

---

## **ZONING CODE TEXT AMENDMENT**

---

<i>Initiator:</i>	Council Members Schroeder and Gordon
<i>Introduction Date:</i>	September 18, 2020
<i>Prepared By:</i>	<u>Shanna Sether</u> , Principal City Planner, (612) 673-2307 <u>Amber Turnquest</u> , Principal City Planner, (612) 352-6047
<i>Specific Site:</i>	Citywide
<i>Ward:</i>	All Wards
<i>Neighborhood:</i>	All Neighborhoods
<i>Intent:</i>	To amend regulations that govern emergency shelters.

---

## **APPLICABLE SECTION(S) OF THE ZONING CODE**

---

- Chapter 520, Introductory Provisions
- Chapter 536, Specific Development Standards
- Chapter 546, Residence Districts
- Chapter 547, Office Residence Districts
- Chapter 548, Commercial Districts
- Chapter 549, Downtown Districts
- Chapter 550, Industrial Districts

The following chapters were also introduced: Chapter 521, Zoning Districts and Maps Generally, Chapter 537, Accessory Uses and Structures and Chapter 551, Overlay Districts. However, staff is not recommending changes to these chapters as part of this amendment and is therefore recommending returning them to the author.

---

## BACKGROUND

---

A zoning code text amendment addressing Overnight and Emergency Shelter was approved by the City Council on December 19, 2015. The public outreach was extensive, 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. Since 2015, several shelter operators have proposed emergency shelters that exceeded the duration of stay, occupancy limit currently imposed, closer than the existing spacing requirement of 1,000 feet, or located in Industrial Districts; none have been opened.

Text amendments have been introduced by Council Member Gordon and Schroeder and have been referred to staff. Staff held a stakeholder engagement meeting to review the language and provide comment on Tuesday, November 10, 2020.

CPED staff is analyzing proposed changes that would amend the regulations that govern emergency shelters to allow greater flexibility but maintain predictability. There are currently nine shelters and four hotels being used as emergency shelters for a total capacity of approximately 1,550 beds. Those include 115 rooms for families, 395 beds for single adults in congregate settings, 660 hotel rooms for single adults, and 76 rooms for unaccompanied youth. The last unsheltered point in time count was 642 people (January 2020) in Minneapolis and Hennepin County.

An *emergency shelter* is defined as “[a]ny facility that provides sleeping accommodations and restroom facilities to homeless persons on a day-to-day basis, for periods of thirty (30) days or less.” The duration of stay is included in the definition in section 520.160 of the zoning code and was originally intended to reflect current practice by shelter operators. Staff has received requests to allow for longer duration of stay to ensure individuals and families have more time to secure permanent housing. Staff is recommending increasing the duration of stay for up to six months. The longer duration of stay would also include the cold weather months in Minneapolis.

The specific development standards for an emergency shelter include a spacing requirement from all existing principal and accessory overnight shelters and emergency shelters of 1,000 feet. Staff is recommending reducing the spacing requirement to 350 feet to allow more locations where shelters can locate near shared services and amenities.

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. Staff is recommending an amendment to the maximum occupancy based on the lot area. In the lowest density districts, R1, R1A, R2, and R2B, a minimum lot area of 750 square feet per bed would be required. This would continue to allow for small residential emergency shelter within an existing dwelling and allow the reuse of a larger institutional building with higher occupancies than the current limitation of six persons. In medium density districts, R3, R4 and OR1 districts, a minimum lot area of 325 square feet per bed would be required. Finally, in the highest density district, where residential density is not limited, the maximum occupancy would be determined by the building code and housing maintenance ordinance. In all cases, the occupancy of the emergency shelter would be reviewed through the conditional use permit to ensure that the use will consider the occupants health, safety, comfort and general welfare.

Staff is recommending a minor amendment to the specific development standards to remove the waiting area for new shelter guests. The intent of an emergency shelter is to be open 24 hours a day and this type of shelter would not experience outdoor queueing of occupants waiting for beds to be available.

Finally, staff is recommending that emergency shelters be allowed with a conditional use permit in the I1 Light Industrial District and I2 Medium Industrial District. This would expand the location options for new shelters to open.

---

## ANALYSIS

---

### **What is the reason for the amendment and what public purpose will be served?**

The reason for the amendment is to allow for more opportunities for homeless shelters to open in Minneapolis. Shelters provide temporary sleeping accommodations, on-site health services and occasionally meals to individuals or families for a period between 30 days and less than 24 hours.

The amendment will serve a public purpose by allowing longer stays to ensure individuals and families have more time to secure permanent housing, increasing the number of people to be served by a single shelter, reducing the spacing requirement to allow more locations where shelters can locate near shared services and amenities and expand the zoning districts in which shelters can be located. The proposed text amendment is intended to encourage the establishment of more emergency shelters. This is consistent with the Housing First model which allows individuals and families experiencing homelessness to have a place to stay for a longer duration to allow focus on accessing and sustaining permanent housing.

The amendment is intended to allow for new shelters to open where there is demand. Staff is recommending an amendment to the regulations that govern the duration of stay, increase the number of people that may be served in emergency shelters, reduce the spacing requirement and allow the use in Industrial Districts.

### **How is the amendment consistent with the purpose of the zoning district(s) or ordinance chapter(s) being amended?**

Innovative and creative housing types are being developed to meet the needs of people experiencing unsheltered homelessness. New housing types can require the review of and revision to existing policies, programs, and regulations to remove barriers to their development. The existing ordinance allows emergency shelters in all zoning districts, including Industrial districts with the Industrial Living Overlay District.

### **Are there consequences in denying this amendment?**

The consequences of denying the proposed text amendment will limit the establishment of new shelters. Retaining existing regulations could be an impediment to providing more shelter beds. The number of people experiencing unsheltered homelessness has grown since the start of the COVID-19 pandemic. In 2020, the number of encampments within the City exceeded 100. A dearth of affordable housing, the pandemic, and the loss of the Drake have increased the unsheltered population.

### **What adverse effects may result with the adoption of this amendment?**

The proposed amendment would allow for greater flexibility for regulations governing emergency shelters. Staff is recommending that new facilities continue to obtain conditional use permit (C.U.P.) to ensure compliance with the specific development standards and to ensure compatibility with surrounding uses. Through the C.U.P., the city planning commission may impose such conditions on the proposed use and require such guarantees as it deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan. CPED staff acknowledges that there is a stigma associated with shelter uses and that conditional uses permits are likely to be contentious in many circumstances because of real or perceived impacts.

Staff further recognizes that allowing new shelters in Industrial districts would potentially remove existing industrial space for production and processing and potentially put housing in buildings not originally designed for that use. Staff is recommending that new shelters continue to be evaluated through the conditional use permit, which includes analysis for consistency with *Minneapolis 2040*, the comprehensive plan. Properties with a future

land use of Production and Processing prohibit residential uses and any future emergency shelter would be required to be consistent with the comprehensive plan.

**How does the amendment relate to other City ordinances?**

The existing and proposed amendment will continue to require spacing from other existing Overnight Shelters to avoid concentration of both uses.

In 2016, a companion ordinance was adopted to Title 11, the Health and Sanitation code, adding Chapter 236 to regulate the health and safety of emergency shelters consistent with the building and health codes. This ordinance requires an emergency shelter license to operate.

**What factors are influencing the timing of the proposed amendment? Why?**

There is a need to open new shelter spaces that meet the individual needs of people sleeping outside with the onset of inclement weather and ensure COVID-19 safety guidelines can be met in shelter spaces.

**How does the amendment compare to practices in other cities?**

For the Overnight and Emergency Shelter amendment in 2015, Staff conducted a peer city review of similar zoning ordinances in surrounding areas. Staff found in all of the cities surveyed, that shelters are allowed with a conditional use permit as a principal use in high-density residential, commercial, downtown and industrial districts. The City of St. Paul has two different shelter classifications based on duration of stay, as well as an Overnight Shelter Board to secure adequate overnight shelter of homeless persons. Many of the cities reviewed, including Portland, OR, regulate the occupancy of homeless individuals based on the zoning classification of the property. Approximately one-half of the cities reviewed have a spacing requirement to similar uses or to schools or churches. About the same percentage require licensure, certification and inspection.

**How will this amendment implement the comprehensive plan?**

The amendment will implement the following applicable goals of Minneapolis 2040 (2020):

- Goal 1. Eliminate disparities: In 2040, Minneapolis will see all communities fully thrive regardless of race, ethnicity, gender, country of origin, religion, or zip code having eliminated deep-rooted disparities in wealth, opportunity, housing, safety, and health.
- Goal 2. More residents and jobs: In 2040, Minneapolis will have more residents and jobs, and all people will equitably benefit from that growth.
- Goal 3. Affordable and accessible housing: In 2040, all Minneapolis residents will be able to afford and access quality housing throughout the city.
- Goal 5. Healthy, safe, and connected people: In 2040, the people of Minneapolis will be socially connected, healthy, and safe.
- Goal 13. Proactive, accessible, and sustainable government: In 2040, Minneapolis City government will be proactive, accessible, and fiscally sustainable.

The following policies and action steps from Minneapolis 2040 (2020) apply to this proposal:

**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.

The Future Land Use and Built Form Maps are the primary tools for implementing the Land Use and Built Form policies of the Comprehensive Plan. They also embody and implement policies found throughout this plan, as well as the fourteen Comprehensive Plan Goals. The Production and Processing future land use designation is mapped in areas suitable for a wide range of employment-focused development. These areas are designated with the intent of protecting them from encroaching non-industrial uses that could erode the diverse job base that these uses provide. Therefore, residential uses are strictly prohibited. Staff is recommending that new shelters continue to be evaluated through the conditional use permit, which includes analysis for consistency with *Minneapolis 2040*, the comprehensive plan.

This amendment is consistent with the above policies of the comprehensive plan.

---

## RECOMMENDATIONS

---

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows, and further recommends that Chapters 521, 537, and 551, be returned to the author:

**A. Text amendment to Chapters 520, 536, 546, 547, 548, 549, and 550.**

Recommended motion: **Approve** the text amendment to regulations that govern the number of people that may be served in emergency shelters and allowing the use in Industrial Districts.

Chapter 520 related to the Zoning Code: *Introductory Provisions*

Chapter 536 related to the Zoning Code: *Specific Development Standards*

Chapter 546 related to the Zoning Code: *Residence Districts*

Chapter 547 related to the Zoning Code: *Office Residence Districts*

Chapter 548 related to the Zoning Code: *Commercial Districts*

Chapter 549 related to the Zoning Code: *Downtown Districts*

Chapter 550 related to the Zoning Code: *Industrial Districts*

---

## ATTACHMENTS

---

1. Ordinance amending Chapter 520 related to the Zoning Code: Introductory Provisions
2. Ordinance amending Chapter 536 related to the Zoning Code: Specific Development Standards
3. Ordinance amending Chapter 546 related to the Zoning Code: Residence Districts
4. Ordinance amending Chapter 547 related to the Zoning Code: Office Residence Districts
5. Ordinance amending Chapter 548 related to the Zoning Code: Commercial Districts
6. Ordinance amending Chapter 549 related to the Zoning Code: Downtown Districts
7. Ordinance amending Chapter 550 related to the Zoning Code: Industrial Districts

## ORDINANCE

By Gordon and Schroeder

### Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definition for “Emergency shelter” contained in Section 520.160. of Chapter 520, Introductory Provisions, be amended to read as follows:

**520.160. - Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

*Emergency shelter.* Any facility that provides sleeping accommodations and restroom facilities ~~to homeless persons~~ on a day-to-day basis to persons without permanent housing, for periods of thirty (30) days or less greater than twenty-four (24) hours and less than six (6) months.

Section 2. That the development standard for “Emergency shelter” contained in Section 536.20 of Chapter 536, Specific Development Standards, be amended to read as follows:

**536.20 – Specific development standards.** The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

*Emergency shelter.*

- (1) The use shall be located at least ~~one thousand (1,000)~~ three hundred fifty (350) 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.~~ A minimum lot area of seven hundred fifty (750) square feet per bed shall be provided in the R1, R1A, R2, and R2B Districts and a minimum lot area of three hundred twenty-five (325) square feet per bed shall be provided in R3, R4 and OR1 Districts. The maximum occupancy shall be as approved by conditional use permit in all other districts.
- (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.

Section 3. That the Residential Uses section of Table 546-1 Principal Uses in Residence Districts contained in Section 546.30 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-1 Principal Uses in Residence Districts**

Use	R1	R1A	R2	R2B	R3	R4	R5	R6	Specific Development Standards
<b>RESIDENTIAL USES</b>									
<b>Dwellings</b>									
Single-family dwelling	P	P	P	P	P	P			
Two-family dwelling	P	P	P	P	P	P			
Single- or two-family dwelling existing on the effective date of this ordinance or conversion of a building existing on the effective date of this ordinance to a single- or two-family dwelling							P	P	
Cluster development	C	C	C	C	C	C	C	C	✓
Multiple-family dwelling, three (3) units	P	P	P	P	P	P	P	P	
Multiple-family dwelling, four (4) units or more					P	P	P	P	✓
<b>Planned Unit Development</b>					C	C	C	C	✓
<b>Congregate Living</b>									
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons						C	C	C	✓



Use	R1	R1A	R2	R2B	R3	R4	R5	R6	Specific Development Standards
Board and care home/ Nursing home/ Assisted living						C	C	C	✓
Emergency shelter serving <del>six (6) or fewer persons</del>	C	C	C	C	C	C	C	C	✓
Emergency shelter serving <del>seven (7) to sixteen (16) persons</del>					€	€	€	€	✓
Emergency shelter serving <del>seventeen (17) to thirty-two (32) persons</del>						€	€	€	✓
Faculty house						C	C	C	✓
Fraternity or sorority						C	C	C	✓
Hospitality residence						C	C	C	✓
Intentional community	P	P	P	P	P	P	P	P	✓
Residential hospice						C	C	C	✓
Supportive housing						C	C	C	✓

Section 4. That the Residential Uses section of Table 546-2 R1 Lot Dimension Requirements contained in Section 546.240 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-2 R1 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	6,000	50
Cluster development	12,000 or 2,000 sq. ft. per dwelling unit, whichever is greater*	100
<b>Congregate Living</b>		

Community residential facility serving six (6) or fewer persons	6,000	50
Community residential facility serving seven (7) to sixteen (16) persons	12,000	50
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>6,000</del> <u>As approved by C.U.P.</u>	<del>50</del> <u>As approved by C.U.P.</u>

Section 5. That the Residential Uses section of Table 546-3 R1A Lot Dimension Requirements contained in Section 546.300 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-3 R1A Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	5,000	40
Cluster development	10,000 or 1,666 sq. ft. per dwelling unit, whichever is greater*	80
<b>Congregate Living</b>		
Community residential facility for six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to sixteen (16) persons	10,000	40
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>5,000</del> <u>As approved by C.U.P.</u>	<del>40</del> <u>As approved by C.U.P.</u>

Section 6. That the Residential Uses section of Table 546-4 R2 Lot Dimension Requirements contained in Section 546.360 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-4 R2 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	6,000	40
Cluster development	12,000 or 2,000 sq. ft. per dwelling unit, whichever is greater*	100

<b>Congregate Living</b>		
Community residential facility for six (6) or fewer persons	6,000	40
Community residential facility serving seven (7) to sixteen (16) persons	12,000	40
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>6,000</del> <u>As approved by C.U.P.</u>	<del>40</del> <u>As approved by C.U.P.</u>

Section 7. That the Residential Uses section of Table 546-5 R2B Lot Dimension Requirements contained in Section 546.420 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-5 R2B Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	5,000	40
Cluster development	5,000 or 1,666 sq. ft. per dwelling unit, whichever is greater	40
<b>Congregate Living</b>		
Community residential facility for six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to sixteen (16) persons	10,000	40
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>5,000</del> <u>As approved by C.U.P.</u>	<del>40</del> <u>As approved by C.U.P.</u>

Section 8. That the Residential Uses section of Table 546-6 R3 Lot Dimension Requirements contained in Section 546.480 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-6 R3 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	5,000	40

Cluster development	5,000 or 1,500 sq. ft. per dwelling unit, whichever is greater	40
Planned unit development	1/2 acre or 1,500 sq. ft. per dwelling unit, whichever is greater	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to sixteen (16) persons	7,500 or 1,250 sq. ft. per rooming unit, whichever is greater	40
Emergency shelter serving six (6) or fewer persons	<del>5,000</del> As approved by C.U.P.	<del>40</del> As approved by C.U.P.
Emergency shelter serving seven (7) to sixteen (16) persons	7,500 or 1,250 sq. ft. per rooming unit, whichever is greater	40
<b>Institutional and Public Uses</b>		
<b>Educational Facilities</b>		
Early childhood learning center	20,000	100
Preschool	5,000	40
School, K—12	20,000	100
<b>Social, Cultural, Charitable and Recreational Facilities</b>		
Athletic field	20,000	100
Cemetery	80 Acres	1,200
Community garden	None	None
Developmental achievement center	4,000	As approved by C.U.P.
Golf course	20,000	100
Library, public	20,000	100
Park, public	20,000	100
<b>Religious Institutions</b>		
Place of assembly	10,000	80

Section 9. That the Residential Uses section of Table 546-7 R4 Lot Dimension Requirements contained in Section 546.530 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-7 R4 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three- family dwelling	5,000	40
Cluster development	5,000 or 1,250 sq. ft. per dwelling unit, whichever is greater	40
Planned unit development	1/2 acre or 1,250 sq. ft. per dwelling unit, whichever is greater	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to thirty-two (32) persons	5,000 or 1,250 sq. ft. per rooming unit, whichever is greater	40
Board and care home/Nursing home/Assisted living	20,000	80
Emergency shelter serving six (6) or fewer persons	<del>5,000</del> <u>As approved by C.U.P.</u>	<del>40</del> <u>As approved by C.U.P.</u>
<del>Emergency shelter serving seven (7) to thirty-two (32) persons</del>	<del>5,000 or 1,250 sq. ft. per rooming unit, whichever is greater</del>	<del>40</del>
Faculty house	10,000	80
Fraternity or sorority	5,000 or 1,250 sq. ft. per rooming unit, whichever is greater	40
Hospitality residence	10,000 or 1,250 sq. ft. per rooming unit, whichever is greater	80
Residential hospice	10,000	80
Supportive housing	5,000 or 1,250 sq. ft. per rooming unit, whichever is greater	40

Section 10. That the Residential Uses section of Table 546-8 R5 Lot Dimension Requirements contained in Section 546.580 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-8 R5 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
-------------	---------------------------------------	---------------------------------

<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single- or two-family dwelling existing on the effective date of this ordinance	5,000	40
Cluster development	5,000	40
Three-family dwelling	5,000	40
Planned unit development	1/2 acre	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to thirty-two (32) persons	5,000	40
Board and care home/ Nursing home/ Assisted living	20,000	80
Emergency shelter serving six (6) or fewer persons	<del>5,000</del> As approved by C.U.P.	<del>40</del> As approved by C.U.P.
Emergency shelter serving seven (7) to thirty two (32) persons	5,000	40
Faculty house	10,000	80
Fraternity or sorority	5,000	40
Hospitality residence	10,000	80
Residential hospice	10,000	80
Supportive housing	5,000	40

Section 11. That the Residential Uses section of Table 546-9 R6 Lot Dimension Requirements contained in Section 546.630 of Chapter 546, Residence Districts, be amended to read as follows:

**Table 546-9 R6 Lot Dimension Requirements**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single- or two-family dwelling existing on the effective date of this ordinance	5,000	40
Cluster development	5,000	40
Three-family dwelling	5,000	40

Planned unit development	1/2 acre	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to thirty-two (32) persons	5,000	40
Board and care home/Nursing home/Assisted living	20,000	80
Emergency shelter serving six (6) or fewer persons	<del>5,000</del> As approved by C.U.P.	<del>40</del> As approved by C.U.P.
<del>Emergency shelter serving seven (7) to thirty two (32) persons</del>	<del>5,000</del>	<del>40</del>
Faculty house	10,000	80
Fraternity or sorority	5,000	40
Hospitality residence	10,000	80
Residential hospice	10,000	80
Supportive housing	5,000	40

Section 12. That the Residential Uses section of Table 547-1 Principal Uses in the Office Residence Districts contained in Section 547.30 of Chapter 547, Office Residence Districts, be amended to read as follows:

**Table 547-1 Principal Uses in the Office Residence Districts**

Use	OR1	OR2	OR3	Specific Dev. Standards
<b>RESIDENTIAL USES</b>				
<b>Dwellings</b>				
Single or two-family dwelling	P			
Single- or two-family dwelling existing on the effective date of this ordinance or conversion of a building existing on the effective date of this ordinance to a single- or two-family dwelling		P	P	
Cluster development	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	
<b>Planned Unit Development</b>	C	C	C	✓

<b>Congregate Living</b>				
Community residential facility serving six (6) or fewer persons	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	✓
Board and care home/ Nursing home/ Assisted living		C	C	✓
Dormitory		C	C	✓
Emergency shelter serving six (6) or fewer persons	C	C	C	✓
Emergency shelter serving seven (7) to sixteen (16) persons	€	€	€	✗
Emergency shelter serving seventeen (17) to thirty two (32) persons		€	€	✗
Faculty house		C	C	✓
Fraternity or sorority		C	C	✓
Hospitality residence		C	C	✓
Intentional community	P	P	P	✓
Residential hospice		C	C	✓
Supportive housing		C	C	✓

Section 13. That the Residential Uses section of Table 547-2 Lot Dimension Requirements in the OR1 District contained in Section 547.270 of Chapter 547, Office Residence Districts, be amended to read as follows:

**Table 547-2 Lot Dimension Requirements in the OR1 District**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	5,000	40
Cluster development	5,000	40
Planned unit development	1/2 acre	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40



Community residential facility serving seven (7) to sixteen (16) persons	5,000	40
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>5,000</del> <u>As approved by C.U.P.</u>	<del>40</del> <u>As approved by C.U.P.</u>
Emergency shelter <del>serving seven (7) to sixteen (16) persons</del>	5,000	40

Section 14. That the Residential Uses section of Table 547-3 Lot Dimension Requirements in the OR2 District contained in Section 547.310 of Chapter 547, Office Residence Districts, be amended to read as follows:

**Table 547-3 Lot Dimension Requirements in the OR2 District**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>
<b>RESIDENTIAL USES</b>	
<b>Dwellings</b>	
Single-, two-, or three-family dwelling	5,000
Cluster development	5,000
Planned unit development	1/2 acre
<b>Congregate Living</b>	
Community residential facility serving six (6) or fewer persons	5,000
Community residential facility serving seven (7) to thirty-two (32) persons	5,000
Board and care home/Nursing home/Assisted living	20,000
Dormitory	10,000
Emergency shelter <del>serving six (6) or fewer persons</del>	<del>5,000</del> <u>As approved by C.U.P.</u>
<del>Emergency shelter serving seven (7) to thirty-two (32) persons</del>	<del>5,000</del>
Faculty house	10,000
Fraternity or sorority	5,000
Hospitality residence	10,000
Residential hospice	10,000
Supportive housing	5,000

Section 15. That the Residential Uses section of Table 547-4 Lot Dimension Requirements in the OR3 District contained in Section 547.350 of Chapter 547, Office Residence Districts, be amended to read as follows:

**Table 547-4 Lot Dimension Requirements in the OR3 District**

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>
<b>RESIDENTIAL USES</b>	
<b>Dwellings</b>	
Single-, two-, or three-family dwelling	5,000
Cluster development	5,000
Planned unit development	1/2 acre
<b>Congregate Living</b>	
Community residential facility six (6) or fewer persons	5,000
Community residential facility serving seven (7) to thirty-two (32) persons	5,000
Board and care home/Nursing home/Assisted living	20,000
Dormitory	10,000
Emergency shelter serving six (6) or fewer persons	5,000 As approved by C.U.P.
<del>Emergency shelter serving seven (7) to thirty-two (32) persons</del>	<del>5,000</del>
Faculty house	10,000
Fraternity or sorority	5,000
Hospitality residence	10,000
Residential hospice	10,000
Supportive housing	5,000

Section 16. That the Residential Uses section of Table 548-1 Principal Uses in the Commercial Districts contained in Section 548.30 of Chapter 548, Commercial Districts, be amended to read as follows:

**Table 548-1 Principal Uses in the Commercial Districts**

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
<b>RESIDENTIAL USES</b>						
<b>Dwellings</b>						
Single or two-family dwelling	P	P				

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
Single or two-family dwelling existing on the effective date of this ordinance			P	P	P	
Cluster development	C	C	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	P	P	
<b>Planned Unit Development</b>	C	C	C	C	C	✓
<b>Congregate Living</b>						
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	C	C	✓
Board and care home/Nursing home/Assisted living	C	C	C	C	C	✓
Emergency shelter serving up to sixteen (16) persons	C	C	C	C	C	✓
Emergency shelter serving seventeen (17) to thirty-two (32) persons		€	€	€	€	✗
Inebriate housing		C			C	✓
Intentional community	P	P	P	P	P	✓

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
Overnight shelter		C			C	✓
Residential hospice		C			C	✓
Supportive housing		C			C	✓

Section 17. That the Residential Uses section of Table 548-2 Lot Dimension Requirements in the Commercial Districts contained in Section 548.120 of Chapter 548, Commercial Districts, be amended to read as follows:

**Table 548-2 Lot Dimension Requirements in the Commercial Districts**

<i>Use</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>		
Single-, two-, or three-family dwelling	5,000	40
Cluster development	5,000	40
Planned unit development	1/2 acre	As approved by C.U.P.
<b>Congregate Living</b>		
Community residential facility serving six (6) or fewer persons	5,000	40
Community residential facility serving seven (7) to thirty-two (32) persons	5,000	40
Board and care home/Nursing home/Assisted living	20,000	80
Emergency shelter serving six (6) or fewer persons	<del>5,000</del> As approved by C.U.P.	<del>40</del> As approved by C.U.P.
Emergency shelter serving seven (7) to thirty-two (32) persons	5,000	40
Inebriate housing	5,000	40
Overnight shelter	5,000	40
Residential hospice	10,000	80
Supportive housing	5,000	40

Section 18. That Section 549.30 contained in Chapter 549, Downtown Districts, be amended to read as follows:

That the Residential Uses section of Table 549-1 Principal Uses in the Downtown Districts contained in Section 549.30 of Chapter 549, Downtown Districts, be amended to read as follows:

**Table 549-1 Principal Uses in the Downtown Districts**

<i>Use</i>	<i>B4</i>	<i>B4S</i>	<i>B4C</i>	<i>B4N</i>	<i>Specific Development Standards</i>
<b>RESIDENTIAL USES</b>					
<b>Dwellings</b>					
Cluster development	C	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	P	
<b>Planned Unit Development</b>	C	C	C	C	✓
<b>Congregate Living</b>					
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons	C	C	C	C	✓
Board and care home/Nursing home/Assisted living	C	C	C	C	✓
Dormitory	C	C	C	C	✓
Emergency shelter serving up to thirty-two (32) persons	C	C	C	C	✓
Hospitality residence	P	P	P	P	✓
Inebriate housing		C	C	C	✓
Intentional community	P	P	P	P	✓

<i>Use</i>	<i>B4</i>	<i>B4S</i>	<i>B4C</i>	<i>B4N</i>	<i>Specific Development Standards</i>
Overnight shelter	C	C	C	C	✓
Residential hospice	C	C	C	C	✓
Supportive housing	C	C	C	C	✓

Section 19. That the Residential Uses section of Table 549-2 Lot Dimension Requirements in the Downtown Districts contained in Section 549.100 of Chapter 549, Downtown Districts, be amended to read as follows:

**Table 549-2 Lot Dimension Requirements in the Downtown Districts**

<i>Use</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>	5,000	40
Planned Unit Development	1 acre	As approved by C.U.P.
<b>Congregate Living</b>	5,000	40
<u>Emergency Shelter</u>	<u>As approved by C.U.P.</u>	<u>As approved by C.U.P.</u>
<b>Institutional and Public Uses</b>	None	None

Section 20. That the Residential Uses section of Table 550-1 Principal Uses in the Industrial Districts contained in Section 550.30 of Chapter 550, Industrial Districts, be amended to read as follows:

**Table 550-1 Principal Uses in the Industrial Districts**

<i>Use</i>	<i>I1</i>	<i>I2</i>	<i>I3</i>	<i>Specific Development Standards</i>
<b>RESIDENTIAL USES</b>				
Community correctional facility serving up to thirty-two (32) persons	C	C	C	✓
<u>Emergency Shelter</u>	<u>C</u>	<u>C</u>		<u>✓</u>

Section 21. That the Residential Uses section of Table 550-2 Lot Dimension Requirements in the Industrial Districts contained in Section 550.150 of Chapter 550, Industrial Districts, be amended to read as follows:

**Table 550-2 Lot Dimension Requirements in the Industrial Districts**

<i>Use</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>
<b>RESIDENTIAL USES</b>		
Community correctional facility	5,000 or 750 sq. ft. per rooming unit, whichever is greater	40
<u>Emergency shelter</u>	<u>As approved by C.U.P.</u>	<u>As approved by C.U.P.</u>