



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

DATE: SEPTEMBER 25, 2025
TO: BOARD OF ZONING APPEALS
FROM: BEILIN YU, ZONING ADMINISTRATOR
SUBJECT: APPEAL OF HEARING OFFICER'S DECISION:
MINOR CONDITIONAL USE PERMIT #7318
202 NORTH EUCLID AVENUE

RECOMMENDATION:

It is recommended that the Board of Zoning Appeals:

1. Adopt the Environmental Determination, that the project is 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). Section 15301 exempts from environmental review the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; and,
2. Uphold the Hearing Officer's decision and approve Minor Conditional Use Permit #7318 with conditions.

EXECUTIVE SUMMARY:

On March 5, 2025, Erica Tamblyn, on behalf of All Saints Church ("All Saints" or "Applicant" or "Appellant 3") submitted an application for Minor Conditional Use Permit (MCUP) #7318 to allow a Safe Parking use in conjunction with the religious facility (All Saints) in the PS (Public and Semi-Public) zoning district. The Safe Parking use would establish a program that would allow up to 25 vehicles of unhoused individuals or families to park on-site overnight.

On June 18, 2025, at a regularly noticed public hearing, the Hearing Officer considered the Conditional Use Permit. Staff recommended the Hearing Officer approve the Minor Conditional Use Permit, subject to conditions of approval. At the conclusion of the public hearing, and after public testimony, the Hearing Officer made the required findings in the affirmative and approved the Minor Conditional Use Permit (Attachment C). On June 30, 2025, three requests were filed to appeal the Hearing Officer's decision to the Board of Zoning Appeals. The first request was filed by Silvio Nardoni of Archimedes Law Group, LLP on behalf of The Maryland Homeowners Association (Appellant 1) (Attachment D). The second appeal request was filed by Park and Velayos, LLP, on behalf of ARE-Pasadena No. 5, LLC. (Appellant 2) (Attachment E). The third

request was filed by the applicant, Erica Tamblyn on behalf of All Saints Church (Applicant/Appellant 3) (Attachment F).

Based on the previous analysis and the recommended conditions of approval, Staff recommends that the Board of Zoning Appeals uphold the Hearing Officer's decision and approve the Minor Conditional Use Permit, based on the findings provided in Attachment A and conditions in Attachment B.

BACKGROUND:

Existing Site Characteristics:

The All Saints Church site is 2.8 acres in size and is located at the southwest corner of East Walnut Street and North Euclid Avenue. The site is currently developed with a church, including four buildings, a trailer, a storage building, a courtyard area, and surface parking. City Hall is across Euclid Avenue to the southwest. The Los Angeles County Courthouse is to the west. The Kaiser Permanente offices and parking lot are across Walnut Street to the north. The Plaza Las Fuentes complex (hotel, office, and restaurant uses) adjoins the site along the east and south. Located south of the site, at the northeast corner of Euclid Avenue and Union Street, is a multi-story residential use known as the Maryland Apartments.

Adjacent Uses:

North – Kaiser Permanente Administrative Regional Offices Surface and Structured Parking
South – Restaurant and Courtyards for The Plaza Las Fuentes
East – Hotel, Office, and Restaurant
West – City Hall and County Courthouse

Adjacent Zoning:

North – CD-MU-G (Central District Specific Plan Mixed Use General subarea)
South – CD-MU-G (Central District Specific Plan Mixed Use General subarea)
East – PD-12 (Walnut – Los Robles Planned Development)
West – PS (Public and Semi-Public)

Previous Zoning Cases:

Conditional Use Permit #1372: To allow commercial filming for 24 days between August 3 and September 20, 1983. Approved August 3, 1983.

Use Permit #1911: To provide 379 parking spaces for commercial, residential, and church usage in a collective parking arrangement and to allow a building height of 120 feet for a new 10-story retail, office, and residential building. Approved July 19, 1989.

Certificate of Exception #180: To adjust an existing lot line approximately 51 feet to the north to increase the size of Parcel No. 1 from 79,323 square feet to 89,105 square feet and decrease the size of Parcel No. 2 from 31,326 square feet to 21,543 square feet. All Saints Church to remain entirely on Parcel No. 1. Approved July 25, 1990.

Variance #10967: To allow the construction of a commercial, office, residential mixed-use project the following Variances were requested:

- Variance to allow a building to be built with a side setback ranging from zero to eight feet, where the code requires a 10-foot setback and a 15-foot setback for the portion of the building greater than 25 feet in height.

- Variance to allow portions of the building to be built with a rear setback of 13 feet, where a 15-foot rear yard setback is required the portion of the building greater than 25 feet in height.
- Variance to allow a spa within 5 feet of the property line.
- Variance to allow for a driveway ramp to have a slope of 10 percent, 20 percent, 10 percent where the code requires a slope of 8 percent, 16 percent, 8 percent.
- Variance to allow two loading zones of 10 feet by 20 feet by 10 feet where the code requires one loading zone to be 12 feet by 30 feet by 14 feet and one loading zone to be 10 feet by 20 feet by 10 feet.

Approved November 7, 1990.

Master Development Plan: 15-year plan for expansion of All Saints Church that includes the demolition of 202 N. Euclid Avenue, Scott Hall, and a temporary trailer. The interiors of the existing Rectory and Regas House would be renovated, a new columbarium would be constructed along the east property line, and a multiple-story, four-building complex (approximately 50,300 square feet) would be constructed. This construction includes West Building ("A"), two-story building with offices, conference rooms, and a social hall with kitchen; Forum ("B"), two-level assembly building, East Building ("C"), three-story building to house youth programs, daycare, and classroom areas; and North Building ("E"), a two-story building for youth recreation. The North Building will be built in a second phase, after the completion of the other three buildings and subterranean parking garage. In Phase I, the site of the north building will be a landscaped outdoor plaza space and a temporary one-story café building.

Also, part of the project:

- Conditional Use Permit for a restaurant with walk-up window,
- Minor Conditional Use Permit for shared parking,
- Minor Conditional Use Permit for commercial off-street parking,
- Minor Conditional Use Permit for tandem parking spaces,
- Variance to provide more than the maximum allowed setback along Euclid Avenue,
- Variance to provide more than the maximum allowed setback along Walnut Street,
- Variance to allow a portion of a fence along Walnut Street to exceed the four foot height limit,
- Minor Variance for the construction of a columbarium within twenty feet of a property line; and,
- Variance to have two loading spaces on the street.

Approved April 16, 2012.

Conditional Use Permit #6070: To allow a project that is inconsistent with the approved Master Development Plan for All Saints Church. Per the City's Zoning Code, the Director of Planning & Community Development may allow a project that is inconsistent with an approved Master Development Plan to be processed through a Conditional Use Permit. The CUP included revisions to size and location of East Building ("C"). Approved September 4, 2013.

Conditional Use Permit #6898: To allow a Temporary Homeless Shelter use (Safe Haven) at an existing Religious Facility (All Saints Church). The proposed homeless shelter would allow up to 12 participants to shelter overnight at the facility at any one time. Approved September 1, 2021.

PROJECT DESCRIPTION:

On April 20, 2024, the City Council authorized the City Manager to enter into a funding contract with Shower of Hope in the amount of \$305,000 to operate a Safe Parking use at All Saints Church safe contingent on obtaining a Minor Conditional Use Permit for the program. Shower of Hope is

a non-profit organization that provides mobile shower services, hygiene items, other community resources and organizes safe parking programs to people experiencing homelessness and housing insecurity in Los Angeles County.

On March 5, 2025, the applicant submitted a MCUP application to establish a Safe Parking use at All Saints Church. The proposed Safe Parking program, named Destination Hope Pasadena, is a collaboration between All Saints Church and Shower of Hope intended to provide services and a designated overnight parking area for up to 25 vehicles of unhoused individuals or families. Vehicles registered in the program would park within the existing surface parking lot at the northern part of All Saints Church site. The parking area would be available from 7:00 p.m. to 7:00 a.m. daily. The program would provide an assigned parking space for participants to park and stay overnight, and access to a restroom and handwashing station. Shower of Hope would manage and operate intake, case management, and provide resources to participants as they seek employment and/or permanent housing.

HEARING OFFICER MEETING:

The application was presented to the Hearing Officer at a public hearing on June 18, 2024. Staff recommended the Hearing Officer approve the MCUP, as staff determined that the necessary findings could be made. Prior to the hearing, staff received 33 public comments, including 22 in support and 10 in opposition of the project and one letter requesting a continuance. During the public hearing, the Applicant team made a presentation, and 13 additional public comments were received: five in favor of the project and eight in opposition.

At the conclusion of the public testimony, the Hearing Officer approved the Conditional Use Permit, based on findings in the Hearing Officer Decision Letter (Attachment C). The Hearing Officer adopted the recommended conditions of approval, with the following modifications:

- Removed recommended Condition No. 10 which allowed temporary uses with a Temporary Use Permit;
- Modified Condition No. 13 (adopted Condition 12) requiring that restrooms be provided indoors;
- Modified condition No. 15 (adopted Condition No. 14) to specify that vehicles without a parking permit are prohibited from the program;
- Modified Condition No. 19 (adopted Condition No. 18) to limit participant activities outside of their vehicles during program hours; and
- Modified Condition No. 21 (adopted Condition No. 20) to specify the role and certification requirements of the on-site nightly security guard.

To supplement the decision, the Hearing Officer provided an addendum explaining his reasons for approving the application and responding to the appeals (Attachment G).

ANALYSIS:

In September 2023, the City Council adopted Ordinance 7414 amending and adding various sections to the City's Zoning Code to implement Housing Element Program #19: Homeless Services, which included adding a Safe Parking land use as part of a Religious Facility, College, and Transportation Terminal with the approval of a MCUP. Applicable standards and operational requirements were added under Section 17.50.265 (Safe Parking) of the Zoning Code. Compliance with these standards is discussed below.

The All Saints site consists of three contiguous parcels under one single ownership. The northern two parcels are developed with surface parking and the southern parcel is developed with religious facility buildings and a courtyard. The Zoning Code defines a site as “a lot or group of contiguous lots not divided by any alley, street, other right-of-way or city limit that is proposed for development in accord with the provisions of this Zoning Code and is in a single ownership or has multiple owners, all of whom join in an application for development.” The proposed use would occur on the northern-most parcel of the All Saints site.

The purpose of the PS district is to provide sites for large public and semi-public uses that may not be appropriate in other base zoning districts. A Minor Conditional Use Permit (MCUP) is required to establish a Safe Parking use on a religious facility site in the PS district.

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.” The proposed program is consistent with this classification because it would be managed by a social service provider and would offer individuals and families a safe place to park overnight. Further, the Safe Parking program is proposed in an area that is a part of the religious facility site.

Safe parking programs are designed to provide a safe place for people sheltering in their vehicles to park without risk of a citation. These programs offer on-site services including restrooms, handwashing stations, and case management services. Safe parking programs provide a stabilizing foundation upon which homeless and other social services can facilitate movement toward permanent housing.

The needs of individuals sheltering in their vehicles are typically different from chronically homeless individuals living outdoors. By maintaining access to vehicular shelter, individuals participating in safe parking programs may maintain work and community ties not afforded to individuals living on the street. Without safe parking, people living in their cars risk citations, towing, or impoundment fees that increase instability and threaten those ties. Additional operational details are provided in the next section.

Proposed Operations

The Zoning Code requires the program operator to prepare a written management plan that outlines program details. The written management plan shall include a site plan, hours of operation, total number of vehicles and size of vehicles served on-site, the monitoring and oversight program, and the neighborhood communications strategy plan.

Based on the submitted site plan and management plan, up to 25 participant vehicles would be allowed to park within the existing parking lot from 7:00 p.m. to 7:00 a.m. daily. No more than 25 participants would be permitted at any one time. During the program hours, participants would have access to the secured on-site portable restroom and handwashing station. As proposed, one private security guard would be present on-site to ensure that valid participant parking passes are visible and monitor the site throughout the night.

Additionally, the Zoning Code provides performance standards for the Safe Parking use. The safe parking use shall be managed by a program operator that participates in the Pasadena Continuum of Care Program and Coordinated Entry System and provides access or linkage to the

Coordinated Entry System. The program must provide restroom, water, and trash facilities. The program operator shall also ensure that only vehicles registered in the program are parked overnight during program hours and have their parking permit displayed at all times. Additionally, participants must enter into a written agreement with the program operator.

The program operator, Shower of Hope, participates in the Pasadena Continuum of Care Program and Coordinated Entry System and has developed a written management plan titled "Destination Hope Safe Parking Rules and Guidelines." Only clients who have entered into a written agreement with the program operator are allowed to use parking spaces overnight.

Under the agreement, participants 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 always display a valid parking pass when on the premises. Only registered participants and vehicles would be allowed to park on-site during program hours, with no guests allowed. Additionally, participants would be assigned a Shower of Hope caseworker. As described by the applicant, every six months each participant would be evaluated for the program. Clients would be able to participate in the program if the program is not at full capacity. If the program does have a wait list, any participants not actively participating in transitioning to a more permanent living situation will be exited after a year of stay. Should a participant violate the program agreement, they may be removed from the program.

Surrounding Uses and Noise

All activities associated with the Safe Parking use would occur a minimum of 300 feet from residential uses to the northwest across East Walnut Street. Additionally, the residential uses located 500 feet to the south of the Safe Parking use would be separated by existing religious facility buildings and the courtyard for Plazas Las Fuentes. Other adjacent uses include civic, institutional, or commercial uses, such as the Los Angeles County courthouse, Pasadena City Hall, or a hotel. To ensure that the surrounding uses would not be disturbed by noise, participants must agree not to have loud music and to keep all noise within their vehicles. Quiet hours would be established from 10:00 p.m. to 6:00 a.m. Compliance with the City's Noise Ordinance (Chapter 9.36) is required, as noted in the recommended conditions of approval.

Community Outreach

Staff also added a condition of approval requiring a representative of the program responsible for the activities occurring on-site to be available during all hours of operation, and to take and respond to calls. The representative shall take immediate steps to remedy the concerns within a reasonable time, not to exceed 48 hours. The name and telephone number of the individual, owner, or designated representative responsible shall be posted on a sign visible from the public right-of-way on the premises in accordance with the Pasadena Municipal Code, kept on record in the office of the religious facility, and on All Saints Church's website. The information shall also be furnished to the Zoning Administrator and be presented to any City official upon request.

APPEALS:

On June 30, 2025, three requests were filed to appeal the Hearing Officer's decision to the Board of Zoning Appeals.

The first request was filed by Silvio Nardoni of Archimedes Law Group, LLP on behalf of The

Maryland Homeowners Association (Appellant 1) (Attachment D). The second appeal request was filed by Park and Velayos, LLP, on behalf of ARE-Pasadena No. 5, LLC. (Appellant 2) (Attachment E). The third appeal request was filed by Erica Tamblyn on behalf of All Saints Church (Applicant/Appellant 3) (Attachment F).

Appeal Points and Response to Each Appeal:

The appeal points and Staff responses to the three Appellants' appeal points are provided in the section below. Additionally, the appeal applications were forwarded to the Hearing Officer for review. The Hearing Officer provided responses in the form of an Addendum (Attachment G), which are also included in the section below.

First Appeal (Appellant 1):

1. The Zoning Code does not allow Safe Parking on the proposed location because it is not a religious facility.
 - a. The parking lot owned by the church operates primarily as a commercial parking lot and is not, and not accessory to, religious worship.

Staff's Response: *The All Saints Church site consists of three contiguous parcels under single ownership. The northern two parcels are developed with surface parking and the southern parcel is developed with religious facility buildings and a courtyard. The Zoning Code defines site as "a lot or group of contiguous lots not divided by any alley, street, other right-of-way or city limit that is proposed for development in accord with the provisions of this Zoning Code and is in a single ownership or has multiple owners, all of whom join in an application for development." The parking lot provides parking for the religious facility in addition to serving as paid parking.*

Hearing Officer's Response: *"I agree with staff's assessment that the Safe Parking use is conditionally permitted in the PS zoning district subject to approval of a Minor Conditional Use Permit. I further concur that the proposed use complies with the specific requirements of Zoning Code Section 17.50.265 (Safe Parking), including submittal of a management plan and compliance with performance standards."*

- b. The Zoning Code uses the word "facility" when referring to religious facility, not "site." The Hearing Officer Staff Report refers to the area as a "site" which is defined as a large-scale development that spans across lots. The proposed Safe Parking, if considered a "development" would occur only on the parking lot and not on the other parcels where the sanctuary and church buildings are located.

Staff's Response: *The Zoning Code does not provide a definition for "facility." The Zoning Code definition of "Religious Facility" is "a facility in which the primary use is religious worship. A religious facility may include related accessory activities including religious education, ministry, clothing and food distribution, counseling, employment assistance, referral services, and support groups. Other uses (e.g., private schools and child day-care centers) that are located on the site of a religious assembly use shall not be accessory uses..." The proposed Safe Parking use is a related accessory activity that is permitted on a religious facility site with a Minor Conditional Use Permit, pursuant to the Zoning Code.*

Hearing Officer's Response: *"Based on the record, I also found sufficient evidence to support the determination that the site qualifies as a religious facility, thereby meeting*

eligibility requirements for operation of a Safe Parking program.”

- c. The parking lot is not used at all times by the church, as suggested by the applicant during the Hearing Officer meeting.

Staff's Response: *The parking lot is in use in the day and evening by the religious facility. All Saints Church volunteers park in the parking lot at all times. Parking occurs in the lot during weekly evening events. Youth night and adult choir practices which occur Wednesday and Thursday nights, respectively, each week until 10:00 p.m. Occasional filming activity also occurs on the parking area to the south of the proposed safe parking area until 10pm in the parking area. In addition to the weekday daily parking, the religious facility utilizes the parking spaces in the lot during evening activities, as well as on the weekends.*

Hearing Officer's Response: *“Based on the record, I also found sufficient evidence to support the determination that the site qualifies as a religious facility, thereby meeting eligibility requirements for operation of a Safe Parking program.”*

- 2. The Zoning Code does not allow the proposed use which would be detrimental to the health, safety, and general welfare of neighborhood residents and workers.

- a. The future will resemble the past and the problems from the past will return.
 - i. Beginning five years ago, when people experiencing homelessness camped on the property, neighborhood issues appeared such as drug dealers loitering, public drug use, public defecation, and increased litter.

Staff's Response: *The proposed use would not be detrimental to the area with the recommended conditions of approval such as requiring oversight of the program by an on-site state certified security guard, limiting outdoor lighting, and limitation on outdoor activities. The conditions of approval require that personal belongings remain within participant vehicles and that the premises, sidewalk, and street must remain in a litter and graffiti-free manner. Additionally, only registered participants may be parked overnight during the program hours and would be monitored by the security guard. The portable restroom is also required to be accessible only to Safe Parking participants and maintained in a clean and sanitary manner. Should such conditions of approval be violated, the project may be called up for review at a public hearing.*

Hearing Officer's Response: *“I found that the Safe Parking program, as conditioned, would not be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The operation incorporates safety measures designed to discourage loitering, littering, late-night disturbances, use of the public right-of-way, and noise impacts. Conditions of approval require the presence of a security guard during hours of operation, establishment of a hotline for community concerns, and designation of a program representative available at all times during operation to respond to issues in real time. Collectively, these measures provide adequate safeguards to address neighborhood safety concerns.”*

- b. A single security guard will not suffice.
 - i. A single security guard will not be able to secure 25 vehicles, which can include RVs, housing 50 or more people on a parking lot open to the public space on three sides.

- ii. Police Department recommends one security guard, but this recommendation was prior to the Hearing Officer's additional condition to require that the All Saints Church indoor bathroom shall remain open and available to participants.

Staff's Response: *The applicant proposes a maximum of 25 individuals, not to exceed 25 vehicles. One security guard is proposed, which is consistent with the Police Department's recommendation. The public right-of-way is to the north (Walnut Street) and the west (Euclid Avenue). A commercial building is to the east and the religious facility site continues to the south of the parking lot where the Safe Parking use is requested. The Police Department has reviewed the Hearing Officer condition and addendum requiring access to a secured restroom, such as a locked portable restroom, and continues to recommend one security guard for the Safe Parking use.*

Hearing Officer's Response: *"I found that the Safe Parking program, as conditioned, would not be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The operation incorporates safety measures designed to discourage loitering, littering, late-night disturbances, use of the public right-of-way, and noise impacts. Conditions of approval require the presence of a security guard during hours of operation, establishment of a hotline for community concerns, and designation of a program representative available at all times during operation to respond to issues in real time... I recognize that the use of a portable toilet may be appropriate if access is strictly controlled. Therefore, I would support the use of a portable toilet provided it is equipped with a key code mechanism available only to Safe Parking participants. Collectively, these measures establish a robust framework of safeguards that adequately address neighborhood safety concerns."*

- c. Problems will likely occur in the neighborhood before and after Safe Parking hours.
 - i. Drug dealers and users will loiter in the area before and after program hours.
 - ii. Participants will park in the neighborhood and use drugs before driving into the Safe Parking lot and when leaving in the morning.
 - iii. Other users who are not participants will be attracted to the area because of the concentration of available drugs.

Staff's Response: *In order to partake in the Safe Parking program, participants must enter into a written agreement with the program operator. Under the agreement, participants commit not to have alcohol or drugs on the premises. Only registered participants and vehicles would be allowed to park on-site during program hours, with no guests allowed. Additionally, participants would be assigned a Shower of Hope caseworker. As described by the applicant, every six months each participant would be evaluated for the program. Clients would be able to participate in the program if the program is not at full capacity. If the program does have a wait list, any participants not actively participating in transitioning to a more permanent living situation will be exited after a year of stay. Should a participant violate the program agreement, they may be removed from the program. Should the program operator fail to comply to enforce the written agreement as stated, 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 Minor Conditional Use Permit if sufficient cause is given.*

Hearing Officer's Response: *"I found that the Safe Parking program, as conditioned,*

would not be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The operation incorporates safety measures designed to discourage loitering, littering, late-night disturbances, use of the public right-of-way, and noise impacts. Conditions of approval require the presence of a security guard during hours of operation, establishment of a hotline for community concerns, and designation of a program representative available at all times during operation to respond to issues in real time. Collectively, these measures provide adequate safeguards to address neighborhood safety concerns.”

- d. All Saints is already an attractive nuisance, and it cannot control what happens on its property.
 - i. Since 2020, All Saints has had 450 calls for service from the Police Department. If it was any other permit-holder or business, All Saints would have been classified as a gross nuisance and closed down by the City.
 - ii. Based on this history, All Saints cannot maintain a Safe Parking operation on its parking lot for 12 hours daily without degrading the safety of the neighborhood.

Staff's Response: *The recommended conditions of approval require oversight of the program by an on-site state certified security guard, limits outdoor lighting and outdoor activities. Specifically, the conditions of approval require that personal belongings remain within participant vehicles and that the premises, sidewalk, and street must remain in a litter and graffiti-free manner. Additionally, only registered participants may be parked overnight during the program hours and would be monitored by the security guard. The portable restroom is also required to be accessible only to Safe Parking participants and maintained in a clean and sanitary manner. Should such conditions of approval be violated, the project may be called up for review at a public hearing.*

Hearing Officer's Response: *“I found that the Safe Parking program, as conditioned, would not be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The operation incorporates safety measures designed to discourage loitering, littering, late-night disturbances, use of the public right-of-way, and noise impacts. Conditions of approval require the presence of a security guard during hours of operation, establishment of a hotline for community concerns, and designation of a program representative available at all times during operation to respond to issues in real time. Collectively, these measures provide adequate safeguards to address neighborhood safety concerns.”*

- e. The proposed operator of the Safe Parking program is losing resources.
 - i. Shower of Hope does not have funding from City of Los Angeles in 2025 – 2026 and is in a precarious financial situation. The City should be concerned that the Shower of Hope may decline to provide the resources – such as a security guard or additional staff to respond to complaints – needed to control All Saints' Safe Parking operation when issues arise.

Staff's Response: *The funding of the operator from the City of Los Angeles is not the basis for one of the Minor Conditional Use Permit findings. Should the Safe Parking use not comply with the conditions of approval, 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. Further, the City Council on April 20, 2024, signed a contract which granted*

funding for Shower of Hope, contingent on the approval of the Minor Conditional Use Permit.

Hearing Officer's Response: *"The proposed use complies with the specific requirements of Zoning Code Section 17.50.265 (Safe Parking), including submittal of a management plan and compliance with applicable performance standards."*

- f. The Zoning Code does not allow the proposed use which would be incompatible with existing land uses because residences are within 300 feet from the location.
 - i. The Hearing Officer found, in Finding #6 that the location would be compatible because all activities associated with the use will occur a minimum of "300 feet from residential uses across East Walnut Street." According to a Google map, the Euclid Square apartment building at 249 North Euclid Avenue is 286 feet from the closest parking space that is part of the proposed Safe Parking operation. If measured from parcel line to parcel line, the distance is 260 feet.

Staff's Response: *The City's Zoning Code does not have a minimum distance requirement between a Safe Parking facility and residential uses, the distance is identified in the finding to provide context for the proposed separation. The location of the Safe Parking spaces are over 300 feet from the residential building at 249 North Euclid Avenue according to the City's iMap GIS system (Attachment H). Additionally, conditions of approval are provided to address noise, litter, and other impacts.*

Hearing Officer's Response: *"I found that the Safe Parking program, as conditioned, would not be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The operation incorporates safety measures designed to discourage loitering, littering, late-night disturbances, use of the public right-of-way, and noise impacts. Conditions of approval require the presence of a security guard during hours of operation, establishment of a hotline for community concerns, and designation of a program representative available at all times during operation to respond to issues in real time. Collectively, these measures provide adequate safeguards to address neighborhood safety concerns."*

- g. The CEQA determination is improper because the proposed use is not exempt from environmental review and requires environmental analysis.
 - i. The Hearing Officer's determination that the MCUP was exempt from environmental review because the operation is a "negligible or no expansion of use" is in error.
 - 1. Granting the MCUP would increase the hours of operation by 100%. (The parking hours would now include 7 p.m. to 7 a.m.)
 - 2. Granting the MCUP would increase the volume of cars authorized to park in the lot each weekday by 27%. (The parking lot holds 90 cars during its commercial, "courthouse," hours. An additional 25 vehicles each evening is an increase of 27 percent.)
 - 3. Granting the MCUP would be a change of use. (The parking lot would be used for shelter half of each day.)

Staff's Response: *CEQA requires the proposed project be compared to the existing conditions (i.e., the site as it exists when the application is submitted). The existing conditions are then considered the environmental baseline and are used to assess the*

environmental impacts of a project. In the case of All Saints Church, surface parking and services for people experiencing homelessness have occurred at the site for many years. A Class 1 (Existing Facilities) categorical exemption includes the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of use. The proposed use would not result in any alteration of the existing building or project site.

The applicant has provided a list of weekly events in which the parking lot is used by the religious facility volunteers, parishioners, or staff. These include youth night and adult choir practices which occur Wednesday and Thursday nights, respectively, each week until 10:00 p.m. Occasional filming activity also occurs on the parking area to the south of the proposed safe parking area until 10pm in the parking area. The number of parking spaces within the parking lot area is not increasing and the hours that the parking lot is available for use is not proposed to increase.

It should also be noted that the religious facility presently operates the Safe Haven temporary homeless shelter on the property nightly, which is a similar operation to the safe parking use. Both uses include the temporary shelter of unhoused individuals in a secure location with accessible restroom and washing facilities and a required case management program. As such, the proposed use would be accessory and complementary to the primary religious facility use, which will remain.

Hearing Officer's Response: *"Regarding CEQA, I determined that the project is categorically exempt from environmental review and that no unusual circumstances distinguish it from other projects in the exempt class. The use of the religious facility site for Safe Parking constitutes a negligible expansion of the existing use."*

- ii. These changes cannot be "negligible or no expansion" of use above the existing baseline. (See, e.g., *Communities for a Better Env't v. S. Coast Air Quality Mgmt. Dist.* (2010) 48 Cal. 4th 310, 315 ["the baseline normally consists of the physical environmental conditions in the vicinity of the project, as they exist at the time environmental analysis is commenced" (omitting internal citation marks and ellipses) (citing 14 CCR 15125 (a))].)Therefore, the proposed increase does not fall within the Class 1 CEQA exemption. (See 14 CCR 15301 [the CEQA exemption's "key consideration is whether the project involves negligible or no expansion of an existing use"].)

Staff's Response: *The existing baseline is a religious facility with a surface parking lot. The surface parking lot hosts commercial and religious use parking during the day and religious use parking during evening hours. The proposed use would include up to 25 vehicles in which registered participants experiencing homelessness would sleep in their cars and have access to a secured portable restroom and handwashing station. The religious facility presently operates an overnight temporary homeless shelter on the property and the parking lot is available for church-related programs at all hours, as needed. Due to the existing uses on the All Saints Church site, the proposed safe parking use would be a negligible expansion of use beyond the baseline.*

Hearing Officer's Response: *"Regarding CEQA, I determined that the project is categorically exempt from environmental review and that no unusual circumstances distinguish it from other projects in the exempt class. The use of the religious facility site for Safe Parking constitutes a negligible expansion of the existing use."*

- iii. The use will increase congestion and pollution in the area due to idling cars and

RVs waiting to drive into the lot when it re-opens. The amount of litter will increase. Therefore, an environmental analysis is required. *Protect Niles v. City of Fremont* (2018) 25 Cal. App. 5th 1129, 1138-39 [citing CEQA Guidelines that if there is "substantial evidence" in the whole record supporting a fair argument that a project may have a significant nonmitigable effect on the environment, the lead agency shall prepare an EIR, even though it may also be presented with other substantial evidence that the project will not have a significant effect, and noting that "may" means a reasonable possibility].)

Staff's Response: *The project qualifies as an exemption under CEQA. According to the City's Department of Transportation, North Euclid Avenue between Walnut Street and Union Street, has an estimated 1603 Annual Average Daily Trips for 2024. Based on the City's Transportation Impact Analysis Guidelines, the proposed 50 net new vehicle trips are below the threshold to require a Local Mobility Analysis and CEQA Analysis. Therefore, the additional 25 vehicles accessing the safe parking area from the North Euclid driveway would be a negligible increase in the total daily traffic*

Hearing Officer's Response: *"Regarding CEQA, I determined that the project is categorically exempt from environmental review and that no unusual circumstances distinguish it from other projects in the exempt class. The use of the religious facility site for Safe Parking constitutes a negligible expansion of the existing use."*

- iv. The Hearing Officer explicitly stated that he modified some of the conditions of the permit in order to "mitigate" the impacts of the proposed Safe Parking operation. (Recording at 1:19:28.) The City "should not be permitted to evade standards governing the preparation of a mitigated negative declaration by evaluating proposed mitigation measures in connection with the significant effect exception to a categorical exemption." (*Salmon Prot. & Watershed Network v. County of Marin* (2004) 125 Cal. App. 4th 1098, 1108.) In other words, the City is not allowed to avoid an environmental analysis by imposing mitigation measures which supposedly render the project categorically exempt.

Staff's Response: *The project is exempt under CEQA and projects that are categorically exempt from CEQA have already been determined to not be a significant effect on the environment and are not subject to mitigation measures.*

As identified in the statement below, the Hearing Officer used the term "mitigate" in the general English language meaning of "to make less severe or painful." The language referred to community concerns about security and general operations of the site, not environmental specific concerns. The mitigation suggested does not directly relate to the environmental conditions of the site.

Hearing Officer's Response: *"I wish to clarify that my use of the term "mitigation measures" during the hearing was intended in a general sense to describe measures alleviating community concerns, and not in the technical CEQA context of environmental impact mitigation."*

- v. The City may not approve the MCUP application at least until a proper environmental review is conducted. (See, e.g., *Save Tara v. City of W Hollywood* (2008) 45 Cal. 4th 116, 122 (2013) [environmental review must precede project approval]; 14 CCR 15004 ["Before granting any approval of a project subject to CEQA, every lead agency or responsible agency shall consider a final EIR or negative declaration or another document authorized by these guidelines to be

used in the place of an EIR or negative declaration."].)

Staff's Response: *The Hearing Officer made the determination that the 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 Safe Parking use of no more than 25 vehicles would occur on an existing surface parking lot which has the capacity for 90 vehicles. The operation of a Safe Parking use on a religious facility site is considered a negligible expansion of an existing use.*

Hearing Officer's Response: *"Regarding CEQA, I determined that the project is categorically exempt from environmental review and that no unusual circumstances distinguish it from other projects in the exempt class. The use of the religious facility site for Safe Parking constitutes a negligible expansion of the existing use."*

Second Appeal (Appellant 2):

1. ARE-Pasadena No. 5, LLC learned of the project one day before the hearing and submitted a letter of continuance to provide additional time to understand the project and meet with the applicant and the City. The Hearing Officer did not grant the continuance.

Staff's Response: *Two weeks prior to the public hearing date, the public hearing notice was mailed to the owner of the property where ARE-Pasadena No. 5, LLC is located (26 North Euclid Avenue). Additionally, the public notice boards were posted at the project site in accordance with the Zoning Code.*

The Hearing Officer may use their discretion to grant a requested continuance and did not choose to grant the requested continuance.

Hearing Officer's Response: *"I found that all required noticing procedures were followed prior to scheduling the public hearing. Proper notifications were mailed and posted in accordance with State and local requirements."*

2. The Hearing Officer's decision was rushed and did not:
 - a. Comply with the Zoning Code which does not allow for a Minor Conditional Use Permit in this instance

Staff's Response: *The All Saints Church site is zoned PS (Public and Semi-Public) and consists of three contiguous parcels under single ownership. The northern two parcels are developed with surface parking and the southern parcel is developed with religious facility buildings and a courtyard. In the PS zoning district, a Minor Conditional Use Permit (MCUP) is required to establish a Safe Parking use on a religious facility site.*

Hearing Officer's Response: *"Based on the record, I also found sufficient evidence to support the determination that the site qualifies as a religious facility, thereby meeting eligibility requirements for operation of a Safe Parking program."*

- b. Make the appropriate findings and provide findings that are supported by evidence

Staff's Response: *The Hearing Officer's decision was based on the findings in Attachment A of the decision letter (Attachment C). These findings were based on analysis of the*

proposed operations and existing conditions.

Hearing Officer's Response: *"After a thorough review of the record, I concurred with staff's recommendation that the required findings for approval could be made. I found staff's analysis to be comprehensive and well-reasoned, providing a solid basis for approval. In addition, I was persuaded by the applicant's presentation that community concerns could be reasonably addressed through the conditions of approval and by ongoing coordination with neighboring stakeholders."*

c. Comply with CEQA or provide evidence to support an exemption from CEQA.

Staff's Response: *CEQA requires the proposed project be compared to the existing conditions (i.e., the site as it exists when the application is submitted). The existing conditions are then considered the environmental baseline and are used to assess the environmental impacts of a project. In the case of All Saints Church, surface parking and services for people experiencing homelessness have occurred at the site for many years. A Class 1 (Existing Facilities) categorical exemption includes the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of use. The proposed use would not result in any alteration of the existing building or project site.*

Hearing Officer's Response: *"Regarding CEQA, I determined that the project is categorically exempt from environmental review and that no unusual circumstances distinguish it from other projects in the exempt class. The use of the religious facility site for Safe Parking constitutes a negligible expansion of the existing use."*

Third Appeal (Applicant/Appellant 3):

1. The condition (*adopted Condition No. 12, see below*) to provide interior restroom access would create an undue financial burden with an estimated annual cost of \$182,000 for staffing. The current arrangement for the existing Safe Haven temporary homeless shelter has been successful and features the use of a porta potty and washing facility, which is also proposed for the Safe Parking use.

Adopted Condition No. 12: "Water, trash, and indoor restroom facilities shall be provided, maintained, and accessible to clients during Safe Parking facility hours."

Staff's Response: *The Hearing Officer has clarified in his addendum that the intent of the interior restroom access is to ensure that restroom facilities will be accessible only to safe parking participants during program hours and not to the general public. The Hearing Officer confirmed that secured restroom facilities, such as a locked portable restroom within the safe parking area with an access key or code would be adequate to meet the intent of the approved condition.*

Hearing Officer's Response: *"To further address sanitary needs in a manner consistent with neighborhood compatibility, I imposed a condition requiring use of the indoor restroom facilities in lieu of the initially proposed portable toilet. My concern with reliance on a portable toilet is that it could attract unwanted activity from unhoused individuals outside of the Safe Parking program. However, I recognize that the use of a portable toilet may be appropriate if access is strictly controlled. Therefore, I would support the use of a portable toilet provided it is equipped with a key code mechanism available only to Safe Parking participants."*

Presently, the temporary homeless shelter program (approved under Conditional Use

Permit #6898, Safe Haven) uses a portable restroom that is located adjacent to the parking lot that would be used for Safe Parking. Staff recommends that this portable restroom be used for the Safe Parking program and be accessible to the Safe Parking program participants only (i.e. locked and equipped with a key code mechanism). Since the temporary homeless shelter activities occur adjacent to the church facilities (including the offices, meeting rooms, and interior spaces), the restrooms for the temporary homeless shelter shall be provided within the church facilities. The revised condition of approval is provided below.

Revised Condition No. 12: "Water, trash, and restroom facilities shall be provided, maintained, and accessible to clients during Safe Parking facility hours. The portable restroom facility shall be accessible to the Safe Parking program participants only (i.e. locked and equipped with a key code mechanism). Participants from the Safe Haven temporary homeless shelter shall utilize a restroom inside the church facilities."

GENERAL PLAN CONSISTENCY:

The subject property is designated Institutional in the Land Use Element of the General Plan. The existing use is a religious facility which aligns with the general plan designation which is characterized by facilities owned and operated by the City or by other public and/or private institutions such as corporate yards, schools, libraries, and hospitals. 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.*

All Saints 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 and have access to restrooms. Participants also would be assigned a case worker who would provide resources to assist in finding jobs and working 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 Shower of Hope 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 program would be located at an existing religious facility of which the proposed services would align with the mission and values of the use. In addition, the church campus has limited use overnight. A temporary homeless shelter operates adjacent to the church buildings and the parking lot is open for church related activities during the proposed sleeping hours which results in underutilized parking lots. This provides for an opportunity to provide the safe parking program in the unused portion of the site during these overnight hours. The 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 Safe Parking use of no more than 25 vehicles would occur on an existing surface parking lot which has the capacity for 90 vehicles. The operation of a Safe Parking use on a religious facility site is considered a negligible expansion of an existing use.

COMMENTS FROM OTHER 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 one security guard be present and actively patrolling the

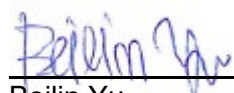
parking area overnight. The Housing Department, Fire Department, Public Works Department, Public Health Department, and Building and Safety Division had no comments.

CONCLUSION:

It is staff's assessment that the findings necessary for approval of the Minor Conditional Use Permit to establish a Safe Parking land use at an existing religious facility can be made. 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. Therefore, staff recommends that the Board of Zoning Appeals uphold the Hearing Officer's decision and approve Minor Conditional Use Permit #7318 with the findings in Attachment A and the Conditions of Approval in Attachment B.

Respectfully Submitted,

Prepared By:



Beilin Yu
Zoning Administrator



Alison Walker
Planner

Attachments:

- Attachment A – Minor Conditional Use Permit Findings
- Attachment B – Conditions of Approval
- Attachment C – Hearing Officer Decision Letter (dated June 18, 2025)
- Attachment D – First Appeal Request (dated June 30, 2025)
- Attachment E – Second Appeal Request (dated June 30, 2025)
- Attachment F – Third Appeal Request (dated June 30, 2025)
- Attachment G – Hearing Officer Addendum (August 29, 2025)
- Attachment H – Project Distance from Residential Use Exhibit