



February 21, 2018

Mayor and the City Council
City of Tacoma
747 Market Street, Suite 1200
Tacoma, WA 98402

RE: Proposed Temporary Shelters Permanent Regulations

Mayor Woodards and Members of the City Council:

On behalf of the Planning Commission, I am pleased to forward our recommendations regarding the **Proposed Temporary Shelters Permanent Regulations**, for your consideration for adoption before the current emergency interim regulations expire in April 2018. Enclosed is the *Planning Commission's Findings of Fact and Recommendations Report* that summarizes the proposal, the public review process, and the Commission's deliberations.

Since the Tacoma City Council enacted emergency interim zoning regulations in June 2017, the Planning Commission has heard from the public and engaged in discussions on this topic that so deeply affects the lives of every citizen in Tacoma. The issue of homelessness has captured the attention of this City over the last many months and working on these code changes have illuminated issues, both large and small. While achieving the goal of reducing homelessness is quite difficult, the *One Tacoma* Comprehensive Plan, the City's blueprint for the future, clearly states that our charge is to "prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed and appropriately accommodated, including but not limited to transitional housing, emergency shelters, and temporary shelters."

Better understanding the needs of the homeless population and then the needs of the generous organizations interested in stepping in to assist our homeless community informed the Planning Commission throughout this process. While homelessness can sometimes feel like an intractable issue, the Commission felt compelled to amend code to find a better response to deficits in the housing continuum that have led to ongoing suffering of individuals, families, and unaccompanied youth occupying homeless encampments, and the threat to the public health and safety. We remain encouraged by the response and engagement of the faith-based, non-profit, and educational communities to be a part of the solution towards addressing homelessness. Our role was to reduce barriers and streamline the processes, while considering impacts to neighborhoods and municipal resources.

Our recommendations achieve this goal, but continued work must be done to broaden the continuum and to continue supporting the good work of those in our community. The Planning Commission's recommendations, if adopted, will require continued engagement and a willingness to listen to those affected by and assisting in addressing the issues surrounding homelessness.

On February 21, 2018, the Planning Commission voted unanimously to recommend that the City Council adopt permanent regulations including the following key elements:

- **Sponsoring Entity**
 - Includes non-profit and educational institutions, in addition to the already allowed religious or faith-based organizations
- **Types of Sheltering**
 - All wording suggesting specific sheltering types has been removed. Recognizing that there are a wide variety of sheltering models, some of which may be appropriate or not appropriate in different circumstances, and that sheltering models are continuously evolving, the regulations are designed to ensure sufficient flexibility for different or innovative models to be requested, reviewed, and considered.
- **Maximum Duration of Shelter**
 - Based on best practices and needs of potential providers, the duration to 185 consecutive days with an inclement weather season and natural disaster provision to allow shelter extensions during extreme conditions.
- **Recurrence of Shelter at a Specific Site**
 - Recurrence period shortened to six (6) months between end and start date of a shelter hosting period.
- **Number of Shelters Allowed in the City of Tacoma**
 - Increases the total number to six (6) shelters. Additionally, a maximum of two (2) shelters shall be allowed in any single Police Sector at any given time and a minimum of one-mile must separate each temporary shelter site. Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector. In a change from an earlier draft, City-run or –funded facilities will not be exempted from these location requirements.
- **Site Requirements**
 - Additional flexibility, particularly in regards to screening and types of structures, has been achieved by limiting prescriptive regulations in favor of working with providers on a case-by-case basis to ensure that security, health, and life safety issues are addressed.
- **Age of Shelter Inhabitants**
 - Children aged under 18 accompanied by a guardian may be allowed access to faith-based organization and non-profit run temporary homeless shelters.
- **Facility and Service Provision**
 - Interim regulations maintained, although some of the very detailed standards, such as mandating the specific location of certain types of facilities, has been removed in favor of a more flexible process of evaluation through the site-specific temporary use permit process.

- **Application Requirements**

- Requires the filing of a signed trespass order with the Tacoma Police Department, which would allow police and emergency services to access private property in case of disruption or emergency.
- If a faith-based organization is not able to hire a manager or provide 24-hour volunteer support, a self management-oversight model can be proposed. Shelter leadership could select a member to serve as a manager and the rest of the residents would be responsible for additional self management, which would include security and safety concerns. City staff, in consultation with site leadership and the participating faith-based organization or non-profit, would serve in a site monitoring and oversight capacity.

Thank you for the opportunity to work on this important matter. Please contact me if the Planning Commission can be of any assistance as you deliberate permanent regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Wamback". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

STEPHEN WAMBACK
Chair, Planning Commission

Enclosure



Temporary Shelters Permanent Regulations (Revisions to TMC 13.05 and 13.06)

Planning Commission Findings of Fact and Recommendations Report

February 21, 2018

A. Subject:

The proposal is to replace emergency interim zoning regulations with permanent regulations pertaining to temporary shelters (see **Exhibit "A"**). The interim zoning regulations were enacted by the City Council on June 6, 2017, per Ordinance No. 28432 (**On file with City Clerk's Office**), and subsequently modified on October 17, 2017, per Ordinance No. 28460 (**On file with City Clerk's Office**).

B. Summary of the Proposed Permanent Regulations:

The Proposed Temporary Shelters Permanent Regulations, after Council and Planning Commission consideration, would amend or maintain the Tacoma Municipal Code, Chapters 13.05 and 13.06, as follows:

Definitions:

- Amend the municipal code to provide clear definitions of "Police Sector" and "Temporary Shelters".

General (Temporary Use and Notice Process):

- Replaces the words "camp", "camps", or "homeless camp" with the words "shelter", "shelters" or "temporary shelter".

Temporary Use Permits:

Key areas are highlighted in detail below:

- **Sponsoring Entity**
 - Includes governmental institutions, in addition to the already allowed religious (previous code) or non-profit organizations (interim regulations)
- **Number of Residents**
 - Maintains the number of residents per shelter at the 100 person limit during the period of the interim regulations.
 - Number of residents per shelter shall be proposed by organization running the shelter and population being served.
 - Planning and Development Services staff shall work alongside Neighborhood and Community Services staff to recommend appropriate numeric thresholds for shelters based on targeted population, capacity of provider, site conditions, and access to facilities and services as part of the permit process.

- **Types of Sheltering**
 - All wording suggesting specific sheltering types has been removed. Recognizing that there are a wide variety of sheltering models, some of which may be appropriate or not appropriate in different circumstances, and that sheltering models are continuously evolving, the regulations are designed to ensure sufficient flexibility for different or innovative models to be requested, reviewed, and considered.
- **Site Area and Number of People per Area**
 - Maintains the specific minimum site area required based on the number of people to be housed in the facility.
- **Maximum Duration of Shelter**
 - Based on best practices and needs of potential providers, the duration to 185 consecutive days with an inclement weather season and natural disaster provision to allow shelter extensions during extreme conditions.
- **Recurrence of Shelter at a Specific Site**
 - Recurrence period shortened to six (6) months between end and start date of a shelter hosting period.
- **Number of Shelters Allowed in the City of Tacoma**
 - Increases the total number to six (6) shelters. Additionally, a maximum of two (2) shelters shall be allowed in any single Police Sector at any given time and a minimum of one-mile must separate each temporary shelter site. Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector.
 - City-run or –funded facilities will not be exempted.
- **Site Requirements**
 - Additional flexibility, particularly in regards to screening and types of structures, has been achieved by limiting prescriptive regulations in favor of working with providers on a case-by-case basis to ensure that security, health, and life safety issues are addressed.
- **Age of Shelter Inhabitants**
 - Children aged under 18 accompanied by a guardian may be allowed access to faith-based organization and non-profit run temporary homeless shelters.
- **Facility and Service Provision**
 - Interim regulations maintained, although some of the very detailed standards, such as mandating the specific location of certain types of facilities, has been removed in favor of a more flexible process of evaluation through the site-specific temporary use permit process.

- **Application Requirements**

- Requires the filing of a signed trespass order with the Tacoma Police Department, which would allow police and emergency services to access private property in case of disruption or emergency.
- If a faith-based organization is not able to hire a manager or provide 24-hour volunteer support, a self management-oversight model can be proposed. Shelter leadership could select a member to serve as a manager and the rest of the residents would be responsible for additional self management, which would include security and safety concerns. City staff, in consultation with site leadership and the participating faith-based organization or non-profit, would serve in a site monitoring and oversight capacity.
- More clear language about the pre-application meeting requirement has been included.

The proposed amendments to the various sections of the Tacoma Municipal Code are shown in **Exhibit “A”**.

C. Findings of Fact:

Part One – Legislative Intent:

1. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2015 by Ordinance No. 28335, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan. The following policies in the housing element clearly state the City's position regarding homelessness:

***Policy H–4.6** Facilitate and support regional cooperation in addressing housing needs in the Tacoma metropolitan area and greater Puget Sound, especially for the homeless, low- and moderate-income households, and historically under-served and under-represented communities.*

***Policy H–4.7** Promote a range of affordable housing strategies that extend from basic emergency shelter for the homeless to temporary transitional housing to permanent rental housing and to home ownership.*

***Policy H–4.8** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed and appropriately accommodated, including but not limited to transitional housing, emergency shelters, and temporary shelters.*

2. Planning Mandates and Guidelines

GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- The State Shoreline Management Act (SMA);
- The Puget Sound Regional Council's *VISION 2040* Multicounty Planning Policies;
- The Puget Sound Regional Council's *Transportation 2040*, the action plan for transportation in the Central Puget Sound Region (adopted on May 20, 2010);
- The Puget Sound Regional Council's Subarea Planning requirements;
- The Countywide Planning Policies for Pierce County;
- TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations.

3. Interim Regulations Procedures

Tacoma Municipal Code 13.02.055 describes the procedural requirements for establishing interim regulations. The code requires the following procedural elements:

- Interim regulations must be initiated by the City Council or Planning Commission at a public meeting;
- The Council or Commission must determine, through findings of fact, that interim regulations are warranted;
- The ordinance must address the scope and duration of the interim regulations;
- The ordinance must include a work plan to develop permanent regulations;
- The Interim regulations may be effective for up to 1-year, and may be renewed every 6 months thereafter.

This process began as part of the response to a direction to prepare a 3-Phase Emergency Temporary Aid and Shelter Program on May 2, 2017 and a declaration of a state of public emergency on May 9, 2017, which went through City Council.

The Planning Commission acknowledges and understands the following key recitals as set forth in Ordinances No. 28432 and No. 28460 that enunciate the City Council's legislative intent and rationale for imposing the emergency interim regulations:

- a) On May 2, 2017, the City Council adopted Resolution No. 39716, directing the City Manager to promptly prepare and present to the City Council an Emergency Temporary Aid and Shelter Program to respond to the homelessness crisis and to prepare and present an ordinance declaring a state of emergency.

- b) On May 9, 2017, the City Council passed Ordinance No. 28430, declaring a state of public health emergency relating to the conditions of homeless encampments located in the City.
- c) The City Council concluded therein, inter alia, that the ongoing suffering of individuals, families, and unaccompanied youth occupying homeless encampments, and the threat to the public health and safety, will continue in the absence of the immediate implementation of interim measures designed to meet the survival and safety needs of those persons, such as the provision of hygiene facilities; trash collection; sanitary facilities; temporary shelters; outreach and gateway services; safe and stable shelter; linkage to tailored services to meet each individual's unique needs; a connection to housing, social, public and mental health services; storage of property and safety; potable drinking water; solid waste disposal; and human waste disposal.
- d) The City Manager has proposed and presented to the Mayor and City Council a three-phase Emergency Temporary Aid and Shelter Program to respond to the homeless crisis and the emergent conditions endangering the public health, safety, and welfare.
- e) The three-phase plan consists of mitigation of the conditions in homeless encampments in the first phase, providing emergency sheltering and transition services in the second phase, and providing long-term housing in the third phase.
- f) The second phase will include the City's establishment of temporary emergency shelter sites on public property, or private property made available by the owners to the City, to be managed and operated by the City.
- g) Such temporary emergency shelter sites provide needed community services in response to the declared public health emergency.
- h) The provisioning of basic emergency shelter, temporary transitional shelters, and related supportive services for persons experiencing homeless is consistent with Policies H-4.7 and H-4.8 of Goal H-4 of the Housing Element of the City's Comprehensive Plan, Policy PFS-6.9 of Goal PFS-6 of the Public Facilities and Services element of the Comprehensive Plan, and is consistent with the human and social needs community priorities identified in Tacoma 2025, to increase housing security so that everyone has shelter.
- i) The current zoning and land use controls governing emergency housing do not address the need for establishment and operation of temporary emergency shelters by the City under the circumstances of a public emergency, and require additional review and public hearings to develop suitable land use controls applicable during a declared state of emergency.
- j) The Interim Regulations, as modified, are an important element of the Program to address homelessness, and, with the inclusion of additional opportunities for faith-based organizations and non-profits, members of the community will, be able to support additional people as means and methods to combat this epidemic are developed.
- k) The City Council further acknowledges the need to include temporary amendments to Tacoma Municipal Code 13.06.635.B.4, to provide more flexibility for religious and non-profit organizations to host temporary shelters.

Part Two – Additional Facts, Observations, and Concerns:

In addition to the City Council's legislative intent, the Planning Commission has also identified the following factual information, observations, and concerns associated with the interim regulations:

- The Building Division is in the process of modifying code language to permit the City-run temporary shelter to run outside of the state of emergency (TMC 2.20).
- The success of the shelters will be largely tied to access to services and transit.
- Access to all forms of transit versus just buses is a small, but important code change.

- A City exemption prevents an absolute number of shelters, particularly if the threshold to define City-funded is low.
- A fee waiver fund can be used to pay for permit fees associated with the temporary shelter use permit.
- Neighborhood and Community Services has a source of funding for background checks, so providers do not have to cover that expense.

Planning Commission acknowledges receiving public testimony and written comment, as well as staff response to said testimony and comments. Several items may be considered by City Council while assessing the permanent regulations or future changes to code:

- Regional coordination and cooperation by way of a model ordinance that could be adopted by multiple jurisdictions
- A shelter classification system that could class “minor” and “major” shelters with smaller per shelter numbers, but more shelters allowed citywide
- A operations agreement in lieu of specific codes standards
- Youth sheltering options are extremely limited in Tacoma and Pierce County generally. Considering housing homeless youth is an essential part of the program to address homelessness

Part Three – Planning Commission’s Review Process for Permanent Regulations:

1. The Planning Commission began the process of developing permanent regulations in December 2017 for the City Council’s consideration for adoption before the interim regulations expire on April 16, 2018.
2. At the January 3, 2018 meeting, the Commission authorized the distribution of the proposed permanent regulations for public review and set February 7, 2018 as the date for a public hearing. A Public Review Packet was compiled by staff for the public hearing. The packet is on file with the Planning and Development Services Department (PDS).
3. At the public hearing on February 7, 2018, the Commission received oral testimony from 9 citizens, and through closure of the public hearing record on February 9, 2018, the Commission received written comments submitted by 10 individuals or organizations. A compilation of the public comments is attached (**On file with PDS-Long Range Planning**).
4. At the next meeting on February 21, 2018, the Commission will review public comments received, review staff’s observations and responses to public comments, review additional information, and formulate its recommendations to the City Council.
5. The Commission will forward its recommendations to the City Council with the intent to assist the Council in taking actions before the current interim regulations expire on April 16, 2018. The Council’s review timeline could be as follows:
 - March 20 – Public hearing
 - March 27 – First reading of adopting ordinance
 - April 3 – Final reading of adopting ordinance

D. Conclusions and Recommendations:

The Planning Commission acknowledges and understands the City Council's intent and objectives in enacting the interim regulations per Ordinances No. 28432 and No. 28460, which highlight community concerns about temporary shelters generally as well as how they are currently regulated in the City's zoning code.

The Planning Commission has formulated its recommendations on the proposed temporary shelters permanent regulations for the City Council's consideration for adoption upon the expiration of the interim regulations on April 16, 2018. The proposed regulations seek to achieve the following general objectives:

- Respond to changing circumstances and deficits in the housing continuum that have led to ongoing suffering of individuals, families, and unaccompanied youth occupying homeless encampments, and the threat to the public health and safety.
- Encourage response and engagement by the faith-based, non-profit, and educational communities to be a part of the solution towards addressing homelessness by reducing barriers and streamlining processes, while considering impacts to neighborhoods and municipal resources.
- The Commission believes this is a transitional solution and only one element in the continuum of provision for homeless sheltering and housing; additional programs and facilities should be pursued along this continuum, which will increase the chances of success for the temporary shelters and not unduly burden citizen volunteers with a model intended for short- to medium-term provision.

The Planning Commission recommends that the City Council adopt the proposed amendments to the Tacoma Municipal Code, as set forth in **Exhibit "A"**.

E. Exhibit:

"A" – Proposed Amendments to the Tacoma Municipal Code



EXHIBIT “A”

Temporary Shelters Draft Permanent Regulations

PROPOSED LAND USE REGULATORY CODE CHANGES

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

Chapter 13.06 – Zoning

13.06.635 Temporary use.

A. Purpose. The purpose of this section is to allow listed temporary uses which:

1. Are not contrary to the various purposes of this chapter;
2. Will not impede the orderly development of the immediate surrounding area, as provided for in the Comprehensive Plan and the zoning district in which the area is located; and
3. Will not endanger the health, safety, or general welfare of adjacent residences or the general public.

B. Temporary uses.

1. General. A temporary use shall be subject to the standards of development specified in this section.
2. Duration and/or frequency. Where permitted as a temporary use, the following uses may be authorized for the time specified in Table 1, and subject to Section 13.06.635.B.

Table #1: TEMPORARY USES ALLOWED – NUMBER OF DAYS ALLOWED	
Temporary Use Type	Days Allowed Per Year
Seasonal sales	45
Carnival	14
Temporary housing	See Section 13.06.635.B.3.a
Temporary office space	See Section 13.06.635.B.3.b
Temporary storage	See Section 13.06.635.B.3.d
Temporary <u>shelters</u> homeless camps	See Section 13.06.635.B.4

a. The duration of the temporary use shall include the days the use is being set up and established, when the event actually takes place, and when the use is being removed.

b. A parcel may be used for no more than three temporary uses within a calendar year; provided, the time periods specified in Table 1 are not exceeded. Multiple temporary uses may occur on a parcel concurrently; provided, the time periods in Table 1 are not exceeded.

4. Temporary Shelters~~Homeless Camps~~.

a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious, non-profit, and governmental organizations to use property owned or controlled by them for temporary homeless shelters~~homeless camps~~, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.

b. Application. In order to allow sponsoring religious, non-profit, and governmental organizations to establish a temporary ~~shelters~~~~homeless camp~~ on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC 13.05, Land Use Permit Procedures, and the following:

(1) The Director of Planning and Development Services is authorized to issue permits for temporary ~~homeless camps~~~~shelters~~ only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements. A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based on safety, sanitary conditions or health related concerns.

(2) An application for a temporary ~~homeless camp~~~~shelter~~ shall include the following:

(a) The dates of the start and termination of the temporary ~~homeless camp~~~~shelter~~;

(b) The maximum number of residents proposed;

(c) The location, including parcel number(s) and address(es);

(d) The names of the managing agency, proposed self management plan (the self management plan would require consultation with the sponsor and oversight by City staff), or manager and sponsor;

(e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”) principles:

(i) Property lines;

(ii) Property dimensions;

(iii) Location and type of fencing/screening (must be a minimum of ten feet from property lines);

(iv) Location of all support ~~tents~~/structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;

(v) Method of providing and location of potable water;

(vi) Method of providing and location of waste receptacles;

(vii) Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);

(viii) Location of vehicular access and parking;

(ix) Location of ~~tents and/or~~ dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);

(x) Entry/exit control points;

(xi) Internal pathways, and access routes for emergency services.

(f) A statement from the sponsoring religious, ~~non-profit, or governmental~~ organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary ~~homeless camp~~~~shelter~~;

(g) a signed trespass order filed with the Tacoma Police Department

(h) a mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate.

(i) transition plan for assisting residents in moving to another location

c. Safety and health requirements. A temporary ~~homeless camp~~~~shelter~~ shall be established in accordance with the following standards:

(1) No more than 100 residents shall be allowed per ~~camp~~ ~~shelter~~ location. The City may further limit the number of residents as site conditions dictate.

(2) A minimum of 7,500 square feet of site area shall be required for ~~campshelters serving~~ up to 50 people. The minimum site area may be proportionally reduced if adjacent existing buildings are used for sleeping or support facilities such as kitchen, dining hall, showers, and latrines.

(3) For a ~~campshelter serving~~ more than 50 residents, the minimum 7,500 square-foot ~~campsite~~ area shall be increased by 150 square feet for each additional resident, up to a total of 100 residents.

(4) The maximum duration of a ~~homeless camp~~temporary shelter shall be ~~93~~ 185 consecutive days. ~~Gravel or paved camp sites and sites not zoned for residential use may extend the maximum duration of the camp to 123 consecutive days.~~

(a) A one-time extension of up to 40 days, or longer in the case of:

i. inclement weather, natural disaster, or other emergency ~~;~~ may be granted by the Director if unforeseen problems arise regarding ~~campshelter~~ relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the ~~camptemporary shelter~~ permit has occurred.

(5) A ~~camptemporary shelter~~ may only return to the same ~~church-owned~~ site after ~~two years six months~~ has lapsed since the ~~start end~~ date of the previous ~~camptemporary shelter~~. ~~Gravel or paved camp sites and sites not zoned for residential use may decrease the relocation time to 18 months from the start date of the previous camp.~~

(6) In no event shall more than ~~two six homeless camp~~temporary shelter sites be permitted within the City at any given time. Additionally, a maximum of two (2) campshelters should be allowed in any single Police Sector at any given time and a minimum of one-mile must separate each temporary shelter site. Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector.

(7) ~~Outdoor shelters~~~~The encampment~~ shall be enclosed on all sides with a minimum six-foot tall, ~~sight~~te-obscur ing fence. No fence will be required if the site is out of view of adjacent properties.

(8) Permanent structures are prohibited from being constructed within the ~~camptemporary shelter site~~. Existing permanent structures may be used for sheltering, or service provision.

(9) Temporary ~~homeless campshelters~~ are prohibited in Shoreline Districts, critical areas, and their buffers.

(10) The sponsoring religious, ~~;~~ non-profit, or governmental organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the ~~camp shelter~~ during its operation.

(11) One security/office/operations ~~tent or~~ structure shall be provided for the ~~campsite~~ manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the ~~campshelter~~ and be ready and able to alert police and/or other emergency responders if the need arises.

(12) The minimum age for ~~unaccompanied campshelter residents inhabitants~~ is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.

(13) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious, non-profit, or governmental organization. No sex offenders will be permitted as ~~campshelter~~ residents.

(14) The temporary ~~homeless campshelter~~ must be located within one-~~quarter half~~ mile of a ~~bus route~~transit stop that is in service seven days per week.

(15) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

(a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.

(b) Provide sanitary ~~portable~~ toilets as provided in the following table:

Number of camp residents	1-20	21-40	41-60	61-80	81-100
Number of toilets required	1	2	3	4	5

~~(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:~~

(i) Hand washing stations next to ~~portable~~ toilets provided in the following manner:

Number of camp residents	1-15	16-30	31-45	46-60	61-75	76-90	91-100
Number of stations required	1	2	3	4	5	6	7

~~(ii) One at the entrance to the dining area; and~~

~~(iii) One at the food preparation area.~~

(d) Showering facilities are required as provided in the following table:

Number of camp residents	1-33	34-66	67-100
Number of showers required	1	2	3

(e) At least one food preparation area ~~A tent~~ with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.

(f) Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.

(g) An adequate water source must be made available to the ~~campsite~~.

(h) ~~Indoor S~~sleeping ~~shelters facilities~~ must meet the following standards:

~~(i) Must comply with all life safety and building code requirements.~~

~~(i) Outdoor sleeping facilities must meet the following standards:~~

~~(i) Minimum two foot separation is required on sides and rear of tents from other tents, and a clear area of four feet is required at the entrance to all tents. All tents will be flame retardant. Appropriate spacing is required between all temporary, semi-permanent, and permanent sleeping structures of all types, materials, and sizes. Appropriate spacing will be specified during application intake and review.~~

~~(ii) Minimum of 30 square feet per resident in group tents.~~

~~(iii) Minimum 40-50 cubic feet of air space per resident in group tents.~~

~~(iv) Beds arranged at least three feet apart in group tents.~~

~~(j)~~ Waste water disposal, ~~including mop sink~~, which drains to sanitary sewer.

~~(k)~~ Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. ~~Estimate 30-gallon capacity per 10 residents.~~ Infectious waste/sharps disposal shall be made available.

~~(l)~~ Premises must be maintained to control insects, rodents, and other pests.

(16) Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:

(a) Approval letter from the TFD, should the ~~camp shelter site~~ contain structures in excess of 200 square feet or canopies in excess of 400 square feet.

(b) Provide ~~fire extinguishers in quantity and locations as specified by TFD. at least one fire extinguisher, as specified by TFD, within 75 feet from every tent, and at least one fire extinguisher in the kitchen facility and security office/tent.~~

(c) Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.

(d) No smoking or open flames shall be allowed in ~~tents sleeping or food prep structures~~. Smoking within the ~~camp shelter site~~ will be within designated smoking areas only.

(e) Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, ~~including~~ to support ~~tents and~~ facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and ~~any individual living tents sleeping structures~~.

(f) Security Plan. The security plan shall:

- (i) List the contact name and phone number of the on-site manager;
- (ii) Contain an evacuation plan for the ~~camp~~temporary shelter;
- (iii) Contain a controlled access plan for residents; and
- (iv) Contain a fire suppression and emergency access plan.

(17) Parking standards.

- (a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.
 - (b) A minimum of two off-street parking spaces per 25 residents are required for all temporary ~~homeless camps~~shelters.
 - (c) Any required parking for the principal/existing use on-site shall not be displaced as a result of the temporary ~~homeless camp~~shelter.
- (18) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

* * *

13.06.700 Definitions and illustrations.

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13.06.700.P

Police Sector – areas created by the Tacoma Police Department to support its Community Policing Division, which focuses on proactive policing in partnership with the community.

* * *

13.06.700.T

Temporary Shelters – A temporary type of accommodation for persons without permanent housing or a fixed address that provides shelter by means of a structure or dwelling unit.

Chapter 13.05 – LAND USE PERMIT PROCEDURES

13.05.020 Notice process.

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H. Notice and Comment Period for Specified Permit Applications. Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

Table H – Notice, Comment and Expiration for Land Use Permits

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
* * *									
Temporary Homeless <u>CampShelters</u> Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet ⁷	No	No	14 days	Director	No ¹	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No ¹	No	5 years
* * *									

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

* Programmatic Restoration Projects can request 5 year renewals to a maximum of 20 years total.

When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

¹ Conditional use permits for wireless communication facilities, including towers, shall expire two years from the effective date of the Director’s decision and are not eligible for a one-year extension.

² Comment on land use permit proposal allowed from date of notice to hearing.

³ Must be recorded with the Pierce County Auditor within five years.

⁴ Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director’s decision.

⁵ If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

⁶ Refer to Section 13.05.070 for preliminary plat expiration dates.

⁷ Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.