

DRAFT Code Update Attachment A

Transitional Housing

Under provisions that implement HB 2916 (ORS 446.265), the State allows jurisdictions the option of permitting transitional housing. Pursuant to the provision, transitional housing is “accommodations (that) are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations.” The transitional housing accommodations are limited to persons who lack permanent or safe shelter or cannot be placed in other low income housing. Pursuant to the provision, the City has the authority to limit the maximum amount of time that an individual or family may use the accommodations.

The State provisions allow some requirements to be placed on transitional housing. Accommodations may be required to provide parking facilities, walkways, and access to water, toilets, showers, laundry, cooking, telephone or other services either through separate or shared facilities.¹

Beyond the definition of transitional housing, there are no standards in Title 10 or 11 that are directly associated with this housing type. Provisions that have been adopted by other jurisdictions include:

City	Use Categories & allowed zones	Types of shelter allowed	Max Stay	Development Standards/misc requirements
Bend	<ul style="list-style-type: none"> Allowed in most zones New is a Type II review, expansion of existing is Type I 	<ul style="list-style-type: none"> Hardship housing Temporary shelter Group shelters Outdoor shelters Multi-room shelters 	180 days (length of time shelter is allowed to operate)	<ul style="list-style-type: none"> “Good neighbor” guidelines On-call or on-site management Underlying zoning requirements apply with some exceptions Waiting/intake areas Transportation access and utility connections required
Portland	<ul style="list-style-type: none"> “Community Service” Allowed in almost all zones 	<ul style="list-style-type: none"> Occupied RVs Group living Short term, mass, and outdoor shelter 	<ul style="list-style-type: none"> Outdoor and mass shelters – 180 days 	<ul style="list-style-type: none"> Occupied RVs are exempt from base zone development standards and density standards. Prohibited from being an STR Parking requirements for occupied RVs are the

¹ Note: According to ORS 446.265, the Oregon Health Authority may develop public health best practices for shared health and sanitation facilities for transitional housing accommodations.

				<p>same as parking requirements for unoccupied RVs</p> <ul style="list-style-type: none"> • No min parking for group living
Salem	<ul style="list-style-type: none"> • Allowed as a “class 1” or “class 2” temporary use permit 	<ul style="list-style-type: none"> • Managed temporary village. Allows: <ul style="list-style-type: none"> ○ Prefab structures, such as tiny homes, yurts, conestoga huts ○ Tents ○ Vehicles and RVs ○ *improvised camps not allowed 		<ul style="list-style-type: none"> • Various operational and on-site standards
Seattle		Transitional Encampments		<ul style="list-style-type: none"> • Various requirements for fire safety/health hazards, utilities/cleaning/cooking facilities, other
Silverton	<ul style="list-style-type: none"> • Allowed on properties owned by religious use • Conditional use process • Required to undergo periodic review and renewal 	<p>Transitional Shelter Community</p> <ul style="list-style-type: none"> • Allows: <ul style="list-style-type: none"> ○ Stick built or prefab structures ○ Must be detached ○ Fabric walls prohibited (tents, yurts) ○ Vehicles, manufactured dwellings, trailers not allowed 	18 months	<ul style="list-style-type: none"> • Various development standards • No outdoor storage allowed • Fencing required • Case management/operations plan required • Code of conduct required • Priority given to individual from Silverton • Occupancy limited to 1 person per shelter

Definitions

Portland

Mass Shelter - . A building that contains one or more open sleeping areas, or is divided only by non-permanent partitions, and furnished with beds, cots, floor mats, or bunks. Individual bedrooms are not

provided. The shelter may or may not have food preparation or shower facilities. The shelter is managed by a public or non-profit agency to provide shelter, with or without a fee, with no minimum length of stay. Where individual bedrooms are provided, the facility is a short term shelter. See also Outdoor Shelter and Short Term Shelter.

Outdoor Shelter - Individual shelters grouped together in an outdoor setting. Examples of individual shelters include tents, yurts, huts, cabins, vehicles or other similar accommodation that do not contain sanitary or cooking facilities, and recreational vehicles with or without cooking and sanitary facilities. The shelter is managed by a public agency or a non-profit agency, with or without a fee, and with no minimum length of stay. An outdoor shelter may or may not include buildings that have food preparation or sanitary facilities. See also Mass Shelter and Short Term Shelter.

Short Term Shelter - A building that contains one or more individual bedrooms, and where occupancy of all rooms may be arranged with no minimum length of stay. The short term shelter facility may or may not have food preparation facilities, and shower or bath facilities may or may not be shared. The facility is managed by a public or non-profit agency to provide shelters, with or without a fee. Examples include transitional housing, and emergency shelters where individual rooms are provided. Where individual bedrooms are not provided, the facility is a mass shelter. See also Mass Shelter and Outdoor Shelter.

Bend

Temporary housing means a permanent facility providing temporary shelter for individuals and/or families who are homeless or in transition. Services may be provided including, but not limited to, accommodations, meals, toilet/bathing facilities, clothing/laundry, case management services and information on or referral to other community resources.

Recreational vehicle means a vehicle with or without motive power that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and as further defined, by rule, by the Director of the Department of Consumer and Business Services Transportation. ***(Underlined added by the Planning Commission on March 8, 2022)***

means a location for overnight accommodation of people who lack housing. A shelter is either a group shelter, outdoor shelter, or a multi-room shelter. See BDC 3.6.600, Shelters. **Shelter**

1. Group shelter means a building that contains one or more open sleeping areas, or is divided only by nonpermanent partitions, furnished with cots, floor mats, bunks, or other sleeping accommodations, for use as a shelter. See BDC 3.6.600, Shelters.

2. Outdoor shelter means a site on which multiple mobile or permanent units including tents, yurts, huts, cabins, manufactured dwellings, recreational vehicles, travel trailers, and other similar structures are placed for use as a shelter. See BDC 3.6.600, Shelters.

3. Multi-room shelter means a building that contains individual sleeping rooms for use as a shelter. See BDC 3.6.600, Shelters.

Shelter, Temporary means group shelters, multi-room, or outdoor shelters used for a limited period. See BDC 3.6.400(I). For temporary hardship housing, see Hardship Housing and BDC 3.6.400(H) .
(Deleted by the City Council on May 18, 2022)

Gresham

Transitional Housing. Housing provided for an extended period and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Seattle

Transitional Encampment. Means a use having tents or a similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping and shelter. The use may have common food preparation, shower, or other commonly-used facilities that are separate from the sleeping shelters.

Silverton

Transitional Housing Communities. Per ORS [446.265](#). Accommodations that may consist of separate facilities, in the form of sleeping pods or other approved structures, for use as living units by one or more individuals or by families. The person establishing the accommodations shall provide access to water and toilet through separate or shared facilities, and may provide access to shower, laundry, cooking, telephone or other services either through separate or shared facilities. The accommodations shall provide parking facilities and walkways. Transitional housing accommodations shall be limited to persons who lack permanent shelter and cannot be placed in other low income housing.

HUD

Transitional Housing (TH) provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. TH projects can cover housing costs and accompanying supportive services for program participants for up to 24 months.

Participants in a TH project must have a signed lease, sublease, or occupancy agreement with the following requirements:

- An initial term of at least one month
- Automatically renewable upon expiration, except by prior notice by either party
- A maximum term of 24 months

Sample Code Section

Under provisions that implement HB 2916 (ORS 446.265), the State allows jurisdictions the option of permitting transitional housing. Pursuant to the provision, transitional housing is “accommodations (that) are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations.” The transitional housing accommodations are limited to persons who lack permanent or safe shelter or cannot be placed in other low income housing. Pursuant to the provision, the City has the authority to limit the maximum amount of time that an individual or family may use the accommodations.

The State provisions allow some requirements to be placed on transitional housing. Accommodations may be required to provide parking facilities, walkways, and access to water, toilets, showers, laundry, cooking, telephone or other services either through separate or shared facilities.

Beyond the definition of transitional housing, there are no standards in Title 10 or 11 that are directly associated with this housing type. **To start the discussion, we have drafted provisions for transitional housing that are largely based off what other jurisdictions in Oregon are doing. At a minimum, we recommend the City allow transitional housing as a conditional use in all residential, commercial, institutional/office, and commercial zones. Allowing transitional housing in these areas is consistent with the other affordable housing requirements included in the Code update.**

10-38-5 Transitional Housing

- A. Transitional housing is allowed under the following circumstances:
 - 1. On land used as a religious institution or place of worship per FCC 10-2, regardless of the underlying zoning designation.
 - 2. In areas zoned to allow transitional housing, per FCC 10-10
- B. Allowed shelter types.
 - 1. Stick-built detached or attached units
 - 2. Prefabricated or manufactured units
 - 3. Yurts
 - 4. RVs or mobile homes
- C. Maximum Building Footprint. The maximum building floor space for each shelter unit is 400 square feet.
- D. Maximum Number of Units. The maximum number of units per parcel is one for every 1,000 square feet of area of the site the units are to be located on, rounded to the nearest whole number.
- E. Length of stay. An occupant may reside in a transitional housing dwelling for up to 18 months.
- F. Bathrooms and Kitchens. Bathrooms and kitchens are prohibited in the shelter units. Instead, common permanent bathroom facilities available all hours of all days shall be provided for the residents and kitchen facilities may be provided to residents.
- G. Utilities. Water service, sanitary sewer service, natural gas service, propane heaters, and generators are prohibited in the shelter units but are permitted in common facilities. Trash and recycling service is to be provided in the vicinity of the use.
- H. Storage. No outdoor storage is permitted, excluding bicycles. Residents shall be provided with enclosed, secure storage facilities for their belongings.

- I. Minimum Rear and Side Yard Depth. The minimum rear and side yard depth is five feet, except that if the rear or side yard abuts a residential district, the minimum shall be 10 feet from the abutting lot line.
- J. Minimum Structure Separation. Structures shall be separated from one another by a minimum of five feet.
- K. Conditional Use. Transitional shelter communities shall be reviewed as a conditional use; however, no fee shall be charged for such review.
- L. Periodic Review and Renewal. Transitional housing developments shall require periodic review and renewal. The first periodic review and renewal shall be conducted one year from occupancy and shall follow the conditional use review procedure. If renewal is approved, periodic review and renewal shall be conducted bi-annually from that point, following the conditional use review procedure.
- M. Financial security (bonds, petitions, cash, etc.) to ensure the removal of the improvements should approval not be renewed shall be provided to the city prior to occupancy.
- N. Site manager. Each transitional housing development must have an assigned site manager, who can be an owner-occupant, tenant, lessee or person other than an owner who has possession and/or control of the property. The site manager shall provide local contact information, name and telephone number, to all property owners and residents within 500 feet of the site on an annual basis. The site manager must be available to accept and immediately respond to telephone calls during business hours. Any change in local contact person must be reported to the city and property owners and residents within 500 feet of the site at least seven days prior to the date the change takes effect.
- O. Management plan. An operations, security, and case management plan for the transitional shelter community shall be submitted to the city at the time of application for review and approval.
- P. Code of Conduct. The managing agency shall provide to all residents of the transitional housing development a code of conduct for living at the transitional shelter community, including information regarding the noise disturbance standards of FCC XX, the chronic nuisance property standards of FCC XX, and the Periodic Review and Renewal timetable. A copy of the code of conduct shall be submitted to the city at the time of application for review and approval.
- Q. Eligibility. Priority should be given to individuals that have been living within Florence or Lane County (excluding Eugene) for the past year.

Other resources

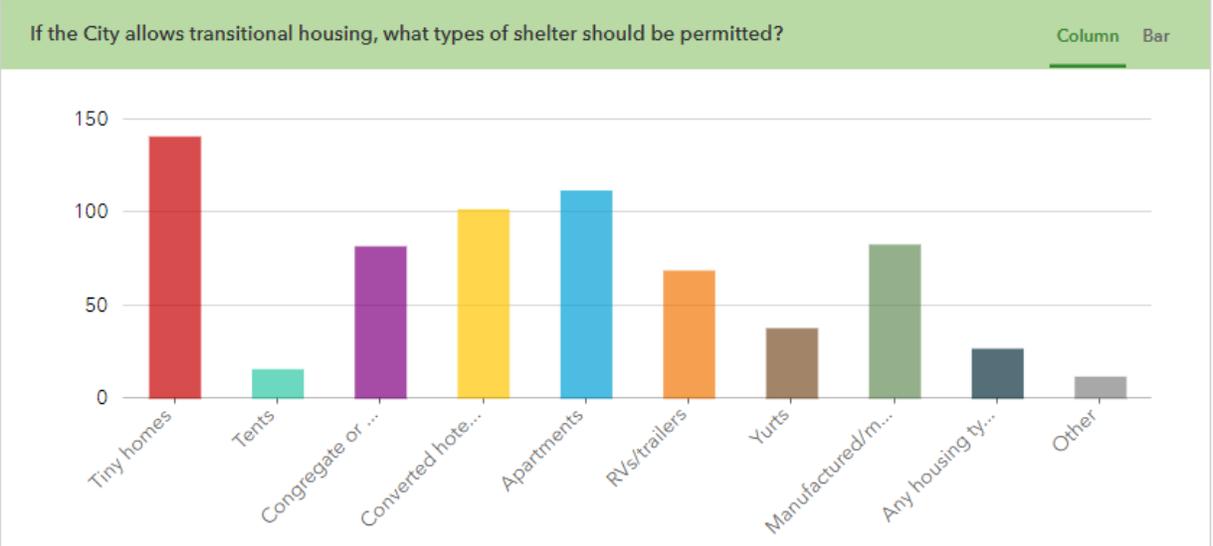
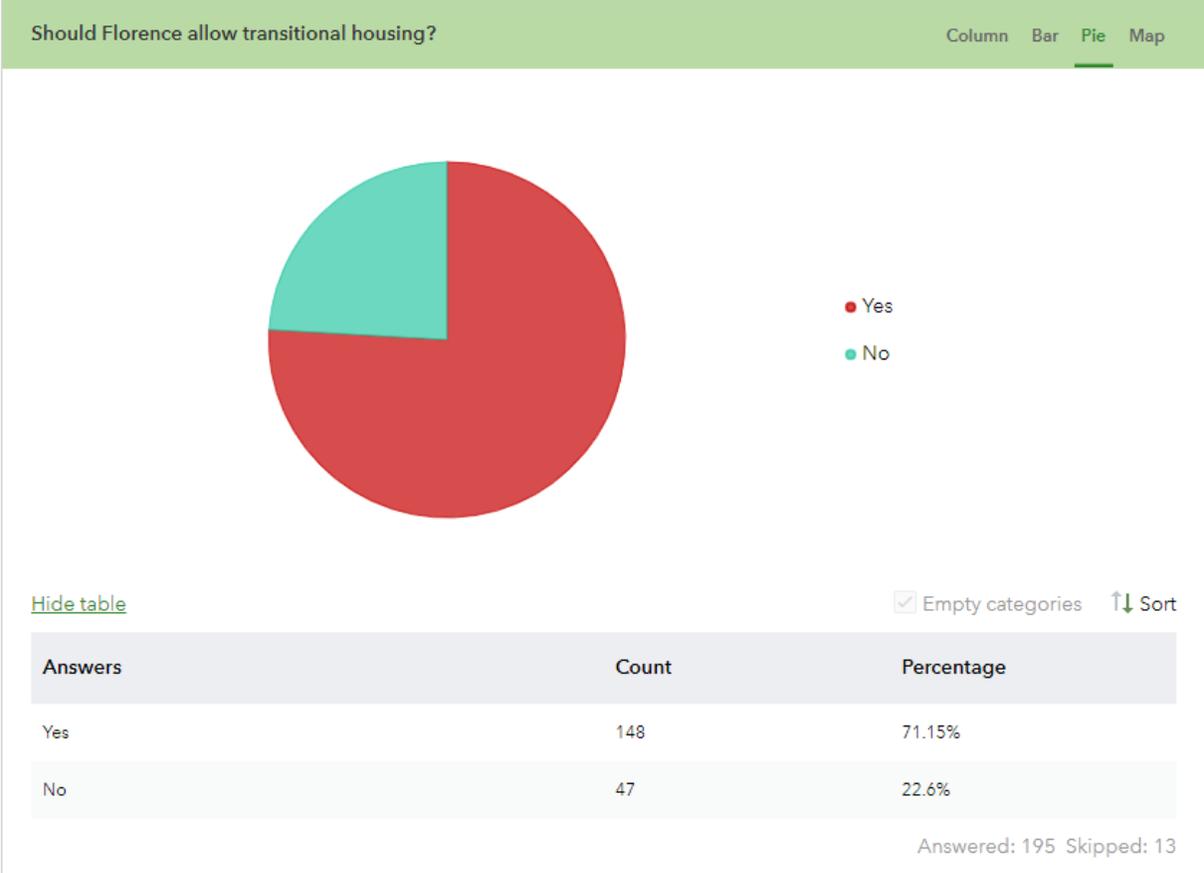
- Rogue Retreats: <https://www.rogueretreat.org/housing-shelter/>
- Portland S2HC: <https://www.portland.gov/bps/planning/s2hc>
- PSU HRAC: <https://www.pdx.edu/homelessness/evaluation-best-practices-village-model>

- Portland Transition Projects: <https://www.tprojects.org/>
- Oregon PSH Program: <https://www.oregon.gov/ohcs/development/Pages/permanent-supportive-housing.aspx>
- Bend Outdoor Shelters Program: <https://www.bendoregon.gov/city-projects/community-priorities/houselessness/outdoor-shelter>
- HUD Exchange Continuum of Care (CoC) Program Eligibility:
<https://www.hudexchange.info/programs/coc/coc-program-eligibility-requirements/>
 - [HUD TH Definition](#)

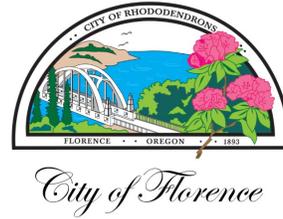
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



TRANSITIONAL HOUSING SURVEY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



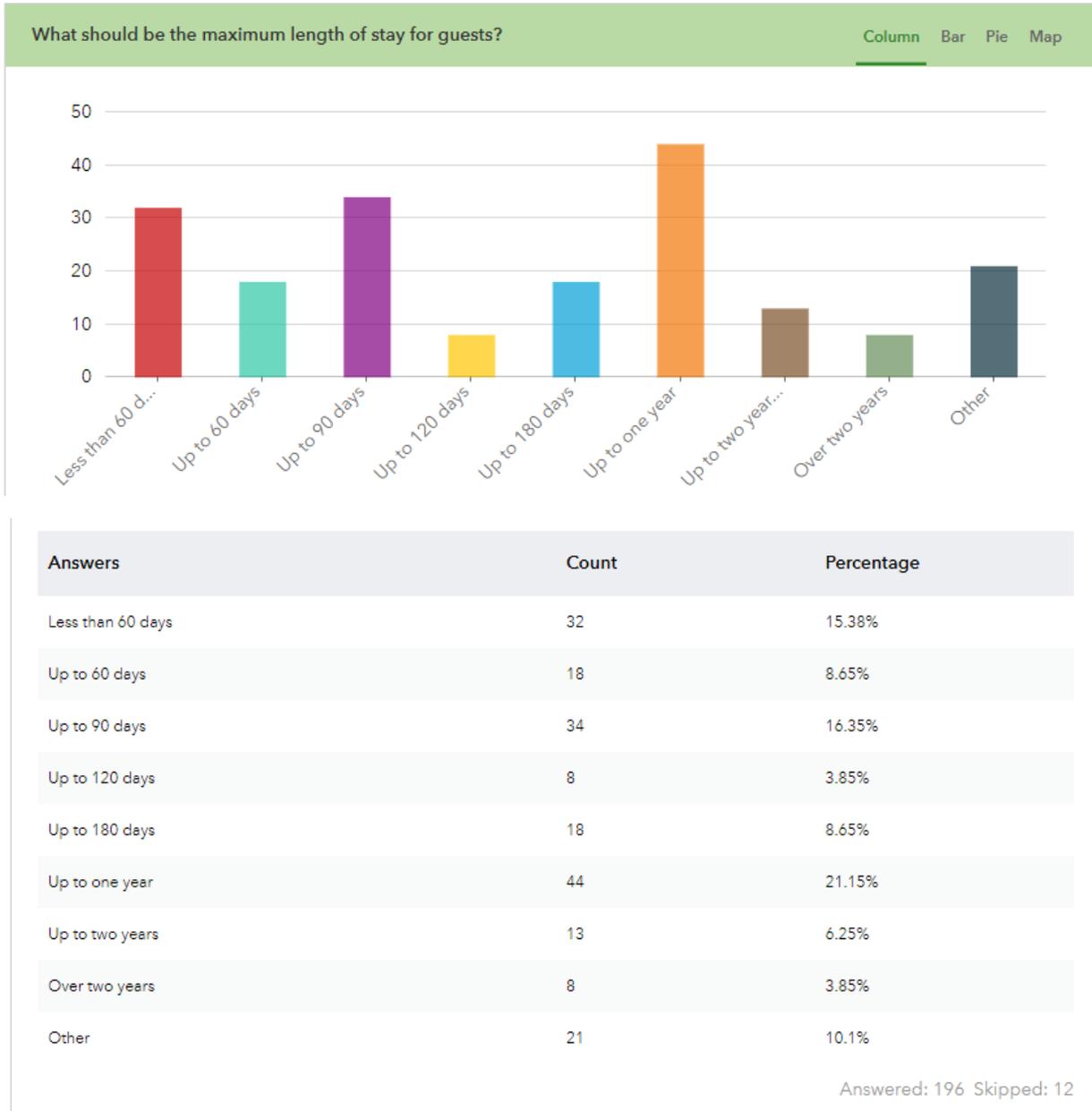
Answers	Count	Percentage
Tiny homes	141	67.79%
Tents	16	7.69%
Congregate or group housing	82	39.42%
Converted hotels or motels	102	49.04%
Apartments	112	53.85%
RVs/trailers	69	33.17%
Yurts	38	18.27%
Manufactured/mobile homes	83	39.9%
Any housing type	27	12.98%
Other	12	5.77%

Answered: 184 Skipped: 24

If you selected "other" in the previous question, what other types of shelter should be allowed as transitional housing?

- Redevelopment of vacant/abandoned buildings
- Designated overnight parking areas for vehicles
- Several comments suggesting no transitional housing should be allowed

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



If you selected "other" in the previous question, what do you think the maximum length of stay should be for transitional housing guests?

- Zero
- Under six months
- Indefinitely until the guest finds permanent housing and/or work

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



- 45 days
- 18 months



If you selected "other" for the previous question, what areas should allow transitional housing?

- On any vacant property
- Within a certain distance of services
- Outside city limits

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



- Land owned by religious institutions
- Anywhere



Answers	Count	Percentage
Landscaping/screening requirements	135	64.9%
Minimum parking	127	61.06%
Bike parking	116	55.77%
Storage facilities	111	53.37%
Minimum open space	68	32.69%
Common spaces/areas	117	56.25%
Must have architectural design requirements	83	39.9%
Other	19	9.13%

Answered: 188 Skipped: 20

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY

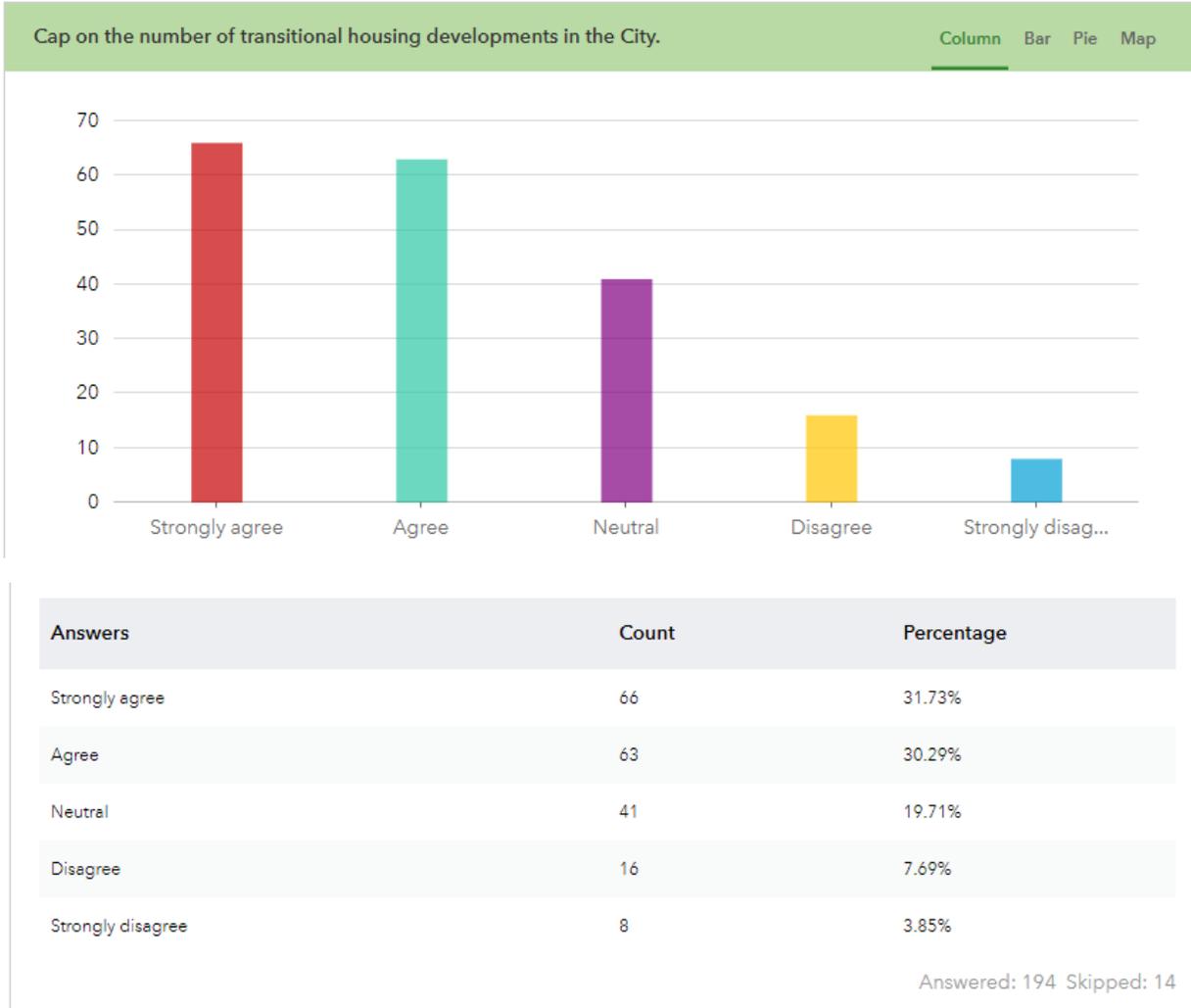


If you selected "other" in the previous question, what kind of development standards or amenities should be required with transitional housing?

- Security
- Basic amenities (wifi, laundry)
- General maintenance for a clean property
- ADA
- Transit access

Please indicate how much you agree with the following transitional housing strategies:

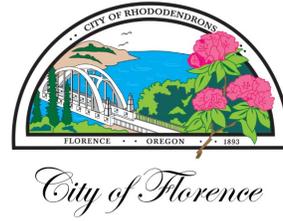
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



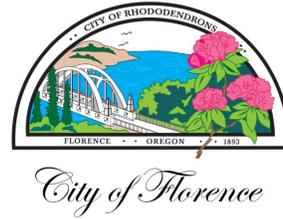
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



If you have other ideas for how Florence should limit or manage the location and number of transitional housing projects, please write them here.

- Concerns transitional housing will attract more people experiencing homelessness from other areas
- Need supportive wrap-around services
- Must be close to services
- Should be close to transit
- On-site management and operational/maintenance standards

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 23 32 TA 06

A RECOMMENDATION TO THE CITY COUNCIL TO MAKE LEGISLATIVE AMENDMENTS TO THE FLORENCE CITY CODE TITLE 10, TO SUPPORT TRANSITIONAL HOUSING, MISSIONS AND EMERGENCY SHELTERS ASSOCIATED WITH PHASE 2 OF THE HOUSING IMPLEMENTATION PLAN PROJECT AND REDUCE LOT DIMENSIONS FOR MEDIUM DENSITY SINGLE UNIT DETACHED DWELLINGS.

WHEREAS, Application was made through initiation by the Planning Commission to amend Florence City Code, as required by FCC 10-1-3-C; and

WHEREAS, the notice was sent to the Department of Land Conservation and Development on December 14, 2023, not less than 35 days prior to the first evidentiary hearing; and

WHEREAS, the Planning Commission met in a duly noticed public hearing on January 23, 2024 as outlined in Florence City Code 10-1-1-6-4, to consider proposal, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission determined per FCC 10-1-1-6-4, after review of the proposal, findings of fact, testimony and evidence in the record, that the proposal meets the criteria; and

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Florence finds based on the Findings of Fact and evidence in record:

The proposed code amendments shown in Exhibits "B" and "C", meet the applicable criteria in Florence City Code, Florence Realization 2020 Comprehensive Plan, Oregon Revised Statutes and Oregon Administrative Rules. The Planning Commission recommends approval of the code amendments to the Florence City Council.

ADOPTED BY THE FLORENCE PLANNING COMMISSION the 23rd day of January 2024.



SANDRA YOUNG, Chairperson
Florence Planning Commission

January 23, 2024

DATE