

Homeless Resource Centers and Homeless Shelter Code Changes



Planning Petition Information for PLNPCM2021-01033

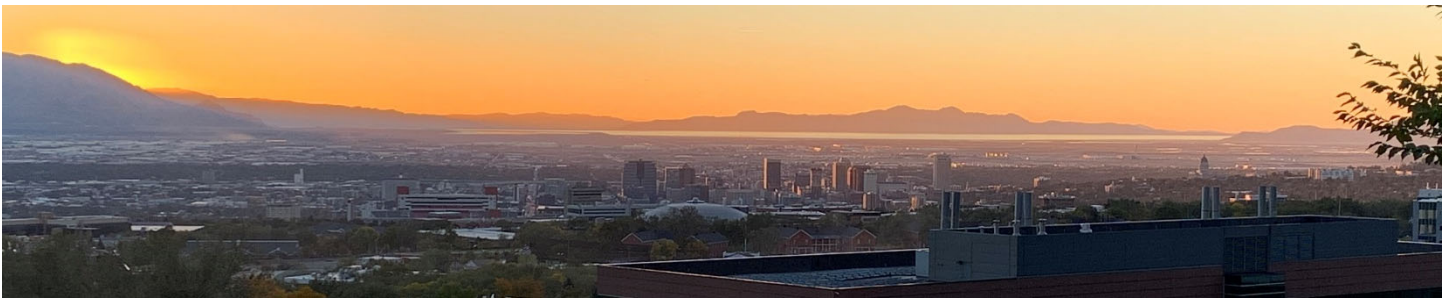
Request Type: Zoning Text Amendment

Location: No specific location,

Zone: CG General Commercial, D2 Downtown Support and D3 Downtown Residential Warehouse. Temporary/Emergency Overflow shelters may impact multiple zoning districts found throughout the city.

Overlay District: Creation of a new “Homeless Resource Center Overlay District”

Council District: Citywide; the CG, D2, and D3 zoning districts are in Council Districts 2, 3, 4, and 5. Adding temporary/emergency overflow shelters may impact multiple zoning districts found throughout the city.



What is the request?

This proposal changes the way homeless resource centers and homeless shelters are regulated in the zoning code. The project was initiated by Mayor Mendenhall on October 21, 2021 with the following proposal:

1. Prohibit new, future homeless shelters or homeless resources centers in all zoning districts in the city.
2. Modify the conditional use standards for homeless shelters or homeless resource centers, and
3. Distinguish between temporary overflow shelters and permanent shelters and homeless resources centers that operate year-round and potentially allow temporary overflow homeless shelters in certain zones.

The initiation from Mayor Mendenhall included a notice of pending ordinance. This notice allows the City to put any proposal that may be subject to the proposed change in the ordinance on hold for a period of 180 days. The 180-day period gives the city the time to craft regulations and take the proposal through the adoption process.

This is a complex project that involves each of the three items listed above and that necessitates other changes. While the goal is to have this project move forward as one proposal, some aspects of the proposal may be separated out based on input and issues discovered during the public outreach process. Each item is discussed in more detail on the following pages.

Timeline

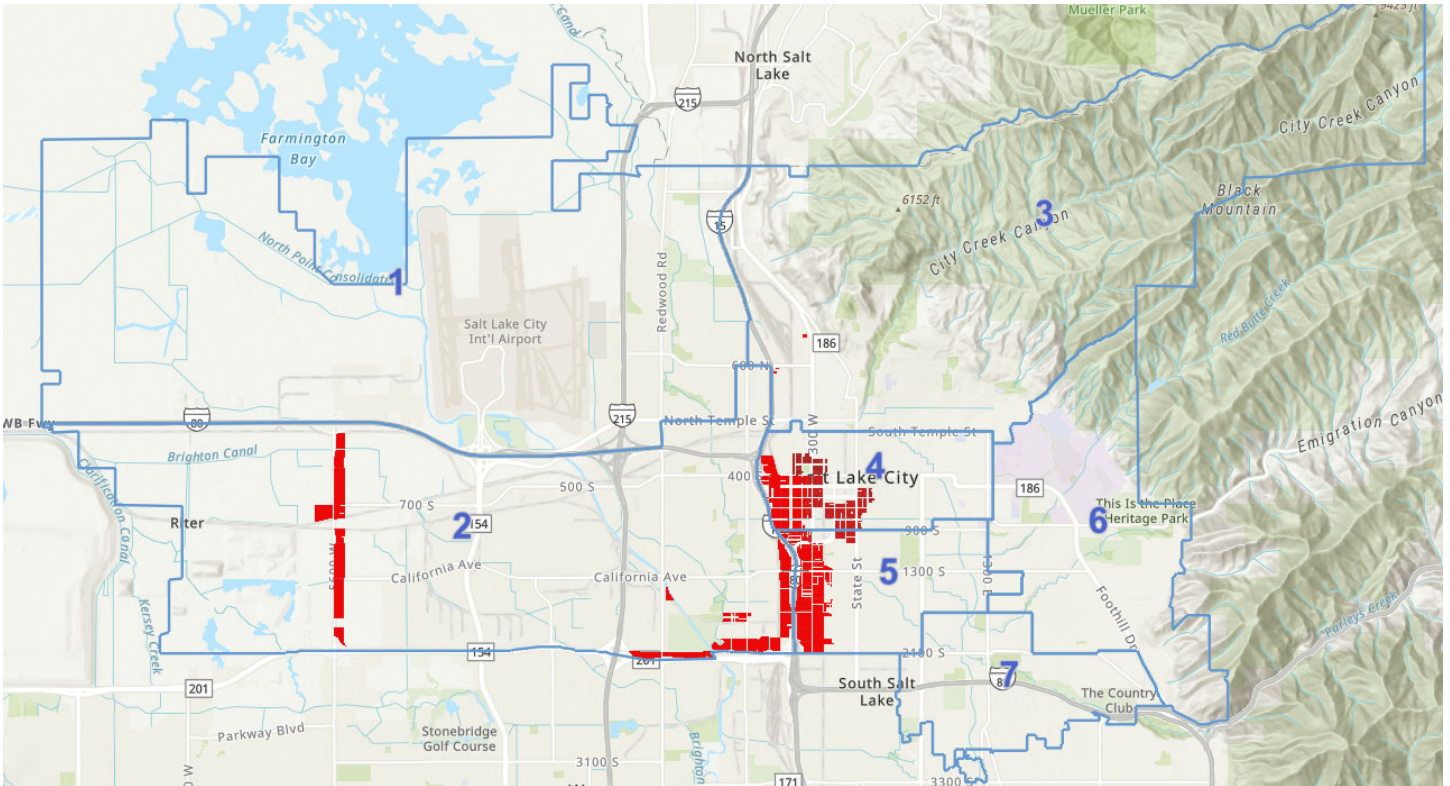
Now through January 1, 2022: early engagement period

January 12, 2022: Planning Commission Public Hearing and recommendation to the City Council

February and March 2022: City Council adoption process

Item 1: Prohibit new, future homeless shelters or homeless resources centers in all zoning districts in the city.

The zoning code lists homeless resource centers and homeless shelters as a conditional use in the CG, D2, and D3 zoning districts. These are the only zoning districts where the use is allowed. This proposal would remove the uses as conditional use in these three zoning districts. This means that no new homeless resource centers or homeless shelters would be allowed in the City. All existing homeless resource centers and homeless shelters would be allowed to continue to operate subject to the following all applicable rules.



The location of the CG, D2, and D3 Zoning Districts are shown in red, city council districts are outlined in blue

This item was included in this proposal to prevent a specific homeless resource center from locating in the City because it was in a neighborhood that already has an existing resource center and detox center and is close to other similar uses. The neighborhood is experiencing increased impacts that are related to the concentration of similar land uses.

The goal of the city is not to prohibit all future homeless resource centers or homeless shelters. Part of this proposal is to include a new process for homeless resource centers that provides more discretion than what the conditional use process allows. This proposal is outlined further under the “Homeless Resource Center Overlay District” section later in this report.

Item 1 will be presented to the Planning Commission at a January public hearing and then sent to the City Council for a decision before the 180-day period expires on April 3, 2022.

Item 2: Modify the conditional use standards for homeless resource centers and homeless shelters.

Item Two is necessary for a few reasons:

- The current regulations only apply to homeless resource centers and shelters that are conditional uses. By removing the conditional uses, how the regulations apply needs to be changed so they apply to all homeless resource centers and homeless shelters.
- The current regulations could be enhanced to clarify the responsibilities of the operator of a homeless resource center or homeless shelter.
- To improve the safety of the facility for the clients; and
- Address off-site impacts created by the presence of the facility to the immediate neighborhood.

The current regulations require a homeless resource center or homeless shelter to do the following:

- Limits capacity to a maximum of 200 people (does not include staff)
- Create a security and operations plan that includes establishing a community relation and complain program, 24-hour contact line for receiving complaints, quarterly meetings with a community group and an annual written report summarizing complaints and how the complaints were resolved, continuous onsite security, designated outdoor smoking locations, interior space for all queuing for checking in and out, and requirements to keep the property clean and free of litter and trash.
- Demonstrate how the building and site is designed to prevent crime based on natural surveillance, access control, territorial reinforcement, and maintenance.

The proposal would add more specificity to these standards and add missing information, including:

- A provision that may further limit the maximum occupancy if an existing building is used and the existing building has limited occupancy due to life-safety issues identified in the building or fire codes.
- Require the security and operations plan to be renewed and/or updated annually.
- A requirement that the facility create a neighborhood cleanup program to clean up any waste that can be attributed to the use being in the neighborhood. This would apply to the area within $\frac{1}{4}$ mile of the resource center or homeless shelter.
- Clarify that on site security is required 24 hours per day, 7 days per week and that the facility provide electronic storage capacity to store footage recorded by security cameras for at least 21 days.
- Require certain amenities within the facility, including a health clinic to provide non-emergency care, laundry facilities, outdoor recreation space, dining and kitchen facilities, a donation drop off area, and secured storage areas for clients.
- A plan to address loitering within $\frac{1}{4}$ mile of the facility that includes notifying the police when needed.
- Minimum staff to client ratio based on industry standards or one staff person for every 25 clients, whichever is less.
- Documentation on security patrols provided by the operator that occur within $\frac{1}{4}$ mile of the facility.
- A requirement for all clients and visitors to log in and out of the facility
- A prohibition on overnight parking of recreation vehicles on the site or within $\frac{1}{4}$ mile of the facility.
- A transportation plan for clients if the facility is located more than $\frac{1}{4}$ mile from a high frequency transit route.
- The operator provide data to the city regarding the use of the facility, such as number of clients served, occupancy, average length of stay and frequency of use by individuals.

Item 3: Distinguish between temporary overflow shelters and permanent shelters and homeless resources centers that operate year-round and potentially allow temporary overflow homeless shelters in certain zones..

Item Three is intended to provide a process for temporary, seasonal, or emergency overflow shelters in the City. The proposal adds a definition of temporary homeless shelter and regulations that include items like a permanent facility:

- Limits the number of occupants.
- Requires a security and operations plan like the requirements for a permanent facility
- Requires a certain level of security and response to address impacts within a certain distance of the temporary shelter
- Limits the dates that a facility can operate to between October and April each year or during an emergency proclamation issued by the Mayor.
- Allows the use in any zoning district that allows motels/hotels and government owned institutional buildings.

Homeless Resource Center Overlay Zoning District

The intent behind the petition from Mayor Mendenhall was not to prohibit new, permanent homeless resource centers or permanent homeless shelters. The intent is to be more prescriptive in the process for establishing new, permanent homeless resource centers or permanent homeless shelters in the city. Removing the conditional use process means that the city needs to find a different way to authorize permanent homeless resource centers and permanent homeless shelters.

This proposal includes the establishment of a “homeless resource overlay” zoning district. This approach would establish a process for establishing a new permanent homeless resource center or permanent homeless shelter in the city. The overlay district would be added to the zoning code but would not be mapped on any additional properties within the city except those that are currently uses as a permanent homeless resource center or permanent homeless shelter. By establishing the overlay, a permanent homeless resource center or homeless resource center would be required to go through the zoning map amendment process. That process includes a minimum of a 45-day public engagement period, a Planning Commission public hearing, and City Council public hearing before a final decision can be made by the City Council.

Approving new permanent homeless resource centers and homeless shelters gives the City Council more authority over the location, operation, community impacts, and benefits to people experiencing homelessness than the conditional use process does. The conditional process is strictly limited to addressing detrimental impacts and must be approved if those detrimental impacts can be reduced. The detrimental impacts do not need to be eliminated under Utah Code, only reduced.

What are the next steps?

- The Planning Division is seeking input on the proposed changes during the early engagement period. Input should be related to those things discussed above and will help determine what to keep, what needs to be added, and what needs to be changed. The early engagement period runs through January 2, 2022.
 - Public input will be accepted up to and during the Planning Commission public hearing on January 12, 2022 (tentative for Items 2, 3 and the homeless resource center overlay). Public input received after January 1, 2022 will be provided to the Planning Commission but may not be addressed in the staff report prepared for the Planning Commission.
 - During this time the proposal will also be reviewed by City departments and divisions and other stakeholders.

- The comments received during this period will be used to determine modifications to the proposal and whether all or some of the proposal require more time.
- After January 1 and prior to the January 12, 2022 Planning Commission public hearing, the proposal will be modified as needed based on the input received. A decision will be made by the Planning Division to schedule all the items for the Planning Commission public hearing or delay those items that may need further modification. Item one will be on the January 12, 2022 Planning Commission public hearing.
- If the Planning Commission makes a recommendation on any part of the proposal at the January 12, 2022 public hearing, the proposal and recommendation will be forwarded to the City Council. The City Council will determine the schedule for the proposal.

What is the role of the Planning Staff in this process?

Planning Staff is leading the process and working with other city departments to draft the proposal. The Planning Division will make a recommendation to the Planning Commission and address the comments provided. Comments that are not related to the proposal will be collected and referred to the city department that can best respond or address the comments.

Where can I get additional information?

All the information will be posted on the Planning Division webpage listed below. The webpage will be updated as any new documents are produced, or changes are made to the proposal.

1. Visit the open house webpage for this petition at <https://www.slc.gov/planning/open-houses/>.
2. Click on the “Homeless Resource Center and Homeless Shelter Code Changes” item, located under the “Active Online Open Houses” section

If you have any questions or comments regarding this proposal, please contact:

Project Planner: Nick Norris, Planning Director
Email: nick.norris@slcgov.com
Phone: 801.535.6173
David Gellner, Senior Planner
Email: david.gellner@slcgov.com
Phone: 801.535.6107

Item 1 Prohibit any new permanent homeless resource centers and permanent homeless shelters from being in the city by making them prohibited uses in the land use tables found in the zoning code

Below are the proposed changes that would prohibit any new homeless resource centers or homeless shelters from the zoning code. This is subject to change as the proposal is further reviewed. The words with a line through them indicate that the words would be deleted from the zoning code.

The qualifying provisions reference a section of the zoning code that includes standards for homeless resource centers and homeless shelters and a reference to a portion of Utah Code that has been repealed by the Utah Legislature. The chapter of city code that is referred will be updated so the standards in that section still apply. Item 2 includes updating those standards.

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

USE	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Homeless Resource Center						C²¹	
Homeless Shelter						C²¹	

Qualifying Provisions:

21. ~~Subject to conformance with the provisions of section 21A.36.350 of this title, the City may not prohibit construction of a homeless resource center or homeless shelter if the site is approved by and receives funding through the State Homeless Coordinating Committee, with the concurrence of the Housing and Community Development Division within the Department of Workforce Services, in accordance with section 35A-8-604 of the Utah Code.~~

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

USE	D-1	D-2	D-3	D-4
Homeless Resource Center		C¹⁵	C¹⁵	
Homeless Shelter		C¹⁵	C¹⁵	

15. ~~Subject to conformance with the provisions of section 21A.36.350 of this title, the City may not prohibit construction of a homeless resource center or homeless shelter if the site is approved by and receives funding through the State Homeless Coordinating Committee, with the concurrence of the Housing and Community Development Division within the Department of Workforce Services, in accordance with section 35A-8-604 of the Utah Code.~~

21A.36.350: QUALIFYING PROVISIONS REGULATIONS FOR HOMELESS RESOURCE CENTERS ~~OR~~ AND HOMELESS SHELTERS:

A. ~~A homeless resource center or homeless shelter located within the city shall comply with the following regulations. Any homeless resource center or homeless shelter approved as a conditional use shall comply with these regulations and the requirements of the approved conditional use. may be allowed as a conditional use, as identified in chapter 21A.33, "Land Use Tables", of this title pursuant to the provisions of chapter 21A.54, "Conditional Uses", of this title and the requirements of this section~~

Adding the following definition to 21A.62.040 Definitions of Terms in alphabetical order.

HOMELESS RESOURCE CENTER: ~~An establishment building or portion thereof in~~ which co-located supportive services such as sleeping, bathing, eating, laundry facilities,

and housing case management is provided on an emergency basis for individuals experiencing homelessness. Additional services may include preparation and distribution of food; medical care and treatment; behavioral and mental health counseling; employment counseling; educational instruction, and vocational training.

Homeless Shelter: An establishment in which sleeping accommodations are provided on an emergency basis for individuals experiencing homelessness. ~~Any homeless shelter that began operation on or before January 1, 2016, may operate year round in accordance with section 10-9a-526 of the Utah Code.~~

Item 2

Below are the proposed text changes that would apply to permanent homeless resource centers and permanent homeless shelters. This is subject to change as the proposal is further reviewed. Text that has a strikethrough is proposed to be deleted, underlined text is proposed new text.

21A.36.350: ~~QUALIFYING PROVISIONS REGULATIONS~~ FOR HOMELESS RESOURCE CENTERS ~~OR AND~~ HOMELESS SHELTERS:

A. A homeless resource center or homeless shelter located within the city shall comply with the following regulations. Any homeless resource center or homeless shelter approved as a conditional use shall comply with these regulations and the requirements of the approved conditional use. ~~may be allowed as a conditional use, as identified in [chapter 21A.33](#), "Land Use Tables", of this title pursuant to the provisions of [chapter 21A.54](#), "Conditional Uses", of this title and the requirements of this section~~

1. Limit the number of homeless persons who may occupy a homeless resource center for overnight accommodations to a maximum of two hundred (200) homeless persons.
 - a. Service provider staff shall not be included in this occupancy limit.
 - b. No homeless resource center shall exceed the maximum occupancy for overnight accommodations for any reason, including on an overflow basis.
 - c. The number may be reduced if an existing building is used if the building official or fire marshal of the city determines that the occupancy load is lower due to the building not complying with applicable building or fire regulations.
2. A security and operations plan shall be prepared by the applicant and approved by the Salt Lake City Police Department and Community and Neighborhoods Department, prior to conditional use approval and updated once per calendar year after approval and filed with the Recorder's Office. A security and operations plan shall include:
 - a. A community relations and complaint response program that identifies specific strategies and methods designed to maintain the premises in a clean and orderly condition, minimize potential conflicts with the owners/operators and uses of neighboring property, and prohibit unlawful behavior by occupants of the homeless resource center or homeless shelter on the site or adjacent public right-of-way. The community relations and complaint response program shall include at least the following elements:
 - (1) Identify a representative of the homeless resource center or homeless shelter, including the representative's name, telephone number, and email, who will meet with neighbors upon request to attempt to resolve any neighborhood complaints regarding operation of the center;
 - (2) A dedicated twenty four (24) hour telephone line for the purpose of receiving complaints;
 - (3) Quarterly meetings with a community coordinating group, which shall be open to the public, to discuss and address concerns and issues that may be occurring as a result of the homeless resource center or homeless shelter operation. The

meetings shall be advertised at least ten (10) days in advance by posting notice on the operator's website and a sign posted along the public street;

- (4) Representatives from each of the following shall be included in the community coordinating group:
 - (A) The homeless resource center or homeless shelter,
 - (B) A business located within one-fourth ($1/4$) mile of the site,
 - (C) A resident who lives within one-fourth ($1/4$) mile of the site,
 - (D) A school, if any, located within one-fourth ($1/4$) mile of the site;
 - (E) Chair of the community council, or designee, whose boundary encompasses the site;
 - (F) An individual who has previously received or is currently receiving services (i.e., client) from a homeless resource center or homeless shelter; and
- (5) A written annual report, provided on or before February 15th of each year, from the operator of the homeless resource center or homeless shelter, provided to the City Planning Director and to the City Council member in whose district the homeless resource center or homeless shelter is located, which includes the following information:
 - (A) List of individuals who have participated in the community coordinating group meetings;
 - (B) A summary of each community coordinating group meeting;
 - (C) A summary of complaints received from the community by the operator of the homeless resource center or homeless shelter; and
 - (D) An explanation of how complaints have been addressed/resolved.
- b. A complaint response community relations program that includes strategies and methods designed to maintain the premises in a clean and orderly condition, minimize potential conflicts with the owners/operators and uses of neighboring property, and prohibit unlawful behavior by occupants of the homeless resource center or homeless shelter on the site or adjacent public right-of-way. The program shall include resources to remove waste and graffiti from users of the facility that is left off the premise within 1,200 feet of the facility.¹
- c. A provision requiring a representative of the homeless resource center or homeless shelter to meet with neighbors upon request to attempt to resolve any neighborhood complaints regarding operation of the center;
- d. A provision requiring continuous on-site security and emergency services 24 hours per day, 7 days per week, which includes professional security personnel, monitored

¹ This item will be reviewed to determine if the city can impose this type of requirement on a homeless resource center or homeless shelter at the specified distance.

- security cameras, trained emergency responders, and emergency alert systems. This provision shall include a requirement to provide adequate electronic storage to store footage recorded by security cameras for at least 21 days.
- e. A plan to maintain noise levels in compliance with title 9, [chapter 9.28](#) of this Code;
 - f. Design requirements that ensure any areas for queuing take place within the footprint of the principal building and will not occur on any public street or sidewalk;
 - g. Designation of a location for smoking tobacco outdoors in conformance with State laws;
 - h. A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas;
 - i. A provision stating that portable trash receptacles on the premises be emptied daily and that other receptacles be emptied at a minimum of once per week or as needed.
 - j. A process to limit access to areas used for storage of personal goods.
 - k. A copy of any rules of conduct that occupants of the facility are expected to abide by and the consequences of not following the rules of conduct including a manner to transport any individual violating the rules to the police department or other facility.
 - l. A plan to reduce loitering within ¼ mile radius of the facility that includes a method to inform the police department regarding any individual who refuses to obey instructions about loitering.²
 - m. Information about the staff to client ratio and how the number of staff to clients meets industry standards. If no industry standard is available, the facility shall have a minimum of one staff for every 25 clients the sleep at the facility.
 - n. Documentation of security patrols provided by the operator related to the frequency of patrolling the area within ¼ mile of the facility, the manner in how the patrols are done, and reporting of incidences encountered during the patrols and the action taken to report or respond to the incidences.
 - o. A requirement for all visitors to log in and out of the facility.
 - p. A check in and check out process for all clients.

The owner of property on which a homeless resource center or homeless shelter is located shall ensure that the operator complies with the requirements of this subsection A2.

3. The applicant shall demonstrate how the building and site is designed to prevent crime based on the following principles. ~~However, the Planning Commission~~ The zoning administrator may require modification of the proposed building and site plans if ~~it determines that~~ the plans do not sufficiently address each of these principles:

² This item will be reviewed to determine if the city can impose this type of requirement on a homeless resource center or homeless shelter at the specified distance.

a. Natural Surveillance:

- (1) The building includes windows and doors in sufficient quantities and locations that allow people inside the building to see all exterior areas of the site;
- (2) Lighting is sufficient to illuminate public spaces adjacent to the site, the building site, entrances, and access points from public streets and sidewalks to the building;
 - (A) Exterior public and private areas shall be illuminated at a minimum rating of one foot-candle, and parking lots shall be illuminated at a minimum rating of three (3) foot-candles.
 - (B) Exterior lighting shall be shielded to control light pollution and prevent glare, and utilize light emitting diodes or metal-halide filaments.
- (3) Landscaping is arranged on the site in a manner that does not create hidden spaces or block sight lines between the building, public spaces, parking areas and landscaped areas.

b. Natural Access Control:

- (1) Buildings include direct walkways from the public sidewalk to the primary building entrances;
- (2) Walkways are provided to guide people from the parking areas to primary building entrances;
- (3) Low growing landscape, low walls, curbing, or other means are used to guide pedestrians along walkways;
- (4) All walkways are properly illuminated and all illumination on the site is shielded to direct light down and away from neighboring properties;
- (5) Building entrances are clearly identified with universally accessible signs.

c. Territorial Reinforcement:

- (1) Landscaped areas along the perimeter of the site, which are not visible from the building or public spaces, shall include mechanisms to restrict access outside daylight hours;
- (2) Parking areas are secured outside of daylight hours;
- (3) A decorative masonry wall that is a minimum of 6 feet high shall be provided along all interior side and rear lot lines and that complies with all required site distance triangles at driveways and walkways. Walls in excess of 6 feet may be required ~~as a condition of approval of a conditional use by the zoning administrator~~ if it determines a taller wall or fence is necessary to mitigate a detrimental impact secure the site when conflicts related to safety or the likelihood of trespass is created by the homeless resource center or homeless shelter;

- (4) A fence no taller than three feet (3') high, and does not create a visible barrier, shall be placed near the front property line to mark the transition from public space to private space;
 - (5) If the zoning district does not require a landscape buffer, the Planning Commission may nevertheless establish appropriate landscape buffering requirements as a condition of approval to mitigate reasonably anticipated detrimental effects of the proposed use.
 - (6) Overnight parking of recreation vehicles is prohibited on the site or in the right of way within ¼ mile of the facility.³
- d. Maintenance:
- (1) The building and site are maintained free from graffiti, litter, garbage, and other items that constitute a nuisance;
 - (2) The building is maintained in good repair and all property damage is repaired in a timely manner;
 - (3) All fencing, walls, paving, walkways and other site features are maintained in good repair, and free from obstruction.
- e. Building And Zoning Compliance with Other Requirements: A homeless resource center or homeless shelter shall comply with all applicable building and zoning regulations, and any order of the Building Official or Fire Marshall.
4. The facility include the following types of amenities within the facility. These provisions do not apply to facilities established prior to January 1, 2022.
- a. A health clinic
 - b. Laundry facilities
 - c. Outdoor recreation areas
 - d. Dining and kitchen facilities
 - e. A donation drop off area
 - f. Client storage
5. The facility shall provide a transportation plan if the facility is located more than ¼ mile from a high frequency transit route.
6. The operator of the facility provide a quarterly report to the Housing Stabilization Division that includes data on the demographics of people who use the facility on a nightly basis including the % of occupancy on each night during the quarter, average length of stay, and frequency of use by individuals staying at the shelter.

³ This item will be reviewed to determine if the city can impose this type of requirement on a homeless resource center or homeless shelter at the specified distance. This may already be prohibited by other sections of city code.

7. No requirement in this section may be modified through the planned development process.

Item 3 Distinguish between temporary overflow shelters and permanent shelters and homeless resources centers that operate year-round and potentially allow temporary overflow homeless shelters in certain zones.

Below are the proposed changes to the zoning code that would apply to temporary homeless resource centers. This would be placed in zoning code section 21A.36.350: Regulations For Homeless Resource Centers and Homeless Shelters. This is subject to change as the proposal is further reviewed. This would be a new section of the code.

B. Qualifying provisions for Homeless Resource Centers (Temporary)

- 1. When Allowed: A Homeless Resource Center (temporary) is allowed if one or more of the following situations is present in the City:**
 - a. The existing homeless resource centers and homeless shelters in the city are at full capacity or are likely to be at full capacity during the months of October through April.**
 - b. The city is experiencing a natural disaster or state of emergency as declared by the Mayor.**
- 2. Location: Subject to the land use tables, a homeless resource center (temporary) may only be located in existing buildings within the city if:**
 - a. The building is located in a zoning district that allows hotels, motels, or is owned by a government entity.**
 - b. The building was constructed as a hotel, motel, or other temporary lodging purpose or as an institutional use with internal spaces of sufficient size to accommodate the use:**
 - b. The building contains restrooms adequate for the determined occupancy load;**
 - c. The building complies with or can comply with applicable building and fire codes deemed necessary by City officials who are qualified to make such a determination.**
- 3. Security and Operations Plan: The operator of the facility provides the City with a security and operations plan that includes:**
 - a. Contact information for a 24 hour property manager who has responsibility for administering the security and operations plan and addressing nuisances or compliance issues required by applicable laws. The contact info must be clearly posted on the site and legible to passers-by.**
 - b. A description of the intake process for those that may be using the facility that can occur entirely within the building or on the property in a manner that does not impact public sidewalks, public property, or adjacent property.**
 - c. Designated smoking areas on the property that are located in an area that complies with applicable laws and is at least 30 feet from any property line.**
 - d. A property maintenance plan to ensure that the property is maintained free of litter and any waste.**

- e. A vicinity maintenance plan to ensure that the properties and public space within 660 feet of the property where the facility is located are free from any litter or waste and that requires the facility operator to respond to requests from property owners or occupants of the properties within 660 feet to remove any waste, including sanitization when necessary, that can be attributed to the occupants or visitors of the facility.
- f. A minimum of two security personnel employed by the operator or on site 24 hours per day.

4. Operational Requirements

- a. Laundry facilities are available on the site
- b. Medical resources that can provide basic treatment, non-life-threatening medical needs are available on the site 24 hours per day while the facility is open.
- c. Visitors shall not be allowed.
- d. A log must be kept of all clients using the facility
- e. the perimeter of the site is secure with a fence that prevents people not using the facility from entering the site. Notwithstanding any other provision of this code, a 6-foot-high fence may be located along the perimeter of the facility provided it does not block access to any public sidewalk or public space.
- f. Personnel to patrol the site at least once per hour to ensure the site is clean, that the perimeter fence is in good condition, that the requirements of this section are complied with and that no illegal activity is occurring on the property

The following definition would be added to chapter 21A.62 of the zoning code:

Homeless Resource Center (temporary): An establishment ~~building or portion thereof~~ which contains sleeping facilities for people experiencing homelessness that operates for no more than 180 consecutive days within a rolling twelve months or a total of 180 days in a calendar year. The facility may offer to the residents of the establishment services such as bathing, eating, laundry facilities, housing case management, medical care and treatment; behavioral and mental health counseling; employment counseling; educational instruction, and/or vocational training as part of the use.

Below are the proposed changes that would establish the Homeless Resource Center and Homeless Shelter Overlay Zoning District. This applies to permanent homeless resource centers and homeless shelters. This is subject to change as the proposal is further reviewed. This is a new section of code and all text is new.

21A.34.140 Homeless Resource Center and Homeless Shelter Overlay Zoning District

A. Purpose: the purpose of this section is to establish an overlay zoning district that creates a process for determining the location of proposed and permanent homeless resource centers and homeless shelters within Salt Lake City and the regulations that are necessary to operate a facility in a safe and healthy manner for the customers of the facility and the neighborhood where the facility is located.

B. Applicability: The process and regulations found in this chapter apply to all proposed, permanent homeless resources centers within the city and any expansion of an existing Homeless Resource Center when the expansion includes an increase in the number of occupants that can stay in the facility overnight.

C. Zoning Map Amendment Required: A proposed homeless resource center or homeless shelter may only be established through a zoning map amendment as provided for in 21A.50 of this Title. The effect of a zoning map amendment that maps this overlay shall authorize the applicant, with consent of the property owner, to apply for all required permits to establish a homeless resource center or homeless shelter or expand an existing homeless resource center or homeless shelter.

D. Information Required to be Submitted with Zoning Map Amendment Application. Any application for a zoning map amendment to apply this overlay to the adopted zoning map of the City shall include all information required in 21A.50 of this title and the following information:

1. A site plan that contains all the information required in 21A.58 of this title and the following information.
 - a. The site plan shall include all labels for the function of each room or space, both indoor and outdoor, proposed for the facility.
 - b. All information that demonstrates compliance with the requirements in 21A..36.350
2. The total number of proposed beds in the proposed facility.
3. Information about all the services contained within the building, including a list of each service, where the service is in the building and the size of the service area.
4. Information regarding similar uses in Salt Lake and Davis Counties, including the number of total facilities, the total number of people who use the facilities, the number of beds in each facility, the average percentage of occupancy of the facilities, and the number of nights per year that the other facilities are at capacity.
6. The difference between the total number of beds available to people experiencing homelessness and the estimated number of people who are currently experiencing homelessness.
7. The anticipated impact to city services, including an increase in the number of calls to the Police Department or Fire Departments, to respond to public safety issues within the facility, to determine the impact to city resources.
8. Funding sources to operate the facility and anticipated funding requests made to the city to operate the facility.
9. Data regarding the number of complaints from the neighborhood from other similar facilities operated by the applicant. If the applicant does not operate a similar facility, the applicant shall provide information from other operators within the city.

If the other operators do not provide the information, the applicant should provide an anticipated number of complaints from neighbors based on public data from other similar facilities in the city.

E. **Additional Factors to Consider.** In addition to the factors to consider found in 21A.50 of this title, a decision to approve a zoning map amendment to apply this overlay shall consider the following factors:

1. the anticipated benefits to people experiencing homelessness of the facility in the proposed location.
2. The anticipated impact to people experiencing homelessness due to the proposed nature of operation of the facility.
3. The fair share of homeless related services provided in Salt Lake City compared to other jurisdictions in Salt Lake and Davis Counties.
4. The anticipated impact to city services, including fire, police, and any other city department that would be involved in enforcing city ordinances.
5. The anticipated impact to health care providers, including private emergency medical service providers.
6. The anticipated impact to other government entities that may provide service to the facility.
7. The anticipated impact to the health and safety of public spaces within ¼ mile of the proposed facility.
8. The anticipated impacts to the health, safety, and maintenance of people and properties within ¼ mile of the proposed location
9. Demonstrated compliance with the requirements of 21A.36.350

F. **Compliance with other requirements.** If approved by the City Council, any homeless resource center or homeless center within this overlay is required to comply with all applicable requirements found in City Code.

G. **Expansion of existing homeless resource centers or homeless shelters.** No existing homeless resource center or homeless shelter shall be expanded in a manner that increases the occupancy of the facility without submitting a zoning map amendment application to apply this overlay. Expansions that are intended to increase services to the existing occupancy are permitted provided any expansion complies with the applicable requirements of the underlying zoning district and section 21A.36.050.