



ATTACHMENT A

ORDINANCE NO. 2011- 001

**BOARD OF SUPERVISORS
COUNTY OF DEL NORTE, STATE OF CALIFORNIA**

**AN ORDINANCE OF THE DEL NORTE COUNTY BOARD OF SUPERVISORS
ADDING CHAPTER 20.49 – ES DISTRICT – EMERGENCY SHELTER COMBINING
DISTRICT and SECTION 20.46.020.T TO THE DEL NORTE COUNTY CODE**

WHEREAS, the State Legislature has declared that a lack of housing, including emergency homeless shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California; and

WHEREAS, the State Legislature has declared that cities and counties are responsible for planning and identifying appropriate areas for emergency shelters; and

WHEREAS, the State Legislature has decided not to dictate where emergency shelters should be located, but allows cities and counties to identify areas for the use of emergency shelters wherever such shelters would be most appropriate in their community; and

WHEREAS, Government Code Section 65583(a)(7) requires that the County's housing element analyze special housing needs, including families and persons in need of emergency shelter; and

WHEREAS, Government Code Section 65583(a)(4)(A) requires that the County's housing element identify zone or zones where emergency shelters may be allowed as a permitted use without a conditional use or other discretionary permit; and

WHEREAS, Government Code Section 65583(a)(4)(A) requires that the identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter as identified in the housing element; and

WHEREAS, Government Code Section 65583(a)(4)(A) requires that each local government identify a zone or zones that can accommodate at least one year-round emergency shelter; and

WHEREAS, given the requirements of Government Code Section 65583(a)(4)(A), the County has reviewed and determined that emergency homeless shelters are most appropriately located on land with a General Plan Land Use designation of General Commercial and a Zone designation of C-4 and are located within the County's urban services boundary and outside of the jurisdiction of the California Coastal Zone. Land meeting this criteria was selected because it located in close proximity to public transportation and support services; and

WHEREAS, standards have been incorporated into the ordinance that address not only land use concerns but safety concerns for persons seeking shelter.

The Board of Supervisors of the County of Del Norte do ordain as follows:

SECTION 1. CODE AMENDMENT. Chapter 20.49, Title 20, of Del Norte County Code is hereby added to read as follows:

52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76

77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

20.49.010 Intent

The intent of the Emergency Shelter Combining District is to provide for the placement of emergency homeless shelters; to address the special needs and characteristics of emergency shelters; to ensure housing provided by emergency shelters will meet building, health, safety and access standards; to provide sufficient space, parking and circulation to meet the needs of the emergency shelter; to provide compatibility with other uses allowed within the zoning districts in which emergency shelters are located; and to provide a safe environment for emergency shelter residents.

20.49.020 Regulations – General.

In a district which is combined with an Emergency Shelter Combining District, the regulations set forth in the subject chapter apply in addition to the respective regulations specified for such district.

20.49.030 Regulations – Special.

As used in this ordinance, "Emergency Homeless Shelter" means a building, structure or group of structures under single management that provide temporary, short-term emergency housing for individuals or families. An Emergency Homeless Shelter is typically managed by a non-profit or group of non-profits, a church or group of churches, by other agencies, by volunteers or by a combination thereof. Beds in an emergency shelter are generally provided dormitory-style, and any meals are typically served and eaten as a group. Those using the facility shall be transient occupants and the length of stay is not more than six (6) days, and is typically less.

The following performance standards shall apply to Emergency Homeless Shelters:

- A. Property Development Standards. The shelter for the homeless shall conform to all property development standards of the base Zone District except as modified by these performance standards.
- B. The lodgers shall retain a right of access to and control of the premises and offer all the services provided for in California Civil Code section 1940(b)(2) so that the transient occupants do not become "tenants" with the rights afforded tenants under the California Civil Code.
- C. The lodgers shall adopt and use good faith efforts to enforce its rules and screening processes to assist in the minimization of sexual predation and physical danger to the other homeless in the Emergency Homeless Shelter.
- D. Maximum Number of Persons/Beds. The entire facility shall accommodate no more than **12** transient emergency shelter occupants per night.
- E. Lighting. Adequate external lighting shall be provided for security purposes. The lighting shall be in compliance with Section 20.48.050 which requires that lighting be directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
- F. Laundry Facilities. The development shall provide laundry facilities adequate for the number of residents.
- G. Common Facilities. The development may provide one or more of the following specific common facilities for the exclusive use of the residents:
 - 1. Central cooking and dining room(s).
 - 2. Recreation room.

- 101 H. Security. Parking facilities shall be designed to provide security for residents,
102 visitors, and employees.
- 103 I. Off Street Parking. Off-street parking for homeless shelters shall be subject to
104 requirements set forth in Section 20.46.020.T.
- 105 J. Outdoor Activity. For the purposes of noise abatement, outdoor activities may
106 only be conducted between the hours of 8:00 a.m. to 10 p.m.
- 107 K. Concentration of Uses. No more than one shelter for the homeless shall be
108 permitted within a radius of 300 feet from another such shelter.
- 109 L. Refuse. The proposed Emergency Homeless Shelter shall provide a refuse
110 storage area that is completely enclosed with masonry walls not less than five
111 (5) feet high with a solid-gated opening that is large enough to accommodate a
112 standard-sized trash bin adequate for the parcel.
- 113 M. Shelter Provider. The lodger operating the shelter shall comply with the
114 following requirements:
- 115 1. Temporary shelter shall be available to residents for no more than 6 days.
116 Extensions up to a total stay of 20 days may be provided if no alternative
117 housing is available.
 - 118 2. Staff and services shall be provided to assist residents to obtain permanent
119 shelter and income.
 - 120 3. The lodger shall not unlawfully discriminate in any services provided.
 - 121 4. The lodger shall not require participation by residents in any religious or
122 philosophical ritual, service, meeting or rite as a condition of eligibility.
 - 123 5. All conditions requiring permits or approval from a regulatory agency (e.g.
124 building permit, sign off from County Environmental Health Dept., sign off
125 from Fire Chief of the Crescent Fire Protection District etc.) shall be
126 completed prior to use of the facility as an Emergency Homeless Shelter.
127 Any use of the facility as an emergency shelter prior to satisfaction of the
128 conditions will result in enforcement of the County Zoning Ordinance by the
129 County's Code Enforcement Division,
 - 130 6. Prior to any Emergency Homeless Shelter operations, the lodger shall submit
131 a separate plan check submittal to the Crescent Fire Protection District for
132 their review and approval. Any items required to comply with the California
133 Fire Code must be completed to the satisfaction of the Fire Chief prior to
134 transient occupancy of the facility,
 - 135 7. All bedding and overnight sleeping accommodations shall be continuously
136 provided to emergency shelter clients to the satisfaction of the Building
137 Inspection Division and the Environmental Health Department,
 - 138 8. A minimum floor area allowance per occupant shall be 50 gross square feet
139 as defined in the 2007 California Building Code for the dormitories function of
140 space (Table 1004.1.1);
 - 141 9. Exit signs with battery backup which must be installed at each exit;
 - 142 10. Smoke alarms must be installed and maintained on the ceiling or wall outside
143 of each separate sleeping area in the immediate vicinity and in each room
144 used for sleeping purposes;
 - 145 11. Individual sleeping units and contiguous attic and crawl spaces must be
146 separated from each other and public or common areas by at least 1-hour
147 fire partitions;
 - 148 12. Draft stopping shall be provided in attics, mansards, overhangs or other
149 concealed roof spaces;
 - 150 13. No loud noises shall be permitted on the subject site any time. The lodger
151 shall prevent loitering, disruptive behavior and loud noises on the Emergency
152 Homeless Shelter and the public rights-of-way abutting the subject site.

204 after the adoption in a newspaper of general circulation, printed and published, in Del Norte
205 County, California.

206
207 **PASSED AND ADOPTED** this 22nd day of March, 2011 by the Board of Supervisors of the
208 County of Del Norte by the following polled vote:

209
210
211 AYES: Supervisors Sullivan, McClure, Finigan, McNamer

212
213 NOES: None

214
215 ABSENT: None

216
217 ABSTAIN: Supervisor Hemmingsen


218
219
220 ATTEST:

221

222

223

224

225 
226 Jeremi Ruiz Clerk of the
227 Board of Supervisors, County
228 of Del Norte, State of California

228

229



LESLIE McNAMER, Chairman
Board of Supervisors

APPROVED AS TO FORM:

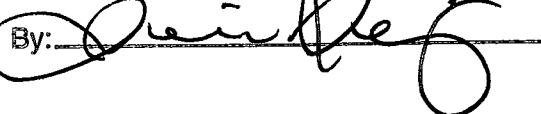


GRETCHEN STUHR, Interim County Counsel

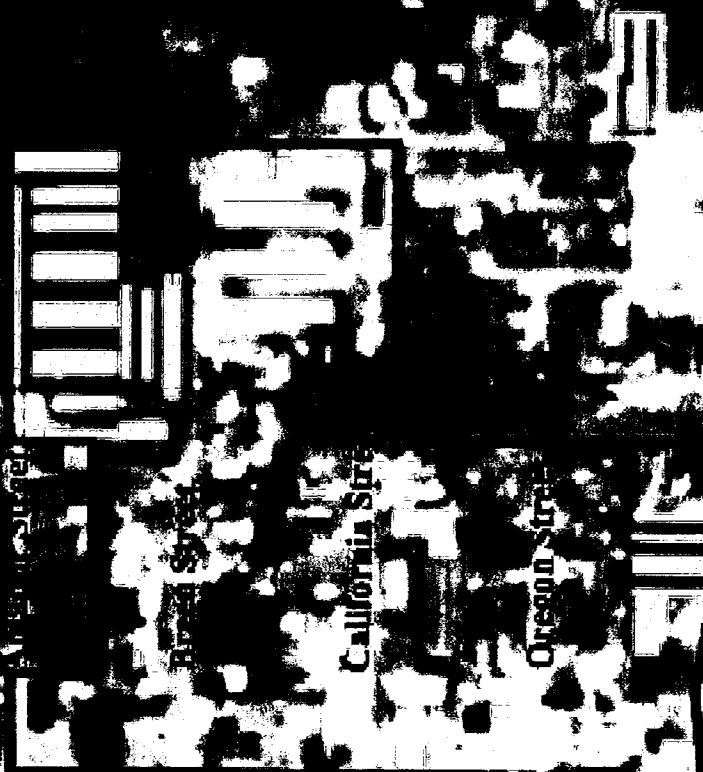
Date: March 22, 2011

I hereby certify that according to the
provisions of Government Code
Section 25103, delivery of this
document has been made.

Clerk of the Board

By: 

ATTACHMENT
**AREA PROPOSED FOR
EMERGENCY SHELTER
OVERLAY DESIGNATION
"C4-ES"**

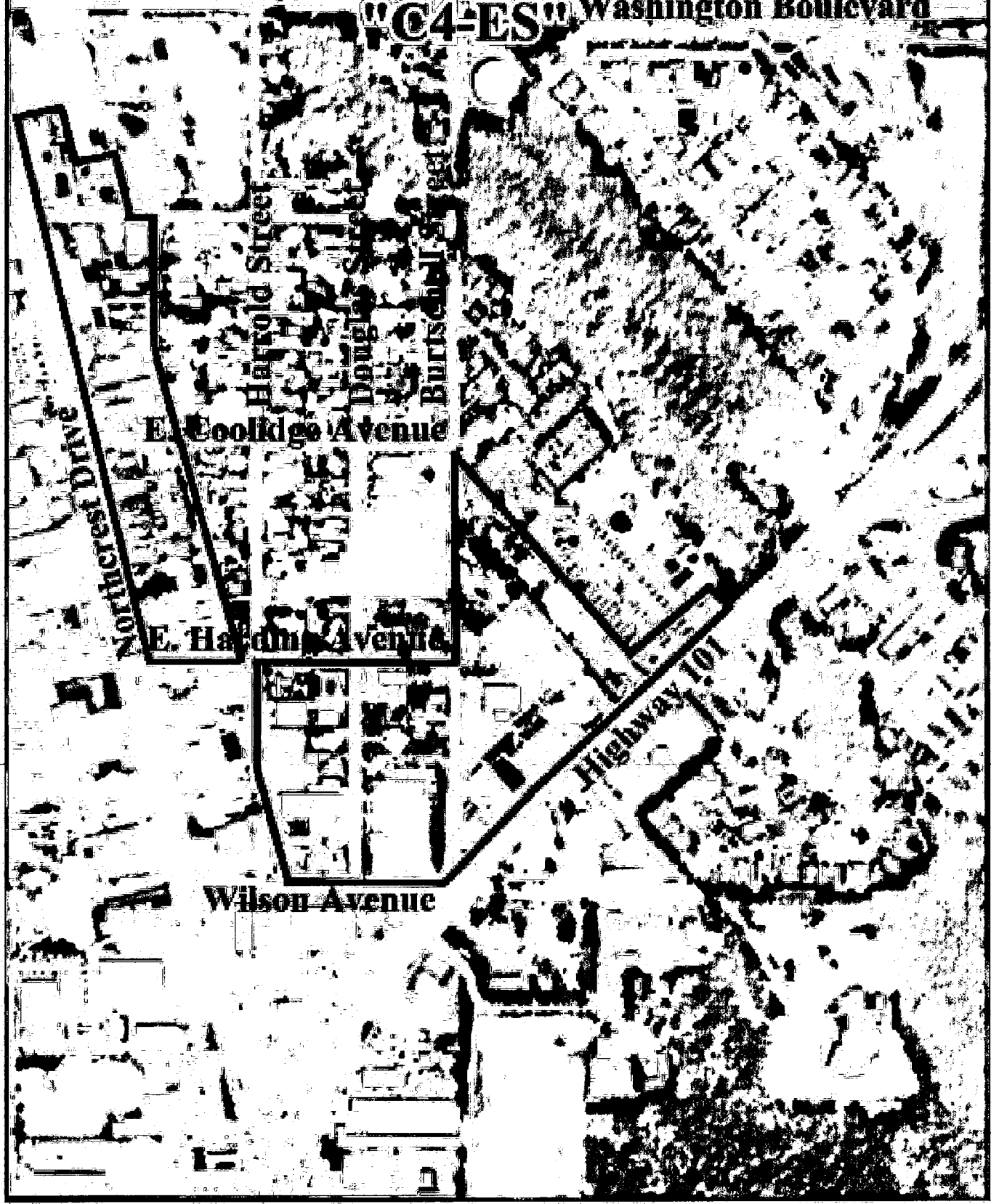


Northeast Drive

Washington Boulevard

ATTACHMENT C
AREA PROPOSED FOR
EMERGENCY SHELTER
OVERLAY DESIGNATION

"C4-ES" Washington Boulevard



E. Coolidge Avenue

E. Harding Avenue

Wilson Avenue

Highway 101

Northcrest Drive

Harold Street

Douglas Street

Britschell Street

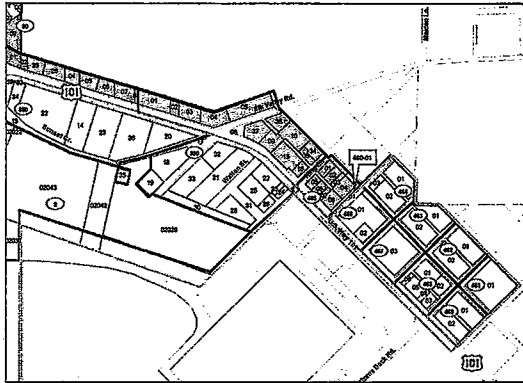
City of Crescent City APN / Zoning Reference Map



February 2009



Harbor Inset



PACIFIC AVENUE

CRESCENT BLVD

See Harbor Inset Above Left

Pacific

Ocean

Crescent City Harbor

Battery Pt.

= R3 ZONING

Legend

- City Limits Boundary
- Coastal Zone Boundary
- ⊙ APN Book/Group Number
- 17 Parcel Number
- APN Map Book Boundary

ZONING

	O1		R1
	O2		R2
	CW		R3
	H8		R4
	NR		RP

Coastal Zone *

* Local Coastal Plan is Pending

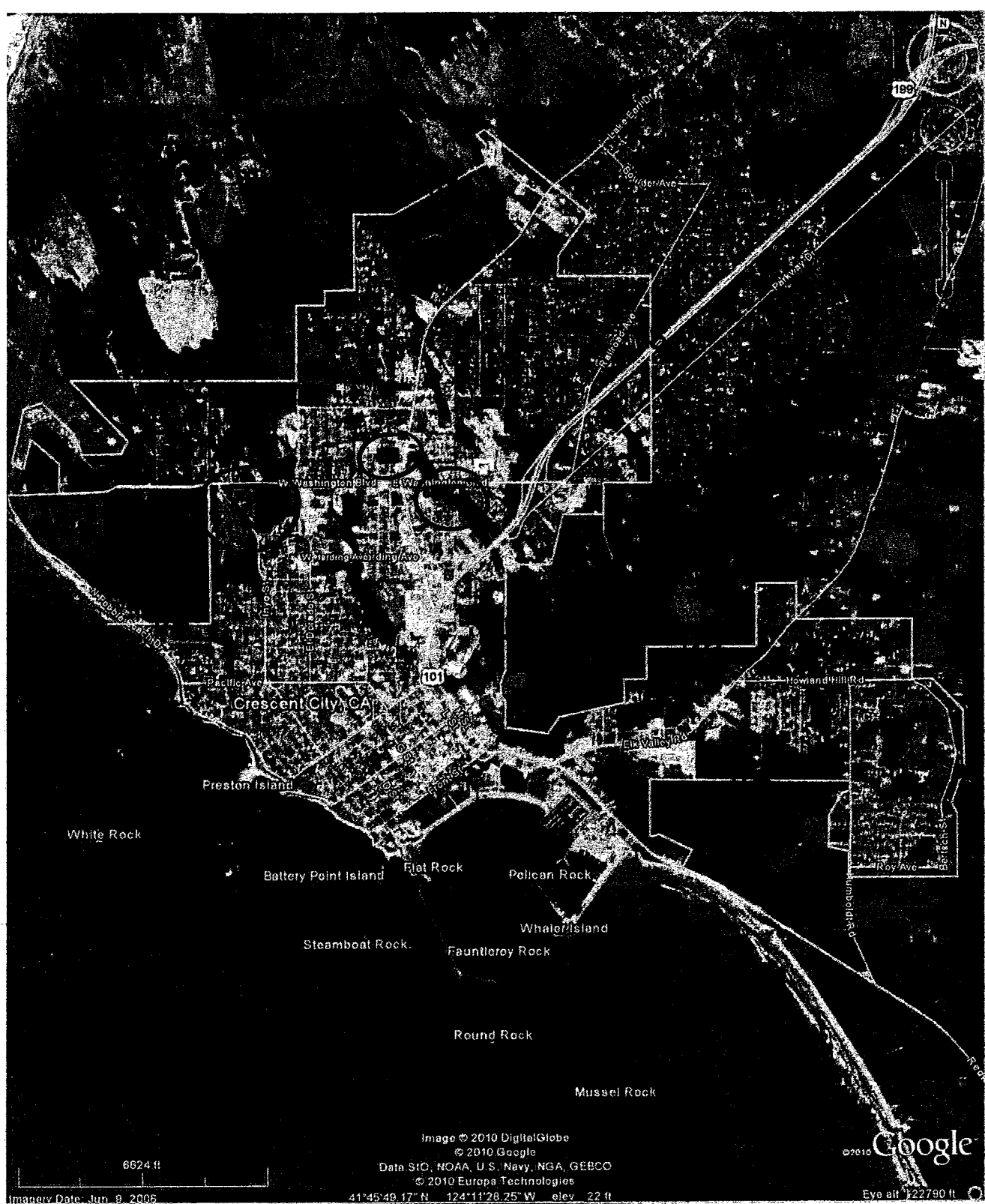


City of Crescent City GIS Department
Copyright © 2009
City of Crescent City
116-040-01

Note: All city parcels begin with "116"
Example: 116-040-01 = 116-01

PLEASE NOTE: This map is for reference purposes only. Certain zoning and/or APN information for all business activities, zoning and APN information is subject to change without notice.
DISCLAIMER: The City of Crescent City shall not be held liable for improper or incorrect use of the information contained herein. This map is not a legal document and is not intended to be used as such. The City of Crescent City gives no warranty, expressed or implied, as to the accuracy, reliability, or completeness of the data provided on this map.

DEL NORTE COUNTY LAND ZONED R3 WITHIN THE URBAN BOUNDARY



UB = URBAN BOUNDARY
▨ = R3 ZONING