



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: February 7, 2024

TO: Hearing Officer

SUBJECT: Minor Conditional Use Permit #7174

LOCATION: 997 East Walnut Street

APPLICANT: Nancy Schmieder, Trinity Evangelical Lutheran Church

ZONING DESIGNATION: CG (Commercial General) and RM-32 PK (Residential Multi-Family, 0-32 dwelling units per acre, Parking Overlay district)

GENERAL PLAN DESIGNATION: Low Commercial

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Conditional Use Permit #7174 with the conditions in Attachment B

PROJECT PROPOSAL: Minor Conditional Use Permit: To allow a Safe Parking use in conjunction with a religious facility (Trinity Evangelical Lutheran Church). The Safe Parking would occur on the portion of the site zoned CG (Commercial General). The Safe Parking program would allow up to 10 vehicles of unhoused individuals or families to park on-site overnight.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The operation of a Safe Parking use in conjunction with a religious facility at an existing church campus is considered a negligible expansion of the

existing church use.

BACKGROUND:

Site characteristics: The subject site is an irregular shaped lot that is approximately one acre in size. The property is bounded by Locust Street to the north, East Walnut Street to the south and North Catalina Avenue to the east. The northern portion of the site is located in the RM-32 (Multi-Family Residential) zoning district and the southern portion is in the CG (Commercial General) zoning district. The site is currently developed with an existing church campus (Trinity Evangelical Lutheran Church), including two buildings and a parking lot. Multi-family and single-family residential uses are located to the north, across Locust Street. A Charitable Institution use (Salvation Army) and a four-story Single-Room Occupancy building are located to the south. Multi-story office buildings are located to the east and west of the site.

Adjacent Uses: North – Single-Family and Multi-Family Residential
South – Semi-Public (Charitable Institution - The Salvation Army) and Multi-Family Residential (Single-Room Occupancy)
East – Commercial (Office)
West – Commercial (Office)

Adjacent Zoning: North – RM-32 (Residential Multi-Family, 0-32 dwelling units per acre)
South – CG (Commercial General)
East – RM-32 PK (Residential Multi-Family, 0-32 dwelling units per acre, Parking Overlay district) and CG (Commercial General)
West – RM-32 PK (Residential Multi-Family, 0-32 dwelling units per acre, Parking Overlay district) and CG (Commercial General)

Previous Zoning Cases on this Property: Conditional Use Permit #79 – Permission to add to existing church facilities by developing a social hall and parking facilities. Approved June 15, 1955.

PROJECT DESCRIPTION:

The applicant, Nancy Schmieder, on behalf of Trinity Evangelical Lutheran Church, has submitted a Minor Conditional Use Permit (MCUP) application to establish a Safe Parking use at an existing Religious Facility (Trinity Evangelical Lutheran Church). The Safe Parking would occur on the portion of the site zoned CG (Commercial General). The project site is developed with an existing church campus, including two buildings and a parking lot. As proposed, there would be no site modifications as part of the project.

The proposed Safe Parking program is a collaboration between Trinity Evangelical Lutheran Church, Foothill Unity Center, and Making Housing and Community Happen intended to provide

services and a designated overnight parking area for up to 10 vehicles of unhoused individuals or families. The parking area would be available from 9:00 p.m. to 7:00 a.m. on weekdays and 9:00 p.m. to 9:00 a.m. on Saturday and Sunday. The program would provide an assigned parking space for participants to park and stay overnight, access to restrooms, and outlets to charge electronics. In addition, participants would be required to be clients of Foothill Unity Center. Foothill Unity Center would manage and operate intake, case management, and provide resources and weekly check-ins to participants as they seek employment and/or permanent housing. In the CG zoning district, a Minor Conditional Use Permit (MCUP) is required to establish a Safe Parking use in conjunction with a religious facility.

ANALYSIS:

Zoning and Land Use

As described above, the Safe Parking program would occur on the portion of the site located within the Commercial General (CG) zoning district. One of the general purposes of the Commercial Zoning District is to provide sites for public and semi-public uses needed to complement commercial development or be compatible with a commercial environment.

The City's Zoning Code defines the Safe Parking land use as "a parking program, operated on property outside of the public right-of-way and managed by a social service provider, that provides individuals and families with vehicles, including recreational vehicles, a safe place to park overnight and services to facilitate a transition to permanent housing." Safe Parking may be allowed in conjunction with a religious assembly use subject to approval of a MCUP within the CG zoning district, and subject to the specific land use requirements of Zoning Code Section 17.50.265 (Safe Parking).

The Safe Parking program was permitted on the subject property from June 2023 to present through a Temporary Use Permit. In September 2023, the City Council adopted Ordinance 7414 amending and adding various sections to the City's Zoning Code to implement the Housing Element, which included adding a Safe Parking land use as part of a Religious Facility with the approval of a MCUP. After the Zoning Code Amendment, the applicant submitted this MCUP application to establish the use permanently on-site.

Minor Conditional Use Permit

The Hearing Officer may approve a MCUP only after making six findings identified in the Zoning Code. The general purpose is to evaluate compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses. The MCUP process allows the City to specify development standards and may result in recommended conditions or requirements associated with the operation of the use.

Proposed Operations

As noted above, the Safe Parking use would be located on the existing Trinity Evangelical Lutheran Church campus, with no change to the existing buildings. Ten participant vehicles would be allowed to park within the existing parking lot from 9:00 p.m. to 7:00 a.m. on weekdays, and 9:00 p.m. to 9:00 a.m. on Saturday and Sunday. During the program hours, participants would have access to the restrooms inside the church building adjacent to the

parking area. As proposed, private security services would visit the site to ensure that valid participant parking passes are visible and that there are no issues throughout the evening.

In order to participate in the program, eligible participants would be required to agree to the "San Gabriel Valley Safe Parking Program at Trinity Lutheran Church Participant Rules and Regulations." Under this agreement, individuals commit not to store items outside of their vehicle, camp outside of their vehicle, play music audible outside of their vehicle, have alcohol or drugs on the premises, cook inside or outside their vehicles, and must keep their designated parking space tidy. Participants would be required to display their valid parking passes on their vehicle's rear-view mirror at all times when on the premises and would agree to park only in their designated parking space. Only registered participants and vehicles would be allowed to park on-site during program hours, with no guests allowed. Additionally, participants would attend weekly check-in meetings with their assigned Foothill Unity Center caseworker. As described by the applicant, every six months each participant would need to renew their parking pass, which is their participation in the program. Participants may renew their parking pass once and participate in the program for up to one year in total. Should a participant violate the program agreement, they may be removed from the program.

Hours of Operation

The proposed use would occur on weekdays between 9:00 p.m. and 7:00 a.m., and weekends between 9:00 p.m. and 9:00 a.m. The subject use is not subject to the limited hours of operation as prescribed in Section 17.40.070.A.4 of the Zoning Code because Public/Semi-Public land use activities, such as the proposed Safe Parking, are exempt from this regulation.

Surrounding Uses and Noise

The proposed use would be located only on the portion of the site within the Commercial General (CG) zoning district, which is the southern half of the site, along Walnut Street. The CG zoning district is an area defined by a mix of commercial uses, including office buildings, religious facilities, and cultural institutions. The RM-32 zoning district, a multi-family residential zone, is located on the northern portion of the site and to the north across Locust Street.

All activities associated with the use would occur a minimum of 170 feet from the residential uses to the north and are buffered by Locust Street. The designated parking area is screened from the office use to the west and from Walnut Street to the south by the existing L-shaped church building. The Safe Parking use would allow participants to sleep inside their vehicles and use the church building restroom facilities. No activities associated with the Safe Parking use would occur on public right-of-way. All activities would occur on-site at Trinity Evangelical Lutheran Church within the parking area furthest from residential uses.

As stated in the San Gabriel Valley Safe Parking Program at Trinity Lutheran Church Participant Rules and Regulations, no outdoor activity, including storage, sleeping, cooking, or music would be allowed. This written agreement includes program specific requirements, as well as the City's performance standards contained in Zoning Code Section 17.50.265.D.4 (Safe Parking). Should any participant violate the Participant Rules and Regulations, they may be removed from the Safe Parking program. In addition, compliance with the City's Noise Ordinance (Chapter 9.36) is required, as noted in the recommended conditions of approval. To ensure compliance with these requirements, a condition of approval is recommended that a representative of the program be available during all hours of operation to receive phone calls if any issues arise. The contact information would be available on the signboard outside the parking lot entrance to the

church, as well on the Trinity Evangelical Lutheran Church website and social media and has been and provided to City staff.

As referenced earlier in the report, the Safe Parking program has operated on the site with a Temporary Use Permit beginning in June 2023. From June 2023 to the writing of this report, Pasadena Police Department has received seven calls for service related to transient cases. Of these calls, none were related specifically to the Safe Parking use. Four of the calls were related to camping on the property and three were related to individuals on-site. Of the five calls which occurred during the Safe Parking hours, Police records show that private security was present at least three of the calls. As evident by the Calls for Service report, no calls were requested for activities specifically related to the Safe Parking use occurring within the parking lot. Due to the activity in the area related to transient calls, the Police Department provided recommends a condition of approval that a security guard or representative of the program be present on the property during program hours each night.

Based on these characteristics and the recommended conditions of approval, it is anticipated that the proposed use would have minimal impacts on and would be compatible with surrounding uses.

GENERAL PLAN CONSISTENCY:

The subject property is designated Low Commercial in the Land Use Element of the General Plan. The existing use is a religious facility. The proposed Safe Parking use is in conformance with the following goals, policies, and objectives of the General Plan Housing and Land Use elements.

Goal HE-4. *Adequate housing opportunities and support services for seniors, people with disabilities, families with children, college students, and people in need of emergency, transitional, or supportive housing.*

Policy HE-4.4 Service-Enriched Housing. *Support and assist organizations in the provision of support services and service-enriched housing for special needs groups, such as seniors, families, disabled people, homeless people, and those with medical conditions.*

Policy HE-4.6 Homeless Housing and Services. *Provide support and financial assistance to community service organizations that provide housing opportunities and supportive services for people who are homeless.*

The proposed Safe Parking program integrates support services including case management and housing navigation. In addition, the use would provide a safe and secure location for people experiencing homelessness to park their vehicles and sleep over night. As such, the proposed use is consistent with the City's policies to provide service-enriched opportunities for people experiencing homelessness.

Goal 2 – Land Use Diversity. *A mix of land uses meeting the diverse needs of Pasadena's residents and businesses, fostering improved housing conditions, offering a variety of employment and recreation opportunities, and supporting a healthy population while protecting the environment.*

Policy 2.7- Civic and Community Services. *Provide diverse uses and services supporting Pasadena’s residents such as facilities for civic governance and administration, public safety (police and fire), seniors and youth, community gatherings, and comparable activities.*

Trinity Evangelical Lutheran Church is an existing religious facility in which community gatherings related to religious services and other social groups occur. The proposed Safe Parking use would provide a consistent, dedicated space for unhoused community members to sleep overnight for up to one year. Participants would sleep in a designated area where they would have access to restrooms and outlets to charge electronics. Participants also would be required to attend weekly meetings with their case workers to access services, find jobs, and work towards permanent housing. Operational conditions imposed through the Minor Conditional Use Permit process will reduce the likelihood of negative impacts on adjoining uses.

GOAL 16. Superior Services. *A superior level of services meeting the needs of Pasadena’s diverse residents including schools, hospitals, parks, child and senior facilities and programs, libraries, shelters, public auditoriums, health facilities, social clubs and recreation centers.*

Policy 16.1 – Commitment. *Provide human and community services to all sectors of the City’s population in an equitable manner.*

The proposed Safe Parking use would provide community services to vulnerable individuals to assist them towards permanent housing. The program includes a partnership with Foothill Unity Center and would include a case worker for each participant and resources related to achieving permanent housing stability.

Policy 16.7 – Shared Facilities. *Encourage the sharing of facilities between various public service providers, as well as those offered by private entities, such as the joint use of school play areas for recreation, school facilities for child and after school day care, and libraries for civic and cultural events.*

The proposed Safe Parking site would be located at an existing religious facility campus of which the proposed services would align with the mission and values of the existing religious facility. In addition, the church campus is otherwise not in use overnight during the proposed sleeping hours, providing an opportunity for the program to utilize the church campus during the “off” hours. The shared facilities would provide participants with a secure, safe, and consistent location to park and sleep.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The operation of a Safe Parking use in conjunction with a religious facility at an existing church campus is considered a negligible expansion of the existing church use.

REVIEW BY OTHER CITY DEPARTMENTS:

The Police Department, Housing Department, Fire Department, Public Works Department, Public Health Department, and Building and Safety Division have reviewed the project. The Pasadena Police Department recommended that a representative of the program or security guard be on-site overnight. The Housing Department, Fire Department, Public Works Department, Public Health Department, and Building and Safety Division had no comments.

CONCLUSION:

It is the staff recommendation that the findings for approval of the Minor Conditional Use Permit application can be made (Attachment A). The proposed Safe Parking use would provide a consistent place for unhoused individuals to sleep and receive support services. The use meets all applicable specific land use standards required by the Zoning Code. Further, the use is consistent with Goals and Policies in the Housing and Land Use Elements of the General Plan, as the use provides services to individuals experiencing homelessness. To prevent any unanticipated noise impacts and to safeguard nearby residential uses, recommended conditions of approval include compliance with the City’s Noise Ordinance (Chapter 9.36). As proposed, the project would not be detrimental to surrounding properties or to other residences in the immediate neighborhood. Conditions of approval would ensure that the project is compatible with the surrounding neighborhood.

ATTACHMENTS:

Attachment A: Findings for Minor Conditional Use Permit
Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #7174

Minor Conditional Use Permit: To allow a Safe Parking land use at an existing Religious Facility.

1. *The proposed use is allowed with a Conditional Use Permit (Major and Minor) or Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The Religious Facilities with Safe Parking use is allowed subject to approval of a Minor Conditional Use Permit (MCUP) within the CG zoning district. The proposed use will comply with all the specific land use requirements of Zoning Code Section 17.50.265 (Safe Parking), including provision of a detailed management plan and compliance with performance standards, such as case management, sanitation, registered vehicle program, and a written agreement between the operator and participants.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The Safe Parking program will only occur on the portion of the site located in the Commercial General (CG) zoning district. One of the general purposes of the Commercial Zoning District is to provide sites for public and semi-public uses needed to complement commercial development or be compatible with a commercial environment.

The Safe Parking program at Trinity Evangelical Lutheran Church will provide safe and secure sleeping area and case management services to up to 10 vehicles of participants who are experiencing homelessness. The Safe Parking program provides an opportunity for those who otherwise do not have a consistent location to park and sleep in their vehicles each night, to have access to a secure parking lot, restrooms, and services from Foothill Unity Center. The CG Zoning District features a variety of uses that serve the community; therefore, the use complements other community-service uses in the area, such as the existing Religious Facility. The use will ensure that participants sleep in a secure environment, rather than on sidewalks or in other public areas of the City. As such, the proposed Safe Parking use at an existing Religious Facility is consistent with the CG Zoning District.

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* As proposed, the Safe Parking use is consistent with General Plan Housing Element Policies HE-4.4 and HE4.6 to support services and organizations supporting people who are homeless, as the intent of the proposed use is to provide services and a safe and secure sleeping area for community members experiencing homelessness. The proposed use also aligns with Land Use Policy 2.7 (Civic and Community Services), 16.1 (Commitment), and 16.7 (Shared Facilities) which related to the provision of community services, partnership between organizations and existing facilities, and providing superior level of services to meet the diverse needs of Pasadena residents. The proposed use provides services to a particular group of community members through the partnership of Trinity Lutheran Evangelical and Foothill Unity Center. The proposed use, location, design, and operation are consistent with the aforementioned goals and policies in the General Plan Land Use Element, and the purpose of the applicable specific plan.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* All activities

associated with the Safe Parking use will occur a minimum of 170 feet from the residential uses to the north and are buffered by Locust Street. The designated parking area is screened from the office use to the west and from Walnut Street to the south by the existing L-shaped church building. The Safe Parking use will allow participants to sleep inside their vehicles and use the church building restroom facilities; therefore, fewer individuals will be parking or sleeping in residential areas or on public sidewalks or streets. In addition, no activities associated with the Safe Parking use will occur on public right-of-way. All activities will occur on-site at Trinity Evangelical Lutheran Church within the parking area furthest from residential uses.

As stated in the San Gabriel Valley Safe Parking Program at Trinity Lutheran Church Participant Rules and Regulations, no outdoor activity, including storage, sleeping, cooking, or music will be allowed. This written agreement includes program specific requirements, as well as the City's performance standards contained in Zoning Code Section 17.50.265.D.4 (Safe Parking). Should any participant violate the Participant Rules and Regulations, they may be removed from the Safe Parking program. In addition, compliance with the City's Noise Ordinance (Chapter 9.36) is required, as noted in the recommended conditions of approval. To ensure compliance with these requirements, a condition of approval is recommended that a representative of the program be available during all hours of operation to receive phone calls if any issues arise. The contact information will be available on the signboard outside the parking lot entrance to the church, as well on the Trinity Evangelical Lutheran Church website and social media and has been and provided to City staff.. Additionally, either staff or a security guard is required to be present on the property during program hours nightly. As conditioned, the establishment, maintenance, or operation of the Safe Parking use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* There is no proposed change in floor area of the existing religious facility campus and all activities related to the proposed Safe Parking use will occur on-site in the existing parking lot, set back 170 feet minimum from the residential uses across Locust Street. In addition, conditions of approval are included to require that premises, sidewalk, and street be maintained in a litter and graffiti free manner. No outdoor activity, including storage, sleeping, cooking, or music will be allowed. Therefore, the proposed use and operational characteristics will prevent detriment or injury to property and improvements in the neighborhood.
6. *The design, location, operating characteristics, and size of the proposed use will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.* The proposed use will be located on an existing religious facility campus and there will be no addition or alteration of the building or expansion of the site with this approval. As it relates to the operating characteristics of the use, all activities associated with the use will occur a minimum of 170 feet from the residential use to the north and are buffered by Locust Street. To prevent any noise amplification, the participants are required to make any music inaudible from the exterior of their vehicles. In addition, compliance with the City's Noise Ordinance (Chapter 9.36) is required, as noted in the recommended conditions of approval. Camping, cooking, or storage of personal items outside of the participant vehicles will not be allowed. Participants will also be required to sign a written agreement ensuring compliance with requirements that limit adverse impact

on surrounding uses. If a participant violates the written agreement, they may be removed from the program. Therefore, the operation of the Safe Parking use will comply with all applicable standards and requirements of the Zoning Code.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #7174

The applicant or successor in interest shall meet the following conditions:

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved at Hearing, February 7, 2024", except as modified herein.
2. In accordance with Section 17.64.040 (Time Limits and Extension) of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Hearing Officer may grant a one-year extension of the approval.
3. The approval of this application authorizes the establishment of a Safe Parking land use at an existing Religious Facility (Trinity Evangelical Lutheran Church) within the CG zoning district portion of the site with a maximum of 10 participant vehicles parked at any one time.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Minor Conditional Use Permit or a new Minor Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The project shall adhere to the City regulations governing the allowed level of ambient noise as specified in Chapter 9.36 of the Pasadena Municipal Code.

Planning Division

8. The hours of operation for the Safe Parking land use shall be limited to from 9:00 p.m. to 7:00 a.m. on weekdays, and 9:00 p.m. to 9:00 a.m. on Saturday and Sunday. Overnight stays are limited to the program hours and participants must enter and exit the site in accordance with the hours of operation.
9. All activities associated with the use shall be conducted within the areas identified on the approved site plan.
10. Temporary events and activities may require the approval of a Temporary Use Permit.
11. A representative of the program responsible for the activities occurring on-site shall be available during all hours of operation. The name and telephone number of the individual, owner, or designated representative responsible shall be kept on record in the office of the religious facility, the signboard outside of the parking lot entrance, and on Trinity Evangelical Lutheran Church's website. The information shall also be furnished to the Zoning Administrator and be presented to any City official for review upon request.

12. Restroom, water, and trash facilities shall be provided, maintained, and accessible to clients during Safe Parking facility hours.
13. The bathrooms shall be maintained in a clean and sanitary manner at all times.
14. The Program Operator shall ensure that only vehicles registered in the program are parked overnight during program hours. A parking permit shall be provided to all clients to be displayed in vehicle windows in a form approved by the Zoning Administrator.
15. Only clients who have entered into a written agreement with the Program Operator shall be allowed to use parking spaces overnight.
16. The premises, sidewalk, and street shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours. If at any time the Zoning Administrator determines that trash, litter, and debris have become a problem, the operator shall be required submit a litter clean-up plan. The litter clean-up plan shall address litter clean-up on-site and off-site and shall include, but not be limited to, a litter pick-up schedule and a map of the clean-up area. Upon approval of the plan by the Zoning Administrator, the measures of the plan shall be implemented. This condition may require the operator to post a bond to ensure trash and litter compliance.
17. The existing outdoor lighting shall be subject to Section 17.40.080 (Outdoor Lighting) of the Zoning Code to ensure its compliance with the requirements to avoid glare and reflection impacts on adjoining properties and public-rights-of-way.
18. Outdoor storage shall be prohibited. Personal belongings shall be stored only within the participant vehicles.
19. These conditions of approval must be made available for public viewing at the religious facility campus on a continuous basis for the duration of this Minor Conditional Use Permit, beginning on the date the Minor Conditional Use Permit is in effect.

Police Department

20. A minimum of one representative of the program or security guard shall be present on-site during the Safe Parking hours each night.