

**City of Lawrence, Kansas
COMMUNITY COMMISSION ON HOMELESSNESS
September 9, 2008 Minutes (City Commission Room, City Hall)**

Members present: Jeanette Collier, Hubbard Collingsworth, Wes Dalberg, Katherine Dinsdale, Jane Faubion, Loring Henderson, Charlotte Knoche, Mike Monroe, Shannon Murphy

Members absent: Phil Hemphill, Robert Mosley, Shirley Martin-Smith

Staff present: Scott McCullough, Margene Swarts, Joseph Rexwinkle, Lori Parker

ITEM NO. 1 INTRODUCTIONS

Dinsdale called the meeting to order at 8:30 am and asked members to introduce themselves. She stated the City Commission requested the Community Commission on Homelessness to address the problem of homelessness in Lawrence. She said the Housing Vision as previously outlined by the CCH notes specific types of housing and support needed. She said fundamental to the success of the plan was for the City and private sector work together. Dinsdale stated that amendments to the City's Development Code would be necessary to go forward with the Vision.

ITEM NO. 2 MINUTES

ACTION TAKEN

Motioned by Knoche seconded by Collingsworth to approve the July 8, 2008 Community Commission on Homelessness minutes.

Motion carried unanimously, 9-0

ITEM NO. 3 2009 RECOMMENDED CITY BUDGET/OUTSIDE AGENCY FUNDING

Dinsdale stated that the City Commission has requested a clarification regarding the CCH recommendation for Outside Agency Homeless Programs. Originally, the recommendation was to fund the Housing Connector for the Lawrence Douglas County Housing Authority in the amount of \$57,192. This resulted in less funding for Bert Nash outreach case management services (\$120,000 rather than \$164,000). It was assumed by some that case management services would also be offered by LDCHA. That not being the case, there has been more discussion regarding funding the outreach case managers and the general consensus is that the funding should not be reduced. After input and discussion by and between Bert Nash, LDCHA, and other interested parties, it has been determined that the case managers should be funded as previously and the LDCHA be allocated \$13,192 instead. According to LDCHA, there is a good chance the balance of funds can be raised from grants and private sources so the program can be implemented in 2009. Dinsdale asked if it was the intent of the CCH that the recommendation be changed to reflect this.

ACTION TAKEN

Motioned by Murphy seconded by Collingsworth to recommend \$164,000 be allocated to Bert Nash for the outreach case managers and \$13,192 to the LDCHA for the housing connector program.

COMMISSION DISCUSSION

Henderson said he thought the decision had been clear. He said it was necessary to try the connector within the next year. He said the Lawrence Community Shelter was not directly involved but there was a consequence. He said the City Commission and the shelter board were trying to find a new location for the shelter and start a capital campaign. Henderson said this was the year the new shelter had to happen. He

said the Lawrence Community Shelter would have to design a new shelter if the connector did not happen and the community was expecting the Lawrence Community Shelter to come up with a design and move forward.

Motion carried, 8-1

ITEM NO. 4 Text Amendment Update

Henderson stated he would recuse himself from item number four.

Scott McCullough said Staff had reviewed more than thirty other cities Codes and made recommendations to the Planning Commission and the CCH. He said there had been public input and the charge of the CCH was to consider communications, the staff analysis and testimony and forward a recommendation to the Planning Commission and the Governing Body.

STAFF PRESENTATION

Joseph Rexwinkle presented the item.

Faubion asked Rexwinkle to explain the meaning of 'by right'.

Rexwinkle stated 'by right' meant a use permitted with no public hearing. He said a Special Use Permit would require a public hearing and be considered by the Planning Commission and the City Commission. He said an accessory use would have to be incidental to a principal use. Rexwinkle stated there was opposition from the public regarding permitting the use by right and opposition allowing the use near single family homes. He said the use had been compared to group living uses which require a Special Use Permit. He said this type use could be tied specifically to religious institutions.

Knoche asked if the Type A Homeless Shelter would be restricted to four unrelated persons.

Rexwinkle stated it would be restricted to four unrelated persons or up to fifteen related persons.

Dinsdale asked Rexwinkle to describe his recommendations.

Rexwinkle stated the recommendation was to permit Type A Homeless Shelters only as an accessory use to a religious institution within residential districts as currently drafted with use standards. He said the staff memo recommended that Type A Homeless Shelters be permitted only as accessory to religious institutions. Rexwinkle stated that the staff memo recommends that Type A Homeless Shelters have a registration requirement and an application requirement. He said the application would require the Planning Director's approval and notification would be sent to all neighbors and neighborhood associations within 200 feet of the property. Rexwinkle said Staff was not recommending a Management Plan because Type A Homeless Shelters would be administratively registered. He said the applicant would have to comply with standards or the registration would be revoked.

Knoche asked Rexwinkle if the standards included staffing.

Rexwinkle stated the use standards require staffing. He said registration was not new to the Code.

Collingsworth asked Rexwinkle what the procedure was for revoking a registration.

McCullough said the revocation process would be complaint-driven and be enforced by the Code Enforcement Division.

PUBLIC COMMENT

Randy Beeman, First Christian Church stated he supported Type A Homeless Shelters. He said persons would be allowed to stay at the facility overnight and for up to seven days at a time. He said his facility would have a dining facility and a living space that would be separate. Beeman stated there would be supervision at all times.

Gwen Klingenberg, Lawrence Association of Neighborhoods, stated a Special Use Permit should be required for Type A Homeless Shelters by right in residential districts and that a Management Plan should be required.

Dinsdale asked Rexwinkle to explain the definition of a Special Use Permit.

Rexwinkle stated a Special Use Permit was for uses with varying operating characteristics or varying impacts on surrounding properties. He said certain standards could be imposed on special uses.

Faubion asked what a Management Plan was.

Rexwinkle said a Type B Homeless Shelter and both day centers as currently written required a Special Use Permit and a Management Plan. He said the draft language provided parameters and criteria for what the Management Plan would address.

Faubion asked Rexwinkle who decided the parameters on a Management Plan.

Rexwinkle stated that the code would establish parameters and the applicant would make propose how their use complies specifically with those parameters and would make their proposal to the Planning Commission and the City Commission who would make the decision.

Knoche asked Rexwinkle what the difference was between the use standards and Management Plan parameters.

Rexwinkle stated the existing use standards within the proposed draft related to restrooms, number of beds, and space per guests. He said Management Plan use standards could be added.

Rick Mullen stated he was the pastor of Morning Star Church and he would like for all churches in the area to come together and solve the problem of homelessness. He said his Church was adequate and had been working with Family Promise.

Virginia Musser stated she lived at 1508 New Hampshire Street which was across the alley from the proposed Family Promise Day Center. She said her neighborhood was a stable single family neighborhood and if that was going to change she had a right to have her say. Ms. Musser stated she was familiar with everyone in her neighborhood and to have an extra fifteen strangers in the area would be a huge deal. Ms. Musser stated she found it frustrating that some of the public comment had said the vast majority of the neighborhood was for the shelter. She said it was not true and the CCH should not take away the neighborhoods voice.

Hal Seers asked Rexwinkle to explain the definition of Accessory Use and asked Rexwinkle why Staff recommended the use be limited to religious institutions and not charitable institutions.

Rexwinkle stated the memo recommended tying Type A Homeless Shelters as an accessory use to religious institutions because religious institutions typically have facilities that can accommodate such uses and commonly host a level of activity of that is consistent with that of the uses proposed with this amendment. Rexwinkle read the definition of an Accessory Use as being incidental to and located on the same property as a principal use.

Joe Reitz stated he was starting the Family Promise Program. He said most churches in Lawrence had been established for some time. He said all guests would be screened for drug and alcohol abuse. Reitz stated a Special Use Permit requirement would be an unnecessary burden and the standards set out were adequate. Reitz stated guests would arrive at the church at five thirty in the evening; they would clean up, eat and spend time with their children and not be walking around the neighborhood. Reitz stated there were also support congregations. He said two trained volunteers would be at the facility at all times.

Collingsworth asked if there would be family vehicles parked on the property.

Reitz stated it would be rare for a homeless family to own a vehicle.

Arch Narramore stated he attended the University forum and it was said there were 75 families that were homeless. He asked what was going to happen to the remaining 71 families. He said money was given to Bert Nash by the state to care for the mentally ill but the money had been spent on a new building and salaries.

KT Walsh commended the CCH for their hard work. She asked the CCH to seek input from the neighbors and neighborhood associations.

Knoche asked Staff what the timing of the registration was.

Rexwinkle stated the administrative registration process proposed by staff should only take three to four days.

Jonathan Groene asked Staff if the minimum floor area was within the existing code. He asked Staff how there would be a distinction between college students staying at religious institutions and homeless people.

Rexwinkle stated that existing building and fire codes would apply. He said there would be a requirement of thirty square feet per bed.

Scott McCullough stated there was not a clear definition regarding housing people at churches temporarily and families that were homeless. He said part of Staff's recommendation for permitting this type of overnight shelter was that it was a land use and came with land use impacts.

Ken Hite stated he was on the board of Family Promise. He said he understood the need to plan out the process. He said Family Promise could make an impact on the number of people in Lawrence needing help.

Hilda Enoch said more time needed to be spent on discussing how to convince the Planning Commission and City Commission the service was vital.

Valerie Miller-Coleman stated she was a Bert Nash Homeless Outreach Specialist and in the direct network with Family Promise. She said she received phone calls every day from families who needed a place to stay. She said the program needed to be running by November or people would be in the cold.

Amy Fore stated she lived in the neighborhood proposed for Family Promise's Day Center and it was stable and quiet. She said it was not right to put the shelter in this neighborhood. She asked if the Staff at the shelter would be licensed and be at the shelter during the weekend.

Dinsdale stated the use currently being discussed was the over night shelters not the day centers. She stated the over night shelters would be staffed with trained volunteers.

Fore stated she wanted her concerns to be heard for future possibilities.

Mary Wharf stated the CCH was rushing to help serve four families at a time. She said Family Promise was successful but there was no way to know who would come in behind Family Promise and want to help the hundreds of homeless families. She said the neighbor's voices should be heard.

Knoche asked Staff if the standards in the application would include a requirement that the organization opening a shelter had sent out a neighborhood notification.

Rexwinkle stated that neighborhood notice is required for the administrative registration process.

Collingsworth asked Staff if different institutions would have different mission statements.

Rexwinkle stated mission statements would not be part of the code requirements or application process.

Lisa Harris stated she lived in the area of the proposed Family Promise Day Center and was a member of the Planning Commission and asked the CCH to provide information to the Planning Commission and give direction on how the neighbors would be involved in the process and what conditions should be on the shelter to address the land use in the neighborhood. She said the standards address the needs of the families living in the shelter rather than the neighborhood and they did not include a screening process. Harris said some neighborhoods had churches that were close to single family neighborhoods.

COMMISSION DISCUSSION

Dinsdale stated concerns discussed were as follows:

1. Type A Homeless Shelters be restricted to religious institutions only.
2. Require notification be mailed to neighbors with evidence of accepting neighbors comments.
3. Type A Homeless Shelters require a minimum floor area or congregation size.
4. Mandate the number of trained volunteers required.
5. Registration could be revoked.
6. Ensure the church was a legitimate institution.
7. Special Use Permit would be required for all shelters.

ACTION TAKEN

Motioned by Collingsworth to approve the proposal that Type A shelters being used in conjunction with a religious organization and not a social or charitable organization, and confirm Type A homeless shelters would be an accessory use to religious institutions only.

Knoche said she disagreed with limiting Type A homeless shelters to religious institutions only.

Collinsworth's motion died for lack of a second.

ACTION TAKEN

Motioned by Faubion, seconded by Knoche, to approve retaining the original language 'public, non-profit, charitable or religious institutions that provide overnight shelter'.

Motion carried unanimously, 9-0

ACTION TAKEN

Motioned by Knoche, seconded by Faubion, to approve required annual registration of the use, including notification to neighbors within 200 feet and neighborhood association's and the organization accept input from neighborhoods.

Motion carried unanimously, 9-0

ACTION TAKEN

Motioned by Faubion, seconded by Murphy, to require the applicant/operator to execute an agreement affidavit with the City of Lawrence in which the applicant operator acknowledges use specific standards and agree to comply.

Motion carried unanimously, 9-0

ACTION TAKEN

Motioned by Faubion, seconded by Collingsworth, to extend the Community Commission on Homelessness meeting thirty minutes.

Motion carried unanimously, 9-0

ACTION TAKEN

Motioned by Murphy, seconded by Knoche, to strike the recommendation mandating the number of trained volunteers required for a Type A shelter.

Motion carried unanimously, 9-0

ACTION TAKEN

Motioned by Faubion, seconded by Collinsworth, to revoke registration for failure to comply with standards or conditions of the agreement.

Motion carried unanimously, 9-0

Faubion asked Reitz what the criteria was for a church to participate in the program.

Reitz stated there were no criteria for a church to participate in the program.

Faubion asked Reitz if a congregation would be turned down from registration.

Dinsdale stated Staff would incorporate the concern in the use specific standards within the affidavit.

McCullough said there needed to be recommendations on how to further protect neighborhoods. He said there should be a requirement that the principal use be a certain size so that it would be appropriate to only take in a limited type of over night shelters. He said it should be determined by acreage or congregation size.

Dinsdale asked if the minimum floor area was adequate.

McCullough stated the floor area had to be adequate for building code purposes but the issue was if smaller congregations or civic organizations could accommodate fifteen persons.

Knoche asked if organizations would have to demonstrate they had the capacity to conduct the program.

McCullough said there should be an extraordinary type of acreage amount and it should fit in with the neighborhood. He said a small facility would be noticeable.

Dinsdale said Staff would work for language that would require sites to demonstrate the capacity to host fifteen or fewer people with little or no impact to the neighborhood.

McCullough said there were options to allow shelters in residential areas.

Faubion said people were afraid of abuse of power when extreme regulation was put into place. She said she would like to see this go beyond religious organizations. She said there were City Regulations in place currently that would control the issues with Type A Homeless Shelters. She said she was concerned with over regulating.

Dinsdale said Staff did not recommend a Management Plan be required. She said concerns would be addressed in the application process. She said Staff did not recommend a Special Use Permit be required for all Type A Homeless Shelters.

HOMELESS DAY CENTER /TYPE A

STAFF PRESENTATION

Rexwinkle presented Type A Homeless Day Centers and Staff recommendations regarding them.

Dinsdale asked Staff if social service agencies would require a Special Use Permit.

Rexwinkle said social service agencies were permitted in the same zoning districts that other offices were permitted. He said they were mostly non-residential zoning districts.

Collier said most of the major social service agencies were in residential districts.

Rexwinkle said he did not know the locations of all social service agencies. He said there was concern that the agencies would become non-conforming.

PUBLIC COMMENT

Joe Reitz stated the concern from neighbors was centered on the proposed Family Promise Type A Homeless Day Center near 15th & Rhode Island Streets but that this location was no longer being considered by Family Promise. He said he would be willing to accept Type A day centers only be allowed in non-residential areas. He said people using the day center would be carefully screened. Reitz said Family Promise had a history of 80% of people becoming employed and finding permanent housing. Reitz stated he recommended dropping the requirement for a Special Use Permit.

Faubion asked Staff if a Special Use Permit would be required in non-residential areas.

Rexwinkle said a Special Use Permit would be required.

ACTION TAKEN

Motioned by Collingsworth, seconded by Murphy, to extend the Community Commission on Homelessness meeting fifteen minutes.

Motion carried unanimously, 9-0

Valerie Miller Coleman stated that divorce and moving disrupts children's lives. She said children need stability during transitional periods. She said the site needed to be convenient to the bus line and in a commercial industrial area. She asked the Commission to expand the regulations so that they permit homeless day centers by Special Use Permit in the RM32 zoning districts.

Steve Ozark said Family Promise was a structured organization.

Faubion asked Staff what the regulations were for setting up a daycare center for children.

Rexwinkle stated that the distinction between day care homes and day care centers is that day care homes are those in which a resident of the home cares for twelve or fewer children. He said a daycare center could have thirteen or more children, and the operator providing care does not have to be a resident of the home.

Faubion asked Staff if applicants for daycare centers go through a Special Use Permit process. She asked if there were adult daycare centers.

Rexwinkle stated the code identifies adult daycare center uses and that such uses require Special Use Permits in single-dwelling residential zoning districts. He said schools also go through a Special Use Permit process in single-dwelling residential zoning districts. Rexwinkle read the code regarding adult daycare centers and schools.

Gwen Klingenberg stated she had researched Family Process and they been around for twenty years. She said too much time was being spent on worrying about one project. She said the Lawrence Association of Neighborhoods wanted to see all issues brought forward. She said it was consistent with the code to require a Special Use Permit.

ACTION TAKEN

Motioned by Collingsworth, seconded by Murphy, to break the Community Commission on Homelessness meeting for five minutes.

Motion carried unanimously, 9-0

PUBLIC COMMENT

Scott Montgomery stated he was in favor of the Special Use Permit. He said neighbors should to be notified of projects like this one.

Dinsdale asked what would be required for a Special Use Permit and if the requirements were negotiable.

Rexwinkle said that Special Use Permits require neighborhood notification with Planning Commission consideration and approval by the City Commission. The process would require an application process and a Site Plan would need to be completed.

Dinsdale asked Staff what the expense was for a Special Use Permit.

Rexwinkle said there would be an application fee payable to the City of Lawrence and costs to prepare the Site Plan.

Dinsdale asked Staff if there was further means to assure neighborhoods would be notified.

Rexwinkle said an administrative registration process for a Type A Homeless Shelter requires notification. He said if it was an administrative decision there would be no way to make it more interactive to ensure the neighbors concerns were heard and addressed.

Faubion asked Staff what a permanent Special Use Permit was.

Rexwinkle said there were Special Use Permits that were permitted indefinitely and others would be renewed after a certain amount of time.

Collier asked if adult daycare centers were permitted in RM zoning by right.

Rexwinkle stated adult daycare centers were permitted in RM zoning districts by right. He said social service agencies were permitted in every non-residential zoning district by right. Rexwinkle stated it was recommended to permit Type A Homeless Day Centers in RMO and RSO zoning districts with a Special Use Permit and not permit the use at all in the other RS and RM zoning districts.

Faubion said she did not want to make it more restrictive on day centers than on social service agencies. She said neighborhood rights should be respected in a single family dwelling.

Dinsdale said the motion should suggest Planning Staff remove the Special Use Permit requirement in non-residential zoning districts and development a mechanism for neighborhood discussion and input.

Rexwinkle said social service agencies were permitted in RSO and RMO districts because they were mixed office districts.

Valerie Miller-Coleman said in the past, social service agencies were allowed in residential neighborhoods. She said they could be allowed with a Special Use Permit. She said most of the agencies were in the RM32 district and were in houses.

Rexwinkle said the recommendation was to permit Type A Homeless Day Centers only in RMO, RSO and non-residential zoning districts.

Dahlberg said the recommendation should allow Type A Homeless Day Centers in RMO, RSO by right and RM32 should require a Special Use Permit.

Ms. Klingenberg stated the way Lawrence was zoned there would be a lot of single family neighborhoods that were actually zoned RM32.

Rexwinkle said if Type A Homeless Day Centers were added back to RM districts a Special Use Permit should be required. He said large portions of neighborhoods were zoned RM but contain detached dwellings.

Faubion asked if the Special Use Permit would offer protection to neighborhoods.

Rexwinkle stated the Special Use Permit would offer the notification process, the public hearing, and the authority for the City Commission to add standards.

ACTION TAKEN

Motioned by Dahlberg, seconded by Collier, to allow day centers in the RMO and RSO districts by right, and day centers in RM32 districts with a Special Use Permit requirement.

Motion carried unanimously, 9-0

HOMELESS SHELTER/TYPE B

STAFF PRESENTATION

Rexwinkle presented Type B Homeless Shelters and Staff recommendations regarding the use.

Faubion asked Rexwinkle if Staff researched communities the size of Lawrence.

Rexwinkle said most communities had requirements that force dispersion, or conversely, that prevent concentration of such uses, but many of the cities whose regulations require this are much larger than Lawrence.

Knoche asked Rexwinkle if he had researched buffer zones.

Rexwinkle said he found no cities that required a buffer from single family neighborhoods, but some do require dispersion of uses to prevent concentration in certain neighborhoods.

PUBLIC COMMENT

Judy Harrington stated it was hard to keep track of the minimum maintenance and how it could be specified. She said she was in favor of the Special Use Permit for Type B Homeless Shelters. She said minimum use needed to be specified.

Klingenberg stated there should be buffers between this use and single-family residential uses. She said she was concerned with how the shelters would work within neighborhoods. She said Type B Homeless Shelters should not be within neighborhoods.

Dinsdale asked Staff if a Special Use Permit would achieve the same result as a buffer.

Rexwinkle said the Planning Commission could indicate a shelter was too close to a residential neighborhood and act accordingly.

Faubion asked if the neighborhood association had a recommendation.

Loring Henderson asked Staff for the definition of Type A and Type B Homeless Shelters.

Rexwinkle said two families would be considered a Type A Homeless Shelter.

Henderson stated 250 feet was not an extensive amount of land for a buffer yet such a distance would basically exclude shelters from the City. He agreed with requiring some kind of physical buffer such as landscaping, fencing, etc. He said as long as it was a secure buffer, the families in the residences would feel comfortable.

Knoche agreed there should be security within the buffer and wondered about the purpose of specifying a minimum distance.

ACTION TAKEN

Motioned by Faubion, seconded by Dahlberg, to add a standard specifying a buffer be required that would feature secure fencing and or landscape to create a distinct barrier between a shelter and adjacent residential area.

Motion carried, 7-0-2, Commissioners Monroe and Henderson abstained

HOMELESS DAY CENTER TYPE B

STAFF PRESENTATION

Rexwinkle presented Type B Homeless Day Centers and Staff recommendations regarding the use.

ACTION TAKEN

Motioned by Knoche, seconded by Murphy, to add a standard specifying a buffer be required that would feature secure fencing and or landscape to create a distinct barrier between a Type B Homeless Day Centers and a residential area.

Motion carried, 7-0-2, Commissioners Monroe and Henderson abstained

COMMISSION DISCUSSTION

Henderson stated the Type B Homeless Day Center was the drop in center with the laundry facility and telephone access. He said the programs were associated with the shelter and work would occur there. He said the day center would be separate and run by a group of churches. He said the shelter was where case management, job placement, and legal services occurred. He said Staffs recommendation number two for the work place was totally opposite and should stay with the shelter and not with the day center.

Dinsdale asked why there needed to be a designation for homeless work place.

Henderson said it was the City's effort to respond to the situation with the employment program.

Knoche asked Staff if there was certain type of work that was not allowed in certain districts.

Rexwinkle said manufacturing uses were not allowed in residential zoning districts. He said Staff attempted to clarify that in the code.

Knoche said it was clarifying that a shelter or day center had the right to have the same work place activity as any other activity in that district.

Henderson said the long range plan was for the Good Dog Project to get bigger and a Special Use Permit would be submitted.

Dinsdale asked Henderson how the recommendation should be revised.

Henderson said the recommendation should be deleted and the definition of activities should be clarified.

Rexwinkle said the distinction between the Type B Homeless Day Centers versus the Type B Homeless Shelters was the time of day it would be used. He said Staff may have permitted homeless work places for Type B shelters by accident. He said it would only be a problem if the day shelter and night shelter were in two different locations.

Henderson said the Lawrence Community Shelter was a twenty four hour operation and the drop-in center was a day center.

McCullough stated the homeless shelter needed to be defined. He said currently it was defined as an over night shelter without social service type services being permitted.

Knoche said it was never her understanding that the homeless shelter would be open during the day, that it would be restricted to only open at night.

Murphy stated she envisioned a shelter that would include an over night component but would be open twenty four/seven.

Dahlberg asked where the need for a day center was if the guidelines stated a shelter had to be open twenty four/seven.

Dinsdale said a Type B Homeless Shelter had to be open twenty four/seven. She said a day center was a more open operation provided for those who were at risk of being homeless. She said a shelter would not be open to all comers.

Henderson said he did not want Staffs recommendation that the work place was an accessory to the day center and not an accessory to the homeless shelter. He said the work place was clearly part of the shelter program.

Dinsdale asked if the language to the shelter needed to be changed. She said the shelter should include programming.

Rexwinkle said Staff was looking at the day center and the shelter as two different uses because of the land impact. He said the social services would be occurring during the day.

Knoche said a full service shelter would include provisions for day time activities and programming.

Rexwinkle said the shelter and day center could be at one location but it would require two Special Use Permits.

Henderson stated he went along with two separate uses/Special Use Permits because they were clearly separate functions.

Dinsdale said a day center would be open to all population.

Henderson said the definition regarding provision of services at day centers should be lifted out of the day center definition and added to the homeless shelter definition.

Rexwinkle said both Special Use Permits would be considered by the City Commission at the same time.

Henderson said the definition of homeless day center should remain the way it was.

Rexwinkle said he recommended the definition of homeless day center be changed to clarify that it would not be intended for over night shelter so that there remained, after changes to the definitions of both uses, a clear distinction between the uses.

Knoche said the intention was that the homeless day center would not be an over night shelter.

Dinsdale stated the definition currently stated only day light hours. She said it should be changed to day time hours.

ACTION TAKEN

Motioned by Knoche, seconded by Murphy, to add the sentence on page five that begins with 'typical services' to the paragraph under Type B shelter, and amend the motion on page four 'institution that provides overnight shelter and services to persons who are otherwise homeless' and take from page four 'typical services may include food services, social services'.

McCullough stated it should be included that Type B shelters may include a Type B homeless day center.

Dinsdale said the vision stated a Type B homeless day center would be included. She said it should say 'it shall include'. She said the vision given to the City Commission recommended the community needed one safe shelter.

McCullough stated the draft code language did not conflict with the vision Dinsdale stated.

Dinsdale said the requirement was for individuals to participate in activities but the activities did not have to be on site at the shelter.

Knoche said the language on page four should state a Type B shelter was an institution that provided overnight shelter and services and could include the activities of a homeless day center.

Dinsdale said zoning language would not be the place to enforce the process.

Dahlberg stated the word 'may' should be used.

Henderson said the motion had passed that said the shelter provided overnight services and shelter. He said it was important to state the definition of the shelter.

Faubion stated 'shall provide' or 'make arrangements for' would suggest the service be provided on site.

Henderson said the future growth of shelters was unknown.

Dahlberg asked if the Commission was supposed to determine an entity could not provide a shelter without providing the items listed.

Murphy asked what the next step would be if an entity opened an emergency shelter.

Knoche asked what would happen if there was a natural disaster.

Henderson said he would accept the two Special Use Permits.

Knoche said she would amend her original motion if it was included in the definition of a Type B shelter 'it may include the characteristics of a Type B homeless day center'.

Murphy said the motion said 'typical services may include'.

Dinsdale said the vision was one emergency shelter linked to services and programming.

Henderson asked if 'twenty four/seven' and 'contract typical services' would be within the definition of a Type B shelter.

Knoche withdrew her motion and Murphy withdrew her second to the motion.

Dinsdale asked Knoche to restate her motion.

ACTION TAKEN

Motioned by Knoche, seconded by Murphy, to amend the definition of a Type B Homeless Shelter stating the shelter may provide or arrange for services as defined by the definition of a Type B Homeless Day Center 'typical services', and remove the word 'overnight' from the definition.

Motion carried, 8-0-1, Henderson abstained

SOCIAL SERVICE AGENCY

STAFF PRESENTATION

Rexwinkle presented Social Service Agency.

Dinsdale stated currently no homeless individuals use the day center.

Rexwinkle said the definition included persons who were homeless or at risk of becoming homeless.

Dinsdale said she had heard no comment on revising the definition. She said she did not see the need to distinguish social service agency that serve homeless and those who do not.

Rexwinkle said the reason there was a distinction between the two was that if the homeless service agencies were allowed in residential areas a Special Use Permit would be required.

Dinsdale said it was agreed previously to distinguish social service agency. She said social service agency's often offer their services to just children or battered women. She asked Staff if the specific population of homeless was unique.

Rexwinkle said that was not Staffs recommendation. He said the use table had treated the two uses as unique.

Dinsdale stated the proposal was unfair.

Collier said she would not vote and support the proposal. She said it was discrimination against homelessness.

Dinsdale asked Staff what the implication would be on the rest of the work that had been completed previously if the definition of social service agency was revised.

Rexwinkle said there would be no implication on the revision. He said the revision clarified the definition for the reader and it could remain the way it was. He said Staff was making the recommendation for the public to understand the code. Rexwinkle said the use was not created to distinguish a homeless day center.

McCullough stated Social Service Agency was identified in the review of the current code as a particular use. He said it was a peripheral issue to the homeless standards and definitions. He said Staff was attempting to come up with comprehensive code language that addresses all of the uses. McCullough said the draft language made a distinction between the homeless population and other populations. He said Staff wanted clarity in the code.

Rexwinkle said because of Staffs research and the homeless amendments, it was realized a day center was being created. He said a social service agency could be considered at a later date because it had no bearing on the other amendments.

McCullough stated the amendment would be presented to the Planning Commission.

Knoche asked if there would be a problem with the existing proposed definition. She said there was a difference between an agency and a use.

Rexwinkle said the ultimate recommendation was to consider revising the definition because there was a lot of public confusion. He said the uses needed to be identified distinctly so they would be portable and flexible.

ACTION TAKEN

Motioned by Collier, seconded by Knoche, to define the definition of Social Service Agency, and withhold comment on the Staff recommendation.

Motion carried, 5-2-1, Henderson abstained

Dinsdale said the revised language would go to the City Commission in October.

[TA Information – Planning Website](#)

ITEM NO. 5 OTHER BUSINESS

There was none.

ITEM NO. 6 ADJOURN

There being no further business, motioned by Knoche, seconded by Faubion, to adjourn the Community Commission on Homelessness meeting at 12:50 pm.

Motion carried, 8-0

Attendance Record

Date	Jeanette Collier	Hubbard Collinsworth	Wes Dalberg	Katherine Dinsdale	Jane Faubion	Phil Hemphill	Loring Henderson	Charlotte Knoche	Shirley Martin-Smith	Mike Monroe	Robert Mosely	Shannon Murphy
06/12/07		+				+	+		+		+	
07/10/07		+		+		+	+		+			
08/14/07		+		+		+	+		+	+	+	
09/11/07	+	+	+	+	+	+	+		+	+	+	
10/09/07	+	+	+	+	+	+	+	+	+	+	+	
11/13/07	+	+	+	+		+	+	+	+	+		
12/18/07	+	+	+	+	+		+	+	+	+	+	
01/08/08	+	+	+	+	+		+	+	+			
02/12/08	+	+	+	+	+		+	+	+	+		
03/11/08	+	+	+	+	+		+	+	+	+		
04/08/08	+	+	+	+			+	+	+	+		
05/06/08	+	+		E	+		+	+	+			
06/10/08	+	+	+	+			+		+	+		
07/08/08	+	+		E			+	+	+	+	+	*
09/09/08	+	+	+	+	+		+	+	E	+		+

* Appointed to committee.