



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 22-699, **Version:** 1

Item #: PH-1.

CC - PUBLIC HEARING: Introduction of an Ordinance Amending Culver City Municipal Code (CCMC) Sections 17.400.046, 17.230.015 (Table 2-8) and 17.260.035 (Table 2-11), Relating to Emergency Shelters.

Meeting Date: February 14, 2022

Contact Person/Dept: Gabriela Silva/Associate Planner
Jeff Anderson/Interim Current Planning Manager

Phone Number: (310) 253-5736 / (310) 253-5727

Fiscal Impact: Yes ☐ No ☒ **General Fund:** Yes ☐ No ☒

Public Hearing: ☒ **Action Item:** ☐ **Attachments:** ☒

Public Notification: (E-Mail) Meetings and Agendas - City Council (02/09/2022); (Posted) City Website (01/20/2022); Gov Delivery (01/20/2022, 01/27/2022, and 02/10/2022); (Published in) Culver City News (01/20/2022, 01/27/2022, 02/10/2022).

Department Approval: Sol Blumenfeld, Community Development Director (01/31/2022)

RECOMMENDATION

Staff recommends the City Council introduce an Ordinance approving Zoning Code Amendment P2022-0002-ZCA, amending Culver City Municipal Code (CCMC), Title 17: Zoning Code (Zoning Code) Sections 17.400.046, 17.230.015 (Table 2-8) and 17.260.035 (Table 2-11), relating to emergency shelters.

PROCEDURES

1. The Mayor seeks a motion to receive and file the affidavit of publication and posting of the public hearing notice.
2. The Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired.
3. The Mayor seeks a motion to declare the public hearing open and the City Council receives public comment.

4. The Mayor seeks a motion to close the public hearing after all testimony has been presented.
5. The City Council discusses the matter and arrives at its decision.

BACKGROUND

The City of Culver City and the Culver City Housing Authority are pursuing State and Los Angeles County grant funding to acquire and rehabilitate two motels located at 3868 Sepulveda Blvd (Deano's Motel) and 3900 Sepulveda Blvd (Sunburst Motel) and repurpose them for a Homeless Shelter and Permanent Supportive Housing. The City intends to convert the motel at 3868 Sepulveda Blvd to an Emergency Shelter and to convert the motel at 3900 Sepulveda Blvd into Permanent Supportive Housing.

An Emergency Shelter is defined in the Zoning Code as *“facilities providing temporary shelter with minimal supportive services for homeless persons that are limited to occupancy of 180 days or less by a homeless person, persons, household, or family operated by a public or non-profit agency. These accommodations may include temporary lodging, meals, laundry facilities, bathing, counseling, and other basic support services.”*

The City is applying for a State grant from Project Homekey to assist in the purchase and rehabilitation of the motels. The competitive grant funding awards are expected shortly. Los Angeles County funding has been secured through State Senator Sydney Kamlager. Among the State grant application requirements is demonstration that the project can be occupied within eight months from receipt of the grant funds. That means that the property is owned and controlled by the grant recipient and fully entitled. In order to comply with the grant requirements and deadlines, it is necessary for the City to timely modify certain aspects of the Zoning Code to ensure the proposed Emergency Shelter property is in compliance with standards for Emergency Shelters.

Normally, a Zoning Code Amendment requires a public hearing and recommendation by the Planning Commission and a public hearing and final action by the City Council. Given the requirements of the grant application and the need to move expeditiously, the City Manager has determined to have the proposed Zoning Code Amendment heard directly by the City Council, pursuant to CCMC Section 3.03.035 ¹.

DISCUSSION

Zoning Code Section 17.220.015 - Commercial District Land Uses and Permit Requirements permits emergency (homeless) shelters in the CG (Commercial General), CC (Community Commercial), and CN (Commercial Neighborhood) commercial zones with a Conditional Use Permit (CUP). In addition, Section 17.230.015 - Industrial District Land Uses and Permit Requirements and Section 17.260.035 - East Washington Boulevard Overlay (-EW) allows projects in the Industrial General (IG) Zone and EW Overlay and located within the area shown on Map 4.05 to be permitted ministerially through a Zoning Clearance per Zoning Code Section 17.400.046 A.²

The future motel conversions will be to an Emergency Shelter and a Permanent Supportive Housing

facility. Emergency Shelters are facilities that provide temporary shelter with minimal supportive services for homeless individuals and are limited to occupancy of 180 days or less. Permanent Supportive Housing, which is referenced as Transitional Housing in the Zoning Code, is *temporary housing for a minimum of six (6) months for homeless individuals or families transitioning to permanent housing*. Transitional Housing (i.e., Interim Supportive Housing) is allowed by right in the CN, CG, and CC zones.

In order to allow the City to purchase the motels and convert one of them to a homeless shelter to address homelessness, it is necessary to modify Map 4.05 to redefine where emergency shelters could be approved ministerially, rather than require a Conditional Use Permit. By adopting the proposed Zoning Code Amendment to revise Map 4.05 as shown in Exhibit A of the proposed Ordinance (Attachment No. 1), the area denoted on the map will continue to be defined as an area where Emergency Shelters are allowed ministerially. Since, the current map identifies the only areas in the IG Zone and the -EW Overlay where emergency shelters are currently allowed, the corresponding tables will be adjusted accordingly. The complete proposed Zoning Code Amendment is provided in Attachment No. 1.

In addition to replacing the map, there are other changes proposed to the Emergency Shelters provisions of the CCMC. These include the following:

Table 1 – Summary of Proposed Text Changes		
Title	Existing	Proposed
C. Number of Beds	This section currently states that an emergency shelter within the area specified by Map 4.05 would have no more than 30 beds.	The proposed amendment would state that an emergency shelter within the area specified by Map 4.05 would have not less than 30 beds.
F. Proximity to Other Emergency Shelters	The existing standard is that an emergency shelter shall be separated from another emergency shelter by 300 feet.	The proposed amendment would eliminate that requirement if the property is located in the area shown on Map 4.05.
K. Common Facilities	This section provides that each emergency shelter may include one or more of a <u>list</u> of facilities. The first of these facilities is "Kitchen and dining room(s)".	The amendment would change that to "Kitchen and outdoor dining area".

N. Emergency Shelter Provider	1. Currently, the requirement is that services must be provided for two or more population groups (men, women, and families) and that sleeping areas be segregated for each population group.	The proposed change would require shelters to provide services to one or more population groups and provides an exception for segregating population groups if individual units are provided.
N. Emergency Shelter Provider	3. The current standard is that staff and services shall be provided to assist residents in obtaining permanent shelter.	The amendment would delete "staff" and will continue to note that services shall be provided to assist residents obtain permanent shelter.
N. Emergency Shelter Provider	4. The existing text refers to the Planning Division regarding the submittal of a required operation plan.	The proposed text would refer to the Current Planning Division.

The proposed changes will address issues of capacity and proximity for shelters within the map area, which will allow the use of both existing structures and of the existing rooms, thereby maximizing the existing resources. The change to allow outdoor dining areas will also allow flexibility in how dining areas are provided when they are incorporated into the scope of an emergency shelter. The change from "two or more" population groups to "one or more" population groups that will be served by an emergency shelter will address the specific characteristics of the prospective facilities on Sepulveda Boulevard, since it is unlikely that any additional Emergency Shelters will locate within the City, and since the motel properties within the map area cannot accommodate families due to existing room sizes. The elimination of the term "staff" from being required for the purpose of assisting residents in obtaining permanent shelter will allow flexibility for shelters when working with contract agencies. Lastly, the final revision simply corrects the name of the division to what it is now called (i.e., the Current Planning Division).

PUBLIC COMMENT

The City retained a public outreach consultant who will be coordinating the public outreach effort with the community as the project progresses. The City received no public comment prior to the staff report finalization. Public notice for the comment period was published in the Culver City News on January 20, 2022, January 27, 2022, and February 10, 2022. In addition, the public notice was posted on the City website on January 20, 2022 and distributed by email through GovDelivery on January 20, 2022, January 27, 2022, and February 10, 2022.

ENVIRONMENTAL DETERMINATION

The proposed Zoning Code Amendment (P2022-0002-ZCA) is considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty there is no possibility the Project will have a significant effect on the

environment. The Project, by itself, does not result in any physical changes in the environment because it replaces the area within which emergency shelters are permitted ministerially, through approval of a Zoning Clearance, with a different area with fewer parcels, and does not result in changes to existing land use, density, or an intensification of development beyond what the Zoning Code currently allows. Further, any underlying project implemented under the parameters of the proposed Zoning Code Amendment, even if such project were discretionary, would be exempt under CEQA Guidelines Section 15301 (Class 1 - Existing Facilities Categorical Exemption).

CONCLUSION

The proposed Zoning Code Amendment will serve to update Map 4.05 to identify more feasible locations for establishing Emergency Shelters without a Conditional Use Permit (CUP) as the currently identified area has evolved and is likely less suitable for such a use. Further, the proposed amendment will facilitate the leveraging of available funding and the revitalization of existing buildings, while addressing one component of the City's various housing needs and implementing goals and objectives of the General Plan.

FISCAL ANALYSIS

There is no fiscal impact related to this item.

NOTES:

1. § 3.03.035 - CITY COUNCIL RETAINS JURISDICTION.
Unless prohibited by applicable federal or state law or the City Charter, notwithstanding any other provisions of this code, or where final decision-making authority has been delegated by the City Council to another person or body, the City Council retains jurisdiction on all items which may otherwise be considered by the various Commissions. Either the City Council or the City Manager, in their sole discretion, may determine to have any item heard directly by the City Council.
2. The Zoning Clearance must be granted after determining:
 - A. The request complies with all of the applicable standards and provisions for the category of use in the zoning district of the subject parcel, in full compliance with this Title; and
 - B. The request complies with the City's "Comprehensive Standard Conditions of Approval for Site Plan Review and Other Discretionary Planning and Zoning Applications," as adopted by the Commission for new construction of 750 gross square feet or more.

ATTACHMENTS

1. Proposed City Council Ordinance (including Exhibit A - Proposed Zoning Code Amendments)

MOTION

That the City Council:

Introduce the Ordinance approving Zoning Code Amendment P2022-0002-ZCA, amending Culver City Municipal Code (CCMC) Sections 17.400.046, 17.230.015 (Table 2-8) and 17.260.035 (Table 2-11), relating to emergency shelters.