

# Memorandum



CITY OF DALLAS

DATE November 1, 2019

TO Housing and Homeless Solutions Committee Members

SUBJECT **Inclement Weather Shelter Update**

The Office of Homeless Solutions (OHS) received direction from City Council in May 2019 to move forward with the creation of new temporary inclement weather shelter use in Chapter 51A as well as establish new City Chapter to codify eligibility, operations, and monitoring of inclement weather shelter program.

The Department of Sustainable Development and Construction (SDC) has purview over all proposed zoning changes and has worked proposed recommendations on temporary inclement weather shelter use through the Zoning Ordinance Advisory Committee (ZOAC). SDC's first recommendation to ZOAC on June 20, 2019 was for the creation of a new temporary lodging use and consisted of the following:

- Permitted by right in nonresidential districts, except parking
- Permitted by right in nonresidential districts in conjunction with a Certificate of Occupancy for a nonresidential use
- Maximum overnight guests permitted is 20
- Must comply with all regulations of the Temporary Shelter Program Chapter in Dallas City Code

ZOAC had several questions regarding the state of homelessness, the need for temporary inclement weather shelters, and the overarching problem OHS was trying to solve through creation of a new zoning use. Thus, OHS presented to ZOAC on August 15, 2019 to provide a comprehensive summary.

Based on receiving additional information from OHS and feedback from both Citizen Homelessness Commission (CHC) and ZOAC, Sustainable Development and Construction staff determined that temporary inclement weather shelters are more appropriately categorized as an accessory use and not a lodging use. SDC's second recommendation to ZOAC on September 19, 2019 was for the creation of a new accessory use Chapter 51A-4.217 and consisted of the following:

- Definition: An overnight general-purpose shelter as defined in Section 51A-205 (2.1) that operates during times of inclement weather in compliance with Chapter 45
- Accessory use is not permitted in Parking (P)
- No required off-street parking
- No required off-street loading

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- Additional provisions to include compliance with regulations of Chapter 45; use may only operate in conjunction with a Certificate of Occupancy; use is not allowed in conjunction with single family, duplex, townhouse, or handicapped dwelling unit; and area restrictions in Subsection (a)(3) do not apply to this use

ZOAC approved September 19, 2019 staff recommendation and moved it forward to City Planning Commission (CPC) for consideration and possible action. This item is scheduled to be heard on December 12, 2019 agenda.

OHS has been collaborating with CHC on the creation of Chapter 45 to codify eligibility, operations, and monitoring of inclement weather shelter program as well as potential options for one-site winter 2019 plan.

Approval of zoning accessory use and Chapter 45 Inclement Weather Shelter Program by full City Council is tentatively projected for January 2020. Inclement Weather shelter implementation is tentatively scheduled for May 2020 after several months of public outreach and engagement as well as completion of operator/vendor process.

Due to the projected implementation timeline above, OHS is working on a one-site winter 2019 plan to open no later than January 2020. The City will select one designated site that is centrally located and has the capacity to hold several hundred unsheltered persons. The City will take the lead on identifying an operator and all other logistics. The FY19-20 budget has \$200,000 available for the use of inclement weather.

The Housing & Homelessness Solutions Committee will be fully briefed on this item on December 10, 2019. Should you have any questions or concerns, please contact me.



**Monica Hardman**  
**Director**  
**Office of Homeless Solutions**

c: T.C. Broadnax, City Manager  
Chris Caso, City Attorney (Interim)  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager  
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Joey Zapata, Assistant City Manager  
Michael Mendoza, Chief of Economic Development and Neighborhood Services  
M. Elizabeth Reich, Chief Financial Officer  
Laila Alequresh, Chief Innovation Officer  
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion  
Directors and Assistant Directors