



TO: Elizabeth A. Pauli, City Manager
FROM: Lauren Flemister, Senior Planner, Planning and Development Services
Peter Huffman, Director, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Ordinance – Temporary Shelters Permanent Land Use Regulations – March 27, 2018
DATE: March 12, 2018

SUMMARY:

An Ordinance enacting the proposed Temporary Shelters Permanent Land Use Regulations.

STRATEGIC POLICY PRIORITY:

The Temporary Shelters Regulations support the following strategic policy priorities:

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.

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 passed Ordinance No. 28430, declaring a State of Public Health Emergency, effective through October 9, 2017. On that same date, the City Manager presented the three-phase Emergency Aid and Sheltering Program and immediately began implementation of the program.

On June 6, 2017, the City Council passed 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.

On October 3, 2017, the City Council passed Ordinance No. 28458, extending the sunset date of the declared State of Public Health Emergency from October 9, 2017, to December 31, 2017.

On October 17, 2017, the City Council passed Ordinance No. 28460, retaining and modifying the interim regulations enacted per Ordinance No. 28432. The modified regulations enabled the continued operation of the current stability site and allowed faith-based organizations and non-profits to host temporary homeless camps, as substantially outlined in the Tacoma Municipal Code (TMC), Section 13.06.635.B.4. The interim regulations are effective through April 16, 2018.

On December 12, 2017, the City Council passed Ordinance No. 28478, further extending the sunset date of the declared State of Public Health Emergency to December 31, 2018.

The Planning Commission has reviewed the interim regulations as set forth in Ordinance No. 28460, within the context of the three-phase Emergency Aid and Sheltering Program; developed draft permanent regulations for the City Council’s consideration for adoption prior to the expiration of the interim regulations; conducted a public hearing on February 7, 2018, to receive public comment on the draft regulations; and put forward its recommendation on February 21, 2018, as documented in the Commission’s Findings of Fact and Recommendations Report.

The City Council will hold a public hearing on the proposed Emergency Shelters Permanent Regulations, as recommended by the Planning Commission, on March 20, 2018. A Study Session to review the testimony received and consider any potential amendments will be held on March 27, 2018.

ISSUE:

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 through Ordinance No. 28460. The requested Ordinance will enact the proposed Emergency Temporary Shelters Permanent Regulations.

ALTERNATIVES:

The Council could consider modifications to numerous components of the proposed permanent regulations, such as the allowed duration, number, size or standards for temporary shelter facilities. As noted above, the purpose of the March 27th Study Session will be to discuss any potential amendments following the public hearing. In addition, the Council could elect to not adopt the permanent regulations, although the existing interim regulations will expire on April 16, 2018.

RECOMMENDATION:

The recommendation is that the City Council enacts the proposed Temporary Shelters Permanent Land Use Regulations, as recommended by the Planning Commission.

FISCAL IMPACT:

There is no fiscal impact.