



TO: Elizabeth Pauli, City Manager
FROM: Erica Azcueta, Program Manager, Neighborhood and Community Services
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COPY: City Council and City Clerk
SUBJECT: [Ordinance – Amending Temporary Shelter Regulations] – [November 19, 2019]
DATE: November 4, 2019

SUMMARY:

The purpose of this memorandum is to recommend for Council adoption changes to the Temporary Shelter Permanent Regulations, Tacoma Municipal Code (TMC) Section 13.06.635 (Ordinance No. 28498) to increase use of the regulations to establish temporary shelter sites.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.

Near-term amendments to the temporary shelter regulations may result in increased applications for permit to establish temporary shelters, which will assist in addressing the City’s current deficit of approximately 400 shelter beds. Providing adequate shelter for individuals experiencing homelessness alleviates the public safety and health impacts of unauthorized encampments throughout the city.

BACKGROUND:

In April 2018, following extensive study by the Planning Commission and a February 2018 public hearing, the Council adopted permanent temporary shelter regulations through Substitute Ordinance No. 28498. These regulations allow for the establishment of temporary shelter sites by non-profit, faith-based and governmental organizations.

Since adoption of Substitute Ordinance No. 28498, Neighborhood and Community Services (NCS) staff has conducted more than 50 consultations with interested religious and non-profit organizations. One faith-based organization has obtained a permit to operate a shelter on their property. Bethlehem Baptist Church (4818 E. Portland Avenue) operated a temporary shelter at times during 2016-2018. The Pastor of Bethlehem Baptist has committed to work with the City to identify a suitable operator, and plans to establish a temporary shelter at that site as soon as the operator is identified and permitting obtained.

In response to the declared public health emergency related to homelessness (Ordinance No. 28430), recent changes to legislation regarding structures in parks that will be effective December 1, 2019 (Ordinance No. 28615), and the increased desire of prospective service providers to provide temporary shelters, it is in the best interest of the City to enact emergency modifications to the Emergency Temporary Shelters Permanent Regulations (Substitute Ordinance No. 28498). The proposed changes will allow more achievable thresholds for the size, location and dispersal of temporary homeless shelters. The proposed modifications to TMC 13.06.635, as depicted in Exhibit “A”, and are considered clarifications to and consistent with the intent of the original recommendations of the Planning Commission.

ISSUE:

During consultations with NCS staff, prospective shelter hosts have stated a variety of perceived barriers and reasons for not utilizing the regulations to establish a temporary shelter site. One of the barriers expressed was the restriction of one shelter per police sector. This restriction was originally put in place



to allow for equitable distribution of services, access to services for individuals experiencing homelessness across the city, and limit impacts to City services in any given location in the city.

Staff recommends refining the limitation on geographic location to address the number of individuals served in any given area rather than limiting the number of sites.

With adoption, Tacoma Municipal Code 13.06.635.4.c.(6) would state: In no event shall more than six temporary shelter sites be permitted within the City at any given time. No given Police Sector will have a total number of temporary shelter sites serving more than a total of 150 residents at any given time and a minimum of one mile must separate each temporary shelter site, except where the Director determines adjusting proximity will not provide over-concentration of services or result in an adverse impact to the surrounding community. Prior to approving shelter sites the total capacity of temporary shelter sites in a given sector shall be evaluated. As part of process for approving additional locations within a sector, the City shall determine whether there are adequate City services to support additional locations in a sector.

NCS has also collected input from prospective applicants indicating that the minimum square footage requirement is a difficult threshold to meet.

Staff recommends refining the language related to required square footage for sheltering sites.

With adoption, Tacoma Municipal Code 13.06.635.4.c.(2) would state: (2) A minimum of 150 square feet of site area per resident shall be required for any given shelter, provided that the site meets all safety, health, logistical, operational and site plan requirements for temporary shelters as set forth in this section. Such 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.

ALTERNATIVES:

Council may decide not to modify the Temporary Shelters Permanent Regulations at this time. Not modifying the regulations to reduce the identified restrictions does not alter the likelihood of establishing additional temporary shelter sites, which are required to meet current need.

RECOMMENDATION:

Staff recommends these near-term updates to the Temporary Shelter Permanent Regulations section 13.06.635 of the TMC to refine the restriction on number of locations per police sector and to reduce the required square footage for temporary shelter sites serving 25 people or less. Staff may bring additional recommendations forward for Council consideration at a later date, as an outcome of the November 2019 – April 2020 homeless services provider and stakeholder convening process.

FISCAL IMPACT:

There is no fiscal impact to adjusting the Municipal Code. Staff anticipates that City resources may be required to assist with temporary shelter implementation and operations.