

GENERAL INFORMATION

Applicant: City of Bloomington
Location: Citywide
Request: Ordinance re: Temporary Pandemic Response Housing

CHRONOLOGY

Planning Commission 11/05/2020 Public Hearing Scheduled
City Council 11/09/2020 Public Hearing Scheduled

DEADLINE FOR AGENCY ACTION

Applicable Deadline: Applicant waived deadline
Newspaper Notification: Confirmed – (10/22/20 Sun Current – 10 day notice)

STAFF CONTACT

Julie Farnham
Phone: (952) 563-4739 E-mail: jfarnham@bloomingtonmn.gov

BACKGROUND

As communities across the country grapple with the impacts of the COVID-19 pandemic, people experiencing homelessness face unique challenges. The pressing need in Hennepin County for affordable housing with supportive mental health, physical wellbeing, and treatment services has been exacerbated by the COVID-19 pandemic and civil unrest. Lack of housing contributes to poor physical and mental health outcomes, and linkages to permanent housing for people experiencing homelessness should continue to be a priority.

Populations utilizing hotels in Bloomington as a shelter alternative have presented challenges regarding security, enforcement, and public health, and revealed the limitations of existing policy and regulatory tools. The City is exploring approaches to address this situation in a manner that preserves public safety and health, maintains City discretion, while also being responsive to the human impacts of homelessness in the City; not only to address immediate needs, but to explore longer-term responses.

The intent of the proposed code amendments is to create a new use category to allow the creation of temporary housing for individuals or families on an interim basis to reduce the transmission of disease within the

community during a pandemic. This interim use would have a maximum duration of two years and be limited to the RM-50 Multiple Family Residential zoning district, shown on the map in the attachments.

OVERVIEW OF PROPOSED AMENDMENTS

The proposed ordinance defines a new interim use called “temporary pandemic response housing” and establishes review procedures and use standards, including requirements related to duration, licensing, security, management and operations, building and site requirements, and inspections.

Following is a summary of the proposed code amendments in the draft ordinance included in the attachments.

Amend Definitions (Section 19.03) as follows:

- Create new definition: “*Temporary Pandemic Response Housing* - A building used to house individuals or families to reduce the transmission of disease within the community during a pandemic.”
- Modify existing definitions to differentiate the uses and improved clarity as follows:
 - “*Congregate Living Facility*” – clarify these facilities may include common food service, clarify that shelters are included in this definition, and identify uses that are not included under the definition.
 - “*Hotel, Motel, Motor Hotel*” – remove reference to “motor hotel”, clarify term of occupancy as less than 30 consecutive calendar days, and identify uses that are not included under the definition. The 30 day threshold is not new. The 30 day threshold is currently included in the definition of “*Transient Lodging Facilities*”, a broader definition of which hotels and motels are a subset.
 - “*Full Service Hotel*” – delete definition since it’s not necessary to differentiate from “*Hotel or Motel*” and the term is no longer used anywhere in the Zoning Ordinance
 - “*Government Facilities, general*” – clarify that these facilities provide non-residential services.

Add Penalty clause (Section 19.22) – this applies to all violations of Chapters 19 and 21 and is effectively a clean-up provision.

Modify Use Tables (Section 21.209) as follows:

- Add the proposed new use (temporary pandemic response housing) as an interim use in the RM-50 zoning district.
- Modify the use status of congregate living facilities to distinguish existing facilities (in existence prior to November 9, 2020) from future facilities. The change takes the approach that future congregate living facilities are most appropriate in residential districts.

Modify Parking and Loading (Section 21.301.06) as follows:

Establish a minimum required parking rate specific to temporary pandemic response housing as: 0.5 space per unit; plus one space per staff member.

Establish review procedures and standards (Section 21.302.34) for Temporary Pandemic Response Housing as an interim use addressing:

- Duration – limited to two years
- Zoning - limited to RM-50 zoning district
- Licensing requirements – rental housing license required
- Security plan approved by Police Chief

- Management and operations plan approved by City of Bloomington
- Building and site requirements, including prohibition on mixing uses on the site
- Inspections

Modify Interim Use Permit requirements (Section 21.501.05) as follows:

- Add temporary pandemic response housing to types of interim uses subject to City Council review.
- Modify expiration clause to allow a duration less than five years if allowed in city code.

POLICY GUIDANCE

The City’s adopted comprehensive plan update – Forward 2040 – highlights the issues related to affordable housing fairly extensively, particularly in the Housing element. Providing housing that is affordable to all members of the community can help reduce homelessness. The Housing element also includes a goal and strategy specific to accommodating specialized types of housing and services, as follows:

Goal 4: Enhance access to specialized housing and services

Strategy 4.2: Support efforts to address homelessness.

- Work to understand the scope and increase awareness of homelessness in Bloomington.
- Work with local and regional partners to provide facilities and services to accommodate the needs of the homeless, particularly youth and families, on a short-term or emergency basis.
- Support the development of permanent supportive housing.
- Periodically review existing codes to identify and minimize barriers to the provision of supportive housing (e.g., group home regulations – spacing, parking, etc.).

The City’s efforts to amend its code and work with regional partners to provide a means to allow housing, on an interim basis, for individuals and families in response to a pandemic align directly with this goal and strategy.

PUBLIC OUTREACH

Notice of the public hearing on the proposed amendments to the City Code was published in the Sun Current, the official newspaper. Notice was also sent via e-mail to 1,234 registered users of the “Zoning Ordinance Updates” and 1,685 registered users of the “Planning Commission” E-Subscribe groups. The proposed amendments and supporting information contained in the staff report will be posted on the City website.

RECOMMENDATION

Staff recommends the following motion:

In Case PL2020-193, I move to recommend approval of an ordinance, as attached to the staff report, related to temporary pandemic response housing, thereby amending Chapters 19 and 21 of the City Code.