



July 17, 2017

To: Washington State E.C.Y., Environmental Review Section
Cowlitz County Health Department
William Fashing, Executive Director, Cowlitz Wahkiakum Council of Governments
Dr. Dan Zorn, Superintendent, Longview School District
Bill Marcum, Kelso-Longview Chamber of Commerce
Deborah Johnson, Captain, Longview Police Department
The Daily News

From: John Brickey, Director of Community Development/Building Official

Subject: **SEPA Environmental Checklist Review - Application #E 2017-8**

Project: **Steve Langdon, Planning Manager with the City of Longview has submitted a SEPA checklist for a non-project action to amend the Longview Zoning Code regarding the siting of emergency shelters. The proposal modifies where shelters can be located in the City. It also requires that new shelters receive a special property use permit which requires a public hearing be held. As part of the application process, the applicants must submit good neighbor agreement that is binding upon approval. The proposal is a non-project action within the city limits of Longview, WA.**

The applicant has submitted an Environmental Checklist for review under WAC 197-11, the SEPA Rules.

The non-project action applies city-wide.

The SEPA Responsible Official has determined that this proposal will not likely have an adverse impact on the environment and has issued a DNS on this application. Please review the attached SEPA documents and provide your written comments to me no later than **6:00 p.m. July 31, 2017.**

If you have any questions or need additional information, please contact Adam Trimble, Planner at (360) 442-5092 or me at (360) 442-5080.

Thank you.

Attachments: Proposed zoning code amendments

Cc: Applicant: City of Longview
File



**DETERMINATION OF NON-SIGNIFICANCE
SEPA RULES - WAC 197-11-970**

Description of Proposal: E 2017-8– The City of Longview Planning Commission proposes a non-project action to update Longview Zoning Code regarding the siting of emergency shelters. Under the proposal, emergency shelters could be located in the City's General Commercial, Office/Commercial and R-4 Residential (zoning) Districts upon receiving a special property use permit. The proposal also requires emergency shelters to locate a certain distance from single-family residential districts, parks, schools and from other emergency shelters. A public hearing will be required and a good neighbor agreement must be submitted. The proposal is a non-project action within the city limits of Longview, WA. The proposal is attached.

Proponents: Steve Langdon, Planning Manager
City of Longview
P.O. Box 128
Longview, WA 98632
Phone: 360-442-5083

Location of Proposal, Including Street Address, if any: This is a non-project action and applies city-wide.

Lead Agency: City of Longview, Washington

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.



The comment period for this DNS ends at 6:00 on Monday, July 31, 2017.

Responsible Official: John Brickey
Position/Title: Director/Building Official
Department: Community Development
Address: PO Box 128, Longview, WA 98632
Contact Person: Adam Trimble, Planner
Phone: (360) 442-5092
Date: July 17, 2017 Signature: John H. Brickey

**City of Longview
Community Development**

SEPA ENVIRONMENTAL CHECKLIST
UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. background [\[help\]](#)

1. Name of proposed project, if applicable: *Zoning code amendments regarding the siting of emergency shelters (E 2017-8)*
2. Name of applicant: *City of Longview City Council*
3. Address and phone number of applicant and contact person:
Steve Langdon, Planning Manager
PO Box 128/1525 Broadway Street
Longview, WA 98632
(360) 442-5083
4. Date checklist prepared: *July 12, 2017*
5. Agency requesting checklist: *City of Longview*
6. Proposed timing or schedule (including phasing, if applicable): *Planning Commission public hearing in August 2017, City Council review and approval in September 2017.*
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *No*
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *None*
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. *None*
10. List any government approvals or permits that will be needed for your proposal, if known.
Longview City Council adopting an ordinance
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) *This is a non-project action to amend the City's zoning ordinance regarding the siting of emergency shelters. Under the proposal emergency shelters will not be allowed in the Downtown Commerce District but allowed in the General Commercial and Office/Commercial district upon receiving a special property use permit. Also emergency shelter cannot be located within 1,000 feet of each other or within 1,000 feet of a school or within 325 feet of single-family residential district or a public park. The draft code amendments also call for the applicant to submit a good neighbor agreement which will be binding. The draft zoning code amendments are attached.*

In addition to the above, small shelters housing 10 or fewer clients would be allowed in the City's R-4 Residential District. These shelters must be drug and alcohol free and cannot house registered sex offenders. They are subject to the same buffers as described above (except youth shelters have lesser buffers). They also need to submit a "good neighbor agreement" and go through a public hearing process.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. *The proposal applies citywide.*

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth

- a. General description of the site [\[help\]](#)
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____ *Not applicable*
- b. What is the steepest slope on the site (approximate percent slope)?
Not applicable, the proposal is a non-project action
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. *Not applicable*
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. *Not applicable*
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. *Not applicable*
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. *Not applicable*
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? *Not applicable*
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: *Not applicable*

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. *Not applicable, the proposal is a nonproject action.*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. *Not applicable*
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: *Not applicable*

3. Water

- a. Surface Water: [\[help\]](#)
 - 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. *Not applicable, the proposal is a nonproject action*
 - 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. *Not applicable*
 - 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. *Not applicable*
 - 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. *Not applicable*
 - 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. *Not applicable*
 - 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. *Not applicable*
- b. Ground Water:
 - 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. *Not applicable, the proposal is a nonproject action*

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. *Not applicable*

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. *Not applicable*
- 2) Could waste materials enter ground or surface waters? If so, generally describe. *Not applicable*
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. *Not applicable*

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: *None*

4. **Plants** [\[help\]](#)

- a. Check the types of vegetation found on the site: *Not applicable, the proposal is a nonproject action*

☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☐ shrubs
☐ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? *Not applicable*

- c. List threatened and endangered species known to be on or near the site. *Not applicable*

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: *Not applicable*

- e. List all noxious weeds and invasive species known to be on or near the site. *Not applicable*

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: *Not applicable*

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. *Not applicable, the proposal is a nonproject action*

- c. Is the site part of a migration route? If so, explain. *Not applicable*

- d. Proposed measures to preserve or enhance wildlife, if any: *None*

- e. List any invasive animal species known to be on or near the site. *Not applicable*

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. *Not applicable, the proposal is a nonproject action*

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. *Not applicable*

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: *Not applicable*

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. *Not applicable, the proposal is a nonproject action*

1) Describe any known or possible contamination at the site from present or past uses. *Not applicable*

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. *Not applicable*

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. *Not applicable*

- 4) Describe special emergency services that might be required. *None*
- 5) Proposed measures to reduce or control environmental health hazards, if any: *Not applicable*

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? *Not applicable, the proposal is a nonproject action*
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. *Not applicable*
- 3) Proposed measures to reduce or control noise impacts, if any: *Not applicable*

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. *Not applicable, the proposal is a nonproject action*
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? *Not applicable*
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: *Not applicable*
- c. Describe any structures on the site. *Not applicable*
- d. Will any structures be demolished? If so, what? *No*
- e. What is the current zoning classification of the site? *The proposal would allow emergency shelters to locate in the General Commercial, Office/Commercial and R-4 Residential districts.*
- f. What is the current comprehensive plan designation of the site? The General Commercial District primarily has a comprehensive plan classification of Community Commercial. The Office/Commercial District has a comprehensive plan classification of Mixed Use – Office/Commercial. The City's R-4 Residential Districts typically has a comprehensive plan classification of High Density Residential or Public/Quasi-public/Institutional.
- g. If applicable, what is the current shoreline master program designation of the site? *Not applicable*

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
Not applicable
- i. Approximately how many people would reside or work in the completed project? *Not applicable*
- j. Approximately how many people would the completed project displace? *Not applicable*
- k. Proposed measures to avoid or reduce displacement impacts, if any: *None*
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *None*
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: *None*

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. *Not applicable, the proposal is a nonproject action*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. *Not applicable*
- c. Proposed measures to reduce or control housing impacts, if any: *None*

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Not applicable, the proposal is a nonproject action*
- b. What views in the immediate vicinity would be altered or obstructed? *None*
- c. Proposed measures to reduce or control aesthetic impacts, if any: *None*

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *Not applicable, the proposal is a nonproject action*
- b. Could light or glare from the finished project be a safety hazard or interfere with views? *Not applicable*
- c. What existing off-site sources of light or glare may affect your proposal? *Not applicable*
- d. Proposed measures to reduce or control light and glare impacts, if any: *Not applicable*

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? *Not applicable, the proposal is a nonproject action*
- b. Would the proposed project displace any existing recreational uses? If so, describe. *Not applicable*
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *Not applicable*

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. *Not applicable, the proposal is a nonproject action*
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. *Not applicable*
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. *Not applicable*
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. *None*

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. *Not applicable, the proposal is a nonproject action*
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *Not applicable*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *Not applicable*
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). *Not applicable*

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. *Not applicable*
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? *Not applicable*
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. *Not applicable*
- h. Proposed measures to reduce or control transportation impacts, if any: *None*

15. Public services

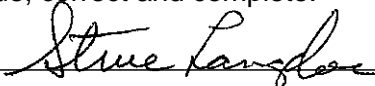
- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. *Not applicable, the proposal is a nonproject action*
- b. Proposed measures to reduce or control direct impacts on public services, if any. *None*

16. Utilities

- a. Circle utilities currently available at the site: *Not applicable, the proposal is a nonproject action*
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. *Not applicable*

C. Signature [\[HELP\]](#)

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete:

Signature: _____


Name of signee: *Steven L. Langdon*

Position and Agency/Organization: *Planning Manager, City of Longview*

Date Submitted: *July 12, 2017*

D. supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? *The proposal amends the zoning code to address the siting of emergency shelters. Emergency shelters are a typical land use in urban settings. The discharges and emission of an emergency shelter is no greater than a multitude of other land uses in an urban environment. The additional activity is not expected to substantially increase discharges and emissions.*

Proposed measures to avoid or reduce such increases are: *None*

2. How would the proposal be likely to affect plants, animals, fish, or marine life? *The proposal is not likely to affect the above. See answer to question one.*

Proposed measures to protect or conserve plants, animals, fish, or marine life are: *None*

3. How would the proposal be likely to deplete energy or natural resources? *The proposal is not likely to deplete energy or natural resources.*

Proposed measures to protect or conserve energy and natural resources are: *None*

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? *The proposal is not likely to effect any of the above.*

Proposed measures to protect such resources or to avoid or reduce impacts are: *None*

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? *The siting of emergency shelters can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter. Those attributes can cause negative impacts on nearby property values. Proper siting and management of these facilities is needed to minimize potential impacts.*

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposal limits the location of new emergency shelters to two commercial zoning districts and allows small shelters (10 or fewer clients) in the R-4 Residential District. Any new emergency shelter proposal would need a special property use (SPU) which

requires that a public hearing be held. The public hearing will help identify any issues at that specific location and determine whether any conditions of approval are needed.

Under the proposal, new emergency shelters could not be located within 325 feet of a single-family residential district, within 1,000 feet of an established elementary or secondary school, within 325 feet of a public park more than a half acre in size and within 1,000 feet of another emergency shelter. Youth shelters in the R-4 Residential District would not be subject to some of the buffers.

Also, as part of the special property use permit approval process, the provider will be required to submit a written good neighbor agreement (GNA). The GNA would describe the nature of the emergency shelter, its likely impacts on nearby land uses and proposed methods to mitigate those impacts. The GNA would also identify project management, other staffing, and security arrangements. The GNA would be binding.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? *The proposal is not likely to increase demands on the above.*

Proposed measures to reduce or respond to such demand(s) are: The proposal limits the location of new emergency shelters to two commercial zoning districts and one residential district. Much of area these districts encompass contain or are near services typically used by the homeless. Thus, the need for vehicle transportation will likely be reduced.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. *None known*

Ad Hoc Committee on Zoning Regulations for Emergency Shelters

April 2017 Draft

Commercial Districts

Per the committee's discussion the following changes would be made to the uses table for the commercial districts.

Table 19.44.020-1. Permitted uses in commercial zones (in part)

Residential	D-C	CBD	RC ¹	NC ²	GC	O/C
Residential dwellings above the first story of commercial buildings	P	P		P	P	P
Congregate care, assisted living and continuing care facilities and nursing homes for elderly individuals; including accessory services to the above uses	SPU				SPU	SPU
Existing residences without any increase in density			P			
Transitional housing facility	SPU ⁸					SPU
Emergency shelters for homeless persons and families <u>per LMC 19.44.110</u>	SPU ⁸				P SPU	SPU

Notes: SPU means a special property use permit is needed. P means the use is permitted outright. If the space is blank then the use is not permitted in that zoning district. D-C means Downtown Commerce District, CBD = Central Business District, RC = Regional Commercial District, NC = Neighborhood Commercial District, GC = General Commercial District and O/C = Office/Commercial District

Proposed new section to Chapter 19.44 Commercial Zoning Districts

19.44.110 Emergency Shelters.

A. The following standards apply to emergency shelter:

- (1) Emergency shelters shall be consistent with the definition of emergency shelter as given in Chapter 19.09.
- (2) Prohibited Areas. Emergency shelters shall not be allowed in the following areas:
 - (a) Within 325 feet of a single-family residential district such as the R-1 Residential and the Traditional Neighbor Residential districts.
 - (b) Within 1,000 feet of an established elementary or secondary school whether public or private

(c) Within 325 feet of a public park that is 0.5 acre or more in size

(d) Within 1,000 feet of another emergency shelter

(3) The distances specified in subsection (2) of this section shall be measured as follows:

(a) For subsection (2)(a) of this section, the distance shall be measured as the shortest straight line distance from the nearest wall of the building housing the licensed premises to the residential zoning district boundary line.

(b) For subsections (2)(b) thru (d) of this section, the distance shall be measured as the shortest straight line distance from the property line of the emergency shelter to the property line of a use listed in subsections (2)(b) thru (d) of this section.

B. To assist the Appeal Board of Adjustment in finding the emergency shelter will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare per LMC 19.12.050, the following shall be submitted with special property use application.

(1) A written good neighbor agreement (GNA) shall be provided for the review and approval of the Appeal Board of Adjustment. At a minimum, the GNA shall address the following:

a) Program Description.

(1) Population to be housed at the emergency shelter; process and criteria for the selection of guests.

(2) Bed capacity for nightly guests.

(3) Staffing plan.

(4) Hours of operations, curfew; nature of any day services to be provided by the emergency shelter; how the shelter will address waiting to access services.

b) Safety and Security. On-site management shall be present at all times that the shelter is in operation. The shelter must maintain a security plan that is developed prior to the opening, to include the following:

(1) How the facility will be accessed.

(2) Staff control and sight vision to all doors.

(3) Security patrols of building's exterior and interior, during operating hours.

(4) Client smoking areas and policies.

(5) Emergency/evacuation plan (protocols & procedures)

(6) Incident response plan (protocols & procedures)

c) Property and Site Maintenance.

(1) Lighting. The lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.

(2) Size and Location of Waiting/Intake Areas. Emergency shelters shall provide adequate and protected waiting space for client intake. A portion of this space may include an outdoor smoking area that is not visible from the street.

d) Community Engagement and Communication.

(1) Contact Information. The Good Neighbor Agreement for Operations will include easily accessible contact information for key staff and leadership of the emergency shelter.

(2) Community engagement plan. Recognizing communication between the owner/operator of the emergency shelter and the neighbors surrounding the shelter is important to develop and maintain positive relationships; every good neighbor agreement shall include a community engagement plan. This plan will describe how the emergency shelter will address the concerns/complaints from the neighborhood. City staff will encourage persons with complaints about shelter operations to resolve those complaints first through the community engagement plan. Encouraging citizens to use the community engagement plan does not abrogate the City's responsibility to address complaints.

(a) To assist in implementing the community engagement plan, the City recommends that the shelter establish an advisory committee consisting of business and residential neighbors, emergency shelter staff and City staff including a representative of the police department.

C. The City recognizes that different types of shelters will have different impacts on the neighborhood. As such, the approved good neighbor agreement is binding as long as the

emergency shelter is operating even if the management of the emergency shelter has changed. A conversion from one type of shelter to another or a substantial change to the existing good neighbor agreement may require a new special property use permit as determined by the Community Development Director. If the emergency shelter is found to be in violation of the approved plans, conditions of approval, or the terms of the permit or good neighbor agreement, and the owner has failed to correct the violation after proper notice thereof; then the Appeal Board of Adjustment may revoke the special property use permit per 19.12.130.

Residential District

Chapter 19.20 Residential Zoning Districts

The following would be added to the permitted use table:

Table 19.20.020-1 Permitted Uses in Residential Districts					
Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
<u>Homeless Shelter Group Homes per LMC 19.22.050</u>				<u>SPU</u>	

Note: SPU means a special property use permit is needed. If the space is blank then the use is not permitted in that zoning district.

A new section would be added to Chapter 19.22 Supplemental Residential Zoning Standards

19.22.050 Homeless shelter group home

Homeless shelter group homes shall adhere to the following standards:

(1) Definition. Homeless shelter group home is a facility offering lodging and/or emergency shelter to homeless individuals or families for up to 90 days. These group homes are intended to provide residential facilities in a home-like non-prescribed drug and alcohol free environment with 24 hour supervision. The number of clients is limited to two per bedroom plus an additional two (e.g. a 3 bedroom facility could have up to 8 clients) with no more than 10 clients allowed in any one group home. These facilities shall be available to clients 24 hours a day.

(2) Homeless shelter group homes shall be subject to the standards and approval criteria as provided in LMC Section 19.44.110 Emergency Shelters except for the following:

- (a) The definition given in Subsection 19.22.050(1) applies; and
- (b) Homeless shelter group homes who only serve youth who have not yet reached the age of 20 are not subject to buffers given in Subsections 19.44.110(2)(a-c); and
- (c) Homeless shelter group homes shall not house registered sex offenders; and

(d) The Good Neighbor Agreement, required by LMC 19.44.110(B), shall include procedures ensuring that the shelter residents are free of alcohol and non-prescribed drugs.

End of draft

NOTES:

Under the above discussion draft, emergency shelters proposed to be located in the General Commercial (GC), Office Commercial (O/C) District or R-4 Residential District would need to get a special property use permit. The existing criteria for reviewing a special property use permit follows:

LMC 19.12.050

(3) No such special property use permit shall be granted by the board unless it finds:

(a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare;

(b) In making such determination the board shall be guided by the following considerations and standards:

(i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,

(ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,

(iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,

(iv) That adequate off-street parking will be provided to prevent congestion of public streets.

Below is the Longview Municipal Code language regarding the revocation of a special property use permit.

19.12.130 Special property use permits – Revocation – Records.

In addition to all other penalties prescribed in this title, whenever, in the opinion of the building official, any person granted a permit for a special property use fails to comply with all of the terms, conditions, or limitations of such permit and of the decision of the board authorizing the granting of such permit, he shall issue an order, in writing, requiring that all further work on the premises or use thereof be stopped until the violation has been corrected. If the violation is not corrected or if the work on the premises or use thereof is stopped or suspended until such violation is corrected, the

building official shall give written notice to the owner or occupant of the premises deemed in violation that the building official will apply to the board for an order revoking the permit for the special property use. Such written notice shall specify the time, the date and place when the building official will appear before the board to request such revocation and shall advise the owner or occupant of the premise deemed to be in violation that such owner or occupant is at liberty to appear and be heard with respect to the request of the building official for such revocation. Such notice shall be mailed to the owner or occupant of the premises deemed in violation, by certified mail with a return receipt requested, at least five days prior to the date specified in such notice as being the date of the hearing. At the hearing the board shall have the power to sustain or overrule the order of the building official and to revoke the permit granted for such special property use. The affirmative vote of a majority of the entire board shall be necessary before the order of the building official shall be declared to be overruled.

Emergency shelters are defined in the zoning code as follows:

19.09.223 Emergency shelter.

“Emergency shelter” means congregate facilities providing housing to shelter families and individuals offered on an emergency basis for a period not to exceed 90 days continuously. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency.

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