

ORDINANCE NO. 2287

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 19.58.110 OF THE CHULA VISTA MUNICIPAL CODE TO ADOPT STANDARDS AND REQUIREMENTS FOR THE ACCESSORY USE OF CHURCHES AS TEMPORARY SHELTERS FOR THE HOMELESS

WHEREAS, on September 13, 1988, the City Council adopted Urgency Ordinance No. 2285 establishing an accessory use process to facilitate the use of churches as temporary shelters for the homeless and Council directed staff to return with a permanent amendment within ninety days.

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: Purpose and Intent. It is the intent of the City Council in enacting this ordinance to facilitate the use of appropriate community facilities to provide temporary shelters for the homeless. The provisions of this ordinance shall be interpreted and applied to effectuate that intent.

SECTION II: That Section 19.58.110 of the Chula Vista Municipal Code is hereby amended to read as follows:

**19.58.110 Church, hospital, convalescent hospital, religious or eleemosynary institution.**

Any church, hospital, convalescent hospital or other religious or eleemosynary institution in any R zone shall be located on a collector street or thoroughfare with a minimum parcel of one acre, shall maintain a ten-foot wide minimum landscaped strip or solid six-foot fence or masonry wall on all property lines abutting said R zone, except that said fence or wall may be reduced to three and one-half feet in a landscaped front setback area not containing parking facilities, and shall have side yard and rear yard setbacks of at least twenty feet and a front yard setback of at least twenty feet.

The provision of temporary shelter for the homeless in accordance with the following standards and requirements is considered accessory to church use subject to the issuance of a zoning permit:

1. A shelter may accommodate a maximum of 12 guests for no more than two weeks per year. An additional one

hundred eighty (180) days may be authorized by the Zoning Administrator provided no opposition has been expressed by surrounding property owners or residents. If such opposition is expressed, the Zoning Administrator shall determine whether such permit shall be extended in accordance with the procedures set forth in Section 19.14.550.

2. The guests shall be prescreened by a recognized social service agency to determine resident suitability. Active alcohol or drug abusers as well as those with criminal convictions of a felony or any crime of violence or significant mental illness shall be excluded from the program. Supervision shall be provided at all times both on-site and during arrivals and departures from the shelter.

3. A floor plan and set-up of the space to be occupied shall be submitted, along with a description of the shelter proposal to include the prescreening agency and criteria, provisions for supervision, and schedule of hours and activities.

4. A post set-up inspection shall be conducted by the City in order to determine compliance with applicable building, health, safety and fire regulations.

5. The applicant shall provide the City with certification that written notice of the proposal has been given to properties within 300 ft. of the shelter site. The host congregation is encouraged to hold a neighborhood meeting to inform residents of the proposal and answer questions well before the commencement date.

6. The application for zoning permit, set-up plan, supplemental information and certification of notice shall be submitted at least 10 days prior to the commencement date.

7. The zoning permit may be subject to immediate revocation for violation of the standards or substantiated report of neighborhood disturbance.

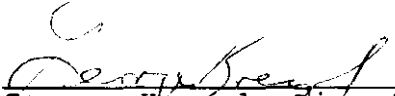
8. Shelter proposals beyond the limits noted in item #1 above are considered conditional uses subject to the approval of a conditional use permit.

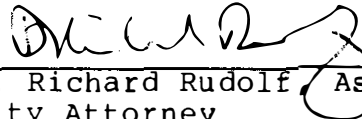
SECTION III: Ordinance No. 2285 is hereby repealed.

SECTION IV: This ordinance shall take effect and be in full force and effect on the thirty-first day from and after its adoption.

Presented by

Approved as to form by

  
\_\_\_\_\_  
George Kreml, Director of  
Planning

  
\_\_\_\_\_  
D. Richard Rudolf, Assistant  
City Attorney

4629a

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE  
C OF CHULA VISTA, CALIFORNIA, HELD November 1, 19 88, AND  
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD November 8,  
19 88, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen Cox, Moore, McCandliss

NAYES: Councilmen Malcolm, Nader

ABSTAIN: Councilmen None

ABSENT: Councilmen None

Gregory R. Cox  
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,  
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of  
ORDINANCE NO. 2287, and that the same has not been amended or repealed.

DATED \_\_\_\_\_



\_\_\_\_\_  
City Clerk