

City of Brookings **WORKSHOP Agenda**

CITY COUNCIL

Monday, December 3, 2018, 4:00pm

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

A. Call to Order

B. Roll Call

C. Topics

1. Update on the Brookings Airport [PWDS, Pg. 2]
 - a. Proposed Project Schedule [Pg. 3]
2. Code Revisions for Homeless Resources [PWDS, Pg. 4]
 - a. Sample Code Language, Patterson California – “Emergency Shelter Overlay Zone” [Pg. 5]
 - b. Mass Shelters and Housing Zoning Code Updates (page 13, 17), Portland Oregon [Pg. 10]
 - c. Zoning for Shelter for Homeless, Menlo Park California [Pg. 12]

D. Council Member Requests for Workshop Topics

E. Adjournment


All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 14 days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

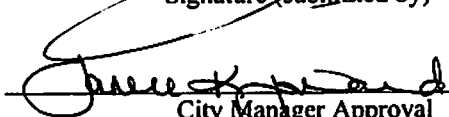
CITY OF BROOKINGS

COUNCIL WORKSHOP REPORT

Meeting Date: December 3, 2018

Originating Dept: PW/DS


Signature (submitted by)


City Manager Approval

Subject: Update on the Brookings Airport

Background/Discussion:

Staff is providing an update on the Brookings Airport.

1. Staff has been maintaining (mowing) the airport to be within FAA guidelines
2. Staff has been engaged with the Brookings Flying Club
3. The New Brookings Airport sign has been placed at the entrance
4. Planner of record has been selected (Century West) and a contract is in place
5. Currently going out for RFQ for the engineer of record
6. We have submitted our Critical Oregon Airport Relief (COAR) grant application

Next Steps: The 2019 Airport Master Plan schedule is expected to occur over the course of 18 months.

Phase 1. Develop an understanding: We will take an in depth look at the AGIS survey, existing conditions and activity forecasts.

Phase 2. Explore solutions: This will take approximately 7 months and will include scheduled public open houses.

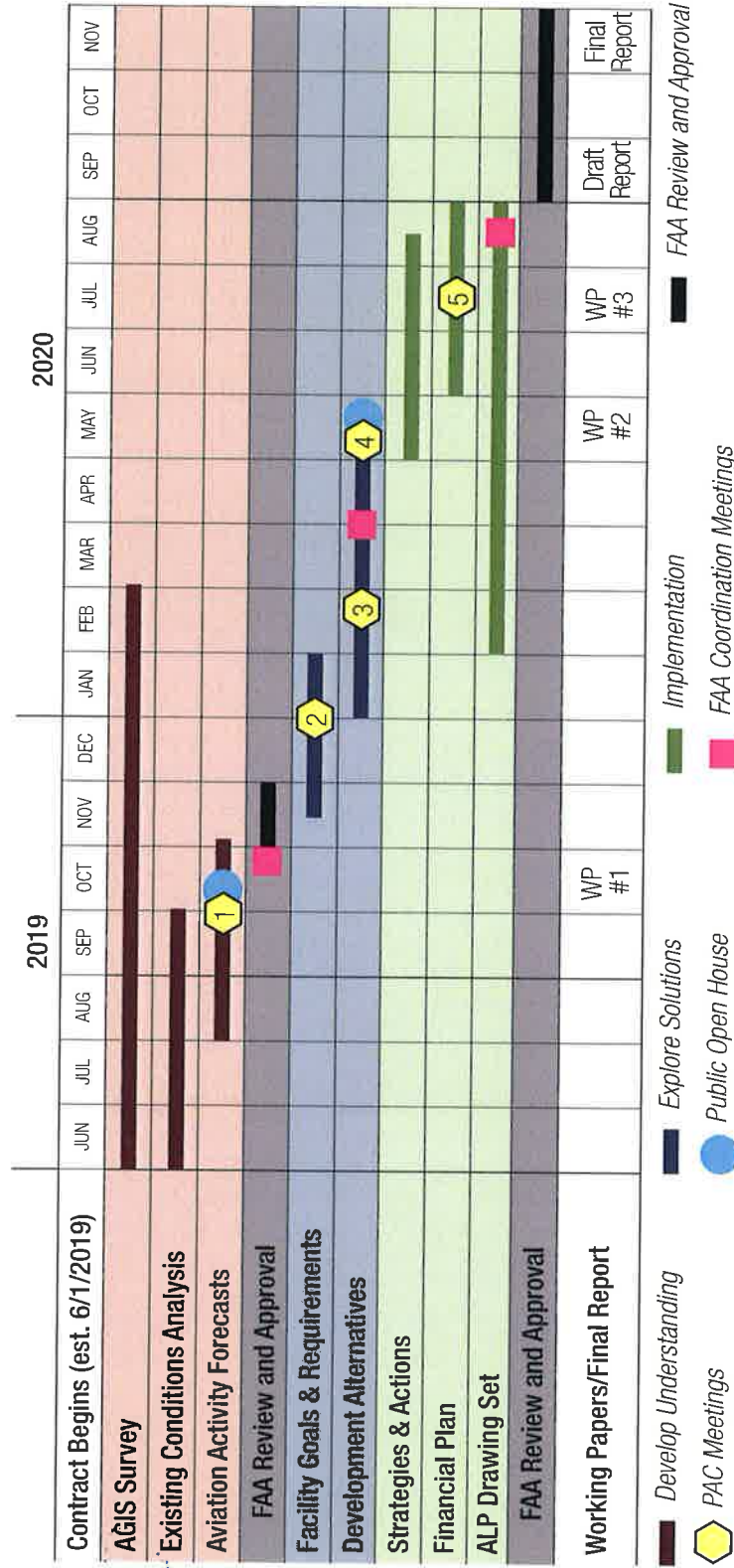
Phase 3. Implementation: This will take approximately 7 months including 3 months for FAA approvals.

Attachments:

- A. Proposed Project Schedule

Proposed Project Schedule

The 2019 Brookings Airport Master Plan schedule is expected to occur over the course of 18 months. Phase 1 - Develop Understanding will take approximately 6 months excluding the AGIS element, Phase 2 - Explore Solutions will take approximately 7 months, and Phase 3 - Implementation will take approximately 7 months including 3 months for FAA approvals, which can take anywhere from 3-6 months upon receipt of the final draft narrative reports and drawings.



- PAC Meeting #1 Summary**
Project Introduction, Existing Conditions, and Aviation Forecasts discussion.
- PAC Meeting #2 Summary**
Facility Goals and Requirements discussion and Development Alternatives/Concepts brainstorming.
- PAC Meeting #3 Summary**
Development Alternatives are introduced to the PAC and discussed in detail to identify a top ranked alternative.
- PAC Meeting #4 Summary**
Refined alternatives are presented to the PAC and discussed in detail before the alternatives are presented in the following Public Open House.
- PAC Meeting #5 Summary**
Land Use, Transportation, and Environmental Strategies & Actions, Financial Plan, and ALP discussion.

CITY OF BROOKINGS


COUNCIL WORKSHOP REPORT

Meeting Date: December 3, 2018



Signature (submitted by)

Originating Dept: PW/DS


City Manager Approval

Subject: Code Revisions for Homeless Resources

Background/Discussion:

Staff is seeking direction from Council on potential revisions to the Land Development Code in order to define services for homelessness as a use. Code revisions could allow for temporary (seasonal) shelters/housing for homeless individuals and families. To do so would require a Comprehensive Plan Map and/or Zone Change, creating an "Overlay Zone" within our existing zoning designations thereby allowing as an outright "Permitted Use" or "Conditional Use Permit", depending which zone is overlaid. It would also require defining the use in the code.

Conditional uses currently listed in our Land Development Code similar to proposed use are:

17.124.100 Churches, hospitals, other religious or charitable institutions

17.124.200 Community buildings, social halls, lodges, fraternal organizations and clubs in an "R" district

Staff proposes the creation of:

17.124.110 Community Service, Homeless Shelter, Homeless Resource Center

Sample code language and revision processes described in attachments for further discussion.

Attachments:

- a. Sample Code Language, Patterson California – "Emergency Shelter Overlay Zone"
- b. Mass Shelters and Housing Zoning Code Updates (page 13, 17), Portland Oregon
- c. Zoning for Shelter for Homeless, Menlo Park California

Chapter 18.58 EMERGENCY SHELTER OVERLAY ZONE

Sections:

18.58.010 Purpose.

18.58.020 Definitions.

18.58.040 Location.

18.58.060 Emergency shelter permit requirement.

18.58.080 Permit requirements.

18.58.100 Development and operational standards.

18.58.010 Purpose.

It is the intent of this chapter to provide for adequate development and operational standards to ensure appropriate housing and services for special needs populations are met. This chapter establishes an emergency shelter overlay zone within the existing heavy industrial district that shall be subject to the regulations set forth for the heavy industrial district zone as well as the regulations and requirements of this chapter. This chapter identifies an acceptable zone, in compliance with Senate Bill 2, where an emergency homeless shelter may be established without the need of a conditional use permit. (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

18.58.020 Definitions.

"Emergency shelter" shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (as defined by California Health and Safety Code Section [50801](#)(e)).

"Emergency shelter overlay zone" shall mean the parcels north of Sperry, west of S. 4th Street, and south of C Street.

"Habitable room" shall mean any room that meets adopted building code requirements for a habitable room, including minimum room proportions, minimum egress requirements, and minimum standards for lighting, ventilation, and electricity.

"Heavy industrial district" shall mean areas with industrial parks, warehouses, manufacturing, public and quasi-public uses, and similar and compatible uses as defined in Chapter [18.96](#). (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

18.58.040 Location.

The city identifies the parcels of land north of Sperry, west of S. 4th Street, and south of C Street, as the acceptable zone for permitting the establishment of an emergency homeless shelter without requiring a conditional use permit.

This area is located within the zone designated as a "heavy industrial district." The city amends the zoning code to create an overlay zone located exclusively on the parcel described above. An emergency shelter is a permitted use in this overlay zone. In addition to requirements set forth concerning heavy industrial districts, emergency shelters are subject to the requirements stated in this section. (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

18.58.060 Emergency shelter permit requirement.

Prior to operating an emergency shelter, a nondiscretionary permit shall be obtained and all other applicable local, state and federal laws, regulations and codes shall be met. The approval shall be specific to a location and shall not be transferable to any other location. The application shall be on a form prescribed for that purpose, and shall include the written consent of the owner of the property on which the shelter is to be located. The permit shall be recorded on the property and shall run with the land. (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

18.58.080 Permit requirements.

A. Once an application has been accepted as complete, the community development director or designee shall take action within thirty days.

B. Once an application has been accepted as complete, the community development director or designee shall refer the permit application to city departments and any other agencies deemed appropriate by the community development director.

C. In considering an application for a permit pursuant to this section, the application shall meet all of the following standards:

1. The application shall be for an "emergency shelter" as defined in the California Health and Safety Code Section [50801\(e\)](#).
2. The property must be located within the emergency shelter overlay zone.
3. Emergency shelter facilities shall comply with all federal and California state licensing requirements.
4. Emergency shelter facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.
5. Maximum Number of Beds. No more than twenty-five beds shall be provided in any single emergency homeless shelter facility. (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

18.58.100 Development and operational standards.

Emergency shelter facilities shall comply with all standards provided in this chapter.

A. Development Standards.

1. Location and Separation.
 - a. Emergency homeless shelter facilities shall be located in an emergency shelter overlay zone.
 - b. All shelter programs must be situated no less than three hundred feet from any other similar shelter program.
2. Physical Characteristics.

- a. The maximum number of beds for emergency and transitional housing shall be twenty-five.
- b. Smoke detectors, approved by the Patterson fire chief, must be provided in all sleeping and food preparation areas.
- c. The facility shall have adequate private living space, shower and toilet facilities and secure storage areas for its intended residents.
- d. The size of an emergency facility shall be in character with the surrounding neighborhood.
- e. The facility shall have at least one room, which has one hundred twenty square feet of floor area. Other habitable rooms shall have an area not less than seventy square feet. When more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of fifty square feet for each occupant in excess of two.

B. Operational Standards.

1. If located within one hundred fifty feet of a residential zoning district, all outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties.
2. If the program includes a drug or alcohol abuse counseling component, appropriate state and/or federal licensing shall be required.
3. Adequate lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses.
4. Off-street parking shall be provided at a rate of one vehicle parking space per employee/volunteer plus one vehicle parking space for every ten beds.
5. Adequate management, support staff and security must be present during the hours of operation of the facility. A minimum of one supervisory level staff member must be present on the site during hours of operation. Management staff must make best efforts to ensure that loitering does not occur on the property during off-hours and must ensure that clients are not creating a nuisance to the neighborhood.
6. A security guard/officer must be provided during the intake period. The shelter shall have set hours of operation and the hours shall be posted in a publicly visible and accessible location.

C. Management Plan.

1. The shelter shall prepare and file with the city a management plan that includes but is not limited to:
 - a. A resident identification process;
 - b. Timing and placement of outdoor activities;
 - c. Standards governing expulsions;
 - d. Hours of operation and standard lights-out;
 - e. Loitering control;

f. Policies regarding safety and security.

D. Shelter Approval.

1. The city shall not deny an emergency shelter proposed in the appropriately designated zone unless it makes findings that:

- a. The city has met or exceeded the need for emergency shelters in its community.
- b. The emergency shelter would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development of the emergency shelter financially infeasible. As used in this subsection, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.
- c. The denial of the shelter or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development of the emergency shelter financially infeasible.
- d. The emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.
- e. The emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with California Government Code Section [65588](#) that is in substantial compliance with state law.

E. Severability. In the event that any portion of this chapter is rendered or declared invalid, the remaining portions of this chapter shall remain in full force and effect. (Ord. 782 (part), 2015; Ord. 736 (part), 2012).

Home

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The Patterson Municipal Code is current through Ordinance 815, and legislation passed through December 19, 2017.

Disclaimer: The City Clerk's Office has the official version of the Patterson Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.patterson.ca.us/>

City Telephone: (209) 895-8014

[Code Publishing Company](#)

Zoning Code Amendments

**Table 120-1
Multi-Dwelling Zone Primary Uses**

Use Categories	R3	R2	R1	RH	RX	IR
Residential Categories						
Household Living	Y	Y	Y	Y	Y	Y
Group Living	L/CU [1]	L/CU [1]	L/CU [1]	L/CU [1]	L/CU [1]	Y [1]
Commercial Categories						
Retail Sales And Service	N	N	N	CU[2]	L/CU [3]	L/CU [10]
Office	N	N	N	CU[2]	L/CU [3]	L/CU [10]
Quick Vehicle Servicing	N	N	N	N	N	N
Vehicle Repair	N	N	N	N	N	N
Commercial Parking	N	N	N	N	CU [4]	N
Self-Service Storage	N	N	N	N	N	N
Commercial Outdoor Recreation	N	N	N	N	N	N
Major Event Entertainment	N	N	N	N	N	CU
Industrial Categories						
Manufacturing And Production	N	N	N	N	N	CU
Warehouse And Freight Movement	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N
Industrial Service	N	N	N	N	N	CU
Railroad Yards	N	N	N	N	N	N
Waste-Related	N	N	N	N	N	N
Institutional Categories						
Basic Utilities	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]
Community Service	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [5,6]	L/CU [6]
Parks And Open Areas	L/CU [7]	L/CU [7]	L/CU [7]	Y	Y	Y
Schools	CU	CU	CU	CU	L/CU [5]	L/CU [11]
Colleges	CU	CU	CU	CU	CU	L/CU [11]
Medical Centers	CU	CU	CU	CU	CU	L/CU [11]
Religious Institutions	CU	CU	CU	CU	CU	CU
Daycare	L/CU [8]	L/CU [8]	L/CU [8]	L/CU [8]	Y	L/CU [12]
Other Categories						
Agriculture	L [14]	L [14]	L [14]	L [14]	L [14]	L [14]
Aviation And Surface Passenger Terminals	N	N	N	N	N	N
Detention Facilities	N	N	N	N	N	N
Mining	N	N	N	N	N	N
Radio Frequency Transmission Facilities	L/CU [9]	L/CU [9]	L/CU [9]	L/CU [9]	L/CU [9]	L/CU [9]
Rail Lines And Utility Corridors	CU	CU	CU	CU	CU	CU

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes: [No change.]

Table 140-1
Employment and Industrial Zone Primary Uses

Use Categories	EG1	EG2	EX	IG1	IG2	IH
Residential Categories						
Household Living	CU	CU	Y	CU [1]	CU [1]	CU [1]
Group Living	CU	CU	L/CU [2]	N	N	N
Commercial Categories						
Retail Sales And Service	L/CU [3]	L/CU [3]	Y	L/CU [4]	L/CU [5]	L/CU [6]
Office	L [3]	L [3]	Y	L/CU [4]	L/CU [5]	L/CU [6]
Quick Vehicle Servicing	Y	Y	N	Y	Y	Y
Vehicle Repair	Y	Y	Y	Y	Y	Y
Commercial Parking	CU [15]	CU [15]	CU [15]	CU [15]	CU [15]	CU [15]
Self-Service Storage	Y	Y	L [7]	Y	Y	Y
Commercial Outdoor Recreation	Y	Y	Y	CU	CU	CU
Major Event Entertainment	CU	CU	CU	CU	CU	CU
Industrial Categories						
Manufacturing And Production	Y	Y	Y	Y	Y	Y
Warehouse And Freight Movement	Y	Y	Y	Y	Y	Y
Wholesale Sales	Y	Y	Y	Y	Y	Y
Industrial Service	Y	Y	Y	Y	Y	Y
Railroad Yards	N	N	N	Y	Y	Y
Waste-Related	N	N	N	L/CU [8]	L/CU [8]	L/CU [8]
Institutional Categories						
Basic Utilities	Y/CU [12]	Y/CU [12]	Y/CU [12]	Y/CU [13]	Y/CU [13]	Y/CU [13]
Community Service	L/CU [9]	L/CU [9]	L/CU [10]	L/CU [11]	L/CU [11]	L/CU [11]
Parks And Open Areas	Y	Y	Y	Y	Y	Y
Schools	Y	Y	Y	N	N	N
Colleges	Y	Y	Y	N	N	N
Medical Centers	Y	Y	Y	N	N	N
Religious Institutions	Y	Y	Y	N	N	N
Daycare	Y	Y	Y	L/CU [11]	L/CU [11]	L/CU [11]
Other Categories						
Agriculture	L [16]	L [16]	L [16]	L [16]	L [16]	L [16]
Aviation And Surface Passenger Terminals	CU	CU	CU	CU	CU	CU
Detention Facilities	CU	CU	CU	CU	CU	CU
Mining	N	N	N	CU	CU	CU
Radio Frequency Transmission Facilities	L/CU [14]	L/CU [14]	L/CU [14]	L/CU [14]	L/CU [14]	L/CU [14]
Rail Lines And Utility Corridors	Y	Y	Y	Y	Y	Y

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

The use categories are described in Chapter 33.920.

Regulations that correspond to the bracketed numbers [] are stated in 33.140.100.B.

Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Zoning for Shelter for the Homeless

Overview of Homeless Need in Menlo Park And State Law Requirements

Every other year, San Mateo County along with many other stakeholders, conducts a homeless count. The last count, which is also referenced in the recently adopted Housing Element, was conducted on January 24, 2013. The count found 16 (unsheltered) homeless people living in Menlo Park and 142 homeless residents in shelters, institutions, motel voucher programs, etc. Zoning for a homeless facility must address the unmet need established in the Housing Element.

Effective January 1, 2008, SB 2 (Chapter 633, Statutes of 2007) requires every California city and county to engage in a detailed analysis of emergency shelters and transitional and supportive housing in their Housing Element and to regulate zoning for these facilities. SB2 requires jurisdictions to explicitly recognize emergency, transitional and supportive housing in their zoning code. As part of the City's recently adopted Housing Element, specific implementation programs were identified to address this requirement.

General Plan Housing Element

The Menlo Park Housing Element contains the following policy and implementing program related to zoning for a homeless facility.

Housing Element Policy H3.9

"Local Approach to Housing for the Homeless. The City of Menlo Park supports a "housing first" approach to addressing homeless needs, consistent with the Countywide HOPE Plan. "Housing first" is intended to provide homeless people with housing quickly and then provide other services as needed, with a primary focus on helping individuals and families quickly access and sustain permanent housing. The City also recognizes the need for and desirability of emergency shelter housing for the homeless and will allow a year-round emergency shelter as a permitted use in specific locations to be established in the Zoning Ordinance. Designated site(s) must be located within one-quarter mile of a bus stop that provides service 7 days a week, since this could be considered a reasonable distance for a person to walk to/from a bus stop.



August 6, 2013



Safe Harbor Shelter, South San Francisco, CA



Homeless Facility (with solar), Santa Monica, CA



Congregational Church of San Mateo County, Rotating Shelter, San Mateo, CA

In addition, the following would apply:

- a. The City will encourage a dispersion of facilities to avoid an over-concentration of shelters for the homeless in any given area. An over-concentration of such facilities may negatively impact the neighborhood in which they are located and interfere with the “normalization process” for clients residing in such facilities.
- b. The City will encourage positive relations between neighborhoods and providers of permanent or temporary emergency shelters. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs within their neighborhoods and, when necessary, work with the City or a designated agency to resolve disputes.
- c. It is recommended that a staff person from the provider agency be designated as a contact person with the community to review questions or comments from the neighborhood. Outreach programs may also designate a member of the local neighborhood to their Board of Directors. Neighbors of emergency shelters shall be encouraged to provide a neighborly and hospitable environment for such facilities and their residents.
- d. Development standards for emergency shelters for the homeless located in Menlo Park will ensure that shelters would be developed in a manner which protects the health, safety and general welfare of nearby residents and businesses, while providing for the needs of a segment of the population as required by State law. Shelters shall be subject only to development, design review and management standards that apply to residential or commercial development in the same zone, except for the specific written and objective standards as allowed in State law.”



Cloverfield Services Center, Santa Monica, CA



Homeless Facility, Jackson, CA



First Step for Families, San Mateo, CA

Housing Element Program H3.A

“Zone for Emergency Shelter for the Homeless. The City will establish an overlay zone to allow emergency shelters for the homeless to address the City’s need for providing 16 beds to address homeless needs in the community. Appropriate locations for the overlay zoning will be evaluated based on land availability, physical or environmental constraints (e.g., flooding, chemical contamination, slope instability), location (e.g., proximity to services, jobs, and transit), available acreage (i.e., vacant or non-vacant sites), compatibility with surrounding uses and the realistic capacity for emergency shelters. In reviewing potential non-vacant sites, the potential for reuse or conversion of existing buildings to emergency shelters will be considered. Based on review of other facilities in the Bay Area, it is estimated that about one-quarter to one-half acre of land would be needed to address Menlo Park’s homeless needs. The overlay zone designation will cover between 1 to 3 acres of land to provide a choice of potential sites if and when a facility or multiple, smaller facilities are proposed. The City will also investigate the use of local churches providing temporary shelter for the homeless. In addition, the City will establish written and objective standards in the Zoning Ordinance covering:

- a. Maximum number of beds;
- b. Off-street parking based upon demonstrated need;
- c. Size and location of on-site waiting and intake areas;
- d. Provision of on-site management;
- e. Proximity to other shelters;
- f. Length of stay;
- g. Lighting; and
- h. Security during hours when the shelter is open.

Responsibility: Planning Division; City Attorney; City Commissions; City Council

Financing: General Fund

Objectives: Amend the Zoning Ordinance.¹

Timeframe: 2014"

Overview of Homeless Facilities

State law requires jurisdictions to explicitly recognize emergency shelters in their zoning code. In addition, emergency shelters for the homeless are uses protected under the Housing Accountability Act. The Housing Accountability Act (Government Code Section 65589.5) prohibits a jurisdiction from disapproving a housing development project, including housing for very low, low, or moderate income households, or conditioning approval in a manner that renders the project infeasible for development for the use of very low, low, or moderate income households, including through the use of design review standards, unless it makes specific written findings based on substantial evidence in the record (Government Code Section 65589.5).

Definition of Emergency Shelters (Health and Safety Code Section 50801(e)): "Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Overview of Homeless Regulations

State law requires that within one year of adoption of the Housing Element the City must rezone to allow an emergency shelter for the homeless in at least one zone without a conditional use permit or other discretionary action. Jurisdictions may not require a variance, minor use permit, special use permit or any other discretionary process, although they may apply non-discretionary design review standards. Because of State law, the areas that jurisdictions can regulate are limited and, according to HCD, the regulations must be "predictable and objective" and "encourage and facilitate" the development of shelters. The City is allowed to establish standards covering the number of beds, off-street parking, size and location of exterior and interior on-site waiting and client intake areas, on-site management, proximity to other emergency shelters (provided that emergency shelters are not required to be more than 300 feet apart), length of stay, lighting and security. Standards must (1) "promote" the use and be objective and predictable, (2) must not render emergency shelters infeasible and (3) must only address the use as an emergency shelter, not the perceived characteristics of potential occupants. The homeless shelter may also be subject to certain development standards that match the zoning district (e.g. lot area, height and setbacks).

¹ There must be a realistic potential for redevelopment or reuse within the proposed zone and it must be an appropriate location for a shelter, with access to transportation and services. Within this zone, shelters must be permitted without a conditional use permit or other discretionary action and shelters must be subject to the same development and management standards as other residential or commercial uses within the same zone.

These potential areas of regulation are discussed in more detail below.

(1) MAXIMUM NUMBER OF BEDS. State law specifically allows jurisdictions to regulate the number of beds in an emergency shelter. At the same time, it says limits on the numbers of beds must “facilitate,” “promote,” and “encourage” new emergency housing. There are a couple of ways to approach the bed limits. Homeless shelters in San Mateo County range from six beds to 87 beds, with the median number being 22 beds. Menlo Park, which has a low demonstrated need could set the maximum shelter size the same as their need (16 beds).

(2) OFF-STREET PARKING BASED UPON DEMONSTRATED NEED. The standards may not require more parking for emergency shelters than for other residential or commercial uses within the same zone. Parking is needed for employees, volunteers/visitors and residents. Most homeless families will have a car while most homeless individuals will not. The rule of thumb that InnVision Shelter Network uses is one car per family or .35 cars per individual bed, plus one parking spot per staff member on duty when residents are there (but less if on major a transit route). Homeless shelters that serve the chronically homeless or the mentally ill will have lower parking needs. As a comparison, available parking spaces for various emergency shelters are summarized below:

- Crossroads (Oakland), 0.55 acres, 125 residents, 47 employees, 17 parking spaces
- Family Emergency Center, (San Rafael), 0.25 acres, 52 beds, 16 spaces
- Mill Street Shelter (San Rafael) 0.33 acres, 40 beds, 10 spaces
- Safe Harbor (S. San Francisco), 90 beds, 24 spaces (parking lot is full at night)

(3) SIZE AND LOCATION OF EXTERIOR AND INTERIOR ON-SITE WAITING AND CLIENT INTAKE AREAS. Most ordinances do not have minimum size requirements for waiting and client intake areas, but this is an important topic. According to the Center on Homelessness and other experts, a common design flaw in shelters is to have too little public/communal space or office space. Having adequate waiting/ communal/gathering areas will reduce the likelihood of loitering and smoking off the property.

Communal areas also give space for volunteers to stage and donations to be accepted and sorted. Based on experiences at InnVision Shelter Network, roughly ten square feet per bed is needed. The Safe Harbor facility in South San Francisco recommends roughly two offices or cubicles for each 20 clients. At least one office or up to 25 percent of the offices should also be private. In addition to shelter staff, partner organizations often use the office to provide client services.



Upward Bound House, Culver City, CA

(4) THE PROVISION OF ON-SITE MANAGEMENT. Most ordinances require on-site management when the shelter is open (i.e. has clients at the facility). There are many topics to include in a good management plan, including:

- Client smoking areas and policies
- Volunteer and donation procedures
- Health and Safety plan including emergencies
- Neighborhood communication plan

One useful tool for ensuring a thorough management plan is the Quality Assurance Standards recently produced by the HOPE Quality Improvement Work Group. This document describes both minimal and higher level (desirable) standards and procedures for all aspects of



Safe Harbor, San Francisco, CA

operating a homeless facility. The City may want to require that management plans consider and address the Quality Assurance Standards. A stronger approach would be to require that the management plan meet the relevant minimum standards.

(5) THE PROXIMITY TO OTHER EMERGENCY SHELTERS. State law allows jurisdictions to establish a 300 feet distance between facilities.

(6) THE LENGTH OF STAY. A standard definition is 30 or 60 days. Ordinances should allow a set length of time with an extension possible if there is no other housing available. For example, temporary shelter shall be available to residents for no more than 60 days but extensions up to a total stay of 180 days may be provided if no alternative housing is available.

(7) LIGHTING. It is difficult to write a lighting ordinance that does not include some degree of subjectivity. “Adequate” lighting may not meet the standard for objectivity as required by law. An alternate definition to consider is — “The lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.”

An alternate standard for lighting would be to use the AB 244 rules (California Financial Code Section 13040-13041), which were written in 1991 to reduce crime at outdoor ATM machines. While objective, these rules have received mixed reviews. Some experts credit the regulations for reducing crime, others believe the standards rely too much on sheer brightness, creating glare and other problems. Adapted for shelters, the rules would read — “There shall be a minimum of 10 candlefoot power at the ~~face of the automated teller machine~~ *door of the shelter* and extending in an unobstructed direction outward five feet... There shall be a minimum of two candlefoot power...*in other areas of the front yard.*” The State definition for candlefoot power is the light intensity of candles on a horizontal plane at 36 inches above ground level and five feet in front of the area to be measured. The hours of darkness are defined as the period beginning 30 minutes after sunset and ending 30 minutes before sunrise.

It may be possible to offer shelters the option of meeting the AB 244 standards or providing adequate external lighting, giving both an objective standard and a more conventional planning definition.

(8) SECURITY DURING HOURS OF OPERATION. Most shelters do not admit dangerous clients, will work to quickly deescalate potentially dangerous situations, and will call the police if a client poses a threat. Staff members are told not to engage or restrain dangerous clients. Still, best practices call for shelters to have a security/emergency plan.

(9) NON-DISCRETIONARY DESIGN STANDARDS. Traditionally, homeless shelters were seen as basic, utilitarian housing for the poor. They were often crowded and lacked basic design amenities. Recently, there has been an effort to raise the standards of homeless shelters to make them fit in better with the neighborhood and be more inspirational places for the clients.

Some specific design guidelines include:

- Shelters should have designated smoking areas not visible from the street, ideally outside.
- There should be no space for outdoor congregating in front of the building and no outdoor public telephones.
- There should be a refuse area screened from view.
- The shelter should have disabled access.

- There should be bicycle parking.
- Other design standards that apply to residential buildings.

(10) OTHER DEVELOPMENT STANDARDS. The shelter may be subject to objective standards applied to other uses in the zone. For instance, FAR, setback, height, lot area, etc. could be covered. In addition, HCD suggests there may be some flexibility for additional standards that are the same as other residential uses in the zone. For instance, if residential uses require outdoor space, the standard could be applied to shelters. In recent years, many jurisdictions have required amenities at homeless shelters, but based on a strict reading of the law, these should now be treated as optional or desired, rather than required. The best source of standards is the recently published Quality Assurance Standards referenced above. Sample best practices from this material include:

- Outdoor gathering space and smoking space is important
- Laundry facilities or tokens to local laundry
- Safe storage for belongings (this is definitely desirable but can be a management challenge). Ideally storage should be located at the beds
- Toiletries (soap, toilet paper)
- Clean drinking water
- Phone to make free local calls and/or outlets to charge cell phones
- Shared/communal areas for socializing
- Hiring a diverse staff, and training -for staff in how to interact with gay/lesbian/transgender populations and people with disabilities
- Assistance finding permanent housing
- Classes or training for important life skills
- Family shelters need play areas
- Interior lighting should be dimmable for nighttime use

Background on Possible Criteria for Zoning for Shelter for the Homeless

Below are possible factors (or criteria) to consider in Menlo Park for the location of appropriate zoning for emergency shelter for the homeless. This initial list can provide a starting point for discussion at the Steering Committee's first meeting.

- (1) **Is the location suitable for a residential use of this kind?** What other uses are permitted in the underlying zoning and is the underlying zoning suitable for residential or emergency shelters (e.g., an industrial zone with manufacturing activities may have environmental conditions rendering it unsuitable for residential or shelter uses. In some localities, manufacturing or industrial zones may be in transition, where older industrial uses are redeveloping to residential, office or commercial). Quality residential locations should consider the following conditions:
 - a. High noise levels (traffic or from commercial activities)
 - b. Hazards (toxic soils, etc.)
 - c. Compatibility with the operation of adjacent uses — ensure neighborhood livability, physical compatibility, function of the area and public services.
- (2) **Are there transitional areas that might be acceptable for a homeless facility?** Transition areas may be compatible with residential uses and suitable for emergency shelters. Also, a commercial zone allowing



Maple Street Shelter, Redwood City, CA

residential or residential compatible services (i.e., social services, offices) could be suitable for shelters. For example, Sacramento County permits emergency shelters in its commercial zone along with other residential uses and uses such as retail that are compatible with residential.

- (3) **Is there sufficient capacity to accommodate the need?** The identified overlay zone must have sufficient capacity, when taken as a whole, to meet the need for shelters identified in the housing element, and have a realistic potential for development or reuse opportunities in the planning period. Sub-factors related to the ability to accommodate the need include:
 - a. **Minimum site area required.** Are there sites in the area zoned that can accommodate a facility on one-quarter to one-half of an acre to accommodate the facility and parking demand?
 - b. **Choices of sites.** Are there sites available and appropriately zoned for a homeless facility?
 - c. **Site development constraints.** Capacity for emergency shelters must be suitable and available and account for physical features (flooding, seismic hazards, chemical contamination and other environmental constraints, and slope instability or erosion).
- (4) **Location and proximity to services.** Access to supportive services, community services and transportation should be considered. Residents generally need ready access to community services such as shopping, transportation and health care. One example would be a requirement that a facility be located within one-quarter mile of bus stop. Another example would be the location in proximity of a facility that operates to serve the homeless population, such as a jobs center or other service locations.
- (5) **Is there sufficient acreage and realistic capacity?** Zoning must also address available acreage (vacant or underutilized) and the realistic capacity for emergency shelters in the zone. For example, if a jurisdiction identifies public institution zoning district as the zone where emergency shelters will be allowed without a conditional use permit, the Housing Element should demonstrate sufficient acreage within the zoning district that could accommodate the actual development of an emergency shelter. The Housing Element could also discuss the potential for reuse or conversion of existing buildings to emergency shelters.
- (6) **Concentration of emergency facilities.** Generally, cities that have numerous residential care facilities try to control the close concentration of emergency facilities to ensure (1) a fair distribution of residential care facilities, (2) prevent the perceived “institutionalized ghetto” affect that occurs when social service providers concentrate their facilities in one location, and (3) better serve the homeless by integrating them into functioning communities and removing them from negative influences.
- (7) **Minimum distance to sensitive uses.** Possible examples of sensitive uses include day care facilities, schools and parks. Consultation should also with the Police Department on current criminal activity of proposed placement location area.
- (8) **Service population.** Homeless shelters often focus on certain service populations. Examples of service population are single individuals, youth (under 18 years), families, and mixed populations. Zoning may differentiate among these groups in terms of specific locations and standards, but all groups need to be served.