



City Council Agenda Report
September 17, 2024

TO: Honorable City Council

FROM: Jesus M. Gomez, City Manager

BY: Alex Hamilton, Interim Director of Community Development
Nancy Lee, Development Services Manager

SUBJECT: **URGENCY ORDINANCE NO. 24-1753U - EXTENDING A MORATORIUM TO ESTABLISH, IMPLEMENT OR OPERATE (TEMPORARILY OR PERMANENTLY) CONVENIENCE STORES (LIQUOR STORES), DISCOUNT STORES, PERSONAL USE – LAUNDROMATS, VEHICLE/AUTOMOBILE WASHING, PAYDAY LOAN ESTABLISHMENTS, EMERGENCY SHELTERS, SINGLE-ROOM OCCUPANCY, SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING LOCATED IN THE CITY OF NORWALK FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS**

Background:

On August 6, 2024, City Council adopted Urgency Ordinance No. 24-1752U, a 45-day moratorium to establish, implement, or operate (temporarily or permanently) convenience stores (liquor stores), discount stores, personal use – laundromat, vehicle/automobile washing, payday loan establishments, emergency shelters, single-room occupancy, supportive housing, and transitional housing city-wide.

Urgency Ordinance No. 24-1752U is set to expire on September 20, 2024, unless extended by City Council. After notice pursuant to Government Code Section 65090 and a public hearing, Government Code Section 65858(a) states that City Council may subsequently extend the ordinance for an additional 10 months and 15 days. Further, the urgency ordinance may be subsequently extended for one additional year. No more than two extensions may be adopted. On September 3, 2024, City Council issued a “10-day report”, which described the measures taken to alleviate the condition in which led to the adoption of Urgency Ordinance No. 24-1752U. Per Government code Section 65858(d), this action is required before any extension of an urgency ordinance.

Discussion:

The affected uses under the Moratorium are listed and described as follows:

- “*Convenience Store (Liquor Store)*” means a market or grocery store having an enclosed gross floor area of less than 10,000 square feet, and engaged primarily in the sale of a limited range of prepackaged food items, and secondarily in a limited range of household items, magazines, off-sale alcoholic beverages and similar items.
- “*Discount Store*” means retail establishments that sell a broad range of new outlet, close-out, discontinued, liquidation, or overstock and general merchandise, primarily at a single discount price and/or in the low and very low price ranges.
- “*Personal Use - Laundromat*” includes any facility or establishment providing non-medical services as a primary use including self-service laundromats.
- “*Vehicle/automobile – washing*” means establishments providing hand-operated, self-service, or mechanical automobile washing services, and may include detailing.
- “*Payday loan establishment*” means a person or entity that engages in conduct regulated by Division 10, Section 23000 et seq. of the California Financial Code relating to deferred deposit transactions as defined therein.
- “*Emergency Shelter*” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.
- “*Single Room Occupancy*” or “SRO housing” means a dwelling within a multiple-family dwelling structure, between 150 and 350 square feet, with a room and space for a bed; a closet; a full kitchen including sink, space for a refrigerator and a stove, range top or oven; and a separate bathroom with sink, toilet, and bathtub or shower. A SRO unit shall accommodate a maximum of two persons.
- “*Supportive Housing*” means housing with no limit on length of stay that is occupied by a specified target population defined in Section 50675.14 of the California Health and Safety Code and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone.
- “*Transitional Housing*” means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time that shall be no less than six months from the beginning of the assistance.

By virtue of their operational characteristics, the uses listed and defined above, may have detrimental effects (i.e., maintenance of property, over proliferation, security noise, and possible economic impacts) on the community. In Norwalk, the category of uses identified for additional study in this recommended action include both existing and potential future uses.

Since the adoption of Urgency Ordinance No. 24-1752U, staff began research to determine and quantify the impacts of the affected uses. Specifically, to date, staff has started research as follows:

1. Reviewed City business license records to quantify the number of each type of use operating within the City;
2. Initiated studies of land use tables for surrounding cities for the same or similar uses to determine if the uses are permitted by right, not permitted, or permitted with a discretionary review (such as a conditional use permit);
3. Studied surrounding cities' development and operational standards for category uses; and
4. Researching various sources (i.e., American Planning Association, Urban Land Institute), publications and articles on the category of uses.

Due to the broad range of land uses being studied, additional time is needed to continue the research so that City staff is able to develop new development and operational standards for recommendation as well as pursue the other recommended measures to properly address the potential adverse impacts of these uses.

As part of Ordinance No. 24-1753U (Attachment No. 1), Section No. 8 outlines a waiver request from the Moratorium. The Moratorium waiver request can be submitted to the Department of Community Development, which may be reviewed, approved, or denied administratively or may be subject to review by the City's Planning Commission and/or City Council, whose approval or denial shall be within their sole discretion and constitute the final administrative review of the request for waiver or exemption of the Urgency Ordinance.

Fiscal Impact:

N/A

Citizens Advised:

The public hearing notice was posted at the City's three designated posting places and posted online, and the notice was published in *The Norwalk Patriot* on September 6, 2024.

Strategic Plan 2023 Implementation:

The recommended action will further the City's Strategic Plan Goals 2 and 3 to work in partnership with our community to achieve safe and livable neighborhoods and to create and sustain a resilient and economically prosperous City.

Recommended Action:

Staff recommends City Council adopt Urgency Ordinance No. 24-1753U, EXTENDING A MORATORIUM TO ESTABLISH, IMPLEMENT OR OPERATE (TEMPORARILY OR

PERMANENTLY) CONVENIENCE STORES (LIQUOR STORES), DISCOUNT STORES, PERSONAL USE – LAUNDROMATS, VEHICLE/AUTOMOBILE – WASHING, PAYDAY LOAN ESTABLISHMENTS, EMERGENCY SHELTERS, SINGLE-ROOM OCCUPANCY, SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING LOCATED IN THE CITY OF NORWALK FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS, and waive further reading.

Attachments:

Urgency Ordinance No. 24-1753U (10 month, 15-day Moratorium Extension)