


Source: Planning 

Agenda Item No: REP 1-12

To: City Council  
From: City Manager and Staff 

Council Meeting Date: January 3, 2012

Re: REPORT Room at the Inn - Permission to operate a winter-season, temporary shelter at 804 North Old 63

#### **EXECUTIVE SUMMARY:**

As Council is aware, the Columbia Interfaith Council has been working to locate a building that could be used for a temporary overnight shelter for homeless persons during the most severe winter weather months, January and February. The organization has found a building that suits their purposes at 804 North Old Highway 63. The building, which formerly housed the Total Environments garden center shop, contains approximately 1,500 square feet of habitable space. The site is zoned C-3 General Commercial which does not permit "temporary shelters" as that term is understood in the ordinance. The City Building and Fire Safety Codes will limit building occupancy load to no more than 10 overnight guests.

Considering the goal of the Interfaith Council to operate a place of temporary refuge for homeless persons during the harsh winter months; its short duration of two months; operation from evening to morning only; and the impracticality of changing the zoning simply to accommodate a seasonal use, staff believes it is reasonable to allow an exception and grant permission to the Inter-faith Council to operate the shelter for the months of January and February. The occupancy of the shelter would be subject to the City building and fire safety codes.

#### **DISCUSSION:**

City staff of several departments met with volunteers representing the Interfaith Council upon learning of a plan to house 35-40 homeless persons overnight at 804 North Old Highway 63. After meeting, participants agreed to seek the consent of the City Council on the issue of zoning conformance and agreed that City Building and Fire Safety Codes would limit occupancy for overnight residence purposes to 10 homeless persons plus staff or volunteers. The number of occupants is a function of the use of the premises, size, exits, fire safety, and plumbing condition of the building. Staff on December 27, 2011 asked the Building Construction Codes Council for an opinion on the waiver of a shower or bathing facility which is normally required for this type of facility. The BCCC, in an informal, non-binding poll indicated its unanimous support for the waiver.

Regarding the zoning, this is another example of a temporary use - "seasonal temporary use" is probably a better term - being subjected to standards applicable to uses of longer duration and greater impact. "Temporary shelters" are permitted only as conditional uses in R-3 Medium-density and R-4 High-density Multiple-family Dwelling Districts; or as permitted uses when selected to be part of planned districts (PUD, O-P, C-P) which normally require development plans, a task for professional developers. Both the conditional use and rezoning processes would require approval processes as long or longer than the duration of the actual use. Temporary shelters in the zoning ordinance are defined as:

"Temporary shelter. A residential facility that primarily provides temporary housing with accommodations for five (5) or more people for little or no financial compensation and that is operated in a manner that provides staff supervision and other support services. The length of time that such persons may stay at the shelter may be indefinite but is not intended to be permanent."

Staff is of the opinion that the "temporary" refers to the housing of the occupants rather than the facility itself. The standards for temporary shelter as a conditional use and as a permitted use in a planned district require the following:

"1) An application for a conditional use permit for a temporary shelter shall include information about the size and design of the structure, population groups served, length of stay permitted, maximum design capacity and support services provided. These items shall be used to determine if the facility is in conformance with the character of the adjacent area.

"(2) A temporary shelter shall not be located within one thousand (1,000) feet of another temporary shelter.

"(3) The minimum lot area for a temporary shelter shall be 7,500 square feet. If a proposed temporary shelter structure is larger than 2,500 square feet of gross floor area there shall be provided an additional 1,500 square feet of lot area for each additional 500 square feet of gross floor area within the structure.

"(4) The shelter shall submit a semi-annual report to the building and site development division of the community development department, stating maximum monthly occupancy level and support services provided by the shelter."

These standards are designed for facilities of much longer duration than one winter season.

Council has supported approval of community-serving temporary uses in the past, for example farmer's markets, despite the apparent contradiction of the zoning ordinance. The principle is fundamentally the same here.

#### **FISCAL IMPACT:**

None

#### **VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

#### **SUGGESTED COUNCIL ACTIONS:**

Staff recommends that Council make a motion to approve the use of 804 North Old Highway 63 as an overnight shelter for the winter months of January and February [or to the end of the winter season if needed] 2012, provided occupancy is limited as required by City life safety codes and the use is operated from evening to morning only.

<b>FISCAL and VISION NOTES:</b>					
<b>City Fiscal Impact</b> Enter all that apply		<b>Program Impact</b>		<b>Mandates</b>	
City's current net FY cost		New Program/Agency?		Federal or State mandated?	
Amount of funds already appropriated		Duplicates/Epands an existing program?		<b>Vision Implementation impact</b>	
Amount of budget amendment needed		Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		<b>Resources Required</b>		Vision Impact?	
One Time		Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/Ongoing		Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	