



Eugene Planning & Development

May 18, 2022

Gabe Piechowicz
EveryOne Village
3825 Janisse Street
Eugene, OR 97402

RE: HB 2006 Emergency Shelter Approval – EveryOne Church

Thank you for applying for approval of an Emergency Shelter as allowed by Oregon Laws 2021 Regular Session, Chapter 18, Sections 1-4, also known as House Bill 2006 (2021). You have applied for approval to site an Emergency Shelter on the property located at 3825 Janisse Street (the subject property).

HB 2006 allows local governments and certain non-profit organizations to operate emergency shelters in available buildings and/or on open sites. Sections 3 and 4 of HB 2006 set out the requirements that must be met in order for the City to approve development of an emergency shelter on the subject property.

Your application addressed the items listed in Sections 3 and 4 of HB 2006 and provided sufficient information for approval. Findings addressing compliance with the requirements of the bill are attached to this letter. Your proposal is subject to conditions of approval, which are included within the attached findings. Please note that while the use of the site as an Emergency Shelter is being approved, additional permits to comply with other State and federal requirements related to development of the site may be necessary.

Approved by:

A handwritten signature in black ink, appearing to read "Denny Braud".

Denny Braud, Executive Director
Planning & Development Department

05/18/2022

Date

**This approval is not a land use decision and is subject to review only under ORS 34.010 to 34.100.*

Enclosed:

- 1) Findings and Conditions of Approval





EMERGENCY SHELTER APPROVAL

Application Name:	EveryOne Church
Applicant:	EveryOne Church
Location:	3825 Janisse Street
Map No. / Tax Lot:	17-04-34-42/03200 & 03504
Application Summary:	Request to approve an emergency shelter that will provide up to 100 units. See Exhibit A for application details.

APPLICATION ANALYSIS

Oregon Laws 2021 Regular Session, chapter 18, sections 1-4 (also known as HB 2006) allow Emergency Shelters to be sited in a city, notwithstanding state and local land use regulations, if the proposed Emergency Shelter meets certain requirements included in the sections 3 and 4 of Oregon Laws 2021 Regular Session, chapter 18. The requirements for approval of an Emergency Shelter are provided below (in **bold** typeface) followed by analysis of application's compliance with the requirements.

EMERGENCY SHELTER

SECTION 2.

- (1) As used in this section, "emergency shelter" means a building or cluster of buildings that provides shelter on a temporary basis for individuals and families who lack permanent housing.**

The applicant requests approval for an emergency shelter which will provide up to 100 units for low-barrier emergency sheltering. The facility will have at least 14 toilets, and 8 showers. The applicant has provided a conceptual site plan that shows the general location of smaller proposed buildings, and some larger buildings which already exist and will be used for the shelter. The applicant states that they will comply with all applicable building codes and will provide a more detailed plan set to the City at the time of building permit.

Based on the above findings and applicant's statement that they will seek building permits, the proposed Emergency Shelters described in this application meets the definition of an Emergency Shelter under subsection (1) of section 2 of chapter 18 Oregon Laws 2021 Regular Session.

(2) A building or cluster of buildings used as an emergency shelter under an approval granted under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session):

(a) May resume its use as an emergency shelter after an interruption or abandonment of that use for two years or less, notwithstanding ORS 215.130 (7).

(b) May not be used for any purpose other than as an emergency shelter except upon application for a permit demonstrating that the construction of the building and its use could be approved under current land use laws and local land use regulations.

(3) An approval of an emergency shelter under section 3 of this 2021 Act or section 11, Chapter 12, Oregon Laws 2020 (first special session) is void unless the shelter is operating within two years following the approval.

Neither subsection 2(a), 2(b), or (3) provide requirements for the approval of an emergency shelter application. Rather, these sections provide requirements for an emergency shelter after the start of operation of an emergency shelter and set a deadline for operations to begin. Therefore, by applying under House Bill 2006, the Emergency Shelter is subject to these regulations and evaluation of compliance with these regulations will occur after the start of operation.

As an informational item, the approval of this application will expire on May 18, 2024 unless the shelter is operating.

SECTION 3.

(1) A local government shall approve an application for the development or use of land for an emergency shelter, as defined in section 2 of this 2021 Act, on any property, notwithstanding ORS chapter 195, 197, 197A, 215 or 227 or any statewide plan, rule of the Land Conservation and Development Commission or local land use regulation, zoning ordinance, regional framework plan, function plan or comprehensive plan if the emergency shelter:

(a) Includes sleeping and restroom facilities for clients;

The application states that the proposed emergency shelter will include sleeping and restroom facilities for those served. Therefore, the application meets the criteria in subsection 1(a) of section 3 of chapter 18 Oregon Laws 2021 Regular Session.

(b) Will comply with applicable building codes;

The applicant states that the proposed emergency shelter will comply with all applicable building codes. The above standards do not require a finalized development plan at this time. To ensure that emergency shelter will comply with all applicable building codes, approval of this application is subject to the following condition:

- The applicant shall obtain all required building permits for any Emergency Shelter on the subject property.

With the condition above, the applicant meets the criteria in subsection 1(b) of section 3 of chapter 18 Oregon Laws 2021 Regular Session.

(c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;

The proposed emergency shelter meets the requirement of subsection 1(c), as the location of the subject property is within Eugene's Urban Growth Boundary.

(d) Will not result in the development of a new building that is sited within an area designated under a statewide planning goal relating to natural disasters and hazards, including flood plains or mapped environmental health hazards, unless the development complies with regulations directly related to the hazard;

Based on the application materials and review of relevant documents, the property does not contain lands designated under a statewide planning goal relating to natural disasters and hazards, including floodplains or mapped environmental health hazards.

Based on these findings, the application meets subsection 1(d). Based on the above condition, the application meets subsection 3(1)(d) of Oregon Laws 2021 Regular Session, chapter 18.

**(e) Has adequate transportation access to commercial and medical services;
and**

The proposed location of the Emergency Shelter is located within the City of Eugene's transportation system and therefore has adequate access to the streets, sidewalks, and transit network. The site is approximately 800 feet from the EmX bus line that runs along West 11th Avenue which provides convenient transit service to the greater Eugene area. The applicant also notes that the site is 1.4 miles from PeaceHealth Urgent Care, and walking distance from commercial services and an urgent care clinic.

Based on the proximity to bus lines and commercial and medical services, the application meets subsection 1(e) of Oregon Laws 2021 Regular Session, chapter 18.

(f) Will not pose any unreasonable risk to public health or safety.

The proposed site is located within the Eugene city limits and is served by the City's Police Department and Eugene/Springfield Fire, as well as access to private emergency medical transportation services. Additionally, the applicant states that the site will include a Good Neighbor Agreement that will ensure that the operator and all shelter guests limit any disruptions to the surrounding area. The applicant also notes that there will be on site de-escalation and case management available 16-hours a day.

The site previously had a Department of Environmental Quality cleanup area on it but is no longer listed as a cleanup site and the City's records show that the site is terminated. There are no other known risks to public health and safety. Based on the findings above, the application will meet subsection 1(f) of Oregon Laws 2021 Regular Session, chapter 18.

(2) An emergency shelter allowed under this section must be operated by:

(a) A local government as defined in ORS 174.116;

(b) An organization with at least two years' experience operating an emergency shelter using best practices that is:

(A) A local housing authority as defined in ORS 456.375;

(B) A religious corporation as defined in ORS 65.001; or

(C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals, that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or

(c) A nonprofit corporation partnering with any other entity described in this subsection.

The applicant states that the emergency shelter will be operated in partnership with Everyone Village (a public benefit corporation as defined in ORS 65.001), City of Eugene (a local government as defined in ORS 174.116), White Bird Clinic (a nonprofit corporation), and HIV Alliance (a nonprofit corporation). Based on the applicant's statement it appears that the applicant will comply with this section. To ensure that the facility will continue to be operated as required by the subsection above, the following condition is provided:

- Any Emergency Shelter located on the subject site must be operated by:
 - (a) A local government as defined in ORS 174.116;
 - (b) An organization with at least two years' experience operating an Emergency Shelter using best practices that is:
 - (A) A local housing authority as defined in ORS 456.375;
 - (B) A religious corporation as defined in ORS 65.001; or

- (C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals and that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or
- (c) A nonprofit corporation partnering with any other entity described in this condition.

Based on this information, there is sufficient evidence to demonstrate that the application complies with the standards in Oregon Laws 2021 Regular Session, chapter 18, section 3(2).

(3) An emergency shelter approved under this section:

(a) May provide on-site for its clients and at no cost to the clients:

- (A) Showering or bathing;**
- (B) Storage for personal property;**
- (C) Laundry facilities;**
- (D) Service of food prepared on-site or off-site;**
- (E) Recreation areas for children and pets;**
- (F) Case management services for housing, financial, vocational, educational or physical or behavioral health care services; or**
- (G) Any other services incidental to shelter.**

(b) May include youth shelters, winter or warming shelters, day shelters and family violence shelter homes as defined in ORS 409.290.

(4) An Emergency Shelter approved under this section may also provide additional services not described in subsection (3) of this section to individuals who are transitioning from unsheltered homeless status. An organization providing services under this subsection may charge a fee of no more than \$300 per month per client and only to clients who are financially able to pay the fee and who request the services.

An applicant may, but is not required to, provide any or all of the services listed in Oregon Laws 2021 Regular Session, chapter 18, section 3(3) and (4). The applicant indicates that they will provide restroom and sleeping facilities, personal property storage, laundry, a community kitchen, recreation areas for pets, and case management and housing navigation services. This emergency shelter approval does not limit the applicant's ability to provide or decline to provide any of the services listed in subsections (3) and (4).

Conditions of Approval:

Based on the findings above, the following conditions are warranted to ensure compliance with the requirements of Oregon Laws 2021 Regular Session, chapter 18, sections 3 and 4:

1. The applicant shall obtain all required building permits for any Emergency Shelter on the subject property.

2. Any Emergency Shelter located on the subject site must be operated by:
 - (a) A local government as defined in ORS 174.116;
 - (b) An organization with at least two years' experience operating an Emergency Shelter using best practices that is:
 - (A) A local housing authority as defined in ORS 456.375;
 - (B) A religious corporation as defined in ORS 65.001; or
 - (C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals and that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or
 - (c) A nonprofit corporation partnering with any other entity described in this condition.

Expiration:

The approval of this application will expire on May 18, 2024 unless the shelter is operating.

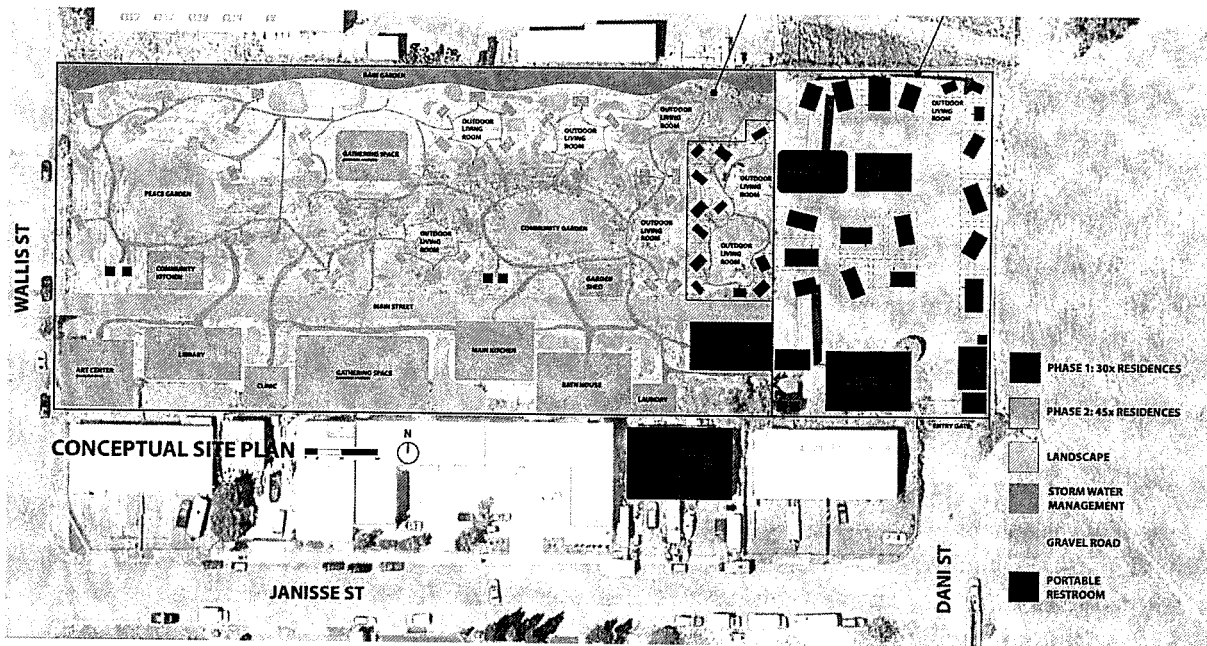
Exhibits:

A. Application Materials

EMERGENCY SHELTER SUPER SITING APPLICATION: 3825 JANISSE STREET

THE EMERGENCY SHELTER:

EveryOne Church requests that the facility located at 3825 Janisse Street, Eugene, OR 97402 (referred to hereafter as “The Facility”) to be utilized as an Emergency Shelter Village as allowable under HB 2006.



The Facility will include sleeping and restroom facilities, will comply with applicable building codes including fire marshal approval, is located in the City’s urban growth boundary, will not result in a new building siting within a hazard area, has adequate transportation access to medical and commercial services, and will not pose any unreasonable risk to public health or safety. The facility will be operated by a nonprofit organization.

The information below and attached demonstrate its compliance with the requirements of HB4212.

SLEEPING AND RESTROOM FACILITIES

The Emergency Shelter Facility will include sleeping and restroom facilities. The Facility currently includes approximately 45 sleeping quarters with room for more units. The planned renovation will create a minimum of 100 units for low-barrier emergency sheltering. The Facility will have at least 14 toilets and 8 showers.

Full plans will be submitted to the City of Eugene planning department upon completion and prior to building permit applications. EveryOne Church is working with Architect Bill Randall and Landscape 4 Humanity on this project.

See above image for preliminary concept drawings of the proposed layout.

COMPLIANCE WITH APPLICABLE BUILDING CODES

The Facility will comply with all applicable building codes. The building will be retrofitted for use as an emergency shelter village. All plans and construction activity will be in accordance with City of Eugene Planning and Development requirements and code.

URBAN GROWTH BOUNDARY

The Facility is located within the City of Eugene Urban Growth Boundary.

STATEWIDE LAND USE COMPLIANCE

The Facility will not result in a new building that is sited within an area designated under a statewide land use planning goal relating to natural disasters and hazards unless the development complies with regulations directly related to the hazard. The Facility is located in an “area of minimal flood hazard” and has no other known limitations or hazards associated with the property.

TRANSPORTATION ACCESS TO MEDICAL AND COMMERCIAL SERVICES

The Facility has adequate transportation access to medical and commercial services. The Facility is located on several bus lines. The EmX bus runs regularly from the closest bus stop, which is within 800 feet from the location. The site is just off West 11th Avenue, which offers quick access to the east and west. This location is in the West Eugene neighborhood in Eugene. Nearby parks include Churchill Sports Park, Acorn City Park and Willow Corner City Park. The Facility is near a convenience store and several restaurants, just a few blocks away from a major commercial center home to Fred Meyer and other commerce. Access to medical services is also convenient:

- VCA Westmoreland Animal Hospital: .3 miles/7-minute walk
- PeaceHealth Urgent Care: 1.4 miles/19-minute walk
- PeaceHealth Sacred Heart Medical Center University District: 4.5 miles/16-minute drive (for emergency services)

NO UNREASONABLE RISK TO PUBLIC HEALTH OR SAFETY

The Facility will not pose any unreasonable risk to public health or safety. The Facility will be operated as a Low-Barrier Emergency Village, a model that has been successfully deployed in Austin, Portland, and other large cities. Access to the facility will be through invitation only, which will preclude individuals congregating on or near the property. The model includes a Good Neighbor Agreement that ensures that

the operator and all emergency shelter guests limit any disruptions that may concern the surrounding neighbors, which will be informed by the West Eugene Community Organization and Eugene Business Alliance. The Facility will have professional staff with training in de-escalation and case management onsite a minimum of 16-hours a day. The Facility will support people who have barriers to housing as they stabilize, identify goals, and work toward reaching housing and employment goals in partnership with Housing Navigators and Case Managers.

EMERGENCY SHELTER OPERATIONS

The facility will be operated in partnership with:

- Everyone Village (a public benefit corporation as defined in ORS 65.001)
- City of Eugene (a local government as defined in ORS 174.116)
- White Bird Clinic (a nonprofit corporation)
- HIV Alliance (a nonprofit corporation)

Additionally, this Emergency Shelter Village will provide:

- Showering and bathing facilities
- Personal property storage
- Laundry
- Community kitchen
- Recreation areas for pets
- Case management and housing navigation services

PUBLIC ENGAGEMENT PLANS

While HB 2006 does not require public engagement for siting, EveryOne Church will work with neighborhood associations, local businesses and residents who live nearby to create a responsive and respectful relationship with the surrounding community.

CONTACT

For questions or inquiries regarding this application please contact Heather Sielicki or Gabe Piechowicz at info@everyonevillage.org or (541) 505-7597.

