

AMENDMENT

CHAPTER 86 - LAND DEVELOPMENT REGULATIONS (Humanitarian Shelter)

The purpose of the proposed amendment is to provide zoning and regulatory provisions that balance public health and safety, economic opportunity, and community well-being while ensuring compliance with state and federal laws. It is essential to evaluate zoning and regulatory tools to responsibly manage operation of shelters within the County. The draft amendment includes a proposed definition and zoning strategies for regulating “Humanitarian Shelters.” **THESE PROPOSED AMENDMENTS APPLY THROUGHOUT ALL OF LOUISA COUNTY;** and are proposed pursuant to Va. Code §§ 15.2-2285 and 15.2-2286.

ARTICLE I. – GENERAL PROVISIONS

86-13 Definitions.

~~*Emergency shelter.* A facility providing temporary housing for one or more individuals who are temporarily or permanently homeless.~~

Humanitarian Shelter: a facility that provides temporary shelter and basic services to individuals or families, without requiring leases or occupancy agreements.

A humanitarian shelter may operate:

- 1. As a limited-duration by-right accessory use in accordance with Section 86-44.1(A);**
- 2. Pursuant to an approved conditional use permit in accordance with Section 86-44.1(B); or**
- 3. For the duration of a state of emergency declared by the Commonwealth of Virginia or Louisa County, without a conditional use permit, subject to all applicable federal, state, and local requirements.**

86-44.1 Reserved Humanitarian Shelters

A. Limited-Duration Humanitarian Shelter Permitted By Right

A religious assembly or nonprofit organization may operate a humanitarian shelter as a by-right accessory use without obtaining a conditional use permit, provided that all of the following requirements are satisfied:

- 1. Accessory Use.** The humanitarian shelter shall be operated as an accessory use to a lawfully established religious assembly, nonprofit organization, community facility, or other principal use approved by the Zoning Administrator.

- 2. Maximum Occupancy.** No more than three shelter occupants may stay overnight at the property on any night. Employees, volunteers, and other persons providing supervision or services shall not be counted as shelter occupants.
- 3. Maximum Duration.** The humanitarian shelter may provide overnight accommodations for no more than seven calendar days during any calendar year. Any portion of a calendar day during which overnight accommodations are provided shall be considered a full day.
- 4. Continuous Supervision.** An adult representative authorized by the operator shall always be physically present and responsible for onsite supervision while shelter occupants are present.
- 5. Operational Responsibility.** The operator shall maintain procedures addressing occupant intake, emergency contacts, behavioral expectations, supervision, and the response to complaints or emergencies.
- 6. Zoning Notification.** At least three calendar days before beginning shelter operations, or as soon as feasible when advance notice is impracticable due to an urgent humanitarian need, the operator shall provide the Zoning Administrator with written notice identifying:
 - i. The property and shelter operator;
 - ii. The proposed dates of operation; and
 - iii. The name and telephone number of the onsite representative responsible.

When advance notice is impracticable because of an urgent humanitarian need, notice shall be provided as soon as reasonably possible and no later than forty-eight hours after shelter operations begin.

- 7. Annual Record.** The operator shall maintain a record of the dates the shelter operated and the number of shelter occupants accommodated each night. Such records shall be retained for at least two years and provided to the Zoning Administrator upon request.
- 8. Regulatory Compliance.** The operation shall comply with all applicable federal, state, and local building, fire prevention, public health, sanitation, accessibility, and life-safety requirements. By-right zoning status shall not constitute approval under any other applicable law or regulation.
- 9. No Expansion of Principal Use.** Shelter operations shall not involve the erection of a separate shelter building, the placement of temporary sleeping structures, or a physical expansion of the principal use unless separately approved in accordance with applicable County requirements.

- 10. No Outdoor Overnight Accommodations.** Overnight sleeping shall occur entirely within a lawfully established building approved for the proposed occupancy, unless otherwise authorized during a declared state of emergency.
- 11. Exceeding Limitations.** A humanitarian shelter that exceeds, or proposes to exceed, either the maximum occupancy or maximum duration established by this subsection shall obtain a conditional use permit before conducting such operations, unless the shelter is operating during a declared state of emergency as provided in subsection C.
- 12. Compliance Required.** Failure to comply with the requirements of this subsection may constitute a zoning violation and may disqualify the property or operator from conducting additional by-right humanitarian shelter operations until the violation has been corrected.

B. Humanitarian Shelters Requiring a Conditional Use Permit

Except as authorized under subsection A or C, a humanitarian shelter shall be permitted only pursuant to an approved conditional use permit. Applications shall comply with the standards and submission requirements contained in this subsection.

In order to protect the health, safety, and general welfare of both shelter occupants and the surrounding community, the following minimum standards shall be required as part of any Conditional Use Permit (CUP) application for a Humanitarian Shelter. These items must be submitted with the application prior to consideration by the Planning Commission or Board of Supervisors to demonstrate responsible operations, minimize impacts on adjacent properties, and avoid undue burdens on County services.

- 1. Ancillary Use Requirement -** Humanitarian shelters are generally expected to operate and only be permitted as an ancillary or accessory use to an otherwise approved principal use. Stand-alone shelters may raise additional considerations and should be discussed with staff during the application process.
- 2. Continuous Supervision -** An identified authorized representative must be physically present and responsible for onsite supervision during all hours of shelter operation.
- 3. Intake and Screening Requirements -** Provide written documents for policy and procedures to include, but are not limited to:
 - i. Defined intake hours and protocol;**
 - ii. Identification Verification Methods for all clients; and**
 - iii. Screening Practices used to assess client suitability and ensure safe housing assignments, including any criteria that may limit entry.**

These documents must be submitted with the CUP application and updated upon any change in procedure. Updated policies and/or procedures must be provided to the

County for review prior to implementation. The Zoning Administrator will respond with a written determination within ninety (90) days of receipt of the request.

- 4. On-Site Services and Partnership - Provide information on any partnerships with a qualified provider of supportive services (e.g., mental health, substance abuse, housing navigation). A brief written plan for service delivery and client referral to demonstrate a supportive framework for clients.**
- (5) Community Impact and Service Burden Statement - The CUP application shall include a narrative explaining how the shelter will:
 - i. Avoid adverse impacts to surrounding properties and uses;**
 - ii. Minimize or offset reliance on County or public services; and**
 - iii. Provide a responsible framework for managing shelter operations and resident behavior.****
- (6) Good Neighbor Policy - The operator shall maintain a publicly available Good Neighbor Policy, including:
 - i. A primary contact for community inquiries or complaints;**
 - ii. Procedures for responding to concerns; and**
 - iii. Community outreach and education efforts.****
- (7) Regulatory Compliance - All Humanitarian Shelters should demonstrate awareness of and intent to comply with applicable federal, state, and local laws, including but not limited to the Virginia Uniform Statewide Building Code (USBC), the Virginia State Fire Marshal, the Virginia Department of Health, the Americans with Disabilities Act (ADA), and any other relevant accessibility, life safety, or public health regulations.**
- (8) Humanitarian shelters may provide overnight accommodations for no more than 28 days per calendar year.**

C. Operations During a Declared State of Emergency

A religious assembly or nonprofit organization may operate a humanitarian shelter for the duration of a state of emergency formally declared by the Governor of Virginia or Louisa County without obtaining a conditional use permit. Such operations shall remain subject to applicable building, fire, public health, sanitation, accessibility, life-safety, and emergency-management requirements.

The operator shall notify the Zoning Administrator or designated County emergency-management official as soon as reasonably practicable after operations begin. The County may require reasonable information concerning the location, responsible operator, anticipated occupancy, period of operation, and emergency contact information.

ARTICLE II. ZONING ORDINANCE AND MAPS DIVISION 3 – ZONING DISTRICT USE MATRIX

86-109 Matrix table.

Proposed Amendments to <u>Section 86-109 Use Matrix</u> to coordinate code sections based on the zoning district classification and whether the use is proposed as a permitted use, generally; or a permitted use with the issuance of a conditional use permit.																				
Defined Use	A-1	A-1 GAOD	A-2	A-2 GAOD	R-1	R-1 GAOD	R-2	R-2 GAOD	C-1	C-1 GAOD	C-2	C-2 GAOD	IND	IND GAOD	I-1	I-1 GAOD	I-2	I-2 GAOD	RD	PUD
COMMERCIAL																				
Emergency Shelter	X	X	€	€	X	X	X	X	€	€	€	B	€	B	€	B	X	X	X	X
Humanitarian Shelter	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)	B(R)
The proposed amendments affect only those uses listed above to be amended; and makes no changes to any other listed uses in Section 86-109																				
B = Allowable by-right																				
B(R) = Allowable by-right (with restrictions)																				
C = Conditional use permit																				
X = Not allowable																				

ARTICLE II. ZONING ORDINANCE AND MAPS DIVISION 6 – ZONING DISTRICTS AND LAND USES

Sec. 86-134. - Permitted uses - Generally. (A-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-152. - Permitted uses - Generally. (A-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-154. - Permitted uses with a conditional use permit. (A-2)

CIVIC

~~Emergency shelter~~

Sec. 86-169. - Permitted uses - Generally. (R-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-187. - Permitted uses - Generally. (R-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-204. - Permitted uses - Generally. (C-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

86-206. Permitted uses with a conditional use permit (C-1)

CIVIC

~~Emergency shelter~~

Sec. 86-222. - Permitted uses - Generally. (C-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

86-224. Permitted uses with a conditional use permit (C-2)

CIVIC

~~Emergency shelter~~

Sec. 86-240. - Permitted uses - Generally. (IND)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-242. - Permitted uses with a conditional use permit. (IND)

CIVIC

~~Emergency shelter~~

Sec. 86-259. - Permitted uses - Generally. (I-1)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-261. - Permitted uses with a conditional use permit. (I-1)

CIVIC

~~Emergency shelter~~

Sec. 86-277. - Permitted uses - Generally. (I-2)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-295. - Permitted uses - Generally. (RD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

86-311 Permitted uses - Generally (PUD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-337. - Permitted uses - Generally. (A-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-357. - Permitted uses - Generally. (A-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-359. - Permitted uses with a conditional use permit. (A-2 GAOD)

CIVIC

~~Emergency shelter~~

Sec. 86-376. - Permitted uses - Generally. (R-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-392. - Permitted uses - Generally. (R-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-410. - Permitted uses - Generally. (C-1 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

86-412. Permitted uses with a conditional use permit (C-1 GAOD)

CIVIC

~~Emergency shelter~~

Sec. 86-429. - Permitted uses—Generally. (C-2 GAOD)

CIVIC

~~Emergency shelter~~

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-447. - Permitted uses—Generally. (IND GAOD)

CIVIC

~~Emergency shelter~~

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-465. - Permitted uses—Generally. (I-1 GAOD)

CIVIC

~~Emergency shelter~~

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Sec. 86-482. - Permitted uses - Generally. (I-2 GAOD)

COMMERCIAL

Humanitarian shelter (Subject to the requirements of Section 86-44.1)

Draft CC (06122025); Updated LB From PC WS (06172025); PC PH (07102025); Legal Review (07122025); PC PH REC (08142025); Legal Review and Draft Update (06112026); BOS PH (07062026); BOS Adopted (08032026)

TEXT LEGEND

Bolded Text = To Be Added

Regular Text = To Remain

~~Strikethrough~~ = To Be Removed