



STAFF REPORT

SAN CLEMENTE PLANNING COMMISSION

Meeting Date: February 5, 2014

PLANNER: Denise Obrero, Housing Programs Planner

SUBJECT: General Plan and Zoning Ordinance Amendments to implement Senate Bill 2, Emergency Shelters

BACKGROUND

Senate Bill 2 (SB 2) refers to a State law adopted in 2007. The law took effect January 1, 2008 and requires cities and counties to designate at least one zone or overlay zone where emergency shelters, transitional housing and supportive housing are allowed as permitted uses, without a conditional use permit or other discretionary use permit. Program 21 of San Clemente's adopted Housing Element calls for the City to "Review and amend the Zoning Code to implement State requirements to remove barriers to the development of special needs housing, including emergency shelters and transitional/supportive housing, consistent with the requirements of Senate Bill 2 of 2007." The proposed, City-initiated amendments would implement a key Housing Element program, bring the City into compliance with State law, and make it possible for the City's Housing Element update to be certified.

What's Proposed

This amendment would allow emergency shelters, transitional housing and supportive housing to be established by right in designated areas, subject to compliance with specific performance standards and with Zoning Ordinance standards such as parking, building setbacks and height. Architectural review would be required to help ensure architectural compatibility with surrounding uses. SB 2 does *not* require cities and counties to actually build a facility or provide emergency shelters. Rather, it ensures there is suitably zoned property for the development and operation of emergency and special needs housing. Such uses could include shelters for residents displaced by civil disasters like fires or floods (e.g. Red Cross emergency center), for homeless persons, abused women and children, disabled veterans, and persons recovering from substance abuse and other health issues.

The 2011 City of San Clemente Housing Element discusses emergency shelters and transitional/supportive housing and defines them as follows:

- Emergency Shelter: a safe alternative to the streets either in a shelter facility or through the use of motel vouchers. Emergency shelter is for short-term stays, usually for less than six months.

- **Transitional and Supportive Housing:** long-term housing, typically up to two years. Transitional housing requires that the resident participate in a structured program to work toward established goals so they can move on to employment and permanent housing. Transitional housing is treated similarly to other residential uses allowed. Supportive housing residents are often provided with an array of supportive services to assist them in meeting goals.

What does SB 2 Require?

To comply with State law the City of San Clemente must designate a suitable zone for emergency shelters and transitional housing. It does not, however, require cities and counties to actually build, help fund or provide emergency shelter. The specific requirements are summarized in Attachment 1. The proposed Zoning Ordinance amendment would address the full range of our community's housing needs and implement our adopted, State-certified Housing Element. It is important to plan for and regulate such uses through Zoning and performance standards tailored for San Clemente's shelter needs and land use characteristics. If not planned and operated properly, emergency shelters can pose land use compatibility issues – issues that are best addressed proactively. By establishing standards for their placement and design, the City can meet state law, help maintain compatibility with adjacent land uses and address a recognized community housing need. SB 2 allows cities and counties to establish standards to regulate emergency shelters, including setting a nightly maximum number of beds or persons, on-site parking requirements, size and location of client waiting areas, on-site management plans, length of stay, site lighting and security requirements.

What We're Doing Now

San Clemente has a history of helping to provide special needs housing. Examples include Gilchrist House, The Friendship Shelter's Henderson House, and Laura's House (Attachment 2). Gilchrist House, owned and operated by Family Assistance Ministries, offers transitional housing with a 26-bed capacity for single women and women with children 12-years-old and younger. Henderson House, operated by Friendship Shelter Inc., provides a 25-bed, transitional housing facility in the Vista Los Mares neighborhood. Laura's House provides emergency shelter and case management services to women and children who are victims of domestic violence. These facilities have proven to be compatible with their surroundings and are well integrated into the community.

Emergency shelters, transitional housing, and supportive housing are not explicitly defined in the Municipal Code. However, the City has administratively permitted such uses by right provided they do not exceed four dwelling units and are located in one of several residential zones: Residential Very Low Density (RVL), Residential Low Density (RL), Residential Medium-Low Density (RML), Residential Medium Density (RM) and Residential High Density (RH). New development projects with five or more dwelling units require a Conditional Use Permit. This approach is no longer consistent with State law and does not meet the requirements of SB 2. Moreover, this ad hoc approach can result in uncertainty and land use compatibility issues.

How have nearby communities addressed SB 2?

South Orange County cities have addressed SB 2 requirements in a variety of ways, as shown in Attachment 6. San Clemente is one of the last four cities in Orange County that have yet adopt an ordinance to implement SB 2. Four neighboring cities' approaches are highlighted below. These cities are now in compliance with SB 2 requirements.

The City of San Juan Capistrano in May 2012 amended their Zoning Ordinance for SB 2 compliance, which included development standards for emergency shelter establishments. Their ordinance set the capacity standard of "no more than one bed per 250 square feet of gross building space." The suitable zone designated was Public and Institutional; they also limited the hours of operation based on the scope of services to be provided. Another City requirement was no loitering of facility residents and others near housing units.

The City of Dana Point in June 2010 designated zones and later took an extra step to add a 10-bed limit to their Zoning Code for churches setting up shelters as an accessory use. Facilities in community facilities zone have a 20-bed capacity. The hours of operation start at 5 pm and discharge hours are from 8am to 10am. Although those numbers were approved by the State, the City did not survey neighboring cities when it chose its limit; the minimum separation is 300 feet from another shelter. A consultant informed City staff that 10 beds was a sufficient number.

The City of Mission Viejo in September 2009 designated the Business Park/Industrial zone. The maximum number of beds was ten while a larger facility would need a Conditional Use Permit (CUP). The City required that a shelter must be located half a mile from a bus transit line and must have an approved Management Plan. The minimum separation is 250 feet from another shelter and parking was one for every 250 square feet.

The City of Laguna Beach helped to fund and develop the Alternative Sleeping Location (ASL) in the Laguna Beach Canyon because of a lawsuit filed by the ACLU; the City of Laguna Beach allocates almost \$400,000 annually from their General Fund in order to provide emergency shelter in town because of this lawsuit. This is the closest emergency shelter program located to San Clemente. However, they adhere to a local preference policy. This facility has 45 beds and provides overnight shelter and food on a first-come, first-served basis, primarily for homeless persons originally from the local area or based here. The only other overnight option for San Clemente homeless clients is at the Orange County Cold Weather Armory Program, which provides up to 400 beds per night from December to March, depending on funding. There are two Armory locations: 612 East Warner Santa Ana and 400 South Brookhurst Fullerton. There are no other year-round shelters in South Orange County other than the ASL.

PUBLIC PARTICIPATION

Public participation is an important component of the planning process in San Clemente. To invite stakeholder discussion and participation, City staff met with the San Clemente Homeless Task Force (SCHTF), Human Affairs Committee (HAC), iHope Board of Directors, Family Assistance Ministries (FAM), Heritage Christian Fellowship Church, Orange County Sheriff and property owners in Rancho San Clemente Business Park regarding this proposed amendment.

Community Development Department has received broad input from property owners, Sheriff, non-profits and social services experts in crafting staff's SB 2 recommendations.

Community Development Staff Research

The Housing Programs Planner coordinated five meetings and one site visit to the ASL emergency shelter located in Laguna Beach with the San Clemente Homeless Task Force (SCHTF) in 2012. The task force was comprised of homeless services providers, emergency room hospital social workers and nurses, outreach ministry coordinators from five local churches, San Clemente Police Services and Code Enforcement staff.

An SB 2 sub-committee was formed in April 2013 to research this topic in more detail and to provide direction. Mayor Baker, Pro Tem Mayor Brown, Jeff Goldfarb, and Jim Holloway reviewed several memos regarding the existing homeless count, human needs and examples of what other Orange County cities were doing to comply with State Law. Most of the other Orange County cities found suitably-zoned properties in Business Parks or designated their Business Parks as suitable for emergency shelters. Consequently, the Rancho San Clemente Business Park (RSCBP) was identified as a suitable zone for the City to consider because of its design and location, availability of public transportation, proximity to existing social service agencies, the Friendship Center, and three churches (Talega Life Church, Heritage Christian Fellowship Church, and The Shoreline Church). On August 15th, the Housing Programs Planner presented this area recommendation to ExDMT and there were no objections for the proposed designated zone (see attached map).

On September 6, 2013, the SB 2 Sub-committee reconvened with City staff to discuss the ExDMT's recommendation. Heritage Church's Senior Pastor Wegner contacted the City Manager and was also in attendance. Pastor Wegner was open to working with the City to potentially provide his vacant lot church property as a future emergency shelter site. Subcommittee members agreed with the proposal and the Housing Programs Planner was directed to schedule a community meeting with the Rancho San Clemente Business Park Association in November to provide an overview of the State Law, the Sub-committee's consensus on the methodology and proposed approach and to collect comments.

A meeting with the SC Business Park Association members and property owner's was scheduled for November 20, 2013. Staff compiled their comments and steps moving forward after the meeting (see attached summarized meeting minutes).

Homeless Persons: A Profile.

Orange County Sheriff Community Liaison Deputy Joe Bull and Deputy Aaron Schulte shared their professional experiences serving San Clemente's homeless population. Both San Clemente and the City of Lake Forest are fortunate to have department support for a Deputy that is focused on homeless people in their towns. In San Clemente Deputy Bull responds to homeless complaints, connect people on the streets with resources, and help them return to housing, if

they are interested. They estimated 65 homeless people are based in San Clemente—some of whom are San Clemente residents, while others are transients from Los Angeles, Laguna Beach and Oceanside. The Orange County Sheriff Department receives one or three calls daily regarding homeless individuals. They acknowledged there was a group of chronically homeless people who choose to not accept help but felt that potential for an emergency shelter to be located in San Clemente would meet an important need.

According to Deputy Bull's expert feedback some homeless live out of sight, prioritizing privacy and safety. Others sleep in the open, behind certain San Clemente businesses like Trader Joe's, along the alleyways of El Camino Real (north/south end of city), hidden Freeway border/greenbelt areas, Rancho San Clemente Business Park, while others are sleeping in the Avenida Pico drainage culvert areas (trees & brush area). Usually homeless transients will maintain an encampment until disturbed by other transients, public complaints, or Law Enforcement action. They will find other areas to live until the cycle repeats. So these areas shift around as well. Until Lake Forest's Deputy Pequeno and San Clemente's Deputy Bull's recent assignment in January 2013, the Sheriff's Department, which provides law enforcement services to thirteen cities in Orange County, the department never assigned a deputy to focus solely on the homeless population and concerns.

The cost of supporting a client with safe housing and wrap-around services at an emergency shelter, transitional housing, or supportive housing is significantly less than the cost of, for instance, Orange County Sheriff deputies' time responding to a call regarding homeless individuals or a repeat client at the hospital emergency room. It is a more cost effective to allow for the development of emergency shelters, transitional housing, or supportive housing than to deal with problems of not allowing such facilities. Moreover, amending regulations to allow emergency shelters and transitional/supportive housing does not necessarily attract more clients; in fact, it often serves primarily an existing unmet need. The client statistics from the Alternative Sleeping Location shows that this is true. According to Friendship Shelter's Executive Director Dawn Price since they have opened their doors in 2010 the average number of Laguna Beach homeless clients served has remained extremely constant over the past three years.

Location Suitability Analysis

Staff reviewed several zoning districts that appeared suitable for emergency shelters, transitional housing, or supportive housing based on several suitability criteria, including: location, access, lot size, parking, proximity to public transit and social services. Based on its review, staff concluded that the most suitable areas were the light industrial/business park areas of Los Molinos, Rancho San Clemente Business Park, or Talega Business Park. Staff does not recommend Los Molinos because the availability of vacant sites or underutilized smaller-sized buildings is limited. Los Molinos has smaller lot sizes compared to the business park areas, which may not accommodate the needs of an emergency shelter, transitional housing, and supportive housing. Staff researched other approved Orange County City Emergency Shelter Ordinances and analyzed typical standards for lot area and building floor area; the majority of cities required from 70 square feet of sleeping area per bed to 120 square feet. Thus, the

business parks appear to be the most viable option due to the larger sized buildings located there.

Why the Focus on Rancho San Clemente Business Park? A task force composed of community members and City staff researched homeless services needs over the past year and a half. Task force members included social service providers, Sheriff's Deputies, emergency room hospital staff, local church directors and community volunteers. Based on vacant building opportunities, lot size, available parking, separation from residential neighborhoods, availability of bus service, access to social services like Family Assistance Ministries (FAM) and outreach church ministries, the Task Force concluded that the Rancho San Clemente Business Park (RSCBP) compared to Talega's Business Park was the most appropriate land use area to accommodate the use and location to allow emergency shelters and transitional housing.

What if we do not comply with SB 2?

According to the City Attorney, failure to comply with SB 2 would have several potential, possibly far-reaching consequences: 1) City will not implement an adopted Housing Element program, 2) this in turn, will prevent the City from achieving State re-certification of its updated Housing Element, due in 2014, 3) could result in legal challenges to the validity of the City's General Plan; 4) loss of State housing funds or tax credits, which could affect the City's ability to assist much-needed affordable housing developments in San Clemente; and 5) continued uncertainty as to where and how emergency shelters are allowed, since the Zoning Ordinance is silent on this question; and 6) non-compliance with State law would leave the City vulnerable to legal action.

RECOMMENDATION

STAFF RECOMMENDS the Planning Commission consider the staff report, hear public testimony, and provide direction on 1) the proposed district boundaries where SB 2 would be applied, and 2) on the HCD-recommended performance standards for emergency shelters, listed in Attachment 5, and then continue this item to a date certain.

ATTACHMENTS

1. Summary of SB 2 Requirements
2. Location Map of Shelters and Services
3. National Alliance to End Homelessness Supportive Housing is Cost Effective
4. Definitions
5. HCD-Recommended Performance Standards
6. Summary of Emergency Shelter Ordinances Provisions in Orange County – updated by the County on 11/4/13

Senate Bill 2 (Cedillo) Fact Sheet

Summary: SB 2 strengthens state law by ensuring that every jurisdiction identifies potential sites where new emergency shelters can be located without discretionary review by the local government. It also increases protections for providers seeking to open a new emergency shelter, transitional housing or supportive housing development, by limiting the instances in which local governments can deny such developments. Applicable to all cities and counties in California, SB 2 takes effect January 1, 2008, and will impact all housing element updates due after this date, as well as those that were due prior to 2008, but are being submitted for the first time after January 1, 2008. Subject to important limitations described below, SB 2:

- Requires all cities and counties (“localities”) to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government. The zoning category must be identified in the locality’s housing element, and include sites with sufficient capacity to meet the local need for emergency shelter.
- Requires that all localities provide at least one such site.
- Expands the Housing Accountability Act, to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality’s zoning and development standards.

Key Elements: The changes created by SB 2 should be thought of in two categories: (1) Planning for emergency shelters; and (2) siting of emergency shelters, transitional housing and supportive housing.

Planning for Emergency Shelters

Each locality must identify in its housing element at least one zoning category in which homeless shelters are allowed, without a conditional use permit or other discretionary review. More particularly, the locality must:

- **Identify Need:** Under current law, the housing element must include an estimate of the number of persons in need of emergency shelter in the jurisdiction. SB 2 requires the analysis to consider both seasonal and annual need.
- **Provide sites for new emergency shelters:** SB 2 requires the local government to show in its housing element that it has one or more zoning categories that allow emergency shelters without a conditional use permit or other discretionary review. The local government cannot use discretionary criteria to deny the project; if it meets certain objective criteria, the shelter must be approved.

The identified zone or zones must have sufficient capacity to meet all of the locality’s identified need for emergency shelter. For example, if a locality determines that it has an unmet need of 100 persons who are homeless, the zone or zones identified must consist of sites that have sufficient capacity to accommodate a shelter or shelters for 100 people. Regardless of the identified need, each jurisdiction must identify at least one such site.

- **Rezone If Necessary:** If the locality does not currently have such a zone or the zone is not sufficient, it must include a program to amend its zoning ordinance to provide a sufficient zone or zones within one year of the adoption of its housing element.

- **Eliminate Onerous Standards:** The local government can establish objective development and management standards for the operation of emergency shelters, such as the size, parking standards, lighting, and others set forth in the law. However, the locality must demonstrate that any management or development standards as well as any permit processing standards that it applies are objective and actually encourage the creation of emergency shelters.
- **Exceptions for Compliant Cities:** If the local government can demonstrate that it has an emergency shelter or shelters that meet all of its existing need, it must still designate a zone or zones where emergency shelters are permitted, but it may require a conditional or discretionary use permit. In addition, any city with an existing by-right process for emergency shelters that is in compliance with the standards set forth in SB 2 need only describe its ordinance and how it meets the requirements of the law.

Finally, the bill gives credit to jurisdictions that are successfully implementing a supportive housing program model under the jurisdiction's 10-year plan to End Chronic Homelessness, by allowing a reduction in the need to account for supportive housing units available in the community. To take advantage of this credit, the jurisdiction must show that the units are (1) identified in the plan; and (2) either currently vacant or have all of the necessary funding to allow construction during the planning period.

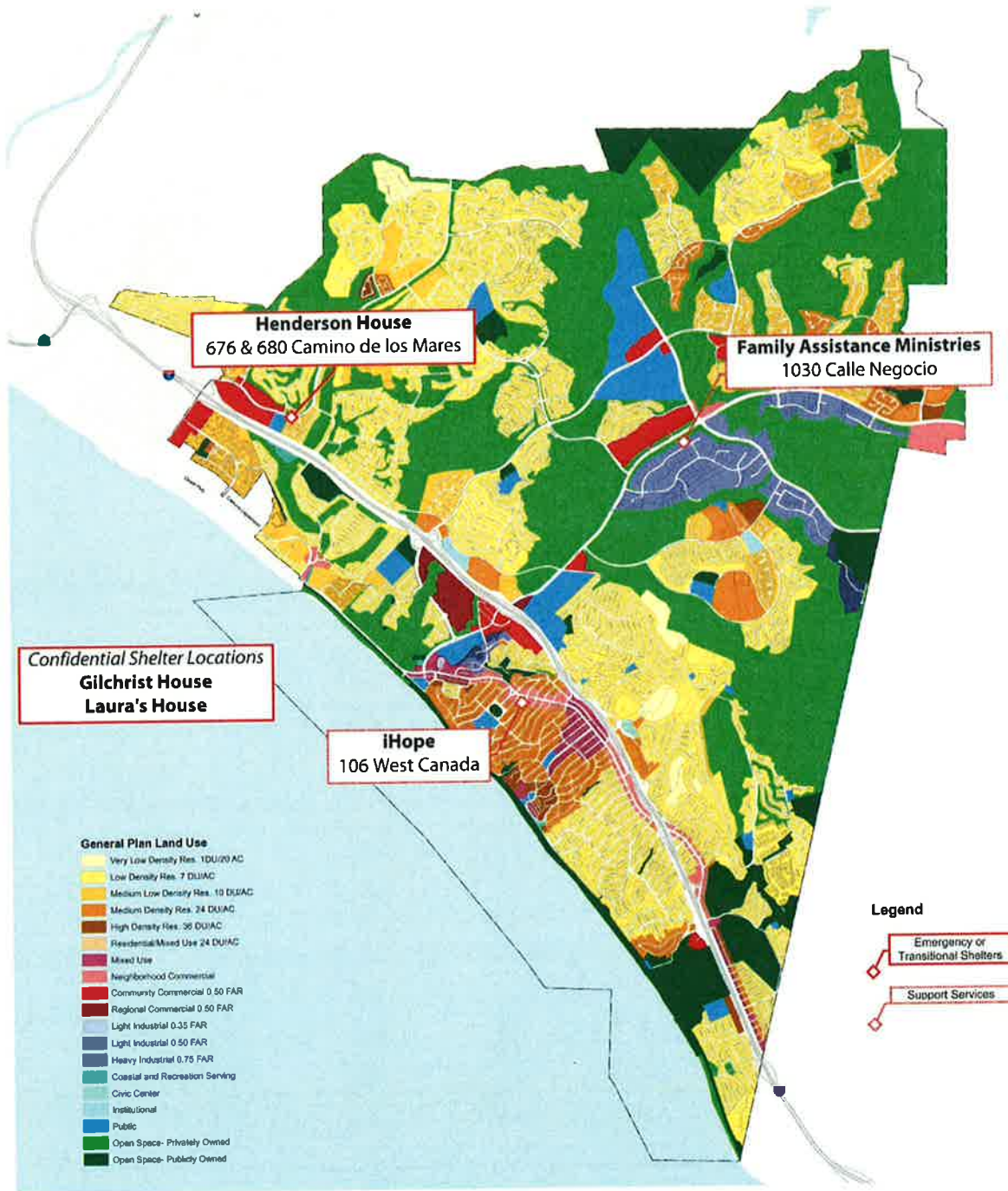
- **Multi-Jurisdictional Agreements:** Localities may meet some of their need by entering into an agreement with up to two other adjacent local governments to provide a joint facility provided the emergency shelter will be developed within two years of the beginning of the planning period. For example, two adjoining cities and a county may agree to jointly fund an emergency shelter, and count that shelter toward their identified need. The participating jurisdictions must adopt an agreement which, among other things, allocates a portion of the new shelter capacity to each jurisdiction.
- **Transitional and Supportive Housing:** The bill clarifies that the local government must analyze any constraints to the development of supportive housing, transitional housing or emergency shelters. It also provides that transitional housing and supportive housing must be treated the same as any other residential use within the same zone. For example, when supportive housing is allowed in a multifamily residential zone, the local government cannot impose any additional restrictions on supportive housing than what are imposed on other multifamily units.

Siting of Emergency Shelters, Transitional and Supportive Housing

The bill also ensures that local governments do not unreasonably deny approval for needed emergency shelters, transitional housing or supportive housing. The California Housing Accountability Act (formerly referred to as the Anti-NIMBY statute) prohibits discrimination against certain types of permanent housing for lower-income households. SB 2 expands this law to cover emergency shelters, and clarifies that it protects transitional and supportive housing, as well.

As a result, except under very limited exceptions, if a new emergency shelter is proposed on a site that is zoned to allow that use, and the local government has not met the need for emergency shelter identified in its housing element, the local government must approve the shelter. Similarly, transitional or supportive housing projects that are consistent with the zoning for the proposed site may not be denied if the city has not yet met its need for new housing units affordable to the income levels to be served by the proposed project, except under limited circumstances.

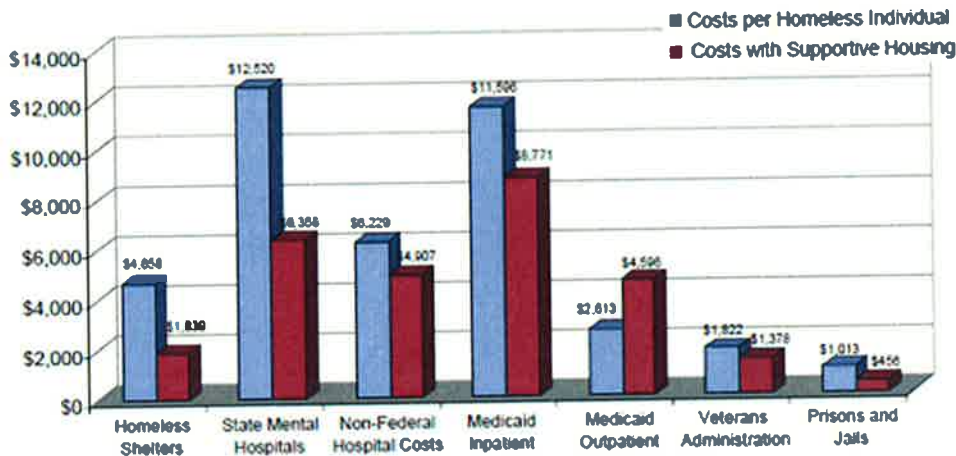
LOCATION MAP OF EXISTING SHELTERS AND SERVICES



NATIONAL ALLIANCE TO END HOMELESSNESS SUPPORTIVE HOUSING IS COST EFFECTIVE

“In New York City, each unit of permanent supportive housing saved \$16,282 per year in public costs for shelter, health care, mental health, and criminal justice. The savings alone offset nearly all of the \$17,277 cost of the supportive housing” (National Alliance to End Homelessness, 2007).

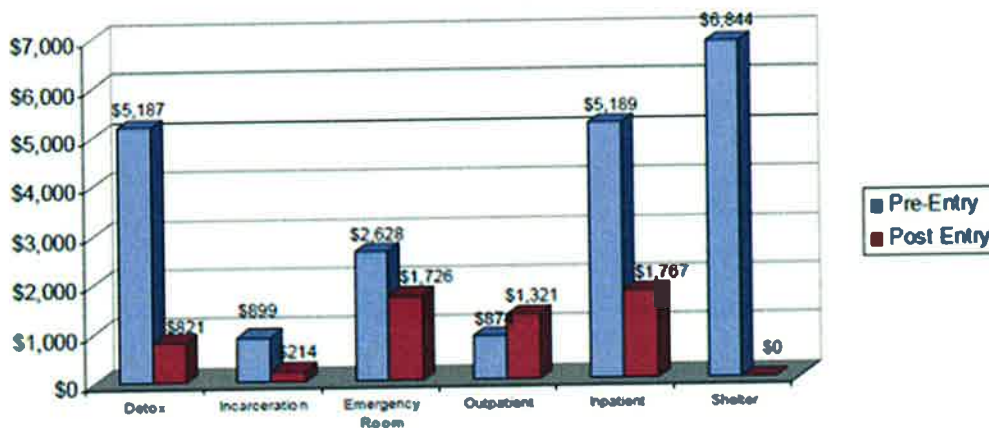
Exhibit 1: Annual Cost of Supportive Housing vs. Homelessness



Source: *The Impact of Supportive Housing on Services Use for Homeless Persons with Mental Illness in New York City*. Dennis Culhane, Ph.D., Stephen Metraux, M.A., Trevor Hadley, Ph.D., Center For Mental Health Policy & Services Research, University of Pennsylvania. Data from 4,679 NY/NY placement records between 1989-97.

In Denver, Colorado, “the program reduced the public cost of services (health, mental health, substance abuse, shelter, and incarceration) by \$15,773 per person per year, more than offsetting the \$13,400 annual cost of the supportive housing” (National Alliance to End Homelessness, 2007).

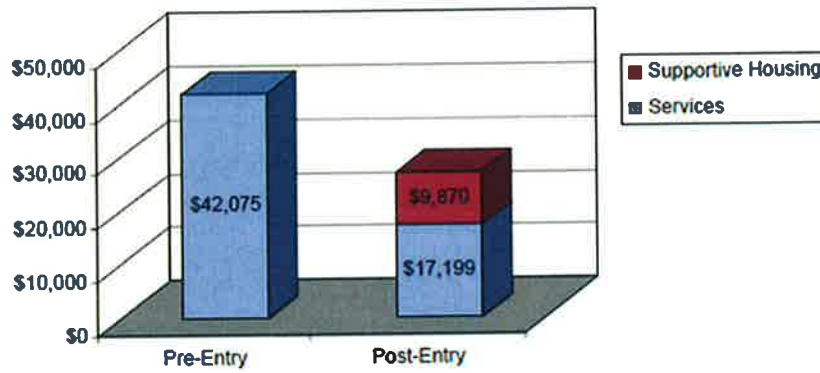
Exhibit 2: Annual Costs Before and After Entering Supportive Housing



Source: *Denver Housing First Collaborative: Cost Benefit Analysis And Program Outcomes Report*. Jennifer Perlman, PsyD, and John Parvensky. Colorado Coalition for the Homeless. December 2006.

In Portland, Oregon, "the program reduced the cost of health care and incarcerations from \$42,075 to \$17,199. The investment in services and housing during the first year of enrollment was averaged to approximately \$9,870. This represents a 35.7% (\$15,006 per person) annual cost saving for the first year" (National Alliance to End Homelessness, 2007).

Exhibit 3: Annual Cost Before and After Entering Supportive Housing



Source: *Estimated Cost Savings Following Enrollment In The Community Engagement Program: Findings From A Pilot Study Of Homeless Dually Diagnosed Adults.* Thomas L. Moore, PhD. Portland, OR: Central City Concern. June 2006.

DEFINITIONS

- Emergency shelter (per Health and Safety Code 50801): housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (California Department of Housing and Community Development, 2010).
- Homelessness (U.S. Department of Housing and Urban Development, 2012):
 - People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided. The only significant change from existing practice is that people will be considered homeless if they are exiting an institution where they resided for up to 90 days (it was previously 30 days), and were in shelter or a place not meant for human habitation immediately prior to entering that institution.
 - People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.
 - Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This is a new category of homelessness, and it applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
 - People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing. This category is similar to the current practice regarding people who are fleeing domestic violence.
- Supportive housing (per Health and Safety Code 50675.14(b)): housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (California Department of Housing and Community Development, 2010).
- Transitional housing (per Health and Safety Code 50675.2(h)): buildings configured as rental housing developments, but 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, which shall be no less

than six months (California Department of Housing and Community Development, 2010).

PROPOSED PERFORMANCE STANDARDS

The California Department of Housing and Community (HCD) set the following performance standards for emergency shelters to encourage and facilitate the development of, or conversion to, an emergency shelter.

Shelters may only be subject only to development and management standards that apply to residential or commercial development in the same zone except that local governments may apply written and objective standards that include all of the following:

1. Maximum number of beds. No more than one bed per 100 square feet of gross building area.
2. Off-street parking based upon demonstrated need.
3. Size and location of on-site waiting and intake areas. An on-site waiting room must be clearly identified for all clients. The waiting area is to be no larger than 10 square feet for every one bed provided. Exterior waiting shall be separated and screened from the right-of-way. The client intake area shall be located directly adjacent to the on-site waiting area.
4. Provision of on-site management.
5. Proximity to other shelters; no less than 300 feet from another shelter.
6. Length of stay; maximum of 180 days within a 12 month period.
7. Lighting; must have adequate exterior lights for safety.
8. Security during hours when the shelter is open.
9. Nondiscretionary development and design standards.
10. Voluntary or incentive-based standards.

Summary of Emergency Shelter Ordinances Provisions in Orange County

Summary of Emergency Shelter Ordinances Provisions in Orange County

	Aliso Viejo	Anaheim	Brea	Buena Park	Costa Mesa	Cypress
Code Reference (Date of Adoption)	8.12.050 10/2/2013	18.38.125 (7/28/12)	20.252.020 (10/20/08)	19.348.070 (7/9/13)	13.200.79 (3/19/13)	3.17.240 (10/26/09)
Zone	Business Park 1 and Business Park 2	1.6 SP 94-1 (Industrial & Northeast Area Specific Plan)	M-1 (Light Industrial)	RS-6 (Single Family Residential)	PDI (Planned Development Industrial)	PS (Public and Semi-Public Zone)
Maximum beds	N/A ²	50	30 ³	30	30	30
Parking	N/A ¹	1 per 4 beds + 1 per staff	1 per 4 beds + 1 per staff and/or 1/2 parking spaces per bedroom designated for family units with children	1 per 4 beds + 1 per staff and/or 1/2 parking spaces per bedroom designated for family units with children	1 per 4 beds + 1 per staff	1 per 4 beds + 1 per staff
Waiting/queues	N/A ¹	10 sf./bed	10 sf./bed	Located Internally if feasible. Outdoor areas shall be screened.	Interior or exterior (must be screened)	10 sf./bed
Management plan req'd?	N/A ¹	Yes	Yes	Yes	Yes	Yes
Minimum separation	N/A ¹	1 staff per 15 beds	1 staff per 15 beds	1 staff per 15 beds	Yes	1 staff per 15 beds
Maximum length of stay	N/A ¹	300 ft. from another shelter & 1,000 ft. from any residential zone, school, day care facility, or assisted living facility	500 ft. from another shelter, residential district, or school	300 ft. from another shelter	300 ft.	500 ft. from another shelter
Site Development Standards (subject to same standards as other)	N/A ¹	180 days	120 days	180 days in a 360 day period	120 days	120 days
Hours of Operation	N/A ¹	N/A ¹	Per M-1 zone	Required to be incidental to religious assembly use	N/A ¹	N/A ¹
Other requirements	N/A ¹	Admitted between 6pm-8am Checkout at 8am Bike rack/locker required Ext. lighting plan review req'd. Screening of storage & waiting areas 1 toilet & 1 shower per family area Kitchen & dining hall req'd. Religious consultations may be established for a max of 50 occupants	Admitted between 6pm-8am PDT, 5pm-8am PST Checkout at 8am Shelter must be within 1/2 mile of bus stop Bike rack required Screening of storage & waiting areas 1 toilet & 1 shower per 8 beds per gender	Not specified Shelter must be within 1/2 mile of bus stop Bike rack required Exterior lighting shall be provided for outdoor area Outdoor storage areas must be screened 1 toilet & 1 shower per 8 beds per gender, private shower/toilet for individual families May provide dining, kitchen, laundry, recreation area, counseling & social services	Admitted between 6pm-8am Interior and exterior waiting area Exterior lighting Patrol area surrounding shelter Alcohol/tobacco use prohibited Non-operational/unregistered vehicles prohibited	Admitted between 6pm-8am PDT, 5pm-8am PST 1/2 mile within an OCTA bus stop Bike rack parking Exterior lighting for entire outdoor area Waiting area visually separated from public view by min. 6' tall Decorative masonry wall Sheds/rain provisions Min 1 toilet + shower per 8 beds per gender Private shower + toilet for individual families

Summary of Emergency Shelter Ordinances Provisions in Orange County

	Dana Point	Fountain Valley	Fullerton	Garden Grove	Huntington Beach	Irvine
Code Reference (Date of Adoption)	9.19.040(b) 6/13/10	21.10.050 (12/8/10)	15.55.020 (5/21/13)	9.16.020.050 (1/11/11)	230.52 (1/19/10)	N/A
Zona	CFZ (Community Facility Zone) ^a	C1 & C-2 (General Commercial)	CM (Commercial Manuf.) and M-P or M-G (Manuf. Park or General)	M1 (Light Industrial, Emergency Shelter Overlay Zone)	IG & IL (General & Limited Industrial)	IBC (Multi-Use, Gen. Industrial, Med/Science, Bus. Park, Institutional)
Maximum beds	20 in CFZ, 10 at churches	30 ^b	50	60	50	TBD
Parking	1 per 10 beds	1 per 4 beds+1 per staff ^c	1 per 15 beds +1 per staff	1 per 4 beds + 1 per staff	1 per 5 beds+1 per staff	1 per 4 beds+1 per staff
Waiting/Innate	Provided on-site and screened from public view.	10 sf./bed	Screened from right-of-way and sufficient site	10 sf./bed	10 sf./bed	10 sf./bed
Management plan req'd?	Yes	Yes	Yes	Yes	Yes	No
On-site supervision	N/A ^d	1 staff per 15 beds	Yes	1 staff per 15 beds	1 staff per 15 beds	Yes
Minimum separation	300 ft. from another shelter	500 ft. from another shelter	250 ft. from another shelter; ¼ mile from residential use, public school or public park	300 ft. from another shelter	300 ft. from another shelter	300 ft. from another shelter
Maximum consecutive length of stay	N/A ^d	120 days	180 days	120 days	120 days	Not specified
Site Development Standards (subject to some standards as other uses)	Per CFZ	Per C-2 zone	Facility shall comply with the development standards of the zone in which it is located	Per M1 Emergency Shelter Overlay Zone	Per IG/IL zones	Not specified
Hours of Operation	Admitted between 5pm-8pm Discharge between 8am-12am	Admitted between 5pm-8am Discharge by 8am	TBD ^e	Admitted between 6pm-8am PDT, 5pm-8am PST	Discharge by 8am	Not specified
Other requirements	<ul style="list-style-type: none"> ➤ Central cooking & dining room(s) ➤ Recreation Rooms ➤ Counseling Center ➤ Laundry facilities ➤ Organized outdoor activities limited to 8am - 10pm 	<ul style="list-style-type: none"> ➤ Shelter must be within ¼ mile of bus stop ➤ Bike rack required ➤ Screening of storage & waiting areas ➤ On-site trash enclosure 	<ul style="list-style-type: none"> ➤ May provide cooking and eating facilities; outdoor areas; laundry facilities; secured storage; showers, covered bicycle parking. ➤ Located within ¼ mile of transit stop 	<ul style="list-style-type: none"> ➤ Bike rack required ➤ Client storage area must be separate from sleeping area 	<ul style="list-style-type: none"> ➤ Considered "Community & Social Service Facilities" ➤ Screening of storage & waiting areas ➤ ¼ mile within transit stop 	

Summary of Emergency Shelter Ordinances Provisions in Orange County

	La Habra	La Palma	Laguna Beach	Laguna Hills	Laguna Niguel	Laguna Woods
Code References (Date of Adoption)	18.48 (05/6/13)	26-29 (7/2/13)	25.28.020 (12/4/12)	9-64.040.D (11/13/12)	(6/5/12)	13.23.030 (1/19/11)
Zone	Emergency Shelter Overlay Zone	Public and Institutional (PI) Zone and Transitional/Supportive Housing as permitted by-right use within residential (R-1) and (R-3) zoning districts	Institutional, C-1, CN, LBP, SLV and R-3	MXU (Mixed-Use District)	CN, CC, CO, RP, PI Districts and CS District of Gateway Specific Plan	CC, CF-P1, & CF-P by CUP (Community Commercial); Community Facility Public/Institutional, & Community Facility Private)
Maximum beds	3 times max units permitted in zone	50 beds or persons/night	N/A'	20	N/A'	20
Parking	1 per 4 beds	1 space per 5 beds and/or 0.5 spaces per bedroom designated as family unit with children and 1 space for every employee/volunteer	N/A'	1 per 3 beds + 1 per staff	TBD by Comm. Dev. Director	N/A'
Waiting/Intake	N/A'	No larger than 10 square feet of 1 bed; not adjacent to the public right-of-way	N/A'	200 sq. min.	N/A'	All intake & screening shall be conducted off-site
Management plan req?	Yes	Security and Safety Plan	N/A'	Yes	N/A'	Yes
On-site supervision	Yes	1 manager, 1 supporting staff for every 5 beds	N/A'	Yes	N/A'	Yes
Minimum separation	N/A'	300 feet from another shelter	N/A'	300 ft. from another shelter. Emergency shelter shall be located at least 500 ft. from any residential use, public or private park, public or private K-12 school, church, or other religious institution.	N/A'	300 ft. from another shelter, min 1,000 ft. from public park, public/private K-12 school, indoor/outdoor rec facility designed to serve under 18 yr. olds/child facility
Maximum consecutive length of stay	180 days	180 days/365-day period	N/A'	180 days	N/A'	180 days, min. 28 days
Site Development Standards (subject to same standards as other uses)	Development specified for the underlying zone over which the ES Zone is applied	6 or less persons/Permitted Use 7 or more persons - Subject to conditional use permit	Residential Housing/Special Needs (including homeless facilities and transitional/supportive housing) are subject to Conditional Use Permit	N/A'	Varies by Zone (LMZC Section 9-1-43.1, Table 4.2)	N/A'
Hours of Operation	N/A'	6:00PM to 8:00AM PDT 5:00PM to 8:00AM PST	N/A'	N/A'	N/A'	N/A'
Other requirements	<ul style="list-style-type: none"> > Common kitchen and dining area > Bathroom and lavatory, toilet, and showers adequate for the number of residents serviced. 	<ul style="list-style-type: none"> > Health permit > Smoke detectors, fire extinguishers, evacuation plan > 1 toilet and 1 shower per gender for every 5 beds and min. of 1 private shower and toilet facility for each area designated for use by individual families 	N/A'	<ul style="list-style-type: none"> > Lighting pursuant to code 9-40.170 and 9-44.060 	N/A'	<ul style="list-style-type: none"> > At least 1 room of 120 sq. ft. other habitable rooms area not less than 70 sq. ft. > No more than 2 persons occupy a room used for sleeping purposes

Summary of Emergency Shelter Ordinances Provisions in Orange County

	Lake Forest	Los Alamitos	Mission Viejo	Newport Beach	Orange	Piacentia
Code Reference (Date of Adoption)	N/A	17.36.170 (7/29/13)	9.12.020(d) (9/8/09)	20.48.100 (2010)	17.20.050 (3/27/10)	23.47.130 (4/16/13)
Zone	Urban Activity Zone (Baker Ranch Planned Community) and Business Park (Pacific Commerce Centre Planned Community)	P-M & C-O (Planned Light Industrial/ Commercial-Professional Office)	BP (Business Park/Industrial)	PI & OA (Private Institution & Office Airport)	M-1 & M-2 (Light Industrial & Industrial)	M-Districts (Manufacturing)
Maximum beds	10	P-M up to 20; 20 or more CUP C-O requires CUP	10 ⁴	40	100	30
Parking	1 per 3 beds	1 per 500 sf.	1 per 250 sf. gross floor area	1 per 4 beds + 1 per staff	1 per 6 beds + 1 per staff	1 per 4 beds + 1 per staff
Waiting/Intake	N/A	10 sf./bed, min. 100 sf.	At least 500 sf. gross floor area	10 sf./bed	N/A	Min. 10 sf. per bed. Min. 6 ft tall
Management plan req'd?	N/A	Yes	Yes	Yes	Yes	Yes
On-site supervision	Yes	Yes	Yes	Yes	Yes	1 staff per 15 beds & 2 staff when facility is open
Minimum separation	300 ft. from another shelter	300 ft. from another shelter	250 ft. from another shelter	N/A	300 ft. from another shelter	300 ft. from another shelter
Maximum consecutive length of stay	180 days	180 days	180 days	14 days	180 days	45 days
Site Development Standards (subject to same standards as other uses)	N/A	Shelters subject to multifunctional agreements may not be subject to criteria	Per Business Park/Industrial Zone	N/A	Per M-1/M-2 zone	Conform to all "M" Manufacturing District
Hours of Operation	Admitted between 5pm-8am	N/A	N/A	N/A	Residents must vacate shelter between 9am-5pm	Admitted between 5pm-6am
Other requirements	<ul style="list-style-type: none"> ➤ Min 250 sq. ft. intake and waiting area ➤ Office areas for administrative purposes ➤ Restrooms ➤ General storage ➤ Bicycle storage ➤ Beds ➤ Smoking area not visible from street ➤ Adequate lighting 	N/A	<ul style="list-style-type: none"> ➤ Shelter must be within 1/2 mile of transit ➤ Traditional and supportive housing shall be considered a residential use subject to the same standards and procedures as other residential uses of the same type in the same zone. 	<ul style="list-style-type: none"> ➤ Petrol area for 1hr after closing 	<ul style="list-style-type: none"> ➤ Bikes rack required ➤ 1 bathroom & shower per 20 clients ➤ Laundry, kitchen, dining room, storage permitted 	<ul style="list-style-type: none"> ➤ Exterior lighting shall be provided for the entire outdoor and parking area of the property. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way. ➤ Separation of male/female/s' family sleeping areas.

Summary of Emergency Shelter Ordinances Provisions in Orange County

	Rancho Santa Margarita	San Clemente	San Juan Capistrano	Santa Ana	Seal Beach	Stanton
Code Reference (Date of Adoption)	9.04.170 (1/5/11)	N/A	9.3.550 (5/1/12)	41-1200.1201 (9/3/13)	11.4.05.140 (06/30/13)	20.400.160 (6/11/13)
Zone	PQ (Public/Quasi-Public)	N/A	P&I (Public and Institutional)	M-1 (Light Industrial), M2 (Heavy Industrial) or Industrial Specific Development (SD)	Bowling Specific Plan (BIDS)	IS (General Industrial)
Maximum beds	10	N/A	1 bed per 250 sq. ft.	Up to 30 beds, no permit; 30-150 beds, permit required*	25	20
Parking	1 per 3 beds	N/A	1 per 3 beds	1 per 5 beds	N/A	Off-street parking comply with Ch. 20.150
Waiting/Intake	250 sq. ft. (waiting/client intake area)	N/A	2 sq. ft. per bed	10 sq. ft. per bed	N/A	Ext. waiting area 10sq. ft. per bed
Management plan req'd?	Yes	N/A	Yes	Yes	Yes	Intake in Compliance w/Building code N/A
On-site supervision	24 hour on-site supervision	N/A	At least 1 on-site manager during all hours of operation, accompanied by one supporting staff member; 1 staff per 20 beds	N/A	N/A	Yes
Minimum separation	N/A	N/A	200 ft. from existing emergency shelter	500 ft. from residential use/zone 300 ft. from other shelter or multiservice center	300 ft.	300 ft.
Maximum consecutive length of stay	180 days	N/A	180 consecutive days or 240 days within any 12 month period	180 days within a 12 month period	180 days	N/A
Site Development Standards (subject to same standards as other uses)	N/A	N/A	Per Public and Institutional District	Per underlying district standards	BIDS Specific Plan	Applicable Bldg. Code, Fire Code, and State Department of Social Services Licensing requirements.
Hours of Operation	N/A	N/A	Hours of operation shall be limited, based on the scope of services to be provided	Multiservice Center - 24 hours Emergency Shelters - Not required to be open 24 hours	N/A	4pm and 8am
Other requirements	<ul style="list-style-type: none"> ➤ All lighting shall be subject to Section 9.5.080 Lighting Standards. 	N/A	<ul style="list-style-type: none"> ➤ Strategic plan for handling complaints or concerns from neighboring properties ➤ No loitering of facility residents and other near housing units ➤ Implementation of a security plan with appropriate security measures 	<ul style="list-style-type: none"> ➤ Must be 1/2 mile from transit stop ➤ No less than 8 bike spaces ➤ Must provide food prep and dining area, laundry facilities, restrooms, showers, storage, recreational facilities, areas to provide client services 	N/A	<ul style="list-style-type: none"> ➤ Living, dining & kitchen area separated from sleeping area ➤ 35 sq. ft. of sleeping area per bed ➤ Bathroom & shower facilities ➤ Landline Telephone service separate from office. ➤ Regular patrol around shelter within 800 ft ➤ Supplemental services (food, counseling, access to social programs, etc.)

Summary of Emergency Shelter Ordinances Provisions in Orange County

	Tustin	Villa Park	Westminster	Yorba Linda	County of Orange
Code Reference (Date of Adoption)	MCAS Tustin Specific Plan	2012-557 (2/28/12)	17.250018 (10/9/13)	18.14.050 (10/04/11)	Proposed Ordinance
Zone	Planning Areas 1C and 3 of the MCAS Tustin Specific Plan	E-4, R-1 with CUP (SF Residential Estate District; Single Family Residential Zone)	Emergency Shelter (ES) Overlay; M2 (Medium Industrial)	Light Manufacturing (M-1) Zone	All commercial and industrial zoned areas within Housing Opportunities Overlay Zone
Maximum beds	192 in PA 3; no max. in PA1C	N/A ¹	Shelters within Emergency Shelter Overlay District shall not exceed 70; Shelters outside Emergency Shelter Overlay District shall not exceed 30	Based on individual capacity of the building and overall facility and shall not be less than 50 sf. per bed	Up to 50 beds with no use permit required. Over 50 to a maximum of 150 beds with a use permit. ²
Parking	1 per 4 beds	N/A ¹	1 space for staff; 1 space for each 5 beds; 1/2 space for each room designated for families with children	1 per 4 beds or 1/2 for each bedroom designated for family units with children ³	1 per 4 beds plus 1 for each staff and volunteer on duty
Waiting/intake	N/A ¹	N/A ¹	Minimum area shall be no less than 10 square feet of floor area for each bed provided; not be located within required yard area; Fully screened from view from all public streets adjoining emergency shelter facility	Located internally when feasible. If not feasible external waiting area provided	10 sf. per bed. Exterior waiting shall be separated/screened from right-of-way
Management plan reqd?	No	N/A ¹	Safety, Security, and Operational Plan	Operations Plan	Management and Operations Plan
On-site supervision	N/A ¹	N/A ¹	1 employee per 15 beds	1 employee per 15 beds	1 manager on-site at all times; additional staff as necessary
Minimum separation	None	N/A ¹	No less than 300 feet from another shelter	500 ft. from other shelter, residentially zoned property, and any public or private school as measured by the property line.	300 ft. from another shelter
Maximum consecutive length of stay	No Maximum	N/A ¹	Cannot exceed 120 days/365-day period	180/365 days for clients w/ yearlong residency 90/365 days for all others	180 days
Site Development Standards (subject to same standards as other uses)	Per MCAS Tustin Specific Plan	N/A ¹	N/A ¹	N/A ¹	Comply with base district standards
Hours of Operation	N/A ¹	N/A ¹	5:00PM to 8:00AM PST	6:00pm to 8:00pm PDT 5:00pm to 8:00pm PST	24 hours per day unless granted an exemption
Other requirements	None	N/A ¹	<ul style="list-style-type: none"> ➤ Exterior light for safety 	<ul style="list-style-type: none"> ➤ Min. 1 toilet for every 8 beds per gender ➤ Min. 1 shower every 8 beds per gender ➤ Private shower and toilet facility for each gender ➤ Area designated for use by indiv. Families ➤ Adequate exterior lighting. ➤ Prohibit alcohol, tobacco, narcotics. 	<ul style="list-style-type: none"> ➤ 1 toilet for every 10 beds per gender ➤ 1 shower for every 10 beds per gender ➤ Bkts racks ➤ May provide kitchen, dining area, laundry and storage ➤ On-site trash enclosure ➤ Trash removed from premises daily