



## Staff Report

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**File #:** 20-40

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**TO:** Mayor and City Council

**FROM:** Steve Powers, City Manager

**SUBJECT:**

Zoning analysis for a temporary shelter and low-barrier shelter, and

Considerations for adjusting camping restriction

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community; Welcoming and Livable Community

**ISSUE:**

Consider zoning analysis and camping restriction.

**RECOMMENDATION:**

No changes to City camping ordinances.

**SUMMARY:**

At their January 21, 2020 meeting, Salem City Council asked staff to prepare; (1) a zoning analysis of properties to serve as a temporary shelter and for a permanent low-barrier shelter; (2) information for consideration in adjusting Salem's camping ordinance.

**FACTS AND FINDINGS:**

Based on interviews with individuals who are homeless, many homeless individuals in the Salem area have untreated mental illness, addictions, and chronic health conditions worsened by long periods of homelessness. Some individuals have preexisting barriers to housing, such as criminal history, evictions, and poor rental history. Providing shelter for someone who is experiencing chronic homelessness requires intensive case management and a network of community-based services.

Many people and organizations in the Salem community are actively working to reduce hardships on

unsheltered individuals, provide shelter and services, and to increase access to affordable housing for those at-risk of becoming homeless. The service network in Salem is designed with the goal of transitioning participants to permanent supportive housing by connecting individual to services, such as health and mental health care, other basic services, and temporary indoor shelter.

### **Analysis of Zoning for Properties for Use as Possible Shelter**

- **Immediate Shelter Options** Owners of potential locations have been unwilling to consider a short-term lease for this use without a commitment to purchase the building. If funds were available immediately, from initial offer to closing, it is not possible to purchase a building to provide shelter before March 31, 2020.
- **Temporary Shelter** The Mid-Willamette Valley Community Action Agency investigated many properties for a temporary overnight shelter. A building needs to be at least 10,000 square feet in size, meet building safety codes for this type of use, and be in proximity to existing services. Following the January 21 Council meeting, the City and Mid-Willamette Valley Community Action Agency toured the Marion County's Juvenile Detention Facility (3030 Center Street NE).
  - Building size: 27,000 square feet
  - Zoning: PH (Public and Private Health Services)
  - Overlay Zone: None
  - Non-Profit Shelters Allowed: All shelters, no limitations on size, beds or individuals (*permitted use*)

Because the property is zoned Public Health, no land use approval would be required. The building itself is vacant, pending demolition, but the surrounding campus is still used by the Marion County Juvenile Department to house and providing counseling and other services for juveniles in detention and at-risk youth. Locating a no-barrier temporary shelter near at-risk youth presents the serious potential for negative consequences.

- **Permanent Low- or No-Barrier Shelter Options** The Mid-Willamette Valley Community Action Agency investigated many properties for a new permanent low- or no-barrier shelter to serve 60 to 100 individuals. The location discussed at the January 21 Council meeting:
  - Vacant Building located off Mission Street at 1185 22<sup>nd</sup> Street SE.
    - Building size: 18,300 square feet
    - Zoning: IC (Industrial Commercial)
    - Overlay Zone: None
    - Non-Profit Shelters Allowed: Shelters serving victims of domestic violence for 10

or few persons (*permitted use*); 1 to 75 persons (*conditional use permit*); and greater than 75 persons (*prohibited*)

- Parking Requirements: 1 space per 350 square feet

A conditional use permit application, to obtain approval for up to 75 people, requires a public hearing before the Salem Hearings Officer, with the potential appeal to the Planning Commission or call-up by City Council. Without a potential appeal or other delays, the conditional use process would take at least 90 days to reach a decision from the time the application is complete. By way of example, the process to complete the conditional use approval for the Union Gospel Mission's new location, which was eventually decided by City Council, took approximately seven months.

To obtain approval for more than 75 people, a zone change would be required. A zone change would also take at least 90 days to reach a final decision. It would require a public hearing before the Planning Commission, with the potential appeal or call up to City Council.

- **Navigation Center.** City and Mid-Willamette Valley Community Action Agency staff continue to investigate properties for a new navigation center, including sheltering capacity for about 30 individuals. The City will seek or assist the Mid-Willamette Valley Community Action Agency in seeking state funding to support both a low-barrier shelter and a navigation center.

### **Possible Adjustments to the Salem's Camping Restriction**

Council directed staff to evaluate whether to suspend the restrictions on campsites in industrial areas.

Suspending the camping restrictions will not result in a change of behaviors that are causing concerns from property owners and residents. The camping restriction provides a limited tool to allow the City to address campsites. Modifying the restrictions will likely lead to an increase in larger camps, such as what occurred near ARCHES and the adjacent apartment building. A large camp, particularly without basic services, such as trash collection and toilet facilities, is not sustainable due to the proliferation of trash and human waste. This would lead to a health hazard that would need to be abated by the City at considerable expense, and further dislocation of the individual campers.

Lifting the camping restrictions in certain areas, such as industrial areas, could result in the relocation of unsheltered individuals from the downtown core and other areas, but would substantially impact properties and neighborhoods in or near industrial areas.

Linking the camping restriction to the Crime Prevention Zones would likely make it more effective within those zones, although it may result in additional impacts in the areas outside the zones.

The City, through the Salem Police Department and the Salem Housing Authority, offers individuals who are unsheltered or homeless connection with services and to service providers, such as the overnight shelter at the Union Gospel Mission. Compliance with the camping and unattended

personal property restrictions has been voluntary and no citations have been issued.

**BACKGROUND:**

On December 9, 2019, the City Council directed the City work with Mid-Willamette Valley Community Action Agency to open warming centers every night through March 31. Warming centers are located at the Salem First Presbyterian Church, Capital Park Wesleyan Church, South Salem Friends Church, and Church at the Park and open when temperatures are 32 degrees or below. As of January 1, the warming center at Church at the Park has been open every night.

For the past two years, the City's role has been (a) responding to and managing the impacts caused by some individuals who are unsheltered, (b) assisting non-profit and community partners who provide shelter space, (c) housing chronically homeless individuals, and (d) assisting non-profit organizations, including the Salem Housing Authority, to provide services to unsheltered individuals. The City provides financial assistance to community organizations operating shelters and warming centers.

**Attachments:**

1. None.
- 2.
- 3.