



**Planning Commission**  
**REGULAR MEETING AGENDA**  
**Tuesday, August 22, 2023 | 7:30 PM**  
**City Hall Council Chamber – 70 N. First Street**

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**CALL TO ORDER / ROLL CALL**

This Planning Commission meeting will be conducted in person and virtually via video teleconferencing (Zoom) in compliance with the provisions of the Brown Act. Members of the public may attend this meeting in person at Campbell City Hall or virtually via Zoom at <https://campbellca.gov/PCSignup>. The meeting will also be live streamed on Channel 26, the City's website, and on YouTube at <https://www.youtube.com/@CityofCampbell>.

Written correspondence will be accepted via email at [planning@campbellca.gov](mailto:planning@campbellca.gov) until 5:00 PM on the day of the meeting, and thereafter may be delivered in-person at the public hearing. Written correspondence will be posted to the City's website and distributed to the Planning Commission. If you choose to email your comments, please indicate in the subject line "FOR PUBLIC COMMENT" and indicate the item number.

**APPROVAL OF MINUTES**

1. **Approval of Minutes of July 11, 2023** (*Roll Call Vote*)
  - Meeting Minutes, **7/11/2023** (Regular Meeting)

**COMMUNICATIONS**

**AGENDA MODIFICATIONS OR POSTPONEMENTS**

**ORAL COMMUNICATIONS**

This portion of the meeting is reserved for individuals wishing to address the Planning Commission on matters of community concern that are not listed on the agenda. In the interest of time, the Chair may limit speakers to five minutes. Please be aware that State law prohibits the Commission from acting on non-agendized items, however, the Chair may refer matters to staff for follow-up.

**PLANNING COMMISSION AD-HOC SUBCOMMITTEE REPORTS**

2. **Report of the Shelter Crisis Subcommittee (Commissioners Krey & Zisser)**  
Recommended Action: Receive the report and provide feedback.
3. **Report of the Economic Development Subcommittee (Commissioners Kamkar & Davis)**

Recommended Action: Receive the report and provide feedback.

**NEW BUSINESS**

4. **Economic Development Strategy Plan Update**
5. **Report of the Community Development Director**

**ADJOURNMENT**

Adjourn to the Planning Commission meeting of **September 12, 2023**, at 7:30 PM, in the City Hall Council Chambers, 70 North First Street, Campbell, California and via telecommunication.

**Americans with Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, listening assistance devices are available for meetings held in the Council Chambers. If you require accommodation to participate in the meeting, please contact the City Clerk's Office at [ClerksOffice@campbellca.gov](mailto:ClerksOffice@campbellca.gov) or 408-866-2117 in advance of the meeting.



**PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Tuesday, July 11, 2023 | 7:30pm  
City Hall Council Chamber**

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**CALL TO ORDER**

The Regular Planning Commission meeting of July 11, 2023 was called to order at 7:30 pm by Chair Buchbinder, and the following proceedings were had to wit.

**ROLL CALL**

Planning Commissioners Present:

Adam Buchbinder, Chair  
Alan Zisser, Vice Chair  
Davis Fields  
Stuart Ching  
Matt Kamkar  
Michael Krey

Planning Commission Absent

Maggie Ostrowski

Members present:

Rob Eastwood, Director  
Bill Seligmann, City Attorney  
Stephen Rose, Senior Planner  
Tracy Tam, Associate Planner  
Ken Ramirez, Administrative Analyst

**APPROVAL OF MINUTES**

1. **Approval of Minutes of June 27, 2023** (*Roll Call Vote*)
  - Meeting minutes a 6/27/2023 (Regular Meeting)  
Approved by Planning Commission. Commissioner Ostrowski Absent.

**COMMUNICATIONS**

None

**AGENDA MODIFICATIONS OR POSTPONEMENTS**

None

### **ORAL COMMUNICATIONS**

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Opened and Closed Public Comment

### **PUBLIC HEARING**

**Note:** Members of the public may be allotted up to two (2) minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Planning Commission's consent at the meeting.

Disclosures: Vice Chair Zisser and Commissioner Krey visited all the sites but did not speak to anyone at the sites. Commissioner Kamkar went past the site for Item 3. Chair Buchbinder spoke to applicant and visited the site for Item 4.

Chair Buchbinder read the following public hearing items into record as follows:

#### **2. PLN-2023-65 – 801 W. Hamilton Avenue**

Continued Public Hearing to conduct a compliance evaluation of an existing restaurant (Negeen Restaurant) with on-site alcohol sales and late-night hours in response to live events held on the property inconsistent with permit requirements, and to consider the modification or revocation of planning permit(s) in response on property located at **801 W. Hamilton Avenue**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Planning Commission action is final unless appealed in writing to the City Clerk within 10 calendar days. *Project Planner: Tracy Tam, Associate Planner*

Recommended Action: Adopt a Resolution (reference Attachment 1) approving a City-Initiated Modification (PLN-2023-65) to the Administrative Planned Development Permit (PLN-2009-167).

Associate Planner Tracy Tam presented the staff report to conduct a compliance evaluation of an existing restaurant (Negeen Restaurant) with on-site alcohol sales and late-night hours in response to live events held on the property inconsistent with permit requirements, and to consider the modification or revocation of planning permit(s) in response on property located at **801 W. Hamilton Avenue**.

Commissioners received clarification regarding the differences between the revocation of Khartoum Lounge hearing and the subject hearing. The Planning Commission is reviewing the permit due to two violations. City Attorney also clarified that state law provisions limit

finer to \$1,000 per violation. Staff explained the permits needed to conduct outdoor temporary events, citing that a two-step permit procedure would be required.

Applicant stated that he was bringing the community together. No intention going against city regulation or rules. Event had an economic benefit.

Commissioners received clarification and responses from applicant that if the event is held again in the future they would apply for a permit to hold that event.

Commissioners discussed their perspectives on the project. Believe that the Khartoum model worked well. Believe that the City should make clear what the penalties are for violating conditions of approval. In favor of having staff the ability to modify the hours if needed. Ok with staff recommendations. Applicant should make adjustments and submit for a Conditional Use Permit.

A straw-poll was taken (4-2; in favor of moving forward with Compliance Agreement with applicant)

**Motion:** Upon motion by Commissioner Krey, seconded by Commissioner Kamkar the Planning Commission adopted Resolution No. 4684, approving a City-initiated Modification to a previously approved Administrative Planned Development Permit ((PLN2009-167), amending the conditions of approval for an existing restaurant/liquor establishment (Negeen Restaurant) with Late-Night activities on property located at 801 W. Hamilton Avenue(PLN-2023-65), by the following roll call vote.

<b>AYES:</b>	<b>Ching, Kamkar, Krey, Buchbinder, Zisser, Fields</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Ostrowski</b>
<b>ABSTAIN:</b>	<b>None</b>

Chair Buchbinder closed public hearing.

Commissioners were in support of the project.

### 3. **PLN-2021-43 – 910 S. McGlincy Lane**

Public Hearing to consider the application of Nicole Comach (Crown Castle) and Jake Hamilton (Virtual Site Walk, LLC) to allow for the establishment of a concealed wireless telecommunications facility (artificial tree pole) with a request for a limited exemption from standards to retain the existing height of the facility (45-feet permitted; 75-feet existing/requested) on property located at **910 S. McGlincy Lane** in the M-1 (Light Industrial) Zoning District. The application under consideration is a Conditional Use Permit with Site and Architectural Review. *File No.: PLN-2021-43*. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Planning Commission action is final

unless appealed in writing to the City Clerk within 10 calendar days. *Project Planner: Stephen Rose, Senior Planner*

Recommended Action: Adopt a Resolution (reference Attachment A), approving a Conditional Use Permit with Site and Architectural Review (PLN-2021-43) to allow for the establishment of a new concealed wireless facility (artificial tree pole) with a request for a limited exemption from standards to retain the existing height of the facility (45-feet permitted; 75-feet existing/requested) on property located at 910 S. McGlincy Lane in the M-1 (Light Industrial) Zoning District and finding the project Categorically Exempt under Section 15301 of the California Environmental Quality Act.

Senior Planner Stephen Rose presented the staff report.

Commissioners asked for clarification why a Eucalyptus tree was chosen as the artificial tree species to mimic.

Senior Planner Stephen Rose explained that the City's adopted Wireless Facilities Design Requirements indicate a preference for "V-shaped" trees, such as Eucalyptus trees, on the basis they offer greater canopy coverage where antennas are mounted at toward the top of the tower. Senior Planner Stephen Rose further explained that while other tree species were considered as the preferred tree species to mimic, such as Deodar Cedar which occur north and south of the project site, that the Site and Architectural Review Committee ultimately concluded that the Eucalyptus was preferred, in consideration that other Deodar Cedar trees do not occur on the project site

Commissioners asked for clarification why the applicant's request to modify an existing wireless facility was before them.

Senior Planner Stephen Rose explained that the City's Wireless Facility Ordinance requires an assessment of the special, size, and shape of selected artificial tree. The City has different tiers for permitting requirements. Higher bar for establishment and lower bar for renewal. As the existing land use entitlement is set to expire, and in consideration that the permit constitutes a proposal for a new concealed facility, the permit requires review and approval by the Planning Commission.

Grace Pamidi, a neighboring resident, spoke and stated that she was in favor of the camouflage structure.

Commissioner discussed their perspectives on the project. Commissioners are in agreement with selected type, shape, and height of artificial tree.

Chair Buchbinder closed the Public Hearing on the item.

**Motion:** Upon motion by Commissioner Zisser, seconded by Commissioner Kamkar the Planning Commission adopted Resolution No. 4685, approving a Conditional Use Permit with Site and Architectural Review (PLN-2021-90) to allow the

**establishment of a new concealed wireless facility (Artificial Tree) on a property located at 910 S. McGlincy Lange in the M-1 (Light Industrial) zoning district. Project File No.: PLN-2021-43, by the following roll call vote:**

**AYES: Ching, Kamkar, Krey, Buchbinder, Zisser, Fields**  
**NOES: None**  
**ABSENT: Ostrowski**  
**ABSTAIN: None**

**NEW BUSINESS**

**4. Report of the Community Development Director**

- Denial of shell gas station application will go to City Council
- The appeal hearing for 68 Page St that was continued to a future hearing date.
- The Planning Division does not currently have many projects in the pipeline. May need to cancel a few Planning Commission meetings in the future due to lack of items.

Chair Buchbinder met with Economic Development team to learn about the permitting process.

Chair can make subcommittee and assign appointments.

Chair Buchbinder appointed Commissioner Field and Kamkar appointed to the Planning Commission Economic Subcommittee.

**ADJOURNMENT**

Adjourned meeting at 9:20 p.m. to the next Regular Planning Commission Meeting on **Tuesday, July 25, 2023**, in the City Hall Council Chambers, 70 North First Street, Campbell, California and via telecommunication.

PREPARED BY: \_\_\_\_\_  
Ken Ramirez, Administrative Analyst

APPROVED: \_\_\_\_\_  
Adam Buchbinder, Chair

ATTEST: \_\_\_\_\_  
Rob Eastwood, Secretary

# Report on Considering a Declaration of Shelter Crisis

by Campbell Planning Commission Subcommittee on Shelter Crisis

(Michael Krey, Alan Zisser)

August 15, 2023

## Section I: Overview on Declaration of Shelter Crisis in California

California Government Code Section 8698 (2018) allows the governing body of a city to declare a shelter crisis **when a significant number of persons** are without the ability to obtain shelter, resulting in a threat to their health and safety.

California Government Code Section 8698.1 provides that, upon a declaration of a shelter crisis, **the provisions of any state or local regulatory statute, regulation or resolution prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.**

California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the city) during the duration of the crisis.

California Government Code Section 8698.3 is specific to the City of San Jose whereas:

*“Emergency housing may include an emergency bridge housing community for the homeless located or constructed on any city-owned or city-leased land, including land acquired with low- and moderate-income housing funds.”*

California Government Code Section 8698.4 (2019) expands on prior 8698 statute and covers specific jurisdictions that requires them to develop and submit plans to HCD.

*“Cities of Berkeley, Emeryville, Los Angeles, Oakland, and San Diego, the County of Santa Clara, and the City and County of San Francisco shall develop a plan to address the shelter crisis, including, but not limited to, the development of homeless shelters and permanent supportive housing, as well as onsite supportive services. The city, county, or city and county shall make the plan publicly available.*

*In the case of a shelter crisis declared by the County of Alameda, a city located within the County of Alameda, the County of Orange, a city located within the County of Orange, or the City of San Jose, the county or the city, as applicable, shall develop the plan described in subparagraph (A) on or before July 1, 2020, and shall include in the plan required by this subparagraph a plan to transition residents from homeless shelters to permanent housing.”*

Plans must be publicly available. State funding was provided under the Homeless Emergency Aid Program. This HEAP funding was exhausted in 2021.



## Other Legislation

AB 2553 – Enacted Sept. 2020, it's the latest bill modifying the provisions of the Shelter Crisis Act (Gov't. Code 8698.4). Like SB 850, it basically exempts shelter projects from some fees and regulations and exempts such projects from CEQA. Extends law from 1-1-23 end to 1-1-26. If a city declares a shelter crisis under this act, the city is required to develop a plan to address the shelter crisis, including the development of homeless shelters and permanent supportive housing with onsite support services, with a plan for transitioning residents from shelters into permanent housing. The plan has to be made publicly available and has to be developed by July 1 of the year following the declaration.

## Potential Legislation

AB 2211 – Stuck in committee, would extend these 8698 provisions from 1-1-26 to 1-1-30. It also defines what is considered a shelter crisis, expands definition of an emergency shelter, and allows for reimbursement by state for costs.

SB 7 – Proposed last year, it would require that cities provide emergency housing of some type. The bill was suspended. However, bill sponsor Sen. Catherine Blakespear, D-Encinitas, plans to reintroduce this legislation next year with new wording, according to her staff. The main thrust of the bill is to mandate that smaller cities, not just big ones, provide such shelter.

## Section II: Santa Clara County Point-In-Time (PIT) Homeless Report

“The Point-in-Time Count is a census of sheltered and unsheltered people experiencing homelessness on a single night. It provides data used for federal funding allocations and national estimates of homelessness. While it is a helpful tool, it is an imprecise method and is best used as a supplement to the many other ways we measure homelessness in our community.

The 2023 count brings Santa Clara County back to conducting the census every other year (on odd years), after the pandemic-related delay in 2021 that led to a subsequent count in 2022.”

“Every two years, during the last ten days of January, communities across the United States conduct comprehensive counts of the local population experiencing homelessness. These biennial Point-in-Time Counts estimate the prevalence of homelessness in each community and collect information on individuals and families residing in temporary shelters and places not meant for human habitation, and ultimately help the federal government better understand the nature and extent of homelessness nationwide. As required of all jurisdictions (Continuums of Care - CoCs) receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) to provide homeless services, Continuums of Care (CoC) across the country report the findings of their local Point-in-Time Count in their annual funding application to HUD. Currently, the Santa Clara County CoC receives approximately \$30 million dollars annually in federal CoC funding, as well as additional funding from other sources.”

**The 2023 Santa Clara County Point-in-Time Homeless Count** represents a complete enumeration of all sheltered and unsheltered persons experiencing homelessness.

**“The number of unhoused community members counted across Santa Clara County dropped slightly compared to last year (2022),** according to preliminary results of the 2023 Point-in-Time (PIT) homeless census. The data, released by the County of Santa Clara and the City of San José, show the overall number of homeless individuals counted this year decreased by 1.2% in Santa Clara County and dropped by 4.7% in the city limits of San José.”

**City of Campbell shows total of 92 Unsheltered and 0 Sheltered homeless in 2023. This is down 57% (216 unsheltered) from 2022, while up 24% (74 unsheltered) from 2019.**

**The 2023 PIT consisted of the following primary components:**

- General Street Count: A morning count of unsheltered homeless individuals and families on January 24-25, 2023. This included those sleeping outdoors on the street; at bus and train stations; in parks, tents, and other make-shift shelters; and in vehicles and abandoned properties.
- General Shelter Count: A nighttime count of homeless individuals and families staying at publicly and privately operated shelters. This included those who occupied emergency shelters, transitional housing, and safe havens.

The Point-in-Time Census also included the following supplemental components:

- Targeted Street Count of Youth and Young Adults: An afternoon count of unsheltered unaccompanied youth and young adults under 25 years old.
- Targeted COE Street Count of K-12 Students and Their Families: A count of unsheltered homeless students and their families reported by the Santa Clara County Office of Education and their participating school districts.
- Homeless Survey: An in-person interview of sheltered and unsheltered individuals conducted by peer and outreach staff surveyors in the weeks following the general street count. Data from the survey were used to refine the Point-in-Time Census estimates. This section of the report provides a summary of the results of the Point-in-Time Census. For comparison, results from prior years are provided in order to better understand the shifting dynamics of homelessness over time.

#### PRIMARY CAUSE OF HOMELESSNESS

The primary cause of an individual's inability to obtain or retain housing can be difficult to pinpoint, as it is often the result of multiple inter-related causes. An inability to secure adequate housing can also lead to an inability to address other basic needs, such as healthcare and adequate nutrition. ***A quarter (24%) of survey respondents reported job loss as the primary cause of their homelessness, while 11% cited alcohol or drug use, 9% cited a divorce/separation, 8% cited eviction, and 8% cited fleeing domestic violence. When asked what might have prevented their homelessness, survey respondents most commonly reported rent or mortgage assistance (26%) and employment assistance (26%). Also, 23% cited mental health services availability and 18% help with accessing benefits.***

#### HEALTH

Survey respondents reported suffering from psychiatric or emotional conditions as the most common health condition, at 31%, which is lower than the 42% in 2022. Respondents suffering from drug or alcohol abuse went down from 32% to 26%.

The most common health condition **for chronically homeless persons** to experience was psychiatric or emotional conditions, where 31% of chronically homeless persons indicated they were suffering from that condition. PTSD was the second most common (29%), followed by Drug and Alcohol Abuse (26%), chronic health problems (25%), physical disability (21%), traumatic brain injury (10%), and Intellectual Development Disability (9%).

## GENERAL (Countywide)

Current Accommodation – 35% Outdoors, 32% Vehicle, 21% Shelter, 11% Structure not meant for habitation

34% are experiencing homelessness for first time.

65% have been homeless for 1 year or more, 29% for 1-11 months.

85% were residents of SC County at time of becoming homeless.

68% have been residents for over 5 years, and 90% are residents for at least one year.

14% became homeless related to COVID pandemic.

## BREAKDOWN BY JURISDICTION

JURISDICTION	UNSHelterED			ShelterED			TOTAL			2019-2023	2022-2023
	2019	2022	2023	2019	2022	2023	2019	2022	2023	% CHANGE	% CHANGE
Total Incorporated	7,640	7,454	7,169	1,594	2,230	2,438	9,234	9,684	9,607	4%	-1%
Campbell	74	216	92	0	0	0	74	216	92	24%	-57%
Cupertino	159	102	48	0	0	0	159	102	48	-70%	-53%
Gilroy	345	606	817	359	208	231	704	814	1,048	49%	29%
Los Altos	76	65	0	0	0	0	76	65	0	-100%	-100%
Los Altos Hills	0	0	0	0	0	0	0	0	0	*	*
Los Gatos	16	58	81	0	0	0	16	58	81	406%	40%
Milpitas	125	249	142	0	25	0	125	274	142	14%	-48%
Monte Sereno	0	0	0	0	0	0	0	0	0	*	*
Morgan Hill	114	60	230	0	0	0	114	60	230	102%	283%
Mountain View	574	206	424	32	140	138	606	346	562	-7%	62%
Palo Alto	299	263	187	14	11	19	313	274	206	-34%	-25%
San José	5,117	4,975	4,411	980	1,675	1,855	6,097	6,650	6,266	3%	-6%
Santa Clara	264	375	417	62	65	44	326	440	461	41%	5%
Saratoga	0	0	0	0	0	0	0	0	0	*	*
Sunnyvale	477	279	320	147	106	151	624	385	471	-25%	22%
Total Unincorporated	282	254	232	89	27	2	371	281	234	-37%	-17%
Confidential Locations	NA	NA	NA	101	63	62	101	63	62	-39%	-2%
<b>Total</b>	<b>7,922</b>	<b>7,708</b>	<b>7,401</b>	<b>1,784</b>	<b>2,320</b>	<b>2,502</b>	<b>9,706</b>	<b>10,028</b>	<b>9,903</b>	<b>2%</b>	<b>-1%</b>

\* Cities with unsheltered or sheltered populations <11 in a given year were moved to Unincorporated due to small sample size

## Summary of Phone Interview with Kathryn Kaminski, County Office of Supportive Housing

Kathryn Kaminski oversees the PIT count for the county.

County hasn't been awarding emergency shelter funding to individual cities per se, but instead awards funds and provides other help to variety of shelter projects. This can include safe parking.

Would be happy to work with Campbell. County has partnered with Mtn. View, Palo Alto and lately Santa Clara on HomeKey projects. Would love for Campbell to do a shelter project. Absolutely would support a regional project among the West Valley cities (Campbell, Los Gatos, Saratoga, Cupertino). Encourage collaboration.

She believes Mountain View has declared a shelter crisis (was originally declared in March 2019) and that Palo Alto is considering doing so (they did in September 2021). The most crucial aspect of shelter projects is that they should have low barriers of entry. Otherwise, many homeless won't use.

Asked why a city would undertake such an emergency shelter project, with the initial expense but also ongoing expense, she said there is no simple answer. Mainly would hope all jurisdictions want to do something about the issue. She said it can become a political issue where homeless and encampments so visible that residents pressure political leaders.

### **Section III: Other Inputs/Interviews:**

#### **Supervisor Susan Ellenberg staffer David Fernandez:**

County does a little bit of everything with the cities. County often leads the way. If cities don't have the resources, we can lead the way. County prefers projects that are buildings, as opposed to RV safe-parking types of projects. More cost efficient and effective. Not sure what cities in our county have declared a "shelter crisis" and not sure the benefits of doing so. County doesn't look at lack of shelter in Campbell as the city not pulling its weight.

#### **Dhakshike Wickrema**

Deputy Secretary, Homelessness

Business, Consumer Services, and Housing Agency, State of California

Oversees the state's Homeless Housing, Assistance and Prevention (HHAP) grants

A fifth round of HHAP funding likely will happen, and jurisdictions do not have to declare a Shelter Crisis to apply. However, she sees a potential benefit for Campbell doing so (easier to do permits and contracts, etc.) But grants are for bigger cities, over 300K population, and CoCs (Santa Clara Co. is a CoC). Smaller cities can apply for a separate, competitive grant, the Encampment Resolution Fund, if applicable. A city must demonstrate how the grant would be leveraged with other sources to best assist people living in unsheltered situations and connect them to stable housing and supportive services.

NOTE: ERF Fund is intended for those jurisdictions that have encampments.

There are \$237,301,738 of ERF-2 (second round) funds. **Applications will be accepted on a rolling basis until June 30, 2023, or until all funds are exhausted, whichever comes first.** Up to \$150 million will be prioritized for proposals that serve people living in encampments on state rights-of-way.

#### **Nick Zornes**

Development Services Director, City of Los Altos

Previously, Planning Manager at Riverside County and Planner at City of Encinitas

Los Altos not considering declaration (2023 PIT has zero unsheltered in Los Altos, down from 65 unsheltered in 2022). Mountain View and Palo Alto seem to get most of the area's homeless/unhoused because of closer proximity to mass transit and shelter options being available.

At Encinitas, Nick was involved with that city's shelter crisis declaration in 2021. Created more flexible zoning. Worked with Jewish Family Services on what was basically a safe-parking site (more detail below).

All city Housing Elements must include "something" re: emergency, supportive, transitional and homeless housing.

Important to work with faith-based agencies (that is noted in Campbell's housing plans). Nick said he believes having a full-time housing staff member is essential.

He cautions that declaring a shelter crisis can open a Pandora's Box of possible troubles. His take pretty similar to Campbell PD captain's take. That is, a shelter or transitional housing can attract more homeless (become a sanctuary).

County (and maybe state) agencies can provide funding for homeless housing projects, with or without a shelter crisis resolution, but Nick believes declaring shelter crisis can ease approval process. Also said having a shelter enables PD to enforce encampments, because it gives those folks a place to go. Also can help with Affirmatively Furthering Fair Housing and in identifying people in the city at risk of becoming homeless.

Believes a homeless count of around 200 is high enough to consider shelter/transitional housing.

## **Section IV: Other Cities and Counties**

Since 2018, most large California cities and counties (Los Angeles city/county, SF city/county, Sacramento city/county, San Diego city/county, Oakland/Alameda County) have declared shelter crises. This has always been in conjunction with a plan to develop temporary, transitional and permanent housing for homeless people. The declaration allowing for suspension of certain state or local regulatory statutes, regulations or resolutions prescribing standards of housing, health, or safety, as applied to public facilities, so as to allow for development of shelter and housing solutions during the crisis.

Numerous midsize and smaller cities and counties have declared shelter crises as well, with the same intentions. Examples of cities/counties include Palo Alto, Redding, Millbrae, Sebastopol, Sonoma County, Humboldt County, Oxnard, Ventura, San Bernardino, Thousand Oaks, Arroyo Grande, Stockton, San Joaquin County, Vacaville, Lodi, Fairfield, Encinitas and others.

Additionally, in the initial period, there was incentive to declare a shelter crisis, so as to qualify for funding from the state's Homeless Emergency Assistance Program (HEAP).

### **Palo Alto** (pop. 63,000)

Input from Melissa McDonough, Assistant to City Manager

The State/HomeKey awarded the city a \$26M grant for this project last year. *The project is underway—this update (link below) from the spring provides a project schedule and some highlights per the PA website:*

Homekey Palo Alto is a new modular interim housing shelter with the capacity to serve over 300 individuals annually with on-site support services. The project is being codeveloped by the City of Palo Alto and LifeMoves.

Located at 1237 San Antonio Road in Palo Alto near the Palo Alto Baylands, Homekey Palo Alto will provide a dignified transitional step for unhoused residents on the path to stable housing. This project is

made possible through a combination of State funding combined with local contributions from the Palo Alto Community Fund, Sobrato Philanthropies, Santa Clara County, and the City of Palo Alto.

Palo Alto Homekey's schedule has been impacted by cost increases, leading to a change in architect and contractor. This triggered the creation of a new schedule, site plan, and drawings. Additionally, the project's timeline is affected by long lead times for critical items (e.g., electrical switchgear, a key component in an electrical power system). The new anticipated timeline has construction on Palo Alto Homekey beginning in summer 2023 and completing by the first quarter of 2025.

<https://www.cityofpaloalto.org/News-Articles/City-Manager/Update-on-Homekey-Palo-Alto-Ways-to-Support-the-Project>

P.A. declared an emergency shelter crisis in Sept. 2021 and then extended that last August. However, the shelter crisis declaration did not open the door for this HomeKey funding, *The funding was on a separate track through Homekey.*

The city anticipates about \$1M in yearly administrative costs. *At this time, the funding for operational costs would be through the General Fund. However, PA is exploring using some of their future State PLHA (Permanent Local Housing Allocation) funds.*

**Has declaring the shelter crisis eased the approval process and shortened review, or just how has it benefited the city?**

*For the most part, the project was streamlined and exempt from CEQA as a result of the Homekey funding. The shelter crisis declaration did provide a CEQA exemption for the City's decision to lease City land for shelter purposes, which may not have been exempt under the Homekey provisions.*

*The city is obligated to an annual reporting requirement under AB 2553.*

The shelter crisis was declared in accordance with *Section 8698.2 of the Government Code of the State of California authorizes the City of Palo Alto to declare the existence of a shelter crisis upon finding that a significant number of residents are without the ability to obtain shelter, resulting in a threat to their health and safety." and*

*Section 8698.1 of the Government Code of the State of California provides limited immunity for ordinary negligence in the provision of emergency housing by opening public facilities to homeless persons and suspends strict compliance with housing, health, or safety standards to the extent that strict compliance would hinder the mitigation of the effects of the shelter crisis. Moreover, the city may, in place of such standards, enact health and safety standards to operate during the housing emergency consistent with ensuring minimal public health and safety."*

**What inspired Palo Alto to act:**

*The PA City Council was inspired by the work done in Mountain View with a human focused shelter as well as the unique funding opportunity provided by Homekey. The facility on Encina Way is more like a resource center with laundry facilities, case management, lockers, showers, and meals. At that center, people can be referred to our rotating shelter, Hotel de Zink, which is hosted by a different congregation each month.*

Palo Alto has a 2023 Update Report on Housing and Services for Housed Residents at:

<https://cityofpaloalto.primegov.com/Portal/viewer?id=810&type=2>



**Encinitas** (pop. 62,000)

In 2021, the City of Encinitas adopted a declaration of shelter crisis as well as a resolution to develop a Safe Parking Program in conjunction with the local Jewish Family Service (of San Diego) and funded by San Diego County CoC (Regional Task Force on Homelessness). The program has five locations, four in San Diego and one in Encinitas. There is a formalized program that requires enrollment. The program includes wraparound services provided by JFSSD. More details can be found at:

[https://encinitas.granicus.com/MetaViewer.php?view\\_id=7&clip\\_id=2563&meta\\_id=130077](https://encinitas.granicus.com/MetaViewer.php?view_id=7&clip_id=2563&meta_id=130077)

<https://www.jfssd.org/our-services/adults-families/safe-parking-program/>

**Redding** (pop. 95,500) -- In June 2021, adopted a resolution declaring that Redding has a shelter crisis, has a significant number of people are without the ability to obtain shelter, 454 in the 2020 PIT survey. With the declaration organizations within the city can request permits to set up and operate an Emergency Housing Site, which will provide low barrier, sanitary shelter for up to 10 months. Wrap-around supportive services will be provided to the occupants of the Emergency Housing Sites with the goal of moving those individuals into permanent housing.

**Sebastopol** (pop. 7,500) – In Oct. 2018 declared a shelter crisis, 69 homeless in 2018 PIT survey and another 214 in surrounding area. Its resolution said in part ... the city affirms its commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in the community. With resolution, city received nearly \$150K in HEAP funds to provide two pads and utility hookups at a city-owned mobile home park for homeless residents. Some of these folks have transitioned to permanent housing. Planning director considers it a success.

**Millbrae** (pop. 21,000) – In Jan. 2019 declared shelter crisis, 7 homeless in 2017 PIT survey, which city found significant. The city also partnered with LifeMoves to provide interim housing and supportive services for homeless.

## **Section V: CITY of CAMPBELL actions and input**

Rebecca Garcia was hired in Sept. '22 to conduct a housing audit. Council voted unanimously to apply for a 3-year, \$150K per year Destination: Home grant to fund an Unhoused Specialist full-time staff position for the city. With new budget, city also is likely to OK hiring a full-time Housing Manager, a separate permanent position. The Unhoused Specialist is more of a hands-on social worker, meeting with homeless and near-homeless, and providing support.

Campbell PD Chief Berg disagreed with the relatively high 2022 Point-In-Time homeless count for Campbell. (The just-released 2023 PIT shows Campbell homeless count at 92; the 2019 PIT has the city at 74 homeless.) Various councilmembers agreed the actual number of homeless not the big issue. Councilman Lopez says he mostly deals with people on the brink of possible homelessness.

## **CPD Capt. White in phone interview:**

*Homeless problem is a drug abuse and mental health issue. Most shelter beds require abstinence, so many homeless won't take advantage of shelters or make use of resources.*

*He indicates that CPD has been the most pro-active police department in partnering with County Behavioral Health and other gov't and NGO resources to get chronically homeless into stable housing. Council soon will approve (or deny) getting a PERT (psychiatric emergency response team) clinician from County Behavioral Health to be embedded into the CPD.*

*CPD doesn't feel an emergency shelter in the City of Campbell would fill any big need, and it would be a regional facility in any case, not just local. He said that, frankly, having a shelter in our city could cause more problems for the city and CPD.*

## **Campbell's 2023-2031 Housing Element actions and goals related to Homelessness:**

*Seek to achieve 100 units of permanent supportive housing (PSH). (The city may update this goal based on updated PIT counts.)*

*Initiate discussions with the County, faith-based and community-based organizations to develop a safe parking program plan and seek City Council approval for local housing funds to support program costs.*

*Contribute funds to Santa Clara County's Rapid Rehousing Program to provide emergency rental assistance support to a minimum of 75 Campbell households at risk of homelessness.*

*Work with Campbell's Parks and Recreation Department (Community Center) or faith-based organizations to establish a 30-bed inclement cold weather shelter program in coordination with the County Office of Emergency Services (OES)*

## **Section VI: Summary and Conclusions**

Since 2018, most large California cities and counties, along with a number of midsize and small cities have declared shelter crises. This has always been in conjunction with a plan to develop emergency, temporary, transitional and/or permanent housing for homeless/unhoused people, and at times includes safe-parking facilities. The declaration allows for suspension of certain state or local regulatory statutes, regulations or resolutions prescribing standards of housing, health, or safety, as applied to have declared shelter crises public facilities, so as to allow for development of shelter and housing solutions during the crisis.

For smaller cities, the shelter crisis declaration appears to have been put in place due to substantial unhealthy and unsafe circumstances to both housed and unhoused residents. This includes tent encampments, unhoused residing in vehicles, and individual persons living on the streets.

For Campbell, if the City intends to complete a plan to implement actions outlined in their 2023-2031 Housing Element that may include up to 100 units of permanent supportive housing, a safe parking program, and other support or assistance for unhoused residents; the City may wish to consider a Declaration of Shelter Crisis. This would help pave the way to bypass certain regulations that may



normally present barriers to implementation, as well as, improve opportunity for funding by state or county agencies.

There is no threshold number of homeless that triggers any requirement to provide emergency/interim housing. The county, though, wants more such shelters and would work with any effort by Campbell. The county also seems amenable to any joint efforts by West Valley cities.

Various funding sources might be available from the state and county. Funding also could be available through third-party agencies (non-profit social welfare and faith-based groups) that have received government funding. Funding help for ongoing support of any emergency/transition/interim housing project is uncertain, and would require further investigation.

### **Example of Declaration of Shelter Crisis**

[https://bcsh.ca.gov/calich/documents/sample\\_declaration\\_form.pdf](https://bcsh.ca.gov/calich/documents/sample_declaration_form.pdf)



ITEM NO. 5

**City of Campbell -- Community Development Department  
70 N. First Street, Campbell, CA 95008**

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MEMORANDUM

**To:** Members of the Planning Commission

**Date:** August 22, 2023

**From:** Rob Eastwood, Community Development Director

**Subject:** Community Development Director's Report

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## **I. Recent City Council Meetings**

At the July 18, 2023 City Council meeting, the Council and considered the following items of interest to the Planning Commission:

**Continued Public Hearing to Consider an Appeal of a Variance Approval for Property Located at 68 Page Street to Allow Construction of an Approximately 916 Square-Foot Single-Family Dwelling and a 642 Square Foot Attached Accessory Dwelling Unit (ADU), with a Substandard 14 ½ Foot Front-Yard Setback and 5-Foot Street-Side Setback. File No.: PLN2022-101. the Planning Commission Found This Item be Deemed Categorically Exempt from CEQA.** The Council approved a motion to deny the Variance and directed staff to return with a Resolution supporting denial of the Variance.

At the July 31, 2023 City Council meeting, the Council and considered the following items of interest to the Planning Commission:

**Amendment to the Classification and Salary Plan – Housing Manager.** The City Council adopted a resolution amending the Classification and Salary Plan to include the Housing Manager

At the August 15, 2023 City Council meeting, the Council approved the following item

**Accept Grant from Destination Home for Capacity Building Grant to Fund an Unhoused Specialist Position** The City Council adopted a Resolution accepting a Capacity Building grant from Destination Home in the amount of \$450,000 to fund an Unhoused Specialist position for a period of three years.

## Other Related Activities –

- **Downtown Campbell Semi-Permanent Parklet Program** – The City has issued grants and permits to four downtown restaurants, to date, for parklets, which are now under construction – Flights, Aquis, Katie Blooms, Trattoria 360.
- **Environmental Programs Specialist Recruitment** – The City is recruiting to hire an Environmental Programs Specialist to support preparation of a Citywide Climate Action Plan for the City. The Recruitment closed on August 18, 2023.
- **Housing Manager Recruitment**– The City is recruiting for a Housing Manager to support implementation of its 6<sup>th</sup> Cycle Housing Element and the City's Housing Programs. The Recruitment is open and will close on September 8, 2023.
- **City Council Economic Development Sub-Committee** – The Sub-Committee held a special meeting on July 27, 2023, and reviewed an update regarding the Economic Development Plan, focused on existing conditions.
- **CDD Summer Retreat** – the Community Development Department held a summer retreat on August 11<sup>th</sup>, including staff from Public Works and the Police Department, focused on teambuilding and collaboration.