

Recommended Further Revisions to Ordinance Bill No. 13-21

- Additional text proposed to be added is identified by **bold double underline**.
- Additional text proposed to be deleted is identified by ~~**bold double underline**~~.

Managed Temporary Villages (SRC 701.030)

Sec. 701.030. Managed temporary village.

Managed temporary villages shall comply with the following:

- (a) *Temporary use permit required.* Managed temporary villages shall require either a Class 1 or Class 2 temporary use permit.
 - (1) A Class 1 temporary use permit shall be required for a managed temporary village with ten or fewer shelter units.
 - (2) A Class 2 temporary use permit shall be required for a managed temporary village with eleven to forty shelter units.
- (b) *Submittal requirements.* In addition to the submittal requirements set forth under SRC chapter 300, an application for a Class 1 or Class 2 temporary use permit for managed temporary village shall include the following:
 - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total size area, dimensions, and orientation relative to north;
 - (B) The proposed layout of the site, including the location of all proposed shelter units and structures, the separation between shelter units, and the setbacks of all shelter units and structures to perimeter property lines;
 - (C) The location of the following as applicable:
 - (i) Space for on-site manager;
 - (ii) Restroom, handwashing, and shower facilities;
 - (iii) Food preparation and dining facilities;
 - (iv) Laundry facilities, or, if laundry services will not be provided on-site, an explanation of how laundry services will be provided in the operation and management plan;
 - (v) Trash collection area(s);
 - (vi) Secured covered storage area(s) for resident's personal belongings;
 - (vii) Common gathering area(s);
 - (viii) The area where residents can receive medical care, casework, counseling, and other support services;
 - (ix) Secured storage area for any flammable or explosive materials, such as propane tanks used in food preparation, that will be used in the operation of the shelter;
 - (x) The location, height, and material of required perimeter fencing and screening; and
 - (xi) The location of proposed off-street parking and vehicle use areas, driveway approaches, and driveways.

- (D) Written authorization from the owner of the property to use it as a managed temporary camping area.
 - (E) Proof of management entity's experiencing operating non-profit shelters.
 - (F) An operation and management plan setting for the rules for shelter use and provisions for facility operation and maintenance.
 - (G) For publicly owned sites or publicly funded projects on private property within a known archaeological resource, proof that the proposed use has received an archaeological Certificate of Clearance.
- (c) *Standards.* Managed temporary villages shall comply with the standards set forth in this subsection.
- (1) *Period of use.*
 - (A) A managed temporary village may operate at the location approved under a temporary use permit for a period not to exceed one year.
 - (B) The temporary use permit may be renewed annually, provided the applicant demonstrates that the facts upon which the temporary use permit was originally granted have not materially changed and the shelter has maintained conformance with the standards set forth in this section. The maximum cumulative total period for all renewals shall not exceed ~~four~~ nine years.
 - (2) *Location.*
 - (A) A managed temporary village shall only be located:
 - (i) In a zone where the use is allowed; and
 - (ii) On property abutting an arterial or collector street or on property abutting a street and located within one-half mile of a transit route.
 - (B) Notwithstanding subsection (c)(2)(A) of this section, a managed temporary village shall not be located:
 - (i) On property used for residential use;
 - (ii) On property abutting a school;
 - (iii) Within a mapped flood plain or floodway, or an area with moderate or high landslide hazard risk pursuant to SRC chapter 810;
 - (iv) Within a wetland or riparian corridor; or
 - (v) On property with a known archaeological resource, except as otherwise approved under SRC chapter 230.
 - (3) *Maximum number and types of shelter units allowed.*
 - (A) The maximum total number of shelter units within a managed temporary village shall not exceed 40. **The maximum number of shelter units does not include any shelter units provided within a building on the same site.**
 - (B) Any of the following, either individually or in combination, are allowed as shelter units within a managed temporary village provided the maximum number of allowed shelter units is not exceeded:
 - (i) Pre-fabricated, non-permanent, portable structures such as tiny homes, yurts, Conestoga huts, and similar structures;
 - (ii) Tents and similar non-permanent portable structures designed specifically for camping; and

- (iii) Vehicles such as cars, trucks, vans, motorized or towable recreational vehicles, and similar conveyances.
- (C) Improvised camps are not allowed.
- (4) *Maximum number of residents per shelter unit.* Except for vehicles, not more than two adults, eighteen years of age or older, shall be allowed per shelter unit. Within a vehicle, either a family consisting of an individual or two or more persons related by blood, marriage, domestic partnership, legal adoption, or guardianship or not more than two unrelated adults, eighteen years of age or older, shall be allowed per vehicle.
- (5) *Operational standards.*
 - (A) *Operation and management.* A managed temporary village must be operated and managed by:
 - (i) A local government, as defined in ORS 174.116;
 - (ii) An organization with a minimum of two years' experience operating an emergency shelter or providing shelter and support services to the homeless that is:
 - (aa) A local housing authority, as defined in ORS 456.375;
 - (bb) A religious corporation, as defined in ORS 65.001; or
 - (cc) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals and that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2017; or
 - (iii) A non-profit corporation partnering with any other entity described in this subsection.
 - (B) *Staffing.* An on-site manager shall be present at all times when the shelter is in operation.
 - (C) *Required support services and facilities.* A managed temporary village shall include the following on-site support services and facilities for the health, safety, and support of residents:
 - (i) *Support services and facilities required for all managed temporary villages.* All managed temporary villages shall provide at a minimum the following support services and facilities:
 - (aa) A minimum of two restrooms;
 - (bb) Handwashing facilities;
 - (cc) A secure covered storage area for resident's personal belongings; and
 - (dd) A solid waste collection and servicing area, meeting the vehicle operation area requirements of SRC 800.055(f), that includes at least one solid waste receptacle a minimum of six cubic yards in in size.
 - (ii) *Additional support services and facilities required for managed temporary villages with more than ten shelter units.* Managed temporary villages with more than ten shelter units shall provide the following additional support services and facilities:
 - (aa) A minimum of two showers or, if showers will not be provided on-site, an explanation of how access to off-site showers will be provided;
 - (bb) A designated covered dining area;
 - (cc) A laundry facility or, if laundry service will not be provided on-site, an explanation of how access to off-site laundry service will be provided;
 - (dd) A designated common area for gathering;

- (ee) A designated area where residents can meet with social workers and health care professionals to receive case management, counseling, and support services, as well as needed medical treatment or examinations; and
 - (ff) A secure covered storage area for supplies needed to operate the shelter.
- (D) *Fees for accommodations and services.* The operator of a managed temporary village may not charge residents a fee for any of the accommodations or services required under this section.
- (E) *Operation and management plan.* A managed temporary village shall include an operation and management plan that shall at a minimum identify:
- (i) Rules for shelter use and a code of conduct for governing resident behavior.
 - (ii) Provisions for supervision, safety, and security.
 - (iii) The proposed operational period for the shelter.
 - (iv) The hours that people may stay at the site.
 - (v) The number of continuous days an individual may reside at the shelter.
 - (vi) Provisions for shelter operation and maintenance including:
 - (aa) Garbage pickup and disposal;
 - (bb) Sewage and grey water pickup and disposal;
 - (cc) Pest control services; and
 - (dd) How the site will be kept free of trash and debris.
 - (vii) The support services and facilities that will be provided to shelter residents.
- (6) *Development standards.* A managed temporary village shall conform to the following development standards:
- (A) ~~*Perimeter setbacks.* A minimum 15-foot perimeter setback shall be required from all property lines. No shelter units, off-street parking and vehicle use areas, storage areas, sanitary facilities, or any other structures or shelter use areas shall be located within the required perimeter setback area.~~ **Setbacks for managed temporary villages shall be provided as follows: A minimum 15-foot perimeter setback shall be required from all property lines. No shelter units, off-street parking and vehicle use areas, storage areas, sanitary facilities, or any other structures or shelter use areas shall be located within the required perimeter setback area.**
- (i) Abutting street. A minimum 15-foot setback shall be provided from any property line abutting a street.**
 - (ii) Interior front, side, and rear.**
 - (aa) Abutting industrial and employment zones. A minimum 5-foot setback shall be provided from any interior front, side, or rear property line abutting an industrial and employment zone.**
 - (bb) Abutting all other zones. A minimum 15-foot setback shall be provided from any interior front, side, or rear property line abutting all other zones.**
 - (iii) No shelter units, storage areas, sanitation facilities, off-street parking and vehicle use areas, or any other structures or areas associated with the managed temporary village shall be located within the required setback area.**
 - (iv) Notwithstanding subsection (c)(6)(A)(iii) of this section:**
 - (aa) Existing paved off-street parking and vehicle use areas on a site may be used for the parking and maneuvering of vehicles regardless of setback; provided,**

however, such areas shall not be used for the parking of vehicles that are being used as shelter units.

(bb) Required perimeter fencing/screening may be located within the required setback.

- (B) *Height.* No structure within a managed temporary village shall exceed a maximum height of 15 feet. Maximum structure height does not apply to vehicles.
- (C) *Permitted structure type.* All structures within a managed temporary village shall be portable non-permanent structures.
- (D) *Shelter unit standards.*
 - (i) Shelter units shall not exceed a maximum 120 square feet in size and may, except for shelter units in tents, vehicles, or other structures not suitable for attachment, be attached in larger structures. Maximum shelter unit size shall not apply to vehicles.
 - (ii) A minimum ~~86~~-foot-wide clear open area/separation shall be maintained around each shelter unit and any structure containing attached shelter units to ~~promote privacy~~ and allow for unobstructed pedestrian access throughout the ~~shelter site~~ and to individual shelter units.
 - (iii) Except for vehicles, shelter units may be located on either a paved or unpaved surface. Vehicles shall be located on a paved surface.
 - (iv) Shelter units shall only be located on areas of a site that are flat and well drained.
 - (v) All shelter units shall be numbered and arranged sequentially on-site in order to facilitate efficient emergency response.
 - (vi) When shelter units are provided in tents or similar non-permanent portable structures designed specifically for camping, they shall be located under a separate canopy or similar structure in order to provide weather protection from the sun and rain.
 - (vii) When shelter units are provided in vehicles, ~~the vehicles must be operable and~~ any vehicles possessing a septic system must be emptied and free of leaks prior to admittance to the site.
- (E) *Bicycle parking.* A minimum of ~~0.25~~one bicycle parking spaces shall be provided per shelter unit. Bicycle parking is exempt from the bicycle parking development standards included under SRC 806.060.
- (F) *Vehicle use area surfacing.* All areas of the site used for vehicle access and maneuvering shall be paved with a hard surface material meeting the Public Works Design Standards.
- (G) *Perimeter fencing/screening.* A minimum 6-foot-tall sight-obscuring fence with gate shall be provided around the perimeter of the managed temporary village.
- (H) Managed temporary villages shall not be located in a manner which obstructs required pedestrian connections, fire lanes or emergency access areas, or required vision clearance areas; or in a manner that reduces the off-street parking for any other use on the property below the minimum required number of spaces.
- (I) *Alterations to existing property.*
 - (i) Existing trees and existing landscaping within required setbacks shall not be removed in order to accommodate a proposed managed temporary village.
 - (ii) If an existing off-street parking or vehicle use area is proposed to be expanded to accommodate a proposed managed temporary village, the expanded off-street parking or vehicle use area shall comply with the applicable standards of SRC Chapter 806.

- (7) *Additional applicable codes and standards.* In addition to all other applicable laws and regulations, a managed temporary village shall be developed, maintained, and operated in compliance with the applicable provisions of the following:
- (A) SRC chapter 50 (Property Maintenance);
 - (B) SRC chapter 56 (Building Code);
 - (C) SRC chapter 58 (Fire Prevention Code);
 - (D) SRC chapter 93 (Noise);
 - (E) SRC chapter 97 (Human Rights)
- (d) *Criteria.* A Class 1 or Class 2 temporary use permit for a managed temporary village shall be granted if all of the applicable standards set forth in this section are met.

Tree Preservation on Lots/Parcels 20,000 Square Feet or Greater (SRC 808.025)

Sec. 808.025. Trees on lots or parcels 20,000 square feet or greater.

No person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Nothing in this section shall be construed to require the retention of trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential, ~~or~~ two family residential, three family residential, four family residential, or a cottage cluster.