



**CITY OF SAN FERNANDO  
COUNCIL CHAMBERS**

**PLANNING AND PRESERVATION COMMISSION AGENDA**

**January 8, 2013  
Regular Meeting**

1. **CALL TO ORDER**  
7:00 P.M.
2. **PLEDGE OF ALLEGIANCE**
3. **NEW COMMISSIONER'S OATH OF OFFICE**  
Kevin Beaulieu, Theale "Stormy" Haupt, Yvonne G. Mejia, and Rodolfo Salinas, Jr.
4. **ROLL CALL**  
Commissioners, Kevin Beaulieu, Alvin F. Durham, Theale "Stormy" Haupt, Yvonne G. Mejia, and Rodolfo Salinas, Jr.
5. **REORGANIZATION OF PLANNING AND PRESERVATION COMMISSION**  
Nominations for Chairperson and Vice-chairperson
6. **APPROVAL OF AGENDA**  
January 8, 2013
7. **PUBLIC STATEMENTS**  
There will be a three (3) minute limitation per each member of the audience who wishes to make comments in order to provide a full opportunity to every person who wishes to address the Commission on community planning matters not pertaining to items on this agenda.
8. **CONSENT CALENDAR**  
Items on the consent calendar are considered routine and may be acted on by a single motion to adopt the staff recommendation or report. If the Commission wishes to discuss any item, it should first be removed from the consent calendar.
  - Planning and Preservation Commission minutes of the December 4, 2012 meeting.
9. **NEW BUSINESS**
  - A: **Subject:** Zone Text Amendment 2012-01
  - Location:** City-wide, San Fernando, CA 91340
  - Applicant:** City of San Fernando Community Development Department  
117 Macneil Street, San Fernando, CA
  - Proposal:** The proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (limited Commercial) and C-2 (Commercial) zones; Community Care

**Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; and, Transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.**

**Recommendation:** It is recommended that subsequent to staff's presentation and consideration of any public comments, the Planning and Preservation Commission adopt the attached Resolution (Attachment No. 1) recommending to the City Council:

- 1. Adoption of the Initial Study and Negative Declaration (Attachment 2), which determined that the proposed zone text amendment to implement State housing law will not have a significant adverse impact on the environment; and,**
- 2. Adoption of the proposed Ordinance (Attachment 3) that would implement the 2008-2014 General Plan Housing Element's Housing Implementing Program No. 11 (Zoning Ordinance Revisions) by making explicit provisions for emergency homeless shelters, manufactured housing, community care facilities, single residential occupancy units, and transitional and supportive housing as provided under SB 2.**

If, in the future, you wish to challenge the items listed above in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Planning Commission at, or prior to, the public hearing. Decisions of Planning and Preservation Commission may be appealed to the City Council within 10 days following the final action.

**10. STAFF COMMUNICATIONS**

- Lopez Adobe Project Phase II update
- 2013-2021 Housing Element update
- 2013 Greater Los Angeles Homeless Count

**11. COMMISSION COMMENTS**

**12. ADJOURNMENT**

Tuesday, February 5, 2013

*Any public writings distributed to the Planning and Preservation Commission regarding any item on this regular meeting agenda will also be made available at the Community Development Department public counter at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at [www.sfcity.org](http://www.sfcity.org).*

*In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department office at (818) 898-1227 at least 48 hours prior to the meeting.*



**CITY OF SAN FERNANDO  
PLANNING COMMISSION**

**DRAFT MINUTES OF  
DECEMBER 4, 2012 MEETING - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by Chairperson Julie Cuellar at 7:05 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Vice-chair Mario Rodriguez

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

Chairperson Julie Cuellar, Vice-chair Mario Rodriguez, and Commissioner Jose Ruelas

**ABSENT:**

Commissioner Alvin F. Durham

**ALSO PRESENT:**

City Planner Fred Ramirez, Assistant Planner Edgar Arroyo, and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

Commissioner J. Ruelas moved to approve the agenda of December 4, 2012. Seconded by M. Rodriguez, the motion carried with the following vote:

<b>AYES:</b>	J. Ruelas, M. Rodriguez, and J. Cuellar
<b>NOES:</b>	None
<b>ABSENT:</b>	A. Durham
<b>ABSTAIN:</b>	None

**CONSENT CALENDAR**

Commissioner J. Ruelas moved to approve the minutes of the October 2, 2012 Meeting. Seconded by M. Rodriguez, the motion carried with the following vote:

<b>AYES:</b>	J. Ruelas, M. Rodriguez, and J. Cuellar
<b>NOES:</b>	None
<b>ABSENT:</b>	A. Durham
<b>ABSTAIN:</b>	None

**UNFINISHED BUSINESS**

None

### **PUBLIC HEARING 7A:**

Zone Text Amendment 2012-01 – City-wide, San Fernando, CA 91340 – City of San Fernando Community Development Department, 117 Macneil Street, San Fernando, CA – The Proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; and, transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.

### **STAFF PRESENTATION**

City Planner Fred Ramirez gave the staff presentation recommending that the Planning and Preservation Commission review the draft ordinance and subsequent to review and comments, direct planning staff to schedule a noticed public hearing in order to consider the proposed zone text amendment and associated environmental assessment. Additionally he read through the ordinance indicating the changes in the language.

### **PUBLIC TESTIMONY**

None

### **COMMISSION DISCUSSION**

M. Rodriguez asked if the tenant can be placed at one of these facilities by court order.

F. Ramirez confirmed that the tenants may be ordered to reside at these facilities by court ordered so long as the home/facility is licensed by the appropriate agency. He informed the commission that there is a supportive housing facility on Griswold Avenue. Additionally he directed the commission to the California State Department of Housing and Community Development for definitions on the different types of facilities.

Subsequent to discussion, Vice-chair M. Rodriguez moved to direct staff to schedule a public hearing for consideration of Zone Text Amendment 2012-01. Seconded by Commissioner J. Ruelas the motion carried with the following vote:

<b>AYES:</b>	M. Rodriguez, J. Ruelas, and J. Cuellar
<b>NOES:</b>	None
<b>ABSENT:</b>	A. Durham
<b>ABSTAIN:</b>	None

### **STAFF COMMUNICATIONS**

F. Ramirez provided the commission with updates to the following items:

- Lopez Adobe Project Phase II
- 2013-2021 Housing Element update
- 2013 Greater Los Angeles Homeless Count

### **COMMISSION COMMENTS**

M. Rodriguez asked staff if they have received complaints regarding the spill over of the lights that generated by the solar panels at the middle school. Additionally, he thanked staff for all of the work and professionalism.

J. Ruelas asked staff to inform Crown Disposal on which properties along Fox Street pertain to San Fernando because his trash is not being picked up.

J. Cuellar thanked staff for all of their work and wished everyone Happy Holidays.

## **PUBLIC STATEMENTS**

None

## **ADJOURNMENT**

Commissioner J. Ruelas moved to adjourn to January 8, 2013. Second by Vice-chair M. Rodriguez, the motion carried with the following vote:

<b>AYES:</b>	J. Ruelas, M. Rodriguez, and J. Cuellar
<b>NOES:</b>	None
<b>ABSENT:</b>	A. Durham
<b>ABSTAIN:</b>	None

8:17 P.M.  
Fred Ramirez  
Planning Commission Secretary

**MEETING DATE:** January 8, 2013

**PUBLIC HEARING:**

1. CHAIRPERSON TO OPEN THE ITEM AND REQUEST STAFF REPORT
2. STAFF PRESENTS REPORT
3. COMMISSION QUESTIONS ON STAFF REPORT
4. OPEN FOR PUBLIC HEARING
5. CLOSE PUBLIC HEARING
6. PLANNING AND PRESERVATION COMMISSION DISCUSSION
7. RECOMMENDED ACTION:

(a) **To Approve:**

“I move to approve Planning and Preservation Commission Resolution 2013-01 and recommend to the City Council adoption of the Initial Study and Negative Declaration which determine that the proposed zone text amendment to implement State housing law will not have a significant adverse impact on the environment; and adoption of the proposed Ordinance that would implement the 2008-2014 General Plan Housing Element’s Hosing Implementing Program No. 11 (Zoning Ordinance Revisions) by making explicit provisions for emergency homeless shelters, manufactured housing, community care facilities, single residential occupancy units, and transitional and supportive housing as provided under SB 2” (Roll Call Vote...)

(b) **To Deny:**

“ I move to deny Zone Text Amendment 2012-01 based on the following...” (Roll Call Vote)

(b) **To Continue:**

“I move to continue consideration of Zone Text Amendment 2012-01, to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

To Approve ( )

To Deny ( )

To Continue ( )

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call: \_\_\_\_\_

**7A:**  
**Zone Text Amendment 2012-01**



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## PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: January 8, 2013

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, City Planner

SUBJECT: **Zone Text Amendment 2012-01: Implementing Housing Element Program No. 11**

LOCATION: City-wide

PROPOSAL: The proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; identification of manufactured housing as a permitted use in all residential zones; and, Transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.

APPLICANT: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340

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### RECOMMENDATION:

It is recommended that subsequent to staff's presentation and consideration of any public comments, the Planning and Preservation Commission adopt the attached Resolution (Attachment No. 1) recommending to the City Council:

- 1) Adoption of the Initial Study and Negative Declaration (Attachment 2), which determined that the proposed zone text amendment to implement State housing law will not have a significant adverse impact on the environment; and,
  - 2) Adoption of the proposed Ordinance (Attachment 3) that would implement the 2008-2014 General Plan Housing Element's Housing Implementing Program No. 11 (Zoning Ordinance Revisions) by making explicit provisions for emergency homeless shelters, manufactured housing, community care facilities, single residential occupancy units, and transitional and supportive housing as provided under SB 2.
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## **BACKGROUND**

1. In 2007 the State legislature enacted SB 2 (Cedillo), which requires local jurisdictions to incorporate policies into their general plan housing elements to permit the establishment of: Single Room Occupancy residential units (“SRO”), allow manufactured housing, community care facilities, emergency homeless shelters, transitional and supportive housing as permitted or conditionally permitted uses in specified zoning districts and to amend local ordinances to implement such policies.
2. In April 2009, the City Council adopted the 2008-2014 General Plan Housing Element that includes Housing Implementing Program No. 11 (Zoning Ordinance Revisions). The noted housing program provided for the amendment of “the [city’s] zoning ordinance by December 2009 to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters. Develop objective standards to regulate emergency shelters as provided under SB 2.” (2008-2014 Housing Element Objective; 2008-2014 Housing Element, V-16 (Housing Plan).) In addition, the housing element provided for the identification of manufactured housing as a permitted use in residential zoning districts.
3. On October 2, 2012, city planning staff provided an overview of the proposed ordinance’s major components including discussion regarding state law mandating identification of zoning districts that can accommodate factory-built/manufactured housing, transitional and supportive housing, single-room occupancy units (“SROs”), community care facilities for seven or more occupants, and emergency homeless shelters. (See Attachment 2.) Based on commission discussion, staff had been directed to develop the draft ordinance for consideration at an upcoming commission meeting. As part of the commission’s direction, staff was also directed to provide additional information regarding the types of households that could be housed under the new housing categories as well as an estimate of the number of emergency homeless shelters that could be developed within the city based on the state requirements for maximum distance separation requirements between similar emergency homeless shelters.
4. On December 4, 2012, the Planning and Preservation Commission directed city planning staff to schedule the proposed ordinance implementing the 2008-2014 Housing Element’s Housing Implementation Program No. 11 for a public hearing in January 2013. Attachment 4 is the December 4, 2012 Staff Report to the Planning and Preservation Commission, which provides a detailed assessment of the proposed zone text amendment.

## **ANALYSIS:**

The intent of the proposed zone text amendment is to provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in

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all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; identification of manufactured housing as a permitted use in all residential zones; and, Transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.

The proposed zone text amendment would allow the city to be in compliance with Housing Implementing Program No. 11 (Zoning Ordinance Revisions) of the 2008-2014 General Plan Housing Element and Senate Bill 2 (Cedillo), which requires local jurisdictions to incorporate policies to permit the establishment of the aforementioned housing types. Furthermore, adoption of the proposed Ordinance amending the city's zoning code consistent with State housing law will ensure that each of the proposed housing types are located appropriately and developed in a manner that maintains the character of existing neighborhoods, industrial corridors and business districts.

#### **CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that in order to comply with State housing law and ensure that the city's zoning code accurately reflects the land use policies as identified in the city's 2008-2014 Housing Element Work Plan (Housing Implementation Program No. 11), it is necessary for the Planning Commission to recommend to the City Council adoption of the zone text amendment pursuant to the attached Ordinance (Attachment 3). Adoption of the ordinance will amend the city's zoning code and provide for manufactured housing, SROs, community care facilities serving seven or more occupants, emergency homeless shelters, and transitional and supportive housing as uses within the city's zoning code, subject to applicable zoning regulations. Furthermore, approval of the proposed zone text amendment will facilitate development of specific types of housing that serve special needs groups within the community.

#### **ATTACHMENTS (4):**

1. Resolution No. 2013-01
  2. Initial Study and Negative Declaration
  3. Draft Ordinance
  4. December 4, 2012 Staff Report to the Planning and Preservation Commission
-

**ATTACHMENT 1:**  
**Resolution No. 2013-01**

## **RESOLUTION NO. 2013-01**

### **RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2012-01 AND ASSOCIATED ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO THE ESTABLISHMENT OF SINGLE ROOM OCCUPANCY UNITS, COMMUNITY CARE FACILITIES, EMERGENCY HOMELESS SHELTERS, MANUFACTURED HOUSING, AND TRANSITIONAL AND SUPPORTIVE, HOUSING AND MAKING RELATED FINDINGS THEREWITH**

WHEREAS, in 2007 the State legislature enacted SB 2, which requires local jurisdictions to incorporate policies into their General Plan Housing Elements to allow establishment of: Single Room Occupancy (“SRO”) units, Community Care Facilities, Emergency Homeless Shelters, and Transitional and Supporting Housing as permitted or conditionally permitted uses in specified zoning districts and to amend local ordinances to implement such policies; and

WHEREAS, the City Council adopted the General Plan Housing Element in April 2009, which includes Housing Program No. 11 (Zoning Ordinance Revisions) that provides for the development of the appropriate definitions and regulations that would allow establishment of: SRO units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone, and Transitional Housing and Supportive Housing as permitted uses in all residential districts only subject to those development standards that apply to other residential uses of the same type in the same residential district; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of San Fernando’s CEQA Guidelines, the City of San Fernando as the Lead Agency overseeing the environmental review for the proposed Zone Text Amendment 2012-01 has prepared a Draft Initial Study as part of the city’s environmental assessment in order to determine the nature and extent of the environmental review required for the proposed project and based on said environmental assessment has determined that any potential significant adverse environmental impacts associated with the project’s approval and implementation will be less than significant and has thus prepared a Negative Declaration;

WHEREAS, on January 8, 2013, the Planning and Preservation Commission held a properly noticed public hearing at which it received a report from City staff as well as oral and written testimony from the public, and deliberated the proposed zone text amendment and associated environmental assessment (“the Project”).

WHEREAS, the Planning and Preservation Commission’s findings and recommendations for approval to the City Council of the proposed zone text amendment and associated environmental assessment were memorialized in writing in the form of Planning and Preservation Commission Resolution 2013-01 on January 8, 2013;

NOW, THEREFORE, BE IT RESOLVED that the Planning and Preservation Commission finds as follows:

SECTION 1: The Planning Commission finds that all of the facts set forth in this Resolution are true and correct.

SECTION 2: On January 8, 2013, the Planning and Preservation Commission held a duly noticed public hearing to consider the proposed zone text amendment, environmental assessment, and the findings and recommendations made by the Planning and Preservation Commission. Evidence, both written and oral, was presented at said hearing.

A. The public hearing afforded opportunities for public testimony and comments on the Project.

B. Notice of the hearing was given pursuant to San Fernando Municipal Code Section 106-72 and in compliance with Government Code Sections 65090 and 65091, a notice of public hearing for the proposed zone text amendments was advertised in the San Fernando Valley Sun (a local paper of general circulation), ten (10) days prior to the scheduled public hearing before the Planning and Preservation Commission.

SECTION 3: Based upon substantial evidence presented to the Planning and Preservation Commission on January 8, 2013, including public testimony, written materials and written and oral staff reports, with regard to the zone text amendment, the Planning and Preservation Commission concurred with the city planning staff's determination that the amendments will not have a significant adverse impact on the environment as identified in the Initial Study and Negative Declaration and subsequently, recommended that the City Council adopt findings to that effect on January 8, 2013.

SECTION 4: The Planning and Preservation Commission has determined that the proposed zoning text amendment is consistent with the following findings of fact as discussed below:

**a) The proposed zone text amendment is consistent with the objectives, policies, general land uses and programs of the City's General Plan.**

The proposed text amendment to the San Fernando Municipal Code, which provides definitions and regulations for SROs in the C-1 (Limited Commercial) and C-2 (Commercial) zones, community care facilities with seven or more occupants in the City's residential zones, factory built or manufactured housing as a permitted use in all residential zones, and transitional housing and supportive housing within the City's residential zones is consistent with the objectives, policies, general land uses and programs of the City of San Fernando General Plan Housing Element. Per Housing Element Goal 2.0 and Policy 2.1, the proposed zone text amendment is intended to provide adequate housing sites to facilitate the development of a range of residential development types in the city that fulfill regional needs. In addition, the proposed zone text amendment ensures the city attains its 2008-2014 Housing Element Objective to amend the zoning ordinance to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters while also developing objective standards for the regulation of emergency homeless shelters as provided for under SB2. Furthermore, providing the required definitions for SROs, community care facilities, emergency homeless shelters, transitional housing and supportive housing as well as establishing the applicable regulations for each proposed use within each specified zoning districts will allow a range of housing types within the City that meets the housing needs of all economic segments of the community while preserving the character of the existing residential neighborhoods and the affected commercial and industrial zoned districts.

- b) **The adoption of the proposed zone text amendment would not be detrimental to the public interest, health, safety, convenience or welfare.**

The proposed revisions to the city zoning ordinance would allow for the introduction of SROs, community care facilities for seven or more persons, factory built or manufactured housing, and transitional and supportive housing units in a manner consistent with the requirements of adopted State legislation while providing specific development standards that assure these new housing units are built in compliance with the City's zoning and building codes. Therefore, the proposed addition of definitions and associated regulations for SROs, community care facilities for seven or more occupants, factory built or manufactured housing, and transitional housing and supportive housing in the specified commercial, industrial or residential zoned districts will ensure the availability of housing for special needs groups within the community in a manner that will not be detrimental to the public interest, health, safety, convenience or welfare.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby recommends approval of Zone Text Amendment 2012-01 and recommends adoption of the Initial Study and Negative Declaration for the zone text amendment to the City Council.

PASSED, APPROVED AND ADOPTED this 8th day of January 2013.

\_\_\_\_\_  
\_\_\_\_\_, CHAIRPERSON

ATTEST:

\_\_\_\_\_  
FRED RAMIREZ, SECRETARY TO THE PLANNING  
AND PRESERVATION COMMISSION

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES ) ss  
CITY OF SAN FERNANDO    )

I, FRED RAMIREZ, Secretary to the Planning and Preservation Commission of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Preservation Commission and signed by the Chairperson of said Planning and Preservation Commission at a meeting held on the 8th day of January 2013; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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FRED RAMIREZ, SECRETARY TO THE PLANNING AND  
PRESERVATION COMMISSION

**ATTACHMENT 2:**

**Initial Study and Negative Declaration**

**DRAFT**

**NEGATIVE DECLARATION &  
INITIAL STUDY**

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**ZONE TEXT AMENDMENT TO IMPLEMENT THE  
HOUSING ELEMENT  
SAN FERNANDO, CALIFORNIA**



**LEAD AGENCY:**

**CITY OF SAN FERNANDO  
COMMUNITY DEVELOPMENT DEPARTMENT  
117 MACNEIL STREET  
SAN FERNANDO, CALIFORNIA 91340**

**JANUARY 4, 2013**

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## SECTION 1 INTRODUCTION

### 1.1 PURPOSE OF THIS INITIAL STUDY

This Initial Study evaluates the environmental impacts related to a Zone Text Amendment undertaken to implement the program requirements of the 2008-2014 City of San Fernando Housing Element. The State of California requires that all local governments (both cities and counties) prepare and maintain housing elements that identify strategies to conserve, rehabilitate, and provide housing to meet the existing and projected needs of the community. The Zone Text Amendment is an integral program in the City of San Fernando Housing Element that was adopted in 2009. The Zone Text Amendment is considered to be a *project* pursuant to the California Environmental Quality Act (CEQA). As part of the review of the Zone Text Amendment, the City of San Fernando has authorized the preparation of this Initial Study, the primary purpose of which is to ensure that decision-makers and the public understand the environmental implications of the Zone Text Amendment prior to its approval. Other uses of this Initial Study include the following:

- To provide the City with information to use as the basis for deciding whether to prepare an environmental impact report (EIR) for the Zone Text Amendment;
- To facilitate environmental assessment and review in the early stages of the Zone Text Amendment's preparation; and,
- To provide documentation in support of findings that a particular environmental issue will not be significantly affected by the Zone Text Amendment's implementation.

### 1.2 ORGANIZATION OF THE INITIAL STUDY

The format and structure of this Initial Study generally reflects that of the Initial Study Checklist, provided on the pages that follow. The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction*, provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description*, provides an overview of the City of San Fernando and summarizes the proposed Zone Text Amendment.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the adoption and subsequent implementation of the Zone Text Amendment.
- *Section 4 Findings* indicates how the Zone Text Amendment might yield, or have the potential to yield, a significant effect upon one or more of the issue areas analyzed in this Initial Study.
- *Section 5 References*, identifies the sources used in the preparation of this Initial Study.

The findings of this Initial Study are summarized in Table 1 provided on the following pages.

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>Section 3.1 Aesthetic Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Have a substantial adverse affect on a scenic vista?				×
<b>b)</b> Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				×
<b>c)</b> Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?				×
<b>Section 3.2 Agriculture and Forestry Resources Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				×
<b>b)</b> Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				×
<b>c)</b> Would the project conflict with existing zoning for or cause rezoning of, forest land (as defined in Public Resources Code §4526), or zoned timberland production (as defined by Government Code §51104[g])?				×
<b>d)</b> Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?				×
<b>e)</b> Involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use?				×
<b>Section 3.3 Air Quality Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Conflict with or obstruct implementation of the applicable air quality plan?				×
<b>b)</b> Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				×
<b>c)</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				×
<b>d)</b> Expose sensitive receptors to substantial pollutant concentrations?				×
<b>e)</b> Create objectionable odors affecting a substantial number of people?				×

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>Section 3.4 Biological Resources Impacts.</b> <i>Would the project have a substantial adverse effect:</i>				
<b>a)</b> Either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				×
<b>b)</b> On any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				×
<b>c)</b> On federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				×
<b>d)</b> In interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				×
<b>e)</b> In conflicting with any local policies or ordinances, protecting biological resources, such as a tree preservation policy or ordinance?				×
<b>f)</b> By conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				×
<b>Section 3.5 Cultural Resources Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?				×
<b>b)</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?				×
<b>c)</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				×
<b>d)</b> Disturb any human remains, including those interred outside of formal cemeteries?				×
<b>Section 3.6 Geology Impacts.</b> <i>Would the project result in or expose people to potential impacts involving:</i>				
<b>a)</b> The exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), ground-shaking, liquefaction, or landslides?				×

**Table 1**  
**Summary (Initial Study Checklist)**

<b>Environmental Issues Area Examined</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>b)</b> Substantial soil erosion or the loss of topsoil?				✗
<b>c)</b> Location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✗
<b>d)</b> Location on expansive soil, as defined in California Building Code (2010), creating substantial risks to life or property?				✗
<b>e)</b> Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✗
<b>Section 3.7 Greenhouse Gas Emissions Impacts.</b> <i>Would the project</i>				
<b>a)</b> Result in the generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				✗
<b>b)</b> Increase the potential for conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gasses?				✗
<b>Section 3.8 Hazards and Hazardous Materials Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✗
<b>b)</b> Create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✗
<b>c)</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✗
<b>d)</b> Be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment?				✗
<b>e)</b> Be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				✗
<b>f)</b> Within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				✗
<b>g)</b> Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency response plan or emergency evacuation plan?				✗

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>h)</b> Expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				✗
<b>Section 3.9 Hydrology and Water Quality Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Violate any water quality standards or waste discharge requirements?				✗
<b>b)</b> Substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✗
<b>c)</b> Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				✗
<b>d)</b> Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on- or off-site?				✗
<b>e)</b> Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				✗
<b>f)</b> Substantially degrade water quality?				✗
<b>g)</b> Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✗
<b>h)</b> Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?				✗
<b>i)</b> Expose people or structures to a significant risk of flooding because of dam or levee failure?				✗
<b>j)</b> Result in inundation by seiche, tsunami, or mudflow?				✗
<b>Section 3.10 Land Use and Planning Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Physically divide an established community, or otherwise result in an incompatible land use?				✗

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>b)</b> Conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, proposed project, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				×
<b>c)</b> Conflict with any applicable habitat conservation or natural community conservation plan?				×
<b>Section 3.11 Mineral Resources Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				×
<b>b)</b> Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, proposed project, or other land use plan?				×
<b>Section 3.12 Noise Impacts.</b> <i>Would the project result in:</i>				
<b>a)</b> Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				×
<b>b)</b> Exposure of people to or generation of excessive ground-borne noise levels?				×
<b>c)</b> Substantial permanent increase in ambient noise levels in the project vicinity above noise levels existing without the project?				×
<b>d)</b> Substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?				×
<b>e)</b> For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				×
<b>f)</b> For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				×
<b>Section 3.13 Population and Housing Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				×
<b>b)</b> Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				×

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				×
<b>Section 3.14 Public Services Impacts.</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas:</i>				
a) Fire protection services?				×
b) Police protection services?				×
c) School services?				×
d) Other governmental services?				×
<b>Section 3.15 Recreation Impacts.</b> <i>Would the project:</i>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				×
b) Affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				×
<b>Section 3.16 Transportation Impacts.</b> <i>Would the project:</i>				
a) Cause a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit)?				×
b) Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?				×
c) A change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks?				×
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)				×
e) Result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				×

**Table 1**  
**Summary (Initial Study Checklist)**

Environmental Issues Area Examined	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>f)</b> Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				×
<b>Section 3.17 Utilities Impacts.</b> <i>Would the project:</i>				
<b>a)</b> Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				×
<b>b)</b> Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?				×
<b>c)</b> Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				×
<b>d)</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				×
<b>e)</b> Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				×
<b>f)</b> Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				×
<b>g)</b> Comply with federal, state, and local statutes and regulations related to solid waste?				×
<b>h)</b> Result in a need for new systems, or substantial alterations in power or natural gas facilities?				×
<b>i)</b> Result in a need for new systems, or substantial alterations in communication systems?				×
<b>Section 3.18 Mandatory Findings of Significance.</b> <i>The approval and subsequent implementation of the proposed project:</i>				
<b>a)</b> Will not have the potential to degrade the quality of the environment, with the implementation of the recommended standard conditions and mitigation measures included herein.				×
<b>b)</b> Will not have the potential to achieve short-term goals to the disadvantage of long-term environmental goals, with the implementation of the recommended standard conditions and mitigation measures referenced herein.				×

**Table 1**  
**Summary (Initial Study Checklist)**

<b>Environmental Issues Area Examined</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>c)</b> Will not have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity, with the implementation of the recommended standard conditions and mitigation measures contained herein.				<b>×</b>
<b>d)</b> Will not have environmental effects that will adversely affect humans, either directly or indirectly, with the implementation of the recommended standard conditions and mitigation measures contained herein.				<b>×</b>



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## SECTION 2 PROJECT DESCRIPTION

### 2.1 PROJECT LOCATION & SETTING

The proposed “project” involves the approval and subsequent implementation of the Zone Text Amendment that is required to implement the City of San Fernando Housing Element. The City of San Fernando is located in the northeast portion of the San Fernando Valley in Los Angeles County. The City has a total land area of 2.42 square miles and is surrounded by the City of Los Angeles on all sides. Major physiographic features located near the City include the San Gabriel Mountains (located approximately 3 miles to the north), the Pacoima Wash (located along the eastern side of the City), Hansen Lake (located 3 miles to the southeast of the City), and the Los Angeles Reservoir (located approximately 4 miles to the northwest).<sup>1</sup> The City of San Fernando is located 22 miles from downtown Los Angeles. Other communities located near San Fernando include Sylmar, Sun Valley, Mission Hills, and Pacoima.<sup>2</sup> These latter named communities are also part of the City of Los Angeles.

Regional access to the City of San Fernando is possible from three freeways located in the area: the Interstate 5 Freeway (I-5), the State Route 118 (SR-118), and the Interstate 210 Freeway (I-210). The I-5 Freeway is located to the southwest of the City with ramp connections at South Brand Boulevard and San Fernando Mission Boulevard. State Route 118 (the Ronald Reagan Freeway) is located to the east of the City and has ramp connections at San Fernando Road and Glenoaks Boulevard. Finally, the I-210 Freeway is located to the north of the City and provides ramp connections at Maclay Street and Hubbard Street.<sup>3</sup> The location of the City in a regional context is shown in Exhibit 1. A Citywide map is provided in Exhibit 2.

### 2.2 PROJECT DESCRIPTION

The proposed Zone Text Amendment to the adopted Zoning Ordinance will ensure that the City of San Fernando attains its program requirements as noted in the City’s 2008-2014 Housing Element. The objective of the Zone Text Amendment is to amend the zoning ordinance to make explicit provisions for manufactured housing, community care facilities, single room occupancy (SROs) units, transitional and supportive housing, and emergency homeless shelters. The changes will enable the City of San Fernando to comply with the requirements of SB-2 in addition to providing new opportunities for housing within the City that meets the housing needs of all economic segments of the community. The proposed revisions to the City Zoning Ordinance would allow for the introduction of SROs, community care facilities (housing seven or more persons), manufactured housing, emergency homeless shelters, and transitional and supportive housing units in a manner that complies with State law while providing the necessary development standards to ensure conformance to the City’s zoning and building codes. The following amendments to the Zoning Ordinance are proposed:

- *Section 106-6* Definitions of the San Fernando City Code was revised to include definitions of community care facility (including large and small facilities), child day care facility, emergency homeless shelter, single room occupancy (SRO) unit, supportive housing, and transitional housing. The new definitions are outlined below as they appear in the Revised Zoning Ordinance:

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<sup>1</sup> United States Geological Survey. San Fernando 7 1/2 Minute Quadrangle.

<sup>2</sup> These communities are communities that are part of the City of Los Angeles.

<sup>3</sup> American Map Corporation. Street Atlas [for] Los Angeles and Orange Counties. 2001.

*Community Care Facility/Large* means any facility as defined in the Health and Safety Code Section 1502(a) which provides non-medical care on a 24-hour a day basis to seven or more persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Large Community Care Facility shall be considered a conditionally permitted use within all residential zoned districts.

*Community Care Facility/Small* means any facility as defined in the Health and Safety Code Section 1502(a), which provides non-medical care on a 24-hour a day basis to six or less persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Small Community Care Facility shall be considered a permitted use within all residential zoned districts.

*Child Day Care Facility* means a facility that provides non-medical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of individuals on a less than a 24-hour basis. Child Day Care Facility includes day care centers, employer-sponsored child day centers, and family day care centers.

*Emergency Homeless Shelter* means housing with minimal supportive services for homeless persons that is limited to occupancy of six months per calendar year or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801[e]). Supportive services may include, but are not limited to, meal preparation, an activities center, day care for homeless person's children, vocational rehabilitation and other similar activities.

*Single Room Occupancy Unit (SRO)* means any building containing five or more guestrooms or units intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by residents, which is also the primary residence of those residents. The individual units shall lack either cooking facilities or individual sanitary facilities, or both. However, for purposes of this definition, an SRO does not include residential care homes, senior housing projects, rooming and boarding houses, hotels and motels, bed and breakfast lodging, extended-care facilities or hospitals.

*Supportive Housing* means housing with no limit on the length of stay and that is occupied by a target population as defined by Health and Safety Code Section 53260(d), as the same may be amended from time to time, and that provides a significant level of on-site and off-site services that assist the supportive housing residents in retaining the housing, improving their health status, maximizing their ability to live, and when possible, work in the community. Supportive housing shall be treated under this chapter as a residential use and shall be allowed as a permitted use in all residential zoning districts.

*Transitional Housing* means housing operated under program requirements that call for 1) the termination of any assistance to an existing program recipient and 2) the subsequent recirculation of the assisted residential unit to another eligible program recipient at some predetermined future point in time, which point in time shall be no less than six months into the future (Health and

Safety Code Section 50675.2p[h]). Transitional housing may provide, but not be limited to, meals, counseling, and other services as well as common areas for residents. Transitional Housing may be provided under all residential housing types. In all cases, Transitional Housing shall be treated as a residential use under this chapter and shall be subject only to those restrictions that apply to other residential uses of the same residential housing type located in the same zoning district.

- *Section 106-352* Permitted uses in the R-1 Single-Family Residential Zone was revised so that the following uses were added as being permitted:

(2) Community Care Facilities/Small.

(10) Supportive Housing.

(12) Transitional Housing.

- *Section 106-353* Uses permitted subject to a conditional use permit in the R-1 Single-Family Residential Zone was revised so that the following conditionally permitted uses were added:

(5) Community Care Facilities/Large.

- *Section 106-488* Conditionally permitted uses within the C-1 Limited Commercial Zone was revised so that the following conditionally permitted uses were added:

(8) Hotels and motels including Single Room Occupancy Unit (SRO) subject to the development standards noted in Section 106-971 of this chapter.

- *Section 106-612* Permitted uses within the M-2 Light Industrial Zone was amended to include the following:

Emergency homeless shelters subject to the development standards noted in Section 106-972 of this chapter.

- *Section 106-971* was amended to include the following standards for SROs:

In the City's C-1 (Limited Commercial) and C-2 (Commercial) Zones, a Single Room Occupancy Unit (SRO) shall be subject to the applicable regulations of this division, including the following standards:

(1) *Unit Size.* The minimum size of a unit shall be one hundred fifty (150) square feet and the maximum size shall be four hundred (400) square feet. A single room occupancy facility is not required to meet density standards of the general plan.

(2) *Bathroom Facilities.* An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate residences with at least one full bathroom per every three units on a floor. The shared shower or bathtub facility shall be accessible from a

common area or hallway and shall be provided with an interior lockable door.

- (3) *Kitchen.* An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
  - (4) *Closet.* Each SRO shall have a separate closet.
  - (5) *Common Area.* Four square feet of interior common space per unit shall be provided, with at least two hundred (200) square feet in area of interior common space, excluding janitorial storage, laundry facilities, and common hallways. All common areas shall comply with all applicable ADA accessibility and adaptability requirements.
  - (6) *Laundry Facilities.* Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten (10) units, with at least one washer and dryer per floor.
  - (7) *Cleaning Supply Room.* A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.
  - (8) *Management Plan.* A management plan shall be submitted with the development application for an SRO facility and shall be approved by the Chief Planning Official. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents and building maintenance.
  - (9) *Facility Management.* An SRO facility with ten (10) or more units shall have an on-site manager. An SRO facility with less than ten (10) units shall provide a management office on-site.
  - (10) *Parking.* Parking shall be provided for an SRO facility at a rate of one standard-size parking space per unit as defined in Section 106-829(1) of this chapter, plus an additional standard-size parking space for the on-site manager.
  - (11) *Accessibility.* All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.
  - (12) *Existing Structures.* An existing structure may be converted to an SRO facility, consistent with the provisions of this section.
- *Section 106-972* of the Zoning Ordinance was previously reserved and was amended to read as follows:

In the City's M-2 (Light Industrial) Zone, an Emergency Homeless Shelter shall be subject to the applicable regulations of this division, including the following standards:

- (1) *Maximum Number of Persons/Beds.* The shelter for the homeless shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.

- (2) *Lighting.* Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
- (3) *Laundry Facilities.* The development shall provide laundry facilities adequate for the number of residents.
- (4) *Common Facilities.* The development may provide supportive services for homeless residents, including but not limited to: central cooking and dining room(s), recreation room, counseling center, child care facilities, and other support services.
- (5) *Security.* Parking facilities shall be designed to provide security for residents, visitors, and employees.
- (6) *Landscaping.* On-site landscaping shall be installed and maintained pursuant to the standards outlined in Section 106-833.
- (7) *On-Site Parking.* On-site parking for homeless shelters shall be subject to requirements for similarly zoned industrial uses as set forth in Section 106-822(d)(1).
- (8) *Outdoor Activity.* For the purposes of noise abatement in surrounding residential zoning districts, outdoor activities may only be conducted between the hours of 8:00 a.m. to 10:00 p.m.
- (9) *Concentration of Uses.* No more than one shelter for the homeless shall be permitted within a radius of 300 feet from another such shelter.
- (10) *Refuse.* Homeless shelters shall provide a trash storage area as required pursuant to Section 106-897(1) through Section 106-897(3).
- (11) *Health and Safety Standards.* The shelter for the homeless must comply with all standards set forth in Title 25 of the California Administrative Code (Part 1, Chapter F, Subchapter 12, Section 7972).
- (12) *Shelter Provider.* The agency or organization operating the shelter shall comply with the following requirements:
  - a. Temporary shelter shall be available to residents for no more than six months if no alternative housing is available.
  - b. Staff and services shall be provided to assist residents to obtain permanent shelter and income. Such services shall be available at no cost to all residents of a provider's shelter or shelters.
  - c. The provider shall not discriminate in any services provided.
  - d. The provider shall not require participation by residents in any religious or

philosophical ritual, service, meeting or rite as a condition of eligibility.

- e. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.

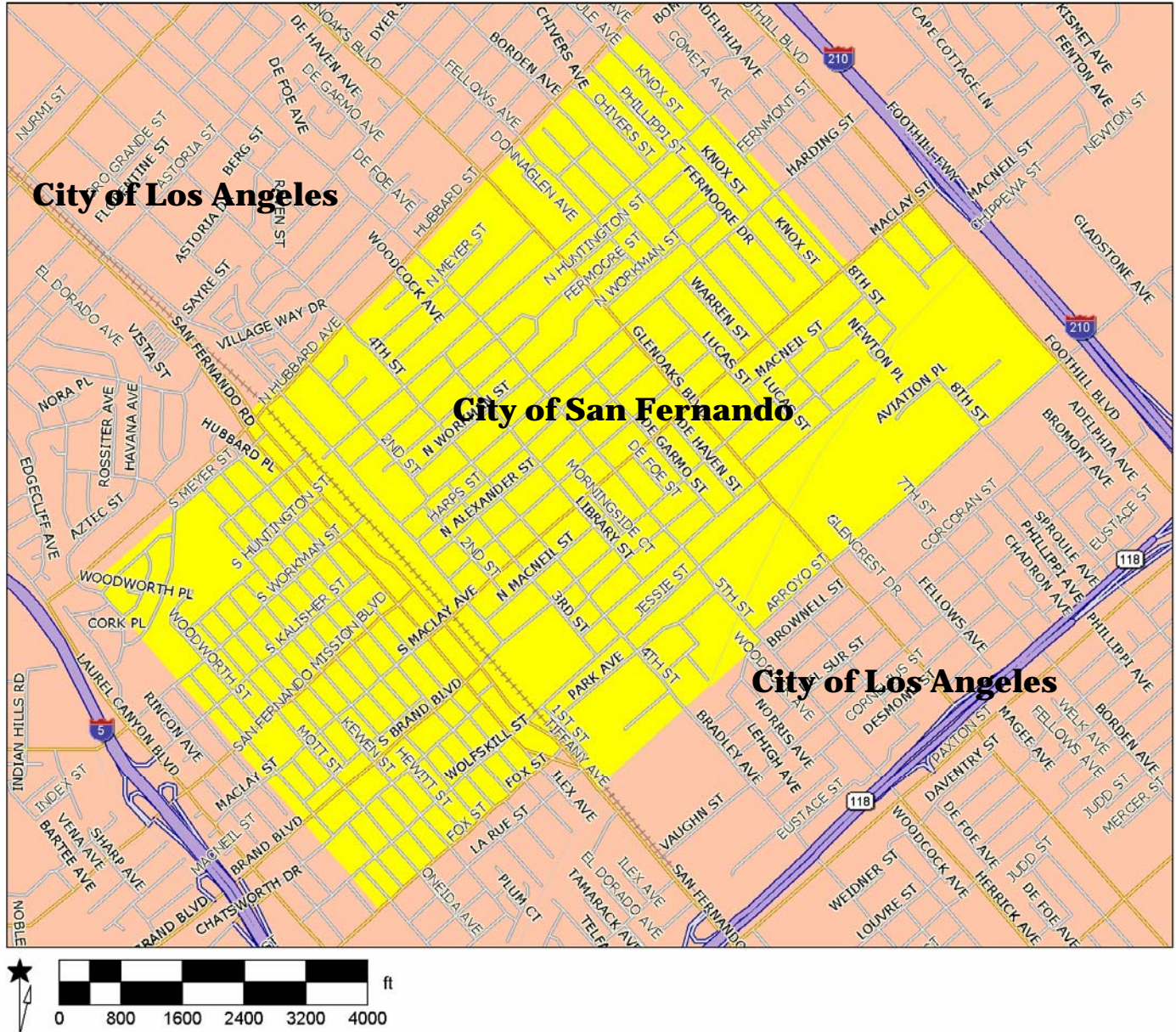
## **2.3 DISCRETIONARY ACTIONS**

The following discretionary approvals will be required:

- The Zone Text Amendment will undergo public review before the Planning and Preservation Commission and the City Council.
- The Zone Text Amendment is a project pursuant to CEQA. As a result, the City Council must approve the Negative Declaration as part of its deliberations.







**EXHIBIT 2**  
**MAP OF THE CITY OF SAN FERNANDO**  
Source: City of San Fernando

## SECTION 3 ENVIRONMENTAL ANALYSIS

This section of the Initial Study analyzes the potential environmental impacts that may result from the adoption and subsequent implementation of the Zone Text Amendment described herein in Section 2. The issue areas evaluated in this Initial Study include the following:

- Aesthetics (Section 3.1);
- Agricultural & Forestry Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Geology & Soils (Section 3.6);
- Greenhouse Gas Emissions; (Section 3.7);
- Hazards & Hazardous Materials (Section 3.8);
- Hydrology & Water Quality (Section 3.9);
- Land Use & Planning (Section 3.10);
- Mineral Resources (Section 3.11);
- Noise (Section 3.12);
- Population & Housing (Section 3.13);
- Public Services (Section 3.14);
- Recreation (Section 3.15);
- Transportation (Section 3.16);
- Utilities (Section 3.17); and,
- Mandatory Findings (Section 3.18).

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated, and an answer is provided according to the analysis undertaken as part of the Initial Study's preparation. To each question, there are four possible responses:

- ***No Impact.*** The Zone Text Amendment will not lead to actions and/or development that will have a measurable environmental impact on the environment, and no further analysis is required.
- ***Less Than Significant Impact.*** The Zone Text Amendment may have the potential for impacting the environment, although these impacts are likely to be below levels or thresholds that the City of San Fernando or other responsible agencies consider to be significant.
- ***Potentially Significant Impact.*** The Zone Text Amendment may have the potential to generate effects which the City of San Fernando considers to represent a significant impact on the environment. However, mitigation measures that will be effective in reducing impacts to levels that are less than significant have been recommended.
- ***Significant Adverse Impact.*** The Zone Text Amendment may, or is known to, represent impacts that are considered significant, and additional analysis is required to identify mitigation measures.

The City, through the preparation of this Initial Study, determined that no significant adverse unmitigable impacts would occur as a result of the Zone Text Amendment's adoption and subsequent implementation.

### 3.1 AESTHETICS

According to the City of San Fernando, acting as Lead Agency, a project may be deemed to have a significant adverse aesthetic impact if it results in any of the following:

- An adverse effect on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or
- A new source of substantial light and glare which would adversely affect day or nighttime views in the area.

*A. Would the project affect a scenic vista? No Impact.*

The City's local relief is generally level and ranges from 1,017 feet above mean sea level (AMSL) to 1,250 feet AMSL. This generally level topography is due to the City's location over an alluvial fan that is the result of the deposition of water-borne materials from the mountain and hillside areas located to the north of San Fernando (the City is located in the northeastern portion of the San Fernando Valley near the south-facing base of the San Gabriel Mountains).<sup>4</sup> The City of San Fernando General Plan has not designated any local roadways as "scenic highways." Future residential development contemplated as part of the Housing Element's implementation and the Zone Text Amendment will result in the replacement of older, deteriorating improvements with newer structures. No scenic vistas are present in the vicinity of the potential development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? No Impact.*

Much of the City's architectural character was derived from the San Fernando Mission, founded in 1797. Notable historically significant buildings that are located within the City include the Casa de Lopez Adobe, the Morningside Elementary School Auditorium, and the historic Post Office. In addition to the Mission Revival style, other architectural styles found within the area include Spanish Colonial Revival, Mediterranean, and Monterey. Other architectural influences present in the area include Craftsman, Bungalow, Beaux-Arts, Art Deco, and Victorian styles. These architectural styles also flourished at the turn of the century primarily in residential construction, with a few commercial and public buildings exhibiting these design characteristics as well. The potential residential development sites that may occur as part of the Housing Element's implementation will be subject to all pertinent regulations governing historic resources. No natural undeveloped areas remain within any of the candidate development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

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<sup>4</sup> City of San Fernando. *San Fernando Parking Lots Draft Environmental Impact Report*. February 20, 2008.

*C. Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? No Impact.*

Potential sources of light and glare that may result from future residential development may include new decorative lighting in the new commons, new security lighting, interior lighting, and vehicle headlights. Unprotected lighting, in the absence of mitigation, could impact existing residences located near the prospective development sites. All new lighting must conform to the City's development standards (Chapter 106-834, Lighting) that include a foot-candle map illustrating the amount of light from the project site at adjacent light sensitive receptors. The outdoor lighting plan will also be subject to final review and approval by the Community Development Department. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.2 AGRICULTURE AND FORESTRY RESOURCES**

According to the City of San Fernando, acting as Lead Agency, a project may be deemed to have a significant impact on agriculture resources if it results in any of the following:

- The conversion of prime farmland, unique farmland or farmland of statewide importance;
- A conflict with existing zoning for agricultural use or a Williamson Act Contract;
- A conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §4526), or zoned timberland production (as defined by Government Code §51104[g]);
- The loss of forest land or the conversion of forest land to a non-forest use; or,
- Changes to the existing environment that due to their location or nature may result in the conversion of farmland to non-agricultural uses.

*A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? No Impact.*

No lands within the City are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Future residential development contemplated as part of the Zone Text Amendment's implementation will not impact any land areas designated for agricultural production. As a result, no impacts on these soil resources will result from the Zone Text Amendment's adoption and subsequent implementation.

*B. Would the project conflict with existing zoning for agricultural use or a Williamson Act Contract? No Impact.*

There are no parcels located within the City that are subject to a Williamson Act Contract. As a result, no impacts on existing Williamson Act Contracts will result from the Zone Text Amendment's adoption and subsequent implementation.

*C. Would the project conflict with existing zoning for or cause rezoning of, forest land (as defined in Public Resources Code Section 4526), or zoned timberland production (as defined by Government Code § 51104[g])? No Impact.*

No agricultural activities or farmland uses are located within the City, nor does the City of San Fernando General Plan contain any agricultural land use designation. The Zone Text Amendment's implementation will not result in the conversion of any existing farmland to urban uses, since there are no sites in the City in agricultural use. As a result, no farmland conversion impacts will result from the Zone Text Amendment's adoption and subsequent implementation.

*D. Would the project result in the loss of forest land or the conversion of forest land to a non-forest use? No Impact.*

No forest lands are found within the City of San Fernando nor does the applicable General Plan land use designations provide for any forest land protection. No loss or conversion of existing forest lands will result from the implementation of the Zone Text Amendment. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*E. Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use? No Impact.*

No agricultural activities or farmland uses are located within the City of San Fernando. The future residential development contemplated as part of the Zone Text Amendment's implementation will not involve the conversion of any existing farmland area to urban uses. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.3 AIR QUALITY**

According to the City of San Fernando, acting as Lead Agency, an action or project will normally have a significant adverse environmental impact on air quality, if it results in any of the following:

- The project results in a conflict with, or obstructs the implementation of, the applicable air quality plan;
- A violation of an air quality standard or contributes substantially to an existing or projected air quality violation;
- A cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;
- The exposure of sensitive receptors to substantial pollutant concentrations; or
- The creation of objectionable odors.

The South Coast Air Quality Management District (SCAQMD) has also established daily emissions thresholds for a number of criteria pollutants. These thresholds include: 550 pounds of carbon monoxide (CO), 55 pounds of nitrogen oxides (NO<sub>x</sub>), 150 pounds of sulfur dioxide (SO<sub>x</sub>), 55 pounds of reactive organic gases

(ROG), and 150 pounds of PM<sub>10</sub> particulates. These thresholds apply to both short-term (construction-related) emissions and long-term (operational) emissions.

*A. Would the project conflict with or obstruct implementation of the applicable air quality plan? No Impact.*

The City of San Fernando is located within the South Coast Air Basin which covers a 6,600 square-mile area within Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. Air quality in the basin is monitored by the South Coast Air Quality Management District (SCAQMD) at various monitoring stations located throughout the area. Measures to improve regional air quality are outlined in the SCAQMD's Air Quality Management Plan (AQMP). The 2007 AQMP replaced the 2003 AQMP and is designed to meet both State and Federal Clear Air Act planning requirements for all of the geographic areas under the jurisdiction of the SCAQMD, including the South Coast Air Basin (Los Angeles County, Orange County, San Bernardino County, and Riverside County) and the Riverside County portion of the Salton Sea Air Basin (including the Coachella Valley). The most recent 2007 AQMP focused on the control of ozone and smaller particulates and their precursors. The AQMP also incorporated significant new scientific data, emission inventories, ambient measurements, control strategies, and air quality modeling. The Final 2007 AQMP was jointly prepared with the California Air Resources Board (CARB) and the Southern California Association of Governments (SCAG).

The adoption and implementation of the Zone Text Amendment will result in operational emissions that would be associated with new residential development. However, the Regional Housing Need Assessment (RHNA) represents a mandate required by the State of California for every city and county. The City is obligated under State law, to fulfill the RHNA requirements that have been assigned to it. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. As a result, the Zone Text Amendment's subsequent implementation will not result in any significant adverse impacts on growth projections for the City.

*B. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? No Impact.*

The potential short-term air quality impacts associated with future residential development include construction equipment emissions, vehicle emissions, emissions from power generation, and fugitive dust from demolition, excavation, grading, and debris transport. As indicated previously, the long-term operational impacts, related to both stationary and mobile (vehicle) emissions, will occur following the occupancy of the new residential development envisioned as part of the Housing Element's implementation. The City is obligated under State law, to fulfill the RHNA requirements that have been assigned to it. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? No Impact.*

Future residential development associated with the adoption and subsequent implementation of the Zone Text Amendment will result in both short-term (construction-related) and long-term (operational) impacts. The new residential development that would occur as part of the Zone Text Amendment's implementation are envisioned as part of the San Fernando General Plan and the most recently adopted Housing Element. As a result, the potential impacts are considered to be less than significant. In addition, the City is obligated under State law to fulfill the RHNA requirements that have been assigned to it. As indicated previously, SCAG relied on growth projections developed as part of the RTP. These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project expose sensitive receptors to substantial pollutant concentrations? No Impact.*

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality and typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate.<sup>5</sup> These population groups are generally more sensitive to poor air quality. The following are applicable local emission concentration standards for carbon monoxide: California one-hour carbon monoxide standard of 20.0 ppm; or, California eight-hour carbon monoxide standard of 9.0 ppm. The potential traffic generation will not be significant enough to result in the creation of a carbon monoxide "hot spot" that could lead to an exceedance of the state's 1-hour or 8-hour carbon monoxide standards. As previously stated, the new residential development that would occur as part of the Zone Text Amendment's implementation are envisioned as part of the San Fernando General Plan and the most recently adopted Housing Element. As indicated in the traffic analysis (refer to Section 3.16), the traffic generation will not lead to any significant impact on area intersections.<sup>6</sup> As a result, no impacts related to the creation of carbon monoxide "hot spots" are anticipated.

*E. Would the project create objectionable odors affecting a substantial number of people? No Impact.*

The SCAQMD's CEQA Air Quality Handbook identifies those uses that will typically create odors that, in turn, could generate complaints. These uses include agricultural activities, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding operations. The Zone Text Amendment promotes the development of new housing as a means to meet the City's RHNA. No odors are anticipated once the units are occupied. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

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<sup>5</sup> South Coast Air Quality Management District. *CEQA Air Quality Handbook, Appendix 9*. 2004 (as amended).

<sup>6</sup> Ibid.

### 3.4 BIOLOGICAL RESOURCES

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;
- A substantial adverse effect on any riparian habitat or other sensitive natural plant community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- A substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- A substantial interference with the movement of any native resident, migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites;
- A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or,
- A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

*A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? No Impact.*

The potential development sites in the City have been previously developed and any plant life on-site is limited to non-native, introduced, and ornamental species which were used for landscaping. There are no sensitive or endangered animal and plant species within the City. Animal life within the development sites and the surrounding area consist of species commonly found in an urban setting. These species are not expected to migrate to the candidate development sites due to the lack of suitable habitat in the area, and the nature and extent of existing development. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? No Impact.*

The nearest designated "blue-line" stream is the Pacoima Wash, located along the City's eastern boundary. The Pacoima Wash is concrete lined at this location and is used for flood control purposes. The candidate development sites and the surrounding areas are developed or were previously developed. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No Impact.*

The City is fully urbanized and no natural wetland habitat is found within the candidate development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? No Impact.*

A number of the potential development sites are likely to contain limited vegetation introduced for landscaping. The City is largely urbanized and there are no natural communities in the area or wildlife migration corridors. As a result, there will not be any impacts related to wildlife dispersal and movement with construction of future development.

*E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No Impact.*

No locally designated species are found within the City or in the surrounding areas. A number of mature trees are found within the potential development sites though none of these trees are considered to be "heritage" trees. Thus, no impact to local policies and programs related to resource management or tree preservation is expected with the Zone Text Amendment's adoption and subsequent implementation.

*F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? No Impact.*

As indicated previously, the City is largely urbanized, and no natural habitats are found within the City's boundaries. In addition, there are no areas of the City governed by a habitat conservation plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.5 CULTURAL RESOURCES**

According to the City of San Fernando, acting as Lead Agency, an action or project will normally have a significant adverse impact on cultural resources if it results in any of the following:

- The project causes a substantial adverse change in the significance of a historical resource as defined in §15064.5;
- The project causes a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;
- The project directly or indirectly destroys a unique paleontological resource, site or unique geologic feature; or
- The project disturbs any human remains, including those interred outside of formal cemeteries.

*A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? No Impact.*

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a local general plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. The State, through the State Historic Preservation Office (SHPO) also maintains an inventory of those sites and structures that are considered to be historically significant. Finally, the U. S. Department of Interior has established specific guidelines and criteria that indicates the manner in which a site, structure, or district is to be defined as having historic significance and in the determination of its eligibility for listing on the National Register of Historic Places. A single location is recorded on the National Register of Historic Places: the Casa de Lopez Adobe located at 1100 Pico Street. In addition to its designation as a national historical site, it is also a state and county historical site. The City also completed a comprehensive historic resources preservation program. The survey was completed by Cultural Resources Management LLC in 2002 and identified over 230 potentially significant historic sites including two that may be eligible for the National Register. The survey also identified a single potential National Register Historic District. Future residential development associated with the implementation of the Housing Element will be required to comply with all pertinent requirements governing historic resources. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? No Impact.*

The region in and around the City of San Fernando was home to the Gabrielino Indians. One of the largest Indian settlements was located near the existing San Fernando Mission. The village of Achooykomenga was reported to be among the largest Indian communities in the San Fernando Valley. The exact location of this village is unknown though an early baptismal register from the mission also identifies a settlement in what is now Pacoima.<sup>7</sup> Any archaeological resources that may have been present prior to development are not expected to be found within the potential residential infill sites due to past disturbance. In the event resources are encountered during grading and excavation, the requirements of Appendix K of CEQA will be applicable. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No Impact.*

The majority of the City has undergone extensive ground disturbance resulting from past and present development. The potential for paleontological resources in the area is considered low due to the alluvial character of the soils that underlie most of the City. In addition, no paleontological resources have been encountered as part of past development in the City. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

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<sup>7</sup>McCawley, William. *The First Angelinos, The Gabrielino Indians of Los Angeles*. 1996.

*D. Would the project disturb any human remains, including those interred outside of formal cemeteries? No Impact.*

The only cemetery located near the City is located adjacent to the San Fernando Mission. The cemetery is located at 1160 Stranwood Avenue next to the San Fernando Mission grounds. While there are approximately 2,400 individuals interred in the San Fernando Mission cemetery, its location in relation to the City and any potential development site makes any unintentional disturbance of burials unlikely. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.6 GEOLOGY**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse environmental impact on the environment if it results in the following:

- The exposure of people or structures to potential substantial adverse effects, including the risk of loss, or death related to fault rupture from a known earthquake fault;
- Substantial soil erosion resulting in the loss of topsoil;
- Locating a project within a geologic or soils unit that is unstable, or that would become unstable as a result of the project, potentially resulting in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Locating a project on an expansive soil creating substantial risks to life or property; or
- Locating a project on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

*A. Would the project result in or expose people to potential impacts, including the risk of loss or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault) ground-shaking, liquefaction, or landslides? No Impact.*

The geomorphology of the Los Angeles Basin is a direct result of the tectonic forces common to the region. The area's topography is a direct result of the seismic influences that have contributed to the uplift that is evident from the nearby mountains. The region is bisected by numerous faults though all of the known faults are located outside of the City's corporate boundaries. The City is, and will continue to be, subject to ground-shaking hazards associated with earthquakes in the region. The level of risk within the City is no greater than that anticipated for the region. As a result, surface rupture is not anticipated to occur in the City.

*B. Would the project expose people or structures to potential substantial adverse effects, including substantial soil erosion or the loss of topsoil? No Impact.*

Future development associated with the proposed Zone Text Amendment will result in soil disturbance though these activities will be required to comply with City requirements that are designed to control storm water runoff and erosion. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project expose people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? No Impact.*

Recent studies completed by the CGS Seismic Hazard Zones Mapping Program indicate that there are no areas within the City that are subject to potential slope failure.<sup>8</sup> As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project result in or expose people to potential impacts, including location on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? No Impact.*

The majority of the City is developed and largely covered over with impervious surfaces. The soils are not anticipated to represent a significant development constraint given the nature and extent of development found in the planning area. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*E. Would the project be located on soils incapable of supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water? No Impact.*

No septic tank systems will be permitted as part of any future residential development. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.7 GREENHOUSE GAS EMISSIONS**

According to the City of San Fernando, acting as Lead Agency, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and,
- The potential for conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gasses.

*A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? No Impact.*

The State of California requires that CEQA documents include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). The accumulation of GHG in the atmosphere regulates the earth's temperature. The development that may occur as part of the Housing Element's implementation will consist of infill development that will include modern building construction that will

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<sup>8</sup> California Geological Survey. *Map of Seismic Hazard Zones*. 2012.

conform to the most recent Title 24 requirements related to energy and water conservation. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gasses? No Impact.*

The Zone Text Amendment would not impede the implementation of the California Air Resources Board's (CARB's) recommended actions that are designed to reduce GHG emissions. AB-32 requires the reduction of GHG emissions to 1990 levels, which would require a minimum 28 percent reduction in "business as usual" GHG emissions for the entire state. The Zone Text Amendment will outline other new development review procedures as a means to encourage new residential development. The RHNA housing need represents a mandate required by the State of California as part of the RHNA's implementation. The City is obligated under State law, to fulfill the assigned RHNA requirements. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.8 HAZARDOUS MATERIALS**

According to the City of San Fernando, acting as Lead Agency, a project may be deemed to have a significant adverse impact on risk of upset and human health if it results in any of the following:

- The creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- The locating of a project on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 resulting in a significant hazard to the public or the environment;
- A project located within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport;
- A project located in the vicinity of a private airstrip which would result in a safety hazard for people residing or working in the project area;
- The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or
- The exposure of people or structures to a significant risk of loss, injury or death involving wild land fire, including where wetlands are adjacent to urbanized areas or where residences are intermixed with wild lands.

*A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No Impact.*

Future residential development associated with the proposed Zone Text Amendment will not be involved in the manufacture, use, or disposal of hazardous materials other than those materials used in a household. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project create a significant hazard to the public or the environment, or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? No Impact.*

As indicated previously, the residential uses associated with the proposed Zone Text Amendment will not be involved in the storage and distribution of goods which may be considered hazardous. Any future building plans will be reviewed by the City and the County to ensure that any applicable fire suppression improvements (sprinklers, hydrants, fire flow, etc.) are sufficient in accommodating demand. Future multiple-family development associated with the proposed Zone Text Amendment may also be periodically inspected by the City of Los Angeles Fire Department to ensure that the new development conforms to existing health, safety, and fire codes. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact.*

Future residential units contemplated under the Zone Text Amendment will not be involved in any activities that would emit and/or handle hazardous materials. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment? No Impact.*

The potential residential infill sites associated with the proposed Zone Text Amendment are not included on a hazardous sites list compiled pursuant to California Government Code Section 65962.5.<sup>9</sup> No Cortese sites are found in the City. As a result, no impacts will occur with respect to locating the project on a site included on a hazardous list pursuant to the government code.

*E. Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

Whiteman Airport is located outside of the City's corporate boundaries and is a Los Angeles County-owned general aviation airport. Other major airports in the surrounding region include Burbank-Glendale Airport

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<sup>9</sup> California, State of, Department of Toxic Substances Control, *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*, 2009.

(located approximately 9 miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately 7 miles to the south).<sup>10</sup> The maximum height of future residential development will not be tall enough to interfere with aircraft operations. In addition, the project site is located outside of the accident protection zone of Whiteman Airport. Future development arising as part of the proposed project's implementation will not present a safety hazard to aircraft and/or airport operations at a public use airport. As a result, no significant adverse impacts are anticipated.

*F. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

Whiteman Airport is located 2.3 miles to the southeast of the project site. This airport is a small general aviation airport that handles private aircraft. The nearest major airports in the surrounding region include Burbank-Glendale Airport (located approximately 9 miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately 7 miles to the south). As a result, the Zone Text Amendment and its subsequent implementation will not present a safety hazard related to aircraft or airport operations.

*G. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

The project sites are not located within 2 miles of an operational private airstrip. As indicated previously, Whiteman Airport is located 2.3 miles to the southeast. Other major airports in the surrounding region include Burbank-Glendale Airport (located approximately 9 miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately 7 miles to the south).<sup>11</sup> The project site is not located within 2 miles of a private airstrip. As a result, the proposed project will not present a safety hazard related to aircraft and/or airport operations at a private use airstrip.

*H. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No Impact.*

Subsequent to obtaining development entitlements and/or discretionary approvals from the Planning and Preservation Commission, a staging plan for any future construction will be submitted as part of the building permit plan check review process for approval by the Public Works Department. The construction plans will be required to identify the location of all on-site utility facilities as well as trash containers, construction vehicle parking areas and the staging area for debris removal and the delivery of building materials. Construction hours will also be required to comply with the current San Fernando City Code Standards. Finally, any required construction plan must identify specific provisions for the regulation of construction vehicle ingress and egress to the site during construction as a means to provide continued through-access for pedestrian and vehicles. All future construction activities and staging areas will be located within the potential development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

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<sup>10</sup> Google Earth (the distances were calculated using the measuring tool).

<sup>11</sup> Google Earth (the distances were calculated using the measuring tool).

*I. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? No Impact.*

No areas of native or natural vegetation are found within the vicinity of the candidate sites. All of the sites are located outside of any Zone 4 designation, according to maps prepared by the Los Angeles County Fire Department. The Zone 4 designation applies to those areas of the County where the natural vegetation represents a significant wildfire risk. As a result, no risk from wildfire is anticipated with the approval and subsequent implementation of the Zone Text Amendment.

### **3.9 HYDROLOGY & WATER**

According to the City of San Fernando, acting as Lead Agency, a project may be deemed to have a significant adverse environmental impact on water resources or water quality if it results in any of the following:

- A violation of any water quality standards or waste discharge requirements;
- A substantial depletion of groundwater supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- A substantial alteration of the existing drainage pattern of the site or area through the alteration of the course of a stream or river in a manner which would result in substantial erosion or siltation on- or off-site;
- A substantial alteration of the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site;
- The creation or contribution of water runoff which would exceed the capacity of existing or planned storm water drainage systems or the generation of substantial additional sources of polluted runoff;
- The substantial degradation of water quality;
- The placement of housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- The placement of structures within a 100-year flood hazard area which would impede or redirect flood flows;
- The exposure of people or structures to a significant risk of flooding as a result of dam or levee failure; or
- The exposure of a project to inundation by seiche, tsunami, or mudflow.

*A. Would the project violate any water quality standards or waste discharge requirements? No Impact.*

Future water consumption will be limited to that typical of residential development, and this consumption will be related to water used for potable consumption, routine maintenance and landscaping. No industrial wastewater discharges would be associated with the uses anticipated under the Zone Text Amendment's

implementation. The majority of the potential future development sites are currently paved or covered over with impervious surfaces, which could lead to the presence of debris, leaves, soils, oil/grease, and other pollutants being transported into the storm drains on-site. Given the developed character of the potential infill development sites, there is likely to be an improvement in the quality of storm water runoff. Future development projects will be required to comply with the National Pollutant Elimination System Discharge (NPDES) requirements. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of a pre-existing nearby well would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*  
*No Impact.*

Water supply in the City is derived from local groundwater wells operated and maintained by the water purveyors that serve the City, as well as imported water from the Metropolitan Water District (MWD). Once specific development sites are slated for development, the City will determine the nature and extent of the required infrastructure as part of the development review and plan check process. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

- C. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? No Impact.*

The potential residential infill sites are developed and covered over with impervious surfaces, including buildings, asphalt roadways, and parking areas. Future residential development will not affect or alter any existing drainage pattern of a stream or river. No other natural drainage features remain within the candidate development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

- D. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site? No Impact.*

The majority of the potential development sites have undergone previous development. No natural stream channels remain within any of the candidate development sites. The future development contemplated as part of the Zone Text Amendment's implementation will not impact any of streams or rivers. In addition, there will not be a significant increase in the quantity of storm water surface runoff conveyed to the local storm drain system, given the extent of existing impervious surfaces found within each of the proposed development sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*E. Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? No Impact.*

There will not be a significant change in the amount of surface runoff volumes from the planning area due to the nature and extent of the existing impervious surfaces. There are no water bodies located within those areas where future residential development is contemplated. The nature and extent of storm water runoff ultimately discharged into the existing storm drain system will not significantly change due to the amount of existing impervious surfaces found within the area. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*F. Would the project otherwise substantially degrade water quality? No Impact.*

Future residential development contemplated under the Zone Text Amendment could lead to the presence of debris, leaves, soils, oil/grease, and other pollutants within the parking areas on-site in the absence of mitigation. These pollutants may enter the storm drain system during periods of rainfall. Under Section 402 of the Clean Water Act (CWA), all point source discharges of pollutants to waters of the United States (including lakes, rivers, wetlands, etc.) must be issued a National Pollutant Discharge Elimination System (NPDES) permit. NPDES permits issued for point sources must contain measures for ensuring any discharges meet water quality-based provisions of Section 301 of the CWA. As a result, discharges may not contain pollutants at levels which would cause the receiving water body to fail in meeting a water quality standard set by the State of California or the EPA for that water body. In addition, discharges must meet the technology-based requirements of Section 301 of the CWA. Discharges must meet an acceptable level of pollution control for that type of discharge, regardless of whether or not that level of control is specifically needed to protect the water body to which the discharge is directed. The implementation of these existing regulations and other pertinent requirements will mitigate any potential impacts. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*G. Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact.*

Future infill development will not be located within the flood hazard area. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*H. Would the project place within a 100-year flood hazard area, structures which would impede or redirect flood flows? No Impact.*

Future residential development undertaken as part of the Zone Text Amendment's implementation will not impede or redirect the flows of potential flood water. As a result, no significant adverse impacts will result.

*I. Would the project expose people or structures to a significant risk of flooding as a result of dam or levee failure? No Impact.*

There are three dams located in the vicinity of the City that include the Hansen Dam, the Lopez Dam, and the Los Angeles Reservoir Dam. The U. S. Army Corps of Engineers has prepared emergency plan maps indicating the potential inundation area for the Hansen and Lopez Dams. The potential inundation area for the Hansen

Dam is located south of the dam, outside the City boundaries. The potential inundation area includes a small portion of the northeasterly corner of the City, though the site is located outside the inundation area. The Los Angeles Reservoir Dam is located to the southwest of the City and the potential inundation area is located further south of the reservoir. Since the potential infill sites are located outside the potential inundation area of these reservoirs, no impacts are anticipated.

*J. Would the project result in inundation by seiche, tsunami, or mudflow? No Impact.*

The City is located inland from the Pacific Ocean and the project area would not be exposed to the effects of a tsunami. No reservoirs or volcanoes are located near the City that would present seiche or volcanic hazards. In addition, there are no surface water bodies in City that would result in a potential seiche hazard.<sup>12</sup> Finally, there are no hillside areas located in the City and, therefore, landslide and/or mudflows are not anticipated to represent a hazard to future development. As a result, no seiche or tsunami hazards are anticipated.

### **3.10 LAND USE & DEVELOPMENT**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant impact on land use and development if it results in any of the following:

- The disruption or division of the physical arrangement of an established community;
- A conflict with an applicable land use plan, policy, or regulation of the agency with jurisdiction over the project;
- A conflict with any applicable conservation plan or natural community conservation plan;
- The conversion of prime farmland, unique farmland, or farmland of statewide importance;
- A conflict with existing zoning for agricultural use, or a Williamson Act Contract; or
- Changes to the existing environment which, due to their location or nature, may result in the conversion of farmland to non-agricultural uses.

*A. Would the project physically divide an established community? No Impact.*

The proposed Zone Text Amendment will ensure that the City of San Fernando attains its 2008-2014 Housing Element Objective to amend the Zoning Ordinance to make explicit provisions for manufactured housing, community care facilities, single room occupancy (SROs) units, transitional and supportive housing, and emergency homeless shelters. The changes will enable the City of San Fernando to comply with the requirements of SB-2 in addition to providing new opportunities for housing within the City that meets the housing needs of all economic segments of the community. The proposed revisions to the City Zoning Ordinance will also permit the introduction of SROs, community care facilities for seven or more persons, manufactured housing, and transitional and supportive housing units in a manner consistent with State law while providing the necessary development standards to ensure this new development conforms to the City's zoning and building codes. The location and extent of the potential development sites will conform to the

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<sup>12</sup> United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999.

adopted General Plan map and the adopted Zoning Map. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No Impact.*

There are several existing environmental plans that are applicable to the City, including the Regional Comprehensive Plan, the Congestion Management Plan, and the Air Quality Management Plan. The applicability of these plans is discussed under their respective issue areas (air quality, traffic and circulation, etc.). The City is obligated under State law, to fulfill the RHNA requirements that have been assigned to the City. These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Will the project conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact.*

There are no areas of the City that are subject to a habitat conservation plan or a local coastal plan (LCP). In addition, there are no designated Significant Ecological Areas (SEAs) located within one mile of the City. As a result, no impacts on habitat conservation plans will occur with the adoption of the Zone Text Amendment and its subsequent implementation.

### **3.11 MINERAL RESOURCES**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse impact on energy and mineral resources if it results in any of the following:

- The loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- The loss of availability of a locally-imported mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

*A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents or the state? No Impact.*

No mineral resource extraction activities are located within the City. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact.*

There are no mineral, oil or energy extraction and/or generation activities within the City. Review of maps provided by the State Department of Conservation indicates there are no abandoned and capped wells within the development sites. The resources and materials used in the construction of future residential units will not

include any materials that are considered rare or unique. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.12 NOISE**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant impact on the environment if it results in any of the following:

- The exposure of persons to, or the generation of noise levels in excess of standards established in the local general plan, noise ordinance or applicable standards of other agencies;
- The exposure of people to, or generation of, excessive ground-borne noise levels;
- A substantial permanent increase in ambient noise levels in the vicinity of the project above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- The locating of a project within an area governed by an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or private use airport, where the project would expose people residing or working in the project area to excessive noise levels; or
- The locating of a project within the vicinity of a private airstrip which would result in the exposure of people residing or working in the project area to excessive noise levels.

*A. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? No Impact.*

As part of future development of multiple-family residential development, insulation and other design measures will be required to reduce the interior ambient noise levels to 45 CNEl or less. Any additional vehicle trips that will be generated by the future residential development will be distributed throughout the City. The cumulative traffic will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project result in exposure of people to or generation of excessive ground-borne noise levels? No Impact.*

Future construction activities could lead to noise impacts on the adjacent residential uses in the absence of mitigation. Construction machinery will be capable of generating periodic peak noise levels ranging from 70 to 95 dBA at a distance of 50 feet from the source. These impacts will be short-term and cease once construction has been completed. All construction activities must conform to the City's Noise Control regulations. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? No Impact.*

The future residential development associated with the proposed Zone Text Amendment will involve uses and activities which are not likely to generate significant increases in the ambient noise levels. Traffic noise generated by future development will not result in a measurable or discernable increase in the ambient noise levels. The additional traffic on area roadways will result in noise level increases of less than 3.0 dBA, as indicated previously. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? No Impact.*

Short-term increases in noise levels will occur during demolition and construction activities. Demolition and construction activities will generate noise levels in excess of 90 dB within 50 feet of the project site. Construction activities at the project site could lead to noise impacts on the adjacent residential uses in the absence of mitigation. Construction machinery will be capable of generating periodic peak noise levels ranging from 70 to 95 dBA at a distance of 50 feet from the source. These impacts will be short-term and cease once construction has been completed. All construction activities must conform to the City's Noise Control regulations. As a result, no significant adverse impacts are anticipated.

*E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? No Impact.*

Whiteman Airport is located 2.3 miles to the southeast of the project site. This airport is a small general aviation airport that handles private aircraft. The nearest major airports in the surrounding region include Burbank-Glendale Airport (located approximately 9 miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately 7 miles to the south). As a result, no significant adverse impacts related to the exposure of persons to aircraft noise from a public use airport are anticipated.

*F. Within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? No Impact.*

The City is not located within 2 miles of an operational *private* airstrip. As indicated in the previous section, Whiteman Airport is located 2.3 miles to the southeast of the project site and is a general aviation facility owned by Los Angeles County. Other major airports in the surrounding region include Burbank-Glendale Airport (located approximately 9 miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately 7 miles to the south). As a result, no impacts related to the exposure of persons to aircraft noise from a private airstrip will result from the proposed project. Future residents will not be exposed to aircraft noise from operations at any private airport in the area. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### 3.13 POPULATION & HOUSING

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant impact on housing and population if it results in any of the following:

- A substantial growth in the population within an area, either directly or indirectly related to a project;
- The displacement of a substantial number of existing housing units, necessitating the construction of replacement housing; or
- The displacement of substantial numbers of people, necessitating the construction of replacement housing.

*A. Would the project induce substantial population growth in an area, either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? No Impact.*

The proposed Zone Text Amendment will ensure that the City of San Fernando attains its 2008-2014 Housing Element Objective to amend the Zoning Ordinance to make explicit provisions for manufactured housing, community care facilities, single room occupancy (SROs) units, transitional and supportive housing, and emergency homeless shelters. These changes will enable the City of San Fernando to comply with the requirements of SB-2 in addition to providing new opportunities for housing within the City that meets the housing needs of all economic segments of the community. The proposed revisions to the City Zoning Ordinance will also permit the introduction of SROs, community care facilities for seven or more persons, manufactured housing, emergency homeless shelters, and transitional and supportive housing units in a manner consistent with State law while providing the necessary development standards to ensure this new development conforms to the City's zoning and building codes. The location and extent of the potential development sites will conform to the adopted General Plan Map and the adopted Zoning Map. As a result, no adverse growth inducing impacts will result from the Zone Text Amendment's adoption and subsequent implementation.

*B. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No Impact.*

The Zone Text Amendment will enable the City to accommodate its RHNA allocation. The location and extent of the potential development sites will also conform to the adopted General Plan map and the adopted Zoning Map. As a result, no adverse impacts related to existing or potential housing displacement will result from the Zone Text Amendment's adoption and subsequent implementation.

*C. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No Impact.*

The Zone Text Amendment promotes the development of new housing opportunities as indicated in Subsection A. The location and extent of any new residential development will conform to the adopted General Plan Map and the Zoning Map. As a result, no significant adverse impacts related to existing or potential housing displacement will result from the Zone Text Amendment's adoption and subsequent implementation.

### 3.14 PUBLIC SERVICES

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to fire protection services;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives relative to law enforcement services;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives relative to educational services; or
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives relative to other public services.

A. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: fire protection services? No Impact.*

The City of San Fernando is served by the City of Los Angeles Fire Department (LAFD) that operates from three nearby fire stations. The LAFD currently reviews all new development plans, and future development will be required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, fire hydrants, interior sprinklers, and et cetera. The LAFD will review all building plans in subsequent phases of planning and design to ensure that regulations and requirements will be adhered to. The addition of new residential units will result in an incremental increase in the demand for emergency services. However, the future development will be reviewed by the LAFD to ensure compliance with applicable building and safety codes. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

B. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: Police protection? No Impact.*

Law enforcement services in the City are provided by the San Fernando Police Department that was established following incorporation. The Police Department operates from a facility located at 910 First Street. As part of the Police Department's annual review, demand shall be evaluated and resources allocated as necessary. The proposed new residential developments will require review by the Police Department. The City is obligated under State law to fulfill the RHNA requirements that have been assigned to the City. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. Furthermore, the residential development envisioned as part of the Zone Text Amendment's implementation is consistent with that contemplated under the City of San Fernando General Plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: School services? No Impact.*

Future residential development associated with the proposed Zone Text Amendment will be required to pay school development fees. The payment of these fees will mitigate any potential impacts. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: Other governmental services? No Impact.*

The Zone Text Amendment will not result in increased demands on other public and governmental services. The Zone Text Amendment largely calls for existing programs to be continued. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.15 RECREATION**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse impact on the environment if it results in any of the following:

- The use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or,
- The construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

*A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? No Impact.*

The City of San Fernando Recreation and Community Services Department operates five public parks. These include La Palmas Park (505 South Huntington Street), Layne Park (120 North Huntington Street), Recreation Park (208 Park Avenue), Pioneer Park (828 Harding Avenue), and Heritage Park (2025 Fourth Street). The Department is also responsible for the maintenance and operation of the Casa de Lopez Adobe located at 1100 Pico Street. These existing parks have a total useable land area of approximately 34.13 acres. The current recreational open space ratio in the City is 0.9-acres per 1,000 residents. Future residential development may result in direct impacts on recreational facilities in the area. However, the potential park impacts will be offset by requirements for on-site common open space areas. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project affect existing recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? No Impact.*

The implementation of the Zone Text Amendment will not physically affect parks and recreational facilities in the City. None of the candidate sites serve or provide a sanctioned recreational use for the public. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.16 TRANSPORTATION & TRAFFIC**

According to the City of San Fernando, acting as Lead Agency, an action or project will normally have a significant adverse impact on traffic and circulation if it results in any of the following:

- A conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- An increase in the level of service standard established by the County Congestion Management Agency for designated roads or highways;
- A change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks;
- Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- Results in inadequate emergency access; or,
- A conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

- A. Would the project cause a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? No Impact.*

The proposed Zone Text Amendment will ensure that the City of San Fernando attains its 2008-2014 Housing Element Objective to amend the Zoning Ordinance to make explicit provisions for manufactured housing, community care facilities, single room occupancy (SROs) units, transitional and supportive housing, and emergency homeless shelters. The changes will enable the City of San Fernando to comply with the requirements of SB-2 in addition to providing new opportunities for housing within the City that meets the housing needs of all economic segments of the community. The proposed revisions to the City Zoning Ordinance will also permit the introduction of SROs, community care facilities for seven or more persons, manufactured housing, and transitional and supportive housing units in a manner consistent with State law while providing the necessary development standards to ensure this new development conforms to the City's zoning and building codes. When discounting the existing development within the potential infill sites, the potential trip generation will be reduced and these trips will be distributed throughout the City, and the level of service of individual intersections will not be significantly affected. As indicated in the previous sections, the City is obligated under State law to fulfill the RHNA requirements that have been assigned to the City. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. The location and extent of the potential development sites will conform to the adopted General Plan Map and the adopted Zoning Map. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

- B. Would the project result in a conflict with an applicable congestions management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways? No Impact.*

The City is obligated under State law, to fulfill the RHNA requirements that have been assigned to the City. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. These studies showed that the level of service of individual intersections will not be significantly affected. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

- C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks? No Impact.*

The future residential development will not impact any FAA air traffic height restrictions. Finally, the City is not located within an approach or take-off aircraft safety zone. As a result, no significant adverse impacts are anticipated.

*D. Would the project substantially increase hazards due to the design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? No Impact.*

The adoption and subsequent implementation of the Zone Text Amendment would not require any revisions to the City's Circulation Element. The potential design changes to area roadways will largely be limited to curb cuts. For larger residential projects, the City will require that traffic studies be prepared to evaluate potential traffic and circulation impacts. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*E. Would the project result in inadequate emergency access? No Impact.*

The development of new housing contemplated under the implementation of the Zone Text Amendment may involve limited disruption of the roadways for utility connections. At no time will any of these arterial roadways, or any other designated emergency evacuation routes, be closed to traffic due to future construction activities within the individual project sites. Subsequent to obtaining development entitlements from the Planning and Preservation Commission, a staging plan for the proposed construction will be submitted as part of building permit plan check review process for approval by the Public Works Department. The construction plan will be required to identify the location of all on-site utility facilities as well as trash containers, construction vehicle parking areas and the staging area for debris removal and the delivery of building materials. Construction hours will also be required to comply with the current San Fernando City Code Standards. Finally, the construction plan must identify specific provisions for the regulation of construction vehicle ingress and egress to the site during construction as a means to provide continued through-access for pedestrians. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*F. Would the project result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? No Impact.*

Any future residential development contemplated under the Zone Text Amendment must conform to all pertinent requirements related to "reasonable accommodation." As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.17 UTILITIES**

According to the City of San Fernando, acting as Lead Agency, an action or project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- An exceedance of the wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- The construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts;
- The construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

- An overcapacity of the storm drain system causing area flooding;
- A determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand;
- The project will be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs;
- Non-compliance with federal, state, and local statutes and regulations relative to solid waste;
- A need for new systems, or substantial alterations in power or natural gas facilities; or,
- A need for new systems, or substantial alterations in communications systems.

*A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? No Impact.*

The County Sanitation Districts of Los Angeles County (Districts) treat wastewater from the City of San Fernando. Local sewer lines are maintained by the City of San Fernando, while the District owns, operates, and maintains the large trunk sewers of the regional wastewater conveyance system. Districts No.'s 2, 3, 18 and 19 serve the City. Three Districts' wastewater treatment plants treat wastewater flow originating from San Fernando. The design capacities of the District's wastewater treatment facilities are based on population forecasts adopted in the Southern California Association of Government's (SCAG) 2006 Regional Comprehensive Plan and Guide (RCPG). All expansions of the Districts' facilities must be sized and service phased in a manner that will be consistent with the Growth Management Element of the RCPG. The available capacity of the Districts' treatment facilities will be limited to levels associated with approved growth identified in the RCPG. As indicated in the previous sections, the City is obligated under State law, to fulfill the RHNA requirements that have been assigned to the City. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. Furthermore, the residential development envisioned as part of the Zone Text Amendment's implementation is consistent with that contemplated under the City of San Fernando General Plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? No Impact.*

The City of San Fernando provides water service to a geographic area of 2.42 square miles and a population of approximately 24,600. The City's water distribution system provides approximately one billion gallons of water on an annual basis within its service area. Water may be derived from three sources that include local groundwater drawn from the Sylmar Groundwater Basis, imported water from the Metropolitan Water District (MWD), and emergency water from the City of Los Angeles.<sup>13</sup> The waste treatment facilities are described in the previous section. No new off-site facilities will be required to meet the projected demand since future

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<sup>13</sup> City of San Fernando. Annual Water Quality Report 2009. 2011

development must be consistent with the General Plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*C. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No Impact.*

The City of San Fernando is served by the Los Angeles County Flood Control District which operates and maintains regional and municipal storm drainage facilities. The City works with the Flood Control District in making local drainage plans and improvements. While the majority of the candidate development sites are underutilized, the projected runoff may be accommodated by existing storm drain infrastructure. The projected storm water runoff is not anticipated to significantly increase with future residential development when discounting the existing commercial development within the infill sites. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*D. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? No Impact.*

Water in the project area is supplied by the City of San Fernando Water Department. The City's local groundwater supply is provided by four water wells and imported supplies are available from a connection to an MWD line. The City's water distribution system consists of approximately 5,000 service connections and a 66.5 mile system of water lines. According to the most recent water master plan prepared for the City, the reliability of the local water supply is anticipated to remain consistent or near the 3,405 acre-feet/year (AFY) allocation. As indicated in the previous sections, the City is obligated under State law, to fulfill the RHNA requirements that have been assigned to the City. As part of the RHNA's development, SCAG relied on growth projections developed as part of the Regional Transportation Plan (RTP). These growth projections were evaluated in the environmental studies prepared for both the RHNA and RTP. Furthermore, the residential development envisioned as part of the Zone Text Amendment's implementation is consistent with that contemplated under the City of San Fernando General Plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*E. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? No Impact.*

Water in the project area is supplied by the City of San Fernando Water Department. The City's water distribution system consists of approximately 5,000 service connections and a 66.5 mile system of water lines. According to the most recent water master plan prepared for the City, the reliability of the local water supply is anticipated to remain consistent or near the 3,405 acre-feet/year (AFY) allocation. As indicated in the previous section, no impacts are anticipated since no net increase in the on-site water consumption is anticipated. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*F. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? No Impact.*

Municipal solid waste collection services within San Fernando are provided by Crown Disposal Company Inc. under contract. The role of the Sanitation Districts of Los Angeles County is to construct, operate, and maintain facilities to treat and dispose of wastewater, and to provide for disposal and management of solid wastes. Future development will be required to comply with any existing or future waste reduction and/or recycling City-initiated programs pursuant to AB 939 requirements. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*G. Will the project comply with federal, state, and local statutes and regulations related to solid waste? No Impact.*

Future development associated with the proposed Zone Text Amendment will be required to comply with any existing or future waste reduction and/or recycling City-initiated programs pursuant to AB 939 requirements. No unique types of waste will be generated by the future residential development anticipated under the Zone Text Amendment. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*H. Would the project result in a need for new systems or substantial alterations in power or natural gas facilities? No Impact.*

Future residential development will require connections to power utilities. The potential daily demand for natural gas and electricity has been estimated to be 19,332 cubic feet and 22,380 kWh, respectively. Contacts will be initiated with local energy purveyors to review the potential demand and to determine additional types of mitigation which may be required to reduce consumption. The proposed Zone Text Amendment and the development that will be supported is consistent with the City's General Plan. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

*I. Would the project result in a need for new systems, or substantial alterations in communications systems? No Impact.*

The proposed residential development contemplated under the Zone Text Amendment's implementation will require connections to telecommunications providers. The necessary connections are provided in the areas where new housing will be constructed. As a result, the Zone Text Amendment's adoption and subsequent implementation will not result in any significant adverse impacts.

### **3.18 MANDATORY FINDINGS OF SIGNIFICANCE**

The following findings can be made regarding the mandatory findings of significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- The approval and subsequent implementation of the proposed project *will not* have the potential to degrade the quality of the environment.
- The approval and subsequent implementation of the proposed project *will not* have the potential to

achieve short-term goals to the disadvantage of long-term environmental goals.

- The approval and subsequent implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The approval and subsequent implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.
- The Initial Study indicated there is no evidence that the proposed project will have an adverse effect on wildlife resources or the habitat upon which any wildlife depends.



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## SECTION 4 FINDINGS

The Initial Study for the Zone Text Amendment indicates that the project is not expected to have significant adverse environmental impacts. As a result, the following findings can be made regarding the mandatory findings of significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- The Zone Text Amendment *will not* have the potential to degrade the quality of the environment;
- The Zone Text Amendment *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals;
- The Zone Text Amendment *will not* have impacts that are individually limited, but cumulatively considerable when considering planned or proposed development in the immediate vicinity; and,
- The Zone Text Amendment *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

The City of San Fernando has further determined that a mitigation reporting or monitoring program *will not* be required.



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## SECTION 5 REFERENCES

### 5.1 PREPARERS

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### 5.2 REFERENCES

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**ATTACHMENT 3:**

**Draft Ordinance**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF SAN FERNANDO, CALIFORNIA AMENDING ARTICLE I OF CHAPTER 106 TO DEFINE SINGLE ROOM OCCUPANCY UNIT, COMMUNITY CARE FACILITIES, EMERGENCY HOMELESS SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING AND AMENDING ARTICLE III OF CHAPTER 106 TO PROVIDE THAT EMERGENCY SHELTERS ARE PERMITTED USES IN THE M-2 LIGHT INDUSTRIAL ZONE WITH APPLICABLE DEVELOPMENT STANDARDS, SINGLE ROOM OCCUPANCY AS CONDITIONALLY PERMITTED USES IN THE C-1 AND C-2 COMMERCIAL ZONES, COMMUNITY CARE FACILITIES OF SEVEN OR PERSONS AS CONDITIONALLY PERMITTED USES IN ALL RESIDENTIAL ZONES, AND THAT TRANSITIONAL AND SUPPORTIVE HOUSING ARE AND SHALL BE TREATED AS RESIDENTIAL USES, SUBJECT ONLY TO THOSE RESTRICTIONS ON RESIDENTIAL USES APPLICABLE TO THE TYPE OF RESIDENTIAL STRUCTURE OR USE INVOLVED

WHEREAS, in 2007 the State legislature enacted SB 2, which requires local jurisdictions to incorporate policies into their General Plan Housing Elements to allow establishment of: Single Room Occupancy unit ("SRO"), Community Care Facilities, Emergency Homeless Shelters, and Transitional and Supporting Housing as permitted uses in specified zoning districts and to amend local ordinances to implement such policies; and

WHEREAS, the City Council adopted the General Plan Housing Element in April 2009, which includes Housing Program No. 11 (Zoning Ordinance Revisions) that would provide the appropriate definitions and regulations that would allow establishment of: SRO as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone, and Transitional Housing and Supportive Housing as permitted uses in all residential districts only subject to those development standards that apply to other residential uses of the same type in the same residential district; and

WHEREAS, on December 4, 2012, the Planning and Preservation Commission held a properly noticed public hearing at which it received a report from City staff as well as oral and written testimony from the public, and deliberated on the item. At that meeting, the Planning Commission recommended the City Council adopt the proposed zone text amendments in this Ordinance; and

WHEREAS, the City Council public hearing was noticed in accordance with the requirements set forth in Government Code sections 65090 and 65091.

**THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES ORDAIN AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct and made a part of this Ordinance.

SECTION 2. The City Council hereby finds as follows:

- a) **The proposed zone text amendment is consistent with the objectives, policies, general land uses and programs of the City's General Plan.**

The proposed text amendment to the San Fernando Municipal Code, which provides definitions and regulations for SROs in the C-1 (Limited Commercial) and C-2 (Commercial) zones, community care facilities with seven or more occupants in the City's residential zones, factory built or manufactured housing as a permitted use in all residential zones, and transitional housing and supportive housing within the City's residential zones is consistent with the objectives, policies, general land uses and programs of the City of San Fernando General Plan Housing Element. Per Housing Element Goal 2.0 and Policy 2.1, the proposed zone text amendment is intended to provide adequate housing sites to facilitate the development of a range of residential development types in the city that fulfill regional needs. In addition, the proposed zone text amendment ensures the city attains its 2008-2014 Housing Element Objective to amend the zoning ordinance to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters while also developing objective standards for the regulation of emergency homeless shelters as provided for under SB2. Furthermore, providing the required definitions for SROs, community care facilities, emergency homeless shelters, transitional housing and supportive housing as well as establishing the applicable regulations for each proposed use within each specified zoning districts will allow a range of housing types within the City that meets the housing needs of all economic segments of the community while preserving the character of the existing residential neighborhoods and the affected commercial and industrial zoned districts.

- b) **The adoption of the proposed zone text amendment would not be detrimental to the public interest, health, safety, convenience or welfare.**

The proposed revisions to the city zoning ordinance would allow for the introduction of SROs, community care facilities for seven or more persons, factory built or manufactured housing, and transitional and supportive housing units in a manner consistent with the requirements of adopted State legislation while providing specific development standards that assure these new housing units are built in compliance with the City's zoning and building codes. Therefore, the proposed addition of definitions and associated regulations for SROs, community care facilities for seven or more occupants, factory built or manufactured housing, and transitional housing and supportive housing in the specified commercial, industrial or residential zoned districts will ensure the availability of housing for special needs groups within the community in a manner that will not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 3. Section 106-6, "Definitions," of the San Fernando City Code is hereby amended to revise the definition of "community care facility" providing definitions for "community care facility/large" and "community care facilities/small" and to add definitions for "child day care

facility”, “emergency homeless shelter,” “single room occupancy unit,” “supportive housing,” and “transitional housing,” as follows:

Community care facility/Large means any facility as defined in the Health and Safety Code Section 1502(a) ~~and a child care facility as defined in Health and Safety Code Section 1596.750~~, which provides nonmedical care on a 24-hour a day basis to seven or more persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Large community care facility shall be in need of personal services, supervision or assistance essential for sustaining activities of daily living or for the protection of the individual on less than a 24-hour a day basis. considered a conditionally permitted use within all residential zoned districts.

Community care facility/Small means any facility as defined in the Health and Safety Code Section 1502(a), which provides nonmedical care on a 24-hour a day basis to six or less persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Small community care facility shall be considered a permitted use within all residential zoned districts.

Child day care facility means a facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of individuals on a less than a 24-hour basis. Child day care facility includes day care centers, employer-sponsored child day centers, and family day care centers.

Emergency homeless shelter means housing with minimal supportive services for homeless persons that is limited to occupancy of six months per calendar year or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801(e)). Supportive services may include, but are not limited to, meal preparation, an activities center, day care for homeless person’s children, vocational rehabilitation and other similar activities.

Single room occupancy unit (SRO) means any building containing five or more guestrooms or units intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by residents, which is also the primary residence of those residents. The individual units shall lack either cooking facilities or individual sanitary facilities, or both. However, for purposes of this definition, an SRO does not include residential care homes, senior housing projects, rooming and boarding houses, hotels and motels, bed and breakfast lodging, extended care facilities or hospitals.

Supportive housing means housing with no limit on the length of stay and that is occupied by a target population as defined by Health and Safety Code Section 53260(d), as the same may be amended from time to time, and that provides a significant level of onsite and offsite services that assist the supportive housing residents in retaining the housing, improving their health status, maximizing their ability to live, and when

possible, work in the community. Supportive housing shall be treated under this chapter as a residential use and shall be allowed as a permitted use in all residential zoning districts.

Transitional housing means housing operated under program requirements that call for 1) the termination of any assistance to an existing program recipient and 2) the subsequent recirculation of the assisted residential unit to another eligible program recipient at some predetermined future point in time, which point in time shall be no less than six months into the future (Health and Safety Code Section 50675.2(h)). Transitional housing may provide, but not be limited to, meals, counseling, and other services as well as common areas for residents. Transitional housing may be provided under all residential housing types. In all cases, Transitional housing shall be treated as a residential use under this chapter and shall be subject only to those restrictions that apply to other residential uses of the same residential housing type located in the same zoning district.”

SECTION 4. Section 106-311, “Purpose,” and Sections 106-312 through 106-325, “Reserved,” of the San Fernando City Code are hereby amended to read as follows:

**~~“Sec. 106-311. Purpose.~~**

~~In accordance with the housing element of the city's general plan, and in keeping with the aim of providing adequate housing for all segments of the population, the planning commission may approve, through the conditional use permit process, transitional or temporary housing facilities in the M-1 and M-2 industrial zones under the following circumstances, and with the following conditions:~~

- ~~(1) — Such facilities must be inspected by the city's building official, the fire department and the Los Angeles County Health Department prior to occupancy, to ensure that the building(s) is safe and habitable.~~
- ~~(2) — The facility must include adequate bathroom and shower facilities. If feasible, washers and dryers should be provided.~~
- ~~(3) — The operator of such premises shall be responsible for maintaining an area within 100 feet of the exterior of the premises free of loitering, littering, consumption of alcoholic beverages, and trash and debris.~~
- ~~(4) — Relevant city staff, such as police and community preservation officials, shall have the authority to enter the premises to ensure that all conditions of operation are being met.~~
- ~~(5) — The maximum stay at any such facility shall be three continuous months. The facility's staff shall be responsible for verifying the identification of each client, and for ensuring the maximum length of residence. The maximum total for any one person at any one facility shall be one year, with a minimum one month gap between each individual gap.~~
- ~~(6) — The community development staff shall be responsible for overall monitoring of such facilities, with assistance by the police department and other relevant city and county agencies. Violations of any of the conditions of operation shall subject the operator/owner of such a facility to a revocation hearing before the planning commission, in conformance with section 30.758 of the Oning ordinance.~~

- (7) ~~The following development standards shall apply to all such facilities, unless the planning commission finds that one or more of the standards is unnecessary or does not apply to the particular situation:~~
- ~~a. adequate lighting shall be provided for the entire site, especially the public areas. All lighting shall be directed away from adjacent properties and the public right of way.~~
  - ~~b. The applicant shall provide common facilities for the use of residents and staff as follows:~~
    - ~~1. Central cooking and dining room(s).~~
    - ~~2. Recreation room.~~
    - ~~3. Child care facilities.~~
    - ~~4. Enclosed refuse area, per section 30.681 of the zoning ordinance.~~
  - ~~c. Outdoor activities shall not continue past 10:00 p.m., if the facility is located within 300 feet of any residential zone.~~
  - ~~d. Any proposed new structure must be located at least 300 feet from the nearest residential zone.~~
- (8) ~~The public hearing on the application for such a facility shall be held in conformance with section 30.790 (Hearings and appeals) of the zoning ordinance.~~

**~~Secs. 106-312—106-325. Reserved~~**

**~~Secs. 106-311—106-325. Reserved.”~~**

SECTION 5. Section 106-352, “Permitted Uses,” relating to permitted uses within the R-1 Single-Family Residential Zone, of the San Fernando City Code is hereby amended to read as follows:

**“Sec. 106-352. Permitted uses.**

In the R-1 single family residential zone, the following uses are permitted:

- (1) Accessory buildings and structures such as a garage, workroom, storage shed, recreation room or cabana located on the same lot as the principal residential use. No bathroom, kitchen plumbing or fixtures or cooking facilities shall be permitted in conjunction with accessory buildings. A garage, workroom, storage shed, and recreation room shall not be divided into smaller size rooms and shall be maintained as a single open building.
- (2) Community care facilities/small ~~serving five six or fewer persons; provided, however, that six persons may be served by residential facilities and small family homes.~~
- (3) Home occupations in accordance with division 9 of article VI of this chapter.
- (4) Large family day care home in accordance with division 10 of article VI of this chapter.
- (5) Manufactured home as defined in Health and Safety Code Section 18007.
- (6) Parks and playgrounds or community centers owned and operated by a government agency, including business conducted within the facilities, subject to the approval of the director.

- (7) Private noncommercial greenhouses, horticulture collections, flower gardens, vegetable gardens and fruit trees.
- (8) Primary single-family dwelling units, one per lot, in a permanent location.
- (9) Second dwelling units (one per lot) in accordance with Section 106-358
- (10) Supportive housing.
- (11) Temporary tract sales offices, temporary contractors' equipment offices and storage, subject to approval by the director for a period not to exceed one year with two one-year extensions available, if requested for good cause.
- (12) Transitional housing."

**SECTION 6.** Section 106-353, "Uses permitted subject to a conditional use permit," relating to conditionally permitted uses within the R-1 Single-Family Residential Zone, of the San Fernando City Code is hereby amended to read as follows:

**"Sec. 106-353. Uses permitted subject to a conditional use permit.**

In the R-1 single-family residential zone, uses permitted subject to a conditional use permit are as follows:

- (1) Churches, temples or other places of religious worship, with not temporary structures permitted.
- (2) One guesthouse with a minimum lot area of 8,000 square feet.
- (3) Schools.
- (4) Hospitals or sanitariums.
- (5) Community care facilities/large."

**SECTION 7.** Section 106-488, "Uses permitted subject to a conditional use permit," relating to conditionally permitted uses within the C-1 Limited Commercial Zone, of the San Fernando City Code is hereby amended to read as follows:

**"Sec. 106-488. Uses Permitted subject to a conditional use permit.**

In the C-1 limited commercial zone, the following uses are permitted subject to a conditional use permit:

- (6) Clubs, lodges and halls.
- (7) Commercial recreation.
- (8) Hotels and motels including Single Room Occupancy unit (SRO) subject to the development standards noted in Section 106-971 of this chapter.
- (9) New automobile sales and display and sales room or lot (used car sales only in conjunction with a new car agency).
- (10) Off-street parking lot.
- (11) On-site and off-site sale of alcoholic beverages.
- (12) Parking lot sales.
- (13) Schools.

- (14) Secondhand stores.
- (15) Museums, art galleries, botanical gardens.”

**SECTION 8.** Section 106-612, “Permitted Uses,” relating to permitted uses within the M-2 Light Industrial Zone, of the San Fernando City Code is hereby amended to read as follows:

**“Sec. 106-612. Permitted uses.**

In the M-2 light industrial zone, the following uses are permitted:

- (1) All uses permitted in the M-1 zone.
- (2) Emergency homeless shelters subject to the development standards noted in Section 106-972 of this chapter.
- (3) Manufacturing. Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive because of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:
  - a. Animal shelter.
  - b. Assaying.
  - c. Automobiles, trailers, boats, recreational vehicles.
  - d. Ceramics, pottery, statuary.
  - e. Heavy equipment sales and rental.
  - f. Ink, polish, enamel.
  - g. Pest control contractors.
  - h. Public service facilities.
  - i. Sandblasting.
  - j. Tile (indoor kiln).
  - k. Wallboard, glass (no blast furnace).
  - l. Blast furnaces as an accessory use and not needing EPA or AQMD approvals.”

**SECTION 9.** Section 106-971 of the San Fernando City Code, previously reserved, is hereby amended to read as follows:

In the city’s C-1 (Limited Commercial) and C-2 (Commercial) zones, a Single Room Occupancy unit (SRO) shall be subject to the applicable regulations of this division, including the following standards:

- (1) Unit Size. The minimum size of a unit shall be one hundred fifty (150) square feet and the maximum size shall be four hundred (400) square feet. A single room occupancy facility is not required to meet density standards of the general plan.

- (2) Bathroom Facilities. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate residences with at least one full bathroom per every three units on a floor. The shared shower or bathtub facility shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.
- (3) Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
- (4) Closet. Each SRO shall have a separate closet.
- (5) Common Area. Four square feet of interior common space per unit shall be provided, with at least two hundred (200) square feet in area of interior common space, excluding janitorial storage, laundry facilities, and common hallways. All common areas shall comply with all applicable ADA accessibility and adaptability requirements.
- (6) Laundry Facilities. Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten (10) units, with at least one washer and dryer per floor.
- (7) Cleaning Supply Room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.
- (8) Management Plan. A management plan shall be submitted with the development application for an SRO facility and shall be approved by the chief planning official. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents and building maintenance.
- (9) Facility Management. An SRO facility with ten (10) or more units shall have an on-site manager. An SRO facility with less than ten (10) units shall provide a management office on-site.
- (10) Parking. Parking shall be provided for an SRO facility at a rate of one standard-size parking space per unit as defined in Section 106-829(1) of this chapter, plus an additional standard-size parking space for the on-site manager.
- (11) Accessibility. All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.

- (12) Existing Structures. An existing structure may be converted to an SRO facility, consistent with the provisions of this section.”

SECTION 10. Section 106-972 of the San Fernando City Code, previously reserved, is hereby amended to read as follows:

In the city’s M-2 (Light Industrial) zone, an Emergency Homeless Shelter shall be subject to the applicable regulations of this division, including the following standards:

- (1) Maximum Number of Persons/Beds. The shelter for the homeless shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.
- (2) Lighting. Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
- (3) Laundry Facilities. The development shall provide laundry facilities adequate for the number of residents.
- (4) Common Facilities. The development may provide supportive services for homeless residents, including but not limited to: central cooking and dining room(s), recreation room, counseling center, child care facilities, and other support services.
- (5) Security. Parking facilities shall be designed to provide security for residents, visitors, and employees.
- (6) Landscaping. On-site landscaping shall be installed and maintained pursuant to the standards outlined in Section 106-833.
- (7) On-Site Parking. On-site parking for homeless shelters shall be subject to requirements for similarly zoned industrial uses as set forth in Section 106-822(d)(1).
- (8) Outdoor Activity. For the purposes of noise abatement in surrounding residential zoning districts, outdoor activities may only be conducted between the hours of 8:00 a.m. to 10:00 p.m.
- (9) Concentration of Uses. No more than one shelter for the homeless shall be permitted within a radius of 300 feet from another such shelter.
- (10) Refuse. Homeless shelters shall provide a trash storage area as required pursuant to Section 106-897(1) through Section 106-897(3).
- (11) Health and Safety Standards. The shelter for the homeless must comply with all standards set forth in Title 25 of the California Administrative Code (Part 1, Chapter F, Subchapter 12, Section 7972).
- (12) Shelter Provider. The agency or organization operating the shelter shall comply with the following requirements:
  - a. Temporary shelter shall be available to residents for no more than six months if no alternative housing is available.
  - b. Staff and services shall be provided to assist residents to obtain permanent shelter and income. Such services shall be available at no cost to all residents of a provider’s shelter or shelters.
  - c. The provider shall not discriminate in any services provided.
  - d. The provider shall not require participation by residents in any religious or philosophical ritual, service, meeting or rite as a condition of eligibility.

- e. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.

SECTION 11. The City has evaluated any potential environmental impacts associated with the adoption of the proposed ordinance (the “Project”) that provides the appropriate definitions and regulations that allows the establishment of Single Room Occupancy Residential Hotel (SRO) as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones, Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones, Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone, and Transitional Housing and Supportive Housing as permitted uses in all residential districts only subject to those development standards that apply to other residential uses of the same type in the same residential district by the City of San Fernando in order to implement the provisions of Sections 65582, 65583, and 65589.5 of the California Government Code. An Initial Study and Negative Declaration of Environmental Impact have been prepared for the Project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), the State CEQA Guidelines (14 Code of Regulations Section 15000, et seq.) and the City’s CEQA procedures. Based upon the Initial Study, the proposed Negative Declaration and the comments thereon, the City Council finds that the Negative Declaration represents the independent judgment of the City and that there is no substantial evidence that the project may have a significant effect on the environment. The documents constituting the record on which this decision is based are on file in the City.

SECTION 12. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The San Fernando City Council hereby declares that it would have adopted this ordinance and such section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

SECTION 13. Pursuant to California Government Code Section 36937, this ordinance shall take effect and be in full force and effect thirty (30) days after its final approval by the San Fernando City Council.

SECTION 14. The City Clerk shall cause this ordinance to be published and posted in accordance with the requirements noted in California Government Code Section 36933.

SECTION 15. That the Mayor shall sign and that the City Clerk shall attest to the adoption of this ordinance by the City Council of the City of San Fernando at the duly noticed regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

PASSED, APPROVED AND ADOPTED upon second reading this \_\_\_\_ day of \_\_\_\_ 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) SS  
CITY OF SAN FERNANDO           )

I, Elena G. Chávez, City Clerk of the City Council of the City of San Fernando, do hereby certify that the foregoing resolution was duly adopted by the City Council at its meeting held on the \_\_ day of \_\_\_\_\_ 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
City Clerk

**ATTACHMENT 4:**

**December 4, 2012 Staff Report to the  
Planning and Preservation Commission**




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## PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: December 4, 2012

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, City Planner 

SUBJECT: **Zone Text Amendment 2012-01: Implementing Housing Element Program No. 11**

LOCATION: City-wide

PROPOSAL: The proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; identification of manufactured housing as a permitted use in all residential zones; and, Transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.

APPLICANT: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340

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### RECOMMENDATION:

It is recommended that the Planning and Preservation Commission review the draft ordinance (Attachment 1) and subsequent to review and comments, direct planning staff to schedule a noticed public hearing in order to consider the proposed zone text amendment and associated environmental assessment.

### BACKGROUND

1. In 2007 the State legislature enacted SB 2 (Cedillo), which requires local jurisdictions to incorporate policies into their general plan housing elements to permit the establishment of: Single Room Occupancy residential units ("SRO"), allow manufactured housing, community care facilities, emergency homeless shelters, transitional and supportive housing as permitted or conditionally permitted uses in specified zoning districts and to amend local ordinances to implement such policies.
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2. In April 2009, the City Council adopted the 2008-2014 General Plan Housing Element that includes Housing Implementing Program No. 11 (Zoning Ordinance Revisions). The noted housing program provided for the amendment of “the [city’s] zoning ordinance by December 2009 to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters. Develop objective standards to regulate emergency shelters as provided under SB 2.” (2008-2014 Housing Element Objective; 2008-2014 Housing Element, V-16 (Housing Plan).) In addition, the housing element provided for the identification of manufactured housing as a permitted use in residential zoning districts.
3. On October 2, 2012, city planning staff provided an overview of the proposed ordinance’s major components including discussion regarding state law mandating identification of zoning districts that can accommodate factory-built/manufactured housing, transitional and supportive housing, single-room occupancy units (“SROs”), community care facilities for seven or more occupants, and emergency homeless shelters. (See Attachment 2.) Based on commission discussion, staff had been directed to develop the draft ordinance for consideration at an upcoming commission meeting. As part of the commission’s direction, staff was also directed to provide additional information regarding the types of households that could be housed under the new housing categories as well as an estimate of the number of emergency homeless shelters that could be developed within the city based on the state requirements for maximum distance separation requirements between similar emergency homeless shelters. (See Attachment 3.)

## ANALYSIS:

Eligible household types. Per State law, populations eligible for the types of housing being proposed include adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500 of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.) (Source: Chapter 633, Statutes of 2007 (SB 2); May 7, 2008 Department of Housing and Community Development Memorandum: Senate Bill 2—Legislation Effective January 1, 2008: Local Planning and Approval for Emergency Shelters and Transitional and Supportive Housing.)

Eligible households for homeless shelters include single males or females, and families. They may include homeless population who are mentally ill, developmentally disabled, veterans, runaways or emancipated foster youth, substance abusers, survivors of domestic violence, and other subpopulations of homeless considered significant by the city.

Transitional housing may be designated for a homeless individual or families transitioning to permanent housing. This housing can involve single family homes, including group housing or

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multifamily units, and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Supportive housing has no limit on length of stay for individuals and includes persons living with mental disabilities, HIV/AIDS, substance abuse or chronic health conditions or persons whose disabilities originated before the person turned 18. Services typically include assistance designed to meet the needs of the housed persons in order to retain housing, live and work within the community, and/or improve health and may include case management, mental health treatment, and life skills education/training.

Potential sites analysis. Per State law, local ordinances may establish a maximum 300-foot distance separation requirement between emergency homeless shelters. The proposed city ordinance would require a maximum 300-foot distance between emergency homeless shelters within the M-2 (Light Industrial) zone. Based on staff's analysis, ten (13) sites exist within the M-2 zone that are located along First Street (six sites) and Arroyo Avenue (seven sites) that meet the 300-foot distance separation requirement. (See Attachment 4.) Staff evaluated each potential site based on the following criteria: existing uses; duration of occupancy; value of land and building improvements; and the resulting cost per square foot. Based on this analysis, staff determined that the future development of more than one to two of these possible sites as a year-round emergency homeless shelter may not be financially feasible.

As noted in the proposed ordinance, the maximum number of beds allowed for an emergency homeless shelter shall be 50. Based on 2010 Census information, the number of persons identified as "group quarters (non-institutionalized population)" within the City of San Fernando is 46. (*Source: U.S. Census Bureau, American Fact Finder; Table QT-P12, Household Relationship and Group Quarters Population: 2010 Census Summary File 1.*) The U.S. Census Bureau classifies people not living in housing units as living in group quarters. There are two types of group quarters institutionalized (e.g., persons housed in correctional facilities, nursing homes, and hospice facilities) and non-institutional group quarters (e.g., college/university student housing, military quarters, and group homes). The non-institutional group quarters includes emergency and transitional shelters for people experiencing homelessness and group homes. (*Source: <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.*)

State and federal law. California Government Code Section 655583 requires the city's housing element to identify adequate sites for a variety of housing types including factory-built/manufactured housing, transitional and supportive housing, single-room occupancy units ("SROs"), community care facilities for seven or more occupants, and emergency homeless shelters. Government Code Section 65583(a)(4) requires a city to identify one or more zones where emergency homeless shelters are allowed as permitted uses. The identified zone(s) must be able to accommodate at least one year-round emergency homeless shelter. Furthermore, Government Code Section 65583(a)(4)(D)(6), notes that "transitional and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in all the same zones."

State law also notes that manufactured or factory-built housing shall be regulated in the same manner as conventional or "stick-built" structures. Specifically, Government Code Section

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65852.3(a) requires that, with the exception of architectural design guidelines, manufactured housing shall only be subject to the same development standards applicable to conventional residential dwellings including, but not limited to, such things as building setbacks, accessory structures provisions, building height maximums, minimum on-site parking requirements, and lot coverage limitations.

Furthermore, federal and state law prohibit discrimination by local government and individuals based on race, color, religion, sex, familial status, marital status, national origin, ancestry or mental or physical disability. California Government Code Section 65008 forbids discrimination against affordable or multi-family housing development proposals, developers or potential residents using planning and zoning powers. Agencies are prohibited not only from exercising bias based on race, sex, age or religion, but from discriminating against developments because the development is subsidized or to be occupied by low or moderate income persons.

Proposed zone text amendments. Adoption of the proposed Ordinance is consistent with the City of San Fernando 2008-2014 housing Element Work Plan, Housing Implementation Program No. 11, which provides zoning ordinance revisions in order to facilitate the provision of a variety of housing types to meet the housing needs of all economic segments of the community. These zoning revisions include:

- Identification of manufactured housing as a permitted use in the city's residential zones;
- Identification of appropriate residential zones for community care facilities with seven or more occupants, subject to a conditional use permit;
- Identification of SROs as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones subject to new development standards;
- Addition of transitional and supportive housing to the definitions section and listing them as a permitted uses within the city's residential zones; and,
- Identification of emergency homeless shelters as permitted uses in the M-2 (Light Industrial) zone. (2008-2014 Housing Element Objective; 2008-2014 Housing Element, V-15 (Housing Plan).)

Adoption of an ordinance amending the city's zoning code consistent with State housing law will ensure that each of the proposed housing types are located appropriately and developed in a manner that maintains the character of existing neighborhoods, industrial corridors and business districts.

## **CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that in order to comply with State housing law and ensure that the city's zoning code accurately reflects the land use policies as identified in the city's 2008-2014 Housing Element Work Plan (Housing Implementation Program No. 11), it is necessary to adopt the zone text amendment establishing definitions and development standards as well as identifying city zoning districts where specific types of housing are allowed by right or subject to the approval of a conditional use permit.

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Based on the Planning and Preservation Commission's review of the attached draft ordinance and subsequent direction, planning staff will schedule a public hearing to consider a proposed ordinance that amends the city's zoning code and provides for manufactured housing, SROs, community care facilities serving seven or more occupants, emergency homeless shelters, and transitional and supportive housing as uses within the city's zoning code, subject to applicable zoning regulations.

**ATTACHMENTS (4):**

1. Draft Ordinance
  2. October 2, 2012 Staff Report to the Planning and Preservation Commission
  3. October 2, 2012 Planning and Preservation Commission Minutes
  4. Site Analysis-Zoning Maps
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**ATTACHMENT 1 of the December 4, 2012 Staff**  
**Report to the Planning and Preservation**  
**Commission:**

**Draft Ordinance**

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**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF SAN FERNANDO, CALIFORNIA AMENDING ARTICLE I OF CHAPTER 106 TO DEFINE SINGLE ROOM OCCUPANCY UNIT, COMMUNITY CARE FACILITIES, EMERGENCY HOMELESS SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING AND AMENDING ARTICLE III OF CHAPTER 106 TO PROVIDE THAT EMERGENCY SHELTERS ARE PERMITTED USES IN THE M-2 LIGHT INDUSTRIAL ZONE WITH APPLICABLE DEVELOPMENT STANDARDS, SINGLE ROOM OCCUPANCY AS CONDITIONALLY PERMITTED USES IN THE C-1 AND C-2 COMMERCIAL ZONES, COMMUNITY CARE FACILITIES OF SEVEN OR PERSONS AS CONDITIONALLY PERMITTED USES IN ALL RESIDENTIAL ZONES, AND THAT TRANSITIONAL AND SUPPORTIVE HOUSING ARE AND SHALL BE TREATED AS RESIDENTIAL USES, SUBJECT ONLY TO THOSE RESTRICTIONS ON RESIDENTIAL USES APPLICABLE TO THE TYPE OF RESIDENTIAL STRUCTURE OR USE INVOLVED

WHEREAS, in 2007 the State legislature enacted SB 2, which requires local jurisdictions to incorporate policies into their General Plan Housing Elements to allow establishment of: Single Room Occupancy unit ("SRO"), Community Care Facilities, Emergency Homeless Shelters, and Transitional and Supporting Housing as permitted uses in specified zoning districts and to amend local ordinances to implement such policies; and

WHEREAS, the City Council adopted the General Plan Housing Element in April 2009, which includes Housing Program No. 11 (Zoning Ordinance Revisions) that would provide the appropriate definitions and regulations that would allow establishment of: SRO as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone, and Transitional Housing and Supportive Housing as permitted uses in all residential districts only subject to those development standards that apply to other residential uses of the same type in the same residential district; and

WHEREAS, on December 4, 2012, the Planning and Preservation Commission held a properly noticed public hearing at which it received a report from City staff as well as oral and written testimony from the public, and deliberated on the item. At that meeting, the Planning Commission recommended the City Council adopt the proposed zone text amendments in this Ordinance; and

WHEREAS, the City Council public hearing was noticed in accordance with the requirements set forth in Government Code sections 65090 and 65091.

**THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES ORDAIN AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct and made a part of this Ordinance.

SECTION 2. The City Council hereby finds as follows:

- a) **The proposed zone text amendment is consistent with the objectives, policies, general land uses and programs of the City's General Plan.**

The proposed text amendment to the San Fernando Municipal Code, which provides definitions and regulations for SROs in the C-1 (Limited Commercial) and C-2 (Commercial) zones, community care facilities with seven or more occupants in the City's residential zones, factory built or manufactured housing as a permitted use in all residential zones, and transitional housing and supportive housing within the City's residential zones is consistent with the objectives, policies, general land uses and programs of the City of San Fernando General Plan Housing Element. Per Housing Element Goal 2.0 and Policy 2.1, the proposed zone text amendment is intended to provide adequate housing sites to facilitate the development of a range of residential development types in the city that fulfill regional needs. In addition, the proposed zone text amendment ensures the city attains its 2008-2014 Housing Element Objective to amend the zoning ordinance to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters while also developing objective standards for the regulation of emergency homeless shelters as provided for under SB2. Furthermore, providing the required definitions for SROs, community care facilities, emergency homeless shelters, transitional housing and supportive housing as well as establishing the applicable regulations for each proposed use within each specified zoning districts will allow a range of housing types within the City that meets the housing needs of all economic segments of the community while preserving the character of the existing residential neighborhoods and the affected commercial and industrial zoned districts.

- b) **The adoption of the proposed zone text amendment would not be detrimental to the public interest, health, safety, convenience or welfare.**

The proposed revisions to the city zoning ordinance would allow for the introduction of SROs, community care facilities for seven or more persons, factory built or manufactured housing, and transitional and supportive housing units in a manner consistent with the requirements of adopted State legislation while providing specific development standards that assure these new housing units are built in compliance with the City's zoning and building codes. Therefore, the proposed addition of definitions and associated regulations for SROs, community care facilities for seven or more occupants, factory built or manufactured housing, and transitional housing and supportive housing in the specified commercial, industrial or residential zoned districts will ensure the availability of housing for special needs groups within the community in a manner that will not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 3. Section 106-6, "Definitions," of the San Fernando City Code is hereby amended to revise the definition of "community care facility" providing definitions for "community care facility/large" and "community care facilities/small" and to add definitions for "child day care

facility”, “emergency homeless shelter,” “single room occupancy unit,” “supportive housing,” and “transitional housing,” as follows:

*Community care facility/Large* means any facility as defined in the Health and Safety Code Section 1502(a) ~~and a child care facility as defined in Health and Safety Code Section 1596.750~~, which provides nonmedical care on a 24-hour a day basis to seven or more persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. ~~Large community care facility shall be in need of personal services, supervision or assistance essential for sustaining activities of daily living or for the protection of the individual on less than a 24-hour a day basis.~~ considered a conditionally permitted use within all residential zoned districts.

*Community care facility/Small* means any facility as defined in the Health and Safety Code Section 1502(a), which provides nonmedical care on a 24-hour a day basis to six or less persons including, but not limited to persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Small community care facility shall be considered a permitted use within all residential zoned districts.

*Child day care facility* means a facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of individuals on a less than a 24-hour basis. Child day care facility includes day care centers, employer-sponsored child day centers, and family day care centers.

*Emergency homeless shelter* means housing with minimal supportive services for homeless persons that is limited to occupancy of six months per calendar year or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801(e)). Supportive services may include, but are not limited to, meal preparation, an activities center, day care for homeless person’s children, vocational rehabilitation and other similar activities.

*Single room occupancy unit (SRO)* means any building containing five or more guestrooms or units intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by residents, which is also the primary residence of those residents. The individual units shall lack either cooking facilities or individual sanitary facilities, or both. However, for purposes of this definition, an SRO does not include residential care homes, senior housing projects, rooming and boarding houses, hotels and motels, bed and breakfast lodging, extended care facilities or hospitals.

*Supportive housing* means housing with no limit on the length of stay and that is occupied by a target population as defined by Health and Safety Code Section 53260(d), as the same may be amended from time to time, and that provides a significant level of onsite and offsite services that assist the supportive housing residents in retaining the housing, improving their health status, maximizing their ability to live, and when

possible, work in the community. Supportive housing shall be treated under this chapter as a residential use and shall be allowed as a permitted use in all residential zoning districts.

Transitional housing means housing operated under program requirements that call for 1) the termination of any assistance to an existing program recipient and 2) the subsequent recirculation of the assisted residential unit to another eligible program recipient at some predetermined future point in time, which point in time shall be no less than six months into the future (Health and Safety Code Section 50675.2(h)). Transitional housing may provide, but not be limited to, meals, counseling, and other services as well as common areas for residents. Transitional housing may be provided under all residential housing types. In all cases, Transitional housing shall be treated as a residential use under this chapter and shall be subject only to those restrictions that apply to other residential uses of the same residential housing type located in the same zoning district.”

SECTION 4. Section 106-311, “Purpose,” and Sections 106-312 through 106-325, “Reserved,” of the San Fernando City Code are hereby amended to read as follows:

**~~“Sec. 106-311. Purpose.~~**

~~In accordance with the housing element of the city's general plan, and in keeping with the aim of providing adequate housing for all segments of the population, the planning commission may approve, through the conditional use permit process, transitional or temporary housing facilities in the M-1 and M-2 industrial zones under the following circumstances, and with the following conditions:~~

- ~~(1) — Such facilities must be inspected by the city's building official, the fire department and the Los Angeles County Health Department prior to occupancy, to ensure that the building(s) is safe and habitable.~~
- ~~(2) — The facility must include adequate bathroom and shower facilities. If feasible, washers and dryers should be provided.~~
- ~~(3) — The operator of such premises shall be responsible for maintaining an area within 100 feet of the exterior of the premises free of loitering, littering, consumption of alcoholic beverages, and trash and debris.~~
- ~~(4) — Relevant city staff, such as police and community preservation officials, shall have the authority to enter the premises to ensure that all conditions of operation are being met.~~
- ~~(5) — The maximum stay at any such facility shall be three continuous months. The facility's staff shall be responsible for verifying the identification of each client, and for ensuring the maximum length of residence. The maximum total for any one person at any one facility shall be one year, with a minimum one-month gap between each individual gap.~~
- ~~(6) — The community development staff shall be responsible for overall monitoring of such facilities, with assistance by the police department and other relevant city and county agencies. Violations of any of the conditions of operation shall subject the operator/owner of such a facility to a revocation hearing before the planning commission, in conformance with section 30.758 of the Oning ordinance.~~

- ~~(7) The following development standards shall apply to all such facilities, unless the planning commission finds that one or more of the standards is unnecessary or does not apply to the particular situation:~~
- ~~a. adequate lighting shall be provided for the entire site, especially the public areas. All lighting shall be directed away from adjacent properties and the public right of way.~~
  - ~~b. The applicant shall provide common facilities for the use of residents and staff as follows:~~
    - ~~1. Central cooking and dining room(s).~~
    - ~~2. Recreation room.~~
    - ~~3. Child care facilities.~~
    - ~~4. Enclosed refuse area, per section 30.681 of the zoning ordinance.~~
  - ~~c. Outdoor activities shall not continue past 10:00 p.m., if the facility is located within 300 feet of any residential zone.~~
  - ~~d. Any proposed new structure must be located at least 300 feet from the nearest residential zone.~~
- ~~(8) The public hearing on the application for such a facility shall be held in conformance with section 30.790 (Hearings and appeals) of the zoning ordinance.~~

**~~Secs. 106-312—106-325. Reserved~~**

**~~Secs. 106-311—106-325. Reserved.”~~**

SECTION 5. Section 106-352, “Permitted Uses,” relating to permitted uses within the R-1 Single-Family Residential Zone, of the San Fernando City Code is hereby amended to read as follows:

**“Sec. 106-352. Permitted uses.**

In the R-1 single family residential zone, the following uses are permitted:

- (1) Accessory buildings and structures such as a garage, workroom, storage shed, recreation room or cabana located on the same lot as the principal residential use. No bathroom, kitchen plumbing or fixtures or cooking facilities shall be permitted in conjunction with accessory buildings. A garage, workroom, storage shed, and recreation room shall not be divided into smaller size rooms and shall be maintained as a single open building.
- (2) Community care facilities/small ~~serving five six or fewer persons; provided, however, that six persons may be served by residential facilities and small family homes.~~
- (3) Home occupations in accordance with division 9 of article VI of this chapter.
- (4) Large family day care home in accordance with division 10 of article VI of this chapter.
- (5) Manufactured home as defined in Health and Safety Code Section 18007.
- (6) Parks and playgrounds or community centers owned and operated by a government agency, including business conducted within the facilities, subject to the approval of the director.

- (7) Private noncommercial greenhouses, horticulture collections, flower gardens, vegetable gardens and fruit trees.
- (8) Primary single-family dwelling units, one per lot, in a permanent location.
- (9) Second dwelling units (one per lot) in accordance with Section 106-358
- (10) Supportive housing.
- (11) Temporary tract sales offices, temporary contractors' equipment offices and storage, subject to approval by the director for a period not to exceed one year with two one-year extensions available, if requested for good cause.
- (12) Transitional housing."

**SECTION 6.** Section 106-353, "Uses permitted subject to a conditional use permit," relating to conditionally permitted uses within the R-1 Single-Family Residential Zone, of the San Fernando City Code is hereby amended to read as follows:

**"Sec. 106-353. Uses permitted subject to a conditional use permit.**

In the R-1 single-family residential zone, uses permitted subject to a conditional use permit are as follows:

- (1) Churches, temples or other places of religious worship, with not temporary structures permitted.
- (2) One guesthouse with a minimum lot area of 8,000 square feet.
- (3) Schools.
- (4) Hospitals or sanitariums.
- (5) Community care facilities/large."

**SECTION 7.** Section 106-488, "Uses permitted subject to a conditional use permit," relating to conditionally permitted uses within the C-1 Limited Commercial Zone, of the San Fernando City Code is hereby amended to read as follows:

**"Sec. 106-488. Uses Permitted subject to a conditional use permit.**

In the C-1 limited commercial zone, the following uses are permitted subject to a conditional use permit:

- (6) Clubs, lodges and halls.
- (7) Commercial recreation.
- (8) Hotels and motels including Single Room Occupancy unit (SRO) subject to the development standards noted in Section 106-971 of this chapter.
- (9) New automobile sales and display and sales room or lot (used car sales only in conjunction with a new car agency).
- (10) Off-street parking lot.
- (11) On-site and off-site sale of alcoholic beverages.
- (12) Parking lot sales.
- (13) Schools.

- (14) Secondhand stores.
- (15) Museums, art galleries, botanical gardens.”

SECTION 8. Section 106-612, “Permitted Uses,” relating to permitted uses within the M-2 Light Industrial Zone, of the San Fernando City Code is hereby amended to read as follows:

**“Sec. 106-612. Permitted uses.**

In the M-2 light industrial zone, the following uses are permitted:

- (1) All uses permitted in the M-1 zone.
- (2) Emergency homeless shelters subject to the development standards noted in Section 106-972 of this chapter.
- (3) Manufacturing. Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive because of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:
  - a. Animal shelter.
  - b. Assaying.
  - c. Automobiles, trailers, boats, recreational vehicles.
  - d. Ceramics, pottery, statuary.
  - e. Heavy equipment sales and rental.
  - f. Ink, polish, enamel.
  - g. Pest control contractors.
  - h. Public service facilities.
  - i. Sandblasting.
  - j. Tile (indoor kiln).
  - k. Wallboard, glass (no blast furnace).
  - l. Blast furnaces as an accessory use and not needing EPA or AQMD approvals.”

SECTION 9. Section 106-971 of the San Fernando City Code, previously reserved, is hereby amended to read as follows:

In the city’s C-1 (Limited Commercial) and C-2 (Commercial) zones, a Single Room Occupancy unit (SRO) shall be subject to the applicable regulations of this division, including the following standards:

- (1) Unit Size. The minimum size of a unit shall be one hundred fifty (150) square feet and the maximum size shall be four hundred (400) square feet. A single room occupancy facility is not required to meet density standards of the general plan.

- (2) Bathroom Facilities. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate residences with at least one full bathroom per every three units on a floor. The shared shower or bathtub facility shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.
- (3) Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
- (4) Closet. Each SRO shall have a separate closet.
- (5) Common Area. Four square feet of interior common space per unit shall be provided, with at least two hundred (200) square feet in area of interior common space, excluding janitorial storage, laundry facilities, and common hallways. All common areas shall comply with all applicable ADA accessibility and adaptability requirements.
- (6) Laundry Facilities. Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten (10) units, with at least one washer and dryer per floor.
- (7) Cleaning Supply Room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.
- (8) Management Plan. A management plan shall be submitted with the development application for an SRO facility and shall be approved by the chief planning official. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents and building maintenance.
- (9) Facility Management. An SRO facility with ten (10) or more units shall have an on-site manager. An SRO facility with less than ten (10) units shall provide a management office on-site.
- (10) Parking. Parking shall be provided for an SRO facility at a rate of one standard-size parking space per unit as defined in Section 106-829(1) of this chapter, plus an additional standard-size parking space for the on-site manager.
- (11) Accessibility. All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.

- (12) Existing Structures. An existing structure may be converted to an SRO facility, consistent with the provisions of this section.”

SECTION 10. Section 106-972 of the San Fernando City Code, previously reserved, is hereby amended to read as follows:

In the city’s M-2 (Light Industrial) zone, an Emergency Homeless Shelter shall be subject to the applicable regulations of this division, including the following standards:

- (1) Maximum Number of Persons/Beds. The shelter for the homeless shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.
- (2) Lighting. Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
- (3) Laundry Facilities. The development shall provide laundry facilities adequate for the number of residents.
- (4) Common Facilities. The development may provide supportive services for homeless residents, including but not limited to: central cooking and dining room(s), recreation room, counseling center, child care facilities, and other support services.
- (5) Security. Parking facilities shall be designed to provide security for residents, visitors, and employees.
- (6) Landscaping. On-site landscaping shall be installed and maintained pursuant to the standards outlined in Section 106-833.
- (7) On-Site Parking. On-site parking for homeless shelters shall be subject to requirements for similarly zoned industrial uses as set forth in Section 106-822(d)(1).
- (8) Outdoor Activity. For the purposes of noise abatement in surrounding residential zoning districts, outdoor activities may only be conducted between the hours of 8:00 a.m. to 10:00 p.m.
- (9) Concentration of Uses. No more than one shelter for the homeless shall be permitted within a radius of 300 feet from another such shelter.
- (10) Refuse. Homeless shelters shall provide a trash storage area as required pursuant to Section 106-897(1) through Section 106-897(3).
- (11) Health and Safety Standards. The shelter for the homeless must comply with all standards set forth in Title 25 of the California Administrative Code (Part 1, Chapter F, Subchapter 12, Section 7972).
- (12) Shelter Provider. The agency or organization operating the shelter shall comply with the following requirements:
  - a. Temporary shelter shall be available to residents for no more than six months if no alternative housing is available.
  - b. Staff and services shall be provided to assist residents to obtain permanent shelter and income. Such services shall be available at no cost to all residents of a provider’s shelter or shelters.
  - c. The provider shall not discriminate in any services provided.
  - d. The provider shall not require participation by residents in any religious or philosophical ritual, service, meeting or rite as a condition of eligibility.

- e. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.

SECTION 11. The City has evaluated any potential environmental impacts associated with the adoption of the proposed ordinance (the “Project”) that provides the appropriate definitions and regulations that allows the establishment of Single Room Occupancy Residential Hotel (SRO) as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones, Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones, Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone, and Transitional Housing and Supportive Housing as permitted uses in all residential districts only subject to those development standards that apply to other residential uses of the same type in the same residential district by the City of San Fernando in order to implement the provisions of Sections 65582, 65583, and 65589.5 of the California Government Code. An Initial Study and Negative Declaration of Environmental Impact have been prepared for the Project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), the State CEQA Guidelines (14 Code of Regulations Section 15000, et seq.) and the City’s CEQA procedures. Based upon the Initial Study, the proposed Negative Declaration and the comments thereon, the City Council finds that the Negative Declaration represents the independent judgment of the City and that there is no substantial evidence that the project may have a significant effect on the environment. The documents constituting the record on which this decision is based are on file in the City.

SECTION 12. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The San Fernando City Council hereby declares that it would have adopted this ordinance and such section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

SECTION 13. Pursuant to California Government Code Section 36937, this ordinance shall take effect and be in full force and effect thirty (30) days after its final approval by the San Fernando City Council.

SECTION 14. The City Clerk shall cause this ordinance to be published and posted in accordance with the requirements noted in California Government Code Section 36933.

SECTION 15. That the Mayor shall sign and that the City Clerk shall attest to the adoption of this ordinance by the City Council of the City of San Fernando at the duly noticed regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

PASSED, APPROVED AND ADOPTED upon second reading this \_\_\_\_ day of \_\_\_\_ 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) SS  
CITY OF SAN FERNANDO           )

I, Elena G. Chávez, City Clerk of the City Council of the City of San Fernando, do hereby certify that the foregoing resolution was duly adopted by the City Council at its meeting held on the \_\_ day of \_\_\_\_\_ 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
City Clerk

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**ATTACHMENT 2 of the December 4, 2012 Staff  
Report to the Planning and Preservation  
Commission:**

**October 2, 2012 Staff Report to the Planning and  
Preservation Commission**

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## PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: October 2, 2012

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, City Planner 

SUBJECT: **Zone Text Amendment 2012-01: Implementing Housing Element Program No. 11**

LOCATION: City-wide

PROPOSAL: The proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as a permitted use in the M-2 (Light Industrial) zone; identification of manufactured housing as a permitted use in all residential zones; and, Transitional Housing and Supportive Housing as permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.

APPLICANT: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340

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### RECOMMENDATION:

It is recommended that subsequent to the staff presentation on the item, that the Planning and Preservation Commission direct planning staff to schedule consideration of the proposed zone text amendment and associated environment assessment for the next scheduled commission meeting in November 2012.

### BACKGROUND

1. In 2007 the State legislature enacted SB 2 (Cedillo), which requires local jurisdictions to incorporate policies into their general plan housing elements to permit the establishment of: Single Room Occupancy residential units ("SRO"), allow manufactured housing, community care facilities, emergency homeless shelters, transitional and supportive housing as permitted or conditionally permitted uses in specified zoning districts and to amend local ordinances to implement such policies.
-

2. In April 2009, the City Council adopted the 2008-2014 General Plan Housing Element that includes Housing Implementing Program No. 11 (Zoning Ordinance Revisions). The noted housing program provided for the amendment of “the [city’s] zoning ordinance by December 2009 to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters. Develop objective standards to regulate emergency shelters as provided under SB 2.” (2008-2014 Housing Element Objective; 2008-2014 Housing Element, V-16 (Housing Plan).) In addition, the housing element provided for the identification of manufactured housing as a permitted use in residential zoning districts.

## ANALYSIS:

State law. California Government Code Section 655583 requires the city’s housing element to identify adequate sites for a variety of housing types including factory-built/manufactured housing, transitional and supportive housing, single-room occupancy units (“SROs”), community care facilities for seven or more occupants, and emergency homeless shelters. Government Code Section 65583(a)(4) and requires of one or more zones where emergency homeless shelters are permitted uses. The identified zone(s) must be able to accommodate at least one year-round emergency homeless shelter. Government Code Section 65583(a)(4)(D)(6), notes that “transitional and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in all the same zones.”

State law also notes that manufactured or factory-built housing shall be regulated in the same manner as conventional or “stick-built” structures. Specifically, Government Code Section 65852.3(a) requires that with the exception of architectural design guidelines, manufactured housing shall only be subject to the same development standards applicable to conventional residential dwellings including, but not limited to such things as building setbacks, accessory structures provisions, building height maximums, minimum on-site parking requirements, and lot coverage limitations.

Proposed zone text amendments. Adoption of the proposed Ordinance is consistent with the City of San Fernando 2008-2014 housing Element Work Plan, Housing Implementation Program No. 11, which provides zoning ordinance revisions in order to facilitate the provision of a variety of housing types to meet the housing needs of all economic segments of the community. These zoning revisions include:

- Identification of manufactured housing as a permitted use in the city’s residential zones;
  - Identification of appropriate residential zones for community care facilities with seven or more occupants, subject to conditional use permit;
  - Identification of SROs as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones subject to new development standards;
  - Addition of transitional and supportive housing to the definitions section and listing as a permitted use within the city’s residential zones; and,
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- Identification of emergency homeless shelters as permitted uses in the M-2 (Light Industrial) zone. (2008-2014 Housing Element Objective; 2008-2014 Housing Element, V-15 (Housing Plan).)

Adoption of an ordinance amending the city's zoning code consistent with State housing law will ensure that each of the proposed housing types are located appropriately and developed in a manner that maintains the character of existing neighborhoods, industrial corridors and business districts.

### **CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that in order to comply with State housing law and ensure that the city's zoning code accurately reflects the land use policies as identified in the city's 2008-2014 Housing Element, Work Plan (Housing Implementation Program No. 11) it is necessary to adopt the zone text amendment establishing definitions and development standards as well as identifying city zoning districts where specific types of housing are allowed by right or subject to the approval of a conditional use permit.

At the November 6, 2012, Planning and Preservation Commission Meeting, planning staff will schedule a public hearing to consider a proposed ordinance that amends the city's zoning code and provides for manufactured housing, SROs, community care facilities serving seven or more occupants, emergency homeless shelters, and transitional and supportive housing as uses within the city's zoning code, subject to applicable zoning regulations.

### **ATTACHMENTS (3):**

1. Senate Bill 2
  2. 2008-2014 City of San Fernando Housing Element excerpt (Housing Plan Pages V-15 and V-16)
  3. Existing City Zoning regarding allowable land uses in residential, commercial, and industrial zones as well as current regulations for transitional housing
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**ATTACHMENT 1:**

**Senate Bill 2**

**Senate Bill No. 2**

**CHAPTER 633**

An act to amend Sections 65582, 65583, and 65589.5 of the Government Code, relating to local planning.

[Approved by Governor October 13, 2007. Filed with  
Secretary of State October 13, 2007.]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 2, Cedillo. Local planning.

(1) The Planning and Zoning Law requires the housing element of the general plan of a city, county, or city and county to contain, among other things, an assessment of housing needs, including an inventory of land suitable for residential development, and a program with a 5-year schedule of actions that the local government is undertaking or intends to undertake to implement the goals and objectives of the housing element. This program is also required to identify adequate sites with zoning that permits owner-occupied and multifamily residential use by right, including the development of farmworker housing for low- and very low income households.

This bill would add emergency shelters to these provisions, as specified, and would add provisions to the housing element that would require a local government to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would also authorize a local government to satisfy all or part of this requirement by adopting and implementing a multijurisdictional agreement, as specified, and would delete multifamily residential use from these provisions. By increasing the duties of local public officials, the bill would create a state-mandated local program.

(2) The Planning and Zoning Law requires that a local agency not disapprove a housing development project, including farmworker housing, for very low, low-, or moderate-income households or condition its approval, including through the use of design review standards, in a manner that renders the project infeasible for development for those households unless it makes written findings, based upon substantial evidence in the record, as to one of a number of specified conditions.

This bill would add supportive housing, transitional housing, and emergency shelters to these provisions and would revise the conditions upon which a disapproval or a conditional approval of an emergency shelter is based. The bill would define supportive housing and transitional housing. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

(3) The bill would also make other technical and conforming changes to these provisions.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) Homelessness is a statewide problem that affects many cities and counties. There are an estimated 360,000 homeless individuals and families in California. In some counties, like Los Angeles, an estimated 254,000 men, women, and children experience homelessness over the course of each year. Some of the causes of homelessness are mental illness, substance abuse, prison release, and lack of affordable housing.

(b) Because homelessness affects people of all races, gender, age, and geographic location there is a growing need for every city and county to plan for the location of adequate emergency shelters. Many people experiencing homelessness, primarily youth and single individuals, need shelter but also have a need for residential substance abuse and mental health services.

(c) The lack or shortage of emergency shelters for homeless individuals and families in cities and counties across the state leads to the concentration of services in inner cities and poor communities, like the skid row area in downtown Los Angeles.

(d) In order to ensure access to services in every city and county for homeless individuals and families, it is important that cities and counties plan for these services to address the special needs and circumstances of this threatened population.

(e) It is the responsibility of cities and counties to plan and identify areas for emergency shelters. Cities and counties should include this as part of their planning process and locate emergency shelters where most appropriate in their community. The state should not dictate where these emergency shelters should be located.

(f) It is the responsibility of the Legislature to promote strong communities and ensure that housing and residential services are available in all communities.

SEC. 2. Section 65582 of the Government Code is amended to read:

65582. As used in this article, the following definitions apply:

(a) "Community," "locality," "local government," or "jurisdiction" means a city, city and county, or county.

(b) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1.

(c) "Department" means the Department of Housing and Community Development.

(d) "Emergency shelter" has the same meaning as defined in subdivision (e) of Section 50801 of the Health and Safety Code.

(e) "Housing element" or "element" means the housing element of the community's general plan, as required pursuant to this article and subdivision (c) of Section 65302.

(f) "Supportive housing" has the same meaning as defined in subdivision (b) of Section 50675.14 of the Health and Safety Code.

(g) "Transitional housing" has the same meaning as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code.

SEC. 3. Section 65583 of the Government Code is amended to read:

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient

capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- (i) The maximum number of beds or persons permitted to be served nightly by the facility.

- (ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

- (iii) The size and location of exterior and interior onsite waiting and client intake areas.

- (iv) The provision of onsite management.

- (v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

- (vi) The length of stay.

- (vii) Lighting.

- (viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of

subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (6), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (6). Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

(7) An analysis of any special housing needs, such as those of the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period.

(8) An analysis of opportunities for energy conservation with respect to residential development.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that

could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period of the general plan with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory

completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2.

(B) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(7) The program shall include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals. The local government shall make a diligent effort to achieve public participation of all economic segments of the

community in the development of the housing element, and the program shall describe this effort.

(d) (1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit towards its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

(A) How the joint facility will meet the jurisdiction's emergency shelter need.

(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.

(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:

(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.

(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.

SEC. 4. Section 65589.5 of the Government Code is amended to read: 65589.5. (a) The Legislature finds and declares all of the following:

(1) The lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California.

(2) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing.

(3) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment

growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(4) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing projects, reduction in density of housing projects, and excessive standards for housing projects.

(b) It is the policy of the state that a local government not reject or make infeasible housing developments, including emergency shelters, that contribute to meeting the need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands for urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (d) of Section 50199.50 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon substantial evidence in the record, as to one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there

is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

(3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The development project or emergency shelter is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article.

(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction’s housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development standards and with services and facilities to accommodate the local agency’s share of the regional housing need for the very low and low-income categories.

(C) If the local agency has failed to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, has failed to demonstrate that the identified zone or zones include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of subdivision (a) of Section 65583, or has failed to demonstrate that the identified zone or zones can accommodate at least one emergency shelter, as required by paragraph (4) of subdivision (a) of Section 65583, then this paragraph shall not be utilized to disapprove or conditionally approve an emergency shelter proposed for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses. In any action in court, the burden of proof shall be on the local agency to show that its housing element does satisfy the requirements of paragraph (4) of subdivision (a) of Section 65583.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the Congestion Management Program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) (1) Nothing in this section shall be construed to prohibit a local agency from requiring the development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Section 65584. However, the development standards, conditions, and policies shall be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development.

(2) Nothing in this section shall be construed to prohibit a local agency from requiring an emergency shelter project to comply with objective, quantifiable, written development standards, conditions, and policies that are consistent with paragraph (4) of subdivision (a) of Section 65583 and appropriate to, and consistent with, meeting the jurisdiction's need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. However, the development standards, conditions, and policies shall be applied by the local agency to facilitate and accommodate the development of the emergency shelter project.

(3) This section does not prohibit a local agency from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to the development project or emergency shelter.

(g) This section shall be applicable to charter cities because the Legislature finds that the lack of housing, including emergency shelter, is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) "Housing development project" means a use consisting of any of the following:

(A) Residential units only.

(B) Mixed-use developments consisting of residential and nonresidential uses in which nonresidential uses are limited to neighborhood commercial uses and to the first floor of buildings that are two or more stories. As used in this paragraph, "neighborhood commercial" means small-scale general or specialty stores that furnish goods and services primarily to residents of the neighborhood.

(C) Transitional housing or supportive housing.

(3) "Housing for very low, low-, or moderate-income households" means that either (A) at least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or (B) 100 percent of the units shall be sold or rented to moderate-income households as defined in Section 50093 of the Health and Safety Code, or middle-income households, as defined in Section 65008 of this code. Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based.

(4) "Area median income" means area median income as periodically established by the Department of Housing and Community Development pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years.

(5) "Disapprove the development project" includes any instance in which a local agency does either of the following:

(A) Votes on a proposed housing development project application and the application is disapproved.

(B) Fails to comply with the time periods specified in subparagraph (B) of paragraph (1) of subdivision (a) of Section 65950. An extension of time pursuant to Article 5 (commencing with Section 65950) shall be deemed to be an extension of time pursuant to this paragraph.

(i) If any city, county, or city and county denies approval or imposes restrictions, including design changes, a reduction of allowable densities or the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time the application is deemed complete pursuant to Section 65943, that have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of restrictions on the development is the subject of a court action which challenges the denial, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d) and that the findings are supported by substantial evidence in the record.

(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(k) The applicant or any person who would be eligible to apply for residency in the development or emergency shelter may bring an action to enforce this section. If in any action brought to enforce the provisions of this section, a court finds that the local agency disapproved a project or conditioned its approval in a manner rendering it infeasible for the development of an emergency shelter, or housing for very low, low-, or moderate-income households, including farmworker housing, without making the findings required by this section or without making sufficient findings supported by substantial evidence, the court shall issue an order or judgment compelling compliance with this section within 60 days, including, but not limited to, an order that the local agency take action on the development project or emergency shelter. The court shall retain jurisdiction to ensure that its order or judgment is carried out and shall award reasonable attorney's fees and costs of suit to the plaintiff or petitioner who proposed the housing development or emergency shelter, except under extraordinary

circumstances in which the court finds that awarding fees would not further the purposes of this section. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled, including, but not limited to, an order to vacate the decision of the local agency, in which case the application for the project, as constituted at the time the local agency took the initial action determined to be in violation of this section, along with any standard conditions determined by the court to be generally imposed by the local agency on similar projects, shall be deemed approved unless the applicant consents to a different decision or action by the local agency.

(l) If the court finds that the local agency (1) acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of this section and (2) failed to carry out the court's order or judgment within 60 days as described in subdivision (k), the court in addition to any other remedies provided by this section, may impose fines upon the local agency that the local agency shall be required to deposit into a housing trust fund. Fines shall not be paid from funds that are already dedicated for affordable housing, including, but not limited to, redevelopment or low- and moderate-income housing funds and federal HOME and CDBG funds. The local agency shall commit the money in the trust fund within five years for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households. For purposes of this section, "bad faith" shall mean an action that is frivolous or otherwise entirely without merit.

(m) Any action brought to enforce the provisions of this section shall be brought pursuant to Section 1094.5 of the Code of Civil Procedure, and the local agency shall prepare and certify the record of proceedings in accordance with subdivision (c) of Section 1094.6 of the Code of Civil Procedure no later than 30 days after the petition is served, provided that the cost of preparation of the record shall be borne by the local agency. Upon entry of the trial court's order, a party shall, in order to obtain appellate review of the order, file a petition within 20 days after service upon it of a written notice of the entry of the order, or within such further time not exceeding an additional 20 days as the trial court may for good cause allow. If the local agency appeals the judgment of the trial court, the local agency shall post a bond, in an amount to be determined by the court, to the benefit of the plaintiff if the plaintiff is the project applicant.

(n) In any action, the record of the proceedings before the local agency shall be filed as expeditiously as possible and, notwithstanding Section 1094.6 of the Code of Civil Procedure or subdivision (m) of this section, all or part of the record may be prepared (1) by the petitioner with the petition or petitioner's points and authorities, (2) by the respondent with respondent's points and authorities, (3) after payment of costs by the petitioner, or (4) as otherwise directed by the court. If the expense of preparing the record has been borne by the petitioner and the petitioner is the prevailing party, the expense shall be taxable as costs.

(o) This section shall be known, and may be cited, as the Housing Accountability Act.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

**ATTACHMENT 2:**

**2008-2014 City of San Fernando  
Housing Element Excerpt  
(Housing Plan Pages V-15 and V-16)**



Project Area every ten years, with the current 10 year compliance period extending 2005-2014.

- The affordability period for inclusionary units is 45 years for ownership units and 55 years for rental units.

San Fernando currently implements inclusionary requirements within its Redevelopment Project Areas as a matter of policy. However, with significant new development to occur in the Project Area associated with implementation of the San Fernando Corridors Specific Plan, the city is proposing to codify its inclusionary policy to ensure adherence with Redevelopment requirements.

**2008-2014 Objective:** Adopt a local inclusionary housing ordinance applicable to San Fernando's Redevelopment Project Areas by 2009. Evaluate the alternative options for fulfillment of inclusionary requirements, such as provision of affordable units off-site or payment of an in-lieu fee. Advertise on the city's website, along with incentives available through the density bonus ordinance for on-site provision of affordable units.

**11. Zoning Ordinance Revisions:** As part of the Governmental Constraints analysis for the Housing Element update, several revisions to the San Fernando Zoning Code were identified as appropriate to better facilitate the provision of a variety of housing types. These zoning revisions include:

- Identification of manufactured housing as a permitted use in the R-1 (Single Family Residential) Zone, R-2 (Multiple Family Dwelling) Zone and the R-3 (Multiple Family) Zone.
- Identification of appropriate residential zone(s) for community care facilities with seven or more occupants, subject to a Conditional Use Permit (CUP) process.
- Addition of transitional housing and supportive housing to definition section, and list as permitted uses within residential zones.
- Development of standards for Single Room Occupancy (SROs) uses, and identification as a conditionally permitted use within C-1 (Limited Commercial) and C-2 (Commercial) zones.
- Identification of emergency shelters as a permitted use in the M-2 (Light Industrial) Zone.

Due to the unique nature and service-enhanced characteristics of large community care facilities, a CUP process is utilized to enhance compatibility with the surrounding neighborhood, and to ensure proper licensing of the facility. The CUP process will not be utilized to establish undue conditions that will serve as a constraint to the provision of such facilities.



Emergency shelters will be subject to the same development and management standards as other permitted uses in M-2 zone. The city will however develop written, objective standards to regulate the following, as permitted under SB 2:

- The maximum number of beds or persons permitted to be served nightly by the facility;
- Off-street parking based on demonstrated need;
- The size and location of onsite waiting and client intake areas;
- The provision of onsite management;
- The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;
- Lighting;
- Security during hours that the emergency shelter is in operation.

**2008-2014 Objective:** Amend the zoning ordinance by December 2009 to make explicit provisions for manufactured housing, community care facilities, SROs, transitional and supportive housing, and emergency shelters. Develop objective standards to regulate emergency shelters as provided for under SB 2.

**12. Pursue Outside Funding Sources:** To effectively implement Housing Element programs that create affordable housing depends on a variety of county, state, federal and local housing funds. Because local funds for housing activities are limited, leveraging outside funding sources will be essential to address San Fernando's affordable housing needs. The various funding programs available to San Fernando are outlined in Section IV Housing Resources (Table IV-3).

For housing development funds, the city or redevelopment agency would typically work with a developer to assist in securing funds. City involvement could include review of pro forma analyses, provision of background data as necessary to complete funding applications, review and comment on draft applications, and City Council letters of support.

San Fernando has a strong track record in leveraging outside funding sources, having secured over \$23 million in competitive grant funds between 2002-2007. In July 2008, the city was awarded \$3.56 million in State Proposition 1C funds to initiate its first downtown mixed-use project - a three-story, 100 unit affordable senior housing project including 10,000 square feet of commercial space and a joint public/private parking facility.

**2008-2014 Objective:** Actively pursue county, state, federal and private funding sources as a means of leveraging local funds and maximizing assistance, with a goal of securing at least three new funding sources. Complete the development agreement on the downtown senior mixed-use project by early 2009 to enable dispersal of Prop 1C grant funds to the project.

**ATTACHMENT 3:**

**Existing City Zoning Regarding Allowable Land  
Uses in Residential, Commercial, and Industrial  
Zones as well as Current Regulations for  
Transitional Housing**

## ATTACHMENT 3

**Permitted and Conditionally Permitted Uses in the R-1 (Single-Family Residential) Zone****Sec. 106-352. - Permitted uses.**

In the R-1 single family residential zone, the following uses are permitted:

- (1) Accessory buildings and structures such as a garage, workroom, storage shed, recreation room or cabana located on the same lot as the principal residential use. No bathroom, kitchen plumbing or fixtures or cooking facilities shall be permitted in conjunction with accessory buildings. A garage, workroom, storage shed, and recreation room shall not be divided into smaller size rooms and shall be maintained as a single open building.
- (2) Community care facilities serving five or fewer persons; provided, however, that six persons may be served by residential facilities and small family homes.
- (3) Home occupations in accordance with division 9 of article VI of this chapter.
- (4) Large family day care home in accordance with division 10 of article VI of this chapter.
- (5) Parks and playgrounds or community centers owned and operated by a government agency, including business conducted within the facilities, subject to the approval of the director.
- (6) Private noncommercial greenhouses, horticulture collections, flower gardens, vegetable gardens and fruit trees.
- (7) Primary single-family dwelling units, one per lot, in a permanent location.
- (8) Second dwelling units (one per lot) in accordance with section 106-358
- (9) Temporary tract sales offices, temporary contractors' equipment offices and storage, subject to approval by the director for a period not to exceed one year with two one-year extensions available, if requested for good cause.

(Ord. No. 1270, § 30.051, 9-30-1985; Ord. No. 1305, 6-15-1987; Ord. No. 1547, § 3, 1-20-2004)

**Sec. 106-353. - Uses permitted subject to conditional use permit.**

In the R-1 single-family residential zone, uses permitted subject to a conditional use permit are as follows:

- (1) Churches, temples or other places of religious worship, with no temporary structures permitted.
- (2) One guesthouse with a minimum lot area of 8,000 square feet.
- (3) Schools.
- (4) Hospitals or sanitariums.

(Ord. No. 1270, § 30.052, 9-30-1985; Ord. No. 1305, 6-15-1987)

## Permitted and Conditionally Permitted Uses in the R-2 (Multiple Family Dwelling) Zone

### **Sec. 106-387. - Uses permitted.**

The following uses are permitted in the R-2 multiple-family dwelling zone:

- (1) All uses permitted in the R-1 zone.
- (2) Duplexes.
- (3) Multiple-family dwelling units.

*(Ord. No. 1270, § 30.101, 9-30-1985; Ord. No. 1305, 6-15-1987)*

### **Sec. 106-388. - Uses permitted subject to conditional use permit.**

In the R-2 multiple-family dwelling zone, the following uses are permitted subject to a conditional use permit:

- (1) Any conditional use permitted in the R-1 zone subject to all the provisions therein.
- (2) Electric distribution substation, pumping station, water well, water reservoir.
- (3) Mobile home park.
- (4) Residential condominium.

*(Ord. No. 1270, § 30.102, 9-30-1985; Ord. No. 1305, 6-15-1987)*

## Permitted and Conditionally Permitted Uses in the R-3 (Multiple Family) Zone

### **Sec. 106-422. - Uses permitted.**

In the R-3 multiple-family zone, the following uses are permitted:

- (1) All uses permitted in the R-1 and R-2 zones.
- (2) Multiple-family dwellings.

*(Ord. No. 1270, § 30.151, 9-30-1985; Ord. No. 1305, 6-15-1987)*

### **Sec. 106-423. - Uses permitted subject to conditional use permit.**

In the R-3 multiple-family zone, the following uses are permitted subject to a conditional use permit:

- (1) Any conditional use permitted in the R-1 and R-2 zones subject to the provisions therein.
- (2) Boardinghouses.
- (3) Hospitals or sanitariums.
- (4) Museums or libraries.
- (5) Nursery schools.
- (6) Nonresidential off-street automobile parking lot subject to division 3 of article V of this chapter.

*(Ord. No. 1270, § 30.152, 9-30-1985; Ord. No. 1305, 6-15-1987)*

## Permitted and Conditionally Permitted Uses in the C-1 (Limited Commercial) Zone

### **Sec. 106-487. - Permitted uses.**

In the C-1 limited commercial zone, the following uses are permitted:

- (1) Administrative and professional offices.
- (2) Government buildings and related facilities.
- (3) Parks and playgrounds (public and private).
- (4) Public utility substations (masonry-walled and landscaped).
- (5) Retail businesses.
- (6) Service businesses (excluding repair businesses).
- (7) Any use which in the judgment of the commission, as evidenced by resolution in writing, are similar to and no more objectionable than any of those enumerated in subsections (1) through (6) of this section.
- (8) Any and all amusement devices shall be subject to approval of an amusement device permit. The permit may be approved by the director subject to conditions and limitations stated in division 3 of article VI of this chapter. Any violations of the conditions and/or limitations shall result in the revocation of the amusement device permit, subject to the provisions of section 106-148

(Ord. No. 1270, § 30.251, 9-30-1985; Ord. No. 1305, 6-15-1987)

### **Sec. 106-488. - Uses permitted subject to conditional use permit.**

In the C-1 limited commercial zone, the following uses are permitted subject to a conditional use permit:

- (1) Clubs, lodges and halls.
- (2) Commercial recreation.
- (3) Hotels and motels.
- (4) New automobile sales and display and sales room or lot (used car sales only in conjunction with a new car agency).
- (5) Off-street parking lot.
- (6) On-site and off-site sale of alcoholic beverages.
- (7) Parking lot sales.
- (8) Schools.
- (9) Secondhand stores.
- (10) Museums, art galleries, botanical gardens.

(Ord. No. 1270, § 30.252, 9-30-1985; Ord. No. 1305, 6-15-1987)

## Permitted and Conditionally Permitted Uses in the C-2 (Commercial) Zone

### **Sec. 106-517. - Permitted uses.**

In the C-2 commercial zone, the following uses are permitted:

- (1) All uses permitted in the C-1 zone, subject to the restrictions and/or prohibitions imposed in this section.
- (2) Automobile service stations.
- (3) Bus stations.
- (4) Fortunetelling, subject to the following:
  - a. The establishment shall be located a minimum of 1,000 feet from any other such use.
  - b. No person under the age of 18 shall be allowed in the establishment.
- (5) Hospitals.
- (6) Mortuaries.
- (7) New automobile sales and display and sales room or lot (used car sales only in conjunction with a new car agency).
- (8) Nurseries (flower, plant or tree).
- (9) Pet stores.
- (10) Radio and television stations without transmitting tower antennas.
- (11) Repair shops, bicycle and motorcycle.
- (12) Rummage sales (refer to article III of chapter 66 of this Code).
- (13) Veterinary clinics.
- (14) Other businesses which in the judgment of the commission, as evidenced by resolution in writing, are similar to and no more objectionable than any of those enumerated in this section.

(Ord. No. 1270, § 30.301, 9-30-1985; Ord. No. 1305, 6-15-1987)

### **Sec. 106-518. - Uses permitted subject to conditional use permit.**

In the C-2 commercial zone, the following uses are permitted subject to a conditional use permit:

- (1) All those uses permitted by conditional use permit in the C-1 zone.
- (2) Ambulance service.
- (3) Automobile repair, minor, shall be permitted subject to division 11 of article VI of this chapter.
- (4) Bail bondsman.
- (5) Billiards and pool parlor.
- (6) Carwashes.
- (7) Dating and escort services.
- (8) Fruit and vegetable stands (outdoor only).
- (9) Live entertainment.
- (10) Theater/bowling alley.
- (11) Adult entertainment business (refer to division 2 of article VI of this chapter).

## Permitted and Conditionally Permitted Uses in the M-1 (Limited Industrial) Zone

### Sec. 106-582. - Permitted uses.

In the M-1 limited industrial zone, the following uses are permitted:

- (1) Agricultural.
- (2) Manufacturing. Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, packaging, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive because of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:
  - a. Animal hospitals.
  - b. Assembly plants.
  - c. Automobile laundry.
  - d. Automotive repair major and minor.
  - e. Building materials and hardware sales.
  - f. Cabinet shops and woodworking.
  - g. Computer manufacturing, maintenance and service.
  - h. Cosmetics (no soap).
  - i. Electric and gas appliances.
  - j. Food products (excluding fish meat, sauerkraut, vinegar, yeast, and rendering or refining of fats and oils).
  - k. Jewelry.
  - l. Laundry, cleaning and dry cleaning plants.
  - m. Lumberyard, building materials, contractor storage.
  - n. Machine shop.
  - o. Motion picture studio or television studio.
  - p. Optical equipment.
  - q. Pharmaceutical.
  - r. Photographic products and equipment.
  - s. Product service center.
  - t. Signs.
  - u. Telephone, communication exchange or equipment building.
  - v. Welding shop.
  - w. Wholesale business.
  - x. Other uses. The following accessory uses are permitted only where they are integrated with and clearly incidental to a primary permitted use:
    1. Employee's cafeteria or coffeeshop.
    2. Exhibition of products, produced on the premises or available for wholesale distribution.
    3. Offices.
  - y.

Additional uses which in the judgment of the commission, as evidenced by resolution in writing, are similar to or not more objectionable than any of those enumerated in this subsection.

- (3) Commercial uses which are customarily and incidental to industrial uses permitted in subsection (2) of this section.

(Ord. No. 1270, § 30.401, 9-30-1985; Ord. No. 1305, 6-15-1987)

**Sec. 106-583. - Uses permitted subject to conditional use permit.**

In the M-1 limited industrial zone, the following uses are permitted subject to a conditional use permit:

- (1) Animal shelter.
- (2) Commercial antennas.
- (3) Engine manufacture.
- (4) Helistop.
- (5) Laboratory: chemical, biological, anatomical.
- (6) Outdoor storage.
- (7) Outdoor advertising signs, provided that no outdoor advertising sign shall be located within a 500-foot radius of any other such sign; each outdoor advertising sign shall have, at most, two sign faces, and each sign face shall have a maximum area of 100 square feet; the maximum height shall be 24 feet; and no outdoor advertising sign shall be located within 300 feet of a residential zone.
- (8) Paint or related manufacture.
- (9) Research and development.
- (10) Service station.
- (11) Swap meets or flea markets, auctions indoor or outdoor.
- (12) Truck terminal or yard.
- (13) New and used car sales.
- (14) Storage and distribution.
- (15) Warehousing.
- (16) Extermination business.
- (17) Heliports.
- (18) House moving businesses.
- (19) Contractors' storage and fabrication yards.
- (20) Lumberyards and outside storage of building materials.
- (21) Boat building and repair businesses.
- (22) Landscaping and gardening service and supply businesses.
- (23) Machine shops and tool and die making.
- (24) Metal welding and plating business.
- (25) Rental yards, maintenance yards and storage yards for construction and agricultural related equipment, machinery and vehicles.
- (26) Restaurants.
- (27) Roofing businesses.
- (28) Salvage and recycling businesses.
- (29) Recreation vehicle storage yards.

- (30) Electric distribution and transmission substations, gas metering and regulation stations, and other similar public utility structures and uses.
  - (31) Research and development facilities for the creation of prototypes.
  - (32) Pharmaceutical laboratory.
  - (33) Administrative, professional and business offices accessory to use permitted in this district.
  - (34) Blueprinting and photostating.
  - (35) Assembly of plastic products.
  - (36) Manufacture of ceramic products using only previous pulverized clay and using kilns fired only by electricity or gas.
  - (37) Parcel service delivery depot.
  - (38) Photoengraving.
  - (39) Manufacture of control devices and gauges.
  - (40) Glass edging, beveling and silvering.
  - (41) Studio or office or quarters for industrial designing, model making, sculpture, architecture, engineering, planning, drafting, editorial and general designing and ceramic arts.
  - (42) Recreation area or facility accessory to any use permitted in this district.
  - (43) Hazardous waste facility which includes off-site facility, on-site facility, regional facility, transfer facility/station, transportable treatment units, and treatment facility and which is subject to division 12 of article VI of this chapter.
  - (44) Transitional housing, in accordance with section 106-311
- (Ord. No. 1270, § 30.402, 9-30-1985; Ord. No. 1305, 6-15-1987; Ord. No. 1486, § 2, 12-15-1997)

## Permitted and Conditionally Permitted Uses in the M-2 (Light Industrial) Zone

### **Sec. 106-612. - Uses permitted.**

In the M-2 light industrial zone, the following uses are permitted:

- (1) All uses permitted in the M-1 zone.
- (2) Manufacturing. Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive because of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:
  - a. Animal shelter.
  - b. Assaying.
  - c. Automobiles, trailers, boats, recreational vehicles.
  - d. Ceramics, pottery, statuary.
  - e. Heavy equipment sales and rental.
  - f. Ink, polish, enamel.
  - g. Pest control contractors.
  - h. Public service facilities.
  - i. Sandblasting.
  - j. Tile (indoor kiln).
  - k. Wallboard, glass (no blast furnace).
  - l. Blast furnaces as an accessory use to a permitted use and not needing EPA or AQMD approvals.

*(Ord. No. 1270, § 30.451, 9-30-1985; Ord. No. 1305, 6-15-1987)*

### **Sec. 106-613. - Uses permitted subject to conditional use permit.**

In the M-2 light industrial zone, the following uses are permitted subject to a conditional use permit:

- (1) Uses subject to a conditional use permit in the M-1 zone.
- (2) Automotive impound area.
- (3) Metal engraving, metal fabrications.
- (4) Tire retreading and recapping

*(Ord. No. 1270, § 30.452, 9-30-1985; Ord. No. 1305, 6-15-1987)*

**ATTACHMENT 3 of the December 4, 2012 Staff  
Report to the Planning and Preservation  
Commission:**

**October 2, 2012 Planning and Preservation  
Commission Minutes**

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**CITY OF SAN FERNANDO  
PLANNING COMMISSION**

**DRAFT MINUTES OF, OCTOBER 2, 2012 MEETING  
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by Chairperson 7:07 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Commissioner J. Ruelas

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:** Chairperson Julie Cuellar, Vice-chair Mario Rodriguez, Commissioners Alvin F. Durham, and Jose Ruelas

**ABSENT:** None

**ALSO PRESENT:** City Planner Fred Ramirez, Assistant Planner Edgar Arroyo, and Community Development Secretary Michelle De Santiago

**REORGANIZATION**

Nomination for Chairperson and Vice-chairperson

Vice-chair M. Rodriguez moved to table the item until the next regularly scheduled meeting. Seconded by Commissioner J. Ruelas, the motion carried with the following vote:

**AYES:** M. Rodriguez, J. Ruelas, J. Cuellar, and A. Durham  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**APPROVAL OF AGENDA**

Commissioner A. Durham moved to approve the agenda of October 2, 2012. Seconded by Vice-chair M. Rodriguez, the motion carried with the following vote:

**AYES:** A. Durham, M. Rodriguez, J. Cuellar, and J. Ruelas  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

### **CONSENT CALENDAR**

Commissioner J. Ruelas moved to approve the minutes of the September 5, 2012 Planning and Preservation Commission meeting. Seconded by Commissioner A. Durham, the motion carried with the following vote:

<b>AYES:</b>	J. Ruelas, A. Durham, J. Cuellar, and M. Rodriguez
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

### **UNFINISHED BUSINESS**

None

### **PUBLIC HEARING 7A:**

**Zone Text Amendment 2012-01 – City-wide, San Fernando, CA – City of San Fernando Community Development Department – The proposed zone text amendment would provide the appropriate definitions and regulations that would allow the establishment of: Single Room Occupancy (SRO) residential units as a conditionally permitted use in the C-1 (Limited Commercial) and C-2 (Commercial) zones; Community Care Facilities with seven or more persons as a conditionally permitted use in all residential zones; Emergency Homeless Shelters as permitted use in the M-2 (Light Industrial) zone; identification of manufactured housing as a permitted use in all residential zones; and Transitional Housing and Supportive Housing permitted uses in all residential districts subject only to those development standards that apply to other residential uses of the same type in the same residential district.**

### **STAFF PRESENTATION**

City Planner Fred Ramirez gave the staff presentation recommending that that Planning and Preservation Commission direct planning staff to schedule consideration of the proposed zone text amendment and associated environmental assessment for the next regularly scheduled commission meeting in November 2012.

### **PUBLIC TESTIMONY**

None

### **COMMISSION DISCUSSION**

J. Cuellar asked if any of SRO or Emergency Shelters already existing within the city limits.

F. Ramirez indicated that there are Community Care Facilities of 6 or less in the City that are permitted by right. However our zoning code does not contain any language allowing it or conditionally allowing it within the city limits.

J. Cuellar asked staff if we had a count of the homeless population within the city limits.

F. Ramirez indicated that the 2010 Census identified 46 homeless people within the city limits. Additionally, he indicated that any future emergency homeless shelter would have a maximum limit of 50 beds.

J. Cuellar asked for clarification as far as what would be allowed in what zones.

F. Ramirez indicated that the proposed zone text amendment would identify manufactured home as a permitted use in the residential zones, community care facilities with seven or more occupants would be subject to a conditional use permit in the residential zones, SROs would be subject to a conditional use permit in the C-1 and C-2 zones, transitional and supportive housing would be allowed in the residential zones, and that emergency homeless shelter would be permitted in the M-2 zones.

J. Cuellar asked staff to identify how many shelters could be allowed along First Street if they would be allowed every 300 feet.

F. Ramirez indicated that staff could not instantly provide that information but that it would generate a map of the M-2 zone that can depict theoretically how many shelter along First Street there could be if they were setup every 300 feet for the following meeting.

J. Ruelas asked about the SROs and if they would be dormitory layout. Additionally he asked if staff would provide some examples of existing SROs.

F. Ramirez stated that he has noted the comments and requests and will provide the commission with additional information at the next regularly scheduled meeting.

Subsequent to discussion, M. Rodriguez moved to direct staff to schedule a public hearing for consideration of Zone Text Amendment 2012-01. Seconded by J. Ruelas, the motion carried with the following vote:

<b>AYES:</b>	M. Rodriguez, J. Ruelas, J. Cuellar, and A. Durham
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

#### **STAFF COMMUNICATIONS**

F. Ramirez asked the commission about their availability for a Special Meeting at the Lopez Adobe on October 9 or October 11, 2012. He informed the commission regarding a new feature on the city's website under the caption of "Business Opportunity Sites". Additionally he informed the commission about the courtesy notices going out to the various business operators regarding signage and banners.

#### **COMMISSION COMMENTS**

J. Cuellar expressed concern regarding two trees in the parkway at De Haven Avenue and Brand Blvd. that obstruct the view when attempting to make a left onto Brand Blvd. She also asked for an update on the apartments at 650 Glenoaks Blvd.

M. Rodriguez requested an update on the charter school located on Fourth Street (i.e. shade structure, traffic issues, and if they are adhering to the conditions of approval for the project).

A. Durham asked if staff if Chrysler/Dodge was coming to San Fernando.

#### **PUBLIC STATEMENTS**

None

**ADJOURNMENT**

Commissioner A. Durham moved to adjourn to November 7, 2012. Second by Commissioner J. Ruelas, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, J. Ruelas, J. Cuellar, and M. Rodriguez
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

9:00 P.M.  
Fred Ramirez  
Planning Commission Secretary

**ATTACHMENT 4 of the December 4, 2012 Staff  
Report to the Planning and Preservation  
Commission:**













**Site Analysis-Zoning Maps**

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


# Potential Emergency Shelter Sites

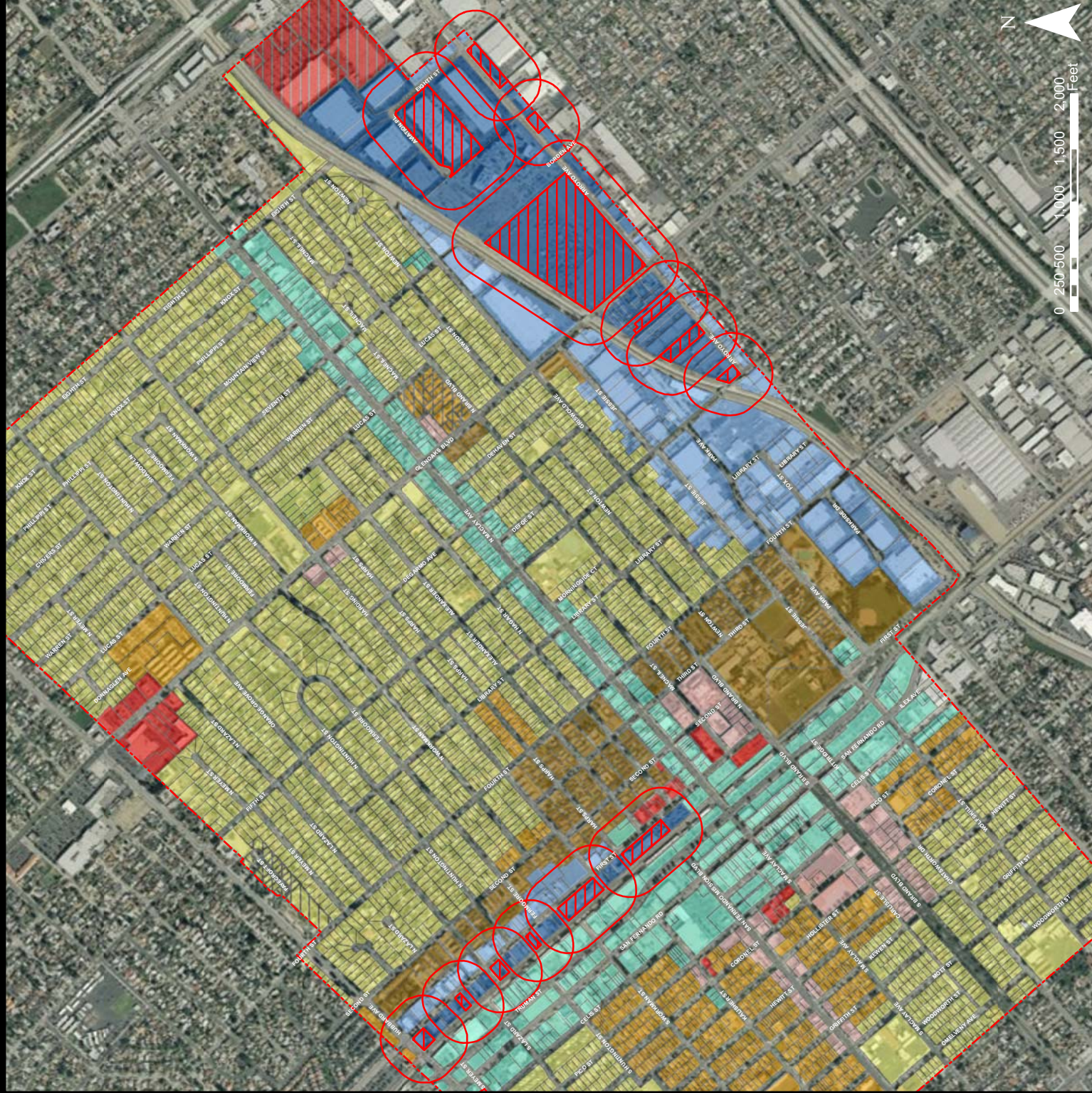
## Project Map Legend

### Zoning

	R-1
	RPD R-1
	R-2
	RPD R-2
	R-3
	C-1
	C-2
	PD
	SC
	M-1
	M-2
	SP-1 - SP-4

### Potential Shelter Sites

	City Boundary
	Potential Shelter Sites
	300-Foot Buffer



Map Revised 11/30/2012

THE CITY OF  
**SAN FERNANDO**

Community Development Department  
117 Macneil Street  
San Fernando, CA 91340

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# Potential Emergency Shelter Sites - First Street

## Project Map Legend

### Zoning

- R-1
- RPD R-1
- R-2
- RPD R-2
- R-3
- C-1
- C-2
- PD
- SC
- M-1
- M-2
- SP-1 - SP-4

### Potential Shelter Sites

- City Boundary
- Potential Shelter Sites
- 300-Foot Buffer



Map Revised 11/30/2012

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# Potential Emergency Shelter Sites - Arroyo Ave

## Project Map Legend

- Zoning

R-1

RPD R-1

R-2

RPD R-2

R-3

C-1

C-2

PD

SC

M-1

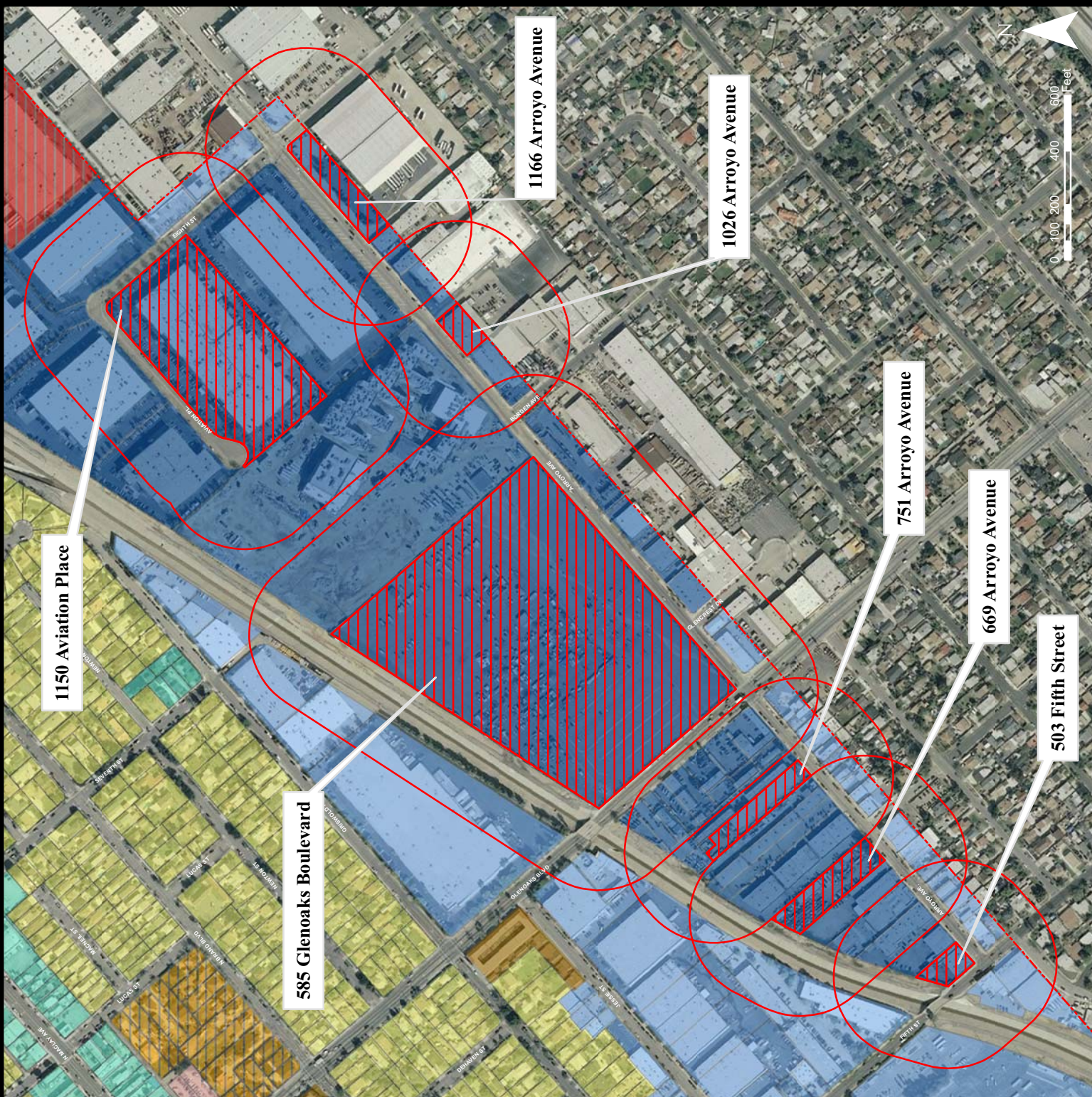
M-2

SP-1 - SP-4
- City Boundary

Potential Shelter Sites

Potential Shelter Sites

300-Foot Buffer



Map Revised 11/30/2012