

EMERGENCY SHELTER PERMIT APPLICATION



City of Turlock, Planning Division
156 S. Broadway, Suite 120, Turlock CA 95380
Phone: (209) 668-5640 Fax: (209) 668-5107
planning@turlock.ca.us

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Emergency Shelter Permit Application

Emergency Shelter Operator Information			
Operator:		Phone No:	
Operator Address:			
City:		State:	Zip:
APN:	Zoning:	Permit No:	
I hereby certify that this Application and all other information submitted is true and correct to the best of my knowledge and belief. I understand information provided on this application is considered public record and will be released upon request by any member of the public.			
Applicant Signature:			Date:

Property Owner Information			
Property Owner:		Phone No.:	
Mailing Address:			
City:		State:	Zip:
Property Owner Signature:			Date:

****NOTE**:** The property owner's notarized signature will be required on the permit prior to issuance (please complete the attached Property Owner Authorization).

Emergency Shelter Information	
Name of Shelter:	
Shelter Address:	
Number of Beds Proposed:	Total Number of Parking Spaces:
Total Number of Employees:	Number of Off-Site Parking Spaces: (Please provide an Off-Site Parking Authorization)
	Total Number of Bicycle Spaces:
Hours of Operation:	Days of Operation:
Maximum length of stay?	
Will clients be allowed to keep pets on site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Will new construction or on-site improvements be required?: <input type="checkbox"/> Yes <input type="checkbox"/> No <small>(if yes, please submit a Uniform Application for Design Review in addition to completing this application form)</small>	



General Information for an Emergency Shelter Application

An Emergency Shelter shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay, as defined in the Turlock Municipal Code Section 9-1-202 and in subdivision (e) of the California Health and Safety Code Section 50801.

An application for an Emergency Shelter shall only be filed if the following criteria are met:

- (1) The application shall be for an emergency shelter as defined in the California Health and Safety Code.
- (2) The property must be located within the emergency shelter zoning overlay district adopted by the Turlock City Council and located within a Heavy Commercial (CH), Community Commercial (CC), Industrial (I), Downtown Industrial Residential (IR), or Downtown Transitional Commercial (TC) zoning district. In no case shall an emergency shelter permit be issued for a property located in a residential district as defined in Articles 1 and 2 of TMC Chapter 9-3 or the Downtown Core overlay district defined in TMC Section 9-4-102.
- (3) Approving the application shall not result in the number of beds within the overlay zoning district exceeding the District cap or the property-specific cap established by the Turlock City Council established pursuant to Section 9-4-203 or Section 9-4-205(a), respectively:
 - a) 40 beds in the Community Commercial (CC) and Downtown Transitional Commercial (TC) districts;
 - b) 75 beds in the Heavy Commercial (CH) zoning district;
 - c) 100 beds in the Industrial (I) and Downtown Industrial Residential (IR) zoning districts; or
 - d) The district cap of 200 beds.

Please contact the Turlock Planning Division to determine whether these criteria can be met, prior to submitting an application, at (209) 668-5640. **If new construction, site improvements, or building modifications are required to meet the Emergency Shelter Permit requirements, the City encourages you to schedule a free predevelopment meeting to review your project prior to filing a Design Review application.**

Application Filing Fees

Emergency Shelter Permit (no Design Review required)	\$400.00
Emergency Shelter Permit (with Design Review)	Fee Varies

MINIMUM REQUIREMENTS FOR EMERGENCY SHELTER PERMIT

- The development of the property shall be consistent with the General Plan; the Turlock Municipal Code including, but not limited to, Title 9 (Zoning Ordinance); the Turlock Standard Specifications and Drawings; the City of Turlock Design Guidelines; and all other State and federal codes, laws and regulations. Design Review required pursuant to TMC 9-5-1005 shall apply and shall be performed in conjunction with review of this permit.
- If located within 150 feet of a residential zoning district, outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties.
- Adequate lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses.
- Off-street parking shall be provided at a rate of one (1) vehicle parking space per employee (by shift) plus one (1) vehicle parking space for every ten (10) beds. Bicycle parking shall be provided at a rate of one (1) space for every three (3) beds and shall meet the California Building Code requirements. Off-street parking within 500 feet devoted to the shelter during its operating hours by formal contractual agreement between the shelter operator and the property owner may be approved by Planning Division as satisfying the off-street parking requirement. Parking available on-street along the street frontage of the property on which the shelter is located may also be counted toward satisfying the off-street parking requirement.
- Adequate management, support staff and security must be present during the hours of operation of the facility. A minimum of one (1) supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during off-hours and must ensure that clients are not loitering, littering, or otherwise creating a nuisance to the neighborhood. A security plan shall be submitted to the Turlock Police Department for approval and must be approved before facility begins operation and annually, thereafter. If a client is socially disruptive or is responsible for creating any type of nuisance to neighborhood or facility, the operator must discharge the client and notify the Turlock Police Department.
- The security plan prepared under subsection (f) must include the hours of operation and intake period and must provide at least one (1) employee or volunteer of the same sex as clients. Alcohol, weapons and illegal substances shall not be allowed on the site at any time. The operator must comply with all laws and shall notify the Police Department of all crimes in accordance with the security plan.
- If 26 or more beds are included in the permit, a security guard or security officer must be provided during the intake period. If 51 or more beds, a second security guard or security officer must be provided during the intake period. Security guards must be licensed through the State of California Department of Consumer Affairs Bureau of Security and Investigative Services.
- The maximum length of stay shall be no longer than that established by the California Health and Safety Code for emergency shelters.
- The shelter shall have set hours of operation and the hours shall be posted in a publicly visible and accessible location on a sign that is no larger than one (1) square foot.
- Outdoor activity shall be allowed only during the hours of 8 a.m. to 10 p.m. The shelter shall comply with the City's Noise Ordinance at all times.
- All pets must be kept within an enclosed crate that shall be maintained and cleaned by the operator of the emergency shelter. All pets shall be housed within the emergency shelter and shall be leashed at all times when not housed in the crate. No limit shall be placed on the number of pets that can be maintained. All dogs shall be properly licensed and vaccinated for parvo, distemper, bordetella and any other applicable diseases. No unaltered pets or puppies/ kittens under the age of four (4) months shall be permitted. No sick or aggressive animals shall be permitted. Pet owners and emergency shelter operators are required to dispose of animal feces as outlined in TMC section 6-116. Each pet owner shall provide the shelter operator with the name of an emergency contact person to house the pet in the event that the owner is unable to care for the pet. All animal storage facilities will be properly cleaned daily. The shelter shall be subject to obtaining an initial permit that shall be inspected and renewed annually. A separate fee may be charged for this permit.



Instructions for Completing the Emergency Shelter Permit Application and Application Checklist

Please allow a minimum of 10 working days from the date of submittal for processing of the Emergency Shelter Permit Application. An application that requires a Minor Discretionary Permit (Design Review) will take longer to process, typically 6 to 8 weeks, if the application is complete upon submittal. Additional information may be required to complete the application process. The following items are **REQUIRED** for a complete application.

If no new construction, site improvements or building modifications are required to comply with the Emergency Shelter Permit requirements:

- Completed Emergency Shelter Permit Application plus:
 - Two (2) copies of an 8½" x11" site plan. The site plan shall include the following information. All features shall have accurate dimensions/measurements noted on the site plan.
 - North Arrow
 - Property lines
 - Dimensions/measurements between structures and property lines
 - Adjacent streets, alleys and properties
 - Footprint and location of all structures, whether or not those structures are used for the shelter operation.
 - Outdoor activity area.
 - Existing lighting or proposed lighting plan to ensure that all parking, pedestrian paths, and entryways are well lit.
 - Intake area.
 - Screening.
 - Parking stalls, driveways and dimensions.

If the project involves new construction, site improvements or building modifications to comply with the Emergency Shelter Permit requirements:

- Completed Emergency Shelter Permit Application
- Completed Uniform Application for a Minor Discretionary Permit (Design Review) including all supporting documents described in the application form.

For all applications:

- Completed Security Plan, approved by the Turlock Police Department.
- Property Owner Authorization, if required.
- Off-Site Parking Authorization, if required.
- Applicable application fee



PROPERTY OWNER AUTHORIZATION

I, _____ the owner of the property at
(Property Owner Name, printed)

_____ authorize _____
(Property Address) (Shelter Operator)

to operate an Emergency Shelter as defined by California Health and Safety Code Section in accordance with the Turlock Municipal Code and all State and Federal Laws. As a condition of approval of the application and permit, I agree to defend at my sole expense, any action brought against the City, arising from the approval of the application and permit. I shall reimburse the City of Turlock for any court costs and legal fees. The City may, at its sole discretion, participate in the defense of any such action; such participation shall not relieve the applicant of his obligation under this condition. I am the owner of the above-mentioned property and agree to abide by all of the requirements Article 2 of Chapter 9-4 of the Turlock Municipal Code and any other applicable local, State, or federal laws, ordinance, and regulations.

Dated this _____ day of _____ of 20_____.

Signature of Property Owner/Agent for Property Owner

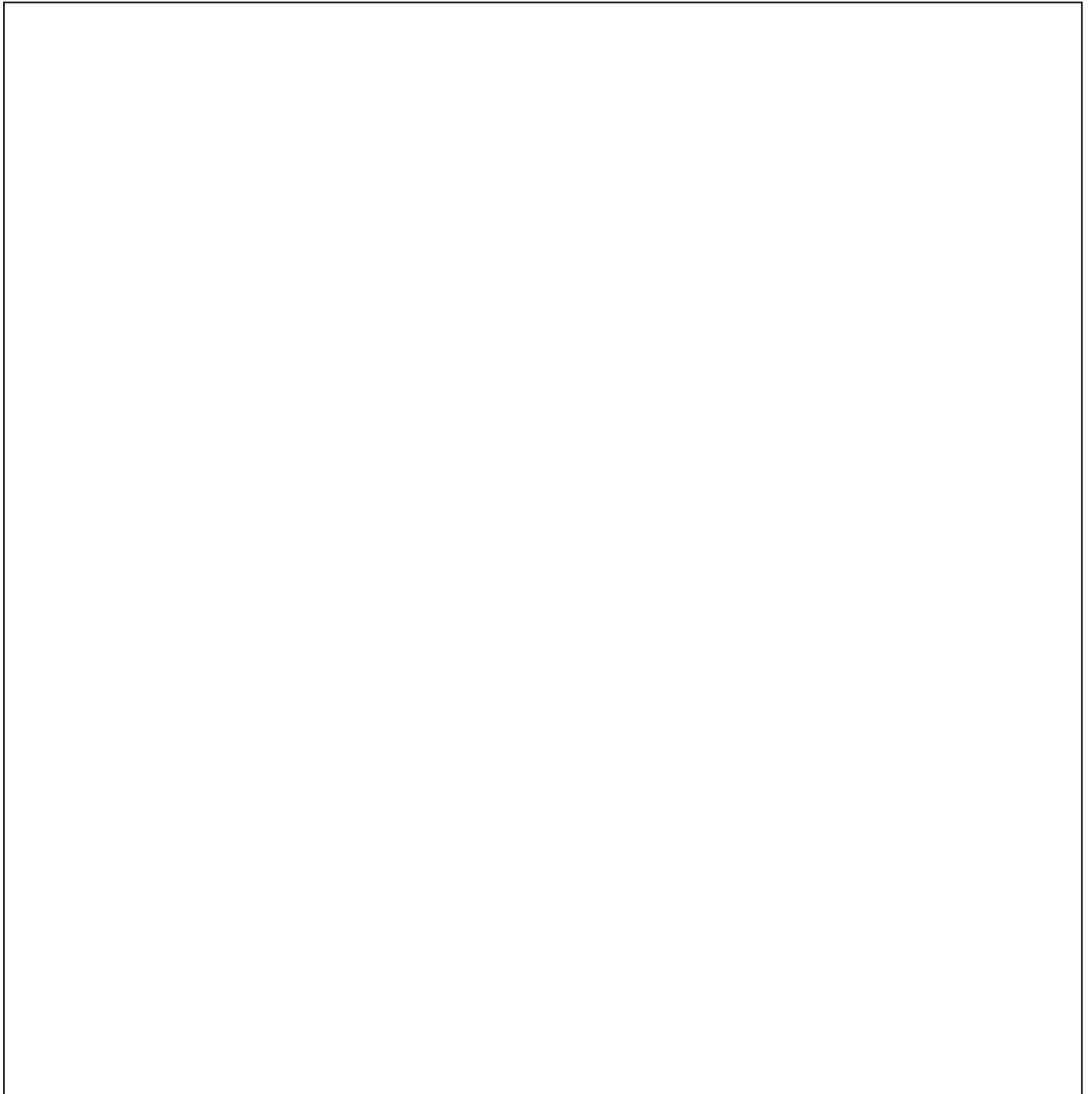
Print Name of Property Owner/Agent for Property Owner

The signatures above require notarization. Please ensure that the person who signs this page as property owner or agent is listed on the front page of this application.

Please attach the appropriate notarial certificate(s) – (all-purpose acknowledgement).

SITE PLAN FOR SHELTER PROPERTY
(Must be included with application)

A site plan showing all of the following, distances from the property lines, and distance between structures: 1) property boundary; 2) all buildings, structures and above ground equipment on site; 3) emergency shelter location; 4) parking; 5) bicycle parking; 6) screening (if required); 7) lighting; 8) intake area; 9) outdoor activity (if applicable). Please include primary street and nearest cross street(s). All buildings, structures and above-ground equipment must be shown to scale with dimensions.





OFF-SITE PARKING AUTHORIZATION

I, _____ the owner of the property at
(Property Owner- please print)

_____ authorize _____
(Address) (Shelter Operator)

to utilize _____ parking spaces on this property as shown in Exhibit A.
(Number)

I am the owner of the above-mentioned property and am familiar with the proposed Emergency Shelter. I also understand that, as a condition of approval for the application, I will be required to record a restrictive covenant or deed restriction on my property reserving these parking spaces in the name of the facility operator and shall notify the City if, at any time, this agreement is nullified, cancelled, or terminated for any reason.

Dated this _____ day of _____ of 20_____.

Signature of Property Owner/Agent for Property Owner

Print Name of Property Owner/Agent for Property Owner

State of California
County of _____

On _____ before me, _____ Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

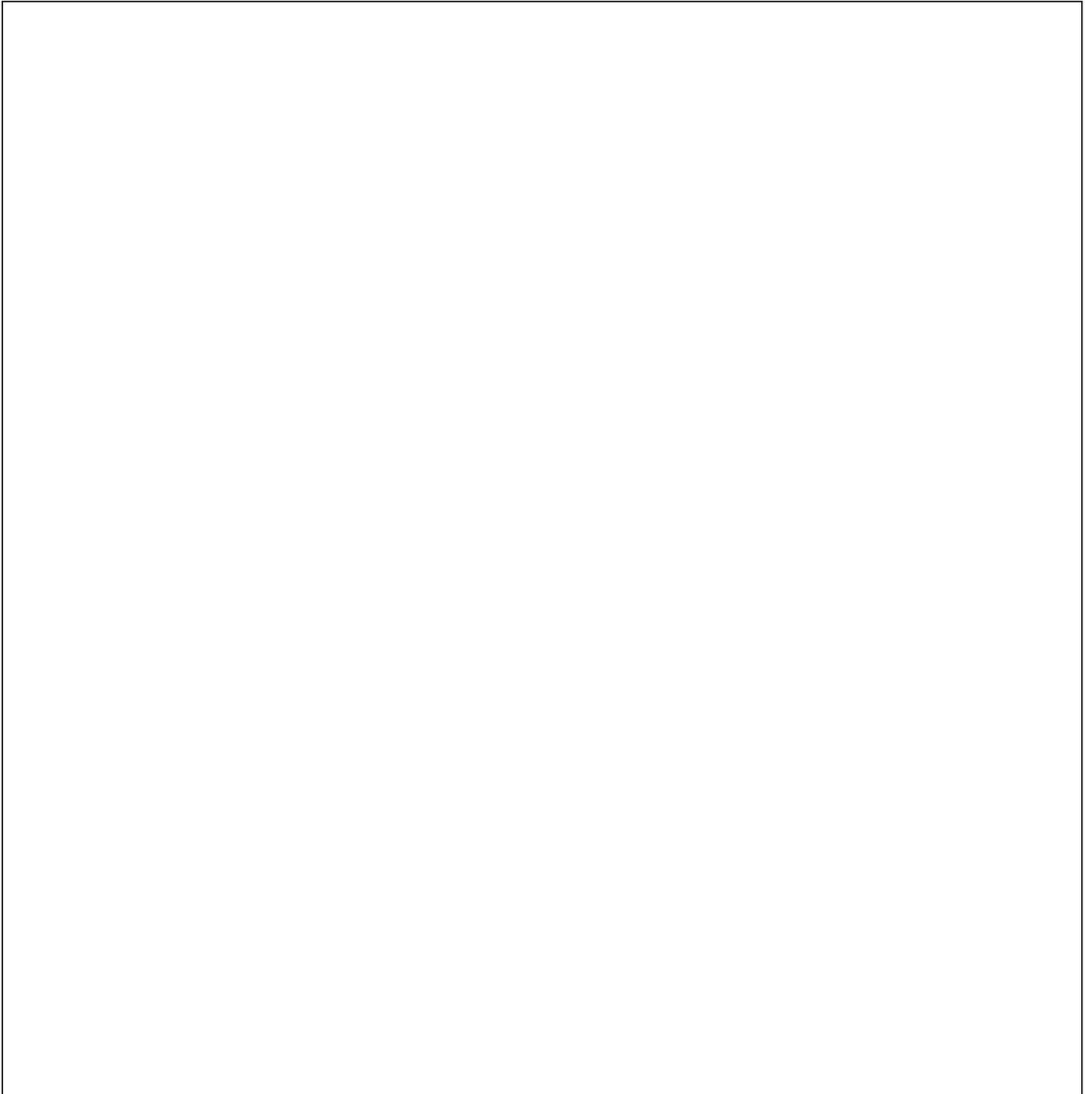
WITNESS my hand and official seal.

Signature of Notary Public

Exhibit A
OFF-SITE PARKING PLAN

(Must be included with application, if using Off-Site Parking to satisfy parking requirement)

A site plan showing all of the following, distances from the property lines, and distance between structures: 1) property boundary; 2) all buildings, structures, and above ground equipment; 4) parking spaces; and 5) distance to property lines.





Turlock Police Department

Nino Amirfar, Chief of Police

244 N BROADWAY | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5550 | FAX 209-668-5502 | TDD 209- 668-1207

**EMERGENCY SHELTER PERMIT APPLICATION
SECURITY PLAN**

Name of Facility: _____

Address of Facility: _____

Telephone of Facility: _____

Contact Person: _____

Contact Telephone: _____

Prior to submitting your application for an emergency shelter permit to the Community Development Director, a security plan must be submitted to the Turlock Police Department for approval. Failure to include an approved security plan can result in the denial of your application.

Your security plan should be submitted to the Turlock Police Department Office of Professional Standards. Please allow 15 business days for review. Your security plan must be submitted and reviewed on an annual basis as part of your permit process.

Failure to provide adequate information or a failure to follow your approved security plan can result in denial or revocation of your permit.

For TPD use:

_____ Approved
_____ Rejected (attach reason for rejection)

Security plan reviewed by: _____

Date: _____

As a minimum, your security plan must address the following items.

General

- Name of facility
- Address of facility
- Telephone of facility
- Two emergency contact names and telephone numbers
- Describe the hours of operation
- Describe the hours of the intake period
- Provide a staffing plan that includes the requirement of one (1) supervisory level staff member present on site during hours of operation
- Provide a staffing plan that includes the requirement of one (1) employee or volunteer of the same sex as clients present on site during hours of operation
- Provide a staffing plan that includes the requirement of one (1) security guard or security officer present on site during the intake period if 26 or more beds are included in the permit
- Provide a staffing plan that includes the requirement of two (2) security guards or security officers present on site during the intake period if 51 or more beds are included in the permit
- Provide a copy of the State of California Department of Consumer Affairs Bureau of Security and Investigative Services license for each security guard or security officer

Behavior

- Identifies methods that will be used to ensure that loitering does not occur on the property during hours of non-operation
- Identifies methods that will be used to ensure clients are not loitering, littering, or otherwise creating a nuisance to the neighborhood
- Describe a procedure to notify Turlock Police of all crimes committed on site and anytime a client is discharged for disruptive behavior
- Describe a procedure to ensure alcohol, weapons, and illegal substances shall not be permitted on site

Pets

- If allowed, pets must be kept within an enclosed crate and housed within the emergency shelter
- Pets shall be leashed at all times when not housed in the crate
- Pets shall be properly licensed and vaccinated
- Operators must dispose of animal feces properly, as outlined in TMC section 6-116
- Pet owners must provide an emergency contact/telephone number, to house the pet in the event the owner is unable to do so
- No aggressive or sick animals are allowed

HAZARDOUS WASTE AND SUBSTANCE SITES LIST
DISCLOSURE
PURSUANT TO
CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f)

“(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943...”

Note: You must contact Stanislaus County Environmental Resources at (209) 525-6700; AND either:

1) Contact the Department of Toxic Substances Control at (800) 728-6942; or

2) Research the property on all of the following online databases:

EPA RCRA: <https://www3.epa.gov/enviro/facts/rcrainfo/search.html>

NEPAssist: <http://www.epa.gov/compliance/nepa/nepassist-mapping.html>

California DTSC Envirostor: www.envirostor.dtsc.ca.gov/public

California Geotracker: <http://geotracker.waterboards.ca.gov/>

to determine whether there are any known or potential hazards on the property.

I HEREBY CERTIFY THAT:

_____ THE PROJECT ***IS LOCATED*** ON A SITE WHICH IS INCLUDED ON ONE OR MORE OF THE LISTS COMPILED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f). THE SITE IS INCLUDED ON THE FOLLOWING LIST(S) SPECIFIED BELOW:

Regulatory ID Number: _____

Regulatory ID Number: _____

Regulatory ID Number: _____

OR

_____ THE PROJECT ***IS NOT LOCATED*** ON A SITE WHICH IS INCLUDED ON ONE OR MORE OF THE LISTS COMPILED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f).

I HEREBY CERTIFY THAT THE STATEMENT FURNISHED ABOVE PRESENTS THE INFORMATION REQUIRED BY CALIFORNIA GOVERNMENT CODE 65962.5(f) TO THE BEST OF MY ABILITY AND THAT THE STATEMENT AND INFORMATION PRESENTED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature of Applicant/Agent

Date

Print Name and Title of Applicant/Agent

Phone Number

INDEMNIFICATION

In consideration of the City's processing and consideration of this application for approval of the land use project being applied for (the "Project"), and the related California Environmental Quality Act (CEQA) consideration by the City, the Owner and Applicant, jointly and severally, agree to indemnify the City of Turlock ("City") from liability or loss connected with the Project approvals as follows:

1. The Owner and Applicant shall defend, indemnify and hold harmless the City 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 the Project or any prior or subsequent development approvals regarding the Project or Project condition imposed by the City or any of its agencies, departments, commissions, agents, officers or employees concerning the said Project, or to impose personal liability against such agents, officers or employees resulting from their involvement in the Project, including any claim for private attorney general fees claimed by or awarded to any party from City. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
2. The City will promptly notify Owner and Applicant of any such claim, action, or proceedings that is or may be subject to this Indemnification and, will cooperate fully in the defense.
3. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, actions, or proceeding in good faith. To the extent that City uses any of its resources responding to such claim, action, or proceeding, Owner and Applicant will reimburse City upon demand. Such resources include, but are not limited to, staff time, court costs, City Attorney's time at their regular rate for external or non-City agencies, and any other direct or indirect cost associated with responding to the claim, action, or proceedings.
4. The Owner and Applicant shall not be required to pay or perform any settlement by the City of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.
5. The Owner and Applicant shall pay all court ordered costs and attorney fees.
6. This Indemnification represents the complete understanding between the Owner and Applicant and the City with respect to matters set forth herein.

PROPERTY OWNER/APPLICANT SIGNATURE:

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the City. I hereby certify that I have read and fully understand all the information required in this application form including:

1. The Hazardous Waste and Substance Sites List Disclosure Pursuant to California Government Code Section 65962.5(f); and
2. The Indemnification.

Property Owner(s): (Attach additional sheets. as necessary)

Signature of Property Owner

Date

Print Name and Title of Property Owner

Phone Number

Applicant(s): (If different than above)

Signature of Applicant/Agent

Date

Print Name and Title of Applicant/Agent

Phone Number