

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 3/14/17 **Approx Start Time:** 10 a.m. **Approx Length:** 1/2 hour

Presentation Title: Land Use Options to Accommodate Transitional Housing

Department: Dept. of Transportation and Development, Planning and Zoning Division

Presenters: Mike McCallister, Planning Director; Barbara Cartmill, DTD Director

Other Invitees: Dan Johnson, DTD Assistant Director

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff is requesting direction from the Board on potential amendments to the ZDO to accommodate certain transitional housing projects; specifically, a car camping/ overnight parking program and a transitional shelter project.

EXECUTIVE SUMMARY:

The Board expressed interest in assessing transitional housing opportunities to address homelessness, including veterans and women's sheltering needs in Clackamas County. Beginning this year the County Administrator also convened an on-going "Housing Strategy" group which meets monthly to discuss housing issues. The group consists of staff from County Administration, H3S, DTD Administration, Planning and Zoning and Commissioners Savas and Schrader. This group has discussed a number of issues and potential strategies to address possible solutions on both the "Intervention" and "Prevention" side of the Housing Continuum. See Attachment 1.

The Clackamas County Zoning and Development Ordinance (ZDO) does not specifically address overnight parking programs (i.e. car camping) or transitional housing land uses. At this time, the siting of these types of projects could only be authorized if they fit within the existing regulatory framework of the ZDO. The existing options are limited and for the most part options for shelter solutions on the "Intervention" side of the Housing Continuum are only permitted thru a temporary permit which have limited duration of one year. The Table in Attachment 2 identifies both for existing options available under the ZDO and possible amendments to the ZDO to accommodate transitional housing land uses.

The Housing Strategy group has identified two short term strategies to address the houseless population on the "Intervention" side of the Housing Continuum.

1. Overnight Parking Program as an Accessory Use on Properties Owned by Religious Institutions, Non-Profits and Service Centers:

Shelter options could include cars, tents, campers and other non-permanent shelters. Benefits include a streamlined process to allow overnight uses and allow land owners (religious institutions, non-profits, service centers, etc.) to be part of the solution by acting as responsible stewards of the camps and spread the perceived impacts of transitional housing geographically

throughout the County. This option would provide immediate needs for homelessness and a safe place to park. Standards could include a limit on the number of campers/shelters each night and hours to arrive and leave the property, setbacks, provisions for port-a-potties, etc.

2. Transitional Shelter Project as a Conditional Use in Industrial Zoned Areas:

Interest has grown around the ability to provide some form of transitional shelter / housing options, most notably, in the industrial zoning districts of Clackamas County. These areas provide generally flat lands, comprised of a variety of parcel sizes, which are not generally located near highly populated areas. Options to provide for this housing type include:

- a. Amend the ZDO to allow for transitional housing/shelters permanently as on outright permitted use subject to approval standards.
- b. Amend the ZDO to allow for transitional housing/shelters permanently through a conditional use permit (public hearing review).

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES X NO

What is the cost? The cost of any ZDO amendments is in staff time, mailing of public notice, extent of the public outreach program, level of community interest in the proposal and at the Planning Commission and BCC public hearings. The exact amount will depend on the scope of the amendments the Board wishes to consider and the amount of public interest that results.

What is the funding source? General Fund

STRATEGIC PLAN ALIGNMENT:

- **How does this item align with your Department’s Strategic Business Plan goals?** This item aligns with the Long Range Planning Program’s purpose statement to provide plan development (updates to the Comprehensive Plan, Transportation System Plan and Zoning & Development Ordinance), analysis, coordination and public engagement services to residents; businesses; local, regional and state partners, and County decision-makers so they can plan and invest based on a coordinated set of goals and policies that guide future development.
- **How does this item align with the County’s Performance Clackamas goals?** This item aligns with the county’s Performance Clackamas goal to “*Ensure Safe, Healthy and Secure Communities*” because it will further a performance measure to reduce by 50 percent the number of unsheltered veterans in Clackamas County by 2019.

LEGAL/POLICY REQUIREMENTS: Amendment to the ZDO must comply with Statewide Planning Goals, Metro Functional Plan (inside Portland UGB) and other land use requirements depending on the scope of the amendment. Amendments to the ZDO require public hearings

before the Planning Commission and Board. Generally, ZDO amendments will require a minimum of 4-6 months from initiation to adoption of a final Board Order.

Other policy issues to consider prior to initiating a ZDO amendment include:

1. The scope of the public outreach program for each amendment.
2. Impacts to the current work program. A ZDO amendment to address car camping and transitional housing is not on the current 2016 -2017 Planning and Zoning Division work program. The 2017-2018 work program being considered by the BCC on Thursday March 16 includes a placeholder for these types of amendments.
3. Other on-going County efforts related to transitional housing, including the housing study being considered by H3S and the Grant Proposal for Veterans Housing (Letter of Intent Proposals).

PUBLIC/GOVERNMENTAL PARTICIPATION: Amendments to land use regulations require various types of public notice (e.g., newspaper, Oregon Department of Land Conservation and Development, community planning organizations, cities in the county). Individual mailed property owner notice is required if the proposal includes the restriction or prohibition of a use of land. The degree to which property owner notice is required will depend upon the scope of the amendments the Board wishes to consider.

OPTIONS:

1. Direct staff to proceed with amendments to the ZDO to provide for an overnight parking program on properties owned by churches (places of assembly), non-profits and service centers providing services to the homeless.
2. Direct staff to proceed with amendments to the ZDO to provide for a transitional shelter project as a conditional use permit on industrial lands.
3. Direct staff (in coordination with H3S) to notify churches, non-profits and service centers providing services to the homeless to apply for a temporary permit to allow overnight parking. This option would provide in effect a “pilot program” for this type of use and a means to evaluate the interest, effectiveness and impacts of such a program before amending the ZDO. The application fee for a temporary permit is \$520.00. Section 1307.15 of the ZDO allows the County Administrator or designee to reduce or waive fees upon showing of just cause to do so
4. Direct staff to not proceed at this time.

RECOMMENDATION:

Staff respectfully recommends to the Board Options 2 and 3.

ATTACHMENTS:

1. Housing Continuum Graph
2. Land Use Options on the Housing Continuum Table

SUBMITTED BY:

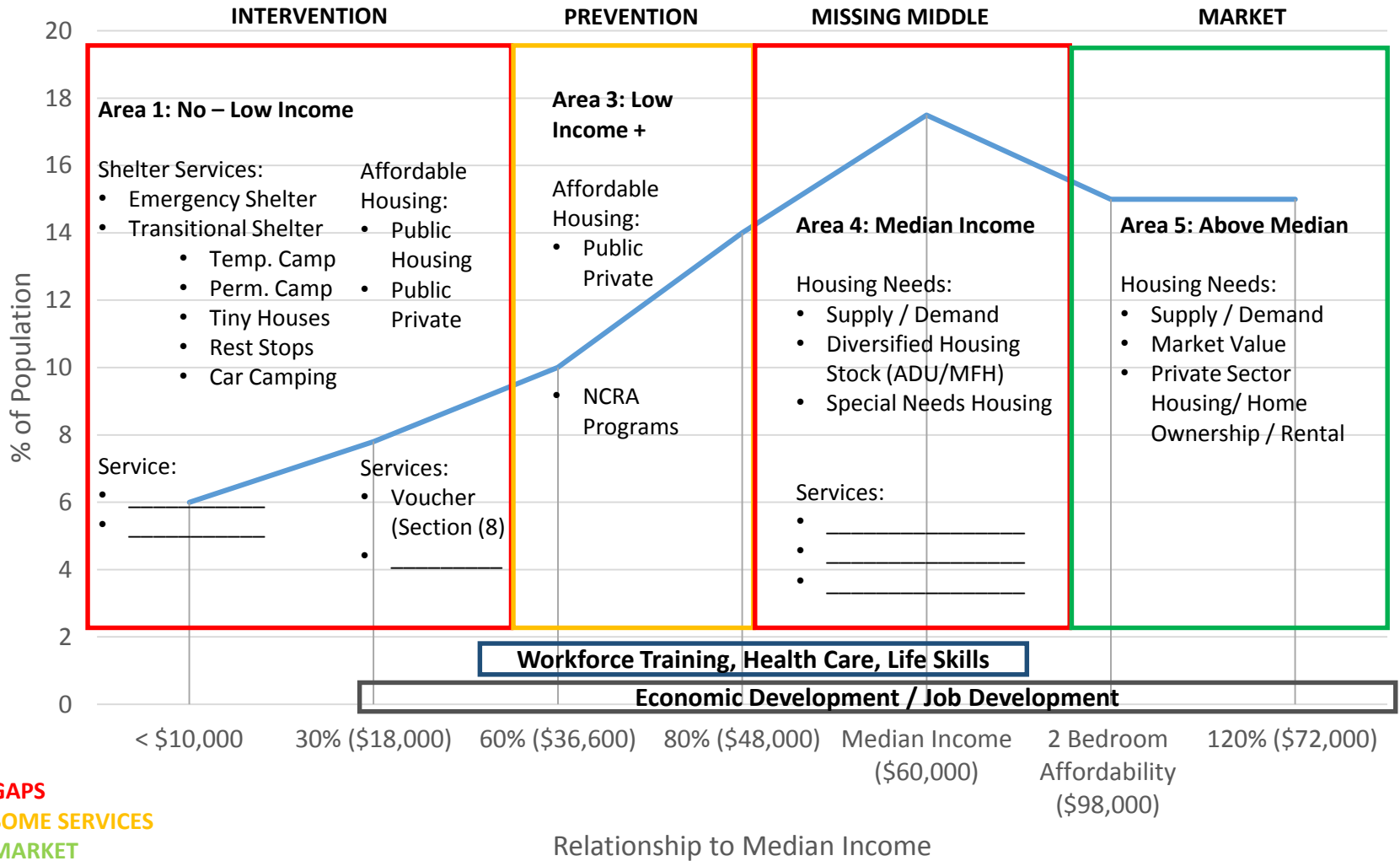
Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Mike McCallister @ 503-742-4522

Clackamas County Income Distribution



Land Use Options on the Housing Continuum

OPTIONS CURRENTLY AVAILABLE UNDER THE ZONING AND DEVELOPMENT ORDINANCE								
	PROJECT	SHELTER TYPE*	HOUSING CONTINUUM	REQUIRED ACTION	TIME FRAME **	OUTREACH ***	LOCATION / ZONING	FTE
A1	Rest Stops	Temporary Overnight Camping	Intervention	Land Use Permit / Temporary Permit for Use Otherwise Prohibited	45-120 days / LU Permit	No	Any Zoning District (Permit is only valid for one year)	N/A
A2	Tiny Houses	Temporary Housing	Intervention	Land Use Permit / Temporary Permit for Use Otherwise Prohibited	45-120 days / LU Permit	No	Any Zoning District (Permit is only valid for one year)	N/A
A3	Manufactured Home Park	Permanent Housing	Prevention	Design Review Application	45-120 days / LU Permit	No	MR-1	N/A
A4	Manufactured Home Park	Permanent Housing	Prevention	Conditional Use Permit	60-120 days / LU Permit	No	Urban Low Density Residential Zones (R-2.5 to R-30)	N/A
A5	Accessory Dwelling Units	Permanent Housing	Intervention	Allowed Outright (1 ADU Per Lot of Record)	30-60 Days Building Permit	No	Urban Low Density Residential Zones (R-2.5 to R-30)	N/A

ATT. 2

Land Use Options on the Housing Continuum

POSSIBLE AMENDMENTS TO THE ZONING AND DEVELOPMENT ORDINANCE								
#	PROJECT	SHELTER TYPE*	HOUSING CONTINUUM	REQUIRED ACTION	TIME FRAME **	OUTREACH ***	LOCATION / ZONING	FTE
P1	Car Camping	Temporary Overnight Camping	Intervention	ZDO Amendment	5 - 6 months PC and BCC Hearings	No	Urban Institutional / non-profit properties	.15
P2	Rest Stops	Temporary Overnight Camping	Intervention	ZDO Amendment	5 - 6 months PC and BCC Hearings	No	Industrial (I-2 / I-3)	.15
P3	Transitional Shelters	Permanent Camps	Intervention	ZDO Amendment	5 - 6 months PC and BCC Hearings	No	Industrial (I-2 and I-3)	.15
P4	Tiny Houses	Permanent Housing	Prevention	ZDO Amendment	5 - 8 months PC and BCC Hearings	No	Industrial (I-2 and I-3) and MR-1	.25
P5	Manufactured Home Park	Permanent Housing	Prevention	Comp. Plan and Rezone	6 - 8 months	No	Identify and Rezone Property to MR-1	TBD
P6	Inclusionary Zoning	Permanent Housing	Prevention	ZDO Amendment	10 – 12 months	Yes	Require affordable housing units be included in all multifamily developments	TBD
P7	Increase Density Bonus	Permanent Housing	Prevention	ZDO Amendment	5 – 6 months	No	Increase density incentives for the provision of affordable housing units within a market rate complex.	.15

Land Use Options on the Housing Continuum

- * Transitional Shelters / Housing Defined: The ZDO does not include a definition of “transitional housing.” Any amendment to allow these types of land uses would require adopting a definition of “transitional housing” or “homeless shelter.” For example, the City of Eugene defines a homeless shelter as: A non-profit or public agency providing food, temporary housing, clothing and other support services primarily for adult, transitory individuals.”

Transitional housing is defined as a variety of housing options that meet the intent of intervening in homelessness and supporting populations as they move towards more stable and permanent housing situations.

- ** Timelines: Timelines are representative of the Land Use Process. Additional permitting may be required depending on the type of use.
- *** Public Outreach: Public notice of any of the amendments or land use applications will be required consistent with the ZDO. The larger policy question is whether additional public outreach is undertaken for any of the proposals. For example, considering allowance of transitional shelters in the industrial zones may warrant outreach to property owners in the affected zones. The scope of public outreach should take into consideration the nature and scope of the proposal.

Project Notes:

- P1. Car Camping / Overnight Parking Program: This option would provide immediate needs for shelters. Shelter options could include cars, tents, campers and other non-permanent shelters. Benefits include a streamlined process to allow small scale camping, allow local land owners (religious institutions, non-profits, service centers, etc.) to be part of the solution by acting as responsible stewards of the camps and spread the perceived impacts of transitional housing geographically throughout the County.
- P2. Rest Stops: The City of Eugene has provided for “Rest Stops” to address some transitional housing needs, particularly for more transient oriented populations. Rest stops provide a location primarily for tents and include an on-site manager. Rest Stops are only authorized in a particular location for 6 months in order to be responsive to neighborhood impacts and address public health concerns. The City of Eugene has identified multiple locations throughout the City so that Rest Stops can be moved to other locations after 6 months on a rotating basis. The ZDO currently has provisions for a “Temporary Use Otherwise Prohibited.” This is a type of land use permit which allows the County to consider allowing a use which is not

Land Use Options on the Housing Continuum

permitted in the underlying zoning district. The permit does not allow construction of a substantial structure or other improvements which represent a permanent commitment of the land. If approved the permit is valid for a period not to exceed one year. A Rest Stop could be considered under this type of permit. If a particular site was used on a rotating basis, it would require submittal and approval of a new permit each time the site was used.

- P3. Rest Stops: Amend the ZDO to allow rest stops outright or conditionally in the I-2 / I-3 zoning districts. Standards could include maximum time limits (for example 6 months) for a rest stop at any given location.
- P4. Transitional Shelters: Amend the ZDO to allow for transitional housing / shelters outright or conditionally in the I-2 / I-3 zoning districts. Standards could include approval periods for these uses (2-5 years) with an option to review and renew the permit.
- P5. Tiny Homes: Permit this type of development as a temporary use through a "Temporary Use Otherwise Prohibited" land use application. This permit is only valid for one year.
- P6. Tiny Homes: Amend the ZDO to allow for tiny homes outright or conditionally in the I-2, I-3 and / or MR-1 zoning district.
- P7. Manufactured Home Parks: Manufactured home parks are currently allowed in the MR-1 zoning district at a density of 12 units per acre subject to Design Review.
- P8. Manufactured Home Parks: Manufactured home parks are currently allowed as a conditional use permit in the urban low density residential districts (R-2.5 to R-30) subject to a conditional use permit and the base density of the underlying zoning district.
- P9. Manufactured Home Parks: Identify ne and legislatively initiate a comprehensive plan map amendment and zone change