



April 24, 2019

To: Mayor Holladay and City Commission
From: Pete Walter, AICP, Planner
Re: Definitions for Shelters

The City Commission is reviewing proposed code amendments including the proposal to allow Shelters in certain zones throughout the City. The Homeless Solutions Coalition of Clackamas County submitted testimony at the public hearing on April 17 asking that the definition for shelters be expanded in order to differentiate between different shelter types, with the intent of allowing certain types of shelters to be permitted without Conditional Use approval, while others would require Conditional Use approval. Staff has provided a variety of options for the City Commission to consider which would allow certain types of shelters to be treated different than others.

Current Definition (OCMC 17.04.1117)

“Shelter” means a congregate facility designed to provide housing to shelter families and individuals offered on a short-term basis. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency. Shelters may include day shelters, temporary cooling or warming shelters and other temporary or permanent spaces made available for sheltering individuals or families. Shelters are not considered bed and breakfast inns/boardingshouses, hotels or motels.

Proposed Amendment to Address Time Limitations

“Shelter” means a congregate facility designed to provide housing to shelter families and individuals offered on a short-term basis *for a period not to exceed 90 days continuously*. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency. Shelters may include day shelters, temporary cooling or warming shelters and other temporary or permanent spaces made available for sheltering individuals or families. Shelters are not considered bed and breakfast inns/boardingshouses, hotels or motels.

Proposed Amendment to Change “Shelter” to “Transitional Housing”

“Transitional Housing” means a project that has as its purpose facilitating the movement of homeless individuals and families to permanent housing within a reasonable amount of time (usually 24 months). Transitional housing includes, but is not limited to, housing to serve deinstitutionalized homeless individuals, homeless individuals with mental or physical disabilities, or homeless families with children.

Proposed Separate Definition for Day Shelter

“Day shelter” means a shelter utilized between the hours of 7am and 7pm which does not contain sleeping facilities.

Proposed Separate Definition for Emergency Shelter

“Emergency shelter” means any facility, the primary purpose of which is to provide a temporary overnight shelter for the homeless in general or for specific populations of the homeless under specified circumstances and which does not require occupants to sign leases or occupancy agreements. Emergency shelters include temporary cooling or warming shelters and other temporary spaces made available for sheltering individuals or families in response to emergencies when an emergency has been declared by the City Commission by Resolution.

Proposed Separate Definition for Warming/Cooling Shelter (OCMC 17.04.278)

“Warming/Cooling shelter” means a shelter operating between the hours of 7pm and 7am when the outside temperature is:

- 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration; or
- 95 degrees or above, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration.

Staff suggests retention of the existing definition and creating additional definitions for day, warming/cooling, or emergency shelters if the City Commission so directs.

Standards for Shelters

In response to testimony from the Coalition as well as many others, the Planning Commission added use-specific standards in OCMC 17.56 for Shelters. Regardless of whether the use is permitted outright, or requires approval of a Conditional Use by the Planning Commission, the following proposed use-specific standards should apply.

- 1. The shelter shall maintain a written community engagement plan include the following information:*
 - a. Description of purpose and scope of services of the shelter;*
 - b. Population to be housed at the shelter and the process and criteria for the selection of guests;*
 - c. Bed capacity for nightly guests;*
 - d. Hours of operations and curfew, if applicable;*
 - e. 24 hour contact information; and*
 - f. Explanation of how the shelter will address concerns/complaints.*
- 2. Shelters shall hold a meeting with the community prior to commencing operation, and a minimum of once a year each year thereafter. The purpose of the meeting is to discuss the community engagement plan and provide an opportunity for greater communication. Mailed notice of the meeting shall be provided to property owners within 300 feet, the neighborhood association, and the City. The meeting shall be open to the public.*

The above standards may apply for uses which are conditional or those which are permitted outright.