



**ORDINANCE NO. 28216**

1 AN ORDINANCE relating to temporary homeless camps; amending Tacoma  
2 Municipal Code Chapter 2.09, Fee Code, at Section 2.09.170; amending  
3 Chapter 13.05, Land Use Permit Procedures, at Section 13.05.020; and  
4 amending Chapter 13.06, Zoning, at Section 13.06.635, relating to the  
5 Temporary Homeless Camp permitting process.

6 WHEREAS the Washington State Legislature passed Engrossed Substitute  
7 House Bill ("ESHB") 1956, codified as RCW 35.21.915, which grants broad  
8 authority to religious organizations to host temporary camps on property owned or  
9 controlled by such organizations for individuals experiencing homelessness, and

10 WHEREAS RCW 35.21.915 prohibits local governments from enacting  
11 ordinances or other regulations that impose conditions other than those necessary  
12 to protect public health and safety, and which do not substantially burden the  
13 decisions or actions of religious organizations with respect to the provision of  
14 temporary homeless camps, and,

15 WHEREAS RCW 35.21.915 further prohibits the imposition of permit fees  
16 in excess of the actual costs associated with the review and approval of the  
17 required permit applications for temporary homeless camps, and

18 WHEREAS it is the intent of the City to regulate temporary homeless camps  
19 to protect the public health and safety of the general community, as well as the  
20 safety of residents in such camps, and

21 WHEREAS, while there have been no specific proposals for such a camp in  
22 the City, there is organized interest in the community to address homelessness and  
23 to potentially provide this type of facility as an option for individuals experiencing  
24 homelessness, and  
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1 WHEREAS the City desires to amend Tacoma Municipal Code ("TMC")  
2 Chapter 2.09, Fee Code, Chapter 13.05, Land Use Permit Procedures, and  
3 Chapter 13.06, Zoning, to provide regulations for the establishment and  
4 operation of homeless encampments in the City, and

5 WHEREAS the Planning Commission, after completing its review process,  
6 including a hearing to receive public testimony on January 22, 2014, forwarded  
7 its proposed recommendations to the City Council for consideration, and

8 WHEREAS, on April 1, 2014, a hearing was held before the City Council  
9 to receive public testimony regarding the proposed TMC amendments relating to  
10 the temporary homeless camp permitting process; Now, Therefore,  
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12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That Tacoma Municipal Code ("TMC") Chapter 2.09, Fee Code,  
14 is hereby amended at Section 2.09.170, as set forth in the attached Exhibit "A."  
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16 Section 2. That TMC Chapter 13.05, Land Use Permit Procedures, is  
17 hereby amended at Section 13.05.020, as set forth in the attached Exhibit "B."  
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Section 3. That TMC Chapter 13.06, Zoning, is hereby amended at

1 Section 13.06.635, as set forth in the attached Exhibit "C."

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3 Passed APR 22 2014

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6 Mayor \_\_\_\_\_

6 Attest:

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9 City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
13 City Attorney

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## EXHIBIT "A"

### 2.09.170 Required filing fees for land use applications.

The following schedule indicates the fee requirements for land use permits within the City. Said fee must be submitted concurrently with the application for a land use permit. The fee for any activity begun prior to receiving the appropriate approval shall be double the base fee herein set forth; provided, that such fee shall not exceed \$2,500 above the required filing fee.

#### A. Required Filing Fees for Land Use Applications.

Table XIII		
1.		Plats
	a.	Boundary line adjustment
		\$751.73
	b.	Short plat
		2 lots
		\$1,005.69
		3 lots
		\$1,503.46
		4 lots
		\$2,006.30
	c.	Subdivision
		5-9 lots
		\$3,149.13
		10 lots
		\$3,250.71 + \$93.97 each lot over 10
	d.	Final plat
		\$1,254.57
	e.	Plat by binding site approval
		\$1,254.57
2.		Reclassification
	a.	One-family dwelling district (R-1, R-2 SRD, R-2)
		\$1,879.32 + \$126.98 each complete acre
	b.	Two-family dwelling district (R-3)
		\$2,539.62 + \$126.98 each complete acre
	c.	All other districts
		\$7,517.28 + \$629.83 each complete acre
3.		Site approval
		\$7,517.28
4.		Conditional use permit
		\$3,758.64
	a.	Day care centers less than 50 children
		\$629.83
5.		Shoreline
	a.	Substantial development permit/conditional use/variance
		Single-family
		\$629.83
		Other than single-family
		Up to \$500,000 project value
		\$5,028.45
		\$500,001 to \$1,000,000 project value
		\$6,298.26
		\$1,000,001 to \$1,500,000 project value
		\$7,517.28
		\$1,500,001 to \$2,000,000 project value
		\$8,787.09
		\$1,500,001 to \$2,000,000 project value
		\$8,787.09
		+
		Over \$2,000,000 project for the first \$2,000,000
		\$1,269.81
		for each \$1,000,000, or fraction thereof, project value in excess of \$2,000,000
	b.	Revision to shoreline permit –
		Other than single-family
		\$1,879.32
		Single-family revisions
		\$375.86
	c.	Shoreline sign waiver
		\$1,879.32



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	d.	Shoreline exemption	\$126.98
6.		Wetland	
	a.	Development permit	\$6,630.00
	b.	Assessment	\$2,530.00
	c.	Delineation verification	\$1,330.00
	d.	Mitigation Monitoring Review	\$530.00
	e.	Wetland/Stream Exemptions	\$680.00
7.		Variance:	
	a.	Single-family residential	\$629.83
	b.	Other than single family	\$1,879.32
	c.	Height – main building	\$1,269.81
	d.	Height – accessory building	\$629.83
8.		Special development permit	\$3,758.64
9.		Waiver	\$2,539.62
10.		Modification of permit	
	a.	Single-family residential	\$375.86
	b.	All others	\$1,879.32
11.		Extension of permit	\$314.91
12.		Determination/interpretation by Land Use Administrator	\$690.78
13.		Additional notice (request of applicant)	\$441.89
14.		Open space use classification	\$629.83
15.		Zoning verification letter	\$126.98
16.		Accessory dwelling unit ("ADU")	\$629.83
		Legalization of existing ADU before 1/1/96	\$126.98
		ADU Reauthorization	\$126.98
17.		Appeal (including environmental appeals)	\$253.96
18.		Environmental fees	
	a.	SEPA checklist/threshold determination	\$375.86
	b.	Parking lots, signs, and buildings 6,000 sq. ft. or less	\$507.92
	c.	Grading permits and buildings 6,001–10,000 sq. ft.	\$888.87
	d.	Buildings 10,001–20,000 sq. ft.	\$1,269.81
	e.	Buildings over 20,000 sq. ft.	\$1,879.32
	f.	Environmental Impact Statement ("EIS")	\$1,879.32 base fee + \$76.19 each hour or fraction thereof over 12 hours
	g.	Supplemental EIS	\$1,269.81 base fee + \$76.19 each hour or fraction thereof over 8 hours
	h.	Addendum EIS	\$629.83 base fee + \$76.19 each hour or fraction thereof over 4 hours
19.		<u>Temporary Homeless Camp Permit</u>	<u>\$1,500.00</u>

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## EXHIBIT "B"

1 **13.05.020 Notice process.**

2 A. Purpose. The purpose of this section is to provide notice requirements for land use applications.

3 B. Administrative Determination.

4 1. A notice of application is not required for Administrative Determinations. Examples of Administrative  
5 Determinations are minor variances, temporary homeless camp permits, reasonable accommodation  
6 requests, review of non-conforming rights, zoning verification requests, and information requests.

7 2. Determinations of the Director shall be mailed to the applicant and the property owner (if different than  
8 the applicant) by first class mail.

9 3. At the discretion of the Director, notice of the Determination and/or summary of Determination may be  
10 provided to other qualified or interested parties.

11 \* \* \*

12 G. Public Comment Provisions. Parties receiving notice of application shall be given the opportunity to  
13 comment in writing to the department. A "public meeting" to obtain information, as defined in  
14 Section 13.05.005, may be held on applications which require public notification under Process II when:

15 1. The Director determines that the proposed project is of broad public significance; or

16 2. The neighborhood council in the area of the proposed project requests a "public meeting"; or

17 3. The owners of five or more parcels entitled to notice for the application make a written request for a  
18 meeting; or

19 4. The applicant has requested a "public meeting."

20 Requests for a meeting must be made in writing and must be in the Planning and Development Services  
21 office within the comment period identified in the notice. One public meeting shall be held for a permit  
22 request regardless of the number of public meeting requests received. If a public meeting is held, the  
23 public comment period shall be extended 7 days beyond and including the date of the public meeting.  
24 Notice of the "public meeting" shall be mailed at least 14 days prior to the meeting to all parties entitled  
25 to original notice, and shall specify the extended public comment period; however, if the Director has  
26 determined that the proposed project is of broad public significance, or if the applicant requests a  
meeting, notification of a public meeting may be made with the notice of application, and shall allow the  
standard 30-day public comment period.

The comment period for permit type is identified in Section 13.05.020.H. When a proposal requires an  
environmental determination under Chapter 13.12, the notice shall include the time within which  
comments will be accepted prior to making a threshold determination of environmental significance or  
non-significance.

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 <sup>3</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Environmental SEPA DNS/EIS	Optional	Same as case type	Yes if no hearing required	Yes for EIS	Same as case type	Director	No	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	<sup>2</sup>	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years <sup>6</sup>
Rezones	Required	400 feet	No	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/ maximum 6
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years <sup>6</sup>
Site approval	Optional	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
<u>Temporary Homeless Camp Permit</u>	<u>Required</u>	<u>400 feet</u>	<u>Yes</u>	<u>Yes</u>	<u>14 days</u>	<u>Director</u>	<u>No</u>	<u>No</u>	<u>1 year</u>
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	14 days	Director	No <sup>1</sup>	No	5 Years
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years with 5 year renewal option to a maximum of 20 years total



1	Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years with 5 year renewal option to a maximum of 20 years total
2	Wetland/Stream/ FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years

3 INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

4 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).

5 <sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.

6 <sup>3</sup> Must be recorded with the Pierce County Auditor within five years.

7 <sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

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

9 <sup>6</sup> Refer to Section 13.05.070 for preliminary plat expiration dates.

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

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26 <sup>1</sup> 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.





## EXHIBIT "C"

### 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.

<b>Temporary Use Type</b>	<b>Days Allowed Per Year</b>
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
<u>Temporary homeless camps</u>	<u>See Section 13.06.635.B.4</u>

- 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.

1 (3) Such use is of a temporary nature not involving permanent installations, including structures, utilities,  
2 and other improvements, unless such improvements are to be used in conjunction with a permanent  
3 structure, plans for which have been approved by Planning and Development Services. This provision  
4 shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the  
5 requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts  
6 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.

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

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

#### 4 4. Temporary Homeless Camps.

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

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

14 (1) The Director of Planning and Development Services is authorized to issue permits for temporary  
15 homeless camps only upon demonstration that all public health and safety considerations have been  
16 adequately addressed, and may administratively adjust standards upon providing findings and conclusions  
17 that justify the requirements.

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

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

20 (b) The maximum number of residents proposed;

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

22 (d) The names of the managing agency or manager and sponsor;

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

26 (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);

(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;



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

3 (x) Entry/exit control points;

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

5 (f) A statement from the sponsoring religious organization regarding its commitment to maintain liability  
6 insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted  
7 activity during the existence of any sponsored temporary homeless camp;

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

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

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

15 (3) For a camp of more than 50 residents, the minimum 7,500 square-foot camp area shall be increased by  
16 150 square feet for each additional resident, up to a total of 100 residents.

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

20 (a) A one-time extension of up to 40 days may be granted by the Director if unforeseen problems arise  
21 regarding camp relocation. An extension must be requested before the last 30 days of the temporary  
22 permit and will not be granted if any violation of the camp permit has occurred.

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

26 (6) In no event shall more than two homeless camp sites be permitted within the City at any given time.

(7) The encampment shall be enclosed on all sides with a minimum six-foot tall, site-obscuring fence.

(8) Permanent structures are prohibited from being constructed within the camp.

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

(10) The sponsoring religious organization shall work with Neighborhood and Community Services and  
other agencies to find more permanent housing solutions for the inhabitants of the camp during its  
operation.

(11) One security/office/operations tent or structure shall be provided for the camp 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 and be ready and able to alert police and/or other emergency  
responders if the need arises.

(12) The minimum age for camp inhabitants is 18 years of age.

(13) Each resident shall be pre-screened for warrants and a background check shall be completed by the  
sponsor religious organization. No sex offenders will be permitted as camp residents.





1 (14) The temporary homeless camp must be located within one-quarter mile of a bus route that is in  
2 service seven days per week.

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

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

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

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

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

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

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

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

12 (iii) One at the food preparation area.

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

<u>Number of camp residents</u>	<u>1-33</u>	<u>34-66</u>	<u>67-100</u>
<u>Number of showers required</u>	<u>1</u>	<u>2</u>	<u>3</u>

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

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

18 (g) An adequate water source must be made available to the camp.

19 (h) Sleeping shelters must meet the following standards:

20 (i) Minimum two-foot separation is required on sides and rear of tents from other tents, and a clear area of  
21 four feet is required at the entrance to all tents. All tents will be flame retardant.

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

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

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

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

2 (k) Premises must be maintained to control insects, rodents, and other pests.

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

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

5 (b) Provide 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.

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

7 (d) No smoking or open flames shall be allowed in tents. Smoking within the camp will be within designated smoking areas only.

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

9 (f) Security Plan. The security plan shall:

10 (i) List the contact name and phone number of the on-site manager;

11 (ii) Contain an evacuation plan for the camp;

12 (iii) Contain a controlled access plan for residents; and

13 (iv) Contain a fire suppression and emergency access plan.

14 (17) Parking standards.

15 (a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.

16 (b) A minimum of two off-street parking spaces per 25 residents are required for all temporary homeless camps.

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

18 (18) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

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**TO:** T.C. Broadnax, City Manager  
**FROM:** John Harrington, Principal Planner, Planning and Development Services Department  
Peter Huffman, Director, Planning and Development Services Department  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance – Amending TMC Chapters 13.05, 13.06 and 2.09 to add regulations and a permit fee for the Temporary Homeless Camps Permitting Process – April 15, 2014  
**DATE:** March 31, 2014

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**SUMMARY:**

This ordinance would adopt new regulations, as recommended by the Planning Commission, to create a defined permitting process for Temporary Homeless Camps. The action would also amend the Fee Code to add an application fee for the proposed permit.

**STRATEGIC POLICY PRIORITY:**

Passage of this ordinance will further the Council’s Strategic Policy Priority to “strengthen and support public safety, human services, public education, and diverse higher learning opportunities in Tacoma.”

**BACKGROUND:**

The Washington Legislature passed ESHB 1956, codified as RCW 35.21.915, which granted broad authority to religious organizations to host temporary homeless camps for individuals experiencing homelessness on property owned or controlled by such organizations. It prohibits local governments from enacting an ordinance or regulation that imposes conditions other than those necessary to protect the public health and safety and that do not substantially burden the decisions or actions of a religious organization with respect to the provision of temporary homeless camps. It also prohibits the imposition of permit fees in excess of the actual costs associated with the review and approval of the required permit applications for temporary homeless camps.

The Planning Commission made its recommendation at their February 19, 2014, meeting, and this recommendation was considered by the Neighborhood and Housing Committee and Council. Numerous versions of the draft regulations were developed during the Planning Commission and staff work and reviewed with the Neighborhoods and Housing Committee. Following the Council’s public hearing on April 1, the Committee is scheduled to make its final recommendation to the full Council.

It is the intent of the City of Tacoma to regulate temporary homeless camps to protect the public health and safety of the general community and the residents of such camps within the City that are associated with a religious organization. While there have been no specific proposals for such a camp in the city, this would position the City to receive potential future appropriations.

**ISSUE:**

This is an opportunity to update the Tacoma Municipal Code to ensure compatibility with state law and to provide a clear process for the review and consideration of temporary homeless camps run by religious organizations within the City of Tacoma.

**ALTERNATIVES:**

The current ordinance would be revised as the City Council desires. If the ordinance is not adopted, requests would be processed as a conditional use permit.



**RECOMMENDATION:**

The Planning Commission has recommended approval of the proposed amendments to the Tacoma Municipal Code to provide for a Temporary Homeless Camp Permitting Process. The proposed amendments will implement RCW 35.21.915 and provide an administrative and public review process for religious organizations to establish and run temporary homeless camps.

**FISCAL IMPACT:**

The proposed ordinance includes the creation of a new permit type and associated application fee. The proposed fee is based on an analysis of likely staff resources necessary to review the new permit, review of similar City permit processes and fees, and review of fees for similar permits in other jurisdictions. With this new permit review fee, and the limited number of applications expected, this proposal will result in no notable net fiscal impact.



Ordinance No. 28216

First Reading of Ordinance: APR 15 2014

Final Reading of Ordinance: APR 22 2014

Passed: APR 22 2014

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe				<input checked="" type="checkbox"/>
Mr. Campbell	<input checked="" type="checkbox"/>			
Mr. Ibsen	<input checked="" type="checkbox"/>			
Mr. Lonergan	<input checked="" type="checkbox"/>			
Mr. Mello	<input checked="" type="checkbox"/>			
Mr. Thoms	<input checked="" type="checkbox"/>			
Ms. Walker	<input checked="" type="checkbox"/>			
Ms. Woodards	<input checked="" type="checkbox"/>			
Mayor Strickland	<input checked="" type="checkbox"/>			

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Mr. Boe				
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