

HB 2006 -1 STAFF MEASURE SUMMARY

House Committee On Housing

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Meeting Dates: 2/23, 3/9

WHAT THE MEASURE DOES:

Requires local governments to approve a qualified application for the development or use of land for an emergency shelter, notwithstanding local land use regulations, zoning ordinances, comprehensive or other locally-adopted plans. Requires that qualifying emergency shelters be located within an urban growth boundary or area zoned for rural residential use; comply with applicable building codes; and include sleeping and restroom facilities and adequate transportation access to commercial and medical services. Prohibits the permitting of shelters that pose any unreasonable public health or safety risk or would result in the development of a new building that is sited within a flood plain or other area vulnerable to natural disasters or environmental health hazards. In addition to required no-cost services, allows emergency shelters to provide showering or bathing facilities, storage facilities, laundry facilities, food service, recreation area for children and pets, case management, and other services incidental to shelter, and to charge a fee of no more than \$300 per month for clients who request and are able to pay for these additional services. Clarifies that local government approval of an emergency shelter is void unless it is operating within two years following approval. Clarifies that approval of an emergency shelter is not a land use decision and is subject only to a circuit court judgement. Repeals local government ability to site emergency shelters per the provisions of this act on July 1, 2022; does not affect an application that has been completed and submitted prior to the repeal date.

Expands transitional housing accommodations types to include parking lots or facilities for individuals or families to stay overnight in a motor vehicle, regardless of whether motor vehicle was designed for use as temporary living quarters. Allows political subdivision to establish and impose maximum allowance for overnight vehicles at churches or religious institutions offering overnight camping space.

Directs Housing and Community Services to administer the Emergency Housing Account, and allows department to expend funds for technical assistance and training resources for organizations developing and operating emergency shelters or transitional housing accommodations. Directs agency to award grants for the construction and operation of low-barrier emergency shelters and no-cost amenities and services, including rapid rehousing services. Requires agency to allocate funding to community action agencies and other applicants through a competitive process throughout the state and prioritize areas of highest need as identified in the August 2019 Statewide Shelter Study. Repeals Emergency Housing Account provisions per this Act on January 2, 2024.

Allows the Oregon Department of Administrative Services to award grants to local governments to develop, construct, and operate navigation centers. Requires that a local government grant recipient establish and begin operating a navigation center by July 1, 2022, in order to retain grant moneys.

Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Flexibility for local governments in siting emergency shelter in areas where unsheltered homelessness is on the rise
- Specific needs for winter sheltering and shelter for domestic violence survivors
- Ensuring that emergency shelters provide adequate transit access to health and commercial services
- Shortfall in emergency shelter beds estimated at 5,800

EFFECT OF AMENDMENT:

-1 Allows political subdivision to allow any public or private entity to provide overnight camping on the entity's property to homeless individuals living in vehicle. Allows entities to establish and impose reasonable conditions, including a maximum number of vehicles allowed.

No revenue impact; fiscal impact statement issued.

BACKGROUND:

Oregon's rate of homeless individuals who are unsheltered is one of the highest in the United States. A 2019 Urban Institute report found that 24 percent (10,142 individuals) of homeless individuals in Oregon were unsheltered. According to Oregon Housing and Community Services, the number of unsheltered homeless individuals has increased by 37% since 2015, and the department's 2019 Statewide Shelter Study calculated a shortfall of 5,800 emergency shelter beds for individuals and families. The health and economic impacts of the COVID-19 crisis, as well as individuals and families displaced by last year's wildfires, underscores the need for safe shelter to meet the health and safety needs of a growing homeless population.

In June 2020, the Legislative Assembly passed HB 4214 in the First Special Session to provide temporary shelter to individuals and families lacking permanent housing. The measure allowed local governments and certain non-profit organizations to locate and develop emergency shelters in available buildings or on undeveloped sites without the need for any land use approvals, such as a zone change or conditional use permit, for the underlying property. It established similar provisions for the development and operation of navigation centers, defined in statute as low-barrier emergency shelters open seven days per week with the purpose of connecting homeless individuals and families with health services, permanent housing and public benefits. The provisions of the measure were repealed on September 28, 2020, 90 days after the effective date of HB 4214.

The state expanded the statutory interpretation of transitional housing in 2019 to allow individuals without safe housing to be included among eligible residents, and it removed a two-parcel limit on campgrounds established for providing transitional housing accommodations.

House Bill 2006 requires local governments to approve a qualified application for the development or use of land for an emergency shelter, notwithstanding local land use regulations, zoning ordinances, comprehensive or other locally-adopted plans. It allows local governments to approve an emergency shelter application through July 1, 2022. It expands the definition of transitional housing to include a motor vehicle parked in a parking lot or facility that allows an overnight stay. It directs Oregon Housing and Community Services to expend Emergency Housing Account funds for technical assistance for organizations to develop and operate emergency shelters or transitional housing accommodations until January 2, 2024. It also allows the Department of Administrative Services to award grants to local governments to develop, construct, and operate navigation centers on or before July 1, 2022.