



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

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.