



Temporary Encampments

CITY OF MONROE
PLANNING COMMISSION MEETING
04/13/2020

Applicability

- Must be on property owned or controlled by the host religious organization
- May be located inside or outside of buildings
- Temporary encampments include:
 - Outdoor encampments
 - Indoor overnight shelters
 - Temporary small house on-site
 - Vehicle resident safe parking

A City Can:

1. Limit outdoor encampments if located within one thousand feet of another outdoor encampment
2. Require a memorandum of understanding to protect the public health and safety, which, at a minimum, includes the following information:
 - a. The right(s) of a resident in an outdoor encampment
 - b. Vehicle resident safe parking
 - c. The resident's ability to access social services on-site
 - d. The resident's ability to directly interact with the host religious organization, including the ability to express any concerns regarding the managing agency to the religious organization
 - e. A written code of conduct submitted by the host
 - f. The ability for the host to interact with residents using a release of information
3. Require that no less than one space may be devoted to safe parking per ten on-site parking spaces
4. Require restroom access be provided either within the buildings on the property or through use of portable facilities
5. Require hosted recreational vehicles must provide for proper disposal of waste
6. Reduce the minimum number of on-site parking spaces required

A City Can:

7. Limit a religious organization's ability to host temporary small houses if all of the following are met:
 - a. A renewable one-year duration is agreed to by the host and city via an MOU
 - b. A maximum unit square footage of one hundred twenty square feet per house is maintained
 - c. All units are set at least six feet apart
 - d. Electricity and heat, if provided, must be inspected by the local jurisdiction
 - e. Space heaters, if provided, must be approved by the local fire authority
 - f. Doors and windows must be included and be lockable
 - g. Each unit must have a fire extinguisher
 - h. Adequate restrooms must be provided, along with handwashing and potable running water
 - i. A recommendation for the host to partner with regional homeless service providers to develop pathways to permanent housing.
8. Require a host of vehicle resident safe parking to:
 - a. Inform vehicle residents how to comply with laws re: the legal status of vehicles and drivers
 - b. Provide a written code of conduct
 - c. Show that proving safe parking spaces does not reduce the total number of available parking spaces below the minimum number of spaces required by the City

A City Can't:

1. Impose conditions other than those necessary to protect public health and safety
2. Impose conditions that substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter
3. Require the host to obtain insurance or otherwise indemnify the city against liability
4. Impose permit fees in excess of the actual costs associated with the review and approval
5. Limit a religious organization's availability to fewer than six months during any calendar year
6. Limit an outdoor encampment hosting term to fewer than four consecutive months
7. Limit the number of simultaneous religious organization outdoor encampments held concurrently
8. Limit religious organization's availability to host safe parking efforts at its on-site parking lot
9. Limit other congregationally-sponsored uses and the parking available to support such uses
10. Limit availability to host an indoor overnight shelter due to lack of sprinklers or other fire-related concerns, provided the space has at least two accessible exits
11. Limit a religious organization's ability to host temporary small houses
12. Require a separation of time greater than 3 months b/n outdoor encampments at a site
13. Limit a religious organization's ability to host temporary small houses

Public Safety

1. If the fire official finds that concerns associated with an indoor overnight shelter pose an imminent danger to persons within the shelter, the city may take action to limit the host's availability to host
2. A City may require a host religious organization to enter into a memorandum of understanding for fire safety that includes:
 - a. Local fire district inspections
 - b. An outline for appropriate emergency procedures
 - c. A determination of the most viable means to evacuate from inside the host site
 - d. Appropriate illuminated exit signage
 - e. Panic bar exit doors
 - f. Completed fire watch agreement indicating:
 - i. Posted safe means of egress;
 - ii. Operable smoke detectors, carbon monoxide detector, and fire extinguishers;
 - iii. A plan for monitors who spend the night awake and are familiar with emergency protocols;
3. The host must ensure that the local law enforcement agency has completed sex offender checks of all adult residents and guests. The host retains the authority to allow offenders to remain.

Community Meeting and Notice

Unless the use is in response to a declared emergency, the host shall hold a community meeting open to the public prior to the opening:

1. The religious organization must provide written notice of the meeting to the City Council at least one week, if possible, but no later than ninety-six hours prior to the meeting
2. The notice must specify the time, place, and purpose of the meeting
3. Public notice of the meeting shall be made by taking at least two of the following actions at any time prior to the time of the meeting
 - a. Delivering to each local newspaper of general circulation
 - b. Posting on the code city's web site.
 - c. Signage at least two feet in height and two feet in width, one or more notices that can be placed on or adjacent to the arterials by the meeting location; or
 - d. Prominently displaying the notice at the meeting site.

Liability

Public appointed and elected officials, public employees, and public agencies are immune from civil liability for:

1. Damages arising from permitting decisions;
and
2. Any unlawful activity that may occur as a result of the temporary encampment



QUESTIONS?