

STAFF REPORT



ITEM NO. 16 CITY OF OCEANSIDE

DATE: November 1, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Neighborhood Services Department

SUBJECT: **ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE DECLARING A TEMPORARY SHELTER CRISIS AND SUSPENDING THE ZONING ORDINANCE REQUIREMENT TO ALLOW CHURCHES TO SHELTER UP TO 50 PERSONS FROM DECEMBER 1, 2006, THROUGH APRIL 15, 2007, WITHOUT OBTAINING A CONDITIONAL USE PERMIT**

SYNOPSIS

Staff recommends that the City Council adopt a resolution declaring a temporary shelter crisis in the City of Oceanside from December 1, 2006, through April 15, 2007, and suspending the zoning ordinance requirement to allow churches to shelter homeless persons without obtaining a conditional use permit. In the resolution, the Council makes a finding that a significant number of homeless persons will be without the ability to obtain shelter during cold weather and that this situation will result in a threat to their health and safety. The resolution allows churches to provide temporary shelter for a maximum of 50 homeless persons without obtaining a conditional use permit.

BACKGROUND

The County of San Diego, with financial support from the City of Oceanside, will operate a hotel/motel voucher program that will provide homeless elderly, disabled, and families with shelter for up to 30 days. The City of Oceanside believes that a shelter crisis exists and that the only way to assist homeless persons this winter is by alleviating churches from having to obtain special permits to allow them to shelter homeless persons on a temporary basis.

For the past four years, the City Council has adopted resolutions declaring a shelter crisis and last year allowed churches to provide shelter for up to 50 persons without obtaining a conditional use permit.

ANALYSIS

A declaration of shelter crisis requires a finding by the City Council that there are a significant number of persons within the jurisdiction of the governing body that are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons. The proposed resolution will suspend the

conditional use permit requirement for a temporary homeless shelter during the period of December 1, 2006, through April 15, 2007. Therefore, the City will not require that a church facility obtain a permit in order to provide temporary shelter for up to 50 persons on their premises.

FISCAL IMPACT

The City does not plan to provide direct financial support to churches that provide temporary shelter for homeless persons. The City plans to contribute cots, mats, blankets, and bus passes, the value of which is less than \$3,000.

COMMISSION OR COMMITTEE REPORT

At its meeting on October 24, 2006, the Housing Commission unanimously voted to recommend that the City Council adopt a resolution declaring a shelter crisis and allow churches to shelter up to 50 persons without obtaining a conditional use permit for the months of December 1, 2006, through April 15, 2007.

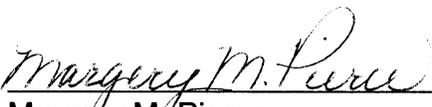
CITY ATTORNEY'S ANALYSIS

The resolution has been reviewed by the City Attorney and approved as to form. By issuing a "declaration of shelter crisis" under Section 8698.1 of the Government Code, the City can suspend the application of its zoning ordinance and other ordinances to allow churches to provide shelter for homeless persons.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution declaring a temporary shelter crisis in the City of Oceanside from December 1, 2006, through April 15, 2007, and suspending the zoning ordinance requirement to allow churches to shelter homeless persons without obtaining a conditional use permit.

PREPARED BY:



Margery M. Pierce
Director of Neighborhood Services

SUBMITTED BY:



Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager/Community Development
Jerry Hittleman, Interim City Planner



Attachments: Resolution
Housing Commission Report

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE DECLARING A TEMPORARY SHELTER CRISIS AND SUSPENDING THE ZONING ORDINANCE REQUIREMENT TO ALLOW CHURCHES TO SHELTER UP TO 50 PERSONS FROM DECEMBER 1, 2006 THROUGH APRIL 15, 2007 WITHOUT OBTAINING A CONDITIONAL USE PERMIT

WHEREAS, many of the churches that would otherwise temporarily house homeless families are unable to process conditional use permits in time for the inclement weather period from December 1, 2006 to April 15, 2007. A significant number of persons within the City of Oceanside are therefore, without the ability to obtain shelter;

WHEREAS, a number of these homeless persons are elderly, disabled and families with young children;

WHEREAS, cold nighttime temperatures and inclement weather threaten the health and safety of these persons;

WHEREAS, as a result of the recent closure and unavailability of temporary homeless shelters, there is a temporary shelter crisis;

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

1. The City Council declares that there is a temporary shelter crisis in the City of Oceanside in that there is a significant number of persons within the City that are without the ability to obtain shelter and this situation has resulted in a threat to the health and safety because of the current cold inclement weather; and

2. The zoning ordinance requirement of a conditional use permit for temporary homeless shelters in church facilities for 50 persons or less is suspended from December 1, 2006 until April 15, 2007, in accordance with Government Code Section 8698.1(b).

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TO: OCEANSIDE CITY COUNCIL
FROM: HOUSING COMMISSION
RE: RESOLUTION – TEMPORARY SHELTER CRISIS
DATE: OCTOBER 24, 2006

THE OCEANSIDE HOUSING COMMISSION RECOMMENDS THAT THE CITY COUNCIL ADOPT A RESOLUTION DECLARING A TEMPORARY SHELTER CRISIS FROM DECEMBER 1, 2006 TO APRIL 15, 2007. (COLD WEATHER)

CAMP	YES
COOPER	YES
FARMER	ABSENT
HUSKEY	YES
MEYER	YES
OLINSKI	ABSENT
PARKER	YES
SORENSEN	YES

ALTERNATES

SAIZ	ABSENT
DAVIS	YES