

**CALIFORNIA COASTAL COMMISSION**

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**W14b**

**LCP-6-OCN-21-0094-2 (Emergency Shelters)**

**MARCH 9, 2022**

**EXHIBITS**

**Table of Contents**

**EXHIBIT 1: Resolution No. 21-R0737-1**



1           WHEREAS, a LCPA is necessary to be considered and approved by City Council for  
2 adopted zoning text amendments to citywide articles, Article 4 and Article 30, and certified by  
3 the CCC in order to incorporate the updated text in the IP; and

4           WHEREAS, the Planning Commission did, on the 8<sup>th</sup> day of November, 2021, conduct a  
5 duly-advertised public hearing to consider LCPA21-00003, and voted 4-0 to recommend City  
6 Council approval of LCPA21-00003; and

7           WHEREAS, the City seeks to establish the amended text of Article 4 and 30, Exhibit A,  
8 of the Comprehensive Zoning Ordinance as part of the implementing document of the Local  
9 Coastal Program; and

10           WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of  
11 Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the  
12 State Guidelines; and

13           WHEREAS, the City Council conducted a duly noticed public hearing on November 17,  
14 2021, and found that the Local Coastal Program Amendment (LCPA21-00003) conforms with and is  
15 adequate to carry out the land use plan of the Local Coastal Program.

16           NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

- 17 1. The adopted zoning text amendments to the City's Comprehensive Zoning Ordinance (ZA21-  
18 00003) and Local Coastal Program Amendment (LCPA21-00003) to modify development and  
19 operational standards for Emergency Shelters will not impact public coastal access, water or  
20 marine resources, sensitive habitat, visual resources, visitor serving uses or public facilities.
- 21 2. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby certifies that  
22 LCPA21-00003 is intended to be carried out in a manner fully in conformity with the Coastal  
23 Act and said LCPA is hereby adopted.
- 24 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines thereto  
25 amended to date, a Notice of Exemption has been issued for the project by the Resource Officer  
26 for the City of Oceanside.
- 27 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this  
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1 amendment shall take effect upon Coastal Commission approval.

2 4. Notice is hereby given that the time within which judicial review must be sought on the  
3 decision is governed by Public Resources Code §30801.

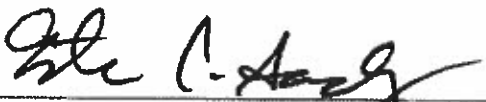
4 PASSED AND ADOPTED by the Oceanside City Council on this 17<sup>th</sup> day of  
5 November, 2021, by the following vote: 5-0

6 AYES: SANCHEZ, KEIM, JENSEN, RODRIGUEZ, WEISS

7 NAYS: NONE

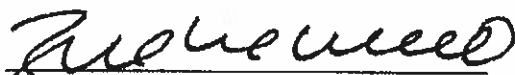
8 ABSENT: NONE


9 ABSTAIN: NONE

10   
11 \_\_\_\_\_  
12 Mayor of the City of Oceanside

13 ATTEST:

14 APPROVED AS TO FORM:

15   
16 \_\_\_\_\_  
17 City Clerk

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19 \_\_\_\_\_  
20 City Attorney

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**CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE**


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**Article 4 Use Classifications (Inland & Coastal Districts – Exclusive of Downtown)**
**Sections:**

- 410 Purpose and Applicability
- 411 Uses Not Classified
- 412 Residential Use Classifications
- 413 Public and Semipublic Use Classifications
- 414 Commercial Use Classifications
- 415 Industrial Use Classifications
- 416 Agricultural and Extractive Use Classifications
- 417 Accessory Use Classifications
- 418 Temporary Use Classifications

**410 Purpose and Applicability**

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The City Planner shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Title. The City Planner may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification. The City Planner's decision may be appealed to the Planning Commission.

**411 Uses Not Classified**

Any new use, or any use that cannot be clearly determined to be in an existing use classification is prohibited. Provided, however, that any new use may be incorporated into the zoning regulations by a Zoning Ordinance text amendment, as provided in Article 45.

**412 Residential Use Classifications**

- A. Day Care, Limited. Non-medical care and supervision of up to and including fourteen persons on a less than 24-hour basis within a licensee's home for children and adults.
- B. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes rooming house/boarderhouse, dormitories, fraternities, sororities, and private residential clubs, but excludes residential hotels (see Single-Room Occupancy (SRO) Residential Hotels).
- C. Live/Work Quarters. An area comprising one or more rooms in a building originally designed for industrial or commercial occupancy that includes cooking space, sanitary facilities, and working space for artists, artisans and similarly activities and Custom Industry uses as defined herein.

**CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE**

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- D. Multifamily Residential. Two or more dwelling units on a site. This classification includes mobile home and factory-built housing.
- E. Residential Care, Limited. Twenty-four-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living.
- F. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes mobile home and factory-built housing.
- G. RV Parks. A facility renting or leasing space on a short-term or long-term basis to owners or users of recreational vehicles, not for permanent residence.
- H. Transitional Housing. 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.
- I. Supportive Housing. 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.

**413 Public and Semipublic Use Classifications**

- A. Airport. Runways and related facilities for airplane landing and take-off.
- B. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery.
- C. Child Care. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons under the age of 18.
- D. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs, youth, and senior centers.
  - 1. Small scale. Establishments occupying no more than 5,000 square feet.

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**CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE**

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- E. Convalescent Facilities. Establishments providing care on a 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.
- F. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.
1. Small-scale. Establishments occupying no more than 5,000 square feet.
- G. Day Care, General. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons over the age of 18.
- H. Detention Facilities. Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.
- I. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.
- J. Emergency Shelter. Housing with ~~or without minimal~~ supportive ~~and/or wraparound~~ care services for homeless persons that is limited to occupancy of ~~6 months~~ ~~120 days~~ or less in a 365-day period. No individual or household may be denied emergency shelter because of an inability to pay. ~~Such accommodations may include~~ Basic supportive services may include such as food, shower and rest room facilities, laundry room, storage areas, and limited administrative or intake offices. Wraparound care services onsite may include access to child and family daycare, counseling, legal services and mental health care.
- K. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.
1. Small-scale. Establishments occupying no more than 5,000 square feet.
- L. Heliports. Pads and facilities enabling takeoffs and landings by helicopters.
- M. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees.
- N. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

- F. Expiration. Any reasonable accommodation approved in accordance with the terms of this article shall expire within twenty-four (24) months from the effective date of approval or at an alternative time specified as a condition of approval unless:
1. A building permit has been issued and construction has commenced;
  2. A certificate of occupancy has been issued; or
  3. A time extension has been granted.
- G. Time Extension. The City Planner or other approving authority may approve a single one-year time extension for a reasonable accommodation. An application for a time extension shall be made in writing to the approving authority no less than thirty (30) days prior to the expiration date.
- G. Revocation. Any reasonable accommodation approved in accordance with the terms of this article may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.

**3044 Emergency Shelters**

The purpose of this section is to ensure that emergency shelters do not adversely impact adjacent properties and land uses. Emergency shelters, as defined in Section ~~413330~~, shall be permitted without discretionary review in Light Industrial (IL) zoning districts and on City of Oceanside owned properties located in the Commercial, Industrial, and Public/Semipublic zoning districts, subject to the following standards:

- A. For emergency shelters utilizing the by-right provision in the IL zoning district, ~~c~~Compliance with IL Zoning Standards. Facilities shall comply with all development standards applicable to properties within ~~Light Industrial (IL) zoning districts~~.
- B. Maximum Number of Beds. Facilities may provide up to 50 beds for the same number of clients per night.
- C. Hours of Operation. Facilities shall operate on a first come, first served basis, with clients ~~only~~ permitted on the premises 24 hours a day, seven days a week. There shall be no requirement for clients to vacate the premises during the day. If clients vacate the premises they between 4:00PM and 9:00AM. Clients must vacate the premises by 9:00AM and shall have no guaranteed bed for subsequent nights.
- D. Maximum Stay: Occupancy for any individual or family shall not exceed ~~180-120~~ days in a 365-day period. No individual or family shall reside in an emergency



## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

shelter for more than 30 consecutive days.

- E. Maximum Concentration: Except for facilities in the IL District, facilities may No facility shall be required to be sited up to a maximum of within 300 feet from of another emergency shelter, as measured from the exterior structure walls property boundaries.
- F. Minimum Separation from Residential Zoning Districts and Sensitive Land Uses. Facilities utilizing the IL by-right provision shall not be subject to separation requirements. sited within 300 feet of a residential zoning district, as measured from the building footprint of the facility to the nearest residentially zoned property, shall require a Conditional Use Permit. Facilities utilizing the by-right provision for City owned properties shall be located at least 300 feet from a residential zoning district or any parcel of land which contains any one or more of the following specific land uses:
1. Public or private school;
  2. Park, playground or public beach;
  3. Church or other similar religious facility; and
  4. Child care or pre-school facility.

Items 1-4 shall collectively be referred to as "Sensitive Land Uses.

The distance between an emergency shelter and any residential zoning district shall be measured in a straight line, without regard to intervening structures, from the closest point of the exterior structure wall of the use to the closest district line of any residential district. The distance between an emergency shelter and any Sensitive Land Use enumerated in Subdivision (1) or (2) of Section 3044.F shall be measured in a straight line, without regard to intervening structures, from the closest point of the parcel line of such enumerated land use. The distance between an emergency shelter and any Sensitive Land Use enumerated in Subdivisions (3) or (4) of Section 3044.F shall be measured in a straight line, without regard to intervening structures, from the closest point of the exterior structure wall of such enumerated land use. If this separation cannot be satisfied, a Conditional Use Permit is required.

- G. Minimum Staffing: At least one staff member per 10 beds shall be awake and on duty during operational hours. Facilities providing segregated quarters for men, women, families, etc. shall provide at least one staff member for each segregated sleeping area. Facilities located on City owned properties are required to submit a City approved Management and Operational Plan.
- H. Minimum Parking. Facilities shall provide one parking space per staff member that is working onsite. and 0.35 spaces per bed. Facilities shall also provide secure bicycle parking facilities.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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- I. Minimum Reception and Intake Area. Facilities shall provide at least 15 square feet of enclosed reception and intake area per bed.
- J. Lighting. Adequate exterior lighting shall be provided for security purposes. Lighting shall be shielded and directed downward to avoid glare on adjacent properties and the public right-of-way. Inoperable lighting shall be rendered operable within 72 hours.
- K. Sanitation Facilities. Facilities shall provide at least one toilet and one sink for every eight beds per gender, one shower for every eight beds per gender, and a private shower and toilet facility for each area designated for families with children.
- L. Ancillary Amenities and Services. Facilities may include the following ancillary amenities and services for individuals staying within the shelter:
1. Cooking/food preparation facilities (in compliance with the relevant standards of the San Diego County Environmental Health Department);
  2. Dining area;
  3. Laundry facilities;
  4. Recreation and/or meeting area;
  5. Outdoor recreation spaces (within a building courtyard or enclosed by a building, fencing, landscaping, or some combination thereof);
  6. Support services (e.g. counseling, job training and/or placement; health care);
  7. Animal boarding and veterinary services;
  8. Child care facilities for current clients.
  9. Onsite storage for personal belongings shall be provided.
- M. Safety and Security Plan. Facilities shall prepare and submit a safety and security plan for review and approval by the Oceanside Police Department. The safety and security plan shall address the following:
1. Criteria for admittance;
  2. Protocol for addressing the immediate shelter needs of individuals and/or families that cannot be accommodated;
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3. Admittance and discharge procedures;
  4. Staff screening and training procedures;
  5. On-site security personnel;
  6. Specific measures designed to minimize the congregation of clients in the vicinity of the facility during those hours when clients are not permitted on-site;
  7. Noise control measures;
  8. Litter control measures;
  9. Fire and earthquake safety procedures, including an evacuation plan;
  10. Description of the means by which the personal effects of clients will be secured;
  11. Protocol for chronicling any and all incidences of violence, theft, vandalism, or other criminal and/or disruptive behavior;
  12. Protocol for contacting law enforcement and other emergency services as circumstances warrant;
  13. Protocol for responding to client grievances;
  14. Protocol for responding to community concerns;
  15. Description of potential ancillary services (e.g. counseling, health care, job training and/or placement);
- N. State Laws and Regulations. Facilities shall comply with all applicable state laws and regulations.

**3045 Public Access Requirements**

Permanent facilities shall be provided for pedestrian access from the nearest public street on the bluff top to the public beach. Between Breakwater and Wisconsin Avenue, such access will be provided on the average every eight hundred (800) feet, but in no event will there be fewer than seven (7) such pedestrian access routes.

**3046 Flood Plain Requirements for Coastal Zone properties**