

ORDINANCE NO. 3545

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE
ROSEBURG MUNICIPAL CODE REGARDING LAND USE AND DEVELOPMENT
REGULATIONS AS SET FORTH HEREIN.**

WHEREAS, City Council adopted Resolution 2020-01 on January 13, 2020, prioritizing the need to explore strategies to address issues related to unhoused individuals within the community as one of six goals the City should focus on through 2022; and

WHEREAS, City Council has held multiple meetings over the course of 2020 concerning strategies to address issues related to unhoused individuals within the community; and

WHEREAS, City Council on August 31, 2020, held a work-study session and directed staff to begin working on code updates related to Severe Event Shelters and were provided an update on the proposed amendments at their October 12, 2020, meeting; and

WHEREAS, after reviewing the recommendation of the Planning Commission after conducting a public hearing on October 19, 2020.

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1. Section 12.02.090 entitled “Definitions” is hereby amended to read as follows:

“Severe Event” means an act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for an individual or group.

“Severe Event Shelter” means a temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals who are homeless or at risk of exposure to a severe event.

SECTION 2. Section 12.04.020, Table 2-2: RO AND PR – ALLOWED USES [2] is hereby amended as follows:

USE CATEGORY	RO	PR	STANDARDS
Specific Uses			
RESIDENTIAL			
7) Severe Event Shelter	P [2]	P [2]	12.08.060

[2] Severe Event Shelters provide short-term relief from Severe Events, such as extreme weather. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

SECTION 3. Section 12.04.030, Table 2-4: RESIDENTIAL – ALLOWED USES [6] is hereby amended as follows:

USE CATEGORY	R10	R7.5	R6	MR14	MR18	MR29	MR40	STANDARDS
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Specific Uses								
RESIDENTIAL								
1.1) Severe Event Shelter	P [6]	P [6]	P [6]	P [6]	P [6]	P [6]	P [6]	12.08.060

[6] Severe Event Shelters provide short-term relief from Severe Events, such as extreme weather. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

SECTION 4. Section 12.04.040, Table 2-7: COMMERCIAL – ALLOWED USES [7] is hereby amended as follows:

USE CATEGORY	PO	C1	C2	C3	STANDARDS
Specific Uses					
RESIDENTIAL					
9) Severe Event Shelter	P [7]	P [7]	P [7]	P [7]	12.08.060

[7] Severe Event Shelters provide short-term relief from Severe Events, such as extreme weather. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

SECTION 5. Section 12.04.050, Table 2-9: CBD – ALLOWED USES [3] is hereby amended as follows:

USE CATEGORY	CBD	STANDARDS
Specific Uses		
RESIDENTIAL		
3) Severe Event Shelter	P [3]	12.08.060

[3] Severe Event Shelters provide short-term relief from Severe Events, such as extreme weather. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

SECTION 6. Section 12.04.070, Table 2-13: INDUSTRIAL – ALLOWED USES [5] is hereby amended as follows:

USE CATEGORY	MU	M1	M2	M3	STANDARDS
Specific Uses					
RESIDENTIAL					
6) Severe Event Shelter	P [5]	P [5]	P [5]	P [5]	12.08.060

[5] Severe Event Shelters provide short-term relief from Severe Events, such as extreme weather. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

SECTION 7. Section 12.08.060, Severe Event Shelters is hereby added as follows:

A. Purpose and intent.

Severe Event Shelters provide short-term relief from Severe Events such as extreme weather. The City of Roseburg Severe Event Shelter Policy, as adopted by Council, shall be herein referred to as “The Policy” in this section. Severe Event Shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential Occupancy per Building or Fire Code. It is the intent of these standards to ensure

that any conflicts with Severe Event Shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

B. Definitions Pertaining to Severe Event Shelters.

When used in Chapter 12 in reference to Severe Event shelters, the following terms shall have the meanings as herein ascribed:

1. **Access Point:** The main point of entry and exit where users, visitors, and other persons must sign in and out to maintain security within a shelter.
2. **Client(s):** Person or persons who receive services from an operator of a Severe Event Shelter which shall include overnight sleeping, and may include other items established per the shelter's operations plan.
3. **Operator:** The organization in charge of daily operations of a Severe Event Shelter. The operator shall be a civic, non-profit, public, faith, membership based, or otherwise competent organization and shall be the applicant for the Severe Event Shelter. The words operator or applicant may be used interchangeably as they are one in the same.
4. **Operational Period:** Days in which a Severe Event Shelter are permitted to operate per the Policy.
5. **Operations Plan:** The guiding document for an operator to use in determining the standards clients must adhere to in a shelter.
6. **User(s):** See 12.08.060 (B)(2) client(s).

C. Severe Event Shelter Permit Requirements.

1. In order to begin operating a Severe Event Shelter, an operator shall apply for and receive an approved Site Review permit per the Policy.

D. General Standards for Severe Event Shelters.

The following standards shall apply to Severe Event Shelters:

1. **Operational Requirements.** The operator shall be required to meet the following standards as it pertains to shelter operations:
 - a. **Conformance.** It shall be the duty of the operator to ensure and maintain compliance with the Policy and the requirements of the Site Review Permit.
 - b. **Operations Plan.** An operations plan shall be required for a Severe Event Shelter. The operations plan shall include, at a minimum, items addressing client interaction, operational period, rules for shelter use and opening,

facility operations and maintenance, safety and security provisions, including an emergency evacuation plan as identified in The Policy.

2. Operational Period.

- a. The operational period of a Severe Event Shelter shall only be permitted in accordance with The Policy.
- b. The operator shall notify Roseburg Fire Department each time the shelter is opening or closing.
- c. The operator shall be required to schedule an inspection prior to operating the shelter.

3. Standards for Closing/Suspending Severe Event Shelters.

A shelter may be closed or suspended in accordance with the following procedures and criteria:

- a. A Severe Event Shelter shall close or the operations may be suspended if:
 - i. Conditions are considered non-severe per the City Manager.
 - ii. The City Manager, or designee, has determined that it would be in the public interest to do so.
 - iii. Any safety issues are identified during an inspection, including, but not limited to fire and life safety issues.
 - iv. Any violation of the Roseburg Municipal Code and/or state or federal law occurs.
- b. Clients of a temporary shelter, the operator, and the property owner shall be given a 24-hour notice to cease operations, unless immediate closure is necessary due to issues pertaining to fire or life safety. The owner or operator shall not be required to remove components utilized for the Severe Event Shelter if:
 - i. The shelter is closing due to condition changes per Section 12.08.060 (D)(4)(a)(i); or
 - ii. The components of the shelter are customarily used for the primary use of the building.
- c. The City Manager, or designee, may revoke a shelter's permit and the decision shall be effective immediately. Appeals of this decision shall be made to the City Council. The decision of the Council or its designee shall be final. An appeal to Council must be submitted to the City Recorder within

10-days of the date of the decision. An appeal to Council shall follow the process identified per Section 11.10.040(E-I).

4. Consent to Inspection of Severe Event Shelter(s)

a. Severe Event Shelters are subject to inspection at any time by the City to verify safe operation of a shelter.

i. Inspections by the City may include inspections of all portions of a Severe Event Shelter. Inspections shall be in conformance with all applicable local, state, and federal laws.

b. Inspections may be required prior to each opening of a Severe Event Shelter. All violations of applicable codes found through an inspection shall be resolved prior to commencing operations of a Severe Event Shelter. Inspections may be required by the following City departments to verify conformance with applicable codes, prior to operations commencing:

i. Police Department

ii. Fire Department

E. Site Standards for Severe Event Shelters.

The following standards shall apply to the development and use of Severe Event Shelters:

1. In residential zones, Severe Event Shelters shall be an accessory use to institutional uses, such as a public and semi-public building and/or use.

2. In commercial and industrial zones, Severe Event Shelters may be an accessory or primary use.

3. Adequate space shall be provided for client's personal items and shall not displace required parking per Section 12.06.030 (H).

4. Access points shall have a trash receptacle that does not block the public right of way and is large enough for trash disposal during times of intake.

5. Adequate access shall be given for emergency vehicles and personnel, where applicable.

6. Operators of Severe Event Shelters shall comply with all provisions contained in the most recently approved City of Roseburg Severe Event Shelter Policy.

SECTION 8. All other Chapters, Sections and Subsections of Title 12 of the Roseburg Municipal Code shall remain in full force & effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS 14th DAY OF DECEMBER, 2020.

APPROVED BY THE MAYOR THIS 14th DAY OF DECEMBER, 2020.



LARRY RICH, MAYOR

ATTEST:



AMY L. SOWA, CITY RECORDER