

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



Date October 13, 2016

F19a

TO: COMMISSIONERS AND INTERESTED PERSONS

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT
GABRIEL BUHR, COASTAL PROGRAM MANAGER, SD COAST DISTRICT
TONI ROSS COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO LOCAL COASTAL
PROGRAM AMENDMENT NO. LCP-6-OCN-15-0043-5 (Part A - Emergency
Shelters) for Commission Meeting of November 2-4, 2016**

SYNOPSIS

The subject LCP implementation plan amendment (LCP-6-OCN-15-0043-5 (Part A – Emergency Shelters) was filed as complete on August 28, 2016. A one-year time extension was granted on October 6, 2016. As such, the last date for Commission action on this item is October 6, 2017. This report addresses one of three components of the City’s submittal. LCP-6-OCN-15-0043-5 (Part B – Inclusionary Housing) will provide Inclusionary Housing provisions that will allow for certain development incentives for developments including some portion of the proposed units as lower-income. LCP-6-OCN-15-0043 (Part C – Reasonable Accommodations) will include new Article 41 to allow persons with disabilities to seek reasonable accommodations. Both of these items are also scheduled for the Commission’s November 2016 agenda. The proposed amendment will affect the certified LCP Implementation Plan only.

SUMMARY OF AMENDMENT REQUEST

The proposed amendment will allow for emergency shelters (temporary housing for the homeless) within the Light Industrial Zone, but only limited to parcels located outside of the Coastal Zone. The amendment would also define transitional and supportive housing as residential uses permitted by-right in three residential zoning districts and subject only to the same restrictions imposed upon other residential uses permitted in the same zoning district. The articles proposed for revision include Article 2 (Definitions), Article 5 (Single Family Residential Zone), Article 7 (Medium-Density Residential Zone), and Article 32 (Residential Tourist Zone).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending the amendment be approved as submitted. Since emergency shelters are proposed only within Light Industrial Zone parcels located outside of the Coastal Zone, the scope of impact of this amendment to the Coastal Zone is relatively

minor. The subject amendment will only facilitate transitional and supportive housing within residential districts of the Coastal Zone and these uses will be required to adhere to the same restrictions imposed on other residential uses. These existing development standards have been established as part of the certified LCP, and include standards for building height limits, parking requirements, setbacks, and protection of sensitive habitat, which will provide sufficient protection of the City's coastal resources. The only potential coastal resource impact identified by staff could be impacts to public access resulting from residents of the transitional and supportive housing facilities parking in on-street parking areas and thereby usurping public beach parking reserves. However, as proposed, transitional and supportive housing facilities would be limited to a total of six residents. If a higher number of residents are proposed, the facility would then be subject to higher parking standards through the issuance of a high-density residential occupancy permit. As such, impacts to public access would not be significant.

Staff, therefore, recommends that the Commission find that the City's request to amend the City's Zoning Ordinance conforms with and is adequate to carry out the certified land use plan. No adverse impacts to coastal access or coastal resources are anticipated.

The appropriate resolutions and motions begin on Page 4. The findings for approval of the Implementation Plan Amendment as submitted begin on Page 5.

BACKGROUND

In 2007, Senate Bill 2 (Cedillo, 2007) amended state housing law to require that local governments: a) identify at least one zone of sufficient capacity where emergency shelters are permitted by-right; and b) define transitional and supportive housing as residential uses subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. The City's Implementation Plan does not currently contain any zones that allow emergency shelters and does not define or permit transitional or supportive housing. The approval of the subject amendment will facilitate these uses by amending its implementation plan to define transitional and supportive housing and to allow these uses within three residential zones. The City will also be permitting emergency shelters within its Light Industrial Zone, but only for those properties located outside the Coastal Zone, and thus permitting emergency shelters within this zone by right is not before the Commission at this time.

ADDITIONAL INFORMATION

Further information on the City of Oceanside LCP amendment LCP-OCN-15-0043-5 (Part A – Emergency Shelters) may be obtained from Toni Ross, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

The City of Oceanside first submitted its Local Coastal Program Land Use Plan (LUP) to the Commission in July 1980, and it was certified with suggested modifications on February 19, 1981. This action, however, deferred certification on a portion of the San Luis Rey River valley where an extension of State Route 76 was proposed. On January 25, 1985, the Commission approved with suggested modifications the resubmitted LUP and Implementing Ordinances. The suggested modifications for that approval were related to the guaranteed provision of recreation and visitor-serving facilities, assurance of the safety of shorefront structures, and the provision of an environmentally sensitive routing of the proposed Route 76 east of Interstate 5. The suggested modifications to the Zoning/Implementation phase resulted in ordinances and other implementation measures that were consistent with the conditionally certified LUP policies.

With one exception, the conditionally certified LUP and Implementing Ordinances were reviewed and approved by the City on May 8, 1985. The City requested that certification be deferred on one parcel adjacent to Buena Vista Lagoon designated by the City for "commercial" use; the Commission's suggested modification designated it as "open space." On July 10, 1985, the Commission certified the City's Local Coastal Program as resubmitted by the City, including deferred certification on the above parcel.

B. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. **MOTION:** *I move that the Commission reject the Implementation Program Amendment No. LCP-6-OCN-15-00435 Part A for the City of Oceanside as submitted.*

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Implementation Program Amendment for the City of Oceanside as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, and certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program.

PART III. FINDINGS FOR APPROVAL OF THE CITY OF OCEANSIDE IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**A. AMENDMENT DESCRIPTION**

The proposed amendment will provide emergency shelters (temporary housing for the homeless) on properties located outside the Coastal Zone and within the Light Industrial zone. The amendment would also define transitional and supportive housing as residential uses permitted by-right in three residential zoning districts, subject to the same restrictions imposed upon other residential uses permitted in the same zoning district.

B. FINDINGS FOR APPROVAL

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

a) Purpose and Intent of the Ordinance. The intent of the amendment is to bring the City's zoning ordinance into conformity with state housing law and specifically Senate Bill 2 (Stat. 2007, ch.633) (SB 2), which requires that local governments identify at least one zone of sufficient capacity where emergency shelters are permitted by-right; and define and permit transitional and supportive housing in residential zones.

b) Major Provisions of the Ordinance. The major provisions of the ordinance that will apply within the Coastal Zone are limited to defining transitional and supportive housing and permitting these uses within the City's Single-Family Residential, Medium-Density Residential, and Residential Tourist zones.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. The LCP amendment, as proposed, is adequate to implement the City's certified Land Use Plan (LUP). The following listed policies are applicable and state:

I. Coastal Access

Objective: Adequate access to and along the coast shall be provided and maintained

VII. New Development and Public Works

1. The City shall deny any project which diminishes public access to the shoreline, degrades coastal aesthetics, or precludes adequate urban services for coastal-dependent, recreation, or visitor serving uses.

II. Recreational and Visitor Serving Facilities

C. Objectives and Policies

[...]

12. If existing beach parking is removed for any reason, one-to-one replacement parking shall be provided...

17. The City shall require that all new residential development provides adequate on-site parking. In areas where beach parking demand is critical, parking requirements for new residential development shall be strictly enforced. Curb

cuts for new development shall be held to a minimum to preserve existing on-street parking...

22. The City shall continue to monitor beach usage and parking availability and adjust policies as needed.

The requirements of SB 2 state that jurisdictions must select a minimum of one zoning district that will permit emergency shelters by-right. The City of Oceanside has selected its Light Industrial Zone. As part of their recent update of the City's Housing Element, City staff demonstrated to HCD's satisfaction that light industrial zoning districts outside the Coastal Zone contain enough vacant land and adaptive reuse potential to accommodate facilities of sufficient size to meet the needs of the City's estimated homeless population. As such, the City is only proposing to allow emergency shelters within the Light Industrial Zone on properties located outside the Coastal Zone. Therefore, as proposed, the only applicable changes to the City's Implementation Plan include defining transitional and supportive housing and to allow those uses within three residential zones. Supportive housing can be described as housing without limits to length of stay that are associated with some kind of on- or off-site services that assist the supportive housing residents. Transitional Housing is defined as facilities with a limited length of stay which offer access to services to assist formerly homeless residents in the transition to permanent housing. The only potential coastal resource impact identified by the Commission is the potential for impacts to public access because a transitional or supportive facility is deficient in parking, given the potential high number occupants at such facilities. However, transitional and supportive housing facilities typically accommodate no more than one or two residents per dwelling unit, and in the event that a facility houses more than six adults in a single-family home, the facility would be subject to additional parking requirements under the City's high-density residential occupancy standards, certified by the Commission in July of 2011. Through these standards, and when there are more than 6 residents at a time, the City would need to issue a High Density Permit. These permits are approved by the City Planner and are required to be renewed on an annual basis. The City Planner will only issue such permits when adequate evidence is presented that all vehicles (one space per adult) will be parked on the site. As such, the number of residents at a transitional or supportive housing facility, while potentially higher than the average single-family home, will not result in public access impacts and can be found consistent with the City's LUP as proposed.

Additionally, should the City ever wish to designate and zone any parcels in the coastal zone to allow for emergency shelters, the City would need to amend the LCP to add language that would allow for emergency shelters into the City's LCP, and any potential impacts to coastal resources associated with the permitted emergency shelters would be reviewed by the Commission at that time.

PART IV. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the Coastal Commission acts as lead agency for the purposes of fulfilling CEQA. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP submission. The City concluded that there was no possibility that the activity would have a significant effect on the environment and therefore determined that the LCP amendment was not subject to CEQA. The City further determined that CEQA review would be conducted prior to the approval of any future projects for emergency shelters and transitional/supportive housing.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. This report has discussed the relevant coastal resource issues with the proposed amendment and found that the amendment would not result in an intensification of land uses, or have adverse impacts on coastal resources. The proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

RESOLUTION NO. 13-R0577-1 and 13-R0577A-3

RESOLUTION OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE AMENDING THE LOCAL COASTAL PROGRAM FOR THE PURPOSE OF ADOPTING STATE MANDATED CHANGES TO ZONING STANDARDS FOR EMERGENCY SHELTERS AND TRANSITIONAL/SUPPORTIVE HOUSING AND REQUESTING CALIFORNIA COASTAL COMMISSION CERTIFICATION OF SAID CHANGES

(City of Oceanside –Applicant)

Correction (11/19/2015):

~~(LCPA12-00003)~~

Strike LCPA12-00003 and
Replace with LCPA12-00006

WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the requirements of the Coastal Act at the local level and implements its provisions and policies;

WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission") approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in Public Resources Code §30001.5;

WHEREAS, on December 8, 2008, the California Coastal Commission (CCC) established with the City of Oceanside that development proposals in those portions of the Coastal Zone located outside of the Downtown Redevelopment Area would be reviewed for consistency under the standards of the City's 1986 Zoning Ordinance, in light of the fact that the previously applicable 1992 Zoning Ordinance had not received CCC certification; and

WHEREAS, on May 11, 2009, the City acknowledged in correspondence to the CCC an obligation to use the 1986 Zoning Ordinance as the standard for review of development proposals within those portions of the Coastal Zone located outside of the Downtown Redevelopment Area; and

//

//

EXHIBIT NO. 1

Resolution

Oceanside LCPA-6-OCN-15-0043-5 Part A
California Coastal Commission

Strike LCPA12-00003 and
replace with LCPA12-00006

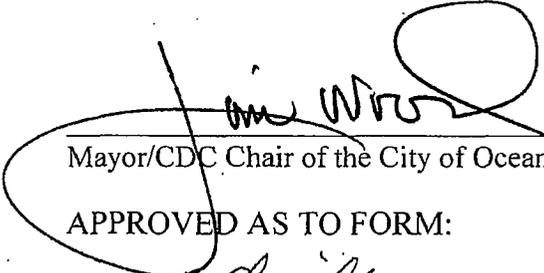
Correction (11/19/2015):

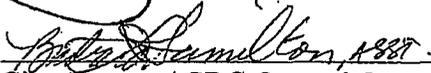
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council/ Community Development Commission hereby certifies that Local Coastal Program Amendment ~~(LCPA12-00003)~~ is intended to be carried out in a manner fully in conformity with the Coastal Act, and is hereby adopted.
2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines thereto amended to date, a Notice of Exemption has been issued for the project by the Resource Officer for the City of Oceanside.
3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this Local Coastal Plan Amendment shall take effect upon Coastal Commission approval.
4. Notice is hereby given that the time within which judicial review must be sought on the decision is governed by Public Resources Code §30801.

PASSED AND ADOPTED by the Oceanside City Council/Community Development Commission this 21st day of August, 2013, by the following vote:

AYES: WOOD, FELIEN, FELLER, KERN
 NAYS: SANCHEZ
 ABSENT: NONE
 ABSTAIN: NONE


 Mayor/CDC Chair of the City of Oceanside

APPROVED AS TO FORM:

 City Attorney/ CDC General Counsel

ATTEST:

 City Clerk/ CDC Secretary

1 WHEREAS, on October 13, 2007, Senate Bill 2 amended state housing element law
2 (Government Code Section 65582, *et seq*) to require local jurisdictions to identify a zone or zones
3 where emergency shelters are allowed as a permitted use without a conditional use permit or other
4 discretionary permit and define transitional and supportive housing as residential uses of property
5 subject only to those restrictions that apply to other residential dwellings of the same type in the
6 same zone; and

7
8 WHEREAS, on April 17, 2013, the City Council adopted an update to the City's Housing
9 Element for the Fifth Housing Element Cycle (2013-2021); and

10 WHEREAS, Program 11 of the updated Housing Element indicates that the City will
11 amend its zoning standards for emergency shelters and transitional and supportive housing to
12 achieve compliance with state housing element law; and

13 WHEREAS, compliance with state housing element law requires amendment of Articles 3,
14 5, 7, and 32 of the 1986 Zoning Ordinance and Articles 3, 4, and 12 of the Redevelopment Zoning
15 Ordinance, which apply to properties within the City's Coastal Zone; and

16 WHEREAS, in accordance with the California Environmental Quality Act (CEQA), staff
17 has reviewed the proposed project and determined that there is no possibility that the activity will
18 have a significant effect on the environment, and therefore, pursuant to CEQA Guidelines Section
19 15061(b)(3) (General Rule), the activity is not subject to CEQA; and

20 WHEREAS, the Planning Commission did, on the 24th day of June, 2013, conduct a duly-
21 advertised public hearing as prescribed by law to consider recommended zoning text amendments
22 related to emergency shelters and transitional and supportive housing and approved said
23 amendments by a 6-0 vote; and

24 WHEREAS, the City Council/Community Development Commission conducted a duly
25 noticed public hearing on August 21, 2013, and hereby finds that Local Coastal Program
26 Amendment (~~LCPA12-00003~~) conforms with, and is adequate to carry out, the land use plan of
27 the Local Coastal Program.
28

 NOW, THEREFORE, the Oceanside City Council and Community Development
Commission of the City of Oceanside DOES RESOLVE as follows:

Correction (11/19/2015):
Strike LCPA12-00003 and
Replace with LCPA12-00006

ORDINANCE NO. 13-OR0612-1

1
2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE AMENDING ZONING REGULATIONS TO
4 ALLOW EMERGENCY SHELTERS BY-RIGHT WITHIN CERTAIN LIGHT INDUSTRIAL ZONES AND DEFINE
5 TRANSITIONAL AND SUPPORTIVE HOUSING AS RESIDENTIAL USES SUBJECT ONLY TO THOSE
6 RESTRICTIONS THAT APPLY TO OTHER RESIDENTIAL DWELLINGS OF THE SAME TYPE IN THE SAME ZONE, IN
7 ACCORDANCE WITH STATE LAW AND THE CITY'S HOUSING ELEMENT FOR THE FIFTH HOUSING ELEMENT
8 CYCLE (2013-2021) - HOUSING ELEMENT PROGRAM 11 (EMERGENCY SHELTERS, TRANSITIONAL/SUPPORTIVE
9 HOUSING)

RECEIVED
NOV 25 2015
CALIFORNIA
COASTAL COMMISSION
SANTA MONICA COAST DISTRICT

10 WHEREAS, Government Code Section 65583, enacted as Senate Bill 2 on October 13,
11 2007, requires that local governments identify at least one zone of sufficient capacity where
12 emergency shelters are allowed as a permitted use without a conditional use or other
13 discretionary permit; and

14 WHEREAS, Senate Bill 2 further requires local governments to define transitional and
15 supportive housing as residential uses subject only to those restrictions that apply to other
16 residential dwellings of the same type in the same zone; and

17 WHEREAS, April 17, 2013, the City Council adopted an update to the City's Housing
18 Element for the Fifth Housing Element Cycle (2013-2021); and

19 WHEREAS, Program 11 of the updated Housing Element calls for zoning text
20 amendments to achieve compliance with those provisions of Senate Bill 2 related to emergency
21 shelters and transitional/supportive housing; and

22 WHEREAS, as demonstrated by the point-in-time count of homeless persons conducted
23 by the Regional Task Force on the Homeless on January 25, 2013, a significant number of
24 homeless persons in the City go without shelter on any given night; and

25 WHEREAS, on June 24, 2013, the Planning Commission voted 6-0 to recommend City
26 Council approval of the proposed zoning text amendments related to emergency shelters and
27 transitional/supportive housing; and

28 WHEREAS, on August 21, 2013, the City Council of the City of Oceanside held a duly-
advertised public hearing to consider Zone Amendment ZA12-00008 and the recommendation

EXHIBIT NO. 2
Ordinance
Oceanside LCPA-6-OCN-15-0043-5 Part A California Coastal Commission

1 of the Planning Commission thereon, and heard and considered written and oral testimony
2 regarding the proposed Zone Amendment; and

3 WHEREAS, based upon such evidence, testimony and staff reports, this Council finds
4 that Zone Amendment ZA12-00008 conforms to the General Plan of the City of Oceanside.

5 NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

6 SECTION 1. Text amendments to Articles 2, 5, 7, and 32 of the 1986 Zoning Ordinance,
7 Articles 3, 4, 10, 13, and 30 of the 1992 Zoning Ordinance, and Articles 3 and 4(A) of the
8 Redevelopment Zoning Ordinance to (i) allow emergency shelters by-right within certain light
9 industrial zones and (ii) define transitional and supportive housing as residential uses subject
10 only to those restrictions that apply to other residential dwellings of the same type in the same
11 zone, with said text amendments appended to this ordinance as Exhibits "A" through "K", are
12 hereby adopted, consistent with the findings established in Planning Commission Resolution
13 2013-P31.

14 SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance is
15 for any reason held to be invalid or unconstitutional by a decision of any court of competent
16 jurisdiction, such decision shall not affect the validity of the remaining portions of this
17 ordinance. The City Council hereby declares that it would have passed and adopted this
18 ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any
19 one or more sections, subsections, sentences, clauses or phrases be declared invalid or
20 unconstitutional.

21 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
22 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15)
23 days after its passage in the North County Times, a newspaper of general circulation published
24 in the City of Oceanside.

25 SECTION 4. This ordinance shall take effect and shall be in force on properties outside
26 of the Coastal Zone on the thirtieth (30th) day from and after its final passage, and within the
27 Coastal Zone, upon Coastal Commission certification of Local Coastal Plan Amendment
28 LCPA13-00003.

1 INTRODUCTION at a regular meeting of the City Council of the City of Oceanside,
2 California, held on the 21st day of August, 2013 and, thereafter,

3 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
4 Oceanside, California, held on the 4th day of September, 2013, by the following
5 vote:

6 AYES: WOOD, FELIEN, FELLER, KERN

7 NAYS: SANCHEZ

8 ABSENT: NONE

9 ABSTAIN: NONE

10

11

12 ATTEST:

13

14

15

16

17

18

19

20

21

22

23

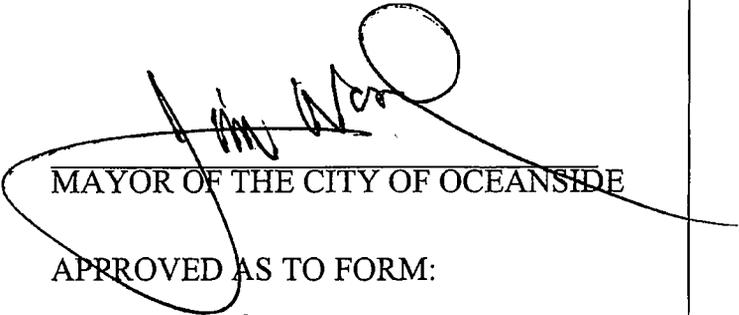
24

25

26

27

28


MAYOR OF THE CITY OF OCEANSIDE

APPROVED AS TO FORM:


CITY CLERK


CITY ATTORNEY

**EXHIBIT A
ARTICLE 2 (DEFINITIONS)
1986 ZONING ORDINANCE**

Section 280.2: SUPPORTIVE HOUSING. "Supportive housing" means rental housing developments receiving assistance under the Multifamily Housing Program regulated through California Code of Regulations, Title 25, Article 7, Section 4. Such housing is occupied by a target population, as defined by Health and Safety Code Section 53260(d), and linked to onsite or offsite 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 has no limit on length of stay.

Section 280.3: SWAP LOTS. Any building, structure, enclosure, lot or other area into which persons are admitted to display, exchange, barter, buy, sell or bargain for new or used merchandise. This includes but is not limited to any such areas established primarily as a swap lot, as well as areas planned to be used on a regular, although secondary, basis as a swap lot, such as drive-in theaters and parking lots.

Section 281: THEATER. "Theater" means a place, building, or portion of a building so arranged that a body of spectators can have an unobstructed view of a stage or screen on which live or filmed entertainments are given and for which an admission fee is received; it shall also mean, within the context of this ordinance, the operation of any commercial establishment wherein motion pictures are shown either as the principal business, an appurtenant business, or added attraction in connection with other business.

Section 281.1: TIME-SHARE RESORT PROJECT. A "time-share resort project" is one in which a purchaser receives the right in perpetuity, for life, or for a term in years, to the recurrent, exclusive lodging use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which project has been divided. A time-share resort project may be coupled with an estate in real

property or may entail a license or contract and/or membership right of occupancy not coupled with an estate in the real property.

Section 281.2: TIME-SHARE RESORT UNIT. A time-share resort unit is the actual physical unit or segment of real property of a time-share resort project utilized for lodging.

Section 282: TO PLACE. The verb, "to place" and any of its variants as applied to advertising displays and outdoor advertising structures, including maintaining, erecting, constructing, posting, painting, printing, nailing, gluing or otherwise fastening, affixing or making visible in any manner whatsoever.

Section 282.1: TRADE SCHOOL or SPECIALTY SCHOOL. Is a school with classes of two or more pupils of which a particular skilled trade or specialty is taught. Examples include but are not limited to beauty and barber schools, secretarial, models, business schools, dance, martial arts, massage schools, etc.

Section 283: TRAILER, AUTOMOBILE. "Automobile trailer" means a vehicle without motor power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property.

Section 284: TRAILER PARK, TRAILER COURT AND PUBLIC CAMP. "Trailer park", "trailer court", and "public camp" means any area or tract of land used or designed to accommodate one or more automobile trailers, and including trailers in dead storage.

Section 284.1: TRANSITIONAL HOUSING. "Transitional housing" means buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of assisted units to other eligible program recipients at some predetermined future point in time, which shall be no less than six months and no more than 24 months from initial occupancy. Transitional housing offers either on or off-site access to social services, counseling, and other programs to assist formerly homeless residents in the transition to

permanent housing. This classification does not include facilities licensed for residential care by the State of California or homeless shelters.

Section 285: USE. "Use" means the purpose for which land or building is arranged, designed or intended, or for which either is or may be occupied or maintained.

Section 285.1: WAREHOUSE, MINI OR SELF SERVICE. Storage or warehousing service primarily for individuals to store personal effects and for businesses to store material for operation of an industrial or commercial enterprise located elsewhere. Outdoor storage of vehicles may be permitted as determined by the Planning Commission. Generally, characterized by a building or group of buildings in which the individual storage spaces open directly to the outside, with access from adjacent driveways or parking areas. May include living apartment for 24 hour security.

Section 286: YARD. "Yard" means an open space other than a court on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this ordinance.

Section 287: YARD, FRONT. "Front yard" means an area extending across the full width of the lot and lying between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth as prescribed in each zone. Front yards shall be measured by a line at right angles to the front lot line, or by the radial line in the case of a curved front lot line. When a lot lies partially within a planned street indicated on a precise plan for such a street, and where such planned street is of the type that will afford legal access to such lot, the depth of the front yard shall be measured from the contiguous edge of such planned street in the manner prescribed in this definition.

Section 288: YARD, REAR LINE OF REQUIRED FRONT. "Rear line of the required front yard" means a line parallel to the front lot line and at a distance therefrom equal to the depth of the required front yard and extending across the full width of the lot.

EXHIBIT F
ARTICLE 5 (SINGLE-FAMILY RESIDENTIAL ZONE)
1986 ZONING ORDINANCE

- (10) Zero lot line development, including "twin homes" and patio homes only in R-1-6,000 zones, subject to the development standards contained in Section 513 and the approval of a Development Plan in accordance with Article 16.
- (11) Transitional housing
- (12) Supportive housing

Section 503: DENSITY – LOT AREA PER DWELLING UNIT. All dwelling units in the R-1 Zone shall have a minimum lot area per dwelling unit of not less than 6,000 square feet.

Section 504: FRONT YARD. See Section 1701.

Section 505: SIDE YARDS. See Section 1702.

Section 506: REAR YARD. See Section 1703.

Section 507: LOT SIZE. See Section 1704.

Section 508: LOT WIDTH. See Section 1706.

Section 509: MAXIMUM LOT COVERAGE. See Section 1707.

Section 510: LOT DEPTH. See Section 1708.

Section 511: HEIGHT. See Section 1709.

Section 512: PLACEMENT OF BUILDINGS. See Section 1710.

Section 513: STANDARDS FOR ZERO LOT DEVELOPMENT (Including Patio and "Twin" homes). The purpose of this section is to provide a housing alternative to the conventional single family home and condominium project for retirement-oriented communities. Provisions of small lot units throughout the City in areas already

EXHIBIT G
ARTICLE 7 (MEDIUM-DENSITY RESIDENTIAL ZONE)
1986 ZONING ORDINANCE

- (f) All projects, with the exception of a single family dwelling or a two-family dwelling, must file a Development Plan pursuant to the provisions of Article 16, Section 1611 of this ordinance.

Section 702: PERMITTED USES. In the R-3 Zone only the following uses are permitted and as hereinafter specifically provided and allowed by this Article, subject to the off-street parking provisions of Article 27 governing these requirements.

- (1) Any use permitted in the R-2 Zone.
- (2) Group houses.
- (3) Apartment projects up to 19 units.
- (4) Rest homes.
- (5) A public parking area when developed under appropriate provisions of Article 27 where the lot on which it is located abuts upon lots zoned for commercial or industrial purposes.
- (6) Additional uses may be permitted as contained in Article 15 subject to the issuance of a conditional use permit.
- (7) Transitional housing
- (8) Supportive housing

Section 703: DENSITY – LOT AREA PER DWELLING UNIT. The minimum lot area per dwelling unit in the R-3 zone shall be as follows:

- (1) For those lots located on the west side of Interstate 5, the minimum lot area per dwelling unit shall be 1,000 square feet.

EXHIBIT K
ARTICLE 32 (RESIDENTIAL TOURIST ZONE)
1986 ZONING ORDINANCE

Section 3202: PERMITTED USES. Only the following uses are permitted in the R-T Zone subject to the provisions of Article 27 governing off-street parking requirements:

- (1) Single-family, subject to R-1 standards.
- (2) Multiple-family residences.
- (3) Condominiums and stock cooperatives.
- (4) Tourist cottages and summer rentals.
- (5) Public and semi-public uses.
- (6) Mobile Home Parks with a Conditional Use Permit.
- (7) Certain other uses with a Conditional Use Permit (as allowed in Article 15).
- (8) Transitional housing
- (9) Supportive housing

Section 3203: HEIGHT OF BUILDINGS. Building height is limited to 35 feet unless a Conditional Use Permit is issued in accordance with Article 15. Height standards in the Redevelopment Area are governed by the Development Criteria and Land Use Regulations. No building or structure shall exceed any adopted height restrictions that may appear in any other adopted Plan or Policy of the City including Proposition A passed by the voters April 13, 1982.

Section 3204: BUILDING SETBACKS. The minimum front yard, side yard, and rear yard setbacks shall be 10 feet for front, 3 feet for side yards, and 6 feet for rear yards unless alternate setbacks are approved through the development plan process.