



CITY OF POMONA COUNCIL REPORT

Date: **September 10, 2018**

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Mario Suarez, AICP, Development Services Director

Subject: **Update on Upcoming Amendment to Emergency Shelter Overlay Zone Requirement**

RECOMMENDATION

It is recommended that the City Council receive this update and provide comment, if appropriate, to assist in preparation for the future public hearing.

OVERVIEW

The purpose of this report is to inform the City Council of necessary recommendations which staff is formulating to comply with Senate Bill 2 (SB2), to address the City's emergency shelter needs, as well as to satisfy the City's Housing Element component of the General Plan. The Housing Element compliance was the subject of the Singleton V. Pomona case, and that settlement requires a revised SB2 compliance method which includes allowing by-right sufficient realistic opportunities to develop emergency shelter.

At a future meeting, expansion of the Emergency Shelter (ES) Overlay shall be recommended to include the following components:

1. Existing East Mission parcels designated Emergency Shelter (ES) Overlay
 2. Additional parcels in Corridors Specific Plan
 3. American Recovery Center
 4. Motel/lodging businesses along Mission Boulevard, Holt Avenue, and Garey Avenue
- Attached are maps showing ES Overlay expansion plans, in order to address compliance with SB2 and proposed approach in expanding ES Overlay and replacing current requirement of allowing emergency shelter with a CUP in the C-Ind, M-1, M-2, R-1-7,200, and R-2 zones.

BACKGROUND

SB2 (Local Planning and Approval for Emergency Shelters and Transitional and Supportive Housing) first became effective January 1, 2008. Specifically, SB2 requires the following:

- At least one zone shall be identified to permit emergency shelters without a conditional use permit or other discretionary action.
- Sufficient capacity must be identified to accommodate the need for emergency shelters and at least one year-round emergency shelter.
- Existing or proposed permit procedures, development and management standards must be objective and encourage and facilitate the development of or conversion to emergency shelters. Emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone.
- Written and objective standards may be applied as specified in statute, including maximum number of beds, provision of onsite management, length of stay and security.
- Includes flexibility for jurisdictions to meet zoning requirements with existing ordinances or demonstrate the need for emergency shelters can be accommodated in existing shelters or through a multi-jurisdictional agreement.

City Efforts

Prior to the implementation of SB2, the City conditionally permitted emergency shelters in the C-IND, M-1 and M-2 zones, subject to the approval of a Conditional Use Permit. Also through the Determination of Similarity process, emergency shelters have been allowed in the R-1-7,200 and R-2 zones by right for up to six persons and with a Conditional Use Permit (CUP) for seven to twelve persons. However, review and approval of emergency shelters via a CUP process does not comply with the requirements of SB 2.

The 2017 Point-in-Time (PIT) Count by the Los Angeles Homeless Services Authority (LAHSA) indicates 877 homeless persons with 390 being unsheltered. On April 18, 2016, the City Council approved a Code Amendment to add definitions for Emergency Shelters, and amended the Pomona Corridors Specific Plan to add an Emergency Shelter (ES) overlay district to the property at 1390 East Mission Boulevard. On September 11, 2017, the City Council further amended the Pomona Corridors Specific Plan to designate a second parcel at 1400 E. Mission Boulevard for the specific purpose of building a year-round emergency shelter. These two parcels combined have the capacity to accommodate a 390-bed facility and the City is utilizing Measure H, Bond Money's, Continuum of Care, Emergency Shelter Grant, Community Development Block Grant and funds and construction and operation of this facility.

HOUSING ELEMENT COMMITMENT

The City recognizes that the need for shelter beds fluctuates. The most recent 2018 PIT Count by LAHSA indicates that the City has a homeless population of 773 persons, with 188 being sheltered and 585 being unsheltered.

In the City's Draft Housing Element (dated February 28, 2018) submitted to the State Department of Housing and Community Development (HCD), the City commits to identifying additional parcels to

be designated the Emergency Shelters Overlay (Program 2.16).

Designating additional parcels as ES Overlay:

- Adding Emergency Shelters as a Permitted Use to its existing list of permitted uses governed by the underlying zoning does not reduce or limit how the parcels can be developed.
- No emergency shelter is being proposed on any of the additional parcels simply by being designated ES Overlay. No property owner will be forced to sell the property or to redevelop the property into an emergency shelter.

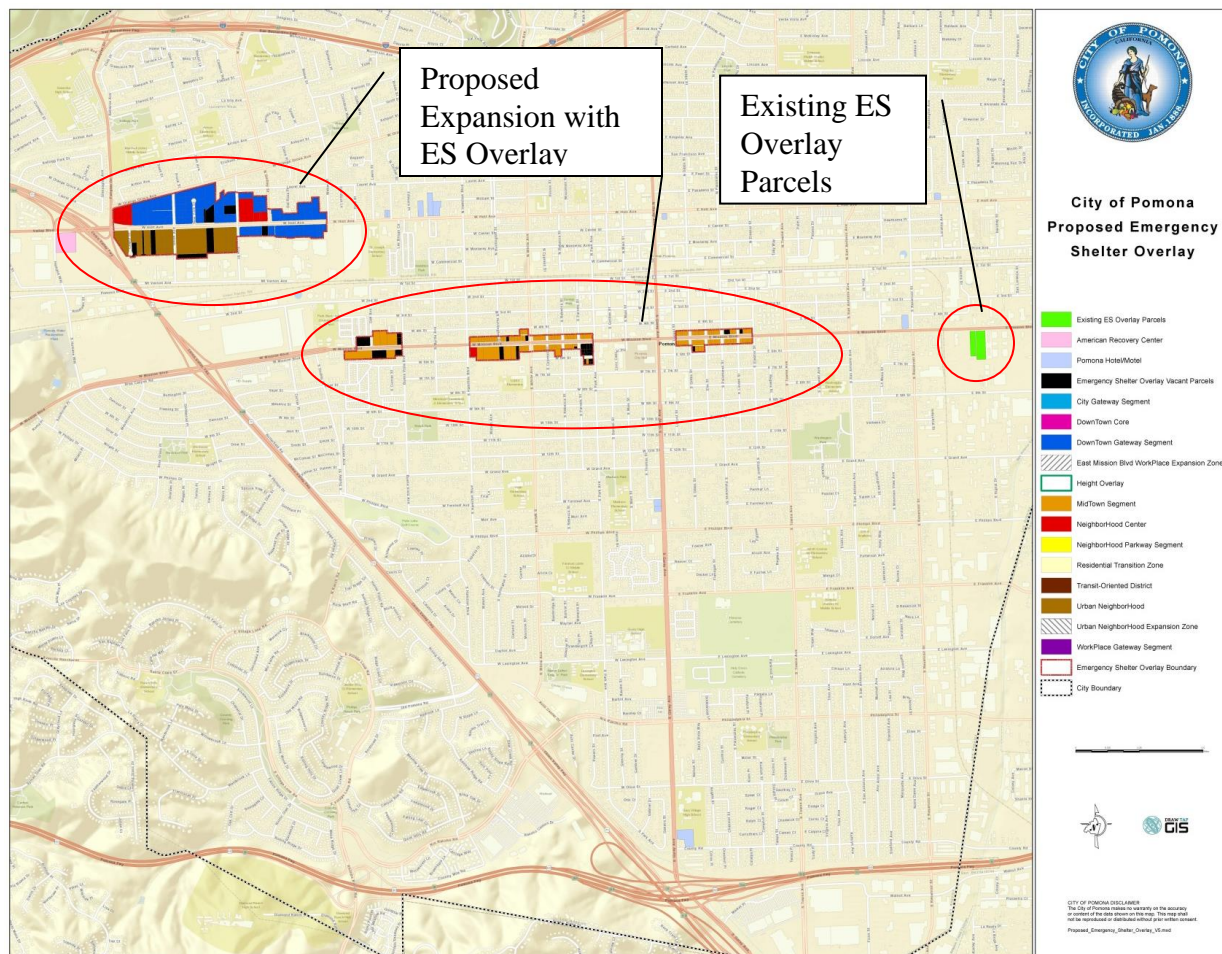
COMPONENTS OF THE PROPOSED EXPANDED ES OVERLAY

To address the City's homeless housing needs and to comply with SB2, as well as the Housing Element commitment, a brief overview of the four recommendations is provided below:

1. Existing Parcels Designated ES Overlay in Corridors Specific Plan

These are the existing parcels designated ES Overlay in 2016 and 2017. A shelter is being constructed on site.

- 1390 E. Mission Boulevard
- 1400 E. Mission Boulevard
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- **Figure 1** Error! Reference source not found. Illustrates the location and components of these



2. Additional Parcels in Corridors Specific Plan

In selecting additional parcels for the ES Overlay, several factors determine the appropriateness of specific parcels within the Pomona Corridors Specific Plan:

- Parcels are located near public transportation to access services.
- Parcels are 300 feet away from single-family residential uses.
- Parcels are 300 feet away from sensitive uses such as parks and schools (*including public, private, and charter schools*).
- Areas include vacant properties that offer opportunities for future emergency shelters.

Error! Reference source not found. illustrates, on page 3 of 6, shows the potential areas within the Pomona Corridors Specific Plan that would meet the above criteria. Based on this “sensitive uses” analysis, staff identifies four subareas within the Specific Plan that contain a reasonable number of vacant properties.

Overall, these four proposed subareas encompass a total of 218 parcels, totaling 158.32 acres. Specifically, the areas include 35 vacant parcels (as of July 2018), totaling 15.98 acres.

3. American Recovery Center

In addition to the Corridors Specific Plan parcels identified through the sensitive uses analysis, other properties in the City that are currently used for short-term residential/transitional housing may be appropriate for conversion to emergency shelters.

Behavior Health Services’ American Recovery Center located at 2180 West Valley Boulevard, Pomona, is a Residential Substance Abuse Treatment facility (Figure 3- below). The Center sits on a large property of 3.82 acres with vacant and underutilized land. Given the existing use, it would be appropriate to incorporate an emergency shelter component on site.



Figure 3: Aerial View of American Recovery Center

4. Motels along Mission, Holt, and Garey

The City is home of many small motel and lodging businesses along Mission Boulevard, Holt Avenue, and Garey Avenue. Conversion of such uses into single-room occupancy housing can be a feasible and appropriate strategy for housing the homeless. Currently, ten motel/lodging inns are located along these three corridors and combined these motels/lodges include 12 parcels and 8.36 acres:

- Pomona Lodge: 130 E Holt Ave, 1 Parcel, 0.28 acres
- Deluxe Motel: 915 W Holt Ave, 1 Parcel, 1.08 acres
- Motel 6: 2470 S Garey Ave, 1 Parcel, 2.25 acres
- Royal Motel: 111 W Holt Ave, 2 Parcels, 0.33 acres
- Super Inn: 975 W Holt Ave, 1 Parcel, 0.82 acres
- Pomona Inn Motel: 929 W Holt Ave, 1 Parcel, 1.18 acres
- Garey Motel: 963 N Garey Ave, 1 Parcel, 0.28 acres
- Pala Motel: 987 E Holt Ave, 1 Parcel, 0.38 acres
- Sunset Motel: 1183 E Mission Blvd, 1 Parcel, 0.84 acres

Comfort Inn: 1421 S Garey Ave, 2 Parcels, 0.85 acres

ELIMINATION OF EMERGENCY SHELTER USE IN C-IND, M-1, M-2, R1-7,200, AND R-2

With the proposed expansion of the ES Overlay, the City would offer adequate capacity to accommodate its unsheltered homeless needs. Therefore, staff recommends removing Emergency Shelter as a conditionally permitted uses in the C-Ind, M-1, M-2, R-1-7,200, and R-2 zones. Emergency shelters would be prohibited in these zones.