



**Charlotte County Planning Commission
250 LeGrande Avenue, Suite A
Charlotte Court House, VA 23923**

Tuesday, February 15, 2022

7:00 pm

7:00 pm – Called Meeting

- Call to Order
- Invocation
- Approve Agenda
- Recess Meeting for Public Hearing

7:05 pm – Public Hearing on Zoning Amendment Application for Emergency Housing Shelters*

- Staff Report
- Applicant Comments
- Public Comments
- Adjourn Public Hearing

7:20 pm – Continuation of Called Meeting

- Call Meeting Back to Order
- Consider Zoning Amendment Application for Emergency Housing Shelters
- Adjourn

**If the February 15th hearing is cancelled due to adverse weather, or for any other reason, the public hearing will be conducted on Tuesday, February 22nd at 7:05 pm in conjunction with the Planning Commission's regular monthly meeting.*



Charlotte County, Virginia
Planning Commission Public Hearing Staff Report

Date: February 15, 2022

Subject: Public Hearing
Request for Zoning Text Amendment – Emergency Temporary Housing

SUBJECT HIGHLIGHTS

Applicant & Landowner: Love Over Crisis, LLC

Parcel: #038-1-4A

Zoning District: General Agricultural

Nature of Request: The applicant has requested a zoning text amendment to allow for “Emergency Temporary Housing” in the General Agricultural District

Applicable Zoning Ordinance References: *2-8-11. Uses not provided for. Only those uses specifically listed in each zoning district are permitted or permissible in that district. A person may submit an application to amend the zoning ordinance to add one or more uses to the use list, in accord with the procedures set forth in Sec. 2-8-6.*

Application Received: September 16, 2021

Application Deemed Complete: September 30, 2021

Board Referral to the Planning Commission: November 8, 2021

Properties Impacted: If the zoning ordinance is amended to allow emergency temporary housing in the General Agricultural District as a conditional use, any property owner in the General Agricultural District meeting the requirements of the ordinance would be eligible to apply for the use.

Background: In early 2021, Love Over Crisis inquired about establishing an emergency housing shelter for homeless individuals in Charlotte County, initially discussing using multiple housing units and later focusing on repurposing a structure located on Parcel #038-1-4A. After determining this type of use was not provided for in the zoning ordinance, staff notified Love Over Crisis that a zoning text amendment would need to be approved to add the use.

Details of Request: Love Over Crisis purchased a property identified as Parcel #038-1-4A, located at 1839 Thomas Jefferson Highway, Charlotte Court House, VA 23923. Proposed development of the property, which includes approximately five acres and an existing structure, are described in their text amendment application as follows:

“Love Over Crisis plans to add showers and a laundry room to the building in addition to sectioning off four bedrooms and two offices (cubicles) to launch an Emergency Shelter Housing program. We will propose to house 1-8 at risk homeless eligible individuals who are voluntary participants to

adhere to recommendations that will aide in ending chronic homelessness for the voluntary participants. The property will be monitored by security put in place by the organization and weekly staff will assist participants (in meeting) recommendations provided by certified assessors. Lastly, voluntary participants will be assisting with the planting and farming of the property to assist with cost and (the) nutrition program.”

Staff Analysis:

While staff recognizes the need for emergency housing shelters, we also recognize some specific challenges associated with allowing this type of use in a large portion of a rural locality. These include the following:

- Availability of Support Services - Support services are vital to help homeless individuals transition into a more permanent solution. These types of services may not be readily available in a rural setting. While shelters may provide some services, specific services would be determined by each shelter operator and could change over time.
- Impact on Local Service Providers - Without other shelters in the region, shelters in Charlotte County would potentially serve the population of a much larger region. This could significantly impact local service providers such as the Department of Social Services, rescue squad personnel, first responders, and the Sheriff's Office. (At the January Planning Commission meeting, Love Over Crisis reported that only three of the twelve individuals that participated in their 2020 pilot program in Charlotte County were from the County.)
- Transportation Resources – Tri-County Community Action has noted that transportation has been a challenge when addressing homelessness through the Virginia Homeless Solutions Program (VHSP). With no public transportation and a very limited number of drivers available for hire, meeting transportation needs will be a challenge.
- Lack of requirement for regular state inspections – The Virginia Department of Health's lodging inspection regulations do not apply to shelters. The only requirements for shelter inspections identified by staff are those associated with grant funding sources.
- Cost of Accommodations - A per night or per room fee may be necessary for some shelter operations to remain financially viable, therefore proposed regulations allow for this. However, allowing shelters to charge for accommodations could result in shelters that operate as local short-term room rentals without the inspection requirements that apply to motels or hotels.

Homelessness in Charlotte County:

- According to the local Department of Social Services and Tri-County Community Action Agency, homelessness in rural areas is often not visible since homeless individuals and families tend to move from one friend or relative's house to another.
- Unfortunately, because these individuals have somewhere to spend the night, they may not be eligible for assistance programs that may lead to a more permanent solution.
- The Virginia Homeless Solutions Program, funded through the Virginia Dept. of Housing & Community Development, addresses sheltering, rapid rehousing, and prevention.
- Tri-County Community Action Agency, located in Halifax County, administers Virginia Homeless Solutions Program services for qualifying individuals or families in Charlotte County who are homeless or in danger of becoming homeless.
- Tri-County Community Action served 13 Charlotte County citizens through the program in 2021.

- In addition to Tri-County, Steps Inc. reported serving eight Charlotte County citizens through the Virginia Homeless Solutions Program during Fiscal Year 2021.
- Shelters for the homeless are not often provided for in zoning ordinances for Virginia's rural localities.
- In urban areas, shelters are usually a conditional use limited to specific districts including commercial/business, mixed use, and multi-unit residential, and is sometimes allowed by-right in health/medical or institutional districts.
- Most zoning ordinances that include shelters do not contain regulations that establish basic standards. Instead, each project is reviewed individually through the conditional use permit application review process.

Next Steps:

1. The Planning Commission must provide a recommendation to the Board of Supervisors prior to February 24, 2022.
2. After advertising and conducting a public hearing, the Board of Supervisors will vote on the proposed amendment.

Attachments:

Zoning Text Amendment Application
Draft Regulations

Actions:

See Next Page

Draft Planning Commission Actions:

Option 1 – Recommend Approval of the Zoning Text Amendment

I move that the Planning Commission recommend approval of the proposed zoning ordinance amendment for emergency housing shelters as presented for the following reasons:

- While homelessness may not be visible in Charlotte County, individuals and families in the County do experience homelessness
- Current housing options in Charlotte County for the homeless are insufficient and need to be expanded to include local shelters
- Shelters can provide an opportunity to evaluate and address occupants' specific needs in order to help them transition into a more permanent housing solution
- Charlotte County's citizens, faith-based community and other local groups have long demonstrated support for organizations that provide for the needs of those facing hardships
- The conditional use permit process will provide an opportunity to review proposed shelters individually based on merit, ensuring approved projects are a good fit for the community

The Secretary of the Planning Commission is directed to communicate the Planning Commission's recommendation to the Board of Supervisors.

Option 2 – Recommend Denial of the Zoning Text Amendment

I move that the Planning Commission recommend denial of the proposed zoning ordinance amendment for emergency housing shelters as presented for the following reasons:

- Allowing shelters in the General Agriculture District as a conditional use would place shelters in the most rural areas of the County
- Many of the support services needed to help homeless individuals transition to more permanent housing solutions are not available in Charlotte County
- Shelters in Charlotte County would likely serve the region, placing a significant strain on resources of local service providers such as the Department of Social Services, Charlotte County Rescue Squad, first responders, and the Charlotte County Sheriff's Office.
- The lack of public transportation and other transportation services will make access to goods and services a challenge for shelter occupants
- Allowing shelters to charge for accommodations could result in shelters serving as short-term rentals and may prevent shelter occupants from saving towards a more permanent housing solution
- Regular state inspections are not required for shelters; therefore, issues regarding shelter conditions could go unnoticed

The Secretary of the Planning Commission is directed to communicate the Planning Commission's recommendation to the Board of Supervisors.



Charlotte County, Virginia
APPLICATION FOR ZONING TEXT AMENDMENT

PO Box 608
 Charlotte Court House, VA 23923

Phone: 434-542-5117
 Fax: 434-542-5248

Application Date 9/16/2021

Applicant Name: LOVE OVER CRISIS Phone: 434-547-2505

Mailing Address: P.O. Box 37 Farmville VA 23901

Email Address: LoveOverCrisis@gmail.com

Application must be made by the Charlotte County Planning Commission, the Charlotte County Board of Supervisors, or a Charlotte County Landowner, contract purchaser with the owner's written consent, or the owner's agent.

Landowner Name: LOVE OVER CRISIS Phone: 434-547-2505

Mailing Address: P.O. Box 37 Farmville VA 23901

Property Location: 1839 Thomas Jefferson Hwy Charlotte Court house, VA 23923 Tax Map #: 038-1-4A

Zoning Ordinance Section Proposed to be Amended (Sec. # and Title): Request to add Text Amendment to allow for emergency temporary housing versus a residential treatment facility

Existing Text (if applicable):
Currently zoned as General Agricultural zone (A-1)

Proposed Revisions/Additions: (attach additional pages as necessary):

Love over crisis plans to add showers and a laundry room to the building in addition to sectioning off four bedrooms and two off-ices (cubicles) to launch an Emergency Shelter Housing program. We will propose to house 1-8 at risk homeless eligible individuals who are voluntary participants to adhere to recommendations that will aide in ending chronic homelessness for the voluntary participants. The property will be monitored by security put in place by the organization and weekly staff will assist participants meet recommendations provided by Certified Assessor's. (Please see attachments) Lastly, voluntary participants will be assisting with the planting and farming of the property to assist with cost and nutrition program.

APPLICANT SIGNATURES

As the Applicant, I hereby certify that this application is complete and accurate to the best of my knowledge, and I freely consent to its filing. I authorize Charlotte County officials and other authorized government agents on official business to enter the property as necessary to process this application.

Signature: Shelley Mays-Cauch
Printed Name: Shelley Mays-Cauch Date: 9/16/2021

Signature: _____
Printed Name: _____ Date: _____

LANDOWNER SIGNATURES

As the Owner or Owner's Power of Attorney _____, I hereby certify that this application is complete and accurate to the best of my knowledge, and I freely consent to its filing. I authorize Charlotte County officials and other authorized government agents on official business to enter the property as necessary to process this application.

Signature: Shelley Mays-Cauch
Printed Name: Shelley Mays-Cauch Date: 9/16/2021

Signature: _____
Printed Name: _____ Date: _____

Signature: _____
Printed Name: _____ Date: _____

*If there are more than three owners, please contact the County to request an additional signature page. All owners must sign the application.

February 15, 2022
Draft Amendments to the Charlotte County Zoning Ordinance – Version 1
(Appendix A of the Charlotte County Code)

All proposed changes are noted in **red** below.

Article IX. USE MATRIX

B = By Right C = Conditional Use Permit T = Temporary Use Permit

Use Types	Zoning Districts				
	General Agricultural	Intensive Agriculture	General Residential	Village Center	General Industrial
Emergency Housing Shelters	C				

ARTICLE X. SUPPLEMENTARY REGULATIONS

Sec. 10-24. – Emergency Housing Shelters

10-24-1 The purpose of an Emergency Housing Shelter, as defined in Article 12 of this ordinance, is to provide temporary lodging accommodations for the homeless. Emergency Housing Shelters shall not operate as permanent residential dwellings.

10-24-2 Emergency Housing Shelters and/or their operators:

1. Shall only be permitted as a principal use.
2. Shall adhere to all applicable regulations for the General Agricultural Zoning District unless otherwise stated within this section or provided for in the conditions of an approved conditional use permit.
3. May include facilities necessary to support the intent of providing basic needs and assistance with securing permanent housing for the shelter’s guests, including, but not limited to:
 - a) Bathing and personal hygiene;
 - b) Dining and food preparation;
 - c) Clothing distribution;
 - d) Coordination of social, welfare, or housing services or benefits, or other charitable assistance;
 - e) Outpatient counseling services;
 - f) Basic medical care; and/or,
 - g) Parenting, workforce, or life skills coaching/education.
4. Shall provide adequate management, support staff and security during the hours of operation of the facility.

5. Shall only provide or facilitate medical care, psychiatric services, or substance abuse treatment when conducted by, or under the direct supervision of, appropriately licensed medical professionals. Opioid replacement treatment, medically managed substance withdrawal treatment, or any similar pharmaceutical-based substance abuse treatment shall not be provided or allowed to be provided on-site.
6. Shall maintain a record of individuals staying at the shelter and their respective periods of lodging for no fewer than two (2) years.
7. Shall not permit alcohol, recreational cannabis, or illegal substances to be possessed, used, or consumed on-site. This provision shall not prohibit guests from possessing or consuming cannabinoid medications in accordance with a valid medicinal prescription.
8. Shall provide accommodations for no more than twelve individuals at any given time.
9. Shall limit the length of stay for any individual to six (6) months in any given twenty-four (24) month period.
10. Shall maintain all necessary licensures for activities subject to state or federal regulations.
11. Shall follow all applicable local, state, and federal laws and regulations including, but not limited to, the Virginia Uniform Statewide Building Code, Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.
12. Shall provide, in addition to other items required as part of the conditional use permit application, plans for the following:
 - a) Promoting or assisting shelter guests with securing sustainable permanent residence
 - b) Shelter staffing, supervision and security
 - c) Records management as required by 10-24-2.6
 - d) Addressing transportation needs.

ARTICLE XII. DEFINITIONS

Emergency Housing Shelter: Any facility, the primary purpose of which is to provide temporary lodging for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.