

**SUMMARY OF THE
HOMELESS SHELTER LAND USE
TASK FORCE MEETING**

MARCH 12, 2010

Just Solutions Facilitators:

Janet Jernigan
Rosanne Kruzich

Members Present:

Tara Brinkmoeller
Dolores Delahanty
Deb Delor
Madonna Flood
Jack Francis
Markham French
Ken Herndon (alternate)
Cathy Hinko
Debby Levine
Victoria Markell
Andy Patterson
Virginia Peck
Maria Price
Leah Stewart
Regina Warren
Stephanie Warren
Lee Weyland
Ed Wnorowski

Members Absent:

Hank Hensley
Lula Howard
Christie McCravy
Anna Wooldridge (alternate)

Department of Planning and Design Services Staff Present:

Dawn Warrick, Assistant Director
Christopher French, Planning Coordinator
Chris Brown, Planner
Sharonda Duerson, Management Assistant (meeting summary)
Rebecca Fleischaker, Economic Development Dept.

Citizens attending the meeting were:

- Marlene Gordon, Coalition for the Homeless
- Nina Mosely, Chief Operating Officer for Wayside Christian Mission.
- Joshua Poe, intern with the Metro Housing Coalition

**SUMMARY OF THE
HOMELESS SHELTER LAND USE
TASK FORCE MEETING**

MARCH 12, 2010

Call to Order

Task Force members briefly discussed the shelter tours and encouraged other interested members to schedule time to do this.

Modifications to the meeting schedule were discussed. The proposed meetings dates are as follows:

- March 19th – Task Force meeting to finalize draft recommendations for public review
- **No meeting March 26th**
- April 2nd – Public Input (in person). Online input can be received until April 16th.
- April 23rd – Final Task Force meeting to develop the final recommendations to the Planning Commission.

Materials emailed and distributed to the Task Force members included:

- The meeting agenda
- The summary of the 2-26-10 meeting
- A six-page handout detailing staff proposals for zoning location categories for Community Service Facility, Transitional Housing, and Homeless Shelter.

Quality Assurance Standards

Marlene Gordon, working with the Coalition for the Homeless and acting as a resource for the task force, presented the Quality Assurance Standards developed and managed by the Coalition for the Homeless.

The process of creating and implementing the Standards was described. To become certified, shelter clients are surveyed; a site team from the Coalition visits the shelter to check sanitary, health, safety and case management issues; and the monitoring tool is completed. The entire review process takes about three months and every shelter is reviewed once a year.

Shelters must meet every standard to pass. If deficiencies are found, depending on the type of problem, the shelter has between 30 days and 3 months (usually) to comply. The Coalition Site Team continues to work with the shelter to resolve issues. There is an appeals process if failure occurs. Limited certification is given when a facility has met and been certified by a state or federal process.

The results for each shelter are given to the managing agency's board as well as to funding and regulatory sources (Metro Government, United Way, the FEMA Board, etc.). Data is also entered into the federally-mandated, state-wide database (the Homeless Information System) that is used for all shelters participating in the certification process.

**SUMMARY OF THE
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TASK FORCE MEETING**

MARCH 12, 2010

The monitoring tool, itself, is reviewed to ensure that it is current, complete and impartial. It has been a useful tool in raising standards of care, and sharing solutions for common management and facility problems.

If this document is to be included as a standard in the Land Development Code, it raises issues related to the oversight and enforcement responsibilities that result as part of this process. Currently, oversight is provided by both the Coalition for the Homeless, and the Louisville Metro Department of Human Services but there is little enforcement recourse except through the IPL code enforcement inspection process. It would also change this process from one that is purely voluntary, to one that would be more regulatory.

Dawn Warrick said these Standards could be a good tool in helping IPL to determine compliance. Criteria can go into the Land Development Code as a standard that must be met in order for a use to be established. This could allow Code Enforcement to act if a facility does not meet basic standards.

Parking Lot issues include:

- What agencies would enforce a program's failure to comply?
- There is no current format licensing process.
- Pop Up Shelters remain a concern

Applying Regulatory Tools to the Definitions

Community Service Facility

Minor modifications were made to the working definition of Community Service Facility which included:

- Delete "special" before counseling in the 4th sentence
- Change "The use" to "These facilities" in the 4th sentence
- Delete "public, non-profit or charitable nature" from the 4th sentence
- In the 4th sentence, clarify that components or counseling, education, training are included
- It was agreed that the Community Service Facility is not intended to be an accredited institution and/or vocational training school.

The working definition now reads as follows:

Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training

**SUMMARY OF THE
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TASK FORCE MEETING**

MARCH 12, 2010

schools, business schools, etc.) and do not include a residential occupancy component.

Staff reviewed the zoning proposal for Community Service Facility. These facilities are similar to office uses, and could be permitted in all of the zoning districts that would permit office uses (Office Residential, Commercial, and some Special Purpose districts, such as EZ-1, etc. that would permit office/industrial).

After much discussion about uses in specific zoning districts not included in the staff proposal, **the Task Force recommended adding Conditional Use Permit in all categories not presently identified as Permitted Use.**

Transitional Housing

After discussion, one change was made to the working definition on Transitional Housing clarifying language related to the absence of a formal landlord/tenant lease. The current working definition is as follows:

A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act.

Staff proposed two facility categories based on number of people served by the facility, with special standards applying in all cases. A third category was also identified applying the Conditional Use Permit to all others falling outside of the circumstances identified.

The Task Force suggested that staff return a proposal that included a category for facilities serving less than 8 or 10 persons and a category for facilities serving over 100.

The R7 and R8A zoning districts should be permitted for the smaller sized facilities. Boarding and Lodging facilities were cited as a specific example.

Inclusion of the category specifying Conditional Use for all zoning districts would allow for the possibility of transitional housing anywhere, no matter the size, because each case would be reviewed individually and receive public input.

The benefits and consequences of having multiple facilities located closely together (density) or requiring limits to proximity (dispersal) were discussed. The Task Force determined that:

- Distance or proximity requirements should not be included as a special condition; and

**SUMMARY OF THE
HOMELESS SHELTER LAND USE
TASK FORCE MEETING**

MARCH 12, 2010

- Campus-type facilities need to be addressed specifically so as not to be hindered by generalized language or requirements.

Special Conditions were discussed briefly and will be addressed more fully at the next meeting. The Task Force did ask that the Quality Assurance Standards be referenced for transitional housing as well as for homeless shelters.

Wrap Up

Needed Materials/Resources

The Task Force asked staff for additional input for their consideration about the following:

- Use of conditional use permits.
- How the QAS could be incorporated into special standards.
- Are more fluid density controls possible?
- Examine the possibility that, if a facility meets QAS, then “permitted with special standards” may be allowable, no matter the size, as long as they are appropriately placed in those zones that have the right density.
- Search for a better middle ground that would recognize the need for a more flexible approach for the weight of community input versus the common weal. *[If something is done for the common weal, it is done in the interests and for the benefit of the majority or the general public. UsingEnglish.com]*
- How the proposals will affect current facilities.

The meeting adjourned at 12:05 PM.

The next meeting is at 10:00 a.m. on March 19, 2010.