



City of Tacoma
Planning and Development Services

**Agenda Item
D-2**

To: Planning Commission
From: John Harrington, Development Services Division
Subject: **Temporary Homeless Camp Permitting Process**
Meeting Date: February 5, 2014
Memo Date: January 30, 2014

The Planning Commission conducted a public hearing on January 22, 2014, and kept the record open through January 24, to receive public comments on the proposed land use regulations concerning the Temporary Homeless Camp Permitting Process. At the next meeting on February 5th, staff will facilitate the Commission's review of public comments received and consideration of modifications, if any, to the proposed code amendment.

Attached is a Public Comments and Staff Responses Report that summarizes comments received and the corresponding staff responses. If you have any questions, please contact me at 279-8950 or jharring@cityoftacoma.org.

Attachment

c: Peter Huffman, Director



Proposed Land Use Regulations concerning Temporary Homeless Camp Permitting Process

Public Comments and Staff Responses Report

January 30, 2014

The Planning Commission conducted a public hearing on January 22, 2014, and kept the record open until January 24, 2014, to receive public comment concerning the proposed amendment of the Tacoma Municipal Code to address temporary homeless camp permitting process. Three citizens testified at the public hearing, and two written comments were received (see Attachments A). Summarized below are the major issues and concerns reflected in the public comment and the corresponding staff responses.

1. Subject: Emergency extensions

Commenter: Patricia Menzies, Tent City Tacoma (E-mail, January 17, 2014)

Issue: There should be a provision for an emergency extension for the camp just in case there is a problem setting up the next camp site. This actually happened to Tent City 4 in Sammamish and they had to move on a temporary emergency basis to a state park.

Staff Response: *Two of the benchmark cities we looked at, Spokane and Shoreline, had extensions allowed. Spokane allowed a one-time extension of up to 40-days if requested before the last 30 days and if no violations of the camp permit had occurred. Shoreline permitted an extension of up to one year even though their base permit was only for 60 days. It would be prudent to allow for a 40-day emergency extension for unforeseen circumstances, such as a church suddenly pulling out of agreeing to host the camp. This provision would allow time for the other churches involved in the camp rotation and any helper organizations to make arrangements for a new site without putting the residents in a bad situation. This issue magnifies the importance of lining up a year-long rotation of qualifying church sites in advance of starting a camp in Tacoma and maintaining that year planning cushion for logistics and financing. The emergency extension could be added under proposed section TMC 13.06.635 B.4.c(4) which specifies the maximum duration of a homeless camp. New section 13.06.635 B.4.c(4)(a) would read: "A one-time extension of up to 40-days may be granted by the Director for unforeseen circumstances if requested before the last 30-days of the temporary permit and if no violations of the camp permit had occurred."*

2. Subject: City is overregulating

Commenter: Patricia Menzies, Tent City Tacoma (Oral testimony, January 22, 2014)

Issue: The regulations go over and above what other land uses in the neighborhoods would be expected to do, such as site obscuring fencing (perceived as a way to shield the "unwanted" use from the neighborhood) and requiring background checks for residents. Showers should not be required because of the financial and logistic difficulty of providing them; hygiene stations would be adequate.

Staff Response: *The site obscuring fencing is primarily for the safety and comfort of the persons in the camp, not as a screen for the neighbors. The fence provides limited access points to the camp area, keeping out stray animals and persons who should not be in the camp. The site obscuring material also provides a visual screen for pets inside the camp from pets outside to camp to help limit barking. The screen also helps shield lights from outside the camp from disrupting people's sleep in the tents. As the Planning Commissioners have seen in pictures of the existing camps, most of the neighboring residential structures can easily see the camp and tents inside the 6-foot perimeter fence, so the purpose is not to screen the camp.*

The background check is for the safety of the persons living in the camp and to also provide a sense of security for surrounding neighbors of the camp. It is true that living quarters do not require this, but the other living quarters are in a more secure building that has exterior and interior walls and windows and doors that can be locked to provide more safety. In tents, the safety provided by walls and locked doors is not possible. The

neighborhoods will likely be more supportive of the camps coming to, and possibly returning to, the neighborhood if they knew the background checks were made.

The proposed shower requirement, 1 per 33 residents, would realistically provide a shower to each resident of a 100-person camp every three days. Not having a shower would be unacceptable for health reasons. There is only so much of your body that you can clean at a hygiene station (essentially, just a sink and water faucet) and living in close quarters, various diseases and vectors can manifest if the residents of the camp do not keep clean. One of the causes of homelessness is the lack of employment. A shower and clean clothes are essential for many types of employment. Staying clean with a shower will also keep clothes and bedding clean longer, requiring fewer trips to Laundromats.

3. Subject: Camp residents need to have their dignity

Commenter: Allan Oldskident, Tent City Tacoma(Oral testimony, January 22, 2014)

Issue: The City should not make rules specific to the camp except for health and safety. The existing camps allow residents to have dignity by allowing them to make many of their own rules and requiring community and camp service.

Staff Response: The proposed regulations are to protect the public health and safety and the health and safety of the residents of the camp. They are designed to not only protect the immediate well-being, but also to project a limited impact on the environment and neighborhoods that will increase the likelihood of a successful camp and being invited back to the site. The success and image of the camps are essential for future support by the congregations who are needed to provide the camp sites, utilities hookups, funding and other support. Without this support the camps would not be able to exist.

4. Subject: Camps need to be allowed as viable housing option

Commenter: Al Ratcliffe, Homeless Coalition(Oral testimony, January 22, 2014)

Issue: Temporary homeless camps are a positive solution to housing for the homeless. He supports the idea of self-governing by residents of the camps.

Staff Response: While this will be another option for housing the homeless, many persons during the public outreach sessions expressed the hope that other shelter options in buildings with better facilities would be available instead of having people live outside in tents.

5. Subject: JBLM Accident Potential Zone

Commenter: Dan Penrose, South Sound Military & Communities Partnership (Letter, January 22, 2014)

Issue: Homeless camps should not be allowed within the Accident Potential Zone 2 ("APZ II") of McChord Field at Joint Base Lewis-McChord.

Staff Response: Staff recommends that the City work in concert with the South Sound Military & Communities Partnership on the Joint Land Use Study to bring about land use regulations that implement the policies in the Comprehensive Plan to limit high density and assembly land uses in APZ II in the City of Tacoma. However, until this is done for all properties within the APZ II, it would not be prudent to single out this restriction for this church sponsored use. However, staff will certainly inform potential applicants of the additional hazard and recommend that other suitable sites outside the APZ II may be a better choice for a homeless camp.

Attachment

A. Comments Received during the Public Hearing Process

Attachment A

Comments Received during the Public Hear Process

A. Oral Testimony Received at the Public Hearing on January 22, 2014:

(1) **Patricia Menzies, Tent City Tacoma:**

Ms. Menzies expressed the concern that the City is proposing regulations on the church run homeless camps that go over and above what other land uses in the neighborhoods would be expected to do, such as site obscuring fencing and requiring background checks for residents. This is not required for any other type of housing. There is a perception by some in the homeless community that the site obscuring fence purpose is to shield the “unwanted” use from the neighborhood. Ms. Menzies does not want showers to be required because of the financial and logistic difficulty of providing them. She feels that hygiene stations would be adequate.

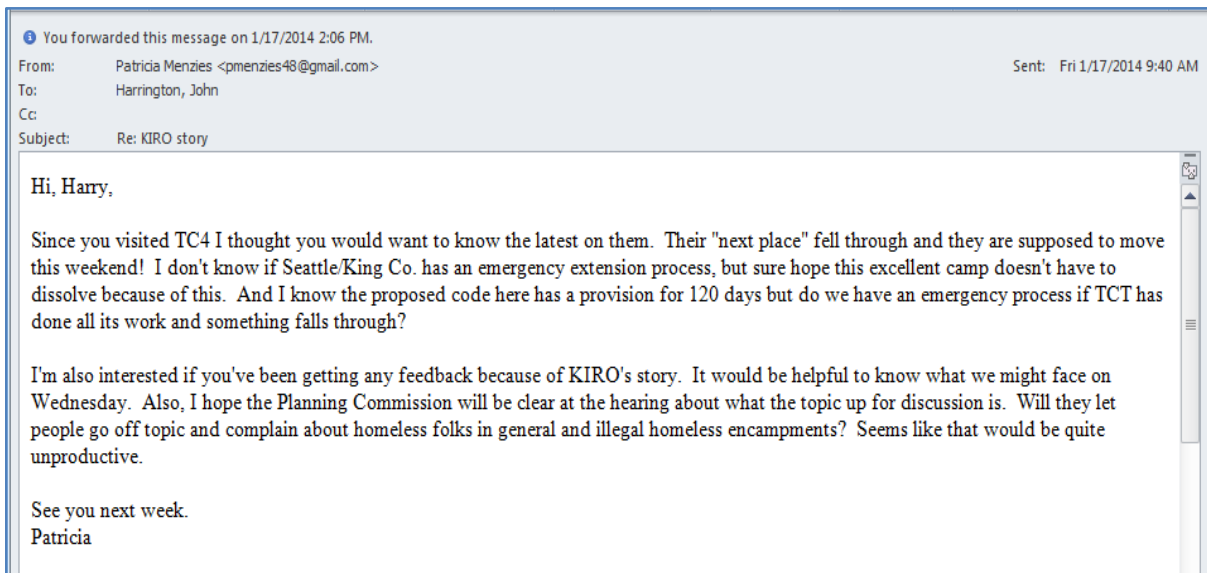
(2) **Alan Oldskident, Tent City Tacoma:**

Mr. Oldskident believed that the City should not make rules specific to the camp except for health and safety. The existing camps allow residents to have dignity by allowing them to make many of their own rules and requiring community and camp service. The camps are essential because they are safer for a homeless person versus being out on their own.

(3) **Al Ratcliffe, Homeless Coalition:**

Mr. Ratcliffe confessed early skepticism and concern when this issue first came up, but over time the Homeless Coalition was able to work with Tent City Tacoma and City staff and now sees temporary homeless camps as a positive solution to housing for the homeless population and supports the general concept that this should be allowed. He supports the idea of self-governing by residents of the camps.

B. E-mail from Patricia Menzies, January 17, 2014:



C. Letter from Dan Penrose, South Sound Military & Communities Partnership, January 22, 2014: (next page)



SOUTH SOUND MILITARY & COMMUNITIES PARTNERSHIP

City of DuPont
City of Lacey
City of Lakewood
City of Tacoma
City of Yelm
Joint Base Lewis-McChord
Nisqually Indian Tribe
Pierce County
Pierce County Health Department
Tacoma-Pierce County Chamber of Commerce
Thurston County
Thurston Regional Planning Council
Town of Steilacoom
United Way-Pierce County
Washington State Department of Transportation
Washington State Military Department

January 22, 2014

John Harrington, Jr.
Principal Planner
City of Tacoma
Via email: planning@cityoftacoma.org

RE: Temporary Homeless Camps Permitting Process

Dear Mr. Harrington:

On behalf of the 16 members of the South Sound Military & Communities Partnership (SSMCP) Steering Committee in the communities surrounding Joint Base Lewis-McChord (JBLM), I would like to offer a comment on the City of Tacoma's proposal to amend its zoning code to permit homeless camps in certain areas around the city, including within the Accident Potential Zone 2 of McChord Field, JBLM.

The SSMCP is a regional collaboration dedicated to building thriving military communities and we serve as a single point of contact for military-related activity that affects the region as a whole. As such, we work to increase awareness of the importance of JBLM to the state's economy. JBLM is the second largest employer in Washington State and a major driver of the region's economic activity. A power-projection platform for our Army and Air Force, C-17 cargo aircraft approach and depart from McChord Field on a daily basis. The Department of Defense has established overlay zones north of the runway in both Lakewood and Tacoma that assess the accident potential for aircraft and calculate the noise exposure levels within this area.

The Department of Defense recommends limiting uses on this property to ones that are low-density residential and business services, such as one dwelling unit per acre. The City of Lakewood has specific regulations in their zoning code that restricts new or more dense residential/assembly uses within the APZ1 and APZ2 zones in order to reduce the exposure of people to the possibility of an aircraft crash. For APZ2, densities are limited to no more than 50 persons per acre. The temporary homeless camp proposal allows for up to 50 persons on a 7,500 square foot lot or 100 persons on a 15,000 square foot lot, which is much more dense than the Department of Defense guidelines.

In recognition of the ongoing development activity in the APZ1, APZ2, and development elsewhere in Pierce and Thurston counties, the SSMCP has secured a two-year Joint Land Use Study grant which will review incompatible land uses and determine the best way to promote compatible uses and prevent further encroachment of the military mission at JBLM. We trust that you will help us with that process.

Thank you for the opportunity to comment on this important project.

Sincerely,

Dan Penrose, Program Manager
dpenrose@jblm-growth.com