



INITIAL STUDY FOR NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT PLN-13-00029

PROJECT NAME: Code Amendment for SB 2 Compliance

PROJECT LOCATION: Citywide

PROJECT APPLICANT: City of Downey
Community Development Department
Planning Division
11111 Brookshire Avenue
Downey, CA 90241

LEAD AGENCY: City of Downey
Community Development Department
Planning Division
11111 Brookshire Avenue
Downey, CA 90241

Contact: David Blumenthal, Senior Planner
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PUBLIC REVIEW PERIOD: March 21, 2013 to April 17, 2013

This Negative Declaration and Initial Study Checklist have been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Section 15000, et seq.).

Written comments regarding this Negative Declaration shall be made to the Lead Agency listed above prior to 5:00 p.m. on the last day of the Public Review Period.

SECTION I. INTRODUCTION**1. Description of project:**

PLN-13-00029 (Code Amendment) – This code amendment is to amend various sections of Article IX of the Downey Municipal Code to allow the establishment of Emergency Shelters and to allow Transitional and Supportive Housing, as required by Chapter 633, Statutes of 2007 (SB 2). This includes allowing Emergency Shelters in the H-M (Hospital Medical Arts) zone, Transitional/Supportive Housing in all the residential zones and the H-M zone, and Single Room Occupancy (SRO's) in the R-3 (Multi-Family Residential) and H-M (Hospital Medical Arts) zones; as well as, setting development standards for these uses. The specific code language changes are listed in Section V of this Initial Study.

2. Description of project site (as it currently exists):

The proposed code amendment affects permitted uses in all the residential zones and in the H-M zone. These properties are improved with various types of developments.

3. Description of surrounding properties:

The proposed code amendment affects permitted uses in all the residential zones and in the H-M zone. These properties are surrounded by various types of improvements.

4. City Characteristics:

The City of Downey is 12.8 square mile community that is located in the southeastern part of Los Angeles County. The State of California Department of Finance estimated that City's population is 112,201, as of January 1, 2012. The City of Downey is located about 12 miles southeast of downtown Los Angeles and is bounded by: the Rio Hondo River on the west; Telegraph Road on the north; the San Gabriel River on the east; and Gardendale Street and Foster Road on the south. Cities bordering Downey include: Pico Rivera on the north and Santa Fe Springs on the northeast, Norwalk on the east, Bellflower and Paramount on the south, South Gate on the southwest and west and Commerce on the northwest.

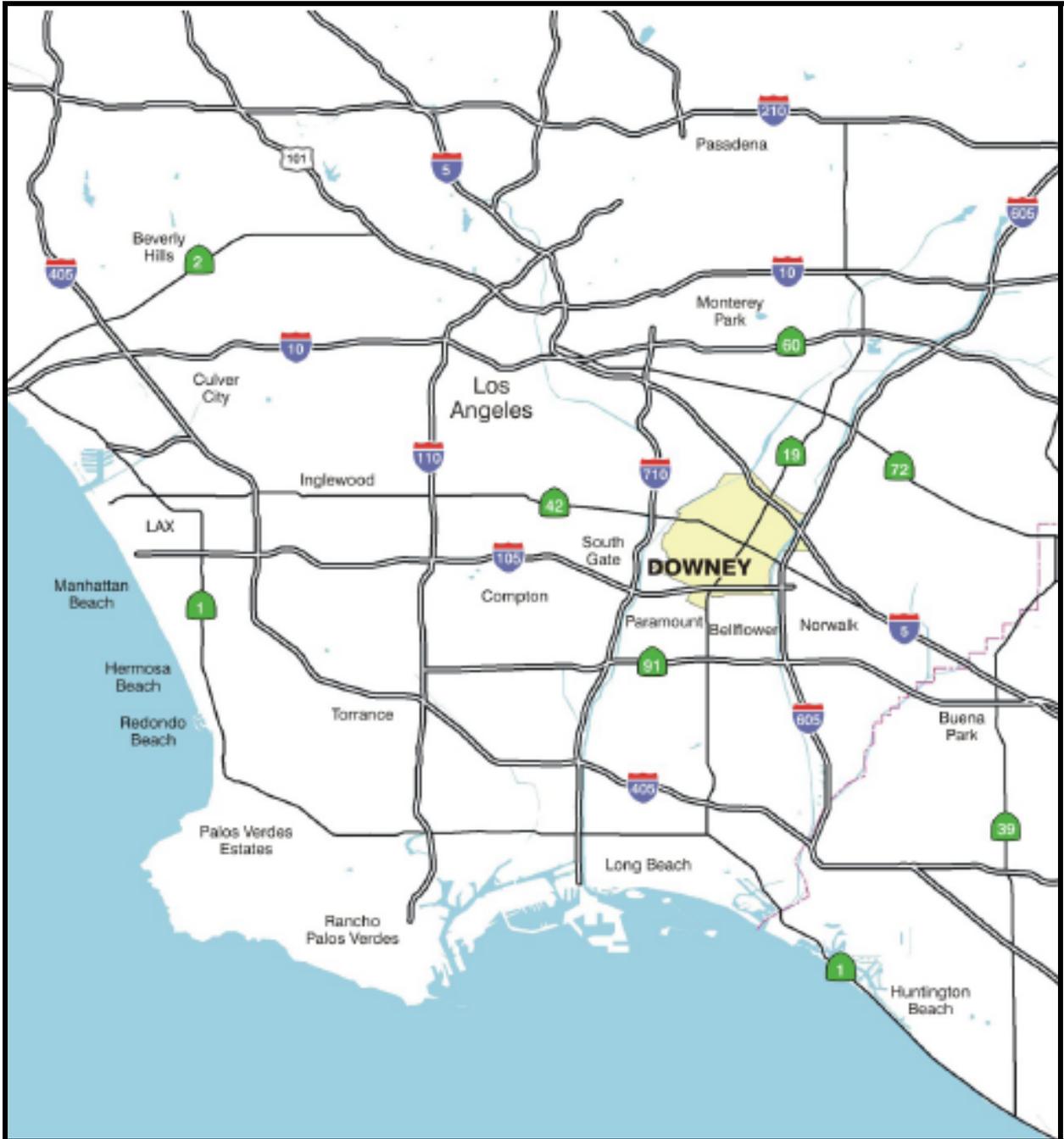
Regional access to and from the City of Downey is provided by the Santa Ana (I-5) Freeway; Glen Anderson Freeway (I-105) Freeway; the San Gabriel River Freeway (I-605) Freeways; and the Long Beach Freeway (I-710); MTA Green Line Light Rail passenger train services at the Lakewood Boulevard station, and various Metro Bus Lines that connect throughout the City.

The City of Downey is a Charter City with most municipal services being provided directly by the City. This includes City Police and Fire services, as well as, Planning, Building, Housing, Economic Development, Parks and Recreation, Library, and Public Works. Additionally, the City of Downey oversees operation of the Downey Civic Theater, the DowneyLINK Transit System, and the Farmer's Market.

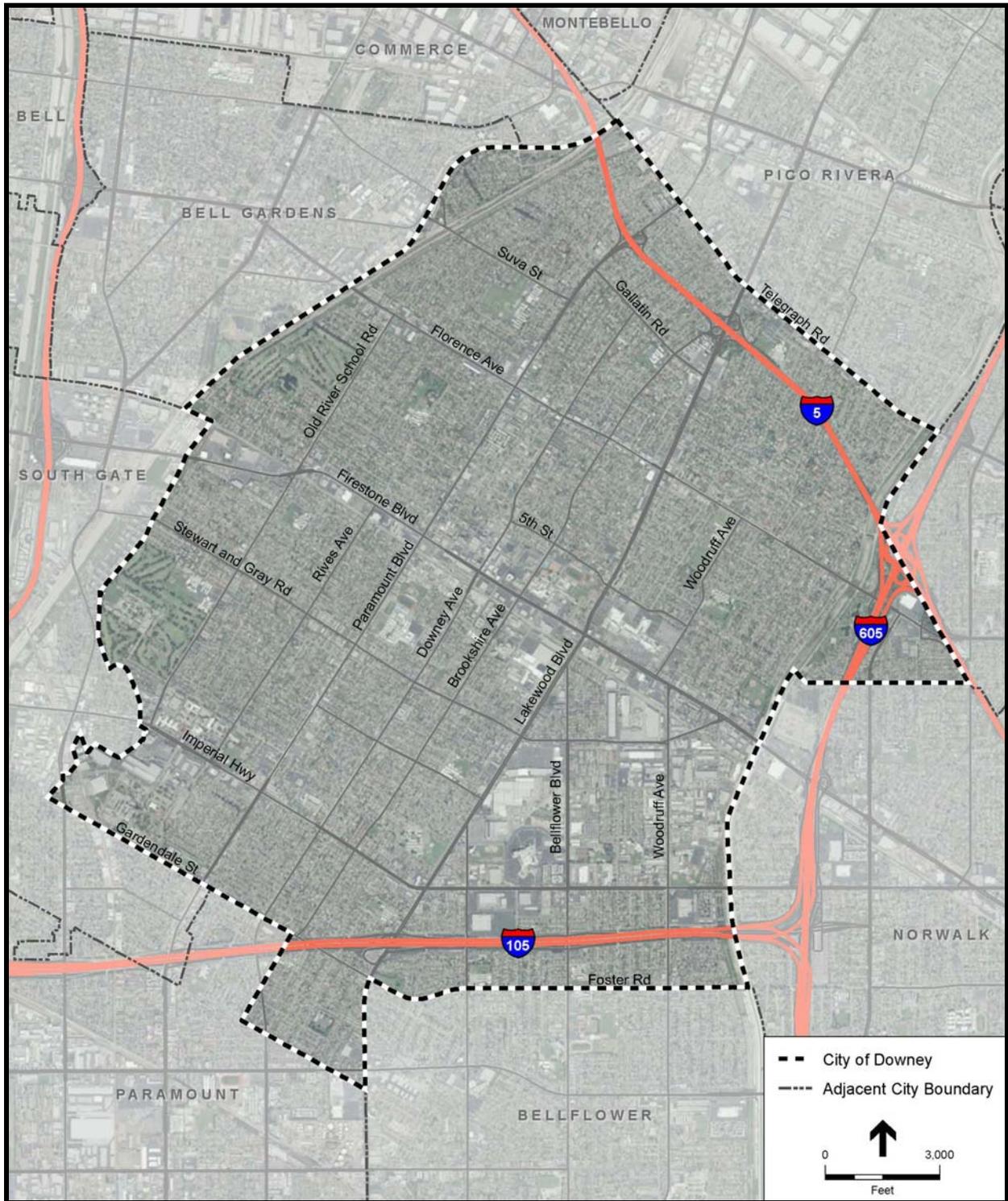
5. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

None

6. Location Map:



City of Downey Location in Regional Context



City of Downey

**SECTION II. ENVIRONMENTAL FACTORS
POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist in section III.

- | | |
|--------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated”. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature: Original signed by David Blumenthal
David Blumenthal, Senior Planner
for the City of Downey

Date: March 21, 2013

SECTION III. INITIAL STUDY CHECKLIST AND ENVIRONMENTAL EVALUATION

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and answers are provided according to the analysis undertaken as part of the Initial Study. They outline the following issues:

- | | |
|------------------------------------|----------------------------------------|
| 1. Aesthetics | 10. Mineral Resources |
| 2. Agriculture Resources | 11. Noise |
| 3. Air Quality | 12. Population and Housing |
| 4. Biological Resources | 13. Public Services |
| 5. Cultural Resources | 14. Recreation |
| 6. Geology and Soils | 15. Transportation and Traffic |
| 7. Hazards and Hazardous Materials | 16. Utilities and Service Systems |
| 8. Hydrology and Water Quality | 17. Mandatory Findings of Significance |
| 9. Land Use and Planning | |

The analysis considers the project’s short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

- No Impact.** Future development arising from the project’s implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
- Less Than Significant Impact.** The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
- Potentially Significant Impact Unless Mitigated.** The development will have the potential to generate impacts which will have a significant effect on the environment; however, mitigation measures will be effective in reducing the impacts to levels that are less than significant.
- Potentially Significant Impact.** Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:

(a through d): The City of Downey is an urban environment with no scenic vistas or scenic highways. The proposed code amendment would allow Emergency Shelters in the H-M (Hospital Medical Arts) zone, Transitional/Supportive Housing in all the residential zones and the H-M zone, and Single Room Occupancy (SRO's) in the R-3 (Multi-Family Residential) and H-M (Hospital Medical Arts) zones; as well as, setting development standards for these uses. While the development standards require proper lighting for all outdoor areas, include parking lots, it is not above and beyond that is required for any other new development. Nevertheless, the Municipal Code requires these lights to be properly shielded, directed, and/or positioned as not to unreasonably. With these existing regulations, the additional lighting will not create a significant source of light or glare.

2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use or a Williamson act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a through c): The City of Downey is an urbanized area that is mostly built out with only infill development potential. There are no agricultural lands within the City's boundaries. Furthermore, the City's General Plan (Vision 2025) does not include provisions for agricultural uses in the future. While the City has a variety of zoning districts, in which agricultural uses are only allowed in the Open Space (O-S) zone, which is not being altered by this amendment.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through d): While the proposed code amendment will not directly approve new construction or development, it is feasible that the code amendment will encourage the construction of new emergency shelters and/or transitional/supportive housing. During the construction, short term air quality impacts can be anticipated from construction equipment operating on the site and dust created during grading operations. Nevertheless, these impacts are considered less than significant due to the short term nature of the construction, construction equipment is already required to comply with the California Air Resource Board’s (CARB) regulations, and all construction activity is subject to the South Coast Air Quality Management District’s (SCAQMD) regulations regarding fugitive dust. Furthermore, the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, includes several mitigation measures intended to reduce air quality impacts from construction. Since these mitigation measures are already required on the construction, no additional mitigation is required.

(e): Operation of emergency shelters can only result in objectionable odors by allowing the accumulation of debris and trash on the site. To avoid these types of impacts, the proposed code language requires that all trash and debris be cleaned up on a daily basis, as such no impact is anticipated.

4. BIOLOGICAL RESOURCES. Would the project:

a. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources? (i.e. tree preservation ordinance).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through f): The City of Downey is an urbanized area that is mostly built out with only infill development potential. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, there are no known species identified as a candidate, sensitive, or special status species; no known wetlands; and no known native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or native wildlife nursery sites within the City. Furthermore, the City of Downey does not have any local policies or ordinances protecting biological resources, nor is there any adopted Habitat Conservation, Natural Community Conservation, or other approved local, regional or state habitat conservation plans.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines 5064.85?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 5064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through c): While the proposed code amendment will not directly approve new construction or development, it is feasible that the code amendment will encourage the construction of new emergency shelters and/or transitional/supportive housing. Historical, archaeological, and/or paleontological resources are not typically encountered within the City of Downey. Nevertheless, as specific construction sites are identified, a separate site specific analysis will need to be conducted. Should any be discovered on the site, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

(d): Since burials within the City of Downey have occurred in the Downey Cemetery since the late 1880's, human remains are not typically encountered during construction. Nevertheless, should any be discovered on future construction sites, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

6. GEOLOGY AND SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
on other substantial evidence of a known fault?				
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a1 though a3): The City of Downey is not located within an Alquist-Priolo Earthquake Fault Zone. Nevertheless, the City, like much of Southern California, is located in an area that is considered seismically active. The nearest known fault to the City is the Whittier fault, which is approximately 5 miles from the City’s boundaries. According to the Southern California Earthquake Data Center, the maximum probable earthquake that can be generated by the Whittier Fault is a magnitude 7.2.

This impact is considered to be less than significant since, the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, includes a mitigation measure that requires all future construction resulting from approval of this code amendment is required to be designed and built to the seismic safety standards set forth in the Building Code, which will minimize the risk of loss, injury, or death due to seismic activity. No additional mitigation measures are required.

(a4): The City of Downey is relatively flat with no landslides being anticipated.

(b): Long term loss of topsoil and/or soil erosion is not expected since future construction is required to improved with either buildings, paved areas, or landscaping. Moreover, construction activities are required to incorporate Best Management Practices (BMP’s) to prevent soil erosion during construction.

(c and d): While the proposed code amendment will not directly approve new construction or development, it is feasible that the code amendment will encourage the construction of new emergency shelters and/or transitional/supportive housing. Prior to the issuance of building permits for these potential sites, the applicant is required to submit a soil and geological report. Said reports shall demonstrate how the projects will mitigate any soil stability issues, including lateral spreading, subsidence, liquefaction, and expansive soils.

(e): The City of Downey is an urban area that is served by a sanitary sewer system. New septic tanks are prohibited within the City.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSION. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a and b): Atmospheric gases, which allow solar radiation into the atmosphere but prevent heat from escaping, thus warming the Earth’s atmosphere, are often referred to as greenhouse gases. Greenhouse gases (GHGs) are released into the atmosphere by both natural and anthropogenic (human) activity. The principal greenhouse gases resulting from anthropogenic activity that enter and accumulate in the atmosphere are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and fluorinated gases such as hydrofluorocarbons. The accumulation of these gases in the atmosphere at levels in excess of natural activity levels increases the Earth’s temperature result in changing climatic conditions in different parts of the planet, including California.

Future residential development in Downey will be designed and constructed in accordance with the provisions of the Municipal Code and the land use policies of the General Plan. The proposed code amendment does not change any land use policy or any building regulations that would raise or otherwise change development levels that could contribute to an increase in greenhouse gases.

Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, objectives, and policies, including those that help the City contribute to regional GHG reduction efforts. The 2010 California Building Code regulations, adopted by Downey in January 2011, would further increase energy efficiency in new residential buildings, thus reducing total energy demand and thereby reducing the level of greenhouse gas emissions generated from coal, natural gas, and oil-based energy sources. Development of housing under the Housing Element would also be subject to all increasing development and energy efficiency standards, such as the 2010 California Building Code.

8. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through c and g): The proposed code amendment will allow for housing for a particular segment of the population. These types of facilities are not associated with the generation, use, transport, or accidental release of hazardous material. Furthermore, since all future construction is required to comply with the development standards of the code, it will not create a potential hazard for emergency response.

(d): Specific construction sites have not been selected, as this amendment only authorizes the use not construction. At such time that development application is submitted, the City will conduct a separate CEQA analysis to look for potential impacts.

(e and f): The City of Downey is not located within an airport land use plan nor is it within two miles of an airstrip.

(h): The City of Downey is within an urbanized area in the southeast portion of Los Angeles County. There are no wild lands within the vicinity.

9. HYDROLOGY AND WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through f): The proposed code amendment will add emergency shelters and transitional/supportive housing as a permitted use within the city; as well as, set development standards for said uses. The approval of the code amendment, in of itself, will not have an impact on hydrology or water quality since it does not alter any existing parcels in the City. Notwithstanding this, the change in the code could indirectly create new construction has private entities decide to construct the shelters/housing. These impacts will be analyzed during the CEQA analysis of the particular project if and when one is proposed.

(g through i): Most of the City, is located between the San Gabriel River and the Rio Hondo Channel. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, both of these flood control channels have been designed to meet or exceed the discharge capacity for a 100-year flood. Furthermore, the FEIR notes that there are no concerns with a potential levee break on either channel. Notwithstanding this, pursuant to the Letter of Map Change (LOMC) issued by FEMA on September 27, 2008, the entire City (except for the aforementioned rivers) is within Flood Zone X in which impacts from a 100-year flood event are not anticipated.

(j): The City of Downey is relatively flat and is not located near a dam, lake, or ocean. As such, impacts from a seiche, tsunami, or mudflow are not anticipated.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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10. LAND USE AND PLANNING. Would the project:

- a. Physically divide an established community?
- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Response:

(a): Revising the use tables in the zoning code does not have the capability to divide or act as a barrier to an established community, since it will not alter existing improvements in the area. Furthermore, future construction that results from this code amendment will be site specific, therefore will not create a barrier or divide a community.

(b): The Housing Element of the City of Downey General Plan sets forth policy regarding housing. Within the current Housing Element, the City has adopted two policies that apply to this code amendment:

Revise the Zoning Code to permit transitional and supportive housing in all residential zones as permitted uses subject only to those standards/regulations that apply to other residential dwellings of the same type in the same zone. and in the City's H-M Zone. Revise the Zoning Code to permit emergency shelters by right in the City's H-M Zone.

Revise the Zoning Code to permit SRO's in at least one non-residential zone as a permitted use and SRO's as a conditionally permitted use in appropriate residential zones. Code amendment to establish standards for SRO's shall be no more restrictive than standards that apply to other residential uses of the same type permitted in the same zone

The proposed code amendment will implement these policies. Since these policies, along with all of the General Plan policies are internally consistent, compliance with these two policies can be found to be consistent with all the General Plan policies, thus the proposed code amendment will not impact the general plan or other polices adopted to protect the environment.

(c): The City of Downey is an urbanized area that is fully developed with only a few sites for infill development available. There are no habitat conservation plans or natural community conservation plans that have jurisdiction over the area.

11. MINERAL RESOURCES. Would the project:

- a. 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. 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?

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:

(a and b): Because the code amendment will not result in any physical alterations to the site, it will not result in the loss any mineral resources with local, regional, or State-wide importance.

12. NOISE. Would the project result in:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a through d): All uses and construction is required to comply with the noise requirements set forth in the Downey Municipal Code. No additional impacts are expected by allowing the additional uses.

(e and f): The City of Downey is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.

13. POPULATION AND HOUSING. Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:

(a): The proposed code amendment will allow for new housing that is meant to serve a special needs segment of the population. Even though new housing can be anticipated as a result of this code amendment (under 100 units), it is not considered a substantial amount in comparison to the over 112,000 people that live in the city of the over 35,000 existing housing units.

(b and c): The proposed code amendment will allow for new housing that is meant to serve a special needs segment of the population. Should new housing be built as a result of this amendment, it will increase the overall housing stock of the City, thus avoiding the need for replacement housing elsewhere.

14. PUBLIC SERVICES.

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): The City of Downey is a full service city, with most of the municipal services being provided directly through the City. Since the code amendment will not induce substantial growth, it will not result in an increase in demand for public services.

15. RECREATION.

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?

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Response:

(a and b): Since the code amendment will not induce growth, it will not result in an increase in the use of or the demand for recreational facilities.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a and b): The proposed code amendment will allow emergency shelters, as well as transitional/supportive housing. These developments provide needed housing to an under-served segment of the population that tends to be lower income and drive fewer vehicles. This results in allowing the housing without significant amounts of additional traffic. As such, the code amendment will not impact traffic.

(c): The code amendment will not alter existing air traffic patterns or create additional air traffic.

(d through g): It is not expected that the code amendment will create a hazard to pedestrians, emergency access, bicycles, alternative transportation, or impede on the existing parking.

17. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a and g): Since the project will not induce growth, it will not result in an increase in demand for utility services. Nevertheless, the City of Downey is an urban environment with all utility systems in place. There is sufficient capacity within the existing systems to accommodate any projects that are built as a result of this code amendment.

18. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? “Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a): The City of Downey is an urbanized area that is mostly built out with only infill development potential. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, there are no known species identified as a candidate, sensitive, or special status species. Additionally, there are no known wetlands, as defined by Section 404 of the Clean Water Act, within the City. Furthermore, the proposed project will not result in the demolition of any existing structures. As such, the proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

(b and c): Based on the analysis contained within this initial study, the proposed project is not anticipated to create a significant impact. When considered with past, current, and other proposed projects in the City, it is unlikely that the project will contribute towards any cumulative impact. Therefore, the project will not cause a substantial adverse effects on human beings, either directly or indirectly

SECTION IV. REFERENCES

The following documents have been referenced in this Environmental Evaluation and are available for review of the City of Downey, Planning Division, 11111 Brookshire Ave, Downey, CA 90241

1. City of Downey General Plan, adopted January 25, 2005
2. City of Downey General Plan FEIR (SCH #2004031159), certified January 25, 2005
3. City of Downey Municipal Code
4. City of Downey Zoning Map
5. Chapter 633, Statutes of 2007 of the State of California (SB 2).

SECTION V. EXHIBITS

Proposed Code Language

The following language is proposed to be inserted into the Zoning Code:

SECTION 9130 “E” DEFINITIONS

Emergency Shelter: An emergency residential shelter is a building where emergency temporary lodging is provided to families and/or individuals that for various reasons have lost the ability to house themselves, or for people in need during emergency situations such as cold weather, storms or natural disasters, as well as victims of social misfortunes such as domestic violence, and where on-site supervision is provided whenever such shelter is occupied.

SECTION 9158 “S” DEFINITIONS

Single Room Occupancy (SRO) Housing, also known as an efficiency unit, means housing consisting of single-room dwelling units typically with no more than 400 square feet of habitable space that is the primary residence of its occupant or occupants. The unit must contain either food preparation or sanitary facilities (and may contain both).

Supportive Housing: "Supportive housing" means housing with no limit on length of stay, that is occupied by the 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.

SECTION 9160 “T” DEFINITIONS

Transitional Housing: "Transitional housing" and "transitional housing development" means buildings configured as rental housing developments, but operated 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.

SECTION 9312.06(d)

Table 9.3.2 Residential Zones Use Regulations

Use	R-1 (all lot sizes)	R-2	R-3	R-3-O	Notes and Exceptions
Residential					
<u>Single Room Occupancy</u>	<u>NP</u>	<u>NP</u>	<u>C</u>	<u>NP</u>	<u>Subject to Section 9430.06</u>
<u>Transitional/Supportive Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Subject to Section 9430.06</u>

SECTION 9314.04(d)

Table 9.3.5 Commercial Zones Use Regulations

Use	C-P	C-1	C-2	C-3	C-M	H-M	Notes and Exceptions
Other Uses (cont'd)							
<u>Emergency Shelters, up to 30 occupants</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>Subject to Section 9430.04</u>
<u>Emergency Shelters, more than 30 occupants</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>C</u>	<u>Subject to Section 9430.04</u>
<u>Single Room Occupancy</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>Subject to Section 9430.06</u>
<u>Transitional/Supportive Housing</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>Subject to Section 9430.06</u>

SECTION 9430 EMERGENCY SHELTERS, TRANSITIONAL/SUPPORTIVE HOUSING

SECTION 9430.02. INTENT AND PURPOSE. The intent and purpose of this section is to set forth a uniform set of standards for emergency shelters, transitional housing, and supportive housing.

SECTION 9430.04 Emergency Shelter Standards and Regulations. In addition to the development standards of the zone in which they are located, emergency shelters for homeless persons shall be subject to and comply with the following standards and regulations.

- (a) A single Emergency Shelter for 30 occupants, or a combination of multiple shelters with a combined capacity not to exceed 30 occupants, shall be allowed as a permitted use, consistent with section 65583(a)(4)(A) of the Government Code. All Emergency Shelters, regardless of the number of occupants, shall meet the minimum standards contained herein below and the development standards of the zone in which they are located. Any Emergency Shelter with a capacity greater than 30 occupants shall also be subject to the approval of a conditional use permit, as set forth in section 9824 of this code.
- (b) The facility shall operate on a first-come, first serve basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 7:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 7:00. a.m. during Pacific Standard Time. Clients must vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night. A curfew of 10:00 p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew.
- (c) To avoid over-concentration of Emergency Shelter facilities, a minimum distance of 500 feet shall be maintained from any other Emergency Shelter, as measured from the property line.
- (d) Service providers shall provide sufficient numbers of male and female toilets - restrooms for clients and prospective clients to have access to use on a twenty-four (24) hour basis. For group housing and other similar shelter programs, adequate private male and female showers shall be provided along with lockers for clients to temporarily store their belongings.
- (e) Any outdoor storage, including, but not limited to, items brought on-site by clients for overnight stays, shall be screened from public view by a minimum six foot tall decorative wall or fence.
- (f) Adequate waiting areas must be provided within the premises for clients and prospective clients including 10 square feet per bed, with a minimum of 100 square feet, to ensure that public sidewalks or private walkways are not used as queuing or waiting areas.
- (g) Facility improvements shall comply with the Downey Municipal Code and the most current adopted Building and Safety Code, specific to the establishment of dormitories and shall additionally provide:
 - (1) A minimum of 1 toilet for every 8 beds per gender.
 - (2) A minimum of 1 shower for every 8 beds per gender.
 - (3) Private shower and toilet facility for each area designated for use by individual families.
- (h) Bike rack parking shall be provided at the facility.
- (i) Exterior lighting shall be provided for the entire outdoor and parking area of the property per the lighting standards of the Section 9520 of this Code.
- (j) The facility may provide the following services in a designated area separate from sleeping areas:
 - (1) A recreation area inside the shelter or in an outdoor area visually separated from public view by a minimum six foot tall visually screening decorative wall or fence.
 - (2) A counseling center for job placement, educational, health care, legal services, or mental health services.
 - (3) Laundry facilities to serve the number of clients at the shelter.
 - (4) Kitchen and dining area.

- (5) Client storage area.
 - (6) Similar types of facilities to address the needs of homeless clients, as determined by the City Planner.
- (k) A shelter management plan shall be submitted to the City Planner for review and approval prior to the establishment of an Emergency Shelter. The shelter management plan shall address all of the following:
- (1) Service providers shall maintain sufficient monetary resources to enable them to operate the facility per the shelter management plan, and shall demonstrate to the city prior to approval of the permit application that such funds shall be available for use upon first occupancy of the proposed project and shall reasonably be expected to be available for the life of the project.
 - (2) A minimum of one staff member per 15 beds shall be awake and on duty when the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who have been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
 - (3) Service providers shall maintain up-to-date information and referral sheets to give clients and other persons who, for any reason, cannot be served by the establishment.
 - (4) Service providers shall provide criteria to screen clients for admittance eligibility, with the objective to provide first service to individuals with connections to Downey.
 - (5) Service providers will maintain information on individuals utilizing the facility and will ensure that the maximum stay at the facility shall not exceed 120 days in a 365-day period.
 - (6) Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served by the provider because of time or resource constraints, the monitor shall inform the client of alternative programs and locations where he or she may seek similar service.
 - (7) Service providers will educate on-site Staff to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income, including referrals to outside assistance agencies. An annual report on this activity shall be provided to the City Planner.
 - (8) Service providers shall provide for the timely removal of litter attributable to clients within the vicinity of the facility every 24-hour period.
 - (9) Service providers will maintain good communication and have procedures in place to respond to operational issues which may arise from the neighborhood, City staff, or the general public.
 - (10) Service providers shall address how Staff will address and regulate alcohol and illegal drug use by clients on the premises.
 - (11) Service providers shall establish standards for responding to emergencies and incidents expelling clients from the facility. Readmittance policies for clients who have previously been expelled from the facility shall also be established.
 - (12) The establishment shall implement other conditions and/or measures as determined by the city, in consultation with other city/county agencies necessary to ensure that management and/or clients of the establishment maintain the quiet, safety and cleanliness of the premises and the vicinity of the use.
 - (13) Other requirements as deemed necessary by the city to ensure that the facility does not create an adverse impact to surrounding properties.
- (l) The facility shall comply with all other laws, rules, and regulations that apply including, but not limited to, Building and Fire Codes. The facility shall be subject to City inspections prior to the commencement of operation. In addition, the City may inspect the facility at any time for compliance with the facility's Management Plan and other applicable laws and standards.

SECTION 9430.06. Transitional Housing including Single Resident Occupancy (SRO), Standards and Regulations. Transitional Housing, including efficiency residential units, also known as single resident occupancy ("SRO"), shall be subject to and comply with the development standards in which they are located and the following standards and regulations.

- (a) Units shall have a minimum size of 150 square feet and a maximum of 400 square feet.
- (b) Each unit shall accommodate a maximum of two persons.
- (c) Exterior lighting shall be provided for the entire outdoor and parking area of the property per the lighting standards of the Section 9520 of the Code.
- (d) Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty units of fractional number thereof, with at least one washer and dryer per floor.
- (e) 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 (efficiency) unit facility.
- (f) Each unit required to provide a separate bathroom containing a water closet, lavatory and bathtub and/or shower.
- (g) Each unit shall be provided with a kitchen sink, functioning cooking appliance and a refrigerator, each having a clear working space of not less than 30 inches in front.
- (h) Each SRO (efficiency) unit shall have a separate closet.
- (i) SRO (efficiency) units shall comply with all requirements of the California Building Code. All units shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.
- (j) An SRO (efficiency) unit project shall not be located within five hundred (500) feet of any other SRO (efficiency) unit project, emergency shelter, or other similar program, unless such program is located within the same building or on the same lot.
- (k) An SRO (efficiency) unit project with 10 or more units shall provide on-site management. A project with less than 10 units may provide a management office off-site.
- (l) Tenancy of SRO (efficiency) units shall not be less than 30 days.

SECTION 9708 RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Table 9.7.2 Residential Parking Requirements

Land Use Type	Required Off-Street Parking	Notes and Comments
<u>Emergency Shelter</u>	<u>1 uncovered space per 4 beds plus 1 uncovered space per staff member</u>	
<u>Single Room Occupancy</u>	<u>1 uncovered space for every 3 units plus two uncovered spaces for each onsite manager unit</u>	