

**CITY COUNCIL
STUDY SESSION AGENDA**



MEDFORD
OREGON

October 24, 2019

6:00 P.M.

Prescott Room, Medford Police Station

219 South Ivy Street, Medford, Oregon

1. Emergency Declaration and Shelter



MEMORANDUM

To: Mayor and Council
From: Eric B. Mitton / Deputy City Attorney
Study Session Date: October 24, 2019
Subject: Severe Event Shelters

COUNCIL DIRECTION

Staff is providing information to the Mayor and Council about proposed code amendments regarding emergency shelters and the temporary shelter policy, and seeking direction for those potential code amendments and the policy.

PRESENTATION OUTLINE

- Presenter: Tanner Fairrington – Deputy Fire Marshal
- Kyle Kearns – Planner II
- Eric Mitton – Deputy City Attorney

PREVIOUS STUDY SESSIONS AND G-3 MEETINGS ON THE TOPIC

- On February 21, 2019, the Medford City Council directed staff to develop a report for the Council that described the process for (1) declaring an emergency and (2) establishing emergency shelters.
- On March 21, 2019, under the City Manager and Staff Reports section during a regular meeting of the Medford City Council, staff provided a presentation on the potential for severe event shelters. Council moved to direct staff to bring back recommendations regarding six items. Since that meeting, the six points have been refined to the following:
 1. **Direct City staff to develop a “Shelter Site Pre-Authorization Plan”** to determine which sites in the community are willing and can provide emergency shelters ahead of any need and in a fashion that brings the city and providers together to address a shelter need.

2. **Address Chapter 10 in the Medford Municipal Code by creating a mechanism for Emergency Shelters**, in addition to temporary shelters, to fill the gap between temporary shelters and an official emergency declaration.
3. **Direct City staff to propose a rewrite of Chapter 12 in the Medford Municipal Code** to align the emergency declaration process with current industry standards and build the flexibility needed for the City to safely execute operations during times of emergency.
4. **Direct City staff to adopt administrative policies/requirements that address the fire/life/building safety issues** for both temporary shelters and severe event shelters.
5. **Consider the creation of a shelter response plan** to provide information and procedures that the City and community partners can use to open and operate shelters for persons experiencing homelessness.
6. **Partnering with stakeholders to assist and enable the operations of shelters.** This included finding ways to identify their needs, address their concerns, and support their volunteer efforts to fulfill this need.

The material to be discussed in this study session is responsive to items 1, 2, 4, and 6 from the above list.

BACKGROUND

Temporary shelters are a valuable asset in allowing community based organizations to provide shelter services to indigent populations without some of the practical and logistical issues of establishing a full-time dedicated shelter. However, temporary shelters require a conditional use permit, and given the time frames and cost involved in the conditional use permit process, temporary shelters cannot be established on short notice in response to a severe weather event. The proposed severe event shelters would allow community based organizations to establish a shelter during a declared severe event without requiring a conditional use permit. The proposed code changes allowing for severe event shelters are intended to fill a gap between (1) temporary shelters and (2) an emergency declaration under Chapter 12 of the Medford Municipal Code.

A number of other jurisdictions allow for severe event shelters, with varying criteria for opening those shelters. A brief summary follows and is not intended to list every criteria used by each jurisdiction. Ashland, Oregon opens "regular" shelters when temperatures are below 32 degrees Fahrenheit and "emergency" shelters when temperatures drop below 20 degrees Fahrenheit and no regular shelter is offered. Multnomah County opens severe event shelters when temperatures are forecast for 25 degrees Fahrenheit or below, or when forecasters predict an inch or more of snow. Bend, Oregon opens severe event shelters when temperatures have fallen to 25 degrees Fahrenheit or less, and all other

shelters have reached capacity. Kelso, Washington allows for severe event shelters when temperatures reach 32 degrees Fahrenheit or below for two or more days, or where snow accumulation is expected to exceed three inches in depth.

The proposed City of Medford severe event shelter system relies in part on amendments to the Medford Land Development Code but also in significant part on a temporary shelter policy. The current draft shelter policy document was created through the combined efforts of Fire, Planning, Building, Legal, City Manager's Office, Jackson County Continuum of Care (CoC), Jackson County Homeless Task Force, and faith-based organizations. Using a policy to address specifics (such as the temperatures that trigger the opening of severe event shelters) instead of the Medford Municipal Code allows for the policy to be revised rapidly in response to lessons learned, additional input from stakeholders, or unexpected developments.

The temporary shelter policy contains applicable definitions and explains the process for obtaining approval for temporary shelters and severe event shelters. It also sets out the criteria under which the Mayor or City Manager may (not shall) declare a severe event. This allows, for example, the triggering temperatures to be adjusted without the substantial process required to amend the Land Development Code. It also summarizes key Oregon Fire Code and other life-safety requirements applicable to such shelters. Finally, it describes the procedural process related to severe event shelters, from preparation beforehand, through identification of a severe event, declaration of an event, monitoring, and declaring an end of the severe event. Planning Commission reviewed the temporary shelter policy, in conjunction with the proposed Chapter 10 amendment, at the October 10, 2019 Planning Commission hearing. Upon the public hearing closing, Planning Commission recommended approval of DCA-19-00004, including the temporary shelter policy, with a vote of 5-1.

Staff will also recommend the development of a Shelter Team. This Team could include stakeholders from multiple City departments and multiple community stakeholders. The Team would allow for policies to be further refined based upon lessons learned, best practices, and changing needs. The Team would also provide input and support for providers who are implementing temporary shelters and severe event shelters.

EXHIBITS

Temporary Shelter Policy
DCA-19-00004 Proposal



Temporary Shelter Policy

Purpose:

These policies have been established in coordination with other City of Medford departments including Building, Planning, Police, and Fire to provide a safe solution for providing shelters for sleeping purposes. Many of these policies are based on the Oregon State Fire Marshal's Technical Advisory for Temporary Shelters (OSFM TA 11-14). These policies allow a building not normally designated as a Residential "R" Occupancy to be used as a shelter (Residential use of a building, or a portion thereof, for temporary living and sleeping purposes). **These requirements apply to *Temporary Shelters* and *Severe Event Shelters*, unless noted otherwise.** These requirements are intended to be a starting point. Every shelter will be different, and these requirements are intended to provide a reasonable level of life safety. Therefore, some requirements will be on a case-by-case basis and **may be modified, if approved.**

City of Medford municipal code requirements for Temporary and Severe Event Shelters shall take precedence when in conflict with these requirements.

Application:

This policy will be applied by multiple departments and stakeholders, including:

- City Management will declare a Severe Event
- The Building Safety Department, Fire Department, Planning Department and other City of Medford departments to review and approve the use of shelters
- Stakeholders in the community dedicated to or affected by providing shelters for those in need.

Definitions:

Incapable of Self-Preservation (OFC Section 202): Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment cannot respond as an individual to an emergency situation.

Individual Area: An individual space or area provided per person (occupant) for sleeping purposes. Unless approved otherwise, the minimum dimensions shall be as follows:

- 4 ft x 7 ft if no storage area is provided. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.
- 3 ft x 7 ft if a separate storage area is provided. This area does not include area required for means of egress. This is the minimum individual area to be provided when adequate storage space is provided for storage of personal belongings. The occupants may have small items within their individual space, such as a purse or small bag. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.

Limited Assistance: Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment require limited verbal or physical assistance while responding to an emergency situation.

Marking of Sleeping Area: Markings, such as tape or another approved method, shall be provided to designate and define the exit access including aisles, and exits. Markings may also be used, and are encouraged, for *Individual Areas*. The purpose of these markings is to maintain clear egress paths at all times

Severe Event: from City of Medford Municipal Code Section 10.012 – An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individuals or groups.

Severe Event Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals or groups who are homeless or are at risk of exposure to a severe event.

Note: Rather than overwhelm Temporary Shelter resources, the intent of allowing Severe Event Shelters is to supplement Temporary Shelters by providing respite during Severe Events.

Sleeping Area: Space or area that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Temporary Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

- Note: a Temporary Shelter is a place or area within a building that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Policy:

USE OF SHELTERS:

Approval Requirements:

Prior to approval for use of a shelter, the following items are required:

- All Shelters (Temporary Shelters and Severe Event Shelters)
 - Approval from the Medford Building Department
 - An approved Operational Permit through Medford Fire-Rescue
 - If not included in the application, please request a Business Safety Checklist for common fire hazards.
 - Note: Consultations/inspections for pre-approval will generally be provided at no cost. Fees may be required if a significant number of consultations or inspections are requested.
 - Inspection and approval from a fire code official and building code official prior to opening.
- Temporary Shelters:
 - Approval from the Planning Department for use of a location, including a Conditional Use Permit (CUP)
- Severe Event Shelters:
 - Conditional Use Permit (CUP) is not required
 - Locations are subject to zoning regulations
 - Shall only be operated during a declared Severe Event

Severe Event Declarations:

The Mayor or City Manager, or their designee, may consider declaring a Severe Event based on the following factors and criteria:

- Cold Weather
 - Forecasted low temperatures of 25 degrees Fahrenheit or less.
 - Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
 - Precipitation
 - Wind
 - Humidity, including dense fog
 - Sustained temperature, including during the day
 - Consecutive days (cumulative effects)
 - Overall weather patterns (e.g. precipitation, then drop in temperature)
 - Special alert such as warning or watch
- Hot Weather
 - Forecasted high temperature of 102 degrees Fahrenheit or more

- Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
 - Precipitation
 - Humidity
 - Wind
 - Duration and potential for cumulative effects (hours per day, consecutive days)
 - Overall weather patterns
- Air Quality
 - Air Quality index of “very unhealthy” or more
- Other conditions that result in a Severe Event, such as:
 - Chemical spill or release

LOCATION PLANNING AND REQUIREMENTS:

Occupancy Requirements:

How each occupant responds during an emergency can affect the risk of all occupants. Considerations that can influence the ability to respond correctly to an emergency include, but are not limited to, mental and physical abilities. For this reason, there are more strict requirements for locations where some of the occupants require physical or verbal assistance to respond to an emergency including fire protection, staffing, training, etc. As such, the following requirements apply to all shelters:

- (OFC 1101.1) Persons who are Incapable of Self-Preservation shall not be permitted to stay at a shelter.
- (OFC 104.8, 1101.1) Shelters may allow persons requiring Limited Assistance to sleep at the shelter when approved. Considerations for approval include, but are not limited to:
 - The number of persons requiring limited assistance.
 - The presence of fire protection systems such as an automatic sprinkler system
 - Staffing
 - Staff training
 - Modifications to the Emergency Evacuation Plan.
 - Provisions for moving individuals who require limited assistance to a different location when the maximum number is exceeded.
- Locations may be approved to shelter persons who are Incapable of Self-Preservation and/or require Limited Assistance when sufficient fire and life safety features are provided. Approval will be on a case-by-case basis.
- Shelter Operations Plans shall include procedures for moving persons who are incapable of self-preservation to a location that can safely meet their needs.

Fire Protection Requirements:

The following life-safety requirements apply to buildings used as a shelter:

- (OFC 1101.1, 104.8) Automatic Sprinkler System. Buildings used as shelters shall be protected throughout with an approved Automatic Sprinkler System, with the following exceptions:
 - Temporary Shelters: Approval through Medford Fire-Rescue and the Building Department is required in order to locate a Temporary Shelter in a building not protected throughout with a fire sprinkler system. For shelters not protected throughout to be approved, the sleeping areas and shelter operations shall be limited to the ground floor with a minimum of two (2) exits directly to the outside at ground level.
 - Severe Event Shelters: An automatic fire sprinkler system is not required for Severe Event Shelters that are located on the ground floor with a minimum of two (2) exits directly to the outside at ground level. Severe Event Shelters shall meet the other requirements of this Policy.
- Fire extinguishers with a minimum rating of 2-A:10-B:C shall be provided within 75 feet of travel, and within 10 feet of exits. A minimum of 2 fire extinguishers shall be provided unless approved otherwise.

Means of Egress (Exiting – OFC Chapter 10):

The following requirements apply to all shelters, unless noted otherwise. All means of egress (exit) paths shall be maintained free of obstructions at all times.

- Exits from sleeping areas within buildings protected throughout by an automatic sprinkler system shall be as follows;
 - Sleeping areas located on the ground floor of a shelter with an occupant load of 49 (i.e. persons using shelter) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
 - All other floor levels (other than the ground floor) used as Temporary Shelter sleeping areas that have an occupant load of 10 or more shall have two (2) exits from the area.
 - The exits serving the areas shall be separated by a distance equal to at least 1/3 of the longest diagonal distance of the area.
- Exits from sleeping areas within buildings NOT protected throughout by an automatic sprinkler system:
 - For *Temporary Shelters* and *Severe Event Shelters* that are approved without an automatic fire suppression system, the sleeping areas shall only be located on the ground floor, and a minimum of 2 exits shall be provided for occupant loads of 10 or more.

- Shelters approved without a fire suppressions system with an occupant load of nine (9) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
- The exits serving the areas shall be separated by a distance equal to at least 1/2 of the longest diagonal distance of the area.
- Doors shall operate properly. The intent of this is that doors are easily opened and closed, even for people with limited strength and mobility.
- Emergency egress lighting shall be provided. This lighting may be the plug-in type with battery backup.
- Egress for *Sleeping Areas*:
 - *Sleeping areas* shall be grouped in single (1) or double (2) rows of *Individual Areas*.
 - The total number of *Individual Areas* provided shall not exceed the maximum occupant load minus the minimum staffing.
 - A 36" min. aisle (OFC 1017.5) shall be provided on both sides of rows of *Individual*, except that:
 - An aisle may be provided on one side of a single row of *Individual Areas* against a wall.
 - Egress paths shall be marked (such as with tape on the floor) and shall be maintained clear at all times.
- (OFC 1007.1) Accessibility: An accessible egress path shall be provided, unless approved otherwise.

Maximum Number of Occupants Allowed:

(OFC 104.8, 1004.1.2) The maximum number of allowable shelter occupants will be approved by both a building code official and a fire code official on a case-by-case basis.

An occupant load sign shall be posted in a clear and obvious location near the entrance showing the maximum number of occupants in the shelter.

PLEASE NOTE: Additional requirements will apply when the occupant load exceeds 49 people in sprinklered shelters, and 9 people in unsprinklered shelters.

Smoke Alarms and Detection (OFC 907.2):

- All shelter sleeping areas shall be provided with approved smoke alarms or a complete approved smoke detection system.
- All other areas of the building used for shelter operations shall be equipped with smoke alarms or a smoke detection system as required by the local fire code official.
- Smoke alarms may be battery-powered.

Carbon Monoxide (CO) Alarms and Detection (OFC 908.7):

- All shelter sleeping areas shall be provided with approved carbon monoxide alarms or an approved Carbon Monoxide detection system
- Carbon monoxide alarms may be battery-powered.

Cooking Facilities:

(OFC 609.1 and 904.11) Shelters where food is provided may have to meet requirements for new construction for cooking equipment. This will be determined on a case-by-case basis.

Storage:

(OFC Section 315, Chapter 10) Provisions for storage shall be provided in order to maintain egress paths and allow storage of items that are not permitted within the shelter.

Sanitation:

Toilets, hand washing, and trash disposal shall be provided. Provisions for bathing are typically recommended, but not required.

OPERATIONAL (USE) REQUIREMENTS:

Operational Permit:

An Operational Permit through Medford Fire-Rescue will be required. A plan / layout shall be submitted as part of operation permit. The following shall be shown on the plan:

- Location, size and occupant load for all areas including sleeping areas, kitchen, bathroom, storage, etc.
- Access points
- Trash cans
- Lighting
- Emergency vehicle access
- Etc.

These items may be shown on the building floor plan required as part of the Emergency Evacuation Plan as long as the plan is legible and reasonably useful. A separate building floor plan may be required as part of the Emergency Evacuation Plan in order to provide only critical information needed during an emergency.

Staffing:

A minimum ratio of staff per occupants shall be provides as follows:

- Unless approved otherwise in rare circumstances, a minimum of 3 people shall staff a shelter at all times:
 - A minimum of 1 staff per 25 occupants, but not less than 2
 - A person dedicated to Fire Watch in addition the staffing required for the occupants

Recommended Staff:

- Shelter Liason – Represents the owner(s) of the shelter location
- Shelter Coordinator – Directs and leads the shelter operation.
 - Shelter Host – Responsible for operations under the direction of the Shelter Coordinator
 - Meal Coordinator – Arranges meals, if provided
 - Logistics Coordinator – Necessities, transportation, etc.

Notification:

Temporary Shelters:

- First Opening: A fire inspection shall be completed and final approval shall be received prior to opening a shelter for the first time.
- Subsequent Openings: The fire code official (Fire Marshal or Deputy Fire Marshal) shall be notified 48 hours minimum prior to each anticipated non-consecutive use of a shelter. The fire code official may require a fire inspection prior to the shelter being used.

Severe Event Shelters:

- Pre-Authorization: a location shall be approved by a building code official and fire code official prior to use as a *Severe Event Shelter*. A free inspection should be requested a minimum of 2 months prior to anticipated use. The shelter shall not be used until a final inspection has been completed and approval for been provided.
- Approval Prior to Opening: The fire code official and operators will work together to schedule/conduct a fire inspection prior to use of a *Severe Event Shelter*. This is intended to be a follow-up inspection in addition to the fire inspection required prior to approval of a *Severe Event Shelter* location.

Time limits:

Temporary Shelters:

- A building may be used as a *Temporary Shelter* for a maximum of ninety days (90) within any twelve (12) month period of time beginning on the first (1st) day of occupancy or as approved by the local authority having jurisdiction.
- Additionally, Temporary uses exceeding a six month (180 day) time period beginning on the first (1st) day of occupancy require approval from the Building Code Official.

Severe Event Shelters:

- *Severe Event Shelters* shall only be operated during a *Severe Event*.

Emergency Evacuation Plan (OFC Chapter 4):

An approved emergency evacuation plan addressing the evacuation of all occupants in an emergency event shall be available at all times at the shelter location (not a remote location). The plan shall be reviewed a minimum of once per year, and shall be revised when needed. At a minimum, the emergency evacuation plan shall contain the following:

- Emergency Response Plan: complete and review with a fire code official
- Occupant log: A log of all occupants for each night must be maintained and made available to the emergency personnel in the event of a fire or incident.
- Building floor plans: Building floor plans for each floor of the shelter shall be posted throughout the shelter, and shall include:
 - *Sleeping Areas* clearly identified.
 - Room size: the square footage of all rooms within the shelter.
 - Evacuation Routes: the primary and secondary egress (exit) paths from all areas of the shelter shall be shown.
 - Accessible egress routes: locations shall be shown on the building floor plans.
 - Life-safety systems: include locations for fire sprinkler system including riser room, fire alarm panel and controls, etc.
 - Manual Fire Alarm Pull Boxes, if present
 - Fire Extinguishers
 - AED (Automated External Defibrillator), if present

Documentation:

Documentation of all fire safety requirements including copies of an Emergency Plan and a Shelter Operational Plan shall be maintained on site and shall be immediately available for review if requested by the fire code official.

Fire Watch:

A fire watch shall be maintained continuously. See fire watch packet for additional requirements. A fire watch shall be maintained during sleeping hours at a minimum, and may be required at other times. This means at least one responsible person shall be awake and assigned this responsibility. The intent is that if one person cannot survey all areas of the shelter, then additional persons will be required. Fire watch personnel are dedicated to this task and shall not be responsible for other duties such as serving food. This duty may be rotated among a number of responsible adults. The fire watch personnel shall be familiar with the building, the emergency plan, and shall be trained on procedures during an emergency. They have the responsibility for a continuous patrol of the shelter for the purpose of detecting fire or other emergencies and transmitting an immediate alarm to the Fire Department and occupants. If a fire alarm system is not present, fire watch personnel shall have a manual device such as a whistle or bell for alerting occupants and a cell phone for alerting the fire department and other Fire Watch personnel.

General Safety Requirements:

- Alcohol and drugs shall not be in possession or used
- (OFC 310) No smoking inside. Outside smoking, if allowed, shall be in designated locations and non-combustible containers filled with water shall be provided. Smoking shall be a minimum of 10 ft away from entrances, exits, windows, ventilation intakes, etc.
- (OFC 305) Potential fire ignition sources such as lighters and candles shall not be allowed in shelters, unless stored in supervised or locked storage areas.
- Use of portable heaters or unvented fuel-fired heaters shall be prohibited inside. Outside use may be approved.
- Separate locations or areas for different populations including families, single men, etc. shall be required, unless approved otherwise.

Responsibilities:

The Building Safety Department, Fire Department, Planning Department and other City of Medford departments will be responsible for:

- Review of shelters
- Approval of shelters
- Developing and maintaining a Shelter Team with stakeholders from City departments and the community

The City of Medford will not be responsible for:

- Providing staffing for Temporary Shelters or Severe Event Shelters
- Providing locations for Temporary Shelters or Severe Event Shelters

The Shelter Team will be responsible for:

- Developing partnerships within the community
- Revising policies and practices related to shelters

For Severe Events, The Mayor or City Manager, or their designee, will be responsible for:

- Ensuring the procedures are followed where possible
- Declaring a Severe Event
- Providing early warning of a Severe Event Declaration as soon as possible (ideally 48 hours) by:
 - Communicating Severe Events to Provider Network and City Departments,
 - Conducting media out reach

Severe Event Procedures:

- Prepare for Severe Events:
 - Engage and partner with stakeholders to
 - Share information
 - Pre-authorize shelter locations
 - Develop processes and policies ahead of events
- Identify a Severe Event threat
 - Communicate that a warning that a Severe Event may be declared
 - Notify stakeholders as soon as possible (48 hours is preferred)
 - Coordinate with providers and stakeholders to:
 - Estimate need (# of beds, population type etc)
 - Identify available resources
- Declare Severe Event
 - Communicate resources and shelter locations (media, provider network, 211info, etc)
- Monitor the event
 - Communicate anticipated end of Severe Event
- Declare and end to the Severe Event
 - Communicate end of Severe Event
 - Shelter Team Review event and communicate ways to improve

Approved:

Brian Sjothun, City Manager

Date

Legal Reference(s):

Temporary Shelter Policy

AR No. XXX

ARTICLE I - GENERAL PROVISIONS

* * *

10.012 Definitions, Specific.

When used in this chapter, the following terms shall have the meanings as herein ascribed:

* * *

Emergency Shelter. Any facility, the primary purpose of which is to provide permanent or temporary facilities that are used as a temporary or transitional shelter for the homeless in general or for specific populations of the homeless. See SIC Classification 832.

* * *

Homeless. Individual(s) or families who are experiencing one or more of the following living conditions:

- (1) Living in a place not meant for human habitation;
- (2) Living in an emergency shelter or in transitional housing;
- (3) At risk of imminently (within 14 days or less) losing their primary nighttime residence, which may include hotels/motels or sleeping in a residence as a temporary guest, and lack the resources or support networks to remain in housing;
- (4) Unstably housed and likely to remain unstably housed;
- (5) Attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain permanent housing; or
- (6) At risk to exposure of extreme weather/severe event conditions; See Severe Event definition per section 10.012.

Homeless Shelter. See Emergency Shelter or SIC Classification 832.

* * *

Severe Event. An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individual or groups, as defined in the City of Medford Temporary Shelter Policy.

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

* * *

Temporary Shelter. A temporary use within a building, typically not used a residence, meant to provide relief from extreme weather and substandard living conditionsovernight sleeping accommodations and related services for individuals or families-groups who are homeless.

* * *

ARTICLE III - ZONING DISTRICTS

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10.314 Permitted Uses in Residential Land Use Classification.

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PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
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**6. NONRESIDENTIAL
SPECIAL USES**

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(c) Institutional Uses	Cs	10.815-817							
(c)(i) Temporary Shelters Accessory Uses	Cs	10.816-817 & 10.819A							

<u>(c)(ii) Severe Event Shelters, Accessory Uses</u>	<u>Ps</u>	<u>10.825</u>							
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10.337 Uses Permitted in Commercial and Industrial Zoning Districts.

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SIC USE ZONING DISTRICT

O. USES NOT CLASSIFIED. This major group includes uses not covered in the Standard Industrial Classification (SIC) Manual, 1987 Edition.

	C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
<u>005</u> <u>Severe Event Shelters</u>	<u>Ps</u>							

See section 10.839 for special use regulations on marijuana-related businesses.

See section 10.819A for special use regulations for Temporary Shelters.

See section 10.825 for special use regulations for Severe Event Shelters.

* * *

10.825 Severe Event Shelters.

(A) Purpose and Intent.

Severe Event shelters provide short-term relief from Severe Events, as defined in the City of

Medford Temporary Shelter Policy, such as extreme weather. The City of Medford Temporary Shelter Policy, in Section 10.825, 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. 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 10.825.

(B) Definitions Pertaining to Severe Event Shelters.

When used in Chapter 10 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 and 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 10.825 (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 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 City of Medford Shelter Policies and the requirements of the Operational Permit.

(b) Operations Plan. An operations plan shall be required for a Severe Event shelter. An operations plan shall include, at a minimum, items addressing client interaction, rules for shelter use and opening, facility operations and maintenance, safety and security provisions, and signage that complies with the Medford Municipal Code.

(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 Medford Fire-Rescue each time the shelter is closing.

(c) The operator may be required to provide the opportunity for inspection prior to operating the shelter.

(3) Reporting Requirements. April 1 of each calendar year, the operator may be required to submit a report to the Housing Advisory Commission (HAC) or applicable conditions of approval on the operational permit.

(4) 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 Policy.
- 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 Medford 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 weather shelter if:

- i. The shelter is closing due to condition changes per 10.825(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 permits and the decision shall be effective immediately. Appeals of this decision shall be made to the City Council.

(5) 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.
- ii. Areas used for bathrooms and showers shall be subject to inspections by the City, but any users of the facilities shall be given ten minutes notice prior to inspection to allow for the privacy needs of individuals who may be using the facilities.

(b) Inspections may be required prior to each opening of a Severe Weather 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. Building Department
- ii. Planning Department
- iii. Police Department
- iv. Fire-Rescue Department

(c) Signage stating "Inspection by the City of Medford officials, including Medford Fire-Rescue and Medford Police Department, may occur without notice" shall be prominently posted in the sleeping units, shower areas, and toilet areas of the temporary shelter.

(E) Site Standards for Severe Event Shelters

The following standards shall apply to the development and use of Severe Event shelters.

- (1) Severe Event Shelters shall be an accessory use, in residential zones, to institutional uses.
- (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 Sections 10.741-10.751.
- (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 adopted/approved City of Medford Temporary Shelter Policy.