provided for the entire outdoor and parking area of the property per Section 9.16.040.200.4 of the Garden Grove Municipal Code.
8. A waiting area shall be provided which contains a minimum of ten square feet per bed provided at the facility. Said waiting area shall be in a location not adjacent to the public right-of-way, shall be visually separated from public view by a minimum six foot tall visually screening mature landscaping or a minimum six foot tall decorative masonry wall, and shall provide consideration for shade/rain provisions.

9. All facility improvements shall comply with the Garden Grove Municipal Code, and the most current adopted Building and Safety Code, specific to the establishment of Dormitories.
10. A Security and Safety Plan shall be provided for the review and approval of City Manager or their designee. The plan may be required to address additional security and safety needs as identified by the City Manager or their designee. The approved Security and Safety Plan shall remain active throughout the life of the facility. The plan shall contain provisions addressing the topical areas outlined below:
 - a. Sleeping Areas - addressing the separation of male/female sleeping areas as well as any family areas within the facility.
 - b. Loitering control - with specific measures regarding off-site controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site.
 - c. Management of outdoor areas - including a system for daily admittance and discharge procedures and monitoring of waiting areas with goals to minimize disruption to nearby land uses.
 - d. Alcohol and Illegal Drugs - addressing how the operator will control and regulate alcohol and illegal drug use by clients on the premises.
 - e. The operator shall provide the City with the most current contact information for the operator of the facility during the normal daytime office business hours, and the nighttime contact information for the "person on duty" when the emergency shelter is operating.
 - f. The operator(s) shall ensure proper compliance with all state laws pertaining to client residency and occupancy.
11. The facility may provide the following services in designated area separate from sleeping areas:
 - a. A recreation area either inside or outside the shelter.
 - b. A counseling center for job placement, education, health care, legal or mental health services.
 - c. Laundry facilities to serve the number of clients at the shelter.
 - d. Kitchen for the preparation of meals.
 - e. Dining hall.
 - f. Client storage area (i.e., for the overnight storage of bicycles and personal items).
 - g. Counseling programs to be provided with referrals to outside assistance agencies, and provide an annual report on this activity to the City.

h. Or similar services geared to homeless clients.

- 11. An emergency shelter facility shall provide off-street parking at the ratio of 1 space per 4 beds, and/or .5 per bedroom designed as family unit with children, plus 1 per staff member or shall submit a parking study demonstrating the required parking demand. Each facility is also encouraged to provide bike racks for clients in a secured area.

ADOPTED this 4th day of November, 2010

/s/ KRIS BEARD
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on November 4, 2010, by the following votes:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
VACANCY:	COMMISSIONERS:	ONE

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

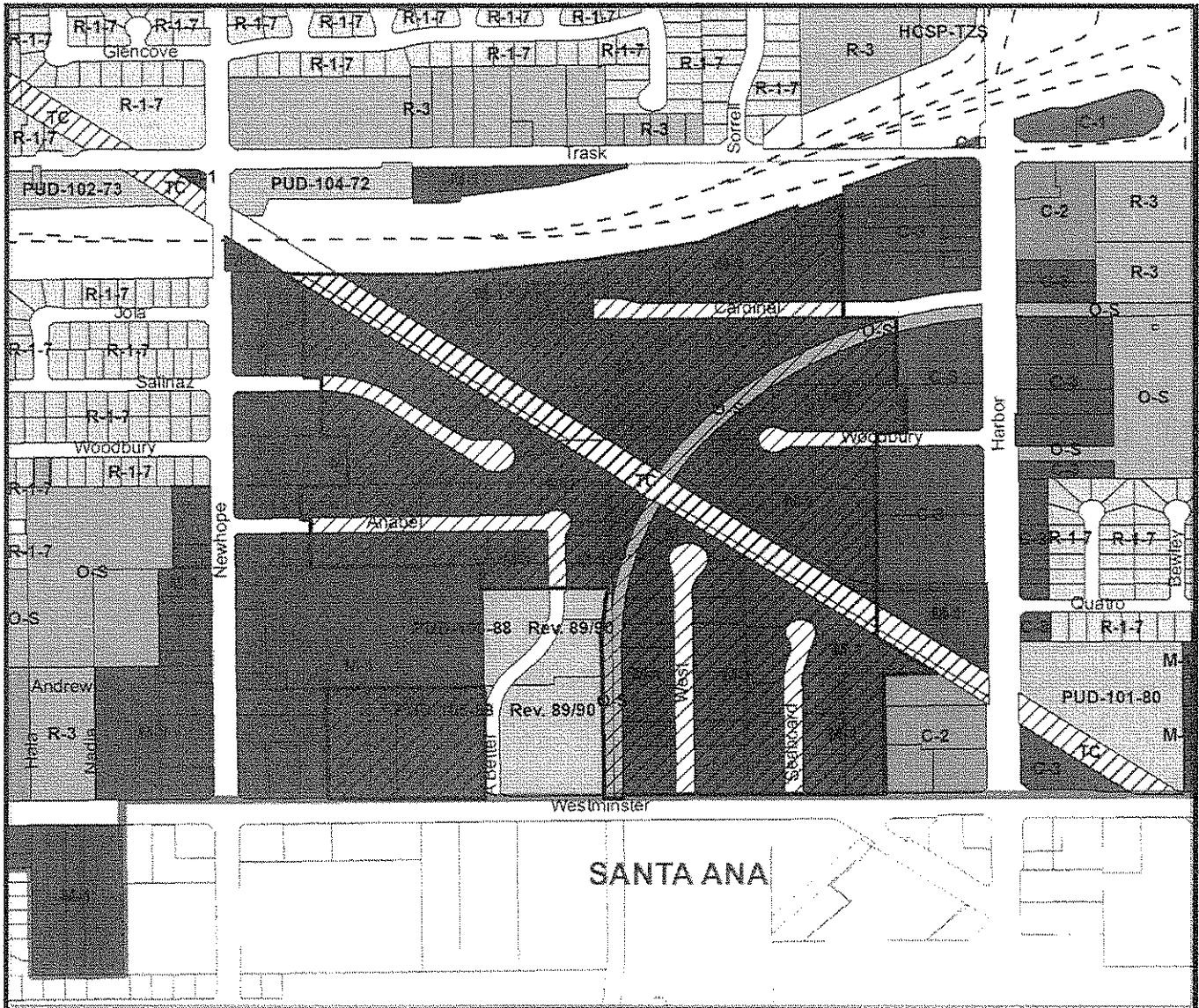
A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is November 29, 2010.




GARDEN GROVE

EMERGENCY SHELTER OVERLAY ZONE

Amendment No. A-157-10



LEGEND

 PROJECT SITE - EMERGENCY SHELTER OVERLAY ZONE



0 230 460 920 1,380 1,840 Feet

CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 OCTOBER 2010

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-157-10
APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE
DATE: OCTOBER 21, 2010

REQUEST: To amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

Staff report was read, along with a Power Point presentation, with a recommendation for approval.

Commissioner Ellsworth asked staff if the facilities are tracked and have a database. Staff responded yes, that significant issues at the group homes, geared toward alcohol and drug rehabilitation, warranted the tracking; and that the homes do not require licensing and began to appear in neighborhoods generating calls for service from the Police Department.

Staff stated that the shelter facilities need to apply for a business license and could thereby be tracked; that there would not be discussion with neighboring residents as the facilities are permitted by right and governed by compliance with the eight standards found in the resolution; that in regard to complaints, Code Enforcement completes a questionnaire at the group home with the answers stored in the database.

Commissioner Cabral asked if a condition could be added to a conditional use permit that requires neighboring residents to be notified, as the public is not aware of the location of these shelters/homes. Staff responded that a conditional use permit would not be required and that only the State's eight regulations need to be complied with, as the use is permitted by right and does not require Planning Commission approval.

Commissioner Cabral asked if Senate Bill 2 (SB2) states how many emergency shelters and transitional homes are allowed in the City. Staff replied that at least one year-round shelter would be required based on the 'need' of the City, and that for Garden Grove at this time, the emergency shelter need is for 60 individuals, however, the City could have multiple emergency shelters as they are permitted by right; and, that the shelters need to notify the City, have a business license, and a security plan.

Commissioner Cabral asked staff to clarify the location of the one transitional house in the City. Staff responded that the apartment building is called Thomas House Temporary Shelter and is located on Morningside Avenue in the Buena Clinton area; that there are two other areas zoned for future facilities – one is at Nelson Street and Stanford Avenue, with a General Plan Land Use designation of Industrial Mixed Use,

and several properties are on Western Avenue and Garden Grove Boulevard with a designation of Industrial Mixed Use; that both are in the M-1 zone, and if the Mixed Use standards are adopted, the M-1 designation would be removed; and, that SB2 is required for all cities, other than those who already have emergency shelters that satisfy their homeless population need.

Commissioner Cabral commented that the City has a large number of homeless; that although the economy is bad the City needs to be kept clean by instituting the proper regulations in Title 9; and that residents who are not aware of these types of facilities should not have to suffer.

Commissioner Bonikowski stated that he also recognizes the homeless population, however, he expressed concern that only a business license is required to open a facility and that the Planning Commission is not involved.

Staff responded that zone identification is important, and that an overlay zone map could be set in place.

Commissioner Ellsworth asked staff what rights the City has when the facilities are State mandated. Staff replied that the State does mandate the facilities, and that if a City does not have an ordinance, such as the one proposed, anyone could operate an emergency shelter; and that the adoption of an ordinance gives standards to exercise some control.

Vice Chair Bui asked staff if a smaller zone could be considered. Staff responded that the designated M-1 area has some buffering from the residential area; that an overlay zone could also be considered for the six or less homes in the R-1, R-2, and R-3 areas; and that churches and schools may be located in the 'R' zones; and that even though the homes are monitored, they are State regulated.

Staff added that in regard to 'sober living' homes, there are two types – one is licensed through the State with six or less individuals, with no conditional use permit required as they are permitted by right, such as elderly care and facilities for adults with disabilities. The other, is the problematic sober living facilities that do not have regulations and are considered boarding houses allowed in the R-2 and R-3 zones, with a conditional use permit.

Commissioner Pak asked staff that if the Amendment was passed, would the Thomas House residents need to move into these proposed facilities.

Staff replied no, that the Thomas House is transitional housing and is a permitted residential use, not an emergency shelter, and occupation is limited from six to twenty four months to circulate the units to other recipients; and that the Amendment would establish the use in the land-use matrix in order to identify and allow the facilities.

Commissioner Pak asked if the temporary shelters have standards for bathing and toilet activities. Staff replied that the facilities need to comply with the Building Code requirements for a 'dormitory', as well as the Municipal Code.

Commissioner Bonikowski asked if the zone area could be reduced or relocated due to its proximity to schools, daycare, and churches. Staff responded that there is no school in the boundary area, however, Woodbury Elementary is across the street on the west side, with a high school on Trask Avenue.

Commissioner Pak asked if parolees are required to register with the Police Department. Staff replied yes, however, those homes are 'halfway houses' and that halfway house sex offender parolees are required to stay away from schools, and all other parolees also register, but can live anywhere in the community; and, that some homeless people turn to alcohol and drug use and could be a threat, however, some may not.

Vice Chair Bui opened the public hearing to receive testimony in favor of or in opposition to the request.

There being no further comments, the public portion of the hearing was closed.

Staff clarified that Transitional and Supportive Housing are allowed; that the City cannot prohibit or regulate six people or less living together; and that the Amendment defines the terms for the zoning code.

Staff then added that the Amendment could be modified to state that in the M-1 area, the parcels that front on Newhope Street would be excluded to create a buffer from the school.

Commissioner Bonikowski responded that he would be supportive of a change in distance. Staff suggested a 300-foot distance, however, State law may only allow 'the distance between emergency shelters' to be regulated by the City. Staff then suggested that the boundaries be defined by use of an overlay map that would not be in conflict with State law.

Commissioner Pak asked if the distance requirement for 'halfway houses' could also be used for the shelters. Staff responded that the halfway house distance may be an element that could be incorporated into the security plan, which requires approval by the City.

Commissioner Cabral pointed out that the halfway house restrictions could not be applied as the shelters are by public right.

Commissioner Ellsworth noted that children are allowed in emergency shelters; that families are dropped off at shelters and the children would use the nearby schools as required by law.

Staff mentioned that the security plan addresses the separation of males, females, and families and that conditions could be added to provide a comfort level.

Commissioner Ellsworth noted that sex offenders are not allowed in emergency shelters per Megan's Law, if the shelter has children; and, that offenders must register with the Police Department and would be arrested if they do not.

Commissioner Cabral expressed her concern that Garden Grove could become a drop-off City for the homeless.

Commissioner Ellsworth added that homeless drop-offs depend on availability; that shelters around the county can become full and other shelters are sought out; and that vouchers are dispensed to assist with hotel rooms, food, and bus transportation.

Vice Chair Bui cited two options for the Planning Commission – to continue the hearing to the next Planning Commission meeting for staff to research the matter further and provide a defining map, or move with the motion to approve the item.

Commissioner Pak asked if the emergency shelter Amendment has a deadline to meet. Staff responded that the timeline was one year after the Housing Element was adopted, which occurred in September of 2009.

Commissioner Ellsworth moved to continue the case, with the Public Hearing remaining open, to the next Planning Commission meeting on Thursday, November 4, 2010, seconded by Commissioner Bonikowski. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BEARD
VACANCY:	COMMISSIONERS:	ONE

DRAFT MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

CONTINUED

PUBLIC HEARING: NEGATIVE DECLARATION
 AMENDMENT NO. A-157-10

APPLICANT: CITY OF GARDEN GROVE

LOCATION: CITYWIDE

DATE: NOVEMBER 4, 2010

REQUEST: To amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

Staff report was read with a recommendation for approval and a new overlay zone map was presented, which indicated the boundaries for emergency shelter locations.

Vice Chair Bui asked for clarification of the map's blue strip area along Harbor Boulevard. Staff responded that the area is an M-1 zone, however, the area is not a part of the overlay zone; and that the overlay zone would allow emergency shelters.

Commissioner Pak asked if Westminster Avenue is the dividing street between Garden Grove and Santa Ana. Staff replied yes.

Chair Beard opened the public hearing to receive testimony in favor of or in opposition to the request.

There being no further comments, the public portion of the hearing was closed.

Commissioner Cabral moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-157-10 with an amendment to the resolution, to City Council, seconded by Vice Chair Bui, pursuant to the facts and reasons contained in Resolution No. 5725. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
VACANCY:	COMMISSIONERS:	ONE

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT NO. A-157-10, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO EMERGENCY SHELTERS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING

City Attorney Summary

This Ordinance amends Title 9 of the Garden Grove Municipal Code in accordance with Senate Bill (SB) 2 to permit emergency homeless shelters, supportive housing facilities, and transitional housing facilities in certain areas within the city. Supportive housing and transitional housing facilities serving six or less residents are designated as permitted uses in all single-family residential (R-1) and multi-family residential (R-2 and R-3) zones in the city, while those serving seven or more residents are designated as conditionally permitted uses in all multi-family (R-2 and R-3) zones in the city. Emergency homeless shelters are designated as a permitted use in an overlay zone covering certain property zoned limited industrial (M-1) in the city, subject to certain development standards and operational regulations.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the case, initiated by the City of Garden Grove, proposes an amendment to Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing;

WHEREAS, the Planning Commission at a Public Hearing held on November 4, 2010, recommended adoption of a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act for this project for Amendment No. A-157-10;

WHEREAS, pursuant to the Planning Commission Resolution No. 5725, at a Public Hearing on November 4, 2010, recommended approval of Amendment No. A-157-10;

WHEREAS, pursuant to legal notice a Public Hearing was held by the City Council on December 14, 2010, and all interested parties were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of Garden Grove has considered the proposed Negative Declaration together with comments received during the public review process. The record of proceedings on which the City of Garden Grove City Council decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The City Council of Garden Grove finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment. The City Council of Garden Grove further finds that the adoption of the Negative Declaration reflects the City Council's independent judgment and analysis. Therefore, City of Garden Grove City Council adopts the Negative Declaration.

Section 2. Amendment No. A-157-10 is hereby approved, pursuant to the facts, findings and reasons stated in Planning Commission Resolution No. 5725, a copy of which is on file in the City Clerk's Office and incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Subsection C of Section 9.04.060 (Definitions) of Chapter 04 of Title 9 of the Garden Grove Municipal Code is hereby amended by adding the following definitions for "Emergency Shelter (Homeless)"; "Transitional Housing"; and "Supportive Housing" to the current list of definitions, to be placed in alphabetical order, and to read as follows:

"Emergency Shelter (Homeless)" means a facility that provides immediate and short-term housing, limited to occupancy of six months or less, to homeless persons or families on a first-come, first serve basis where the individual(s) must vacate the facility each morning and have no guaranteed bed for the next night. The facility may offer minimal supplemental supportive services that may include counseling, food, and access to social programs. No individual or household may be denied emergency shelter because of an inability to pay (consistent with Section 50801(e) of the California Health and Safety Code)."

"Supportive Housing" pursuant to California Health and Safety Code Section 50675.14, means housing with no limit on length of stay (permanent affordable housing), that is occupied by the "target population", and that is linked to on-site or off-site services that assist tenants to retain the housing, improve their health status, maximize their ability to live and, when possible, to work in the community. The "target population" means adults with low-

incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people. Supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Supportive housing may be designed as residential group living facilities or residential apartments and includes the following:

"Residential Apartments" means two or more dwelling units on one parcel, where each unit functions as a single housekeeping unit. This use is subject to the Duplex/Triplex or Multiple Family Dwelling development standards of the zoning code.

"Residential Group Living 6 Persons or Less" means one residential facility on a parcel, with 6 residents or less (including minor children), excluding staff, that operates as a group living facility, where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 6 persons or less, and subject to the same development standards.

"Residential Group Living 7 Persons or More" means a residential facility, with 7 or more residents, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 7 persons or more, and subject to the same development standards."

"Transitional Housing" means temporary rental housing with length of stay that ranges between six months to two years for homeless individuals or families who are transitioning to permanent housing, operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time. "Transitional housing development" means a housing development configured such that each unit constitutes a unit of Transitional Housing and includes the following:

"Residential Apartments" means with two or more dwelling units on one-parcel, where each unit functions as a single housekeeping unit. This use is subject to the Duplex/Triplex or Multiple Family Dwelling development standards of the zoning code.

“Residential Group Living 6 Persons or Less” means one, residential facility, on a parcel, with 6 residents or less (including minor children), excluding staff, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 6 persons or less, and subject to the same development standards.

“Residential Group Living 7 Persons or More” means a residential facility, with 7 or more residents, excluding staff, that operates as a group living facility where the residents share a common living area and a kitchen. The facility is similar to a Residential Community Care Facility with 7 persons or more, and subject to the same development standards.”

Section 4. Table 1, entitled “Garden Grove Land Use Matrix” of, Subsection 9.08.020.030 (Uses Permitted) of Section 9.08.020 of Chapter 08 of Title 9 of the Garden Grove Municipal Code is hereby amended to add “Transitional Housing” and “Supportive Housing” to the current list of residential uses, to be placed in alphabetical order, as follows:

USES	R-1
RESIDENTIAL	
Supportive Housing	
Residential Apartments	P
Residential Group Living	
6 Persons or Less	P
Transitional Housing	
Residential Apartments	P
Residential Group Living	
6 Persons or Less	P

Section 5. Table 1, entitled “Garden Grove Land Use Matrix” of Subsection 9.12.020.030 (Uses Permitted) of Section 9.12.020 of Chapter 12 of Title 9 of the Garden Grove Municipal Code is hereby amended to add “Transitional Housing” and “Supportive Housing” to the current list of residential uses, to be placed in alphabetical order, as follows:

USES	R-2	R-3
RESIDENTIAL		
Supportive Housing		
Residential Apartments	P	P
Residential Group Living		
6 Persons or Less	P	P
Residential Group Living		

7 Persons or More Transitional Housing	C	C
Residential Apartments Residential Group Living	P	P
6 Persons or Less Residential Group Living	P	P
7 Persons or More	C	C

Section 6. Table 1, entitled "Garden Grove Land Use Matrix" of Subsection 9.16.020.030 (Uses Permitted) of Section 9.16.020 of Chapter 16 of Title 9 of the Garden Grove Municipal Code is hereby amended to add "Emergency Shelter (Homeless)" to the current list of residential uses, to be placed in alphabetical order, as follows:

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
RESIDENTIAL							
Emergency Shelter (Homeless)	-	-	-	-	p*	-	-

Section 7. Subsection 9.16.020.050 (Special Operating Conditions and Development Standards) of Section 9.16.020 of Chapter 16 of Title 9 of the Garden Grove Municipal Code is hereby amended to designate the Emergency Shelter Overlay Zone and to add new special operating conditions for "Emergency Shelter (Homeless)" to the current list of conditional uses and other uses requiring special consideration, to read as follows, to be placed in alphabetical order, and to subsequently re-number the subsection accordingly:

"Emergency Shelters (Homeless). Subject to the following conditions:

1. Emergency Shelters shall be permitted in those areas shown on the map attached to the Ordinance codified in this subsection, which shall constitute the Emergency Shelter Overlay Zone.
2. Maximum number of beds or persons to be served per night by a single shelter shall not exceed 60.
3. The facility shall operate on a first-come, first serve basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 8:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 8:00 a.m. during Pacific Standard Time. Clients must vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night.
4. The maximum stay at the facility shall not exceed 120 days in a 365 day period.

5. A minimum distance of 300 feet shall be maintained from any other Emergency Shelter, as measured from the property line.
6. A minimum of one staff member per 15 beds shall be awake and on duty when the facility is open.
7. Exterior lighting shall be provided for the entire outdoor and parking area of the property per Section 9.16.040.200.4 of the Garden Grove Municipal Code.
8. A waiting area shall be provided which contains a minimum of ten square feet per bed provided at the facility. Said waiting area shall be in a location not adjacent to the public right-of-way, shall be visually separated from public view by a minimum six foot tall visually screening mature landscaping or a minimum six foot tall decorative masonry wall, and shall provide consideration for shade/rain provisions.
9. All facility improvements shall comply with the Garden Grove Municipal Code, and the most current adopted Building and Safety Code, specific to the establishment of Dormitories.
10. A Security and Safety Plan shall be provided for the review and approval of the City Manager or his designee. The plan may be required to address additional security and safety needs as identified by the City Manager or his designee. The approved Security and Safety Plan shall remain active throughout the life of the facility. The plan shall contain provisions addressing the topical areas outlined below:
 - a. Sleeping Areas - addressing the separation of male/female sleeping areas as well as any family areas within the facility.
 - b. Loitering Control – with specific measures regarding off-site controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site.
 - c. Management of Outdoor Areas – including a system for daily admittance and discharge procedures and monitoring of waiting areas with goals to minimize disruption to nearby land uses.
 - d. Alcohol and Illegal Drugs – addressing how the operator will control and regulate alcohol and illegal drug use by clients on the premises.
 - e. The operator (s) shall provide the City with the most current contact information for the operator of the facility during the

- normal daytime office business hours, and the nighttime contact information for the "person on duty" when the emergency shelter is operating.
- f. The operator(s) shall ensure proper compliance with all state laws pertaining to client residency and occupancy.
11. The facility may provide the following services in designated areas separate from sleeping areas:
- a. A recreation area either inside or outside the shelter.
 - b. A counseling center for job placement, education, health care, legal, or mental health services.
 - c. Laundry facilities to serve the number of clients at the shelter.
 - d. Kitchen for the preparation of meals.
 - e. Dining hall.
 - f. Client storage area (i.e., for the overnight storage of bicycles and personal items).
 - g. Counseling programs to be provided with referrals to outside assistance agencies, and provide an annual report to the City.
 - h. Or similar services geared to homeless clients.
12. An emergency shelter facility shall provide off-street parking at the ratio of 1 space per 4 beds, and/or .5 per bedroom designed as a family unit with children, plus 1 per staff member or shall submit a parking study, subject to approval by the Development Services Director, demonstrating the required parking demand justifies a reduced amount of off-street parking. Each facility is also encouraged to provide bike racks for clients in a secured area."

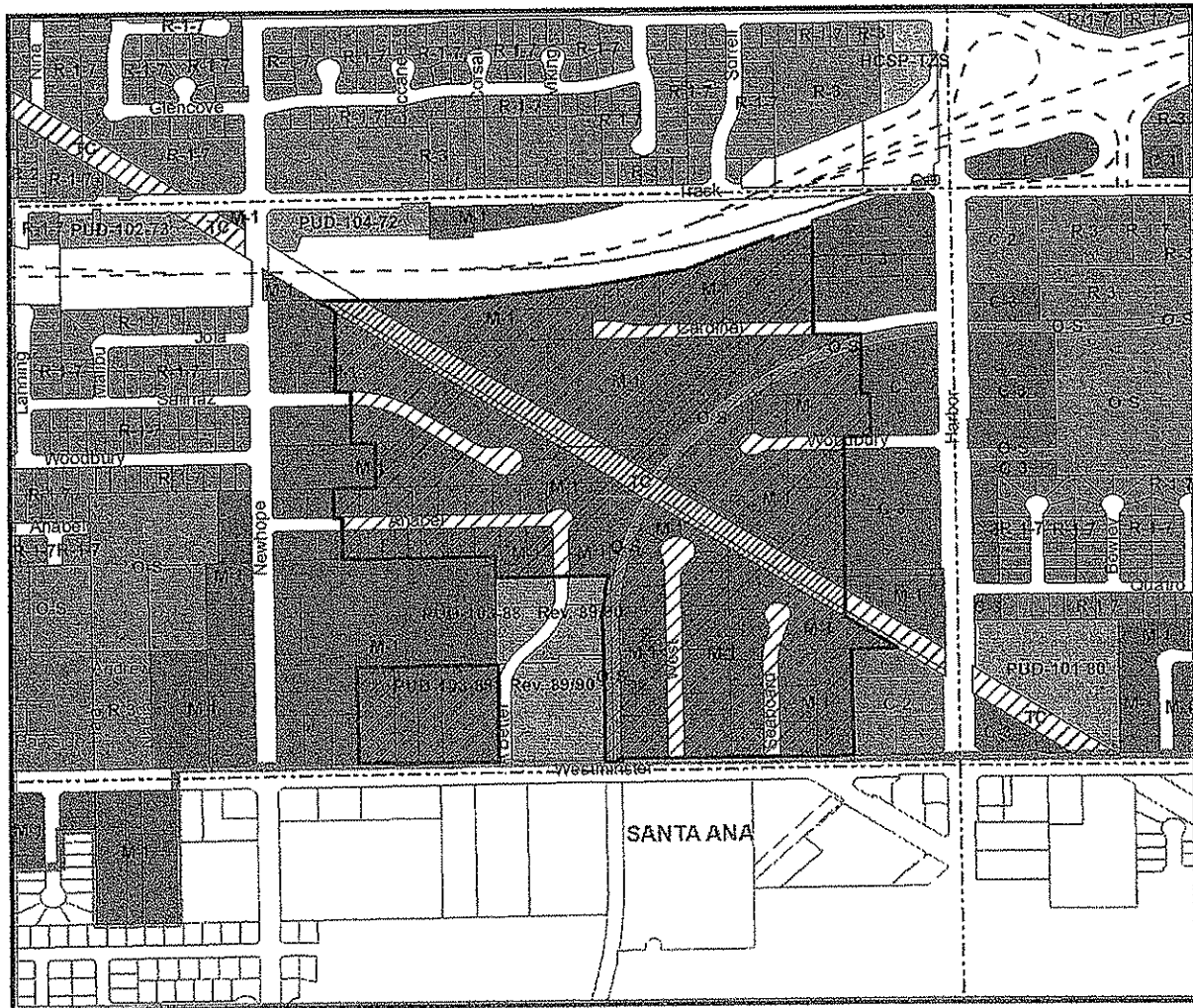
Section 8. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 9. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.




EMERGENCY SHELTER OVERLAY ZONE

Amendment No. A-157-10



LEGEND

 PROJECT SITE - EMERGENCY SHELTER OVERLAY ZONE

ASSESSOR'S PARCEL NUMBERS:

100-130-10, 35, 38, 41; 100-471-03, 05-10, 12-17;
 100-472-03, 6-10, 16-19; 100-592-01; 100-591-27;
 100-611-08, 09-12, 20, 21, 23; 100-122-01, 02-05,
 16, 20, 21, 24, 27; 100-123-01, 04, 06, 08;
 100-130-39, 54, 55; 100-591-04, 05, 8-13, 15-16,
 21-24, 32, 33, 38; 100-130-58, 61-69.



0 250 500 1,000 1,500 2,000 Feet

CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 OCTOBER 2010