

MEETING DATE: January 24, 2023

STAFF: Tom Scannell, Community Development
Director

PROJECT NAME: UDO Amendment #55 – Group Living Facilities

CASE NUMBER / REQUEST: **Case 23-175-01– UDO Amendment #55 – Group Living Facilities Amendments** – An amendment to the Unified Development Ordinance pertaining to Group Living Facilities regulations.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – January 7, 2023

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on February 20, 2023 and the public hearing/second reading on March 6, 2023.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #55 to the Unified Development Ordinance (UDO) related to Group Living Facilities.

BACKGROUND & HISTORY:

This amendment modifies language in the UDO that updates the Group Living Facility regulations.

A major concern for officials and staff has been the population of those in our community without shelter. Independence has not been alone in this endeavor to find solutions, staff has found several of our neighboring communities to either have passed new ordinances or are considering code changes to address the unhoused population. The City has already seen multiple homeless camps arise in various parts of our community and we have seen homelessness place further strain on emergency services that were fully tasked with the COVID-19 pandemic. Staff feels it is critical to

review our current code related to Group Living Facilities and provide clear standards when providing shelter and resources to those who may be chronically or temporarily homeless.

Staff researched best practices from communities around the region and around the country, which have been incorporated into this change. This amendment would make the following changes to the UDO:

1. Amends the current definition of a homeless shelter.
2. Adds definition for transitional housing. This type of housing provides temporary housing and support services to individuals and families experiencing homelessness.
3. Adds transitional housing as a use to the Residential and Commercial use tables.
4. Creates separate standards for custodial group home, transitional housing, and domestic violence residence and shelter.
5. Creates separate standards for homeless shelters that include:
 - a. The building housing the homeless shelter shall not exceed 15,000 square feet in size.
 - b. The homeless shelter shall serve a maximum of thirty (30) homeless individuals.
 - c. The property where the homeless shelter is located must be within one-half (1/2) mile of a public transportation stop or the homeless shelter must have reliable access to transportation.
 - d. 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, or any portion thereof. An alternative staffing plan may be approved as part of the special use permit where the applicant demonstrates adequate supervision of the guests.
 - e. Prior to establishing a homeless shelter, an application for and approval of a new certificate of occupancy is required, including compliance with all building and fire codes.
 - f. Any provision of food or feeding operations shall comply with Chapter 11 of the City Code.
 - g. A facility operating a donation bin(s) or donation center shall comply with the requirements of Section 14-422.
 - h. The exterior appearance of the building and property on which a homeless shelter is located shall be maintained in accordance with applicable property maintenance, building and zoning requirements.
 - i. There shall be no loitering immediately around or on the grounds of the facility.
 - j. The operator must enforce a policy of prohibiting alcohol and/or illegal drug use on the property.

- k. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements. Bicycle parking shall be provided based on anticipated need.
- l. Any lighting provided shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.
- m. 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.
 - i. A narrative description of the nature and characteristics of the use and descriptions of all supportive services provided. The narrative shall address the sections above and include, but not limited to, any outdoor gathering space and/or smoking areas, the safe storage of belongings, the length of stay allowed, any laundry facilities provided, and any other description/characteristic of the use.
 - ii. A transportation plan describing how guests will be transported to and from the site.
 - iii. An interior floor plan showing sleeping areas, common areas, kitchen and bathroom facilities, and emergency exits.
 - iv. 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.
 - v. An outline of the "Rules of Conduct" for guests.
 - vi. A communication plan that establishes how the shelter will regularly communicate with neighbors and the police.
 - vii. A staffing plan noting the number of employees per guest during daytime and nighttime operating hours.
- n. The special use permit for the operation of a homeless shelter may be amended, suspended or revoked in accordance with Section 14-704.

Staff believes the proposed amendment will better serve our community and help mitigate the development of homeless camps and provide the possibility of consistent resources to those who may need it the most.

EXHIBITS

1. Amended Section 14-404 Group Living Facilities
2. Amended Section 14-200-02 Residential Use Group
3. Amended Section 14-300-03 Residential Use Table
4. Amended Section 14-301-03 Commercial Use Table