

ORDINANCE NO. 2308

AN ORDINANCE AMENDING SUBSECTIONS 157.055(B) AND 157.056(B) 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 AND HEAVY INDUSTRIAL ZONES

The City of Hermiston ordains as follows:

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

Section 1. Subsection 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) Junkyard
- 2) Temporary dwelling unit;
- 3) Fuel oil distribution; and
- 4) Planned unit development.
- 5) *Temporary Emergency Shelter subject to the following design standards and conditions:*
 - a. *A temporary emergency shelter shall be for short-term housing of persons. Occupancy shall not exceed eighteen continuous months for any resident. Shelters shall be designed and constructed to be quickly removable at the cessation of operations and permanent foundations shall not be used where not expressly required by building codes. A temporary emergency shelter is not a residential use under the definitions in ORS 197.303.*
 - b. *The minimum lot area for a temporary emergency shelter shall be one-half acre and the maximum lot area shall be one and one-half acres.*
 - c. *A business plan, operation plan, security plan, and all supporting documentation for resident rules shall be submitted and approved by the planning commission as part of the conditional use permit application.*
 - d. *A temporary emergency shelter shall include a community building for the provision of services to the residents and detached, temporary shelters providing overnight accommodations for the residents. Staff facilities, offices, food storage, and other facilities, shall be within the community building. The 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 25 residents. Toilets shall be provided at a ratio of one toilet for every twenty (20) residents.*
 - e. *The portion of the development site containing the shelters shall be enclosed with a chain-link fence equipped with sight obscuring slats of at least six feet in height. The operator shall be responsible for permanent maintenance of the fence. The community building may be located within the fenced enclosure or within 500 feet of the fence when off-site services are provided.*

- f. Facility shall be operated 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.*
- g. Where there are no permitted industrial uses or the property is otherwise vacant, the use shall not be allowed.*
- h. The facility shall be located at least 1,000 feet from any public or private elementary, junior high, or high school, at least 1,000 feet from any public park, and at least 1,000 feet from another temporary emergency shelter. Distances shall be measured from the closest property line of the temporary emergency shelter to the closest property line of the nearest school or temporary emergency shelter as depicted on the Umatilla County assessor maps.*
- i. Temporary shelters 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.*
- j. All shelters shall be removed within 60 days of the termination of operations of the permitted industrial use on the property. The community building may remain at the property owner's discretion. In the event the shelter ceases operations, all temporary shelters shall be removed within 60 days of the termination of operations.*
- k. Due to the transitory nature of residents and staff in a temporary 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 72 hours.*
- l. A fenced pet area of at least 200 square feet shall be provided for the exercise and sanitation needs of pets. Pet waste must be contained within this area and collected and deposited in an appropriate receptacle.*
- m. Each temporary shelter shall be provided with a lockable, external storage unit for the secure storage of resident possessions.*
- n. Temporary shelters shall be subject to all applicable building code requirements. One battery-operated smoke detector and one battery-operated carbon monoxide detector shall be provided in each unit. Each unit shall have at least one door and one emergency egress window.*
- o. Outdoor lighting shall be provided. Lighting shall be oriented to prevent direct illumination onto abutting property.*
- p. Total shelters may be provided at a ratio of no more than one shelter per 1,400 square feet of lot area. Occupancy of each shelter shall be no more than two persons unless otherwise authorized by the building official and fire marshal.*
- q. All temporary emergency shelters shall be subject to a review by the planning commission subject to the standards for a conditional use permit in §157.205 through §157.210 of this chapter. The planning commission shall set the schedule for review as part of the conditional use permit*

process. The 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 or the conditions of approval.

r. At least 45 days prior to any 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.

s. An 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. Subsection 157.056(B) of the Hermiston Code of Ordinances is amended to read:

157.056 Heavy Industrial Zone

B. Conditional uses permitted. In a M-2 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) Planned unit development; ~~and~~
- 3) Sand and gravel pits, including related activities such as exploration excavation, rock crushing, asphalt protection and storage, subject to requirements in § [157.149](#); *and*
- 4) *Temporary Emergency Shelter, subject to the requirements in §157.055(B)(5).*

Section 3. The effective date of this ordinance shall be thirty days after enactment.

ADOPTED by the Common Council this 14th day of September 2020.

SIGNED by the Mayor this 14th day of September 2020.

David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER