



*The County of San Diego*

## Planning Commission Hearing Report

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<b>Date:</b>	September 17, 2021	<b>Case/File No.:</b>	POD-20-008
<b>Place:</b>	County Conference Center 5520 Overland Avenue San Diego, CA 92123	<b>Project:</b>	An Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations
<b>Time:</b>	9:00 a.m.	<b>Location:</b>	All Districts
<b>Agenda Item:</b>	#3	<b>General Plan:</b>	Various
<b>Appeal Status:</b>	Approval by the Board of Supervisors	<b>Zoning:</b>	Various
<b>Applicant/Owner:</b>	County of San Diego	<b>Community:</b>	All
<b>Environmental:</b>	CEQA § 15162 through 15164 Addendum	<b>APNs:</b>	Various

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### A. OVERVIEW

On May 19, 2020, the County of San Diego (County) Board of Supervisors (Board) directed staff to prepare Zoning Ordinance amendments to provide additional opportunities for the County to find shelter and housing solutions for individuals experiencing homelessness in the unincorporated area. Specifically, the Board directed amending the use classification of "Emergency Shelters" allowed in the unincorporated area to include day shelter facilities, safe storage facilities, safe parking facilities that are not a Recreation Vehicle (RV) park or a mobile home park, and safe camping facilities if they are receiving direct financial assistance from the County. Additionally, the Board directed staff to revise the definition of the County-owned-and-operated facilities that are exempt from the Zoning Ordinance to include emergency shelters and transitional and supportive housing when these facilities are owned, leased, or financed by the County, State, or federal government.

The proposed Zoning Ordinance amendments exempt Emergency Shelters and transitional and supportive housing facilities that are County-owned-and-operated facilities from the Zoning Ordinance. Just as the other exempted County-owned-and-operated facilities, including fire stations, sheriff stations, libraries, and parks, Emergency Shelters, and transitional and supportive housing facilities will not be subject to the development standards and development review procedures outlined in the Zoning Ordinance. The amendments will not exempt privately held Emergency Shelters or transitional or supportive housing facilities from compliance with the Zoning Ordinance.

The County Health and Human Services Agency (HHSA) is the County lead for the development of Emergency Shelters, and transitional and supportive housing facilities. On April 6, 2021, the Board directed the Chief Administrative Office (CAO) to seek input from the community, led by HHSA staff, to establish a framework for the appropriate siting of Emergency Shelters and transitional and supportive housing facilities. HHSA has developed a Location Framework (Attachment D) which demonstrates the four-step review process HHSA will take to identify, evaluate, and potentially site facilities and services allowable under the proposed Zoning Ordinance amendment. The framework will be presented to Board for consideration at the same time as the proposed Zoning Ordinance Amendments.

The purpose of this report is to provide the information necessary for the Planning Commission to consider the amendments to the Zoning Ordinance, including the definition of Emergency Shelters and County-owned-and-operated facilities that are exempt from the Zoning Ordinance. The Planning Commission is requested to recommend that the Board adopt, adopt with modifications, or deny the proposed Zoning Ordinance amendments. HHSA will also be providing the Planning Commission an update on the framework for the appropriate siting of emergency shelters and transitional and supportive housing facilities.

## **B. STAFF RECOMMENDATIONS**

Based on its analysis, staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

1. Find that it has reviewed and considered the information contained in the Final Program EIR for the 2011 General Plan Update, dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, the Draft Addendum thereto, dated September 17, 2021, on file with PDS as PDS2017-POD-17-004; PDS2018-REZ-18-008, and the Environmental Review Update Checklist Form, dated January June 3, 2021, on file with PDS as Environmental Review Number PDS2017-POD-17-004; PDS2018-REZ18-008, before making its recommendation on the Zoning Ordinance Update.
2. Adopt the ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO BASIC PROVISIONS, DEFINITIONS, AND GENERAL REGULATIONS (POD20-008) (Attachment A - Clean & Attachment B - Strikeout).

## **C. BACKGROUND**

In response to the growing homeless population in the unincorporated areas of San Diego County, the Board of Supervisors (Board) directed staff to develop and implement a variety of efforts aimed at providing emergency, temporary, and permanent housing options for persons experiencing homelessness in the unincorporated areas. This was to support the Board's September 11, 2018, Board action, which adopted Resolution No. 18-132 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO DECLARING A SHELTER CRISIS PURSUANT TO SB 850 IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY.

On May 19, 2020, the Board received an update on the variety of previously Board authorized efforts, including identifying sites and properties that could be acquired for emergency, temporary, and permanent housing. At that time, County staff recommended that the Zoning Ordinance be amended to exempt County-owned or operated facilities and facilities financed in whole or in part by the County and those leased or contracted by a third party to provide a public purpose. This change would expand upon

Zoning Ordinance Section 1006, which currently exempts County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations. In response, the Board directed the Chief Administrative Officer (CAO) to broaden and expand definitions related to emergency shelter and ease the placement of various permanent and temporary housing options. Specifically, the Board directed staff to pursue permanent amendments to the Zoning Ordinance to allow:

- County-owned-and-operated facilities exemption in Section 1006 to include County-owned or operated facilities, and County facilities that are leased or contracted by a third party to provide a public purpose, which would include emergency shelters and other health or social service facilities owned, operated, or financed by the County;
- Expansion of the definition of “Emergency Shelter” to include safe parking, safe camping, safe storage, and day shelter activity;
- Authorize the use of properties leased from the State of California located in the unincorporated area of the County for emergency shelter; and
- County-owned-and-operated facilities exemption in Section 1006 includes transitional and permanent supportive housing owned, operated, or financed by the County.

On April 6, 2021, the Board reiterated this direction and directed the CAO to accelerate work on future Zoning Ordinance changes. The Board further directed that HHSA should lead a public process, with the support of other County staff with land use expertise, to identify criteria for (1) where emergency and transitional and supportive housing options may be located; (2) establishing a framework for the appropriate siting of such location; and (3) to determine the best approach to address environmental or other regulatory considerations that are current barriers to such changes.

HHSA provided a memo to the Board on June 30, 2021, which included the input received from the community regarding the framework for the appropriate siting of emergency and permanent supportive housing. HHSA then developed the Location Framework (Attachment D), which demonstrates the four-step review process HHSA will take to identify, evaluate, and potentially site facilities and services allowable under the zoning ordinance amendment. Developing the framework required weighing a variety of factors, including locations that enable people to remain connected to the community in which they live, impact on communities, accessibility of necessary health and social services and amenities, operational service delivery needs, practicality, and speed of site readiness, cost, and environmental considerations. The Location Framework will be used for all potential properties, including when an acquisition agreement for the purchase or lease of sites is needed. Currently, when acquisition agreements or the purchase or lease of sites is needed the Department of General Services, in coordination with HHSA, brings forward for Board approval purchases over \$500,000 and leases over \$10,000 a month over five years. The proposed Zoning Ordinance amendments to exempt Emergency Shelters and transitional and supportive housing facilities that are County-owned-and-operated facilities from the Zoning Ordinance will not change the acquisition agreement for the purchase or lease of sites procedures.

PDS staff worked with HHSA’s Housing and Community Development Services (HCDS) and Integrative Services to evaluate existing siting conditions and identify available approaches. Staff reviewed the existing Zoning Ordinance and continued collaborative efforts with Integrative Services and the Department of General Services to craft language that would assist these departments in establishing and providing the necessary structures and services to further assist individuals experiencing

homelessness. Additionally, PDS staff provided technical support to HHSA during shelter framework outreach as directed by the Board on April 6, 2021.

PDS began public and stakeholder outreach for the Zoning Ordinance Amendments in November 2020. In total, six public workshops have been held to present major project milestones, such as project initiation and draft amendment language. On August 13, 2021, PDS staff conducted a 30-day public disclosure of the drafted Zoning Ordinance amendments and the Location Framework.

#### **D. ANALYSIS AND DISCUSSION**

The State of California and the County of San Diego recognize the growing need to allocate significant investments to address the current homelessness crisis in California and San Diego County. Over the past several years, Board has made significant investments in outreach, treatment, and housing services to people experiencing mental illness and homelessness. Efforts including the \$25 million Innovative Housing Trust Fund, identifying excess County properties to build affordable housing, Whole Person Wellness, the Drug Medi-Cal Organized Delivery System, Project One for All, and Stepping Up illustrate the County's commitment to ensure people who are homeless or at-risk of homelessness can become housed and receive sustained housing. Pursuing funding to support outreach, engagement, and shelter will further aid these efforts and build upon the significant work being done in the region.

Also, in response to the growing homeless population in the unincorporated areas of San Diego County, the Board of Supervisors (Board) directed staff to develop and implement a variety of efforts aimed at providing emergency, temporary, and permanent housing options for persons experiencing homelessness in the unincorporated areas. This was to support of the Board's September 11, 2018, Board action, which adopted Resolution No. 18-132 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO DECLARING A SHELTER CRISIS PURSUANT TO SB 850 IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY.

The Board has continued to receive updates and provided direction in response to identify and take actions to support individuals experiencing homelessness, and on January 28, 2020, the Board directed necessary steps are to be taken for immediate, short-term, and long-term solutions to address the homeless situation in the unincorporated areas of San Diego County. The steps included identifying sites and properties that could be acquired for emergency, temporary, and permanent housing. The Board also directed staff to review and recommend amendments to County of San Diego (County) regulations to address sleeping in public areas and explore expanding the Homeless Court program.

On February 25, 2020, the Board received an update on the immediate and short-term solutions and further directed staff to return to the Board with a recommended plan to secure and fund housing with supportive services and enter into agreements with local cities adjacent to the unincorporated parts of San Diego County for solutions for individuals experiencing homelessness.

As mentioned in the Background section, on May 19, 2020, the Board received an update on the various efforts previously authorized by the Board, including identifying sites and properties that could be acquired for emergency, temporary, and permanent housing. The Board directed staff to amend the Zoning Ordinance to expand the shelter options to persons experiencing homelessness beyond traditional shelters.

### *Current Zoning Ordinance*

Section 1006 of the current Zoning Ordinance states that the Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations. Also, the existing language states the Zoning Ordinance shall not apply to the Departments of the County of San Diego during, immediately following, or throughout the recovery efforts authorized by the County, related to an emergency declared by the Governor of the State of California or the Board of Supervisors of the County of San Diego. However, no specific language clarifies that these exemptions would also apply to Emergency Shelters, transitional and supportive housing. The proposed Zoning Ordinance amendments clarify that these types of facilities are exempt in the same way that the Zoning Ordinance allows exemptions of new or existing County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations. Also, the proposed Zoning Ordinance amendments would allow for Emergency Shelters to be placed in all zones beyond Industrial Zones. Currently, Emergency Shelters are only allowed in Industrial Zones. Transitional and supportive housing are currently allowed in Residential Zones. The proposed amendments will allow both transitional and supportive housing in all zones.

In addition, amendments to the Zoning Ordinance are needed to expand the shelter options to persons experiencing homelessness beyond traditional shelters. The Zoning Ordinance currently defines Emergency Shelters as defined by subdivision (e) of Section 50801 of the Health and Safety Code, “means housing with minimal supportive services for homeless persons that are limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.” It does not define shelter options beyond housing or also known as traditional shelters. Currently, the Zoning Ordinance does allow alternatives to traditional shelters such as Day Shelter Facilities, Emergency Bridge Housing Communities, Homeless Shelters, Safe Camping Facilities, Safe Parking Facilities, and Safe Storage Facilities.

### *Proposed Amendments*

The proposed amendments to the Zoning Ordinance are within four sections of the Zoning Ordinance: (1) Section 1006, Applicability of the Zoning Ordinance, (2) Section 1110, Definitions, (3) Section 1334, Emergency Shelter Classification, and (4) Section 6911, Emergency Shelter General Use Regulations (Table 1) The applicable sections and proposed changes are summarized as follows:

- *Applicability of The Zoning Ordinance.* The proposed amendment exempts County-owned or operated facilities and facilities financed by the County or leased or contracted by a third party to provide a public purpose from the Zoning Ordinance. The amendment includes language stating that exempted shelter facilities are to be located on lands owned, leased, operated, or financed by the County, State, or Federal Governments. The proposed amendments meet the Board’s direction to expand the locations where County owned, operated and leased Emergency Shelters and transitional and supportive housing facilities can be placed. They also authorize the use of properties leased from the State of California located in the unincorporated areas for emergency shelters.
- *Definitions (S).* The proposed amendment added a new definition for Permanent Supportive Housing, aligning with the State’s definition. This amendment adds a definition for Permanent Supportive Housing to meet the Board’s direction to exempt Permanent Supportive Housing from

the Zoning Ordinance if located on County-owned or leased properties and State and Federal properties.

- *Emergency Shelters.* The proposed amendment expands the Emergency Shelter Classification to include (1) Day Shelter Facilities, (2) Emergency Bridge Housing Communities, (3) Homeless Shelters, (4) Safe Camping Facilities, (5) Safe Parking Facilities, and (6) Safe Storage Facilities. This amendment meets the Board's direction to expand emergency shelter options for sheltering persons experiencing homelessness.
- *General Regulations for Emergency Shelters.* The proposed amendment excludes Emergency Shelters from General Use Regulations if the shelter is located on County, State, or Federal property or is leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. This amendment meets the Board's direction to expand the locations where County owned, operated, and leased emergency shelters and transitional and supportive housing facilities can be placed.

Table 1 below provides descriptions of the proposed Zoning Ordinance changes and the purpose for each change. See Attachment A & B for full clean and strikeout versions of zoning ordinance amendments.

Table 1: Zoning Ordinance Amendments Summary

Item	Section/Title	Purpose
<b>1a</b>	Section 1006 (b) – Applicability of the Zoning Ordinance	Adds language to allow the development, use, or improvement of new or existing County-owned or operated facilities and facilities that are financed by the County, leased or contracted by a third party to provide a public purpose, including but not limited to County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations, or facilities for public services and health services; such as but not limited to, Transitional and Supportive Housing.
<b>1b</b>	Section 1006 (g)	Adds language to state that the Zoning Ordinance shall not apply to the development, use, or improvement of new or existing Emergency Shelters, as classified in Section 1334, located on or to be located on properties owned or leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. Section 1006, subsection (g), applies only to Emergency Shelters located in areas to address homelessness and related public health, safety, and welfare issues.



Item	Section/Title	Purpose
2	Section 1110 Definitions (S)	Adds a definition for Supportive Housing (Permanent) to align with the State's definition and meet the Board's direction to exempt Permanent Supportive Housing from the Zoning Ordinance if located on County-owned or leased State and Federal properties.
3	Section 1334 Emergency Shelters	Amends the Emergency Shelters use type to include (1) Day Shelter Facilities, (2) Emergency Bridge Housing Community, (3) Homeless Shelters, (4) Safe Camping Facilities, (5) Safe Parking Facilities, (6) Safe Storage Facilities. This amendment meets the Board's direction to expand emergency shelter options for sheltering persons experiencing homelessness.
4	Section 6911 Emergency Shelters	Excludes Emergency Shelters from the General Use Regulations if the shelter is located on County, State, or Federal property or is leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. This amendment meets the Board's direction to expand the locations where County owned, operated, and leased emergency shelters and transitional and supportive housing facilities can be placed.

The proposed amendments will not exempt privately held Emergency Shelters or transitional or supportive housing facilities from compliance with the County Zoning Ordinance.

Moreover, the identification of specific areas or properties on which to place an emergency shelter will be determined by and overseen by other County Departments, such as the Health and Human Services Agency (HHSA) and the Department of General Services (DGS). The future placement of shelter facilities and any potential environmental impacts were not analyzed in the Zoning Ordinance amendment project. Identification, evaluations, and site selection, including environmental review, will follow the HHSA Location Framework (Attachment D), and analysis will be done site specifically. Developing the Location Framework required weighing a variety of factors, including locations that enable people to remain connected to the community in which they live, impact on communities, accessibility of necessary health and social services and amenities, operational service delivery needs, practicality, and speed of site readiness, cost, and environmental considerations. Furthermore, the Location Framework includes the internal processes for these future projects, including potential additional regulatory requirements, permits, and environmental analysis.

#### **E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

This project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the proposed actions have met the requirements for an Addendum to the County of San Diego's

General Plan Update, Environmental Impact Report (GPU EIR) under the California Environmental Quality Act (CEQA) by Sections 15162 through 15164 of the CEQA Guidelines. No substantial changes are proposed in the project, and there are no substantial changes in the circumstances under which the project will be undertaken. Any anticipated changes will not require major revisions to the previously certified EIR because the previous certified EIR did address significant new environmental effects.

The Program EIR for the County's General Plan Update, Environmental Report Number 02-ZA-00, State Clearing House Number 2002111067, was certified by the Board of Supervisors on August 3, 2011 (GPU EIR). The GPU EIR evaluated potentially significant effects for the seventeen environmental subject areas. It was determined that only two of the seventeen environmental subject areas would not involve potentially significant impacts. Eleven environmental issues evaluated included impacts that would be significant and unavoidable. And four environmental subject areas included exceptions for which all impacts would be mitigated below a level of significance. For those areas in which environmental impacts will remain significant and unavoidable, even with the implementation of mitigation measures, overriding considerations exist, making the impacts acceptable. The GPU EIR is on file with the County of San Diego, Planning and Development Services.

The Zoning Ordinance amendments would not involve substantial changes in the magnitude of impacts identified in the GPU EIR. The modifications are consistent with those analyzed in the GPU EIR, resulting in impacts consistent with those analyzed in the GPU EIR, and as explained in the Addendum (Attachment C), none of the proposed changes require major revisions of the GPU EIR due to new significant effects or the substantial increase in the severity of previously identified effects. Future projects that establish emergency shelters, transitional housing, supportive housing, or permanent supportive housing may require additional environmental review as determined on a project-by-project basis.

#### **F. COMMUNITY PLANNING GROUP (CPG)**

On November 7, 2020, PDS staff presented at the quarterly Community Planning Group (CPG) and Community Sponsor Group (CSG) Chair's meeting to gather input. The CPG and CSG Chairs' main comments were whether the County Zoning Ordinance amendments would push people experiencing homelessness away from highly visible areas into the less frequented unincorporated areas. Staff advised that amending the Zoning Ordinance to expand the properties where Emergency Shelters and transitional and supportive housing can be located will potentially increase the number of safe facilities where people can go. Staff further clarified that the Zoning Ordinance amendments would not relocate individuals experiencing homelessness away from known locations of homeless gatherings or to areas that do not provide necessary services to assist people experiencing homelessness.

On December 8, 2020, PDS staff presented the project as an informational item to the Jamul/Dulzura CPG. CPG members asked what types of amenities would be offered at shelter facilities, where these facilities would be located, and if the amendments exempting these shelter facilities from the Zoning Ordinance would also exempt the projects related to these facilities from CPG reviews. The Zoning Ordinance amendments do not include the types of amenities these shelter facilities will provide. Amenities and shelter placements will be overseen by other County departments, such as the Health and Human Services Agency (HHSA) and the Department of General Services (DGS), and will be determined at a future date. In addition, throughout the future process, there are opportunities for public notification and input. Board Policy G-16 requires written notification to CPG and CSGs at least 60 days before acquiring or expanding a facility or acquiring land if a proposed facility may have potential public concerns resulting from the proposed facility use or other environmental considerations. Therefore, if



these amendments are adopted, CPGs and CSGs will be notified the same way they are notified for other County-owned or leased projects exempt from the Zoning Ordinance. Also, when the cost to acquire exceeds \$500,000 or a lease exceeds \$10,000 a month over five years, Board approval is required. In coordination with HHSA, DGS would present the proposed acquisition to the Board in a public hearing, providing another opportunity for public input. Opportunities for public input on future projects are provided in the Location Framework (Attachment D).

If more specific outreach to the CPGs and CSGs is desired for the siting and placement of Emergency Shelters and transitional and supportive housing, a Board Policy would need to be established. Board Policy I-044 sets procedures for designing new County-owned local parks, which are exempt from the Zoning Ordinance. The policy states: “[t]he Department of Parks and Recreation, in conjunction with the designated community advisory group (e.g., planning or sponsor group, County Service Area Advisory Board, Revitalization Committee, or other designated advisory group), shall hold a minimum of two community workshops regarding the proposed park design project in the affected community. Additional workshops may be held as needed. The workshops may be conducted as part of the regularly scheduled meetings of the designated advisory group.”

#### **G. PUBLIC INPUT**

As part of the development of the proposed Zoning Ordinance amendments, Planning & Development Service (PDS) held meetings with and sought input from Community Planning and Sponsor Groups (CPGs and CSGs), stakeholders, community-based organizations, and interested parties. The interested parties were notified of outreach opportunities through the project’s website and GovDelivery subscription notification.

At a public webinar held November 17, 2020, comments included: (1) if the changes were limited to government-owned properties only, and (2) if a map could be obtained for the lands subject to the amendments. Staff confirmed that the amendments were limited to County, State, and federal properties and published a map of potential properties on the project website. An additional question received was like the concerns raised by SPG and CSG Chairs, pushing people experiencing homelessness away from highly visible areas into the less frequented unincorporated areas. Staff explained how the Zoning Ordinance amendments would not relocate individuals experiencing homelessness away from known locations of homeless gatherings or to areas that do not provide necessary services to assist people experiencing homelessness.

On December 2, 2020, PDS staff held a second public webinar to present the proposed Zoning Ordinance amendments, gather public input, and discuss any concerns. DPW staff also participated in the public webinar and presented the proposed County Code amendments. On June 8, 2021, June 17, 2021, August 25, 2021, and August 31, 2021, staff held additional public outreach efforts to receive public and stakeholder input on the draft Zoning Ordinance amendment language.

On May 19, 2021, May 25, 2021, May 26, 2021, and June 5, 2021, HHSA held public webinars to receive community input on establishing a framework for appropriate siting of Emergency Shelters, Transitional and Supportive Housing, and related support services. Additionally, HHSA conducted three engagement sessions at existing community group meetings and four sessions in homeless encampments.

As a result of these efforts, several factors were identified that would be considered together with any Board input in developing a final framework for decisions regarding facility placement. These factors include:

- Location in the community where unsheltered people live,
- Availability to health and social services,
- Accessibility of transportation options, and
- Strong interest by those with lived experience in safe parking and RV parking.

On August 13, 2021, a 30-day Public Review was initiated to present the draft Zoning Ordinance amendment language and the Location Framework, demonstrating the four-step review process HHSA will take to identify, evaluate, and potentially site facilities and services allowable under the zoning ordinance amendment.

Comments, questions, and concerns gathered during the public outreach efforts assisted staff in crafting the recommendations presented today.

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**Report Approved By:**

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**AUTHORIZED REPRESENTATIVE:**

p.p.

  
KATHLEEN FLANNERY, ACTING DIRECTOR

**ATTACHMENTS:**

- Attachment A – An Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations (POD-20-008) - Clean Copy
- Attachment B – An Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations (POD-20-008) – Strike-Out/Underline Copy
- Attachment C – Environmental Documentation
- Attachment D – Location Framework and Siting Criteria
- Attachment E – Public Comments

Attachment A – An Amendment to the San  
Diego County Zoning Ordinance Related to  
Applicability of the Zoning Ordinance,  
Definitions, Emergency Shelter  
Classification, and General Regulations -  
Clean Copy

Ordinance No. XXXXX  
Meeting Date: XX/XX/XX (XX)

## ORDINANCE NO. XXXXX(NEW SERIES)

### AN AMENDMENT TO THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO APPLICABILITY OF THE ZONING ORDINANCE, DEFINITIONS, EMERGENCY SHELTER CLASSIFICATION, AND GENERAL REGULATIONS (POD-20-008)

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

**Section 1.** The Board of Supervisors finds and determines that the Zoning Ordinance should be updated by amending or adding various sections regarding Basic Provisions, Definitions, Use Regulations, Residential Use Regulations, and Commercial Use Regulations. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare.

**Section 2.** Section 1006 APPLICABILITY OF THE ZONING ORDINANCE is amended to read as follows:

#### SEC. 1006 APPLICABILITY OF THE ZONING ORDINANCE

- a. [NO CHANGE]
- b. The Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County-owned or operated facilities and facilities that are financed in whole or in part by the County, leased or contracted by a third party to provide a public purpose, including but not limited to County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations, or facilities for public services and health services such as Transitional and Supportive Housing.
- c. [NO CHANGE].
- d. [NO CHANGE]
- e. [NO CHANGE]
- f. [NO CHANGE]
- g. The Zoning Ordinance shall not apply to the development, use or improvement of new or existing Emergency Shelters, as classified in Section 1334, located on or to be located on properties owned or leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. Section 1006, subsection (g), applies only to Emergency Shelters located in areas to address homelessness and related public health, safety, and welfare issues.

**Section 3.** Section 1110 DEFINITIONS S of the Zoning Ordinance is amended to read as follows:

1. Supportive Housing (Permanent): Shall have the meaning prescribed in Health and Safety Code 50490 (I), The design of the structures determines Family Residential or Group Residential Use Type.

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**Section 5.** Section 1334 EMERGENCY SHELTERS of the Zoning Ordinance is amended to read as follows:

## SEC. 1334. EMERGENCY SHELTERS

The Emergency Shelters Use Type refers to housing or shelter, including non-congregate shelter, for persons experiencing homelessness. The following are non-exhaustive Emergency Shelters use types:

- a. Emergency Shelter as defined by subdivision (e) of Section 50801 of the Health and Safety Code.
- b. Emergency Shelter: Day Shelter Facilities. Facilities where food and/or social services are made available to persons experiencing homelessness and overnight sleeping is prohibited.
- c. Emergency Shelter: Emergency Bridge Housing Community. Shall have the meaning prescribed in the Government Code Section 8698(e).
- d. Emergency Shelter: Homeless Shelters as defined by subdivision (a) of Section 8698.4 of the Government Code.
- e. Emergency Shelter: Safe Camping Facilities. Shall mean a tent, or a relocatable hard-sided shelter, that is receiving direct financial assistance from the County of San Diego, State of California or the Federal Government, designed to be used within a location on or to be located on properties 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, or on federally-owned or state-owned public lands, and are within the County of San Diego. A relocatable hard-sided shelter may contain plumbing, an electrical system and electrical space conditioning equipment complying with the electrical and mechanical regulations and supplied by the lot service equipment.
- f. Emergency Shelter: Safe Parking Facilities. Shall include a location within or to be located on properties 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, or on federally-owned or state-owned public lands within the County of San Diego and specifically be identified as allowed for over-night parking by persons experiencing homelessness. Safe Parking Facilities shall include small structures including but not limited to restrooms, security posts, or offices for social service providers. Safe Parking Facilities will not be located at an RV park or a mobilehome park.
- g. Emergency Shelter: Safe Storage Facilities. Shall include containers or buildings that are located on property owned, or leased by the County, State, or Federal Government, or incidental to any other Emergency Shelter.

**Section 10.** Sections 6911 GENERAL REGULATIONS FOR EMERGENCY SHELTERS of the Zoning Ordinance are amended to read as follows:

## SEC. 6911 EMERGENCY SHELTERS

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes, except when subsection (g) Section 1006 applies, and any requirements imposed by the State Department of Housing and Community Development:

- a. The maximum number of clients permitted to be served (eating, showering or sleeping) nightly shall not exceed 1 per 125 sq. ft. of floor area. There shall be one bed provided for each client.

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- b. Off street parking shall be provided as follows: one parking space per employee on site at the same time and one additional space for every 6 client beds or portion thereof.
- c. The client waiting and/or intake areas shall be as follows:
  - 1. The interior waiting/intake area for a facility with 14 or fewer beds shall be no less than 125 sq. ft. and for a facility with 15 or more beds shall be no less than 200 sq. ft. in area.
  - 2. The exterior waiting/intake area shall be no less than 450 sq. ft. for facilities with 14 beds or fewer. The exterior waiting/intake area shall be no less than 900 sq. ft. for facilities with 15 beds or more. Exterior waiting/intake areas shall be screened from view from surrounding properties by solid fencing of not less than 6 feet in height. Fencing shall conform to the requirements of Section 6700 et. seq.
- d. An individual or individuals who do not utilize the homeless beds and/or services and who maintain their own residence off site may be eligible as on site manager(s). Each facility shall have manager(s) present onsite 24 hours per day, 7 days per week. At a minimum, one on site manager and one supporting staff member of the same sex shall be provided in each segregated sleeping area being used.
- e. Segregated sleeping, lavatory and bathing areas shall be provided if the Emergency Shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.
- f. No Emergency Shelter shall be located within 300 feet of another Emergency Shelter.
- g. No client shall be allowed to stay more than 180 consecutive days or 300 overall days within any 12 month period of time.
- h. Lighting shall be provided in all parking areas, exterior intake and/or waiting areas and outside common areas. Outdoor lighting shall conform to all provisions of Section 6324 of this Zoning Ordinance and Section 51.201 and following of the San Diego County Code.
- i. Adequate security shall be provided on site during all hours of operation.
- j. For purposes of this section, "client" is defined as a person who utilizes the Emergency Shelter facilities to eat, shower or sleep but is not a staff member.

This Ordinance shall take effect immediately after its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.



Ordinance No. XXXXX

Meeting Date: XX/XX/XX (XX)

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By: Justin Crumley, Senior Deputy County Counsel

Attachment B – An Amendment to the San  
Diego County Zoning Ordinance Related to  
Applicability of the Zoning Ordinance,  
Definitions, Emergency Shelter  
Classification, and General Regulations -  
Strike-Out/Underline Copy

Ordinance No. XXXXX  
Meeting Date: XX/XX/XX (XX)

## ORDINANCE NO. XXXXX(NEW SERIES)

### AN AMENDMENT TO THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO APPLICABILITY OF THE ZONING ORDINANCE, DEFINITIONS, EMERGENCY SHELTER CLASSIFICATION, AND GENERAL REGULATIONS (POD-20-008)

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

**Section 1.** The Board of Supervisors finds and determines that the Zoning Ordinance should be updated by amending or adding various sections regarding Basic Provisions, Definitions, Use Regulations, Residential Use Regulations, and Commercial Use Regulations. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare.

**Section 2.** Section 1006 APPLICABILITY OF THE ZONING ORDINANCE is amended to read as follows:

#### SEC. 1006 APPLICABILITY OF THE ZONING ORDINANCE

- a. [NO CHANGE]
- b. The Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County-owned or operated facilities and facilities that are financed in whole or in part by the County, leased or contracted by a third party to provide a public purpose, including but not limited to County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations, or facilities for public services and health services such as Transitional and Supportive Housing.
- c. [NO CHANGE].
- d. [NO CHANGE]
- e. [NO CHANGE]
- f. [NO CHANGE]
- g. The Zoning Ordinance shall not apply to the development, use or improvement of new or existing Emergency Shelters, as classified in Section 1334, located on or to be located on properties owned or leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. Section 1006, subsection (g), applies only to Emergency Shelters located in areas to address homelessness and related public health, safety, and welfare issues.

**Section 3.** Section 1110 DEFINITIONS S of the Zoning Ordinance is amended to read as follows:

1. Supportive Housing (Permanent): Shall have the meaning prescribed in Health and Safety Code 50490 (l), The design of the structures determines Family Residential or Group Residential Use Type.

Ordinance No. XXXXX

Meeting Date: XX/XX/XX (XX)

**Section 5.** Section 1334 EMERGENCY SHELTERS of the Zoning Ordinance is amended to read as follows:

## SEC. 1334. EMERGENCY SHELTERS

~~The Emergency Shelters use type refers to housing as defined by subdivision (e) of Section 50801 of the Health and Safety Code.~~

The Emergency Shelters Use Type refers to housing or shelter, including non-congregate shelter, for persons experiencing homelessness. The following are non-exhaustive Emergency Shelters use types:

- a. Emergency Shelter as defined by subdivision (e) of Section 50801 of the Health and Safety Code.
- b. Emergency Shelter: Day Shelter Facilities. Facilities where food and/or social services are made available to persons experiencing homelessness and overnight sleeping is prohibited.
- c. Emergency Shelter: Emergency Bridge Housing Community. Shall have the meaning prescribed in the Government Code Section 8698(e).
- d. Emergency Shelter: Homeless Shelters as defined by subdivision (a) of Section 8698.4 of the Government Code.
- e. Emergency Shelter: Safe Camping Facilities. Shall mean a tent, or a relocatable hard-sided shelter, that is receiving direct financial assistance from the County of San Diego, State of California or the Federal Government, designed to be used within a location on or to be located on properties 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, or on federally-owned or state-owned public lands, and are within the County of San Diego. A relocatable hard-sided shelter may contain plumbing, an electrical system and electrical space conditioning equipment complying with the electrical and mechanical regulations and supplied by the lot service equipment.
- f. Emergency Shelter: Safe Parking Facilities. Shall include a location within or to be located on properties 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, or on federally-owned or state-owned public lands within the County of San Diego and specifically be identified as allowed for over-night parking by persons experiencing homelessness. Safe Parking Facilities shall include small structures including but not limited to restrooms, security posts, or offices for social service providers. Safe Parking Facilities will not be located at an RV park or a mobilehome park.
- g. Emergency Shelter: Safe Storage Facilities. Shall include containers or buildings that are located on property owned, or leased by the County, State, or Federal Government, or incidental to any other Emergency Shelter.

**Section 10.** Sections 6911 GENERAL REGULATIONS FOR EMERGENCY SHELTERS of the Zoning Ordinance are amended to read as follows:

## SEC. 6911 EMERGENCY SHELTERS

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes, except when subsection (g) Section 1006 applies, and any requirements imposed by the State Department of Housing and Community Development:

- a. The maximum number of clients permitted to be served (eating, showering or sleeping)

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- nightly shall not exceed 1 per 125 sq. ft. of floor area. There shall be one bed provided for each client.
- b. Off street parking shall be provided as follows: one parking space per employee on site at the same time and one additional space for every 6 client beds or portion thereof.
  - c. The client waiting and/or intake areas shall be as follows:
    - 1. The interior waiting/intake area for a facility with 14 or fewer beds shall be no less than 125 sq. ft. and for a facility with 15 or more beds shall be no less than 200 sq. ft. in area.
    - 2. The exterior waiting/intake area shall be no less than 450 sq. ft. for facilities with 14 beds or fewer. The exterior waiting/intake area shall be no less than 900 sq. ft. for facilities with 15 beds or more. Exterior waiting/intake areas shall be screened from view from surrounding properties by solid fencing of not less than 6 feet in height. Fencing shall conform to the requirements of Section 6700 et. seq.
  - d. An individual or individuals who do not utilize the homeless beds and/or services and who maintain their own residence off site may be eligible as on site manager(s). Each facility shall have manager(s) present onsite 24 hours per day, 7 days per week. At a minimum, one on site manager and one supporting staff member of the same sex shall be provided in each segregated sleeping area being used.
  - e. Segregated sleeping, lavatory and bathing areas shall be provided if the Emergency Shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.
  - f. No Emergency Shelter shall be located within 300 feet of another Emergency Shelter.
  - g. No client shall be allowed to stay more than 180 consecutive days or 300 overall days within any 12 month period of time.
  - h. Lighting shall be provided in all parking areas, exterior intake and/or waiting areas and outside common areas. Outdoor lighting shall conform to all provisions of Section 6324 of this Zoning Ordinance and Section 51.201 and following of the San Diego County Code.
  - i. Adequate security shall be provided on site during all hours of operation.
  - j. For purposes of this section, "client" is defined as a person who utilizes the Emergency Shelter facilities to eat, shower or sleep but is not a staff member.

This Ordinance shall take effect immediately after its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Ordinance No. XXXXX

Meeting Date: XX/XX/XX (XX)

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By: Justin Crumley, Senior Deputy County Counsel



## Attachment C – Environmental Documentation



# County of San Diego

**KATHLEEN A. FLANNERY**  
ACTING DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
www.SDCPDS.org

**VINCE NICOLETTI**  
ACTING ASSISTANT DIRECTOR

## **AN ADDENDUM TO THE PREVIOUSLY ADOPTED ENVIRONMENTAL IMPACT REPORT FOR THE COUNTY OF SAN DIEGO GENERAL PLAN UPDATE, LOG NO. 02-ZA-001**

### **FOR PURPOSES OF CONSIDERATION OF AN AMENDMENT TO THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO APPLICABILITY OF THE ZONING ORDINANCE, DEFINITIONS, EMERGENCY SHELTER CLASSIFICATION, AND GENERAL REGULATIONS PDS2020-POD-20-008; LOG NO. PDS2020-ER-20-20-001**

**September 17, 2021**

**CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted EIR or Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR or subsequent Negative Declaration have occurred.**

#### **Discussion:**

There are some minor changes and additions, which need to be included in an Addendum to the previously certified Environmental Impact Report (EIR) to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add An Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations
2. To the Project Numbers add PDS2020-POD-20-008; PDS2020-ER-20-20-001
3. To the first paragraph add as indicated: "The EIR for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated September 17, 2021, which includes the following forms attached."
  - A. The previously adopted Environmental Impact Report, dated August 3, 2011;

- B. An Addendum to the previously adopted Environmental Impact Report with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated September 17, 2021.



# County of San Diego

**KATHLEEN A. FLANNERY**  
DIRECTOR (Acting)

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
[www.sdcountry.ca.gov/pds](http://www.sdcountry.ca.gov/pds)

**VINCE NICOLETTI**  
ASSISTANT DIRECTOR  
(Acting)

**September 17, 2021**

## **Environmental Review Update Checklist Form For Projects with Previously Approved Environmental Documents**

**FOR PURPOSES OF CONSIDERATION OF AN AMENDMENT TO THE SAN DIEGO  
COUNTY ZONING ORDINANCE RELATED TO APPLICABILITY OF THE ZONING  
ORDINANCE, DEFINITIONS, EMERGENCY SHELTER CLASSIFICATION, AND GENERAL  
REGULATIONS  
PDS2020-POD-20-008; PDS2020-ER-20-20-001**

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the Zoning Ordinance Amendments Emergency Shelters and Housing Facilities.

### **1. Background on the previously certified EIR:**

A Program EIR for the County's General Plan Update, Environmental Review Number 02-ZA-00, State Clearing House Number 2002111067, was certified by the Board of Supervisors on August 3, 2011 (GPU EIR). The GPU EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural And Paleontological Resources; 6) Geology And Soils; 7) Hazards and Hazardous Materials; 8) Hydrology and Water Quality; 9) Land Use and Planning; 10) Mineral Resources; 11) Noise; 12) Population and Housing; 13) Public Services; 14) Recreation; 15) Transportation and Traffic; 16) Utilities and Service Systems, and 17) Climate Change.

Of these seventeen environmental subject areas, it was determined that only Geology/Soils and Population/Housing would not involve potentially significant impacts. The remaining environmental issues evaluated included impacts that would be significant and unavoidable except for the following four subject areas in which all impacts would be mitigated below a level of significance: Cultural and Paleontological Resources, Land Use and Planning, Recreation, and Climate Change. For those areas in which environmental impacts will remain significant and unavoidable, even with the implementation of mitigation measures, overriding

## EMERGENCY SHELTERS &amp; HOUSING FACILITIES

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considerations exist which make the impacts acceptable. The GPU EIR is on file with the County of San Diego, Planning and Development Services.

2. Lead agency name and address:  
 County of San Diego, Planning & Development Services  
 5510 Overland Avenue, Suite 110  
 San Diego, CA 92123
- a. Contact: Audrey Hamilton, Project Manager  
 b. Phone number: (619) 323-6255  
 c. E-mail: Audrey.Hamilton@sdcounty.ca.gov

3. Project applicant's name and address:

County of San Diego  
 Planning & Development Services  
 5510 Overland Ave., Suite 310  
 San Diego, CA 92123

4. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES

☒

NO

☐

The Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations relates specifically to Emergency Shelters, Transitional and Supportive Housing. The amendment to the County of San Diego Zoning Ordinance is to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities. No development is being proposed by the project under this discretionary action.

The changes to the Zoning Ordinance described above would not involve substantial changes in the magnitude of impacts identified in the GPU EIR. As explained in this Environmental Update Checklist, none of the proposed changes require major revisions of the GPU EIR due to new significant effects or the substantial increase in the severity of previously identified effects. There are no substantial changes with respect to the circumstances under which the proposed Zoning Ordinance Amendments for Emergency Shelters and Housing Facilities is undertaking that requires major revisions of the GPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

There is new information of substantial importance. The project would exempt County-owned, operated (by County or through a third party) Emergency Shelters and Housing Facilities from the Zoning Ordinance, which could not have been known with the exercise of reasonable diligence at the time the GPU EIR was certified. However, the project would not result in significant effects, or more severe effects, than the GPU EIR. The project does not propose any development under this discretionary action, and future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary.

5. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Geology & Soils

☐ Hydrology & Water Quality

☐ Noise

☐ Recreation

☐ Utilities & Service Systems

☐ Agriculture and Forest Resources

☐ Cultural Resources

☐ Greenhouse Gas Emissions

☐ Land Use & Planning

☐ Population & Housing

☐ Transportation/Traffic

☐ Wildfire

☐ Air Quality

☐ Energy

☐ Hazards & Haz Materials

☐ Mineral Resources

☐ Public Services

☐ Tribal Cultural Resource

☐ Mandatory Findings of Significance



**DETERMINATION:**

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previously certified EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR or ND is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with an EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

---

**Audrey Hamilton**

Signature

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**September 17, 2021**

Date

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**Audrey Hamilton**

Printed Name

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**Project Manager**

Title

**INTRODUCTION**

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 states that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
  - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

#### ENVIRONMENTAL REVIEW UPDATE CHECKLIST

**I. AESTHETICS** – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

☐

NO

☒

The GPU EIR identified impacts to scenic vistas, scenic resources, visual character or quality, and light and glare as potentially significant. Impacts to scenic vistas and resources were less than significant with mitigation; however, impacts to visual character or quality and light or glare were significant and unavoidable.

The Zoning Ordinance Amendments relating to Emergency Shelters and Housing Facilities would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

Future building or improvements to Emergency Shelters and Housing Facilities could potentially result in impacts to scenic vistas, scenic resources, and visual character or quality as would other building and housing developments. This project does not propose any development under this discretionary action. Furthermore, persons experiencing homelessness living on the streets has a negative visual connotation in communities. In order to provide the needed shelter and improve public services, the Emergency Shelters and Housing Facilities would be located in areas to address homelessness and related public health, safety, and welfare issues. By locating the shelters in areas to address homelessness and related public health, safety, and welfare issues, the population of persons experiencing homelessness would be concentrated to one location, compared to the baseline conditions. The County of San Diego has presented the Framework for Siting Emergency Shelters, Transitional and Supportive Housing, or Homeless Services in Unincorporated San Diego County (Location Framework) which is intended to apply to the subsequent projects that are County-owned, operated, financed, leased, and/or contracted Emergency Shelters or Housing Facilities. The Location Framework demonstrates the four-step review process the County will take, to identify, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment. Additionally, the Location Framework includes a high-level internal process the

## EMERGENCY SHELTERS &amp; HOUSING FACILITIES

September 17, 2021

subsequent Emergency Shelters, and Housing Facilities would progress through when a future project is planned. This internal process does include steps for future CEQA analysis.

The project does not propose any development under this discretionary action. Future development or improvement of new or existing emergency shelter facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. Subsequent projects would be required to utilize the County's Guidelines for Determining Significance for Visual Resources as identified by GPU EIR mitigation measure AES-1.3. Subsequent projects would also be required to conform to the County's General Plan policies such as Policy LU-6.9: Development Conformance with Topography, Policy COS-11.1: Protection of Scenic Resources, and Policy COS-11.3: Development Siting and Design. As identified by the GPU EIR, these policies would require development to conform to the natural topography to limit grading; require the protection of scenic highways, corridors, and regionally significant scenic vistas and natural features; as well as require development in visually sensitive areas to minimize visual impacts to preserve unique and special visual features.

Lastly, Emergency Shelters and Housing Facilities are not expected to cause any significant impacts to light or glare because future project lighting would be required to conform to the County's Light Pollution Code as well as the County's Guidelines for Determining Significance for Dark Skies and Glare as identified by the GPU EIR mitigation measures Aes-4.2.

Therefore, the project would not have a substantial adverse effect on visual resources that have not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR, or other measures, would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on visual resources, and future development and improvement of emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on visual resources.

**II. AGRICULTURE AND FORESTRY RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES  
☐

NO  
☒

Agricultural Resources

## EMERGENCY SHELTERS &amp; HOUSING FACILITIES

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The GPU EIR identified impacts to conversion of agricultural resources, land use conflicts, and indirect conversion of agricultural resources as potentially significant. Land use conflicts were determined to be less than significant with mitigation; however, direct and indirect conversion of agricultural resources were determined to be significant and unavoidable.

The project could potentially impact agricultural resources for any new construction on undisturbed soils. However, Emergency Shelters and Housing Facilities would be located in areas to address homelessness and related public health, safety, and welfare issues. Agricultural resources are less likely to be located in such areas. In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Agricultural Resources as identified by GPU EIR mitigation measure Agr-1.2. and apply project-specific mitigation, if necessary, such as PACE credits, as identified by GPU EIR mitigation measure Agr-1.4. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy COS-6.2: Protection of Agricultural Operations and Policy COS-6.4: Conservation Easements. As identified by the GPU EIR, these policies would require development to protect existing agricultural operations from the encroachment of incompatible land uses; and support the acquisition or voluntary dedication of agricultural conservation easements and programs that preserve agricultural lands.

Therefore, the project would not have a substantial adverse effect on agricultural resources that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR, or other measures, would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on agricultural resources, and future development and improvement of emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on agricultural resources.

### Forestry Resources

Forestry Resources were not specifically analyzed under the GPU EIR because Appendix G of the State CEQA Guidelines was amended to include significance criteria for forestry resources after the release of the Notice of Preparation for the GPU EIR.

The project could potentially impact forestry resources since it is unknown at this time if future project locations would contain forest lands as defined in Public Resources Code section 12220(g). However, the County of San Diego does not have any existing Timberland Production Zones, land zoned for timberland, or land zoned for forest lands.

The project does not propose any development under this discretionary action. Future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project



development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and apply appropriate mitigation, as necessary. In addition, subsequent projects would be required to conform to the County's General Plan Policies such as Policy LU-6.1: Environmental Sustainability and Policy LU-6.6 Integration of Natural Features into Project Design. These measures would require the protection of intact or sensitive natural resources for the long-term sustainability of the natural environment, and require the incorporation of natural features into proposed development to avoid sensitive environmental resources.

Therefore, the project would not have a substantial adverse effect on forestry resources. Because the project does not propose development under this discretionary action, implementation of the project would not result in significant adverse effects on agricultural resources, and future development and improvement of emergency shelter facilities would be required to conduct subsequent CEQA review, the project would not contribute to a cumulatively considerable effect on forestry resources.

**III. AIR QUALITY** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES  
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NO  
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The GPU EIR identified impacts to air quality plans and from objectionable odors as less than significant. Impacts from air quality violations, non-attainment criteria pollutants, and sensitive receptors were determined to be significant and unavoidable.

Project air quality emissions during construction would be sourced from worker vehicle trips as well as grading and construction equipment such as tractors, graders, excavators, and cranes. Project operational air quality emissions would likely be sourced from employee/volunteer vehicle trips to and from the facility as well as picking up persons experiencing homelessness to be brought to the facility. The project could potentially impact air quality since it is unknown at this time the vehicle trips associated with future Emergency Shelters and Housing Facilities or how many Emergency Shelters and Housing Facilities would be constructed concurrently. However, the Emergency Shelters and Housing Facilities are not expected to generate a significant number of trips due to the facilities likely operating as locally serving and persons experiencing homelessness not usually owning cars, and this project is not intended to increase car ownership within the population of persons experiencing homelessness. For the persons experiencing homelessness who do own cars and would park at the facilities, no changes to project trips are expected compared to baseline conditions. This is because future projects would be located in areas to address homelessness and related public health, safety, and welfare issues.



In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Air Quality, as identified by the GPU EIR mitigation measure Air-2.6. Subsequent projects would also be required to conform to the County's General Plan Policies such as COS-14.1: Land Use Development Form, COS-14.8: Minimize Air Pollution, and COS-14.10: Low-Emission Construction Vehicles and Equipment. As identified by the GPU EIR, these policies would require that development be located and designed to reduce vehicle trips; minimize land use conflicts that expose people to significant amounts of air pollutants, and require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.

Therefore, the project would not have a substantial adverse effect on air quality that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR or other measures would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on air quality, and future development and improvement of emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on air quality.

**IV. BIOLOGICAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES  
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NO  
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The GPU EIR identified potentially significant impacts to special status species, riparian habitat, and other sensitive natural communities, federally protected wetlands, and wildlife movement corridors. Federally protected wetlands were found to be less than significant with mitigation; however, special status species, riparian habitat and other sensitive natural communities, and wildlife movement corridors were found to be significant and unavoidable. Local policies and ordinances, and habitat conservation plans, and natural community conservation plans, were determined to be less than significant.

The project could potentially impact biological resources for any new construction. Since we do not know the locations of future subsequent projects, assessment of specific biological resources impacts at this time is not possible. However, the project does not propose any development under this discretionary action. Future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Biological Resources, as identified by GPU EIR mitigation measure Bio-1.5. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy COS-1.9: Invasive Species, Policy COS-2.2: Habitat Protection through Site Design, and Policy COS-3.1: Wetland Protection. As identified by the GPU EIR, these policies require new development adjacent to biological preserves to use non-invasive plants in landscaping; require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design, and require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.

Therefore, the project would not have a substantial adverse effect on biological resources that have not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR or other measures would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on air quality, and future development and improvement of emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures as necessary, the project would not contribute to a cumulatively considerable effect on biological resources.

**V. CULTURAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

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NO

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The GPU EIR identified potentially significant impacts to historical resources, archaeological resources, paleontological resources, and human resources. All issue topics were determined to be less than significant with mitigation.

The project could potentially impact cultural resources for any new construction or conversion of historic structures. However, the project does not propose any development under this discretionary action. Future development or improvement of new or existing Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation

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measures or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Cultural Resources and County's Guidelines for Determining Significance for Paleontological Resources, as identified by GPU EIR mitigation measure Cul-1.6 and Cul-3.2. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy COS-7.1: Archaeological Protection, Policy COS-7.3: Archaeological Collections, Policy COS-9.1: Preservation, and Policy COS-7.5: Treatment of Human Remains. As identified by the GPU EIR, these policies require the preservation and treatment of important archaeological resources or collections in a culturally appropriate manner; require the salvage and preservation of unique paleontological resources when exposed to the elements during excavation, grading activities, or other development processes; and require human remains be treated with utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant and under the requirements of the Federal, State and County Regulations.

Therefore, the project would not have a substantial adverse effect on cultural resources that have not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR or other measures would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on cultural resources, and future development and improvement of Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on cultural resources.

**VI. ENERGY USE** – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or “new information of substantial importance” that result in one or more effects from energy including: wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; and/or conflict with or obstruct a state or local plan for renewable energy or energy efficiently?

YES  
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NO  
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Energy use was not specifically analyzed within the GPU EIR as a separate issue area under CEQA. At the time, Energy Use was contained within Appendix F of the CEQA Guidelines and since then, has been moved to the issue areas within Appendix G of the CEQA Guidelines. However, the issue of energy use, in general, was discussed within the GPU and GPU EIR. For example, within the Conservation and Open Space Element of the GPU, Goal COS-15 promotes sustainable architecture and building techniques that reduce emissions of criteria pollutants and GHGs, while protecting public health and contributing to a more sustainable environment. Policies COS-15.1, COS-15.2, and COS-15.3 would support this goal by encouraging the design and construction of new buildings and upgrades of existing buildings to maximize energy efficiency and reduce GHG. Goal COS-17 promotes sustainable solid waste management. Policies COS-17.1 and COS-17.5

would support this goal by reducing GHG emissions through waste reduction techniques and methane recapture.

The project would increase the demand for electricity and potentially natural gas at future project sites, and gasoline consumption at the project site during construction and operation. CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]). Neither the law nor the State CEQA Guidelines establish criteria that define wasteful, inefficient, or unnecessary use. Compliance with the California Code of Regulations 2019 Title 24 Part 6 Building Code would result in highly energy-efficient buildings. However, compliance with building codes does not adequately address all potential energy impacts during construction and operation.

#### Grading and Construction

During the grading and construction phases of future projects, the primary energy source utilized would be petroleum from construction equipment and vehicle trips. To a lesser extent, electricity would also be consumed for the temporary electric power for as-necessary lighting and electric equipment. Activities including electricity would be temporary and negligible; therefore, electricity use during grading and construction would not result in wasteful, inefficient, or unnecessary consumption of energy. In addition, natural gas is not anticipated to be required during the construction of future subsequent projects. Any minor amounts of natural gas that may be consumed as a result of project construction would be temporary and negligible and would not have an adverse effect; therefore, natural gas used during grading and construction would also not result in inefficient, or unnecessary consumption of energy.

The electricity needed for the project grading and construction would be temporary and is not anticipated to require additional capacity or increase peak or base period demands for electricity or other forms of energy. Future subsequent projects would rely on petroleum consumption throughout the grading as well as the construction phases. Fuel consumed by construction equipment would be the primary energy resource expended over the course of grading and construction. Vehicle trips associated with the transportation of construction materials and construction workers' commutes would also result in petroleum consumption but to a lesser extent. Petroleum consumptions would be necessary for the operation and maintenance of construction equipment and would not be beyond what is necessary for future subsequent projects. In addition, projects would be required to conform to General Plan Policy COS-14.10: Low-Emission Construction Vehicles and Equipment. As identified by the GPU EIR, this policy would require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.

Future subsequent projects would also be required to comply with the Construction and Demolition Materials Diversion Ordinance (Sections 68.511 through 68.518 of the County Code of Regulatory Ordinances). The ordinance requires that 90% of inert material (concrete, asphalt, dirt, etc.) and 65% of all other materials must be recycled from the project. The ordinance also requires projects to recycle or reuse 100% of excavated soils, trees, stumps, rocks, and vegetation. In order to comply with the ordinance, proponents must submit a Debris Management Plan and a fully refundable Performance Guarantee prior to building permit issuance. This ultimately will result in less energy use overall as the demolished materials will be reused after recycling.

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Due to the aforementioned factors, the project's energy consumption during grading and construction would not be considered wasteful, inefficient, or unnecessary.

Operational

Operation of future subsequent projects would be typical of civic use types, if not less, requiring natural gas for space and water heating and potential landscape maintenance activities, if required. The Health and Safety Code Section 50801(e) defines Emergency Shelters as "housing with minimal supportive services for homeless persons that are limited to occupancy of six months or less by a homeless person." Indirect energy use would include wastewater treatment and solid waste removal at offsite facilities.

As per the stipulations within the changes to the Zoning Ordinance, Emergency Shelters and Housing Facilities would be located in areas to address homelessness and related public health, safety, and welfare issues, reducing the amount of employee/volunteer trips required. In addition, over time the fuel efficiency of vehicles is expected to increase as older vehicles are replaced with newer, more efficient models throughout the lifetime of the subsequent projects. As such, the amount of petroleum consumed as a result of vehicle trips to and from the project site during operation would decrease over time. State and Federal regulations regarding standards for vehicles (e.g. Advanced Clean Cars Program, CAFÉ Standards) are designed to reduce wasteful, unnecessary, and inefficient use of fuel. The coupling of various State policies and regulations such as the Zero-Emissions Vehicles Mandate and Senate Bill 350 would result in the deployment of electric vehicles which would be powered by an increasingly renewable electrical grid. These actions would reduce energy use compared to other similar projects.

Subsequent projects would likely use electricity for the site and employee parking lot lighting. Subsequent projects would be required to meet Title 24 of the California Building Code, which establishes energy efficiency standards for buildings to reduce energy demand and consumption. In addition, future subsequent projects would be required to meet CALGreen Standards such as carpool and vanpool-only parking spaces, and electric vehicle-only parking. Subsequent projects would also be required to conform to the County's General Plan policies discussed at the beginning of Energy Use.

Due to the aforementioned factors, the project's energy consumption during grading and construction would not be considered wasteful, inefficient, or unnecessary.

The County of San Diego has presented the Framework for Siting Emergency Shelters, Transitional and Supportive Housing, or Homeless Services in Unincorporated San Diego County (Location Framework) which is intended to apply to the subsequent projects that are County-owned, operated, financed, leased, and/or contracted Emergency Shelters or Housing Facilities. The Location Framework demonstrates the four-step review process the County will take, to identify, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment. Of which Vehicle Miles Traveled is a criterion the County will review when identifying potential future sites. Additionally, the Location Framework includes a high-level internal process the subsequent Emergency Shelters, and Housing Facilities would progress through when a future project is planned. This internal process does include steps for future CEQA analysis.

Therefore, the project would not have a substantial adverse effect on energy use that has not been adequately analyzed by the GPU EIR. Because the project does not propose any development



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under this discretionary action, implementation of the project would not result in significant adverse effects on energy use, and future development and improvement of County-owned emergency shelter facilities would be required to conduct subsequent CEQA, the project would not contribute to a cumulatively considerable effect on energy use.

**VII. GEOLOGY AND SOILS** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

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NO

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The GPU EIR identified impacts to exposure to seismic-related hazards, soil erosion or topsoil loss, soil stability, expansive soils, wastewater disposal systems, and unique geologic features as less than significant. No mitigation was required.

No development is proposed under this discretionary action as part of the project. Future subsequent projects could be hindered by a range of site development encumbrances such as a location near an earthquake fault, located on unstable geological unit or soil, or located on expansive soils. However, future subsequent projects would be required to conform to the Seismic Requirements outlines within the California Building Code of Regulations, Title 24. In addition, the San Diego County Code Section 87.101 requires a soil compaction report with proposed foundation recommendation would be required to be approved before the approval of subsequent projects.

To reduce potential losses of topsoil, projects would also need to prepare Storm Water Pollution Prevention Plans (SWPPP) and Storm Water Quality Management Plans (SWQMP) for both construction and post-construction phases. The SWPPP would be required to be prepared in accordance with order No. 2009-009-DWQ, National Pollutant Discharge Elimination System (NPDES) order CAS000002 Construction General Permit (CGP) adopted by the State Water Resources Control Board (SWRCB) on September 9, 2009, or the most recent version adopted. The SWQMP would be required to be prepared in accordance with the County of San Diego BMP Design Manual (2019) and San Diego County Regional Water Quality Control Board (SDRWQCB) Order No. R9-2013-0001 Municipal Separate Storm Sewer System (MS4) permit (2013), as adopted by the RWQCB on May 8, 2013, or the most recent version adopted. The SWPPP and SWQMP specify and describe the implementation process of all Best Management Practices (BMPs) that would address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onside and downstream receiving waters. County staff would ensure that these plans are implemented as required. Moreover, future subsequent projects would be required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 and 87.417 for Drainage, Erosion Prevention, and planting. Compliance with these regulations minimizes the potential for water and wind erosion.

Therefore, compliance with County, State, and Federal requirements and regulations would ensure the project would not have a substantial adverse effect from geology and soils (i.e. strong seismic ground shaking, liquefaction, unstable geological unit or soil, or expansive soils).

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects from geology and soils, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review, including soils compaction reports, SWPPPs, and SWQMPs, the project would not contribute to a cumulatively considerable effect from geology and soils.

**VIII. GREENHOUSE GAS EMISSIONS** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

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NO

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The GPU EIR identified compliance with AB 32 and the potential effects of global climate change as potentially significant. Both issue topics were found to have a less than significant impact with mitigation but were found to have a significant cumulative contribution.

For background, in February 2018, the County Board of Supervisors adopted the County of San Diego Climate Action Plan (CAP) that included strategies and measures to reduce GHG emissions from the unincorporated County and County government operations. These strategies and measures were developed to reduce GHG emissions by 2020 and 2030, in line with the State's legislative GHG reduction targets through AB 32 and SB 32, and demonstrate progress toward the State's 2050 GHG reduction goal. In December 2018, because of a lawsuit filed against the County and the CAP, the San Diego County Superior Court issued a writ ordering the approval of the CAP and associated SEIR be set aside. In June 2020, this decision was upheld by the California Court of Appeal, Fourth District following the County's appeal of the San Diego County Superior Court decision, and the County Board of Supervisors subsequently rescinded approvals of the CAP, SEIR, and related approvals in September 2020. Through the holding of this decision, the County's CAP can no longer be considered the applicable plan in the unincorporated County for the purpose of reducing GHG emissions, and consistency with the CAP cannot be used as a determination of significance until such a time as it is reapproved in compliance with CEQA. However, GHG reduction strategies and measures included in the CAP continue to be implemented pending the preparation of an updated CAP for consideration by the County Board of Supervisors.

Until such time that a Climate Action Plan is adopted by the County, subsequent projects implemented would be required to comply with applicable GPU mitigation measures. This includes GPU mitigation measures CC-1.7, which states to incorporate the recommendations of the California Air Resources Board (CARB) related to climate change. Though CARB has not released a threshold of significance, CARB developed a 2017 Scoping Plan, which is intended

to reduce GHG emissions to meet the statewide targets set forth in AB 32 and SB 32 and provides examples of local actions that can be implemented to support the State's climate goals.

No project development is proposed under this discretionary action. However, it is reasonably foreseeable that the approval of the project could lead to the future development of homeless shelters, which would result in GHG emissions due to construction activities and operational aspects of the project (building energy use, employee/volunteer vehicle trips). However, Emergency Shelters and Housing Facilities would be located in areas to address homelessness and related public health, safety, and welfare issues, thereby reducing the trips required. In addition, future development or improvement of new or existing emergency shelter facilities would be required to conduct a subsequent environmental review prior to authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, as necessary. Several mitigation measures were identified by the GPU EIR, including CC-1.1, CC-1.5, CC-1.10, and CC-1.11, which encourages incentives for energy-efficient development, coordination with the San Diego County Water Authority and other water agencies, and implementation of the Ordinance Relating to Water Conservation for Landscaping. Although no development is proposed currently, these requirements, and other GPU EIR mitigation measures or other measures, would be implemented as feasible for future subsequent projects until such time a CAP is adopted by the County.

Therefore, the project would not have a substantial adverse effect on greenhouse gas emissions that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR or other measures would be applied to subsequent projects, as necessary.

Because the project does not propose development under this discretionary action, implementation of the project would not result in significant adverse effects on climate change, and future development and improvement of County-owned emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on greenhouse gas emissions.

**IX. HAZARDS AND HAZARDOUS MATERIALS** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of



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people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

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NO

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The GPU EIR identified potentially significant impacts to public airports, private airports, emergency response and evacuation plans, and wildland fires. Public airports, private airports, and emergency response and evacuation plans were determined to result in less than significant impacts with mitigation. Wildland fires were found to have a significant and unavoidable impact. Transport, use, and disposal of hazardous materials, accidental release of hazardous materials, hazards to schools, existing hazardous materials sites, and vectors, were all found to have less than significant impacts with no mitigation.

Future subsequent projects would not create a significant hazard to the public, including schools, or the environment, because projects would not involve the storage, use, transport, emission, or disposal of hazardous substances. Because the project does not involve development under this discretionary action, an analysis of listed hazardous materials sites cannot be completed at this time. However, if a subsequent project site is located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 or is otherwise known to have been subject to a release of hazardous substances, the applicant would be required to obtain valid permits or certifications from the County Department of Environmental Health and Quality prior to any project development. As part of this process, soil testing and remediation would be required if hazardous substances have been identified onsite.

Similar to hazardous materials sites, analysis of specific site airport safety cannot be determined at this time. Future subsequent projects could be located in the vicinity of a private or public airport or airstrip. However, future subsequent projects would be required to comply with the County of San Diego Guidelines for Determining Significance for Airport Hazards as well as Airport Land Use Compatibility Plans, as identified by GPU EIR mitigation measures Haz-1.1. and Haz-1.3. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy S-15.1: Land Use Compatibility and Policy S-15.3: Hazardous Obstructions within Airport Approach and Departure. These policies would require land uses surrounding airports to be compatible with the operation of each airport and would restrict the development of potentially hazardous obstructions or other hazards to flight from being located within airport approach areas, airport departure areas, or known flight pattern areas. Future project structures are also not expected to reach a significant height in elevation (i.e., 200 feet) that would cause an airport hazard concern.

The County has several implementation plans in regards to hazards: Operational Area Emergency Plan, Multi-Jurisdictional Hazard Mitigation Plan, San Diego County Nuclear Power Station Emergency Response Plan, Oil Spill Contingency Element, Emergency Water Contingencies Annex, and Energy Shortage Response Plan, and Dam Evacuation Plan. The project would not interfere with the aforementioned plans because it would not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. In addition, future subsequent projects would be required to conform to said hazard plans and would be analyzed under CEQA for project specific impacts.

The majority of the unincorporated County of San Diego is located within a high or very high fire hazard severity zone. Because of this, several fire standards and regulations have been established that are enforced per each individual project. Future subsequent projects would be required to comply with the regulations relating to emergency access, fuel modification, and water supply, as specified in the Consolidated Fire code. In addition, Fire Service Availability Letters are required prior to project approval as a standard project condition of approval. These letters are standard forms that are required to be filled out and signed by the fire authority operating in the project area and include information such as the closest fire station, and the estimated travel time for the fire authority to reach the project site. This estimated travel time is required to meet the travel response time indicated by the General Plan Safety Element.

The project would not cause current or future residents' exposure to vectors, including mosquitos, rats, or flies. Future subsequent projects would not involve, or support uses that would allow water to stand for a period of 72 hours or more (i.e. artificial lakes, agricultural ponds). Future projects would also not involve, or support uses that would produce or collect animal waste, such as equestrian facilities or agricultural operations.

Therefore, the project would not have a substantial adverse effect from hazards or hazardous materials that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR or other measures would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects related to hazardous materials and future development and improvement of County-owned emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect from hazards or hazardous materials.

**X. HYDROLOGY AND WATER QUALITY** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

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NO

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The GPU EIR identified potentially significant impacts to the following issue topics: water quality standards and requirements; groundwater supplies and recharge; erosion or siltation; flooding; exceed the capacity of stormwater systems; housing within a 100-year flood hazard area; impeding or redirecting flood flows; dam inundation and flood hazards; and seiche, tsunami and mudflow hazards. All issue topics were found to be less than significant with mitigation with the exception of water quality standards and requirements, and groundwater supplies and recharge, which were found significant and unavoidable.

Future projects would likely not be located on groundwater-dependent lots or interfere with groundwater supplies and recharge. The Emergency Shelters and Housing Facilities would be located in areas to address homelessness and related public health, safety, and welfare issues. Based on this, it is unlikely the location would be groundwater dependent. However, in the unlikely event that future subsequent project sites are groundwater dependent, the future development or improvement of new or existing emergency shelter facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Groundwater as identified by GPU EIR mitigation measure Hyd-1.5. In addition, Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy LU-8.2: Groundwater Resources, Policy LU-13.1: Adequacy of Water Supply, and Policy LU-13.2: Commitment of Water Supply. As identified by the GPU EIR, these policies would prohibit new development from exacerbating overdraft conditions, evaluate new groundwater-dependent development to assure a sustainable long-term supply of groundwater is available, coordinate water infrastructure planning with land use planning to maintain an acceptable availability of a high quality sustainable water supply, and require new development to identify adequate water resources in accordance with State law to support the development prior to project approval.

Future subsequent projects would not result in water quality impacts or increased erosion or siltation impacts beyond the GPU EIR analysis. As stated under VII. Geology and Soils, SWPPPs, and SWQMPs would be required to be prepared for both construction and post-construction phases. The SWPPP would implement the following typical erosion control BMPs: hydraulic stabilization and hydroseeding on disturbed slopes; County Standard lot perimeter protection detail and County Standard desilting basin for erosion control on disturbed flat areas; energy dissipater outlet protection for water velocity control; silt fencing, fiber rolls, gravel and sand bags, storm drain inlet protection and engineering desilting basin for sediment control; stabilized construction entrance, street sweeping and vacuuming for offsite tracking of sediment; and measures to control materials management and wastewater management. The purpose of the SWPPP is to prevent erosion and storm water pollution from entering downstream receiving water bodies. The SWQMP is enforced during the post-construction phase and requires projects to implement site design, source control, and structural BMPs to prevent potential pollutants from entering storm water runoff during project operations. Subsequent projects would also be required to conform to the County's Guidelines for Determining Significance for Water Quality (Water Quality Guidelines), Resource Protection Ordinance (RPO), and the Grading, Clearing and Watercourses Ordinance (Grading Ordinance) as identified by GPU EIR mitigation measures Hyd-1.5, Hyd-3.2, and Hyd-3.3. Future subsequent project conformance to the Water Quality Guidelines, RPO, Grading Ordinance, and waste

discharge requirements for both CGP and MS4 storm water permits, as discussed in VII Geology and Soils and expanded here, ensures projects would not create significant water quality impacts.

Future subsequent projects have the potential to exceed the capacity of stormwater systems. However, a subsequent environmental review would be required prior to authorization of individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Hydrology (Hydrology Guidelines) as identified by GPU EIR mitigation measure Hyd-1.5. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy S-10.5 which requires development to provide necessary on-site and off-site improvements to stormwater runoff and drainage facilities.

The County contains numerous flood areas that have been mapped by the County or the Federal Emergency Management Act (FEMA). Future subsequent projects could potentially be proposed in these locations. However, because a subsequent environmental review would be required prior to authorization of individual project development, future projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. Subsequent projects would be required to conform to the Hydrology Guidelines as identified by the GPU EIR mitigation measure Hyd-1.5. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy COS-5.1: Impact to Floodways and Floodplains and Policy S-9.3: Development in Flood Hazard Areas. As identified by the GPU EIR, these policies restrict development in floodways and floodplains in accordance with policies in the Flood Hazards section of the Safety Element and requires development within mapped flood hazard areas to be sited and designed to minimize on-site and off-site hazards to health, safety, and property due to flooding.

Future subsequent projects could potentially be impacted by seiche, tsunami, mudflow, and dam inundation hazards. However, seiches are a rare occurrence, and tsunamis are not common in the unincorporated County of San Diego because the majority of the County is located inland. Mudflows are more common in areas that have been affected by extreme wildfire events in the recent past. Projects located within the Dam Inundation Zone would be required to conform to the Dam Evacuation Plan if flooding were to occur. However, subsequent environment review is required prior to authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Emergency Response Plans, as identified by GPU EIR mitigation measure Hyd-8.2. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy S-9.6: Development in Dam Inundation Areas. This policy prohibits development in dam inundation areas that may interfere with the County's emergency response and evacuation plans.

Therefore, the project would not have a substantial adverse effect on hydrology and water quality that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR, or other measures, would be applied to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects to hydrology or water

quality, and future development and improvement of County-owned emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect to hydrology and water quality.

**XI. LAND USE AND PLANNING** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES  
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NO  
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The GPU EIR identified potentially significant impacts related to the physical division of an established community, which were found to be less than significant with the incorporation of mitigation measures. The GPU EIR also analyzed impacts related to conflicts with land use plans, policies, and regulations, as well as conflicts with Habitat Conservation Plans (HCPs) and Natural Community Conservation Planning (NCCPs) and were found to be less than significant.

The Zoning Ordinance Amendments relating to Emergency Shelters and Housing Facilities would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project does not intend to re-locate persons experiencing homelessness away from the general communities of homeless gatherings or to areas that do not provide necessary services to assist persons experiencing homelessness. Rather, the proposed facilities would be integrated within communities and located in areas to address homelessness and related public health, safety, and welfare issues to provide centralized safety facilities for the shelter of persons experiencing homelessness.

The project would expand the methods for providing services to persons experiencing homelessness beyond traditional shelters by amending requirements within the Zoning Ordinance for consistency with the physical requirements of some of the alternatives to traditional shelters. The project would be consistent with Senate Bill 1138 by identifying zones and zoning designations to allow for emergency shelters in residential zones on County-owned, operated, and leased lands, as well as Assembly Bill 2553, which exempts Emergency Shelters that are constructed or allowed pursuant to the shelter crisis declarations from the Recreational Vehicle Park Occupancy Law.



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While the project would make minor amendments and clarifications to Zoning Ordinance provisions, it would not conflict with land use plans, policies, and regulations established for the purpose of protecting environmental resources.

In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. The project would not result in any significant impacts related to land use and planning beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on land use and planning, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on land use and planning.

**XII. MINERAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

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NO

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The GPU EIR identified significant and unavoidable impacts related to mineral resource availability and mineral resource recovery sites.

The Zoning Ordinance Amendments relating to Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

Future Emergency Shelters would be located in areas to address homelessness and related public health, safety, and welfare issues. The project does not intend to re-locate persons experiencing homelessness away from the general communities of homeless gatherings or to areas that do not provide necessary services to assist persons experiencing homelessness. The County of San Diego has presented the Framework for Siting Emergency Shelters, Transitional and Supportive Housing, or Homeless Services in Unincorporated San Diego County (Location Framework) which is intended to apply to the subsequent projects that are County-owned, operated, financed, leased, and/or contracted Emergency Shelters or Housing Facilities. The Location

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Framework demonstrates the four-step review process the County will take, to identify, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment. Additionally, the Location Framework includes a high-level internal process the subsequent Emergency Shelters, and Housing Facilities would progress through when a future project is planned. This internal process does include steps for future CEQA analysis. At the time of the future project impacts related to mineral resource availability and mineral resource recovery, sites will be analyzed.

Therefore, implementation of the project is not expected to result in the loss of availability of a known mineral resource that would be of value since these land uses have already been lost due to incompatible land uses.

In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned emergency shelter facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. The project would not result in any significant impacts related to mineral resources beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on mineral resources, and future development and improvement of County-owned emergency shelter facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on mineral resources.

**XIII. NOISE** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

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NO

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The GPU EIR identified potentially significant impacts related to excessive noise levels, excessive groundborne vibration, permanent and temporary increases in ambient noise levels, and excessive noise exposure from a public or private airport. All impacts were determined to be less than significant with mitigation with the exception of impacts related to permanent increases in ambient noise levels, which remained significant and unavoidable.



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The Zoning Ordinance Amendments relating to Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

Typical noise-related adverse effects associated with new development projects generally fall into three categories: construction noise, operational noise, and exposure of noise-sensitive land use (NSLUs) to existing and future noise from all sources. The project would be required to comply with the General Plan – Noise Element and County of San Diego Noise Ordinance.

The project has the potential to result in impacts related to noise for grading and construction for homeless shelters, as well as potential increases related to operational noise due to higher concentrations of outdoor human activity in designated shelter locations such as parking and camping facilities.

The project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Determining Significance for Noise, as identified by the GPU EIR mitigation measure Noi-1.1. If potential noise impacts could occur, subsequent projects would be required to submit an acoustical analysis also identified by GPU EIR mitigation measure Noi-1.1. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy LU-2.8: Mitigation of Development Impacts and Policy N-2.1: Development Impacts to Noise Sensitive Land Uses. As identified by the GPU EIR, these policies would require projects to minimize significant impacts to surrounding areas from uses or operations that cause excessive noise or vibrations and would require an acoustical study where development may exceed thresholds and require mitigation for sensitive uses in compliance with the noise standards listed in Table N-2 in the Noise Element.

Therefore, the project would not have a substantial adverse effect on noise that has not been adequately analyzed by the GPU EIR. Appropriate mitigation measures identified by the GPU EIR would be carried forward to subsequent projects, as necessary.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on noise, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures as necessary, the project would not contribute to a cumulatively considerable effect on noise.

**XIV. POPULATION AND HOUSING** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that result in one or more effects to

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population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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The GPU EIR found less than significant impacts related to population and housing, including population growth, displacement of housing, and displacement of people.

The Zoning Ordinance Amendments relating Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of “Emergency Shelter” to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project would create additional Emergency Shelters and Housing Facilities for persons experiencing homelessness. However, the intent of the project is to locate Emergency Shelters and Housing Facilities in areas to address homelessness and related public health, safety, and welfare issues which will not create more persons experiencing homelessness, thus inducing unplanned population growth. The project would provide shelters and housing for already existing populations of persons experiencing homelessness and would provide a continuum of care for persons experiencing homelessness. Likewise, the project would not displace any existing people or housing necessitating the construction of replacement housing elsewhere, because the project would allow for the construction of homeless shelters in areas to address homelessness and related public health, safety, and welfare issues. Future subsequent projects would provide shelter for the existing persons experiencing homelessness in locations with access to basic services.

In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, or other measures, as necessary. In addition, subsequent projects would also be required to conform to the County’s General Plan Policies such as Policy LU-9.4, which prioritizes infrastructure improvements and the provisions of public facilities for villages and community cores consistent with the intensity of development allowed by the General Plan. Therefore, the project would not have a substantial adverse effect on population and housing that has not been adequately analyzed by the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on population and housing, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on population and housing.

**XV. PUBLIC SERVICES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

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NO

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The GPU EIR found potentially significant impacts to fire protection services, police protection services, school services, and other public services. All impacts were reduced to a level of less than significant with the incorporation of mitigation measures, with the exception of school services, which was found to remain significant and unavoidable.

The Zoning Ordinance Amendments relating to Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project does not intend to re-locate persons experiencing homelessness away from the general communities of homeless gatherings or to areas that do not provide necessary services to assist persons experiencing homelessness. The facilities will be located in areas to address homelessness and related public health, safety, and welfare issues. In addition, a Fire Service Availability Letter would be required prior to subsequent project approvals. The letter is a standard form that is required to be filled out and signed by the fire authority operating in the project area and includes information such as the closest fire station, and the estimated travel time for the fire authority to reach the project site. This estimated travel time is required to meet the travel response time indicated by the General Plan Safety Element. No impacts to schools are expected due to the purpose of the project is not to increase the number of persons experiencing homelessness and that relocation of persons would not occur. For impacts to park facilities, please see XVI. Recreation.

The project has the potential to result in impacts to police protection services for provision and patrol of safe parking facilities, safe storage facilities, and safe camping facilities. County departments, such as the Department of Parks and Recreation (DPR), collaborate with the County of San Diego Sheriff (Sheriff) to enforce the San Diego County Code of Regulatory Ordinances (Regulatory Ordinances). Specifically, DPR partners with the Sheriff to enforce Regulatory Ordinances relating to park and recreation facilities. The Zoning Ordinance amendments relating to Emergency Shelters, Transitional and Supportive Housing, potentially increases the placement options for persons experiencing homelessness which may increase the need for safety services at these facilities for the tenants. County Departments would

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continue to further collaborate with the Sheriff to enforce Regulatory Ordinances. However, the GPU EIR identified a potential result in the need for new staffing and/or expanded police facilities in order to maintain acceptable response times for police protection services. The GPU EIR found that implementation of the GPU policies and mitigation measures would reduce potentially significant direct and cumulative impacts to a level of less than significant.

The project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy LU-12.3: Infrastructure and Services Compatibility, Policy S-3.4: Service Availability, Policy LU-12.4: Planning for Compatibility. As identified by the GPU EIR, these policies would encourage the collocation of facilities, site public facilities in a manner compatible with community character, minimize visual and environmental impacts, and plan for development where fire and emergency services are available or planned. The project would not result in any significant impacts related to public facilities beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on public services, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on public services.

**XVI. RECREATION** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES  
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NO  
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The GPU EIR found potentially significant impacts related to the deterioration of parks and recreational facilities and the construction of new recreational facilities. All impacts were reduced to a level of less than significant with the incorporation of mitigation measures.

The Zoning Ordinance Amendments Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe

storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project would not result in adverse impacts related to the deterioration of parks and recreational facilities or the requirement for the construction of new recreational facilities. The project would encourage persons experiencing homelessness to stay in safe parking facilities rather than in County-owned public park and recreation facility parking lots, thus reducing impacts to and deterioration of these facilities. Additionally, the provision of safe camping facilities would achieve a similar reduction in the deterioration of parks and recreational facilities by discouraging camping in day-use only or restricted use areas.

Because the project does not propose any development under this discretionary action and implementation of the project would not result in significant adverse effects on recreation, the project would not contribute to a cumulatively considerable effect on recreation.

**XVII. TRANSPORTATION** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

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NO

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The GPU EIR found potentially significant impacts to traffic and Level of Service (LOS) standards, rural road safety, emergency access, parking capacity, and alternative transportation. Emergency access, parking capacity, and alternative transportation were reduced to a less than significant level with the incorporation of mitigation measures, while traffic and LOS standards, and rural road safety, remained significant and unavoidable.

The project has the potential to create impacts related to transportation and traffic. Trips generated by the project would be from employee trips and to a lesser extent from persons experiencing homelessness who own and operate a vehicle if any. As part of the project, future subsequent projects could result in the creation of safe parking facilities for use by persons experiencing homelessness that have a vehicle. The project revises the definition of an Emergency Shelter to include a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by persons experiencing homelessness and unstably housed individuals. While the project is unlikely to increase the total number of vehicles distributed on roadways in the County, it has the potential to increase traffic on roadways adjacent to safe parking facilities.

The County of San Diego has presented the Framework for Siting Emergency Shelters, Transitional and Supportive Housing, or Homeless Services in Unincorporated San Diego County (Location Framework) which is intended to apply to the subsequent projects that are County-owned, operated,



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financed, leased, and/or contracted Emergency Shelters or Housing Facilities. The Location Framework demonstrates the four-step review process the County will take, to identify, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment. Of which Vehicle Miles Traveled is a criterion the County will review when identifying potential future sites. Additionally, the Location Framework includes a high-level internal process the subsequent Emergency Shelters, and Housing Facilities would progress through when a future project is planned. This internal process does include steps for future CEQA analysis. Therefore, subsequent projects will have a process to identify potential sites for Emergency Shelters and Housing Facilities using criteria that identified VMT efficient areas. For subsequent projects, it is anticipated that increases would be slight and are not expected to surpass County thresholds (250 average daily trips). Persons experiencing homelessness, in general, are expected to create fewer VMTs than the general population due to lack of vehicle ownership and vehicle use. In addition, the GPU EIR identified unincorporated County traffic and LOS standards as well as adjacent cities traffic and LOS standards, as significant and unavoidable. Therefore, the project would not result in impacts from LOS beyond the analysis within the GPU EIR. Subsequent projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary.

Senate Bill (SB) 743 was signed into law on September 27, 2013, and changed the way that public agencies are to evaluate transportation impacts under CEQA. In response, the Governor's Office of Planning and Research updated the CEQA guidelines and recommended that Vehicle Miles Travelled (VMT) be the primary metric for evaluation. When determining whether subsequent and supplemental analyses are required under Public Resources Code section 21166, the lead agency should focus the inquiry on whether there are substantial changes in the project or circumstances that would require major revisions of the document, or if new information, which was not known and could not have been known at the time of becomes available.

The project will not re-locate persons experiencing homelessness to areas that do not provide necessary services to assist persons experiencing homelessness and therefore is unlikely to increase average VMT in any one area within the County. In addition, homeless shelters would be considered a locally serving public facility by the County Transportation Study Guidelines and would therefore be screened out of CEQA VMT analysis.

The project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. Subsequent projects would be required to conform to the County's Guidelines for Transportation and Traffic, as identified by the GPU EIR mitigation measure Tras-1.4, which has now been updated to the Transportation Study Guide. Subsequent projects would also be required to conform to the County's General Plan Policies such as Policy M-5.1: Regional Coordination and Policy LU-4.3: Relationship of Plans in Adjoining Jurisdictions. As identified by the GPU EIR, these policies would require coordination with regional planning agencies, transit agencies, and adjacent jurisdictions and considerations of these agencies and jurisdictions' plans and projects. The project would not result in any significant impacts related to transportation and traffic beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on transportation, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on transportation.

**XVIII. TRIBAL CULTURAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES  
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NO  
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Since the GPU EIR (PDS2002-3910-02ZA001[ER], SCH#2002111067) was certified, there has been a change in circumstances. Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA. AB-52 consultation does not apply since the environmental document is not a Negative Declaration (ND), Mitigation Negative Declaration (MND), or Environmental Impact Report (EIR).

The project would have no ground-disturbing activities; however, AB-52 consultation would apply to subsequent projects that would require an ND, MND, or EIR. The mitigation for identified TCR would be similar to cultural resources as discussed in the GPU EIR for cultural and archaeological resources. If TCR is identified during AB-52 consultation for subsequent projects, the following GPU EIR mitigation measures would be required, as necessary: Cul-2.1 through Cul-2.6 and Cul-4.1. These measures require the following:

- Develop management and restoration plans for identified and acquired properties with cultural resources;
- Facilitate the identification and acquisition of important resources through collaboration with agencies, tribes, and institutions such as the South Coast Information Center (SCIC), while maintaining the confidentiality of sensitive information;
- Support the dedication of easements that protect important cultural resources by using a variety of funding methods, such as grants or matching funds, or funds from private organizations;
- Protect undiscovered subsurface archaeological resources by requiring grading monitoring by a qualified archaeologist and a Native American Monitor for ground disturbing activities in the vicinity of known archaeological resources, and also, when feasible during initial surveys;
- protect significant resources by facilitating the identification and acquisition of important resources through regional coordination with agencies, and institutions such as the NAHC and local tribal governments including SB-18 review, while maintaining the confidentiality of sensitive cultural information;
- Include regulations and procedures for the discovery of human remains in all land disturbance and archaeological-related programs. Ensure that all references to the discovery of human remains promote the preservation and include proper handling and coordination with Native American groups. Apply appropriate mitigation when impacts are significant.



## EMERGENCY SHELTERS &amp; HOUSING FACILITIES

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Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on tribal cultural resources. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. Future subsequent projects would also be required to comply with AB-52, if applicable. Therefore, the project would not have a substantial adverse effect on tribal cultural resources and the project would not contribute to a cumulatively considerable effect on tribal cultural resources.

**XVX. UTILITIES AND SERVICE SYSTEMS** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES

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NO

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The GPU EIR identified potentially significant impacts to wastewater treatment requirements, water, and wastewater treatment facilities, sufficient stormwater drainage facilities, water supplies, and landfill capacity. All impact areas were reduced to a less than significant level of significance with the incorporation of mitigation measures with the exception of water supplies and landfill capacity which were determined to remain significant and unavoidable.

The Zoning Ordinance Amendments Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project would encourage the shelter of persons experiencing homelessness to designated areas that would be located within various water and wastewater districts throughout the County. It is unlikely that these facilities would be sited outside of the County Water Authority boundary. The project would comply with wastewater treatment requirements of the Regional Water Quality Control Board. The RWQCBs with jurisdiction over San Diego County have authorized the County of

## EMERGENCY SHELTERS &amp; HOUSING FACILITIES

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San Diego, Department of Environmental Health and Quality (DEHQ), to issue certain on-site wastewater system (OSWS) permits throughout the County and within the incorporated cities. The Project would require DEHQ approval to ensure adequate design, location, sizing, spacing, construction, and maintenance of any OSWSs utilized or constructed for the project.

The project will not re-locate persons experiencing homelessness to areas that do not provide necessary services to assist persons experiencing homelessness and would not increase water usage or waste production beyond current conditions. The project would encourage greater compliance with federal, state, and local statutes and regulations related to solid waste.

In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures or other measures, as necessary. The project would not result in any significant impacts related to utilizes and service systems beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects on utilities and service systems, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures or other measures as necessary, the project would not contribute to a cumulatively considerable effect on utilities and service systems.

**XX. Wildfire** – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause effects to wildfire for projects located in or near state responsibility areas or lands classified as very high fire hazard severity zones including: substantially impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; and/or require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

YES

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NO

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Wildfire was analyzed within the GPU EIR within Section 2.7, Hazards and Hazardous Materials. The guidelines for determining significance stated: the proposed General Plan Update would have a significant impact if it would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. In 2019, the issue of Wildfire was separated into its section within Appendix G of the CEQA Guidelines to incorporate the four issue questions above. The GPU EIR did address these issues within the analysis; however, they were not called out as separate issue areas. Within the GPU EIR, the issue of Wildland Fires was determined to be significant and unavoidable.

The Zoning Ordinance Amendments Emergency Shelters and Housing Facilities project would amend the County of San Diego Zoning Ordinance to exempt the development, use, or improvement of new or existing County-owned, operated, financed, leased, and/or contracted Emergency Shelters, Transitional, and Supportive Housing (Housing Facilities) from Zoning Ordinance provisions (project). The project would also expand the definition of "Emergency Shelter" to include 1) safety parking facilities that are not an RV park or mobile home park, 2) safe storage facilities, 3) safe camping facilities receiving direct financial assistance from the County of San Diego, State of California, or the Federal Government, and 4) day shelter facilities.

The project has the potential to create impacts related to wildfire. The majority of the County is designated as a Very High and High Fire Hazard Severity Zone (FHSZ), except for the Desert and eastern Mountain Empire subregions, which are in the Moderate FHSZ. There are also areas of Moderate FHSZ and un-zoned areas in the more densely populated communities around the County. The project will not re-locate persons experiencing homelessness away from known locations of homeless gatherings or to areas that do not provide necessary services to assist persons experiencing homelessness. Future subsequent projects would likely place facilities in more densely populated communities, where the risk of wildland fires is lower, and in closer proximity to fire district facilities.

The project would comply with regulations relating to emergency access, water supply, and defensible space specified in the County Fire Code and Consolidated Fire Code. Implementation of these fire safety standards would occur prior to project approval, as identified by GPU mitigation measures Haz-4.2 and Haz-4.3.

In addition, the project does not propose any development under this discretionary action. Future development or improvement of new or existing County-owned Emergency Shelters and Housing Facilities would be required to conduct a subsequent environmental review prior to the authorization for individual project development. At the time a subsequent review is conducted, individual projects would be analyzed under CEQA for project-specific impacts and would apply GPU EIR mitigation measures, as necessary. The project would not result in any significant impacts related to wildfire beyond what was previously analyzed within the GPU EIR.

Because the project does not propose any development under this discretionary action, implementation of the project would not result in significant adverse effects from wildfire, and future development and improvement of County-owned Emergency Shelters and Housing Facilities would be required to conduct subsequent CEQA review and apply GPU EIR mitigation measures as necessary, the project would not contribute to a cumulatively considerable effect from wildfire.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE** – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

*Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or*

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*endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

*Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

*Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

YES

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NO

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Per the instructions for evaluating environmental impacts in this environmental document, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition, to project specific impacts, this evaluation considered the project's potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that would be affected or associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

Per the instructions for evaluating environmental impacts in this environmental document, the potential for adverse cumulative effects was considered in the response to each question in sections I through XX of this form. In addition, to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

In the evaluation of environmental impacts in this environmental document, the potential for adverse direct or indirect impacts to human beings was considered in the response to certain questions in sections: I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX Hydrology and Water Quality, XII. Noise, XIII. Population and Housing, and XVI. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW**  
**UPDATE CHECKLIST FORM**

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California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego County Framework for Siting Emergency Shelters, Transitional and Supportive Housing, or Homeless Services in Unincorporated San Diego County (Location Framework), 2021.

County of San Diego General Plan, 2011.

County of San Diego General Plan Final Program EIR, certified on August 3, 2011.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Agricultural Resources, approved March 19, 2007.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Air Quality, approved March 19, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, approved September 15, 2010

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources: Archaeological and Historical Resources, approved December 5, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Geologic Hazards, approved July 30, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Mineral Resources, approved July 30, 2008

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Noise, approved March 19, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Transportation and Traffic, approved August 24, 2011

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Vectors, approved January 15, 2009

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Visual Resources, approved July 30, 2007

EMERGENCY SHELTERS & HOUSING FACILITIES

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County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Wildland Fire and Fire Protection, approved August 31, 2010

County of San Diego Zoning Ordinance

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

**Attachment D – Framework  
for Siting Emergency,  
Transitional and Supportive  
Housing, or Homeless  
Services in Unincorporated  
San Diego County**



## **FRAMEWORK FOR SITING EMERGENCY, TRANSITIONAL AND SUPPORTIVE HOUSING, OR HOMELESS SERVICES IN UNINCORPORATED SAN DIEGO COUNTY**

### **BACKGROUND**

On April 6, 2021 (6), the Board directed staff to seek input from the community to establish a framework for the appropriate siting of emergency shelters, transitional and supportive housing, and homeless services locations. HHSA led the public engagement process in June of 2021. The outreach included multiple virtual sessions, in-person visits to encampment locations, recorded webinars, text, voice mail and email correspondence options. The materials and notifications were provided via the Community Planning Group and Community Planning Sponsor Group distribution as well as to the Homeless Sector, the Live Well Leadership Teams, the County and HHSA Social Media, and direct contact with community partners.

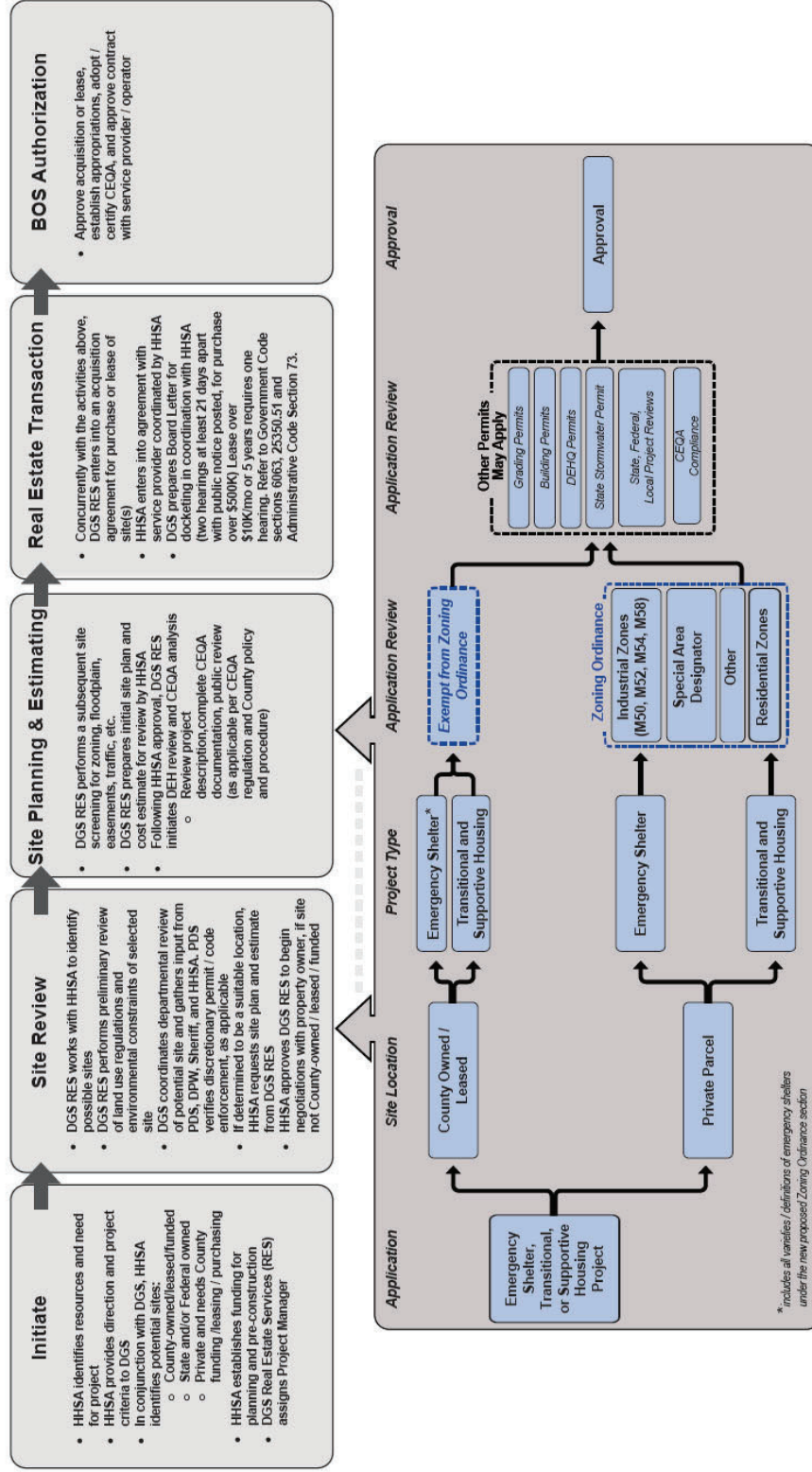
The development of this framework required weighing a variety of factors including locations that enable people to remain connected to the community in which they live, impact on communities, accessibility of necessary health and social services and amenities, operational service delivery needs, practicality and speed of site readiness, cost, and environmental considerations.

The draft Location Framework demonstrates the four-step review process HHSA, in conjunction with DGS will take, to identify, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment.

\*This document contains the anticipated siting framework, internal review, and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).

Image 1: Internal Process for County Emergency Shelters, Transitional and Supportive Housing Projects

## Internal Process For County Emergency Shelters, and Transitional and Supportive Housing Projects



This is the anticipated internal review and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).



\*This document contains the anticipated siting framework, internal review, and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).

The development of this framework required weighing a variety of factors including locations that enable people to remain connected to the community in which they live, impact on communities, accessibility of necessary health and social services and amenities, operational service delivery needs, practicality and speed of site readiness, cost, and environmental considerations.

The Location Framework demonstrates the four-step reviews HHSA will take, together with the Department of General Services (DGS), to find, evaluate and potentially site facilities and services allowable under the zoning ordinance amendment.

#### **UNINCORPORATED COUNTY LOCATION FRAMEWORK SITING CRITERIA**

HHSA had drafted a four-step review which will be utilized when determining if a potential property could be identified as a site for a facility meeting the definitions as defined in the draft amendments to the County of San Diego Zoning Ordinance for (1) Emergency Shelter, (2) Transitional Housing, or (3) Supportive Housing. The four-step review has multiple factors that will be considered before suggesting a property as a potential site. Table 1 summarizes the four-step review which will take place within the Site Review process as shown in Image 1 above.

*Table 1: Location Framework Siting Criteria – Unincorporated County*

Step	Factor	Siting Criterion
1	Possible Exclusion Factors:	
	a	Board Guidance/Direction
	b	Unmitigable environmental constraint
	c	Conservation easement or other use restriction
2	Siting Factors:	
	a	Availability of transportation
	b	Access to grocery/pharmacy
	c	Availability of health/social services
	d	On site utilities
	e	Surrounding zoning
3	Use Determinations:	
	a	Homeless Facility or Service Use Type
4	Feasibility of Site Development:	
	a	Costs
	b	Length of CEQA review

#### **Step 1: Determine whether there are site criteria that would exclude a property**

##### *a. Board Guidance/Direction*

For certain sites, the Board of Supervisors may have established an absolute prohibition or otherwise strong preference for or against a site. Existing Board direction or guidance

\*This document contains the anticipated siting framework, internal review, and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).

regarding development will be consulted for all sites. Areas removed from consideration due to Board direction or guidance will be identified via publicly available regional maps.

*b. Unmitigable environmental sensitivity*

The County of San Diego has identified many environmentally protected or sensitive areas, either due to certain habitat or other environmental factors. If no appropriate mitigation is available upon evaluation from Department of General Services, the site will be ruled out.

*c. Conservation easement or other use restriction*

Regardless of zoning, a property may be subject to an irrevocable conservation easement, restrictive covenant, or other prohibition that expressly limits available uses. Such sites will be excluded.

## Step 2: Evaluate site-specific rating criteria

Upon identifying which sites may be appropriate and the type of housing sought, an evaluation of the following site-specific rating criteria will be examined. Note that for these criteria, the factors are not absolute. These steps are part of the framework for potentially utilizing a site and will require HHSA professional judgment and investigation based on site specific factors and proposed uses. \*Indicates items identified as important during community engagement process.

*a. Availability of transportation\**

Various uses will require some form of operational transportation, either by public transportation within appropriate walking distance or built into a project budget for shuttle service.

*b. Access to grocery/pharmacy\**

It is essential for a person to have access to basic life needs that can be obtained from grocery or drug stores. Whether access is in proximate walking distance or included in a project budget, such items must be available.

*c. Availability of Health/Social Services\**

Whether health and social services such as medical emergency room services, non-emergency medical/dental services, mental health and drug treatment services are either on site or provided for in an appropriate budget is important.

*d. On site utilities*

Whether a site has existing utilities on site can impact cost, time to open, and environmental considerations.

*e. Surrounding zoning and land uses\**

Unique characteristics of a community, neighborhood or block may impact the suitability for a given use. However, many areas are zoned in ways that may not rule in or out certain types of facilities or services. This item will be evaluated on a case-by-case basis. Maintaining flexibility will enable site and community-specific evaluation.

\*This document contains the anticipated siting framework, internal review, and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).

## **Step 3: Determine the type of potential use(s) for the site based on site-specific criteria**

### *a. Homeless Facility or Service Use Type*

For each site, a determination will need to be made as to what type of housing or service may be appropriate, including: shelter, safe parking, tiny homes, manufactured homes, interim or permanent housing, or services only. The type of use may impact the siting and the categories below should be used as a guide. Certain sites may be appropriate for multiple types of uses.

## **Step 4: Determine the feasibility of developing site**

### *a. Costs*

Financial resources have limitations and prudent use of funds requires evaluating the impact. A use that may be difficult to site may justify a higher cost per square foot than a use that is less of a challenge. This is a factor that requires a complex analysis of multiple needs and uses simultaneously and requires flexibility.

## **Step 5: Length of CEQA Review**

### *a. Level of CEQA Review*

The Board of Supervisors has expressed a desire for accelerated efforts to site facilities. To that end, sites will be ranked more favorably for which there are minimal environmental constraints, and the review process can be streamlined. An initial evaluation of sites will be conducted based on a supplemental tool that assigns ranks to sites based on review time and complexity. This will not be a mandatory item but may elevate one option over another.

## **COMMUNITY ENGAGEMENT AND INPUT**

HHSA led public outreach which included multiple virtual sessions, in-person visits to encampment locations, recorded webinars, text, voice mail and email correspondence options. The materials and notifications were provided via the Community Planning Group and Community Planning Sponsor Group distribution as well as to the Homeless Sector, the Live Well Leadership Teams, the County and HHSA Social Media, and direct contact with community partners. The County will follow all subsequent established community input requirements for environmental review and HHSA will go further to establish a bi-annual public engagement review to check in with the community about how the process has gone and how any sites are working in practice.

\*This document contains the anticipated siting framework, internal review, and Environmental Review process that would occur when a County of San Diego emergency shelter, transitional and / or supportive housing project is proposed, upon adoption of the Zoning Ordinance amendments project (project number POD-20-008).

**Attachment E – Public  
Comments**



**From:** [Elena Thompson](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [Desmond, Jim](#)  
**Subject:** [External] 8-21-21 PUBLIC COMMENT from BORREGO SPRINGS RE Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness (Planning & Development Services)  
**Date:** Saturday, August 21, 2021 8:40:15 AM

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Thank you for the opportunity to weigh in on the Zoning Ordinance Amendment relating to sheltering of the homeless.

Our comment is:

***“NO to any rezoning of Borrego Springs for any homeless facilities and/or homeless camping, other, in Borrego Springs”***

This would be a terrible zoning revision in Borrego Springs and our beloved CA State Park, along with the plan for the placement of sexual predators in Borrego Springs, to rezone any part of Borrego Springs in order to establish homeless facilities of any kind in Borrego Springs. Borrego totally lacks the service and support infrastructure and public safety net for this zoning ordinance amendment to go through in 92004.

- Borrego is not equipped for any of this nor should have our zoning modified as part of this update!

- The homeless require rehab, detox, mental health services and jobs where it all exists. This is not in Borrego Springs.

- Thank you for listening and acting according to the will of the residents, taxpayers,

E. Thompson

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**From:** County of San Diego <sdcounty@service.govdelivery.com>  
**Sent:** Tuesday, August 17, 2021 5:31 PM  
**Subject:** Revised: Public Webinars & Review - Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness (Planning & Development Services)

topicheader



**Notice: This notification does not include Arabic translation due to formatting issues. The Arabic translation will be sent out when the issues are resolved.**

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**Public Webinars & Review - Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness**

Dear Interested Stakeholder,

On April 6, 2021, the Board of Supervisors directed staff to continue with the amendments to the Zoning Ordinance related to Shelter and Housing Facilities for persons experiencing homelessness.

The County of San Diego – Planning & Development Services (PDS) is pleased to announce (1) additional public webinars, (2) the release of the Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities, and (3) the Location Framework and site review process documents for public review. The following documents are available for a 30-day public review from August 13, 2021, to September 12, 2021:

- Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness
- Siting Framework

The documents are published on the project website at this link: [project website](#). Public comments on all documents are requested by 4:00 pm on Monday, September 12, 2021. Please email all comments to [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov). Alternatively, you can send comments by mail to:

County of San Diego  
Attn: Zoning Ordinance Amendments Related to Shelter and Housing Facilities-LRP  
Planning & Development Services Department  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

## **PUBLIC WEBINARS**

The County is pleased to announce two webinars which will offer interested stakeholders an opportunity to provide public input on the draft Zoning Ordinance amendments that will be presented to the Planning Commission and Board of Supervisors in the Fall and Winter of 2021.

### **Webinar #1**

**Date & Time:** August 25, 2021, 6:00 PM to 6:30 PM

#### **Join Zoom Meeting:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**Meeting ID:** 959 6427 5692

**Passcode:** 585426

**Or By Phone:** Dial by your location

+1 669 900 6833 US (San Jose)  
+1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)  
+1 929 205 6099 US (New York)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)

(To Find your local number: <https://zoom.us/u/aywR4okep>)

### **Webinar #2**

**Date & Time:** August 31, 2021, 6:00 PM to 6:30 PM

**Register for the Zoom Meeting:**

<https://zoom.us/j/95964275692?pwd=RzZBcG50anlvRUxXbVRzdGEzRDZaUT09>

**Meeting ID:** 959 6427 5692

**Passcode:** 585426

**Or By Phone:** Dial by your location

- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)

(To Find your local number: <https://zoom.us/u/aywR4okep>)

If you have any questions, please contact Audrey Hamilton at [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov) or at the following project phone: (858) 505-6677.

Thank you for your time and we look forward to hearing from you.

\*\*\*\*\*

**Seminarios públicos y revisión: Enmiendas a la Ordenanza de zonificación relacionadas con las Instalaciones de refugio y vivienda para personas sin hogar**

Estimada parte interesada:

El 6 de abril de 2021, la Junta de supervisores ordenó al personal que continuara con las enmiendas a la Ordenanza de zonificación relacionadas con las Instalaciones de refugio y vivienda para personas sin hogar.

Los Servicios de planificación y desarrollo (Planning & Development Services, PDS) del condado de San Diego se complacen en anunciar (1) seminarios web públicos adicionales, (2) la publicación del Proyecto de enmiendas a la Ordenanza de zonificación relacionadas con las Instalaciones de refugio y vivienda y (3) el Marco de ubicación y los documentos del proceso de revisión del sitio para su revisión pública. Los siguientes documentos están disponibles para la revisión pública de 30 días desde el 13 de agosto de 2021 hasta el 12 de septiembre de 2021:

- Enmiendas a la Ordenanza de zonificación relacionadas con las Instalaciones de refugio y vivienda para personas sin hogar
- Marco de establecimiento

Los documentos se publican en el sitio web del proyecto en este enlace: [sitio web del proyecto](#). Los comentarios públicos sobre todos los documentos se deben presentar antes del lunes 12 de septiembre de 2021 a las 4:00 p. m. Todos los comentarios se deben enviar a [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov). Alternativamente, se pueden enviar comentarios por correo a la siguiente dirección:

El condado de San Diego.

Attn: Zoning Ordinance Amendments Related to Shelter and Housing Facilities-LRP  
Planning & Development Services Department  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**SEMINARIOS WEB PÚBLICOS**

El condado se complace en anunciar dos seminarios web en los que se les ofrecerá a las partes interesadas la oportunidad de proporcionar información pública sobre el proyecto de enmiendas a la Ordenanza de zonificación que se presentarán a la Comisión de planificación y a la Junta de supervisores en el otoño y el invierno de 2021.

## **Seminario web 1**

**Fecha y hora:** 25 de agosto de 2021, 6:00 p. m. a 6:30 p. m.

### **Enlace para unirse a la reunión de Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**ID de la reunión:** 959 6427 5692

**Código de acceso:** 585426

### **Por teléfono:** Números por ubicación

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+1 346 248 7799 US (Houston)  
+1 929 205 6099 US (Nueva York)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)

(Enlace para encontrar su número local: <https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>)

## **Seminario web 2**

**Fecha y hora:** 31 de agosto de 2021, 6:00 p. m. a 6:30 p. m.

### **Enlace para registrarse en la reunión de Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**ID de la reunión:** 959 6427 5692

**Código de acceso:** 585426

### **Por teléfono:** Números por ubicación

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+1 929 205 6099 US (Nueva York)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)

(Enlace para encontrar su número local: <https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>)

Si tiene preguntas, comuníquese con Audrey Hamilton a [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov) o al siguiente número telefónico del proyecto: (858) 505-6677.

Gracias por su tiempo, esperamos escuchar sus comentarios.

\*\*\*\*\*

**Pamublikong mga Webinar at Pagsusuri – Mga Susog sa Ordenansa sa Pagsona**

## **Nauugnay sa mga Pasilidad ng Tirahan at Pabahay Para sa mga Taong Nakakaranas ng Kawalan ng Tirahan**

Minamahal na Stakeholder,

Noong Abril 6, 2021, ang Lupon ng mga Superbisor ay nag-utos sa mga tauhan na magpatuloy sa mga susog sa ordenansa ng pagsona na may kaugnayan sa mga pasilidad ng tirahan at pabahay para sa mga taong nakakaranas ng kawalan ng tirahan.

Ang County ng San Diego – Mga Serbisyo sa Pagpapalano at Pag-unlad (Planning & Development Services o PDS) ay nalulugod na ipahayag ang (1) karagdagang mga pampublikong mga webinar, (2) ang pagpapalabas ng Paunang Balangkas ng Mga Susog sa Ordenansa ng Pagsona Kaugnay sa mga Pasilidad ng Tirahan at Pabahay, at (3) ang Balangkas ng Lokasyon (Location Framework) at mga dokumento ng pagsusuri ng lugar para sa pampublikong pagsusuri. Ang mga sumusunod na dokumento at magagamit para sa isang 30-araw na pampublikong pagsusuri mula Agosto 13, 2021, hanggang Setyembre 12, 2021:

- Paunang balangkas ng mga Susog sa mga Ordenansa sa Pagsona na may Kaugnay sa mga Pasilidad ng Tirahan at Pabahay para sa mga Tao na Nakakaranas ng Kawalan ng Tirahan
- Balangkas ng Lokasyon

Ang mga dokumento ay inilathala tungkol sa website ng proyekto sa link na ito: [project website](#). Ang mga pampublikong mga komento sa lahat ng mga dokumento ay hinihiling hindi lalampas sa alas 4:00 ng hapon sa Lunes, Setyembre 12, 2021. Mangyaring ipadala ang mga komento sa pamamagitan ng elektronikong koreo sa [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov). Para sa ibang pamamaraan, maaari kang magpadala ng mga komento sa pamamagitan ng koreo sa:

County of San Diego  
Attn: Zoning Ordinance Amendments Related to Shelter and Housing Facilities-LRP  
Planning & Development Services Department  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

### **PAMPUBLIKONG MGA WEBINAR**

Ang County ay nalulugod na ipahayag ang dalawang mga webinar na mag-aalok sa mga stakeholder ng isang pagkakataon upang magbigay ng pampublikong komento sa mga susog sa paunang balangkas ng ordenansa sa pagsona na ipepresenta sa Komisyon ng Pagpapalano at Lupon ng mga Superbisor sa panahon ng Taglagas at Taglamig sa taong 2021.

#### **Webinar #1**

**Petsa at Oras:** Agosto 25, 2021, alas 6:00 ng gabi hanggang alas 6:30 ng gabi

**Sumali sa Pagpupulong sa Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG50anlvRUxXbVRzdGEzRDZaUT09>

**ID ng Pulong (Meeting ID):** 959 6427 5692

**Passcode:** 585426

**O sa pamamagitan ng telepono:** I-dayal base sa iyong lokasyon

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+1 312 626 6799 US (Chicago)

(Upang mahanap ang iyong lokal na numero: <https://zoom.us/j/95964275692>)

## Webinar #2

**Petsa at Oras:** Agosto 31, 2021, alas 6:00 ng gabi hanggang alas 6:30 ng gabi

**Magparehistro para sa Pagpupulong sa Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**ID ng Pulong (Meeting ID):** 959 6427 5692

**Passcode:** 585426

**O sa pamamagitan ng telepono:** I-dayal base sa iyong lokasyon

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+1 929 205 6099 US (New York)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)

(Upang mahanap ang iyong lokal na numero: <https://zoom.us/j/95964275692>)

Kung mayroon kang anumang katanungan, mangyaring kontakin si Audrey Hamilton sa [PDS.advanceplanning@sdcountry.ca.gov](mailto:PDS.advanceplanning@sdcountry.ca.gov) o sa sumusunod na telepono ng proyekto: (858) 505-6677.

Salamat sa iyong oras at inaasahan naming makarinig mula sa iyo.

\*\*\*\*\*

**Hãy ghi lại những ngày và giờ mới được phản ánh bên dưới. Thông báo được gửi đi vào ngày 13 tháng 8 có ghi ngày tháng không chính xác.**

**Hội Thảo & Đánh Giá Công Khai - Sửa Đổi Pháp Lệnh Quy Hoạch Đất Đại Liên Quan tới Các Cơ Sở Cung Cấp Nhà Ở và Nơi Trú cho Người Vô Gia Cư**

Kính gửi các Bên Liên Quan Quan Tâm,

Ngày 6/4/2021, Hội Đồng Giám Sát đã chỉ đạo nhân viên tiếp tục sửa đổi Pháp Lệnh Quy Hoạch Đất Đại liên quan tới các Cơ Sở Cung Cấp Nhà Ở và Nơi Trú cho người vô gia cư.

Phòng Dịch Vụ Quy Hoạch & Phát Triển (PDS) - Quận San Diego hân hạnh thông báo (1) hội thảo công cộng trực tuyến bổ sung, (2) ban hành Dự thảo Sửa Đổi Pháp Lệnh Quy Hoạch Đất Đại Liên Quan tới các Cơ Sở Cung Cấp Nhà Ở và Nơi Trú, và (3) Khung Địa Điểm và tài liệu quy trình đánh giá khu vực để đánh giá công khai. Tài liệu dưới đây hiện có để đánh giá công khai trong vòng 30 ngày từ ngày 13/8 đến ngày 12/9/2021:

- Bản Thảo Sửa Đổi Pháp Lệnh Quy Hoạch Đất Đại Liên Quan tới Các Cơ Sở Cung Cấp Nhà Ở và Nơi Trú cho Người Vô Gia Cư
- Khung Khu Vực

Tài liệu được công bố trên trang web của dự án theo đường dẫn: [trang web dự án](#). Mọi ý kiến đóng góp của công chúng đối với các tài liệu phải chậm nhất vào 4h chiều Thứ



Hai, ngày 12/9/2021. Vui lòng gửi email ý kiến đóng góp tới [PDS.advanceplanning@sdcountry.ca.gov](mailto:PDS.advanceplanning@sdcountry.ca.gov). Hoặc quý vị có thể gửi ý kiến đóng góp qua thư đến:

Quận San Diego

Về vấn đề: Sửa Đổi Pháp Lệnh Quy Hoạch Đất đai Liên Quan tới các Cơ Sở Cung Cấp Nhà Ở và Nơi Trú -LRP

Phòng Dịch Vụ Quy Hoạch & Phát Triển

5510 Overland Avenue, Suite 310

San Diego, CA 92123

## **HỘI THẢO TRỰC TUYẾN CÔNG KHAI**

Quận hân hạnh thông báo hai hội thảo trực tuyến mà sẽ cung cấp các bên liên quan quan tâm cơ hội bày tỏ ý kiến đóng góp công khai đối với dự thảo sửa đổi Pháp Lệnh Quy Hoạch Đất đai mà sẽ được trình lên Ủy Ban Quy Hoạch và Hội Đồng Giám Sát vào Mùa Thu và Mùa Đông năm 2021.

### **Hội Thảo Trực Tuyến #1**

**Thời gian:** Ngày 25/8/2021, 6h00 chiều đến 6h30 chiều

**Tham Gia Hội Thảo qua Ứng Dụng Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**ID Hội Thảo:** 959 6427 5692

**Mật mã:** 585426

**Hoặc Qua Điện Thoại:** Quay số theo địa điểm của quý vị

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+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)

(Để tìm số địa phương của quý vị: <https://zoom.us/u/aywR4okep>)

### **Hội Thảo Trực Tuyến #2**

**Thời gian:** Ngày 31/8/2021, 6h00 chiều đến 6h30 chiều

**Đăng Ký Hội Thảo Qua Ứng Dụng Zoom:**

<https://zoom.us/j/95964275692?pwd=RzZBcG5OanlvRUxXbVRzdGEzRDZaUT09>

**ID Hội Thảo:** 959 6427 5692

**Mật mã:** 585426

**Hoặc Qua Điện Thoại:** Quay số theo địa điểm của quý vị

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(Để tìm số địa phương của quý vị: <https://zoom.us/j/9171212121>)

Nếu quý vị có thắc mắc, vui lòng liên hệ Audrey Hamilton theo địa chỉ [PDS.advanceplanning@sdcountry.ca.gov](mailto:PDS.advanceplanning@sdcountry.ca.gov) hoặc theo số điện thoại dự án: (858) 505-6677.

Cảm ơn quý vị đã dành thời gian và chúng tôi mong nhận được phản hồi từ quý vị.

\*\*\*\*\*

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Đăng ký nhận thông báo, cập nhật bản đăng ký, sửa đổi mật khẩu hoặc địa chỉ e-mail, hoặc ngừng đăng ký tại mọi thời điểm trên [Trang tham khảo dành cho người đăng ký](#). Quý vị sẽ cần sử dụng địa chỉ e-mail để đăng nhập. Nếu quý vị có thắc mắc hoặc có vấn đề với dịch vụ đăng ký, vui lòng truy cập [subscriberhelp.govdelivery.com](https://subscriberhelp.govdelivery.com). Dịch vụ này được cung cấp miễn phí cho quý vị bởi Quận San Diego.



**From:** [Sandra Farrell](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons  
**Date:** Sunday, August 22, 2021 10:56:29 AM

---

Can you send me a map of properties that would be impacted by this ordinance within the Twin Oaks Valley Community planning area and also within North County Metro? We don't think there are any properties within the Twin Oaks Valley Community planning area but aren't sure and don't know if we need a meeting to submit comments.

Thank you very much.

Sandra

Sandra Farrell  
Chair Twin Oaks Valley Community Sponsor Group

760-415-3349

**From:** [Beth Hart](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Rezoning for Borrego Springs for homeless  
**Date:** Sunday, August 22, 2021 1:24:44 PM

---

To whom it may concern: Any revision of zoning to permit or establish homeless facilities in Borrego Springs puts a small community in jeopardy and adds an unsustainable burden to a "disadvantaged community" with no local governance, support infrastructure or police and medical services.

"There is no "government organization" within Borrego to coordinate or service the homeless. Currently, any services other than medical are provided by volunteer groups supported solely by donations. Our "non resident" community has grown significantly during the past two years and our resources to provide help for them is barely meeting needs. Our local churches are attempting to provide assistance, but their services are not designed to provide "homeless" services. Instead, they are attempting to meet some basic needs for low income and the disadvantaged.

Borrego has one medical center and one pharmacy that do not meet the current needs of our population. Most residents travel out of area for medical attention. There is no urgent care, acute care or hospital in the area. There is no public transportation in or out of Borrego. There are no services for food distribution, save two local programs designed to assist seniors and the hispanic community. Our local sheriff's office has limited manpower to deal with current crime and penalties. We have two small groceries with no system for food distribution or service. Our desert climate is severe and deadly with temperatures near or over 100 6 months (April through October) each year. Subjecting the homeless to such a harsh environment is not to the benefit of anyone. (Would the county be liable for any deaths associated with our heat?)

Placing the homeless in Borrego is doing more harm than good. Do not include Borrego in rezoning for the homeless.

Sincerely,  
Steve and Beth Hart  
Residence since 2001

**From:** [John Jellinek](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [desmond@sdcounty.ca.gov](mailto:desmond@sdcounty.ca.gov)  
**Subject:** [External] Re Zoning Borrego Springs  
**Date:** Monday, August 23, 2021 9:15:03 AM

---

*To whom it may concern: My wife and I have homes in Bankers Hill and Borrego Springs. We are living the homeless buildup in Bankers hill where the canyon in front of our home, on Front street, is now infested with homeless and folks with obvious mental issues. There is human excrement on the sidewalk. Nothing is done in San Diego when we try to call but there is never a response from any agency. Therefore, in Borrego Springs, where there are no services, no law enforcement, no lights at night and a current plan to house Sexually Violent Predators, it appears that this little community is now a target for the un wanted. We have a second home in Borrego to get away from the mess here when we feel like it. You need to understand that the community is not a group of low life lacking in intelligence, but a community of highly intelligent 6 month a year residents with plenty of resources. We will fight this in the media, in court, in person if necessary. I would suggest you rethink what you are proposing. I will be surprised if I get an answer from any of you.*

**From:** [brnh27](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Re zoning Borrego Springs for homeless people  
**Date:** Monday, August 23, 2021 9:37:57 AM

---

It is my understanding that a plan is being considered for designating for re-zoning Borrego Springs for homeless people. We are a small desert community with approximately 3000 year around people. It is a very arid area with a average summer temperatures of a average temperatures of 115-120 degrees. Our summer lasts at least 6 months. Our water system is being depleted quickly because of natural rain is scarce, little to non. We have a small sheriffs department and iffy phone signals. We have no hospital or emergency in our small community. The closest hospital is 70-80 miles away. The only revenue is our tourist in our winter months. People come here to enjoy our dark skies and peace and quiet. We are surrounded by Anza-Borrego State Park, which offers hiking and relaxation. It takes a hardy and healthy person to live here year round and a means of transportation to visit doctors, medical services and do your shopping, which are all at least an hour and half to two hours drive away. A homeless person will not be able to panhandle in our tiny community. This is not a affluent community to begin with. Most of the shops and restaurants close up completely in the summer months. Please do your research and do not simply do a deed and use us a dumping ground for San Diego county.

[Sent from the all new AOL app for iOS](#)



**From:** [Tom](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Homeless in borrego springs  
**Date:** Monday, August 23, 2021 9:46:19 AM

---

Lack of police, lack of any health service, water shortages, extreme climate conditions make borrego springs unsafe place to hide the homeless

Sent from my iPhone

**From:** [Marie Holly](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Borrego springs homeless  
**Date:** Monday, August 23, 2021 11:37:34 AM

---

In your letters please state that Borrego Springs lacks the service and support infrastructure along with the public safety net for this zoning ordinance amendment to go through in the 92004 area. Such lack of services include limited law enforcement presence, limited public transportation and limited health facilities available for the homeless to ensure their safety and health along with the safety of the community. Unless you plan on providing police, transportation, clinic & hospital for each person you would consider moving to this area, don't do it.

I'm against this move because it's not a community that can handle this type of community.

Marie

**From:** [Kathy Pratt](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [Desmond, Jim](#)  
**Subject:** [External] Rezoning for Homeless  
**Date:** Monday, August 23, 2021 12:24:37 PM

---

Hello Ladies or Gentlemen,

I've recently been notified about rezoning for relocating Homeless into the unincorporated areas of San Diego County.

Borrego Springs has a very harsh environment. We see temperatures of 122 degrees in summer. It is brutal. We get high winds and power outages. We have little law enforcement and not nearly the Law enforcement presence to deal with a homeless population. It's really unthinkable. There is one tiny medical clinic and it is situated several miles out of town. There are 2 tiny grocery stores. There are no stop lights or fast food restaurants. We have a fragile tourist trade that keeps our few restaurants alive. Many stores close in the summer because of the terrible heat and lack of tourists. Covid 19 has put a terrible strain on Borrego businesses. I think a homeless population in our little town would destroy it. I feel for these people, but they don't belong in this little village of 2000 people. They would not be welcome and I don't think they would survive it.

Sincerely,  
Kathy Pratt  
Business Owner  
Homeowner Owner  
taxpayer  
Borrego Springs, Ca

Sent from my iPhone

**From:** [Helen Wickes](#)  
**To:** [AdvancePlanning, PDS](#); [borregochamberdirector@gmail.com](mailto:borregochamberdirector@gmail.com)  
**Cc:** [Desmond, Jim](#)  
**Subject:** [External] Borrego Springs Homeless Facility Rezoning  
**Date:** Monday, August 23, 2021 3:14:40 PM

---

Dear County officials,

I am writing to voice the many reasons why placing homeless people, homeless camping, and homeless facilities in the remote area of Borrego Springs is an unsound idea. I own a house and live there over half the year. I know the area and the resources very well.

1. There is one small, understaffed, part-time health center which cannot manage the many health problems of the unhoused. We have been dealing with the resurgence of Covid and know that hospitals are close to two hours away for emergency services.
2. We have very few emergency services available in terms of fire and policing, and what we have is stretched to the limit.
3. There is hardly any public transportation going to or from the valley.
4. As a retired psychotherapist, I'm aware of the mental health and addiction problems of many homeless people. There are no resources here to address that. I am knowledgeable of the inevitable rise in crime that will happen with this population and we haven't the means to combat it.
5. Homeless people need food. Borrego has many economically poor people living here and our food bank does all it can to help these families. We can't help more people.
6. The Borrego Springs area--the town, the unincorporated area, and the park-- is a fragile, protected ecosystem. We are already dealing with crimes of resident drug people, with the trash and littering from many tourists, and we can't handle more. We also know that they county won't monitor this.
7. I'm a homeowner living over half the year in Borrego Springs. The other months I live in Oakland and know first hand about the crimes, the fires in homeless camps, the distress caused by the homeless to small business owners, residents, and visitors. Hard enough to deal with in a large city, impossible in Borrego. There are no resources.
8. There are many fragile, vulnerable elderly people who live full time in the valley, and who visit. There is no way to protect them from the inevitable clashes that will happen when the unhoused are brought here. No way for small business to protect themselves from the same inevitable problems.

Thank you for attending to my comments,  
 Respectfully,  
 Helen Wickes

**From:** [Robert Redding](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [Desmond, Jim](#); [borregochamberdirector@gmail.com](mailto:borregochamberdirector@gmail.com)  
**Subject:** [External] Dump the Homeless Proposal  
**Date:** Monday, August 23, 2021 3:38:51 PM

---

**This is shameless. And yes, dumping is what your proposed ordinance would do - move the homeless from affluent areas with the resources to deal with the problem and dump them in the poorest most underfunded areas of San Diego County. All areas of San Diego County, incorporated or not, should share this burden.**

Sent from my iPad

**From:** [Ran Red](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [jim.desmond@sd.ca.gov](mailto:jim.desmond@sd.ca.gov)  
**Subject:** [External] Borrego Springs rezoning  
**Date:** Monday, August 23, 2021 4:37:58 PM

---

Hello

I am writing to oppose the rezoning of Borrego Springs. We do not have the infrastructure or social safety net to support a homeless population in Borrego springs. There is no public transportation or social services and limited policing in Borrego. There are no job opportunities and no way for people to improve themselves.

The county has already been “dumping “ and paroling violent sex offenders to our community and to now to bring the homeless from San Diego out here would further degrade our community.

Thank you for your consideration,

Richard Redfern

Sent from my iPad



**From:** [Don Stang](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [borregochamberdirector@gmail.com](mailto:borregochamberdirector@gmail.com); [Desmond, Jim](#)  
**Subject:** [External] Borrego Springs Homeless Facility Rezoning  
**Date:** Monday, August 23, 2021 4:55:29 PM

---

Dear Supervisors and staff-- I am writing out of concern for proposed zoning changes that could place homeless encampments and populations in Borrego Springs.

Perhaps you are not personally familiar with Borrego Springs. It is a tiny town with very limited resources, which have been stretched thin by the pandemic and current and recent economic developments. Though there is a sector of the population which is comfortable, much of it struggles to get by. The town has minimal law enforcement resources. Our water sources are badly overdrawn. There is virtually no public transportation. Health care resources are extremely minimal, which for many of us requires a 2 hour drive to get treatment for anything significant. And the climate is hot as blazes a good part of the year.

For all these reasons, it seems insane to me to locate more people here who can't even take care of themselves. Believe me, I am quite sympathetic to their plight, but putting homeless people in a situation where their problems are only likely to get worse, while inflicting their needs on an area which lacks the means to help them, seems, frankly, insane.

Sometimes we, in this small, rural town feel that people who are not connected with this place think of it as empty and therefore a suitable location for dumping urban and other social problems. I hope you will realize the unwisdom of such an approach, which would only increase the difficulties faced by any homeless folk who were relocated here. Please take these factors into consideration in the planning of your proposed zoning changes.

Sincerely,

DONALD STANG

**From:** [Jim Wilson](#)  
**To:** [AdvancePlanning, PDS; Executive Director; jimdesmond@sdcounty.ca.gov](#)  
**Subject:** [External] Homeless Relocation  
**Date:** Tuesday, August 24, 2021 10:14:27 AM

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Placing homeless people in the Borrego Springs area is not a good idea. The area does not have the required services necessary to accommodate the needs of homeless people. ie; 24 hour Law Enforcement , Public Transportation, Medical Services and Street Sanitation. Homeless is a serious problem that has not been solved with all the resources of the city of San Diego and would only be made worse placing homeless people in the unincorporated areas.

Jim Wilson, Borrego Springs  
760-289-9595

**From:** [Elizabeth A. Ingham](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [Borrego Springs Chamber of Commerce & Visitors" Bureau; Desmond, Jim](#)  
**Subject:** [External] Borrego Springs Homeless Facility Rezoning  
**Date:** Tuesday, August 24, 2021 3:37:58 PM

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I am absolutely opposed to the proposed rezoning to attempt to provide for the homeless in Borrego Springs. This is a horrible idea. THERE ARE NO FACILITIES OR SERVICES HERE TO HANDLE A HOMELESS POPULATION. Borrego Springs has extremely limited law enforcement (one deputy sheriff - off duty 7pm to 7am), a small rural bus that runs just once a day only on Thursday and Friday and just a small clinic with no hospital or emergency services. This would be a health and safety disaster. Please don't push the homeless out of a bad situation into a terrible one. THIS WILL NOT FIX THE PROBLEM BUT WILL MAKE IT WORSE.

Sincerely,

Elizabeth A. Ingham  
Resident of Borrego Springs

**From:** [joy mcbride](#)  
**To:** [AdvancePlanning, PDS; Jenny Huntley](#)  
**Subject:** [External] Rezoning of Borrego Springs  
**Date:** Tuesday, August 24, 2021 6:32:57 PM

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To whom it may concern,

As a newly established full time resident of Borrego Springs, my husband and I are extremely opposed to the rezoning of Borrego Springs to accommodate homeless populations.

My expertise comes from the fact that

I am a retired certified Medical Social

Worker of over 20 years. The resources here are nonexistent for mental health, and extremely limited for physical health. Law enforcement is minimal. Groceries are expensive, sometimes double the price of a more sizable community. If you can't house them are you going to starve them as well? Gas is a dollar more a gallon than in larger more established communities. Local transportation is nonexistent. Heating and air conditioning alone, basic needs here, are upwards of 1,000.00 per month.

Changing zoning to accommodate the homeless is an exercise in futility. People come here to retire or to visit. This community survives on tourism. Homeless populations mean panhandling. Panhandling discourages tourism which is what families here survive on. Destroy our tourism and you destroy our community. The wheel does not need to be reinvented. Any expert in mental health would recommend a setting with a supportive environment. It is not here.

Respectfully submitted,

Lynn Joy and Gordon McBride

**From:** [Jenny Huntley](#)  
**To:** [joymcbrideone@hotmail.com](mailto:joymcbrideone@hotmail.com); [AdvancePlanning, PDS](#)  
**Subject:** [External] Re: Rezoning of Borrego Springs  
**Date:** Tuesday, August 24, 2021 6:51:05 PM

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Hi Joy,

Great email, but the homeless relocation to Borrego was a mistake.

Jenny

[Sent from Yahoo Mail on Android](#)

On Tue, Aug 24, 2021 at 6:32 PM, joy mcbride  
<[joymcbrideone@hotmail.com](mailto:joymcbrideone@hotmail.com)> wrote:

To whom it may concern,

As a newly established full time resident of Borrego Springs, my husband and I are extremely opposed to the rezoning of Borrego Springs to accommodate homeless populations.

My expertise comes from the fact that

I am a retired certified Medical Social

Worker of over 20 years. The resources here are nonexistent for mental health, and extremely limited for physical health. Law enforcement is minimal. Groceries are expensive, sometimes double the price of a more sizable community. If you can't house them are you going to starve them as well? Gas is a dollar more a gallon than in larger more established communities. Local transportation is nonexistent. Heating and air conditioning alone, basic needs here, are upwards of 1,000.00 per month.

Changing zoning to accommodate the homeless is an exercise in futility. People come here to retire or to visit. This community survives on tourism. Homeless populations mean panhandling. Panhandling discourages tourism which is what families here survive on. Destroy our tourism and you destroy our community. The wheel does not need to be reinvented. Any expert in mental health would recommend a setting with a supportive environment. It is not here.

Respectfully submitted,

Lynn Joy and Gordon McBride

**From:** [Lucy E Lyons](#)  
**To:** [AdvancePlanning, PDS](#)  
**Cc:** [Desmond, Jim](#); [borregochamberdirector@gmail.com](mailto:borregochamberdirector@gmail.com)  
**Subject:** [External] Borrego Springs Homeless Facility Rezoning  
**Date:** Wednesday, August 25, 2021 11:35:45 AM

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Dear Sir/Madam,

I am deeply concerned about the rezoning initiatives to relocate the homeless and offer homeless shelter facilities and homeless camping areas on County owned property in the unincorporated areas including Borrego Springs. Please think with empathy and sympathy for those less fortunate than us. It will be more harmful than helpful to situate the homeless into an isolated, extreme-weather area that completely lacks public transportation and other necessary facilities to care for this population. Please visit Borrego Springs (especially in summer) and experience its isolation and lack of public works.

The 92004 area simply does not have the service and support infrastructure or the public safety net for this zoning ordinance amendment. There is not even enough law enforcement presence and health facilities available for the current permanent residents, and increasing the population with people who have particular needs will not benefit anyone.

Thank you for your consideration,  
Lucy E. Lyons



**From:** [Bill Gardner](#)  
**To:** [AdvancePlanning, PDS](#)  
**Subject:** [External] Low-Cost shelters  
**Date:** Wednesday, August 25, 2021 5:42:31 PM  
**Attachments:** [Homeless - additional slides - PDF version.pdf](#)

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How does my company get on the bid list for low-cost shelters?

Thank you!

Bill Gardner  
FasTec  
949-228-1284

**From:** [Katheryn Rhodes](#)  
**To:** [Johnson, Michael D.](#); [AdvancePlanning, PDS](#)  
**Cc:** [Chris Pozek](#); [Panas, Brent](#); [Ligayon, Sheila](#); [Hernandez, Brad](#); [Stacy Brown](#)  
**Subject:** Re: [External] Re: 514 Maple Street  
**Date:** Thursday, August 26, 2021 2:29:21 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[20210301 County Zoning Ordinance Sections 1006 1334 2990 6911 For Amendments For Emergency Shelters.pdf](#)  
[20201104 HCD Information Bulletin IB-2020-](#)  
[09 Emergency Housing Ordinance Filing Minimum Building Standards Adoption of Appendix O N 7-Pages.pdf](#)  
[20181218 HCD Information Bulletin IB-2018-](#)  
[05 Emergency Housing CBC CRC California Building Residential Codes Appendix N O X 21-Pages.pdf](#)  
[20190319 Item-332 Declaration Shelter Crisis Adoption Emergency Housing Building Standards Appendix-](#)  
[N Mara Elliott Government Code Section 8698-4 Shelter Crisis Ordinance O-21060.pdf](#)  
[20200108 Governor Newsom Executive Order EO-N-23-20-Homelessness-Crisis Public Property Shelters 5-](#)  
[Pages.pdf](#)

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Hi Michael,

Thank you for the information. I agree the upcoming Cannabis Categorical Exemption from CEQA for building additions less than 10,000 square feet are only related to the five Cannabis businesses.

To: County Planning and Development Services (PDS) Advanced Planning.

The following are my preliminary public comments to the Update to the Zoning Ordinance related to Emergency Shelter on County owned or leased land.

At the April 6, 2021 County Board of Supervisors meeting PDS staff were to prepare a Emergency Shelter framework report due within 90 days or July 5, 2021. Did the Board of Supervisors receive the report? Please send us the report by email. Thanks.

Has there been a County of San Diego Categorical Exemption from CEQA to permitting any private or public Homeless Emergency Shelter, in any parcel within Industrial Zones M50, M52, M54, and M58, since 2010?

How many applications were made to PDS for Emergency Shelter in the Unincorporated area of San Diego County since 2010? How many were ultimately permitted? Why were the Emergency Shelter applications denied?

The Housing Element of the General Plan states there are 2,654 acres in San Diego County within Industrial Zones M50, M52, M54, and M58 available for Emergency Shelter ministerially By-Right. Currently, are opening up private Emergency Shelters on private land in the 2,654 acres of Industrial Zones Categorically Exempt from Site Plans and the B Designators?

Also if you can answer the question if private non-profit agencies and churches are allowed to use their private or leased property for Emergency Shelters in Industrial Zones. After they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and ministerial Building Permits, if needed.

Or are only Government agencies and their representatives allowed to open Emergency Shelters in the Unincorporated areas of San Diego County?

At the July 14, 2021 Housing Element Update and General Plan Amendment hearing, District 2

County Supervisor Joel Anderson tasked Planning and Development Services (PDS) Staff with the following:

<https://twitter.com/JoelAndersonCA/status/1418714171152076802>

<https://www.sandiegouniontribune.com/news/politics/story/2021-07-15/general-plan>

"Supervisor Joel Anderson asked staff to report the amount of housing constructed each year, instead of every four years, saying that annual tally will be important for tracking whether the county is meeting its targets.

He also asked planners to think more broadly about the kinds of homes they permit and encourage, in an effort to boost housing production while cutting prices.

"More housing types that are easier to construct and are more affordable, I think, should be part of that consideration," Anderson said. "I'd like to add a variety of housing types, including but not limited to movable tiny houses, 3D-printed homes and new prefab housing types that meet state and local building code standards."

Attached are excerpt from the County's Zoning Ordinance relating to Emergency Shelter including Sections 1006, 1334, 2990 Use and Enclosure Matrix, and 6911 that should be amending during the the upcoming amendments to the Zoning Ordinance which is schedule to be approved by the Board of Supervisors in the next few months, in Fall 2021. However, now it stated that the Updated Emergency Shelter Zoning Ordinance will not be approved until 2022. What is the expected date of the Board of Supervisors meeting? Will it be in 2021 or 2022?

County's Zoning Ordinance Section "1006 f. The Zoning Ordinance shall not apply to the Departments of the County of San Diego during, immediately following or throughout the recovery efforts authorized by the County, related to an emergency declared by the Governor of the State of California or the Board of Supervisors of the County of San Diego. (Amended by Ord. No. 6615 (N.S.) adopted 6-22-83)".

Therefore, since 1983 if a County Department partners with a non-profit during a State of Emergency like a Shelter Crisis, then according to Section 1006(f) the Zoning Ordinance does not apply, and the project is exempt from following the normal rules for Recreational Vehicle (RV) parks or Mobile Home parks.

Right now churches are not zoned even for Safe Parking lots at night. Or else after citizen complaints to County Code Compliance, churches can be issued Violation Notices.

Code Compliance exemptions for private Homeless Emergency Shelter on private land should be included in the updated Zoning Ordinance by direction of the County Board of Supervisors in areas where Emergency Shelters are allowed ministerially By-Right.

The County of San Diego's Zoning Ordinance Section 2990 Use Matrix shows that currently Emergency Shelters are only allowed in 4 of 5 Industrial Zones. Emergency Shelters are Not Allowed in Residential, Commercial, Agriculture, or Special Purpose Zones.

As a recommendationIn the Use and Enclosure Matrix Legend for other than Industrial Zones, County staff should change the column for Emergency Shelter from blank space to "A -

Permitted by Administrative Permit” or other, to allow for Emergency Shelters in Residential Zones, Commercial Zones, Agriculture Zones, and/or Special Purpose Zones where appropriate, with the County staff’s ministerial approval and an Administrative Permit, or with a Discretionary CEQA-level project. That way everyone knows which PDS permit process is required in other zones besides Industrial.

For example, the March 2019 Ramona Village Center Form Based Code report states that Emergency Shelters are allowed ministerially, By-Right (R) in Ramona Village Zones V1, V2, V3, V4, and V5. Which seems to include the majority of Main Street in downtown Ramona.  
<https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/village/ramonaformbasedcodedoc.pdf>

The State Housing and Community Development (HCD) publishes Information Bulletins (IB) through its Division of Codes and Standards that give the County the latest information on siting HomelessEmergency Shelter legally.

<https://www.hcd.ca.gov/information-bulletins.shtml>

Attached and linked below is the November 4, 2020 State Housing and Community Development (HCD) Information Bulletin IB-2020-09 Emergency Housing Ordinance Filing that "allows any city, county, or city and county to adopt by ordinance reasonable local standards and procedures for emergency housing upon declaration of a shelter crisis."

<https://www.hcd.ca.gov/docs/ib2020-09.pdf>

As an example for the County of San Diego to follow, on March 19, 2019 as Item 332 the City of San Diego voluntarily adopted Appendix N (now Appendix O) to the 2016 (now 2019) California Building Code with minor local modification and additions into the Municipal Code (MC). Attached is the City’s Ordinance written by City Attorney Mara Elliott to adopt Appendix N, and references Government Code Section 8698.4 the Shelter Crisis Act, and states the City may suspend Zoning laws. Please give the Board of Supervisors the opportunity to adopt Appendix O as is in an Emergency measure, prior to the updated Zoning Ordinance. The words Emergency Shelter and Emergency Housing should mean the same thing.

“WHEREAS, pursuant to California Government Code section 8698.4, the City may suspend provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws, provided the City has adopted local standards and procedures for emergency housing shelters consistent with ensuring public health and safety.”

Attached and linked below is the December 18, 2018 HCD Information Bulletin IB-2018-05 directed to Code Enforcement which includes Appendix N Emergency Housing – Voluntary Adoption of Emergency Regulations into the 2016 California Building Code (CBC).

<https://www.hcd.ca.gov/docs/ib2018-05.pdf>

Appendix N serves as local standards and procedures for the design, site development, and operation of emergency housing shelters. The updated 2019 CBC renamed from Appendix N to Appendix O, and should be included in the upcoming Zoning Ordinance. In addition, IB-2018-05 also created new names and legal definitions for structures under “Emergency Housing” that should be used in the County’s update to their Zoning Ordinance. Including the following new updated legal definitions:

"EMERGENCY SLEEPING CABIN. Relocatable hard-sided structure constructed in accordance with this appendix, which may be occupied only for emergency housing if allowed by the enforcing agency. " Emergency Sleeping Cabins include Tiny Homes and Camping Cabins.

"EMERGENCY TRANSPORTABLE HOUSING UNIT. A single or multiple section prefabricated structure that is transportable by a vehicle and that can be installed on a permanent or temporary site in response to a need for emergency housing. Emergency transportable housing units include, but are not limited to, manufactured homes, mobilehomes, multifamily manufactured homes, recreational vehicles, and park trailers. For the purposes of this appendix, emergency transportable housing units may also include commercial modulars as defined in the Health and Safety Code Section 18001.8, if approved by the enforcing agency."

"DEPENDENT UNIT. Emergency housing not equipped with a kitchen area, toilet, and sewage disposal system. Recreational vehicles that are not self-contained and without utility service connections shall be considered dependent units."

"Tents" can also be used for Emergency Housing with 4-inch platforms, and where minimum temperatures are above 50 degrees.

Attached and linked below is the January 8, 2020 Executive Order N-23-20 from California Governor Gavin Newsome's on the HomelessEmergency Shelter Crisis and Government Code Section 8698 that states in part:

<https://www.gov.ca.gov/wp-content/uploads/2020/01/EO-N-23-20-Homelessness-Crisis-01.08.2020.pdf>

[https://www.bcsd.ca.gov/hcfc/executive\\_order.html](https://www.bcsd.ca.gov/hcfc/executive_order.html)

"FURTHERMORE, all counties, cities, public transit agencies, special districts, school districts, tribal governments, and non-governmental actors, including businesses, faith-based organizations, and other nonprofit agencies, are requested to examine their own ability to provide shelter and house homeless individuals on a short-term emergency basis and coordinate with local authorities to provide shelter and house individuals."

To County PDS staff, please copy and use the City of Los Angeles Municipal Code Section 12.81 as a template to officially allow and make clear that Charitable Organization can open up Emergency Shelter on private land within Industrial Zones M50, M52, M54, and M58. That way everyone knows that private Emergency Shelter are allowed on private property in Industrial Zones since 2010.

[https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lapz/0-0-0-10353](https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-10353)

SEC. 12.81. HOMELESS SHELTERS – EMERGENCIES – CHARITABLE ORGANIZATIONS. (Amended by Ord. No. 186,339, Eff. 10/23/19.)

A. Notwithstanding any provisions of this article to the contrary, during any period for which the Mayor and/or the City Council have declared a shelter crisis within the meaning of Government Code Sections 8698, et seq., a shelter for the homeless (as defined in Section 12.03 of this Code) may be established and operated in the R3, RAS3, R4, RAS4, R5, C2, C4, C5, CM, M1, M2, and M3 zones without regard to the number of beds or number of persons served,

if the shelter is operated by a religious institution or a non-profit, charitable organization and the shelter is located on property owned or leased by that institution or organization. If the lot on which any such shelter is located does not have sufficient area to provide the number of parking spaces required by Section 12.21 A.4.(w) of this Code, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking spaces exists on the lot, no spaces shall be required. Unreinforced masonry and/or non-ductile concrete buildings shall not be used as shelters for the homeless.

B. Requirements.

1. Providers shall register with the City of Los Angeles by submitting "Cold/Wet Weather Temporary Shelter Application" online via the City's website ([www.lacity.org](http://www.lacity.org)); and

2. Providers shall comply with the "Cold/Wet Weather Temporary Shelter" requirements promulgated by the Los Angeles Fire Department's Fire Prevention and Public Safety Bureau; and

3. Providers shall provide written notification to the owners of properties abutting the subject property, as well as to any school located within 500 feet of the subject property, prior to operating a shelter for the homeless on the subject property.

4. Providers shall comply with all local, state, and federal requirements that apply to the permitted use of their property while operating a shelter for the homeless pursuant to this section.

<https://planning.lacity.org/StaffRpt/InitialRpts/CPC-2019-1881.pdf>

Thank you for the opportunity to provide public comment to the important update to the County Zoning Ordinance for Emergency Shelters. To give the Board of Supervisors the option to declare that private Emergency Shelters run by Charitable Organization are exempt from CEQA in Industrial Zones.

Regards,

Katheryn Rhodes  
619-402-8688

On Tue, Aug 24, 2021 at 9:51 AM Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Katheryn,

I hope you are doing well. The information provided below regarding the Zoning Ordinance amendment that is currently in process is specific to the existing medical marijuana dispensaries. This project would not have an impact on regulations pertaining to emergency shelters or environmental review/CEQA exemptions that may apply to them.

However, we do currently have a Zoning Ordinance Amendment in process for emergency

shelters. If approved, this project would change regulations for emergency shelters. This website contains information on this update:

<https://www.sandiegocounty.gov/content/sdc/pds/advance/ZOAmendmentsShelters.html> .

Additionally, I have provided some information that can be found on this website below. This project is currently open for public review if you would like to share any comments through this process (see below).

#### **Background on this amendment:**

The Board of Supervisors (Board) declared a Shelter Crisis Emergency on September 11, 2018. To further the County's commitment to addressing the concerns surrounding homelessness, on January 28, 2020, the Board directed the Chief Administrative Officer to take the necessary steps for immediate, short-term, and long-term solutions to address the homeless situation in the unincorporated areas of the County, including identifying sites and properties that could be acquired for an emergency, temporary and permanent housing.

On May 19, 2020, the Board provided direction for staff to amend the Zoning Ordinance. The amendments are to facilitate the development of permanent ordinances that will assist persons experiencing homelessness, and minimize the impacts associated with homelessness on County facilities. This project will address the following board directions:

- Authorize the Chief Administrative Officer to pursue permanent amendments to the Zoning Ordinance to allow:
  - a. A broader definition of the county-owned-and-operated facilities exemption in Section 1006 to include County owned or operated facilities, and County facilities that are leased or contracted by a third party to provide a public purpose, which would include emergency shelters and other health or social service facilities (and including a non-exclusive list of examples of such facilities) owned, operated, or financed by the County;
  - b. Expansion of the definition of "Emergency Shelter" to include safe parking, safe camping, safe storage, and day shelter activity;
  - c. Authorize use of properties leased from the State of California located in the unincorporated area of the County for emergency shelter;
  - d. A broader definition of the county-owned-and-operated facilities exemption in Section 1006 to include transitional and permanent supportive housing owned, operated, or financed in whole or in part by the County.
- Authorize the Chief Administrative Officer to develop proposed ordinances intended to minimize the impacts associated with homelessness on park and recreation users and facilities and return to the Board for consideration.

On April 6, 2021, the Board of Supervisors directed staff to continue with the amendments to the Zoning Ordinance, and suspend current efforts previously directed by the Board on May 19, 2020, that authorized the development of ordinance intended to minimize the impacts associated with homelessness on park and recreation users and facilities. Amendments to the Zoning Ordinance will continue as per the April 6, 2021 direction shown below:

- Direct the CAO to accelerate work on future Zoning Ordinance changes previously directed by the Board on May 19, 2020, in order to streamline the location of emergency and permanent supportive housing, and other facilities to support people experiencing



homelessness, and seek input from the community, led by appropriate HHSA staff, to establish a framework for the appropriate siting of such locations, to determine the best approach to address environmental or other regulatory consideration that are current barriers to such changes, and report back to the Board within 90-days.

## Public Review

The County of San Diego – Planning & Development Services (PDS) is pleased to announce the release of the Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities, and the Location Framework and site review process documents for public review.

The following documents are available for a 30-day public review from August 13, 2021, to September 13, 2021 :

- [Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness](#)
- [Siting Framework](#)

Public comments on all documents are requested by 4:00 pm on Monday, September 13.

Please email all comments to [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov) .

Alternatively, you can send comments by mail to:

County of San Diego

Attn: Zoning Ordinance Amendments Related to Shelter and Housing Facilities-LRP

Planning & Development Services Department

5510 Overland Avenue, Suite 310

San Diego, CA 92123

Thank you,

Mike

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**From:** Katheryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>

**Sent:** Friday, August 20, 2021 12:33 PM

**To:** Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>

**Cc:** Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)>; Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>; Stacy Brown <[stacy@brushrealty.com](mailto:stacy@brushrealty.com)>  
**Subject:** Re: [External] Re: 514 Maple Street

Hi Michael:

I agree with some of what you wrote for the Cannabis facilities except: "If this zoning ordinance amendment is approved, the changes that are proposed could potentially exempt them from the Site Plan process."

If the Board of Supervisors' requested Zoning Ordinance Amendment are approved as is, then any building addition less than 10,000 square feet will be Categorically Exempt from CEQA, the Site Plan Process, and the B Designator for Design Review. There is no "could be potentially exempt." They will be Categorically Exempt. Please confirm if my interpretation is correct.

I am talking specifically about the Categorical Exemption from CEQA to permitting any Homeless Emergency Shelter, in any parcel within Industrial Zones M50, M52, M54, and M58, which includes 514 Maple Street in Ramona.

The Housing Element of the General Plan states there are 2,654 acres in San Diego County within Industrial Zones M50, M52, M54, and M58. Currently, are opening up Emergency Shelters in the 2,654 acres of Industrial Zones Categorically Exempt from Site Plans and the B Designators?

Also if you can answer the question if private non-profit agencies and churches are allowed to use their private or leased property for Emergency Shelters in Industrial Zones. After they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and ministerial Building Permits, if needed.

Or are only Government agencies and their representatives allowed to open Emergency Shelters in the Unincorporated areas of San Diego County?

Regards,

Katheryn

On Fri, Aug 20, 2021 at 7:38 AM Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)> wrote:

since i didn't provide the update as requested in that email, which i have informed you numerous times that i am traveling with limited communication access, does that nullify the extension?

**Christopher Pozek**

**Veterans Rideshare**

**514 Maple St**

**Ramona, Ca., 92065**

**(765)479-4510 - Cell/Text**

**(888)270-4324 - Fax**

**[www.VETERANSRIDESHARE.com](http://www.VETERANSRIDESHARE.com)**



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On Fri, Aug 20, 2021 at 6:33 AM Johnson, Michael D.

<[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Katheryn and Chris,

Thank you for following up with me and for the additional information.

The information below only applies to existing medical marijuana dispensaries and a zoning ordinance amendment we are currently processing. These uses are also currently subject to the Site Plan review process (because these parcels are within scenic areas or within a design review board area). If this zoning ordinance amendment is approved, the changes that are proposed could potentially exempt them from the Site Plan process.

In order to make a determination on if a project would require a discretionary permit, we would need to review an application that would include a proposed project description and plot plan. Also, we would need to review the specific parcel that the project is proposed on since different areas may be subject to different special area designators. Please feel free to call me if you would like to discuss in more detail.

Chris,

I have also attached our e-mail from July 29<sup>th</sup> requesting biweekly updates.

Please feel free to contact me with any questions.

Thank you,

Mike

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**From:** Katheryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>

**Sent:** Thursday, August 19, 2021 7:53 PM

**To:** Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>  
**Cc:** Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)>; Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>; Stacy Brown <[stacy@brushrealty.com](mailto:stacy@brushrealty.com)>  
**Subject:** [External] Re: 514 Maple Street

Hi All,

I believe there are very big misinterpretation of State and County laws that need to be corrected by County staff. **These misinterpretation may be the reason why the County always refuses to allow any private Emergency Shelters in the Unincorporated area. And why the Homeless problem is never fixed.**

Please ask the County Counsel to review these important issues, points of disagreement, and reply in writing.

Just to clarify, we have differing interpretations of existing County laws as they relate to Zoning and Code Compliance issues for Emergency Shelter in Industrial Zone M54, and Categorical Exemptions for Emergency Shelters under CEQA.

Private Emergency Shelters have been allowed Ministerial, By-Right in County Industrial Zones (M50, M52, M54, and M58) since 2010. However in the last 11 years, zero Emergency Shelters have been approved by County staff. And Zero homeless people have been helped.

You stated that Emergency Shelters in Industrial Zones would still require a Site Plan. Plus are subject to compliance with the B Designator for Community Design Review. Which may include public hearings to the Ramona Community Planning Group (RCPG), and conformance with the Ramona Community Plan. I disagree.

The issue of Ministerial Review versus Discretionary Review was just reconfirmed less than 2 weeks ago at the latest Planning Commission (PC) hearing.

The August 6, 2021 Planning Commission (PC) Report PDS2021-21-001 is written by your boss Kathleen Flannery, the acting director of the County's Planning and Development Services (PDS) department. There is a discussion on Ministerial approval of existing Cannabis businesses in Industrial Zone M54 General Impact Industrial Use, Site Plans, and the B Designator for mandatory Design Review.

<https://www.sandiegocounty.gov/content/dam/sdc/pds/PC/210806-pc-hearing/Final%20-%2001%20-%20Socially%20Equitable%20Cannabis%20Program.pdf>

"Some of the existing dispensaries are subject to either the Special Area Designator - B ("B Designator")... which are community design review... three are subject to only the B Designator... The B Designator would require the existing dispensaries to obtain a discretionary permit (i.e., a Site Plan) to expand. The Board directed staff to prepare a Zoning Ordinance amendment to exempt the existing dispensaries for 10,000 square foot expansions from discretionary review under a CEQA Exemption. Therefore, staff has drafted the ordinances to allow these expansions with a ministerial building permit and be exempt from B and S Designators. Dispensary expansions beyond this amount will require Site Plan approval which would necessitate additional environmental analysis under CEQA."

Therefore, based upon my interpretation of the above, in Industrial Zones, Emergency Shelters are allowed Ministerially By-Right, without the need for a Discretionary Site Plan. Or a Discretionary hearing before the Ramona Planning Board under the B Designator for Design Review.

This is great news that Emergency Shelters in Industrial Zones were

always exempt from Site Plan requirements and the B Designator since 2010. However, this needs to be confirmed by PDS and County Counsel in writing.

In addition you also stated only government agencies or their subcontractors are allowed to open Emergency Shelters in the Unincorporated areas of San Diego County.

Therefore, a church or non-profit cannot do it by themselves without a formal Agreement with the County, a County lease, or monetary contribution from the County Board of Supervisors.

This is true only for use with Government Code Section 8698 the Emergency Homeless Shelter Crisis Act.

The Housing Element of the General Plan already allows for private Emergency Shelters By-Right since 2010. Private non-profit agencies and churches where suppose to be allowed to use their private or leased property for Emergency Shelters in Industrial Zones after they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and Building Permits if needed.

Thank you for your consideration and time.

Regards,

Katheryn Rhodes

On Thu, Aug 19, 2021 at 1:48 PM Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)> wrote:

yes, it seems Stacy (that you included in the email string now) & Tom, along with the rest of the Christiansen Family Trust, does not "want to be in that type of business"...kind of similar to you Code Enforcement Folks.

i don't remember you stating, "yes you can have a 90 day notice, with a contingency of providing updates every two weeks". maybe this is the reason you love those verbals instead of paper trails. i can not commit to this due to i am still traveling, as i already have informed you.



The Christiansen Family trust sent some paperwork over about a week ago, shortening the time frame to throw everyone out to 30 days from the date of the letter. i have to inform the residents of the new development. we had a phone call two weeks ago, and she actually stated that she would honor your 90 day notice, but i guess that changed.

here is an update for you though...

13 trailer's residents have moved out

11 trailers are still occupied.

you might want to send your folks back over to visit with the remaining folks and try and help them.

have a great day

**Christopher Pozek**

**Veterans Rideshare**

**514 Maple St**

**Ramona, Ca., 92065**

**(765)479-4510 - Cell/Text**

**(888)270-4324 - Fax**

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On Wed, Aug 18, 2021 at 1:41 PM Johnson, Michael D.  
<[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Chris and Kathryn,

I hope you are doing well. I wanted to follow up on my e-mail below since we have not heard from you.

Since we last spoke, we received documentation that the owner is not pursuing an emergency shelter on this parcel. Based on this, please e-mail us back this week and let us know what your plans and next steps are to bring the property into compliance. Note: In our e-mail on July 29<sup>th</sup>, we provided 90 days to bring the property into compliance (which ends on October 27<sup>th</sup> 2021).

As a reminder, we also requested an update every two weeks regarding the status of the property, which we have not received. Please provide us the first update by this Friday (8/20) and every two weeks thereafter. Please be sure to include information on the number of people and trailers left on the property, what steps are being taken to help them relocate, and any issues that come up.

We are happy to be flexible and work with you and the tenants during this process. If any issues come up or if you have any questions, please feel free to contact us.

Thank you,

Mike

---

**From:** Johnson, Michael D.  
**Sent:** Monday, August 9, 2021 11:34 AM

**To:** 'Chris Pozek' <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>; Kathryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>  
**Cc:** Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>  
**Subject:** 514 Maple Street

Hi Chris and Kathryn,

I wanted to follow up with you on a few of the voicemails I have left and the phone calls we have had in the last few days. I have reviewed the documents Kathryn sent over. However, before we get too much further in our review, we will need to have confirmation that the owner approves of the proposal for an emergency shelter at this location. Based on my last phone call with them, they had only authorized industrial uses on this lot and did not approve of an emergency shelter proposal.

When you have time, would it be possible for you to provide us an update and identify a few dates/times that would work for a virtual meeting with the owner and us to discuss?

Thank you,



***Michael Johnson***

Planning Manager, Code Compliance

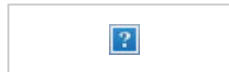
Planning & Development Services

5510 Overland Avenue | Suite 310 | San Diego | CA | 92123-1666

☎ 619-952-2873 | ✉ [Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)

Code Compliance Home Page: <http://www.sandiegocounty.gov/>

For local information and daily updates on COVID-19, please visit [www.coronavirus-sd.com](http://www.coronavirus-sd.com). To receive updates via text, send **COSD COVID19** to **468-311**.



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**From:** [Katheryn Rhodes](#)  
**To:** [Johnson, Michael D.](#); [AdvancePlanning, PDS](#)  
**Cc:** [Chris Pozek](#); [Panas, Brent](#); [Ligayon, Sheila](#); [Hernandez, Brad](#); [Stacy Brown](#)  
**Subject:** Re: [External] Re: 514 Maple Street  
**Date:** Thursday, August 26, 2021 2:29:21 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[20210301 County Zoning Ordinance Sections 1006 1334 2990 6911 For Amendments For Emergency Shelters.pdf](#)  
[20201104 HCD Information Bulletin IB-2020-](#)  
[09 Emergency Housing Ordinance Filing Minimum Building Standards Adoption of Appendix O N 7-Pages.pdf](#)  
[20181218 HCD Information Bulletin IB-2018-](#)  
[05 Emergency Housing CBC CRC California Building Residential Codes Appendix N O X 21-Pages.pdf](#)  
[20190319 Item-332 Declaration Shelter Crisis Adoption Emergency Housing Building Standards Appendix-](#)  
[N Mara Elliott Government Code Section 8698-4 Shelter Crisis Ordinance O-21060.pdf](#)  
[20200108 Governor Newsom Executive Order EO-N-23-20-Homelessness-Crisis Public Property Shelters 5-](#)  
[Pages.pdf](#)

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Hi Michael,

Thank you for the information. I agree the upcoming Cannabis Categorical Exemption from CEQA for building additions less than 10,000 square feet are only related to the five Cannabis businesses.

To: County Planning and Development Services (PDS) Advanced Planning.

The following are my preliminary public comments to the Update to the Zoning Ordinance related to Emergency Shelter on County owned or leased land.

At the April 6, 2021 County Board of Supervisors meeting PDS staff were to prepare a Emergency Shelter framework report due within 90 days or July 5, 2021. Did the Board of Supervisors receive the report? Please send us the report by email. Thanks.

Has there been a County of San Diego Categorical Exemption from CEQA to permitting any private or public Homeless Emergency Shelter, in any parcel within Industrial Zones M50, M52, M54, and M58, since 2010?

How many applications were made to PDS for Emergency Shelter in the Unincorporated area of San Diego County since 2010? How many were ultimately permitted? Why were the Emergency Shelter applications denied?

The Housing Element of the General Plan states there are 2,654 acres in San Diego County within Industrial Zones M50, M52, M54, and M58 available for Emergency Shelter ministerially By-Right. Currently, are opening up private Emergency Shelters on private land in the 2,654 acres of Industrial Zones Categorically Exempt from Site Plans and the B Designators?

Also if you can answer the question if private non-profit agencies and churches are allowed to use their private or leased property for Emergency Shelters in Industrial Zones. After they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and ministerial Building Permits, if needed.

Or are only Government agencies and their representatives allowed to open Emergency Shelters in the Unincorporated areas of San Diego County?

At the July 14, 2021 Housing Element Update and General Plan Amendment hearing, District 2

County Supervisor Joel Anderson tasked Planning and Development Services (PDS) Staff with the following:

<https://twitter.com/JoelAndersonCA/status/1418714171152076802>

<https://www.sandiegouniontribune.com/news/politics/story/2021-07-15/general-plan>

"Supervisor Joel Anderson asked staff to report the amount of housing constructed each year, instead of every four years, saying that annual tally will be important for tracking whether the county is meeting its targets.

He also asked planners to think more broadly about the kinds of homes they permit and encourage, in an effort to boost housing production while cutting prices.

"More housing types that are easier to construct and are more affordable, I think, should be part of that consideration," Anderson said. "I'd like to add a variety of housing types, including but not limited to movable tiny houses, 3D-printed homes and new prefab housing types that meet state and local building code standards."

Attached are excerpt from the County's Zoning Ordinance relating to Emergency Shelter including Sections 1006, 1334, 2990 Use and Enclosure Matrix, and 6911 that should be amending during the the upcoming amendments to the Zoning Ordinance which is schedule to be approved by the Board of Supervisors in the next few months, in Fall 2021. However, now it stated that the Updated Emergency Shelter Zoning Ordinance will not be approved until 2022. What is the expected date of the Board of Supervisors meeting? Will it be in 2021 or 2022?

County's Zoning Ordinance Section "1006 f. The Zoning Ordinance shall not apply to the Departments of the County of San Diego during, immediately following or throughout the recovery efforts authorized by the County, related to an emergency declared by the Governor of the State of California or the Board of Supervisors of the County of San Diego. (Amended by Ord. No. 6615 (N.S.) adopted 6-22-83)".

Therefore, since 1983 if a County Department partners with a non-profit during a State of Emergency like a Shelter Crisis, then according to Section 1006(f) the Zoning Ordinance does not apply, and the project is exempt from following the normal rules for Recreational Vehicle (RV) parks or Mobile Home parks.

Right now churches are not zoned even for Safe Parking lots at night. Or else after citizen complaints to County Code Compliance, churches can be issued Violation Notices.

Code Compliance exemptions for private Homeless Emergency Shelter on private land should be included in the updated Zoning Ordinance by direction of the County Board of Supervisors in areas where Emergency Shelters are allowed ministerially By-Right.

The County of San Diego's Zoning Ordinance Section 2990 Use Matrix shows that currently Emergency Shelters are only allowed in 4 of 5 Industrial Zones. Emergency Shelters are Not Allowed in Residential, Commercial, Agriculture, or Special Purpose Zones.

As a recommendationIn the Use and Enclosure Matrix Legend for other than Industrial Zones, County staff should change the column for Emergency Shelter from blank space to "A -

Permitted by Administrative Permit” or other, to allow for Emergency Shelters in Residential Zones, Commercial Zones, Agriculture Zones, and/or Special Purpose Zones where appropriate, with the County staff’s ministerial approval and an Administrative Permit, or with a Discretionary CEQA-level project. That way everyone knows which PDS permit process is required in other zones besides Industrial.

For example, the March 2019 Ramona Village Center Form Based Code report states that Emergency Shelters are allowed ministerially, By-Right (R) in Ramona Village Zones V1, V2, V3, V4, and V5. Which seems to include the majority of Main Street in downtown Ramona.  
<https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/village/ramonaformbasedcodedoc.pdf>

The State Housing and Community Development (HCD) publishes Information Bulletins (IB) through its Division of Codes and Standards that give the County the latest information on siting HomelessEmergency Shelter legally.

<https://www.hcd.ca.gov/information-bulletins.shtml>

Attached and linked below is the November 4, 2020 State Housing and Community Development (HCD) Information Bulletin IB-2020-09 Emergency Housing Ordinance Filing that "allows any city, county, or city and county to adopt by ordinance reasonable local standards and procedures for emergency housing upon declaration of a shelter crisis."

<https://www.hcd.ca.gov/docs/ib2020-09.pdf>

As an example for the County of San Diego to follow, on March 19, 2019 as Item 332 the City of San Diego voluntarily adopted Appendix N (now Appendix O) to the 2016 (now 2019) California Building Code with minor local modification and additions into the Municipal Code (MC). Attached is the City’s Ordinance written by City Attorney Mara Elliott to adopt Appendix N, and references Government Code Section 8698.4 the Shelter Crisis Act, and states the City may suspend Zoning laws. Please give the Board of Supervisors the opportunity to adopt Appendix O as is in an Emergency measure, prior to the updated Zoning Ordinance. The words Emergency Shelter and Emergency Housing should mean the same thing.

“WHEREAS, pursuant to California Government Code section 8698.4, the City may suspend provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws, provided the City has adopted local standards and procedures for emergency housing shelters consistent with ensuring public health and safety.”

Attached and linked below is the December 18, 2018 HCD Information Bulletin IB-2018-05 directed to Code Enforcement which includes Appendix N Emergency Housing – Voluntary Adoption of Emergency Regulations into the 2016 California Building Code (CBC).

<https://www.hcd.ca.gov/docs/ib2018-05.pdf>

Appendix N serves as local standards and procedures for the design, site development, and operation of emergency housing shelters. The updated 2019 CBC renamed from Appendix N to Appendix O, and should be included in the upcoming Zoning Ordinance. In addition, IB-2018-05 also created new names and legal definitions for structures under “Emergency Housing” that should be used in the County’s update to their Zoning Ordinance. Including the following new updated legal definitions:



"EMERGENCY SLEEPING CABIN. Relocatable hard-sided structure constructed in accordance with this appendix, which may be occupied only for emergency housing if allowed by the enforcing agency. " Emergency Sleeping Cabins include Tiny Homes and Camping Cabins.

"EMERGENCY TRANSPORTABLE HOUSING UNIT. A single or multiple section prefabricated structure that is transportable by a vehicle and that can be installed on a permanent or temporary site in response to a need for emergency housing. Emergency transportable housing units include, but are not limited to, manufactured homes, mobilehomes, multifamily manufactured homes, recreational vehicles, and park trailers. For the purposes of this appendix, emergency transportable housing units may also include commercial modulars as defined in the Health and Safety Code Section 18001.8, if approved by the enforcing agency."

"DEPENDENT UNIT. Emergency housing not equipped with a kitchen area, toilet, and sewage disposal system. Recreational vehicles that are not self-contained and without utility service connections shall be considered dependent units."

"Tents" can also be used for Emergency Housing with 4-inch platforms, and where minimum temperatures are above 50 degrees.

Attached and linked below is the January 8, 2020 Executive Order N-23-20 from California Governor Gavin Newsome's on the HomelessEmergency Shelter Crisis and Government Code Section 8698 that states in part:

<https://www.gov.ca.gov/wp-content/uploads/2020/01/EO-N-23-20-Homelessness-Crisis-01.08.2020.pdf>

[https://www.bcsd.ca.gov/hcfc/executive\\_order.html](https://www.bcsd.ca.gov/hcfc/executive_order.html)

"FURTHERMORE, all counties, cities, public transit agencies, special districts, school districts, tribal governments, and non-governmental actors, including businesses, faith-based organizations, and other nonprofit agencies, are requested to examine their own ability to provide shelter and house homeless individuals on a short-term emergency basis and coordinate with local authorities to provide shelter and house individuals."

To County PDS staff, please copy and use the City of Los Angeles Municipal Code Section 12.81 as a template to officially allow and make clear that Charitable Organization can open up Emergency Shelter on private land within Industrial Zones M50, M52, M54, and M58. That way everyone knows that private Emergency Shelter are allowed on private property in Industrial Zones since 2010.

[https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lapz/0-0-0-10353](https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-10353)

SEC. 12.81. HOMELESS SHELTERS – EMERGENCIES – CHARITABLE ORGANIZATIONS. (Amended by Ord. No. 186,339, Eff. 10/23/19.)

A. Notwithstanding any provisions of this article to the contrary, during any period for which the Mayor and/or the City Council have declared a shelter crisis within the meaning of Government Code Sections 8698, et seq., a shelter for the homeless (as defined in Section 12.03 of this Code) may be established and operated in the R3, RAS3, R4, RAS4, R5, C2, C4, C5, CM, M1, M2, and M3 zones without regard to the number of beds or number of persons served,

if the shelter is operated by a religious institution or a non-profit, charitable organization and the shelter is located on property owned or leased by that institution or organization. If the lot on which any such shelter is located does not have sufficient area to provide the number of parking spaces required by Section 12.21 A.4.(w) of this Code, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking spaces exists on the lot, no spaces shall be required. Unreinforced masonry and/or non-ductile concrete buildings shall not be used as shelters for the homeless.

B. Requirements.

1. Providers shall register with the City of Los Angeles by submitting "Cold/Wet Weather Temporary Shelter Application" online via the City's website ([www.lacity.org](http://www.lacity.org)); and

2. Providers shall comply with the "Cold/Wet Weather Temporary Shelter" requirements promulgated by the Los Angeles Fire Department's Fire Prevention and Public Safety Bureau; and

3. Providers shall provide written notification to the owners of properties abutting the subject property, as well as to any school located within 500 feet of the subject property, prior to operating a shelter for the homeless on the subject property.

4. Providers shall comply with all local, state, and federal requirements that apply to the permitted use of their property while operating a shelter for the homeless pursuant to this section.

<https://planning.lacity.org/StaffRpt/InitialRpts/CPC-2019-1881.pdf>

Thank you for the opportunity to provide public comment to the important update to the County Zoning Ordinance for Emergency Shelters. To give the Board of Supervisors the option to declare that private Emergency Shelters run by Charitable Organization are exempt from CEQA in Industrial Zones.

Regards,

Katheryn Rhodes  
619-402-8688

On Tue, Aug 24, 2021 at 9:51 AM Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Katheryn,

I hope you are doing well. The information provided below regarding the Zoning Ordinance amendment that is currently in process is specific to the existing medical marijuana dispensaries. This project would not have an impact on regulations pertaining to emergency shelters or environmental review/CEQA exemptions that may apply to them.

However, we do currently have a Zoning Ordinance Amendment in process for emergency

shelters. If approved, this project would change regulations for emergency shelters. This website contains information on this update:

<https://www.sandiegocounty.gov/content/sdc/pds/advance/ZOAmendmentsShelters.html> .

Additionally, I have provided some information that can be found on this website below. This project is currently open for public review if you would like to share any comments through this process (see below).

#### **Background on this amendment:**

The Board of Supervisors (Board) declared a Shelter Crisis Emergency on September 11, 2018. To further the County's commitment to addressing the concerns surrounding homelessness, on January 28, 2020, the Board directed the Chief Administrative Officer to take the necessary steps for immediate, short-term, and long-term solutions to address the homeless situation in the unincorporated areas of the County, including identifying sites and properties that could be acquired for an emergency, temporary and permanent housing.

On May 19, 2020, the Board provided direction for staff to amend the Zoning Ordinance. The amendments are to facilitate the development of permanent ordinances that will assist persons experiencing homelessness, and minimize the impacts associated with homelessness on County facilities. This project will address the following board directions:

- Authorize the Chief Administrative Officer to pursue permanent amendments to the Zoning Ordinance to allow:
  - a. A broader definition of the county-owned-and-operated facilities exemption in Section 1006 to include County owned or operated facilities, and County facilities that are leased or contracted by a third party to provide a public purpose, which would include emergency shelters and other health or social service facilities (and including a non-exclusive list of examples of such facilities) owned, operated, or financed by the County;
  - b. Expansion of the definition of "Emergency Shelter" to include safe parking, safe camping, safe storage, and day shelter activity;
  - c. Authorize use of properties leased from the State of California located in the unincorporated area of the County for emergency shelter;
  - d. A broader definition of the county-owned-and-operated facilities exemption in Section 1006 to include transitional and permanent supportive housing owned, operated, or financed in whole or in part by the County.
- Authorize the Chief Administrative Officer to develop proposed ordinances intended to minimize the impacts associated with homelessness on park and recreation users and facilities and return to the Board for consideration.

On April 6, 2021, the Board of Supervisors directed staff to continue with the amendments to the Zoning Ordinance, and suspend current efforts previously directed by the Board on May 19, 2020, that authorized the development of ordinance intended to minimize the impacts associated with homelessness on park and recreation users and facilities. Amendments to the Zoning Ordinance will continue as per the April 6, 2021 direction shown below:

- Direct the CAO to accelerate work on future Zoning Ordinance changes previously directed by the Board on May 19, 2020, in order to streamline the location of emergency and permanent supportive housing, and other facilities to support people experiencing

homelessness, and seek input from the community, led by appropriate HHSA staff, to establish a framework for the appropriate siting of such locations, to determine the best approach to address environmental or other regulatory consideration that are current barriers to such changes, and report back to the Board within 90-days.

## Public Review

The County of San Diego – Planning & Development Services (PDS) is pleased to announce the release of the Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities, and the Location Framework and site review process documents for public review.

The following documents are available for a 30-day public review from August 13, 2021, to September 13, 2021 :

- [Draft Zoning Ordinance Amendments Relating to Shelter and Housing Facilities for Persons Experiencing Homelessness](#)
- [Siting Framework](#)

Public comments on all documents are requested by 4:00 pm on Monday, September 13.

Please email all comments to [PDS.advanceplanning@sdcounty.ca.gov](mailto:PDS.advanceplanning@sdcounty.ca.gov) .

Alternatively, you can send comments by mail to:

County of San Diego

Attn: Zoning Ordinance Amendments Related to Shelter and Housing Facilities-LRP

Planning & Development Services Department

5510 Overland Avenue, Suite 310

San Diego, CA 92123

Thank you,

Mike

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**From:** Katheryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>

**Sent:** Friday, August 20, 2021 12:33 PM

**To:** Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>

**Cc:** Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)>; Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>; Stacy Brown <[stacy@brushrealty.com](mailto:stacy@brushrealty.com)>  
**Subject:** Re: [External] Re: 514 Maple Street

Hi Michael:

I agree with some of what you wrote for the Cannabis facilities except: "If this zoning ordinance amendment is approved, the changes that are proposed could potentially exempt them from the Site Plan process."

If the Board of Supervisors' requested Zoning Ordinance Amendment are approved as is, then any building addition less than 10,000 square feet will be Categorically Exempt from CEQA, the Site Plan Process, and the B Designator for Design Review. There is no "could be potentially exempt." They will be Categorically Exempt. Please confirm if my interpretation is correct.

I am talking specifically about the Categorical Exemption from CEQA to permitting any Homeless Emergency Shelter, in any parcel within Industrial Zones M50, M52, M54, and M58, which includes 514 Maple Street in Ramona.

The Housing Element of the General Plan states there are 2,654 acres in San Diego County within Industrial Zones M50, M52, M54, and M58. Currently, are opening up Emergency Shelters in the 2,654 acres of Industrial Zones Categorically Exempt from Site Plans and the B Designators?

Also if you can answer the question if private non-profit agencies and churches are allowed to use their private or leased property for Emergency Shelters in Industrial Zones. After they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and ministerial Building Permits, if needed.

Or are only Government agencies and their representatives allowed to open Emergency Shelters in the Unincorporated areas of San Diego County?

Regards,

Katheryn

On Fri, Aug 20, 2021 at 7:38 AM Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)> wrote:

since i didn't provide the update as requested in that email, which i have informed you numerous times that i am traveling with limited communication access, does that nullify the extension?

**Christopher Pozek**

**Veterans Rideshare**

**514 Maple St**

**Ramona, Ca., 92065**

**(765)479-4510 - Cell/Text**

**(888)270-4324 - Fax**

**[www.VETERANSRIDESHARE.com](http://www.VETERANSRIDESHARE.com)**



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On Fri, Aug 20, 2021 at 6:33 AM Johnson, Michael D.

<[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Katheryn and Chris,

Thank you for following up with me and for the additional information.

The information below only applies to existing medical marijuana dispensaries and a zoning ordinance amendment we are currently processing. These uses are also currently subject to the Site Plan review process (because these parcels are within scenic areas or within a design review board area). If this zoning ordinance amendment is approved, the changes that are proposed could potentially exempt them from the Site Plan process.

In order to make a determination on if a project would require a discretionary permit, we would need to review an application that would include a proposed project description and plot plan. Also, we would need to review the specific parcel that the project is proposed on since different areas may be subject to different special area designators. Please feel free to call me if you would like to discuss in more detail.

Chris,

I have also attached our e-mail from July 29<sup>th</sup> requesting biweekly updates.

Please feel free to contact me with any questions.

Thank you,

Mike

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**From:** Katheryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>

**Sent:** Thursday, August 19, 2021 7:53 PM



**To:** Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>  
**Cc:** Johnson, Michael D. <[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)>; Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>; Stacy Brown <[stacy@brushrealty.com](mailto:stacy@brushrealty.com)>  
**Subject:** [External] Re: 514 Maple Street

Hi All,

I believe there are very big misinterpretation of State and County laws that need to be corrected by County staff. **These misinterpretation may be the reason why the County always refuses to allow any private Emergency Shelters in the Unincorporated area. And why the Homeless problem is never fixed.**

Please ask the County Counsel to review these important issues, points of disagreement, and reply in writing.

Just to clarify, we have differing interpretations of existing County laws as they relate to Zoning and Code Compliance issues for Emergency Shelter in Industrial Zone M54, and Categorical Exemptions for Emergency Shelters under CEQA.

Private Emergency Shelters have been allowed Ministerial, By-Right in County Industrial Zones (M50, M52, M54, and M58) since 2010. However in the last 11 years, zero Emergency Shelters have been approved by County staff. And Zero homeless people have been helped.

You stated that Emergency Shelters in Industrial Zones would still require a Site Plan. Plus are subject to compliance with the B Designator for Community Design Review. Which may include public hearings to the Ramona Community Planning Group (RCPG), and conformance with the Ramona Community Plan. I disagree.

The issue of Ministerial Review versus Discretionary Review was just reconfirmed less than 2 weeks ago at the latest Planning Commission (PC) hearing.

The August 6, 2021 Planning Commission (PC) Report PDS2021-21-001 is written by your boss Kathleen Flannery, the acting director of the County's Planning and Development Services (PDS) department. There is a discussion on Ministerial approval of existing Cannabis businesses in Industrial Zone M54 General Impact Industrial Use, Site Plans, and the B Designator for mandatory Design Review.

<https://www.sandiegocounty.gov/content/dam/sdc/pds/PC/210806-pc-hearing/Final%20-%2001%20-%20Socially%20Equitable%20Cannabis%20Program.pdf>

"Some of the existing dispensaries are subject to either the Special Area Designator - B ("B Designator")... which are community design review... three are subject to only the B Designator... The B Designator would require the existing dispensaries to obtain a discretionary permit (i.e., a Site Plan) to expand. The Board directed staff to prepare a Zoning Ordinance amendment to exempt the existing dispensaries for 10,000 square foot expansions from discretionary review under a CEQA Exemption. Therefore, staff has drafted the ordinances to allow these expansions with a ministerial building permit and be exempt from B and S Designators. Dispensary expansions beyond this amount will require Site Plan approval which would necessitate additional environmental analysis under CEQA."

Therefore, based upon my interpretation of the above, in Industrial Zones, Emergency Shelters are allowed Ministerially By-Right, without the need for a Discretionary Site Plan. Or a Discretionary hearing before the Ramona Planning Board under the B Designator for Design Review.

This is great news that Emergency Shelters in Industrial Zones were

always exempt from Site Plan requirements and the B Designator since 2010. However, this needs to be confirmed by PDS and County Counsel in writing.

In addition you also stated only government agencies or their subcontractors are allowed to open Emergency Shelters in the Unincorporated areas of San Diego County.

Therefore, a church or non-profit cannot do it by themselves without a formal Agreement with the County, a County lease, or monetary contribution from the County Board of Supervisors.

This is true only for use with Government Code Section 8698 the Emergency Homeless Shelter Crisis Act.

The Housing Element of the General Plan already allows for private Emergency Shelters By-Right since 2010. Private non-profit agencies and churches where suppose to be allowed to use their private or leased property for Emergency Shelters in Industrial Zones after they comply with ministerial County Department of Environmental Health and Quality (DEHQ) Permits, and Building Permits if needed.

Thank you for your consideration and time.

Regards,

Katheryn Rhodes

On Thu, Aug 19, 2021 at 1:48 PM Chris Pozek <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)> wrote:

yes, it seems Stacy (that you included in the email string now) & Tom, along with the rest of the Christiansen Family Trust, does not "want to be in that type of business"...kind of similar to you Code Enforcement Folks.

i don't remember you stating, "yes you can have a 90 day notice, with a contingency of providing updates every two weeks". maybe this is the reason you love those verbals instead of paper trails. i can not commit to this due to i am still traveling, as i already have informed you.

The Christiansen Family trust sent some paperwork over about a week ago, shortening the time frame to throw everyone out to 30 days from the date of the letter. i have to inform the residents of the new development. we had a phone call two weeks ago, and she actually stated that she would honor your 90 day notice, but i guess that changed.

here is an update for you though...

13 trailer's residents have moved out

11 trailers are still occupied.

you might want to send your folks back over to visit with the remaining folks and try and help them.

have a great day

**Christopher Pozek**

**Veterans Rideshare**

**514 Maple St**

**Ramona, Ca., 92065**

**(765)479-4510 - Cell/Text**

**(888)270-4324 - Fax**

**[www.VETERANSRIDESHARE.com](http://www.VETERANSRIDESHARE.com)**



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On Wed, Aug 18, 2021 at 1:41 PM Johnson, Michael D.  
<[Michael.Johnson1@sdcounty.ca.gov](mailto:Michael.Johnson1@sdcounty.ca.gov)> wrote:

Hi Chris and Kathryn,

I hope you are doing well. I wanted to follow up on my e-mail below since we have not heard from you.

Since we last spoke, we received documentation that the owner is not pursuing an emergency shelter on this parcel. Based on this, please e-mail us back this week and let us know what your plans and next steps are to bring the property into compliance. Note: In our e-mail on July 29<sup>th</sup>, we provided 90 days to bring the property into compliance (which ends on October 27<sup>th</sup> 2021).

As a reminder, we also requested an update every two weeks regarding the status of the property, which we have not received. Please provide us the first update by this Friday (8/20) and every two weeks thereafter. Please be sure to include information on the number of people and trailers left on the property, what steps are being taken to help them relocate, and any issues that come up.

We are happy to be flexible and work with you and the tenants during this process. If any issues come up or if you have any questions, please feel free to contact us.

Thank you,

Mike

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**From:** Johnson, Michael D.  
**Sent:** Monday, August 9, 2021 11:34 AM

**To:** 'Chris Pozek' <[chris.pozek@veteransrideshare.com](mailto:chris.pozek@veteransrideshare.com)>; Kathryn Rhodes <[laplayaheritage@gmail.com](mailto:laplayaheritage@gmail.com)>  
**Cc:** Panas, Brent <[Brent.Panas@sdcounty.ca.gov](mailto:Brent.Panas@sdcounty.ca.gov)>; Ligayon, Sheila <[Sheila.Ligayon@sdcounty.ca.gov](mailto:Sheila.Ligayon@sdcounty.ca.gov)>; Hernandez, Brad <[Brad.Hernandez@sdcounty.ca.gov](mailto:Brad.Hernandez@sdcounty.ca.gov)>  
**Subject:** 514 Maple Street

Hi Chris and Kathryn,

I wanted to follow up with you on a few of the voicemails I have left and the phone calls we have had in the last few days. I have reviewed the documents Kathryn sent over. However, before we get too much further in our review, we will need to have confirmation that the owner approves of the proposal for an emergency shelter at this location. Based on my last phone call with them, they had only authorized industrial uses on this lot and did not approve of an emergency shelter proposal.

When you have time, would it be possible for you to provide us an update and identify a few dates/times that would work for a virtual meeting with the owner and us to discuss?

Thank you,



## ***Michael Johnson***

Planning Manager, Code Compliance

Planning & Development Services

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Code Compliance Home Page: <http://www.sandiegocounty.gov/>

For local information and daily updates on COVID-19, please visit [www.coronavirus-sd.com](http://www.coronavirus-sd.com). To receive updates via text, send **COSD COVID19** to **468-311**.



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