



OFFICE OF THE CITY MANAGER

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December 20, 2022

Alison Hughes
Chief Consultant
State of California Senate Committee on Housing
1021 O Street, Room 3330
Sacramento, CA 95814
Email: SHOU.Committee@senate.ca.gov; Allison.Hughes@sen.ca.gov

Lisa Engel
Chief Consultant
State of California Assembly Committee on Housing and Community Development
1020 N Street, Room 156
Sacramento, CA 95814
Email: Lisa.Engel@asm.ca.gov

Sent via email and U.S. Mail

RE: City of Chico Shelter Crisis Declaration – Status Report Pursuant to Government Code Section 8698.4(a)(6)

Dear Ms. Hughes and Ms. Engel:

On October 5, 2021, the City of Chico (City) declared a shelter crisis pursuant to Government Code section 8698.4. This is the City's first status report to the State of California Senate Committee on Housing and the Assembly Committee on Housing and Community Development, as required by Government Code section 8698.4(a)(6), outlining its progress in addressing its shelter crisis during FY 2021-2022.

The Butte Homeless Continuum of Care (CoC) has provided the majority of the data. Data sources include the Homeless Management Information System (HMIS) and the CoC Homeless Inventory Count (HIC).

HMIS is the system used to collect outcome data from organizations that receive CoC funding. Organizations that do not receive CoC funding may voluntarily report outcome data in HMIS, but it is not required. Therefore, the data in this report does not include outcomes of organizations that do not report in HMIS.

The HIC describes the inventory of beds, including shelter and permanent supportive housing (PSH), dedicated to serving homeless and formerly homeless persons. The CoC submits the HIC annually to the U.S. Department of Housing and Urban Development (HUD).

The City of Chico staff provided additional information beyond what was available through HMIS and HIC, as is noted in the appropriate sections.

The following information is provided per the requirements of Government Code section 8698.4(a)(6) for FY 2021-2022:

(A) The total number of residents in homeless shelters within the City: 1205

Source: HMIS

This number represents unique persons served in emergency shelters in Chico, including Project Roomkey.

(B) The total number of residents who have moved from a homeless shelter into Permanent Supportive Housing (PSH) within the City: 11

Source: HMIS

The HMIS data does not capture all PSH within the City of Chico. Two organizations that are not captured in HMIS, and are therefore not included in the figure above, include Nation's Finest and Catalyst. [Nation's Finest](#) provides PSH for veterans and their families. [Catalyst](#) provides safe PSH for survivors of intimate partner violence and their children.

(C) Total estimated number of PSH units within the City: 198

Source: HIC

(D) Number of residents who have exited the system and are no longer in need of homeless shelter or PSH within the City: 355

Source: HMIS

The number is based on persons reported in HMIS as having left a shelter or PSH within the City of Chico.

(E) The number and bed capacity of new homeless shelters built pursuant to this section within the City: 423

Source: City of Chico Staff

New shelter beds available during FY 21-22 include the following:

- City of Chico Pallet Shelter = 354 beds (177 units with two beds each)
- Torres Shelter expansion = 32 beds (22% increase)
- Jesus Center = 37 beds This takes into consideration, loss of Sabbath House (23 beds) and development of new Jesus Center shelter (60 beds) (161% increase)

(F) New actions the City is taking under the declared shelter crisis to better serve the homeless population and to reduce the number of people experiencing homelessness.

Source: City of Chico Staff

1. **City of Chico Pallet Shelter:** During the reporting period, the City of Chico began operation of a 177-unit, 354 bed emergency non-congregate shelter facility. The facility is located on a City owned site and includes perimeter fencing, handwashing stations, toilets, shade tent,

waste receptacles and water service, designated smoking area, secure bike storage, pet run, site lighting, and electrical for climate controls to the 177 micro shelters. Services include: food, showers, laundry, voluntary case management and benefit navigation through Butte County Department of Employment and Social Services, and voluntary mental health services and crisis intervention through Butte County Department of Behavioral Health.

2. City of Chico Alternative Campground: In May 2022, the City of Chico operationalized an alternative camping site located at the corner of Eaton Road and Cohasset Road to be utilized only by homeless individuals deemed by the City of Chico Outreach and Engagement staff to be ineligible for the Pallet Shelter or the Torres Shelter. The site can accommodate 30-40 individuals.

3. Outreach:

- a. In FY 2021-2022, beginning April 25, 2022, the City of Chico Outreach and Engagement Team assessed a total of 211 homeless individuals, providing referrals to either the Pallet Shelter, Torres Shelter, or City of Chico Alternative Camping site.
- b. Public services funding was provided to Point of Contact to perform outreach and education regarding COVID-19 to homeless individuals. Point of Contact provided outreach to 171 individuals.

4. Shelter and Supportive Services:

The City of Chico utilized a variety of funding sources including General Fund, CDBG, and CDBG-CV to facilitate the provision of the following assistance in FY 21-22:

- a. Shelter and services to 60 women and men through Catalyst Domestic Violence Services.
- b. Permanent housing and case management support for 18 disabled homeless or formerly homeless individuals through the Chico Housing Action Team's (CHAT) Harmony House program.
- c. Shelter and support to 216 individuals at the Jesus Center's congregate site, Sabbath House.
- d. Transitional housing and case management support to 34 elderly homeless individuals and 7 families through CHAT.
- e. Funding for interior renovations to expand beds inside the Torres Shelter, and exterior improvements to allow for low-barrier access.
- f. Participation with the Butte Countywide Continuum of Care Council (CoC) and the Greater Chico Homeless Task Force, and funding toward CoC administration.
- g. The City budgeted non-federal funds for a homeless prevention program and funded three organizations last year.
 - i. The Home and Heart program works to match clients for their home-share program.
 - ii. The Catholic Ladies Relief Society assists low-income homeowners with past-due utility bills to ensure residents can remain in their homes.
 - iii. The local 211 organization provides outreach and support for residents applying for the State's Rental Assistance Program.

5. Affordable Housing and Supportive Housing

The City of Chico supported and provided funding through a variety of funding sources including Affordable Housing Fund (former RDA), CDBG, HOME, and CDBG-DR to facilitate the following projects in FY 21-22:

- a. Facilitation and pre-development of seven affordable housing projects funded with Disaster Low Income Housing Tax Credits and in some cases, CDBG-DR.
- b. Assistance with land and funding for Creekside Place Apartments, which includes 15 units of permanent supportive housing for homeless seniors with a serious mental illness; 100 units have Project Based Vouchers (estimated opening early 2023).
- c. Support of the construction of 1297 Park Avenue, which will provide 58 units of permanent housing, 27 of which are special needs households, and one manager unit.
- d. Support of the construction of North Creek Crossing I and II. Phase I includes 105 family units, funded in part with local City funding and Project Based Vouchers. It is projected to be complete late summer 2023. Phase II, which includes HOME funding and Project Based Vouchers is expected to be completed in late 2023 and has 53 affordable family units.

(G) The Ordinance and Associated Findings Adopted by the City Per Gov. Code § 8698.4(a)(2)

Please find separately enclosed with this letter Ordinance No. 2570 – Amending Title 16R of the City of Chico Municipal Code to Adopt and Amend by Reference the California Building Code Appendix O and California Residential Code Appendix X, Relating to Emergency Housing Standards

If you have any questions, or need any additional information, please contact Jennifer Macarthy, Deputy City Manager, at Jennifer.Macarthy@chicoca.gov or 530.896.7204.

Sincerely,



Mark Sorensen
City Manager

Enclosure:
Ordinance No. 2570

1 **ORDINANCE NO. 2570**

2 **AN ORDINANCE OF THE CITY OF CHICO AMENDING TITLE 16R OF**
3 **THE CITY OF CHICO MUNICIPAL CODE TO ADOPT AND AMEND**
4 **BY REFERENCE THE CALIFORNIA BUILDING CODE APPENDIX O**
5 **AND CALIFORNIA RESIDENIAL CODE APPENDIX X, RELATING**
6 **TO EMERGENCY HOUSING STANDARDS**

7 WHEREAS, on October 5, 2021, the City Council of the City of Chico (“City”) unanimously
8 declared a Shelter Crisis in the City, and those conditions and findings are still relevant and in effect
9 now; and

10 WHEREAS, pursuant to California Government Code section 8698.4, the City, in lieu of compliance
11 with local building approval procedures or state housing, health, habitability, planning and zoning,
12 or safety standards, procedures, and laws, may adopt by ordinance reasonable local standards and
13 procedures for the design, site development, and operation of homeless shelters and the structures
14 and facilities therein, to the extent that it is determined at the time of adoption that strict compliance
15 with state and local standards or laws in existence at the time of that adoption would in any way
16 prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

17 WHEREAS, an ordinance establishing reasonable local standards must, at a minimum, meet the
18 standards provided in the 2019 California Building Code Appendix O and the 2019 California
19 Residential Code Appendix X, and any future standards adopted by the Department of Housing and
20 Community Development related to emergency housing or emergency housing facilities, unless the
21 City adopts findings stating why the standards cannot be met and stating how the standards in the
22 ordinance protect health and safety; and

23 WHEREAS, on November 19, 2019, the City Council adopted the 2019 California Residential
24 Standards Code, including its Appendix X – Emergency Housing Standards; and

25 WHEREAS, on November 19, 2019, the City Council adopted the 2019 California Building
26 Standards Code and included in the adoption certain appendices thereto, including “Appendix N –
27 Emergency Housing Standards”; and
28

1 WHEREAS, the adoption of Appendix N was intended to adopt the California Building Code
2 appendix regarding Emergency Housing Standards, which due to a restructuring of the 2019
3 Building Code, is now Appendix O; and

4 WHEREAS, adopting the revised Emergency Housing Standards of the California Residential Code
5 and the California Building Code (collectively, the “Emergency Housing Standards”) is necessary
6 and appropriate to correct a prior clerical error and effectuate the intent of the City Council, and

7 WHEREAS, the City Council has determined that strict compliance with the standard provisions of
8 these Emergency Housing Standards for public facilities open to the homeless would prevent,
9 hinder, or delay the mitigation of the effects of the shelter crisis; and

10 WHEREAS, local amendments are necessary to address the threat to public health, safety, and
11 welfare of the general public and homeless individuals living in the City without shelter by
12 increasing the number of emergency shelter beds available in the City, thereby providing shelter to
13 additional individuals whose health, safety, and welfare are threatened by their unsheltered status.

14
15 NOW, THEREFORE, BE IT ORDAINED that the Council of the City of Chico does hereby adopt
16 the following ordinance amending Title 16R of the City of Chico Municipal Code:

17 SECTION 1. Findings. As provided for in Government Code Section 8698 et seq., the Council of
18 the City of Chico expressly finds the proposed modifications to Appendix X of the California
19 Residential Code and Appendix O of the California Building Code decreasing the minimum interior
20 floor area of emergency sleeping cabins to 64 square feet for two occupants, and an additional 50
21 square feet for each additional occupant, is reasonably necessary to address the threat to public
22 health, safety, and welfare of the general public and homeless individuals living in the City without
23 shelter. The harsh summer and winter conditions, as well as the high risk of dangerous air quality
24 levels due to wildfires in and around the City places the health and lives of the increasing
25 unsheltered homeless population at risk and makes it reasonably necessary to adopt these
26 amendments to the Emergency Housing Standards, and without such amendments the standards of
27 Appendix X and Appendix O cannot be met. The proposed amendments would also extend the use
28 of limited emergency shelter resources and provide additional shelter to more homeless individuals.

1 Strict compliance with the standard provisions of the Emergency Housing Standards for public
2 facilities open to the homeless would prevent, hinder, or delay the mitigation of the effects of the
3 City's shelter crisis. The proposed amendment to the local building code, applicable during a shelter
4 crisis, will assist in meeting emergency housing demands for individuals needing essential, safe, and
5 sanitary shelter and diversion from homelessness and would expeditiously move homeless
6 individuals out of harsh environs.

7 SECTION 2. City Code Amendment. The City Council of the City of Chico hereby amends Title
8 16R of the City of Chico Municipal Code as follows:

9 **Chapter 16R.02 Building Standards**

10 **Section:**

11 **16R.02.010 Adoption of Standards.**

12 **16R.02.010 Adoption of Standards.**

13 A. Basic Building Standards. The following regulations, hereby adopted by reference and
14 incorporated herein, shall constitute the basic building standards of the city and shall apply
15 to and govern the construction, alteration, moving, demolition, repair, use, and occupancy of
16 any building or structure in the city in accordance with the provisions of
17 Section 16.06.020 of this code.

18 1. All regulations adopted in the 2019 California Building Code ("CBC"), as promulgated
19 in Part 2, Volumes 1 and 2, Appendix H (Signs), Appendix J (Grading) and Appendix ~~NO~~
20 (Emergency Housing), as amended herein, of Title 24 of the California Code of Regulations,
21 including all regulations adopted in the CBC amending or repealing a volume, chapter, section or
22 appendix of the International Building Code ("IBC"), which regulations shall take precedence
23 over the amended or repealed volume, chapter, section or appendix of the IBC; and

24 2. All regulations adopted in this chapter, including any regulations adopted in this chapter
25 which amend or repeal a volume, chapter, section or appendix of either the IBC or CBC, shall
26
27
28

1 take precedence over the amended or repealed volume, chapter, section or appendix of the IBC
2 or CBC.

3 B. Existing Building Code. The following regulations, hereby adopted by reference and
4 incorporated herein, shall constitute the minimum standards to promote public safety and
5 welfare, including those regulations adopted to reduce the risk of death or injury that may result
6 from the effects of earthquakes on existing unreinforced masonry bearing walls.

7
8 1. All regulations set forth in the following volumes, chapters, sections, parts or appendices
9 of the 2019 CBC Part 10 of Title 24 based on the 2018 International Existing Building Code:

- 10 a. Appendix A Chapters A1, A3, and A4; and
11 b. Appendix A Chapter A6 Referenced Standards.

12 C. Historic Building Code. The following regulations, hereby adopted by reference and
13 incorporated herein, shall constitute the standards for the preservation, restoration, rehabilitation,
14 relocation or reconstruction of buildings or properties designated as qualified historical buildings
15 or properties.

16
17 1. All regulations set forth in the following volumes, chapters, sections, parts or appendices
18 of the 2019 CBC Part 8 of Title 24:

- 19 a. Chapter 8-1, excluding Section 8-104, entitled "Review and Appeals";
20 b. Chapter 8-2 through 8-10; and
21 c. Appendix A.

22 D. California Code of Regulations, Title 24, Part 2, California Building Code, Appendix O,
23 Emergency Housing is hereby adopted in full, subject to the modifications thereto which are set
24 forth below:

25
26 **AO103.2.1 New additions, alterations, and change of occupancy.** New additions, alterations, and
27 change of occupancy to existing buildings shall comply with the requirements of the California
28 Building Standards Code effective at the time of addition, alteration, or change of occupancy. The

1 requirements shall apply only to and/or within the specific area of the addition, alteration, or change
2 of occupancy.

3 **Exceptions:**

4
5 1. Existing buildings and structures used for emergency housing and emergency housing
6 facilities may not be required to comply with the California Energy Code, as determined by
7 the enforcing agency.

8 2. Change in occupancy shall not mandate conformance with new construction requirements
9 set forth in the California Building Standards Code, provided such change in occupancy
10 meets the minimum requirements set forth in this appendix.

11 **AO103.3 Occupant load.** Except as otherwise stated in this appendix, the maximum occupant load
12 allowed in buildings and structures used as emergency housing shall be determined by the enforcing
13 agency, but the interior floor area shall not be less than 64 square feet (6.5 m²) for two occupants.
14 Where more than two persons occupy the building/structure, the required floor area shall be
15 increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of two. The interior floor
16 area shall not exceed 400 square feet (37 m²), excluding lofts.

17 **Exceptions:**

18 1. Tents.

19
20 2. Recreational vehicles and park trailers designed for human habitation that meet the
21 requirements in the Health and Safety Code, Sections 18009.3 and 18010, as applicable.

22 **SECTION O111**

23
24 **ALTERNATIVES AND MODIFICATIONS**

25 **AO111.1 Alternatives and modifications.** Alternative compliance and/or modifications that are
26 reasonably equivalent to the requirements in this appendix may be granted by the Local
27 Administrative Authority in individual cases when dealing with buildings or structures used for
28 emergency housing.

1 SECTION 3. City Code Amendment. The City Council of the City of Chico hereby amends Title
2 16R of the City of Chico Municipal Code as follows:
3

4 **Chapter 16R.12 Residential Standards**

5
6 **Section:**

7 **16R.12.010 Adoption of Standards.**

8
9 **16R.12.010 Adoption of Standards.**

10
11 A. Basic Residential Standards. The following regulations, hereby adopted by reference and
12 incorporated herein, shall constitute the residential standards of the city and shall apply to and
13 govern the construction, alteration, movement, enlargement, replacement, repair, equipment, use and
14 occupancy, location, removal and demolition of detached one- and two-family dwellings and
15 townhouses, as designated and defined in the 2019 California Residential Code.

16 B. All regulations adopted in the 2019 California Residential Code ("CRC"), as promulgated in
17 Part 2.5 of Title 24 of the California Code of Regulations including Appendix H, and Appendix
18 X (Emergency Housing), as amended herein, and all regulations adopted in the CRC amending or
19 repealing a volume, chapter, section or appendix of the 2019 International Residential Code ("IRC"),
20 which regulations shall take precedence over the amended or repealed volume, chapter, section or
21 appendix of the IRC.

22 C. California Code of Regulations, Title 24, Part 2.5, California Residential Code, Appendix X,
23 Emergency Housing is hereby readopted in full, subject to the modifications thereto which are set
24 forth below:

25
26 **AX103.2.1 New additions, alterations, and change of occupancy.** New additions, alterations, and
27 change of occupancy to existing buildings shall comply with the requirements of the California
28 Building Standards Code effective at the time of addition, alteration, or change of occupancy. The

1 requirements shall apply only to and/or within the specific area of the addition, alteration, or change
2 of occupancy.

3 **Exceptions:**

4
5 1. Existing buildings and structures used for emergency housing and emergency housing
6 facilities may not be required to comply with the California Energy Code, as determined by
7 the enforcing agency.

8 2. Change in occupancy shall not mandate conformance with new construction requirements
9 set forth in the California Building Standards Code, provided such change in occupancy
10 meets the minimum requirements set forth in this appendix.

11 **AX103.3 Occupant load.** Except as otherwise stated in this appendix, the maximum occupant load
12 allowed in buildings and structures used as emergency housing shall be determined by the enforcing
13 agency, but the interior floor area shall not be less than 64 square feet (6.5 m²) for two occupants.
14 Where more than two persons occupy the building/structure, the required floor area shall be
15 increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of two. The interior floor
16 area shall not exceed 400 square feet (37 m²), excluding lofts.

17 **Exceptions:**

18 1. Tents.

19
20 2. Recreational vehicles and park trailers designed for human habitation that meet the
21 requirements in the Health and Safety Code, Sections 18009.3 and 18010, as applicable.

22 **SECTION X111**

23
24 **ALTERNATIVES AND MODIFICATIONS**

25 **AX111.1 Alternatives and modifications.** Alternative compliance and/or modifications that are
26 reasonably equivalent to the requirements in this appendix may be granted by the Local
27 Administrative Authority in individual cases when dealing with buildings or structures used for
28 emergency housing.

1 SECTION 4. This Ordinance is consistent with the City's General Plan, Municipal Code, and
2 applicable federal and state law.

3 SECTION 5. This Ordinance will not be detrimental to the public interest, health, safety,
4 convenience or welfare.

5 SECTION 6. CEQA. The City Council, on the basis of the whole record and exercising
6 independent judgment, finds that this Ordinance is exempt from the provisions of the California
7 Environmental Quality Act (CEQA) under Public Resources Code section 21080(b)(4) for specific
8 actions necessary to prevent or mitigate an emergency. The proposed ordinance is also exempt under
9 Public Resources Code section 21065 and CEQA Guidelines sections 15060 (c)(2) and 15378(a)
10 because it does not have the potential for resulting in a direct physical change in the environment or
11 a reasonably foreseeable indirect physical change in the environment since there would be no
12 tangible physical change to the environment that is perceptible to the senses. Finally, the proposed
13 ordinance is exempt under CEQA Guidelines Section 15061(b)(3). because it can be seen with
14 certainty that there is no possibility that the activity in question may have a significant effect on the
15 environment.

16 SECTION 7. Severability. If any section, subsection, line, sentence, clause, phrase, or word of this
17 Ordinance is for any reason held to be invalid or unconstitutional, either facially or as applied, by a
18 decision of any court of competent jurisdiction, such decision shall not affect the validity of the
19 remaining portions of this Ordinance. The City Council of the City of Chico hereby declares that it
20 would have passed this Ordinance, and each and every individual section, subsection, line, sentence,
21 clause, phrase, or word without regard to any such decision.

22 SECTION 8. Effective Date. The Ordinance shall be effective 30 days after adoption by the City
23 Council.

24 SECTION 9. Certification. The City Clerk shall certify to the passage and adoption of this
25 Ordinance and shall cause the same to be published or posted in the manner required by law.

26
27 THE FOREGOING ORDINANCE was adopted by the City Council of the City of Chico at its duly
28 noticed meeting held on December 7, 2021, by the following vote:

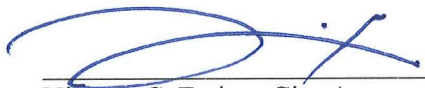
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AYES: Bennett, Brown, Morgan, O'Brien, Tandon, Reynolds, Coolidge
NOES: None
ABSENT: None
ABSTAINED: None
DISQUALIFIED: None

ATTEST:


Deborah R. Presson, City Clerk

APPROVED AS TO FORM:


Vincent C. Ewing, City Attorney*
*Pursuant to The Charter of the City of Chico,
Section 906(E)