

Temporary Homeless Facility Zoning Code Amendments

PLN2021-00003

Whatcom County Planning and Development Services
Presentation at
County Council Planning & Development Committee
September 14, 2021

I. County Interim Ordinances

II. Proposed Definitions

III. Proposed Temp Homeless Facility Regulations

I. County Interim Ordinances

Ordinance 2018-039

Ordinance 2018-041

Ordinance 2019-074

Ordinance 2020-053 (*expires Oct 27, 2021*)

County Interim Ordinance 2020-053

- Definitions – Defines “Temporary Homeless Facility” and related terms.
- Temporary Rules – Provides interim zoning regulations for temporary homeless facilities.
- Draft Regulations – Asks County staff to draft revisions to the County’s land use regulations to address these facilities.

II. Proposed Definitions

Temporary homeless facility

- Temporary building encampments
- Temporary safe parking areas
- Temporary tent encampments
- Temporary tiny house encampments

Definition

“**Temporary homeless facility**” means a facility providing temporary housing accommodations that includes a sponsor and managing agency, the primary purpose of which is to provide temporary shelter for people experiencing homelessness in general or for specific populations of the homeless. Temporary homeless facilities ~~include but are not limited to~~ are temporary building encampments, temporary safe parking areas, temporary tent encampments and temporary tiny house encampments.

Definition

“Temporary building encampment” means a temporary homeless shelter in a building or other permanent structure with overnight sleeping accommodations for the homeless . . .

Definition

“Temporary safe parking area” means a temporary homeless shelter for a group of people living in their vehicles . . .

Definition

"Temporary tent encampment" means a short-term living facility for a group of homeless people that is composed of tents or other temporary structures . . .

Definition

“Temporary tiny house encampment” means a temporary homeless facility for a group of people living in purpose-built tiny houses for people experiencing homelessness . . . Temporary tiny houses for the homeless are between 100 and 300~~typically less than 200~~ square feet and easily constructed and moved to various locations. ~~For the purposes of this ordinance, t~~Temporary tiny houses~~homes~~ are not dwelling units and, as such, are not required to meet building codes.

III. Proposed Temp Homeless Facility Regulations

- Location
- Requirements
- Permit Procedures
- Capacity Limits
- Duration Limits

Location

On land owned/controlled by religious organization:

Can be located anywhere

On land owned/controlled by others:

Can be located only in urban growth areas

Requirements

- Setbacks, fencing, lighting
- Max of 50 people at one site
- Managing Agency / Operations Plan (site management, maintenance, provision of services)
- Points of contact with 24 hour accessibility to County Sheriff's Office
- Water, portable toilets, handwashing stations, food prep areas, and trash cans
- Smoke detectors / fire extinguishers
- Site restoration

Permit Procedures

Administrative Approval Use Permit

- Notice to neighbors
- Notice on website
- Notice in newspaper
- Notice on road frontages
- Planning Department approves or denies the permit
- Permit decision can be appealed to the Hearing Examiner

Capacity

County - Max of 100 people in Temporary Homeless Facilities in unincorporated Whatcom County.

City of Bellingham - Max of 600 people in Temporary Homeless Shelters within city limits.

Duration

	<i>Original Permit Maximum</i>	<i>Potential Extensions</i>	<i>Total Maximum</i>	
Temp Tent Encampments	190	190	380	Days
Temp Safe Parking Areas	190	190	380	Days
Temp Tiny House Encampments	1	1	2	Years
Temp Building Encampments	5	0	5	Years

Summary

The subject proposal would:

1. Create a new chapter in the County Zoning Code addressing Temporary Homeless Facilities in unincorporated Whatcom County; and
2. Provide a definition of “Temporary Homeless Facility” and related terms.