

## ABA Workshop on Emergency Shelters:

### *Examples of Good Neighbor Agreements*

<https://mylongview.box.com/v/Goodneighbor>

### *Interactive Zoning Map: (turn on zoning under the 'layers button')*

<http://mylongview.com/index.aspx?page=700>

Static zoning map: <http://mylongview.com/modules/showdocument.aspx?documentid=742>

### *Excerpts from the Longview Municipal Code Shelter regulations:*

**Table 19.20.020-1 Permitted Uses in Residential Districts**

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
Homeless shelter group homes per LMC 19.22.050				SPU	

(Ord. 3362 § 1, 2017; Ord. 3358 § 3, 2017; Ord. 3297 § 6, 2015; Ord. 3268 § 2, 2014; Ord. 3182 § 2, 2011; Ord. 3122 § 14, 2010).

#### **Residential Zone 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 nonprescribed 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 three-bedroom facility could have up to eight 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 19.44.110, Emergency shelters, except for the following:

- (a) The definition given in subsection (1) of this section 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 LMC 19.44.110(1)(b)(i) through (iii); and
- (c) Homeless shelter group homes shall not house registered sex offenders; and
- (d) The good neighbor agreement, required by LMC 19.44.110(2), shall include procedures ensuring that the shelter residents are free of alcohol and nonprescribed drugs. (Ord. 3358 § 4, 2017).

**19.44.020 Uses.**

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

**Table 19.44.020-1. Permitted uses in commercial zones.**

Use						
<b>Residential</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
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 <sup>8</sup>					SPU
Emergency shelters for homeless persons and families per LMC 19.44.110					SPU	SPU
Residential care facilities per Chapter 19.17 LMC	P	P	P	P	P	P
<b>Miscellaneous</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Day care facilities for the care of more than 12 children	SPU	P		P	P	P
Commercial off-street parking lots and garages	SPU	P			P	P
Sidewalk businesses in accordance with LMC 12.30.090 through 12.30.140	P	P		P	P	P
Funeral parlors		P			P	P
Religious assembly and institutions, community centers	P <sup>7</sup>	P			P	P
Public safety facility		P	SPU		SPU	P

1. See LMC 19.44.050 for further clarification on what is a permitted use within the regional commercial district.
2. See LMC 19.44.040 for further clarification on what is a permitted use within the neighborhood commercial district.
3. Providers of ambulance services need a special property use permit.
4. Motels/hotels and lodging facilities shall have a minimum of 40 guest rooms.
5. Bed and breakfast inns must be located above the first floor in the D-C district.
6. No outdoor display of motorized vehicles is allowed.
7. In the D-C district any property use intended to primarily provide meeting areas for secular and nonsecular uses without an ongoing active ground floor use is prohibited. An “active ground floor use” means a retail, business, or entertainment use where persons come and go on a constant and frequent basis.
8. No ground floor residential.
9. The medical care and services administered to animals shall occur only within the confines of the principal building located on the premises.
10. These uses are not allowed within 700 feet of the centerline of the west end of the city street named Mark Morris Court.
11. Brewpubs are permitted outright only in conjunction with LMC 19.44.050(4), Sit-down restaurants with a minimum enclosed floor area of 5,000 square feet.

12. These uses are only allowed in the O/C district if they are located west of 12th Avenue, except Assessor's Parcel Number 08749 is allowed to have these uses also.

13. Per LMC 19.44.050.

14. Per LMC 19.44.040.

15. City water, sewer, and drainage pump stations are permitted outright in all commercial districts and are not subject to setback requirements of this chapter.

(Ord. 3362 § 2, 2017; Ord. 3358 § 1, 2017; Ord. 3297 § 7, 2015; Ord. 3268 § 3, 2014; Ord. 3262 § 2, 2014; Ord. 3202 § 14, 2012).

#### **19.44.110 Emergency shelters.**

(1) The following standards apply to emergency shelters:

(a) Emergency shelters shall be consistent with the definition of emergency shelter as given in Chapter 19.09 LMC.

(b) Prohibited Areas. Emergency shelters shall not be allowed in the following areas:

(i) Within 325 feet of a single-family residential district such as the R-1 residential and the traditional neighbor residential districts;

(ii) Within 1,000 feet of an established elementary or secondary school whether public or private; or any day care or any preschool serving more than 12 children whether public or private;

(iii) Within 325 feet of a public park that is one-half acre or more in size;

(iv) Within 1,000 feet of another emergency shelter;

(v) Any area zoned general commercial that is located generally west of 18th Avenue, and Pacific Way and any area generally south of Nichols Boulevard or south of Tennant Way.

(c) The distances specified in subsection (1)(b) of this section shall be measured as follows:

(i) For subsection (1)(b)(i) 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.

(ii) For subsections (1)(b)(ii) through (iv) 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 (1)(b)(ii) through (iv) of this section.

(2) 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:

(a) 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:

(i) Program Description.

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

(1) Shall include procedures ensuring that the shelter residents are free of non-prescription drugs;

(B) Bed capacity for nightly guests;

(C) Staffing plan; and

(D) 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.

(ii) 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:

(A) How the facility will be accessed;

(B) Staff control and sight vision to all doors;

(C) Security patrols of building's exterior and interior, during operating hours;

(D) Client smoking areas and policies;

(E) Emergency/evacuation plan (protocols and procedures); and

(F) Incident response plan (protocols and procedures).

(iii) Property and Site Maintenance.

(A) 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; and

(B) 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.

(iv) Community Engagement and Communication.

(A) Contact Information. The good neighbor agreement for operations will include easily accessible contact information for key staff and leadership of the emergency shelter.

(b) 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.

(i) 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.

(3) 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 any significant proposed change to the existing good neighbor agreement shall 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 shall revoke the special property use permit per LMC 19.12.130. (Ord. 3358 § 2, 2017).