



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: May 13, 2024

ITEM NUMBER:PH-3

SUBJECT: PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE WITH UP TO 16 INDIVIDUALS AT LIGHTHOUSE CHURCH (1885 ANAHEIM AVENUE)

FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTATION BY: CHRIS YEAGER, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: CHRIS YEAGER
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RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Planning Application 21-02, based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

Phil Eyskens is the authorized applicant for the property owner, The Church of the Nazarene (i.e., Lighthouse Church).

PLANNING APPLICATION SUMMARY

Location:	1885 Anaheim Avenue APN: 424-211-12	Application No:	PA-21-02
Request:	Conditional Use Permit to operate a transitional housing and supportive services use for a maximum of 16 men. The residents would reside in the existing dorms located on the second-floor of the Church, and would take part in a faith-based program that lasts for 9-12 months. The goal of the program is to provide independence for its residents after the program and that the participants graduate the program with birth certificates, identification card, health insurance, a primary care physician or mental health provider, bank account and employment when possible.		

SUBJECT PROPERTY:
SURROUNDING PROPERTY:

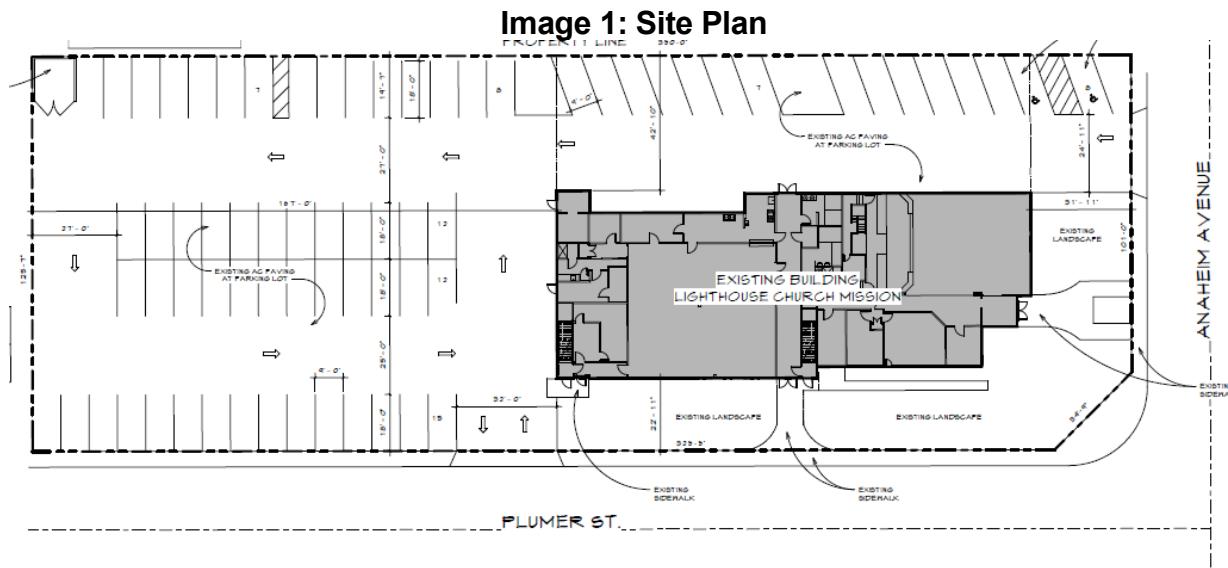
Zone:	I&R (Institutional and Recreational)	North:	C1 (Various businesses including retail, veterinary, and eating establishments)
General Plan:	HDR (High Density Residential)	South:	R2-HD (Across Plumer St- Single and multi-family residential)
Lot Dimensions:	Approx. 125 ft X 150 ft	East:	R3 (Apartment Complex)
Lot Area:	40,946 SF	West:	R2-HD (Single family residential)
Existing Development:	Existing 10,220-square-foot two-story church on a lot with a surface parking lot, landscaping, and fencing.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	I&R Stds.	Proposed/Provided
Lot Size		
Lot Size	6,000 FT	40,946 SF
Lot Width	60 FT	125 FT
Density/Intensity		
FAR	0.30	.25
Building Height		
	4 stories south of the 405 Freeway	2 stories
Development Lot Building Setbacks		
Front	20 FT	31 FT 11 IN
Side (left / right)	10 FT/5 FT	22 FT 11 IN / 42 FT 10 IN
Rear	5 FT	167 FT
Parking		
Parking Spaces (1 space for every 35 square feet of seating area if there are no fixed seat)	35	63
Final Action	Planning Commission	
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Development)	

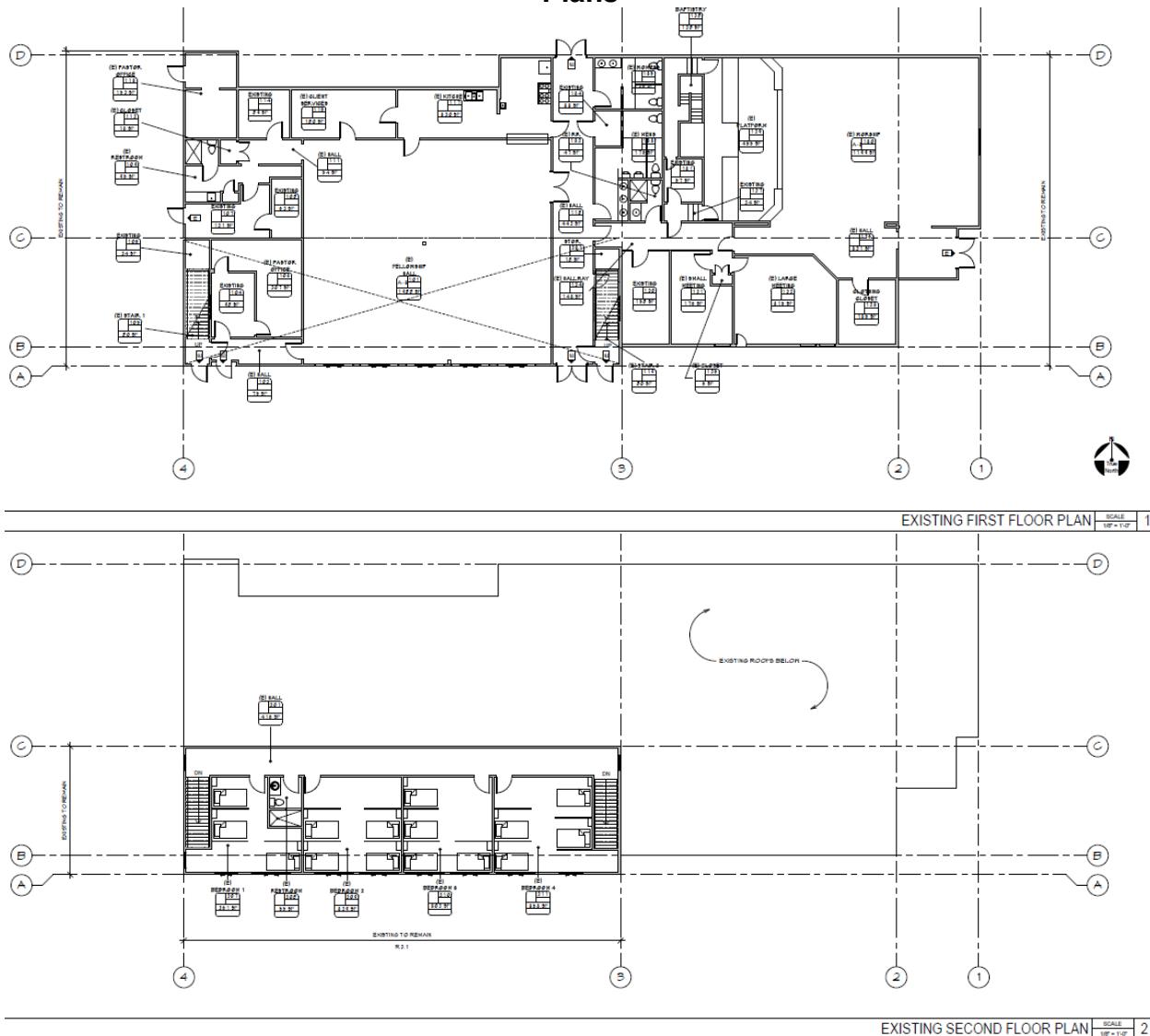
BACKGROUND

The subject property (1885 Anaheim Avenue) is located on the northwest corner of Anaheim Avenue and Plumer Street and has a General Plan land use designation of HDR (High Density Residential) and is zoned I&R (Institutional & Recreational). The project site is approximately 40,000 square feet in size (0.96 acres) and is improved with an existing 10,220-square-foot, two-story church facility, and 63 surface parking spaces. The parking lot is accessible via one driveway from Anaheim Avenue and one driveway on Plumer Street. Excepting one accessible space located from Anaheim Avenue, the site's parking lot is enclosed by a five-foot tall solid fence and driveway gates located at each driveway.



The first floor of the existing Church includes a Worship room, open fellowship hall, kitchen, various meeting rooms and offices, a donation clothing storage room, two full bathrooms and two public bathrooms. The second-floor is limited to the dormitories which includes four bedrooms and one full bathroom (see the below Image 2). No new construction is proposed.

Image 2: Floor Plans



Properties to the north are zoned Local Business (C1) and include a variety of commercial uses located along both sides of West 19th Street including retail, food and beverage establishments, veterinary office, and automobile service uses. Properties to the east, west, and south are zoned Multi-Family Residential-High Density and Multi-Family Residential (R2-HD and R3, respectively). These properties are developed with a variety of rental and ownership housing uses including an apartment complex, single-family dwellings, and other multi-family dwellings. The property is also located within close proximity to certain local institutional uses, including the Costa Mesa Historical Society, Norma Hertzog Community Center, Lions Park, Donald Dungan Public Library and the City's Senior Center.

The project site is located within one-half mile of transit including the OCTA 35 Bus (Fullerton-Costa Mesa), 43 Bus (Fullerton-Costa Mesa), 55 Bus (Santa Ana – Newport Beach), and 71 Bus (Yorba Linda – Newport Beach).

From April 2019 through April 2021, the Lighthouse Church assisted the City by providing a fifty-person emergency shelter. The emergency shelter was designed to be temporary while the City of Costa Mesa completed the development of a permanent shelter at 3175 Airway Avenue. The fifty-bed shelter hosted at the subject property consisted of temporary modular buildings located in the parking lot of Lighthouse Church. After the City's permanent shelter was opened in the Spring of 2021, the temporary shelter was removed from the Lighthouse's parking lot.

Although unpermitted, the Lighthouse Church has been providing permanent supportive housing and shelter-related services at the project site since 2004. This unauthorized use was discovered during a normal inspection of the facility by the Fire Department and resulted in enforcement by the City. However, in May 2018, due to the urgent need to continue this type of community service, the Development Services Department and Lighthouse Church entered into an agreement to temporarily suspend all code enforcement action so the church could prepare and submit the requisite Conditional Use Permit (CUP) application. The agreement allowed for the continuance of the supportive housing services at the church on the condition that the Church would submit a conditional use permit for the supportive housing services for Planning Commission review by June 14, 2021. In March of 2021, the Church submitted a conditional use permit and staff has been working with the Church management to finalize the application since that time.

In addition to the transitional housing services proposed, the Church includes other services that benefit the community. Since 2022, the Church has served as a deployment location for "Chrysalis Roads", a transitional jobs program for individuals facing significant barriers in obtaining employment. This program helps clients earn a paycheck, build confidence, and develop skills that will enable them to secure and retain long-term employment. The program is a partnership with Chrysalis and Caltrans to employ people on active supervision in freeway maintenance jobs. Each morning at 6:30 a. m., the Chrysalis vans pick up program and other participants at the Church site, take them to jobsites throughout Southern California and then return them at the end of the day.

The Church also hosts weekly nurse visits from Biola University on Fridays from 9:00 a.m. to 4:00 p.m. within the sanctuary of the Church. The nurses provide medical services including minor medical check-ups, blood pressure checks, and wound care for anyone who may need it. Lastly, the Church also has a 135-square-foot clothing closet area where donated clothing items are provided free of charge to anyone who is need of additional clothing. The clothing closet operates on Fridays.

CONDITIONAL USE PERMIT

Planning Application 21-02 requests conditional use permit approval to operate a transitional housing and supportive services use for a maximum of 16 men. This specific type of use is not listed in the City's Land Use Matrix. Pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30(d), a use not listed in the City's Land Use Matrix can be reviewed by the Development Services Director to determine its similarity to another listed use. If no similar use exists, the proposed use requires the approval of a conditional use permit (CUP) by the Planning Commission. To obtain a CUP, an applicant must demonstrate that the proposed use is compatible with the City's applicable zoning and General Plan provisions/policies, and will not be detrimental to public health, safety, and welfare.

The subject site is located within the Institutional and Recreational (I&R) Zoning District. According to the Municipal Code, this district is intended to "allow land uses which provide recreation, open space, health and public service uses. Development in this designation may occur on either public or private property". Pursuant to the CMMC, the approval of a CUP requires that the Planning Commission make findings related to neighborhood compatibility, health and safety, and land use compatibility. Proposed uses subject to CUPs will generally have site-specific conditions of approval to ensure the required findings can be met. A detailed project analysis regarding CUP findings is provided below in this report.

ANALYSIS

Program Operations

The Lighthouse Church refers to this program as the "Lighthouse Gatekeeper's Program" and according to the Church is intended to be a male supportive housing program that provides "men to have a place to start again". A maximum of 16 male residents would be permitted to participate in the Church's transitional housing program, which is a faith-based program that lasts 9 to 12 months. The residents reside in existing dorms within the 1,716-square-foot second floor of the Church. The primary goal of the program is to provide housing and to assist men with obtaining independence. Residents of the program will graduate with birth certificates, an identification card, health insurance, a primary care physician or mental health provider, a bank account and employment when possible.

The Lighthouse Gatekeeper's Program is a referral-based transitional housing program only and does not allow resident walk-up opportunities. Prior to entering the program, each interested participant must fill out an intake application and is interviewed by four Program Managers. Before entering the program, each participant is required to sign a document indicating that they will follow Program rules, which include:

- Each participant will be subject to random drug tests and a drug test before they enter the program. If any alcohol or drug use is confirmed, the participant will be removed from the program.

- Smoking is not permitted on or off-site.
- Violence, threats of violence, foul/abusive language may result in immediate dismissal from the program.
- Sleeping areas are subject to random inspections and food products are not permitted in bedrooms.
- The curfew for all participants is 10 p.m. (Sunday-Thursday), 11 p.m. (Friday-Saturday) unless a participant's employment necessitates longer hours.
- Participants are required to stay on the Church property for the first 30 days of the program unless accompanied by a Church staff or program manager.
- All electronics will be held in storage for the first three days of the program.
- Once a job is acquired, the participant is asked to contribute \$100 per week for maintenance and upkeep of the Church and associated facilities.
- All participants must attend faith programs.

During the first 30-days of the program, residents are required to dedicate a portion of their day working at the Church's mobile food pantry, which delivers up to 4,000 pounds of food each week to needy families and individuals in Costa Mesa. During this time, the outreach director also works with each participant to restore personal paperwork and works with the resident director to establish faith and discipline in their lives. In addition, the office, clothing room, and church ground are all maintained by the resident participants.

During the next 90 days of the Program, residents are encouraged to restore relationships with their family and to seek employment. In addition, residents may choose to return to school, complete off-site drug and alcohol classes, and improve/resolve other legal or personal issues. All transportation is provided for residents including trips to medical appointments. The church has two vans for transportation for groups or individuals. In addition, the church provides one-month bus passes for program residents that are seeking employment.

Over the next four to five months of the Program, residents are provided more responsibility around the Church to develop an ownership mentality that prepares them for life after completing the program. According to the applicant, the program has a success rate of 80% of the residents being housed and employed, with relationships with family also being restored.

The residents are required to attend various events and meetings during the week. Typical events and meetings include community pantry deliveries, chores, devotion, bible study, church services, and shared meals. Special events occur on most holidays including July 4th, Thanksgiving, Christmas, and Easter.

The Lighthouse has at least two staff persons that oversee the property daily. One staff person lives on-site and is responsible for office hours, daily resident check-in/check-out, and informs management if there are any issues or concerns. The other, a resident director pastor, lives within a few minutes walking distance of the church and is available 24 hours a day, if needed.

The residents receive freshly prepared food that is delivered six days a week. Because each resident has separate chores and responsibilities throughout the day, the residents can eat breakfast, lunch and dinner as their schedule permits. In addition, a prep area in the Church kitchen is available for the residents to prepare individual meals.

The applicant has provided additional details about their operation that is discussed in their Operational Management Plan contained in Attachment 2. The operational Management Plan includes program details regarding: (1) Program Overview, (2) City Partnerships, (3) Program Marketing, (4) Client Intake, (5) Program Rules and Guidelines, (6) Community Outreach, (7) Management, (8) Security, and (9) Program Funding.

Housing Element Compliance

The Housing Element is a State mandated element included in the City of Costa Mesa's General Plan. The purpose of the Housing Element is to identify a high-level strategy and blueprint for addressing the City's existing and projected housing needs over the eight-year planning cycle. The Housing Element contains a detailed work program of the City's housing goals, policies, quantified objectives, and actions or programs for the preservation, improvement, and development of housing.

As proposed and conditioned, the project is in compliance with the City's Housing Element. For example, Housing Element Goal #2 establishes that the City facilitate the creation and availability of housing for residents at all income levels and for those with special housing needs. The project is proposing to provide additional housing opportunities for men at risk of, or experiencing homelessness, and also provides special needs supportive services to those individuals. Furthermore, Housing Element Program 2J calls for additional transitional and supportive housing by proactively engaging relevant organizations to meet the needs of persons experiencing homelessness, and extremely low-income residents. The project would provide transitional housing opportunities and help individuals obtain permanent housing.

Lastly, Housing Element Program 3K calls for the City to Explore Potential Future Housing Opportunities on Church Sites. The City did not identify any church properties as housing opportunity sites within the 2021-2029 Housing Element; however believes these partnerships with the local faith-based organizations that serve Costa Mesa are an important component of the overall process of creating more affordable housing in the community. The Lighthouse Church has proven to be a valuable asset to the City in providing assistance for the temporary emergency shelter and for providing various services to extremely-low income and homeless residents. The project will include up to 16 additional beds for individuals of special needs looking to find housing and support.

Parking

The CMMC establishes that Churches require one parking space for every 35 square feet of seating area if there are no fixed seats. The main assembly area is 1,199 square feet and therefore requires 35 parking spaces. The Church has an existing on-site parking lot that contains 63 parking spaces and therefore complies with parking requirements. Participants in the transitional living program generally do not own a vehicle and therefore only minimal parking demand is anticipated from the proposed supportive housing program. The exception to this would be a participant that has been accepted into the program who already owns a vehicle. In this case, they would be allowed to keep the car on-site provided that the car is registered and in working condition. If all residents in the program had vehicles, the parking demand (including the church) would be 51 parking spaces where 63 spaces are available. Condition of approval (COA) No. 6 requires that all resident vehicles are to be parked on church property when not in use, that vehicles remain in good repair, and that the vehicles be currently registered with the Department of Motor Vehicles.

Program Funding

Funding for the program comes entirely from local sponsors, grants, and donations. The Outreach Director applies for grants, coordinates with donors, and engages new donors.

GENERAL PLAN CONFORMANCE:

The property has a General Plan designation of High Density Residential. Pursuant to this General Plan designation, residential uses are allowed. As a result, the proposed transitional housing use and supportive services conforms to the City's General Plan. The following evaluates the proposed project's consistency with the applicable and relevant goals, objectives, and policies of the General Plan:

Policy LU-1.1 *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.*

Consistency: The need for transitional and supportive housing has been exacerbated by the current housing crisis and high housing costs. The use will provide housing opportunities for a residential segment of the community which has experienced difficult times and allows them to obtain legal ID documentation, employment, and to assimilate back into the general population.

Housing Goal #2 Facilitate the creation and availability of housing for residents at all income levels and for those with special housing needs.

Consistency: The proposed transitional housing use will provide housing for the specialized needs of City residents experiencing or at-risk of homelessness. The transitional housing will provide housing in 9-12 month cycles, and provides access

to resources which allow residents to improve themselves and ultimately maintain independent living.

Housing Program 3K: Explore Potential Future Housing Opportunities on Church Sites.

Consistency: The proposed transitional housing use is located within the existing Lighthouse Church. The project is a suitable location for the transitional housing use at the existing Church in that the church has previously provided services to people experiencing homelessness including hosting the temporary emergency shelter, providing supportive/transitional housing, providing food to those in need with their mobile food pantry, provide health services and clothing for those in need. The existing Church will expand housing opportunities for individuals experiencing homelessness.

FINDINGS:

Pursuant to CMMC Section 13-29 (g)(2), CUP Findings, in order to approve the project, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings which are also reflected in the draft Resolution.

- The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

The proposed project will be compatible and harmonious with uses that exist within the general neighborhood and would not be materially detrimental to other properties in the area. All residents will be required to comply with program rules and if a resident is removed from the program, they will be provided transportation to other facilities that will assist them. No changes are proposed to the church building and as conditioned, signage for the use is not permitted to be posted. Since the project is conditioned to maintain the site and since the project is not expanding the facility, the project is compatibility with developments in the same general area.

- Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

As conditioned, the use will be required to comply with all applicable California Building and Fire Code requirements to ensure the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

- *Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation and any applicable specific plan for the property.*

The project site is zoned I&R (Institutional and Recreational) and has a General Plan Designation of High Density Residential. The Institutional and Recreational (I&R) Zoning District is intended to allow land uses which provide health and public services. The proposed use, which includes supportive and transitional housing would provide health and public service in the community to an at-risk population. Therefore, granting the use permit will not allow a use, density, or intensity which is not in accordance with the General Plan.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing or prior use. This project site contains an existing building that has been used continuously for church activities, including supportive and transitional housing. The application does not propose an increase in floor area or otherwise expand the prior use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

ALTERNATIVES:

Planning Commission alternatives include the following:

1. *Approve the project with modifications.* The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
2. *Deny the project.* If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months. However, the project is subject to the Housing Accountability Act (Government Code Section 65589.5), and if the Planning Commission denies or reduces the proposed density of

the proposed housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and
- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

LEGAL REVIEW:

The draft Resolution has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of this report, seven written public comments have been received. Any public comments received prior to the May 13, 2024, Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed transitional housing use will be an ancillary use to the established Lighthouse Church and will not require alterations to the facility. The site hosted the temporary bridge shelter and has historically provided supportive/transitional housing services benefiting the homeless population. The location of the use is in an area which includes commercial, residential, and institutional uses and staff believes it continues to be an appropriate location because it provides an additional housing opportunity in close proximity to commercial goods and services, and employment. The use is

specifically proposed in the Institutional and Recreational (I&R) Zoning District which is intended to allow land uses which provide health and public services. The proposed use, which includes supportive and transitional housing, would, as intended by the CMMC, provide health and public service in the community.

While homelessness has impacted Westside Costa Mesa over the years, the program, which has been operating since 2004, has operated largely without complaint from the surrounding neighborhood. To further reduce any potential impacts on the neighborhood, the Lighthouse Church has removed certain previously operating programs which caused neighbor concerns including their on-site soup kitchen. Staff does not anticipate any negative impacts to the neighborhood from the activities included in this application. Condition of Approvals (COA) No. 9 and No. 12 are recommended to ensure that the use and site remains harmonious with the neighborhood such that the site remains free of litter, and that all personal belongings are stored inside the building. Additionally, COA No. 15 requires that no signage or other indication of the use be installed on property; and COA No. 16 prohibits outdoor camping or sleeping in vehicles on the property. COA No. 18 requires that if any program participant is removed or voluntarily leaves the program, that the church provide transportation free-of-charge from the project site to a rehabilitation program, family residence, or other housing program that has capacity to accept the individual. Lastly, COA No. 19 requires that no walk-up residents be accepted into the program and all residents must go through the referral and application process prior to entering the program.