

"Chapter 6-35"
EMERGENCY SHELTERS

6-3501 Purpose.

The purpose of this chapter is to provide temporary shelter for homeless persons or others in need in a manner that protects the health, safety, and general welfare of nearby residents and businesses, consistent with California Government Code §65583, which requires all California cities to identify in their General Plan Housing Element at least one zone where emergency shelters are permitted by right without requiring discretionary permits or action, provided they comply with objective operating standards established by the City.

6-3502 Definition of emergency shelter.

In this chapter, unless the context otherwise requires:

"Emergency shelter" means housing with minimal supportive services that is designed for and occupied by homeless persons for no more than six-months in a consecutive 12-month period. No individual or household may be denied emergency shelter because of an inability to pay.

6-3503 Permit Required.

An emergency shelter that complies with the provisions of this chapter shall be permitted within the General Commercial District 1 (C-1), pursuant to an emergency shelter permit.

6-3504 Emergency Shelter Permit; Application and Issuance.

(a) An application for an emergency shelter permit shall be filed with the zoning administrator on a form approved by the city together with a fee fixed by resolution of the city council. The zoning administrator shall approve an application that meets the development standards set forth in Section 6-3505 without discretionary review or a public hearing, as soon as practicable, and in no event more than thirty (30) days after the application has been deemed complete.

(b) Pursuant to §6-250 of the Lafayette Municipal Code, this approval shall expire one year from the approval date unless a building permit has been issued for the project. The zoning administrator may extend the period to exercise the permit for up to one additional year upon a showing of good cause, if such request is received in writing prior to the expiration date.

6-3505 Development and Management Standards.

(a) Development Standards. An emergency shelter shall conform to the development standards set forth below, as well as all development standards of the C-1 zoning district set forth in Title 6, Part 3, chapter 6-9 of this code, including the requirement for design review for any building constructed or altered to affect the exterior appearance. If there is a conflict between the C-1 development standards set forth in Title 6, Part 3, chapter 6-9 of this code and the standards set forth below, the standards set forth below shall be controlling:

- (1) Proximity to Other Shelters. No emergency shelter shall be closer than three hundred (300) feet to another emergency shelter.

(2) Vehicle Parking. An emergency shelter shall provide one parking space for every four beds and one parking space for every employee.

(3) Bicycle Parking. An emergency shelter shall provide at least one bicycle space for every five beds.

(4) Shelter Capacity. No emergency shelter shall contain more than 30 beds. The city council may establish a maximum number of beds to be allowed in all emergency shelters in the city by resolution. The maximum number of beds in all emergency shelters in the city shall not be less than the number of unsheltered homeless persons in Lafayette as determined in the bi-annual homeless count conducted by the Contra Costa Homeless Program.

(5) Length of Stay. The length of stay per individual in an emergency shelter shall not exceed six (6) months in a consecutive 12-month period.

(6) Screening of Outdoor Uses. An emergency shelter shall not allow or include any of the following to occur in front of an emergency shelter or in any other location incidental to the shelter that is visible from adjoining properties or the public right-of-way, unless the same is entirely screened from public view:

- (a) designated outdoor smoking area;
- (b) outdoor waiting and client intake area;
- (c) outdoor public telephones; and
- (d) outdoor refuse area.

(7) Exterior Lighting. Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity that is consistent with existing lighting in the neighborhood in which the shelter is located.

(8) Laundry Facilities. An emergency shelter shall provide laundry facilities to serve the number of residents.

(9) Personal Property Storage. An emergency shelter shall provide secure areas for temporary storage of personal property of the persons residing in the emergency shelter.

(b) Management Standards. An emergency shelter shall conform to the management standards set forth below:

(1) Emergency Shelter Management Plan. The operator of an emergency shelter shall prepare and submit a management plan to the zoning administrator that includes, as applicable, the following: established staff training program to meet the needs of emergency shelter residents; adequate security measures to protect emergency shelter residents and the neighboring land uses; a list of services provided to assist emergency shelter residents with obtaining permanent shelter and income; and a method of screening emergency shelter residents to ensure compatibility with services provided at or through the emergency shelter prior to admittance to the shelter.

(2) On-Site Management and Security Plan. Security measures shall be sufficient to protect clients and neighboring land uses. On-site management and on-site security shall be provided during the hours when the emergency shelter is in operation and at all times that clients are present on-site.

An on-site staff person shall be designated as a neighborhood liaison to respond to, and address, any questions or concerns from surrounding residents regarding facility operations. Clients shall be screened for compatibility with shelter resources and for compliance with applicable State and Federal laws prior to admittance to the emergency shelter.

6-3506 Appeals.

An appeal of a decision made pursuant to this chapter shall be brought and governed as set forth in section 6-232 of this code.