

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

FEBRUARY 26, 2010

Just Solutions Facilitators:

Janet Jernigan
Rosanne Kruzich

Members Present:

Dolores Delahanty
Deb Delor
Madonna Flood
Jack Francis
Markham French
Ken Herndon (alternate)
Cathy Hinko
Debby Levine
Victoria Markell
Andy Patterson
Regina Warren
Stephanie Warren
Lee Weyland
Ed Wronowski

Members Absent:

Tara Brinkmoeller
Hank Hensley
Lula Howard
Christie McCravy
Virginia Peck
Maria Price
Leah Stewart
Anna Wooldridge (alternate)

Department of Planning and Design Services Staff Present:

Dawn Warrick, Assistant Director
Christopher French, Planning Coordinator
Chris Brown, Planner
Chris Cestaro, Management Assistant (meeting summary)

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

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Call to Order

Dawn Warrick reviewed the materials which were e-mailed to the task force members and were provided in packets at the meeting. These included:

- The meeting agenda
- The summary of the 2-12-10 meeting
- A handout with information about California jurisdictions and regulatory information for San Mateo County; a one-page handout for zoning controls for shelters in Santa Monica, California
- A sample case management contract used by St. Vincent DePaul; essentially a case management plan, which includes clients' goals and objectives
- The Shelter List Zoning Code Matrix showing the facilities that currently exist in the community, the number of clients served, and the zoning districts in which they are located
- A one-page table organized into the three categories of shelter housing under consideration by the Task Force; the zoning districts where they are located in Metro, and information about zoning in other cities from the research summary

Additional handouts that were distributed include:

- A color map of housing in the central business district of Louisville;
- A Google map of all the shelter and transitional housing locations created by Jack Francis
- The upcoming Shelter Tour Schedule (contact Chris Cestaro 574-8255 if planning to attend)
 - **Salvation Army, 841 S Brook St**
Monday March 1 or Wednesday March 3, 6:30 or 7:00 p.m.
 - **St. Vincent de Paul, 1915 S Preston St**
Thursday, March 4 at 3:30 p.m.
 - **Upward House**
Contact staff to set up a time

Current Task Force Meeting Schedule

The facilitators noted that the current schedule includes one additional meeting on March 12th. After that meeting a draft of the task force's recommendations will be made available for public review and comment. The March 26th meeting is designated for public comment on the draft. One final meeting is scheduled for April 23rd to allow the task force to meet, discuss the received public input, and develop the final recommendations to the Planning Commission. The schedule will be reviewed at the end of today's meeting to determine if it requires adjustment.

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Working Definitions

The facilitators reviewed the definitions developed so far.

- The task force has reached consensus on a working definition of “Homeless Shelter”.
- A working definition of “Transitional Housing” based on Task Force discussions will be presented today.
- “Day Shelter” and the concept of “Community Service Facility” will be discussed today.
- “Pop-up shelter” or “permanent housing” will not be added to LDC definitions.

Homeless Shelter Working Definition

The Task Force reached consensus on the following working definition of Homeless Shelter.

Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.

Transitional Housing Working Definition

The Task Force reached consensus on the following working definition of Transitional Housing. (staff to present final language at the 3-12-10 meeting)

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. A formal landlord-tenant lease is not utilized. Transitional housing is not considered a rehabilitation home.

Discussion:

Task force members discussed the term “staffed” as it pertains to these facilities. Transitional housing is not always staffed 24/7. Case managers are assigned to clients, but the case managers are not always on-site. Suggestions were to use “case management staff” or “the program is staffed” or “staff is available”. Ultimately the task force decided to remove the phrase “the facility is staffed” from the working definition.

Dawn Warrick said the Land Development Code specifies the populations served by a rehabilitation home, as “...persons recovering from the effects of drug or alcohol abuse, psychiatric disorders, or as a condition of parole or probation.” Those specific populations are still covered and those programs would still be administered through the definition of “rehabilitation home” and would not be considered under the “transitional housing” definition. The services provided for any particular population would have to

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be distinguished at the time of an application for building/operating a shelter. This would help determine whether a facility is “transitional housing” or a “rehabilitation home”. This can help determine compatibility, intensity of use, and density.

Regarding the issue of leases, it was agreed that the phrase “does not include a lease” will be removed and the phrase “...does not include a landlord-tenant lease” will be added. Staff will re-draft the working definition to include this language.

The Task Force noted that there are many sizes of Transitional Housing facilities and asked about apartment densities. Staff stated that size thresholds are broken down by zoning districts.

Community Service Facility Working Definition

The Task Force reached consensus on the following working definition of Community Service Facility.

Uses of a public, non-profit or a charitable nature, generally providing a local service to people of the community. They provide the service on-site, and have employees on-the site on a regular basis. The service is on-going, not just for special events. These facilities may provide special counseling, education, or training of a public, non-profit, or charitable nature. This use does not include a residential occupancy component.

Discussion:

Staff presented justification for using Community Service Facility instead of Day Shelter because there is a gap in the land use definitions. There is no term that addresses facilities that provide a range of daytime supportive service facilities. Characteristics of a Community Service Facility might include:

- Daytime facility which provides an array of social service facilities
- Services are provided on-site
- Must be public, non-profit and/or charitable
- Office space for the organization
- No overnight residential occupancy
- Employees on-site
- May provide special counseling, education, or training

The Task Force was in agreement that this broader definition was needed and addressed the role and services provided by a Day Shelter.

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Regulatory Tools Presentation

Christopher French gave a brief overview of regulatory tools – zoning districts, form districts, permitted with special standards, and conditional use permits.

The ***Zoning Districts*** presentation from the previous meeting was referenced. Density and intensity of use were discussed. How zoning affects the use of a property and how general uses impact adjacent properties were also discussed. Staff gave examples of specific uses for various zoning districts and reminded the Task Force that zoning can be changed by application to BOZA.

Form Districts can be broken down into Traditional forms and Suburban forms. Traditional Forms are those with the most pedestrian-oriented, highest density designs. Suburban forms are lower density and are not as pedestrian oriented. There are also transitional areas between form districts involving setbacks and design issues.

Permitted Use with Special Standards is used when a facility or use must meet the stated criteria for it to be approved in a particular zoning district. The use must maintain compliance with these standards to remain “legal.”

For a more complete definition refer to the handout from the February 12 meeting. Good examples are included in the “Examples of LDC Regulations for Specific Uses” handout.

In response to a question, Dawn Warrick briefly explained the permitting and review process. The terms “Limited Use” and “Permitted Use with Special Standards” are the same.

After some discussion, the Task Force asked for more information to be provided at the next meeting on the peer review process and Quality Assurance Standards administered by the Coalition for the Homeless.

Conditional Use Permits (CUPs) are site-specific and are evaluated on a case-by-case basis. Once a property has been granted a Conditional Use Permit, that designation transfers with the parcel if it changes ownership. CUPs allow uses of a property that may vary from its designated zoning. This process always requires public input.

The Task Force noted that shelters (especially those having activities during the day) need transportation access and pedestrian access. Issues of land use having an impact on adjacent properties also need to be considered.

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Applying Regulatory Tools to the Definitions

The facilitators asked the task force members to share their current thinking on locations for the facilities they've been discussing. Their responses are summarized below:

- Shelters should be able to be located in multi-family, mixed use and/or commercial areas/zoning districts.
- It's important to keep the size of the facility compatible with what is already in that area. For example, a 50-unit shelter is more compatible in an area that already has a 50-unit apartment complex; and similarly a lower-density neighborhood might be more compatible with a 6-person transitional home.
- Some Task Force members said they did not feel ready to say which locations/zoning districts should be excluded.
- Others expressed their readiness to narrow the discussion to where shelters should be allowed, what size to allow, to examine special standards and to consider conditional use permits.
- Several members expressed specific interest in how to apply special standards and what these might be.
- In some areas of the community, there is a lot of land which is not being used or is under-utilized. In some of these areas there is a concentration of social services for individuals and families, and also good public transportation. These areas should be examined in detail for location opportunities.
- The concentration of services was discussed in some detail, with some members indicating this was a benefit to homeless populations; and others indicating this could limit a person's sense of choice and the ability to achieve a sense of assimilation in the broader community.
- Several examples of successful operations/locations were cited by Task Force members, and there was a desire to focus on already-established, successful precedents.
- Shelters should be integrated into the community as much as possible. However, standards should be part of any approval process.
- Operational issues are key to community integration.

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Wrap Up

Changes to the Task Force Meeting Schedule

The Task Force determined that they needed one additional meeting prior to disseminating the first draft of the recommendations to the public and decided to add a meeting on March 19th. The meeting schedule will be adjusted as follows:

- Friday, March 12th – review of staff draft
- Friday, March 19 - review of revisions made to staff draft and finalization of draft disseminated to the public
- Friday, March 26th (public input)
- April 23rd will be the final meeting.

April 2nd was proposed as a possible extra date if needed.

All meeting times are from 10:00 a.m. to 12:00 p.m.

Needed Materials/Resources

Staff will provide examples of special standards that already exist, to clarify the meaning for Task Force members. Task Force members were directed to Chapter 4 of the Land Development Code which has special standards listed.

Staff will provide a map of suburban cities with zoning authority.

A copy of the link to the Coalition for the Homeless' Quality Assurance Standards will be provided.

The meeting adjourned at 12:05 PM.

The next meeting is at 10:00 a.m. on March 12, 2010.