

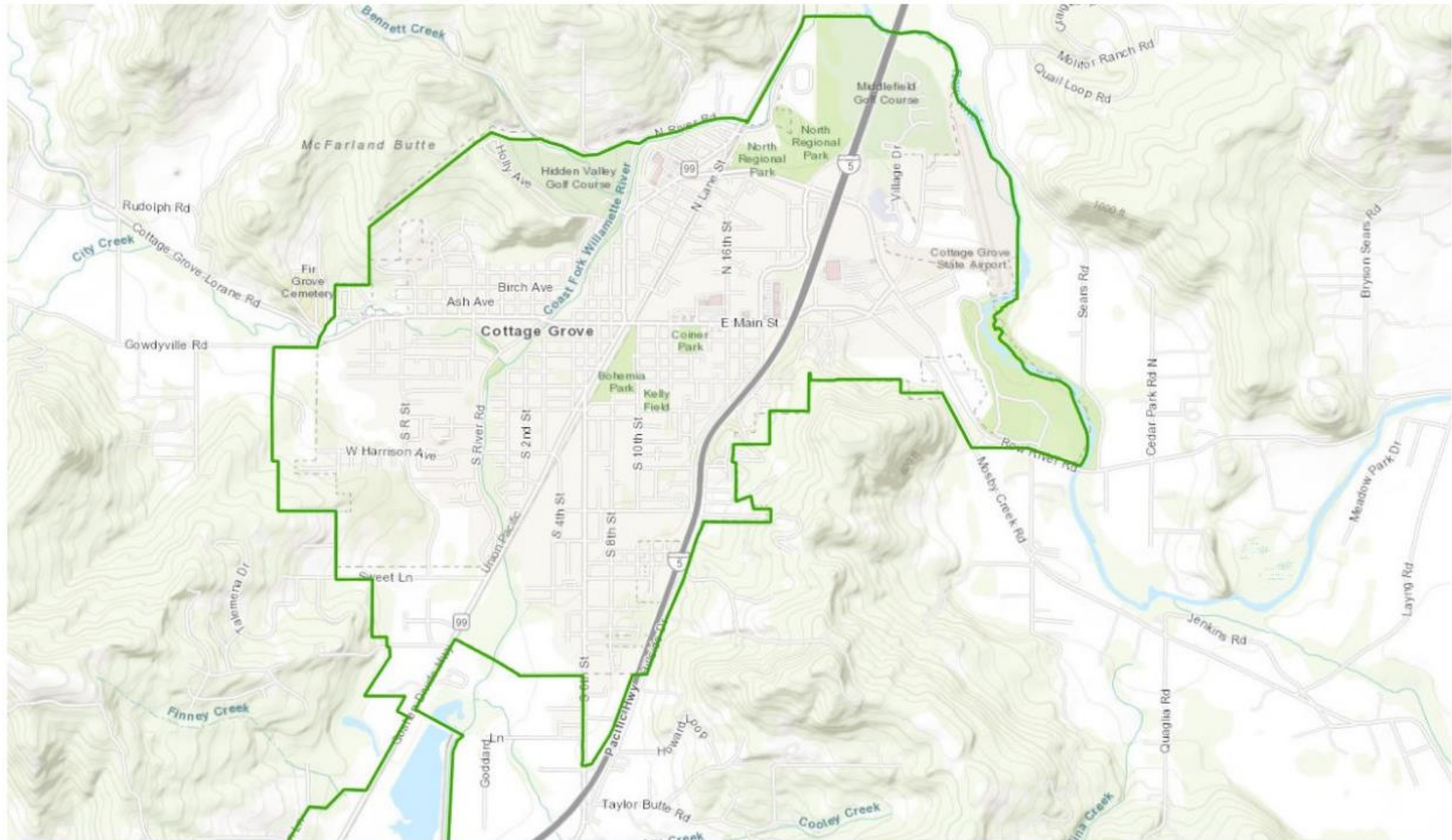
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Homelessness

# Homelessness is . . .

“Lacking regular access to safe, adequate,  
stable housing”

Portland State University (PSU) – Homelessness Research & Action Collaborative

## 2. Have you ever experienced homelessness?

Yes

No

### **3. Do you know anyone who has experienced or is experiencing homelessness?**

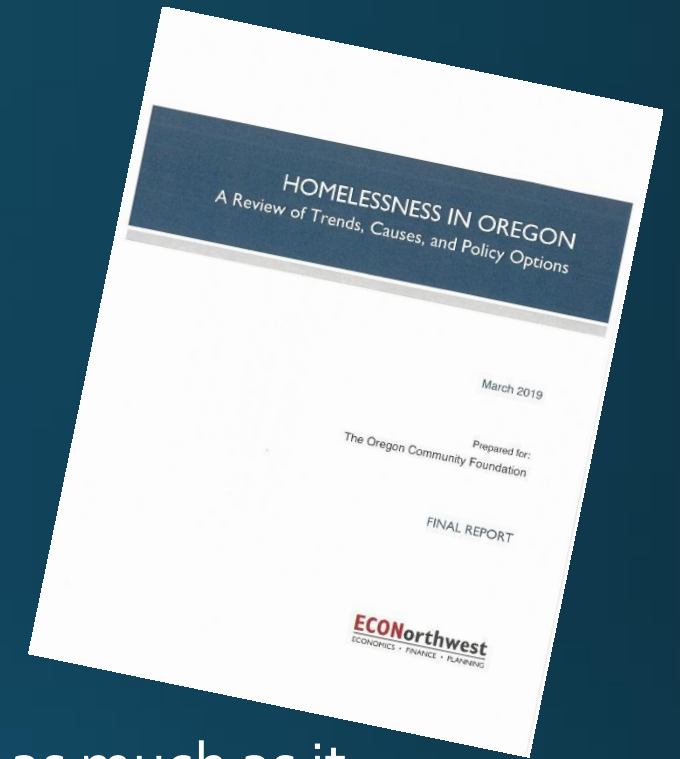
Yes

No

# Why Homelessness?

A 2019 report commissioned by the Oregon Community Foundation and prepared by EcoNorthwest highlights what is behind homelessness in Oregon:

“Homelessness has declined since the Great Recession but not as much as it would have in a better functioning housing market. **Oregon’s high rents make the crisis more severe than those in most states and, left unabated, they will contribute to a growing homeless population going forward.** Like its West Coast neighbors, Oregon has not expanded its emergency shelter capacity to match the size of its homeless population and, in 2018, had the second highest rate of unsheltered homeless people in the country. The state also had the third highest rate of chronically homeless people in the U.S.”



Myth:

"Homelessness is difficult to predict."

Fact:

Economists John Quigley and Steven Raphael have shown that housing affordability can predict the severity of homelessness. One formula shows a 10% increase in rent leads to a 6.5% increase in the rate of homelessness.

*Quigley and Raphael, "The Economics of Homelessness."*



Myth:

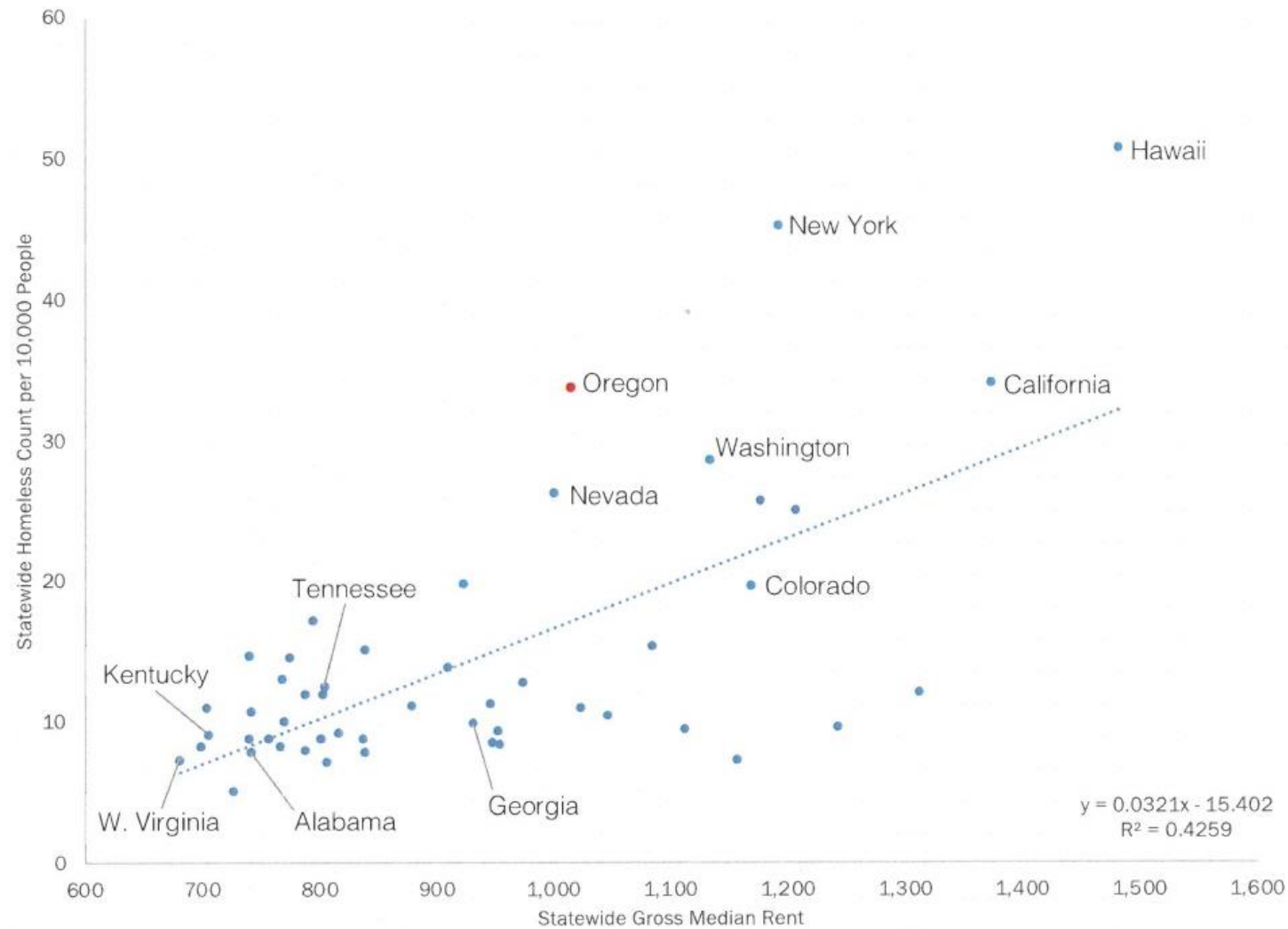
"The West Coast - Oregon, California and Washington - face higher rates of homelessness due to their lax laws and providing shelters."

Fact:

The West Coast faces one of the largest affordable housing shortages in the country which has been identified as the number one cause of homelessness.

*2018 Gap Report from the National Low Income Housing Coalition*

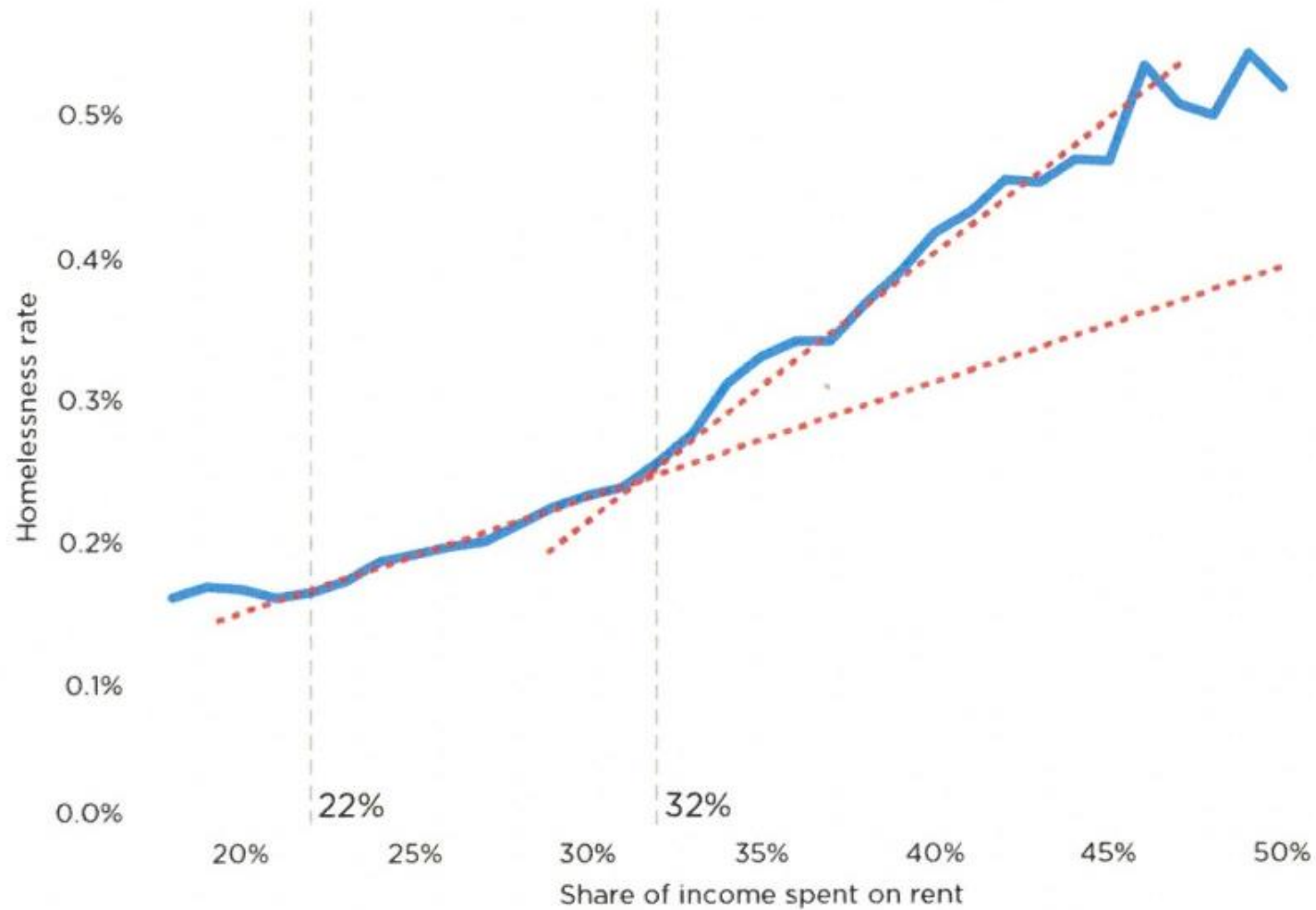
Figure 2. Regions with High Median Rents have High Rates of Homelessness



Source: ECONorthwest analysis of HUD 2017 Point-In-Time Counts and U.S. Census Bureau 2017 American Community Survey data. The diagonal line is the line-of-best-fit for the data, showing a strong positive correlation between median gross rent and rates of homelessness. The linear equation for the line is shown. The  $R^2$  value demonstrates how closely the line fits the data; a higher  $R^2$  indicates a better fit and less variance.

## Homelessness in Oregon: Determinants and Recent Trends

Figure I. Rates of Homelessness in U.S. Metros Accelerate As Rents Become Less Affordable



Source: Zillow Economic Research: Analysis by Zillow Research Fellow Chris Glynn of the University of New Hampshire, Thomas Byrne of Boston University, and Dennis Culhane of the University of Pennsylvania. Analysis of housing markets in 386 HUD Continuums of Care.

# Oregon's population is 1.3% of the U.S Population

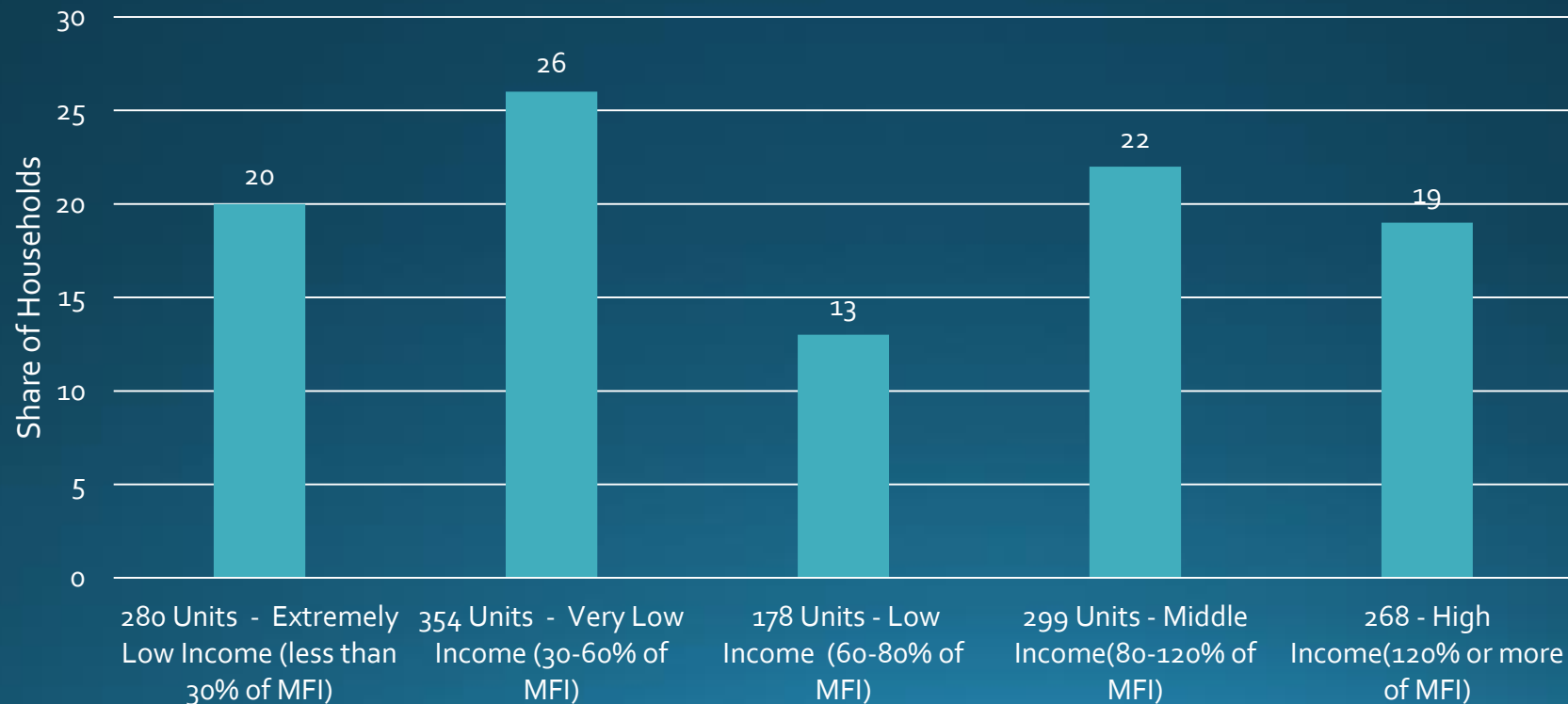
- Oregon's population experiencing homelessness is 2.6% of the U.S. total population experiencing homelessness.
- The chronic homeless in Oregon represent 4.5% of the U.S. total population of chronically homeless.

*Source: Homelessness in Oregon: A Review of Trends, Causes and Policy Options, March 2019. Oregon Community Foundation - EcoNorthwest*

# 2018 Cottage Grove Housing Needs Analysis

The City of Cottage Grove has a housing shortage requiring 1,379 new housing units constructed between 2018 and 2038. That is an annual average of 69 new units each year.

New Dwelling Units by Income – 2018-2038



# Financially Attainable Housing

**If your household earns....**

**\$19,230**

(30% of MFI)

**\$32,050**

(50% of MFI)

**\$51,280**

(80% of MFI)

**\$64,100**

(100% of MFI)

**\$76,920**

(120% of MFI)

**Then you can afford....**

**\$480**

monthly rent

**\$800**

monthly rent

OR

**\$55,600**

home sales price

**\$1,280**

monthly rent

OR

**\$151,500**

home sales price

**\$1,600**

monthly rent

OR

**\$215,400**

home sales price

**\$1,920**

monthly rent

OR

**\$279,300**

home sales price



Cashier  
\$24,380



Nursing Assistant  
\$32,160



Middle School Teacher  
\$54,720



Landscape Architect  
\$64,970



Web Developer  
\$78,040



Maintenance and Repair  
\$28,560



Postal Carrier  
\$48,540



Market Research Analyst  
\$59,240



Police Officer  
\$67,920

Source: 2018  
Housing Needs  
Analysis



**4. In discussions about homelessness, we regularly hear,  
"We don't want to be like Eugene(Portland or Salem)."  
What does that mean?**

Myth:

"There are plenty of shelter beds available in Eugene for the homeless in Lane County."

Fact:

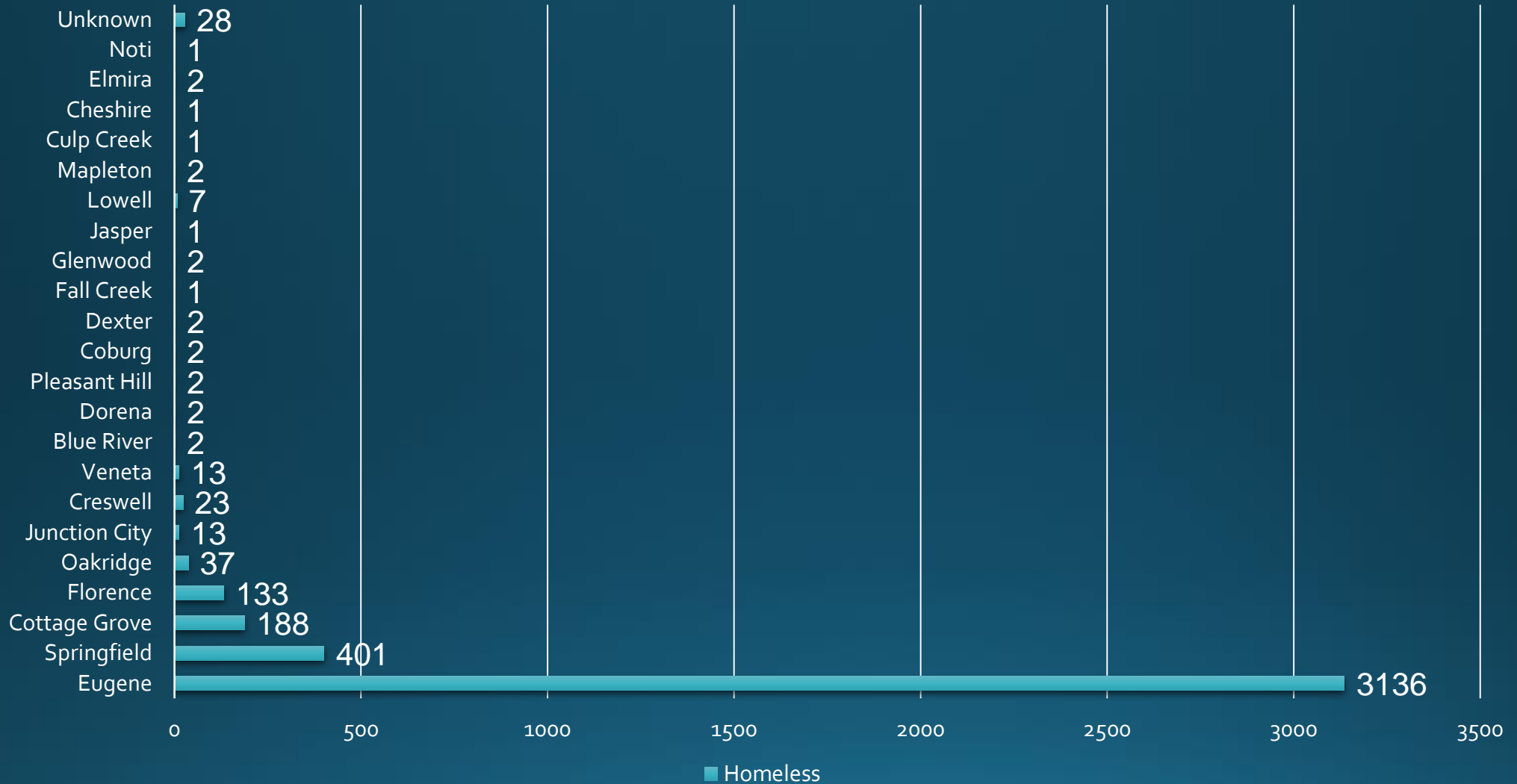
There are enough shelter beds to serve fewer than half of those experiencing unsheltered homelessness in Lane County.

**Total Homeless in Lane County - 4,003** *(January 2022 HBNL)*

**Total Shelter Beds in Lane County – 1,934** *(January 2022)*



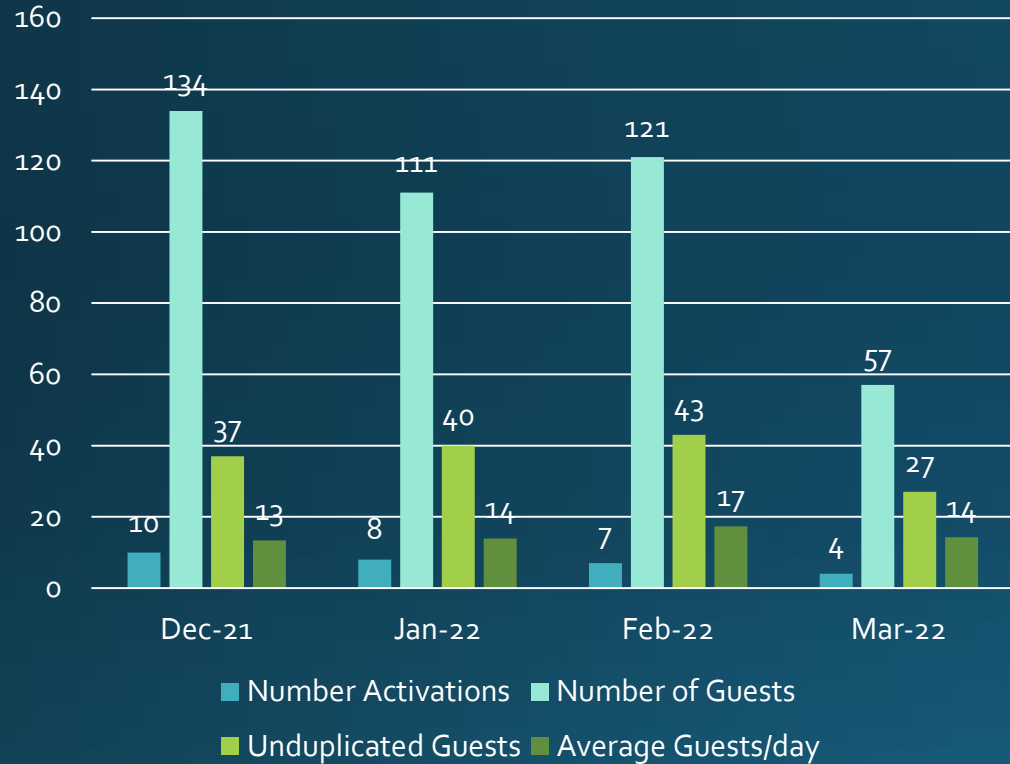
# January 2022 - Homelessness in Lane County



The 1,932 shelter beds throughout Lane County isn't even enough for those experiencing homelessness even in just Eugene.

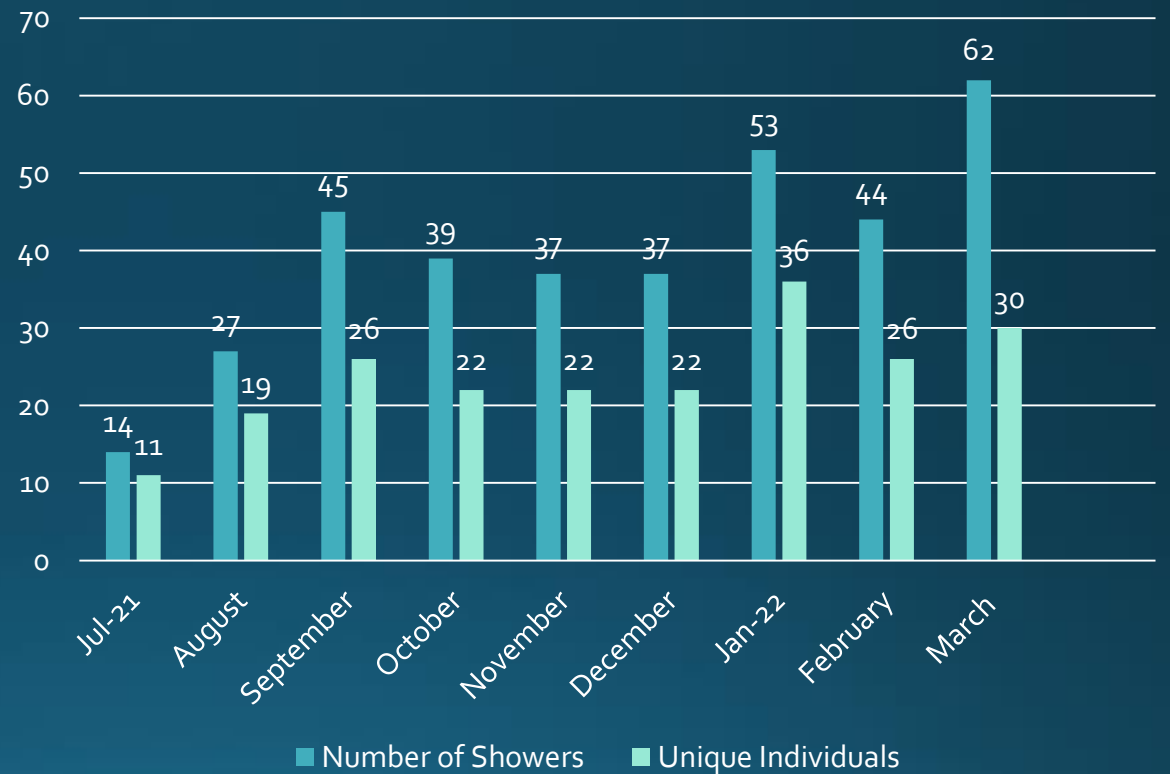
# Local Indicators of Homelessness

## Warming Shelter



Total number of Activations 29  
 Total number of guests 413  
 Average guests 14.2  
 Total number of unduplicated 78

## Mobile Shower Program



Showers operate on Wednesdays 11:00am to 3:00pm

# 5. How would you solve homelessness in Cottage Grove?

# COURT CASES AND RECENT LEGISLATION HAS PUT THE RESPONSIBILITY FOR ADDRESSING HOMELESSNESS DIRECTLY ON LOCAL GOVERNMENTS

Martin v. Boise (9th Cir. 2019)

“ . . . an ordinance violates the Eighth Amendment insofar as it imposes criminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them.” *Martin v Boise*, , 920 F.3d 584, 605.

# Martin v. Boise

## FN 8: Requires an individualized analysis

Naturally, our holding does not cover individuals who do have access to adequate temporary shelter, whether because they have the means to pay for it or because it is realistically available to them for free, but who choose not to use it. Nor do we suggest that a jurisdiction with insufficient shelter can never criminalize the act of sleeping outside. **Even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. So, too, might an ordinance barring the obstruction of public rights of way or the erection of certain structures.** Whether some other ordinance is consistent with the Eighth Amendment will depend, as here, on whether it punishes a person for lacking the means to live out the “universal and unavoidable consequences of being human” in the way the ordinance prescribes.

# Blake v. City of Grants Pass (2020)

- **Applies *Martin* (currently on appeal to 9<sup>th</sup> Circuit):**
- **Eighth Amendment prohibits a city from punishing homeless people for taking minimal measures to keep themselves warm and dry while sleeping**
  - The definition of “camp” is too broad in GPMC because it includes “any place where bedding, sleeping bag, or other material is placed for the purpose of maintaining a temporary place to live.”
  - “Maintaining a practice where the city allows a person to “sleep” on public property but ***punishes him as a “camper” if he so much as uses a bundled up item of clothing as a pillow, is cruel and unusual punishment.***”
- **When there are no alternative forms of shelter available.**
  - “Alternative shelter” does not include:
    - **A church-affiliated entity** because it has strict rules and requires mandatory attendance to church and other church-affiliated activities.
    - **Federal BLM land, Josephine County land or state rest stops** because there are restrictions placed on those lands, making a homeless individual’s use of those lands infeasible.
    - **Warming shelters** because they do not have beds, are not available consistently throughout the year, and do not have enough capacity to house the homeless population in Grants Pass.
- **Eighth Amendment prohibits cruel and unusual punishment whether the punishment is designated as civil or criminal.**

## 2021 Legislative Session: HB 3115 codified/expended upon case law.

*Definitions - "Keeping warm and dry means using measures necessary for an individual to survive outdoors given the environmental conditions" Does NOT include measures involving fire or flame.*

*"Public property" means public lands, premises and buildings, including but not limited to any building used in connection with the transaction of public business or any lands, premises or buildings owned or leased by this state or any political subdivision therein.*

Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be **objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.**

It is an **affirmative defense to a charge of violating a city or county law** described that the law is not objectively reasonable.

Reasonableness shall be determined based on **the totality of the circumstances**, including, **but not limited to**, the **impact of the law on persons experiencing homelessness.**

A person experiencing **homelessness** may bring suit for injunctive or declaratory relief to challenge the **objective reasonableness of a city or county law.** . . .

The court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff . . . "if 90 day written notice provided".

# What is the minimum the City is required to do under the Case Law and Statutes.

- Cease **sanctions** for camping, sleeping on public property when no other alternative is available. (Martin v. Boise/Blake v. Grants Pass)
- Amend existing City ordinances to remove language regulating sitting, lying, sleeping, or keeping warm and dry outdoors on public property open to public. (HB 3115)



# Responsive amendments to City Code (~~delete-strikeout~~ *add italics*)

## Cottage Grove Municipal Code 12.24.020 City Parks and Public Playgrounds

~~I. It shall be unlawful for any person to camp out or sleep in any park area at such time when the park is closed, except by specific permission of the city manager or designee and only in areas designated for such purpose.~~

J. Certain activities, including, but not limited to, group picnicking, camping, group camping, hiking, and driving of vehicles, and riding of bicycles, skates, skateboards and horses may be restricted by the city manager and/or public works director or their designee to designated zones or areas, and such designations shall be observed.

~~K. It shall be unlawful for any person to enter or remain in any park or part thereof from 10:00 p.m. to 5:00 a.m., except as provided below:~~

~~1. A gathering for a special event or use of a park area at special times or for special uses or events which are authorized under subsection I of this section.~~

~~2. The following persons, when engaged in the course of their duties: city employees, law enforcement officers, fire and emergency medical personnel, and those persons authorized by the city manager and/or city council.~~

# Minimum Action under Court Case and State Law would result in:

- Camping, sleeping, lying, and keeping warm and dry being allowed on all outdoor public property within the City limits of Cottage Grove including:
  - Parks
  - Right of Ways
  - Sidewalks
  - Planting strips

## 6. The City should do more than just the minimum required under Case Law and State Statutes.

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

**7. What impact do you feel doing only the minimum required by Court Case Law and State Law will have on our community?**

## Objectively reasonable time, place and manner regulations with regards to persons experiencing homelessness may include:

- Prohibitions on blocking sidewalks/rights of way.
- Prohibiting safety risks (including regulating fires/flame).
- Overnight limits in some, but not all, City parks.
- Enforcing reasonable parking limits, with notice.
- Alternative shelter sites improve the totality of the circumstances, as applied persons experiencing homelessness.

# Possible Objectively Reasonable Amendments ~~(delete strikeout)~~ *add italics*

## Cottage Grove Municipal Code 12.24.020 City Parks and Public Playgrounds

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K. It shall be unlawful for any person to enter or remain in ~~any park or part thereof~~ *Community, Neighborhood and mini parks and any riparian or wetland areas* from 10:00 p.m. to 5:00 a.m., except as provided below:

1. A gathering for a special event or use of a park area at special times or for special uses or events which are authorized under subsection I of this section.
2. The following persons, when engaged in the course of their duties: city employees, law enforcement officers, fire and emergency medical personnel, and those persons authorized by the city manager and/or city council.

## 8. What additional actions should the City take to mitigate homelessness in Cottage Grove? (choose all that apply)

Provide alternative shelter to keep camping out of City Parks.

Restrict camping on sidewalks, planting strips and bike lanes.

Partner with housing providers to build low income housing.

Allow private property owners (businesses, churches and individuals) to have overnight camping on their property.

Restrict camping in certain parks.

Do nothing beyond the minimum required case law and state law.

# 9. The City cannot prohibit camping outside on public property, unless other space or alternative shelter is provided. Arrange the types of parks listed below in order with the parks that should prohibit camping on top.

Community Parks – Coiner and Bohemia Parks

Neighborhood Parks – Fort Harrison Park; Kelly Field; Stewart Orchard Park

Greenway / Nodal Parks – Trailhead Park; Row River Trail; Silk Creek Park; Willamette Greenway (including Benny Hubbell Park; City Hall Park; Prospector Park; Riverside Park; Veteran Park; and Haskell Park)

Mini Parks – Skate Park; Gateway Park; Masonic Park; Triangle Park; Westend Park; Whiteman Park;

Regional Parks – North Regional Park and Row River Nature Park



## 10. Should the City develop shelter sites to prevent camping in City Parks?

Yes

No

# Possible Objectively Reasonable Amendments (~~delete-strikeout~~ *add italics*)

## Cottage Grove Municipal Code Chapter ~~10.30~~ Roadway Use

### ***10.30.020 Camping in right of way***

*A. A person may camp in a vehicle on city right of way if:*

- 1. The vehicle is parked in conformance with all established parking regulations.*
- 2. Vehicle is not parked within 100 feet of a public or private school or public playground.*
- 3. The vehicle is not being repaired in the right of way.*
- 4. The vehicle is operational and can legally operate on the street.*
- 5. No material, items, supplies or waste are on the street, sidewalk, bike lane or planting strip.*

*B. No camping in a tent, structure, shelter or other non-vehicle is allowed in the right of way including bike lanes, sidewalks and planting strips.*

**11. Currently a 72 hour parking limit is enforced on all vehicles parked on roadways. Should the City continue to use this to regulate vehicles being used for lodging on roadways?**

Yes

No

## 12. Should the City adopt any of the additional parking restrictions for vehicles parked on the roadway? (choose all that apply)

Repairing the vehicle is not allowed in the roadway.

Vehicles in the roadway must be operational and legal to operate on the roadway.

No materials, items, supplies or waste from the vehicle are allowed on the street, sidewalk, bike lane or planting strip.

Camping in a vehicle is not allowed within within 100 feet of a public or private school or public playground.

# 13. Should the City restrict camping on sidewalks, planting strips and bike lanes?

Yes

No

# Minimum action does not protect or enhance the quality of life in Cottage Grove.

To protect our quality of life we must consider:

- Actions to protect the use of our parks for the enjoyment of all citizens.
- Actions to protect the use of public right of way for vehicle and pedestrian traffic.
- Actions to help people in our community who have been thrust into homelessness.

# THE FIVE KEYS TO EFFECTIVE EMERGENCY SHELTER



## HOUSING FIRST APPROACH

Align shelter eligibility criteria, policies, and practices with a Housing First approach so that anyone experiencing homelessness can access shelter without prerequisites, make services voluntary, and assist people to access permanent housing options as quickly as possible.



## SAFE & APPROPRIATE DIVERSION

Provide diversion services to find safe and appropriate housing alternatives to entering shelter through problem-solving conversations, identifying community supports, and offering lighter touch solutions.



## IMMEDIATE & LOW-BARRIER ACCESS

Ensure immediate and easy access to shelter by lowering barriers to entry and staying open 24/7. Eliminate sobriety and income requirements and other policies that make it difficult to enter shelter, stay in shelter, or access housing and income opportunities.



## HOUSING-FOCUSED, RAPID EXIT SERVICES

Focus services in shelter on assisting people to access permanent housing options as quickly as possible.



## DATA TO MEASURE PERFORMANCE

Measure data on percentage of exits to housing, average length of stay in shelter, and returns to homelessness to evaluate the effectiveness of shelter and improve outcomes.

**14. Do you support the development of a Low Barrier Shelter site for community members experiencing homelessness with the goal to access permanent housing as soon as possible?**

Yes

No



**15. The City should be providing shelters and wrap around services for community members experiencing homelessness.**

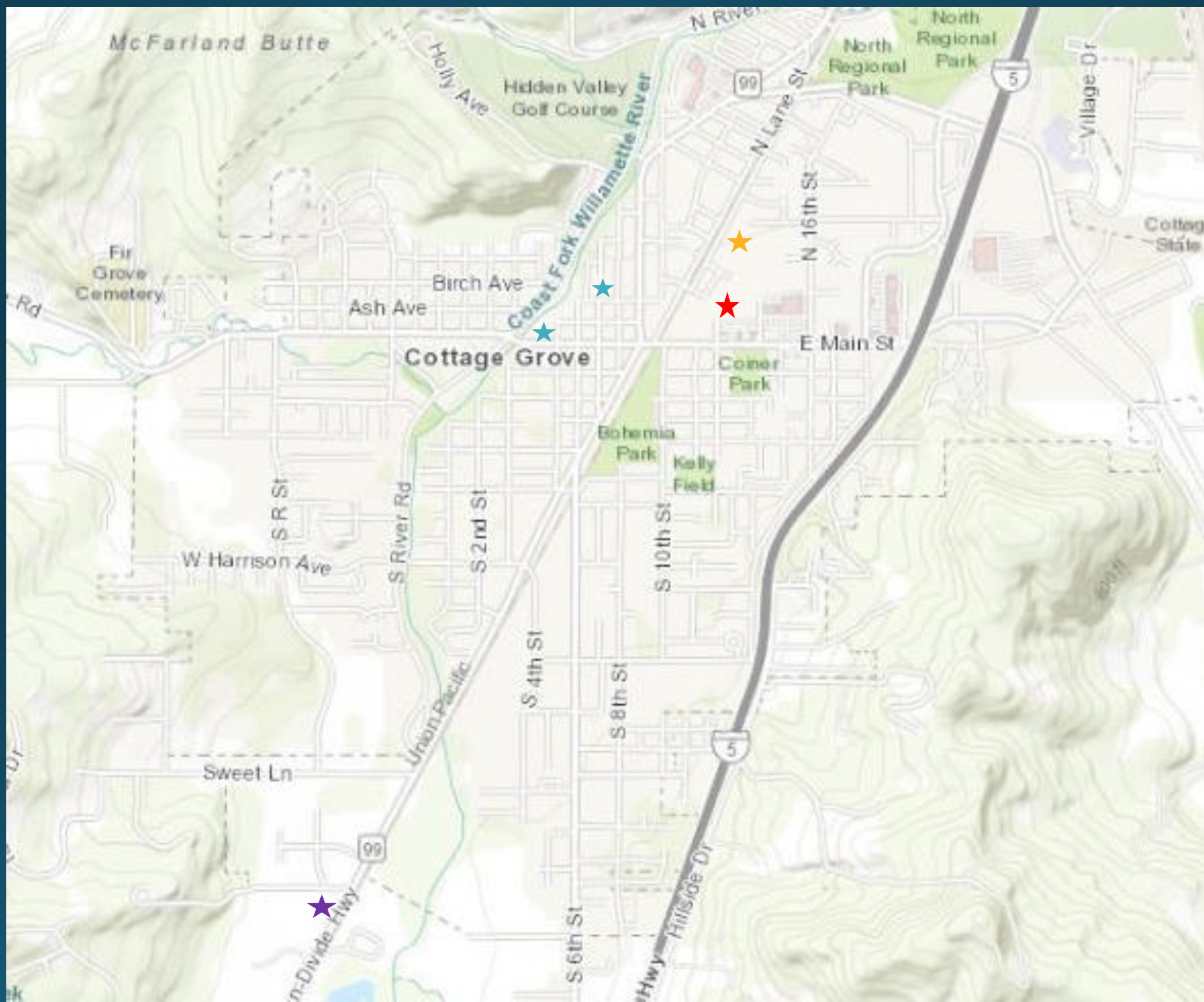
Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree



# Current Sites

- Community Center 8 tent sites
- City Hall 3 tent sites
- Supervised
  - Rules were established
  - Violations were addressed – residents were trespassed from the property and/or if necessary arrested for violation of laws.
- Successes
  - Several individuals rejoined families for support and recovery
  - Jobs
  - Counseling

# Proposed Plan

- Decommission current shelter sites before May 1, 2022 (*Community Center/Library and City Hall*)
- Open a temporary Immediate - Low Barrier Shelter 24/7 at the Warming Shelter site.
  - Site managed by third party organization experienced in shelter management and operation with emphasis on assisting people access permanent housing options. (May – August)
- Develop regular Immediate Low Barrier Shelter site in consultation with a third party experienced in running shelters for housing 32 to 40 individuals from the community.
  - Close Warming Shelter site and move all individuals and shelters to the new Low Barrier Shelter site. (By end of August)
- Assist with the siting and development of permanent Low, Very Low or Extremely Low income housing units working with third party organizations with experience providing housing for low income citizens. (Begin immediately)
- Develop other opportunities for private involvement.

# Warming Shelter Site

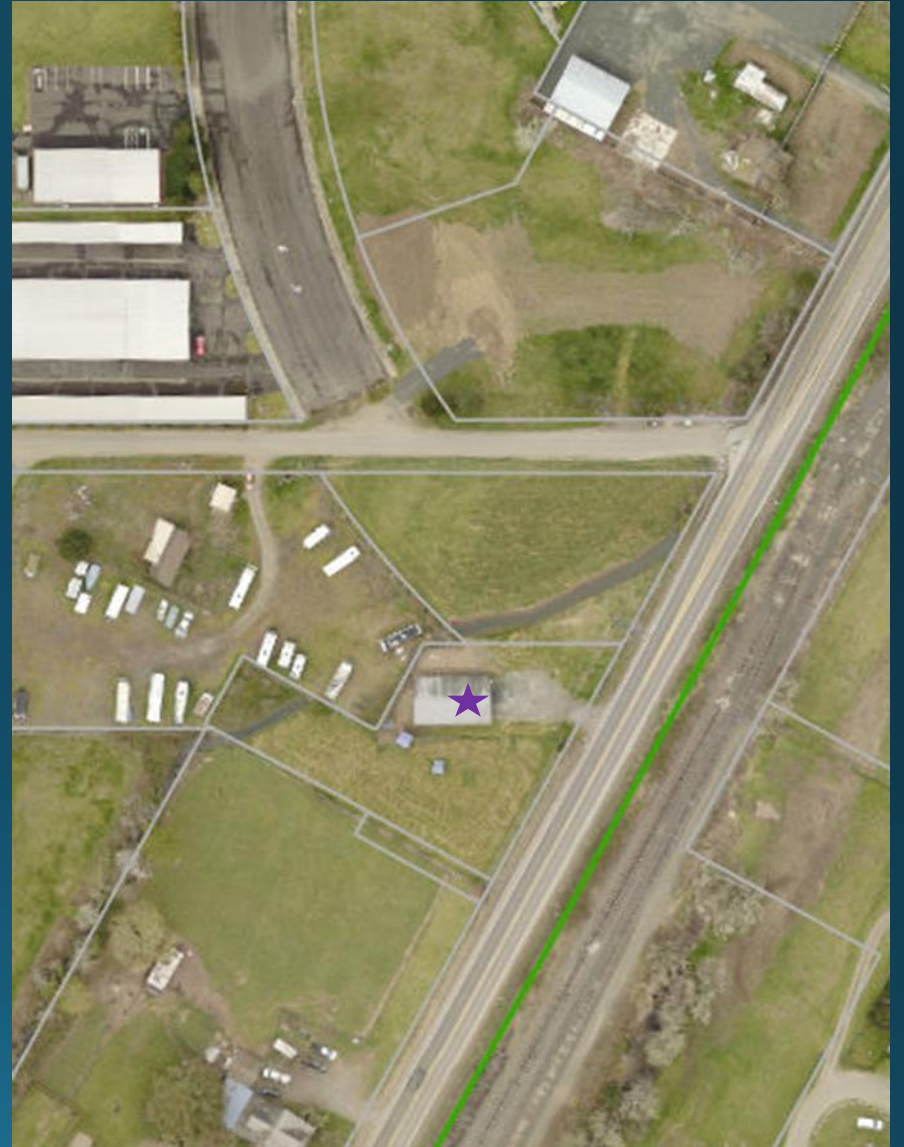
- Warming Shelter season ended March 31<sup>st</sup>
- Warming Shelter site is about .43 acres.
- Shelters with electricity installed. Water and sewer connections on site.
- Will have to schedule use of mobile showers on site.
- 17 shelters available (18 if organization brings staff trailer.)
- Use of site will only be while the low barrier shelter location is set up. Once new location is set up all Pallet Shelters on this site would be moved to new location.
- Location could be used for events, BMD vendors or other events and activities.





# Possible Shelter Site – Hwy 99

- 2205 Hwy 99 - about .59 acres
- House exists on the property for restroom, shower, kitchen, administration, counseling, training spaces.
- Room for 33 Pallet Shelters.
- 15 additional Pallet Shelters purchased by County arriving soon.
- Install new 15 shelters and any unused shelters from Warming Shelter site on the property.
- Move people from Warming Shelter site to shelters installed.
- Relocate remaining shelters from Warming Shelter site to Hwy 99 site.



# Possible Very Low or Extremely Low Income Housing Site

- 443 North Douglas Avenue – 1.55 acres.
- Currently zoned R-2
- Make the site available to Homes For Good for development into low income housing units.
- Homes For Good is the Housing Authority for Lane County and has been managing sites within the community. Riverview Apartments, Legion Cottages.
- City has cleared the site and it is ready for development.
- Secure Federal and State funding for construction.
- While securing funding will explore temporary housing – park models/tiny homes.



# Public shelters will not be enough

- 188 people in community experiencing homelessness, 133 are adults or adults without children.
- Because of the current housing crisis it will take at least 3 years to build capacity to start to make a difference.

We will need assistance from citizens, businesses and organizations to create additional temporary or permanent housing.



**16. Do you support the use of the Warming Shelter site for a temporary shelter site until the Low Barrier Shelter location can be prepared?**

Yes

No

## 17. The City should use the Warming Shelter site as the Low Barrier Shelter location?

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

## 18. The City should use the HWY 99 site as the Low Barrier Shelter location?

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

## 19. The City should be actively seeking ways to increase low income housing availability.

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

## 20. The City should be purchasing land for low income housing projects.

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

# Other Programs

- Adopt City Ordinance to allow private sheltering programs
  - Transitional Housing and Overnight Camping
    - Authorize the City to approve transitional housing facilities – either City run or privately run – establishes minimum requirements for health and safety.
    - Allow for City to approve privately managed transitional or campgrounds.
    - Allow for private property owners to apply for authorization to offer overnight camping to individuals or families experiencing homelessness on their private property.
      - In parking lots of businesses or churches.
      - In backyard of a single family residence.
      - In driveway of a single family residence.

**21. Private property owners (churches, businesses and residents) should be allowed to apply for permission to host overnight camping on their property.**

Agree

Somewhat agree

Neutral

Somewhat disagree

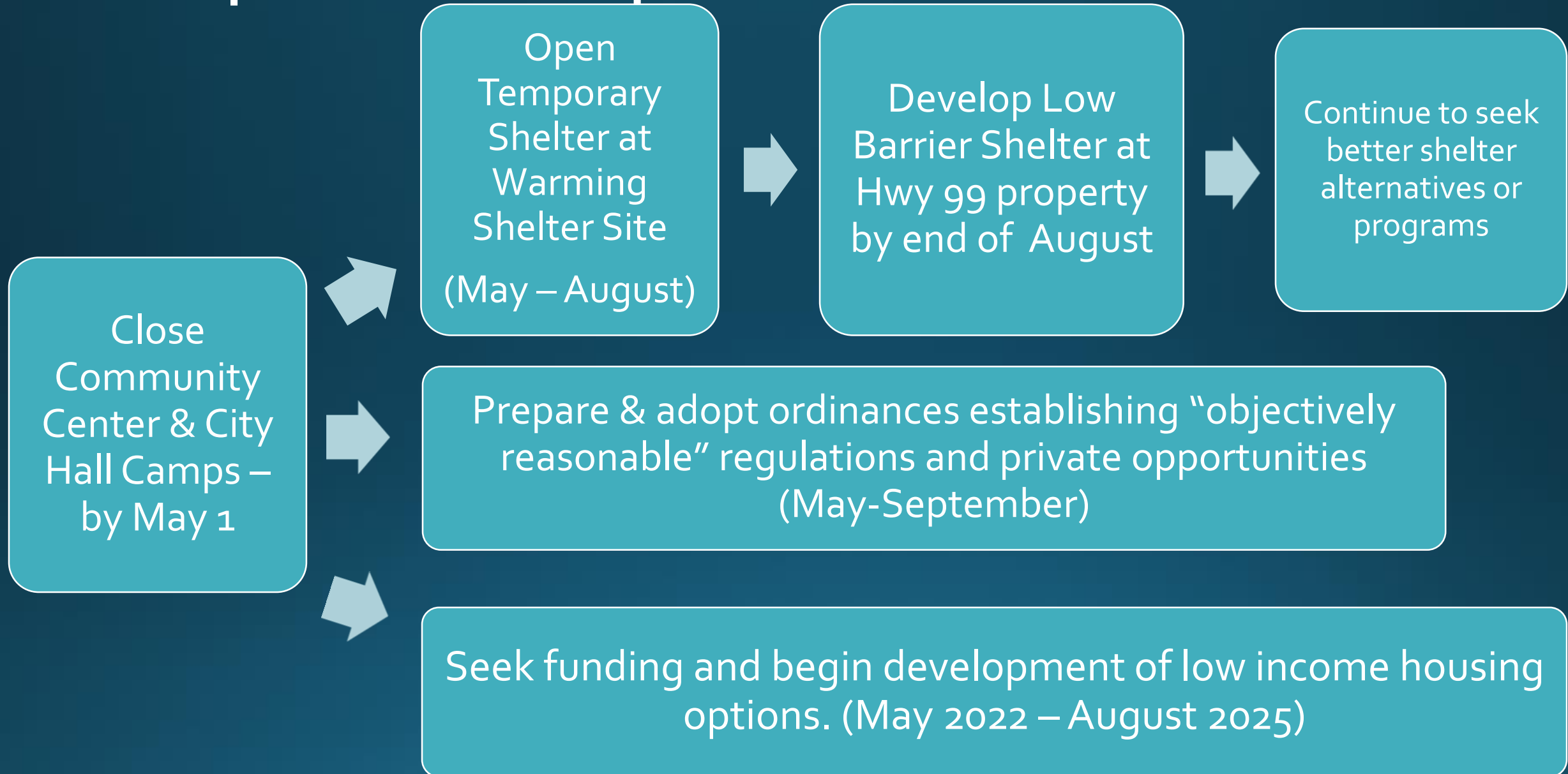
Disagree

# Other Programs

- Oregon Share
- Accessory Dwelling Units (ADU)
- Current construction of 120+ middle to high income housing units.
- Lane County Mental Health



# The Proposed Road Map



**22. The proposal presented tonight is a reasonable approach to address homelessness in Cottage Grove.**

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

**23. If it were up to you, what changes, if any, would you make to the proposal presented tonight?**

**24. Do you have any additional comments you would like to make regarding homelessness in Cottage Grove?**

**25. The results of the tonight's Town Hall will be posted on the City's webpage in the next week. If you would like to be notified when the results are available please provide your email.**

**Thank you for your participation**