Agenda Item: 10.B
Date of Meeting: April 13, 2026
Department: Planning

STAFF REPORT

To:	City Council
From:	Ana Budnyk
Subject:	**Public Hearing and First Reading and Introduction of an Ordinance Amending Chapter 17.38 ES Emergency Shelter Combining District**
Prepared On:	April 7, 2026
Attachments:	Ordinance Amending Chapter 17.38 ES Emergency Shelter Combining District PC Resolution No. 2026-01 Title 17 Amendments Public Hearing Notice

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Background/History:
The City's 2021–2029 Housing Element requires updates to the Zoning Code to align with State law. State law mandates that supportive and transitional housing be treated as residential uses and permitted in zones where residential uses are allowed. Under the current Municipal Code, these uses are only allowed in the Emergency Shelter (ES) Combining District Overlay Zone. The proposed amendments remove supportive and transitional housing from the ES overlay and clarify that emergency shelters are subject only to objective standards.
The Planning Commission hearing was held on February 24, 2026. The Planning Commission recommends that the City Council approve the proposed amendments to Title 17 (Zoning). The Planning Commission recommends Alternative A for shelter capacity and Alternative B for vehicle parking.

Analysis/Discussion:
Section 17.38.060 – Standards and Requirements
The current code limits emergency shelters to a maximum of ten (10) clients.
Staff notes that a fixed maximum capacity of ten clients may be considered a constraint on emergency shelters and could be interpreted by the State as:
- Functionally prohibitive
- Inconsistent with Housing Element requirements
- A potential constraint on shelter development

Alternative A (Recommended - aligns most closely with current State direction):
Capacity shall be determined by applicable building, fire, and health and safety codes. No discretionary review shall be required.

Alternative B (common benchmark):
Emergency shelters may serve up to 30 clients.
Reference: Examples from Small–Mid California Cities:

- Norco (small city, Inland Empire) Capacity: Up to 30 occupants total
- Foster City (small Bay Area city) Capacity:25 beds, 20 persons max
- Yucca Valley (small desert town) Capacity: Up to 50 persons, and shall not exceed one per one hundred twenty-five (125) square feet of floor area.

2. Vehicle Parking

The existing code requires one parking space per two client beds for emergency shelters. State law requires that parking standards for emergency shelters be based on demonstrated need and not act as a constraint on development. The current requirement can potentially be declined by HCD.

Alternative A (increasingly common for other cities, least risk of being considered a constraint):
No minimum off-street parking shall be required.

Alternative B (Planning Commission recommended, addresses operational needs) -:
No minimum off-street parking shall be required for residents, clients, or guests. Off-street parking shall be provided for employees only, at a rate of one parking space per employee on the largest shift.

Impacts to Council Goals and Strategic Planning Priorities:
Not Applicable.

Budget Impacts:
None.

Legal Review:
City Attorney Pucci has reviewed this item and finds that the recommended action complies with the law.

Recommended Action:
Council will hold a public hearing, and consider approving the first reading and introduction of an ordinance amending Chapter 17.28 ES Emergency Shelter Combining District (by title only).

Approved By: Robin Picken 4/8/2026
Approved By: Dean Pucci 4/8/2026
Approved By: Pam Foster 4/8/2026
Approved By: