

## Tacoma Municipal Code

(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.

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.090 - .100.

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

## 5. Temporary Shelters.

### a. Purpose.

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

### b. Application.

In order to allow sponsoring religious, non-profit, and governmental organizations to establish a temporary shelter on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC 13.05, Land Use Permits and Procedures, and the following:

- (1) The Director of Planning and Development Services is authorized to issue permits for temporary shelters only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements. A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based on safety, sanitary conditions or health related concerns or activities have become disorderly or disorganized so as to impact the safety, health, and welfare of the neighborhood adjacent to the site.
- (2) An application for a temporary shelter shall include the following:
  - (a) The dates of the start and termination of the temporary shelter;
  - (b) The maximum number of residents proposed;
  - (c) The location, including parcel number(s) and address(es);
  - (d) The names of the managing agency, proposed self-management plan (the self-management plan would require consultation with the sponsor and oversight by City staff and meetings with neighboring property owners, businesses, Safe Streets organizations, Neighborhood Councils, and/or similar organizations), or manager and sponsor;
  - (e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”) principles:
    - 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 structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;
    - 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;
    - ix. Location of dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);
    - x. Entry/exit control points;
    - xi. Internal pathways, and access routes for emergency services.
  - (f) A statement from the sponsoring religious, non-profit, or governmental organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary shelter;
  - (g) a signed trespass order filed with the Tacoma Police Department;
  - (h) a mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate;
  - (i) transition plan for assisting residents in moving to another location.

c. Safety and health requirements.

A temporary shelter shall be established in accordance with the following standards:

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

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- (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.
- (3) The maximum duration of a temporary shelter shall be 185 consecutive days, except as provided below:
- (a) The Director may extend the permit once for up to 40 days if unforeseen problems arise regarding shelter relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.
  - (b) The Director may extend the permit once when inclement weather, natural disaster, or other emergency necessitates the continued use of the shelter location. The Director may extend the permit until the event necessitating the extension has ended but no longer than 90 days. An extension must be requested prior to the event or when reasonable given the circumstances of the event. Notice of such an extension shall be provided to the same notification list required for the original permit application, as well as any other individuals who commented on the original request.
  - (c) The Director may extend the temporary permit for a longer period, up to 180 days, if the shelter has demonstrated continuing need and demonstrated compliance with this chapter. An extension must be requested before the last 60 days of the existing temporary permit. As indicated in Section 13.05.070.H, the maximum duration for this type of temporary permit is one year, however, successive permits for one shelter facility can also be approved under this section. If an extension is approved, the decision shall address any appropriate modifications to conditions of approval. This type of long-term extension, or successive long-term permits, shall be processed in the same manner required for the original Temporary Shelters Permit (as outlined in Section 13.05), including the same level of community notification, community meeting, and comment period. The Director's decision regarding this type of extension shall require periodic monitoring not less than every 45 days. An extension shall not be granted if any violation of the existing temporary shelter permit has occurred. In considering whether to grant this type of long-term extension, the Director shall consider factors such as:
    - i. The number of code compliance cases.
    - ii. The number of calls placed to police due to disruptions on-site by residents.
    - iii. The number of community engagements, which may include meetings or volunteer opportunities.
    - iv. A report documenting the status of resident jobs, skills, or behavioral trainings.
    - v. A report documenting efforts, up to and including, transitioning of residents into other temporary, long-term, or more stable housing.
- (4) A temporary shelter may only return to the same site after six-months has lapsed since the end date of the previous temporary shelter.
- (5) In no event shall there be located in any one Police Sector shelter sites serving more than a cumulative 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 result in over-concentration or an adverse impact to the surrounding community. Prior to approving shelter sites, the total capacity of temporary shelter sites in a given sector will be evaluated. As part of the process for approving additional locations within a sector, the City shall determine whether there are adequate services to support additional locations in a sector.
- (6) Outdoor shelters shall be enclosed on all sides with a minimum six-foot tall, sight-obscuring fence. No fence will be required if the site is out of view of adjacent properties.
- (7) Permanent structures are prohibited from being constructed within the temporary shelter site. Existing permanent structures may be used for sheltering or service provision.
- (8) Temporary shelters are prohibited in Shoreline Districts, critical areas, and their buffers.
- (9) The sponsoring religious, non-profit, or governmental organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the shelter during its operation.

- (10) One security/office/operations structure shall be provided for the site 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 shelter and be ready and able to alert police and/or other emergency responders if the need arises.
- (11) The minimum age for unaccompanied shelter residents is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.
- (12) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious, non-profit, or governmental organization. No sex offenders will be permitted as shelter residents.
- (13) The temporary shelter must be located within one-half mile of a transit stop that is in service seven days per week.
- (14) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

- (a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.
- (b) Provide sanitary toilets as provided in the following table:

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

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

- i. Hand washing stations next to toilets provided in the following manner:

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

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

Number of residents	1-33	34-66	67-100
Number of showers required	1	2	3

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

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

- (g) An adequate water source must be made available to the site.

- (h) Indoor sleeping facilities must meet the following standards:

- (i) Must comply with all life safety and building code requirements.

- (j) Outdoor sleeping facilities must meet the following standards:

- i. Appropriate spacing is required between all temporary, semi-permanent, and permanent sleeping structures of all types, materials, and sizes. Appropriate spacing will be specified during application intake and review.

- (k) Waste water disposal, which drains to sanitary sewer.

- (l) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Infectious waste/sharps disposal shall be made available.

- (m) Premises must be maintained to control insects, rodents, and other pests.

- (15) Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:

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

- (b) Provide fire extinguishers in quantity and locations as specified by TFD.

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

(d) No smoking or open flames shall be allowed in sleeping or food prep structures. Smoking within the shelter site will be within designated smoking areas only.

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

(f) Security Plan. The security plan shall:

- i. List the contact name and phone number of the on-site manager;
- ii. Contain an evacuation plan for the temporary shelter;
- iii. Contain a controlled access plan for residents; and
- iv. Contain a fire suppression and emergency access plan.

(16) Parking standards.

(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.090.C.

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

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

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

### Q. Wireless communication facilities.<sup>1</sup>

#### 1. Applicability.

a. Blank.

b. The following are exempt from the provisions of this section and shall be permitted in all zones:

- (1) Antennas and related equipment no more than three feet in height.
- (2) Wireless radio utilized for temporary emergency communications in the event of a disaster.
- (3) Licensed amateur (ham) radio stations not exceeding the permitted height requirements of the underlying zone. Amateur radio towers or antenna support structures exceeding the height limit shall be allowed only with approval of a Conditional Use Permit, in accordance with the provisions of Section 13.05.010.A. Modification or use of such towers for commercial use shall require full compliance with this section.
- (4) Satellite dish antennas less than seven feet in diameter, including direct to home satellite services, when used as an accessory use of the property.
- (5) Routine maintenance or repair of a wireless communication facility and related equipment (excluding structural work or changes in height or dimensions of antenna, tower, or buildings), provided that compliance with the standards of this regulation are maintained.
- (6) A COW or other temporary wireless communication facility shall be permitted for a maximum of 90 days during the construction of a permitted, permanent facility or during an emergency.
- (7) Residential television antennas as an accessory installation on a residential dwelling unit.

#### 2. Purpose.

These standards were developed to protect the public health, safety, and welfare, and minimize visual impacts on residential areas and Mixed-Use Center Districts, while furthering the development of wireless communication services in the City. These standards were designed to comply with the Telecommunication Act of 1996, as well as the relevant

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<sup>1</sup> Code Reviser's note: Previously codified as 13.06.545 (Wireless communications facilities); relocated to 13.06.080 per Ord. 28613 Ex. G; passed Sept. 24, 2019. Prior legislation: Ord. 28518 Ex. 6; passed Jun. 26, 2018; Ord. 28376 Ex. C; passed Aug. 16, 2016; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28109 Ex. O; passed Dec. 4, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27818 Ex. A; passed Jul. 28, 2009; Ord. 27432 § 14; passed Nov. 15, 2005; Ord. 27296 § 26; passed Nov. 16, 2004; Ord. 27245 § 19; passed Jun. 22, 2004; Ord. 27079 § 43; passed Apr. 29, 2003; Ord. 26966 § 18; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002.