



To: Planning Commission
From: Lauren Flemister, Senior Planner
Subject: **Proposed Temporary Shelters Permanent Regulations**
Meeting Date: February 7, 2018
Memo Date: January 19, 2018

Action Requested:

Conduct public hearing to receive testimony on the proposed regulations and leave the record open through February 9, 2018 to accept additional written comments.

Project Summary:

The Proposed Temporary Shelters Permanent Regulations would amend several sections of the Tacoma Municipal Code that would:

- Allow for a variety of sheltering models;
- Allow shelters to extend from 93 to 185 days with an extension;
- Allow six camps to be operated in the City with a maximum of two in any one police sector;
- Provide additional flexibility for some site and facility requirements; and
- Define “police sector” and “temporary shelter”

Currently, there are interim regulations in effect concerning temporary shelters that were originally enacted by the City Council on June 6, 2017, per Ordinance No. 28432, and subsequently modified on October 17, 2017, per Ordinance No. 28460. The proposed permanent regulations, i.e., the subject of this environmental review, modify the interim regulations as set forth in Ordinance No. 28460 and are being considered by the Planning Commission for forwarding to the City Council for adoption before the 6-month interim regulations expire on April 16, 2018.

The complete text of the proposed amendment is available from the Planning and Development Services Department at the address below and posted online at www.cityoftacoma.org/planning (and linked to “Current Initiatives and Projects” and then “Emergency Temporary Shelters Regulations”).

Prior Actions:

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 16th, 2018. At the January 3, 2018 meeting, the Commission authorized the distribution of the proposal for public review and set February 7, 2018 as the date for a public hearing.

Staff Contact:

Lauren Flemister, Senior Planner (253) 591-5660, lflemister@cityoftacoma.org.

Planning Commission

Proposed Temporary Shelters Permanent Regulations

January 19, 2018

Page 2 of 2

Attachments:

1. Public Review Packet – Proposed Temporary Shelters Permanent Regulations (prepared for Public Hearing, February 7, 2018)
2. Discussion Outline (December 28, 2017)

c: Peter Huffman, Director



NOTICE OF PUBLIC HEARING

PLANNING COMMISSION PUBLIC HEARING TEMPORARY SHELTERS – PERMANENT REGULATIONS

Wednesday, February 7, 2018, 5:30 p.m.

City Council Chambers
Tacoma Municipal Building
747 Market Street
Tacoma, WA 98402

How to provide comments?

1. Testify at the hearing on **February 7**; and/or
2. Provide written comments by 5:00 p.m., **Friday, February 9, 2018**, via:
 - E-mail: planning@cityoftacoma.org; or
 - Letter: Planning Commission
747 Market Street, Room 345
Tacoma, WA 98402

Subject of the Public Hearing

Proposed amendments to the Tacoma Municipal Code that would:

- Allow for a variety of sheltering models;
- Allow shelters to extend from 93 to 185 days with an extension;
- Allow six camps to be operated in the City with a maximum of 2 in any one police sector;
- Provide additional flexibility for some site and facility requirements; and
- Define “police sector” and “temporary shelter”.

Background

Currently, there are interim regulations in effect concerning temporary shelters that were originally enacted by the City Council on June 6, 2017, per Ordinance No. 28432, and subsequently modified on October 17, 2017, per Ordinance No. 28460. The proposed permanent regulations, which are the subject of this public hearing, modify the interim regulations.



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the Planning and Development Services Department at (253) 591-5056 (voice) or (253) 591-5820 (TTY).

747 Market Street, Room 345 ■ Tacoma, WA 98402 ■ (253) 591-5682 ■ FAX (253) 591-5433 ■ <http://www.cityoftacoma.org/planning>

Next Steps

These draft permanent regulations are currently being considered by the Planning Commission. Following the public hearing, the Planning Commission will review all public input received and consider any potential modifications before making a recommendation to the City Council. The City Council is expected to consider this issue in March and make its final decision on the permanent regulations before the interim regulations expire on April 16, 2018.

Environmental Review

A Preliminary Determination of Nonsignificance (DNS) for the proposed permanent regulations has been issued based on the completion of an environmental checklist. Comments on the DNS must be submitted by 5:00 p.m., Friday, February 9, 2018. Unless modified by the City, the DNS will become final on February 16, 2018. The DNS and the environmental checklist are available at the website below.

Where to Get More Information

For more information about the proposal, please visit:

www.cityoftacoma.org/Planning

(click on “Current Initiatives and Projects” then “Emergency Temporary Shelters Regulations”)

Staff Contact

Lauren Flemister
Senior Planner
(253) 591-5660

lflemister@cityoftacoma.org



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 ~~struckthrough~~.

Maroon and Orange – Interim Regulations

Red and Gray – Draft Permanent Regulations

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 shelters <u>homeless camps</u>	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.

3. Temporary structure standards.

a. Temporary housing.

(1) Such use shall be placed on a lot, tract, or parcel of land upon which a main building is being in fact constructed. The applicant shall have a valid building permit approved by Planning and Development Services;

(2) Such uses are of a temporary nature not involving permanent installations, including structures and utilities;

(3) That such a house trailer or mobile home shall be located at least 25 feet away from any existing residences;

(4) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said house trailer or mobile home shall be observed.

(5) The temporary housing shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

b. Temporary office space.

(1) Such use shall be in accordance with the use regulations of the zoning district within which the temporary office is located.

(2) Such use is appropriate due to the construction or reconstruction of a main building or the temporary nature of the use.

(3) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(4) Such a temporary building shall be located at least 25 feet away from any existing structure or structures under construction unless it can be demonstrated that a lesser distance will be adequate to safeguard adjacent properties and provide a safe distance from any construction occurring on the site.

(5) Such temporary building shall not be required to comply with the design standards found in Section 13.06.501.

(6) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said temporary building shall be observed.

(7) The temporary office shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

c. Carnival.

(1) Such uses are of a temporary nature not involving permanent installations, including both structures and utility services, except those already existing on the premises.

(2) Proper regard shall be given to the controlling of traffic generated by the use with respect to ingress and egress to the given site and the off-street parking of automobiles attracted by the use.

(3) That any structures, buildings, tents, or incidental equipment shall be located at least 200 feet from existing residences;

(4) That off-street parking for the primary use on the site shall not be reduced below the required parking for that use.

d. Temporary storage. Temporary storage units are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis, Temporary storage units, where allowed, shall be subject to the following standards:

(1) Temporary storage units shall be allowed as part of an active construction project or active moving process.

(2) In residential zoning districts, the maximum duration of temporary storage shall be 180-days in any two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services.

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be removed within 30 days after final inspection of the project.

(4) Temporary storage units shall be placed in the least conspicuous location available to minimize disturbance to any adjoining properties and shall be located in accordance with all applicable building, health and fire safety ordinances and regulations. Units shall provide a minimum 5-foot setback from all exterior property lines and shall not be located within required buffer areas. Units shall not block, impair, or otherwise unduly inconvenience pedestrian or vehicular traffic patterns, emergency access, access points to the site, parking lots, or adjacent uses.

(5) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the

installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.500-.522.

(7) Planning and Development Services shall have full discretion to stipulate additional limitations or conditions on such temporary use to ensure that it does not unduly affect the health, safety, or general welfare of adjacent properties or residences or the general public.

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 ~~and non-profit~~ organizations to use property owned or controlled by them for temporary homeless ~~shelter~~~~seams~~, 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 ~~and non-profit~~ 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 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 or non-profit 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 campshelter;

(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.

c. Safety and health requirements. A temporary homeless campshelter 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 camp shelter serving more than 50 residents, the minimum 7,500 square-foot camp site 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 camp-shelter 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 camp temporary shelter permit has occurred.

ii. demonstrated exemplary compliance, neighborhood support, and resident need may be granted by the Director. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred.

(5) A camp temporary 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 camp temporary 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. City funded and/or programmed operated+ sites are exempt. Additionally, a maximum of two (2) camps 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-obscuring fence. No fence will be permitted required if the site is out of view of adjacent properties.-

(8) Permanent structures are prohibited from being constructed within the camp temporary 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 or non-profit 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 camp-site 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 camp shelter and be ready and able to alert police and/or other emergency responders if the need arises.

(12) The minimum age for unaccompanied camp shelter 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 or non-profit organization. No sex offenders will be permitted as camp shelter residents.

(14) The temporary homeless camp shelter 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 <u>camp</u> 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 <u>camp</u> 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 <u>camp</u> residents	1-33	34-66	67-100
Number of showers required	1	2	3

(e) At least one food preparation area ~~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 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 ~~tentsleeping 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 tentsleeping 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 campshelters.~~

(c) Any required parking for the principal/existing use on-site shall not be displaced as a result of the temporary ~~homeless campshelter.~~

(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.

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.

Formatted: Font: 11 pt

Formatted: Font: 11 pt, Bold

Formatted: Font: 11 pt

Formatted: Centered

Formatted: Font: 11 pt

Formatted: Centered

Formatted: Font: 11 pt

Chapter 13.05 – LAND USE PERMIT PROCEDURES

13.05.020 Notice process.

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
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years ³
Binding site plan	Required	No	No	No	No	Director	No	No	5 years ³
Environmental SEPA DNS	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
Environmental Impact Statement (EIS)	Required for scoping, DEIS and FEIS	1000 feet	Yes	Yes	Minimum 30 days	Director	No, unless part of associated action. Public scoping meeting(s) required	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years
Open space classification	Required	400 feet	No	Yes	2	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	1000 feet	Yes	Yes	21 days SEPA ²	Hearing Examiner	Yes	Final Plat	5 years ⁶

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Rezoning	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA ²	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days ⁵	Director	No ¹	No	2 years/ maximum ⁶
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years ³
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No ¹	No	5 years ⁶
Site approval	Optional	400 feet	No	Yes	30 days ⁵	Director	No	No	5 years
Conditional use	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days ⁵	Director	No	No	5 years ⁴
Conditional use, correctional facility (new or major modification)	Required	1,000 feet	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days ²	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days ²	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days ⁵	Director	No	No	5 years
Temporary Homeless Camp Shelters 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
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No ¹	No	5 years*
Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No ¹	No	5 years*

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Wetland/Stream/ FWHCA verification	Required	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.

Temporary Shelters Permanent Regulations

Discussion Outline

January 3, 2018

Objectives

- Create temporary shelter permanent regulations prior to the expiration of interim regulations on April 16, 2018.
- Create permanent regulations for temporary shelters that are responsive to the needs of various homeless populations and concerns of faith-based and non-profit providers, resulting in enhanced safe, healthy shelter space.

Summary

Staff recommends retaining many of the interim regulation changes. Additional areas of study that impact the scope of review are based on information from faith-based organizations, concerned citizens, planning commission, councilmembers, and are outlined below:

- Potentially allowing temporary shelters that are compliant, successful, and integrated into community to continue beyond the timelines currently outlined in the municipal code
- Potentially clarifying the regulations to allow for the accommodation of various types of sheltering and provide flexibility to providers
- Potentially reviewing facility and service provision to reduce barriers and clarify level of provision based on sheltering scheme
- Potentially expanding the notification radius
- Potentially creating and standardizing associated definitions throughout code (including police sector and temporary shelters)

Area of Applicability

City-wide. Under the interim regulations, up to six shelters may be located throughout the city. The first four must be distributed in one of each of the four police sector areas; an additional two are eligible to be placed, in different sectors, once four have been placed (one in each sector).

Background

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

On May 9, 2017, the City Council adopted Ordinance No. 28430, declaring a State of Public Health Emergency, effective through October 9, 2017. On that same date, the City Manager presented the 3-

phase Emergency Aid and Sheltering Program and immediately began the implementation of the program.

On June 6, 2017, the City Council adopted Ordinance No. 28432, enacting interim zoning and land use controls as an emergency measure, effective through November 14, 2017, to permit the City to site temporary emergency shelters in response to the declared public emergency. The modified regulations, adopted by Council on October 17, 2017, enable the continued operation of the current stability site, as well as to allow faith-based organizations and non-profits to host temporary homeless camps, as substantially outlined in the Tacoma Municipal Code, Section 13.06.635.B.4. The interim regulations are effective through April 16, 2018.

The primary modifications to the temporary shelters regulations are summarized below:

A. Number of Residents

Preexisting Code: Maximum of 100 residents per camp.

Interim Regulations Modifications: Maintains the number of residents per camp at the 100 person limit during the period of the interim regulations. Number of residents per camp shall be proposed by organization running the camp and population being served. Planning and Development Services staff shall work alongside Neighborhood and Community Services staff to recommend appropriate numeric thresholds for camps based on targeted population, capacity of provider, site conditions, and access to facilities and services as part of the permit process.

Draft Permanent Regulations Modifications: Interim regulations maintained.

B. Types of Sheltering

Preexisting Code: While the original ordinance was focused on outdoor/tent sheltering models it did not preclude other types, such as indoor sheltering.

Interim Regulations Modifications: In response to the desire for increased flexibility in how individuals are sheltered as expressed by Neighborhood and Community Services staff and faith-based organizations, the interim regulations more clearly allow for indoor sheltering at the request of an applicant and ensures that the building meets all other required life safety regulations.

Draft Permanent Regulations Modifications: 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.

C. Site Area and Number of People per Area

Preexisting Code: Specific minimum site area required based on the number of people to be housed in the facility.

Interim Regulations Modifications: During the period of the interim regulations, a review of site requirements to ensure total site area and number of people per defined square footage matches

the site provision of various entities interested and capable of hosting a camp, and consider appropriate changes during the development of the permanent regulations.

Draft Permanent Regulations Modifications: Site area and number of people per area maintained.

D. Maximum Duration of Camp

Preexisting Code: 93 consecutive days with 40-day extension.

Interim Regulations Modifications: Based on best practices and needs of potential providers, extend the duration to 185 consecutive days with an inclement weather season provision to allow camp extensions during harsh winter weather.

Draft Permanent Regulations Modifications: A provision that would allow, in special cases, for maximum duration to extend past 185 days and a typical 40-day extension.

E. Recurrence of Camp at a Specific Site

Preexisting Code: Prevents a provider from hosting a camp within two (2) years of the start date of the previous camp hosted on the same site.

Interim Regulations Modifications: Recurrence period shortened to six (6) months between end and start date of a camp hosting period.

Draft Permanent Regulations Modifications: Interim regulations maintained.

F. Number of Camps Allowed in the City of Tacoma

Preexisting Code: Two (2) camps to be concurrently hosted within the City.

Interim Regulations Modifications: Increases the total number to six (6) camps. Additionally, a maximum of two (2) camps 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.

Draft Permanent Regulations Modifications: Exempts City-run or funded sites from the total of six (6) camps.

G. Site Requirements

Preexisting Code: Outlines size, area per resident, security, and screening requirements.

Period of Interim Regulations Review: During the period of the interim regulations, the site requirements should be reviewed and appropriate measures should be established during the development of the permanent regulations with the intent to remove unnecessary barriers for potential providers.

Draft Permanent Regulations Modifications: 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.

H. Age of Camp Inhabitants

Preexisting Code: Minimum 18 years of age

Period of Interim Regulations Review and Interim Regulations Modifications: In order to properly consider the needs of families in need of assistance, the minimum age requirement should be reviewed and appropriate adjustments made. During the period of interim regulations, unaccompanied minors will not be accepted, but those aged under 18 accompanied by a guardian may be allowed access to faith-based organization and non-profit run temporary homeless camps. This would be something reviewed and considered as part of the discretionary temporary use permit process.

Draft Permanent Regulations Modifications: Interim regulations maintained.

I. Facility and Service Provision

Preexisting Code: Outlines hygiene and sanitation facility location and numbers.

Period of Interim Regulations Review: The number of hygiene and sanitation facilities provided shall remain the same during the period of the interim regulations, with the exception of more clearly allowing indoor facilities to be used. Indoor facility numbers will be in keeping with fixture counts compliant with building regulations. Staff shall review facility and service provision provided on site, and the review should include: number of washing stations and possibility of facility in lieu, number of portable toilets and possibility of facility in lieu, number of showering facilities and possibility of facility in lieu, number of food preparation area/tent and possibility of facility in lieu, and type of sleeping shelter.

Draft Permanent Regulations Modifications: 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.

J. Application Requirements

Preexisting Code: Outlines requirements prior to or at the time of application submission including scope of shelter, site plan, service provision, and proof of liability insurance.

Period of Interim Regulations Review: Requirements largely maintained with added flexibility for the use of indoor service provision

Draft Permanent Regulations Modifications: 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.

Outreach Summary

To-Date

June 15 - Presented at the Associated Ministries quarterly meeting to provide updates on the state of emergency and facilitate a focus group with FBOs receive feedback and provide support on how they can engage with supporting individuals and families experiences homelessness. A summary and follow-up was provided the following day (NCS: Tiegan Bradbury)

August 10 - Met with Associated Ministries to discuss the survey created for FBO leaders to received feedback on the Temporary Shelter ordinance modifications. Incorporated Associated Ministries feedback into survey. Asked to use the City's standing time during the quarterly meeting to facilitate a focus group on ordinance changes (NCS: Tiegan Bradbury)

August 21 - Began RFP design for the Temporary Overflow Family Shelter (TOFS) at Bethlehem Baptist (NCS: Tiegan Bradbury)

August 31 - Met with Associated Ministries to finalize the survey, the agenda for the quarterly meeting, and the "Call to Action" designed with MCO (NCS: Tiegan Bradbury)

Sept. 21st – Associated Ministries Meeting – presentation and focus group (NCS: Kristin Ely, Erica Azcueta, PDS: Lauren Flemister)

October 26th – Presentation and Q&A at Community Council (PDS: Lauren Flemister)

October 27th – Presentation and Q&A at Phase 2 Meeting at Salvation Army Citadel (NCS: Erica Azcueta, Colin DeForrest, PDS: Lauren Flemister), *staffed weekly* by NCS

November 6, NCS (Tiegan) submitted the permit request for Bethlehem Baptist Church's TOFS program.

December 5th – Associated Ministries Quarterly Meeting – will be staffed by PDS and NCS

Upcoming

January 10th – Staff from PDS and NCS will be available to discuss draft code changes at Open House.