

ZONING ORDINANCE SHELTER AMENDMENTS

CITY OF DICKINSON PLANNING AND ZONING
COMMISSION MEETING

NOVEMBER 15, 2023

WHAT THE CITY ZONING ORDINANCE CURRENTLY ALLOWS

- EMERGENCY RESIDENTIAL SERVICES-PROVIDES PROTECTIVE SANCTUARY FOR VICTIMS OF CRIME OR ABUSE DURING CRISIS INTERVENTION FOR VICTIMS OF RAPE, ABUSE OR PHYSICAL BEATINGS.
- GROUP CARE FACILITY-FOR PERSONS WITH PHYSICAL DISABILITIES, EMOTIONAL OR MENTAL DISORDERS OR DISABILITIES, DRUG OR ALCOHOL ABUSE ISSUES, OR FOR PROGRAMS SERVING AS ALTERNATIVE TO IMPRISONMENT.
- NEITHER EMERGENCY HOMELESS SHELTERS, GROUP SHELTERS NOR FAMILY SHELTERS ARE ALLOWED

ORIGIN OF THE PROPOSED AMENDMENTS

- AT THE MARCH 21, 2023 DICKINSON CITY COMMISSION MEETING STAFF WAS DIRECTED TO DRAFT AN AMENDMENT TO THE CITY'S ZONING CODE ADDRESSING HOMELESS SHELTERS.
- PRIOR TO THIS WORKSHOP STAFF PROVIDED THE ZONING CODE TEXT AMENDMENTS TO MEMBERS OF THE LOCAL HOMELESS COALITION AS WELL AS TO OTHER SOCIAL SERVICE PROVIDERS WHO WORK WITH THE HOMELESS POPULATION.
- CURRENT DRAFT REFLECTS INPUT FROM THESE ORGANIZATIONS

PROPOSED ZONING ORDINANCE AMENDMENTS ARTICLE 39.02 DEFINITIONS

- PROVIDE DEFINITIONS FOR THE FOLLOWING TERMS:
 - HOMELESS PERSON-an individual who lacks a fixed, regular and/or adequate nighttime residence.
 - HOMELESS SHELTER-emergency housing with minimal supportive services for homeless persons that is intended for occupancy of three months or less in a given year by a homeless person.
 - TRANSIENT RESIDENT-one who temporarily resides for generally less than 30 days or seasonally for less than three months during any 12-month period.

PROPOSED ZONING ORDINANCE AMENDMENTS ARTICLE 39.03 USE TYPES

- **FAMILY SHELTER**-a single family dwelling that shelters a family who are persons related by blood, marriage or adoption, or no more than four unrelated individuals occupying a dwelling unit who are committed to living together as a single housekeeping unit, in harmony with the surrounding neighborhood, responsible for maintaining a common household.
- **GROUP SHELTER**-a type of homeless shelter that shelters multiple people of the same gender who are unrelated. In a women's shelter, this could also include a single mother with children. Group shelters are supervised at all hours that the residents are present.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.04 ZONING DISTRICT REGULATIONS

- ALLOW GROUP SHELTERS AS A SPECIAL USE IN THE COMMUNITY COMMERCIAL, GENERAL COMMERCIAL AND LIMITED INDUSTRIAL ZONING DISTRICTS
- ALLOW FAMILY SHELTERS AS A SPECIAL USE IN THE RURAL RESIDENTIAL, LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, MOBILE HOME AND LIMITED COMMERCIAL ZONING DISTRICTS
- ALLOW A COMBINATION GROUP/FAMILY SHELTER AS A SPECIAL USE IN THE COMMUNITY COMMERCIAL, GENERAL COMMERCIAL AND LIMITED INDUSTRIAL ZONING DISTRICTS

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.07 SUPPLEMENTAL USE REGULATIONS

- ESTABLISHES A MINIMUM 300-FOOT DISTANCE BETWEEN FAMILY SHELTERS
- ESTABLISHES A MINIMUM 1,000-FOOT DISTANCE BETWEEN GROUP SHELTERS AND COMBINATION GROUP/FAMILY SHELTERS
- ESTABLISHES MINIMUM DEVELOPMENT STANDARDS
- ESTABLISHES MINIMUM OPERATIONAL AND DESIGN STANDARDS

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.07 SUPPLEMENTAL USE REGULATIONS

- THE MAXIMUM NUMBER OF BEDS, INCLUDING THOSE OF CARETAKERS OR RESIDENT MANAGERS SHALL BE 16 FOR GROUP SHELTERS. FOR COMBINATION GROUP/FAMILY SHELTERS, THE MAXIMUM NUMBER OF BEDS INCLUDING THOSE OF CARETAKERS OR RESIDENT MANAGERS SHALL BE 60.
- A SHARED/COMMUNAL AREA FOR SOCIALIZING SHALL BE PROVIDED IN ACCORDANCE WITH THE INTERNATIONAL PROPERTY MAINTENANCE CODE. FOR COMBINATION GROUP/FAMILY SHELTERS CONTAINING BOTH A MEN'S AND A WOMEN'S GROUP SHELTER, A SEPARATE SHARED/COMMUNAL AREA SHALL BE PROVIDED FOR BOTH THE MEN'S AND WOMEN'S SHELTER AREAS IN ACCORDANCE WITH THE INTERNATIONAL PROPERTY MAINTENANCE CODE.
- SECURE STORAGE AREAS FOR THE INTENDED RESIDENTS SHALL BE PROVIDED.
- A DESIGNATED LOCATION SHALL BE PROVIDED FOR WASTE RECEPTACLES AND SUCH RECEPTACLES SHALL BE SCREENED FROM VIEW.
- THE SIZE OF A GROUP SHELTER SHALL BE IN CHARACTER WITH THE SURROUNDING BUILDINGS IN THE NEIGHBORHOOD.
- GROUP SHELTERS SHALL NOT BE PERMITTED WITHIN A COMMERCIAL MULTI-TENANT SHOPPING CENTER.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.07 SUPPLEMENTAL USE REGULATIONS

- IF LOCATED WITHIN 150 FEET OF A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, ALL OUTDOOR ACTIVITY SHALL BE SCREENED FROM PUBLIC VIEW AND FROM THE VIEW OF ADJACENT PROPERTIES.
- IF THE GROUP SHELTER OR COMBINATION GROUP/FAMILY SHELTER PLANS TO OFFER DRUG OR ALCOHOL ABUSE COUNSELING TO RESIDENTS OF THE SHELTER, THE APPLICANT SHALL ADVISE THE CITY ON ANY STATE LICENSING THAT MAY BE REQUIRED AND DEMONSTRATE COMPLIANCE AS APPROPRIATE.
- LIGHTING SHALL BE SUFFICIENT TO PROVIDE ILLUMINATION AND CLEAR VISIBILITY TO ALL OUTDOOR AREAS, WITH MINIMAL SHADOWS OR LIGHT LEAVING THE PROPERTY. LIGHTING SHALL BE STATIONARY, DIRECTED AWAY FROM ADJACENT PROPERTIES AND PUBLIC RIGHTS-OF-WAY, AND OF INTENSITY COMPATIBLE/COMPARABLE WITH THE NEIGHBORHOOD.
- ADEQUATE MANAGEMENT, SUPPORT STAFF AND SECURITY MUST BE PRESENT DURING THE HOURS OF OPERATION OF THE SHELTER. 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.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.07 SUPPLEMENTAL USE REGULATIONS

- THE GROUP SHELTER OR COMBINATION GROUP/FAMILY SHELTER SHALL HAVE A MINIMUM OF 18 HOURS PER DAY OF OPERATION AND THE HOURS OF OPERATION SHALL BE POSTED IN A PUBLICLY VISIBLE AND ACCESSIBLE LOCATION. HOURS OF OPERATION MEANS THAT THE SHELTER IS AVAILABLE FOR OCCUPANCY BY HOMELESS PERSONS.
- GROUP SHELTERS AND COMBINATION GROUP/FAMILY SHELTERS SHALL REQUIRE THAT [THEIR] RESIDENTS PARTICIPATE IN WRAP-AROUND SERVICES WHICH INVOLVE INDIVIDUAL CASE MANAGEMENT.
- THE INTAKE PROCESS FOR NEW RESIDENTS SHOULD BE HANDLED FROM AN INTERNAL OFFICE WITHIN THE GROUP SHELTER OR COMBINATION GROUP/FAMILY SHELTER.
- AN APPLICANT FOR A GROUP SHELTER OR COMBINATION GROUP/FAMILY SHELTER, AS PART OF THE APPLICATION PROCESS, SHALL PREPARE AND FILE WITH THE CITY ITS MANAGEMENT POLICIES AS THEY RELATE TO THE FOLLOWING:
 - A RESIDENT IDENTIFICATION PROCESS;
 - TIMING AND PLACEMENT OF OUTDOOR ACTIVITIES;
 - STANDARDS GOVERNING EXPULSIONS;
 - HOURS OF OPERATION AND STANDARD LIGHTS-OUT;
 - POLICIES REGARDING SAFETY AND SECURITY AND TO INCLUDE EMERGENCIES;
 - SMOKING POLICY TO INCLUDE IDENTIFICATION OF AREAS WHERE SMOKING IS TO BE PERMITTED;
 - VOLUNTEER AND DONATION PROCEDURES;
 - COMMUNICATIONS WITH THE CITY AND THE NEIGHBORHOOD.

• (draft)

CITY OF DICKINSON COMMUNITY DEVELOPMENT

- JOSHUA SKLUZACEK-ENGINEER-COMMUNITY DEVELOPMENT DIRECTOR
- MATTHEW GALIBERT-CITY PLANNER
- STEVE JOSEPHSON-CITY/COUNTY PLANNER; CITY RENAISSANCE ZONE COORDINATOR

