

Homeless Shelter Task Force: **Summary Research Findings**

Charlotte, NC

Definitions

Homeless shelter. A facility that provides free lodging and one or more of the following supportive services for indigent individuals and/or families with no regular home or residential address, on a non-profit basis. Supportive services include, but are not limited to: provision of meals; assistance in obtaining permanent housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of, or refraining from, the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; and child care.

Accessory shelter. A housing shelter in an accessory building:

- (1) Located on the same site as a principal building, or
- (2) Located on a site owned, and operated by religious, civic, fraternal, social, institutional or governmental agency providing free accessory lodging for indigent individuals and/or families with no regular home or residential address.

An accessory shelter may house no more than fifteen (15) individuals at any one time, and operates up to a maximum of two (2) days/nights per week.

Accessory structure or use. A use or structure that is customarily or typically subordinate to and serves a principal use or structure; is clearly subordinate in area, extent, or purpose to the principal use or structure served; and is located on the same lot as the principal use or structure. In no event shall "accessory use" or "accessory structure" be construed to authorize a principal use or structure not otherwise permitted in the district in which the use is located.

Accessory Shelter- Section 12.537

Accessory shelters are permitted in all zoning districts subject to the following requirements:

- (a) The facility operator shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during hours of operation.
- (b) The shelter shall be accessed by a major thoroughfare.

Homeless shelters- Section 12.532

This section provides for the location of homeless shelters in a wide variety of non-residential zoning districts:

- Institutional
- Research-1(RE-1)
- Research-2
- Research-3
- Business-2(B-2, General Business)
- Business-D(Distributive Business)
- Business-P(Business Park)
- UMUD (uptown mixed use district)
- MUDD(Downtown Mixed Use Development District)
- Urban-Industrial(U-I, Industrial uses in the central city and uptown area)
- I-1 (Light Industrial).

However, the public has an interest in assuring that a concentration of homeless shelters be minimized. Accordingly, homeless shelters are subject to the following additional requirements:

- (a) Location. New homeless shelters must be separated from existing homeless shelters by a distance of eight hundred (800) feet measured in a straight line from the closest edges of the buildings occupied by homeless shelters from the closest property lines of the homeless shelters.
- (b) Buffers. A Class B buffer shall be provided along all property lines abutting residentially zoned and/or used property.
 - Class B buffer requires 6 or more trees per 100ft. and 40 shrubs per 100 feet unless a fence or wall is constructed.
- (c) The property shall have a minimum size of two (2) acres.

Homeless shelters are not allowed in Single Family, Multi Family, Urban Residential, Office, I-2 General Industrial, B-1 Neighborhood Business, and Transit Oriented Districts.

Chicago, IL

Definitions

Transitional Residence. A temporary residential living arrangement for persons who are receiving therapy or counseling for purposes such as, but not limited to, the following: (a) to help persons recuperate from the effects of drugs or alcohol addiction; (b) to help persons re-enter society while housed under supervision while under the constraints of alternatives to imprisonment including, but not limited to, pre-release, work-release and probationary programs; (c) to help persons with family or school adjustment problems that require specialized attention and care in order to achieve personal independence; or (d) to provide temporary shelter for persons who are victims of domestic abuse.

Transitional Shelter. A building, or portion thereof, in which temporary residential accommodations are provided for three or more persons who are not related to the *property owner*, operator, manager or other occupants thereof by blood or by marriage, as described in Chapter [13-212](#) of the Municipal Code.

Temporary Overnight Shelter. A building, or portion thereof, in which sleeping accommodations are provided for no more than twelve hours per day, for three or more persons who are not related to the *property owner*, operator, manager or other occupants thereof by blood or by marriage, as described in Chapter [13-208](#) of this Code.

Domestic Violence Residence. A building or portion thereof, in which temporary housing is provided exclusively for persons who are victims of domestic violence or abuse and for their children, and which may also be occupied by professional support staff provided by a sponsoring agent. Any children or support staff using sleeping accommodations at a Domestic Violence Residence will be included in determining maximum occupancy, as provided in subsections (a), (b) and (c) below.

Domestic Violence Residence, Family. A *domestic violence residence* in which sleeping accommodations are provided for a maximum of 8 persons.

Domestic Violence Residence, Group. A *domestic violence residence* in which sleeping accommodations are provided for a maximum of 15 persons.

Domestic Violence Shelter. A *domestic violence residence* in which sleeping accommodations are provided for more than 15 persons.

Zones:

- RS, Residential Single-Unit (Detached House) Districts.
- RT, Residential Two-Flat, Townhouse and Multi-Unit Districts.
- RM, Residential Multi-Unit Districts. B1, Neighborhood Shopping District.
- B2, Neighborhood Mixed-Use District.
- B3, Community Shopping District.
- C1, Neighborhood Commercial District.
- C2, Motor Vehicle-Related Commercial District.
- C3, Commercial, Manufacturing and Employment District.
- M1, Limited Manufacturing/Business Park District.
- M2, Light Industry District.
- M3, Heavy Industry District.
- DC, Downtown Core District.
- DX, Downtown Mixed-Use District.
- DR, Downtown Residential District.
- DS, Downtown Service District.

Chicago Use Table S- Special Use P- Permitted Use

	RS	RS	RS	RT	RT	RM	RM	RM	B1	B2	B3	C1	C2	C3	M1	M2	M3	DC	DX	DR	DS
	1	2	3	3.5	4	4.5	5	6	-	-	-	-	-	-	-	-	-	-	-	-	-
Domestic Violence Residence, Family	S	S	S	S	S	S	S	S	P	P	P	P							P	P	
Domestic Violence Residence, Group			S	S	S	S	S	S	S/P	S/P	S/P	S							S/P	P	
Domestic Violence					S	S	S	S	S	S	S	S							S	S	

Shelter																					
Temporary Overnight Shelter			S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	S	
Transitional Residences	S	S	S	S	S	S	S	S	S	S	S	S	S						S	S	
Transitional Shelters			S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	S	

Chicago Special Use Regulations for Shelter Facilities

17-9-0115-A Notwithstanding any other provision of this Zoning Ordinance, any *transitional shelter* or *temporary overnight shelter* in existence as of December 21, 1983, is considered a *permitted use* regardless of district in which it is located. Any expansion of such existing *transitional overnight shelter* or *temporary overnight shelter* will be considered as a new use for purposes of this Zoning Ordinance.

17-9-0115-B Notwithstanding any Zoning Board of Appeals resolution to the contrary, any lawfully established *transitional residence*, or *transitional shelter* may be converted to a shelter for victims of domestic violence or abuse without *special use* approval.

17-9-0115-C The Zoning Administrator is authorized to review shelter applications for the purposes of determining the need, if any, for off-street parking spaces.

17-13-0901 Purpose. *Special uses* are uses that, because of their widely varying land use and operational characteristics, require case-by-case review in order to determine whether they will be compatible with surrounding uses and development patterns. Case-by-case review is intended to ensure consideration of the *special use's* anticipated land use, site design and operational impacts.

17-13-0902 Applications.

17-13-0902-A Filing. An application for a *special use* must be filed with the Zoning Board of Appeals.

17-13-0902-B Contents.

1. General. Applications for *special use* approval must include such information required by the Zoning Board of Appeals.

2. Waste-Related Uses. In addition to any other general information required to be submitted with a *special use* application, the following specific information must accompany any *special use* application for an *incinerator, hazardous waste treatment or storage facility, resource recovery facility, reprocessible construction/demolition material facility, transfer station, or liquid waste handling facility, or sanitary landfill*:

(a) Surrounding land use report, including a description of the nature and intensity of surrounding land uses and the anticipated impact of the proposed *special use* upon surrounding land uses and property values. The report must also assess the number of existing and closed waste-related uses within a 3-mile radius of the proposed site and the proximity of the proposed facility to residential uses and *schools*.

(b) Environmental assessment of facility siting, including a description of the physical, geographical, geological, and soil conditions of the site and surrounding area to assess the suitability of the site for the proposed *special use*. An analysis of the impact of the proposed *special use* upon the surrounding area and the dynamic physical environment, including but not limited to critical wildlife habitats, fluvial systems, natural wetlands, air quality, water quality, flora and fauna, and public health must be submitted. The assessment must also evaluate potential risk and effects of accidental releases, fires or explosions on surrounding communities, and must analyze alternatives to the proposed facility and address their costs and impact on the environment.

(c) An end-use plan describing the proposed use of the site after terminating use of the facility.

17-13-0903 Recommendation – Zoning Administrator. The Zoning Administrator must review each proposed *special use* application and forward a recommendation on the proposal to the Zoning Board of Appeals before the Board's public hearing.

17-13-0904 Hearing. The Zoning Board of Appeals must hold a hearing to consider the *special use* application. Written, Published and Posted Notice of the Zoning Board of Appeals' public hearing must be provided in accordance with Sec. [17-13-0107-A](#), Sec. [17-13-0107-B](#) and Sec. [17-13-0107-C](#).

17-13-0905 Approval Criteria.

17-13-0905-A General Criteria. Except as otherwise expressly provided in this Zoning Ordinance, no *special use* application may be approved unless the Zoning Board of Appeals finds that the proposed use in its proposed location meets all of the following criteria:

1. complies with all applicable standards of this Zoning Ordinance;
2. is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;
3. is compatible with the character of the surrounding area in terms of site planning and building scale and project design;
4. is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and
5. is designed to promote pedestrian safety and comfort.

17-13-0906 Conditions of Approval. When the anticipated impacts of a *special use* are determined to have the potential for adverse impacts on surrounding property, the *special use* must be denied or conditions must be placed on the approval to ensure that any adverse impacts will be mitigated. The Zoning Administrator may recommend and the Zoning Board of Appeals may impose such conditions upon the site planning, design, location and operation of a *special use*.

Cincinnati

Definitions

All conditional uses decided upon by the Zoning Hearing Examiner subject to appeal to the Zoning Board of Appeals. May approve conditional use if and only if the conditional use is specifically listed. May impose such conditions that are determined to be in the public interest and necessary to mitigate any harmful effects of the conditional use

SPECIAL ASSISTANCE SHELTER. "Special assistance shelter" means a facility for the short-term housing for individuals who are homeless and who may require special services.

Locations

RM-0.7 Multi-family (C)

Most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. The minimum land area for every dwelling unit is 700 square feet.

Commercial Neighborhood (Pedestrian/Mixed) (C)

Identify, create, maintain and enhance mixed-use neighborhood commercial centers that reflect smaller-scale, pedestrian-oriented development with continuous street frontage and a mix of commercial and residential uses.

Commercial Community (Pedestrian/Mixed/Auto) (C)

To identify, create, maintain and enhance areas suitable for a wide variety of commercial and institutional uses along major transportation corridors and in shopping districts or centers. Although these centers may reflect elements of both pedestrian- and auto-oriented development, they typically accommodate larger-scale retail and commercial service uses, such as auto-related businesses and recreation and entertainment, as well as a variety of public and semi-public uses.

Commercial General (Auto) (C)

To maintain, support and create areas of the City that serve as region-drawing centers of activity. These areas should reflect a mix of commercial, office, recreation and entertainment and arts uses that reflect the regional importance of the area.

Urban Mix District (C)

Subdistrict A – Downtown Core (C)

Subdistrict B – Downtown Residential (C)

Subdistrict C – Downtown Support (C)

Subdistrict D – Riverfront (C)

Manufacturing Limited (C)

To create, preserve and enhance areas that are appropriate for a range of low-impact manufacturing activities and supporting commercial uses. High-impact manufacturing uses may be permitted, provided they meet specific performance standards and

are buffered from residential areas. Loft dwelling units may be permitted in this district and any commercial uses should be located along major transportation corridors.

Use Conditions

Required Parking

1 for every 3 employees plus 1 for every facility vehicle

TRANSITIONAL HOUSING. Housing designed to assist persons in obtaining skills necessary for independent living in permanent housing, including homes for adjustment and halfway houses. Transitional housing is housing in which:

An organization provides a program of therapy, counseling or training for the residential occupants;

The organization operating the program is licensed or authorized by a governmental authority having jurisdiction over operation; and

The program is for the purpose of assisting the residential occupants in one or more of the following types of care:

Protection from abuse and neglect;

Developing skills necessary to adjust to life;

Adjusting to living with the handicaps of physical disability;

Adjusting to living with the handicaps of emotional or mental disorder or mental retardation;

Recuperation from the effects of drugs or alcohol, even if under criminal justice supervision; or

Readjusting to society while housed under criminal justice supervision including, but not limited to, pre-release, work-release and probationary programs.

Locations

Programs 1-4

RM-2.0 Multi-family (P)

Medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted.

The scale of buildings is generally similar to a large single-family home on a small lot.

RM-1.2 Multi-family (P)

Intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character.

RM-0.7 Multi-family (P)

Most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas.

Office Limited (P)

Sites for offices, research and development facilities and limited commercial uses in a low intensity manner. Mixed-use developments with residential uses are also allowed.

Office General (P)

Sites for offices and research and development facilities in a large-scale or campus-like environment. Offices, small-scale government offices and facilities, banks and other financial institutions and supporting non-office uses-business services and personal services-are allowed. Mixed-use developments with residential uses are also allowed.

Commercial Neighborhood (Pedestrian/Mixed) (P)

Commercial Community (Pedestrian) (P)

Commercial Community (Mixed) (L)

Commercial Community (Auto) (L)

Urban Mix District (P)

Subdistrict A – Downtown Core (P)

Subdistrict B – Downtown Residential (P)

Subdistrict C – Downtown Support (P)

Subdistrict D – Riverfront (P)

Manufacturing Limited (P)

Manufacturing General (P)

Institutional – Residential (P)

Program 5

Office General (P)

See Program 1-4

Commercial Community (Mixed/Auto) (P)

Commercial General (Auto) (P)

Subdistrict A – Downtown Core (P)

Subdistrict B – Downtown Residential (P)

Subdistrict C – Downtown Support (P)

Subdistrict D – Riverfront (P)

Manufacturing General (P)

Institutional – Residential (C)

Program 6

Office General (C)
See Program 1-4
Commercial Community (Mixed) (C)
Commercial Community (Auto) (P)
Commercial General (Auto) (P)
Subdistrict A – Downtown Core (L)
Subdistrict B – Downtown Residential (L)
Subdistrict C – Downtown Support (L)
Subdistrict D – Riverfront (L)
Manufacturing General (P)
Institutional – Residential (C)

Use Conditions

Programs 1-4: Commercial Community (Mixed/Auto)
Permitted only above the ground floor in a mixed use building
Program 6 – Subdistrict A-D
Programs may not exceed 50 resident occupants
Required Parking (Programs 1-6)
1 space for every facility vehicle

Zoning Districts

Zoning Hierarchy
Single-family (SF-20)
Single-family (SF-10)
Single-family (SF-6)
Single-family (SF-4)
Single-family (SF-2)
Manufacturing Agricultural (MA)
Residential Mixed (RMX)
Residential Multi-family (RM-2.0)

Residential Multi-family (RM-1.2)
Residential Multi-family (RM-0.7)
Riverfront Residential/Recreational (RF-R)
Office Limited (OL)
Office General (OG)
Institutional-Residential (IR)
Commercial Neighborhood-Pedestrian (CN-P)
Commercial Community-Pedestrian (CC-P)
Commercial Neighborhood-Mixed (CN-M)

Downtown Development (DD)
 Commercial Community-Mixed (CC-M)
 Commercial Community-Auto Oriented (CC-A)
 Urban Mixed (UM)
 Manufacturing Limited (ML)

Commercial General-Auto Oriented (CG-A)
 Manufacturing Exclusive (ME)
 Riverfront Commercial (RF-C)
 Riverfront Manufacturing (RF-M)
 Manufacturing General (MG)

Zoning Table

	R M X	R M X	R M- 1.2	R M - .7	R F - R	O L	O G	I R	C N - P	C C - P	C N - M	D D - A	D D - B	D D - C	D D - D	C C - M	C C - A	U M	M L	C G - A	M E	R F- C	R F- M	M G
Special Assistance Shelter	X	X	X	C	X	X	X	X	C	C	C	C	C	C	C	C	C	C	C	X	X	X	X	X
Transitional Housing (TH) P1-4	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	L	L	P	P	P	X	X	X	P
TH P5	X	X	X	X	X	X	P	C	X	X	X	P	P	P	P	P	P	X	X	P	X	X	X	P
TH P6	X	X	X	X	X	X	C	C	X	X	X	L	L	L	L	C	P	X	X	P	X	X	X	P

x- Not Permitted C- Conditional Use P- Permitted use L- Permitted with conditions

Detroit

Definitions

COMMUNITY SERVICE. Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community Services or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.

EMERGENCY SHELTER. A facility that provides congregate style temporary lodging with or without meals and ancillary services on the premises to primarily the homeless for more than four (4) weeks in any calendar year. An emergency shelter does not provide such lodging to any individual [1] who is required because of age, mental disability or other reason to reside either in a public or private institution or [2] who is imprisoned or otherwise detained pursuant to either federal or state law. An emergency shelter shall be considered a different land use than adult foster care facilities, designated transitional housing, nursing homes, temporary emergency shelters, or warming centers. Emergency shelters are subject to licensing by the Business License Center.

Locations

R-4 (C) Thoroughfare Residential District

Used primarily on major or secondary thoroughfares where the major use of the property is for low-medium density residential dwellings characterized, primarily, by rental apartment dwellings. Medical and dental clinics, motels or hotels, and certain types of non-profit uses may be conditional subject to appropriate findings and compliance with required standards.

R-5 (C) Medium density Residential

R-6 (C) High Density Residential

B-4 (C) General Business

B-5 (C) Major Business

PD (L) Planned Development

Conditional Use Requirements

The only Conditional Use general approval criteria that shall apply to emergency shelters are contained in **Error! Reference source not found.** (adequate public utilities and access roads available) and **Error! Reference source not found.** (will not hinder or have detrimental effect on traffic flow/pattern nor pedestrian capabilities) of this Code as well as the following provisions:

Capacity limitations. The maximum capacity of an emergency shelter shall be established by the Buildings and Safety Engineering Department in accordance with the terms of the Life Safety Code, but in no case shall that capacity exceed fifty (50) persons, including children, in the R4, R5, and B4 Districts.

Other standards:

The emergency shelter will in other respects conform to the applicable regulations of the district where it is located;

Where the emergency shelter is proposed within or in the immediate vicinity of an area which has a written, approved, and disseminated plan for area development, the establishment of the emergency shelter will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that area.

Conditions. The Buildings and Safety Engineering Department may impose reasonable conditions designed to protect natural resources, and the health, safety and welfare, as well as the social and economic well-being, of those who will use the emergency shelter, and the residents and landowners immediately adjacent or across an alley, and the community as a whole;

Gateway Radial Thoroughfares. In the B4 District, emergency shelters are not permitted along designated Gateway Radial Thoroughfares. (Defined as those major radial streets, within and leading to the Central Business District, upon which the Master Plan of Policies has generally proposed a rezoning from B4 (General Business) district to a Special Development zoning district)

SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE. A residential facility providing temporary accommodation and support to victims of domestic violence with or without their minor children. Such shelter shall be operated by a non-profit, charitable, or religious agency that meets the pre-contract standards of the State of Michigan Domestic Violence Prevention and Treatment Board. Such shelter shall be considered a different land use than an “adult foster care facility,” a “pre-release adjustment center” and a “substance abuse service facility.” For confidentiality and security of their locations, such shelters shall be

permitted on a matter of right basis in certain zoning districts. Shelters for victims of domestic violence are subject to licensing by the Business License Center.

Locations

R-3 (R) Low-Density Residential

Designed as a low-density multi-family district. The regulations are designed to promote and encourage town and terrace house development, courts, and garden apartments. It is intended that this district be used primarily on local thoroughfares thereby encouraging a suitable environment for family life.

R-4 (C) Thoroughfare Residential District

Used primarily on major or secondary thoroughfares where the major use of the property is for low-medium density residential dwellings characterized, primarily, by rental apartment dwellings. Medical and dental clinics, motels or hotels, and certain types of non-profit uses may be conditional subject to appropriate findings and compliance with required standards.

R-5 (R) Medium Density Residential

R-6 (R) High Density Residential

B-1 (R) Restricted Business District

Adequately controlled transition in land use from residential to business and commercial uses and is mapped accordingly. Permitted uses are limited to those which are desirable and can be fitted into such a transitional pattern of land use. Front, side, and rear setbacks are required of all permitted residential and commercial uses. To protect housing adjacent or across an alley, a lot line wall is required of nonresidential uses where adjacent to, or across an alley from, residential property.

B-2 (R) Local Business and Residential District

Provides day to day consumer goods and services required to serve small residential areas.

B-4 (R) General Business District

B-5 (R) Major Business District

PD (L) Planned Development District

SD-1 (R) Special Development District, Residential/Commercial

Conditional Use Requirements

The maximum capacity of any shelter for victims of domestic violence shall be specified by the Buildings and Safety Engineering Department in accordance with adopted building standards and regulations.

In the R3 and R4 Districts, such uses shall be permitted by right only where:

The shelter is adjacent to, or across an alley or street from, land zoned in a business or industrial district classification; and

The zoning lot of the shelter abuts a major thoroughfare as designated in the Master Plan.

Shelters for victims of domestic violence shall not be permitted in R1 and R2 Districts. However, where a shelter for victims of domestic violence, duly recognized by the State of Michigan Domestic Violence Prevention and Treatment Board, has been established in such zoning district and was operated as such a shelter since April 26, 1995, said shelter shall be permitted to continue as a nonconforming use, provided, that the shelter shall have secured an occupancy or change of use permit for a shelter for victims of domestic violence not later than October 26, 1995. Such shelter shall be subject to the restrictions set forth in **Error! Reference source not found.** of this Chapter and be subject to other provisions of this Code.

TRANSITIONAL HOUSING. Transitional housing typically refers to rental housing for persons whose most recent address has been a homeless shelter and who anticipate finding a permanent residence after leaving the transitional housing facility and after accumulating funds for a rental security deposit. Unlike residents of emergency shelters who may move after thirty days, transitional housing residents may spend many months before relocating. Transitional housing may differ from typical apartment house living insofar as the residents may be expected or may be able to avail themselves of counseling or life skills training or job training on the premises. When transitional housing offers space for three or more families and provides separate housekeeping and cooking facilities for each, it should be regulated as any other multiple-family dwelling. However, when residents are not free to come and go because the program is part of a correctional program, the facility should be regulated as a pre-release adjustment center. When residents require supervision, assistance, protection or personal care, the facility should be regulated as an adult foster care facility. When the facility offers congregate style temporary lodging primarily to the homeless, it should be regulated as an emergency shelter. When the facility offers sleeping quarters in the form of cots or beds in the same room, it should be regulated as a public lodging house. When the transitional housing facility includes a residential substance abuse treatment program, it shall be regulated as a “residential substance abuse service facility.” When the facility provides sleeping accommodations in ten or fewer rooms or dwelling units that lack separate housekeeping and cooking facilities in each unit, it should be regulated as a rooming house.

Zoning Districts

	R-3	R-4	R-5	R-6	B-1	B-2	B-3	B-4	B-5	B-6	PD	SD-1
Emergency Shelter	X	C	C	C	X	X	X	C	C	X	L	X
Shelters for Victims of Domestic Violence	R	C	R	R	R	R	X	R	R	R	L	R

Indianapolis, IN

Definitions

No Definition of Emergency Shelter

Zones Emergency Shelter Allowed

C-3 Neighborhood Commercial District.

C-4 Community-Regional Commercial District.

C-5 General Commercial District.

Statement of purpose: The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed.

C-7 High Intensity Commercial District.

Kansas City, MO

Definitions

Homeless shelter means a charitable facility operated by either a not-for-profit corporation or a church to provide temporary housing for individuals without any apparent means of support.

Eleemosynary uses, including shelters for the homeless. Such uses shall be considered nonresidential. These Uses are allowed in the following zones:

District C-1 (neighborhood retail business).

District C-2 (local retail business).

District C-3a1 (intermediate business, low buildings).

District C-3a2 (intermediate business, high buildings).

District C-3b (intermediate business transitional).

District C-4 (central business district).

District M-1 (light industry).

District m-2 (heavy industry).

District BBD (Brookside business district)

Memphis

Definitions

"Group shelter" means a residence, operated by a public or private agency, which may provide a program of services in addition to room and board to persons on a voluntary basis under continuous protective supervision. This definition does not include supportive living facilities or personal care homes for the elderly licensed by any duly authorized governmental agency, or in other instances, approved by the director of the Memphis and Shelby County office of planning and development (who shall provide any such applicant with written notice of his or her determination), and thereby allowed by right within all residential zones in accordance with the definition of "family" hereunder.

"Institution" means a building occupied or operated by a nonprofit society, corporation, individual foundation or governmental agency for the purpose of providing charitable, social, educational or similar services of nonprofit character to the public.

"Transitional home" means a residence used for the purposes of rehabilitating persons from correctional facilities, mental institutions, and alcoholic and drug treatment centers and operated by a public or private agency duly authorized and licensed by the state, which agency houses individuals being cared for by the agency and deemed by the agency to be capable of living and functioning in a community and which provides continuous professional guidance. This definition does not include supportive living facilities or personal care homes for the elderly licensed by any duly authorized governmental agency or in other instances, approved by the director of the Memphis and Shelby County office of planning and development (who shall provide any such applicant with written notice of his or her determination), and thereby allowed by right within all residential zones in accordance with the definition of "family" hereunder.

Memphis Zones

AG agricultural district

R-E estate residential district

R-S15 single-family residential district

R-S10 single-family residential district

R-S8 single-family residential district

R-S6 single-family residential district

R-S61 single-family residential infill district

R-D duplex residential district

R-TH townhouse residential district

R-ML multiple-dwelling residential district
 R-MM multiple-dwelling residential district
 R-MH multiple-dwelling residential district
 R-MO mobile home district
 O-L limited office district
 O-G general office district
 C-P planned commercial district
 C-L local commercial district
 C-N neighborhood commercial district
 C-H highway commercial district
 CBD central business district
 I-L light industrial district
 I-H heavy industrial district
 H hospital district
 CU college and university district

Memphis Use Table

Uses Permitted ⁸	AG	R-E	R-S15	R-S10	R-S8	R-S6	R-S6I	R-D	R-TH	R-ML	R-MM	R-MH	R-MO	O-L ⁸	O-G ⁸	C-P ⁸	C-L ⁸	C-N	C-H ⁸	CBD ⁸	I-L ⁸	IH ⁸	H ⁸	CU ⁸
Group shelter	S		S	S	S	S		S	S	S	X	X	S	S	S	P	X		X	X			X	X

Editor's note—X= Use permitted by right.

Editor's note—P= Use requiring administrative site plan and approval in accordance with the provisions of Chapter 16-28 except in the C-P district where the provisions of Chapter 16-84 shall apply.

Editor's note—S= Use requiring legislative plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Chapters 16-32 and 16-36.

Editor's note—A= Uses requiring administrative site plan and approval by office of planning and development.

Transitional Home's follow the same use chart as Group shelters but are not allowed in the C-H8 zone.

Memphis Site plan Review Guidelines

An applicant for a special permit shall present evidence at the public hearing on such special permit, which evidence must establish:

A.

That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare;

B.

That the proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations;

C.

That the proposed building or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water, and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;

D.

That the proposed building or use will not result in the destruction, loss or damage of any feature determined by the legislative body to be of significant natural, scenic or historic importance;

E.

That the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use

Portland, OR

Definitions

Mass Shelter. A structure that contains one or more open sleeping areas, or is divided only by non-permanent partitions, furnished with cots, floor mats, or bunks. Individual sleeping rooms are not provided. The shelter may or may not have food preparation or shower facilities. The shelter is managed by a public or non-profit agency to provide shelter, with or without a fee, on a daily basis.

Mass Shelter Beds. Accommodation provided in a mass shelter. The number of beds is determined by the maximum number of people who can be given overnight accommodations at one time on the site.

Short Term Housing. A structure that contains one or more individual sleeping rooms, and where tenancy of all rooms may be arranged for periods of less than one month. The short term housing facility may or may not have food preparation facilities, and shower or bath facilities may or may not be shared. The facility is managed by a public or non-profit agency to provide short term housing, with or without a fee. Examples include transitional housing, and emergency shelter where individual rooms are provided. Where individual rooms are not provided, the facility may be a mass shelter.

CHAPTER 33.285

SHORT TERM HOUSING AND MASS SHELTERS

(Added by Ord. No. 167189, effective 1/14/94. Amended by: Ord. No. 174263, effective 4/15/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01.)

Sections:

33.285.010 Purpose

33.285.020 Description

33.285.030 Where These Regulations Apply

33.285.040 Use Regulations

33.285.050 Standards

33.285.010 Purpose

This chapter provides regulations for Community Service uses that provide short term housing or mass shelter. These regulations recognize that it is in the public interest to provide short term housing and shelter to people who would otherwise not receive it, and to ensure that standards of public health and safety are maintained. The regulations are intended to reduce conflicts between these and other uses. These regulations recognize that short term housing and mass shelters have differing impacts, and encourages

providers to locate in existing structures and work with neighbors. These regulations also focus on the land use impacts of these uses.

33.285.020 Description

Short term housing and mass shelters are defined in Chapter 33.910, Definitions. Both are Community Service uses, and are managed by public or non-profit agencies. They may be in a variety of structures, from conventional houses to large institutional buildings. In zones where Retail Sales and Services uses are allowed, limited, or conditional uses, the applicant may choose to classify a short term housing facility as a hotel, which is included in the Retail Sales and Services category.

33.285.030 Where These Regulations Apply

The regulations of Sections 33.285.040 through 33.258.050 apply to short term housing and mass shelters in all zones, except as specified in 33.285.040.B.1.

33.285.040 Use Regulations

A. Short term housing.

1. R zones. Short term housing in R zones is subject to the following regulations:

a. Existing structures. Short term housing provided in an existing structure in a residential zone is a conditional use, reviewed through a Type II procedure. Approval criteria are in Section 33.815.107, Short Term Housing in R Zones. An existing structure is one that is at least 5 years old and has not had any increase in floor area in 5 years.

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b. New or expanded structures. Short term housing provided in a structure that has been built or added floor area within the past 5 years is a conditional use, reviewed through a Type III procedure. Approval criteria are in Section 33.815.105, Institutional and Other Uses in R Zones.

c. Expansion or increase of existing facility. Expansion of floor area or increase in the number of residents in an existing short term housing facility is processed according to Section 33.815.040, Review Procedures for Conditional Uses. Approval criteria are in Section 33.815.105, Institutional and Other Uses in R Zones.

2. C and E zones. Short term housing is allowed in C and E zones if it meets the standards in Section 33.285.050. Expansion of floor area or increase in the number of residents in an existing short term housing facility is allowed if it meets the standards in Section 33.285.050.

3. OS and I zones. Short term housing is prohibited in OS and I zones.

4. Exemption. Short term housing that exclusively serves victims of sexual or domestic violence is allowed by right in R, C, and E zones if it meets the size limitations for Group Living uses.

B. Mass shelters.

1. RF through R1 and IR zones. Mass shelters in RF through R1 and IR zones are a conditional use, reviewed through a Type III procedure. Approval criteria are in Section 33.815.105, Institutional and Other Uses in R Zones. Expansion of floor area or increase in the number of residents in an existing mass shelter is processed according to Section 33.815.040, Review Procedures for Conditional Uses. Approval criteria are in Section 33.815.105, Institutional and Other Uses in R Zones. The standards of Section 33.285.050 do not apply to mass shelters reviewed as conditional uses.
2. RH and RX zones. Applicants for a new mass shelter or expansion of floor area or increase in the number of residents in an existing mass shelter in RH and RX zones may choose to be an allowed use or a conditional use, as stated below.
 - a. Allowed use. Mass shelters that meet the standards of Section 33.285.050 are allowed uses.
 - b. Conditional use. Mass shelters may be processed as a conditional use, reviewed through a Type III procedure. Approval criteria are in Section 33.815.105, Institutional and Other Uses in R Zones. The standards of Section 33.285.050 do not apply to mass shelters reviewed as conditional uses.
3. C and EX zones. Applicants for a new mass shelter or expansion of floor area or increase in the number of residents in an existing mass shelter in C and EX zones may choose to be an allowed use or a conditional use, as stated below.
 - a. Allowed use. Mass shelters that meet the standards of Section 33.285.050 are allowed uses.
4. OS, EG, and I zones. Mass shelters in OS, EG, and I zones are prohibited.
5. Exemption. A mass shelter that exclusively serves victims of sexual or domestic violence is allowed by right in R, C, and E zones if it meets the size limitations for Group Living uses.

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b. Conditional use. Mass shelters may be processed as a conditional use, reviewed through a Type III procedure. Approval criteria are in Section 33.815.140, Specified Group Living Uses in the C and EX Zones. The standards of Section 33.285.050 do not apply to mass shelters reviewed as conditional uses.

33.285.050 Standards

Adjustments to the standards of this section are processed as stated in Chapter 33.805, Adjustments.

A. Short term housing.

1. Existing structures and additions to existing structures. Short term housing provided in an existing structure is subject to the development standards for residential development in the base zone, overlay zone, or plan district, unless superseded by standards in this subsection. Sites that do not meet the development standards at the time of application are subject to the regulations of Section 33.258.070, Nonconforming Development.

2. New structures. Short term housing provided in a new structure is subject to the development standards for residential development in the base zone, overlay zone, or plan district, unless superceded by standards in this subsection.
3. Signs. The regulations for signs are stated in Title 32, Signs and Related Regulations.
4. Density. The density standards for Group Living in Section 33.239.030.A must be met.
5. Hours of operation. The facility must be open 24 hours a day.
6. Reservation/referral. Lodging must be provided on a reservation or referral basis so that clients will not be required or allowed to queue for services.
7. Parking. The parking space requirements for Group Living apply to short term housing. If one or two spaces are provided, the development standards of 33.266.120 must be met. If 3 or more spaces are provided, the development standards of 33.266.130 must be met.

B. Mass shelters.

1. Certification. The shelter must be certified by the Portland Office of Neighborhood Involvement as meeting operational standards established by the City of Portland and Multnomah County for mass shelter programs. Certification must be obtained before an application is submitted. Adjustments to this standard are prohibited.

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Once a shelter is certified, it must be recertified annually. If a shelter is not recertified or loses its certification, it must apply for review through the conditional use process as a new shelter.

2. Maximum occupancy. Mass shelters may have up to one shelter bed per 35 square feet of floor area. Adjustments to this standard are prohibited.

3. Density. Table 285-1 sets out the maximum number of shelter beds allowed within a facility and within 1300 feet of the facility. If the site has split zoning, the smaller number applies. Adjustments to this standard are prohibited.

Table 285-1

Maximum Number of Shelter Beds for Mass Shelters

Zone of Site Maximum Number of Shelter Beds

EX, CX, and CG 100

CS, CM, and CO2 25

CN1, CN2, and CO1 15

RX and RH 25

4. Outdoor activities. All functions associated with the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting must take place within the building proposed to house the shelter. Outdoor waiting for clients, if any, may not be in

the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.

5. Hours of operation. To limit outdoor waiting, the facility must be open for at least 8 hours every day between 7:00 AM and 7:00 PM.

6. Supervision. On-site supervision must be provided at all times.

7. Toilets. At least one toilet must be provided for every 15 shelter beds.

8. Development standards. The development standards for residential development in the base zone, overlay zone, or plan district apply to mass shelters, unless superceded by standards in this subsection.

9. Parking. The parking space requirements for Community Service uses apply to mass shelters.

10. Signs. Signs must meet the regulations for houses.

Phoenix, AZ

Definition

Dormitory: A building or that portion thereof other than a hotel, motel, boarding house, fraternity house, or sorority house containing three (3) or more rooming units or guest rooms or sleeping facilities for more than five (5) persons. Such rooming units or guest rooms shall be for residential purposes only.

Pocket Shelters- Are allowed as an accessory to a church subject to the following requirements. Churches are allowed in all residential, commercial, and industrial districts.

c. Pocket shelters as accessory uses to churches or similar places of worship, subject to the following standards (and applicable Maricopa County and City of Phoenix health and safety regulations): +1

(1) A pocket shelter shall house no more than twelve unrelated persons. A pocket shelter may house up to twenty unrelated persons upon approval of a use permit in accordance with the procedures and standards of Section 307 of this ordinance. Minors (age eighteen years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons. +1

(2) The church or similar place of worship shall be located on an arterial or collector street as defined on the street classification map. A shelter at a church or similar place of worship which is not on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the procedures and provisions of Section 307 of this ordinance. +1
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(3) The church or similar place of worship shall provide on-site supervision of shelter residents at all times that two or more unrelated residents are at the shelter. +1

(4) Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services. This provision shall not prevent the church or similar place of worship from referring shelter residents to other appropriate programs at the church or similar place of worship or elsewhere, e.g. Alcoholics Anonymous, which are not part of the shelter services. +1

(5) Shelter residents shall not possess alcohol, weapons, or illegal drugs at the shelter. +1

(6) Open areas surrounding pocket shelter structures shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or walls. +1

(7) Pocket shelter structures shall not have direct access to abutting and/or adjoining properties. +1

(8) Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures. +1

(9) A church or similar place of worship shall house no more than one pocket shelter. +1

Homeless Shelter

Homeless shelters are allowed in:

A-1 (Light Industrial District)

A-2 (Industrial District)

Shelters are subject to the following condition: Shelters and dormitories intended to provide temporary shelter. A use permit shall be required in accordance with the provisions of Section 307 if the shelter or dormitory providing temporary shelter is located within one thousand three hundred twenty (1320) feet of a residential zoning district.

Salt Lake City

HOMELESS SHELTER: A building or portion thereof in which sleeping accommodations are provided on an emergency basis for the temporarily homeless.

D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

- A. Purpose Statement: The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family residential use while also allowing for continued warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as mixed use developments containing retail uses on the lower floors and multi-family dwellings on the upper floors.

Shelters are allowed as a conditional use in D3

CG GENERAL COMMERCIAL DISTRICT:

- A. Purpose Statement: The purpose of the CG general commercial district is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials.

Shelters are allowed as a conditional use in CG

Winston-Salem

Definitions

SHELTER, EMERGENCY. A facility operated by a local, state or federal agency or by the American Red Cross providing, without charge, temporary sleeping accommodations, with or without meals, for individuals and/or families displaced from their place of residence as a result of sudden natural or manmade catastrophes including, but not limited to, earthquakes, fires, floods, tornados, hurricanes, and chemical spills/releases. Such natural or manmade catastrophes must be designated by the local, state or federal official in charge or by the American Red Cross.

SHELTER FOR THE HOMELESS. A facility, operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes and operating year-round, which provides lodging and support services for indigent individuals without a residence. The support services may include, but are not limited to, a community kitchen; assistance in obtaining permanent housing; transitional housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; nutritional counseling; employment counseling; job training and placement; drug and/or alcohol recovery counseling; and child care.

Locations:

All require Elected Special Body Use Permit (Elected Body is defined as the legislative body of the adopting jurisdiction)

Limited Office (LO)

Primarily intended to accommodate moderately intense medical, professional, administrative, and government office uses on small to mid-sized sites, in a suburban setting. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so this district may serve as a transition between residential districts and commercial districts.

Pedestrian Business (PB)

Primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street.

General Business (GB)

Intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access.

Central Business (CB)

Encourage high intensity, compact urban development. The district is intended to accommodate a wide range of uses, including office, retail, service, and institutional developments in a pedestrian-oriented setting. The district also accommodates high density residential development. These uses may be mixed on the same tract or within the same structure.

Major Retail and Business-Special (MRBS)

Ensure that major retail projects are adequately analyzed through site plan review and supplemental criteria in order to determine their compatibility with the surrounding community. This district is characterized by large sized destination shopping in a single structure, or as part of a large shopping center. The potential individual and cumulative impact upon the community as a result of the large-scale retail development shall receive a comprehensive review under the established criteria. The establishment of a Major Retail and Business District does not establish justification for future large-scale retail zoning in the area. Therefore the community's natural, physical, economic and fiscal resources, and their adequacy to accommodate the impact of such developments, both individually and cumulatively shall be fully evaluated.

Limited Industrial (LI)

Intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial and service activities which, in their normal operations, have little or no adverse effect upon adjoining properties.

General Industrial (GI)

Accommodates a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of designating appropriate locations and establishing development regulations for uses which may have significant environmental impacts or which require special measures to ensure compatibility with adjoining properties.

Use Conditions:

HEATED BUILDING SQUARE FOOTAGE A minimum of fifty (50) square feet of heated building space shall be provided per resident.

SPACING REQUIREMENT A new Shelter for the Homeless may not be located within a distance of two thousand five hundred (2,500) feet from any other Shelter for the Homeless use, or from any use which, though not classified as a Shelter for the Homeless under this Ordinance, would, if it were reclassified, be classified as a Shelter for the Homeless. All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed Shelter for the Homeless is to be located to the nearest point of the lot line of another Shelter for the Homeless. All Shelters for the Homeless, or facilities that would be classified as a Shelter for the Homeless if it were reclassified today, existing as of the effective date of this Ordinance shall be exempt from this two thousand five hundred (2,500) foot spacing requirement for the purposes of expansion or intensification of the use. These existing Shelters for the Homeless must comply with all of the provisions of Section B.2-5.70.1 and obtain a Special Use Permit from the Elected Body for such expansion or intensification of the use.

OPERATION

The Shelter for the Homeless facility shall be contained within a building owned and/or operated by a government agency or nonprofit organization.

The Shelter for the Homeless facility operator(s) shall provide continuous, on-site supervision by an employee and/or volunteer during all hours of operation.

PROHIBITION ON RETAIL SALES No retail sales shall take place in the facility.

MAXIMUM OCCUPANCY A Shelter for the Homeless may house no more than one hundred (100) residents. In the event that housing is provided for more than fifty (50) residents, additional conditions may be imposed to prevent adverse impacts on nearby properties and uses.

GROUP CARE FACILITY A. A transitional housing facility for forty (40) or fewer residents, licensed by the State of North Carolina or operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services while persons receive therapy and/or counseling primarily for one or more of the following purposes:

To assist them to recuperate from the effects of or refrain from the use of drugs or alcohol;

To provide shelter and support for persons in distress such as runaway children and battered individuals; and,

To provide shelter and support for older adults and persons who are handicapped. A Group Care Facility A shall not serve primarily as an alternative to incarceration. Such facilities may have accessory uses conducted on the premises, including but not limited to, schooling of residents, training programs in occupational fields, and production of goods and crafts to be sold off-premises.

None of the above shall include the uses "Emergency Shelters, Shelters for the Homeless or Temporary Shelters" as defined in Section A.2.

Use Conditions:

Management If not State licensed, the Group Care Facility A or B shall have written operating procedures or manuals, established goals and objectives for persons receiving therapy or treatment, a structured system of management with a Board of Directors, on-premises management/supervisory personnel, and admission standards that allow only residents that have a commitment and desire to adjust to society and are not dangerous to others as defined in State law.

Minimum Lot Area In RM-12, RM-18, and RM-U Districts, the minimum lot area shall be based on Table B.3.3 with four (4) residents equal to one dwelling unit.

Heated Building Area One hundred (100) square feet of heated building shall be provided per resident.

Limits on Accessory Production Activities Accessory production of goods shall occur only within the principal structure. The area used for production activities shall not exceed twenty-five percent (25%) of the gross floor area of the principal structure.

Spacing Requirement A Group Care Facility may not be located within a distance of two thousand five hundred (2,500) feet from any other Group Care Facility. All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed Group Care Facility is to be located to the nearest point of the lot line of another Group Care Facility.

Display of Goods No outside or inside display of any goods or products is allowed on the property.

Prohibition on Retail Sales No retail sales shall take place in the facility.

Signage Only one sign with a maximum of one square foot of copy area may be erected on the property.

FAMILY GROUP HOME A. A transitional housing facility with support and supervisory personnel licensed by the State of North Carolina or operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services in a supportive family environment for not more than six (6) residents, exclusive of supervisory personnel, including but not limited to, handicapped persons, older adults, foster children, abused individuals, homeless persons, and those recovering from drug or alcohol abuse. This use shall include FamilyCare Homes, as defined in G.S. 168-21. This use shall not serve primarily as an alternative to incarceration, shall not include individuals who are dangerous to others, as defined in G.S. 122C3-(11)b, and shall not include persons living together as a fraternal, sororal, social, honorary, or professional organization.

Use Conditions:

Management If not State licensed, the Family Group Home A or B shall have written operating procedures or manuals, established goals and objectives for persons receiving therapy or treatment, a structured system of management with a Board of Directors, and on-premises management/supervisory personnel.

Minimum Lot Area In RM Districts, the minimum lot area of a Family Group Home B shall be determined based on the minimum lot area required for a two unit dwelling in the district, as shown in Table B.3.3.

Spacing Requirement (W) A family Group Home A may not be located within a distance of one thousand two hundred (1,200) feet from another Family Group Home A; provided, that this restriction shall be waived by the Director of Inspections when the homes would be separated by a limited access thoroughfare or a natural barrier such as an unbridged stream which serves an equivalent function of avoiding concentration of these uses in close proximity within a contiguous area otherwise restricted to low-density residential use. All measurements of the one thousand two hundred (1,200) foot distance shall be made by drawing a straight line from the nearest point of the lot line where the proposed Family Group Home A is located to the nearest point of the lot line of another Family Group Home A.

FAMILY GROUP HOME B. A transitional housing facility with support and supervisory personnel licensed by the State of North Carolina or operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services in a supportive family environment for not more than twelve (12) residents, exclusive of supervisory personnel, including but not limited to, handicapped persons, older adults, foster children, abused individuals, homeless persons, and those recovering from drug or alcohol abuse. This use shall not serve primarily as an alternative to incarceration, shall not include individuals who are dangerous to others, as defined in G.S. 122C3-(11)b, and shall not include persons living together as a fraternal, sororal, social, honorary, or professional organization.

Use Conditions:

Same as Family Group Home A

FAMILY GROUP HOME C. A transitional housing facility with support and supervisory personnel licensed by the State of North Carolina or operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services in a supportive family environment for not more than twenty (20) residents, exclusive of supervisory personnel, including but not limited to, handicapped persons, older adults, foster children, abused individuals, homeless persons, and those recovering from drug or alcohol abuse. This use shall not serve primarily as an alternative to incarceration, shall not include individuals who are dangerous to others, as defined in G.S. 122C3-(11)b, and shall not include persons living together as a fraternal, sororal, social, honorary, or professional organization.

Use Conditions:

Management If not State licensed, the Family Group Home C shall have written operating procedures or manuals, established goals and objectives for persons receiving treatment or therapy, a structured system of management with a Board of Directors, and on-premises management/supervisory personnel.

Minimum Lot Area In RM-12, RM-18, and RM-U Districts, the minimum lot area shall be based on Table B.3.3 with four (4) residents equal to one dwelling unit. In the IP District, the minimum lot area shall be calculated in the same manner based on the requirements of the RM-8 District.

Heated Building Area One hundred (100) square feet of heated building shall be provided per resident.

Spacing Requirement A Family Group Home C may not be located within a distance of two thousand five hundred (2,500) feet from any other Family Group Home C. All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed Family Group Home is to be located to the nearest point of the lot line of another Family Group Home.

Habilitation services are separated from the above definition into their own definition of use but are limited to those defined as handicapped (mental or physical)

Zoning Districts

PB- Pedestrian Business

LO- Limited Office

GB- General Business

CB- Central Business

MRB-S- Major Retail and Business - Special

LI- Limited Industrial

GI- General Industrial

	LO	PB	GB	CB	MRBS	LI	GI
Shelter for the Homeless	CU*	CU*	CU*	CU*	CU*	CU*	CU*

* Requires Elected Special Body Use Permit (Legislative Body approval i.e. City Council)

Table showing best approximation of whether homeless shelter's are permitted, when zones translated into Louisville's LDC

Best Approximation of Zones	R-R to R-8A	OR	OR-1	OR-2	OR-3	OTF	C-N	C-R	C-1	C-2	C-3	C-M	M-1	M-2	M-3
Charlotte, NC										AC	AC	AC	AC		
Allowed Conditionally In	UMUD	DUDD	INST	Research											
Chicago, IL Temporary Shelter	*See Separate Table	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	
Cincinnati, OH	NP/AC in R-8A						CU		CU	CU	CU	CU	CU		
Detroit, MI Emergency Shelter	NP/ CU R5A and up								CU	CU					
Also Allowed in:	Planned Development District														
Indianapolis, IN							A		A	A	A	A			
Kansas City, MO							A		A	A	A	A	A	A	A
Also Allowed in:	BBD (Brookside Business District)														
Memphis, TN	*NP/ CU/A in High	CU	CU	CU	CU	CU			A+	A+	A	A	A (similar to C-H)		

	Density Zones												zone)		
*See Separate Chart									+ zone does not permit residential						
Phoenix, AZ													AC	AC	AC
Portland, OR	CU/AC in High Density Zones	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C	CU/A C				
Salt Lake City, Utah												CU			
Conditional use in Downtown Warehouse District (D3)															
Winston-Salem, NC	NP	^	^	^	^	^				CU	CU	CU	CU	CU	
Allowed Conditionally in:	(PB) Pedestrian Business	^Limited Office (LO)													
Best Approximation of Zones	R-R to R-8A	OR	OR-1	OR-2	OR-3	OTF	C-N	C-R	C-1	C-2	C-3	C-M	M-1	M-2	M-3

Blank or (NP)- Not Permitted or No Similar Zone

A- Allowed

AC- Allowed with Conditions

CU- Conditional Use