

Homeless Shelter

Unified Development Code DRAFT Amendments

Language in red is proposed new language in the code.

CHAPTER 4-3 DEFINITIONS AND INTERPRETATIONS

Section 4-3-C-2 PUBLIC OR CIVIC USES.

HOMELESS SHELTER: A building generally operated by a public entity, a publicly funded entity, a nonprofit or charitable organization, a church, or a place of worship that provides temporary day and/or overnight shelter to one or more persons who lack a fixed, regular, and adequate nighttime residence.

CHAPTER 4-1 ZONING

Article 4-1-B ZONING DISTRICT REGULATIONS

Section 4-1-B-14 CP-2, PLANNED COMMUNITY COMMERCIAL DISTRICT.

D. **Special Uses:** The following uses shall be permitted in the CP-2 District if reviewed and approved by the [Governing Body](#) in accordance with the procedures and standards of [Article 4-1-G](#) of this Chapter:

1. **Public or Civic Uses:**

[Hospital](#)

Large WECS, subject to the supplementary use regulations of [Section 4-1-B-23-AI](#) of this Article

[Utility](#)

Wireless Communications Tower, subject to the supplementary use regulations of [Section 4-1-B-23-AE](#) of this Article

Homeless shelter, subject to the supplementary use regulations of [Section 4-1-B-23-AK](#) of this Article

Section 4-1-B-15 CP-3, PLANNED REGIONAL COMMERCIAL DISTRICT.

D. **Special Uses:** The following uses shall be permitted in the CP-3 District if reviewed and approved by the [Governing Body](#) in accordance with the procedures and standards of [Article 4-1-G](#) of this Chapter:

1. **Public Or Civic Uses:**

[Hospital](#)

Large WECS, subject to the supplementary use regulations of [Section 4-1-B-23-AI](#) of this Article

[Utility](#)

Wireless Communications Facility, subject to the supplementary use regulations of subsection 4-1-B-23-AE of this Article

Homeless shelter, subject to the supplementary use regulations of [Section 4-1-B-23-AK](#) of this Article

Section 4-1-B-16 CP-4, PLANNED SERVICE COMMERCIAL DISTRICT.

D. **Special Uses:** The following uses shall be permitted in the CP-4 District if reviewed and approved by the [Governing Body](#) in accordance with the procedures and standards of [Article 4-1-G](#) of this Chapter:

1. **Public Or Civic Uses:**

[Aviation field or airport](#), subject to the supplementary use regulations of [Section 4-1-B-23-C](#) of this Article

Large WECS, subject to the supplementary use regulations of [Section 4-1-B-23-AI](#) of this Article

[Utility](#)

Wireless Communications Facility, subject to the supplementary use regulations of [Section 4-1-B-23-AE](#) of this Article

Homeless shelter, subject to the supplementary use regulations of [Section 4-1-B-23-AK](#) of this Article

Section 4-1-B-22 USE REGULATIONS SCHEDULE.

USE REGULATIONS SCHEDULE																				
Zoning Districts																				
Use Type	Single-Family									Planned Residential					Planned Nonresidential				Supp Regs	
	Single-Family				Planned Residential					Office	Commercial			Bus Pk						
	A G	R E	R P E	R 1	R P 1	R P 2	R P 3	R P 4	R P 5	N O	C O	C 1	C 2	C 3	C 4	H D	B 1	B 2		B S
Public or civic uses																				
Aviation field or airport	S														S	S	S			23C
Cemetery	P			S	S					S	S									23R
Church or place of worship	P	P	P	P	P	S	S	S	P	P	P	P	P	P	S	S	S	S	S	23R
Club or lodge	S									S	P	S	P	P	P	S	P	P	S	S

College or university													S		P	P	P		P	P	S	S	S	
Correctional facility	S																				S			
Cultural services	S	S	S	S	S						S	P	P	P	P	P	S	P	P	S	P	P		
Daycare, limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	23E
Daycare, general	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	23E	
Daycare, commercial											S	S	P	P	P	P	S	P	P		S	S	23E	
Group home, limited	P	P	P	P	P	P	P	P	P															
Group home, general						S	S	S	S		S													
Homeless shelter																								23AK
Hospital												S	S	S	S	P		P	P		S	S	23AJ	
Large WECS	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	23AI	
Nursing home									P	P	S	S									S	S		
Public park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	23X	
Public safety services	S	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P	P	P	P	P	P		
School, elementary and secondary				S	S								P									S	23R	
Utility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Wind Farm	S																			S	S		23AI	
Wireless Communications Tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	23AE	

Section 4-1-B-24 ACCESSORY USES AND STRUCTURES.

E. Public And Civic Accessory Uses: Public and civic uses shall include accessory uses and activities customarily associated with the purpose and function of the principal use, including, but not limited to, the following:

1. Accessory buildings and structures, subject to the standards of subsection F2 of this Section;
2. Cafeterias, dining halls and similar food services when operated primarily for the convenience of employees, residents, clients, patients or visitors to the principal use;

3. Fences and walls, subject to the standards of subsection F5 of this Section;
4. Gift shops, newsstands and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients or visitors to the principal use;
5. Recreation areas and facilities for the use of employees;
6. Refreshment stands and food and beverage sales located in uses involving public assembly;
7. Satellite dish antennas, subject to the standards of subsection F11 of this Section;
8. Solar energy systems, subject to the standards of subsection F12 of this Section;
9. Swimming pools and hot tubs for the use of employees, subject to the standards of subsection F13 of this Section;
10. Other necessary and customary uses determined by the [Community Development Director](#) to be appropriate, incidental and subordinate to the principal use on the [lot](#), subject to compliance with any development and performance standards imposed by the Community Development Director as a means of ensuring land-use compatibility;
11. Small Wind Energy Systems, subject to the standards of subsection F17 of this Section; and
12. Temporary Uses and Structures, subject to the standards of subsection F14 of this Section.
13. A church or place of worship may operate a Homeless Shelter as an accessory use, subject to the supplementary use regulations of [Section 4-1-B-23-AK](#) of this Article.

Section 4-1-B-23 SUPPLEMENTARY USE REGULATIONS.

No zoning permit shall be issued for any [development](#) or use of land unless the activity is in compliance with all applicable supplementary use regulations specified in this Section. In the case of conflict with zoning district dimensional regulations or other regulations of this Zoning Code, the more restrictive requirement shall apply unless otherwise specifically provided or clearly intended.

AK. Homeless Shelter: The following supplementary use standards shall apply to [homeless shelter uses](#), as indicated (see [Section 4-3-C-2](#) for definitions):

- A. **Accessory Use.** Homeless shelters shall be considered as accessory uses to the primary use of the property when located in a church or place of worship building. As an accessory use, a church or place of worship may operate:

1. A homeless shelter serving up to ten (10) homeless individuals subject to the following criteria:
 - a. The homeless shelter shall have at least two (2) employees and/or volunteers on the premises during all operational hours;
 - b. Prior to establishing a homeless shelter as an accessory use, an application for and approval of a new certificate of occupancy is required, including compliance with all building and fire codes.
 2. A homeless shelter serving up to thirty (30) homeless individuals subject to the following criteria:
 - a. The building housing the homeless shelter must be at least 30,000 square feet in size;
 - b. The property where the homeless shelter is located must be within one-half (1/2) mile of a transit stop;
 - c. The homeless shelter shall have at least two (2) employees and/or volunteers on the premises during all operational hours for the first ten (10) guests and one (1) additional employee and/or volunteer for every ten (10) additional guests;
 - d. A homeless shelter exceeding ten (10) individuals may only be operated from December 1 through March 31;
 - e. Prior to establishing a homeless shelter as an accessory use, an application for and approval of a new certificate of occupancy is required, including compliance with all building and fire codes.
- B. **Special Use Permit.** When only allowed in a zoning district by a special use permit, a homeless shelter shall be subject to the following supplementary use standards:
1. **Management Plan:** A management plan that contains/addresses the following items shall be submitted with any application to establish the homeless shelter use and be approved prior to commencing the use. The management plan shall be integral to the operation of the facility and binding on the operator. Failure of the operator to comply with the approved management plan shall be considered a violation of this code.
 - a. A narrative description of the nature and characteristics of the use and descriptions of all supportive services provided.
 - b. A transportation plan describing how guests will be transported to and from the site.
 - c. An interior floor plan showing sleeping areas, common areas, kitchen and bathroom facilities, and emergency exits.
 - d. An emergency/security plan that addresses security for staff, volunteers and guests as well as how responses to medical and other emergencies will be handled.
 - e. An outline of the “Rules of Conduct” for guests.
 - f. A communication plan that establishes how the shelter will regularly communicate with neighbors and the police.
 - g. A staffing plan noting the number of employees per guest during daytime and nighttime operating hours and a statement of staff qualifications.
 2. **Number of Guests:** When establishing the maximum number of homeless individuals served under the special use permit the City Council shall consider various factors, including:

- a. The operational characteristics of the proposed shelter as outlined in the Management Plan;
 - b. The size of the building housing the homeless shelter;
 - c. The character of the area, including proximity to residences, commercial businesses, schools, and public transportation.
3. **Duration of Special Use Permit:** The initial special use permit for a Homeless Shelter shall be valid for a maximum of 3 years from the date of approval and shall expire automatically unless a renewal is approved. All renewals of a special use permit may be approved for a period of up to 5 years.
 4. **Number of Employees:** The homeless shelter shall have at least two (2) employees and/or volunteers on the premises during all operational hours for the first ten (10) guests and one (1) additional employee and/or volunteer for every ten (10) additional guests.
 5. **Revocation Of Permits:** The special use permit for the operation of a homeless shelter may be revoked at any time by the Governing Body upon a determination that it is in violation of the standards of this Section or any other City Code requirement.
 6. **Certificate of Occupancy.** Prior to establishing a homeless shelter as a use, an application for and approval of a new certificate of occupancy is required, including compliance with all building and fire codes.