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Exhibit 4h

Chapter 19.400

**SHELTERS – EMERGENCY SHELTER, SUPPORTIVE HOUSING, TRANSITIONAL  
HOUSING AND TRANSITIONAL HOUSING DEVELOPMENT**

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**19.400.010 Purpose.**

The purpose of regulating emergency shelters, ~~supportive housing and transitional housing and transitional housing development~~ is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

**19.400.020 Applicability and Permit Requirements.**

A. ~~Except as provided in paragraph B, Emergency shelters, supportive housing and transitional housing and transitional housing development~~ as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

B. The provisions of this Chapter shall not apply to parcels/properties in the Emergency Shelter Overlay Zone, where emergency shelters are a permitted use.

**19.400.030 Additional Application Requirements.**

The application for a discretionary permit for emergency shelters, ~~supportive housing, transitional housing and transitional housing development~~ shall include the following additional information:

- A. Client profile (the subgroup of the population of the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);
- B. Maximum number of occupants and hours of facility operation;
- C. Term of client stay;
- D. Support services to be provided on-site and projected staffing levels; and
- E. Rules of conduct and/or management plan.

**19.400.040 Site Location, Operation and Development Standards.**

In addition to the standards for emergency shelters set forth in Article V, Base Zones and Related Use and Development Provisions, the following findings shall be made: apply to all emergency shelters, supportive housing, transitional housing and transitional housing development unless otherwise specified here.

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- A. The use shall be compatible with neighboring uses.
- B. Establishment of the facility shall not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result.
- C. The facility shall be located along or near an arterial with ready access to public transportation.
- D. The facility shall be accessible to necessary support services.
- E. To avoid over-concentration of emergency shelters, ~~supportive housing, transitional housing and transitional housing development~~, there shall be a five-thousand-foot separation requirement as measured from the nearest outside building walls between the subject use and the nearest property line of any other shelter facility.
- F. Emergency shelters, ~~supportive housing, transitional housing and transitional housing development~~ shall not be located within 1,000 feet of a public or private school (kindergarten through twelfth grade), universities, colleges, student housing, senior housing, child care facilities, public parks, businesses licensed for on- or off-site sales of alcoholic beverages or parolee/probationer home as defined in Article X (Definitions) and as measured from any point on the outside walls of the facility to the nearest property line of the noted use.
- G. To avoid over-concentration of homeless housing facilities and assisted living and/or group housing facilities, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between the subject use and the nearest property line of another assisted living or group housing facility as defined in Article X (Definitions).
- H. The facility should be compatible with the character of the surrounding neighborhood.
- I. Both indoor and outdoor open areas should be provided on site.
- J. All setback standards of the underlying zone shall be met.
- K. On-site staff supervision shall be required during all hours of facility operation.
- L. Individual client stays shall not exceed 180 days.
- M. The facility's management shall participate in any formal residential crime prevention program (e.g., Crime Free Multi-Housing Program or its successor).
- N. Establishment of the facility shall conform to the adopted Countywide Comprehensive Homeless Plan and the City Comprehensive Homeless Assistance Plan.

### **19.400.050 Special Noticing Requirements.**

All property owners within 1,000 feet of the proposed facility, as measured from the subject property lines, shall be notified of the proposed discretionary permit.

### **19.400.060 Existing Facilities Require a Permit.**

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An existing facility in good standing may file a written request for an extension of time of up to one year in which to file for the required discretionary permit. The written request shall include the reason for the request, including budgeting and/or securing filing fees, subject to confirmation and approval by the Planning Division. A filing extension may be granted by the Planning Division when it is verified that good faith efforts to budget and/or secure funds are made, financial hardship exists, and a favorable recommendation is obtained from the Police Department. The Police Department recommendation is based upon a review of calls for service and criminal history at the shelter facility for the previous 12 months. This subsection shall sunset and no longer be effective on the date as of June 8, 2006.

#### **19.400.070 Change in Operating Conditions.**

Any change in operating conditions from what was originally approved and imposed by the City, including, but not limited to, number of occupants or clients or any modifications to the conditions of approval pursuant to the required discretionary permit shall require the immediate submittal of a request for revision of the required discretionary permit.

#### **19.400.080 Abandonment of Use.**

An existing facility, established pursuant to any discretionary permit discontinued for any period of time, excluding a maximum 30 day closure required to perform necessary repairs or restoration that does not increase the square footage of the residence, is deemed abandoned and any subsequent establishment of a facility shall be required to first obtain a new discretionary permit, as appropriate.

#### **19.400.081 Modifications.**

Modifications to the above Site Location, Operation and Development Standards may be considered under the required Minor Conditional Use Permit or Conditional Use Permit.