



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

Libke Public Safety Facility Chambers, 1234 Linn Avenue, Oregon City and Virtual via
Zoom

Monday, August 09, 2021 at 7:00 PM

Ways to participate in this public meeting:

- Attend in person, location listed above.
- Register to provide electronic testimony (email planning@orccity.org or call 503.722.3789 by 3 p.m. on the day of the meeting to register)
- Email planning@orccity.org (encouraged to submit written testimony via email by 3 p.m. on the day of the meeting)
- Mail to City of Oregon City, Attn: Planning Division, P.O. Box 3040, Oregon City, OR 97045

CALL TO ORDER

PUBLIC COMMENT

Citizens are allowed up to 3 minutes to present information relevant to the Planning Commission but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the Chair/City Staff. The Commission does not generally engage in dialog with those making comments but may refer the issue to the City Staff. Complaints shall first be addressed at the department level prior to addressing the Commission.

PUBLIC HEARING

1. GLUA-21-00019/CU-21-00002: The Father's Heart Street Ministry Conditional Use Permit for Warming Shelter

MINUTES

2. May 10, 2021 Draft Minutes

COMMUNICATIONS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments. Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Planning Commission
From: Assistant Planner Diliana Vassileva

Agenda Date: 8/9/2021

SUBJECT:

GLUA-21-00019/CU-21-00002: The Father's Heart Street Ministry Conditional Use Permit for Warming Shelter

STAFF RECOMMENDATION:

Staff recommends approval of Planning Files GLUA-21-00019/CU-21-00002 with conditions.

EXECUTIVE SUMMARY:

The applicant has requested approval of a conditional Use Permit which would allow The Father's Heart Street Ministry to operate as an overnight warming shelter between the hours of 7 AM and 7 PM on nights when the temperature falls below 33° Fahrenheit including wind chill factor as measured by the National Oceanic and Atmospheric Administration. The existing day use shelter is not part of this conditional use permit request.

BACKGROUND:

The subject site is located at the corner of 12th Street and Washington Street. It is approximately half an acre in size and is zoned Mixed-Use Corridor (MUC-1). The property is developed with The Father's Heart Street Ministry, a day shelter serving no- and low-income populations since 2012. The day shelter use typically requires a conditional use permit within this zone, however, it is a legal non-conforming use in accordance with a similar use determination issued by the Oregon City Planning Division in 2016.

Though the day use shelter is legally non-conforming and grandfathered in, each winter, the applicant requests an emergency Resolution from the City Commission to operate as a nighttime warming shelter on nights that the temperature falls below 33 degrees Fahrenheit (including wind chill). For the past four winters, the Father's Heart has received permission from the City Commission to operate as a nighttime warming shelter via emergency Resolution. Obtaining a conditional use permit would allow the

applicant to operate as an overnight warming shelter between the hours of 7 PM and 7 AM on nights when the temperature falls below 33° Fahrenheit including wind chill factor as measured by the National Oceanic and Atmospheric Administration without having to request an emergency Resolution from the City Commission each year.

Staff finds that applicable conditional use permit criteria have been met or can be met through the Conditions of Approval and recommends that the Planning Commission recommend approval of Planning Files GLUA-21-00019/CU-21-00002 with conditions to the City Commission.

OPTIONS:

1. Recommendation of Approval with Conditions of GLUA 21-000019/CU-21-00002 to the City Commission
2. Denial of GLUA 21-00019/CU-21-00002

BUDGET IMPACT:

Amount: N/A

FY(s):

Funding Source(s):



TYPE IV STAFF RECOMMENDATION

August 9, 2021

FILE NUMBER: GLUA-21-00019 (General Land Use Application)/CU-21-00002 (Conditional Use Permit)

APPLICANT: Marty Gant
The Father's Heart Street Ministry
603 12th Street
Oregon City, OR 97045

OWNER: PDA Properties
Gary Wheeler
34856 E Columbia Avenue
Scappoose, OR 97056

Submitted: April 19, 2021
Complete: May 18, 2021
120 Day Deadline: September 15, 2021
PC Hearing: July 12, 2021
2nd PC Hearing: August 9, 2021
CC Hearing: TBD

REQUEST: The applicant is requesting approval of a Conditional Use Permit for a warming shelter within the existing building at The Father's Heart Street Ministry located at 603 12th Street.

LOCATION: 603 12th Street, Oregon City, OR 97045
Clackamas County Map 2-2E-31AA, Tax Lot 2200 and 2300

REVIEWER: Diliana Vassileva, AICP, Assistant Planner

RECOMMENDATION: Approval with Conditions.

PROCESS: Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the city commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and planning commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. If the planning commission denies the application, any party with standing (i.e., anyone who appeared before the planning commission either in person or in writing within the comment period) may appeal the planning commission denial to the city commission. If the planning commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the planning commission becomes the final decision of the city. If the planning commission votes to approve the application, that decision is forwarded as a recommendation to the city commission for final consideration. In either case, any review by the city commission is on the record and only issues raised before the planning commission may be raised

before the city commission. The city commission decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.

Conditions of Approval

Planning File GLUA-21-00019/CU-21-00002

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

The following conditions of approval shall be met to the satisfaction of the City prior to the first night of operation as a temporary warming shelter, unless otherwise noted:

1. The warming shelter may operate only within the existing building between the hours of 7 PM and 7 AM on nights when the outside temperature is predicted to be 33° Fahrenheit, including windchill factor, as measured by the National Oceanic and Atmospheric Administration. (P)
2. Prior to the first night of operation as a warming shelter, the applicant shall obtain all required permits, inspections, and approvals from the Oregon City Building Division and Clackamas Fire. (B/F)
3. The applicant shall finalize the community engagement plan in compliance with all items required by OCMC 17.56.040.H.2. A copy of the finalized community engagement plan shall be provided to the City and to the McLoughlin Neighborhood Association, and the applicant shall post a copy of the finalized community engagement plan and the associated Good Neighbor Policy to The Father's Heart website. (P)
4. The applicant shall hold a community meeting to discuss the community engagement plan and provide an opportunity for communication between neighbors and the operators of the shelter. Mailed notice of this meeting shall be provided to property owners within 300 feet, the neighborhood association, and the City. The meeting shall be open to the public and must be held a minimum of once a year thereafter. (P)
5. The applicant shall keep a log of the nights that the temporary warming shelter is operating, which includes the dates of operation, forecasted temperature including wind chill, and number of guests served each night of operation. The log for the prior year of operation shall be provided to the City annually by May 1 of each year and shall be provided to the neighborhood at the required annual community meeting. (P)

I. BACKGROUND:

1. Existing Conditions

The subject site is located at the corner of 12th Street and Washington Street. It is approximately half an acre in size and is zoned Mixed-Use Corridor (MUC-1). The property is developed with The Father's Heart Street Ministry, a day shelter serving no- and low-income populations since 2012. The day shelter use typically requires a conditional use permit within this zone, however, it is a legal non-conforming use in accordance with a similar use determination issued by the Oregon City Planning Division in 2016.

Though the day use shelter is legally non-conforming and grandfathered in, each winter, the applicant requests an emergency Resolution from the City Commission to operate as a nighttime warming shelter on nights that the temperature falls below 33 degrees (including wind chill). For the past four winters, the Father's Heart has received permission from the City Commission to operate as a nighttime warming shelter via emergency Resolution. Over the past four years that the overnight shelter has operated under emergency Resolutions, the Father's Heart accommodated 49 overnight guests for approximately 43 nights where the temperature fell below 33° Fahrenheit, including windchill factor (total of 2,140 guests served). This is equal to approximately 11 days per year of operation as a nighttime warming shelter.

Figure 1. Vicinity Map



Figure 2: Existing Conditions – Aerial Image



2. Project Description

The applicant has requested approval of a Conditional Use Permit which would allow The Father's Heart to operate as an overnight warming shelter between the hours of 7 PM and 7 AM on nights when the temperature falls below 33° Fahrenheit including wind chill factor as measured by the National Oceanic and Atmospheric Administration.

The Fair Housing Act prohibits discrimination restricting access to housing based on personal circumstances particular race, color, religion, sex, or national origin. The application is for a particular use of land that requires understanding the facts, with respect to the nature and intensity of the proposed use. The application must be analyzed against the applicable approval criteria. The characteristics of or circumstances affecting residents who may choose to reside in the proposed shelter are not relevant to the approval criteria. The individuals who may seek residence are free to seek housing anywhere within the City of Oregon City.

Though the applicant has requested to go through a local land use review for the proposed shelter, Oregon State House Bill 2006 (HB 2006) provides for an alternate review process for shelters. HB 2006 was signed into law on May 12, 2021, and requires local governments to approve an application for an emergency shelter on any property, regardless of state or local land use laws and zoning, if the shelter is operated by a qualifying organization and meets the following criteria outlined in the bill:

- (a) Includes sleeping and restroom facilities for clients;
- (b) Will comply with applicable building codes;
- (c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;
- (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;
- (e) Has adequate transportation access to commercial and medical services; and
- (f) Will not pose any unreasonable risk to public health or safety

The applicant's conditional use permit application was submitted prior to the date that HB 2006 went into effect. Although the applicant could request a review under the HB 2006 regulations instead of the conditional use permit review process, the applicant has requested review of this application subject to the City's conditional use permit criteria and review process and the HB 2006 review process and criteria are not applicable.

3. Permits and Approvals

The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

4. Public Comment

Public comments received are included in their entirety in Exhibit 3, and have been summarized by staff below:

Clackamas River Water
No conflicts or concerns identified.
Oregon City School District
No conflicts or concerns identified.
Oregon City Building Division
The proposed shelter must comply with Joint Warming Shelter Policy between Oregon City Building Division and Clackamas Fire District #1.
Unnamed Neighbor #1
Concerns about location of the existing shelter, concerns related to personal and property safety.
McLoughlin Neighborhood Association
Concerns that the existing building does not comply with dimensional standards including lot coverage and setbacks. Concerns that the application was submitted more than 6 months after the pre-application meeting and a summary of issues discussed at the MNA meeting was not submitted as part of the application. Concern about the compatibility with the historic district and impacts to neighboring properties (trespassing). Concerns about prior review processes including emergency approvals being treated as precedent and the fact that there was no

public notice as part of the 2016 similar use review. Concerns about the good neighbor policy, how it's distributed, reviewed and what repercussions there are if it is not complied with. Concerns that the application submitted does not demonstrate compliance with Comprehensive Plan goals and policies related to citizen involvement, neighborhood livability, historic resources, and noise. Concerns about missing Attachment G, clients of TFH violating established policies, COVID-19 restrictions, and applicability of the Joint Temporary Emergency Warming Shelter Policy established by Oregon City Building Division and Clackamas Fire District #1.

Dean Scrutton

Concerns about impacts of a shelter on the neighborhood, including trash, car break-ins, and changing of the character of the neighborhood. Concerns that the existing location is not an appropriate location for a shelter.

Frances McKenna

Identifying support for the proposal, and that they have lived nearby for 5 years and have not had any negative experiences with clients from the shelter.

Sharon & Clint Nicholson

Concerns that the proposal is not compatible with the historic district. Concerns about noise, loitering, and smoking. Concerns that the location of the shelter is not near necessary services and destinations. Concerns that nearby properties are unable to be used for their primary use and Barclay Park is unable to be used due to misuse of the park by clients of TFH. Concerns that the Good Neighbor Policy has not been shared with the neighborhood and cannot be enforced when the shelter is closed. Concerns about loitering, trash, parking, and drug paraphernalia.

Bibi Bachman & Richard Keyser

Concerns that the shelter is directly adjacent to residential homes. Concerns about TFH not having control over their clients' behaviors and actions, and that approval of the conditional use permit will have negative impacts on residents and the character of the area. Concerns that the location is not appropriate for freezing temperatures due to topography.

Michelle Schaefer

Concerns about safety, property damage, theft, and noise. Concerns that TFH staff has not been responsive to complaints. Concerns that the draft Good Neighbor Policy is not being followed and is not distributed to residents of the neighborhood. Concerns that clients of TFH are loitering on cold nights when the warming shelter is open.

Jessica Murray

Concerns that the 2016 similar use determination did not go through a land use process with a public notice. Concerns about behavior of clients of TFH. Concerns that guests using the warming shelter are making noise and yelling at night, and there are clients coming and going at night. Concerns that guests stay in the neighborhood once the overnight shelter closes at 7:00 AM or come to the neighborhood even when the nighttime shelter is closed. Concerns about illegal activities occurring when the shelter is closed, including trespassing, car break-ins, drug use, excessive noise. Concerns about the clientele at TFH and their backgrounds. Concerns that the Good Neighbor Policy is not distributed and not followed.

Jay Pearce

Concerns about spot zoning. Concerns about the building layout/occupancy and whether it can serve a shelter use. Concerns that the location of the shelter is not near necessary services and destinations. Concerns about illegal and "un-neighborly" activity in Barclay Park. Concerns about access to the subject site given site topography and

concerns that the shelter is in a residential area. Concerns about noise, littering, illegally parked vehicles, and guests of TFH loitering. Concerns about the Good Neighbor Policy not being adhered to and that there hasn't been consistent communication between TFH and the neighborhood.

Allyson Foster

Concerns about the type of services offered by TFH and the characteristics of the population they serve.

Tristan Murray

Concerns about safety, trespassing and interactions they have had with clients of TFH.

Heidi McKay

Concerns about the services offered by TFH don't adequately support their clientele. Concerns about interactions between clients of TFH and school children when the nighttime shelter closes at 7AM. Concerns about TFH negatively impacting the vibrancy of the neighborhood.

Dan Kromer, Pam Kromer & Terry Poppino

Concerns that the nighttime warming shelter operations will result in more foot traffic in the neighborhood at night. Concerns that the shelter is in a residential neighborhood. Concerns about communication between the neighborhood and TFH, and concerns about the distribution of the Good Neighbor policy. Concerns about noise, trash, alcohol and drug use, and negative interactions with clients of the TFH.

Christine LeFever

Concerns about neighboring cities' police departments dropping off people in need of service in Oregon City. Concerns about negative interactions with clients of TFH. Concerns about the location of the existing shelter in a residential neighborhood.

Mary Stivers

Concerns that the Good Neighbor Policy is not consistently adhered to. Concerns about negative interactions with clients of TFH. Concerns about noise, drug and alcohol use, and theft. Concerns about the gap of time between the time that the nighttime warming shelter closes and the daytime shelter opens and where clients can go during that time.

Zach Roberts

Request for consideration of a full-time nighttime shelter and a proposal that this could be established at a property on Molalla Avenue via a property trade proposal.

Dale & Maribeth Gehring

Concerns that clients of TFH will remain in the community beyond the hours of operation of TFH and that demand for services will exceed supply. Concerns about property values, car break-ins, theft, safety, and neighborhood impacts.

Kari Freeman

Concerns about the existing shelter being located within a residential neighborhood and not within proximity to enough services and destinations. Concerns about hours of operation, services provided, and that clients of TFH

will remain in the neighborhood beyond the hours of operation. Concerns about occupancy and the number of guests allowed per night.

Tina Irvine

Concerns about the existing shelter being located within a residential neighborhood. Concerns about hours of operation and that clients of TFH will remain in the neighborhood beyond the hours of operation. Concerns about negative interactions with clients of TFH.

Unnamed Neighbor #2

Concerns about negative interactions with clients of TFH, theft, and trespassing. Concerns about the existing shelter being located within a residential neighborhood.

Rachael Schweiger

Concerns about the existing shelter being located within a residential neighborhood. Concerns about hours of operation and that clients of TFH will remain in the neighborhood beyond the hours of operation. Concerns about occupancy and the number of guests allowed per night. Concerns about negative interactions with clients of TFH.

Sandra Peterson

Concerns about the existing shelter being located within a residential neighborhood. Concerns about parking and garbage. Concerns about timing of public notice and review.

Mary Zellharie

Comment in support of the application, the services provided by TFH, and their clientele. Identifying TFH has saved lives and provides vital services as the only shelter in Oregon City for members of our community.

Eugene Zaharie

Comment in support of the application, the services provided by TFH, and their staff.

Petition Signed by 104 Neighbors and Residents Submitted by Jessica Murray

The submitted petition includes comments and concerns pertaining to negative interactions with TFH clientele, illegal activities taking place in the neighborhood, safety, theft, trespassing, garbage, the location of the existing shelter in a residential neighborhood, clients remaining in the neighborhood outside of operating hours, services provided by TFH and TFH operating procedures,

Kent Blair

Comment in support of the application, their staff, and their mission.

The primary themes of the comments received have been identified below with a staff response to each issue:

- **Character or Circumstances of Clients**

The Fair Housing Act prohibits discrimination restricting access to housing based on personal circumstances particular race, color, religion, sex, or national origin. The application is for a particular use of land that requires understanding the facts, with respect to the nature and intensity of the proposed use. The application must be analyzed against the applicable approval criteria. The characteristics of or circumstances affecting residents who may choose to reside in the proposed shelter

are not relevant to the approval criteria. The individuals who may seek residence are free to seek housing anywhere within the City of Oregon City.

- **Good Neighbor Policy**

The Good Neighbor Policy is provided to guests of The Father's Heart and includes regulations about noise, parking, loitering, as well as safety precautions related to COVID-19. Many comments were received identifying concerns that the Good Neighbor Policy is not posted anywhere or distributed to residents of the neighborhood. Comments received also identified concerns about the policy not being followed by guests of The Father's Heart. The Good Neighbor Policy is not required as part of any conditional use permit criteria and it is a voluntary policy that The Father's Heart has prepared for their clients, however, as conditioned within this report it is required to be posted on The Father's Heart website, so it is readily available for neighborhood residents and the public to review.

A Community Engagement Plan is also required as part of the Conditional Use Permit to establish a dialogue between The Father's Heart and the neighbors and provide a mechanism for addressing issues and concerns raised by the community to ensure neighborhood livability is maintained. In accordance with the conditional use permit criteria, a community meeting is required prior to operation of the nighttime warming shelter and is also required on an annual basis. Neighborhood residents can use this meeting to raise concerns about posting and distribution of the Good Neighbor Policy, as well as an opportunity to work with staff of The Father's Heart to come up with solutions to issues that are occurring as a result of The Good Neighbor Policy not being followed by clients of The Father's Heart.

- **Neighborhood Livability**

Neighborhood livability is one of the goals of the Oregon City Comprehensive Plan and it applies not only to the property owners and residences of Oregon City's neighborhoods, but also Oregon City visitors, and those community members who seek services from The Father's Heart and other Oregon City service providers. The primary purpose of this proposal is to provide an indoor space for homeless during the cold winter nights so that they are not outside. There have been many comments identifying trespassing, noise, illegal behavior of the clientele, though those are not regulated by the zoning code, but rather through the police department or our local noise ordinance. The Father's Heart clientele are people with rights and protections from discrimination. The City may not consider the real or perceived characteristics of those served when reviewing this proposal. The proposal would provide an indoor space during the winter evenings, thus minimizing the number of people (clientele or otherwise) in the neighborhood at night and thus reducing the likelihood of nuisance or illegal behavior.

This proposal would increase neighborhood livability by providing community members with a warm and safe place to sleep on freezing nights, while ensuring that neighborhood livability for existing residents is maintained through the required Community Engagement Plan and annual community meeting. The purpose of the Community Engagement Plan and the annual community meeting is to establish a dialogue between The Father's Heart and the neighborhood and provide a mechanism for addressing issues and concerns raised by the community to ensure neighborhood livability is maintained.

- **Occupancy/Number of Clients and Building Division/CFD#1 Regulations**

Over the past four years that the overnight shelter has operated via emergency resolution, an occupancy of 49 shelter beds has been allowed based on the Oregon City's Building Division and Clackamas Fire District #1 Joint Emergency Warming Shelter Policy. As conditioned within this report, the applicant is required to obtain all required permits and inspections from the Oregon City Building Division and Clackamas Fire District #1 to ensure compliance with occupancy requirements and maintain

health and safety standards. If the Building and Fire Departments determine the health and safety standards are not met, the warming shelter would not be allowed to operate.

- **Location of the Existing Shelter in a Residential Neighborhood**

The existing shelter was approved under a 2016 Similar Use Determination which is a Type I staff level review process with no public notice or public hearing. The existing shelter use is not part of this review and any impacts of the day shelter are not under review. The proposed review is limited to the warming shelter between the hours of 7 PM and 7 AM on nights when the temperature falls below 33° Fahrenheit including wind chill factor as measured by the National Oceanic and Atmospheric Administration.

- **Noise/Trespassing/Theft/Drug Use/Loitering/Illegal Activity**

The subject site and surrounding area is served by the Oregon City Police Department. Any illegal or criminal activity can be reported to and is regulated by the Oregon City Police Department. The proposed warming shelter has operated an average of 11 nights each year over the past 4 years. During those days, the facility provides a safe indoor space for clientele and taking people off the street on cold nights.

- **Clients in Neighborhood Outside of Hours of Operations**

The public area surrounding the subject site, including streets, parks sidewalks and other public spaces is available for use by all members of the public. When the shelter is closed, guests of The Father's Heart are free to be in any public space, as is any other member of the public. Although not all homeless community members in the neighborhood and Oregon City are necessarily clients of The Father's Heart or associated with the warming shelter use, the proposal for a nighttime shelter would provide a safe and warm space to sleep for clients of The Father's Heart, taking people off the street.

- **Services Offered by TFH**

Several comments received indicated that the services provided by the Father's Heart are not adequate to serve their clients and that not enough sobriety and mental health services are being provided. Although undoubtedly there is a need for a variety of services, shelters may include many different kinds of services and accommodations, and it is up to individual providers to determine their capacity for providing these services. The zoning code does not require that other services be provided in addition to the sleeping, showering, and restroom uses that the applicant has proposed to provide within the overnight warming shelter. The Father's Heart has requested this review in order to expand their services to include an overnight warming shelter and the applicant is not required to provide any other services or accommodations beyond their capacity.

- **Historic District**

The Father's Heart is located in a non-designated structure in the McLoughlin Conservation district. Historic design guidelines do not apply to non-designated structures unless new construction is proposed on the site. The purpose of the McLoughlin Conservation District is to review the exterior look of the designated structures as well as new construction to assure architectural compatibility. Use within a building in the McLoughlin Conservation District are not regulated by the historic overlay Chapter, but through the zoning code. The applicant has proposed a new overnight warming shelter use which is being reviewed through a Conditional Use Permit process.

Other applicable themes from the comments submitted are addressed within the following report. None of the comments provided indicate that an approval criterion has not been met or cannot be met through the Conditions of Approval attached to this Staff Report.

II. ANALYSIS AND FINDINGS:

Municipal Code Standards and Requirements: The following sections of the Oregon City Municipal Code are applicable to this land use approval:

CHAPTER 17.29 MUC MIXED USE CORRIDOR DISTRICT

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

CHAPTER 17.56 CONDITIONAL USES

CHAPTER 17.58 LAWFUL NONCONFORMING USES, LOTS, STRUCTURES, AND SITES

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

CHAPTER 17.29 MUC MIXED USE CORRIDOR DISTRICT

17.29.020 - Permitted uses—MUC-1 and MUC-2.

- A. *Banquet, conference facilities and meeting rooms;*
- B. *Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;*
- C. *Child care centers and/or nursery schools;*
- D. *Indoor entertainment centers and arcades;*
- E. *Health and fitness clubs;*
- F. *Medical and dental clinics, outpatient; infirmity services;*
- G. *Museums, libraries and cultural facilities;*
- H. *Offices, including finance, insurance, real estate and government;*
- I. *Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;*
- J. *Postal services;*
- K. *Parks, playgrounds, playfields and community or neighborhood centers;*
- L. *Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;*
- M. *Multifamily residential, 3-4 plex residential;*
- N. *One or two dwelling units in conjunction with a nonresidential use, provided that the residential use occupies no more than 50% of the total square footage of the development;*
- O. *Restaurants, eating and drinking establishments without a drive-through;*
- P. *Services, including personal, professional, educational and financial services; laundry and dry-cleaning;*
- Q. *Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet;*
- R. *Seasonal sales;*
- S. *Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;*
- T. *Studios and galleries, including dance, art, photography, music and other arts;*
- U. *Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;*
- V. *Veterinary clinics or pet hospitals, pet day care;*
- W. *Home occupations;*
- X. *Research and development activities;*

Y. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;

Z. Transportation facilities;

AA. Live/work dwellings;

BB. After-hours public parking.

Finding: Not Applicable. The applicant has not proposed any permitted uses.

17.29.030 - Conditional uses—MUC-1 and MUC-2 zones.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:

A. Drive-through facilities;

B. Emergency service facilities (police and fire), excluding correctional facilities;

C. Gas stations;

D. Outdoor markets that do not meet the criteria of OCMC 17.29.020.I;

E. Public utilities and services including sub-stations (such as buildings, plants and other structures);

F. Public and/or private educational or training facilities;

G. Religious institutions;

H. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the neighborhood, historic or limited commercial districts that have a footprint for a stand-alone building with a single store in excess of sixty thousand square feet in the MUC-1 or MUC-2 zone;

I. Hospitals;

J. Parking not in conjunction with a primary use on private property, excluding after-hours public parking;

K. Passenger terminals, excluding bus stops;

L. Shelters.

Finding: Applicable. Shelters are defined in OCMC 17.04.1117:

"Shelter" means a congregate facility designed to provide overnight sleeping or daytime accommodation to shelter families and individuals offered on a short-term basis. Shelters may offer meals, lodging and associated services on-site, aimed at helping people move towards self-sufficiency. Shelters may include day shelters, transitional shelters, temporary warming shelters and other temporary or permanent spaces made available for sheltering individuals or families. Shelters are not considered bed and breakfast inns/boardingshouses, hotels or motels.

Additionally, warming shelters are defined in OCMC 17.04.1123:

"Temporary warming shelter" means a shelter operating between the hours of seven p.m. and seven a.m. when the outside temperature is predicted to be thirty-three degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration.

The subject site operates as a day use shelter which is an existing legal non-conforming use which was approved via a similar use determination in 2016 and is not part of this conditional use permit. The applicant has applied for a conditional use permit to allow a warming shelter operating between the hours of 7 PM and 7 AM on nights when the outside temperature is predicted to be 33° Fahrenheit, including windchill factor as measured by the National Oceanic and Atmospheric Administration.

17.29.040 - Prohibited uses in the MUC-1 and MUC-2 zones.

The following uses are prohibited in the MUC district:

- A. Distributing, wholesaling and warehousing;*
- B. Outdoor storage;*
- C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;*
- D. Correctional facilities;*
- E. Heavy equipment service, repair, sales, storage or rentals (including but not limited to construction equipment and machinery and farming equipment);*
- F. Kennels;*
- G. Motor vehicle and recreational vehicle sales and incidental service;*
- H. Motor vehicle and recreational vehicle repair/service;*
- I. Self-service storage facilities;*
- J. Marijuana production, processing, wholesaling, research, testing, and laboratories;*
- K. Mobile Food Units, except with a special event permit.*

Finding: Complies as Proposed. The applicant has not proposed any prohibited uses.

17.29.050 - Dimensional standards—MUC-1.

- A. Minimum lot area: None.*
- B. Maximum building height: Forty feet or three stories, whichever is less.*
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.*
- D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.*
- E. Maximum allowed setbacks.*
 - 1. Front yard: Five feet.*
 - 3. Corner side setback abutting street: Thirty feet.*
- F. Maximum lot coverage of the building and parking lot: Eighty percent.*
- G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.*
- H. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.*

Finding: Not Applicable. No changes to the existing building or lot are being proposed. The existing building and site pre-date the MUC-1 zoning district and thus, are legally non-conforming with regard to compliance with dimensional standards in the MUC zone. The dimensional standards would apply to additions to the existing building and new construction onsite, but this is not being proposed under this conditional use permit application, therefore, these standards are not applicable.

17.29.060 - Dimensional standards—MUC-2.

Finding: Not Applicable. The subject site is zoned MUC-1 and is not subject to the MUC-2 dimensional standards.

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.050 – Pre-application conference.

A Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the

pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.

2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.

3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

Finding: Complies as Proposed. The applicant held a pre-application conference on December 9, 2020. The land use application was submitted within 6 months of the pre-application meeting on April 19, 2021.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a

copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Finding: Complies as Proposed. The applicant attended the McLoughlin Neighborhood Association meeting on March 18, 2021. The land use application was submitted within one year of the meeting date, on April 19, 2021.

17.50.090 - Public notices.

All public notices issued by the city announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.

A. Notice of Type II Applications. Once the community development director has deemed a Type II application complete, the city shall prepare and send notice of the application, by first class mail, to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The applicant shall provide or the city shall prepare for a fee an accurate and complete set of mailing labels for these property owners and for posting the subject property with the city-prepared notice in accordance with OCMC [17.50.100](#). The city's Type II notice shall include the following information:

- 1. Street address or other easily understood location of the subject property and city-assigned planning file number;*
- 2. A description of the applicant's proposal, along with citations of the approval criteria that the city will use to evaluate the proposal;*
- 3. A statement that any interested party may submit to the city written comments on the application during a fourteen-day comment period prior to the city's deciding the application, along with instructions on where to send the comments and the deadline of the fourteen-day comment period;*
- 4. A statement that any issue which is intended to provide a basis for an appeal shall be raised in writing during the fourteen-day comment period with sufficient specificity to enable the city to respond to the issue;*
- 5. A statement that the application and all supporting materials may be inspected, and copied at cost, at city hall during normal business hours;*
- 6. The name and telephone number of the planning staff person assigned to the application or is otherwise available to answer questions about the application;*
- 7. The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.*

Finding: Not Applicable. The application is subject to the Type IV notice posting requirements.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the city shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The city shall also publish the notice on the city website within the city at least twenty days prior to the hearing. Pursuant to OCMC 17.50.080.H, the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the city-prepared notice in accordance with OCMC [17.50.100](#). Notice of the application hearing shall include the following information:

- 1. The time, date and location of the public hearing;*
- 2. Street address or other easily understood location of the subject property and city-assigned planning file number;*

3. A description of the applicant's proposal, along with a list of citations of the approval criteria that the city will use to evaluate the proposal;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
5. A statement that any issue which is intended to provide a basis for an appeal to the city commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the city and all parties to respond to the issue;
6. The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal;
7. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the planning division offices during normal business hours; and
8. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.

C. Notice of Public Hearing on a Legislative Proposal. At least twenty days prior to a public hearing at which a legislative proposal to amend or adopt the city's land use regulations or comprehensive plan is to be considered, the community development director shall issue a public notice that conforms to the requirements of this subsection. Notice shall be sent to affected governmental entities, special districts, providers of urban services, including Tri-Met, Oregon Department of Transportation and Metro, any affected recognized neighborhood associations and any party who has requested in writing such notice. Notice shall also be published on the city website. Notice issued under this subsection shall include the following information:

1. The time, date and location of the public hearing;
2. The city-assigned planning file number and title of the proposal;
3. A description of the proposal in sufficient detail for people to determine the nature of the change being proposed;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing; and
5. The name and telephone number of the planning staff person responsible for the proposal and who interested people may contact for further information.

Finding: Complies as Proposed. Public notice was mailed to residents and property owners within 300 feet of the subject site, posted on the City's website, emailed to affected departments and agencies, and the subject site was posted with land use notice signs on July 19, 2021, 20 days in advance of the August 9, 2021, hearing as required by this section.

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.

B. Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Finding: Complies as Proposed. Notice was posted onsite in accordance with these standards.

CHAPTER 17.56 CONDITIONAL USES

17.56.010 - Permit—Authorization—Standards—Conditions.

A conditional use listed in this title may be permitted, enlarged or altered upon authorization of the Planning Commission in accordance with the standards and procedures of this title. A conditional use permit listed in this section may be permitted, enlarged or altered upon authorization of the Planning Commission or City Commission in accordance with the standards and procedures of this section. Any expansion to, alteration of, or accessory use to a conditional use shall require Planning Commission or City Commission approval of a modification to the original conditional use permit unless authorized in this chapter.

Finding: Applicable. The applicant has requested a conditional use permit for a nighttime warming shelter.

A. Conditional uses, because of their public convenience and necessity and their effect upon the neighborhood shall be permitted only upon the approval of the Planning Commission or City Commission after due notice and public hearing, according to procedure as provided in OCMC 17.50. The applicant shall provide evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrate that the proposed use also satisfies the following criteria:

1. The use is listed as a conditional use in the underlying district;

Finding: Complies as Proposed. The subject site is zoned MUC-1 where shelters, including warming shelters, are listed as a conditional use.

2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;

Finding: Complies as Proposed. The site includes a day shelter which is a legal non-conforming use in accordance with a 2016 similar use determination. Given that the property is already developed with a day shelter use, the emergency warming shelter use is suitable and appropriate. The City Commission has approved the warming shelter use under an emergency ordinance for the past four winters, therefore, site conditions and characteristics will remain the same as they have been the past four years, as the proposed conditional use permit would continue the warming shelter use previously approved by the City Commission. The site is served by emergency services and existing utilities. Additionally, the subject site is located less than ¼ mile away from the Oregon City Transit Center connecting patrons of the shelter to public transit and other essential social services accessible by transit. Washington Street, Main Street, 12th Street, and 9th Street are also transit streets that are in the vicinity of the subject site and the subject site is within walking distance to Downtown Oregon City and other amenities such as convenience stores, churches and public facilities such as the Oregon City Library. Since many of the shelter's clients are often traveling on foot, access to the shelter and public transit which connects clients to surrounding essential services is of utmost importance, especially on below-freezing nights when the emergency warming shelter would be open. The size, shape, location, topography, existence of improvements and natural features, do not preclude a warming shelter use and the warming shelter use is appropriate given the context of the site and existing use.

3. *Development shall demonstrate compliance with OCMC 16.12;*

Finding: Not Applicable. Chapter 16.12 is not applicable to the proposal because all site frontages are developed, there is no addition of square footage proposed, and the existing development is adequately served by existing infrastructure.

4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

Finding: Complies as Proposed. The surrounding area is primarily residential with some commercial and institutional uses. The subject site includes a day shelter which is a legal non-conforming use in accordance with a 2016 similar use determination. The proposed night warming shelter is similar to the day shelter use and given that the nighttime warming shelter has operated under generally the same temperature limitations for the past four years which resulted an average of 11 days of operation per year, it will not have additional significant impacts to the character of the surrounding area while providing houseless community members with a safe place to sleep during extreme weather conditions. The City Commission has approved the warming shelter use under an emergency ordinance for the past four winters, therefore, site conditions and characteristics will remain the same as they have been the past four years, as the proposed conditional use permit would continue the warming shelter use previously approved by the City Commission. Furthermore, no physical modifications to the building or site which would alter neighborhood characteristics are being proposed.

The primary purpose of this proposal is to provide an indoor space for homeless community members during cold winter nights so that they are not outside. There have been many public comments received identifying trespassing, noise, illegal or disruptive behavior of the clientele, however, those are not regulated by the zoning code, but rather through the police department or local noise ordinance. Furthermore, although not all homeless community members in the neighborhood and in Oregon City are necessarily clients of The Father's Heart or associated with the warming shelter use, the proposal for a nighttime shelter would provide a safe and warm space to sleep for clients of The Father's Heart, taking people off the street and helping solve the issues of loitering and "roaming", which were identified in many of the public comments received.

The Father's Heart clientele are people with rights and protections from discrimination. The City may not consider the real or perceived characteristics of those served when reviewing this proposal. The proposal would provide an indoor space during the winter nights, thus minimizing the number of clientele in the neighborhood at night and thus reducing the likelihood of nuisance or illegal behavior. The additional warming shelter use which provides homeless community members with a warm and safe place to sleep on cold nights will not alter the character of the site or neighborhood, nor preclude surrounding properties from developing and establishing the primary uses allowed in the underlying zone.

5. *The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.*

Finding: Complies as Proposed. An analysis of applicable comprehensive plan goals and policies is provided below. The conditional use permit is consistent with the Oregon City Comprehensive Plan.

Section 1: Citizen Involvement

Goal 1.1 Citizen Involvement Program

Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.

Policy 1.1.1

Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.

Goal 1.2 Community and Comprehensive Planning

Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.

Policy 1.2.1

Encourage citizens to participate in appropriate government functions and land-use planning.

Policy 1.2.1

Encourage development and refinement of CIC and neighborhood association bylaws that will govern the groups' formation and operations.

Goal 1.3 Community Education

Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.

Policy 1.3.1

Encourage training of volunteers involved with the CIC and neighborhood associations.

Goal 1.4 Community Involvement

Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.

Policy 1.4.1

Notify citizens about community involvement opportunities when they occur.

Goal 1.5 Government/Community Relations

Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.

Policy 1.5.1

Support the CIC in initiating and planning events in cooperation with the City on issues of mutual interest. Topics may include such things as working with local schools regarding citizen involvement and stakeholders involved with Comprehensive Plan development and Urban Growth Boundary expansion.

Goal 1.6 CIC Continuous Development

Support the CIC's team spirit and dedication to community involvement to ensure continuous improvement.

Policy 1.6.1

Assist the CIC in finding funding for the Community Involvement Program's current and future development.

Policy 1.6.2

Support an Annual Leadership Development Conference for CIC members, to include updating the CIC strategic plan, if funding is available.

Goal 1.7 Neighborhood Plans

Adopt neighborhood plans that encompass a broad range of concerns for each neighborhood over a five-to ten-year period as refinements of the Oregon City Comprehensive Plan.

Policy 1.7.1

Ensure that neighborhood plans are consistent with the Comprehensive Plan.

Policy 1.7.2

Provide opportunities for property owners, residents, and businesses within the neighborhood to be involved in all phases of the preparation of a neighborhood plan.

Policy 1.7.3

Use the neighborhood plans to make recommendations to city boards, commissions, and agencies regarding public improvements and land-use decisions.

Goal 1.8 Advisory Committees

Establish and support citizen advisory committees and commissions.

Policy 1.8.1

Identify the areas of City government in which the counsel of a formal citizen advisory committee or commission is warranted if funding is available to provide appropriate staff support.

Policy 1.8.2

Solicit and support citizen participation on citizen advisory committees and commissions. Identify desirable expertise from the Portland metro area as needed to best serve the interests of Oregon City.

Finding: Complies as Proposed. Chapter 17.50 of the Oregon City Municipal Code includes provisions to ensure that citizens, neighborhood groups, and affected property owners have ample opportunity for participation in this application. The applicant met with the McLoughlin Neighborhood Association prior to submitting this application and once the application was deemed complete, the City noticed the application to property owners within 300 feet of the subject site, neighborhood associations, and posted the application on the City's website. Additionally, the subject site was posted with land use notice signs. All interested persons have the opportunity to comment in writing or in person through the public hearing process. This policy is met.

Section 2: Land Use**Goal 2.1 Efficient Use of Land**

Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.

Policy 2.1.1

Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.

Policy 2.1.2

Encourage the vertical and horizontal mixing of different land-use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on private automobiles, create more business opportunities and achieve better places to live.

Policy 2.1.3

Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.

Policy 2.1.4

Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.

Finding: Complies as Proposed. The proposal will provide for efficient use of land by allowing an existing development to be utilized as both a day shelter and an emergency night-time warming shelter, maximizing efficiency of an existing development to provide vital services to Oregon City community members.

Goal 2.4 Neighborhood Livability

Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Policy 2.4.1

Develop local neighborhood plans to strengthen and protect residential neighborhoods and historic areas from infill development; such as development along linear commercial corridors.

Policy 2.4.2

Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Policy 2.4.3

Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

Policy 2.4.4

Where environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement Comprehensive Plan and zoning designations that encourage compatible transitional uses.

Policy 2.4.5

Ensure a process is developed to prevent barriers in the development of neighborhood schools, senior and childcare facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.

Finding: Complies as Proposed. The existing day shelter is located within a largely residential neighborhood. Given that the overnight warming shelter has operated an average of 11 days per year over the past four years, the proposed night-time warming shelter will likely not have additional impacts to neighborhood livability beyond any existing impacts associated with the day shelter. The proposed nighttime warming shelter will provide houseless community members with a safe place to sleep and keep warm during extreme weather conditions. The City Commission has approved the warming shelter use under an emergency ordinance for the past four winters, therefore, site conditions and neighborhood livability will remain the same as they have been the past four years, as the proposed conditional use permit would continue the warming shelter use previously approved by the City Commission.

Neighborhood livability applies not only to the property owners of Oregon City's neighborhoods, but also Oregon City visitors, and those community members who seek services from The Father's Heart and other Oregon City service providers. The primary purpose of this proposal is to provide an indoor space

for homeless during the cold winter nights so that they are not outside. Issues raised related to trespassing, noise, illegal behavior of the clientele are not regulated by the zoning code, but rather through the police department or our local noise ordinance. The Father's Heart clientele are people with rights and protections from discrimination. The City may not consider the real or perceived characteristics of those served when reviewing this proposal and impacts to neighborhood livability. The proposal would provide an indoor space during the winter evenings, thus minimizing the number of people (clientele or otherwise) in the neighborhood at night and thus reducing the likelihood of any nuisance or illegal behavior.

This proposal would increase neighborhood livability by providing community members with a warm and safe place to sleep on freezing nights, while ensuring that neighborhood livability for existing residents is maintained through the required Community Engagement Plan and annual community meeting. The purpose of the Community Engagement Plan and the annual community meeting is to establish a dialogue between The Father's Heart and the neighborhood and provide a mechanism for addressing issues and concerns raised by the community to ensure neighborhood livability is maintained.

Goal 5.3 Historic Resources

Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Policy 5.3.2

Evaluate the establishment of Historic and Conservation Districts to preserve neighborhoods with significant examples of historic architecture in residential and business structures.

Policy 5.3.3

Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.

Policy 5.3.4

Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

Policy 5.3.5

Support efforts to obtain historic designation at the city, state and national levels for public and private historic sites and districts. Natural and cultural landscapes should also be considered.

Policy 5.3.6

Maintain Oregon City's status as a Certified Local Government in the National Historic Preservation Program.

Policy 5.3.7

Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Not Applicable. These goals and policies are implemented through Chapter 17.40 of the Oregon City Municipal Code. Though the subject site is within the McLoughlin Conservation District, it is not an individually designated structure. Furthermore, no building or site modifications are being proposed

through this Conditional Use Permit application, and uses within a building are not regulated by the historic overlay Chapter, therefore, Chapter 17.40 is not applicable.

Section 10: Housing

Goal 10.1 Diverse Housing Opportunities

Provide for the planning, development and preservation of a variety of housing types and lot sizes.

Policy 10.1.1

Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Policy 10.1.2

Ensure active enforcement of the City of Oregon City Municipal Code regulations to ensure maintenance of housing stock in good condition and to protect neighborhood character and livability.

Policy 10.1.3

Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Policy 10.1.4

Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan, while ensuring that needed affordable housing is provided.

Policy 10.1.5

Allow Accessory Dwelling Units under specified conditions in single-family residential designations with the purpose of adding affordable units to the housing inventory and providing flexibility for homeowners to supplement income and obtain companionship and security.

Policy 10.1.6

Allow site-built manufactured housing on individual lots in single-family residential zones to meet the requirements of state and federal law. (Pursuant to state law, this policy does not apply to land within designated historic districts or residential land immediately adjacent to a historic landmark.)

Policy 10.1.7

Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family developments that result in neighborhood livability and stability.

Goal 10.2 Supply of Affordable Housing

Provide and maintain an adequate supply of affordable housing.

Policy 10.2.1

Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land-Use Map, ensure that potential loss of affordable housing is replaced.

Policy 10.2.2

Allow increases in residential density (density bonuses) for housing development that would be affordable to Oregon City residents earning less than 50 percent of the median income for Oregon City.

Policy 10.2.3

Support the provision of Metro's Title 7 Voluntary Affordable Housing Production Goals.

Policy 10.2.4

Provide incentives that encourage the location of affordable housing developments near public transportation routes. Incentives could include reduction of development-related fees and/or increases in residential density (density bonuses).

Finding: Complies as Proposed. The proposal of a nighttime warming shelter promotes goals and policies related to diverse housing opportunities and affordable housing supply by helping homeless community members advance towards self-sufficiency by fulfilling an essential need of a warm place to sleep on cold nights. The subject site also reduces isolation of no- or low-income residents by providing a shelter location that is integrated with an existing neighborhood near essential services.

Goal 9.8 Transportation System

Recognize the importance of the land use-transportation link and encourage businesses to locate in areas already served by the type of transportation system they need.

Policy 9.8.1

Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel between residential areas and employment areas.

Policy 9.8.2

Participate in regional efforts to encourage employers to promote telecommuting and other flexible work arrangements.

Policy 9.8.3

Assess the feasibility of implementing Transportation Management Associations in the city.

Policy 9.8.4

Promote “shared parking” and transportation demand management techniques such as transit vouchers, car or van pooling, and flexible schedules and telecommuting options to reduce peak hour trips.

Policy 9.8.5

Work with the Oregon Department of Transportation to preserve and improve the capacity of Highway 213 and its intersection with I-205.

Policy 9.8.6

Encourage the provision of multi-modal transportation to support major existing employers.

Policy 9.8.7

Assess methods to integrate the pedestrian, bicycle and elevator transportation modes into the mass transit system.

Section 12: Transportation

Goal 12.1 Land Use-Transportation Connection

Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.

Policy 12.1.1

Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.

Policy 12.1.2

Continue to develop corridor plans for the major arterials in Oregon City, and provide for appropriate land uses in and adjacent to those corridors to optimize the land use-transportation connection.

Policy 12.1.3

Support mixed uses with higher residential densities in transportation corridors and include a consideration of financial and regulatory incentives to upgrade existing buildings and transportation systems.

Policy 12.1.4

Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.

Policy 12.1.5

Investigate the possibility of a new street connection between South End Road and Highway 99E between Downtown and New Era.

Policy 12.1.6

Investigate the possibility of a new east-west connection from Highway 213 to Willamette Falls Hospital.

Goal 12.2 Local and Regional Transit

Promote regional mass transit (South Corridor bus, Bus Rapid Transit, and light rail) that will serve Oregon City.

Policy 12.2.1

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel to prolong infrastructure capacity.

Policy 12.2.2

Target local transit where it is expected to be particularly effective, such as frequent, reliable links between Hilltop, Downtown, Willamette Falls Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.

Policy 12.2.3

Work with TriMet to locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Policy 12.2.4

Consider establishing a local Transportation Management Association (TMA) to serve area businesses. The TMA would fund a local trolley or bus transit service along the major and minor arterials to reduce the need for widening right-of-way for additional lanes as well as provide convenient and economical mobility to everyone.

Policy 12.2.5

Advocate for a new regional bus rapid transit and rail transit connections to Oregon City.

Goal 12.3 Multi-Modal Travel Options

Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.

Policy 12.3.1

Provide an interconnected and accessible street system that minimizes vehicle miles-traveled and inappropriate neighborhood cut-through traffic.

Policy 12.3.2

Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.

Policy 12.3.3

Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.

Policy 12.3.4

Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.

Policy 12.3.5

Promote and encourage a public transit system that ensures efficient accessibility, mobility, and interconnectivity between travel modes for all residents of

Oregon City.

Policy 12.3.6

Establish a truck route network that ensures efficient access and mobility to commercial and industrial areas while minimizing adverse residential impacts.

Policy 12.3.7

Promote the connection and expansion of rail and river transportation services to and through Oregon City.

Policy 12.3.8

Ensure that the multi-modal transportation system preserves, protects, and supports the environmental integrity of the Oregon City community.

Policy 12.3.9

Ensure that the city's transportation system is coordinated with regional transportation facility plans and policies of partnering and affected agencies.

Policy 12.3.10

Develop, if possible, dock facilities along the Willamette River to support a range of public and private boat and water transportation opportunities.

Finding: Complies as Proposed. The existing day shelter is located less than ¼ mile away from the Oregon City Transit Center connecting patrons of the shelter to essential transit services and other essential services accessible by public transit. Washington Street, Main Street, 12th Street, and 9th Street are also transit streets that are in the vicinity of the subject site. Additionally, the subject site is within walking distance to Downtown Oregon City and other services such as convenience stores, and churches. Since many of the shelter's clients are often traveling on foot, access to the shelter and to surrounding essential services is of utmost importance, especially on below-freezing nights when the emergency warming shelter would be open.

B. Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the Planning Commission.

Finding: Complies with Condition. The definition of temporary warming shelter provides for parameters related to temperature and time of operation:

"Temporary warming shelter" means a shelter operating between the hours of seven p.m. and seven a.m. when the outside temperature is predicted to be thirty-three degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration.

The warming shelter may operate only within the existing building between the hours of 7 PM and 7 AM on nights when the outside temperature is predicted to be 33° Fahrenheit, including windchill factor as measured by the National Oceanic and Atmospheric Administration. Prior to the first night of operation as a warming shelter, the applicant shall obtain all required permits, inspections, and approvals from the Oregon City Building Division and Clackamas Fire. Additionally, the applicant shall keep a log of the nights that the temporary warming shelter is operating, which includes the dates of operation, forecasted temperature including wind chill, and number of guests served each night of operation. The

log for the prior year of operation shall be provided to the City annually by May 1 of each year, and provided to the neighborhood at the required annual community meeting.

Other potentially adverse effects identified within comments received during the public notice period include trespassing, noise, illegal or disruptive behavior of the clientele, however, those are not regulated by the zoning code, but rather through the police department or local noise ordinance. Furthermore, although not all homeless community members in the neighborhood and in Oregon City are necessarily clients of The Father's Heart or associated with the warming shelter use, the proposal for a nighttime warming shelter would provide a safe and warm space to sleep for clients of The Father's Heart, taking people off the street and helping solve the issues of loitering and "roaming", which were identified in many of the public comments received. The Father's Heart clientele are people with rights and protections from discrimination. The City may not consider the real or perceived characteristics of those served when reviewing this proposal. The proposal would provide an indoor space during the winter nights, thus minimizing the number of clientele in the neighborhood at night and thus reducing the likelihood of nuisance or illegal behavior with potential adverse effects to the neighborhood or surrounding properties. **Staff has determined that it is possible likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

C. Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B. of this section unless otherwise indicated, as well as the minimum conditions listed below.

Finding: Complies as Proposed. No new buildings, expansion of the existing building, or any other physical site changes are being proposed with this conditional use permit request. Subsection B of this section allows for greater setbacks than the minimum dimensional standards required that would mitigate adverse effects by reason of the use, extension, construction or alteration proposed. Because no new construction, extension, or physical alteration is being proposed, applying greater dimensional standards to an existing building is an unreasonable restriction. The existing building and site pre-date the MUC-1 zoning district and thus, are legally non-conforming with regard to compliance with dimensional standards in the MUC zone. The dimensional standards would apply to additions to the existing building and new construction onsite, but this is not being proposed under this conditional use permit application, therefore, these standards are not applicable.

D. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use expansion of lot area or expansion of structure shall conform with the requirements for conditional use.

Finding: Complies as Proposed. The existing shelter is a legal non-conforming use existing prior to the effective date of this ordinance. The applicant has proposed to expand the use to include an emergency night warming shelter use, which must conform with the requirements for conditional uses. The applicant has submitted a conditional use permit application demonstrating compliance with applicable standards.

E. The Planning Commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the Planning Commission without the need to return for additional review.

Finding: Not Applicable. The applicant has not requested further expansion of the current conditional use being requested.

17.56.020 - Permit—Application.

A. A property owner or authorized agent shall initiate a request for a conditional use by filing an application with the city recorder. The applicant shall submit a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The application shall be accompanied by the filing fee listed in OCMC 17.50.080 to defray the costs of publication, investigation and processing.

Finding: Complies as Proposed. The applicant has submitted all required application materials, and the application was deemed complete on May 18, 2021.

B. Before the Planning Commission or City Commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in OCMC 17.50.

Finding: Complies as Proposed. The public hearing procedures established in 17.50 have been followed.

17.56.025 - Minor modifications to legal conditional uses.

Minor modifications to an approved conditional use permit may be permitted. If permitted, the modification shall be reviewed as a minor site plan and design review. A minor modification to an approved conditional use permit is considered one of the following:

A. Modification to a structure for the purpose of enhancing the aesthetics of the building and there is no increase in the interior usable space;

B. Except for shelters, a maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage; or

C. Revisions to parking alignment and/or related vehicle circulation patterns.

Finding: Not Applicable. The proposal does not include a minor modification to a legal conditional use.

17.56.040 - Criteria and standards for conditional uses.

In addition to the standards listed herein in OCMC 17.56.010, which are to be considered in the approval of all conditional uses and the standards of the zone in which the conditional use is located, the following additional standards shall be applicable:

A. **Building Openings.** The city may limit or prohibit building openings within fifty feet of residential property in a residential zone if the openings will cause glare, excessive noise or excessive traffic which would adversely affect adjacent residential property as set forth in the findings of the Planning Commission.

Finding: Complies as Proposed. There are three existing building entrances: a primary entrance on 12th Street, a rear entrance located in the back of the building facing the parking lot, and a delivery entrance facing Washington Street. There is an adjacent residential property developed with an existing residence facing Washington Street. The primary entrance on 12th Street is located more than 65 feet from the adjacent residential property. The back corner of the backyard of the residential property is approximately 40 feet from the rear entrance which faces the parking lot, however, the entrance is more than 80 feet from the back of the single-family residence located on the property, and more than 115 feet from the front of the single-family residence. Additionally, there is an existing chain link fence, a cedar fence and landscaping providing an additional buffer between the back entrance and the residential property. The Washington Street entrance is located near the loading dock and is less than 50 feet from the adjacent residential property, but this is not a primary building entrance that is used for the nighttime warming shelter. It is also separated from the adjacent property by hedges and fencing. All building openings are existing and no new building openings or any other physical site modifications are being proposed as part of this application. Staff is not recommending that the Planning Commission limit or prohibit existing building openings.

B. Additional Street Right-of-Way. The dedication of additional right-of-way may be required where the city plan indicates need for increased width and where the street is inadequate for its use; or where the nature of the proposed development warrants increased street width.

Finding: Not Applicable. The subject site's frontage is improved and the city has not identified a need for additional right-of-way dedication or increased street width.

C. Public Utility or Communication Facility. Such facilities as a utility substation, water storage tank, radio or television transmitter, tower, tank, power transformer, pumping station and similar structures shall be located, designed and installed with suitable regard for aesthetic values. The base of these facilities shall not be located closer to the property line than a distance equal to the height of the structure. Hydroelectric generation facilities shall not exceed ninety megawatts of generation capacity.

Finding: Not Applicable. No public utility or communication facilities are proposed.

D. Schools. The site shall be located to best serve the intended area, shall be in conformance with the city plan, shall have adequate access, and shall be in accordance with appropriate State standards.

Finding: Not Applicable. The applicant has not requested a conditional use permit for a school.

E. Helipad Landing Facility.

Finding: Not Applicable. The applicant has not requested a conditional use permit for a helipad landing facility.

F. Residential Care Facilities.

Finding: Not Applicable. The applicant has not requested a conditional use permit for a residential care facility.

G. Bed and Breakfast Inns.

Finding: Not Applicable. The applicant has not requested a conditional use permit for a bed and breakfast inn.

H. Shelters.

1. Shelters shall be processed as a Type IV review.

Finding: Complies as Proposed. The application is being processed pursuant to the Type IV process.

2. The shelter shall maintain a written community engagement plan include the following information:

- a. Description of purpose and scope of services of the shelter;*
- b. Population to be housed at the shelter and the process and criteria for the selection of guests;*
- c. Bed capacity for nightly guests;*
- d. Hours of operations and curfew, if applicable;*
- e. 24 hour contact information; and*
- f. Explanation of how the shelter will address concerns/complaints.*

Finding: Complies with Condition. The applicant provided the following responses to each of the items within this section within their narrative:

Description of purpose and scope of services of the shelter:

The Father's Heart consists of a day use shelter (not the subject of this application) and an emergency overnight warming shelter that is contracted with Clackamas County for the purpose of saving lives on winter nights that reach 33F windchill or colder. The Father's Heart emergency night shelter provides shelter from inclement weather, a sleeping mat, blanket, an evening meal, coffee and water.

Population to be housed at the shelter and the process and criteria for the selection of guests:

The Father's Heart provides an emergency overnight warming center/shelter to those living outdoors. The shelter sends out an emergency notification to the emergency contact list of Clackamas County by noon on the day of operation. The shelter operates on a first-come first-served basis.

Bed capacity for nightly guests:

Normally, the emergency overnight shelter has a capacity of 49 guests, which has been modified to a maximum of 13 guests during Covid-19 restrictions, in order to provide adequate social distancing.

Hours of operations and curfew, if applicable:

The emergency night shelter operates from 6 PM to 7 AM. There is a 10 PM curfew for those who have checked in before 10 PM. If a bed is available, The Father's Heart receives new shelter guests at any hour.

24 hour contact information:

The following The Father's Heart staff can be reached 24 hours.

Robin Keating- Executive Director tfhrobin@gmail.com 831-809-3099	Jennifer Morris- Asst. Director & Program Manager tfhjennifer@gmail.com 971-940-5476
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Explanation of how the shelter will address concerns/complaints:

The Father's Heart Executive Director and Program Manager are available 24 hours, either in person, by phone or email to address any and all concerns or complaints. In addition, in order to prevent community impacts TFH has adopted a Good Neighbor Policy, which outlines expectations of and to which it holds clients accountable for their behavior in the community (See Attachment F). TFH welcomes conversations with the broader community about any issues that arise because we can't fix it if we don't know it's happening.

The draft community engagement plan was presented to the McLoughlin Neighborhood Association at the March 18, 2021 meeting that the applicant attended.

Prior to the first night of operation as a temporary warming shelter, the applicant shall finalize the community engagement plan in accordance with all items required by this section, and submit a copy of the finalized community engagement plan to the City, provide a copy of the community engagement plan to the McLoughlin Neighborhood Association, and post a copy of the finalized community

engagement plan and the associated Good Neighbor Policy to The Father's Heart website. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

3. Shelters shall hold a meeting with the community prior to commencing operation, and a minimum of once a year each year thereafter. The purpose of the meeting is to discuss the community engagement plan and provide an opportunity for greater communication. Mailed notice of the meeting shall be provided to property owners within 300 feet, the neighborhood association, and the City. The meeting shall be open to the public.

Finding: Complies with Condition. The applicant attended the McLoughlin Neighborhood Association on March 18, 2021. Prior to the first night of operation as a temporary warming shelter, the applicant shall hold an additional community meeting to discuss the community engagement plan and provide an opportunity for communication between neighborhood residents and the operators of the shelter. Mailed notice of this meeting shall be provided to property owners within 300 feet, the neighborhood association, and the City. The meeting shall be open to the public and must be held a minimum of once a year thereafter. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

17.56.060 - Revocation of conditional use permits.

The Planning Commission or the City Commission may initiate administrative action under Chapter 17.50 to revoke any conditional use permit previously issued by the city or, with regard to lands annexed by the city, those such permits issued by the county. The Planning Commission or the City Commission, may revoke such permit upon determining:

A. One or more conditions attached to the grant of the conditional use permit have not been fulfilled; and

B. The unfulfilled condition is substantially related to the issuance of the conditional use permit.

Finding: Applicable. The Planning Commission may initiate administrative action under Chapter 17.50 and revoke this conditional use permit if one or more conditions attached to the grant of this conditional use permit have not been fulfilled and the unfulfilled condition is substantially related to the issuance of the conditional use permit.

17.56.070 - Periodic review of conditional use permits.

A. The City Commission may provide for the periodic review of some or all of the conditional use permits previously issued by the city, or, with regard to lands annexed by the city, those such permits issued by the county. In providing for such review, the City Commission may designate classes of such previously issued permits for which periodic review shall be undertaken.

B. Such review shall be accomplished as an administrative action under Chapter 17.50 and shall be limited to the question of whether additional conditions should be imposed on a conditional use in the light of changing circumstances and more efficient implementation of the city's comprehensive plan.

C. Notwithstanding the provisions of Chapter 17.58, any additional conditions shall be met as a requirement for continued operation of the conditional use.

Finding: Not Applicable. Staff has not identified a need for period review of this conditional use permit.

CHAPTER 17.58 LAWFUL NONCONFORMING USES, LOTS, STRUCTURES, AND SITES

17.58.020 - Lawful nonconforming lots of record.

Lots or parcels lawfully created but which do not now conform to the legal lot standards in this land use code may be occupied by uses otherwise permitted if those uses comply with all other provisions of this land use code.

Finding: Not Applicable. The subject site is not a non-conforming lot of record.

17.58.030 - Lawful nonconforming use.

A use that was lawfully established on a particular development site but that no longer complies with the allowed uses or the standards for those uses in this title may be considered a lawful nonconforming use. Change of ownership, tenancy, or management of a lawfully established nonconforming use shall not affect its lawful nonconforming status. The continuation of a lawful nonconforming use is subject to the following:

A. Discontinuance. If a lawful nonconforming use is discontinued for a period of one year, it shall lose its lawful nonconforming status and the use of the property thereafter shall conform with the existing provisions of this title. If a nonconforming use ceases operations, even if the structure or materials related to the use remain, the use shall be deemed to have been discontinued.

Finding: Complies as Proposed. The subject site includes a day shelter which does not have an existing conditional use permit as required in the MUC-1 zone. In 2016, the City issued a similar use determination confirming the day shelter is a legal non-conforming use. The applicant has obtained and renewed a business license every year since then and the day shelter use has not been discontinued. The day shelter use is a legal non-conforming use which is allowed to continue and is not part of this conditional use permit application.

B. Conformance. If a lawful nonconforming use is converted to a conforming use, no nonconforming use may be resumed.

Finding: Not Applicable. The established legal non-conforming day shelter use has not been converted or proposed to be converted to a conforming use.

C. Destruction of a Non-residential Use. When a structure containing a lawful nonconforming non-residential use is damaged by fire or other causes, the re-establishment of the nonconforming use shall be prohibited if the repair cost of the structure is more than sixty percent of its assessed value.

D. Destruction of a Residential Use. When a structure containing a lawful nonconforming residential use is damaged by fire or other causes, the re-establishment of the nonconforming use shall be permitted.

E. Intentional Destruction. When a structure containing a nonconforming use is removed or intentionally damaged by fire or other causes within the control of the owner, the re-establishment of the nonconforming use shall be prohibited.

Finding: Not Applicable. The existing structure containing a lawful non-conforming use has not intentionally or unintentionally been destroyed. These standards are not applicable to the current proposal.

F. Expansion. No lawful nonconforming use may be replaced by a different type of nonconforming use, nor may any legal nonconforming use be expanded or intensified.

Finding: Not Applicable. Though the applicant is proposing to expand or intensify the non-conforming use, the expansion is not allowed outright and is going through the required conditional use permit land use process.

17.58.040 - Lawful nonconforming structure or site.

A structure or site that was lawfully established but no longer conforms to all development standards of this land use code (such as setbacks) shall be considered lawful nonconforming. Notwithstanding

development standard requirements in this Code, minor repairs and routine maintenance of a lawful nonconforming structure are permitted. The continuation of a lawful nonconforming structure or site is subject to the following:

A. *Accidental Destruction.* When a nonconforming structure is damaged by fire or other causes, the structure may be rebuilt using the same structure footprint.

B. *Intentional Destruction.* When a nonconforming structure is removed or intentionally damaged by fire or other causes within the control of the owner, the replacement structure shall comply with the development standards of this title.

C. *Expansion.* An expansion of a lawful nonconforming structure or site may be approved, conditionally approved or denied in accordance with the standards and procedures of this section.

1. *In making a determination on such applications, the decision maker shall weigh the proposal's positive and negative features and the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed, and, to approve such expansion, it shall be found that the criteria identified in OCMC 17.58.060 have either been met, can be met by observance of conditions, or are not applicable.*

2. *Increases in the square footage of a building and/or site improvements which include installation of any additional off-street parking stalls that exceed the threshold of subparagraph C.2.a. below shall comply with the development standards listed in subparagraph C.2.b. The value of the alterations and improvements is based on the entire project and not individual building permits.*

a. *Thresholds triggering compliance.* The standards of subparagraph C.2.b. below shall be met when the value of the increase in square footage of a building and/or increase in off-street parking stalls, as determined by the Community Development Director, is more than seventy-five thousand dollars. The following alterations and improvements shall not be included in the threshold calculation:

1. *Proposed alterations to meet approved fire and life safety agreements;*

2. *Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;*

3. *Alterations required to meet Seismic Design Requirements; and*

4. *Improvements to on-site stormwater management facilities in conformance with Oregon City Stormwater Design Standards.*

Finding: Not Applicable. Though the subject site does include non-conforming elements that are not in compliance with the current code, such as building design, landscaping, and parking lot design, the applicant has not proposed an expansion of a non-conforming structure exceeding the thresholds identified in this section and requiring non-conforming upgrades.

17.58.060 - Process to confirm the legality of a nonconforming use, lot, structure, or site.

Any person may request a Type I or a Type II review to confirm the legality of a nonconforming use, lot, structure or site. In order to confirm that the nonconforming use, lot, structure or site is legal, sufficient evidence shall be submitted to the city determining the following:

A. *The nonconforming use, lot, structure or site was established lawfully; and*

B. *The nonconforming use, lot, structure or site has not become more nonconforming within the past twenty years from the date of application.*

The applicant shall provide sufficient evidence to allow the Community Development Director to review and confirm the legality of a nonconforming use, lot, structure or site. An applicant may request a Type I procedure, provided the applicant can provide sufficient evidence to confirm OCMC 17.58.060A. and B. without discretion. If the applicant cannot provide sufficient evidence to determine OCMC 17.58.060A. and B. without discretion, the applicant may apply for a Type II procedure. Applications for a Type II procedures shall be noticed to the public in a public comment period to gather additional information. If the applicant cannot show that the nonconforming use, lot, structure or site was lawfully established or has not been

expanded pursuant to OCMC 17.58.060A. and B. above, the use, lot, structure or site shall be determined to be illegal.

Finding: Not Applicable. The applicant has not requested a review to confirm the non-conforming use. A 2016 determination of similar use confirmed that the existing day shelter use was legally non-conforming, and a business license has been obtained and renewed every year since then. Therefore, the existing day shelter use remains legally non-conforming and is not part of this conditional use permit review.

CHAPTER 17.62 – SITE PLAN AND DESIGN REVIEW

Finding: Not Applicable. The applicant's proposal does not include any physical modifications to the existing building, parking lot, landscaping, or site. The standards in this chapter are not applicable.

CONCLUSION AND RECOMMENDATION:

Based on the analysis and findings as described above, Staff concludes that the proposed development located at 603 12th Street, Oregon City, Oregon 97045, identified as Clackamas County Map 2-2E-31AA, Tax Lot 2200 and 2300 can meet the requirements as described in the Oregon City Municipal Code by complying with the Conditions of Approval provided in this report. Therefore, the Community Development Director recommends approval with conditions, based upon the findings and exhibits contained in this staff report.

EXHIBITS:

1. Vicinity Map
2. Applicant's Narrative and Plans (On File)
3. Public Comments
4. Applicant's Response to Public Comments Received
5. 2016 Similar Use Determination
6. 2017-2020 City Commission Resolutions for Temporary Emergency Warming Shelter Use

Oregon City GIS Map

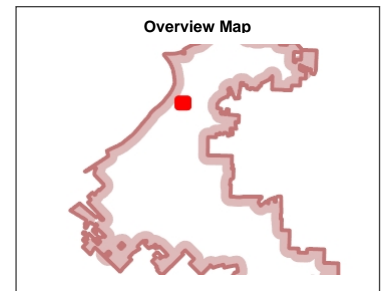
Item #1.



Legend

- Street Names
- Taxlots
- Taxlots Outside UGB
- Unimproved ROW
- City Limits
- UGB
- Basemap

Notes



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 6/16/2021



0 100 200 Feet



1: 1,200

City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.orcity.org





OREGON CITY

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A) <input type="checkbox"/> Compatibility Review <input type="checkbox"/> Willamette River Greenway <input type="checkbox"/> Communication Facility <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Non-Conforming Use Review <input type="checkbox"/> Natural Resource (NROD) Verification <input type="checkbox"/> Minor Site Plan & Design Review <input type="checkbox"/> Historic Review – Remodel <input type="checkbox"/> Detailed Dev. Plan (DDP)	Type II (OCMC 17.50.030.B) <input type="checkbox"/> Master Plan / PUD / GDP or Amendment <input type="checkbox"/> Detailed Development Plan (DDP) <input type="checkbox"/> Floodplain Review <input type="checkbox"/> Geologic Hazard Overlay <input type="checkbox"/> Minor Partition (<4 lots) <input type="checkbox"/> Minor Site Plan & Design Review <input type="checkbox"/> Non-Conforming Use Review <input type="checkbox"/> Site Plan and Design Review / DDP <input type="checkbox"/> Subdivision (4+ lots) <input type="checkbox"/> Minor Variance <input type="checkbox"/> Natural Resource (NROD) Review <input type="checkbox"/> Public Improvement Modification <input type="checkbox"/> Willamette River Greenway ELD Process (OCMC 17.50.030.E) <input type="checkbox"/> Expedited Land Division	Type III / IV (OCMC 17.50.030.C & D.) <input type="checkbox"/> Annexation <input type="checkbox"/> Code Interpretation / Similar Use <input type="checkbox"/> Master Plan / PUD / GDP Amendment <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Comprehensive Plan / Legislative Amendment <input type="checkbox"/> Code <input type="checkbox"/> Map <input type="checkbox"/> Detailed Development Plan DDP <input type="checkbox"/> Historic Review <input type="checkbox"/> Municipal Code Amendment <input type="checkbox"/> Parking Adjustment <input type="checkbox"/> Variance <input type="checkbox"/> Sign Variance <input type="checkbox"/> Natural Resource (NROD) Review <input type="checkbox"/> Zone Change (Text/Map) <input type="checkbox"/> Willamette River Greenway Legislative Action (OCMC 17.50.170) <input type="checkbox"/> Legislative
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File Number(s):	Application Date:
Project Name: The Father's Heart Shelter	
Proposed Land Use or Activity: Shelter	# of Lots Proposed (If Applicable): 2
Physical Address(es) of Site: 603 12th St Oregon City Or 97045	
Clackamas County Map and Tax Lot Number(s): 2200 2300	

Applicant(s)	
Applicant(s) Signature: The Father's Heart Street Ministry <i>Marty Gant</i>	
Applicant(s) Name Printed: The Father's Heart Street Ministry	Date: 02/18/2021
Mailing Address: 603 12th St Oregon City Or 97045	
Phone: 503-722-9780	Email: throbinc@gmail.com

Property Owner(s) – See reverse for more than two Owners	
Property Owner #1	
Property Owner#1 Signature: <i>Gary Wheeler</i> <i>Gary Wheeler President</i>	
Property Owner#1 Name Printed: <i>PDF Properties</i>	Date: <i>1-8-21</i>
Mailing Address: 603 12th St Oregon City Or 97045	
Ownership Address: <i>34856 E Columbia Ave Scappoose, OR 97056</i>	
Phone: <i>503 475 5208</i>	Email: <i>GPS450@gmail.com</i>

Property Owner #2	
Property Owner#2 Signature:	
Property Owner#2 Name Printed:	Date:
Mailing Address: 603 12th St Oregon City Or 97045	
Ownership Address:	
Phone:	Email:

Representative(s)	
Representative(s) Signature: <i>Marty Gant</i>	
Representative(s) Name Printed: Marty Gant	Date: 02/18/2021
Mailing Address: 603 12th St Oregon City Or 97045	
Phone:	Email:

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

***Type IV Application Conditional Use Review
and Type III Application for
Site Plan Review***

*Submitted to:
City of Oregon City*

*Submitted by:
The Father's Heart Street Ministry*

On

April 8, 2021

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TYPE IV CONDITIONAL USE REVIEW FOR SHELTER

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CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

CHAPTER 17.56 CONDITIONAL USES

IV. Conclusion

ATTACHMENTS

- A. Signed Land Use Application forms
- B. Similar Use Determination
- C. Pre-Application Conference Notes
- D. March 18, 2021 McLoughlin Neighborhood Meeting Notes and email confirming attendance
- E. Resolution 21-06, Declaring an Emergency and Exempting the Father's Heart Street Ministry from Planning Code Requirements on a Temporary Basis
- F. The Father's Heart Good Neighbor Policy
- G. The Father's Heart DRAFT Community Engagement Plan
- H. Site Plan

TYPE IV *CONDITIONAL USE REVIEW FOR SHELTER**APPLICANT'S SUBMITTAL*

APPLICANT: *Marty Gant, President of the Board of Directors
24828 S Century Rd
Estacada, OR 97023
(503) 209-5356*

OWNER: *Gary Wheeler, President
PDA Properties
34856 E. Columbia Ave
Scappoose, OR 97056
(503) 475-5208*

REQUEST: *Conditional Use approval for a temporary emergency night warming shelter at the same location as an existing day shelter.*

LOCATION: *603 12th Street Oregon City, Oregon 97045
Map 22E31AA Tax lots 2200 and 2300*

*I. BACKGROUND****Existing Conditions***

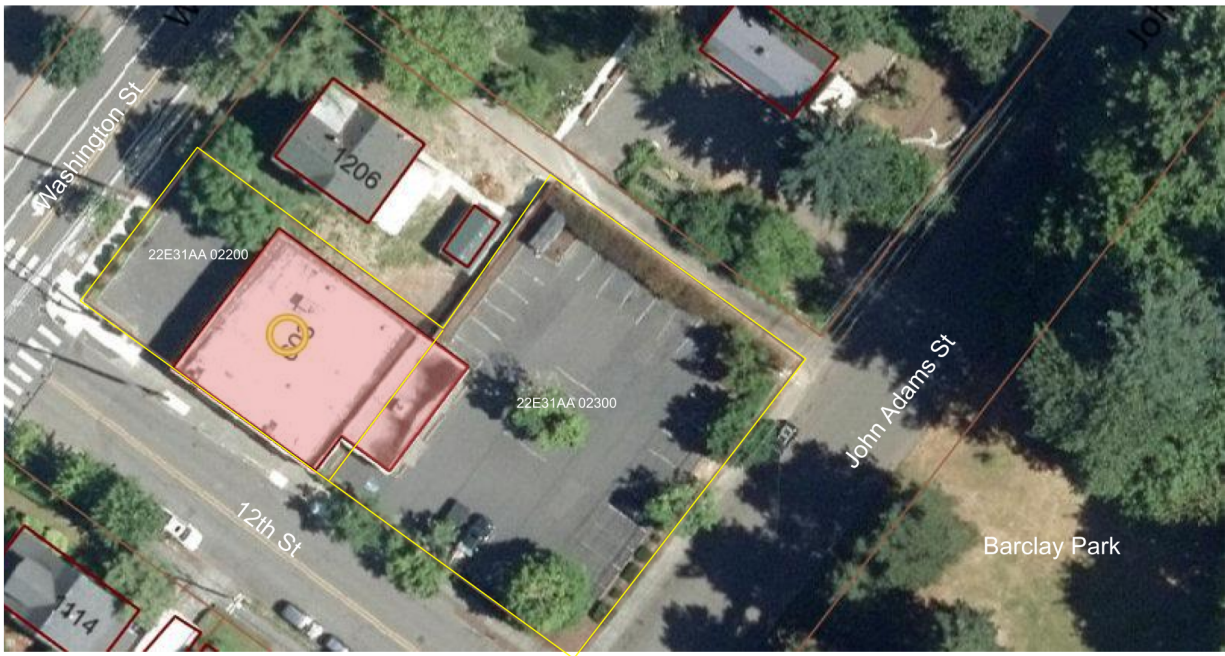
The proposed temporary night shelter is located in downtown Oregon City at the intersection of 12th Street, Washington Street and John Adams Street, to the west of Barclay Park. It is located in the MUC-1 district. The Father's Heart Street Ministry has been serving no- and low income people in the nearby area since 2012 by operating a day shelter and an emergency night warming shelter at this location. Currently, the proposed temporary emergency night warming shelter can accommodate up to 49 persons. Operations of the proposed emergency night shelter are limited to nights when the forecast temperature falls below 33 degrees Fahrenheit between the hours of 7:00 PM and 7:00 AM. Approval of the day use shelter was granted via a similar use determination in 2016 (see Attachment B). Therefore, the applicant is not seeking approval of the day use shelter as part of this conditional use permit application. Permission to operate the emergency temporary night shelter has been extended by the City Commission until March 31, 2021 (See Attachment E).

Project Description

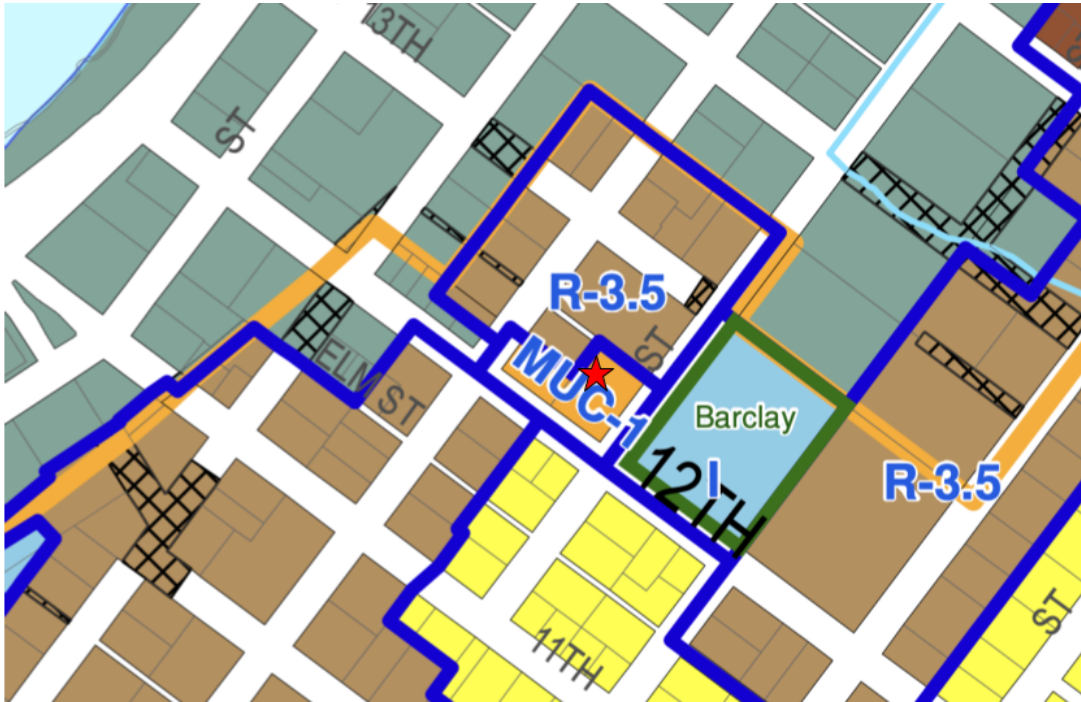
This project will allow The Father's Heart to continue to provide a temporary nighttime emergency warming shelter on the current site when the local temperature is forecast to fall below 33 degrees Fahrenheit (Including Wind Chill). Because the proposed use is a Shelter, and located in the MUC-1 zone, Conditional Use approval is required. The existing day use shelter, operating since 2012, and in 2016 was approved via a similar use determination in the MUC-1 zone (See Attachment B) is not part of this conditional use request.

II. SITE DATA

Site Map



Zoning Map



Zoning designation: Commercial Mixed Use (CMU-1)

Comprehensive Plan designation: Mixed Use Commercial (MUC)

Neighborhood Association: McLoughlin Neighborhood

Historic District: McLoughlin Conservation District (MCD)

Tax lots: Map 22E31AA tax lots: 02200, 02300

Tax Lot	Area	Acres
02200	6,930 Sq. Ft.	0.16 ac.
02300	13,860 Sq. Ft.	0.32 ac.
Total	20,790 Sq. Ft.	0.48 ac.

Approximate building footprint: 4,637 sq. ft.

Adjacent Streets: 12th Street, John Adams Street, Washington Street

III. OREGON CITY MUNICIPAL ZONING CODE COMPLIANCE

Municipal Code Standards and Requirements: The following sections of the Oregon City Municipal Code are applicable to this land use approval:

Chapter 17.29 MUC Mixed Use Corridor District

Chapter 17.50 Administration And Procedures

Chapter 17.56 Conditional Uses

The City Code Book is available on-line at www.orcity.org.

Permits and Approvals: The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

REQUIRED CODE RESPONSES:

CHAPTER 17.29 MUC MIXED USE CORRIDOR DISTRICT

17.29.030 - Conditional uses—MUC-1 and MUC-2 zones.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:

- A. Drive-through facilities;*
- B. Emergency service facilities (police and fire), excluding correctional facilities;*
- C. Gas stations;*
- D. Outdoor markets that do not meet the criteria of OCMC 17.29.020.I;*
- E. Public utilities and services including sub-stations (such as buildings, plants and other structures);*
- F. Public and/or private educational or training facilities;*
- G. Religious institutions;*
- H. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the neighborhood, historic or limited commercial districts that have a footprint for a stand-alone building with a single store in excess of sixty thousand square feet in the MUC-1 or MUC-2 zone;*
- I. Hospitals;*
- J. Parking not in conjunction with a primary use on private property, excluding after-hours public parking;*
- K. Passenger terminals, excluding bus stops;*
- L. Shelters.*

Applicant's Response: The proposed use of Shelter is a Conditional Use. Specifically, the proposed shelter is for an emergency temporary overnight warming shelter in addition to the existing day shelter use which has been in operation since 2012, and the use of which was approved in 2016 through a similar use determination (See Attachment B).

17.29.040 - Prohibited uses in the MUC-1 and MUC-2 zones.

The following uses are prohibited in the MUC district:

A. *Distributing, wholesaling and warehousing;*

...

K. *Mobile Food Units, except with a special event permit.*

Applicant's Response: The proposed Shelter use is not a prohibited use in the MUC-1 zone. This section does not apply.

17.29.050 - Dimensional standards—MUC-1.

A. *Minimum lot areas: None.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

B. *Maximum building height: Forty feet or three stories, whichever is less.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

C. *Minimum required setbacks if not abutting a residential zone: None.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

D. *Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

E. *Maximum allowed setbacks.*

1. *Front yard: Five feet.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

2. *Interior side yard: None.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

3. *Corner side setback abutting street: Thirty feet.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

4. *Rear yard: None.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

F. *Maximum lot coverage of the building and parking lot: Eighty percent.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

G. *Minimum required landscaping (including landscaping within a parking lot): Twenty percent.*

Applicant's Response: The applicant does not propose any changes to the existing building or lot. This standard does not apply.

H. *Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.*

Applicant's Response: The applicant is not proposing residential development. This standard does not apply.

17.29.070 - Floor area ratio (FAR).

Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.

A. *The minimum floor area ratios contained in OCMC 17.29.050 and 17.29.060 apply to all nonresidential and mixed-use building development, except stand-alone commercial buildings less than ten thousand square feet in floor area.*

Applicant's Response: The existing building measures less than ten thousand square feet in floor area. This section does not apply.

B. *Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.*

Applicant's Response: The existing building measures less than ten thousand square feet in floor area. This section does not apply.

C. *An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.*

Applicant's Response: The existing building measures less than ten thousand square feet in floor area. This section does not apply.

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

17.50.050 – Pre-application conference.

A. *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*

1. *To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*

2. *At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 3. *The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. *A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*

Applicant's Response: The applicant requested and attended a pre-application conference with City staff, which was held on December 9, 2020. The pre-application conference notes are included with this application package (See Attachment C) The applicant anticipates submitting an application within the six month timeframe. This requirement is met.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. *Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. *The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.*
- C. *A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.*

- D. *If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*
- E. *To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Applicant's Response: The applicant is proposing a Shelter in the MUC-1 district, which requires conditional use approval. Therefore, a Neighborhood Meeting with the McLoughlin Neighborhood Association is also required. The applicant attended the meeting of the McLoughlin Neighborhood Association neighborhood meeting on March 18, 2021. The McLoughlin Neighborhood Association noticed the meeting according to the requirements of the code. The applicant has submitted a copy of the email confirming that the applicant attended the meeting is included, and a summary of issues discussed at the meeting (See Attachment D).

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

- A. *City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.*
- B. *Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.*

Applicant's Response: The site will be posted with public notice per the City's requirements prior to the hearing. This requirement will be met when the site has been posted.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

- A. *Form of Guarantee. Guarantees shall be in a form approved by the City Attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued*

by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.

- B. *Guarantees. A permittee shall be required to provide a performance guarantee as follows.*
1. *Final Approved Design by The City: The City may request the Permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a Performance Guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*
 2. *Complete Design Approval and Established Engineered Cost Estimate: The City may request a permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*
- C. *Release of Guarantee. The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the City's satisfaction within the time limits specified in the permit approval, the City Engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred in attempting to have the permittee complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.*
- D. *Fee-in-lieu. When conditions of approval or the City Engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a*

verified engineering estimate and approved by the City Engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City Attorney.

Applicant's Response: No changes to the building exterior or lot are included with this proposal. Therefore Public Improvements are not required and this section does not apply.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City Engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

- A. Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.*
- B. Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*
- C. Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two year maintenance period), and shall be supported by a verified engineering estimate and approved by the City Engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.*
- D. Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City Engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two year warranty period.*

Applicant's Response: The applicant does not propose changes to the exterior of the building or the site. Therefore, public improvements are not required as part of the project. This section does not apply.

CHAPTER 17.56 CONDITIONAL USES

17.56.010 - Permit—Authorization—Standards—Conditions.

A conditional use listed in this title may be permitted, enlarged or altered upon authorization of the Planning Commission in accordance with the standards and procedures of this title. A conditional use permit listed in this section may be permitted, enlarged or altered upon authorization of the Planning Commission or City Commission in accordance with the standards and procedures of this section. Any

expansion to, alteration of, or accessory use to a conditional use shall require Planning Commission or City Commission approval of a modification to the original conditional use permit unless authorized in this chapter.

Applicant's Response: The proposed application for a Shelter in the MUC-1 zone is a conditional use, and therefore, this section applies.

A. *Conditional uses, because of their public convenience and necessity and their effect upon the neighborhood shall be permitted only upon the approval of the Planning Commission or City Commission after due notice and public hearing, according to procedure as provided in OCMC 17.50. The applicant shall provide evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrate that the proposed use also satisfies the following criteria:*

1. *The use is listed as a conditional use in the underlying district;*

Applicant's Response: The site is located in the MUC-1 district. The proposed use is a Shelter, which is listed as a Conditional Use in that district. Therefore, this section applies.

2. *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

Applicant's Response: The proposed temporary emergency night shelter have been operating at the site since 2012 and the applicant proposes to continue the operations without changes to the site going forward, ensuring that the existing building and site are appropriate and suitable for the proposed use as detailed below:

Size: The existing size of the site is 20,790 sq. ft. and is not proposed to change as part of this application. It is suitable for the proposed use because it provides enough space for the existing building, which is based on the capacity of 49 overnight shelter guests. There is also enough parking on the existing site to accommodate guests who may have a car or bicycle to park, and for staff to park. In addition, the building (approximately 4,637 sq. ft.) only occupies about 22% of the site area, allowing for plenty of room to buffer the surrounding area from lighting, sound and other shelter operations.

Shape: The shape of the existing site is a polygon made up of two rectangles, and will remain the same with this application. The existing shape of the site is appropriate for the existing use because it allows for the existing building to be situated close to the 12th Street side of the site, with a parking lot to the east.

Location: The site is located at 603 12th Street Oregon City, at the intersection of 12th Street and Washington Street. The site's location is well suited for the proposed use, for several reasons. First, it is located in close proximity to downtown Oregon City. Many important destinations for The Father's Heart clientele, such as convenience stores, several churches, Barclay Park, medical offices and other shopping are walkable from here. In addition, the site is located in the lower part of Oregon City. This is particularly important to the shelter's clients because they are usually traveling on foot, and it is far easier to reach than a location on the city bluff. Finally, The Father's Heart is located across the street from a bus stop, which can facilitate non-car travel to and from the Shelter on below freezing nights when the emergency overnight shelter would be open.

Topography: The applicant does not propose to change the topography of the existing site, which is appropriate for the proposed shelter use. While there is a downward slope from east to west, it is not so pronounced that it makes access difficult, or creates other issues.

Existence of improvements and natural features: The main existing improvement on the site is the parking lot and the structure in which the proposed shelter is located. These characteristics are suitable for the use because as noted earlier in this response, the building will not require any improvements to accommodate emergency night shelter clients. The existing parking area is suitable for the proposed use. There are no existing natural features on the site.

3. *Development shall demonstrate compliance with OCMC 16.12;*

Applicant's Response: OCMC 16.12 includes provisions for minimum public improvements and design standards for development. The requirements of 16.12 do not apply to this project, because no improvements in the right of way are proposed at this time.

4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

Applicant's Response: The area surrounding The Father's Heart includes a mix of uses in downtown Oregon City, with the property itself zoned mixed use corridor (MUC-1), the properties to the north, west and south zoned medium density residential (R-3.5), a property to the east is also zoned mixed use downtown (MUD) and two properties to the south are also zoned low density residential (R-6). The property to the west encompassing Barclay Park is zoned institutional (I). All of the properties in the surrounding area of The Father's Heart are located within the boundaries of the McLoughlin neighborhood association.

Because no changes are proposed to the existing building or site, the proposed project will not significantly alter the character of the surrounding area in a way that substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district. In addition to the overnight emergency shelter, a day shelter has also been operating at this location for several years. The day shelter was approved in 2016 via a similar use determination, and the overnight emergency shelter is currently approved on a temporary basis through an emergency declaration by the City of Oregon City (See Attachment E). Therefore, since the shelter is not expanding its capacity, the conditional use approval to continue the shelter use of the will not have further effects on the character of the area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district. Finally, the overnight emergency shelter is an important neighborhood, Oregon City and Clackamas County social services partner, meeting critical and in some cases, lifesaving needs for some of the most vulnerable populations in the city and county.

The Father's Heart respects and values its neighbors and the ability for the temporary emergency shelter to be located in close proximity to the heart of downtown Oregon City at a location that is accessible to its clients. The Father's Heart maintains a strict Good Neighbor Policy to which clients must adhere in order to receive services that the shelter provides. The Good Neighbor Policy includes the following requirements related to the shelter in order to prevent impacts on the surrounding area:

- Respect our hours of operation by only being on property Tuesday - Fridays, 9:45am to 2:00pm [or nights when it is below 33 degrees Fahrenheit];
- No loitering, sleeping or camping on or near The Father's Heart property. This includes the park across the street, the woods (Abernathy Chapel area), the private alleyway between us and residents, businesses across the street and residents of the McLoughlin neighborhood. Bothering any McLoughlin neighborhood residents will result in the loss of services;
- If one comes by vehicle to receive services, one must park inside the parking lot located at 12th Street/John Adams. No one, not even the owner of the vehicle, may remain in their vehicle;
- No raised voices, music, or any inappropriate behavior on or near the property.
- Sign up for services in the parking lot located at 12th Street/Washington;
- No drugs, drug paraphanelia, or alcohol allowed on property at any time;
- No business transactions of any kind. No exchanging of anything. No suspicious behavior;
- No going behind the building between the office and bike racks;
- All smoking of cigarettes or vaping in the middle of the parking lot only. Use cans for cigarette butts;
- No smpkng of marijuana on or near the property;
- No pets of any kind fed on property or left on property;
- Respect EVERYONE.

With the Good Neighbor Policy above actively enforced, the proposed Shelter use, which is a necessary downtown use providing emergency day use and overnight shelter to those in Oregon City living and waiting on the streets for housing, this requirement is met.

5. *The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.*

Applicable Comprehensive Plan Goals and Policies for the Father's Heart Conditional Use Permit

Goal 1.1 Citizen Involvement Program Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.

Policy 1.1.1 - Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.

Policy 1.2.1 - Encourage citizens to participate in appropriate government functions and land-use planning.

Policy 1.4.1 - Notify citizens about community involvement opportunities when they occur.

Applicant's Response: The applicant respects and appreciates the neighbors in the surrounding area and will ensure that they are involved and listened to over time regarding the emergency overnight shelter use as well as other operations of The Father's Heart. To solicit feedback on the conditional use application, the applicant will meet with the McLoughlin Neighborhood association at their regular meeting on March 18th. The applicant will share information about the project and will listen to feedback and input from the neighbors, and will incorporate this into the project to the best of their ability.

Following approval of the proposed project by the City Commission, the applicant would hold a second meeting for McLoughlin neighborhood residents and property owners prior commencement of the overnight emergency shelter operations (not day use because that use is already approved). The purpose of the second meeting would be to specifically review and hear feedback on the DRAFT Community Engagement Plan outlined in Attachment G of this document.

Goal 2.4 Neighborhood Livability - *Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.*

Policy 2.4.2 *Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.*

Policy 2.4.5 *Ensure a process is developed to prevent barriers in the development of neighborhood schools, senior and child care facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.*

Applicant's Response: The ongoing affordable housing crisis has been exacerbated by the Covid-19 pandemic. Thus, homeless neighbors are a reality in Oregon City as well as every city in the Willamette Valley. The Father's Heart was established in order to provide services to these community members and to help transition them from houselessness to transitional and more permanent housing. In addition to places like parks, convenience stores, libraries, and medical offices, *shelters are essential facilities*. Shelters allow people in need to receive a meal, a shower, clothes, toiletries and overnight shelter in freezing weather and are a critical piece of a city's downtown service infrastructure. The Father's Heart has worked with Clackamas County, the broader Oregon City community and specifically the McLoughlin Neighborhood on ways to run the shelter so that the needs of both clients and neighbors are being met. For this particular application, the operations of the proposed temporary emergency night shelter would be limited to nights when the forecast temperature is below 33 degrees Fahrenheit (Wind Chill Included). Last season (2019/2020) the emergency night shelter safely sheltered 49 guests overnight for approximately 43 nights (or 2,140 bed nights) while requesting no cost reimbursement from the City of Oregon City. The most immediate way neighborhood livability is being addressed and maintained is through The Father's Heart Good Neighbor Policy (See Attachment F). The Good Neighbor Policy ensures that clients respect the residential climate of the neighborhood in which the emergency shelter is located. Further, the DRAFT Community Engagement Plan (See Attachment G) provides specific ways that neighbors and community members can provide feedback to Shelter leadership and solve immediate and long term problems. This policy is met.

- B. *Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the Planning Commission.*

Applicant's Response: The applicant understands that Conditional Use permits will likely stipulate restrictions or "conditions" in a number of areas as outlined in the section above. This criterion is met.

- C. *Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B. of this section unless otherwise indicated, as well as the minimum conditions listed below.*

Applicant's Response: The applicant is not proposing changes to the site or building exterior as part of this application. Therefore, the dimensional standards of the MUC-1 zone (the zone in which it is located),

- D. *In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use expansion of lot area or expansion of structure shall conform with the requirements for conditional use.*

Applicant's Response: The Father's Heart emergency night shelter is an existing use which has been in operation since at least 2012 with the City's permission (see Attachment B and Attachment E). No change of use or expansion of lot area or expansion of structure is proposed. However, if a change of use or expansion of lot area or expansion of structure is proposed, they shall conform to conditional use requirements. This criterion is met.

Recently, the City issued an emergency order to continue the operations of the emergency night shelter until March 31, 2021. Because the approval of the emergency night shelter use through the temporary emergency order is expiring, it must meet the requirements for a conditional use Shelter in the MUC-1 zone to continue to operate. Meeting the Conditional Use requirements is the purpose of this application. This criterion is met.

- E. *The Planning Commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the Planning Commission without the need to return for additional review.*

Applicant's Response: The applicant understands that the Planning Commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the planning commission without the need for additional review. This criterion is met.

17.56.020 - Permit—Application.

- A. *A property owner or authorized agent shall initiate a request for a conditional use by filing an application with the city recorder. The applicant shall submit a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The application shall be accompanied by the filing fee listed in OCMC 17.50.080 to defray the costs of publication, investigation and processing.*

Applicant's Response: With this submittal, the applicant is initiating a request for a conditional use. The applicant has met the submittal criteria, which includes: a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and the filing fee. This requirement has been met.

- B. Before the Planning Commission or City Commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in OCMC 17.50.*

Applicant's Response: The application is for a Shelter in the MUC-1 zone, which is classified as a Type IV procedure. According to OCMC 17.50, the proposal requires a hearing before the Planning Commission and the City Council. The applicant understands that before these bodies may act on the application, these public hearings must take place. This requirement is met.

17.56.025 - Minor modifications to legal conditional uses.

Minor modifications to an approved conditional use permit may be permitted. If permitted, the modification shall be reviewed as a minor site plan and design review. A minor modification to an approved conditional use permit is considered one of the following:

- A. Modification to a structure for the purpose of enhancing the aesthetics of the building and there is no increase in the interior usable space;*

Applicant's Response: The proposed application is for initial conditional use approval of a Shelter in the MUC-1 zone. A minor modification is not proposed at this time. However, the applicant understands that modification to a structure for the purpose of enhancing the aesthetics of the building without increase in interior usable space is considered a minor modification. This requirement is met.

- B. Except for shelters, a maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage; or*

Applicant's Response: The application is for a Shelter use in the MUC-1 zone. The applicant understands that a maximum addition of up to 1,000 SF provided that the addition is less than 35% of the original building square footage for a Shelter use would not be eligible to be considered a minor modification. This requirement is met.

- C. Revisions to parking alignment and/or related vehicle circulation patterns.*

Applicant's Response: The proposed application is for initial conditional use approval of a Shelter in the MUC-1 zone. A minor modification is not proposed at this time. However, the applicant understands that revisions to parking alignment and/or related vehicle circulation patterns are considered minor modification of a conditional use. This requirement is met.

17.56.040 - Criteria and standards for conditional uses.

In addition to the standards listed herein in OCMC 17.56.010, which are to be considered in the approval of all conditional uses and the standards of the zone in which the conditional use is located, the following additional standards shall be applicable:

...

- H. Shelters.*

1. *Shelters shall be processed as a Type IV review.*

Applicant's Response: The applicant's proposal for a Shelter in the MUC-1 zone is being submitted with the understanding that it will be processed as a Type IV review.

2. *The shelter shall maintain a written community engagement plan include the following information:*
 - a. *Description of purpose and scope of services of the shelter;*
 - b. *Population to be housed at the shelter and the process and criteria for the selection of guests;*
 - c. *Bed capacity for nightly guests;*
 - d. *Hours of operations and curfew, if applicable;*
 - e. *24 hour contact information; and*
 - f. *Explanation of how the shelter will address concerns/complaints.*

Applicant's Response: The applicant has initially compiled the information below to meet the requirements of the community engagement plan. A draft of this plan was presented to the McLoughlin Neighborhood Association at its March 18th, 2021 meeting. Feedback on the plan will be incorporated and submitted to the City ahead of the first Planning Commission Hearing. A second neighborhood meeting will be held prior to the emergency overnight shelter commencing operations following expiration of the current emergency declaration on March 31, 2021.

Description of purpose and scope of services of the shelter:

The Father's Heart consists of a day use shelter (not the subject of this application) and an emergency overnight warming shelter that is contracted with Clackamas County for the purpose of saving lives on winter nights that reach 33F windchill or colder. The Father's Heart emergency night shelter provides shelter from inclement weather, a sleeping mat, blanket, an evening meal, coffee and water.

Population to be housed at the shelter and the process and criteria for the selection of guests:

The Father's Heart provides an emergency overnight warming center/shelter to those living outdoors. The shelter sends out an emergency notification to the emergency contact list of Clackamas County by noon on the day of operation. The shelter operates on a first-come first-served basis.

Bed capacity for nightly guests:

Normally, the emergency overnight shelter has a capacity of 49 guests, which has been modified to a maximum of 13 guests during Covid-19 restrictions, in order to provide adequate social distancing.

Hours of operations and curfew, if applicable:

The emergency night shelter operates from 6 PM to 7 AM. There is a 10 PM curfew for those who have checked in before 10 PM. If a bed is available, The Father's Heart receives new shelter guests at any hour.

24 hour contact information:

The following The Father's Heart staff can be reached 24 hours.

Robin Keating- Executive Director
tfhrobin@gmail.com
 831-809-3099

Jennifer Morris- Asst. Director &
 Program Manager
tfhjennifer@gmail.com
 971-940-5476

Explanation of how the shelter will address concerns/complaints:

The Father's Heart Executive Director and Program Manager are available 24 hours, either in person, by phone or email to address any and all concerns or complaints. In addition, in order to prevent community impacts TFH has adopted a Good Neighbor Policy, which outlines expectations of and to which it holds clients accountable for their behavior in the community (See Attachment F). TFH welcomes conversations with the broader community about any issues that arise because we can't fix it if we don't know it's happening.

3. *Shelters shall hold a meeting with the community prior to commencing operation, and a minimum of once a year each year thereafter. The purpose of the meeting is to discuss the community engagement plan and provide an opportunity for greater communication. Mailed notice of the meeting shall be provided to property owners within 300 feet, the neighborhood association, and the City. The meeting shall be open to the public.*

Applicant's Response: In addition to participating in the March 18, 2021 McLoughlin Neighborhood Association meeting to meet the requirements of OCMC 17.50, the applicant will also hold a second public meeting with the community prior to commencing operation of the emergency night warming shelter under this CU permit. TFH will hold ongoing community meetings at a minimum of once a year each year thereafter to discuss the community engagement plan and to provide for regular input and communication with the surrounding neighbors. This meeting will be noticed to property owners within 300 feet of the site. In addition, the applicant is participating in the March 4th McLoughlin Neighborhood Association meeting. This requirement will be met once the meeting takes place.

17.56.060 - Revocation of conditional use permits.

The Planning Commission or the City Commission may initiate administrative action under Chapter 17.50 to revoke any conditional use permit previously issued by the city or, with regard to lands annexed by the city, those such permits issued by the county. The Planning Commission or the City Commission, may revoke such permit upon determining:

- A. *One or more conditions attached to the grant of the conditional use permit have not been fulfilled; and*
- B. *The unfulfilled condition is substantially related to the issuance of the conditional use permit.*

Applicant's Response: The applicant understands that the Planning Commission or the City Condition may undertake action to revoke this conditional use permit in accordance with Chapter 17.50 if conditions are not fulfilled and that condition is substantially related to the issuance of the conditional use permit.

17.56.070 - Periodic review of conditional use permits.

- A. *The City Commission may provide for the periodic review of some or all of the conditional use permits previously issued by the city, or, with regard to lands annexed by the city, those such*

permits issued by the county. In providing for such review, the City Commission may designate classes of such previously issued permits for which periodic review shall be undertaken.

- B. Such review shall be accomplished as an administrative action under Chapter 17.50 and shall be limited to the question of whether additional conditions should be imposed on a conditional use in the light of changing circumstances and more efficient implementation of the city's comprehensive plan.*
- C. Notwithstanding the provisions of Chapter 17.58, any additional conditions shall be met as a requirement for continued operation of the conditional use.*

Applicant's Response: The applicant understands that the Commission may review this conditional use permit periodically in accordance with Chapter 17.50.

IV. Conclusion

The applicant respectfully concludes that all applicable requirements have been met with this application and looks forward to its approval by the City of Oregon City.



August 22, 2016

RE: My Father's Heart Similar Use Determination

To whom it may concern:

The following is a summary of a similar use determination made by the Community Development Director with respect to the "My Father's Heart" day shelter and ministry located at 603 `12th Street in Oregon City.

The initial conversation on the potential for locating the ministry at this location began on or about June 28, 2012 with an exchange of emails from Troy Kay and Teri Gant of My Father's Heart ministry, sent to Planner Pete Walter.

Staff requested information describing the proposed activities, prior use and other details pertaining to the ministry and the site. The site consists of 2 tax lots zoned MUC-1, Mixed Use Corridor 1 with street frontage on Washington, 12th and John Adams. The building was previously used by Clackamas County for a satellite Sheriff's office, and for the Clackamas County Sheriff's Department Community Corrections program.

Father's Heart described itself as a Non-Profit social service agency meeting the needs of no/low income individuals and families in Clackamas County. They are partially funded by Clackamas County and work specifically with Social Services, Community Solutions and Parole/Probation. They also work with Bridges To Change, CSAP, Iron Tribe and NARA, as well as the general public. They provide the following services:

- Clothing Exchange
- Hygiene Items
- Food Boxes (end of the month)
- Counseling
- Self Help Classes
- Computers
- Sack Lunches
- Possible Showers

On June 28, 2012, staff requested the following further information:

- What is the maximum number of people you expect to serve on a weekday / weekend?
- Do you anticipate any special parking needs / requirements?
- How does the sack lunch program function? Is it at a specific time every day or would people be able to come in at any time throughout the day and pick one up?

Staff received the following email response from Pastor Teri Gant:

"We plan on serving approx... 50 -60 people throughout the day, much like any other business."



There are already 3-4 handicap parking spaces, if needed, so no need for more. There is also an ADA restroom on sight if one should be needed (from previous Sheriff & social service).

We are not open to the public on weekends; closed Saturday thru Monday. We are open 4 days a week; Tuesday thru Friday.

The sack lunch program is usually afternoon. If anyone should need one. However, we are willing to change whatever is needed to comply."

Following discussions with the Deputy City Attorney Jennifer Bragar, with copies and acknowledgment by City Attorney Ed Sullivan, and after reviewing the information provided, the MUC-1 zoning and the permitted uses for the MUC-1 zone, staff's decision was made to treat the proposed use as a permitted use under OCMC 17.29.020.H and P.

H. Offices, including finance, insurance, real estate and government;

P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;

No further planning review was required since a change in use was not occurring. The determination above was made by the Community Development Director based upon the sufficiency of the information provided by the applicant.



OREGON CITY

Community Development Department

695 Warner Parrott Rd | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

Public Disclosure:

The purpose of a pre-application meeting is to introduce the impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal (City Code 17.50.050). Omissions or failures by staff to identify all relevant applicable land use requirements or how they might affect a proposal may occur, either as a result of a limited pre-application submittal or the consideration of discretionary criteria.

All pre-application conference related communications, including these notes, are informational only. They do not substitute for a public hearing and no land use decision is rendered at this phase. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of the Oregon City Municipal Code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Pre-Application Conference Notes

PA-20-45: Father's Heart Conditional Use

Pre-Application Conference Date: **12/9/20**

General Information:

Location: 603 12th Street. Includes taxlots 2200 and 2300

- Zoning: "MUC-1" Mixed Use Corridor
- Proposed Development: Emergency Overnight Warming Shelter use authorization for 49 occupants at a location that has an existing day shelter use. Shelters are a conditional use in the MUC-1 zone. No exterior changes to the building or site are proposed.
- Applicable overlay districts: Historic Overlay (building is not designated)
- Applications anticipated:
 - Conditional Use

Review Process:

Conditional Use review for shelters is a Type IV decision. The Site Plan review will be reviewed also as a Type III - It is the policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

Type IV decisions require a minimum of one public hearing before the Planning Commission and one public hearing before the City Commission and involve the greatest amount of discretion and evaluation of subjective approval standards. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. If the planning commission denies the application, any party with standing (i.e., anyone who appeared before the planning commission either in person or in

writing within the comment period) may appeal the planning commission denial to the city commission. If the planning commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the planning commission becomes the final decision of the city. If the planning commission votes to approve the application, that decision is forwarded as a recommendation to the city commission for final consideration. In either case, any review by the city commission is on the record and only issues raised before the planning commission may be raised before the city commission. This is a Type IV process defined in [17.50.030 - Summary of the city's decision-making processes](#).

The applicant is entitled to a decision from the city for a decision of approval, approval with conditions or denial within 120 days of deeming the application complete, by state law.

The city commission decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.

Background on Existing Use:

In 2012, following discussions with the Deputy City Attorney Jennifer Bragar, with copies and acknowledgment by City Attorney Ed Sullivan, and after reviewing the information provided, the MUC-1 zoning and the permitted uses for the MUC-1 zone, staff's decision was made to treat the Father's Heart proposed use as a permitted use under OCMC 17.29.020.H and P.

H. Offices, including finance, insurance, real estate and government;

P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;

A letter written in 2012 is attached.

Approval Criteria:

All types of shelters are conditional uses in the MUC-1 zone. The applicant can apply for a conditional use for a temporary warming shelter, or can include the day shelter use as well. However, the background on existing use section contains information on the city's determination regarding the existing daytime use. The applicant is not required to include the day use in the applicant but is welcome to do so. The day use may continue operations under the findings from the 2012 letter.

"Shelter" means a congregate facility designed to provide overnight sleeping or daytime accommodation to shelter families and individuals offered on a short-term basis. Shelters may offer meals, lodging and associated services on-site, aimed at helping people move towards self-sufficiency. Shelters may include day shelters, transitional shelters, temporary warming shelters and other temporary or permanent spaces made available for sheltering individuals or families. Shelters are not considered bed and breakfast inns/boardinghouses, hotels or motels.

"Temporary warming shelter" means a shelter operating between the hours of seven p.m. and seven a.m. when the outside temperature is predicted to be thirty-three degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration.

"Day shelter" means a shelter utilized between the hours of seven a.m. and seven p.m. which does not contain sleeping facilities.

Chapter 17.56 Conditional Uses

Your application will need to show compliance with the following criteria:

The planning commission may allow a conditional use, provided that the applicant provides evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

1. The use is listed as a conditional use in the underlying district;
2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;
3. Development shall demonstrate compliance with OCMC 16.12;
4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;
5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use. *See attached comprehensive plan goals and policies that apply.*

Conditional use criteria specific to shelters:

H. Shelters.

1. Shelters shall be processed as a Type IV review.
2. The shelter shall maintain a written community engagement plan include the following information:
 - a. Description of purpose and scope of services of the shelter;
 - b. Population to be housed at the shelter and the process and criteria for the selection of guests;
 - c. Bed capacity for nightly guests;
 - d. Hours of operations and curfew, if applicable;
 - e. Twenty-four-hour contact information; and
 - f. Explanation of how the shelter will address concerns/complaints.
3. Shelters shall hold a meeting with the community prior to commencing operation, and a minimum of once a year each year thereafter. The purpose of the meeting is to discuss the community engagement plan and provide an opportunity for greater communication. Mailed notice of the meeting shall be provided to property owners within three hundred feet, the neighborhood association, and the city. The meeting shall be open to the public.
 - *The City does not host this meeting or pay for notices, but we can help provide the mailing labels for the notices.*
 - *This meeting needs to be held before operations begin, and it might be able to be combined with the required land use neighborhood meeting if all of the requirements of both meetings can be met.*

Transportation

- Transportation analysis will be waived for this request.

Neighborhood Meeting Required:

A meeting with the [McLoughlin Neighborhood Association](#) is required for a complete application per [Chapter 17.50.055](#). OCMC 17.50.055 requires that you contact the Neighborhood Association and Citizen Involvement Committee(CIC). Contact info for the CIC is here: <https://www.oregoncity.org/bc-cic>

You may schedule your own meeting per 17.50.055: the meeting must be after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter

requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.

- Please include the Citizen Involvement Committee Chair, Bob LaSalle, in any Neighborhood Association meeting requests, notifications or correspondence. Bob can be reached at jeanbob06@comcast.net

Planning Review and Application Fees

The 2020 Planning applications and fees include:

- Conditional Use: \$4,203
- Mailing Labels: \$17 – or provided by applicant
- Fees will change in 2021
- There is no process to request a fee waiver, but County or other resources may be helpful
- [Planning Fee Schedule](#)

Applications, Checklists and Links:

- [Land Use Application](#)
- [Oregon City Municipal Code](#)

Planning Division

Kelly Reid, Planner with the Oregon City Planning Division reviewed your pre-application. You may contact Kelly at 503.496.1540 or kreid@oregoncity.org.

Building Division:

You may contact Mike Roberts, our Building Official at 503.496.1517 or by email at mroberts@orccity.org.

Clackamas Fire District:

Questions can be directed to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas Fire District #1. You may contact Mr. Boumann at (503)742-2660 or michaelbou@ccfd1.com.

Oregon City Municipal Code Criteria:

The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:

OCMC 17.29 – Mixed Use Corridor District

OCMC 17.50 – Administrative Processes

OCMC 17.56 – Conditional Uses

OCMC 17.62 – Site Plan and Design Review

A template for your submittal with the applicable criteria will be emailed by the City.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:

A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication

conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.

NOTICE TO APPLICANT: *A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.*



Katelin Brewer-Colie <katelinbrewer@gmail.com>

Fwd: REMINDER: Membership Meeting, March 18th at 7pm

Jesse A. Buss <jessebuss@gmail.com>
To: Katelin Brewer-Colie <katelinbrewer@gmail.com>
Cc: Marty Gant <mgant@rconnects.com>

Mon, Apr 5, 2021 at 10:53 AM

Hi, Katelin:

We haven't used sign-in sheets since we moved away from in-person meetings at the start of COVID. And we don't have any notes, either. If you mean the meeting minutes, those won't be approved until after the next general meeting in early May. You're welcome to contact me after that meeting if you'd like a copy of the approved minutes.

The above having been said, you're welcome to use this email as confirmation that The Father's Heart attended our MNA March general membership meeting and presented on its anticipated application.

Sincerely,

Jesse



Jesse A. Buss, *Attorney*
Willamette Law Group
411 Fifth Street
Oregon City OR 97045-2224
ph: 503-656-4884
fax: 503-608-4100
jesse@WLGpnw.com
www.WillametteLawGroup.com

You may also contact my assistant, Michael Peck, at mpeck@WLGpnw.com and 503-655-5745.

Note: this email and any attachments will NOT follow via U.S. Mail or fax unless otherwise stated above.

This message may contain confidential communications and/or privileged information. If you have received this message in error, please delete it and notify the sender.

[Quoted text hidden]

RESOLUTION NO. 21-06**A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS**

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street has available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, the zoning designation of the site requires that overnight use of the facility receive Conditional Use land use approval. TFHSM held a Pre-Application Conference, which is the first step in a Conditional Use process; and

WHEREAS, TFHSM facility has previously been approved to house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency; and

WHEREAS, due to current state-mandated COVID-19 restrictions, the current overnight capacity of TFHSM warming shelter facility is 13 individuals, but may change subject to updates to the state COVID-19 restrictions and guidelines; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. on January 21, 2021 until 7 a.m. March 31, 2021.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency, from January 21, 2021 to March 31, 2021. The number of individuals allowed shall not exceed the number of individuals allowed pursuant to the Oregon Health Authority under Section 4, and shall not exceed 49 individuals in any case.

Section 3. TFHSM must be authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

Section 4. TFHSM must comply with COVID-19 regulations by the state and the Oregon Health Authority which will likely limit the number of individuals onsite.

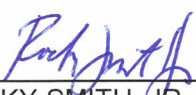
Section 5. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 6. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

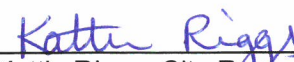
- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

Section 6. This resolution shall take effect January 21, 2021.

Approved and adopted at a regular meeting of the City Commission held on the 20th day of January 2021.


ROCKY SMITH, JR., Commission President

Attested to this 20th day of January 2021:


Kattie Riggs, City Recorder

Approved as to legal sufficiency:


City Attorney

Attachment:

Exhibit A – The Father's Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy



Marty & Teri Gant
Founders

Robin Schmidt
Director

Office: (503) 722- 9780

603 12th St.
Oregon City, OR 97045

***"I was hungry
and you gave me
something to eat,***

***I was thirsty
And you gave me
something to drink,***

***I was a stranger
and you invited me in,***

***I needed clothes
and you clothed me, ..."***

Matthew 25:35

The Father's Heart Street Ministry

Item #1.

December 18, 2020

City Commissioners, Building Division and Fire Department of Oregon City

Thank you once again for allowing us to serve as a temporary emergency shelter during temperatures of 33 windchill or colder. Last season (2019/2020) our Emergency Shelter safely sheltered 49 guests overnight with a total of 2,140 bed nights. This year with COVID safety guidelines in place, we are safely sheltering 13 guests overnight. Although these guidelines have impacted the way we serve, we still continue to serve the most vulnerable in our community, while finding alternatives for those that would put us over our limit of 13.

At the beginning of the pandemic, we were able to place 15 of our guests that are elderly or disabled into hotels through a voucher program. The majority of those are now in transitional or permanent housing. Our Day Center numbers have dropped from an average 120 daily guests to 65 guests. Since then, we have been placing other clients into recovery homes, reentry programs and long-term housing through working with different agencies.

I mention all of the above because those efforts combined with the safety guidelines of COVID have significantly affected the amount of people we serve during the day. We recognize that the COVID safety guidelines allowing 13 to stay overnight will not be enough for the needs of those living unsheltered in our county. We contracted with Clackamas County through the Emergency Solutions Grant to place more of our most vulnerable citizens in hotels with wrap around services. This will allow us to serve more than the 13 allowed to stay safely in our facility.

When we are open for emergency temperatures, we will be taking the utmost precautions to keep our guests as well as our volunteers safe. We are providing a temperature check, questionnaire for possible COVID symptoms and giving each guest their own table, chair and mat to stay at for the evening. One guest at a time may use the restrooms, with the restrooms being sanitized after each use. All guests stay over 6ft. apart and required to wear masks except for eating or while sleeping. Guests remain separated throughout the night in their own area.

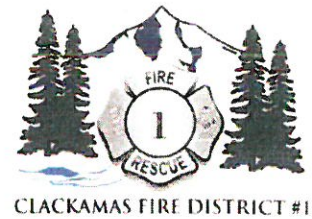
All volunteers and staff also have temperature checks, questionnaires for possible COVID symptoms, wear masks at all times and stay 6ft. apart. All hands are washed with soap and water or hand sanitizer frequently and all surfaces are also sanitized with bleach. In addition to this new protocol, TFH continues to meet the requirements for proper supervision, fire watch, and intake forms of HMIS.

We ask for an extension of our emergency warming shelter resolution which ends January 21st. Please grant us an extension from January 22nd through March 31st of 2021 as an emergency warming shelter. We are currently proceeding in the process of the pre app for a conditional use permit at this time. We have completed our first conference held with Planner Kelly Reid.

We are happy to report we have had no signs of COVID related sickness or COVID cases amongst the community we serve, our volunteers or staff since the beginning of COVID.

Sincerely,

Robin Keating, Executive Director
The Father's Heart Street Ministry



TEMPORARY EMERGENCY SHELTER POLICY

City of Oregon City and Clackamas Fire District #1 Joint Policy

The following policy is a collaboration between the City of Oregon City Building Official and the Clackamas Fire District #1 Fire Marshal for Temporary Warming Shelter's within the jurisdictional boundary of the Oregon City city limits.

This policy contains the minimal guidelines to allow a building not normally designated as an "R" (Residential) Occupancy (use of a building or structure, or a portion thereof, for sleeping purposes) to be used as a temporary shelter.

Registration:

Each year prior to opening as an emergency shelter the building manager shall contact the City of Oregon City Building Division to request approval. The approval will be subject to an on-site inspection to verify the building meets the minimum requirements of this policy. Written approval will be provided for building(s) being requested to be used as a Temporary Shelter. All buildings are subject to applicable Land Use Regulations and require written approval from the City of Oregon City Planning Division approving the use of the structure as a Temporary Shelter.

Time Limits:

If approved, a building may be used as a temporary shelter for a maximum of ninety (90) days 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. A thirty (30) day extension may be requested and will be reviewed by the authority having jurisdiction and a determination made depending on the weather requiring a need for additional temporary shelters availability.

Maximum Number of Occupants Allowed:

The maximum number of allowable temporary shelter occupants shall be calculated using an occupant load factor of one (1) individual for every thirty-five (35) square feet of room area.

Life Safety Requirements: The following minimum life safety requirements apply to all buildings being used as a temporary shelter.

1. Fire Sprinklers:

It is not necessary for a building to have fire sprinklers installed to allow it to be used as a temporary shelter. However, buildings with an approved fire sprinkler system installed may have sleeping located on any building or floor area.

In buildings without fire sprinklers installed, the temporary sleeping areas may only be located on the first (ground) or second floor. Sleeping areas are not permitted in basement areas of a non-fire-sprinklered building.

2. Smoke Alarms and Detection:

- All temporary 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 temporary shelter operations shall be equipped with smoke alarms or a smoke detection system as approved by the authority having jurisdiction.
- Smoke alarms or Smoke Detection may be battery operated.

3. Carbon Monoxide (CO) Alarms and Detection:

- All temporary shelter sleeping areas shall be provided with approved carbon monoxide alarms or a complete approved detection system in buildings that have a carbon monoxide source such as heater, fireplace, furnace, appliance or cooking source that uses, coal, wood, petroleum products and other fuels that emit carbon monoxide as a by-product of combustion. This would include buildings with an attached garage with a door, ductwork or ventilation shaft that communicates with the rooms intended for sleeping.
- Carbon monoxide may be battery operated.

4. Means of Egress (Exits):

All floor levels with temporary shelter areas shall have a minimum of two means of egress (exits) from each floor level. All means of egress (exits) paths shall be maintained free of obstructions at all times. Exits from sleeping areas shall be as follows:

- Sleeping areas located on the ground floor of a temporary shelter with an occupant load of 49 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 current Oregon Residential Specialty Code.
- All other floor levels used as temporary shelter sleeping areas that have an occupant load of ten (10) or more shall have at least two (2) exits from the area. The exits

serving the areas shall be separated by a distance equal to at least one-third (1/3) of the longest diagonal distance of the area.

5. Emergency Evacuation Plan:

All temporary shelters shall create and maintain an approved emergency evacuation plan which provides evacuation of all occupants in an emergency event. At a minimum, the emergency evacuation plan shall contain the following:

- Building floor plans. Building floor plans for each floor of the temporary shelter with sleeping areas clearly identified.
- Room size. The square footage of all rooms of the temporary shelter.
- Egress (exit) path. Building floor plans shall clearly show the egress (exit) paths from all areas of the temporary shelter. Egress (exit) path floor plans shall be posted throughout the temporary shelter.
- Life-safety systems. The emergency evacuation plan shall also include information about the fire sprinkler system, fire alarm system of the smoke detection systems.
- Location of the required fire extinguishers placed within the building.

6. Fire Extinguishers:

- Appropriately sized fire extinguishers shall be placed adjacent to the means of egress with clearly marked indicators as to the location.

7. Fire Watch:

- During sleeping hours a fire watch shall be maintained continuously. This means at least one responsible person at least 18 years of age shall be awake and assigned this responsibility. The fire watch person shall be equipped with a working flash light and have access to a phone or carry a cell phone on their person.

8. Smoking or Open Flames:

- Smoking shall not be allowed at any time inside the temporary shelter.
- Open flames shall not be allowed within the temporary shelter except for approved cooking appliance which require a flame for combustion fuel to operate.

9. Documentation:

- Documentation of all fire safety requirements including copies of the temporary shelter evacuation plan shall be maintained on site and shall be available for review at the request of the authority having jurisdiction.

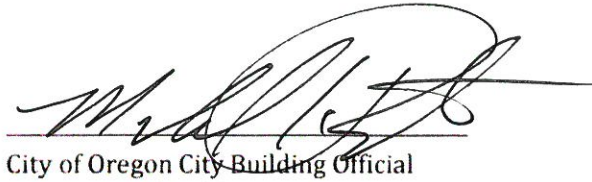
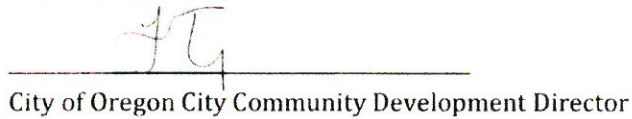
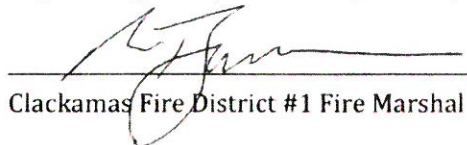
10. Responsible Person In Charge:

- The authority having jurisdiction shall be notified of the Responsible Person In Charge of the temporary shelter and be provided with a means of contact. An alternate Responsible Person In Charge may be listed.

- The responsible Person In Charge is responsible to maintain the list of the aforementioned requirements are complied with.

11. Revocation:

- Failure to maintain the minimum requirements of the policy can result in the temporary shelter approval being revoked by the authority having jurisdiction.


City of Oregon City Building OfficialNovember 29, 2017
Date
City of Oregon City Community Development Director
Date
Clackamas Fire District #1 Fire MarshalNovember 29th, 2017
Date

Good Neighbor Policy

We value our location and most importantly our surrounding neighbors. To receive services from The Father's Heart we ask that you show respect to our neighbors by complying with the following guidelines (COVID 19 Phase 1) Those that refuse to comply will not receive services. Your compliance helps us be available to serve you:

- 6ft. distancing between other guests and volunteers at all times inside the facility, surrounding sidewalks and entire property.
- Respect our hours of operation by only being on property on Tuesday – Fridays, 9:45am – 2pm.
- No loitering, sleeping, camping on or near TFH property. This includes the park across the street, the woods (Abernathy Chapel Area), the private alley way between us and residents, the businesses across the street and on property of residents of the McLoughlin neighborhood. Bothering any McLoughlin neighborhood residents will result in loss of services.
- If you come in a vehicle to receive services, you must park inside the parking lot located on 12th St./ John Adams. No one, not even the owner of the vehicle, may remain in their vehicle.
- No raised voices, music or any inappropriate behavior on or near the property.

Service Guidelines

- Sign-up for services in the parking lot located on 12th St./Washington
- No drugs, drug paraphernalia, alcohol allowed on property at any time.
- No business transactions of any kind. No exchanging of anything. No suspicious behavior.
- No going behind the building between office and bike racks.
- All smoking cigarettes or vaping in the middle of parking lot ONLY. Use cans for cigarette butts.
- NO SMOKING OF MARIJUANA ON OR NEAR THE PROPERTY.
- No pets of any kind fed on property or left on property.
- Respect EVERYONE.





The Father's Heart Street Ministry

TFH is a private, non-profit, Christ based ministry focused on the needed resources of those living and waiting on the streets of Clackamas county for housing.

Resource Center Services for All Guests

All Services Provided with Safe Distancing and Sanitization Precautions

- **COVID 19 Phase 1 Guest Service Hours: 10am-2pm**
 - Take Out Meals and minimal Dine in Meals
 - Mail Pick up
 - Hygiene and Socks
 - Showers by appointment for Clackamas County residents

- **Computer Use by appointment only 2pm-3pm**

We exist to help those living on the streets with their immediate needed resources with respect, dignity and compassion. We know that when you are clothed, fed and showered that recovery, employment, housing, and stability are your next steps. Let us support you by listening, praying and guiding you. There is hope. You were never intended to live alone or unsheltered. God has a plan for your life and we are confident that His plan is good and best.

Vision Statement

"... to be the hands and feet of Jesus" ... to be "His Hands Extended in Love" without regard to race, religion, age or gender.

ATTACHMENT G – DRAFT COMMUNITY ENGAGEMENT PLAN

Description of purpose and scope of services of the shelter:

The Father's Heart consists of a day use shelter (not the subject of this application) and an emergency overnight warming shelter that is contracted with Clackamas County for the purpose of saving lives on winter nights that reach 33F windchill or colder. The Father's Heart emergency night shelter provides shelter from inclement weather, a sleeping mat, blanket, an evening meal, coffee and water.

Population to be housed at the shelter and the process and criteria for the selection of guests:

The Father's Heart provides an emergency overnight warming center/shelter to those living outdoors. The shelter sends out an emergency notification to the emergency contact list of Clackamas County by noon on the day of operation. The shelter operates on a first-come first-served basis.

Bed capacity for nightly guests:

Normally, the emergency overnight shelter has a capacity of 49 guests, which has been modified to a maximum of 13 guests during Covid-19 restrictions, in order to provide adequate social distancing.

Hours of operations and curfew, if applicable:

The emergency night shelter operates from 6 PM to 7 AM. There is a 10 PM curfew for those who have checked in before 10 PM. If a bed is available, The Father's Heart receives new shelter guests at any hour.

24 hour contact information:

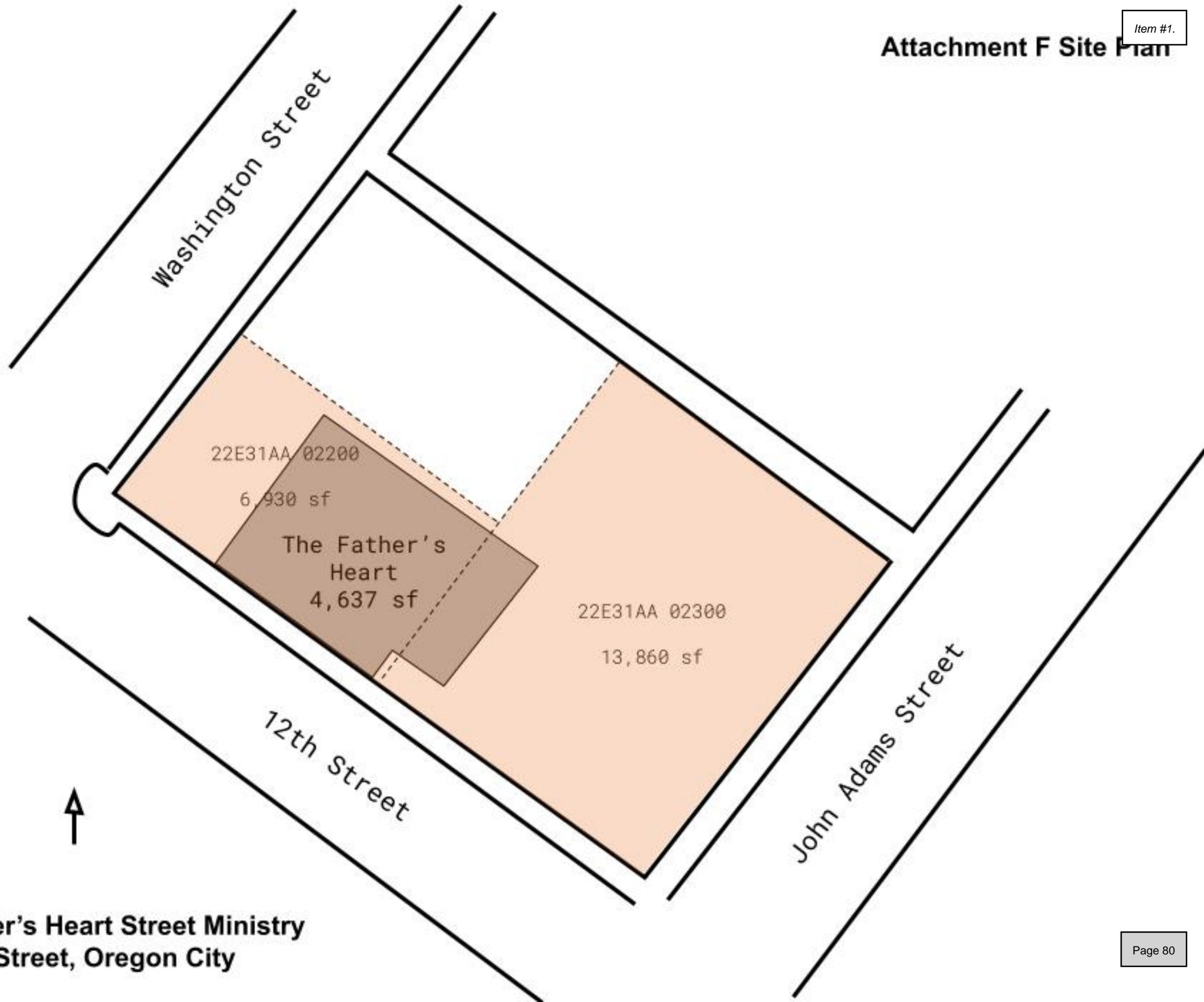
The following The Father's Heart staff can be reached 24 hours.

Robin Keating- Executive Director tfhrobin@gmail.com 831-809-3099	Jennifer Morris- Asst. Director & Program Manager tfhjennifer@gmail.com 971-940-5476
---	--

Explanation of how the shelter will address concerns/complaints:

The Father's Heart Executive Director and Program Manager are available 24 hours, either in person, by phone or email to address any and all concerns or complaints. In addition, in order to prevent community impacts TFH has adopted a Good Neighbor Policy, which outlines expectations of and to which it holds clients accountable for their behavior in the community (See Attachment F). TFH welcomes conversations with the broader community about any issues that arise because we can't fix it if we don't know it's happening.

Attachment F Site Plan



The Father's Heart Street Ministry
603 12th Street, Oregon City

Diliana Vassileva

From: Betty Johnson <bjohnson@crwater.com>
Sent: Friday, June 18, 2021 11:29 AM
To: Diliana Vassileva
Subject: RE: Land Use Application GLUA-21-00019/CU-21-00002
Attachments: 603 12th Street-GLUA-21-00019 Transmittal Fillable.pdf

Good morning Diliana,

The proposed development (603 12th Street) falls outside the District Boundary. No further land use notices are required from Oregon City pertaining to this development.

Have a great weekend,

Betty



Clackamas River Water

Betty A. Johnson

Engineering Associate

Ph: 503.723.2571 | 16770 SE 82nd Drive
 Cell: 503.793.8145 | Clackamas, OR 97015-2439
 Fax: 503.722.9259
www.crwater.com

This e-mail is intended solely for the intended recipient or recipients. If this e-mail is addressed to you in error or you otherwise receive this e-mail in error, please advise the sender, do not read, print, forward or save this e-mail, and promptly delete and destroy all copies of this e-mail. This email may contain information that is confidential, proprietary or secret and should be treated as confidential by all recipients. This e-mail may also be a confidential attorney-client communication, contain attorney work product, or otherwise be privileged and exempt from disclosure. If there is a confidentiality or non-disclosure agreement or protective order covering any information contained in this e-mail, such information shall be treated as confidential and subject to restriction on disclosure and use in accordance with such agreement or order, and this notice shall constitute identification, labeling or marking of such information as confidential, proprietary or secret in accordance with such agreement or order. The term 'this e-mail' includes any and all attachments

From: Diliana Vassileva [mailto:dvassileva@orccity.org]
Sent: Wednesday, June 16, 2021 12:37 PM
Subject: Land Use Application GLUA-21-00019/CU-21-00002

Good afternoon,

The Planning Division has received an application for a Type III Conditional Use Permit. Please review the proposal posted [here](#) and provide your comments by July 2, 2021 to be included in the staff report. Comments received after this date will be forwarded to the Planning Commission at the hearing on July 12, 2021. The record will remain open until the public hearing is closed.

COMMENTS DUE BY:	July 2, 2021 to be included in the staff report
HEARING DATE:	July 12, 2021
HEARING BODY:	___ Staff Review; <u>x</u> PC; ___ HRB; ___ CC
FILE # & TYPE:	GLUA-21-00019 (General Land Use Application)/CU-21-00002 (Conditional Use Permit)
PLANNER:	Diliana Vassileva, AICP, Assistant Planner, 503.974.5501, dvassileva@orccity.org

APPLICANT: The Father's Heart Street Ministry
 OWNERS: PDA Properties
 REQUEST: The applicant is requesting approval of a Conditional Use Permit for a shelter.
 LOCATION: 603 12th Street, Oregon City, OR 97045, Clackamas County Map 2-2E-31AA, Tax
 Lot 2200 and 2300

Thank you.



Diliana Vassileva, AICP

Assistant Planner – Planning Division
 She/Her
 City of Oregon City
 PO Box 3040
 695 Warner Parrott Road,
 Oregon City, Oregon 97045
 Direct - 503.974.5501
 Planning Division - 503.722.3789
 Fax 503.722.3880

What's your Vision for Oregon City?



Website: www.orcity.org | webmaps.orcity.org | Follow us on: [Facebook!](#) | [Twitter](#)
 Think **GREEN** before you print.

The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings [here](#), we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell.

The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.



LAND USE APPLICATION TRANSMITTAL

Date: _____

DISTRIBUTION OF APPLICATION

Building Division	Clackamas County Transportation
Development Services	Clackamas County Planning
Public Works Operations	Clackamas Fire District #1
City Engineer	ODOT – Division Review
Public Works Director	Oregon City School District
Parks Manager	Tri-Met
Community Services Director	Metro
Police	PGE
Economic Development Manager	South Fork Water Board
Traffic Engineer	Hamlet of Beavercreek
City Manager's Office	Holcomb Outlook CPO
Oregon City Neighborhood Associations	Central Point / Leland Road / New Era CPO
N.A Chair	Other – See Email List
N.A. Land Use Chair	Natural Resource Committee
Notice of the application mailed to all properties within 300 feet	Other:

COMMENTS DUE BY:	July 2, 2021 to be included in the staff report		
DECISION BODY:	Staff Review <input type="checkbox"/>	Planning Commission <input checked="" type="checkbox"/>	City Commission <input type="checkbox"/>
HEARING DATE(s):	July 12, 2021		
DECISION TYPE:	Type I <input type="checkbox"/>	Type II <input type="checkbox"/>	Type III <input checked="" type="checkbox"/> Type IV <input type="checkbox"/>
FILE #S:	GLUA-21-00019/CU-21-00002		
PLANNER:	Diliana Vassileva, AICP	Phone 503.974.5501	Email dvassileva@orccity.org
APPLICANT:	The Father's Heart Street Ministry		
OWNER:	PDA Properties		
REPRESENTATIVE:			
REQUEST:	Approval of a Conditional Use Permit for a shelter.		
ROJECT WEBPAGE:	https://www.orcity.org/planning/project/glua-21-00019		
ZONING:	MUC-1, Mixed Use Corridor		
ADDRESS(ES):	603 12th Street, Oregon City, OR 97045		
TAX LOTS:	Clackamas County Map 2-2E-31AA, Tax Lot 2200 and 2300		

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations.

Please check the appropriate spaces below.

<input checked="" type="checkbox"/>	The proposal does not conflict with our interests.
<input type="checkbox"/>	The proposal conflicts with our interests for the reasons attached.
<input type="checkbox"/>	The proposal would not conflict our interests if the changes noted below are included.

Signature

Betty Johnson

Digitally signed by Betty Johnson
Reason: I agree to the terms defined by the placement of my signature on this document
Date: 2021.06.18 11:17:46-0700

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION



LAND USE APPLICATION TRANSMITTAL

Date: _____

DISTRIBUTION OF APPLICATION

Building Division		Clackamas County Transportation
Development Services		Clackamas County Planning
Public Works Operations		Clackamas Fire District #1
City Engineer		ODOT – Division Review
Public Works Director	x	Oregon City School District
Parks Manager		Tri-Met
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DECISION BODY:	Staff Review <input type="checkbox"/>	Planning Commission <input checked="" type="checkbox"/>	City Commission <input type="checkbox"/>
HEARING DATE(s):	July 12, 2021		
DECISION TYPE:	Type I <input type="checkbox"/>	Type II <input type="checkbox"/>	Type III <input checked="" type="checkbox"/> Type IV <input type="checkbox"/>
FILE #S:	GLUA-21-00019/CU-21-00002		
PLANNER:	Diliana Vassileva, AICP	Phone 503.974.5501	Email dvassileva@orc.org
APPLICANT:	The Father's Heart Street Ministry		
OWNER:	PDA Properties		
REPRESENTATIVE:			
REQUEST:	Approval of a Conditional Use Permit for a shelter.		
PROJECT WEBPAGE:	https://www.orcity.org/planning/project/glua-21-00019		
ZONING:	MUC-1, Mixed Use Corridor		
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Signature

Wes Rogers

Digitally signed by Wes Rogers
DN: cn=Wes Rogers, o=OCSD62, ou=Bond Manager, email=wes.rogers@ocsd62.org,
c=US
Date: 2021.06.16 15:05:59 -0700

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION



LAND USE APPLICATION TRANSMITTAL

Date: _____

DISTRIBUTION OF APPLICATION

Building Division	Clackamas County Transportation
Development Services	Clackamas County Planning
Public Works Operations	Clackamas Fire District #1
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City Manager's Office	Holcomb Outlook CPO
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N.A Chair	Other – See Email List
N.A. Land Use Chair	Natural Resource Committee
Notice of the application mailed to all properties within 300 feet	Other:

COMMENTS DUE BY:	July 30, 2021 to be included in the staff report		
DECISION BODY:	Staff Review <input type="checkbox"/>	Planning Commission <input checked="" type="checkbox"/>	City Commission <input checked="" type="checkbox"/>
HEARING DATE(s):	July 12, 2021		
DECISION TYPE:	Type I <input type="checkbox"/>	Type II <input type="checkbox"/>	Type III <input type="checkbox"/> Type IV <input checked="" type="checkbox"/>
FILE #S:	GLUA-21-00019/CU-21-00002		
PLANNER:	Diliana Vassileva, AICP	Phone 503.974.5501	Email dvassileva@orc.org
APPLICANT:	The Father's Heart Street Ministry		
OWNER:	PDA Properties		
REPRESENTATIVE:			
REQUEST:	Approval of a Conditional Use Permit for an overnight warming shelter.		
PROJECT WEBPAGE:	https://www.orcity.org/planning/project/glua-21-00019		
ZONING:	MUC-1, Mixed Use Corridor		
ADDRESS(ES):	603 12th Street, Oregon City, OR 97045		
TAX LOTS:	Clackamas County Map 2-2E-31AA, Tax Lot 2200 and 2300		

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<input checked="" type="checkbox"/>	The proposal would not conflict our interests if the changes noted below are included.

Must comply with the existing Joint Warming Shelter Policy between Oregon City Building Division and CFD1 (please attached)

Signature _____

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION



TEMPORARY EMERGENCY SHELTER POLICY

City of Oregon City and Clackamas Fire District #1 Joint Policy

The following policy is a collaboration between the City of Oregon City Building Official and the Clackamas Fire District #1 Fire Marshal for Temporary Warming Shelter's within the jurisdictional boundary of the Oregon City city limits.

This policy contains the minimal guidelines to allow a building not normally designated as an "R" (Residential) Occupancy (use of a building or structure, or a portion thereof, for sleeping purposes) to be used as a temporary shelter.

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Each year prior to opening as an emergency shelter the building manager shall contact the City of Oregon City Building Division to request approval. The approval will be subject to an on-site inspection to verify the building meets the minimum requirements of this policy. Written approval will be provided for building(s) being requested to be used as a Temporary Shelter. All buildings are subject to applicable Land Use Regulations and require written approval from the City of Oregon City Planning Division approving the use of the structure as a Temporary Shelter.

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- Carbon monoxide may be battery operated.

4. Means of Egress (Exits):

All floor levels with temporary shelter areas shall have a minimum of two means of egress (exits) from each floor level. All means of egress (exits) paths shall be maintained free of obstructions at all times. Exits from sleeping areas shall be as follows:

- Sleeping areas located on the ground floor of a temporary shelter with an occupant load of 49 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 current Oregon Residential Specialty Code.
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serving the areas shall be separated by a distance equal to at least one-third (1/3) of the longest diagonal distance of the area.

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- Room size. The square footage of all rooms of the temporary shelter.
- Egress (exit) path. Building floor plans shall clearly show the egress (exit) paths from all areas of the temporary shelter. Egress (exit) path floor plans shall be posted throughout the temporary shelter.
- Life-safety systems. The emergency evacuation plan shall also include information about the fire sprinkler system, fire alarm system of the smoke detection systems.
- Location of the required fire extinguishers placed within the building.

6. Fire Extinguishers:

- Appropriately sized fire extinguishers shall be placed adjacent to the means of egress with clearly marked indicators as to the location.

7. Fire Watch:

- During sleeping hours a fire watch shall be maintained continuously. This means at least one responsible person at least 18 years of age shall be awake and assigned this responsibility. The fire watch person shall be equipped with a working flash light and have access to a phone or carry a cell phone on their person.

8. Smoking or Open Flames:

- Smoking shall not be allowed at any time inside the temporary shelter.
- Open flames shall not be allowed within the temporary shelter except for approved cooking appliance which require a flame for combustion fuel to operate.

9. Documentation:

- Documentation of all fire safety requirements including copies of the temporary shelter evacuation plan shall be maintained on site and shall be available for review at the request of the authority having jurisdiction.

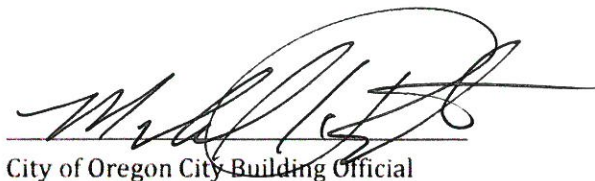
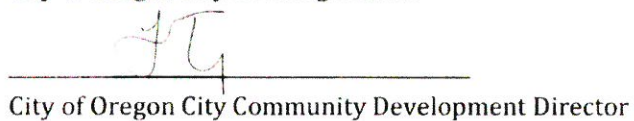
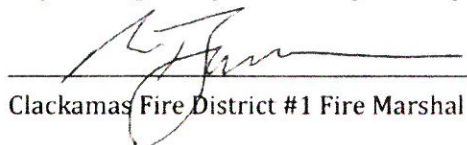
10. Responsible Person In Charge:

- The authority having jurisdiction shall be notified of the Responsible Person In Charge of the temporary shelter and be provided with a means of contact. An alternate Responsible Person In Charge may be listed.

- The responsible Person In Charge is responsible to maintain the list of the aforementioned requirements are complied with.

11. Revocation:

- Failure to maintain the minimum requirements of the policy can result in the temporary shelter approval being revoked by the authority having jurisdiction.


City of Oregon City Building OfficialNovember 29, 2017
Date
City of Oregon City Community Development Director
Date
Clackamas Fire District #1 Fire MarshalNovember 29th, 2017
Date



OREGON CITY

Temporary Shelter Application

221 Molalla Avenue, Suite 200 - Oregon City, OR 97045
Phone: 503-722-3789 - Fax: 503-722-3880

Item #1.

Permit #:

Date:

Recv'd:

SITE INFORMATION AND LOCATION

Address:

City/State/ZIP:

Suite/bldg./apt. no.:

Project name:

Cross street/directions to site:

Subdivision:

Lot no.:

Tax map/parcel no.:

PROPERTY OWNER

Name:

Address:

City/State/ZIP:

Phone: 503.974.5501

Fax:

CONTACT PERSON

Business name:

Contact name:

Address:

City/State/ZIP:

Phone:

Fax:

E-mail:

REQUIRED INFORMATION

Total Existing Building Area: Square Feet

Total Shelter Area: Square Feet

Number of Stories:

Type of Construction:

Onsite Cooking?

Yes:

☐

No:

☐

Number of Restrooms:

Date Requesting to Open:

NOTES

STAFF APPROVALS AND CONDITIONS

	Intake	Building	Planning	Fire
Initials:				
Date:				

Diliana Vassileva

From: tree wrld <treewrld@gmail.com>
Sent: Monday, June 21, 2021 7:05 PM
To: Diliana Vassileva
Subject: Re July 12 public hearing /Father's Heart

Hi Diliana,

Thanks for the opportunity to offer our input re Father's Heart hearing.

As owner of a home quite near Father's Heart, I am firmly against Father's Heart maintaining and expanding their current services At Their Existing Location.

I want to be clear that I am not against social service, or specifically their work in the community. However, the current location of their facility is clearly inappropriate.

Personal and Property Safety is a big concern.

Since the FH has been a presence in the neighborhood, both I and my housemates have been both verbally assaulted and physically threatened While in Our Own Yard, by clients of FH who were also in our yard, and not at our invitation.

I have also seen the same clients remove personal items from both my front porch and my garden.

Regardless of the good intentions the founders and employees of FH, they are unable to control the behavior of their clients.

I am not sure how FH gained access for their facility in a residential neighborhood, but the idea of FH maintaining a presence in the current location, and especially expanding services is, in my opinion, not in the best interest of the clients, the facility, the city, or the neighborhood.

There has to be better options.

Thanks again for allowing me to express my opinion.

Sincerely,

A Concerned Neighbor

M C L O U G H L I N

N E I G H B O R H O O D
A S S O C I A T I O N

July 2, 2021

TO: City of Oregon City Planning Commission

FROM: Wendy Marshall, Land Use Committee *WUM*RE: GLUA-21-00019/CU-21-00002
Conditional Use Permit for Warming Shelter
The Father's Heart, 603 12th Street

The McLoughlin Neighborhood Association (MNA) has reviewed the proposed application for an overnight warming shelter at the above-referenced address and offer the following comments:

Applicant's responses assume some of the standards do not apply because the building is existing. However, the application is for a *conditional* use permit. The use is not permitted outright and existing features of the site should be evaluated for compatibility.

17.29.050.D – building does not meet 20-foot setback requirement from the NE property line, and in fact, the building appears to be no more than 20 feet from the existing residence on 1206 Washington Street.

17.29.050.F & G – lot coverage including parking lot appears to exceed 80%. Applicant has indicated that the parking area will be utilized as a staging and registration area. Therefore, the lack of vegetated buffer allows greater impact on the neighboring properties.

17.50.050.B – the pre-application meeting was held on 12.09.2020, and the application was submitted on 6.14.2021. The submittal did not meet the 6-month deadline; therefore, the applicant must schedule a new pre-application conference before proceeding.

17.50.055 – Acknowledgment of attendance at the MNA meeting was provided but not a summary of issues discussed as the applicant indicates.

17.56.010.A.2 & 4 –

The site lies within the McLoughlin Conservation District, location of the original plat in 1844, and cornerstone of the historic, aesthetic, and cultural heritage of the City. The applicant has not demonstrated that the proposed use is compatible with, does not alter, and adds to the character of the neighborhood.

M C L O U G H L I N

N E I G H B O R H O O D
A S S O C I A T I O N

The situation is unique in that the operation has already been in use, so neighbors have had a real-time opportunity to understand the impacts. MNA has received complaints from neighbors that the operations are disruptive and problematic for the neighborhood. The full use of surrounding properties has been impaired by trespassing of the clients using the subject property. The applicant proposes no changes to the site to increase compatibility. As indicated above, there are insufficient setbacks and vegetated buffers from adjacent residential properties. The applicant has not addressed these issues.

The applicant states that this use had been in operation. The operation had been temporarily approved as an emergency measure while the applicant performed the required procedures for approval of the Conditional Use. This prior emergency approval shall not be considered as a precedent.

The daytime use had been operating without permits/approval since 2012 and was approved in 2016. However, the 2016 approval was done administratively with no notice to or review by the neighborhood.

17.56.010.A.4 – Good Neighbor Policy

How is the policy distributed? Do the clients sign an acknowledgment that it has been read and understood? Provide details on repercussions if it is violated. Please update the policy with respect to current/changing Covid restrictions. How is the neighborhood informed about and engaged in the policy?

Goals and policies –

Goal 1 – The applicant attended an MNA meeting as required for this application; they have otherwise operated in silence. This is not in the spirit of active community engagement.

Goal 2 –

McLoughlin Conservation District has created a sense of place, identity, and livable community. The application does not demonstrate how the proposed use enhances these goals.

Goal 5 –

The Conservation District was established to ensure the neighborhood's significance is not eroded. Adjacent historic landmarks are compromised by inappropriate activities on and surrounding the subject property.

Goal 6 –

Neighbors have reported loud noises coming from the property and its clientele. Noises by nature are not contained within the boundaries of a site but emanate to neighboring properties and diminish the livability.

Concerns were brought up by neighbors in the MNA meeting. The application does not appear to include any measures to mitigate the concerns, though the applicant indicates the neighborhood feedback will be incorporated.

M C L O U G H L I N

N E I G H B O R H O O D
A S S O C I A T I O N

The neighbors have reported issues resulting from the property's use not only during the stated open hours, but also during all hours of the day and night. Loitering on site, on adjacent properties and the park; sleeping in these locations; loud music and yelling; drugs and alcohol use and smoking; pets tethered on and near the property have all been reported by the neighbors.

Although the center has stated business hours, the owners/managers are responsible for activities occurring as a result of the operations 24/7, not just during open hours.

17.56.10.D – applicant's response indicates the night shelter use has been permitted by the City since 2012. This is counter to the materials submitted. Only the day use operation is permitted and was approved in 2016.

17.56.040.H.2 – community engagement plan:

Some of the proposed plan elements are listed in this section. Applicant states that a draft plan is included in Attachment G, which is missing from the application, and that feedback on the plan will be incorporated and provided prior to the Planning Commission Hearing. When will this be done? Please provide a plan.

Describe in detail what measures are taken when a client violates any terms of any policies? Providing contact phone numbers is not sufficient.

Covid restrictions have changed since this information was provided in March. Are the stated restrictions on capacity still valid?

As part of the regular required meetings with MNA, provide affidavit of compliance with City of Oregon City/Clackamas FD #1 Temporary Emergency Shelter Policy and all other applicable regulations.

Diliana Vassileva

From: Dean Scrutton <dscrutton@gmail.com>
Sent: Thursday, July 8, 2021 9:40 AM
To: Diliana Vassileva
Subject: Father's Heart Petition

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Oregon City Planning Committee,

My name is Dean Scrutton (921 Center Street, Oregon City OR 503-312-0427) and my family and I are writing to ask you to please deny a permit for Father's Heart to have up to 49 guests per night at their location.

Moving from Portland recently, we have seen firsthand the challenges placing this type of service can have on a family neighborhood. This happened 3 blocks from our old home and it was terrible. Cars were broken into almost nightly, trash went up all over the place and it changed the character of the area, and frankly ruined it for our children very quickly.

We support compassionate homeless resources, but the location in the permit is not the right area in the Mcloughlin historic district and near a family neighborhood. There needs to be a larger network of services elsewhere, with larger support networks and buildings, and it should not be right in the middle of the neighborhood!

Thank you, Dean

Diliana Vassileva

From: Frances N <francesnadine52@gmail.com>
Sent: Thursday, July 8, 2021 1:59 PM
To: Diliana Vassileva
Subject: petition CU21-00021

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Frances McKenna @ 711 10th ST. 503-706-1659

I have no problem with homeless people spending the night on 12th ST. I was an Alcohol and Drug Counselor for many years and have no concerns about people getting help. My granddaughter volunteered there while in High School with no problem. I have lived in this neighborhood for five and a half years and have not had any issues with the people at My Father's Heart. I hope this helps make a decision since I'm sure you're only hearing from those against the expansion.

Diliana Vassileva

From: Jessica Murray <jessicamiddletonmurray@gmail.com>
Sent: Thursday, July 8, 2021 5:03 PM
To: Diliana Vassileva
Cc: Planning
Subject: Adjacent and Surrounding Neighbors Opposition Statements to CU-21-00002/GLUA-21-00019
Attachments: Neighbors Opposition Statements to CU-21-00002The Fathers Heart Shelter.pdf

Ms. Vassileva and the Oregon City Planning Commission,

Please see the attached 23 page PDF containing our combined introduction and 11 statements, completed by 15 individuals, in opposition to the conditional use permit application submitted by The Father's Heart Street Ministry. Please let me know if you have any issues accessing this document. Many of us plan to attend the Zoom public hearing on July 12th and will complete the required paperwork for that.

Also see this google spreadsheet link to our [Unofficial Petition Opposing Conditional Use Permit CU21-00002](#) to see the Oregon City residents that have signed it and added additional written comments.

Thank you for your attention to this matter,

Jessica Murray
612 12th Street
Oregon City, OR 97045
503-737-5271

July 7, 2021

Oregon City Planning Commission,

We, the residents of all the adjacent properties and some surrounding properties of 603 12th Street, strongly oppose the conditional use permit application for an emergency use night shelter, CU-21-00002, as submitted by The Father's Heart Street Ministry. We urge the Planning Commission to deny this permit, as the applicant has not met all of the criteria.

While the current day shelter is not the subject of this application, it should be noted the use of the building did not go through any review, nor was there ever any notice to the surrounding property owners, residents, or the neighborhood association. This is the first time we have been sent notifications about the permits for The Father's Heart shelter, day or night use. The proposed use had been operating on a temporary, emergency basis due to unusual and extraordinary circumstances. The Father's Heart lists on its website that they currently operate an emergency use night shelter, although that claim is false. The last emergency permit expired on March 31st, and that temporary exception has no bearing on the current request and does not in any way set a precedent.

Our neighborhood, the McLoughlin Conservation District, is one of the oldest neighborhoods in Oregon City and the location of the original townsite. There are 19+ historic designated landmarks in the vicinity of 603 12th St., including all our homes. The proposed use does not contribute to the character and livability of this historic district.

As part of this application, The Father's Heart is required to have a Community Engagement plan, 17.56.040. Their application says it is attachment G, although there is no attachment G in their application. None of the adjacent or surrounding neighbors have ever seen or received said plan draft. There has never been a community meeting with the adjacent and surrounding neighbors to work with us or hear our concerns since they moved in in 2012. At the McLoughlin Neighborhood Association meeting with The Father's Heart March 18th, there was no acceptance of a community engagement plan. The applicant's included Good Neighbor Policy is only one-way and has not been agreed to by the surrounding neighbors or the MNA. We ask the Planning Commission to not grant this permit because they say they will do these things in the future, only as required by this application. In 9 years at this location, they have not done anything to engage the community in the historic, residential neighborhood that surrounds them.

Please read and review the following eleven statements from fifteen individuals, detailing our reasons for why the criteria for this application have not been met. Also, see our unofficial petition (in a separate spreadsheet), showing our shared opposition to this conditional use permit.

Signed,

Sharon and Clint Nicholson, Bibi Bachman and Richard Keyser, Michelle Schaefer, Jessica Murray, Jay Pearce, Allyson Foster, Tristan Murray, Heidi McKay, Dan and Pamela Kromer, Teri Poppino, Christine LeFever, and Mary Stivers.

Sharon and Clint Nicholson
 1114 Washington Street
 Oregon City, OR 97045
 Clint.Nicholson@vesuvius.com

Subject: Type IV Application Conditional Use and Type III Application for Site Plan Review

Submitted by: The Father's Heart Street Ministry (TFH)

Position: We oppose this request.

To Whom it may concern:

We are writing, to ask you to carefully consider your decision regarding the conditional use application for The Father's Heart organization. We believe this request is not in the best interest of the neighborhood or the city. Our interest in this case is as members of the McLoughlin neighborhood. Living directly across the street from TFH has directly impacted the primary use of our residence. Because of this, we would like the City planning Commission to deny the Conditional Use Application for a temporary emergency night warming shelter.

We moved into this neighborhood in September 2016 excited to find an Historic home in the McLoughlin Conservation District. We understood that we were undertaking a responsibility which would require us to take on the maintenance of an historic home adding to the cultural heritage of Oregon City. Our home is in the location of the original townsite – plat in 1844. This application does not contribute to the character of the historic district. During the process of purchasing our home, we did some research into the operation of TFH. What we learned from this research is not reflective of what is occurring at TFH. Instead of being a place to help re-house those in need, from our observations and experience, TFH provides services to a group of regular patrons, enabling rather than providing support for their mental illness, and or sobriety, and or help to provide housing.

There are several instances where the Applicant has not met the requirements. Specifically:

17.56.010 Item A #2 p.13

- **Size:** the applicant indicates the amount of space used by the site allows for buffering of sound and lighting. Living across the street, we can attest to the fact that we can often hear shelter occupants yelling and shouting. They occupy both the parking lot in front and behind to smoke and loiter. Often, shelter occupants park on 12th at the side of our house, not in the parking lot as indicated in the response. The applicant indicates based on the site, that noise pollution is not an issue. However, this is not the case. In fact, the facility is often in violation of Title 9- 9.12.023 Noises prohibited – A. Unreasonable Noise and E. Yelling, Shouting and Similar activities in residential or public places. TFH clients often violate this code. **This requirement has not been met.**
- **Location:** (See attachment "A") the applicant indicates the site is well suited based on proximity to important destinations. While it is located near downtown Oregon City, not in downtown Oregon City (page 3 under existing conditions) it is approx. six blocks from the one convenience store, 7-11 at 705 Washington St., near the city bluff. While there are

several churches in proximity, I believe TFH occupants may only make use of St. Paul's Episcopal Church 822 Washington St. which provides meals on Thursday afternoons. Barclay park is mentioned as an important destination, unfortunately, the proximity to TFH, means the park has become another zone, which cannot be used by the neighborhood as designated. **This requirement has not been met.**

17.56.010 Item A. Criteria #4 p.14

– The applicant indicates the area surrounding TFH includes a mix of uses in downtown Oregon City. This is not accurate. TFH is the only MUC-1 in the middle of a residential area and is not located in Downtown Oregon City (See attachment "B"). The proposed use does not meet the characteristics of the zone. The location is in fact a SPOT ZONE. The applicant also indicates that approval to the application will not alter the character of the surrounding properties. This is not true. The overnight shelter increases the number of individuals entering the neighborhood in the evening and in the early morning hours creating an overlap since these are the hours when the residents are heading off to work and school and, in the evening, when they are returning. These two groups are not a good mix.

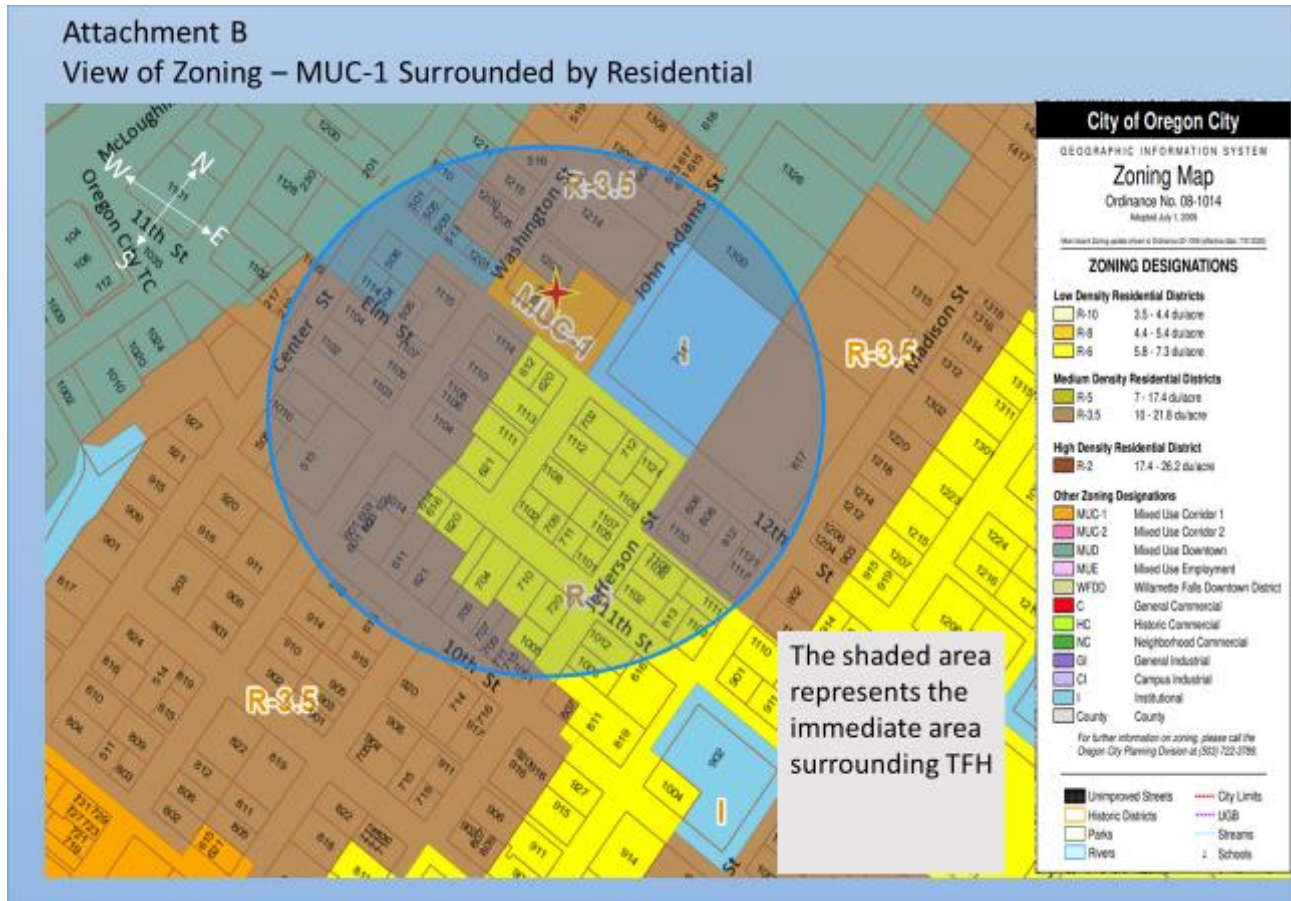
The shelter has had a significant impact on the residents and on the character of the area – it has become a dangerous part of the neighborhood impacting our ability to use our properties for their primary use due to the ongoing trespass by the clients of TFH. This also includes Barclay park, which cannot be used due to misuse (camping, drugs) by clients of TFH.

The applicant references a Good Neighbor policy. It is clear TFH does not respect or value its neighbors. This is evident based on the policy; it has had no effect on the neighborhood or the adjacent property owners as we did not agree to the policy, nor has it been shared with the neighborhood. We are subject to the impacts of the facility 24 hours a day, but the policy can only be enforced during operating hours. While the applicants indicate the policy is enforced, this is not true, nor is it possible when the shelter is close. **This requirement has not been met.**

Some specific impacts:

- The shelter has become an attractive nuisance drawing people from well outside Oregon City in need as well as those who bring a dangerous and nefarious element to the neighborhood. These individuals leave trash, use shrubs to urinate and defecate, and leave drug paraphernalia.
- When the shelter is closed or while waiting to open, individuals loiter on our property and in surrounding area. They use our property to wait, sitting on our steps or retaining wall and in some instances use our garden hose to drink.
- I (Clint) have mostly worked from home at this residence since 2017 and have witnessed an increase in abusive behavior from TFH clientele, parking in street as opposed to TFH parking lot, increase in trash on our property clearly from TFH (Brown paper bags with food that was handed out by TFH).
- I (Clint) have called Oregon City Police non-emergency multiple times since 2017 regarding TFH clientele arriving at TFH after hours, as often they quickly become disturbed, and agitated.

This all impacts our ability to use our property as intended. There is a real fear of those individuals, many of whom have potential mental illness issues and may be violent. It is necessary to use extra caution when departing/arriving at our residence, using our yard or working in our garage. We are often observed by the crowd that gathers making us minimize any street facing activities on our property. We caution Family/Friends when visiting to be conscious of their surroundings when arriving.



Attachment: A

LOCATION- Chapter 17.56.010 A-2 Characteristic of the Site



Location- This map shows the location of the 2 convenience stores. This contradicts the statement that there are "Many important destinations" Because this is primarily a residential neighborhood there are limited stores nearby. While there are several churches on the map there is one which offers a service TFH clients could use – St. Paul's. They do not provide this service at night

St. Paul's Place Meals Program is a free dinner and wellness clinic available to anyone who'd like a warm meal with good company! Basic necessities and clothing are also available through the greeter's program. St. Paul's serves an average of 91 meals per week. The hearty and nutritious meals are prepared from scratch in the parish kitchen. Volunteers help prepare and/or serve food, greet guests and help with set-up and/or clean-up. Dinners are served on the 2nd, 3rd, 4th, and 5th (if there is one) Thursday of each month.

Convenience Store

Churches

To: Oregon City Planning Commission

Re: Conditional Use Permit Application CU-21-00002

From: Bibi Bachman RN, BSN & Richard Keyser
1206 Washington St
Oregon City, Or 97045
bibibachman@gmail.com
R.keyser@gmail.com

We oppose The Fathers Heart's application for a conditional use permit on the grounds that the organization does not meet the suitability requirements for the CUP and the organization does not offer valid responses. In Addition, the organization is leaving out vital information which would hinder their capability of getting an approved CUP by generating an additional compounding negative impact on the immediate local community and a waste of resources of city emergency services.

Location (chapter 17.56.010): The Fathers Heart response to its location condition does not reflect the full picture of the surrounding area for the proposed CUP. The organization fails to mention that there are single family homes on 2 adjacent corners of the property, and our single-family property as their direct adjacent neighbor and Barclay Park directly across the street. The nearest business and other establishments that they state are in close proximity, are actually a couple blocks away, and they are not as convenient as the organization leads to believe. This blatant attempt to avoid the facts of the immediate residential area shows the true character of the organization in trying to avoid the topic, and inadvertently establishes the fact

that there is a negative impact on the local residents currently and it's not suitable for the character of the surrounding area. I have had 2 of their clients defecate on our shared space of our driveway in one week in which my 84-year-old mother witnessed, and I have made 2 non-emergency noise complaint calls to the city police in the early mornings. As of right now there is a negative impact on local residents due to my statements above, (human waste, indecent exposure due to defecating.) The Fathers Heart does not have control over their client's behavior and actions, how can they control it when they have an overnight shelter? This Condition Use Permit will only increase the negative impact on the local residents and businesses.

Topography (chapter 17.56.010): The organizations' response to the topography condition states that it's appropriate for the proposed shelter use. The entire property is surrounded by steep hills for its desired project. As they state, that most of their clients do not have their own means of transportation, how can this CUP be suitable, given that the road and sidewalk conditions aren't ideal and are inherently unsafe for individuals to travel up to in conditions when the temperature is 30 degrees (below freezing point) or colder. Every year we see icy roads and sidewalks that pose extremely dangerous conditions for their clients. Allowing them to run an overnight shelter is just inviting personal injuries and a waste of emergency response personnel and vehicles to be pulled away from more serious response calls. This permit is just inviting unforced accidents and injuries.

Overall, we see that The Fathers Heart Street Ministry does not meet the standards of the Conditional Use Permit given that they don't adequately meet the required criteria outlined in chapter 17.56.010 under location and topography and this application for the CUP is not suitable and viable for the character of the surrounding area.

Kindest regards,

Bibi Bachman RN, BSN & Richard Keyser

To: Oregon City Planning Commission
 Re: The Father's Heart at 603 12th St, Oregon City, OR 97045
 GLUA-21-00019/Conditional Use Permit CU-21-00002
 From:
 Michelle Schaefer
 620 12th Street, Oregon City, OR 97045
 chell.schaefer@gmail.com

I ask the Oregon City Planning commission to deny Conditional Use Permit CU-21-00002, submitted by The Father's Heart. I have lived at 620 12th St. with my family since January 2016, at which time The Father's Heart was not open. Within six months of purchasing my home, they reopened and the safety in the neighborhood drastically went downhill. I am a single mother of a young daughter and am very impacted by the safety concerns that occur regularly as a result of the clientele The Father's Heart brings into this neighborhood.

This Conditional Use permit does not meet the following criteria:

#2 The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features

Soon after The Father's Heart reopened in 2016, incidents began happening that forced me to call for police support on a regular basis. Examples of this include finding a homeless woman

sitting on my front porch stairs talking to herself and trying to light her hair on fire, someone pulled one of my bushes apart branch by branch as I tried to talk them out of destroying my property, while doing yard work I have been approached by men who are standing outside of The Father's Heart then cross the street to stand in front of me and make threatening comments, a man standing on my sidewalk staring into my living room at my young daughter for 15+ minutes without moving, and the list goes on.

When sharing this information with staff members at The Father's Heart, nothing has been done to remedy the situations. For the above reasons and many others, I felt forced to invest a lot of money in building a fence around my whole property to keep this often dangerous and threatening behavior at bay and to keep my young daughter as protected as possible.

In addition to the often-threatening behavior exhibited by The Father's Heart clientele, there is also a level of noise that is unacceptable, at all hours of the day and night. When the night warming shelter has been open in the past, almost every night there is at least one person yelling (often obscenities) and fighting. When my young daughter is woken up in the middle of the night because someone is screaming "FUCK YOU" at the top of their lungs, I have a serious problem with that! The complaints that I have made have gone unheeded.

#4 The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.

The night shelter does impair the use of the surrounding properties. Even with a fence around the perimeter of my yard my child cannot safely play outside, I cannot safely do yard work, we cannot sleep with people yelling across the street during any hour of the night.

After reading The Father's Heart's Good Neighbor Policy, I'm surprised. For every item on the list of requirements related to the shelter, I can share many examples of times when each of the criteria have NOT been met. It's a solid list of the behavior that occurs on a regular basis, not the behavior that is prohibited.

The Father's Heart invites this clientele into this neighborhood, then when their behavior escalates, The Father's Heart refuses services, which means that the clientele are left to fend for themselves – this creates a threatening and dangerous environment in an otherwise safe and quiet neighborhood. For example, frequently on cold nights when the shelter is open there are people on the sidewalk in front of my house yelling obscenities, spending the night at the park, damaging property, stealing, or many other unsafe and threatening behaviors.

Also concerning to me is that in the 4+ years that I have lived across the street from The Father's Heart, they have never shared this "Good Neighbor Policy" with me. When I have shared concerns with them with specific examples, they have not made any attempts to resolve the issues, and the issues continue.

As a neighbor of The Father's Heart, I ask that the Oregon City Planning Commission decline their request for a conditional use permit for a night use shelter or any expansion of their existing services.

To: Oregon City Planning Commission
 Re: The Father's Heart at 603 12th St, Oregon City, OR 97045
 GLUA-21-00019/Conditional Use Permit CU-21-00002
 From: Jessica Murray
 612 12th Street, Oregon City, OR 97045
jessicamiddletonmurray@gmail.com

I urge the Oregon City Planning Commission to deny Conditional Use Permit CU-21-00002, submitted by The Father's Heart. I have lived at 612 12th St. with my family since 2010, before The Father's Heart (TFH) moved into the office building directly across 12th street in 2012. We have two children, ages 12 and 5, and the front of our house directly faces their property. I feel this organization is not responsibly operating their day use shelter (nor their emergency approved previous night warming shelters), and therefore should not be granted the right to expand their services with this permit.

The Father's Heart have not met the following conditions for this permit:

17.56.010, #4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.

17.56.010, #5, Goal 2.4 Neighborhood Livability - Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Under condition 4, the staff report states, "The proposed night warming shelter is similar to the day shelter use and will not have additional significant impacts to the character of the surrounding area." Under condition 5, 2.4, it states, "The proposed night-time warming shelter will likely not have additional impacts to neighborhood livability beyond any existing impacts associated with the day shelter." The adjacent and surrounding neighbors have never responded to the previous permit requests, the only information they have for this staff report is from the applicant. I strongly disagree with both the above statements.

The presence of TFH day-use shelter has had a significant impact on my daily life and the lives of my children and impairs the use of my residence. During their hours of operation for the day-use, I have witnessed many incidents of people in crisis due to drugs or mental health, with police calls, during their operating hours. My children cannot play in the front yard unless I am right next to them, because they have been approached by TFH 'guests' multiple times. There are often people yelling and screaming, sometimes angry at having been asked to leave TFH, and they are turned out into the neighborhood. I have personally witnessed West Linn and Gladstone Police Officers drop off people from outside Oregon City at TFH.

The night shelter is not similar but is even more of a strain on the adjacent properties. Every single night that they have operated an emergency warming shelter, there are people outside talking, yelling, and smoking in the parking lot at all hours of the night, **in direct violation of MC 9.12.023 Noises Prohibited, letters A and E.** TFH states in their application that "curfew" is 10pm, but that they'll continue to take people if there is space. There are people loudly coming and going all night long, the police are frequently called due to increased incidents, and it deeply impacts our sleep and welfare.

I interviewed a former volunteer for the shelter. She said “ the night shelter is mercy-based, so they take anyone, including people who are not their clients. They do not collect weapons, like other night shelters do, and we were warned that the night shelter was ‘more of a danger’ with more frequent police calls.” The shelter empties at 7am and all those people (they say they have capacity for 49) are released into the neighborhood. Many do not leave, but stay in the neighborhood waiting for when the day use shelter opens, which is at the same time my kids and I are leaving to go to school. Additionally, unhoused people hear that there is a night shelter and come into the neighborhood looking for a place to stay even when they are not open for the warming shelter. This increases problematic activity in the neighborhood.

The issues with the unhoused population that are served by TFH, and drawn into this neighborhood by their presence, arise not only when they are officially open, but even more significantly, when they are not.

- I have found people sleeping on my porch swing and in my yard multiple times.
- We park on the street in front of our house because we do not have a driveway or garage; our cars have been broken into on multiple occasions and I have discovered someone sleeping in my car.
- People frequently park on the street in front of our houses, despite it being forbidden by TFH’s “Good Neighbor Policy” (GNP) which carries a threat of losing services. A woman was living in her van parked directly in front of my house last year for a full week. I notified TFH and her services were not discontinued.
- I have had to call the police many times due to people suffering mental health and drug-induced crises or violently threatening my family or me on multiple occasions. I have spoken to the police more times than I can remember.
- At least 6-7 times, people have banged on my door, both day & night, demanding to know why the shelter is not open, asking for food, or seeking drugs.
- There are so many incidents of people yelling and in distress in this area outside of business hours, that I don’t even call the police anymore unless it’s a severe situation because it happens so frequently.
- Their GNP states: *Respect our hours of operation by only being on property Tuesday - Fridays, 9:45am to 2:00pm [or nights when it is below 33 degrees Fahrenheit]*. There are often people sitting or sleeping on their property when closed. Once or twice a week.

The former volunteer I interviewed stated, “They literally protect very dangerous people. The cops would come by to show us pictures looking for people, and although volunteers recognized them, Robin [Executive Director] would say ‘we have confidentiality’ and refuse to help the police. Many of the guys there scare me, I wouldn’t be alone with them.” She also shared with me that Robin and TFH work closely with Mike Cross who runs *Free on the Outside*, a safe haven church specifically for sex offenders, run out of the Hilltop Community Church in Oregon City. There are known sex offenders who frequent TFH at both the day shelter and emergency night shelters. She said “TFH turns a blind eye to criminality. The Father’s Heart is bringing these people to a location that is directly across the street from families with small children. That they can actually put other people’s children in danger for this is reprehensible.”
Those children are MY children.

TFH states in their application (pgs. 19-20), in response to **17.56.040, letter H** as part of a requirement for a **Community Engagement Plan** that the staff is available 24 hrs. a day.

"The Father's Heart Executive Director and Program Manager are available 24 hours, either in person, by phone or email to address any and all concerns or complaints."

However, very few neighbors actually have the contact information for the directors. I was only given this information after I reached out to them over Facebook messenger just last year in response to an incident and requested to meet with them. None of the staff members reside in Oregon City, and are not close-by to deal with issues. On a number of occasions have not answered or responded when called. The Father's Heart is responsible for its property and their patrons 24 hours a day, not just when they are open.

I did have one sit-down meeting with the Executive Director, Robin Keating, and Program Manager, Jennifer Morris, last year at my request to discuss on-going issues and my concerns about their lack of Covid-19 protocols as witnessed from my residence. That meeting was the first time I had seen or heard of their "Good Neighbor Policy" that they mention in their *applicant's response to Criteria #4 (pgs 14-15) and again under "Explanation of how the shelter will address concerns/complaints" under 17.56.040 - Criteria and standards for conditional uses (pg 20)*. They had nothing on it at that time stating anything about the neighboring residences. I made it very clear to them at that time that they needed to adapt it and give this policy to ALL the adjacent and surrounding neighbors, as well as their contact information with a clear process for submitting concerns and reporting incidents. They did not do that. None of my neighbors that I have talked to have seen or or heard of the GNP. Their exclusion policy only works for their clients, when they are open, not for all the other people that are drawn here by this *attractive nuisance*. The Father's Heart are not good neighbors.

I fully believe that all people deserve help and services. This proposed shelter should be provided in a different location that does not *substantially limit, impair or preclude the use of surrounding properties*, allowing us to *protect and maintain our neighborhood*. Conditions #4 and #5 for this conditional use permit are not met. Please deny this permit application.

July 1, 2021

To: Oregon City Planning Commission

From: Jay Pearce

1214 Washington St., Oregon City

Board Member, Treasurer: Homeless Solutions Coalition of Clackamas County

Member: McLaughlin Neighborhood Association

Disclaimer:

(I am responding to this matter as a resident of the contiguous neighborhood to the Applicant, and as a private citizen. My viewpoint, responses and opinions are my own and do not reflect in any way any positions or opinion of either the Homeless Solutions Coalition of Clackamas County or the McLaughlin Neighborhood Association. I cite the references above only to provide background information.)

I am writing in opposition to, and requesting denial of:

GLUA-21-00019 Conditional Use Permit CU-21-00002

-submitted by PDA Properties

c/o Gary Wheeler, 34856 E Columbia Ave., Scappoose, OR 97056/The Father's Heart (TFH).

When TFH moved to Oregon City nine years ago there may have been reason to believe it was delivering services to a homeless population that was not adequately served in other parts of the city and/or county, thus the subsequent waiver granted for its permitted conditional use zoned within a residential, historic neighborhood.

However, in recent years multiple and various resources and organizations addressing the needs of the homeless population throughout Oregon City and Clackamas County have been developed. Collectively these other organizations and service providers have more than attained the original purpose and goals of TFH (witness the development and growth of the Homeless Solutions Coalition of Clackamas County). All neighbors in the McLaughlin Conservation District, regardless of their proximity to the TFH site, support the aims and goals of helping the truly needy and the underserved homeless population and many actively work to support these efforts. But as a service provider to the homeless TFH has already outgrown and overextended its ability to achieve its mission at the current site and should be encouraged to relocate to a more adequate facility in expanding its role.

This site does not meet the requirements for conditional use, as applied for, on several grounds as cited in Oregon City Code Mixed Use Corridor District Chapter 17.29; Conditional Uses Chapter 17.56; Lawful Non-Conforming Uses, Structures and Sites Chapter 17.58; and Site Plan and Design Review Chapter 17.62. The discrepancies are noted below by Section number:

1. **Chapter 17.56.010 Conditional Use- Section A.1 – Underlying District**

The applicant states “The site is located in the MUC-1 district”, which is true. However, this type of “spot-zoning” (MUC-1 in the midst of a R-3.5 zone) is in dispute as to the original granting of “Shelter” as a permitted conditional use in this zone. There was a waiver granted to allow this Class C Office space to be used as a “Shelter” in the first place. The neighborhood does not believe there is substantial equivalence of this waived use compared to any other commercial interests in the MUC-1 and will address this zoning issue as a separate legal matter under Mixed Use Corridor District Chapter 17.29 and Lawful Non-Conforming Uses, etc. Chapter 17.58, as cited above.

2. **Chapter 17.56.010 Conditional Use-Section A.2 – Characteristics of the Site Suitable for the Proposed Use Considering Size, Shape, Location, Topography, Existence of Improvements and Natural Features**

Size: The facility at 603 12th St. is not adequately sized for its current mission as service provider for the homeless (single small bathroom, one shower, no kitchen/food prep), much less in an expanded role as a residential shelter. Most of the building is configured as office, lobby, bathroom and storage space with only one small portion of the building (former “meeting room” space) open to the proposed reconfiguration. In addition, there is a constant and ever-present street population allowed to circulate outdoors in the parking lots of TFH and adjacent streets and park, many exhibiting mental health and drug abuse problems. This is due to the “Exclusion Policy” of TFH which does not allow these people inside,

leaving the neighbors to deal with the external problems. This issue is more fully described in response to Section A.4

Location: The site is not as conveniently located as the Applicant suggests. TFH is a four-block walk up steep hills/streets from the OC Transit Center/downtown OC which is where most of TFH clientele originates (very difficult for the handicapped/physically impaired to reach, even on TriMet). The clients are not there to shop “convenience stores”, or to attend church as the Applicant implies. And I am astonished they note access to Barclay Park as a positive attribute of their location. TFH does not monitor, much less patrol, the activity in Barclay Park which includes drug trafficking, vagrancy, littering and other “un-neighborly” activity. OC Police Dept. data supports the neighborhood view that Barclay Park usage is compromised negatively by TFH clientele. It is also doubtful that TFH clientele are there to access the one family practice medical office or other “shopping” in the neighborhood as stated in the Applicant’s response.

The neighbors have contended for some time that the TFH facility, for day or night use, should not be allowed in a historic residential neighborhood despite its complicity with its disputed permitted use. Much negative anecdotal evidence confirms this thesis, which takes into account the lack of mental health or drug addiction treatment/counseling at the current location, the primary causes of homelessness. (See HSCCC data). In fact, TFH policies of exclusion actually prevent these services from even being considered for delivery as a result of the inadequate facility and absence of any interventional or behavioral health training of anyone on TFH staff.

Topography: As stated above, it is a steep climb to the TFH facility from the OC Transit Center. Not that I would support the idea, but a trip up the City Elevator would be much easier access to the bluff area above downtown as the Applicant’s response alludes to. And Tri-Met services a plethora of other more suitable locations in the City.

4. Chapter 17.56.010 Conditional Use – Section A.4

The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district

The Applicant Response to this section is perhaps the most egregious distortion of the factual situation. The entire neighborhood for blocks around the TFH facility is residential. In fact, historic residential.

The TFH facility is not “downtown” in any way.

The Mixed Use Corridor district referred to in their response (*incorrectly indicated as “east” of TFH, the MUC1 is actually west. And the reference to “..MUD...downtown” in the application is not clearly understood*) consists of only two other businesses, both at the corner of 12th St. and Washington St. One is a headquarters office for a janitorial company which incurs no retail traffic and the other is a Chiropractic Clinic with scheduled retail activity only and two apartment residences on its lower floor.

TFH is not similar to either business, or any other business within the entire North End in any way.

TFH, as stated above, has impacted the area for years with unsupervised external activity jeopardizing quiet enjoyment of surrounding residential properties. Aggressive panhandling, vagrancy/camping, illegally parked vehicles, loud incoherent shouting and ranting at all hours, littering, drug sales in areas unseen by TFH staff - all are contrary to the character of the surrounding residential neighborhood. Two families living directly across 12th Street from the facility cannot let their minor children play unsupervised outdoors. During good weather literally dozens of people are permitted to “hang out” and play basketball in the TFH parking lot. No commercial businesses would permit or be permitted such activity. Illegal activity in Barclay Park has been cited previously.

The **“Good Neighbor Policy”** cited in the Applicant’s Response has not been adhered to in any way and is a clear misnomer. Neighbors have observed violations of every single component of the Policy on a regular basis. And because the policy is violated on such a regular basis there is a consistent population of “excluded” individuals who habituate the surrounding neighborhood but are prohibited access to the TFH facility itself. Neighbors are left to deal with the attendant problems. OC police are burdened with a disproportionate response rate to the TFH area as a result of this policy. TFH personnel are untrained and not on any consistent neighborhood patrol or interaction.

5. Chapter 17.56.010 Conditional Use – Section 5

The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use. Applicable Comprehensive Plan Goals and Policies for the Father’s Heart Conditional Use Permit Goal

1.1 Citizen Involvement Program Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.

Policy 1.1.1 - Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.

Policy 1.2.1 - Encourage citizens to participate in appropriate government functions and land-use planning.

Policy 1.4.1 - Notify citizens about community involvement opportunities when they occur.

As stated above in Section 4, there has been no perceptible active interaction between TFH personnel and the neighborhood on a consistent basis, such as TFH staff monitoring behavior outside the facility and reducing external activity.

As a Charter Member of the Homeless Solutions Coalition of Clackamas County (originally formed as the Oregon City Homeless Solutions Coalition) and now as a Board Member of the non-profit HSCCC, I have had the opportunity to interact personally with many TFH personnel over the years, especially its Founder, Terri Gant, now deceased. The neighborhood impact issues cited here have existed for some time.

If The Father's Heart wishes to expand its mission and services as indicated by this Conditional Use Request, I would encourage the Planning Commission and City Commissioners to deny this request as stated, revoke the Permitted Use waiver originally granted and support the idea of TFH personnel volunteering at an appropriately-configured and professionally-managed facility in conjunction with the homeless solutions plans and goals of Clackamas County and Metro.

To: Oregon City Planning Commission
 From: Allyson Foster
 Re: The Father's Heart Conditional Use Permit Application

My name is Allyson Foster. I've been involved with homeless outreach since 2008. I volunteered with Operation Nightwatch, Portland, for about 8 years. One of my main reasons for moving to the Father's Heart (2015) was proximity, the other from concerns surrounding the murder of my co-volunteer by a sex offender guest, and the failure of ONW to begin background checking. I served at TFH for about 3 years in the clothing closet and as a shower attendant. I want to lead with the statement that I have a passion to serve this population.

I believe that our life's purpose needs to include loving our neighbors as ourselves. The question is "who is our neighbor, and how can this be best accomplished? The houseless are certainly our neighbors and obviously need help. However, our giving should not enable people. Giving needs to have structure and be matched by effort on the part of the people we are serving. We need to build sustainability rather than dependency and be facilitators of their growth. A nonprofit should not only effectively contain damage to the surrounding environment, but also actively help individuals move toward dignified self-sufficiency. We need to love people enough to get to the core of their reason for being houseless and address it appropriately. The addicted need to be held accountable and aided toward treatment, the mentally ill need to be treated, and the able but unwilling to work need to be given a time limit for handouts, then cut off. Except for the truly incapable, they need to be active participants in their own betterment. When we do for others what they are capable of doing for themselves, we not only cripple them, but take resources away from the truly needy.

I have had the opportunity to get to know many of the regular guests at TFH personally, outside of the shelter setting. Many are likable. However, most are at best opportunists and professional takers. Many are active addicts and engaged in regular criminal activity. I can give more details if anyone is interested. When I became aware of the ongoing struggles of the literal neighbors of TFH, I was led to examine my position on their presence here. Because truly helping these people is beyond the scope of what this nonprofit can offer, I believe that it is unconscionable to make life hard for the decent hard-working residents of the area. They deserve to live their lives in their neighborhood in peace and safety.

My strong recommendation is to prohibit further growth of TFH at this location. If immediate survival needs are the concern, this could be accomplished with mobile units in nonresidential areas.

- Allyson Foster, former TFH Volunteer

Dear Oregon City Planning Commission,

My name is Tristan Murray and I am 12. I will be entering 7th grade at TUM-wata (formerly Ogden) Middle School. I am asking the Planning Commission to deny the conditional use permit for the night shelter, CU-21-0002.

They do not meet criteria #4: ***The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.***

We moved into our house at 612 12th Street in Oregon City when I was one year old, before the Father's Heart was there. I have grown up with this place directly across the street, the front of our house faces their entrance and parking lot. It has really affected my childhood. I have had many interactions with the homeless people who go to The Father's Heart, and most of them were not good.

- One winter when it snowed a lot, and they had the night shelter open, I was out playing in the snow in my front yard with a friend. A woman came out of the shelter, walked across the street and tried to get me and my friend to leave with her. We said no and ran inside and told my mom.
- I used to walk home from the bus stop at the Jackson campus for Springwater School, and I once had a homeless man who tried grabbing me on 12th street and I ran home, let myself into the house, and locked the door.
- When I was younger I used to play almost every day with the neighbors around the corner, and every single time we walked to each other's houses we had to have a parent or their older brother walk us about 90 ft. because it wasn't safe to be on the street out front alone, even just running one house around the corner.
- I was never allowed to play in our front yard unsupervised. I didn't ever feel safe. I now have a 5-year-old brother and he can't play out front either, unless my parents are there. My parents have had many conversations with us about what to do if we encounter someone under the influence of drugs or having a mental health crisis.
- I have seen many incidents with violent and yelling mentally ill or high people, where the police were called, in front of our house. More than 10.
- When they have had the overnight shelter, there are people talking and yelling and smoking in the parking lot all night long. My brother and I have been woken up because of activities across the street.
- My mom and I once found a woman sleeping on our porch swing, when we were leaving for school in the morning. She was out of it and obviously on drugs. My mom gave her some food and an old blanket and asked her to leave or that we'd call the police.
- There are a lot of scary people across the street. Sometimes they sleep on the property when they are closed or are hiding behind trash cans. I have been yelled at by people from across the street at night many times.

I know homelessness is a serious issue, especially in freezing weather. I hope the city can find a better solution than a shelter at this location. I feel that The Father's Heart should have some responsibility for the people they bring into our neighborhood. Their operations have **limited and impaired** my experience living here. Please choose to deny their permit for the safety of all the kids who live close to this shelter.

Sincerely,
Tristan Murray

Date: July 8, 2021
To: Dilia Vassileva, Assistant Planner
 dvassileva@orc.org, (503) 974-5501
From: Heidi McKay 709 11th St
 heidiandlulu@gmail.com, (503) 544-4455
Re: The Father's Heart, 603 12th Street
 Type III Land Use Application
 GLUA-21-00019 and CU-21-00002

We oppose the above-mentioned Conditional Use Permit application to expand services for a night warming shelter at The Father's Heart.

The information below is taken from the "Type IV Application Conditional Use Review and Type III Application for Site Plan Review submitted to the City of Oregon City dated April 8, 2021 by The Father's Heart Street Ministry."

Goal 2.4 Neighborhood Livability - Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Applicant's Response:

"The ongoing affordable housing crisis has been exacerbated by the Covid-19 pandemic. Thus, homeless neighbors are a reality in Oregon City as well as every city in the Willamette Valley. The Father's Heart was established in order to provide services to these community members and to help transition them from houselessness to transitional and more permanent housing. In addition to places like parks, convenience stores, libraries, and medical offices, shelters are essential facilities. Shelters allow people in need to receive a meal, a shower, clothes, toiletries and overnight shelter in freezing weather and are a critical piece of a city's downtown service infrastructure. The Father's Heart has worked with Clackamas County, the broader Oregon City community and specifically the McLoughlin Neighborhood on ways to run the shelter so that the needs of both clients and neighbors are being met."

I would like to speak specifically to the highlighted portion of the applicant's response above: *"The Fathers Heart was established in order to provide services to these community members and to help transition them from house listeners to transitional and more permanent housing."*

At this time there are no mental health professionals or paraprofessionals that are involved in the facility. They have no records which quantify their success of transitioning houseless folks into transitional or permanent housing and many of the clients are habitual, coming back year after year. The services they receive are sometimes inappropriate, like an

entire cantaloupe or a large bag of clothing which usually end up in our neighborhood. This speaks to the TFH misrepresentation, that they are focusing on transitioning these houseless clients. They do not have the professional knowledge, resources or understanding to support these clients and instead give them inappropriate volumes of clothes and food, only further burdening the neighborhood and not addressing the underlying needs of their clients. At this time, I feel further enabling them to sleep in the shelter is not a positive move that the city should support. Every night the shelter is open there will be 50 individuals (many of whom are registered sex offenders and the severely mentally ill) sleeping in the facility with a few non-professional, and untrained volunteers. After the doors of the facility are then open at 7 am for clients to leave, children in the neighborhood are walking to and waiting for their bus. This is not a not the way a city upholds the safety of its patrons. This is a clash of two demographics who should not be anywhere near one another.

Policy 2.4.2 Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Speaking to the applicants second highlighted above quote... *“The Father’s Heart has worked with Clackamas County, the broader Oregon City community and specifically the McLoughlin Neighborhood on ways to run the shelter so that the needs of both clients and neighborhood are met.”*

The vibrancy of our neighborhood is one of my top priorities. I worked with the city for over six years to revitalize Latourette Park. I also spearheaded and executed the first ever painted intersection at 11th and Jefferson. The installation of a lending library, created by the Oregon City High School construction team, was also something I instigated and executed. These are the ways in which I have tried to offset the increase in crime, mentally ill and unstable passerbys, and to establish the safety needed for me to let my son out of the house to play basketball, on his street in front of our house. When I read the applicants response “The Father’s Heart has worked with Clackamas County, the broader Oregon city community and specifically the McLoughlin neighborhood it” it deeply frustrates me. I’ve been extremely involved in my community for over 13 years and done so much work to offset what has happened since TFH has moved in and I have never had one single communication from anyone at that facility. My husband and I are both mental health professionals and we are extremely concerned for the safety of our own children and all of the children in our community due to the knowledge and understanding that there is not a single mental health professional supporting any of the clientele that is revolving through that facility. At this time, I don’t believe that TFH has the values of our community or the values of the City in mind when serving its clients. TFH directly impacts many business’ ability and ongoing efforts to create vibrancy, working in direct opposition of TFH clientele. To grant them permissions to increase their services would be a great negative blow to our livability and safety.

This is a humanitarian crisis, it’s time for the city to take ownership for this epidemic and not put the safety or vibrancy of the community in jeopardy. It’s not fair to put this large glaring issue on the shoulders of one religious organization with little knowledge or effective support strategies.

Thank you for listening.

In Gratitude,
Heidi McKay

Date: July 4, 2021

To: Diliana Vassileva, Assistant Planner
dvassileva@orcify.org, (503) 974-5501

From: Dan and Pam Kromer, 1112 John Adams Street
Dkromer914@gmail.com, plpk914@aol.com, (503) 657-4474
 Teri Poppino, 720 11th Street
turretmoon@gmail.com, (971) 930-0074

Re: The Father's Heart, 603 12th Street
 Type III Land Use Application GLUA-21-00019 and CU-21-00002

We oppose the above-mentioned Conditional Use Permit application to expand services for a night warming shelter at The Father's Heart.

The information below is taken from the "Type IV Application Conditional Use Review and Type III Application for Site Plan Review submitted to the City of Oregon City dated April 8, 2021 by The Father's Heart Street Ministry."

Chapter 17.56 Conditional Uses Application

17.56.010 – Permit – Authorization – Standards – Conditions.

- A. 4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

Applicant's Response:

... Because no changes are proposed to the **existing building or site**, the proposed project will not significantly alter the character of the area... Therefore, since the shelter is not expanding its **capacity**, the conditional use approval to continue the shelter use of the (sic) will not have further effects on the character of the area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.

We've highlighted the words above because we'd like to speak to that language.

True, the proposal does not involve changes to the physical location. The building itself will remain static. It is the operations that will become dynamic and increase capacity as services change from current practices of limited hours and days of operations (from 4 hours/day, 4 days/week) to longer hours (overnight) and more days of operation (possibly weekends). Their capacity will increase as well with more foot traffic through the neighborhood and in the

immediate area, during all hours of the night. We are concerned that problem behavior (and, in our case, criminal) we've endured at the hands of their clients will increase as more people are drawn to the location, during all hours of the day and night. Residents in the surrounding area already have had to deal with car break-ins and other acts of vandalism during the night. This will only increase if The Father's Heart is open at night.

The "surrounding area" of The Father's Heart is our neighborhood, a residential area. The behavior of some of their clients has altered the feel of our neighborhood and necessitated us to change the way we move and live herein. Other than attending a McLoughlin Neighborhood Association meeting when they are required to by the City, in order to get approval on a change in their Conditional Use Permit, there has been no attempt by The Father's Heart to reach out or communicate with neighborhood residents directly surrounding them about issues or impacts their services and clientele bring to the area. Many were surprised that a written "Good Neighbor Policy" even existed, let alone being practiced by The Father's Heart.

The Father's Heart states in this document that they maintain a strict "Good Neighbor Policy" to which clients must adhere in order to receive services that the shelter provides. This has not been our experience. The following are some examples we, neighborhood residents, have experienced over the years by clientele utilizing The Father's Heart:

1. Dan Kromer was walking on Washington Street just south of 11th when he noticed a man following him. This disturbed fellow accosted Dan and accused him of trying to steal his bag of cans. The man verbally threatened him and then tried to strike Dan with a small pair of num-chuks. Dan is a Parkinson's patient and felt vulnerable, unable to physically defend himself. Dan ran from Washington to 11th, hoping to rouse neighbors to his aid. Unable to do so, he ran up the steps on Jefferson Street to 10th and 9th Street. He saw the man looking up and down side streets trying to find him. Dan was finally able to return to the safety of his home. He is no longer able to run and is concerned about how he will escape in the event it happens again.
2. A woman removed a package that had been delivered to the Kromers' front porch. A neighbor across the street saw what was happening and shouted at her, she dropped the package and ran to The Father's Heart. Pam followed the woman into The Father's Heart and was told by staff, "you are not allowed to be in here."
3. Another time a woman set up a camp under the Kromers' maple tree in their small front yard. The police were called, and they moved the woman along. She relocated to the neighbors' yard across from the front doors of The Father's Heart and stayed there until the police returned and took her away.
4. Pam Kromer walks and runs through the neighborhood alone every day. (She used to run with her large Airedale, Rosie, but Rosie has since died.) She has noticed a marked decrease in people behaving erratically in the immediate area since The Father's Heart has reduced their hours and days of operation due to COVID-19.
5. Dan and other neighbors have called non-emergency several times over the last eight years regarding individuals at Barclay park who were yelling, cursing, and/or exhibiting threatening behavior towards other park users or people walking by, either passed out and non-responsive or dead; drinking alcohol excessively or intoxicated; leaving large

amounts of litter/garbage in the park. The common denominator here is that these individuals appeared to have been using the services offered by The Father's Heart. These types of incidents were pretty much non-existent on the days that The Father's Heart was closed as well as during the reduced hours over the past year due to the COVID-19 outbreak.

Signed,

Dan Kromer, Pamela Kromer, and Teri Poppino

To: Oregon City Planning Commission
 From: Christine LeFever
 809 Washington St.
christinelefever@comcast.net
 971-322-5182

My interest in this case is to show that the very existence of *The Father's Heart* is detrimental to the well-being of our neighborhood and to urge you to deny their conditional use permit application. I represent myself.

My husband and I live on Washington Street just a block from 7- Eleven on the same side of the street. We have lived here since 2006.

I understand that police from neighboring towns and cities having learned of the existence of *The Father's Heart* have been known to drop transients off there. A reputation has grown, and now it is shared among these transients that Oregon City has a place for them. It is evident that this neighborhood is now crawling with people who are either mentally ill and or, in some cases of a criminal leaning.

We on Washington, Center and High streets are nearest to downtown Oregon City where there is a transit center which brings the transients easily into our neighborhood and for that very reason I do not regard the current location of *The Father's Heart* to be at all a good presence for we, the tax payers in this very neighborhood. The number of these transients has multiplied exponentially yearly. Again, the lure is *The Father's Heart*. It is an **attractive nuisance**.

I have not called the police for the following, other than once. These are merely annoying and bothersome situations that have occurred while *The Father's Heart* has been active in our neighborhood:

- On two different occasions, I opened my door to our wrap front porch only to find a homeless man sleeping there! These were two separate times with two different men.
- Often someone stashes debris or even treasured bags of returnable cans and bottles in our Oregon Grape hedge.
- Cigarette butts on the street and sidewalk have become ubiquitous.

- On several occasions I have been asked if the house is a museum and if someone lives here. This question is unnerving.
- On one occasion our stairwell to the basement was used by someone who left a brown paper bag with an empty bottle of alcohol of some sort. At that same time, excrement was left in the stairwell too, and it is not likely that an animal went down there for that purpose.
- On the one occasion when I called the police, I was walking under the bridge to go down the steps to downtown. This was early in the morning. A person was sleeping in that tunnel. He was completely covered, and I was alarmed at his presence. I do not know if the police did anything. Although I never saw the person, I assume it was male.
- Tourette's syndrome or schizophrenia? Yes, there have been two different men who roam up and down Washington Street to and from 7-Eleven screaming and yelling profanities to where I have on numerous occasions run outside to see that no one is being harmed. They seem to obviously suffer from Tourette's Syndrome or perhaps schizophrenia and some of the things they shout as loudly as they can are not only offensive, but violent.
- On July 4th this year while in my front yard a peculiar man came walking down the street in the middle of the northbound lane expounding with certainty about what seemed like courtroom talk. He was carrying a garden tool, long like a hoe, but it was clearly a grass edger. His right arm would heist this tool vehemently into the air. He appeared to be oblivious to anyone else. Meanwhile a car came driving up behind him and had to swerve into the oncoming lane to proceed. Incidentally, northbound is the way to *The Father's Heart*.
- On July 6th my husband was approached while enroute to the 7-eleven by an older woman who shrieked words about having been raped. She was vile in her appearance and approach. He ignored her, but she followed him, still screaming and yelling.
- On July 6th a contractor working in our front yard told me that a woman who was obviously not mentally well came walking up the sidewalk where she turned and flipped him off, twice and then did the same to the house.

The Good Neighbor Policy doesn't hold with me. Good neighbors do not behave in such a manner. They do not enforce this policy outside their own facility.

The proposal by *The Father's Heart* will indeed *alter the character of the surrounding area* by virtue of the transient beings continuing to infiltrate our neighborhood.

By the very size of *The Father's Heart*, I see that their approach to helping others is not a great help at all to the overall homeless situation. This organization should be somewhere with professionals to deal with the bulk of their visitors. Instead we now have planted right here in our beautiful, historic neighborhood a free-for-all lure for disreputable people to come and hang out.

To: Dilia Vassileva, AICP
Assistant Planner
dvassileva@orc.org

From: Mary Stivers
1111 John Adams
Oregon City OR 97045
marycarolyn@gmail.com

Re: The Father's Heart
603 12th St
Oregon City OR 97045
General Land Use Application GLUA-21-00019/Conditional Use Permit CU-21-00002

July 6, 2021

I oppose the above-mentioned permits for a night warming shelter at The Father's Heart. My response is based on section 4, specifically their good neighbor policy.

In part, they state the following:

"The Father's Heart maintains a strict Good Neighbor Policy to which clients must adhere in order to receive services that the shelter provides.

"The Good Neighbor Policy includes the following requirements related to the shelter in order to prevent impacts on the surrounding area:

Respect our hours of operation by only being on property Tuesday-Fridays, 9:45am to 2:00pm (or nights when it is below 33 degrees Fahrenheit);

No loitering, sleeping or camping on or near The Father's Heart Property. This includes the park across the street, the woods (Abernathy Chapel area), the private alleyway between us and residents of the McLoughlin neighborhood. Bothering any McLoughlin neighborhood residents will result in loss of services;

No raised voices, music, or any inappropriate behavior on or near the property.

Respect EVERYONE.

With the Good Neighbor Policy (in part above) actively enforced, ... this requirement is met."

I have lived in my home on John Adams for over 31 years, well before the Father's Heart moved in around the corner. I've seen many changes to what was a safe and peaceful neighborhood, because of TFH. Since The Father's Heart opened, there have been many instances of their clients who use, or tried to use, their services that have committed violations against both local laws and their good neighbor policy.

- An alley runs along the side of my home and yard. I've found too many empty alcohol containers discarded there to count. I've also found used syringes on my parking strip. Strangers have come into my backyard at night. Because of this, I had to have a different fence installed, at a great expense. Men come and sit on my front porch and refuse to leave. Men have come to my door, begging. None of these things ever happened before The Father's Heart moved in.
- They may have a policy of not letting people in who are either drunk or on drugs or who possess either of those. But when they turn these people away, they simply turn the

corner and come into the neighborhood, often in front of my house or onto my porch. I don't feel safe when this happens.

- They are definitely not quiet. One man stands on the corner and screams obscenities. I've heard many, many arguments and fights directly in front of my home and the people were not from this neighborhood. I've had to call the police on several occasions, including once when one man threatened to kill the other in a tone of voice I believed.
- I interviewed several neighbors and businesses in the area. They all wish to remain anonymous, out of fear of retaliation. One resident gets off of work at 10:30 PM. Her door is on the side of her residence and she's come home, in the dark, to find clients of The Father's Heart sleeping in her yard. Several other neighbors have been threatened and chased. Another lady has been verbally abused and physically threatened. Eateries I've spoken with state they have their garbage cans gone through and garbage scattered around, the clients of The Father's Heart accost patrons and beg for money, then refuse to leave. Others use the garbage cans as a bathroom.
- Both neighbors and businesses have had things stolen.

If the temporary warming shelter is approved, the clients will have to leave The Father's Heart at 7:00 AM. The facility reopens at 9:45. This gap is the time children are leaving for schools and waiting for the school bus. Where do we expect the people leaving The Father's Heart to be during this time? In the neighborhood. Why would they go anywhere else?

The parts of the Good Neighbor Policy I quoted have never been "actively enforced." Once the people leave the facility, they're on their own. If the policy is not enforced now, why would anyone expect it to be enforced when more people are using it?

I urge you to deny this request by The Father's Heart.

Sincerely,
Mary Stivers

Thank you for reading and reviewing our combined statements.

We collectively urge you to deny General Land Use Application GLUA-21-00019/Conditional Use Permit CU-21-00002.

As evidence by our combined statements, the criteria has not been met.

To: City of Oregon City
 Fwd: Father's Heart Street Ministry
 CC: Marty Grant, PDA Properties
 Subject: Addendum, Proposed land use agreement
 Date: 6/24/2021

Message to The City of Oregon City and interested members of community, including donors.

Attatcheel is addendum to proposed land use agreement for "The Father's Heart" at 603 12th St. Oregon City, OR 97045. Addendum motions for proposals on behalf of patrons and supporters.

Also included are:

- Agreement to Addendum
- Disclosure of Verbal and Written Liability
- Disclosure of Witness to correctness of applied forms.

Phone is out of minutes, computer is far from reach. Working on getting help to be available by phone. Been worried about incoming calls being jammed, outgoing mail tapping in connection to investigations pending with State and Federal Authorities and Oregon Law Center. Will be available at Father's Heart and by phone as soon as possible. Thank you!

From: Zach Roberts
 wages for workers Campaign

6/23/2021

Item #1.

Addendum

Proposed Land Use Agreement
603 12th St.

Oregon City, OR 97045

"The Father's Heart Street Ministry"

Consideration to implement The following updates to The service of The property:

- Open twenty-four hours a day, seven days a week.
- Service to any in community with need.
- Employer of homeless citizens, encourages applications to welfare.
- Equal share of provisions, incomes to all ^{of} who perform duties on behalf of shelter ^(and non) workers.
- Current employees may continue working; democratic process of order
- Redraft of charter

This proposal is intended to improve the conditions of life for homeless citizens and the value of donations from citizens. Approval would be a significant first step in helping the homeless and removing tensions from communities.

Submitted by: Zach Roberts

Signature: Zachary Roberts

Date: 6/24/2021

6/23/2021

Agreement to Addendum

We, citizens of Oregon City, agree to the proposals of the addendum to the proposed land use action. Upon agreement of three or more witnesses, we motion for the proposals of the addendum to be implemented.

Witnesses

- ① Zach Roberts. Zachary Roberts. 6/23/2021
- ② Dominic Harrell *[Signature]* 06/23/2021
- ③ Noah Bayley *[Signature]* 06/24/2021
- ④. Rene Mason 06/27/2021
- ⑤ Fran Mertz Fran Mertz 6/24/21

I, Zachary Roberts, testify that names and signatures were lawfully acquired with the support of the citizens' personal decision. Disclosures for petition were true and accurate; privacy of individuals has and will remain protected in good faith to United States Constitution, and liability to be held by the petitioner below.

Name: Zachary Roberts
 Signature: Zachary Roberts
 Date: 6/24/2021

Disclosure

Verbal and Written Liability

I, Zach Roberts, state official liability to all statements in association with "Wages for Workers". Any and all statements associated with my name or associations that I'm affiliated with are liable to myself upon certification of witness testimony.

Name: Zachary Roberts

Signature: Zachary Roberts

Date: 6/24/2021

Disclosure

Witness Statement

I, Zach Roberts, testify respectively to the following consideration:

Subject: Zach Roberts, Addendum to Public Land Use meeting, Ways for Workers

Witness: Zach Roberts

Statement: I began asking for support for an addendum to a Public Land Use Agreement in effectual progress at "The Father's Heart Ministry" address 603 12th St. Oregon City, OR 97045, on Thursday June 24th 2021. I mistakenly wrote "June 23rd" on the addendum agreement. The addendum itself was also drafted on ~~6/23/2021~~^{ZR} "6/24/2021", not "6/23/2021". Officially the addendum and the agreement to the addendum are are dated as "June 24th, 2021" or "6/24/2021". All signatures dated for 6/23/2021 were to a misunderstanding of date by first signer and campaigner, Zach Roberts. Once noticed, witnesses were informed of error. All other disclosures about campaign and liability are attested to by Zach Roberts, and other witness to subject.

①

The witness hereby submits his statement for review by necessary due process.

Name: Zachary Roberts

Signature: Zachary Roberts

Date: 6/24/2021

Contact Information

Zachary Roberts

19300 Mollala Ave. Oregon City, OR 97045

(503) 915-9353

zroberts91@outlook.com

Zach Roberts
300 Molalla Ave.
Oregon City, OR 97045

PORTLAND OR 972
25 JUN 2021 PM 4 L



Item #1.

City Hall of Oregon City
625 Center St.
Oregon City, OR 97045

~~P.O. BOX 4438~~
PORTLAND, OR 97208-4438



To: Oregon City Planning Commission
Fwd: Oregon City Municipal Hall
CC: Marty Gant, Josette Godsy
From: Zach Roberts
Subject: Proposed Land Use Action
Date: July 9, 2021

Good afternoon!

This is a request to discuss an alternative course of action for the property at: 603 12th St. Oregon City, OR 97045.

For the interest of the homeless and non-homeless residents that seek help from, and work at, the facility.

The concern is that the facility is zoned in an area where it would be lawful as a full-time overnight shelter. This proposed action encourages current staff to consider the value of amending policy of the property to be a full-time facility.

Attached is a charter plan for the "Church of Jesus", with an updated procedural outline for ministry services at the location of interest. As more locations associate with the charter by identity, more services for the community should become viable.

The proposal includes a property trade from the current property owner: PDA Properties, to a new property owner: U.S. Bank. The ministry hopes to pay lease on the property held by the bank.

Application for Land Use Action included with email; available at city hall for property owner and representative to sign if agreed.

Consideration of the proposal for the facility to be a full-time overnight shelter increases the value of services for the homeless, and the value of donations to the shelter. The charter and procedure outline progressive philanthropic policies and procedures that could afford wages to jobless citizens, and housing for homeless.

With respect to current staff and volunteers, we hope that acceptance of this course of action would be beneficial to any interested at the property.

Thank you!

Regards,

Zach Roberts

Church of Jesus

Mission

To share the gospel of the Holy Bible, and receive any who seek help from our Lord.

Demand

Any that lack water, food, clothes, or shelter; searching for Christian ministry.

Supply

Provisions gathered from collections of tithe offerings, and workers ready to serve the community.

Structure

A non-profit free assembly of religion.

Organization

Baptized congregants are disciples of the Lord. Among disciples are called deacons, elders, and overseers; charged with the official duties of maintaining law and order of the Church. At various times and places, the Roman Catholic, Eastern Orthodox, and Evangelical emerge as associations of the Christian church; united by faith in the Son of God, Jesus.

Incomes

The church of the Lord Jesus receives provisions that meet the demand of the charter; goods and currency.

Costs

The church may carry property, property tax, water, electric, garbage, and sewer as costs. After operation cost payments, ten percent of the revenue is donated as tithe, for the community and to fellow churches. The remaining balance is distributed as a daily wage for a day of work. Church officials work together to save financial assistance for the congregation, and community, as needed.

Tax

Revenue from the budget for the charter not subject to taxation. Employee payroll and wealth deposits are subject to taxation; as fiely to the established ruling authority

Doctrine

The Holy Bible is the authority on all matters within the Christian free assembly of Lord Jesus, the basis of decision and agreement among fellows. Charter enumerations to be subject to the Holy Bible, and submitted to the United States government, in subjection to the established ruling authority. All church members are liable to the meaning of scripture to each other and to non-church members, and to the law of the United States government.

Amendment

The charter, established under the United States government, is subject to review, amendment, and acceptance, by the agreement of fellowship, according to the Holy Bible.

Drafted: Zach Roberts

Edited: July 7, 2021

Procedure

1. Check in
 - a. Primary
 - i. Steps 1 - 7
 - b. Secondary
 - i. Steps 1, and 4 - 7
2. Clothes
 - a. Outfit
 - i. Socks
 - ii. Undergarments
 - iii. Pants
 - iv. Shirts
 - v. Sweatshirts
 - vi. Jackets
 - vii. Hats
 - viii. Gloves
 - ix. Sundry
3. Wash
 - a. Shower
 - i. List sign up
4. Water and Food
 - a. Water
 - i. Upon request
 - ii. Faucet, cooler, and packaged
 - b. Food
 - i. Upon request
 - ii. Meals
 1. Breakfast: 7-9 am
 2. Lunch: 12-2 pm
 3. Dinner: 5-7 pm
 - iii. Inventory
 1. Open receivable
 2. Total daily ration
 3. Necessary, sufficient
5. Shelter
 - a. Daily count
 - i. Maximum capacity
 - ii. Contact nearest property
 1. Shuttle
 - b. Ordinance curfew
 - i. Adjustments, exceptions subject to review and approval
 - c. Supervision paid
6. Resources
 - a. Literature
 - b. Electronic
 - i. Phone

- ii. Computer
- c. Mail
 - i. Address and delivery
- d. Counseling
 - i. Clinical connections
 - ii. Welfare process
 - iii. Career
- 7. Employment
 - a. Work
 - i. Uphold and maintain shelter
 - 1. Policies
 - a. Holy Bible
 - i. Authoritative
 - ii. Subject to 7.a.i.1.a.
 - b. U.S. Constitution
 - i. Governing rules
 - ii. Federal and State
 - c. Charter regulations
 - i. Specify compliance measure 7.a.i.1.b.
 - ii. According to 7.a.i.1.a.
 - iii. Subject to agreement
 - 1. Patrons and Staff
 - 2. Procedures
 - a. Duties and tasks developed in steps 1 - 7
 - b. Receive donations
 - i. Water
 - ii. Clothes
 - iii. Food
 - iv. Currency
 - 1. Coin
 - 2. Notes
 - 3. Checks
 - 4. Debit
 - v. Misc
 - 1. Manage essential
 - 2. Donate non-essential
 - vi. Delivery
 - 1. Zone
 - c. Administration
 - i. Forms
 - 1. Pass to inquiry
 - 2. Advise
 - 3. Complete filing and communication
 - 4. Hiring documents
 - 5. Memorandums
 - ii. Standard forms
 - 1. Accounting

- 2. Administration
 - 3. Operations
 - iii. Records
 - 1. Manage and maintain
- d. Accounting
 - i. Maintain budget
 - ii. Manage bills and payments
 - iii. Process payroll
- e. Operations
 - i. Daily procedures steps 1 – 7
 - ii. Inventory
 - 1. Water
 - 2. Food
 - 3. Clothes
 - 4. Daily shelter count
 - iii. Task fulfillment
 - 1. As needed

Proposal

Property trade

Prospect: The Father's Heart Street Ministry

Prospector: Zach Roberts

Property: 603 12th St. Oregon City, OR 97045

Buyer: U.S. Bank

1600 Molalla Ave. Oregon City, OR 97045

Agent: Josette Godsy

Client Relationship Consultant

(503)657-2380 direct

(503)657-2331 branch

josette.godsy@usbank.com

Seller: PDA Properties

34856 E Columbia Ave. Scappoose, OR 97056

Agent: Gary Wheeler

Refer to:

Marty Gant, Robin Schmidt, The Father's Heart

(503)722-9780

Information: Proposed Land Use Action. Meeting: July 12th, 2021.

Value:

The Father's Heart

July 10, 2021

Dale & Maribeth Gehring

I am concerned as a lifelong resident in the McLoughlin Neighborhood. Oregon City is affected more now than ever with the issues surrounding many major urban areas in our country. Homelessness and all its causes are just one of many issues facing us. I believe there is a real need and one which communities can address. But short-term actions which leave people with the feeling of "at least we did something," in fact avoid the heart of the issues and the problems only fester and grow. This is undeniably what is happening before us today.

The proposal to add overnight accommodations at Father's Heart will add 59 new residents to our neighborhood. In the past anyone finding their way to Father's Heart for meals would either have to leave the area or stay in several of our parks to find a place to sleep. They were nameless transients in our community wandering the streets waiting for their next meal. Going forward with a shelter there will be no reason for them to leave, others will follow and we will have a growing community of homelessness. Portland's answer to "their problem" will be to send people to us. This is a fact, and it is occurring today.

Oregon City, and certainly the McLoughlin Neighborhood has limited resources and capacity. When demand exceeds our ability to supply true support, we will be no different than where Portland finds itself today. We do not have the ability to affect the lives of everyone in the homeless community, so let's make a difference for the ones we can. I know the homeless community is not a homogeneous group. Drugs, Mental Health, Broken Homes.....all contribute. Every one of these conditions will require resources on the road to recovery.

My real-life work experience brought me in direct contact with several of these conditions. The most common one was drugs. We had programs for people asking for help for their addiction problem, and if they stayed in the program, they could keep their job. We also had a Second Chance program for those who tested positive on a random drug test. They kept their jobs and were given a 1-year probationary period. **100% of the time** those that asked for help succeeded and those that were caught never made it.

With our limited resources I believe we need to focus on those that need and want help. If we choose to bring people into our community/home that are unable to help themselves, we are in affect adopting them. With adoptions there are expectations, responsibilities, and accountability. Put very crudely without a willingness to change and both parties doing their part, the shelter will just become another feeding station to spread the blight of homelessness.

My questions and concerns go beyond food and a place to sleep. That is not adoption, and it will not change our current course. If we stop there, there will be consequences largely only impacting the immediate de facto parents in the neighborhood. This is where we could say Not In My Neighborhood. There are real consequences. Property values are affected, I have had cars broken into multiple times and equipment stolen out of my fenced backyard. Our parks and library have become way points for afternoon naps and drugs. Our children feel unsafe walking through the McLoughlin House Park and down the steps to downtown. Often there are men sleeping on benches and in the tunnel, and there are signs of them urinating or defecating in the area.

There is a problem. Are we going to step up and fix what we what we can or are we going to take half measures and bear the consequences?

We have the following questions:

- Are the new residents seeking support to change their condition?
- What are the expectations for those being housed and fed? What will they be doing when they are not eating or sleeping at the shelter? Wandering through our neighborhoods or working on improving their situation?
- Would the residents be provided resources for drugs, mental health, employment etc.?
- Are there any “Adoptive Parents”, i.e., Police, Fire, City Government, Schools, Faith based orgs, and are they willing to provide the additional support needed?
- What resources are they willing to provide and what would they be accountable for?
- To provide the services needed what space would be required beyond a place to sleep and eat?
- Is the current location the best place for a shelter like this? As a tax paying resident of this neighborhood who works hard to provide a home and a safe place for my family to live, I would say no it is not. I would urge you to consider locating this shelter further from a neighborhood.

Let’s make a real difference. I am not in favor of any half measure that perpetuates and grows the current problem. I believe we should help those seeking help with the resources required. We can’t solve the whole problem so let’s pick those in need who are wanting help to change their situation. Taking half measures is a veiled attempt to “do something that feels good” and check a box, while asking the local neighborhood to chaperone societies orphans. It is unfair to the homeless and to their neighbors.

Sincerely,

Dale Gehring

817 Center St., Oregon City

503-709-6914/gehringdng@gmail.com

Diliana Vassileva

From: Miss K. Freeman <misskfreeman@yahoo.com>
Sent: Sunday, July 11, 2021 4:49 PM
To: Diliana Vassileva
Subject: Father's Heart

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to strongly oppose the application for Father's Heart allowance up to 49 guests.

This type of business never should have been allowed in a residential neighborhood to begin with.

It would be much more helpful- and functional being closer to other amenities and services the government and state have to offer. ie food stamps, job assistance offices etc. Not to mention closer to public transportation, grocery stores and day by day necessities for life.

I also don't know of any other "homeless shelter" that operates minimal hours- and very few days a week. Website says 16 hours a week open. Leaving their "clients" to roam around the neighborhood after closing at 4pm- with no other services or places to go. Stuck. Not to mention so many days and hours closed- rather pitiful services falling short. Perhaps instead of adding people- they could add service hours and days. Not very accommodating or helpful for the "clients" they have now-

I realize we need such a place in Oregon City. And I realize they have obviously gained enough stability to expand- and good for them for wanting to do more- but it needs to be in a bigger facility- closer to other services- and absolutely no way in a residential.

I also have great concerns for that high number of occupancy per square footage. That ratio in any other type of residence or business would not be allowed. Per not only City Code-, but also Fire Code. Unlike say a convenience store, or fast food restaurant where occupancy is a revolving door- this request is for guests per night. Not safe for anyone in any manner. Inside the facility- and surrounding neighbors.

It's time- time for them to move out and on- to be able to grow as needed- benefiting their ability to provide- the clients ability to receive better services and options around- and neighbors have their neighborhood back.

Thank you,

Kari Freeman
503-502-9093
916 Washington St
Oregon City, OR. 97045

[Sent from Yahoo Mail on Android](#)

Oregon City Building and Planning

221 Molalla Ave

Oregon City, OR 97045

I am Tina Irvine the Owner of 909 Center Street, Oregon City, OR 97045. I understand that there is a request to allow for a Conditional use Permit to allow Father's Heart to expand their services and allow 49 individuals at night. I would like to request that they not be allowed to do so.

As the single mother to my 12 year old son, I purchased my dream home on Center Street in October of 2020. I am also the Owner of Express Employment Professionals here on main street in Oregon City, 900 Main Street since 2015. I built my life and business here because I love this city and want to protect the integrity, livability, and to continue to provide a safe place for me and my son to live.

While I am all to aware of the homeless issues our city faces, I would like to express that the location, size and location of this increased service is less than ideal. My major concerns is where do 49 people go after the evenings shelter has closed? Drawing in additional individuals

Within the last two weeks, I have seen several transients, with their carts full of belongings and leaving them on my street corner. On center street, I have witnessed nudity by transients at McLoughlin House.

As a Business Owner, in Oregon City with my business being on Main Street, I already experience a lot of homeless and transient individuals that are at times, aggressive, threatening and in general do not treat our neighbor and community with much respect. On several occasions I have had to contact the local safety officers to manage these individuals.

Increasing the # of beds at Fathers Heart is without question is only going to increase these types of incidents. I want to be clear in that as an Oregon City Rotarian I have volunteered and made meals and have dopped off safety PPE during COVID to help support the efforts. I'm not opposed to Father's Heart, I value their mission; I simply do not want their shelter increased in bed size at the expense of my quality of life, home value and business expense.

In the fall my son will enter middle school and will need to take the bus. His bus stop is on 9th and Washington; as it already sits on a very busy road it frightens me to think of the people he maybe exposed to while waiting for the bus each day.

Thank you for your consideration -

Tina Irvine

900 Center Street, Oregon City OR 97045

7-29-21

Oregon City Planning Commission

I am a close home owner and neighbor of Tfh.

I wrote a previous letter before the first hearing relating several negative experiences and serious safety concerns, (including being physically threatened on my own property), both I and my fellow housemate have sustained during involuntary interactions with Tfh.

I have also sustained repeated trespassing and theft (from my porch, immediately next to my open screen door, on my property, on multiple occasions at my home at the hands of Tfh clients.

I feel my experiences reflect potential interactions that occur city-wide.

It's great to support those who need it, but in the right way and in the right location.

I am still perplexed as to how Tfh gained permission from the city in the first place to set up their facility in this location. I believe there should be a hearing about that, rather than even thinking about a plan to enhance services at this time. How is it that Tfh managed to avoid applying for any kind of permission of permit in the first place?

Adding services, and allowing this small residential location to expand their services short sighted and will not end well in my opinion.

Oregon City has had it's share of challenges, and I believe is now at the critical point of managing it's growth in an appropriate way that is good for everyone, including Tfh.

This decision made by the Commission will be a big part of the foundation of what Oregon City will be in the future. We want to be able to look back and see that we can be humane and supportive of our fellow man, while also elevating the city to it's higher potential. It is a very special city, and It is a decision that will stay with us.

I see it as proactively planning, rather than doing damage control due to lack of foresight.

Thank You Very Much,

A Concerned Neighbor

Diliana Vassileva

From: Rachael Schweiger <r_r_schweiger@yahoo.com>
Sent: Thursday, July 29, 2021 10:43 PM
To: Diliana Vassileva
Subject: Father's Heart

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to strongly oppose the application for Father's Heart allowance up to 49 guests.

This type of business never should have been allowed in a residential neighborhood! Nor should they have been allowed to bus people into Oregon City and leave them here with inadequate services and help that they need! It would be more helpful and functional closer to other amenities and services the government and state have to offer. ie public transportation, food stamps, job assistance offices, mental health resources etc. They operate minimal hours and leave their "clients" to roam around the neighborhood with no other services or places to go. They have taken over all the forest area between Willamette Falls Hospital and 213. Citizen clean it weekly and it still looks terrible, full of stolen grocery carts and garbage everywhere! What is the city doing about that?

I don't see how 49 people plus workers would be allowed in such a small space. Is that high number of occupancy per square footage even allowed? That ratio in any other type of residence or business would not be allowed per City or Fire code!

As a close neighbor, I don't appreciate having these facilities in my neighborhood and clients roaming around needing help they aren't getting, especially mental health! I'm a single mom with 4 kids and the clients will often sit in front of my house, yell at us in our home, can be found in our yard and our our property. I adamantly oppose 49 guests per night and request you move Father's Heart to a more conducive location for the clients and for the safety of your people in residential Oregon City!

Thank you,

Rachael Schweiger
[503-201-9434](tel:503-201-9434)
[911 Washington St](#)
[Oregon City, OR. 97045](#)

July 9-21

Oregon City Planning Comm.

My name is Sandra Peterson - 914 Wash St.
Oregon City. I am totally opposed for the
Allowance of Fattens' Hearts Application
to allow up to 49 people to stay at
night.

This Area is a Residential Area. We,
the residents maintain our homes and
properties - pay our taxes. I have already
had cans staying long hours in front
of my house. Sleeping and throwing
their empty cans on my property. I
feel if this Application is Approved -
the conditions will only worsen.

I'm also displeased that the planning
commission DID NOT inform the residents
in a timely. It seems they were trying
to push this proposal through under the
table.

Sandra Peterson

Diliana Vassileva

From: Mary Zellharie <mzellharie1of5@gmail.com>
Sent: Friday, July 30, 2021 2:51 PM
To: Diliana Vassileva
Subject: Fathers heart hearing for permit to have a warming shelter

Follow Up Flag: Follow up
Flag Status: Flagged

Planning commission

This letter is in regard for the Fathers Heart Warming Shelter. I have been a volunteer at the Warming Shelter at Fathers Heart for several years. It is a pleasure to serve since they have rules which reflect their expectations of their guests. The rules are fair and respect both guests and neighbors. The guests are expected to be courteous towards neighbors and I have not seen anyone being rude or obnoxious .

This Shelter saves lives. It has social workers to help guests solve some of the barriers that keep them from moving into housing. They have clothing and food and showers for those in need.... And this is the only shelter in the Oregon City area. We can't ignore or hide from the needs of our neighbors.
Please grant this permit.

Sincerely
Mary Zellharie

Sent from my iPhone

Diliana Vassileva

From: Eugene Zaharie <zaharie@comcast.net>
Sent: Friday, July 30, 2021 2:50 PM
To: Diliana Vassileva
Subject: Father Hearts warming center

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Soon the Oregon City Planning Commission will consider a Conditional Use permit sought by Father's Heart. I urge you to grant this permit to Fathers heart which has a long and successful presence in Clackamas County providing services to people in need. I live in Clackamas County (Milwaukie) and have volunteered in warming shelters in Portland, Milwaukie, as well as Fathers Heart which is well managed with very caring and competent staff. Please say yes we Can Save Lives by granting the Use Permit. Sincerely Eugene Zaharie

Sent from my iPhone

Non-Official Petition Opposing GLUA-21-00019/CU21-00002

The undersigned Oregon City residents urge the planning commission to deny the conditional use permit application CU21-00002 for a temporary night warming shelter at The Father's Heart at 603 12th Street Oregon City, in the Historic McLoughlin District. The Father's Heart sits in a long-standing residential neighborhood. The characteristics of the space are not suitable for the overnight shelter of 49 individuals per night; considering size, shape, location, and topography. It will continue to alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.

We realize homelessness is a growing problem in our city, county, state and nation. We compassionately understand the need for a warming shelter. However, allowing overnight shelter in this primarily residential neighborhood will negatively impact the livability and viability of the increasingly vibrant community we continue to establish. We urge the city council to address houseless and homeless issues in our community from a humanitarian perspective. This responsibility should not fall on the residents and business owners in this one neighborhood. Overnight shelters should be located near medical providers, social services, and other resources that will help houseless and homeless individuals transition from their current situation. This location does not meet those requirements.

We urge the Planning Commission and the City Commission to deny GLUA-21-00019/CU21-00002, as requested by The Father's Heart Street Ministry.

Timestamp	Email Address	First & Last Name or Business Name	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
6/28/2021 12:24:52	monicalwright@gmail.com	Monica Wright	1005 Jefferson street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 12:26:20	caraleethygeson@yahoo.com	Caralee Thygeson	620 11th st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 12:40:19	akthygeson@gmail.com	Adam Thygeson	620 11th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	We've had multiple negative issues with people experiencing homelessness with our home and our neighbors' homes as well. Father's Heart does good things, but it definitely should not be expanding, and frankly, it should be looking to relocate out of this residential neighborhood.
6/28/2021 12:54:10	amyhobbsha@gmail.com	Amy Ha	1109 Jefferson Street Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:00:45	Cathleen.schaff@gmail.com	Cathleen Schaff	707 10th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:01:11	brian.schaff@gmail.com	Brian Schaff	707 10TH ST	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:02:15	cschaff@lhs.org	Sarah Schaff	707 10th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:03:34	elizabethkhart@comcast.net	Elizabeth Morris	704 11th St, Oregon City, OR	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:15:10	jaimee@refineryboutique.com	Refinery Consignment	900 Main St Ste 108 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:16:50	jmichaelsonwebster@gmail.com	Jaimee Webster	1110 Hood View St, OC 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 13:37:01	kennycrippen@gmail.com	Kenny Crippen	1213 JQ Adams St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 15:08:59	cmasshardt@hotmail.com	Cheri Masshardt	1210 Jackson Street Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/28/2021 17:42:24	chell.schaefer@gmail.com	Michelle Schaefer	620 12th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

Timestamp	Email Address	First & Last Name or Business Name	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
6/28/2021 20:01:50	attaininggreatness@gmail.com	Phuong Ha	1109 Jefferson St. Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	I believe that overnight shelters should be located near medical providers, social services, and other resources that will help houseless and homeless individuals in a better supported manner, none of which are near the Father's Heart facility. Additionally, The Father's Heart talks about their "Good Neighbor Policy". My concern is that the policy DOES NOT cover anyone leaving the facility before and after. Numerous cases in which we, the neighbors living in the neighborhood, have had to witness the same people leaving the facility, sleep, urinate, rummage through private property, steal and other disorderly conduct that would otherwise not be so, if the facility was properly located near desired location that had the resources and utilities needed.
6/29/2021 13:57:12	cmasshardt@hotmail.com	Cheri Masshardt	1210 Jackson Street Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/29/2021 18:02:59	dbeasley@gmail.com	Denise Beasley	301 Madison St., Oregon City, OR	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	A homeless shelter is a wonderful idea. Unfortunately, the location of Father's Heart is contributing to crime and other disruptions in the surrounding neighborhood. Please encourage a change in the location that is not near homes. Thank you.
6/29/2021 19:05:33	purmack@gmail.com	Cameron Purcell	1113 John Adams St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Our daughter is afraid to go out in the front yard without a parent because she was approached and verbally accosted by a homeless person. She had to climb and jump over our fence to get away. We have also had upon returning home from work, homeless people lingering on our front porch, and yard.
6/29/2021 20:42:05	ecreesor@gmail.com	Erika Reesor	1303 JQ Adams Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
6/30/2021 15:44:01	marycarolyn@gmail.com	Mary Stivers	1111 John Adams	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/1/2021 11:20:38	r.gkeyser@gmail.com	Richard Keyser & Bibi Ara	1206 Washington st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/1/2021 12:06:34	dingathomasha@gmail.com	Dylan Ha	1109 Jefferson Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/1/2021 13:01:20	multijay@teleport.com	Jay Pearce	1214 Washington St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

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7/1/2021 13:09:46	greg@gregorylefever.com	Gregory LeFever	809 Washington Street, Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The Father's Heart, while well intentioned, is an inadequate solution to solving local homelessness, while presenting a potentially significant negative impact on the McLoughlin neighborhood. This negative impact is due to roaming transients, some of whom are drug users and some of whom are mentally and behaviorally challenged. The presence of users of The Fathers Heart intentionally or unintentionally attracts other homeless and disadvantaged persons, all of whom would be better served by a larger facility offering more and better services for them. Please deny this Conditional Use Permit. ~ Greg LeFever, 809 Washington, Oregon City 97045
7/3/2021 12:21:08	n.stewart@comcast.net	Nick Stewart	1110 Washington Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/6/2021 13:10:59	amanda.alwine@me.com	Amanda Alwine	1102 Jefferson st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Oregon city needs a comprehensive plan to deal with the homeless crisis before any further services are provided at Fathers Heart. Their organization is not equipped to tackle the magnitude of this alone. It is taking its toll on the neighborhood and downtown.
7/6/2021 17:55:30	sharon_nicholson@mentor.com	Sharon Nicholson	1114 Washington St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The location of this shelter, whether for day use or emergency cold weather overnight use is not a fit for a neighborhood filled with families and children.
7/6/2021 18:56:41	clint.nicholson@vesuvius.com	Clint Nicholson	1114 Washington St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Inappropriate location for this this facility.
7/7/2021 0:31:04	imhereforyou_always@yahoo.com	Michele Hayes	813 11th st Oregon city or 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/7/2021 17:11:45	sross@mrportland.com	Steve Ross	20418 S Driftwood Drive	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	After watching the previous daily activity around the facility as it was being used for a social needs center, I feel it would be unfair to the local neighbors to increase the area disruptions and discomfort by the proposed increased daily actions of the those using the proposed facility. I know for a fact that the members of the planning commission would not want to live next to the facility with increased activity based on past social activity problems. If you do feel comfortable then you should buy the local homeowners homes and move into the area.
7/7/2021 18:36:42	noramay9926@yahoo.com	Nora May	1110 Jefferson st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/7/2021 18:44:53	mayisaiah01@gmail.com	Isaiah May	1110 Jefferson St Oregon city, Or	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Oregon City
7/7/2021 19:34:38	reesorcurtis@gmail.com	Curtis Reesor	1303 JQ Adams St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

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7/7/2021 19:34:38	turretroom@gmail.com	Teri Poppino	720 11th St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/7/2021 20:37:05	jessicamiddletonmurray@gmail.com	Jessica Murray	612 12th St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The Father's Heart is not responsible with how they operate the day shelter, they should not be permitted to expand their services.
7/7/2021 20:39:12	murrc76@gmail.com	Colin Murray	612 12th St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	There needs to be a solution for local homelessness issues that does not have such a pervasive negative impact on the surrounding community.
7/8/2021 7:53:22	sitegardengroup@gmail.com	Max White	901 11th st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	This is a community full of young children and as a parent myself, I do not want to allow an environment which endangers the groups of children in this community.
7/8/2021 9:31:49	dscrutton@gmail.com	Dean Scrutton	921 Center Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Thank you for your consideration and please deny this permit which would continue to alter the character of this historic neighborhood for the families that live here!
7/8/2021 14:19:02	heidiandlulu@gmail.com	Heidi McKay	709 11th st Oregon city	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/8/2021 15:21:46	Cathleen.schaff@gmail.com	Cathleen Schaff	707 10th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	I live 2 blocks away. Currently, Father's Heart doesn't seem to have a handle on their day use facility let alone provide an overnight shelter. Furthermore, they moved into our neighborhood in 2012 under the radar and are trying to do the same with the shelter permit. They've not once engaged any of us (their neighbors) to introduce themselves or offer transparency or conversation about their presence or plans in our community. Maybe if they actually canvassed their neighborhood they would hear first hand our negative experiences since they moved in and offer suggestions/solutions instead of hiding and attempting to slide things through without considering the impact on our homes, safety and children. We've tried engaging them when incidents occur to no avail. We've had to resort to calling code enforcement and police. This isn't acceptable and we oppose the use of this facility as a shelter. It's not an appropriate space. It should be relocated to a business area that can offer mental health support, job resources and health care.
7/8/2021 16:44:46	ehansen06@gmail.com	Emily Fukuda	716 Center Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The influx of homeless due to Fathers Heart has made our neighborhood increasingly unsafe particularly while trying to raise my three small children. They constantly hang out all day across from our house at the McLaughlin house, they leave needles and trash in our yard, they sleep behind our fence in the 7-11 parking lot and in the tunnel under the stairs, they have yelled at us and attempted to steal from us. Please move them away from the neighborhood!
7/9/2021 18:08:27	Dereksilva@gmail.com	Derek Silva	1206 Grant St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/9/2021 18:15:31	Andrewdaviddominiqueha@gmail.com	Andrew Ha	1109 jefferson st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

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7/9/2021 19:07:30	heathersilva62@gmail.com	Heather Silva	1825 Davis Rd	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Please deny this
7/9/2021 19:07:51	oregoncityrob@hotmail.com	Robert Silva	1825 Davis Rd	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/9/2021 19:21:02	llejs4@gmail.com	Leanne Sevy	1205 13th st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/9/2021 19:21:34	zirkled75@gmail.com	Debra Zirkle	1206 Madison st .	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/9/2021 19:27:29	whitej68@yahoo.com	Janette White	1117 Madison St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Please realize that our residential area is important to us and should be an area where we feel safe and secure. And there should be a better place to house the homeless.
7/9/2021 19:29:49	gailbeagley59@gmail.com	Gail Beagley	1505 Harrison St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Please Deny this.. to much GARBAGE!!!
7/9/2021 20:02:34	tsteca@hotmail.com	Triton Property Management	1114 Washington Street, Oregon	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	This is not good for our neighbors who have worked to live in the area.
7/9/2021 21:16:33	macy.hashop@g.austinctc.edu	Macy Hashop	985 Hazelwood drive Oregon city	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Oregon City
7/9/2021 21:18:05	natewolfberg@gmail.com	Nathan Wolfberg	985 Hazelwood Drive Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/9/2021 21:22:34	kwolfberg@hotmail.com	Karen Wolfberg	1020 11TH Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/10/2021 4:46:32	Susans304@gmail.com	Susan Scharbach	1108 John Adams	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	As a close neighbor toTFH,I have experienced several negative events first hand.The idea of adding add'l services to an already inappropriately located resource is not the answer.
7/10/2021 6:21:53	dwheelerwfflc@gmail.com	Don Wheeler	19714 Wheeler Farm Rd	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/10/2021 7:16:47	meells114@gmail.com	Miranda Silva	1206 grant st, Oregon city, OR	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/10/2021 8:29:44	bluedoorvirtual@gmail.com	Shelly Smith	1526 17th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	This shelter placement adversely impacts one of the city's least affluent neighborhoods.
7/10/2021 13:37:24	bjoshiro2914@gmail.com	Bonnie Oshiro	716 10th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

Timestamp	Email Address	First & Last Name or Business Name	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
7/10/2021 14:35:38	gehringdng@gmail.com	Dale Gehring	817 CENTER STREET	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Father's Heart feeding shelter has had a negative impact on the livability of our neighborhood. It has brought people to our town who wander the streets between meals and sleep in the parks. We have had numerous thefts from our fenced backyard and vehicle break-ins. Just giving people a place to sleep will not solve the issue of their homelessness. A neighborhood is not a place for a homeless shelter.
7/10/2021 14:40:21	gehringmb@yahoo.com	Maribeth Gehring	817 Center St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	A neighborhood is not an appropriate place for a homeless shelter. Having Father's Heart in our neighborhood has brought crime and people wandering through our streets between meals. It has affected the livability our this area and has also negatively impacted property values for the homes adjacent to their property.
7/10/2021 16:24:31	semradjamie@gmail.com	Jamie Wheeler	19714 wheeler farm rd, Oregon c	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/10/2021 17:20:34	g.mckillip@yahoo.com	Gretchen Nation Mckillip	810 Jackson Street OC	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The increase in thief and littering/garbage since the opening of TFH is an embarrassment to our area and city. If they are allowed to include overnight accommodations, it will be a disaster for the neighborhood. Please do not approve the this permit.
7/10/2021 17:24:52	carrierltd@aol.com	Brian Carrier	810 Jackson Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/10/2021 18:26:27	kitty.m.owens@gmail.com	John & Kitty Owens	915 John Adams St.	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Dear Planning Commission: We have one little piece of old Oregon City left and this will make it unlivable.
7/10/2021 20:48:20	semradjamie@gmail.com	Jamie Wheeler	19714 wheeler farm rd, Oregon c	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/11/2021 7:41:36	heathersilva62@gmail.com	Heather Silva	1825 Davis Rd	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Please deny this
7/11/2021 12:15:04	zweigart.a@gmail.com	Ashley Zweigart	1720 14th St Oregon City, OR 97	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/11/2021 15:50:33	heathersilva62@gmail.com	Heather Silva	1825 Davis Rd	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Please deny this
7/12/2021 15:06:49	cmbd53@gmail.com	Cheryl Dexter	191 Valleyview Drive	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/12/2021 16:07:43	Tina.Irvine1@expresspros.com	Tina Irvine	909 Center Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/12/2021 16:09:48	zirkled75@gmail.com	Debra zirkle	1206 Madison st .	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

Timestamp	Email Address	First & Last Name or Business	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
7/12/2021 16:33:42	dkromer914@gmail.com	Dan Kromer	1112 John Adams Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	YES.....writens comments already submitted to the Planning Commission
7/12/2021 17:53:23	plpk914@aol.com	Pamela Kromer	1112 John Adams Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	See written comments that were submitted to Planning Commission on July 7, 2021
7/12/2021 19:07:49	rld49@comcast.net	Robert Dexter	191 Valleyview Drive	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/13/2021 8:56:41	jillfuge@gmail.com	Melinda Jill Fuge	1311 lincoln st. Oregon city or 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	This would hurt family neighborhoods and crime would increase. Unsafe
					Thank you. As an active resident of the McLoughlin neighborhood for 21 years, The Father's Heart has been both a huge challenge and for many a source of crime since its inception. The founder, who was essentially kicked out of her former space, greatly misrepresented her aims when approaching both the city and the neighborhood --- I know because I listened to her and then watched the mess unravel. From my perspective, the essential problem was that she required NO accountability in terms of respectful behavior from the people who used the center. So, of course, there was terrible abuse. She could have required every person to enter their information in a notebook, and been very clear that if the neighbors had film of them behaving inappropriately they would be banned from the center. Simple. She refused, and thus created a monster of license and harm to the very fabric of our neighborhood. The nearby neighbors have had to change their modest lifestyles greatly to accommodate the bad behavior, along with the Parks and Public Law Enforcement staffs throwing up their arms in frustration that there doesn't seem to be any solution. I want to emphasize here to the City Council that IF YOU DON'T REQUIRE ACCOUNTABILITY FROM THE HOMELESS, NO MATTER WHAT THE SOURCE OF THE HOMELESSNESS IS, THERE WILL BE NO PLACE FOR THEM THAT WORKS FOR BOTH ANY COMMUNITY OR THE HOMELESS THEMSELVES. If the founder of The Father's Heart had opened up this center in a more upper class OC neighborhood, it would have NEVER lasted this long. I suggest the City Council close it down immediately so the neighborhood can begin to heal, and meanwhile come up with a solution that includes accountability. Everyone, including the homeless, will benefit from this approach. Please don't turn your sight away from the truth of this problem, and give the OC residents the reprieve they are so in need of.
7/14/2021 7:30:43	francescairena@gmail.com	Francesca Anton	formerly 123 High Street, Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/17/2021 18:39:11	bobmargfoss@gmail.com	Robert and Margaret Foss	Oregon City Address	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	How many people have you got into housing so far? Who are you partnering with for that?
7/17/2021 19:07:13	wheaton.kaleigh@gmail.com	Kaleigh Wheaton	17381 Wake Robin Circle, Oregon City OR 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

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7/17/2021 19:50:43	karla.laws@gmail.com	Karla Laws	419 Roosevelt St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	We need to stop these operations around residential homes. Homeless cannot be tracked and there is too much crime, littering, and child sex offenders in this city. Homeless are not traceable. Kids need to come first homeless or not. Our neighborhoods cannot have operations of nonprofits acting as a business within our neighborhoods, the churches can't so why should The Father's Heart?
7/17/2021 20:06:16	dannieadamson@ymail.com	Dannie Adamson	502 Roosevelt Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/17/2021 20:19:20	timwraevercontriction@comcast.net	Tim Weaver	18021 Chickaree Dr	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Residential neighborhoods are not the place for homeless camps
7/17/2021 20:50:26	kermt13@q.com	Tracy Noble	18049 Newell Ridge Drive	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/17/2021 20:53:40	Rae@raegordon.com	Rae Gordon	1212 13th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The services should be in a commercial district like they were before they relocated to a residential area.
7/17/2021 21:30:01	kostow@onemain.com	Kathryn Kostow	915 Clearbrook Dr. Oregon City, Or 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/18/2021 9:02:43	bxgirl1124@Gmail.com	G Ramos	1713 8th #2 St 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/18/2021 9:27:27	deana.watkinson@hotmail.com	Deana Watkinson	13425 Applegate Terrace	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Stop giving non-tax paying criminals and drifters more power than the hard working, tax paying citizen!!!!!! The homeless go where they are invited. Shut down the invitation. Our city has suffered ever since they opened their doors. THE OC CRIME DATA SUPPORTS THAT STATEMENT. Crime skyrocketed when they moved in.
7/18/2021 9:30:02	bwatkinson@picknpull.com	Brendon Watkinson	13425 Applegate Terrace	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	This place should have NEVER been allowed to open it's doors in a residential neighborhood
7/19/2021 23:52:06	misspatty76@hotmail.com	Jen Lantz	530 Logus Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/20/2021 8:38:33	gavery@gavery.com	Gary A. Avery	418. Barclay Hills Drive	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/31/2021 21:09:00	Dlmul1@msn.com	Dan Murooney	915 Madison st	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/31/2021 21:15:08	cchance00@comcast.net	Candice Chance	923 9th Street, Oregon City, OR 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/31/2021 21:31:38	eleanorwynn3@gmail.com	Eleanor Wynn	I live in West Linn but empathize with the neighborhood	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	I have donated to Father's Heart and agree with the mission but not at the cost to the neighborhood. It needs to be relocated.

Timestamp	Email Address	First & Last Name or Business Name	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
7/31/2021 22:07:41	robbiehollister12@gmail.com	Robbie Hollister	616 10th st oregon city, OR 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/31/2021 22:19:23	mitchellbasecamp@aol.com	Kathy Mitchell	223 Monroe St Oregon City OR 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
7/31/2021 22:51:55	mindyjones456@icloud.com	Mindy Jones	911 JQ Adams St	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 5:29:14	katheryn.j.richardson@gmail.com	Katheryn Richardson	16012 apperson blvd oregon city 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 6:28:41	automotiveoutfitters@hotmail.com	Troy Cooper	12830 Joys Dr Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 7:26:44	kimamcrobbie@gmail.com	Kim Mcrobbie	445 Buckner Ln. Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	The homeless situation is out of control. They are not therapist or social workers. This does not belong in our community. Help find jobs and stop addiction not give a place to gather and be filthy in our yards.
8/1/2021 8:48:59	debramulrooney@gmail.com	Debra Mulrooney	915 Madison Street, Oregon City 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	Expanding services to the houseless in our neighborhood is not sustainable. We have experienced an increase in street and lawn debris, been solicited for money at our door by a person "representing" The Father's Heart, found a vagrant rummaging through our garage, and have had to retreat from our yard when someone under the influence was behaving erratically in front of our home. Our trash can and re-cycling are strewn about for us to clean up, police activity has increased, and it is no longer comfortable to walk after dark without some means of defense. Father's Heart clients appear to have multiple addiction, mental, and physical health issues and poor or non-existent social support networks. This organization needs to be evaluated and centralized outside of our neighborhood.
8/1/2021 8:58:30	raccomins@yahoo.com	Ruth Ozbek	14416 Brittany terrace Oregon city Oregon 97045	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 9:09:44	Rhyde29@gmail.com	Ron Hyde	15832 Stables pl	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 9:14:46	carmenhild@gmail.com	Carmen Hildebrand	135 Valley view dr	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	I do not live in the immediate neighborhood of the shelter, however the increase in transients in OC since Father's Heart moved to town has been enormous. Additional services being offered would just continue to increase the number of homeless in town, and the livability issues that come with that increase for residents. I use to walk my dog at Clackemette Park, but not anymore. It's truly unsafe with all of the homeless people there, many with uncontrolled dogs.
8/1/2021 10:13:23	shawncowen75@gmail.com	Shawn Cowen	19308 Leland Road, Oregon City	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	

Timestamp	Email Address	First & Last Name or Business Name	Oregon City Address	By selecting the below, I am signing this non-official petition.	Are there any additional comments you would like to add?
8/1/2021 11:17:31	smorris101@hotmail.com	Steve Morris	704 11th Street	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	
8/1/2021 13:00:21	terrystewart1@gmail.com	Terry Stewart	818 4th St, Oregon City, OR	I agree that the Oregon City Planning Commission should deny the conditional use permit CU21-00002.	I have lived in this neighborhood for 25 years and restored multiple homes here. I have personally experienced vandalism and theft over the past several years both to my personal residence and rentals. I have had to build fences and padlock the gates and crawlspaces in order to keep individuals out. I have found human feces on my properties as well as trash. My daughter has experienced confrontations on early mornings walks, especially on the promanade and surrounding area. The McLoughlin District is a residential neighborhood with families, children, elderly, etc. This sort of facility needs to be located outside of a residential area.

Diliana Vassileva

From: Kent Blair <503kento@gmail.com>
Sent: Monday, August 2, 2021 8:54 AM
To: Diliana Vassileva
Subject: The Father's Heart conditional use permit

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commission

My name is Kent Blair and I am writing today in support of The Father's Heart's conditional use permit. My wife Debbie and I have been volunteering at The Father's Heart for the past three and one-half years both at the day shelter and the emergency warming shelter. We have found our work there to be rewarding and are grateful for the opportunity to give a hand up to some of our societies most vulnerable citizens.

During our time at The Fathers Heart, we have been consistently impressed by the staff, volunteers and most of the clients desire to create an environment of calm and respectful behavior. There is a consistent diligent effort to be a good neighbor at all times. The clients themselves often hold one another accountable to appropriate behavior.

As I'm sure the commission is aware, the problem of homelessness is a growing and complex issue where no quick fix is available. Moving the homeless from one neighborhood to the next is not getting us closer to a solution. It is my view that more intense targeted efforts are needed and this is where the emergency warming center comes into play. By providing this life saving act of compassion, it gives the staff and volunteers the ability to build a relationship with the clients that builds respect and trust. This relationship is then used to initiate the beginning steps roward self sufficiency. During our time at The Father's Heart we have seen clients progress from full dependency to complete self sufficiency.

Our society won't solve homelessness with a single grand solution but we can make great strides with a series of small acts of compassion. I believe that the emergency warming shelter at The Father's Heart is a key step on the road to self sufficiency for many of Oregon City's homeless population. I urge the commission to approve The Father's Heart's application.

Thank you for your time,

Kent and Debbie Blair
19464 Wilderness Dr
West Linn OR 97068
503-841-8769

Dear Planning Commission...

In response to all of the negative feedback to the application for the Warming shelter please consider the following...

- We have successfully operated a warming shelter in this location since 2012
- We are saving lives when temps get low
- We are actually helping the community by providing a place for those in need to **get out of the cold and not seek refuge throughout the city and neighborhood**
- We have an accountability process in place as to behavior
- This is a humanity issue that the city should not/cannot turn its back to
- The outcry to houseless individuals behavior **is a very small percentage** as to all we serve...less than 5%
- We are working with OCPD, many agencies, housing programs and our own qualified staff to resolve issues for those that cause problems
- The houseless are from this county and this city...statistics prove that
- This permit process is about night warming center and not day time services
- Many/Most of the feedback is about day services, not factual information, is embellished, is scripted, is fear motivated, is rumors, and has been rallied by a very small group of individuals
- If not at our location, then where?
- We are qualified and experienced in operating the warming program for Clackamas County
- There is a false narrative as the quality of case management staff that are employed by TFH
- Most understand the need...those speaking the loudest just want it somewhere else
- Oregon City leaders encouraged TFH to apply for the permit. I have never heard anyone say they would deny a state of emergency warming to those in need...this permit would allow for better planning, organization, community involvement, and would be in line to their request

This is a brief overview and I am sure I have left out many positive, factual, and important points...the houseless crisis is real...though out the region... and The Father's Heart is a positive successful agency that has helped hundreds to find their place in society with fundamental human needs, jobs, help in crisis and yes a place they now call home...their own apartment or house...Lives are changing virtually every day because of the work we do...please don't allow emotion and unfounded opinions to decide the fate of those in need when cold out...

Respectfully

Marty Gant

President

The Fathers Heart

Diliana Vassileva

From: The Father's Heart <tfhrobin@gmail.com>
Sent: Monday, August 2, 2021 11:47 AM
To: Diliana Vassileva
Cc: Marty Gant; Jennifer Morris
Subject: Conditional Use Permit for an Emergency Warming Shelter

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission,

I want you to know that we have heard the concerns of neighbors that have contacted us. In the emails below, I have removed the name of the neighbor's email address and name. It is the same neighbor. I send this to show that we are willing to talk with our neighbors that are willing to call or have a direct conversation with us. I think these emails show that we listen, we are open to suggestions on how we can improve our services. I gave this neighbor my personal phone number to call me with any concerns. This neighbor has called me at times. I or my husband have responded by coming directly to The Father's Heart in a timely fashion.

I also received a phone call from a neighbor that told me that she could not rent out her bedroom because of someone she believed to be from The Father's Heart was walking through her neighborhood cursing. While no one has control over people like to walk in the neighborhood, I am aware of two very verbal men that frequent the neighborhood, both suffer from schizophrenia. One is someone that does not receive services from us. He is housed in West Linn and walks between the cities of West Linn and Oregon City. The other has received services from us for many years. This first gentleman fits the description I was given.

The second person that fits this behavior has been coming to The Father's Heart for years. We have clothed him, made showers available to him and fed him. He is tormented by voices and yet is very kind. We have been working with Mental and Behavioral health trying to reach him when no one else has not been able to. I am glad to report that since we improved the frequency of a medical doctor being at The Father's Heart weekly, we were able to get him engaged with the doctor. He was taken to the hospital and treated for a severe infection, placed on medication for his mental health and has been in our hotel voucher program for a few months now. We are doing our best to see where he can live with much needed supportive services.

After I spoke with this neighbor and clarified that there were people other than the unhoused that walk the neighborhoods that battle schizophrenia, we seemed to come to an understanding that this is a complicated issue for all of us.

It should also be understood that the neighbors that have stated they were not a part of the making of our Good Neighbor Policy are correct. The title comes from us conveying to our guests that it is important for US to be good neighbors. Most of the things listed in the policy were either established through the founder of TFH, some has been added as times change needs change and the most recent change was made after a conversation with a neighbor across the street. The neighbor met with me and brought up the discomfort they felt with a line of people on the sidewalk. We have changed our main entrance to the Washington St. entrance in hopes that it would be move the majority of people people being served standing in the corner parking lot and a minimal amount of people on the sidewalk coming to receive their mail or use the restroom.

Thank you for your consideration. I hope that you see that we are mindful of our surrounding housed neighbors and at the same time we want to save lives through providing an emergency warming shelter.

From: **The Father's Heart** . <tfhrobin@gmail.com>

Date: Wed, Jun 10, 2020 at 4:01 PM

Subject: Re: Man in the neighborhood

To: (Removed)

"J",

Thank you for letting me know. The description doesn't fit anyone that comes to mind, but I will pass it on to my staff to keep their eyes open. That is not okay. I would be curious if he was released recently from jail. I have learned that sometimes the "new faces" are being released from jail and they are not from around here. I would also think you would have to be under the influence of something to knock on someone's door in the middle of the night or at the very least have mental health issues.

In any case, this is not okay. Any cross streets given near this home that I could be aware of?

I will look into this matter seriously,

Robin Schmidt

----- Forwarded message -----

From:

Date: Wed, Jun 10, 2020 at 4:27 PM

Subject: Re: Man in the neighborhood

To: The Father's Heart . <tfhrobin@gmail.com>

Thanks Robin. I gave the neighbor your email. It was posted on NextDoor. It was the McLoughlin neighborhood, this one, which is why I reached out. I think it was Saturday night.

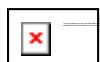
"J"

On Jun 10, 2020, at 4:04 PM, The Father's Heart . <tfhrobin@gmail.com> wrote:

Do you know what night this was? I did have someone come this morning and ask to use the phone to call out of state. I did not recognize him as coming before, but now that I think of it he had long blonde hair and cap. I will see if he comes tomorrow.

Thanks again,

Robin



Virus-free. www.avast.com

Sun, Jun 7, 2020 at 12:02 PM wrote:

Robin,

This was posted last night in NextDoor for the McLoughlin neighborhood. Another issue of knocking on doors. The description of the man is at the end. Not sure if it's one of your guests, but if it is I wanted you to know. Another reason why clear boundaries and guidelines in the neighborhood are important.

Man Knocking on Door Near Midnight

A man knocked on our front door just now, said he was new to the area and asked to take a shower in our home. It makes me VERY uncomfortable that he felt it was okay to approach our front door at midnight let alone with that request. He appeared to be under the influence of something according to my husband. I usually feel very safe and relaxed in this neighborhood but this was an odd occurrence and makes me uncomfortable, especially having a young child. We will definitely be double checking that all doors and windows are secured, keeping lights on and probably not sleeping much tonight. Just wanted to spread the word. Stay safe! Person 1 Hair: Long, blonde, wearing flat bill hat Top: Carhartt brand/style jacket Age: 25-30 Sex: Male Race: White Physical Build: Thin, maybe 5'10" 160lbs I have reported this information to the police.

"J"

--

Robin Schmidt, Executive Director
The Father's Heart Street Ministry

----- Forwarded message -----

From: **The Father's Heart** <tfhrobin@gmail.com>

Date: Fri, Dec 4, 2020 at 9:05 AM

Subject: Re: Services and Good Neighbor Policy

To: Jessica Middleton Murray <jessicamiddletonmurray@gmail.com>

Good Morning "J",

I hope you are doing well. Just checking in to get your important perspective on how we are doing across the street from you. We hope to be starting our emergency warming shelter soon. This year, because of COVID, we are limited to less than half of what we have been able to take in the past years. It should prove to be very quiet. We are working with Clackamas County in placing the homeless that meet certain criteria in hotels since shelter is limited during this time due to COVID regulations.

Do you have anything you would like to share with us from the recent months regarding how we are doing in your area?

Thank you,

Robin Keating, Executive Director
The Father's Heart Street Ministry

Hi "J",
I hope you and your family are doing well. I wanted to let you know that we have finished providing our emergency warming shelter this year as of 3/31/21. I hope that you have found us to be a good neighbor.

In our efforts to always be looking for ways to improve what we do, would you have any observations and perspectives you would like to share with us? We want our neighbors to know that we are more than happy to talk with them about any concerns they may have regarding the services we provide and how we provide them.

In our office visit a while back, you made some wonderful suggestions regarding the lines of people on 12th St. Has that improved since we made the main entrance on Washington St. and the secondary entrance on 12th St.?

At this time, we plan to continue to make the parking lot on the corner of 12th and Washington where our guests can smoke and the parking lot across from your home for parking only. It seems to be working well.

Our number of people receiving on site services is about 1/3 of what it was pre COVID. This is due mainly to the large amount of our guests that are elderly or with serious chronic health issues being referred by us into hotels. Another reason our count is down is due to several of our previously chronically homeless guests are in their own apartments now.

We have been working very hard to find ways to help our guests reach sustainability. By working with mental health professionals, OCPD and other experts in Social Services, we are seeing more people reached with individual services that they have needed for so long.

Thank you for taking the time to read this email. Please don't hesitate to call. 503-722-9780. I look forward to any feedback you could give us on how we've been doing through the winter season, especially pertaining to our Emergency Night Shelter.

Giving Hope to the Houseless,

Robin Keating, Director of Human Services
The Father's Heart Street Ministry



August 22, 2016

RE: My Father's Heart Similar Use Determination

To whom it may concern:

The following is a summary of a similar use determination made by the Community Development Director with respect to the "My Father's Heart" day shelter and ministry located at 603 `12th Street in Oregon City.

The initial conversation on the potential for locating the ministry at this location began on or about June 28, 2012 with an exchange of emails from Troy Kay and Teri Gant of My Father's Heart ministry, sent to Planner Pete Walter.

Staff requested information describing the proposed activities, prior use and other details pertaining to the ministry and the site. The site consists of 2 tax lots zoned MUC-1, Mixed Use Corridor 1 with street frontage on Washington, 12th and John Adams. The building was previously used by Clackamas County for a satellite Sheriff's office, and for the Clackamas County Sheriff's Department Community Corrections program.

Father's Heart described itself as a Non-Profit social service agency meeting the needs of no/low income individuals and families in Clackamas County. They are partially funded by Clackamas County and work specifically with Social Services, Community Solutions and Parole/Probation. They also work with Bridges To Change, CSAP, Iron Tribe and NARA, as well as the general public. They provide the following services:

- Clothing Exchange
- Hygiene Items
- Food Boxes (end of the month)
- Counseling
- Self Help Classes
- Computers
- Sack Lunches
- Possible Showers

On June 28, 2012, staff requested the following further information:

- What is the maximum number of people you expect to serve on a weekday / weekend?
- Do you anticipate any special parking needs / requirements?
- How does the sack lunch program function? Is it at a specific time every day or would people be able to come in at any time throughout the day and pick one up?

Staff received the following email response from Pastor Teri Gant:

"We plan on serving approx... 50 -60 people throughout the day, much like any other business."



There are already 3-4 handicap parking spaces, if needed, so no need for more. There is also an ADA restroom on sight if one should be needed (from previous Sheriff & social service).

We are not open to the public on weekends; closed Saturday thru Monday. We are open 4 days a week; Tuesday thru Friday.

The sack lunch program is usually afternoon. If anyone should need one. However, we are willing to change whatever is needed to comply."

Following discussions with the Deputy City Attorney Jennifer Bragar, with copies and acknowledgment by City Attorney Ed Sullivan, and after reviewing the information provided, the MUC-1 zoning and the permitted uses for the MUC-1 zone, staff's decision was made to treat the proposed use as a permitted use under OCMC 17.29.020.H and P.

H. Offices, including finance, insurance, real estate and government;

P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;

No further planning review was required since a change in use was not occurring. The determination above was made by the Community Development Director based upon the sufficiency of the information provided by the applicant.

RESOLUTION NO. 17-29

A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY AND THE OREGON CITY RETIREMENT CENTER FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street and the Oregon City Retirement Center (OCRC) located at 515 10th Street, have available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, in conjunction with Clackamas County Housing and Social Services, TFHSM and OCRC are willing to provide shelter in the existing facilities, and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, TFHSM facility would house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from December 6, 2017 to March 15, 2017; and

WHEREAS, OCRC facility would house up to 16 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from December 6, 2017 to March 15, 2017; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street and the Oregon City Retirement Center (OCRC) located at 515 10th Street, due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency until 7 a.m. Thursday, March 15, 2018.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of up to 49 individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Based on the emergency identified above, the City Commission grants to OCRC an exemption from the Oregon City Zoning Code for the sheltering of up to 16 individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Section 3. TFHSM and OCRC are authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

Section 6. This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at the City Commission held on the 6th day of December 2017.



DAN HOLLADAY, Mayor

Attested to this 6th day of December 2017:



Katie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

RESOLUTION NO. 18-30

A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street has available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, TFHSM facility may house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 32 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from November 15, 2018 to March 15, 2019; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. November 15, 2018 until 7 a.m. March 15, 2019.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of up to 49 individuals from 6

p.m. to 7 a.m. each day the temperature 32 degrees or below, including wind chill factor, for the duration of the emergency.

Section 3. TFHSM is authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

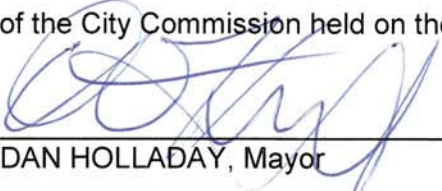
Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

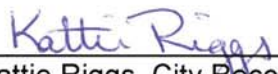
Section 6. This resolution shall take effect November 15, 2018.

Approved and adopted at a regular meeting of the City Commission held on the 17th day of October 2018.




DAN HOLLADAY, Mayor

Attested to this 17th day of October 2018:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

Attachment:

Exhibit A – The Father's Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy

RESOLUTION NO. 18-42

A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street has available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, TFHSM facility may house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from November 7, 2018 to April 15, 2019; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. November 7, 2018 until 7 a.m. April 15, 2019.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of up to 49 individuals from 6

p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Section 3. TFHSM is authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

Section 6. This resolution shall take effect immediately.

Approved and adopted at a regular meeting of the City Commission held on the 7th day of November 2018.



DAN HOLLADAY, Mayor

Attested to this 7th day of November 2018:



Katie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

Attachment:

Exhibit A- The Father's Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy

RESOLUTION NO. 19-35**A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS**

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, the City is in the process of adopting shelter regulations; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street has available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, TFHSM facility may house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from November 1, 2019 to March 15, 2020; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. November 1, 2019 until 7 a.m. March 15, 2020.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of up to 49 individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Section 3. TFHSM is authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).


Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

Section 6. This resolution shall take effect November 1st, 2019.

Approved and adopted at a regular meeting of the City Commission held on the 16th day of October 2019.


 DAN HOLLADAY, Mayor

Attested to this 16th day of October 2019:


 Katie Riggs, City Recorder

Approved as to legal sufficiency:


 City Attorney

Attachment:

Exhibit A – The Father's Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy

RESOLUTION NO. 20-34

A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines "emergencies" to include "any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather"; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to "order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency"; and

WHEREAS, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

WHEREAS, The Father's Heart Street Ministry (TFHSM) located at 603 12th Street has available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

WHEREAS, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

WHEREAS, the zoning designation of the site requires that overnight use of the facility receive Conditional Use land use approval. TFHSM submitted a Pre-Application Conference request, which is the first step in a Conditional Use process; and

WHEREAS, The Father's Heart Street Ministry indicated that the COVID-19 pandemic, recent wildfires, and new Planning Division address have delayed the ability to submit required land use review; and

WHEREAS, TFHSM facility has previously been approved to house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency; and

WHEREAS, the capacity of TFHSM facility over the winter is unknown due to the spacing requirements associated with COVID-19; and

WHEREAS, the forecast identifies freezing weather; and

WHEREAS, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

WHEREAS, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. on November 5th until 7 a.m. January 21, 2021.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency, from November 5, 2020 to January 21, 2021. The number of individuals allowed shall not exceed the number of individuals allowed pursuant to the Oregon Health Authority under Section 4.

Section 3. TFHSM must be authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

Section 4. TFHSM must comply with COVID-19 regulations by the state and the Oregon Health Authority which will likely limit the number of individuals onsite.

Section 5. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 6. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X L. Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

Section 6. This resolution shall take effect November 5th, 2020.

Approved and adopted at a regular meeting of the City Commission held on the 4th day of November 2020.



RACHEL LYLES SMITH,
Commission President

Attested to this 4th day of November 2020:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

Attachment:

Exhibit A – The Father's Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy



CITY OF OREGON CITY PLANNING COMMISSION MINUTES

Virtual

Monday, May 10, 2021 at 7:00 PM

This meeting will be held online via Zoom; please contact planning@orccity.org for the meeting link. In-person attendance will not be available.

CALL TO ORDER

Chair Schlagenhauer called the meeting to order at 7:00 PM.

Present: 6 - Chair Dirk Schlagenhauer, Commissioner Christopher Staggs, Commissioner Mike Mitchell, Commissioner Gregory Stoll, Commissioner Patti Gage, and Commissioner Daphne Wuest

Absent: 1 - Commissioner Lisa Novak

Staffers: 3 - Community Development Director Laura Terway, Senior Planner Pete Walter, and City Attorney Carrie Richter

PUBLIC COMMENT – None

PUBLIC HEARING

1. LEG-21-00001: Proposed Annexation Code Amendments

Chair Schlagenhauer opened the public hearing.

Pete Walter, Senior Planner, presented the staff report. He discussed the purpose of the annexation amendments, example summary of the development process, infrastructure review during development, proposed redlines, public comments received from Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO), and timeline for adoption.

There was discussion regarding the annexation procedure under SB 1573 and the circumstances where the City would still send annexations to the voters. The Commission then discussed the proposed redlines. Suggestions included: clarifying the neighborhood meeting for inactive neighborhood associations would be done with the CIC, the neighborhood meeting was a requirement not a positive factor in evaluating the application, revisiting the public involvement requirements in the future, the narrative statement as well as the adequacy and availability of public facilities should include broadband and other communication infrastructure, the mitigation for development impacts should include how the mitigation would be funded, the factor that large annexations had to secure a master plan approval prior to development should not be a factor but a requirement, add a new factor that the annexation provides land for development to meet urban needs for housing and/or jobs, add landslides to the natural hazards to be identified,

combine factors 10 and 11 regarding significant adverse effects, pass on concerns about the unintended consequences of the tree removal language, and for the factor about the annexation being in the best interest of the City, the application would have to meet two of the criteria unless it significantly met criteria b.

A motion was made by Commissioner Mitchell, seconded by Commissioner Wuest, to recommend approval of LEG-21-00001 to the City Commission with the changes as proposed. The motion carried by the following vote:

Aye: 6 - Chair Dirk Schlagenhauser, Commissioner Mike Mitchel, Commissioner Daphne Wuest, Commissioner Gregory Stoll, Commissioner Patti Gage, and Commissioner Christopher Staggs

APPROVAL OF MINUTES

2. Approval of Minutes for July 13, 2020

A motion was made by Commissioner Staggs, seconded by Commissioner Gage, to approve the July 13, 2020 minutes. The motion carried by the following vote:

Aye: 4 - Chair Dirk Schlagenhauser, Commissioner Mike Mitchel, Commissioner Patti Gage, and Commissioner Christopher Staggs

Abstain: 2 - Commissioner Daphne Wuest and Commissioner Gregory Stoll

COMMUNICATIONS

Laura Terway, Community Development Director, invited the Commission to a joint Work Session with the City Commission on June 8 regarding the Comprehensive Plan update. The City Commission had a Work Session tomorrow regarding HB 2001. She then gave an update on the City Commission goals and budgeting process.

ADJOURNMENT

Chair Schlagenhauser adjourned the meeting at 9:25 PM.