

MEMORANDUM

To: City Planning Commission, Committee of the Whole
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Date: November 5, 2020
Subject: Emergency Shelter Regulations Ordinance Zoning Code Text Amendments

CPED staff is analyzing a zoning code text amendment that would amend the regulations that govern the number of people that may be served in emergency shelters and allow the use in Industrial Districts. Existing zoning regulations limit the number of people who may be served by an emergency shelter to 32 and does not permit the use in Industrial Districts without the Industrial Living Overlay District.

An Overnight and Emergency Shelter text amendment was approved by the City Council on December 19, 2015. The public outreach was extensive, including three steering committee meetings, a homeless shelter forum, and three community meetings. That amendment allowed overnight shelters as a principal use in certain districts and introduced a new shelter type, Emergency Shelters, allowed in all zoning districts but limited the maximum number of people that could be served to six or fewer, seven to sixteen, and seventeen to thirty-two in low, medium and high-density residential districts, respectively. An *emergency shelter* provides sleeping accommodations to people experiencing homelessness a day-to-day basis, for of thirty days or less. An *overnight shelter* provides temporary housing to persons without permanent housing, not exceeding a twenty-four-hour period. In addition to the conditional use permit, an emergency shelter is subject to the specific development standards per Chapter 536.20:

Emergency shelter.

- (1) The use shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (2) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the area.
- (3) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the area.
- (4) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (5) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Overnight shelter.

- (1) The use shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (2) Except in the DS Downtown Shelter Overlay District, the total number of shelter guests shall not exceed one hundred-fifty (150) persons.
- (3) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the area.
- (4) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the area.
- (5) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (6) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (7) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Emergency shelters are currently allowed with a conditional use permit in Industrial districts with the Industrial Living Overlay District. Since 2015, several shelter operators have proposed emergency shelters that would have exceeded the occupancy limit currently imposed and there are no zoning districts that would permit occupancies greater than 32 people.

CPED staff is seeking the City Planning Commission's feedback regarding the proposed amendment. At this time, the amendments have been introduced by Council Member Gordon and Schroeder and have been referred to staff. A public hearing for the text amendment has been scheduled for the November 16, 2020 City Planning Commission meeting; the amendment would impact the following chapters of the zoning code ordinance:

- Chapter 520 Introductory Provisions
- Chapter 521 Zoning Districts and Zoning Maps Generally
- Chapter 536 Specific Development Standards
- Chapter 537 Accessory Uses and Structures
- Chapter 546 Residence Districts
- Chapter 547 Office Residence District
- Chapter 548 Commercial Districts
- Chapter 549 Downtown Districts
- Chapter 550 Industrial Districts
- Chapter 551 Overlay Districts

APPLICABLE POLICIES

Staff has identified the following applicable policies that support an amendment to the Emergency Shelter land use in the zoning code:

Policy 33: Affordable Housing Production and Preservation: Produce housing units that meet the changing needs of Minneapolis residents in terms of unit sizes, housing types, levels of affordability, and locations while preserving existing housing using targeted, priority-based strategies.

- a. Produce more affordable housing by expanding tools and resources, prioritizing funding to households earning at or below 30% and 50% of area median income.
- b. Pursue policies, tools and programs to ensure long-term housing affordability, such as requiring the maximum affordability term of at least 30 years for new affordable housing construction.
- c. Encourage affordable living features in residential development that result in lower transportation costs and reduce monthly utility bills for its residents.
- d. Ensure an equitable spacing across the city of affordable housing, supportive housing, shelters, and government placed residents.
- e. Provide density bonuses and other incentives for the construction of affordable housing.
- f. Preserve, improve, and expand public housing that serves the lowest-income people in our city.
- g. The City of Minneapolis is committed to preserving and increasing our public housing stock.

Policy 35: Pursue innovative housing types and creative housing programs to help meet existing and future housing needs.

- b. Review and revise existing policies, programs, and regulations to remove barriers and support innovative, energy efficient, and creative housing options, such as multi-generational housing that supports large family structures, single room occupancy, shared housing, co-housing, and cooperative housing.

Policy 40: Eliminate homelessness through safe, stable, and affordable housing opportunities and strategies for homeless youth, singles, and families.

- a. Strengthen the City’s coordination with local and regional partners and local service providers to have a strong regional network, aligned with state goals, to financially support and develop strategies to address and prevent homelessness.
- b. Ensure that City housing programs are aligned with county and state goals to end homelessness.
- c. Prioritize the enhancement of local shelter safety methods and systems.
- d. Strengthen City efforts to engage directly with people experiencing homelessness to understand their stories and situations and focus on improving their health and safety by supporting the Minneapolis Police Department homeless and vulnerable population initiative, street outreach services, and other engagement efforts.
- e. Support and expand low barrier housing opportunities to better serve households with criminal and credit reports through rental housing that serves tenants with the greatest barriers to securing housing, such as having no or very low income, poor rental history and past evictions, or criminal histories.
- f. Collaborate with local and regional partners to expand housing programs beyond those that serve families to address other populations such as transitional supportive services for young adults aging out of the foster care system.
- g. Create a regulatory framework to allow new rooming houses, single room occupancy units, and other forms of transitional housing.

Policy 85: Access to Health, Social and Emergency Service: Expand equitable access to health, social, emergency preparedness, and emergency response services.

- c. Establish integrated delivery of social services across disciplines such as housing, disability, physical health, mental health, child welfare, senior services, and workforce services, so residents can more easily access the services they need.
- f. Expand the use of trauma-informed approaches to community building to support and strengthen traumatized residents and address the effects of unresolved trauma resulting from violence, homelessness, poverty, social isolation or racism.