

# Zoning for Emergency Shelters

## Workshop

Longview City Council

August 24, 2017

# Zoning for Emergency Shelters

## LMC 19.09.223 Emergency shelter

- Congregate facilities providing housing to shelter families and individuals
  - Emergency basis not to exceed 90 days continuous
  - May provide meals, lodging, associated services
  - Help people move towards self-sufficiency

## **Current Zoning**

- Allowed in the Downtown Commerce (DC) District upon receiving a special property use permit (no ground floor)
- Allowed outright in General Commercial District
- **Moratorium**
  - The City has had a moratorium on the siting of new emergency shelters since Fall 2015. Current moratorium is due to expire in October 2017.

# Zoning for Emergency Shelters

## **Proposed Zoning**

Allowed in the following zoning districts upon receiving a special property use permit:

- General Commercial District
- Office/Commercial District

Deciding body: Appeal Board of Adjustment

- Approval process requires a public hearing
- Appeals go to Superior Court

# Zoning for Emergency Shelters

- **Zoning Map**

# Zoning for Emergency Shelters

- **Buffers**
  - 325 feet from single family residential districts
  - 325 feet from public park that is 0.5 acres in size
  - 1,000 feet from elementary or secondary school
  - 1,000 feet from another emergency shelter
- **Map** showing buffers

# Zoning for Small Shelters

- Proposed: **Homeless shelter group home**
- Defined: facility offering lodging and/or emergency shelter to homeless individuals or families for up to 90 days
  - residential facilities in a home-like non-prescribed drug and alcohol free environment with 24 hour supervision
  - number of clients is limited to two per bedroom plus an additional two with no more than 10 clients allowed in any one group home
  - available to clients 24 hours a day
- Additional restriction: Shall not house registered sex offenders

# Zoning for Small Shelters

- **Homeless shelter group home**
- Allowed in R-4 Residential District
- Subject to the same buffers as emergency shelters:
  - 325 feet from single family residential districts
  - 325 feet from public park that is 0.5 acres in size
  - 1,000 feet from elementary or secondary school
  - 1,000 feet from another emergency shelter
- Exception to Buffers – Homeless shelter group homes serving youth under the age of 20 are only subject to the 1,000 foot buffer from another shelter
- **Map**

# Zoning for Emergency Shelters

- Special Property Use permit approval criteria - existing
- The ABA must find:
  - That the use will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare.
- The ABA shall be guided by the following:
  - The use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,
  - The use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
  - Adequate ingress and egress will be available for fire and other vehicular emergency equipment,
  - Adequate off-street parking will be provided to prevent congestion of public streets.



# GOOD NEIGHBOR AGREEMENT

To assist the Appeal Board of Adjustment in making a decision a written Good Neighbor Agreement (GNA) shall be submitted with the application for a special property use permit.

# REQUIRED CONTENTS OF A GNA

- Program description
  - Population to be housed including selection criteria
  - Bed capacity for nightly guests
  - Staffing plan
  - Hours of operation, curfew, nature of day services, address waiting times for clients
- Safety & security
  - Facility access
  - Staff control & sight vision to all doors
  - Security patrols
  - Client smoking areas and policies
- Property and site maintenance
  - Lighting for outdoor areas
  - Size & location of waiting/intake areas

# REQUIRED CONTENTS OF A GNA

- Community engagement and communication
  - Contact information for emergency shelter key staff & leadership
  - Community engagement plan
    - Describes how shelter will address concerns/complaints
    - An advisory committee is recommended consisting of:
      - Business & residential neighbors
      - Emergency shelter staff
      - City staff (e.g. police)
    - City staff will encourage persons use the community engagement plan first
    - City has ultimate responsibility for addressing complaints

# Good Neighbor Agreement

- Good Neighbor Agreement is binding
  - A new special use permit may be required if the shelter:
    - Converts from one type of shelter to another
    - There is a substantial change to the GNA
  - City's Community Development Director determines whether a new special property use permit is needed
  - Appeal Board of Adjustment can revoke special property use permit if the owner has failed to correct violations

# Recommendation & Next Steps

- Ad Hoc Committee unanimously votes to recommend approval of proposal on June 14
- Planning Commission held a public hearing on August 2. Following the public hearing, the Commission voted 4 to 0 to recommend approval of the proposal without any changes.
- August 24, Council holds workshop on proposal and discusses any potential changes to the proposal
- City Council to hold a public hearing at an August 31 special meeting and then determines whether any changes are needed and what steps are needed to approve an ordinance.

# Zoning for Emergency Shelters

## Questions & Discussion