



Agenda Report

Fullerton City Council

MEETING DATE: OCTOBER 1, 2019

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: MATT FOULKES, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

SUBJECT: RESOLUTION OF INTENTION TO AMEND TITLE 15 (ZONING) OF THE FULLERTON MUNICIPAL CODE TO AMEND PROVISIONS APPLICABLE TO EMERGENCY SHELTERS AND MULTISERVICE CENTERS FOR THE HOMELESS AND MODIFY THE BOUNDARIES OF THE EMERGENCY SHELTER OVERLAY ZONE

SUMMARY

Proposed amendments to the Fullerton Municipal Code (FMC), Title 15 (Zoning Ordinance), updating zoning provisions pertaining to Emergency Shelters and Multiservice Centers (also referred to as Navigation Centers) for Homeless and modifying the boundaries of the Emergency Shelter Overlay Zone in order to reduce the incidences of homelessness in the City of Fullerton.

RECOMMENDATION

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DECLARING ITS INTENTION TO CONSIDER AMENDMENTS TO TITLE 15 OF THE FULLERTON MUNICIPAL CODE TO AMEND CHAPTER 15.42 - EMERGENCY SHELTER OVERLAY ZONE, AND OTHER RELATED CHAPTERS AS NECESSARY, TO BETTER IMPLEMENT THE CITY'S GOAL TO REDUCE THE INCIDENCES OF HOMELESSNESS IN FULLERTON

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability

- Public Safety.

FISCAL IMPACT

There is no fiscal impact associated with the Resolution of Intention.

DISCUSSION

Background

In December, 2015, City Council adopted Ordinance No. 3222 adding Chapter 15.42 to the FMC and establishing the Emergency Shelter Overlay Zone (E-S Overlay Zone). This overlay zone encompasses approximately 221 acres of land (72 properties) in southeast Fullerton where emergency shelters and multiservice centers for homeless are permitted by right. Chapter 15.42 also established a process by which additional properties could add the E-S Overlay designation and site development standards that apply to emergency shelters and multiservice centers within E-S Overlay properties. Although this Chapter has been in effect for nearly four years, there are no Emergency Shelters or Multiservice Centers for homeless in the E-S Overlay Zone nor have there been any requests received to add the overlay zone designation to any other properties in the City. One possible explanation for this is that industrial vacancy rates are very low, which has made finding a facility that is available and suitable for this type of use difficult.

As used in the Fullerton Municipal Code, the term “multiservice center” refers to a facility that offers individualized case management and provides support services (examples include medical and mental health services, job training / placement, life skills coaching, legal assistance, etc.) in addition to overnight shelter. The term “multiservice center” has recently been replaced by the newer concept of “Navigation Center” which is defined as “a Housing First, low-barrier, service-enriched shelter focused on moving homeless individuals and families into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter and housing.” (California Health and Safety Code Section 50216).

On July 2, 2019 City Council adopted Resolution No. 2019-32 declaring a shelter crisis and provided direction to seek state and federal funding to lessen the incidence of homelessness. The number of people experiencing homelessness has continued to increase not only locally but also in California and nationwide. Within the City of Fullerton, the number of unsheltered people has doubled to over 300 since the Point in Time Count of 2017. The City participates in regional collaboration efforts, partnering with 12 other North Orange County cities in the North Service Planning Area (North SPA) under a Memorandum of Understanding that will result in the development of two homeless navigation centers in Buena Park and Placentia with a total of 250 beds serving the North Orange County homeless population. On August 6, 2019, a settlement agreement in the Federal Court case was entered into with the North SPA.

On August 20, 2019, City Council expressed its intent to partner with the Illumination Foundation to establish a new navigation center that also provides recuperative care services, which provides care for homeless patients after a hospital stay or emergency room care.

Proposed Amendments

To continue the City's efforts to respond to the homelessness crisis, the City proposes modifications to Chapter 15.42 (Emergency Shelter Overlay Zone). In the four years since adoption of Chapter 15.42 there have been a number of changes in not only the scope of the homelessness crisis but also in the facility requirements and standards for a successful multi-service (navigation) centers. The purpose of the proposed amendments to Chapter 15.42 are intended to facilitate development of a multi-service (navigation) center for homeless in Fullerton with a goal of accommodating a portion of the 308 unsheltered individuals identified in the 2019 Point in Time Count. Through its contribution to the Bridges at Kraemer Place Homeless Shelter in Anaheim and participation in the North County SPA, the City is allocated a portion of the existing and proposed shelter beds in these facilities. With the proposed amendment, Fullerton intends to help facilitate development of Navigation Centers that add capacity to reduce Fullerton's homeless population, while increasing the Capacity of beds within the North SPA.

Upon adoption of the Resolution of Intention, City Staff will analyze the existing code language in context with recent changes in the services, operational requirements and facility standards of a successfully operated navigation center. Minor modifications may also be needed to other code sections, such as 15.04 (Definitions), and other references to Emergency Shelters and / or Multi-Service Centers for homeless in other chapters of Title 15. The sections where changes are considered pertain to:

- Terminology / Definitions: "Multiservice Center" or "Navigation Center" "Wrap-around Services" "Recuperative Care"
- Number of beds
- Parking requirements
- Waiting and intake area
- Recuperative care services
- Support services
- Criteria for determining appropriate E-S Overlay areas
- Content of Management and Operations plans.

In addition to the potential revisions to the development standards, the E-S Overlay Zone designation area will also be analyzed to determine if modifications to those boundaries or areas are needed. While the E-S Overlay Zone is allowed within the Commercial-Manufacturing (C-M) zoning district, it is not proposed to extend the overlay zoning designation into any other commercially zoned districts nor in residential zoned districts.

Next Steps / Schedule

Should the City Council approve the proposed Resolution of Intention, the next steps will be as follows:

1. Prepare a draft zoning ordinance amendment reflecting the proposed changes to various chapters of Title 15

2. Hold a study session with the Planning Commission and / or with the Homelessness Plan Committee to present draft code revisions
3. Revise and refine proposed code revisions based on input from Planning Commission and / or Homelessness Plan Committee
4. Hold a noticed public hearing with the Planning Commission to present proposed amendments to Title 15
5. Hold a noticed public hearing with the City Council and present proposed amendments to Title 15
6. Ordinance will go into effect 30 days after a second reading by the City Council.

Attachments:

- Attachment 1 – PowerPoint Presentation
- Attachment 2 – Draft Resolution No. 2019-XX