

# STAFF REPORT



ITEM NO. 18

CITY OF OCEANSIDE

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DATE: September 19, 2007

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, 2007, THROUGH APRIL 15, 2008, 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, 2007, through April 15, 2008, 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**

For the past six 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.

Earlier this year, The Alliance for Regional Solutions was formed to develop a North County Regional Winter Shelter Program that would be a coordinated effort between local governments and social service providers to address homeless needs during the winter months. City staff and a subcommittee of the Alliance have worked together to develop a Winter Shelter Program that will provide shelter and case management services for a total of 100 days at four sites in Carlsbad, Oceanside, Vista, and Escondido. By adopting this resolution, it will allow Bread of Life to operate a winter shelter program as part of the regional system in Oceanside 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, 2007, through April 15, 2008. 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.

Bread of Life is a member of The Alliance for Regional Solutions which was formed to craft a north county regional winter shelter system proposal. The City Council provided direction to staff to work with homeless service providers and staff from north county cities to develop a proposal that would be fair and equitable. The regional plan and recommendation to fund the proposal will be scheduled for the September 25<sup>th</sup> meeting of the Housing Commission and forwarded to the City Council in October.

## **FISCAL IMPACT**

The North County Regional Winter Shelter Program is requesting approximately a \$33,000 contribution from Oceanside. This represents \$15,000 to Bread of Life, \$3,500 for the Interfaith Rotational Shelter, and the remaining to support the regional system that will include a homeless management information system, case management of homeless persons, and operational costs.

## **COMMISSION OR COMMITTEE REPORT**

At its meeting on August 28, 2007, 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, 2007, through April 15, 2008. The Housing Commission will consider the proposed North County Regional Winter Shelter Program at its meeting on September 25, 2007.

## **CITY ATTORNEY'S ANALYSIS**

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

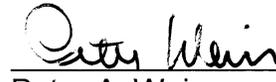
**RECOMMENDATION**

Staff recommends that the City Council adopt a resolution declaring a temporary shelter crisis in the City of Oceanside from December 1, 2007, through April 15, 2008, and suspending the zoning ordinance requirement to allow churches to shelter homeless persons without obtaining a conditional use permit.

**PREPARED BY:**

  
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Margery M. Pierce  
Director of Neighborhood Services

**SUBMITTED BY:**

  
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Peter A. Weiss  
City Manager

**REVIEWED BY:**

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

  
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Attachments: Resolution  
Housing Commission Report

1 RESOLUTION NO. \_\_\_\_\_

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 OCEANSIDE DECLARING A TEMPORARY SHELTER CRISIS  
4 AND SUSPENDING THE ZONING ORDINANCE REQUIREMENT  
5 TO ALLOW CHURCHES TO SHELTER UP TO 50 PERSONS  
6 FROM DECEMBER 1, 2007 THROUGH APRIL 15, 2008  
7 WITHOUT OBTAINING A CONDITIONAL USE PERMIT

8 WHEREAS, there are insufficient designated homeless shelters in the City of Oceanside  
9 to accommodate the number of persons in need of such shelter;

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

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

14 WHEREAS, many of the churches that would otherwise temporarily house homeless  
15 families are unable to process conditional use permits in time for the inclement weather period  
16 from December 1, 2007 to April 15, 2008;

17 NOW, THEREFORE, the City Council of the City of Oceanside does find and resolve as  
18 follows:

19 1. The City Council finds that: (a) a significant number of persons within the City of  
20 Oceanside are without the ability to obtain shelter because of a lack of adequate homeless  
21 shelter space; and (b) this situation has resulted in a threat to the health and safety because of  
22 the current cold inclement weather.

23 2. Pursuant to Government Code Section 8698.2(a)(1), the City Council therefore  
24 declares that there is a temporary shelter crisis in the City of Oceanside.

25 3. In order to mitigate the effects of the shelter crisis, the zoning ordinance  
26 requirement of a conditional use permit for temporary homeless shelters in church facilities for  
27 50 persons or less is suspended from December 1, 2007 until April 15, 2008, in accordance with  
28 Government Code Section 8698.1(b).

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TO: OCEANSIDE CITY COUNCIL  
FROM: HOUSING COMMISSION  
RE: RESOLUTION – TEMPORARY SHELTER CRISIS  
DATE: AUGUST 28, 2007

THE OCEANSIDE HOUSING COMMISSION RECOMMENDS THAT THE CITY COUNCIL ADOPT A RESOLUTION DECLARING A TEMPORARY SHELTER CRISIS AND SUSPEND THE ZONING ORDINANCE REQUIREMENT TO ALLOW CHURCHES TO SHELTER P TO 50 PERSONS FROM DECEMBER 1, 2007 THROUGH APRIL 15, 2008, WITHOUT OBTAINING A CONDITIONAL USE PERMIT.

CAMP	ABSENT
CHRISTY	YES
COOPER	ABSENT
DAVIS	YES
FARMER	YES
HUSKEY	YES
IGO	YES
PARKER	YES
SORENSEN	YES

ALTERNATES

SAIZ	YES
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