



Agenda Item

Planning Commission

Item #: 4.1.

7/20/2026

File #: 26-0417

TO: Chair and Members of the Planning Commission

THRU: Hayden Beckman, Planning Manager

FROM: Arlen Beck, Senior Planner

1. SUBJECT

Public Hearing to consider an Ordinance amending the Orange Municipal Code to update regulations for homeless shelters and establish regulations for low barrier navigation centers to ensure consistency with State law and finding of CEQA exemption.

2. SUMMARY

The proposed ordinance amends the Orange Municipal Code to bring the City's regulations regarding Homeless Shelters (Emergency Shelters) and Low Barrier Navigation Centers into compliance with State law, specifically Government Code Sections 65583(a)(4) and 65660 through 65663. The amendments update definitions, revise development and operational standards for homeless shelters, establish standards for Low Barrier Navigation Centers, and amend land use and parking regulations to ensure consistency with State law.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Adopt Planning Commission Resolution No. PC 16-26 recommending the City Council adopt an ordinance amending Title 17 of the Orange Municipal Code to update regulations for Homeless Shelters (Emergency Shelters) in compliance with Government Code Section 65583(a)(4), add definitions and regulations for Low Barrier Navigation Centers in compliance with Government Code Sections 65660 through 65663, and amend associated definitions, land use tables, and parking standards for consistency with State law.
3. Find the ordinance exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) and 15378.

4. PROJECT BACKGROUND

The City of Orange 2021-2029 Housing Element was adopted by the City Council on October 20, 2023, and the California Department of Housing and Community Development (HCD) found the Housing Element in substantial compliance with State Housing Element Law on January 2, 2024.

The Housing Element includes Housing Plan Programs 4G and 4J, which commit the City to amend the Orange Municipal Code to ensure compliance with State laws governing Emergency Shelters and Low Barrier Navigation Centers.

California Government Code Section 65583(a)(4) requires jurisdictions to identify at least one zoning district where emergency shelters are permitted by right and to apply only objective standards that do not unduly constrain the development of such facilities. In addition, Government Code Sections 65660 through 65663 require Low Barrier Navigation Centers to be permitted by right in mixed-use and nonresidential zones where multifamily housing is allowed and establish specific procedures and standards governing their review and operation.

The City's existing homeless shelter regulations were originally adopted to satisfy prior Housing Element requirements. Since that time, State law has evolved significantly, and portions of the City's existing standards are no longer consistent with current statutory requirements.

5. PROJECT DESCRIPTION

The proposed ordinance updates the Orange Municipal Code (OMC) to ensure consistency with State law and the General Plan Housing Element commitments regarding homeless shelters and low barrier navigation centers. It removes outdated definitions, updates operational standards, and revises land use tables to reflect appropriate permitting requirements. The following summarized key provisions of the proposed amendments:

Homeless Shelters

- Revises the definition of "Homeless Shelter" to align with the State definition of "Emergency Shelter."
- Removes several existing locational and operational restrictions that may constitute constraints under State law.
- Establishes objective development and operational standards related to occupancy, staffing, security, maintenance, lighting, and parking.
- Clarifies that homeless shelters are permitted by right and subject only to objective standards and applicable building, fire, health, and safety regulations.

Low Barrier Navigation Centers

- Adds new definitions for "Low Barrier" and "Low Barrier Navigation Center."
- Permits Low Barrier Navigation Centers by right within mixed-use and nonresidential zoning districts where multifamily residential uses are allowed.
- Establishes objective standards regarding operations, supportive services, reporting requirements, occupancy, parking, and facility management.

Parking and Land Use Tables

- Updates the Master Land Use Table to identify zoning districts where Low Barrier Navigation Centers are permitted.

Revises parking standards for Homeless Shelters and Low Barrier Navigation Centers to require parking based on staffing levels rather than shelter bed count.

6. PROJECT ANALYSIS

The proposed ordinance is a comprehensive update to the City's zoning regulations governing Homeless Shelters and Low Barrier Navigation Centers to ensure consistency with state housing law

and the City's 2021-2029 Housing Element.

Need for the Amendments

The City's existing homeless shelter regulations contain several provisions that are inconsistent with current State law governing emergency shelters. Existing standards include locational restrictions, operating hour limitations, maximum stay requirements, and other operational requirements that may be viewed as constraints on shelter development and operation.

Additionally, the Orange Municipal Code currently does not contain provisions governing Low Barrier Navigation Centers, despite the enactment of Government Code Sections 65660 through 65663, which require local jurisdictions to accommodate these facilities through ministerial review processes. Updating the code ensures that the City's land use regulations remain legally defensible, internally consistent, and transparent to applicants and the public.

Implementation of Housing Element Policies

The City's 2021-2029 Housing Element, contains several Housing Plan Programs that call for updates to the Zoning Code to remove constraints and ensure housing access for all community members. Specifically:

- Program 4G - Low Barrier Navigation Centers: commits the City to amend the OMC to permit Low Barrier Navigation Center in compliance with State law.
- Program 4J - Emergency Shelter Development Standards: directs the City to modify zoning regulations to reflect statutory requirements related to homeless/emergency shelters consistent with state law.

By adopting this ordinance, the City fulfills these Housing Element implementation commitments, ensuring continued compliance with State housing law and maintaining the validity of its certified Housing Element.

In summary, the proposed amendments are primarily technical in nature, intended to achieve full state-law compliance, implement Housing Element Programs 4G and 4J, and advance the City's overarching goal of ensuring equitable, inclusive, and accessible housing opportunities for all members of the Orange community. The proposed ordinance brings the City into statutory compliance, ensuring legal defensibility of its zoning ordinance and Housing Element.

7. AUTHORIZING GUIDELINES

Orange Municipal Code Section 17.08.020 authorizes the Planning Commission to review and make advisory recommendations to the City Council on Zoning Ordinance Amendments.

8. PUBLIC NOTICE

On June 25, 2026, a notice was published in the Orange City News newspaper for a public hearing before the Planning Commission on July 20, 2026.

9. ENVIRONMENTAL REVIEW

The proposed project is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to (1) Section 15061(b)(3) of the state CEQA Guidelines (Common Sense Exemption) because it can be seen with certainty that there is no possibility that it would have a

significant effect on the environment; and (2) Section 15378 because it will not have a direct or reasonably foreseeable indirect physical change on the environment and is not a "project." For this reason, no further CEQA documentation is required.

10. ADVISORY BOARD ACTION

No advisory board review was required for this ordinance.

11. ATTACHMENTS

- Attachment 1 Planning Commission Resolution No. PC 16-26 with Draft City Council Ordinance XX-26 - Homeless Shelters (Emergency Shelters) and Low Barrier Navigation Centers Update Ordinance