

Temporary Residential Shelter and Temporary Shelter Facility Ministerial Planning Application

Review of Temporary Regulations during a Shelter Crisis

(Ordinance 2021-0002)

The purpose of this application is to verify your project meets all the provisions for a temporary residential shelter or temporary shelter facility. Planning staff will check your plans based upon the information submitted. If the proposed temporary residential shelter or temporary shelter facility is permitted by right, you will receive a written approval by Planning. After receipt of the approval, you may submit a building permit application to the Building Division.

If your proposal does not meet the criteria in this application, there may be other options available such as a discretionary review application that requires a public hearing. A staff planner will be able to discuss these options with you.

Application Submittal Requirements

1. A site plan drawn to scale which shows the proposed shelter type and layout on the parcel along with any other buildings on the subject site. Depending on the type of shelter, staff may also request a floor plan of any building associated with the shelter operations including bathroom facilities: building elevations and/or photographs of any proposed structures, such as emergency sleeping cabins or tiny homes, to be utilized as part of the shelter operations.
2. Color photographs with labels of the project site and development on both sides of the project site and directly across the street.
3. Completed "Temporary Residential Shelter and Temporary Shelter Facility" Application (this form).
4. No planning review fee is required to process this ministerial application.

Advisory: All-Electric Requirements for Newly Constructed Buildings

Beginning on January 1, 2023, all newly constructed buildings that are 1-3 stories are required to be all-electric. All-electric requirements do not apply to renovations to existing buildings, additions to existing buildings, and tenant improvements.

An all-electric building is a building that does not have fuel gas piping installed on the lot or within the building; and that uses electricity as the sole source of energy except for emergency power systems that are required to serve essential facilities or are otherwise required by law or regulation.

For more information, see this [link](#).

Applicant Information

Property Owner: _____

Property Owner Address: _____

Property Owner Phone Number: _____ E-Mail: _____

Name of Applicant (if different from property owner): _____

Applicant's Address: _____

Applicant's Phone Number: _____ E-Mail: _____

Letter of Agency from Property Owner

This section of the application is required to be completed **only if** this application is submitted by someone other than the property owner.

I, the undersigned legal owner of record, hereby grant permission to: _____
Name of Applicant

to apply for a ministerial review of a temporary residential shelter/temporary shelter facility proposed on my property.

Signature of Property Owner

Date

I hereby state that the information provided above, to the best of my knowledge is accurate and correct.

Signature of Applicant

Date

Please note that once this application is submitted to the City of Sacramento, your information may be subject to public record. However, the City will not sell your data or information for any purposes.

- Hours of operation. Regular hours for client intake and discharge shall be posted.
- On-site personnel. On-site personnel shall be present during hours of operation when clients are present. The manager's area shall be located near the entry to the facility.
- Lighting. Exterior lighting shall be provided on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.
- Telephones. A telephone for use by clients shall be provided.
- Personal property. Secure areas for clients' personal property shall be provided.
- Waiting area. If client intake occurs on-site, an enclosed or screened waiting area shall be provided on the property to prevent queuing in the public right-of-way. For purposes of this condition, small temporary residential shelters shall have a waiting area consisting of not less than 100 square feet in the same location.
- Common space. Interior or exterior common or recreational space for clients to congregate shall be provided on the property at a ratio of not less than 15 square feet per occupant and a minimum overall area of 100 square feet. The waiting area does not count as common space.

PART B: Temporary shelter facility (safe parking lots, tents, park trailers, emergency sleeping cabins, tiny homes), will be required to comply with the following standards:

- Setbacks. Tents, park trailers, and emergency sleeping cabins must be set back a minimum of 5 feet from all lot lines and 10 feet from all other temporary structures.
- Paving. Notwithstanding sections 10.44.010.B and 17.612.020, vehicles may be parked on unimproved surfaces (an unimproved surface includes any surface that is not paved or asphalted).
- Potable water. The operator of the temporary shelter facility must provide potable water for all occupants.
- Hours of operation and quiet hours. The temporary shelter facility must always be open for registered occupants. Regular hours for occupant intake and discharge must be posted. The shelter manager shall enforce quiet hours between 10:00 p.m. and 6:00 a.m.
- On-site personnel. A manager must be onsite when occupants are present and during normal operating hours. The manager's area shall be located near the entry to the facility. The manager's name, telephone number, and e-mail address must be posted and easily visible to the public.
- Lighting. Pedestrian pathways and parking lots must be well lit. Lighting must be designed, located, or screened so that it is not directly visible from any residential unit. Any illumination must not produce glare or reflection for occupants of neighboring buildings or on public streets.
- Personal storage. Occupants must be provided a safe and secure place to store personal property.
- Waiting area. If client intake occurs on-site, an enclosed or screened waiting area shall be provided on the property to prevent queuing in the public right-of-way. For purposes of this condition, small temporary residential shelters shall have a waiting area consisting of not less than 100 square feet in the same location.
- Common space. Interior or exterior common or recreational space for clients to congregate shall be provided on the property at a ratio of not less than 15 square feet per occupant and a minimum overall area of 100 square feet. The waiting area does not count as common space.

PART C: Safe parking lots will be required to comply with the following standards, in addition to those listed in Part B above:

- The site must have a minimum of one toilet for every fifteen occupants.
- The site must be maintained in a safe and sanitary condition and free from vermin, vectors, and matter of an infectious or contagious nature.
- The site must be kept clean and free from debris, filth, garbage, and deleterious matter.
- All garbage and food waste must be deposited in covered receptacles that are emptied when filled and the contents disposed of in a sanitary manner.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

I understand upon the expiration or repeal of the city's shelter crisis declaration, or the repeal of this ordinance, all ministerial permits granted under this ordinance expire and all permit holders must immediately cease operations and return the site to its previous condition. Permits issued pursuant to this ordinance are not property, they have no value, do not create vested rights, and cannot confer nonconforming status.

I understand shelter proposals are required to obtain all necessary building permits and be consistent with California Building Code Appendix O and California Residential Code Appendix X, as adopted by the city on November 19, 2019 (Ordinance 2019-0042).

I hereby give permission to City Staff and other authorized personnel to post public notification signs on my property during the processing of this application.

I understand that if additional review fees need to be collected, additional payment will be required. I understand that in the event of a dispute over the project, I am required to defend, indemnify, and hold harmless the City of Sacramento as follows:

1. Except as provided in paragraph 2, immediately below, I agree that in connection with any claim, action, or proceeding (collectively "claim") brought against the City of Sacramento and its City Council, agencies, commissions, boards, departments, officers, employees, and agents (collectively the "City") to attack, set aside, void, or annul any City action arising out of or in any way connected to the project, including any determination made pursuant to the California Environmental Quality Act, I will defend, indemnify, and hold harmless the City from and against all damages, costs, and attorneys' fees, excluding the City's staff attorneys' fees. I understand that the City, in its sole discretion, may decide to use outside counsel or its staff attorneys (or both) to defend the claim.

2. As a condition of a tentative, parcel, or final map application or approval, I agree to defend, indemnify, and hold harmless the City of Sacramento and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of a tentative, parcel, or final map by the City, advisory agency, appeal board, or legislative body concerning a subdivision, which is brought within the time period provided for in Government Code section 66499.37, from and against all damages, costs, and attorneys' fees. The City will promptly notify me of any such claim and will cooperate fully in the defense. The City, in its sole discretion, may elect to defend any such action with attorneys of its own choice and, in such case, shall bear its own attorneys' fees and costs and will defend the action in good faith.

Signature of Applicant

Date

FOR PLANNING STAFF USE

Application Submittal Date: _____

I&R#: _____

Application Reviewed By: _____

Review Criteria 1 or 2 (Select option)

1. Application Review Criteria for Temporary Residential Shelter and Temporary Shelter Facility where the site contains an assembly use.

Application Meets Following Criteria (Y, N, or N/A)

_____ Subject site contains an existing and legal assembly use such as churches or faith congregations, auditoriums, stadiums, and similar places of assembly?

_____ Proposed shelter use serves 80 individuals or less?

_____ Applicant has acknowledged and signed the standards in the applicable Parts A, B, and C of this application, and the project plans submitted are consistent with those requirements?

_____ If the property is located within the Executive Airport Overlay zone, is it consistent with the standards in 17.312.060?

_____ The site is not located on a site that is included on any list compiled pursuant to California Government Code section 65962.5?

2. Application Review Criteria for Temporary Residential Shelter and Temporary Shelter Facility where the site does NOT contain an assembly use.

Application Meets the Following Criteria (Y, N, or N/A)

_____ Subject site is located in one of the following zones: OB, OB-2, OB-3, EC, SC, C-1, C-2, C-3, C-M-1, M-1(S), M-2, M-2(S), MIP, MRD, M-T, H, SPX, TC, or HC?

_____ The site is not within 500 feet, measured from property line to property line, from any of the following: another temporary shelter facility; childcare center; childcare, in-home (family day care home); school, K-12; park; or museum?

_____ The site is greater than 1/2 mile from any temporary residential facility?

_____ Proposed shelter use serves 80 individuals or less?

_____ Applicant has acknowledged and signed the standards in the applicable Parts A, B, and C of this application, and the project plans submitted are consistent with those requirements?

_____ If the property is located within the Executive Airport Overlay zone, is it consistent with the standards in 17.312.060?

_____ The site is not located on a site that is included on any list compiled pursuant to California Government Code section 65962.5?

Application Meets All Temporary Residential Shelter or Temporary Shelter Facility Review Criteria: yes no

If no, describe reasons why: _____

Decision approved: _____

Planning Director

Email Other Date informed on: _____ Informed by: _____

If approved:

1. Create an Investigation and Report (I&R) attached to the approved application/checklist and plans.
2. Send the applicant the approved I&R and attachments.