

ORDINANCE NO. 10668 (N.S.)

AN URGENCY ORDINANCE EXPANDING THE USE CLASSIFICATION OF
EMERGENCY SHELTER AND PERMITTING SUCH ACTIVITIES ON ADDITIONAL
PROPERTIES IN THE UNINCORPORATED AREA OF THE COUNTY OF SAN DIEGO TO
TAKE EFFECT IMMEDIATELY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds as follows:

A. On January 30, 2020, the World Health Organization declared the spread of a novel coronavirus, subsequently named COVID-19, a Public Health Emergency of International Concern.

B. On February 14, 2020, the County Public Health Officer declared a local health emergency, and the County Director of Emergency Services proclaimed a local emergency, both of which were ratified by Board of Supervisors on February 19, 2020 and remain in effect.

C. On March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19.

D. On March 13, 2020, the President of the United States declared a national emergency on due to COVID-19.

E. To date, over 1,000,000 people residing in the United States have tested positive for COVID-19, and more than 50,000 people in the United States have died from COVID-19 or complications.

F. COVID-19 is highly contagious.

G. Persons with certain preexisting conditions or compromised immune systems may suffer more severe consequences if they contract COVID-19.

H. To slow the spread of COVID-19 people should practice social distancing and remain in their homes or at their place of residence, except for employees or customers travelling to essential businesses. These actions are particularly difficult for those who are homeless.

I. Persons experiencing homelessness are disproportionately likely to suffer from the types of preexisting conditions or compromised immune systems that make contracting COVID-19 particularly dangerous.

J. Persons experiencing homelessness tend to have more difficulty than the general populace in obtaining the opportunity to shelter at home or practice physical distancing while taking care of their basic human needs.

K. COVID-19 therefore poses an imminent danger to the life, health, and safety of persons experiencing homelessness.

L. On September 11, 2018, the Board of Supervisors declared a shelter crisis in the unincorporated areas of the County, which remains in effect.

M. In order to encourage as many persons experiencing homelessness to accept services so that they can stay at a sheltered place and practice social distancing, it is beneficial to permit a wider array of methods for providing these services beyond traditional shelters; these additional measures include safe camping, safe parking, safe storage, and day shelter services.

N. The requirements of Section 6911 of the County of San Diego Zoning Ordinance (“Zoning Ordinance”) are not always consistent with the physical requirements of some of these alternatives to traditional shelters.

O. The property located at 9014 Kenwood Drive is uniquely situated to provide assistance to persons experiencing homelessness, given its proximity to locations where many persons experiencing homelessness have congregated, as well as its proximity to public transit.

P. It is also the intent of this ordinance to expand use classifications for emergency shelters include safe parking, safe camping, safe storage, and day shelter activities, and to exempt from the zoning ordinance’s requirements emergency shelters owned, operated, or financed by the County.

Q. The provisions of this ordinance shall remain in effect until at least 120 days after the conclusion of the current emergency to allow facilities to be responsibly administered and wound down.

R. This ordinance is necessary for the immediate preservation of the public peace, health and safety, based on the findings in this Section, per Government Code section 25123(d).

Section 2. This ordinance shall take effect immediately upon passage and shall remain in effect until the latest of: (i) 120 days after termination of the Governor’s proclamation of a state of emergency related to COVID-19, (ii) 120 days after the termination of both the County of San Diego’s local health emergency and local emergency related to COVID-19, or (iii) December 31, 2020.

Section 3. In addition to the use classification in Section 1334 of the Zoning Ordinance, “Emergency Shelter” shall also include: i) safe parking facilities that are not an RV park or a mobilehome park, ii) safe storage facilities, iii) safe camping facilities receiving direct financial assistance from the County of San Diego, and iv) day shelter facilities. A day shelter facility is one where food and/or social services are made available to persons experiencing homelessness.

Section 4. Any applicable Zoning Ordinance sections and/or County Form Based Codes shall not apply to and shall be waived for the development, use, or improvement of Emergency Shelters, including but not limited to the the provisions of Sections 2000 through 2990, and Section 6911 of the Zoning Ordinance are waived with respect to Emergency Shelters.

Section 5. The exemption in Section 1006 of the Zoning Ordinance is expanded to include Emergency Shelters if they are owned, operated by the County directly or through a third party, financed, leased, or on property owned or leased by the County of San Diego.

Section 6. Emergency Shelters are permitted uses under the Zoning Ordinance on any property owned, leased, or otherwise operated by the State of California.

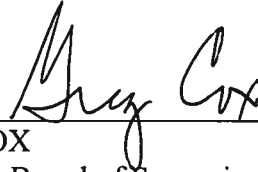
Section 7. This Ordinance only applies to the property located at 9014 Kenwood Drive in Spring Valley.

Section 8. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15269(c).

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: David M. Stotland, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 19th day of May 2020.



GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 19th day of May 2020.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Grace Caro, Deputy



Ordinance No.: 10668 (N.S.)
Meeting Date: 05/19/2020 (07)