



Z-18-17: Ordinance to amend Section 16-29.001(71) Definition of Shelter

Overview

What: Legislation has been drafted to amend the definition of shelter to allow limited expansion of an existing shelter without the requirement of applying for a special use permit.

Why: On any night there are an estimated 7,000 homeless people in metro Atlanta, of that 2,000 are unsheltered and on the streets, and 1,300 are homeless families. The number of people in homeless families is on the rise, making up one-fifth of the local homeless population. Shelters are increasingly no longer transient, one night one bed facilities, but offer more comprehensive supportive services. Additionally, shelters are no longer the 500-bed dormitory style facilities but are smaller shelters that house people first and then assess their needs rather than set restrictions before someone is admitted. To assist shelter programs in the City the term “shelter” is being amended to allow expansion of existing facilities without requiring a special use permit.

City Code Sec. 16-29.001(71) defining the term “Shelter” and which reads:

(c) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as shelter and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without a special use permit issued pursuant to this section and meeting the requirements of subsection (a) above. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility.

Is hereby amended to read:

(c) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as shelter and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without a special use permit issued pursuant to this section and meeting the requirements of subsection (a) above, except as provided below. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility.

Notwithstanding the foregoing, a special use permit shall not be required for an expansion of an existing shelter if the following conditions exist:

- 1) not more than 22,000 square feet of floor area is added;
- 2) the existing shelter is not located within 1,250 feet of any personal care home, assisted living facility, nursing home, rehabilitation center, supportive housing facility, or other similar shelter, whether publicly or privately owned and/or operated; and
- 3) the existing shelter location has been in active operation since January 1, 2000.

When: The Zoning Review Board (ZRB) is scheduled to hold a public hearing in April 5 or April 12, 2018.

**AN ORDINANCE
BY ZONING COMMITTEE**

Z-18-17

AN ORDINANCE TO AMEND ZONING ORDINANCE SECTION 16-29.001(71) TO CHANGE THE DEFINITION OF SHELTER SO AS TO ALLOW LIMITED AND CONDITIONAL EXPANSION OF AN EXISTING SHELTER WITHOUT THE REQUIREMENT OF A SPECIAL USE PERMIT; AND FOR OTHER PURPOSES.

WHEREAS, the zoning ordinance defines the term “shelter”, including the manner of operation; and

WHEREAS, said definition requires a special use permit for any new shelter and the expansion of an existing shelter; and

WHEREAS, amendment of this definition will allow for limited expansion of long-term existing shelters to provide additional housing and services to the city’s homeless population.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS:

Section 1: City Code Sec. 16-29.001(71) defining the term “Shelter” and which reads:

- (c) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as shelter and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without a special use permit issued pursuant to this section and meeting the requirements of subsection (a) above. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility.

Is hereby amended to read:

- (c) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as shelter and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without a special use permit issued pursuant to this

section and meeting the requirements of subsection (a) above, except as provided below. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility. Notwithstanding the foregoing, a special use permit shall not be required for an expansion of an existing shelter if the following conditions exist:

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