

Memorandum

City of Lawrence

Planning & Development Services

TO: Lawrence-Douglas County Metropolitan Planning Commission

FROM: Joseph Rexwinkle, Planner

CC: Scott McCullough, Planning & Development Services Director
Margene Swartz, Assistant Director of Development Services
Sheila Stogsdill, Assistant Director of Planning

Date: September 16, 2008

RE: Homeless Services Text Amendment

On August 12, 2008 the Lawrence City Commission remanded the above-referenced amendments to the Community Commission on Homelessness (CCH) and the Planning Commission to allow additional public input on this text amendment. The CCH considered public comment and staff recommendations at its September 9, 2008 meeting. The CCH forwarded recommendations to the Planning Commission and City Commission on the proposed amendments. This memo provides the following:

- Summary of overarching issues and concerns presented by the public regarding homelessness.
- For each type of proposed homeless facility the following:
 - Definitions of each use as proposed in current draft language.
 - The zoning districts in which each use is to be permitted as proposed in current draft language.
 - Summary of specific public comments (issues, concerns, and support) pertaining to each use.
 - Possible options for responding to such issues.
 - Staff recommendation to the Community Commission on Homelessness, Planning Commission and ultimately the City Commission to consider.
 - Community Commission on Homelessness recommendation.
 - New Staff Recommendation for the Planning Commission to consider following CCH discussion and recommendation, where appropriate.

Following consideration by and direction from the CCH, staff has drafted revised language to present to the Planning Commission for consideration along with this memo. The draft language and specific staff recommendation made to the Planning Commission are cross-referenced in each document.

Overarching Issues

The following is a summary of some issues and concerns that have been expressed during the public comment period that pertain to all proposed homeless facility uses or to homelessness in general.

1. Safety and welfare of guests/clients served.
2. Safety and welfare of neighborhood residents, particularly children.
3. Concerns about loitering of guests and visitors.
4. Structural code compliance.
5. Residential property values.
6. Permit all homeless uses in commercial and industrial districts only – DO NOT permit, under any circumstances, in or near residential districts.
7. Buffer these uses from residential uses, particularly single-family residential uses.
8. Buffer these uses from one another to prevent concentration.
9. Concern that these uses are not proposed to be permitted in planned development districts.
10. Crime, drugs and alcohol.
11. Mental illness.
12. Sexual predators.
13. Accommodations for children: schools, study space and support, etc.
14. Concern that these amendments abrogate an existing agreement between the City and The Salvation Army.
15. The naming convention of the various uses may be creating some confusion.

HOMELESS SHELTER, TYPE A

Existing Proposed Definition. A building or structure occupied as an accessory use to a permitted use listed as a public and civic in Section 20-402 and 20-403 of this Development Code and which is operated and staffed by a public, nonprofit, charitable or religious institution which provides overnight shelter to persons who are otherwise homeless. Type A Homeless Shelters are those that primarily serve families with children and shall be occupied by a maximum of 4 Families as defined in Section 20-1701 not exceeding a 15 persons total, or by a maximum of 4 persons not related by blood or marriage.

Existing Proposed Zoning. Permitted by right (without a public hearing) as an accessory use in all residential zoning districts and all nonresidential zoning districts except OS (Open Space) District. Though the use is permitted by right as an accessory use, use-specific standards are proposed to apply. For more information on the existing proposed use-specific standards see Article 5 of the draft language.

Public Comment Specific to Type A Homeless Shelters

1. Opposition to permitting this use by right in any zoning district. Some comments compare this use to group living uses such as group homes and assisted living facilities, both of which require a special use permit (SUP) in RS (Residential-Single Dwelling) zoning districts.
2. Opposition to permitting this use in areas of single-family residential uses or within a certain distance of areas of single-family uses (1000' has been suggested).
3. Confusion as to which uses a Type A Homeless Shelter may be accessory. What are public & civic uses as listed in Section 20-402 and 20-403 of the Development Code?
4. Confusion as to what an accessory use is.

5. Concern that, if this use is accessory to a religious institution, the congregation of that institution may be too small to adequately provide volunteer staff or living quarters.
6. Concern that the proposed language provides little regulatory oversight or control to prevent abuse and/or neglect of guests or for the protection of neighborhoods. Why isn't a management plan required for Type A Homeless Shelters?
7. Confusion regarding why this use is permitted by right while other homeless uses are not.
8. Strong support for this use type by congregations participating in the Family Promise program.

Possible Options to Address Public Comment

1. Permit this use as an accessory use to religious institutions only in zoning districts that permit religious institutions *OR* permit this use by SUP only.
2. If permitted as an accessory use, require that the use be registered with the City in a manner similar to other accessory uses (Accessory Dwelling Units and Home Occupations require registration, for instance).
3. Permit as a registered accessory use only for a defined period of time annually (30 days, 60 days) and require an SUP for permanent use.
4. Require minimum floor area of religious institution and/or minimum number of congregation.
5. Require a minimum distance between each shelter to prevent concentration of shelters in one area.
6. Require a management plan with specific and explicit standards (standards would need to be drafted for PC consideration).

Staff Recommendation to the CCH

Planning staff recommends the following:

1. Permit Type A Homeless Shelters as an accessory use to religious institutions *only*, including within residential districts as currently drafted, with use-specific standards.
2. Require registration of the use, renewed annually, with notification sent to all neighbors within 200' of the subject property and to any registered neighborhood association, if applicable.
3. Require the applicant/operator to execute an agreement/affidavit with the City in which the applicant/operator acknowledges the use-specific standards and agrees to comply with the standards.
4. Require a minimum floor area and/or congregation size to ensure that there is adequate space for clients and an adequate number of members of the congregation to volunteer to support the shelter.
5. Note that the registration may be revoked for failure to comply with the standards or conditions of the agreement/affidavit.

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Permit Type A Homeless Shelters as an accessory use *only* to those uses listed as a public and civic use in Section 20-402 and 20-403 of the Development Code and include within residential districts as currently drafted, with use-specific standards.

Staff Comment: Public and Civic uses are a use category of the Development Code that includes such uses as Community Facilities, Medical Facilities, Recreational Facilities and Religious Assembly Facilities.

2. Require registration of the use, renewed annually, with notification sent to all neighbors within 200' of the subject property and to any registered neighborhood association, if applicable.
3. Require the applicant to have met with the neighborhood association and/or neighbors prior to submitting a registration application and to provide evidence of having met with neighborhood with application.
4. Require the applicant/operator to execute an agreement/affidavit with the City in which the applicant/operator acknowledges the use-specific standards and agrees to comply with the standards.
5. Note that the registration may be revoked for failure to comply with the standards or conditions of the agreement/affidavit.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Permit Type A Homeless Shelters as an accessory use to religious institutions *only*, including within residential districts as currently drafted, with use-specific standards.
{Comment "j6" in draft language}
2. Require registration of the use, renewed annually, with notification sent to all neighbors within 200' of the subject property and to any registered neighborhood association, if applicable.
{Comment "j10" in draft language}
3. Require the applicant to arrange a neighborhood meeting prior to registration application, during which the request is explained and neighborhood questions and concerns are addressed. The notification shall include an announcement of the date, time, and location of the meeting and shall be sent at least two weeks prior to the meeting. Require the applicant to provide evidence that the applicant made a reasonable effort to meet with the neighborhood.
{Comment "j10" in draft language}
4. Require specific management plan standards that apply to Type A Homeless Shelters.
{Comment "j9" in draft language}
5. Require the applicant/operator to execute an affidavit with the City in which the applicant acknowledges the use-specific standards and management plan standards and agrees to comply with the standards. **{Comment "j10" in draft language}**
6. Note that the registration may be revoked for failure to comply with the standards or conditions of the agreement/affidavit. **{Comment "j10" in draft language}**

Following CCH discussion and recommended that Type A Homeless Shelters be permitted to be accessory to any public or civic uses to in order to allow a secular organization to host such a use. However, staff recommends that Type A Homeless Shelters be permitted only as an accessory use to religious assembly facilities because such facilities typically have the space, accommodations, and congregation to host accessory uses and because accessory activities are commonly associated with religious institutions whereas other public and civic uses may not have such resources available to them.

Staff now recommends that the applicant be required to submit a management plan that satisfies specific criteria such as the nature and characteristics of the Type A Homeless Shelter, the rules of conduct for guests, communications plan that establishes a regular pattern of communication with the neighborhood and a response plan for emergencies. Some of the concerns expressed in public comment may be addressed through specific management plan standards for Type A Homeless Shelters.

Staff does not recommend a minimum floor area or congregation size be imposed. Such a restriction had been suggested as a means to prevent a resident of a permitted residential use (detached dwelling structure, multi-dwelling structure, etc.) from ordaining themselves as a minister and forming a religious institution in their home. These concerns that a person may ordain themselves as a minister and conduct church services out of their residence, and subsequently register a Type A Homeless Shelter as an accessory use to their residence are unfounded because Type A Homeless Shelters may only be registered as an accessory use to a religious assembly use, not a residential use. Though a person may ordain him or herself as a minister and conduct religious services in their residence, such a use would be in violation of the Development Code without site plan approval.

If the staff recommendations are implemented, staff believes that adequate notification to neighbors and protection to neighborhoods is provided and does not believe it appropriate or necessary to require a SUP for Type A Homeless Shelters.

HOMELESS DAY CENTER, TYPE A

Existing Proposed Definition. A building or structure operated and staffed by a public, nonprofit, charitable or religious institution that provides basic services during only daylight hours to homeless persons or to persons at risk of being homeless. Typical services may include food services, social services and Social Service Agency branch offices, counseling, medical services, personal hygiene, life skills training, employment training and assistance, educational assistance, mail or delivery services, telephone or computer services and storage of personal belongings. Type A Homeless Day Centers are those that shall serve a maximum of 4 Families as defined in Section 20-1701 not exceeding a 15 persons total, or by a maximum of 4 persons not related by blood or marriage.

Existing Proposed Zoning. Permitted by SUP (with a public hearing) in all residential zoning districts and all nonresidential zoning districts except OS (Open Space) District. Use-specific standards, design standards and management plan criteria are proposed to apply. For more information on the existing proposed use-specific standards, design standards and management plan criteria, see Article 5 of the draft language.

Public Comment Specific to Type A Homeless Day Centers

1. Opposition to permitting this use (even by SUP) in areas of single-family residential uses.
2. Confusion as to the distinction between this use and Social Service Agencies since this use is defined as offering social services.
3. Concern that the proposed language provides little regulatory oversight or control to prevent abuse and/or neglect of guests or for the protection of neighborhoods.
4. Strong support for this use type by congregations participating in the Family Promise program.

Possible Options to Address Public Comment

1. Retain the existing proposed language which allows these facilities to locate in residential districts, but requires these facilities to gain SUP approval.
2. Permit only in nonresidential zoning districts either by right or with an SUP.
3. Clarify the definition of social service agency so that there is a clear distinction.

Staff Recommendation to the CCH

Planning Staff recommends the following:

1. Permit this use by SUP only in nonresidential zoning districts and the RMO & RSO zoning districts.
2. Retain the existing proposed use standards, design standards and management plan criteria.

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Permit this use by right in the RMO, RSO and nonresidential districts and by SUP in the RM32 district.
2. Retain the existing proposed use standards, design standards and management plan criteria.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Permit this use by right in the RMO, RSO and nonresidential districts and by SUP in the RM32 district. **{Comment "j1" and "j2" in draft language}**
2. Omit the term "daylight" in the definition and replace with "daytime".
{Comment "j3" in draft language}
3. Retain the existing proposed use standards, design standards and management plan criteria.
{No change in draft language necessary}

Staff finds that this use to act much like an office use in terms of impact and believes it is appropriate to permit by right in nonresidential zoning districts as similar office uses are. Staff's previous recommendation to the Planning Commission proposed permitting this use by SUP in residential zoning districts and staff is comfortable proposing that this use be permitted by SUP in RM32 zoning districts – the most intense of all residential districts with this recommendation.

Based upon public comment regarding the definition of Homeless Day Center, Type A uses, staff recommends omitting the term "daylight" from the definition and replacing the term with "daytime" to clarify that the use is intended to be used during daytime or business hours. Concern had been expressed that using the term "daylight" would mean that the center would have to vary hours of operation based upon the season. Staff believes the term "daytime" is sufficient and that specific hours of operation may be set through the SUP public hearing process as a part of the management plan.

Staff believes the existing use-specific standards, design standards and management plan criteria provide an adequate level of oversight and control to prevent abuse and/or neglect of guests as well as the protection of neighborhoods. Many of the specific concerns expressed regarding criminal behavior, drug use, living amenities (study areas, clean sheets, etc.) cannot be fully addressed with land use regulations. The design standards criteria are based upon research on crime prevention through environmental design concepts. The design standards are required in an explicit attempt to reduce the likelihood of crime.

HOMELESS SHELTER, TYPE B

Existing Proposed Definition. A building or structure operated and staffed by a public, nonprofit, charitable or religious institution which provides overnight shelter to persons who are otherwise homeless. Type B Homeless Shelters are any homeless shelter not meeting the definition of a Type A Homeless Shelter.

Existing Proposed Zoning. Permitted by SUP (with a public hearing) in the RMO and RSO zoning districts and all nonresidential zoning districts except OS (Open Space) District. Use-specific standards, design standards and management plan criteria are proposed to apply. For more information on the existing proposed use-specific standards, design standards and management plan criteria, see Article 5 of the draft language.

Public Comment Specific to Type B Homeless Shelters

1. Opposition to permitting this use (even by SUP) in areas of single-family residential uses or within a certain distance of such uses.
2. Concern that the proposed language provides little regulatory oversight or control to prevent abuse and/or neglect of guests or for the protection of neighborhoods.

Possible Options to Address Public Comment

1. Require minimum distance between each Type B Homeless Shelter and areas of single-family residential land uses.

Staff Recommendation to the CCH

Planning Staff recommends the following:

1. Retain the existing proposed use standards, design standards and management plan criteria.
2. Add a standard specifying a minimum distance between each Type B Homeless Shelter and areas of single-family residential uses.

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Omit the term "overnight" from the definition of this use so that this use is not prohibited from providing day time shelter.
2. Add the language from the definition of Type B Homeless Day Centers regarding the services such centers provide to this definition so that this use is not prohibited from providing such services.
3. Do not impose a requirement for a distance buffer between this use and residential zoning districts or residential land uses but instead require physical site features which act to buffer the use from adjacent properties.
4. Do not impose a requirement for a distance buffer between each of these uses.
5. Retain the existing proposed use standards, design standards and management plan criteria.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Omit the term "overnight" from the definition of this use so that this use is not prohibited from providing day time shelter. **{Comment "j4" and "j13" in draft language}**
2. Add language from the definition of Type B Homeless Day Centers regarding the services such centers provide to the definition of Type B Homeless Shelters so that such shelters are not prohibited from providing such services to guests. **{Comment "j7" and "j14" in draft language}**
3. Do not impose a requirement for a distance buffer between this use and residential zoning districts or residential land uses but instead require physical site features which act to buffer the use from adjacent properties. **{No change in draft language necessary}**

4. Do not impose a requirement for a distance buffer between each of these uses.
{No change in draft language necessary}
5. Retain the existing proposed use standards, design standards and management plan criteria.
{No change in draft language necessary}

Staff does not object to omitting the term “overnight” from the definition of this use in order to permit Type B Homeless Shelters to shelter guests during daytime hours. The request to drop this term is due to a concern that a shelter could not operate and provide services during daytime hours.

Staff does not oppose revising the definition to include the list of typical day center services so that shelters may offer such services. The primary distinction between day centers and shelters is that day centers may only provide services during daytime hours, whereas shelters – with the recommended amendments – may provide services and shelter over a 24 hour period. Staff does not find it problematic to allow shelters to offer residents services similar to those typically found in day centers.

Minimum distance standards would help to buffer Type B Shelters from residential uses and many communities require such standards. For discussion purposes, staff has included maps showing how certain buffers would affect the feasibility of locating a shelter given specific distance requirements. After review of the attached maps and in consideration of CCH discussion, staff is not recommending a minimum distance buffer to the Planning Commission because such a standard would eliminate a large proportion of the community from consideration for this use.

Staff believes the existing use-specific standards, design standards and management plan criteria provide an adequate level of oversight and control to prevent abuse and/or neglect of guests as well as the protection of neighborhoods. Many of the specific concerns expressed regarding criminal behavior, drug use, living amenities (study areas, clean sheets, etc.) cannot be fully addressed with land use regulations. The design standards criteria are based upon research on crime prevention through environmental design concepts. The design standards are required in an explicit attempt to reduce the likelihood of crime.

HOMELESS DAY CENTER, TYPE B

Existing Proposed Definition. A building or structure operated and staffed by a public, nonprofit, charitable or religious institution that provides basic services during only daylight hours to homeless persons or to persons at risk of being homeless. Typical services may include food services, social services and Social Service Agency branch offices, counseling, medical services, personal hygiene, life skills training, employment training and assistance, educational assistance, mail or delivery services, telephone or computer services and storage of personal belongings. Type B Homeless Day Centers are any homeless day center not meeting the definition of a Type A Homeless Day Center.

Existing Proposed Zoning. Permitted by SUP (with a public hearing) in the RMO and RSO zoning districts and all nonresidential zoning districts except OS (Open Space) District. Use-specific standards, design standards and management plan criteria are proposed to apply. For more information on the existing proposed use-specific standards, design standards and management plan criteria, see Article 5 of the draft language.

Public Comment Specific to Type B Homeless Day Centers

1. Confusion as to the distinction between this use and Social Service Agencies since this use is defined as offering social services.
2. Concern that the proposed language provides little regulatory oversight or control to prevent abuse and/or neglect of guests or for the protection of neighborhoods.

Possible Options to Address Public Comment

1. Require minimum distance between each Type B Homeless Day Center and areas of single-family residential uses.
2. Clarify the definition of Social Service Agency so that there is a clear distinction.

Staff Recommendation to the CCH

Planning Staff recommends the following:

1. Retain the existing proposed use standards, design standards and management plan criteria.
2. Add a standard specifying a minimum distance between each Type B Homeless Day Centers and areas of single-family residential uses.
3. Clarify definition of Social Service Agency.

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Retain the existing proposed use standards, design standards and management plan criteria.
2. Do not impose a requirement for a distance buffer between this use and residential zoning districts or residential land uses but instead require physical site features which act to buffer the use from adjacent properties.
3. Do not impose a requirement for a distance buffer between each of these uses.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Omit the term "daylight" in the definition and replace with "daytime".
{Comment "j3" and "j12" in draft language}
2. Retain the existing proposed use standards, design standards and management plan criteria.
{No change in draft language necessary}
3. Do not impose a requirement for a distance buffer between this use and residential zoning districts or residential land uses but instead require physical site features which act to buffer the use from adjacent properties.
{No change in draft language necessary}
4. Do not impose a requirement for a distance buffer between each of these uses.
{No change in draft language necessary}

Staff believes the existing use-specific standards, design standards and management plan criteria provide an adequate level of oversight and control to prevent abuse and/or neglect of guests as well as the protection of neighborhoods. Many of the specific concerns expressed regarding criminal behavior, drug use, living amenities (study areas, clean sheets, etc.) cannot be fully addressed with land use regulations. The design standards criteria are based upon research on crime prevention through environmental design concepts. The design standards are required in an explicit attempt to reduce the likelihood of crime.

Minimum distance standards would help to buffer Type B Homeless Day Centers from residential uses and many communities require such standards. For discussion purposes, staff has included maps showing how certain buffers would affect the feasibility of locating a shelter given specific distance requirements. After review of the attached maps and in consideration of CCH discussion, staff is not recommending a minimum distance buffer to the Planning Commission because such a standard would eliminate a large proportion of the community from consideration for this use.

Though there exists overlap between the definition of Social Service Agency and Homeless Day Centers, staff does not believe the definition of either use should be revised. The key distinction between the two uses is that Homeless Day Centers serve a homeless population.

HOMELESS WORKPLACE

Existing Proposed Definition. A building or structure operated by a public, nonprofit, charitable or religious institution which provides a place of work to homeless persons and is accessory to a Type B Homeless Shelter or Homeless Day Center. A Homeless Workplace may consist of any use permitted by the zoning district in which it is located. Any place of work for homeless persons which is not accessory to a Homeless Day Center or Type B Homeless Shelter shall not be considered a Homeless Workplace and shall be subject to the regulations of the district in which it is located.

Existing Proposed Zoning. Permitted by right (without a public hearing) as an accessory use to a Type B Homeless Shelter or a Homeless Day Center in the RMO and RSO zoning districts and all nonresidential zoning districts except OS (Open Space) District. Though the use is permitted by right as an accessory use to a Type B Homeless Shelter or Homeless Day Center, it must consist of a use permitted by the zoning district in which it is located (for instance, manufacturing is not permitted in RMO and RSO, and therefore a Homeless Workplace consisting of manufacturing would not be permitted in these zoning districts). For more information on the existing proposed use-specific standards see Article 5 of the draft language.

Public Comment Specific to Homeless Workplace

1. Concern that this use codifies potential practice of indentured servitude, thereby making such practice permitted.
2. Concern that this use, when paired with a shelter and/or day center, codifies the potential practice of housing and employing illegal immigrants.
3. Concern regarding welfare and treatment of workers.
4. Concern regarding wages earned.

Possible Options to Address Public Comment

1. Require additional information regarding the nature of the Homeless Workplace at time of SUP request for Type B Homeless Shelter or Homeless Day Center.
2. Revise language to clarify that the Homeless Workplace use is accessory to Type A or Type B Homeless Day Centers and not to Type B Homeless Shelters. (The are not permitted in any event with Type A Homeless Shelters)

Staff Recommendation to the CCH

Planning staff recommends the following:

1. Require additional information regarding the nature of the Homeless Workplace at time of SUP request for Type B Homeless Shelter or Homeless Day Center.

2. Revise language to clarify that the Homeless Workplace use is accessory to Type A or Type B Homeless Day Centers and not to Type B Homeless Shelters. (They are not permitted in any event with Type A Homeless Shelters)

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Require additional information regarding the nature of the Homeless Workplace at time of SUP request for Type B Homeless Shelter or Homeless Day Center.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Retain existing language as written.

Staff had requested feedback from the CCH regarding what additional information may be necessary, but none was provided. Staff does not believe it is necessary for the draft language to state that additional information is necessary regarding the nature of homeless workplaces since such uses are permitted as an accessory use and such information may be considered during the SUP public hearing for the Homeless Day Center or Type B Homeless Shelter. Many of the specific issues and concerns expressed regarding indentured servitude, illegal immigration and welfare and treatment of workers are not necessarily issues that can be addressed with local land use regulations. The proposed amendments seek to address a recognized need to bolster the land use regulations related to homeless facilities.

SOCIAL SERVICE AGENCY

Existing Proposed Definition. A service operated by a government, public, civic, nonprofit or charitable organization providing services undertaken to advance the welfare of citizens in need which typically includes supporting office uses. Typical uses include employment counseling, life skills training, counseling, food banks, and blood banks. Social Service Agencies shall not include homeless shelters, group homes or commercial uses such as medical, professional, financial or real estate offices.

Existing Proposed Zoning. Permitted by right (without a public hearing) in the RMO and RSO zoning districts and all nonresidential zoning districts except OS (Open Space) District.

Public Comment Specific to Social Service Agencies

1. Confusion as to the distinction between this use and Homeless Day Centers since this day centers are defined as offering social services.
2. Concern that this use is permitted by right and that an operator of a Homeless Day Center would classify their operation as a Social Service Agency to avoid a public hearing process (SUP). This concern is likely based upon the perception that there is no distinction between Homeless Day Centers and Social Service Agencies.
3. Concern about existing social service agencies. Does this definition make existing agencies illegal?

Possible Options to Address Public Comments

1. Clarify the definition of Social Service Agency and/or Homeless Day Center so that its clear that while the Day Center use may provide social services, it is intended to provide services to

homeless individuals or individuals who are otherwise homeless, whereas social service agencies provide services to the general public.

2. It may be possible to dissolve the Homeless Day Center use and replace it with Social Service Agency, but then the Social Service Agency use would have to require an SUP which may not be appropriate for all social service agencies, such as counseling, employment assistance, etc.

Staff Recommendation

Planning Staff recommends the following:

1. Revise the definition of Social Service Agency to clearly state that the services offered by such uses are intended for the general public to distinguish it from services offered at Homeless Day Centers, which are intended to serve the homeless population.

CCH Recommendation

Following discussion, the CCH recommended the following:

1. Uphold existing proposed definition and forward a recommendation of “no comment” on staff recommendation.

Staff Recommendation to the Planning Commission

Following CCH discussion and in consideration of the CCH recommendation, planning staff recommends the following:

1. Retain the existing definition. **{No change in draft language necessary}**

Though there exists overlap between the definition of Homeless Day Centers and Social Service Agency, staff does not believe the definition of either use should be revised. The key distinction between the two uses is that Homeless Day Centers serve a homeless population.

Staff considers this use to be a general office use, which our current Development Code only minimally addresses. It is only peripheral to the homeless issue and is not intended to be a use addressing the problem of homelessness in Lawrence.

Conclusion

Staff offered recommendations to the Commission on Homelessness based on the need to comprehensively address homelessness in the community and based on the public comments received during the identified public comment period. Staff offers recommendations to the Planning Commission, some of which are different from those proposed to the CCH based upon CCH discussion and in consideration of CCH recommendations. While staff offers recommendations to the Planning Commission in the memo, the possible options, staff recommendations to CCH and the CCH recommendations are provided as a way for the Planning Commission and ultimately the City Commission to address the issues as they see fit.