

Chapter 8.45 Temporary Lodging Facilities Question/Answer sheet

If adopted, where would this ordinance apply? A temporary lodging facility either indoor or outdoor anywhere in the City provided it was located at least 500 feet away from another facility, a park, a school and/or a daycare center, met all City regulations and was found by the City to be compatible with the quiet enjoyment, health, safety or welfare of adjacent properties or the well-being of the surrounding area and/or the Coos Bay community.

Who would be considered a qualified Lodging facility operator? Any noncommercial entity meeting the standards and criteria of the City who would provide temporary shelter at no cost.

What is considered “temporary” under these regulations? 30 consecutive days and 90 days in a single calendar year.

What’s the definition of a Temporary Lodging Facility? A building, buildings or area of land for parking vehicles on private property for family and/or individual for temporary and noncommercial (less than 30 consecutive or 90 days per family or individual in a single calendar year) overnight accommodations for families and/or individuals transitioning to a long-term housing solution. An indoor lodging facility meeting City fire and life safety requirements may offer beds, meals, shower, laundry or other amenities within a structure of a Lodging facility operator subject to an annual inspection by the City for life/safety code compliance and compliance with Coos County Health Department Requirements. Outdoor lodging facilities are parking lots to provide parking for vehicles to be used as shelter on a temporary basis.

For the purposes of these regulations, what’s considered a vehicle? A car, truck or recreational vehicle 1) of one hundred square feet or less; 2) occupied by no more than two (2) persons per car or truck and no more than four (4) persons per recreational vehicle; 3) hold current DMV registration; 4) be operational and capable of moving within a 4-hour notice on its own power; and 5) have four (4) working tires.

What’s the authorization process for an indoor lodging facility? The process would begin with a no-cost pre-application conference with the City Building Official, Fire Chief and Public Works/Community Development Director. The proposed lodging operator would provide a draft Facility proposal with a site plan, floor plan and management plan consistent with the city’s requirements. The property owner would provide the Building Official and Fire Chief access to the proposed facility for an on-site inspection to assess the structures layout and compliance with Building Code requirements. Within ten (10) working days of the pre-application meeting, the Building Official will provide a written assessment of the proposed facility to the property owner relative to compliance with Building Code requirements.

For an indoor temporary lodging facility, an application to the Director would be submitted following the pre-application conference and would include:

1. A floor plan identifying:
 - a. the location and square feet of sleeping and gathering area,
 - b. smoke/fire detection and carbon monoxide detectors,
 - c. restroom amenities, including location and number of sanitation fixtures,
 - d. the route guests would use to exit or enter the proposed sleeping and gathering areas, and the area in square feet proposed for sleeping and gathering.
2. A site plan identifying parking location for guest parking on-site.
3. A facility management plan addressing:
 - a. The number of individuals to be served.
 - b. Eligibility criteria, enforcement rules, and procedures for disruptive guests.
 - c. Number and responsibilities of on-site Lodging facility operator staff, training standards, copy of the facilities insurance policy naming the City as an additional insured party, management procedures, security procedures and a primary and secondary contact person.
 - d. Refuse collection.
 - e. Security procedures.

- f. Compliance with Coos County Health Department requirements.
 - g. The requirements of 8.45.045(A)
 - h. An emergency contact phone number and any additional information requested by the Director.
4. Insurance. A copy of a general liability insurance policy with limits of not less than one million dollars. A copy of the certificate of insurance shall be provided to the City prior to issuance of a temporary lodging facility permit.

For an outdoor temporary lodging facility, prior to submittal of an application, the property owner and lodging facility operator would have a pre-application conference with the City Engineer and Director and provide a draft facility proposal to allow on-site vehicle parking for the purpose of sleeping accommodations. Additionally, the property owner would provide the City Engineer access to the proposed facility for evaluation of the parking lot design and site ingress/egress. Within ten (10) working days of the pre-application meeting, the Director will provide the property owner with a written assessment of the proposed facility. A site plan, management plan and insurance would also be required with the pre-application and include:

- 1. Site Plan:
 - a. Location and distances to residential properties, public transportation, and location of designated overnight parking spaces.
 - b. The permitted locations for an amount pre-determined by the property owner during the permitting process with a maximum of 5 recreational vehicles, automobile or truck parking unless otherwise authorized by the City Police Chief and Fire Chief.
 - c. ADA Restroom amenities, including location and number of sanitation fixtures,
 - d. Property ingress and egress,
 - e. Property lighting,
 - f. Trash and recycling facilities.
- 2. A Facility Management Plan addressing:
 - a. The number of individuals to be served.
 - b. Eligibility criteria, enforcement rules, and procedures for disruptive guests.
 - c. Number and responsibilities of on-site Lodging facility operator staff, training standards, other management procedures, and a primary and secondary contact person.
 - d. Refuse collection.
 - e. Security procedures.
 - f. Any additional information requested by the Director.
 - g. Any other requirements specified in the regulations.
 - h. An emergency contact phone number and any additional information requested by the Director.
- 3. Insurance. The temporary lodging operator will maintain in force and effect a policy of general liability insurance with limits of not less than one million dollars. A copy of the certificate of insurance shall be provided to the City prior to issuance of a temporary lodging facility permit.

What's the timeline for City action on an application for a Temporary Lodging Facility Permit?

Within ten working days of the receipt of a complete application, the Director will notify all owners and occupants within a 500-foot radius of the proposed facility site that an application has been received and is available for ten (10) working days for public review and comment. At the end of the ten working day period, the Director shall consider the public comments and provide a recommendation to the City Manager for action. Within ten (10) days of receiving the recommendation, the City Manager will act upon the temporary lodging facility permit. To approve the permit, the City Manager must find that the facility proposal 1) meets the City's regulations for a temporary lodging facility; 2) will be compatible with the use of adjacent properties, and 3) will not constitute a nuisance or a threat to the public welfare.

Are property owners notified of an approved Permit? Yes. The City Manager will notify owners and occupants within 500 feet of the proposed facility site of his decision with advisement that the decision can be appealed to the City Council within ten (10) working days of his decision date. If the temporary facility permit is authorized, a copy of the Permit will be included in the notification to owners and occupants. If the temporary facility permit is denied, reasons for the denial will be included in the notification.

Can the City Manager's decision be appealed and if it is, what is the notification requirement? Yes. Should the City Manager's decision be appealed, the City shall, within ten (10) working days of the receipt of the appeal, notify all owners and occupants within a 500-foot radius of the proposed facility site that an appeal has been filed and the date of the appeal public hearing. The City Council, in a public hearing shall affirm, modify or reverse the revocation within thirty (30) days of the date of the appeal of the City Manager's decision.

What are the Standards required by the City to operate an Indoor Temporary Lodging Facility? The facility can't be located within 500 feet of another facility, kindergarten through 12th grade curriculum school or, child care center, or park as measured from the closest property line.

1. Appropriately sized and located exterior and interior on-site waiting and intake areas shall be provided. When abutting a residentially-zoned property all areas for Indoor facility activities and uses, including but not limited to waiting and intake, personal storage, facility storage, and recreation, shall be located indoors.
2. The lodging facility operator will provide on-site management services and security for the guests and staff during all open hours of the Indoor facility.
3. The indoor facility shall comply with city and state health and safety codes.
4. Maximum occupancy for overnight guests shall be determined by the Building Official and Fire Chief.
5. One (1) parking space for every three guests shall be provided on site. One (1) space per employee on the largest shift shall also be provided. A covered and secured area for bicycle parking shall be provided for use by staff and guests commensurate with demonstrated need.
6. On-site management by the lodging facility operator shall be provided at all times the indoor facility is in operation and at least one hour prior to and after indoor facility operation hours.
7. Exterior lighting on pedestrian walkways and parking areas on the indoor facility premises are required. All lighting shall be stationary, directed away from adjacent properties and public right-of way, and of an intensity compatible with the neighborhood.

What are the Standards required by the City to operate an Outdoor Temporary Lodging Facility? The outdoor facility cannot be located within 500 feet of another facility, kindergarten through 12th grade curriculum school, child care center, residential area or park as measured from the closest property line of the proposed outdoor facility.

1. The number of overnight vehicles at the outdoor facility shall not exceed five (5); unless otherwise authorized by the Chief of Police and the Fire Chief with requirements for additional garbage disposal and toilet facilities.
2. Sleeping outside a vehicle at the outdoor facility is not permitted.
3. Vehicles shall be located on paved areas only.
4. Restroom accommodations shall be made available for individual use.
5. Garbage disposal services shall be provided.

What's the process to modify a permit? The City Manager can accept applications for permit modifications. Modifications must meet the intent of the city's regulations, cannot conflict with the facility occupancy and parking requirements but cannot conflict with the health, safety and welfare of Coos Bay citizens. The same neighborhood notifications required of a temporary lodging facility would apply to requests to modify an existing permit.

Under what circumstances could a Temporary Lodging Facility Permit be revoked? The City Manager can revoke a permit if the permit requirements are violated, if the facility operator violates any applicable federal, state or City law, ordinance, rule, guideline or agreement or if the facility is determined to be incompatible the quiet enjoyment, health, safety or welfare of adjacent properties or the well-being of the surrounding area and/or the Coos Bay community.

To revoke a Permit, the City Manager will notify all owners and occupants within a 500-foot radius of the Facility site that revocation of the Permit is under consideration for ten (10) working days period for public comment. At the end of the ten working day period, the City Manager shall reach a decision on the action to be taken related to the permit.

The City Manager will notify owners and occupants within 500 feet of the proposed facility site of his/her decision and reasons regarding the revocation and that his decision can be appealed to the City Council within ten (10) working days of his/her decision date.

The City Council shall, if the City Manager's decision is appealed, affirm, modify or reverse the City Manager's action regarding the revocation within thirty (30) days of an appeal. Permit revocation appeals are subject to the regulation noticing requirements.

Is there a periodic or annual review of a Temporary Lodging Permit? Yes. The City may periodically review a lodging facility operator permit and its related facility. Additionally, the Lodging facility operator shall annually submit to the Director an assessment of the Temporary Lodging Facility operation over the prior year, including the number of Facility guests served.