

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING SECTIONS 157.055 OF CHAPTER 157 OF THE HERMISTON CODE OF ORDINANCES AND ADDING TEMPORARY EMERGENCY SHELTER TO THE LIST OF USES PERMITTED CONDITIONALLY IN THE LIGHT INDUSTRIAL ZONE

The City of Hermiston ordains as follows:

(New language is in **red** and *italics* and deleted language has a ~~line through it.~~)

Section 1. Section 157.055(B) of the Hermiston Code of Ordinances is amended to read:

157.055 Light Industrial Zone

B. Conditional uses permitted. In a M-1 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of §§ [157.205](#) through [157.210](#):

- 1) Temporary dwelling unit;
- 2) Fuel oil distribution; and
- 3) Planned unit development.
- 4) *Temporary Emergency Shelter subject to the following design standards and conditions:*
 - a. *A temporary emergency shelter shall be designed as a central community building for the provision of services to the residents and a series of detached shelters providing overnight accommodations for the residents. Staff facilities, offices, food storage, etc., shall be within the central community building.*
 - b. *The portion of the development site containing the community building and temporary emergency shelters shall be enclosed with an eight-foot chain-link fence equipped with sight obscuring slats. The operator shall be responsible for its permanent maintenance.*
 - c. *Facility shall be sited on property owned by a registered non-profit agency or a local, county, state, or federal government agency. A qualifying non-profit agency shall be defined as a 501c(3) organization registered with the US Internal Revenue Service (IRS) and considered active by the IRS during the current tax year.*
 - d. *Facility shall be considered an accessory use to existing permitted industrial uses on the property. A temporary emergency shelter is not a residential use under the definitions of ORS 197.303. In the event no permitted uses are occurring or the property is otherwise vacant, the use shall not be allowed.*
 - e. *Facility shall be located at least 1,000 feet from any public or private elementary, junior high, or high school, and at least 1,000 feet from another temporary emergency shelter, as measured from closest property line to closest property line.*
 - f. *Facility shall contain at least one community building containing shower facilities and permanent restrooms. Showers shall be provided at a ratio of one shower for every ten (10) shelters. Toilets shall be provided at a ratio of one toilet for every eight (8) shelters.*

- g. Individual shelter units shall not be serviced with water, sewer, or electrical service. All facilities for the health and wellness of residents shall be furnished within the community building.*
- h. All temporary shelter units shall be removed within 60 days of the termination of operations of the primary permitted use. The community building may remain at the property owner's discretion. In the event the shelter ceases operations, all shelter units shall be removed within 60 days of the termination of operations.*
- i. Due to the transitory nature of residents and staff in the temporary emergency shelter, parking spaces designed and constructed in compliance with the standards of §157.175 through §157.179 of this chapter are not required and gravel parking may be utilized. However, no portion of any parking area nor any other portion of the property may be used for the storage of vehicles in excess of 24 hours.*
- j. A fenced pet area of at least 200 square feet shall be provided. Pet waste must be contained within this area and deposited in an appropriate receptacle.*
- k. Each temporary emergency shelter unit shall be provided with a lockable, external storage unit for the overnight, secure storage of resident possessions.*
- l. Drugs and alcohol, with the exception of prescription medications accompanied by a doctor's prescription, shall not be allowed at any location on the premises.
 - i. The operator shall initiate random spot checks for drugs and alcohol at regular intervals.*
 - ii. In the event drugs or alcohol are found on the premises, any resident found in possession shall be removed from the property and a report shall be made to the Police Department.**
- m. Temporary emergency shelter units shall be subject to all applicable building code requirements. A battery-operated smoke detector shall be provided in each unit. Each unit shall have at least one door and one emergency egress window.*
- n. Outdoor lighting shall be provided. Lighting shall be oriented to prevent direct illumination onto abutting property.*
- o. Occupancy of the facility shall be limited to no more than 60 persons, including staff, per night. Total shelters on-site shall be limited to no more than 45 shelters. Occupancy of each shelter shall be no more than two persons.*
- p. Facility shall be used for the sheltering of residents from half an hour before dusk each night until 8:30 am the following day.*
- q. All residents shall vacate the facility each day no later than 8:30 am. The hours between resident vacation and resident admission shall be used for site maintenance and cleaning.*
- r. All temporary emergency shelters shall be subject to an annual review by the planning commission subject to the standards for a conditional use*

permit in §157.205 through §157.210 of this chapter. The annual review shall be subject to the public hearing requirements in §157.229 of this chapter. The planning commission may modify conditions of approval or revoke a conditional use permit for a temporary emergency shelter upon finding that the operator has not met the conditional use permit standards in §157.208 of this chapter.

- s. At least 45 days prior to any annual review by the planning commission the operator shall submit a written report to the city planner detailing the temporary emergency shelter's compliance with the standards in §157.208 of this chapter and with the conditions of approval from the issuance of the conditional use permit.*
- t. Any operator of a temporary emergency shelter shall notify the city manager in writing at least 30 days prior to termination of operations. The notice of termination shall include the projected final date of operation and establish a schedule for removal of all shelters.*

Section 2. The effective date of this ordinance shall be thirty days after enactment.

ADOPTED by the Common Council this 27th day of July 2020.

SIGNED by the Mayor this 27th day of July 2020.

David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER