



**Date:** September 10, 2019  
**To:** Oregon City - City Commission  
**From:** Pete Walter, AICP, Senior Planner  
**Re:** Code Amendments and Definitions for Shelters

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The community has been working more nearly two years to identify regulations for homeless shelters within Oregon City. The siting of shelters has been discussed by the Equitable Housing Project Advisory Committee, the Planning Commission, and the City Commission, with testimony from homeless advocates, non-profit groups, and city and Clackamas County staff. The City Commission is finalizing zoning designations where shelters should be located, the process for approval, and development standards specific to a shelter use.

The City Commission is considering proposed amendments the Oregon City Municipal Code identifying how and where Shelters should be regulated. Per the Commission's direction, shelters are proposed to be a Conditional Use in the Mixed-Use Downtown (MUD) District, the Mixed-Use Corridor 1 (MUC-1) District, and the R-2 Multi-Family Dwelling District (more than 11 beds). Also, shelters with less than 10 beds would be permitted through the Conditional Use process in medium density residential zones (R-5, R-3.5). Lastly, criteria were established identifying standards, such as yearly meetings, with which all shelters would have to comply.

At the August 13, 2019 City Commission Work Session it was identified that Commissioner McGriff would meet with staff to discuss outstanding questions. On August 21, 2019, City Commissioner Denyse McGriff as well as City Commissioner Frank O'Donnell met with City Manager Tony Konkol, and Community Development Director Laura Terway. The conclusions of the Commissioners at the meeting, as summarized by staff, are as follows:

- Shelters should not be allowed in any residential zone.
- The definition of shelter should include specific examples of various shelter types and those shelter types should be further defined in the Municipal Code. In addition, the definition should include broad language which captures other types of shelters not listed.
- The Municipal Code should include a maximum time limitation for those that use a shelter to encourage transition to more permanent housing. An example limiting shelter residences to 120 max days per year was identified.
- Staff should continue to coordinate with other jurisdictions and organizations to work towards a regional solution to homelessness and shelter regulation.
- Staff should continue to coordinate interdepartmentally. A request was identified to have the Police Chief review the shelter amendments.
- A broader discussion on homelessness should occur before the City Commission provides direction on shelters. This discussion should include a variety of those who support and are impacted by the homeless so that it is balanced.

In order to address Commissioner McGriff's and O'Donnell's comments, the commission may adopt the following:

## **Definitions**

### *17.04.1117 – Shelter*

*“Shelter” means a congregate facility designed to provide overnight sleeping or daytime accommodation 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/boardinghouses, hotels or motels.*

### *17.04.1119 – Shelter, Day.*

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

### *17.04.1121 – Shelter, Emergency.*

*“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.*

### *17.04.1123 – Shelter, Temporary warming/cooling.*

*“Temporary warming/cooling shelter” means a shelter operating between the of 7pm and 7am when the outside temperature is predicted to be:*

- 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.*

## **Time Limitations**

An additional standard may be added to limit shelter residences to 120 max days per year.

## **Regional Solutions**

Staff can continue to coordinate internally and with other jurisdictions and organizations to work towards a regional solution to homelessness and shelter regulation.