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ORDINANCE NO.13-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA, ADOPTING NEGATIVE INGLEWOOD. DECLARATION EA-ND-2013-16 AND APPROVING ZONING CODE AMENDMENT ZCA 2013-01 TO AMEND ARTICLES OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE REGULATIONS FOR EMERGENCY (IMC) TO MODIFY **HOMELESS** TRANSITIONAL SHELTERS FOR THE SUPPORTIVE HOUSING, AND OTHER MISCELLANEOUS HOUSING RELATED AMENDMENTS.

(Revisions are underlined. Strike through lines represent deleted text.)

WHEREAS, on May 1, 2013, the Planning Commission conducted a public hearing for this matter and approved Resolution No. 1676 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INGLEWOOD, CALIFORNIA, APPROVING AND RECOMMENDING TO THE CITY COUNCIL FOR APPROVAL, THE ADOPTION OF NEGATIVE DECLARATION EA-ND-2013-16 AND APPROVAL OF ZONING CODE AMENDMENT ZCA-2013-01 TO AMEND ARTICLES 1, 1.1, 11 AND 19 OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE (IMC) TO MODIFY REGULATIONS FOR EMERGENCY FOR THE HOMELESS. SHELTERS TRANSITIONAL/SUPPORTIVE HOUSING, AND OTHER MISCELLANEOUS HOUSING RELATED AMENDMENTS.

WHEREAS, Resolution No. 1676 was presented to the City Council on November 19, 2013, who then scheduled a public hearing for December 10, 2013; and,

WHEREAS, notice of the time and place of the hearing was given as required by law; and,

WHEREAS, the City Council conducted the hearing at the time and place stated in the notice and afforded all persons interested in the matter of the proposed amendment to the Inglewood Municipal Code, or in any matter or subject related thereto, an opportunity to appear before the City Council and be heard and to submit any testimony or evidence in favor or against the proposed Code amendments; and,

WHEREAS, after taking public testimony and considering the issues, the City Council determined that certain changes specified herein, should be made to the text of Chapter 12 of the Inglewood Municipal Code; and,

WHEREAS, the City Council has carefully considered all testimony and evidence presented in this matter, and being advised finds as follows:

SECTION 1.

- 1. That the proposed amendment is consistent with the intent of the Inglewood General Plan in that it:
 - a. Encourage the preservation of Inglewood's fair share of housing for low and moderate income persons.
 - b. Ensures that housing in the City adequately addresses the special physical requirements and economic needs of the handicapped, elderly, and homeless
- The changes to the text of Chapter 12 does not constitute an establishment of unique standards, offering special privilege to a particular individual or group of individuals.
- 3. The changes to the text of Chapter 12 is consistent with the general intent of the provisions of this Chapter 12 to promote the public health, safety, comfort, convenience and general welfare of the City of Inglewood.

SECTION 2.

The City Council has carefully considered all testimony and evidence presented at the hearing and now finds that after preparing an Initial Study in

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compliance with the requirements of the California Environmental Quality Act, which found that there would be no significant environmental impacts created by the proposed Code Amendment, a Negative Declaration was prepared. Based on its own independent judgment that the facts stated in the initial study are true, the City Council hereby finds that there is no substantial evidence that the Code Amendment will have a significant effect on the environment.

SECTION 3.

The text of Article 1 (Definitions), Section 12-1.35 (Dwelling) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-1.35. Dwelling.

"Dwelling" shall mean a building or portion thereof designed for or occupied exclusively for residential purposes, including one-family, two-family, and-multiple dwellings, transitional housing, and supportive housing but not including hotels, boarding and lodging houses.

SECTION 4.

Section 12-1.40.1 (Emergency Shelter for the Homeless) is hereby added to the text of Chapter 12, Article 1 (Definitions) of the Inglewood Municipal Code to read as follows:

"Emergency Shelter for the Homeless" shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

SECTION 5.

The text of Article 1 (Definitions), Section 12-1.42 (Family) of the Inglewood Municipal Code is hereby amended to read as follows:

"Family" shall mean an <u>single</u> individual, or two (2) or more persons related by blood or marriage, or a group of not more than five persons, excluding servants, who are not related by blood or marriage, living together as a single

housekeeping unit in a dwelling unit. sharing a dwelling unit in a living arrangement usually characterized by sharing household/living expenses and sharing household operational/maintenance duties, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

SECTION 6.

Section 12-1.54.1 (Homeless) is hereby added to the text of Chapter 12, Article 1 (Definitions) of the Inglewood Municipal Code to read as follows:

"Homeless" shall mean lacking a fixed, regular, or adequate nighttime residence; living in a shelter designated to provide temporary living arrangements; or having a primary nighttime residence that is a public or private place not designed for use as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, or sidewalk.

SECTION 7.

Section 12-1.54.2 (Homeless Youth) is hereby added to the text of Chapter 12, Article 1 (Definitions) of the Inglewood Municipal Code to read as follows:

"Homeless youth" shall mean a person not older than 24 years who is homeless; at risk of becoming homeless; exiting foster care on the basis of age; has run away from home; or not older than 17 years, emancipated under State law, and either homeless or at risk of becoming homeless.

SECTION 8.

The text of Article 1 (Definitions), Section 12-1.126.1 (Transitional Housing) of the Inglewood Municipal Code is hereby amended to read as follows:

"Transitional housing" shall mean <u>one or more buildings configured as a</u>

rental housing development housing that is exclusively designated and targeted

for individuals and households at immediate risk of becoming homeless or

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transitioning from homelessness to permanent housing; and that is operated and managed by a transitional housing provider under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. The development may include space for ancillary supportive services used by residents only, with structured supportive services for a maximum of twenty-four months that is exclusively designated and targeted for individuals and households at immediate risk of becoming homeless or transitioning from homelessness to permanent housing. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible. Any communal housing that does not provide individual units must adhere to the requirements for group homes or community care facilities and the like.

SECTION 9.

Section 12-1.122.1 (Supportive Housing) is hereby added to the text of Chapter 12, Article 1 (Definitions) of the Inglewood Municipal Code to read as follows:

"Supportive housing" shall mean housing with no limit on length of stay, that is operated by a supportive housing provider, that is occupied by a target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. The development may include space for ancillary supportive services used by residents only.

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SECTION 10.

Section 12-1.123.3 (Target Population) is hereby added to the text of Chapter 12, Article 1 (Definitions) of the Inglewood Municipal Code to read as follows:

"Target population" shall mean persons, including homeless individuals with disabilities; homeless individuals and/or families; or homeless youth.

SECTION 11.

The text of Article 1.1 (General Regulations), Section 12-16 (Regulations for Miscellaneous Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-16. Regulations for Miscellaneous Uses.

The regulations specified in Section 12-16.1, and-Section 12-16.2, and Section 12-16.7 are applicable to the development and/or operation of certain uses, that do not require a special use permit, in any zone where these uses are permitted, unless specifically provided otherwise in this Chapter.

SECTION 12.

The text of Article 1.1 (General Regulations), Section 12-16.7 (Regulations for Emergency Shelters for the Homeless) of the Inglewood Municipal Code is hereby amended to read as follows:

Emergency shelters for the homeless shall be subject to the following requirements:

- (1) Separation Distance. A separation distance of 300 feet is required from similar uses, as measured from property line to property line.
- (2) Capacity. A maximum capacity of 100 single beds.
- (3) Client Intake Area. Nine (9) square feet per bed of client intake area provided indoors or in an enclosed outdoor area.

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- (4) Laundry facilities. Washer and dryer pair shall be provided at a minimum rate of one (1) pair per twenty beds. Fractions shall be rounded to the nearest whole number.
- (5) <u>Lighting. Exterior lighting that is adequate for security purposes,</u>
 shielded and directed downwards, and of an appropriate brightness for the surrounding areas is required.
- (6) Hours Open to the Public. The shelter shall establish and maintain set hours that it will be open to the public, which must be prominently posted on-site.
- (7) An onsite manager is required twenty-four (24) hours a day.
- (8) Security. A security guard is required during the hours the facility is open to the public.
- (9) Other amenities as recommended by the Planning and Building

 Department Director.
- (10) Maximum Stay. An individual may stay in the shelter a maximum of 180 contiguous days.
- (11) Supportive Services Plan Required. The operator of the shelter must provide a plan outlining procedures for individual case management and the coordination of supportive services with the goal of transitioning clients to permanent housing within 180 days.

SECTION 13.

The text of Article 11 ("M-1" Light Manufacturing Zone), Section 12-32 (Permitted Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

The following uses shall be permitted in the M-1 Light Manufacturing Zone unless otherwise provided in this Chapter:

(46) Emergency shelters for the homeless.

SECTION 14.

The text of Article 17 ("P-1" Automobile Parking Zone), Section 12-38 (Permitted Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-38. P-1 Zone. Permitted Uses.

The following uses shall be permitted in the P-1 Automobile Parking Zone unless otherwise provided in this Chapter:

- (8) Transitional housing subject to Special Use Permit approval.

 Exception: Housing that is not communal in nature, does not require participation in a structured supportive services program or does not have length of tenancy restrictions, shall adhere to traditional residential requirements. Transitional housing shall comply with the following:
- (a)—Transitional housing occupancy cannot exceed a maximum of twenty-four months.
- (b)— Transitional housing—must—provide—a—structured—living—environment which is conditioned upon-compliance with-the transitional-housing program's rules and regulations.
- (e) Transitional housing—must—provide—a—comprehensive—social—service program—which—includes regular-individualized case-management services—and which—may—include—alcohol—and—drug—abuse—counseling,—self-improvement education, employment and training assistance services, and independent-living skills development.
- (d)—A-transitional housing—facility—shall—not—be—located—within—three hundred—feet of another such facility, group—home, halfway-house, or other similar use.

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SECTION 15.

The text of Article 5 ("R-4" Multiple Family Zone), Section 12-22 (Permitted Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-22. R-4 Zone. Permitted Uses.

The following uses shall be permitted in the R-4 Multiple Family Zone unless otherwise provided in this Chapter.

- (11) Transitional housing subject to special use permit approval. Exception: Housing that is not communal in nature, does not require participation in a structured supportive services program or does not have length of tenancy restrictions, shall adhere to traditional residential requirements. Transitional-housing shall comply with the following:
- (a) Transitional-housing occupancy cannot exceed a maximum of twentyfour months.
- (b) Transitional housing must provide a structured living environment which is conditioned upon compliance with the transitional housing program's rules and regulations.
- (e) Transitional-housing-must provide a comprehensive social service program which includes regular individualized case management services and which may include alcohol and drug abuse counseling, self-improvement education, employment and training assistance services, and independent living skills development.
- (d) A transitional housing facility shall not be located within three hundred feet of another such facility, group home, halfway house, or other similar use.

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SECTION 16.

The text of Article 5.1 ("R-M" Residential-Medical Zone), Section 12-22.20 (Permitted Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-22.20. R-M Zone. Permitted Uses.

The following uses shall be permitted in the R-M Residential and Medical Zone, unless otherwise provided in this Chapter:

- (13) Transitional housing subject to Special Use Permit approval. Exception:

 Housing that is not communal in-nature, does not require participation in a structured supportive services program or does not have length of tenancy restrictions, shall adhere to traditional residential requirements. Transitional housing shall comply with the following:
- (a) -- Transitional housing occupancy cannot exceed a maximum-of-twenty-four-months.
- (b) Transitional housing—must—provide—a—structured—living—environment which is conditioned upon compliance with the transitional housing program's rules and regulations.
- (e) Transitional housing must provide a comprehensive social service program which includes regular individualized case management services and which may include alcohol and drug abuse counseling, self-improvement education, employment and training assistance services, and independent living skills development.
- (d) A transitional housing—facility—shall—not—be—located—within—three hundred—feet of another such-facility, group—home, halfway house,—or other similar use.

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SECTION 17.

The text of Article 4 ("R-3" Multiple Family Zone), Section 12-21 (Permitted Uses) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-21. R-3 Zone. Permitted Uses.

The following uses shall apply in the R-3 Multiple-Family Zone unless provided otherwise in this Chapter.

- (14) Transitional housing subject to Special Use Permit approval.

 Exception: housing that is not communal in nature, does not require participation in a structured supportive services program or does not have length of tenancy restrictions, shall adhere to traditional residential requirements. Transitional housing shall comply with the following regulations:
- (a) Transitional housing occupancy cannot exceed a maximum of twenty-four-months.
- (b) Transitional housing must provide-a structured-living environment which is conditioned upon compliance with the transitional housing program's rules and regulations.
- (c)— Transitional-housing must provide a comprehensive social service program-which includes regular individualized case management-services and which may include alcohol—and drug abuse counseling, self-improvement education, employment and training assistance services, and independent living skills-development.
- (d) A transitional housing—facility—shall—not—be—located—within—three hundred—feet of another such-facility, group—home, halfway—house, or other similar use.

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SECTION 18.

The text of Article 19 (Parking), Section 12-46 (Institutional Parking Requirements) of the Inglewood Municipal Code is hereby amended to read as follows:

Section 12-46. Institutional Parking Requirements.

The aggregate amount of off-street automobile parking spaces provided in connection with each of the following uses shall be not less than the following:

(12) Emergency shelter for the homeless. Two (2) parking spaces plus one (1) space for each fifty beds.

SECTION 19.

The City Clerk shall certify to the passage and adoption of this ordinance and to its approval by the City Council and shall cause the same to be published in accordance with the City Charter and thirty days from the final passage and adoption, this ordinance shall be in full force and effect.

This ordinance to amend Articles 1, 1.1, 11, and 19 of Chapter 12 of the IMC is passed, approved and adopted by the City Council of the City of Inglewood this 17th day of December 2013.

JAMES T. BUTTS, JR.

JAMES 1. BUTTS

MAYOR OF THE CITY OF

INGLEWOOD, CALIFORNIA

Attest:

(SEAL)

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YVONNE HORTON CYTY CLERK