



Date of Council Meeting: June 9, 2015

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Zoning Ordinance Text Amendment - Shelters for Young Adults.

Staff Contact: Scott E. Parker, AICP, Assistant Town Manager

Council Action Requested: Approve an initiation of a Zoning Ordinance Text Amendment to allow overnight shelters for young adults in the Crescent Design District (CDD).

Staff Recommendation: To approve the initiation of a Zoning Ordinance Text Amendment to allow overnight shelters for young adults in the CDD.

Commission Recommendation: None at this time.

Fiscal Impact: None at this time.

Work Plan Impact: Due to the volume of current case work within the Department of Planning and Zoning (DPZ), the Assistant Town Manager will be the Project Manager for this case.

Executive Summary: At the Town Council meeting on May 12, 2015 representatives of Mobile Hope Loudoun, a non-profit organization located at 31 Sycolin Road, S.E. in Leesburg requested that Town Council consider a Zoning Ordinance Text Amendment to permit an overnight shelter at their current place of business. The Town of Leesburg Zoning Ordinance currently does not define a homeless shelter or overnight shelter. In addition, the Zoning Administrator has determined that the use is not allowed in any district. As a result, a text amendment to the Zoning Ordinance is needed to allow the use desired by Mobile Hope Loudoun.

Background: At the Town Council meeting on May 12, 2015 representatives of Mobile Hope Loudoun, a non-profit organization located at 31 Sycolin Road in Leesburg requested that Town Council consider a Zoning Ordinance Text Amendment to permit an overnight shelter for young adults called "Mobile Hope Youth Life Skills Center" at their current place of business. As stated on its website at <http://www.mobilehopeloudoun.org>, Mobile Hope currently provides "essential needs, emotional support and referrals for at-risk, precariously housed and homeless youth 21 years of age and younger living in Loudoun County." The organization would like the zoning right to build a life skills

center for those individuals 18 to 24 old who have aged out of youth shelters in order to provide services that will allow them to become successful adults.

The property that is the subject of the Mobile Hope request is located in the Crescent Design District (CDD) and is zoned MUO (Mixed Use Optional) District which does not permit a shelter with overnight accommodations. The Zoning Ordinance does not contain a use similar to this in any district, other than a “group home” which is required to be permitted in residential districts per state law and is limited to eight beds. An “emergency [warming] shelter” (TLZO Sec. 9.4.4) is the closest listed use but that use is allowed on a limited, temporary basis subject to 15 performance criteria, including Accessory Emergency Shelters hours of operation not exceeding 12 hours in a 24 hour day. The emergency shelter is also linked to weather and cannot open unless weather forecasts call for temperatures below 45 degrees or above 95 degrees Fahrenheit.

Based on this, the Zoning Administrator determined that the uses described by Mobile Hope is not a permitted or special exception use in the Town, and is a prohibited use in accordance with Town of Leesburg Zoning Ordinance (TLZO) Section 9.1.4 Unlisted Uses. As a result, the use is not currently allowed in any zoning district in the Town. In such a situation, it is up to the Council to either initiate a Zoning Ordinance Text Amendment to permit the use in specific districts subject to performance standards, or to leave the Zoning Ordinance as currently configured.

A “homeless shelter” is a use that is generally described in ordinances as a facility that provides services and temporary shelter to homeless individuals for a specified period of time. Homeless shelters can be separated into several categories – serving adults, families or young people. A “homeless youth shelter” generally serves individuals up to 18 years of age whereas a “homeless shelter” serves adults. State agencies prescribe strict rules for the operation of such facilities. Besides a place to sleep such facilities typically provide support services to help individuals, and usually have a time limit after which residents must move out of the facility.

If the amendment is initiated, specific language will be developed for the ordinance to define the use and to establish specific performance criteria.

Attachment(s):

- 1) Initiating resolution

PRESENTED: June 9, 2015

RESOLUTION NO. _____

ADOPTED: June 9, 2015

A RESOLUTION: INITIATING TEXT AMENDMENT(S) TO THE TOWN OF LEESBURG ZONING ORDINANCE RELATED TO SHELTERS FOR YOUNG ADULTS

WHEREAS, whenever the public necessity, convenience, general welfare, or good zoning practice requires, the Town Council may amend, supplement, change or repeal the regulations in the Zoning Ordinance; and

WHEREAS, The Leesburg Zoning Ordinance does not permit overnight shelters; and

WHEREAS, Section 9.4.4 of the Leesburg Zoning Ordinance does provide for “Emergency Warming Shelters” on a temporary basis, subject to 15 specific criteria; and

WHEREAS, a private non-profit has asked to construct and operate a life skills center and shelter for young adults between 18 and 24 years of age within the Crescent Design District (CDD); and

WHEREAS, a text amendment to the Leesburg Zoning Ordinance is required to add this use; and

THEREFORE, RESOLVED, by the Council of the Town of Leesburg in Virginia that staff is directed to prepare the necessary text amendment(s) to the Zoning Ordinance to permit a life skills center and overnight shelter for young adults and hold a public hearing in conformity with the provisions of Article 7, Chapter 22, Title 15.2 and Section 15.2-2204 of the Code of Virginia

PASSED this 9th day of June, 2015.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council