



## City Council Regular Meeting Agenda

Puyallup City Hall is open and accessible to the public. This City Council meeting will be held in person at the Council Chambers on the 5th floor of City Hall, 333 S. Meridian, and virtually via the Zoom platform. The meeting can be watched via livestream on the city website ([cityofpuyallup.org/meetings](http://cityofpuyallup.org/meetings)) or joined via Zoom using this link:<https://bit.ly/3ASNBUf>. To listen by phone, call 253-215-8782 and enter webinar ID 821 3238 0029 and passcode 929928.

Written comments will be accepted at [info@puyallupwa.gov](mailto:info@puyallupwa.gov) until 5:30 p.m and be distributed to the City Council prior to the meeting.

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Tuesday, August 31, 2021

6:30 PM

### PLEDGE OF ALLEGIANCE

### ROLL CALL

#### 1. APPROVAL OF AGENDA

#### 2. PRESENTATIONS AND PROCLAMATIONS

- 2.a Proclamation: Childhood Cancer Awareness Month  
[Proclamation](#)
- 2.b Downtown Economic Development Plan Update

### CITIZEN COMMENTS

#### 3. CONSENT AGENDA

- 3.a Authorize an interlocal agreement with South Correctional Entity (SCORE) to incarcerate persons on behalf of the City in limited circumstances  
[Agreement](#)
- 3.b Approve a contract in the amount of \$124,121.06 with Buell Recreation for the Sam Peach Park playground project
- 3.c Approve a contract with the Washington State Fair for law enforcement and public works services associated with the 2021 Fall Fair and the 2022 Spring Fair
- 3.d Approve accounts payable, payroll, and electronic fund transfers of \$7,102,645.13  
[Warrant Cover Sheets](#)

#### 4. ORDINANCES

- 4.a Second reading of an ordinance pertaining to adjustments made to the 2021 budget between April 1st and July 31st

- [Ordinance](#)

- [Exhibit A - Summary](#)

- [Exhibit B - Details](#)

## 5. RESOLUTIONS

- 5.a Resolution adopting the Housing Action Plan

- [Resolution](#)

- [Staff Memo](#)

- [Final Puyallup Housing Action Plan](#)

## 6. OTHER BUSINESS

- 6.a Interim zoning controls to accommodate facilities for the homeless

- [Staff Memo](#)

- [HB 1220](#)

- [PMC 20.72 Homeless Drop-in Centers and Overnight Shelters](#)

## CITY MANAGER'S REPORT

## COUNCIL REPORTS

## MAYOR'S REPORT

## EXECUTIVE SESSION

## ADJOURNMENT

## PROCLAMATION

**WHEREAS**, childhood cancer is the leading cause of death by disease in children; and

**WHEREAS**, approximately 1 in 285 children in the United States will be diagnosed with cancer before their twentieth birthday; and

**WHEREAS**, each year worldwide, there are more than 300,000 new childhood cancer diagnoses; and

**WHEREAS**, although the five-year survival rate for childhood cancers has reached 84 percent, nearly 1,500 American children under the age of nineteen still die each year from cancer; and

**WHEREAS**, two thirds that do survive will face at least one chronic health condition later on in life as a result of treatment toxicity, with one quarter being classified as severe to life-threatening; and

**WHEREAS**, the causes of childhood cancer are largely unknown and more studies are needed to understand which treatments work best for children; and

**WHEREAS**, there are hundreds of children being treated for cancer in Washington State with locations at Seattle Children's Hospital (Seattle), Mary Bridge Hospital (Tacoma) and Shriners Hospitals for Children (Spokane); and

**WHEREAS**, too many children are affected by this deadly disease and more must be done to raise awareness and find a cure;

**NOW, THEREFORE**, be it proclaimed by the Puyallup City Council that September 2021 be recognized as

### CHILDHOOD CANCER AWARENESS MONTH

**IN WITNESS WHEREOF**, I, Mayor Julie Door, have hereunto set my hand and caused the seal of the City of Puyallup to be affixed this 31st day of August, 2021.

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Julie L.B. Door, Mayor



## City Council Agenda Item Report

Submitted by: Meredith Neal

Submitting Department: Economic Development

Meeting Date: 8/31/2021

### **Subject:**

Downtown Economic Development Plan Update

### **Presenter:**

Meredith Neal, Economic Development Manager

### **Recommendation:**

None - informational update on the implementation of the Downtown Economic Development Plan.

### **Background:**

The Downtown Economic Development Plan is a key part of the City's ongoing efforts to promote economic development and revitalization of Puyallup's downtown. The plan identifies focus areas, strategies and action steps for the City and key partners to implement the community's vision for the downtown, and to strengthen and grow its economy.

The plan identifies seven broad strategies for achieving the desired results. These are:

Strategy 1: Provide business support

Strategy 2: Promote building reuse

Strategy 3: Improve development feasibility

Strategy 4: Support residential development

Strategy 5: Improve walkability

Strategy 6: Increase connectivity

Strategy 7: Create a strong downtown identity and great experiences for residents and visitors

This presentation will provide an update on the strategies and specific action steps needed to achieve them.

### **Council Direction:**

### **Fiscal Impacts:**

### **ATTACHMENTS**



## City Council Agenda Item Report

Submitted by: Nichole McNiven

Submitting Department: Police Department

Meeting Date: 8/31/2021

### **Subject:**

Authorize an interlocal agreement with South Correctional Entity (SCORE) to incarcerate persons on behalf of the City in limited circumstances

### **Presenter:**

Scott Engle, Chief of Police

### **Recommendation:**

Authorize the City Manager to enter into an interlocal agreement with SCORE to house inmates when the Puyallup jail is unable to accommodate persons with significant medical or mental health issues, or who require significant ADA accommodations.

### **Background:**

This agreement would ensure a housing option for inmates when Puyallup has a need to incarcerate someone but, due to limitations and restrictions with the City's facility, it is not in the best interest of the inmate to be housed at Puyallup's jail. An inmate would be housed at an outside facility if:

- the City is unable to accommodate an Americans with Disabilities Act (ADA) issue;
- an inmate has significant mental health issues that would make it problematic or unsafe to house them in the Puyallup jail; or
- an inmate has significant medical issues which the Puyallup jail is unable to accommodate as it does not have full-time medical staff.

### **Council Direction:**

### **Fiscal Impacts:**

Daily booking fees would be charged to the existing jail budget.

### **ATTACHMENTS**

- [Agreement](#)

## INTERLOCAL AGREEMENT FOR INMATE HOUSING

THIS INTERLOCAL AGREEMENT FOR INMATE HOUSING (hereinafter "Agreement") is made and entered into by and between the SOUTH CORRECTIONAL ENTITY, a governmental administrative agency formed pursuant to RCW 39.34.030(3) ("SCORE") and the CITY OF \_\_\_\_\_ a municipal corporation organized under the laws of the State of Washington (hereinafter the "Contract Agency" together with SCORE, the "Parties" or individually a "Party").

### RECITALS

WHEREAS, SCORE was formed by its Owner Cities (as defined herein) as a governmental administrative agency pursuant to RCW 39.34.030(3) to operate and maintain a consolidated correctional facility located in the city of Des Moines (the "SCORE Facility") to serve the Owner Cities, federal and state agencies and other local governments that contract with SCORE from time to time to provide correctional services essential to the preservation of the public health, safety and welfare; and

WHEREAS, the Contract Agency desires to transfer custody of certain inmates to SCORE to be housed at the SCORE Facility; and

WHEREAS, this Agreement is entered into by and between the Parties pursuant to chapters 39.34 and 70.48 RCW, which provide for interlocal agreements for sharing of correction/detention facilities between local governments;

In consideration of the mutual covenants, conditions, and promises contained herein, the Parties hereto mutually agree as follows:

#### SECTION 1. DEFINITIONS.

Terms defined in the recitals of this Agreement are incorporated herein as if fully set forth in this Agreement. Capitalized terms used herein shall have the following meanings. Terms not otherwise defined herein shall have the meanings set forth in the Interlocal Agreement.

Detainer means a legal order authorizing or commanding another agency a right to take custody of a person.

Commencement Date means \_\_\_\_\_.

Contract Agency Inmate means a person or persons subject to the Contract Agency's custody who is transferred to SCORE's custody under this Agreement.

Daily Bed Rate means the daily rate the Contract Agency is charged to occupy a general population bed, as set forth in Exhibit A.

Daily Surcharge Rates means any of the following special charges as defined in Exhibit A: Daily Surcharge Rates: Medical-Acute; Mental Health-Acute; and Mental Health-General Population.

Guaranteed Bed Rate means a reduced Daily Bed Rate - Guaranteed, as set forth in Exhibit A.

Inmate means a person or persons transferred to SCORE's custody to be housed at the SCORE Facility. The term "Inmates" includes Contract Agency Inmates.

Interlocal Agreement means the Amended and Restated SCORE Interlocal Agreement dated as of October 1, 2009 and amended December 11, 2019, executed among the parties thereto for the purpose of forming SCORE.

Mental Health - Residential Beds means Inmates clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing ongoing mental health care services and specialized housing in SCORE's Mental Health - Residential Unit.

Medical – Acute Beds means an Inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of medical services and housing provided in SCORE's medical clinic.

Mental Health – Acute Beds means an Inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of psychiatric services and specialized housing in SCORE's Mental Health - Acute Unit.

Owner City has the meaning set forth in the Interlocal Agreement.

Non-Guaranteed Bed Rate means a higher daily housing bed rate and subject to availability, as set forth in Exhibit A.

SCORE Facility means the correctional facility maintained and operated by SCORE located at 20817 17<sup>th</sup> Avenue South, Des Moines, WA 98198.

Termination Date means \_\_\_\_\_.

## **SECTION 2. TERM.**

This Agreement shall commence at 12:00 a.m. PST on the Commencement Date and terminate at 11:59 p.m. PST on the Termination Date, unless sooner terminated by either Party in accordance with this Agreement. This Agreement may be renewed for any successive period by written addendum under terms and conditions acceptable to the Parties.

## **SECTION 3. INMATE HOUSING AND SERVICES.**

Subject to the terms of this Agreement, SCORE hereby agrees to accept Contract Agency Inmates and to provide housing, care, and custody of those Contract Agency Inmates pursuant to SCORE policies and procedures. Additional related services and associated fees, if any, to be provided to Contract Agency Inmates and/or the Contract Agency are listed in Exhibit A.

To the greatest extent permitted by law, SCORE shall have the right to refuse to accept an individual in custody of the Contract Agency or to return any Contract Agency Inmate to the Contract Agency for any reason, including but not limited to if, in the sole discretion of SCORE, such individual presents a substantial risk of escape, of injury to self or other persons or property, of adversely affecting or significantly disrupting the operations of the SCORE Facility, and/or has a medical illness or injury that makes housing such individual not in the best interest of SCORE or other Inmates as described in Exhibit D. Final acceptance of an individual based on illness or injury is determined upon approval of medical staff at the time of booking.

## **SECTION 4. COMPENSATION.**

In consideration of SCORE's commitment to provide housing and related services for Contract Agency Inmates, the Contract Agency agrees to pay SCORE the fees and charges set forth in Exhibit A.

Such fees and charges may include, but are not limited to, booking, daily bed rate, medical and specialty, mental health, transportation, security, other charges and/or negotiated fees.

SCORE may from time to time revise the fees and charges for housing and related services under this Agreement during the term of this Agreement. SCORE shall give advance notice of any change to its fees and charges for such service in order to allow the Contract Agency sufficient time to adjust its annual budget. Unless otherwise agreed to by the Parties hereto, any new fees and charges under a new fee schedule shall become effective on January 1 of the following year.

The Contract Agency shall acknowledge receipt of the rates and charges schedule in writing and such acknowledgement shall be deemed to be an amendment to this Agreement and incorporated as if fully set forth herein without the necessity of a formal amendment or separate approval by the legislative authority of the Contract Agency or the Administrative Board of SCORE.

#### **SECTION 5. TRANSPORTATION, BOOKING, CLASSIFICATION, DISCIPLINE AND RELEASE PROCEDURES.**

- A. Transportation. The Contract Agency is responsible for the transportation of Contract Agency Inmates to the SCORE Facility, including all costs associated therewith.
- B. Booking. Contract Agency Inmates shall be booked pursuant to SCORE's booking policies and procedures. Pursuant to RCW 70.48.130, and as part of the booking procedure, SCORE shall obtain general information concerning the Contract Agency Inmate's ability to pay for medical care, including insurance or other medical benefits or resources to which a Contract Agency Inmate is entitled. The information is used for third party billing.
- C. Classification. Contract Agency Inmates shall be classified pursuant to SCORE's classification policies and procedures, and within the sole discretion and reasonable judgment of SCORE. The Contract Agency shall provide sufficient information regarding each Contract Agency Inmate as needed to allow SCORE to make such classification. Contract Agency Inmates shall be assigned to housing pursuant to SCORE's policies and procedures, and within the sole discretion and reasonable judgment of SCORE as provided in Exhibit F.
- D. Inmate Discipline. SCORE shall discipline Contract Agency Inmates according to SCORE policies and procedures and in the same manner which other Inmates are disciplined; provided, however, nothing contained herein shall be construed to authorize the imposition of a type of discipline that would not be imposed on a comparable Inmate, up to and including the removal of earned early release credits as approved by the Contract Agency.
- E. Release. Except for work programs or health care, and during emergencies, Contract Agency Inmates shall not be removed and/or released from the SCORE Facility without written authorization from the Contract Agency or by the order of a court of competent jurisdiction. Other jurisdictions may "borrow" a Contract Agency Inmate according to policies and procedures of SCORE and as listed in Exhibit G.

Contract Agency Inmates will be transported at the time of release as follows: SCORE will release each Contract Agency Inmates to the Contract Agency at a mutually agreeable location. Alternatively, SCORE will provide transportation upon release to either the closest Owner City of arrest, or the Owner City of residence, whichever is closer, unless confirmed transportation is available at the time of release. Additional fees, if any, for transportation outside of King County are included in Exhibit A.

Contract Agency Inmates for whom bail is posted, or who otherwise have a right to be released, may choose to remain in custody at the SCORE Facility by signing written waiver and return to the Contract Agency by the regularly scheduled transport, be released to a family Owner or friend with confirmed transportation, or be released via private taxi.

## **SECTION 6. INMATE MEDICAL RECORDS, CLOTHING, BEDDING, PROPERTY AND WORK PROGRAMS.**

- A. Inmate Medical Records. Should a Contract Agency Inmate receive medical care for injuries or illness at the time of arrest and prior to booking at the SCORE Facility, the Contract Agency shall provide medical documentation pertaining to injury or illness to SCORE at the time of booking if the Contract Agency has access to such records. If the Contract Agency cannot provide such records, SCORE, in its sole discretion, may refuse to accept a Contract Agency Inmate.
- B. Inmate Property. SCORE agrees to provide each Contract Agency Inmate with necessary or appropriate clothing and essential hygiene items. SCORE shall accept, hold and handle, and return any Contract Agency Inmate property in accordance with SCORE's policies and procedures, and shall be responsible only for Contract Agency Inmate property actually delivered into SCORE's possession. In the event a Contract Agency Inmate is being transported from a Contract Agency designated detention or correction facility, it will be the responsibility of the Contract Agency to process the Contract Agency Inmate's property not delivered and accepted into SCORE's possession as provided in Exhibit E.
- C. Work Programs. SCORE may assign Contract Agency Inmates to work programs such as inside and outside work crews, kitchen and facility duties, and other appropriate duties pursuant to SCORE's policies and procedures and within the sole discretion and judgment of SCORE.
- D. Visitation. SCORE shall provide reasonable scheduled visitation for Contract Agency Inmates. Inmate visitation may be accessible via video connection by third party provider at off-site locations for an access fee. Complimentary video visit access is available at the SCORE Facility. Confidential telephones or visitation rooms shall be available to a Contract Agency Inmate to communicate with his or her legal counsel.
- E. Inmate Accounts. SCORE shall establish and maintain a non-interest bearing account for each Contract Agency Inmate. Upon returning custody of a Contract Agency Inmate to the Contract Agency, SCORE shall transfer the balance of that Contract Agency Inmate's account that is not subject to charges, to the Contract Agency Inmate or to the Contract Agency in the form of cash, check, debit card or other agreed upon method in the name of the Contract Agency Inmate.

## **SECTION 7. HEALTH CARE.**

SCORE shall provide in-facility medical care commonly associated with corrections operations as guided by American Correctional Association (ACA) or National Commission on Correctional Health Care (NCCHC).

Contract Agency Inmates shall be responsible for co-payment for health services according to SCORE policy. The Contract Agency shall not be responsible to SCORE for Contract Agency Inmate co-payments. No Contract Agency Inmate shall be denied necessary health care because of an inability to pay for health services.

In-facility medical, dental, and mental health services are included in the daily rate set forth in Exhibit A. Should a Contract Agency Inmate require medical, mental health, dental, and/or other medical services at an outside medical or health care facility, SCORE shall notify the Contract

Agency's designee (either by written or electronic means) within a reasonable time period before the Contract Agency Inmate receives such medical, mental health, dental or any other medical services. Notwithstanding the foregoing, the Contract Agency acknowledges that such notice may not be reasonably possible prior to emergency care.

Except to the extent that a Contract Agency Inmate can pay pursuant to Section 5.B, the Contract Agency shall pay for all medical, mental health, dental or any other medical services or equipment that are required to care for Contract Agency Inmates outside of the SCORE Facility in addition to the charges listed in Exhibit A. Lack of prior notice shall not excuse the Contract Agency from financial responsibility for such expenses, and shall not be a basis for imposing financial responsibility for related medical expenses on SCORE. SCORE shall bear the expense of any such medical care necessitated by improper conduct of SCORE, or of its officers or agents.

If a Contract Agency Inmate is admitted to a hospital, the Contracting Agency will be responsible for hospital security unless other arrangements are made with SCORE. SCORE, in its sole discretion, may, or at the request of the Contract Agency shall, provide hospital security services for an additional charge as provided in Exhibit A.

#### **SECTION 8. DETAINERS.**

Warrants and Contract Agency Inmates in a "Detainer" status shall be handled according to SCORE policies and procedures and as provided in Exhibit B attached hereto.

#### **SECTION 9. RELEASE OF HOLDS AND COURT APPEARANCES.**

If a court of limited jurisdiction releases a hold on a Contract Agency Inmate still incarcerated at the SCORE Facility, SCORE will not facilitate further court appearances of that Contract Agency Inmate except if the Contract Agency wishes to use the video arraignment system at the SCORE Facility.

#### **SECTION 10. ESCAPE; DEATH.**

If a Contract Agency Inmate escapes SCORE's custody, SCORE shall notify the Contract Agency as soon as reasonably possible. SCORE shall use all reasonable efforts to pursue and regain custody of escaped Contract Agency Inmates.

If a Contract Agency Inmate dies while in SCORE custody, SCORE shall notify the Contract Agency as soon as reasonably possible. The King County Medical Examiner shall assume custody of the Contract Agency Inmate's body. Unless another agency becomes responsible for investigation, one or more Owner City shall investigate and shall provide the Contract Agency with a report of its investigation. The Contract Agency may participate in the investigation. If another agency becomes responsible for investigation, SCORE shall serve as a liaison or otherwise facilitate the Contract Agency's communication with and receipt of reports from the other agency.

The Contract Agency shall provide SCORE with written instructions regarding the disposition of the Contract Agency Inmate's body. The Contract Agency shall pay for all reasonable expenses for the preparation and shipment of the body. The Contract Agency may request in writing that SCORE arrange for burial and all matters related or incidental thereto and the Contract Agency shall be responsible for all costs associated with this request.

#### **SECTION 11. REPORTING AND INSPECTION.**

SCORE agrees to use reasonable efforts to work with the Contract Agency to provide access to and/or reports from jail management systems that provide statistical information about Inmates. The Contract Agency shall have the right, upon reasonable advance notice, to inspect the SCORE

Facility at reasonable times. During such inspections, the Contract Agency may interview Contract Agency Inmates and review Contract Agency Inmates' records. The Contract Agency shall have no right to interview Inmates housed for other jurisdictions or to review their records, unless Contract Agency is properly authorized to do so by the Inmate or the other jurisdiction.

#### **SECTION 12. TECHNOLOGY.**

SCORE and the Contract Agency may each permit the other continuous access to its computer database regarding all Contract Agency Inmates housed by SCORE. This continuous access feature may be accomplished through a computer link between a computer(s) designated by the Contract Agency and appropriate computer(s) of SCORE.

#### **SECTION 13. BILLING AND PAYMENT.**

SCORE shall provide the Contract Agency with monthly statements itemizing the name of each Contract Agency Inmate; the number of days of housing, including the date and time booked into the SCORE Facility and date and time released from SCORE; and itemization of any additional charges including a description of the service provided, date provided and reason for service. Payment shall be due to SCORE within 30 days from the date the bill is received. SCORE may bill the Contract Agency electronically. Payments not received by the 30th day shall bear interest at the rate of 1% per month until payment is received. Any fees or charges for Inmates housed on charges from multiple agencies (including but not limited to outside medical care) will be divided equally among those agencies.

#### **SECTION 14. BILLING DISPUTE RESOLUTION.**

The Contract Agency must provide written notice of dispute to SCORE within 60 days of billing or other disputed charges. SCORE shall respond in writing to such disputes within 60 days of receipt of such disputes. SCORE and the Contract Agency shall attempt to resolve the dispute by negotiation. If such negotiation is unsuccessful, either Party may refer the dispute to the SCORE Operations Board for resolution. The decision of the SCORE Operations Board is the final internal administrative remedy the Contract Agency must exhaust before pursuing other contractual, legal, equitable, or alternative dispute resolutions.

#### **SECTION 15. INDEPENDENT CONTRACTOR.**

In providing services under this Agreement, SCORE is an independent contractor and neither it nor its officers, nor its agents nor its employees are employees of the Contract Agency for any purpose, including responsibility for any federal or state tax, industrial insurance, or Social Security liability. Neither shall the provision of services under this Agreement give rise to any claim of career service or civil service rights, which may accrue to an employee of the Contract Agency under any applicable law, rule or regulation. Nothing in this Agreement is intended to create an interest in or give a benefit to third persons not signing as a Party to this Agreement.

#### **SECTION 16. HOLD HARMLESS, DEFENSE, AND INDEMNIFICATION.**

SCORE shall hold harmless, defend, and indemnify the Contract Agency, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of SCORE, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of SCORE's services, duties, and obligations under this Agreement.

The Contract Agency shall hold harmless, defend, and indemnify SCORE, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of the Contract Agency, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of the Contract Agency's services, duties, and obligations under this Agreement.

In the event the acts or omissions of the officials, officers, agents, and/or employees of both the Contract Agency and SCORE in connection with or incidental to the performance or non-performance of the Contract Agency's and or SCORE's services, duties, and obligations under this Agreement are the subject of any liability claims by a third party, the Contract Agency and SCORE shall each be liable for its proportionate concurrent negligence in any resulting suits, actions, claims, liability, damages, judgments, costs and expenses and for their own attorney's fees.

Nothing contained in this section or this Agreement shall be construed to create a right in any third party to indemnification or defense.

SCORE and the Contract Agency hereby waive, as to each other only, their immunity from suit under industrial insurance, Title 51 RCW. This waiver of immunity was mutually negotiated by the Parties hereto.

The provisions of this section shall survive any termination or expiration of this Agreement.

#### **SECTION 17. INSURANCE.**

SCORE and the Contract Agency shall provide each other with evidence of insurance coverage, in the form of a certificate or other competent evidence from an insurance provider, insurance pool, or of self-insurance sufficient to satisfy the obligations set forth in this Agreement.

SCORE and the Contract Agency shall each maintain throughout the term of this Agreement coverage in minimum liability limits of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate for its liability exposures, including comprehensive general liability, errors and omissions, auto liability and police professional liability. The insurance policies shall provide coverage on an occurrence basis.

Each Party shall provide to the other Party at least 30 days advance notice of any cancellation, suspension or material change in coverage.

#### **SECTION 18. TERMINATION.**

Either Party may terminate this Agreement, with or without cause, by providing the other Party with 90 days written notice of termination as provided in RCW 70.48.090.

#### **SECTION 19. RECORDS.**

The Parties hereto shall maintain all records, reports, and documents created, held or maintained under this Agreement and the services to be provided hereunder in accordance with chapter 42.56 RCW (the Washington Public Records Act), chapter 40.14 RCW (Preservation and Destruction of Public Records) and all other applicable federal, state and local laws and regulations.

## **SECTION 20. OPERATION OF SCORE FACILITY; PRISON RAPE ELIMINATION ACT.**

SCORE shall manage, maintain, and operate the SCORE Facility in compliance with all applicable federal, state, and local laws and regulations. SCORE acknowledges and complies with the terms of the Prison Rape Elimination Act regarding custodial sexual misconduct as set forth in Exhibit C.

## **SECTION 21. HIPAA AND HITECH COMPLIANCE.**

The Parties shall comply with all requirements of the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Federal Health Information and Technology for Economic and Clinical Health Act (HITECH Act) as applicable, which relate to the Parties' responsibilities under this Agreement, as well as state laws and regulations including chapter 70.02 RCW.

## **SECTION 22. EQUAL OPPORTUNITY.**

Neither Party shall discriminate against any person on the grounds of race, creed, color, religion, national origin, sex, age, marital status, sexual orientation, veterans and military status, political affiliation or belief or the presence of any sensory, mental or physical handicap in violation of any applicable federal law, Washington State Law Against Discrimination (chapter 49.60 RCW) or the Americans with Disabilities Act (42 USC 12110 *et seq.*).

## **SECTION 23. MISCELLANEOUS.**

- A. Real or Personal Property. It is not anticipated that any real or personal property will be acquired or purchased by the Parties solely because of this Agreement.
- B. Assignment. This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by a Party to any other person or entity without the prior written consent of the other Party. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the assigning Party stated herein.
- C. Non-Waiver. The failure of either Party to insist upon strict performance of any provision of this Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.
- D. Severability. If this Agreement, or any portion of this Agreement, is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.
- E. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises between the Parties under any of the provisions of this Agreement, resolution of that dispute shall be available only through the jurisdiction, venue and rules of the King County Superior Court, King County, Washington.
- F. Attorneys' Fees. In any claim or lawsuit for damages arising from the Parties' performance of this Agreement, each Party shall be responsible for payment of its own legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit; however, nothing in this subsection shall limit the each Parties' right to indemnification under this Agreement.
- G. Approval and Filing. Each Party shall approve this Agreement by resolution, ordinance, motion or otherwise pursuant to the laws of the governing body of each Party. The signatures of the authorized signatories below shall constitute a presumption that such approval was properly obtained. A copy of this Agreement shall be filed and/or posted pursuant to chapter 39.34 RCW.

- H. Amendment. Except as otherwise provided in Section 4 of this Agreement, no waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless evidenced in writing signed by duly authorized representatives of both Parties.
- I. No Joint Venture or Partnership. No joint venture, separate administrative or governmental entity, or partnership is formed as a result of this Agreement
- J. Compliance with Applicable Laws and Standards. SCORE agrees to manage the Contract Agency Inmates and the SCORE Facility in accordance with applicable federal and state laws and regulations and to maintain staffing levels at the SCORE Facility in sufficient numbers and rank to maintain the safety of the public, staff, Inmates, and to reasonably carry out the provisions of this Agreement.
- K. Continuation of Performance. In the event that any dispute or conflict arises between the Parties while this Agreement is in effect, the Parties hereto agree that, notwithstanding such dispute or conflict, they shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities. Provided that if the Contract Agency fails to pay for the services provided by the SCORE, SCORE can cease providing such services until payment is made.
- L. Representatives; Notices. The individuals listed below the signature blocks included in this Agreement are designated as representatives of the respective Parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the Party making the change shall notify the other Party. Any notice or other communication given hereunder shall be deemed sufficient, if in writing and delivered personally to the addressee, or sent electronically or by certified or registered mail, return receipt requested, addressed as provided after the signature blocks included in this Agreement, or to such other address as may be designated by the addressee by written notice to the other Party.
- M. Entire Agreement. This Agreement, together with any subsequent amendments, constitutes the entire Agreement between the Parties and supersedes all prior agreements for inmate housing between the Parties.

#### **SECTION 24. EXECUTION.**

This Agreement shall be executed by the Parties hereto by their duly authorized representative. This Agreement may be executed in one or more counterparts.

THIS AGREEMENT is hereby effective as of the Commencement Date.

SOUTH CORRECTIONAL ENTITY

\_\_\_\_\_  
Contract Agency Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

ATTESTED BY:

\_\_\_\_\_  
Signature

NOTICE ADDRESS:

NOTICE ADDRESS:

SOUTH CORRECTIONAL ENTITY  
20817 17th Avenue South  
Des Moines, WA 98198

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attention:** Devon Schrum, Executive Director

**Attention:**

**Email:** dschrum@scorejail.org

**Email:**

**Telephone:** (206) 257-6262

**Telephone:**

**Fax:** (206) 257-6310

**Fax:**

DESIGNATED REPRESENTATIVE FOR PURPOSES OF  
THIS AGREEMENT:

DESIGNATED REPRESENTATIVE FOR PURPOSES  
OF THIS AGREEMENT:

Name: Devon Schrum

Name:

Title: Executive Director

Title:

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**Exhibit A**

**FEES AND CHARGES AND SERVICES**

<u>Booking Fee:</u> <sup>1</sup>	\$35.00	
<u>Daily Housing Rates:</u>		
General Population – Guaranteed Beds	\$131.84	Number of Beds: _____
General Population – Non-Guaranteed Beds	\$189.52	
<u>Daily Rate Surcharges:</u> <sup>2</sup>		
Mental Health – Residential Beds	\$159.00	
Medical - Acute Beds	\$217.00	
Mental Health – Acute Beds	\$278.00	
<u>Health Care Services:</u> <sup>3</sup>		
In-Facility Care	Included	
Co-Payments	Inmate responsibility	
Outside Medical Services	Contract Agency billed	
Emergency Care	Contract Agency billed	
Pharmaceuticals	Medications billed to Contract Agency	
<u>Transportation Fees:</u>		
SCORE Officer Transport	\$65.00/per hour	
Released at Owner City <sup>4</sup> Location	Included	
<u>Security Services:</u>		
Hospital Security	\$65.00/per hour	
<u>Video Court:</u>		
In-Custody Arraignment	Included	
<u>Other Terms &amp; Conditions:</u>		

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<sup>1</sup> Charged to the jurisdiction responsible for housing the inmate

<sup>2</sup> Surcharges are in addition to daily housing rates and subject to bed availability

<sup>3</sup> Guided by American Correctional Association(ACA) and/or National Commission on Correctional Health Care (NCCHC)

<sup>4</sup> Auburn, Burien, Des Moines, Renton, SeaTac, Tukwila

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**Exhibit B**

**WARRANTS/OTHER COURT ORDERS/DETAINERS**

The following shall apply to Contract Agency Inmates who are subject to warrants from other jurisdictions or to other court orders for confinement or detainees:

1. When receiving a Contract Agency Inmate, the booking officers at SCORE shall review all paperwork provided by the Contract Agency for all grounds to hold the Contract Agency Inmate.
2. Prior to releasing a Contract Agency Inmate, SCORE shall check the NCIC and WACIC systems to determine if the Contract Agency Inmate is subject to any valid warrants or other detainees.
  - a) If the Contract Agency Inmate is subject to a warrant that is limited to King County, SCORE will, upon receiving written permission (e-mail) from the Contract Agency, transport the Inmate to the custodial agency for the jurisdiction that issued the warrant. However, SCORE will not assume responsibility to serve any such warrants.
  - b) If the Contract Agency Inmate is subject to a warrant from a western Washington jurisdiction outside King County, SCORE will either process the Inmate for transfer on the Cooperative Transport Chain or provide transfer to a jurisdiction that participates in Cooperative Transport Chain.
  - c) If the Contract Agency Inmate is subject to a warrant from an eastern Washington jurisdiction, SCORE will send the Inmate to a jurisdiction that participates in the Cooperative Transport Chain.
  - d) If, upon return from SCORE to the Contract Agency, the Inmate is subject to a warrant that provides for statewide extradition, SCORE will either transport the Inmate to the detention/correction facility in King County designated by the agency/jurisdiction that issued the warrant if it is in King County, or will send the Inmate to the agency/jurisdiction that issued the warrant on the Mini- Chain.

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**Exhibit C**

**PREA ACKNOWLEDGMENT - CUSTODIAL AND SEXUAL MISCONDUCT**

1. Compliance  
SCORE agrees to ensure that all of its employees, contractors, vendors, and volunteers that have contact with Contract Agency Inmates comply with all federal and state laws regarding sexual misconduct including, but not limited to:
  - a) The Prison Rape Elimination Act of 2003 (PREA)
  - b) The standards for adult Prisons and Jails or Community Confinement Facilities, whichever is applicable, as promulgated by the US Attorney, and
  - c) Zero tolerance toward all forms of sexual abuse and sexual harassment.
  
2. Monitoring  
SCORE agrees to provide the Contract Agency documented compliance with the Federal Prison Rape Elimination Act standards. Monitoring may include, but is not limited to:
  - a) Site visits,
  - b) Access to facility data, and
  - c) Review of applicable documentation.
  
3. Contract Agency may terminate this Agreement
  - a) Should SCORE fail to provide documentation that demonstrates that the SCORE is actively and effectively working toward and is making substantive progress toward achieving compliance; or
  - b) Should SCORE fail to maintain PREA compliance between auditing periods, after being given a reasonable opportunity to cure.
  
4. The Contract Agency will terminate this Agreement
  - a) Should SCORE elect to discontinue pursuit of PREA compliance;
  - b) Should SCORE be found in noncompliance through a PREA Audit and fail to cure such noncompliance within the identified time-frames; or
  - c) Should SCORE be found to be in egregious violation of PREA.

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## Exhibit D

### MEDICAL ACCEPTABILITY

SCORE shall determine the medical and mental acceptability of Inmates for booking or housing using the following guidelines. However, final acceptance is based upon approval of medical staff at the time of booking. Excluding criteria include but are not limited to:

1. Signs of untreated broken bones or dislocated joints.
2. Any injury or illness requiring emergency medical treatment.
3. Unconsciousness.
4. Inmates unable to stand and walk under their own power, unless they normally use an assistive device, such as a wheelchair, for mobility.
5. Bed bound individuals.
6. Individuals with attached IV or requiring IV medications.
7. Individuals requiring the use of oxygen tanks.
8. AMA (Against Medical Advice) from the hospital.
9. Individuals having had major invasive surgery within the last 72 hours. Non-invasive surgery such as oral surgery, laser-eye surgery and minor surgery may be evaluated on a case by case basis.
10. Wounds with drainage tubes attached.
11. Persons with Alzheimer's, dementia or other psychological conditions to the point where the Inmate cannot perform activities of daily living ("ADL's") or who do not have the capacity to function safely within a correctional environment.
12. Persons who are diagnosed as developmentally delayed and who do not have the capacity to function safely within a correctional environment or who cannot perform ADL's.
13. Persons undergoing chemotherapy and/or radiation treatment.
14. Persons undergoing dialysis.
15. Persons with suicidal ideations or gestures within the past 72 hours.
16. Persons, if prescribed, who have not taken psychotropic medications for at least 72 hours.
17. Persons who have by self-disclosure, admitted to attempting suicide within the last 30 days.
18. Persons who have attempted suicide during their current incarceration.
19. Persons displaying current psychotic episode.

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**Exhibit E**

**PROPERTY**

1. SCORE will *not accept or transport* the following:
  - a) Backpacks, suitcases, etc.
  - b) Unpackaged food products.
  - c) Food products in packaging that have been opened.
  - d) Any type of weapon (includes pocket knives).
  - e) Liquids.
  - f) Helmets or any kind.
  - g) Large items that will not fit into a common paper grocery bag.
  - h) Material deemed to be contraband.

SCORE will limit property returned with the Inmate to the Contract Agency according to these criteria.

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**Exhibit F**

**CLASSIFICATION**

SCORE maintains a classification plan to guide staff in the processing of individuals brought into the facility. The plan includes an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42) and uses an objective screening instrument and procedures for making decisions about classification and housing assignments. The plan includes, and not limited to, an evaluation of the following criteria:

1. Behavior during arrest and intake process
2. Potential risk of safety to others or self
3. Medical needs
4. The inmate's own perception of his/her vulnerability
5. Any other criteria as deemed appropriate by the Executive Director or designee

The Contract Agency shall supply SCORE with the following Classification related information, if known to or in possession of the Contract Agency:

1. If the Contract Agency Inmate has been classified to a special housing unit.
2. If the Contract Agency Inmate has been classified as protective custody.
3. If the Contract Agency Inmate:
  - a) Is a violent offender or has displayed violent behavior during present or past incarcerations
  - b) Is identified as a threat to law enforcement
  - c) Is an escape risk

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**Exhibit G**

**BORROWING**

One contracting agency may “borrow” another Contract Agency’s Inmate as follows:

1. If a Contract Agency requests the transport of another contracting agency’s Inmate from SCORE the requesting agency must notify each agency with rights to custody of the Inmate, and if each agency with rights to custody of the Inmate notifies SCORE in writing (e-mail) of its approval, SCORE shall provide the requested transport to the requesting agency. SCORE will complete a custody transfer form that lists all outstanding detainers. The custody transfer paperwork will accompany the Inmate.
2. Once custody of the Inmate has been transferred to the requesting agency, it is the responsibility of the requesting agency to determine whether the Inmate shall be returned to the custody of SCORE, and if so, the requesting agency shall make all necessary and proper arrangements with SCORE and any agency with rights to custody of the Inmate, for the Inmate’s return according to the terms of this Agreement. The requesting agency, to the full extent permitted by law, defend, indemnify, save and hold harmless SCORE as provided in Section 16 of the Agreement.
3. SCORE will not track the Inmate once he or she has left the SCORE Facility.
4. If the Inmate is returned to the custody of SCORE, the requesting agency shall provide SCORE with sentencing/charge information. The requesting agency shall supply all pre-sentence, and post-sentence paperwork from agreeing agencies that authorized the borrowing of the Inmate. This will aid SCORE in determining split billing and release dates.
5. SCORE will transport the Inmate only to an agency that also contracts with SCORE for Inmate housing.



## City Council Agenda Item Report

Submitted by: Michelle Gehring

Submitting Department: Parks, Recreation and Facilities

Meeting Date: 8/31/2021

### **Subject:**

Approve a contract in the amount of \$124,121.06 with Buell Recreation for the Sam Peach Park playground project

### **Presenter:**

Sarah Harris, Parks and Recreation Director

### **Recommendation:**

Authorize the City Manager to enter into a contract with Burke Recreation, in a form as approved by the City Attorney, in the amount of \$124,121.06 for the Sam Peach Park playground project.

### **Background:**

In May of 2021 the Parks & Recreation Department advertised for a Request for Qualifications for the Sam Peach Park playground project. Multiple proposals were submitted, from which Burke Recreation was selected.

Sam Peach Park is located at 1621 10th Avenue NW. The park's existing outdated play structure will be removed and replaced with new playground equipment and engineered wood chip surfacing. Some of the play equipment will be geared for children aged 2-5 years and other pieces for those between 5 and 12 years of age.

The contract with Burke Recreation includes all equipment, labor and materials. This project will include erosion control planning and implementation along with the assembly and installation of the play equipment and fall protections.

### **Council Direction:**

### **Fiscal Impacts:**

This project is funded through the 2020-2021 Parks Budget.

### **ATTACHMENTS**



## City Council Agenda Item Report

Submitted by: Scott Engle

Submitting Department: Police Department

Meeting Date: 8/31/2021

### **Subject:**

Approve a contract with the Washington State Fair for law enforcement and public works services associated with the 2021 Fall Fair and the 2022 Spring Fair

### **Presenter:**

Chief of Police Scott Engle

### **Recommendation:**

Authorize the City Manager to execute an agreement, in a form as approved by the City Attorney, with the Washington State Fair for services provided by the Police and Public Works departments, and amend the Police department's 2021 budget as appropriate.

### **Background:**

This agreement pertains to services, taxes and fees associated with the 2021 Washington State Fair and the 2022 Spring Fair:

1. Cost reimbursement for police command staff to manage the security within the fairgrounds for the 2021 Washington State Fair and the 2022 Spring Fair;
2. Cost reimbursement for PPD Police Services for gate safety and security for the 2021 Fall Fair;
3. Cost reimbursement for services provided by the Public Works Streets Division associated with the Rodeo parade and cattle drive; and
4. Establishing the annual admission tax rate and the business license fee for the Washington State Fair.

Since 2011, the Puyallup Police Department has managed all law enforcement and private security personnel within the fairgrounds during the fall and spring fairs. The Police Department has found that managing the law enforcement and security functions within the fairgrounds has noticeably enhanced public safety in and around the fairgrounds. As part of the agreement, the Washington State Fair will reimburse the City approximately \$52,000-\$57,000 for such management services and approximately \$53,000-\$72,000 for gate safety and security for the 2021 Fall Fair. In addition, consistent with previous agreements, the Fair will pay a five-percent (5%) admission tax on all admission tickets to the fairgrounds and pay a \$50,000 annual business license fee that not only covers the Washington State Fair but also all vendors operating within the fairgrounds.

Similar agreements have been approved each year since 2011 with the exception of 2020 when no Fair was held due to the pandemic.

**Council Direction:**

**Fiscal Impacts:**

**ATTACHMENTS**



## City Council Agenda Item Report

Submitted by: Cindy Huff

Submitting Department: City Clerk's Office

Meeting Date: 8/31/2021

**Subject:**

Approve accounts payable, payroll, and electronic fund transfers of \$7,102,645.13

**Presenter:**

**Recommendation:**

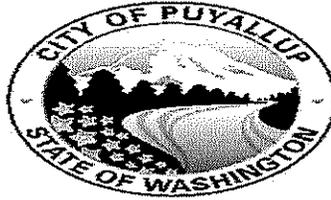
**Background:**

**Council Direction:**

**Fiscal Impacts:**

**ATTACHMENTS**

- [Warrant Cover Sheets](#)



*I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Puyallup, and that I am authorized to authenticate and certify to said claim.*

Accounts Payable warrant numbers:	<u>AP 254595</u>	through	<u>AP 254940 + GN 113165</u>	\$	1,837,635.79
Accounts Payable (ACH) warrant numbers:	<u>705332</u>	through	<u>705514</u>	\$	1,195,157.74
Payroll warrant numbers:	<u>PY 107059</u>	through	<u>PY 107080</u>	\$	18,037.69
Payroll (direct deposit) numbers:	<u>EF 90147434</u>	through	<u>EF 90148183</u>	\$	1,636,978.39
Electronic payments / Wire transfers dates:	<u>7/1/2021</u>	through	<u>7/31/2021</u>	\$	2,414,835.52
			<b>Total All Funds</b>	\$	<u>7,102,645.13</u>

  
\_\_\_\_\_  
Barbara Lopez  
Finance Director  
City of Puyallup

8/11/21  
Date



*I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Puyallup, and that I am authorized to authenticate and certify to said claim.*

Accounts Payable warrant numbers:	<u>AP 254595</u>	through	<u>AP 254940 + GN 113165</u>	\$	<u>1,837,635.79</u>
Accounts Payable (ACH) warrant numbers:	<u>705332</u>	through	<u>705514</u>	\$	<u>1,195,157.74</u>
Payroll warrant numbers:	<u>                    </u>	through	<u>                    </u>	\$	<u>                    </u>
Payroll direct deposit numbers:	<u>                    </u>	through	<u>                    </u>	\$	<u>                    </u>
Electronic payments / Wire transfers dates:	<u>                    </u>	through	<u>                    </u>	\$	<u>                    </u>
<b>Total All Funds</b>					\$ <u><u>3,032,793.53</u></u>

  
\_\_\_\_\_  
Barbara Lopez  
Finance Director  
City of Puyallup

8/11/21  
Date

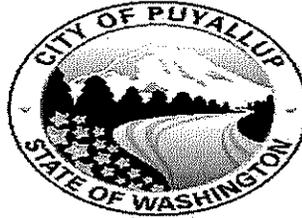


*I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Puyallup, and that I am authorized to authenticate and certify to said claim.*

Accounts Payable warrant numbers:	_____	through	_____	\$	
Accounts Payable (ACH) warrant numbers:	_____	through	_____	\$	
Payroll warrant numbers:	<u>PY 107059</u>	through	<u>PY 107080</u>	\$	18,037.69
Payroll direct deposit numbers:	<u>EF 90147434</u>	through	<u>EF 90148183</u>	\$	1,636,978.39
Electronic payments / Wire transfers dates:	_____	through	_____	\$	_____
				<b>Total All Funds \$</b>	<b><u>1,655,016.08</u></b>

  
\_\_\_\_\_  
Barbara Lopez  
Finance Director  
City of Puyallup

8/11/21  
Date



*I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Puyallup, and that I am authorized to authenticate and certify to said claim.*

Accounts Payable warrant numbers: \_\_\_\_\_ through \_\_\_\_\_ \$  
Accounts Payable (ACH) warrant numbers: \_\_\_\_\_ through \_\_\_\_\_ \$  
Payroll warrant numbers: \_\_\_\_\_ through \_\_\_\_\_ \$  
Payroll direct deposit numbers: \_\_\_\_\_ through \_\_\_\_\_ \$  
Electronic payments / Wire transfers dates: 7/1/2021 through 7/31/2021 \$ 2,414,835.52  
Total All Funds \$ 2,414,835.52

  
\_\_\_\_\_  
Barbara Lopez  
Finance Director  
City of Puyallup

8/11/21  
Date



## City Council Agenda Item Report

Submitted by: Barbara Lopez  
Submitting Department: Finance  
Meeting Date: 8/31/2021

### **Subject:**

Second reading of an ordinance pertaining to adjustments made to the 2021 budget between April 1st and July 31st

### **Presenter:**

Barbara Lopez, Finance Director

### **Recommendation:**

Conduct second reading of an ordinance pertaining to adjustments made to the 2021 budget between April 1st and July 31st.

### **Background:**

This standard and routine ordinance reflects changes that have occurred since Council adopted the 2021-2022 budget via Ordinance 3220 and subsequently approved amendments as contained in Ordinance 3232. New budget adjustments include receipt of donations, grants and other expenditures as outlined in Exhibit B of this agenda bill. Other adjustments include carrying forward unspent 2020 project balances.

### **Council Direction:**

### **Fiscal Impacts:**

### **ATTACHMENTS**

- [Ordinance](#)
- [Exhibit A - Summary](#)
- [Exhibit B - Details](#)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE** of the City of Puyallup, Washington, relating to municipal finance, amending the 2021 budget adopted by Ordinance No. 3220, and amended by Ordinance No. 3232, and authorizing certain expenditures in the amounts specified in this ordinance to conform with previous direction provided by the City Council

**Whereas**, the City Council is authorized to amend the City’s budget within the limitations set forth in RCW 35A.34.200; and

**Whereas**, the City Council finds that current revenue and expenditure reports for the City differ from forecasts used to create the 2021 Budget enacted by Ordinance No. 3220 and amended by Ordinance No. 3232; and

**Whereas**, the City Council finds that such differences justify certain adjustments regarding obligations incurred and expenditures of revenues for the 2021 budget; and

**Whereas**, the City Council finds that any increases, decreases, revocations or recalls set forth herein are in the best interests of the City;

**NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF PUYALLUP ORDAINS AS FOLLOWS:**

**Section 1. Findings.** Each and every of the findings expressed in the recitals to this ordinance are hereby adopted and incorporated herein.

**Section 2. Amendments to 2021 Budget.** The 2021 Budget, originally approved by Ordinance No. 3220, passed on November 17, 2020 and amended by Ordinance No. 3232, passed on May 18, 2021, is amended as summarized in Exhibit A reflecting detailed changes itemized in Exhibit B:

**Section 3. Ratification and Confirmation.** All acts taken by City officers and staff prior to the enactment of this ordinance that are consistent with and in furtherance of the purpose or intent of this ordinance are hereby ratified and confirmed by the City Council.

**Section 4. Severability – Construction.** If a section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Puyallup Municipal Code, this ordinance deems control.

**Section 5. Effective Date.** This ordinance shall take effect and be in full force, five (5)

days after its passage, approval, and publication according to law.

**PASSED** at an open public meeting by the City Council for the City of Puyallup on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Julie L.B. Door  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Joseph N. Beck  
City Attorney

\_\_\_\_\_  
Brenda Fritsvold  
City Clerk

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

## Exhibit A - Summary for 2021 Second Budget Adjustment Ordinance

Fund Description	Expenditures	Transfers Out	Total
General Fund	992,117	17,560	1,009,677
Donations to Puyallup	74,052	-	74,052
Budget Stability Reserves	33,000	1,753,895	1,786,895
DUI Cost Recovery	52,800	-	52,800
Motel Tax Fund	-	228,113	228,113
LIFT Grant Fund	-	1,575,000	1,575,000
First 1/4% REET	-	23,328	23,328
Second 1/4% REET	-	23,328	23,328
Capital Improvement Projects	2,721,238	-	2,721,238
Facility Projects	20,000	-	20,000
Water Projects	(221,896)	-	(221,896)
Sewer Operations	43,000	-	43,000
Sewer Projects	14,940,049	-	14,940,049
Storm Projects	11,200,755	-	11,200,755
Equipment Rental	16,000	-	16,000
Info Tech & Communication	35,816	-	35,816
<b>Grand Total</b>	<b>29,906,931</b>	<b>3,621,224</b>	<b>33,528,155</b>

## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund Description	Approval Date	Expenditures	Transfers Out	Total
<b>General Funds</b>				
General Fund				
<i><b>Approved</b></i>				
Establish New Tactical Response Team Budget	2019	15,300	-	15,300
WTSC Emphasis Patrol Agreement	2020	33,421	-	33,421
Emergency Management Performance Grant	2020	22,801	-	22,801
Dept of Comm & PC Human Svcs Grants	2021	291,879	-	291,879
STEM Grant -Library Story Time	2021	3,000	-	3,000
Route 1 Sign Dept of Comm Grant	2021	4,850	-	4,850
WASPC Grant for Safety Equip	2021	10,110	-	10,110
EMPG Grant from WA Military	2021	1,874	-	1,874
TPCHD Grant for Mental Health	2021	34,251	-	34,251
Court CARES Grant-Add'l Needs from Pandemic	2021	7,381	-	7,381
WCIA Sidewalk Grant	2021	9,000	-	9,000
Office of the Courts CARES Grant	2021	10,732	-	10,732
<i><b>Continuing Projects</b></i>				
Drive-up Book Drop	2020	10,000	-	10,000
2019 EMPG Grant	2020	6,911	-	6,911
2020 Parking Study	2020	38,173	-	38,173
Senior Activity Center Tables	2020	6,639	-	6,639
Environmental Impact Study	2020	179,196	-	179,196
Police Vehicle Purchase	2020	70,000	-	70,000
STOP Grant	2020	3,000	-	3,000
COVID-19 PC Human Services Grant	2020	67,633	-	67,633
Half-ton Pickup	2020	30,000	-	30,000
Wrap Art in GF Misc	2020	9,500	-	9,500
Patrol Rifle Suppressors	2020	39,703	-	39,703
Aging Community	2020	2,500	-	2,500
Unspent 2020 TRT Budget	2020	11,337	-	11,337
Housing Grant	2020	65,426	-	65,426
Inspector Vehicle	2020	30,000	-	30,000
Laserfiche Forms for City Clerk	2020	-	17,560	17,560
LTAC Art Purchase	2020	50,000	-	50,000
<i><b>Technical Adjustment</b></i>				
Remove 2020 One-Time Monies	Pending	(72,500)	-	(72,500)

## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund Description	Approval Date	Expenditures	Transfers Out	Total
Donations to Puyallup				
<i>Approved</i>				
Puyallup Tribe Donation for Scanner	2021	69,052	-	69,052
<i>Recommended Change</i>				
Estate Donation to Senior Activity Center	Pending	5,000	-	5,000
Budget Stability Reserves				
<i>Continuing Projects</i>				
Multiple Projects within Budget Stability	2020	63,256	1,723,639	1,786,895
<i>Technical Adjustment</i>				
Move Cornforth Project to Facilities CIP	Pending	(20,000)	20,000	-
Move Electronic Plan Review to IT Cap Proj	Pending	(10,256)	10,256	-
<b>Total General Funds</b>		<b>1,099,169</b>	<b>1,771,455</b>	<b>2,870,624</b>

### Special Revenue Funds

DUI Cost Recovery				
<i>Recommended Change</i>				
Establish New DUI Exp Budget	Pending	52,800	-	52,800
Motel Tax Fund				
<i>Continuing Projects</i>				
LTAC Art & Banner	2020	-	228,113	228,113
LIFT Grant Fund				
<i>Continuing Projects</i>				
Transfer to Capital Project Funds	2020	-	1,575,000	1,575,000
First 1/4% REET				
<i>Continuing Projects</i>				
Transfer to Capital Project Funds	2020	-	23,328	23,328
Second 1/4% REET				
<i>Continuing Projects</i>				
Transfer to Capital Project Funds	2020	-	23,328	23,328
<b>Total Special Revenue Funds</b>		<b>52,800</b>	<b>1,849,769</b>	<b>1,902,569</b>

### Capital Project Funds

## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund Description	Approval Date	Expenditures	Transfers Out	Total
Parks Projects				
<i>Approved</i>				
Add'l to Rec Center Exterior Proj	2021	500,000	-	500,000
<i>Continuing Projects</i>				
Puy Valley Sports Cplx Gen Imp	2020	199,186	-	199,186
Van Lierop Park Trail Connect	2020	1,091	-	1,091
Van Lierop Park Playground	2020	42,166	-	42,166
Trail Loop Improvements	2020	82,998	-	82,998
Clarks Creek N Fitness Station	2020	85,000	-	85,000
Riverwalk Trail Phase V	2020	107,137	-	107,137
Wildwood Prk Ballfield Parking	2020	100,000	-	100,000
Rec Center Building Exterior	2020	497,413	-	497,413
Prc/Pac Equip Replace	2020	20,000	-	20,000
Pioneer Park Restrooms	2020	650,000	-	650,000
Green City-Tree City USA	2020	20,349	-	20,349
CC Tennis Court Improvements	2020	46,981	-	46,981
Bradley Lake Trail Connections	2020	278,465	-	278,465
Bradley Lake Park Elec Outlets	2020	50,000	-	50,000
Parks Equipment-Minor Projects	2020	40,452	-	40,452
Facility Projects				
<i>Technical Adjustment</i>				
Move Cornforth Project from Budget Stability	Pending	20,000	-	20,000
<b>Total Capital Project Funds</b>		<b>2,741,238</b>	<b>-</b>	<b>2,741,238</b>

### Enterprise Funds

#### Water Projects

##### *Project Transfers*

Bridge St Wtr Main Relocation	Pending	(8,528)	-	(8,528)
Risk & Resiliency Certification	Pending	38,000	-	38,000
Monitored Security System	Pending	(343)	-	(343)
23rd Ave SE Reservoir Coating	Pending	(90,772)	-	(90,772)
20th St & 12th Ave Main Replacement	Pending	(168,781)	-	(168,781)
14Th St Sw Phase 2 Main Replacement	Pending	(350,000)	-	(350,000)
Parkwood Phase 1 Main Replacement	Pending	(74,104)	-	(74,104)
Salmon Spring Ph 3 Main Replacement	Pending	432,632	-	432,632

#### Sewer Operations

##### *Continuing Projects*

Mobile Generator	2020	43,000	-	43,000
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## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund	Description	Approval Date	Expenditures	Transfers Out	Total
Sewer Projects					
<i>Continuing Projects</i>					
	System Improvements Sewer	2020	673,017	-	673,017
	E Main; 23rd-Riv LS-Main Replacement	2020	660,000	-	660,000
	Inflow-Infiltration Reduction	2020	900,000	-	900,000
	N Levee Lift Station Upgrade	2020	1,580,731	-	1,580,731
	New Headworks Odor System	2020	200,000	-	200,000
	Operational Radio Replacement	2020	3,000	-	3,000
	Replace Generator Bldg Blowers	2020	190,000	-	190,000
	E Main; 18th to 23rd-Main Replacement	2020	778,207	-	778,207
	Secondary Clarifier No. 3	2020	(831)	-	(831)
	Rate Analysis-Sewer	2020	120,000	-	120,000
	Treatment Plant Upgrades	2020	16,632	-	16,632
	UV Disinfectant System	2020	564,148	-	564,148
	W Pioneer Line Repl; 18th-19th	2020	565,153	-	565,153
	WSU Frontage Impvmnts Phase 2	2020	135,000	-	135,000
	WSU Frontage Impvmnts Phase 4A	2020	50,000	-	50,000
	Sand Shed Pole Barn	2020	115,350	-	115,350
	4th-River Rd LS Improvements	2020	66,308	-	66,308
	12th Ave SE Line Replacment	2020	327,017	-	327,017
	Replace PLC & SCADA Systems	2020	300,000	-	300,000
	20 Year Facilities Plan	2020	130,763	-	130,763
	Cross Valley Interconnection	2020	175,000	-	175,000
	8th Ave NW LID Retrofit	2020	25,081	-	25,081
	9th Ave NE Main Replacement	2020	1,644,493	-	1,644,493
	9th Ave SW; Meridian-5th St SW	2020	12,964	-	12,964
	Aeration Basin #4	2020	2,200,000	-	2,200,000
	Aeration Blower Replacement	2020	588,000	-	588,000
	Biosolids Premise Isolation	2020	94,366	-	94,366
	Clarks Crk Pump Station Replacement	2020	541,934	-	541,934
	Cooper Precipitant Metering Rm	2020	650,000	-	650,000
	Corp Yards Decant Facility	2020	238,051	-	238,051
	Corrosion Prevention Projects	2020	21,183	-	21,183
	Aging Equipment Replacement	2020	1,374,482	-	1,374,482

## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund	Description	Approval Date	Expenditures	Transfers Out	Total
Storm Projects					
<i>Approved</i>					
	Ecology Grant for 9th Ave SW	2021	652,745	-	652,745
<i>Continuing Projects</i>					
	WSU Frontage Imprmts Phase 4A	2020	1,496,927	-	1,496,927
	Operational Radio Replacement	2020	3,000	-	3,000
	Puy Contrib-USACE-GI Study	2020	25,450	-	25,450
	Rate Analysis-Storm	2020	120,000	-	120,000
	Shaw Rd; 12th to 23rd	2020	42,756	-	42,756
	ST 4th St Storm Extension	2020	1,571,472	-	1,571,472
	System Improvements Storm	2020	220,296	-	220,296
	Toscanos Storm Repair	2020	54,237	-	54,237
	Upper CC Channel Stabilization	2020	72,626	-	72,626
	WSU Frontage Impvmts Phase 1	2020	119,492	-	119,492
	WSU Frontage Imprmts Phase 4B	2020	2,117,104	-	2,117,104
	12th Ave SE-Prop Adj Flaherty	2020	104,706	-	104,706
	Meeker Cr Channel Restoration	2020	36,844	-	36,844
	Wapato Creek Diversion Repar	2020	96,882	-	96,882
	9th Ave SW; Meridian-5th St SW	2020	5,923	-	5,923
	27th ST SE Culvert Repairs	2020	299,153	-	299,153
	23rd AVE SE (Meridian-9th)	2020	150,000	-	150,000
	LID Retrofit Program	2020	19,106	-	19,106
	CF LID Incentive Program	2020	163,000	-	163,000
	City-Wide Storm Pond Fencing	2020	20,000	-	20,000
	Clarks Creek ELODEA Mgmt	2020	108,447	-	108,447
	Clarks Creek Sediment Removal	2020	35,099	-	35,099
	Corp Yards Decant Facility	2020	1,610,281	-	1,610,281
	E Main - Deer Creek	2020	673,419	-	673,419
	Impl Puy River Fecal TMDL	2020	50,000	-	50,000
	Impl Req Disslv Oxygen TMDL	2020	269,651	-	269,651
	IMPL REQ FECAL TMDL	2020	100,000	-	100,000
	11th ST SW Meeker Creek Culvert	2020	962,139	-	962,139
<b>Enterprise Funds Total</b>			25,961,908	-	25,961,908

## Exhibit B - Details for 2021 Second Budget Adjustment Ordinance

Fund Description	Approval Date	Expenditures	Transfers Out	Total
<b>Internal Service Funds</b>				
Equipment Rental				
<i>Continuing Projects</i>				
Bulk Lubricant Disp Purch CG	2020	16,000	-	16,000
Info Tech & Communication				
<i>Continuing Projects</i>				
Clock Tower Software Upgrade	2020	3,000	-	3,000
Laserfiche Forms for Cty Clrk	2020	17,560	-	17,560
CARES Grant Office of the Courts	2020	5,000	-	5,000
<i>Technical Adjustment</i>				
Move Electronic Plan Rev from Budget Stability	Pending	10,256	-	10,256
<b>Internal Service Funds Total</b>		<b>51,816</b>	<b>-</b>	<b>51,816</b>
<b>Grand Total</b>		<b>29,906,931</b>	<b>3,621,224</b>	<b>33,528,155</b>



## City Council Agenda Item Report

Submitted by: Katie Baker

Submitting Department: Development Services

Meeting Date: 8/31/2021

### **Subject:**

Resolution adopting the Housing Action Plan

### **Presenter:**

Katie Baker, Planning Manager

### **Recommendation:**

Approve a resolution to adopt a Housing Action Plan and establish strategies for its implementation.

### **Background:**

In late 2019, the City of Puyallup was awarded a Department of Commerce grant to increase housing opportunities. The City has used this grant to develop a Housing Action Plan (HAP) which identifies strategies, actions, and policy tools to create more and varied housing options to meet community needs.

#### Puyallup's Housing Action Plan:

- Is based on data and analysis grounded in an inclusive and robust public process;
- Comprehensively describes the housing needs that exist in Puyallup;
- Provides actionable policies to implement feasible, effective and cohesive housing strategies specific to the Puyallup community; and
- Identifies how to achieve the goal of safe, healthy, and affordable housing for all.

The City hired BERK Consulting to assist with drafting this plan, and the project team has been working since summer of 2020 on the initial stages of plan development. This has included researching and drafting a housing needs assessment, which provides data and demographic analysis related to the housing needs within Puyallup, and has also included extensive public outreach to our community, through an online survey, conversational "idea wall," and online open house. For full project information and documentation, please see the project webpage at [www.cityofpuyallup.org/housingactionplan](http://www.cityofpuyallup.org/housingactionplan).

Since June 2021, the draft HAP has been issued to the public for review and comment, and presented to the Planning Commission at a public hearing. Following the public hearing and deliberation, the Planning Commission unanimously recommended the HAP be forwarded to City Council for approval.

**Council Direction:****Fiscal Impacts:**

The Housing Action Plan was funded by a grant from the Washington State Dept. of Commerce. Future implementation will be covered by Planning Division staffing as part of the annual work plan and budget.

**ATTACHMENTS**

- [Resolution](#)
- [Staff Memo](#)
- [Final Puyallup Housing Action Plan](#)

## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON adopting the Housing Action Plan as a guidance document with strategies to address housing needs in the City of Puyallup.

**WHEREAS**, the City of Puyallup has adopted plans, policies and regulations to increase housing supply and support housing choice; and

**WHEREAS**, since 2010, household income in Puyallup has increased by 25% while housing costs have increased by 26-60%; and

**WHEREAS**, nearly one-third of all households in Puyallup pay at least 30 percent of their income on housing costs each month, limiting their ability to pay for other necessities; and

**WHEREAS**, the City finds that adequate, safe, and affordable housing is key to ensuring a vibrant community with a desirable quality of life; and

**WHEREAS**, the City recognizes the need for a more comprehensive strategy to address its housing needs; and

**WHEREAS**, the City received grant funding from the State Department of Commerce to address affordable housing through a housing action plan as identified in E2SHB 1923; and

**WHEREAS**, the City contracted with BERK Consulting and MAKERS to assist with development of a Housing Action Plan to identify current and project housing needs; evaluate current plans, policies, and programs; develop goals and strategies to increase housing supply and variety of housing types; and create an implementation plan; and

**WHEREAS**, the Housing Action Plan was developed through a robust public engagement process, including input from a Panel of Experts Advisory Group; the Puyallup Planning Commission; City Council and stakeholder interviews; and online open houses and surveys; and

**WHEREAS**, the Planning Commission held meetings addressing the Housing Action Plan on April 14, April 28, and June 9, 2021; and

**WHEREAS**, the City Council received written updates or held meetings addressing the Housing Action Plan on January 26, March 9, and August 2021; and

**WHEREAS**, on June 3, 2021, the Development and Permitting Services Department issued a “Determination of Nonsignificance” (DNS) pursuant to RCW 43.21C and WAC 197-11; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on June 30, 2021 to consider public comment and staff recommendation, and voted 6-0 to forward the City Council a recommendation of approval of the Housing Action Plan; and

**WHEREAS**, the City Council received the Housing Action Plan and a briefing on the materials at the August 24, 2021 work session; and

**WHEREAS**, the Housing Action Plan is a planning document and does not amend the City's Comprehensive Plan or development regulations; and

**WHEREAS**, the implementation of any recommended strategies in the Housing Action Plan will undergo its own process for review, adoption, and engagement.

**NOW THEREFORE**, the City Council of the City of Puyallup, Washington hereby resolves as follows:

**Section 1. Adoption of the Housing Action Plan.** The City adopts the proposed Housing Action Plan and all appendices, which establishes goals and strategies for encouraging the development of attainable housing in the City of Puyallup.

ADOPTED by the City Council of the City of Puyallup, Washington, this 24<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Julie L. B. Door, Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Joseph N. Beck, City Attorney

\_\_\_\_\_  
Brenda Fritsvold, City Clerk



**CITY OF PUYALLUP**  
**Development & Permitting Services Department**  
**Planning Division**  
333 S. Meridian  
Puyallup, WA 98371

To: City Council  
From: Katie Baker, AICP, Planning Manager

**RE: Housing Action Plan – Overview**

Date: August 24, 2021

---

## Project Background

In Fall 2019, the City of Puyallup received a grant from the Department of Commerce (resulting from ES2HB 1923) to develop a Housing Action Plan. The intent of the Housing Action Plan is to provide the City with a set of concrete steps to support and encourage new housing production that meets local housing needs. The plan used an equity lens to develop strategies that were informed by reviewing Puyallup’s existing policies and regulations, identifying the city’s current and future housing needs, and engaging with stakeholders and community members. The resulting plan will be implemented over the next five years, through the 2024 Comprehensive Plan update, associated amendments to development regulations, and other programs and partnerships.

Work on the HAP has been underway since June 2020 with community engagement and interviews with City Council and other stakeholders occurring in Fall 2020. The project team then presented updates on the HAP at the January 26 and March 9, 2021 City Council meetings.

## Planning Commission Recommendation

The Planning Commission held a public hearing to consider the draft Housing Action Plan on June 30, 2021. This followed discussion of the plan at four work session meetings between April and June. At the hearing, the Commissioners voiced general support for the goals and strategies included in the Plan. Specific comments and amendments were made regarding the ordering of the priority strategies, concern with some of the specific examples included in the plan, and acknowledgement of the public engagement that will be required with future implementation of the plan.

## City Council Action

At the August 24, 2021 City Council meeting, staff will provide an overview presentation on the Housing Action Plan. Following the presentation, City Council will consider a resolution to adopt the Housing Action Plan for future implementation.

## Development of Plan Goals and Strategies

With City Council guidance, City staff and the project team have worked with the community, housing stakeholders, and the Planning Commission to develop clear, actionable goals and strategies to meet

Puyallup’s current and future housing needs. As a result of this earlier work, the following goals and strategies were developed, and a draft plan was issued for public review and comment.

## Housing Action Plan Goals

1. Promote livable neighborhoods.
2. Preserve attainability and quality in existing and new housing.
3. Build a diverse range of new housing.
4. Remove barriers and constraints that limit access to housing.
5. Encourage housing for people experiencing homelessness, older adults, and people with disabilities.

## Housing Action Plan Strategies

The Housing Action Plan includes eight high priority strategies and seven second priority strategies to achieve these goals. For more detail on each of these strategies, please refer to the attached draft plan and the project webpage ([www.cityofpuyallup.org/housingactionplan](http://www.cityofpuyallup.org/housingactionplan)).

		Promote livable neighborhoods	Preserve and encourage attainability	Build a diverse range of housing	Remove barriers and constraints	Encourage housing for those experiencing homelessness, older adults, and people with disabilities
<b>HIGH PRIORITY STRATEGIES</b>	Strategy					
	Make strategic infrastructure investments	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>	
	Rezone areas to facilitate higher density and more diverse housing types	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Create a residential infill pilot program	<input type="radio"/>		<input type="radio"/>		
	Incentivize attainable housing		<input type="radio"/>	<input type="radio"/>		
	Update and expand the MFTE program		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Revise existing zoning provisions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Encourage permanent supportive housing		<input type="radio"/>	<input type="radio"/>		
Expand City support for housing services and programs			<input type="radio"/>	<input type="radio"/>		
<b>SECOND PRIORITY STRATEGIES</b>	Support manufactured home parks		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>
	Use surplus or city-owned land for attainable housing		<input type="radio"/>			
	Consider actions to preserve existing attainable housing		<input type="radio"/>			<input type="radio"/>
	Consider an Affordable housing bond/trust fund		<input type="radio"/>			<input type="radio"/>
	Adopt tenant protections and supports				<input type="radio"/>	
	Consider development agreements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	Make it easier to build ADUs by revising standards and creating pre-approved plans	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>	

\*Attainable = preferred term for affordable

\*While not in rank order, the top two strategies were reversed following the Planning Commission recommendation.

## Environmental Review (SEPA)

This non-project action is subject to SEPA environmental review. The City issued a determination of nonsignificance (DNS) for this project on June 3, 2021. The associated comment period expired June 17, 2021 and the appeal period expired June 28, 2021. No comments or appeals were received.

## Public Comments

Initial public outreach and engagement on housing needs took place from November 2020 through January 2021. Over 530 community members responded to a survey that was offered online and paper versions and provided both in English and Spanish. There was also an online ideas wall that allowed community conversation to occur around housing experiences, needs, and preferences, and an online open house with narrated presentations diving deeper into housing trends and community context. The project team also conducted interviews with Councilmembers and community stakeholders and held three meetings with a panel of experts to help inform the goals and strategies as the plan developed. These wide-ranging comments were synthesized into themes and topic areas that helped to develop a draft plan over the spring of 2021.

The Draft Housing Action Plan was then issued for public review and comment on June 3, 2021. Over 100 community members responded to the associated survey or provided written comment. These comments were compiled in a comment summary document. Any additional comments received will be provided to the City Council for consideration. The Planning Commission considered the comments received prior to the public hearing. Themes that rose to the forefront of those comments included:

- Address need for diverse and affordable housing for residents.
- Support for the plan and overall strategies to encourage smaller, more affordable housing.
- Address impacts of population growth on circulation, existing neighborhood character, livability, and infrastructure.
- Focus on specific populations in need such as older residents, disabled residents, veterans, and households with children.
- Desire not to increase housing options at the expense of areas for commercial development
- Support for using a “pilot program” model to implement zoning-related strategies.
- Create a locally tailored response to homelessness. Some comments also raised concerns about providing additional services for those experiencing homelessness.

## Conclusion

The above efforts led to development of a draft Housing Action Plan that was considered by the Planning Commission at their June 30, 2021 public hearing. Following that hearing, the **Planning Commission recommended approval of the plan** with three amendments related to the order of the first two high priority strategies, scaling back the specificity in strategy 6, and reversing the order of the first two implementation performance measures. These amendments are reflected in the final plan attached to this agenda item.

# Housing Puyallup

## A Citywide Action Plan

June 2021

Prepared by:  
BERK Consulting  
MAKERS





Many members of the community, as well as city staff, participated and contributed to the preparation of the Housing Action Plan. Their participation and contributions are appreciated.

## City Council

Julie Door, Mayor  
John Palmer, Deputy Mayor  
Robin Farris, District 1  
Jim Kastama, District 1  
Cyndy Jacobsen, District 2  
Ned Witting, District 3  
Dean Johnson, At Large

## Planning Commission

Chris Larson (Chair)  
Gabriel Clark (Vice-Chair)  
Scott Harm  
Donnie Juntunen  
Marty Kiilsgaard  
Heather Schiller  
Art Seeley

## Panel of Experts

The Panel of Experts guided the development of the Housing Action Plan by providing insights on current housing issues and needs, informing priority focus areas, and reviewing recommendations included as part of the Plan.

Amanda DeShazo, Tacoma-Pierce County Affordable Housing Consortium  
Bill Riley, Vista Property Management  
Jason Gauthier, Habitat for Humanity  
Jessie Gamble, Master Builders Association  
Joanne Gutierrez, Puyallup Tribe  
Kevin Bates, Helping Hand House

Linda Henry, Aging in Place Committee  
Michael Pressnall, Green Harbor Communities  
Pam Duncan, Metropolitan Development Council  
Reggie Brown, Louis Rudolph Homes  
Ted Brackman, Puyallup Homelessness Coalition

## City Staff

Steve Kirkelie, City Manager  
Jeffrey Wilson, Director, Development & Permitting Services  
Katie Baker, Planning Manager  
Chris Beale, Senior Planner  
Nabila Comstock, Planning Technician

## Consultant Team

BERK Consulting  
Makers architecture and urban design, LLP

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# Executive Summary

This Housing Action Plan (HAP) is the City of Puyallup’s plan to support affordable housing options for all community members. Affordable housing has implications for life outcomes by supporting educational opportunities, allowing older residents to live independently in the community, helping workers to live in the community, and helping families to avoid making tradeoffs between housing and other necessities like food, healthcare, and childcare. The goal of this HAP is to increase affordable housing opportunities for all households to support community and economic health.

The main components of this HAP are a needs assessment, a policy review, goals and strategies, and an implementation plan. The HAP is based on the technical information presented in the needs assessment and policy review, along with community engagement.

The Puyallup Housing Needs Assessment revealed that housing production in Puyallup falls short of what is needed, putting pressure on housing prices and rents and limiting housing options for many residents. The current housing inventory is also comprised mostly of single-family housing units, which does not match the needs of the community. Housing costs are rising more quickly than incomes, so households across income levels are impacted by the lack of diverse and affordable housing options.

This HAP recommends actions to address housing needs by promoting livable neighborhoods, preserving and encouraging the affordability of housing, building a diverse range of new housing, removing barriers and constraints that limit access to housing, and encouraging the creation of housing for people experiencing homelessness, older adults, and people with disabilities. It includes \*eight high priority strategies and seven additional lower priority strategies.

The eight high priority strategies are:

- 1. Make strategic infrastructure investments.**
- 2. Rezone areas to facilitate higher density and more diverse housing types.**
- 3. Create a residential infill pilot program.**
- 4. Incentivize attainable housing.**
- 5. Update and expand the Multifamily Tax Exemption (MFTE) program.**
- 6. Revise existing zoning provisions.**
- 7. Expand City support for housing services and programs.**
- 8. Encourage permanent supportive housing.**

The seven second priority strategies are:

1. Support manufactured home parks.
2. Use surplus or City-owned land for attainable housing.
3. Consider actions to preserve existing attainable housing.
4. Consider an affordable housing trust fund.
5. Adopt tenant protections and supports.
6. Consider development agreements.
7. Make it easier to build ADUs by revising standards and creating pre-approved plans.

The HAP outlines an implementation plan for the strategies, including ways to monitor and evaluate implementation and outcomes on a regular basis. Monitoring includes both implementation monitoring, which tracks which of the HAP actions are being implemented and the extent to which City partners are participating; and performance monitoring, which tracks whether HAP actions are achieving desired results. Key indicators will measure success over the long term.

In order to achieve these objectives, the City will need to act now in collaboration with partners to address housing affordability. These strategies will help ensure that community members can continue to thrive in Puyallup.

*\* Strategies are not in rank order.*

The Puyallup Valley is the ancestral home of the Puyallup Tribe of Indians. Around 1850 the Valley began attracting white settlers who were drawn by the rich alluvial soil and agricultural potential of the area. The Puyallup Tribe lost land in what is today the City of Puyallup through the General Allotment Act signed in 1887, with the State of Washington.

Throughout the 20th century the Tribe asserted its claims on fishing rights and land claims eventually getting key land holdings back from the Port of Tacoma (Douglas, 2016). In 1990, the Puyallup Tribe accepted the Puyallup Land Claims Settlement, a \$162 million settlement package of land, cash, and social and employment programs. The City of Puyallup was one of the parties to this settlement, along with the Puyallup Tribe, the State of Washington, Pierce County, the City of Tacoma, the City of Fife, and the Port of Tacoma (U.S. Congress, 1989).

Areas in the northwest of the city on both sides of Puyallup River fall within the boundaries of the Puyallup Tribal Reservation. These areas have historically had some of the City's highest rates of evictions and social vulnerability as measured by the Centers for Disease Control (CDC)'s Social Vulnerability Index. See *the Displacement and Housing Insecurity Section on page 51 for more detail.*

National studies show that American Indians and Alaska Natives (AI/ANs) face several housing challenges. In addition to high cost burden, lack of a credit history, inadequate funds for a down payment or security deposit are barriers that AI/AN community members face. Additional barriers can include lack of access to a mortgage lender and complex legal and other constraints related to land ownership. Prior to and during the coronavirus pandemic, disparities by race have persisted. These disparities are due to inequities in US housing policy that have been present for hundreds of years.

“

*Despite all of the efforts to eradicate our people, we are still here. We raise our children and care for our elders on the same lands that our ancestors have called home since time immemorial. We protect our natural resources, speak our language, share our rich history, practice our culture, and exercise our treaty rights.*

*We are the culmination of the resiliency of our ancestors.”*

*- Puyallup Tribe of Indians*

# Introduction

# Why focus on housing?

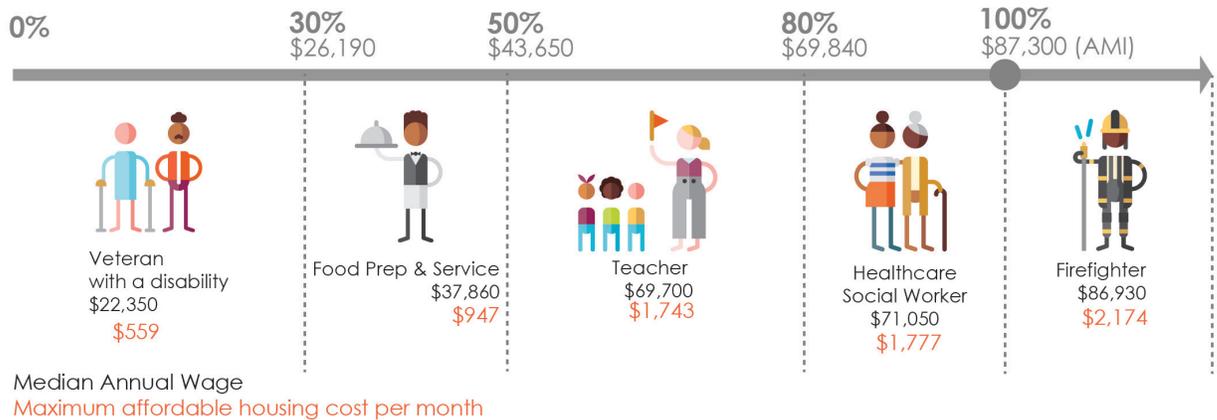
Housing is key to Puyallup’s future. Housing is connected to better life outcomes, especially for children, and to economic competitiveness. Many of the City’s policy priorities such as promoting investment, addressing equity, accommodating the needs of its rapidly aging population, and improving resilience to address climate change, have ties to housing.

The economic disruption caused by the COVID-19 pandemic has highlighted the importance of adequate, affordable housing for all. Households with access to housing have been able to maintain their health and financial security through the pandemic. Those without fewer resources and adequate housing have faced greater exposure to COVID-19 or higher risk of eviction or foreclosure. The national and local reckoning with the history of racial discrimination and the wildfires across the region also have important ties to housing policy.

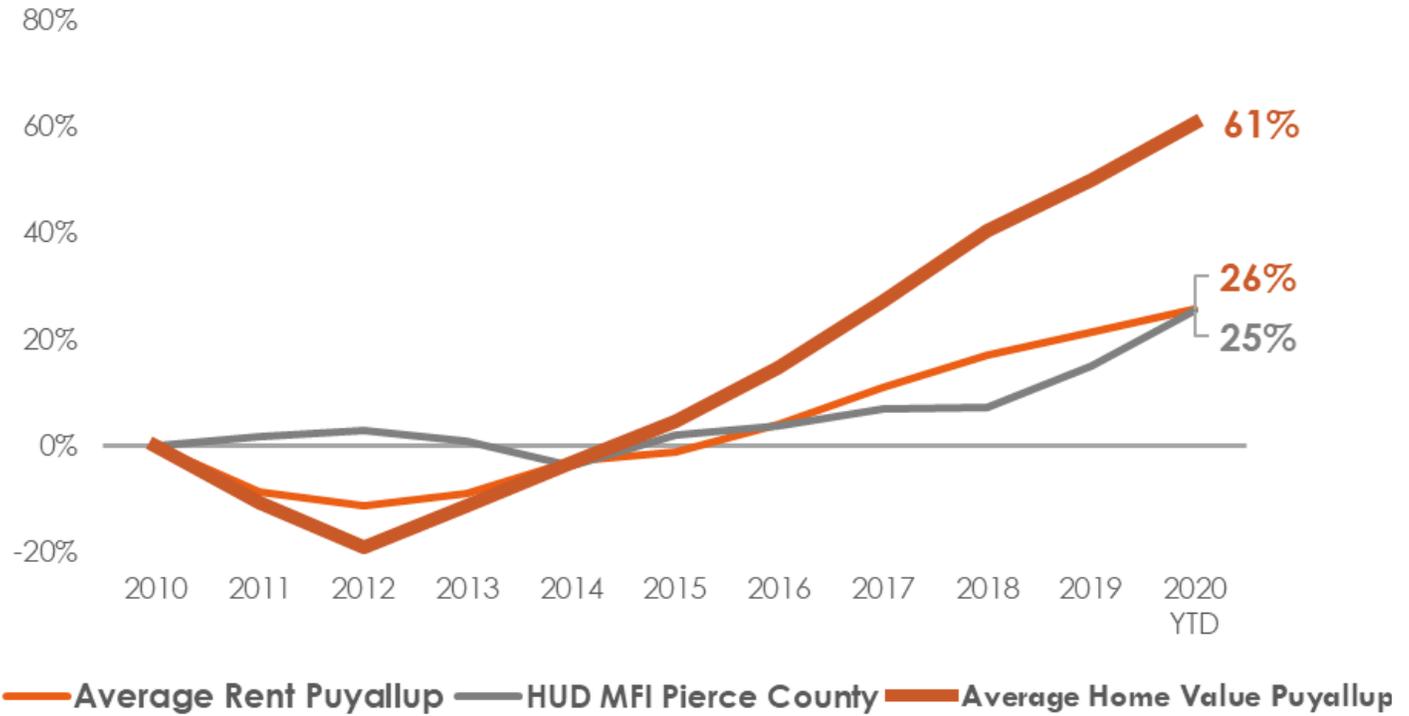
# What are Puyallup’s Housing Challenges?

## Housing costs are rising much faster than incomes

Households across the income spectrum are affected by the lack of diverse and affordable housing options. The average Puyallup home price has grown by 61% since 2010, and the average rent has gone up by 26%, while the median family income (AMI or HUD MFI), as calculated by the US Department of Housing and Urban Development (HUD), has only increased by 25%. When costs go up, but incomes do not, housing becomes less affordable. These



numbers don't capture the full extent of the issue. For example, many renters face housing challenges at rates higher than owners.



**Percent Change since 2010 in Average Home Values, Rents, and HUD MFI in Puyallup**

Sources: Zillow, 2020; HUD Income Limits, 2020; BERK, 2020.

**Many Puyallup residents are cost-burdened**

Rising housing costs with slower increases or stagnant incomes has resulted in a large share of Puyallup residents experiencing cost-burden. A widely used indicator for housing affordability is that housing is considered affordable if a household spends 30% or less of its annual income on housing. A household spending more than 30% of its income is considered “cost-burdened.” Households that spend more than 50% of their income on housing are considered to be “severely cost-burdened.” In 2020, almost 32 percent of all households in Puyallup were cost-burdened.

**Market Rents and Home Values**

These numbers represent the lowest rents (for available 1-bedroom and 2-bedroom apartments) and home values (2-bedroom condo and 3-bedroom house) in May 2021. Sources: Zillow, 2021.



## Residents with low incomes face more challenges

Cost-burden is not evenly distributed across the income spectrum. Extremely Low Income households (incomes  $\leq 30\%$  of AMI) and Very Low-Income households (31-50% AMI) have greater challenges with housing costs. A higher share of households earning up to 50% of the area median income (AMI) are severely cost-burdened than in any other income range – more than 53%, or 1,690 households. If we include households that are moderately cost burdened, a total of 5,069 households are paying more for housing than they can afford. This number has likely increased since the start of the pandemic.

Cost burden, especially severe cost burden, affects well-being and health in significant ways. Spending an outsized amount of the family budget on housing is problematic for low-income households, where higher housing costs affect the family's ability to meet basic needs.

While cost burden is a widely used indicator for housing affordability, the share-of-income approach may not capture the full extent of the challenges that households face. Household decision-making around housing is often complex and many households make difficult tradeoffs to reduce housing costs. Households may choose to live in a substandard home, in neighborhoods with fewer amenities or without good schools, or at a long distance from workplaces, to reduce housing costs. Some of these families will not exceed the 30%-of-income standard since they have adjusted for costs with these choices but may still struggle with housing affordability.

Cost-burden calculations also do not fully account for expenses that vary with a household's specific circumstances. Households with older residents or children, who need medical care and nutrition, and renters face more challenges in the housing market. When these households face a housing cost burden they have less money to spend on food, healthcare, and transportation.

**National data show that systemic racism and inequities in the housing market create barriers for some households.** People of color, residents with disabilities, and older residents face unique barriers in the housing market. For example, people with disabilities can face difficulties finding housing that is affordable. This is because disability can affect earnings and limit housing choices, both of which create challenges in accessing housing. Disabilities can change with age, another factor that creates an interlocking set of constraints.

Engagement for this Puyallup Housing Action Plan (HAP) revealed barriers that communities of color face in the housing market. Respondents of color shared greater challenges than white respondents around evictions (fear of having one on their rental history and feeling at risk of eviction), difficulty with credit, and finding enough money for deposits.

**Many workers cannot afford to live in the community.** Many workers with jobs that have modest wages, such as medical assistants, home health aides, preschool teachers, healthcare support workers, childcare workers, and workers in other service and retail occupations are not be able to afford an average-priced apartment in Puyallup without being cost-burdened. Many of these workers make difficult tradeoffs such as moving to areas where housing is cheaper or living in sub-standard housing. For example, census data shows that around 46% of Puyallup’s workforce commutes daily to work from housing 10 miles away or more.

**Housing instability is growing.** An increasing number of households are experiencing displacement or homelessness. Displacement refers to instances when a household is forced or pressured to move from their home against their will. According to the Puget Sound Regional Council (PSRC), a quarter of the households who moved within the Puget Sound region in the last five years relocated due to factors such as cost of housing, lower income,

## How does eviction affect someone’s life?

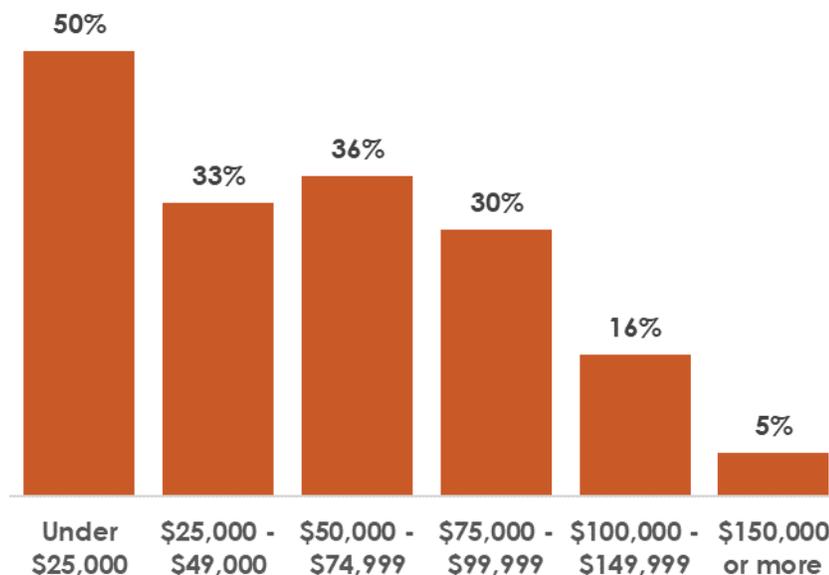
*“Eviction causes a family to lose their home. They often are also expelled from their community and their children have to switch schools. Families regularly lose their possessions, too, which are piled on the sidewalk or placed in storage, only to be reclaimed after paying a fee. A legal eviction comes with a court record, which can prevent families from relocating to decent housing in a safe neighborhood, because many landlords screen for recent evictions. Studies also show that eviction causes job loss, as the stressful and drawn-out process of being forcibly expelled from a home causes people to make mistakes at work and lose their job. Eviction also has been shown to affect people’s mental health: one study found that mothers who experienced eviction reported higher rates of depression two years after their move. The evidence strongly indicates that eviction is not just a condition of poverty, it is a cause of it.”*

Source: Eviction Lab, Princeton University  
<https://evictionlab.org/>

loss of community, or being forced to move. **The most cited reason for relocation was housing cost.** Lower-income households are also much more likely than wealthier households to be forced to relocate – 50% of households with incomes under \$25,000 had to move for negative reasons, while only 5% of those earning \$150,000 or more annually had to relocate for reasons beyond their control.

**Percent of Puget Sound Households Reporting Displacement, by Income Level**

Source: PSRC 2019 Household Travel Survey, 2019; BERK, 2020.



Displacement is also more common among older adults in the Puget Sound region. Thirty-five percent of households with someone over age 65 had to relocate for negative reasons compared to 23-26% of households without someone older than 65. Lastly, displacement risk was found to differ across racial lines. Thirty percent of households of color (not including Asian households) felt pressured to relocate compared with 22% of white households and 14% of Asian households.

Many Puyallup households are vulnerable to displacement. Vulnerability to displacement is not evenly distributed across the city, with areas in central and southern Puyallup facing higher vulnerability and eviction concerns. *See map on page 51.*

Housing instability caused by cost burden can lead to periods of homelessness for economically vulnerable households. Many households with modest incomes live paycheck to paycheck and unanticipated economic hardships can snowball into a crisis that can cause both evictions and homelessness. With the job losses caused by the COVID-19 pandemic, many modest income households may face the prospect of losing their homes. National data show that rates of homelessness are not evenly distributed

across the population. In 2019, Black people made up just under 13% of the US population but nearly 40% of people experiencing homelessness. Native Americans and Alaska Natives made up 0.9% of the population but 3.2% of those experiencing homelessness. Hispanics comprised 18% of the total population but 22% of those experiencing homelessness. This disproportionality in homelessness is a result of systemic inequities and racism. Systemic housing discrimination supported by the federal government resulted in a wealth gap between white communities and communities of color. Lack of economic opportunities, disproportionately higher rates of incarceration, and lower access to healthcare all make communities of color more vulnerable to homelessness. Given the disproportionate impact of COVID-19 on communities of color, these disparities in rates of homelessness are likely to continue or worsen.

Source: Joint Center for Housing Studies, State of the Nation's Housing, 2020

## The Impacts of COVID-19

While the HAP was underway prior to the COVID-19 pandemic, the pandemic has exacerbated underlying issues. These include:

**Economic Impact.** The pandemic has **exacerbated issues of housing cost burden and housing instability**. Widespread illness, reduced demand for services due to fear of the disease, stay-at-home orders, business closure orders, and uncertainty around future conditions all contributed to the deepest period of economic contraction in the US since the Great Depression. In April 2020, the US civilian unemployment rate peaked at 14.8%, the highest level since the 1930s. Though it has since declined, as of April 2021, it was 6.1%, still much higher than the pre-pandemic rate of 3.5%.

**Impact on Low-income Households.** This dramatic fall in employment has reduced incomes for many households, increasing the number of households that are cost-burdened, severely cost-burdened, behind on rent or mortgage payments, and at risk of eviction due to nonpayment of rent. These **job losses have been disproportionately concentrated among lower-wage jobs** – the number of US jobs in low-wage industries fell by 9% between February 2020 and March 2021, compared to just a 3% reduction among high-wage industry jobs over the same period. Low-income households thus face the triple burden of 1) being more likely to be housing cost-burdened prior to the pandemic, 2) more likely to have lost a job in the pandemic, and 3) holding less money in savings prior to the pandemic than higher-income households, making them less likely to be able to draw on savings to cover housing costs.

**Impact on Housing Security.** While unemployment peaked in April 2020, housing insecurity appears to have peaked several months later in late June 2020. The U.S. Census Bureau's Household Pulse Survey estimated that in the week of June 25-30, 2020, **25.9% of all US adults had either missed the last month's rent or mortgage payment or had slight or no confidence that their household could pay the next month's rent or mortgage payment on time**. For the Seattle-Tacoma-Bellevue metropolitan area, the same was true of an estimated 21.5% of all adults in the same time period. In August 2020, the Household Pulse Survey began measuring the perceived likelihood of eviction or foreclosure within the next two months among households not current on rent or mortgage payments. As of April 14-26, 2021, **30.6% of households behind on rent or mortgage payments felt that it was either somewhat or very likely that they would be evicted or foreclosed upon within the next two months**. In the Seattle-Tacoma-Bellevue metropolitan area, the same was true of 29.9% of households behind on rent/mortgage payments in the same time period. **Renters of color are facing these housing insecurity challenges at higher rates than white renters**. As of April 2021, the rate of renters of color that were behind on rent was more than twice the rate for white renters.

## **What causes these housing challenges?**

These challenges stem from many factors. Puyallup's demand for housing is increasing, but new construction is not keeping up with this. As housing prices grow but wages do not, the proportion of units that are affordable is shrinking, and the units supplied does not match the number demanded by residents.

## **Demographic drivers are expected to continue to demand and support a robust housing market**

Many of Puyallup's residents are aging and want to downsize or find a more suitable home in which to age in place. Younger adults, small families, and others want to move into homes suitable to their needs. New residents continue to be attracted to the city as the region grows. In 2019, Puyallup had a population of 41,570 people in 16,702 households. Based on growth projections from the Puget Sound Regional Council (PRSC), Puyallup's 2035 adopted growth target in the Comprehensive Plan is 52,970 people. These demographic trends bring with it a need for housing.

## **Housing production falls short of what is needed**

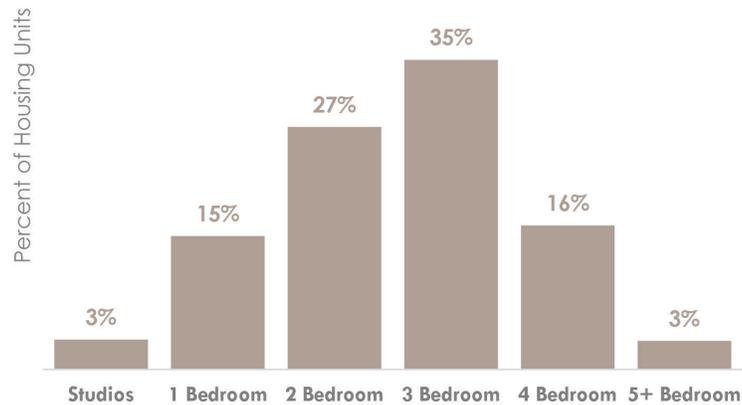
This puts pressure on housing prices and rents and limits housing options for many residents. Puyallup needs a total of 7,853 additional units between 2019 and 2035 to meet the projected population growth. The average annual production of housing units in Puyallup from 2010 to 2019 was 151 units per year. Puyallup needs an average of 491 units per year to meet the projected household growth by 2035. The current housing inventory is also comprised mostly of single-family housing units (about 60% of all homes), and this does not match the needs and preferences of everyone in the community.

## The current supply of units is poorly matched to needs

Puyallup's households vary in size, and the type and size of available housing do not match the needs of households. While 64% of Puyallup's households are 1- and 2-person, only 45% of homes are studio, 1-bedroom, or 2-bedroom units. On the other end of the spectrum, while nearly 8% of the city's households have five or more members, only 3% of homes have five or more bedrooms.

### Housing Unit Size to Household Size Comparison in Puyallup, 2018.

Sources: American Community Survey DP04 & B25009, 2014-2018; BERK Consulting, 2020.



Smaller households range across ages and family types. For example, most retirement-age residents and younger adults live in small households. Some may double up or live with friends to account for high housing costs. Similar to smaller households, larger households also reflect a diverse set of housing needs and preferences. These may include multigenerational families, families with children, and households with extended family living arrangements.

Studies also show that this may partly reflect increasing racial and ethnic diversity. Asian, Black and Hispanic populations are more likely to live in multigenerational households than non-Hispanic whites. **To address these challenges, Puyallup needs more housing, but also a mix of housing types that reflects the diverse needs and preferences of the city's households.**

## Housing Action Plan

This HAP will address these challenges, by building on ideas for improvements of existing regulations and programs; as well as providing ideas for new regulations and programs; and incorporating input from the community, housing experts, and advocates. This HAP represents the City's commitment to tackling affordable housing challenges head on.

Housing affordability is a regional challenge, so addressing housing needs involves the City as well as other stakeholders and partners: for-profit and non-profit developers, community organizations, community members, local governments, and other groups. The City does not act alone, and the HAP relies upon collaboration with these community and regional partners.

The HAP also builds on efforts by the City to address housing. Many policies in the Puyallup Comprehensive Plan's Housing Element and Land Use Element will help the City meet the needs identified in the Housing Needs Assessment. City staff have also developed a menu of 17 potential housing code amendments through the Housing Choices Code Initiative. Finally, South Sound Housing Affordability Partners is an informal working group comprised of elected officials from Pierce County, the Puyallup Tribe of Indians, and 15 Pierce County cities and towns, including the City of Puyallup, that is looking for ways to coordinate action on housing needs.

This HAP recognizes the City's ongoing work and the need for regional cooperation to address regional housing needs. Importantly, the HAP also recognizes the impact of housing action on the climate. The types and density of housing in a community relate to the community's climate impact. Areas with less dense housing patterns, such as single-family residential zones, have higher carbon footprints than high-density residential areas. Households living in dense areas, on average, use less energy to heat and light their homes, travel fewer miles via motor vehicles, and purchase goods that have traveled shorter distances. A mix of housing types, along with improvements to walkability and access to amenities, can improve quality of life by creating places where everything a resident needs can be reached

quickly (close to or within a quarter of an hour) by foot or bike. Encouraging denser and more diverse residential development can play an important role in reducing carbon emissions and mitigating impacts on the climate.

## Plan Organization

The HAP is organized into chapters that follow this introductory chapter and contain citywide guidance on housing.

The **Goals and Strategies section** sets the stage for the HAP by summarizing the five key goals driving the HAP. It provides an overview of the goals that were synthesized from community input, needs assessment findings, and policy review findings. Strategies addressing each housing goal are included with a detailed description, evaluation, and relationship to the needs identified.

The **Implementing the Plan** section includes a summary table of the strategies, timelines, resource requirements, responsibilities for leading the tasks, and partnership opportunities. It also outlines ways to monitor and evaluate implementation and outcomes on a regular basis.

# Community Voice

Community input helped guide plan development and recommendations. Engagement included a range of activities, some focused on key stakeholders and others that focused on the community at large. This includes interviews, virtual meetings, surveys, briefings to City Council and Planning Commission. The City partnered with several community-based organizations to help identify and give voice to the housing needs and priorities of different communities.



## What Puyallup residents say about housing.....

*"I am an educator in the PSD and MANY of my families struggle with finding affordable housing and often end up couch surfing, doubled up with friends or family etc. I often work with families who work hard and still are unable to find affordable permanent housing for their families and this is not ok. There need to be more services that assist families find housing and it should be in Puyallup. Often times Puyallup families who become homeless or need to move somewhere cheaper end up in Tacoma. This often means that our PSD students end up on a 2+ hour round trip van ride just to stay in their school. This is not ok."*

*"I'm a Puyallup educator and homeowner. My dream would be to start a family in this community, but there's no way we'll be able to afford a home large enough for a family in this area."*



ACROSS ALL CATEGORIES OF RACE AND ETHNICITY

----- the -----

MAJORITY OF SURVEY RESPONDENTS WANT TO CONSIDER THE FOLLOWING SOLUTIONS :

-  **Ensure existing housing is in good condition.**
-  **Support older residents.**
-  **Support those who are paying an outsized share of their income on housing.**
-  **Build and preserve dedicated affordable housing.**
-  **Protect residents from being displaced.**

“

We need more creative housing options. High quality but smaller sizes. Accessory Dwelling Units, Cottage housing, alternatives to the current standard apartments and subdivisions. We do have a few scattered around town that are affordable but they tend to be older and we need to have newer ones coming online.”

IDEAS WALL POST



# /at tain a ble/

able to be attained; achievable. capable of being done or carried out.

Attainable housing is housing that is appropriate for the households that live in Puyallup. The concept of attainability reflects the idea that **a range of housing options (type, size, tenure, cost) exists in the local market for a range of household incomes and preferences.** As noted in the recent Housing Needs Assessment, Puyallup residents have a wide range of housing needs, with size, price, tenure (ownership vs. rental) and other factors playing a role. Yet more than half of the homes in Puyallup today are single-family houses. These homes work well for many residents but are not attainable or even desirable for everyone. Attainable housing includes, but is not limited to, Missing Middle Housing.



# Goals & Strategies

\*Five goals were identified for the HAP based on a synthesis of the findings from the Housing Needs Assessment and stakeholder and community engagement. The City does not act alone, however, and the plan includes strategies that are both City-led and those that rely on partnerships. The goals are:

1. **Promote livable neighborhoods**
2. **Preserve attainability and quality in existing and new housing**
3. **Build a diverse range of new housing**
4. **Remove barriers and constraints that limit access to housing**
5. **Encourage housing for people experiencing homelessness, older adults, and people with disabilities**

The HAP will include a range of strategies meant to address these housing goals. Strategies were compiled using feedback from knowledgeable local stakeholders and the State of Washington State Department of Commerce's Guidance for Developing a Housing Action Plan Commerce Guidebook). Some of the strategies include removing barriers while others include providing a variety of housing via development regulations, permitting processes, fees, and offering incentives and assistance.

Eight strategies have been prioritized for implementation. High priority strategies are ones that have the most potential to have an impact on Puyallup's housing needs. City interest and level of effort were also considered to determine priorities.

*\* Goals are not in rank order.*

**SECOND PRIORITY STRATEGIES**    **HIGH PRIORITY STRATEGIES**

Strategy	Promote livable neighborhoods	Preserve and encourage attainability	Build a diverse range of housing	Remove barriers and constraints	Encourage housing for those experiencing homelessness, older adults, and people with disabilities
Make strategic infrastructure investments	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>	
Rezone areas to facilitate higher density and more diverse housing types	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Create a residential infill pilot program	<input type="radio"/>		<input type="radio"/>		
Incentivize attainable housing		<input type="radio"/>	<input type="radio"/>		
Update and expand the MFTE program		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Revise existing zoning provisions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Encourage permanent supportive housing		<input type="radio"/>	<input type="radio"/>		
Expand City support for housing services and programs			<input type="radio"/>	<input type="radio"/>	
Support manufactured home parks		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>
Use surplus or city-owned land for attainable housing		<input type="radio"/>			
Consider actions to preserve existing attainable housing		<input type="radio"/>			<input type="radio"/>
Consider an Affordable housing bond/trust fund		<input type="radio"/>			<input type="radio"/>
Adopt tenant protections and supports				<input type="radio"/>	
Consider development agreements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Make it easier to build ADUs by revising standards and creating pre-approved plans	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>	

\*Attainable = preferred term for affordable

# High Priority Strategies

## 1. Make strategic infrastructure investments.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Housing diversity

Cities can invest in infrastructure to reduce one of the significant costs associated with development – the cost of upgrading existing or developing new infrastructure to serve development. Prioritizing certain investments, such as sewer or water extensions or sidewalks, can support rezones, or catalyze development. Ensuring the City’s Capital Facilities Plan (CFP) is aligned with zoning or using a criteria/decision matrix to screen the CFP for investments that promote sewer infrastructure in underserved areas are actions that can align infrastructure planning with housing priorities. Strategic selection of priorities in the capital facilities element can thus help support a housing program.

Funding for improvements could come from a mix of sources, including local sources; federal or state appropriations or grants; Community Revitalization Funding (CRF) financing; or bonding. The CRF program allows cities to create a tax “increment area” to finance public improvements within the area using increased revenues generated from local property taxes. This tool is best used in undeveloped and underdeveloped areas because the program depends on an increase in property value.

## 2. Rezone areas to facilitate higher density and more diverse housing types.

Supports Households with:		Intersectional Tactics		Collaboration		Displacement Analysis		
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Attainable rental housing
- Senior and ADA-accessible housing
- Small household rental housing
- Housing diversity
- Homeownership options
- Middle-income rental housing

Strategically changing the City’s zoning to allow more home types and densities in key areas may slow rising housing costs, allow more people to benefit from City and regional investments and infrastructure, and use land more efficiently. In some places near frequent, high-quality bus and rail lines, current zoning limits the number of homes able to make use of those resources. Furthermore, a large proportion of Puyallup’s land is zoned for large lots with single-family homes. For example, the RS-10 zone with a low minimum density of 4 dwelling units per acre is by far the largest zone by acreage (2,312 acres) within the city. In comparison, only 486 acres of land is zoned for high-density multifamily housing. This has caused land, streets, pipes, and other infrastructure to be used inefficiently.

Changes to zoning can help encourage the development of lower-cost housing types, such as accessory dwelling units (ADUs), duplexes, townhouses, and apartments. It is important to note that in some cases, rezoning alone may not achieve a greater housing supply. Infrastructure improvements and/or public amenities may be needed to physically accommodate new development or spur private investment. For example, the West Hills RS-10 zone lacks sewer, so sewer infrastructure investment is needed before higher densities can be accommodated. Planned capital investment should be better aligned with the city’s growth strategy to allow housing investment in very low density areas.

Puyallup should consider two types of areas for rezones:

1. Around frequent, high capacity transit, i.e., “transit-oriented development.”
2. Near additional resources and amenities, i.e., “neighborhood infill.”

## **Transit-oriented development.**

More homes and businesses/organizations/institutions near transit, combined with safe and pleasant paths and gathering spaces, achieve the following:

- Livable, vibrant, people-friendly places that serve the full spectrum of Puyallup’s residents and businesses
- Increased access to opportunity—the ability to easily reach jobs, education, healthcare, and services—through improved transit access
- A critical mass of transit riders to support the transit investment. PSRC calls for high capacity transit-served areas to have densities exceeding 15 to 20 homes per acre and/or 50 jobs per acre, and if designated an Urban or Regional Growth Center, densities of at least 45 people (resident/employee) per acre (Transit-Supportive Densities and Land Use, PSRC, 2015, p 2).

Transit-oriented development also follows trends in the Puget Sound region. Residents are owning fewer cars, riding transit more (outside of the COVID-19 pandemic), showing concerns about greenhouse gas emissions from driving alone, and choosing active, healthy ways of getting around (e.g., walking and biking). People are generally willing to walk up to 10 minutes (1/2 mile) for frequent, high capacity transit, and bike from up to 3 miles away. For local, frequent bus routes, people are willing to walk up to 5 minutes (1/4 mile). However, if low density development is built within station areas, that removes the opportunity for more people to live or work near transit for the foreseeable future.

## **Neighborhood infill.**

Puyallup may consider strategic neighborhood-based rezones that are largely captured within Strategy 6, including:

- 6-a. Consolidate RS Zones.
- 6-b. Expand Missing Middle Housing Opportunities.
- 6-c. Form-based regulatory approach in RM zones.

In addition, rezoning some RS areas to expand the mix of permitted housing types and densities may be appropriate near transit, parks, schools, and other amenities.

## Puyallup's TOD Rezone Considerations

In particular, Puyallup should consider increasing housing types and densities and removing code barriers within  $\frac{1}{4}$  and  $\frac{1}{2}$  mile of transit, including:

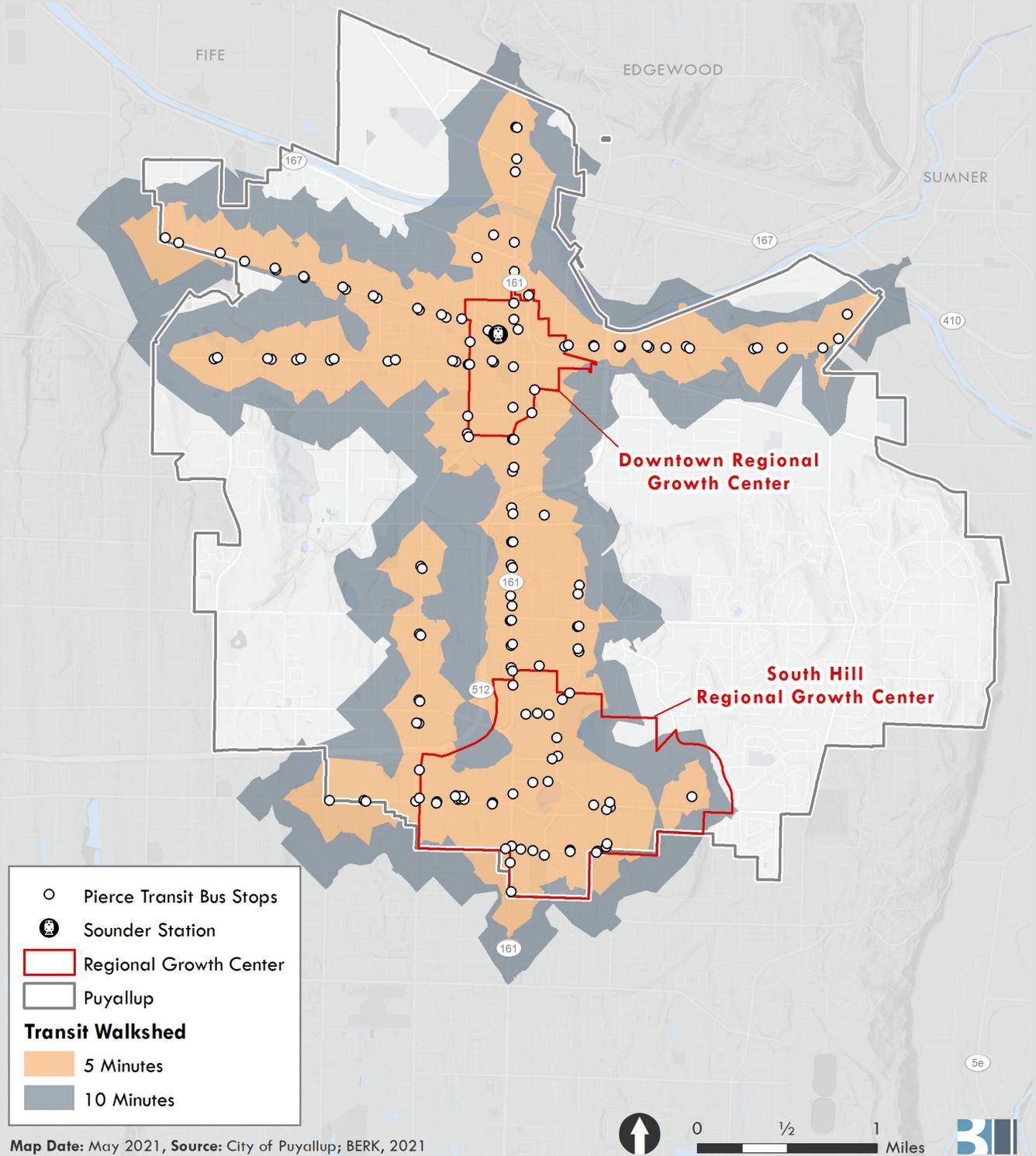
- **Downtown Sounder station area**—Consider setting minimum densities close to this transit resource.
- **South Hill**—Explore zone boundaries and density limits to ensure development maximizes its proximity to transit benefit. In addition, also see the related action within Strategy 6. Review Existing Zoning “I - Add flexibility to commercial use requirement in commercial and mixed-use zones.”
- **Multifamily (MF) zones near frequent bus routes**—Explore rezoning to higher densities and updating or eliminating the incentives/bonus density system. The current density minimum to maximum window is narrow, and the density bonus options are somewhat inflexible and have not been utilized. Also see the related actions within Strategy 6. Review Existing Zoning such as “C - Form-Based Regulatory Approach in RM Zones.”



### Transit-oriented Development

Example showing midrise mixed-use development with attractive streetscapes, publicly accessible open space, and articulated building forms that add visual interest and a sense of human scale to larger buildings.

Source: Makers Architecture, 2021.



**Transit Walksheds n Puyallup, 2021.**

City of Puyallup, 2021; BERK Consulting, 2021.

### 3. Create a residential infill pilot program.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

**Needs addressed by this strategy**

- Housing supply.
- Housing diversity.
- Attainable rental housing.
- Homeownership options.

Pilot programs introduce a temporary change in policies or regulations to test new ideas, increase community awareness and engagement, and discover what works best in a local context. Pilot programs are a good way to test new housing types and to inform future Council decisions on Puyallup’s regulatory approach to these housing types. It allows the City to take a phased approach to residential infill <sup>1</sup>development and identify which changes would be most effective. The City of Tacoma’s residential infill program design is a potential model for Puyallup.

#### Example: Tacoma Residential Infill Program

The Tacoma City Council adopted code language in December 2015 to enact the pilot program as part of a package of Affordable/Infill Housing code updates. The program was re-launched with updates and added capacity in October 2020.

In each Council District, there are six spots for each of the following:

- **Two-Family Housing:** infill construction on corner lots that maintain the scale and character of single-family buildings while using two public edges of the property as front yards and entries.
- **Planned Infill Housing:** projects that meet the density requirement of the One Tacoma Comprehensive Plan and meets specific site conditions and occupant needs.
- **Small Multifamily Housing:** housing in lower-density zoning that increases density while preserving neighborhood character.
- **Cottage Housing:** transition between single family housing neighborhoods and higher density areas, creating development patterns that maximize land values, reduce infrastructure costs, and provide housing next to services.

The application process includes scoping, a pre-application meeting, the program application, public early involvement meetings, a project program review committee meeting, and permitting process. Conditional use permits are required for all projects being considered by the pilot program.

<sup>1</sup> Infill is often defined as new development sited on vacant or undeveloped land within an existing community and adjacent or close to other types of development.

## 4. Incentivize attainable housing.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing diversity
- Attainable rental housing
- Homeownership options



This is an anti-displacement strategy.

### Fee waivers for attainable housing

Fee waivers can reduce the upfront cost of construction for attainable housing development. Fees, such as impact fees, utility connection fees, and project review fees can run in the thousands of dollars per unit. Waiving some or all of these fees for income-restricted units or reducing or scaling fees for different types of attainable housing (like cottage housing or smaller housing types) can be a valuable incentive for encouraging the production of housing.

Puyallup’s Municipal Code Sec 17.04.080(2) already waives building permit fees for single-family and duplex dwellings that serve low-income families, use volunteer labor, and are built by a non-profit organization. Since the City already waives building permit fees for single-family and duplex dwellings, they might consider expanding this to all housing types serving low-income families; or consider expanding fee waivers to other fee types such as land use application, review process, or related service fees. The City could also consider using a covenant to commit the owner receiving the fee waiver, and future owners, to maintaining unit affordability for a specific amount of time (e.g., 15 to 30 years). Future analysis as part of implementation of this strategy will need to consider the fiscal impacts of lost revenue on the City budget.

### Expedited permitting for developments with attainable set-aside housing units

Providing a predictable, efficient, and user-friendly permitting and subdivision process can encourage new attainable housing development by reducing the perception of risk among developers and lowering their administrative carrying costs. There are several ways the City can improve its process for attainable housing: simplifying procedures, expediting review for these projects, and increasing department staffing during busy cycles, among others.

## 5. Update and expand the MFTE program.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Housing diversity
- Attainable rental housing
- Homeownership options

The multifamily tax exemption (MFTE) program allows cities to exempt multifamily housing from property taxes in designated areas. Approved project sites are exempt from property taxes on the residential improvement value for a period of eight or twelve years. The twelve-year exemption requires a minimum level of affordable housing to be included in the development. The development would be required to have at least 20% of the units to be affordable to households making 80% of AMI. The eight-year exemption allows jurisdictions broad latitude to define eligibility conditions. Cities must pass an enabling ordinance to enact the MFTE and to allow applications for the exemption. According to the state statute, cities have the authority to approve or reject individual projects that apply for the exemption.

The MFTE program is a tool to incentivize multifamily development in designated areas. Eligible areas can include downtowns, commercial areas, or targeted neighborhoods where housing is needed. Adopting income requirements that are lower than the statutory limits (e.g., 60% instead of 80% AMI) can be an effective way to maximize the impact of the program. As a voluntary program, the MFTE is only successful if developers use it.

Providing information on the City’s program and increasing awareness will be an important piece of implementation. Updates to the City of Puyallup’s existing program such as providing information, a process to receive applications, and updates to the 12-year program criteria are needed. The City’s program can also be expanded. Potential areas the City can consider expanding the MFTE program to include other centers, such as the South Hill Regional Growth Center, and/or River Road Mixed Use Center.

## 6. Revise existing zoning provisions.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

Zoning is one of the key tools available to the City to increase the development of lower-cost housing types and encourage the development of a more diverse housing stock. Reviewing existing zoning and approval processes can make it simpler to create these housing types. Nine potential refinements to existing zoning are listed below and addressed in more detail on subsequent pages:

- A. Consolidate RS Zones
- B. Expand missing middle housing opportunities
- C. Form-based or design-based regulatory approach in RM zones
- D. Unit-lot subdivision ordinance
- E. Form-based or design-based regulatory approach in UCX zone
- F. Develop a strategy for regulating micro-housing
- G. Update design review standards
- H. Revise parking minimums
- I. Add flexibility to commercial use requirement in commercial and mixed-use zones

### A. Consolidate RS zones

Explore consolidating the five RS zones into three zones in a manner that increases residential capacity while retaining neighborhood compatibility and protecting environmentally sensitive areas. The differences between the zones are relatively modest, particularly between RS-04 and RS-06 zones and RS-08 and RS-10 zones. Issues to consider include Floor Area Ratio (FAR), lot coverage, and other design features to allow urban scale development. Detailed/supporting **recommendations**:

- Combine RS-04 & RS-06 and utilize the RS-04 use permissions and property standards, except apply the RS-06 FAR provisions.
- Combine RS-08 & RS-10 and utilize the RS-08 use permissions and property standards, except apply the RS-10 FAR provisions.

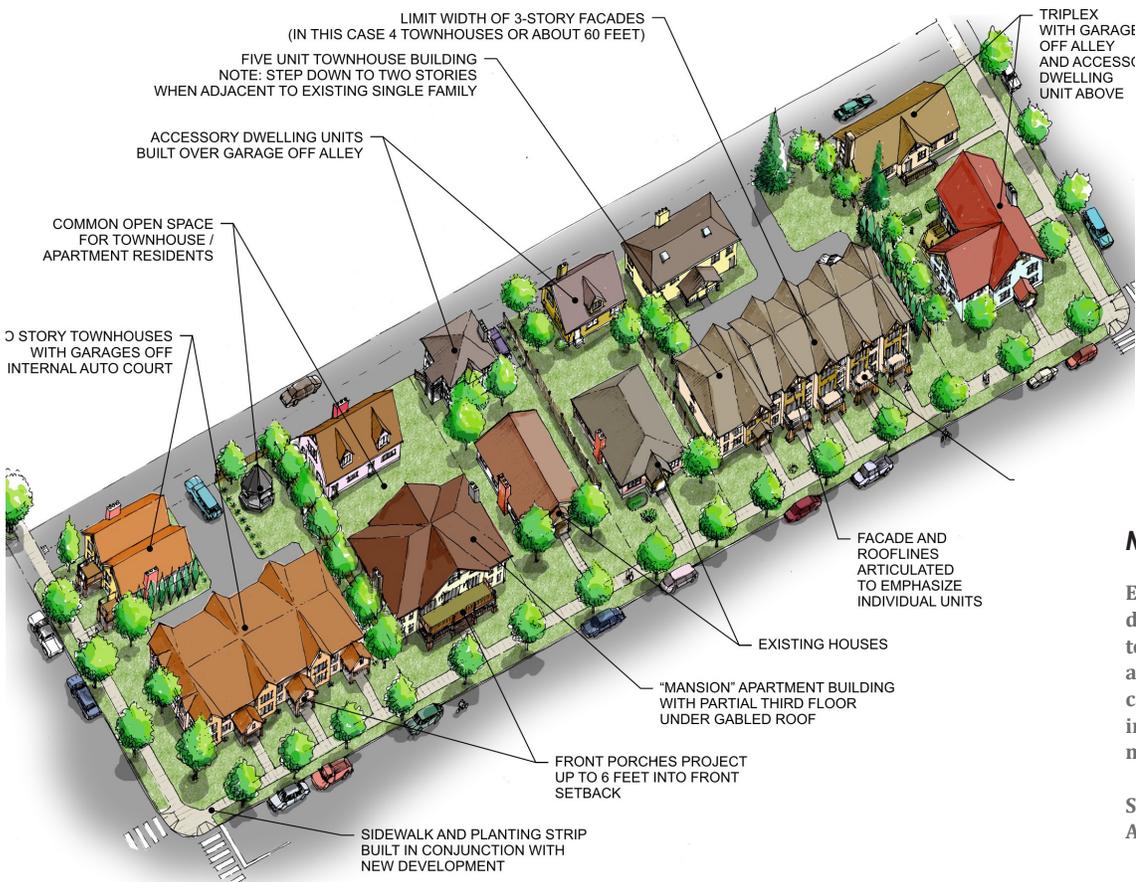
#### Needs addressed by this strategy

- Housing supply
- Homeownership options
- Housing diversity
- Middle-income rental housing

## “Missing Middle” Housing

“Missing Middle” housing refers to building types such as duplexes, triplexes, mutiplexes, and small, three- or four-unit apartments that have the same scale as detached houses but offer greater variety. These housing types can provide more affordable housing for smaller households or those looking to downsize. They fit in well with low-density neighborhoods and are a good way to add housing so that there are enough homes to support walkable, neighborhood-scale small retail and services.

Typical zoning codes discourage these housing types or make them harder to build. Residential zones may include limitations on building types or density that add costs and complexity to these housing types. In mixed-use or other zoning categories that do permit apartments, typical new projects are on a larger scale than the “missing middle.”



### Missing Middle Infill

Example showing how duplexes, triplexes, townhouses and accessory dwelling units can successfully be integrated into established neighborhoods.

Source: Makers Architecture, 2021.

- Add design standards for “new” homes to minimize negative impacts of garages and driveways and enhance streetscape character. Detailed design **considerations**:
  - Apply to all new homes in (1) RS-04 to RS-10; (2) RS-04 and RS-06; or (3) lots <5,000 square feet.
  - Update plat codes to require alleyways and require access to come from alleys.
  - Limit width of driveways and allow shared driveways.
  - Limit garage portion of ground level frontage.
  - Require garages to be placed behind front of house (living area) or front porch or covered entry projection.
  - Require a porch or covered entry facing the street on each new home.
  - Require a minimum% of window transparency of house facades.
  - Require minimum usable open space in side or rear yard.

It is important to closely examine the characteristics of applicable zones to determine whether whole or strategic partial consolidations are warranted. For example, in Anacortes where there was a consideration to reduce the entire R-2 lot size minimum from 7,200 square feet to 6,000, it was ultimately decided that the adjustment wasn’t appropriate to eastern one-third of the city based on the context of the area (combination of lot sizes, ages of development, and opportunity for infill development).

## **B. Expand missing middle housing opportunities**

Strategically expand opportunities for missing middle housing types in RS zones. Provided strategic design measures are integrated, such housing types can successfully be added into the existing single-family neighborhood context. Detailed/supporting **recommendations**:

- Allow duplexes and triplexes on corner lots provided they meet minimum lot size for the applicable RS zone and entries, driveways, and garages are accessed/facing opposite streets.
- Reduce the lot size requirements for duplexes (e.g., RS-06 zone requires 8,000 square feet lot for duplex, consider reducing to 7,000 square feet) and triplexes.
- Relax or eliminate the existing cap percentage of duplexes and triplexes.
- Allow duplexes by right in more zones (where currently conditional).
- Update the existing duplex design standards to enhance neighborhood character and compatibility. These provisions are over 20-years old and could likely benefit from some fresh updates.

### **Needs addressed by this strategy**

- Housing supply
- Housing diversity
- Homeownership options
- Middle-income rental housing

- Relax or eliminate existing lot size minimums and floor area ratio standards for cottage housing developments (currently 0.5 acre and 0.35, respectively)
- Allow courtyard apartments in the RS-04 and RS-06 zones using density incentives similar to cottage developments and strict design standards to ensure compatibility with single family character and scale. Courtyard apartments are small apartment complexes organized around a courtyard open space that opens onto a street. Many such one and two-story complexes were built in single-family neighborhoods in the early 20th century throughout the state and successfully blend into the neighborhoods due to the small scale and orientation.

Wenatchee’s recent housing code update is a good example of reducing lot size minimums and other density and dimensional standards to accommodate missing middle housing types. Also, provisions for courtyard apartments were adopted into single family zones using the two-units for one density calculations provided units are limited to 1,000 square feet.

### Examples of duplexes

The example on the left is a corner duplex with access/garages on opposite streets.



#### Needs addressed by this strategy

- Housing supply
- Housing affordability
- Attainable rental housing
- Senior and ADA-accessible housing
- Small household rental housing
- Middle-income rental housing

### C. Form-based regulatory approach in RM zones

Consider utilizing a form-based approach in the RM zones. This approach would let the design or form of housing be dictated by permitted housing types, maximum height limits, and conformance with setbacks, minimum open space, and site/building design standards over density and lot coverage limits. Supporting /related **recommendations:**

- Update the existing multifamily design standards per best practice and development trends while ensuring compatible design and enhancing neighborhood character and livability. These provisions are over 20 years old and while they include great examples, they could likely benefit from some fresh updates.
- If the current density limits are retained, consider updating and consolidating the current density bonus provisions (PMC 20.25.0235). An examination on how well these provisions are being utilized is essential

to help determine the approach for consolidating provisions, refining bonus percentages, updating bonus provisions, or replacing one or more provisions with new bonus provisions that might be more attractive for both developers and residents.

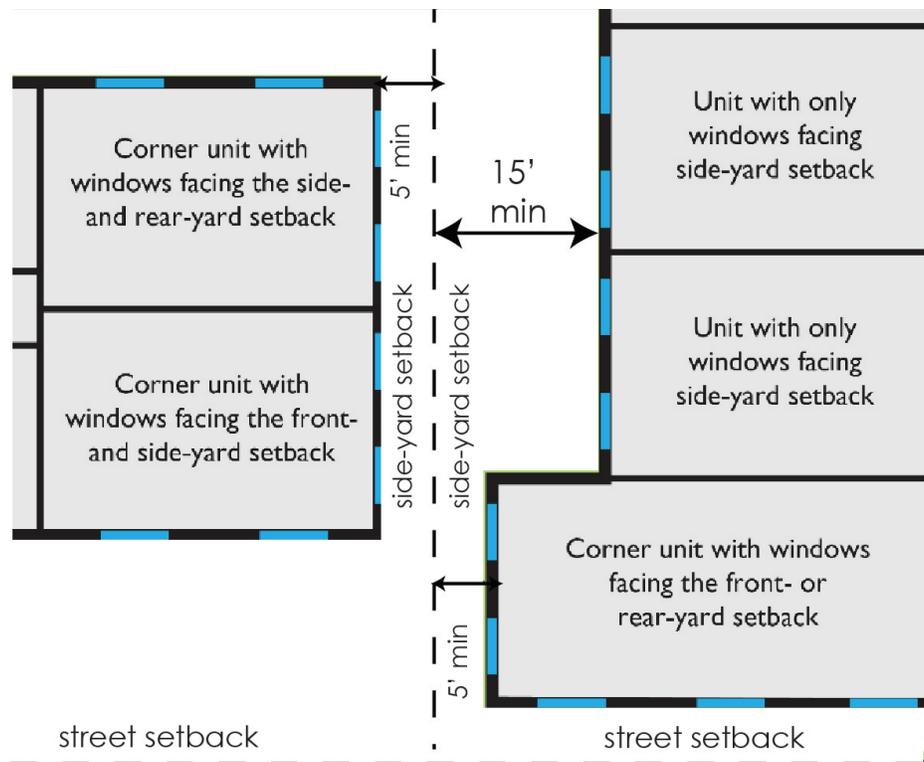
The City can also consider standards that vary based on the orientation of the units within the development. For example – side and rear setbacks (Bozeman, MT):

- Allow for zero setback where a firewall that meets applicable design standards is integrated.
- Require a 15-foot setback for buildings and portions thereof facing the side or rear yard where subject units feature their only solar access (windows) facing the subject side/rear property line. This ensures a minimum amount of solar access to those units regardless of what’s built on the adjacent property.
- Require a minimum 5-foot setback for all other developments.

### Setbacks

Example of adjustable interior setbacks based on the design/orientation of the building. Such standards enhance the privacy and livability of new and existing housing.

Source: Makers Architecture, 2021.



## D. Unit-lot subdivision ordinance

### Needs addressed by this strategy

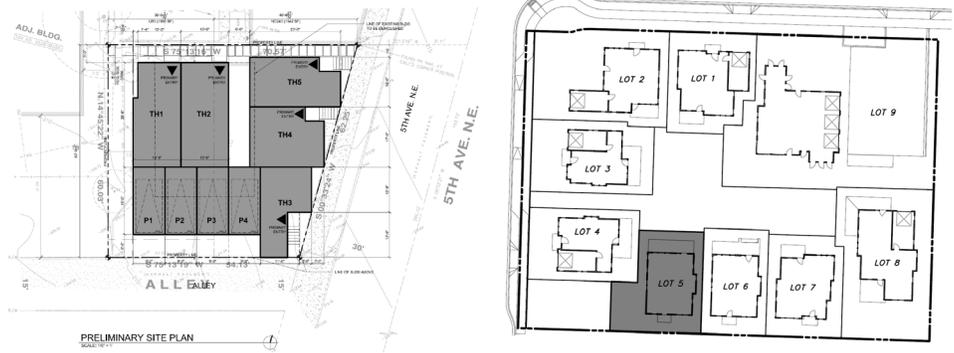
- Housing supply
- Homeownership options and affordability
- Housing diversity

### Unit lot subdivision

Examples, including townhouses (courtesy of Cone Architecture LLC and City of Seattle) and cottage housing (courtesy of Triad and City of Kirkland)

Adopt a unit-lot subdivision ordinance, which provides for fee-simple ownership of lots on which townhouses, duplexes, cottages are placed. Unit lot subdivisions have been the preferred subdivision approach for such housing over condominiums for the past two decades due to construction defect litigation challenges associated with condos. Detailed/supporting recommendations:

- Make sure that standards for such housing types are applied to the parent lot (e.g., for entire townhouse development) rather than individual unit lots.



### Townhouses

Townhouses are a particularly important housing type for the future of Puyallup. They are popular with first time homebuyers, empty nesters, singles, couples, and small families. Their compact size and tuck-under garage design make them an efficient and adaptable form of housing to build in Puyallup. Design standards are important to create attractive streetscapes and mitigate the impact of driveways and garages on the neighborhood streetscape.



Source: Makers Architecture, 2021.

**Needs addressed  
by this strategy**

- Housing supply
- Housing affordability
- Attainable rental housing
- Senior and ADA-accessible housing
- Small household rental housing
- Middle-income rental housing

## E. Form-based regulatory approach in UCX zone

Consider utilizing a form-based approach in the UCX zones. As with the RM zone, this approach would let the form of housing be dictated by permitted housing types, maximum height limits (68’/5-stories), and conformance with setbacks, minimum open space, and site/building design standards over density and lot coverage limits. Detailed/supporting **recommendations**:

- Eliminate the 22 dwelling unit per acre cap (per PMC 20.31.020)
- Restructure the affordable housing bonus provision (per PMC 20.31.030) that allows for two additional market rate units for every affordable unit (dwelling units that are offered for sale or rent at a rate that is affordable to those individuals and families having incomes that are less than 80% of the AMI) as a height bonus.
- This would swap the current height bonus provision for structured parking in PMC 20.31.028 with an affordable housing bonus, perhaps applying the same two-for-one ratio as set forth in PMC 20.31.030. At building heights of six stories and above, there’s a strong possibility that some or all parking will need to be structured in order to accommodate such building heights.
- Relax the “mixed-use development” requirement by applying standards/ flexibility on a block by block basis. While the term is silent on how much of a mix of uses is required to qualify as mixed-use development, some portions of the zone are likely to be less viable for ground floor commercial uses.

## F. Develop a strategy for regulating micro-housing

Micro-housing is an umbrella term for a very small dwelling unit. They come in two main forms:

1. Congregate housing “sleeping rooms”, which are often in the 140-200 square-foot range and may include private bathrooms and kitchenettes. Shared facilities include kitchens, gathering areas, and other common amenities for residents.
2. A very small studio apartment (also often referred to as a small efficiency dwelling unit – or “SEDU”) that includes a complete kitchen and bathroom. SEDUs can be at least 220 square feet of total floor space, as compared to 300 square feet for the smallest typical conventional studio apartments.

Small units and shared facilities reduce construction costs, allowing relatively low rents. Because the definition of a “dwelling unit” typically

requires independent kitchen facilities, regulation of micro-housing can be difficult using typical development code density and family-size standards. The City should explore options for regulatory options to allow micro-housing in amenity-rich areas with good access to transit, open space and commercial services, such as Downtown or South Hill. Detailed **considerations:**

- Consider defining and applying strategic zone permissions for both forms of micro-housing. Note that the existing “Congregate living facility” only applies to senior citizens, whereas a “very small studio apartment” would simply fall under the definition of an apartment and type of multifamily dwelling.
- Allow for reduced parking requirements for micro-housing, recognizing that their reduced size and cost might imply a reduced percentage of vehicle ownership compared to residents of a standard multifamily dwelling unit. Note that the current provision for congregate living facilities only require one parking space for each two units.

Well-calibrated design standards are particularly important for promoting livability and compatibility of micro-housing without eliminating financial feasibility. Common open space is particularly important for micro-housing residents.

## **G. Update design review standards**

Multiple strategies above reference the need to update the provisions of PMC Chapter 20.26, specifically PMC 20.26.100 Duplex and triplex design standards, and PMC 20.26.200 Multifamily design standards. Both sets of standards are over 20-years old and while they include great examples, they could likely benefit from some fresh updates.

Design standards help ensure that new housing contributes to a community’s vision for desirable, healthy, and safe neighborhoods. While they do not create additional housing, design standards can help to mitigate impacts of density, building massing/scale, parking and vehicle access areas, and service elements. Balanced design standards should promote good design without imposing prohibitively costly standards on new developments. In addition, quality standards offer a strategic mix of predictability and flexibility. This includes integrating clear minimum standards for site and building design so that the community knows what to expect as development occurs. Options for flexibility should be integrated to provide the applicant some design flexibility while still meeting the intent

### **Needs addressed by this strategy**

- Housing supply
- Housing diversity

of the standards. Such provisions are often called “departures,” “alternative designs,” or “administrative adjustments.”

**Detailed/supporting recommendations:**

- For duplexes and triplexes, regulate the number and width of driveways and extent of garages facing the street. Many communities limit garages for individual units for duplexes and triplexes to single car width (allow tandem parking).
- For townhouses and multifamily uses, add standards for the amount and design of usable open space and update or consolidate common open space requirements. Allow for a variety of ways to meet the open space standards. For townhouses, while private open spaces should take precedence, there should be options to include common open space in place of or reduced private open space. For multifamily uses, emphasize common open space as the highest priority, while integrating provisions that still encourage private yards, decks, and balconies.
- Review such updates in coordination with design considerations for commercial/mixed-use design standards and the Downtown Design Guidelines. Puyallup currently has a somewhat fragmented design standard process. In some zones, provisions are found in three distinct places—two in code and one in a separate document.

## H. Revise parking minimums

Puyallup’s minimum parking requirements for residential projects are determined based on the number of units in a project. Because units with more bedrooms are likely to have more occupants and potentially more drivers per unit, parking minimums that are based on bedroom count can better reflect actual parking needs. This approach would support development of smaller apartments for single adults. On the contrary, Puyallup’s current approach may encourage larger units, as there is no increase in parking required for larger units.

In general parking can add significant cost to development and encourages driving, leading to increased traffic congestion and carbon emissions.

**Detailed/supporting recommendations:**

- Incorporate reduced parking rates for micro-housing units, studio units, and one-bedroom apartments.

**Needs addressed  
by this strategy**

- Housing affordability
- Housing for seniors
- Housing near transit, amenities and/or jobs
- Housing for young adults and singles

- Explore strategic reductions in off-street parking requirements based on transit access, unit type, unit size, type of housing and availability and use of on-street parking in front of or near the development.
- The City should explore allowing permit applicants to provide less parking than normally required if a traffic study demonstrates lower need for parking or if on-street parking is available and under-utilized.

Since low-density land uses and limited multi-modal options can make it difficult to travel without a car in many parts of Puyallup, changes to parking minimums should be carefully considered and studied. There is also the need to address inconsistencies in parking minimums for senior housing through development code updates.



### Neighborhood Mixed-Use

Commercial districts and neighborhood centers can strategically allow townhouses, and lowrise and midrise apartments to add vibrancy and much needed forms of housing to the city.

Source: Makers Architecture, 2021.

**Needs addressed  
by this strategy**

- Housing affordability
- Housing supply
- Housing near transit, amenities and/or jobs

## Innovative Commercial Space Strategies

- Puyallup could study the feasibility of a “no net loss” policy for commercial space with redevelopment, which could be defined as 1-for-1 business replacement rather than square footage replacement for greater flexibility and trends toward micro-retail. This would be important where there are existing strip malls that could see redevelopment, such as in UCX zones.
- Puyallup could also explore strategies like San Francisco’s Vacancy Tax Ordinance to prevent property owners from failing to market commercial spaces at reasonable rents.

## I. Add flexibility to commercial use requirement in commercial and mixed-use zones

Most of Puyallup’s commercial and mixed-use zones prohibit single purpose residential uses. Mixed-use zones allow some flexibility for ground level residential development, provided it is integrated within a “mixed-use development” (the definition does not specify the minimum amount of commercial in order for such a development to be classified as a mixed-use development). In Commercial zones, multifamily is generally only permitted as an accessory use and limited to no more than 50-percent of the gross floor area of commercial uses on the site. Increasing internet commerce has created challenges to leasing existing and new commercial space in virtually all communities. Detailed/supporting **recommendations:**

- Explore integrating flexibility to ground floor uses on a block by block basis. For example, consider limiting the commercial block frontage requirement to only those most critical frontages and allow flexibility in transitional block frontages and side streets where single purpose residential buildings might be appropriate.
- Clarify requirements to qualify as a mixed-use development to add predictability. Consider adding minimum space depth for ground level commercial uses, but allow flexibility beyond that frontage requirement. Also consider whether a certain percentage of a block frontage could include ground floor residential to qualify as a mixed-use development in some situations.

While reducing ground floor commercial requirements may encourage more housing production, it could result in affordable commercial space displacement. Commercial space is important for providing local jobs and for the businesses and organizations that serve Puyallup’s communities and act as social gathering places. Some considerations to keep and encourage viable commercial space include:

- (A) Continue to require commercial ground floors along key streets, especially where commercial displacement is likely (e.g., LMX and UCX (ring zones around mall)).
- (B) Where ground floor commercial space is required, consider applying design standards that help create a flexible shell that an entrepreneurial business could move into without much capital investment.
- (C) Allow “live-work” units in some cases to meet ground floor commercial use requirement, provided they meet ground-level depth, ceiling height, and façade standards.
- (D) Consider allowing ground level residential on some frontages provided they are built to accommodate a shift to commercial in the future. For example, require a 13-15’ floor to ceiling height, except allow a temporary “ghost floor” that raises the floor for interim residential uses by 2-3-feet to offer greater privacy to residents.

# 7. Expand City support for housing services and programs.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Affordable rental housing
- Housing for older residents, residents with lower incomes, and residents with disabilities



With supportive services for housing, this is an anti-displacement strategy.

### Support programs to help with first and last deposit

Some households with low incomes may lack the accumulated savings needed to cover a security deposit and any required prepaid rent, such as first and last months’ rent. Households that receive a housing choice voucher may also face these barriers and may be unable to use their voucher to rent a unit. Cities can offer security deposit and/or first and last months’ rent assistance as a grant paid directly to the landlord. Assistance can also be structured as a low- or no-interest loan to the tenant, payable in installments or in full after a certain period of time. Federal block grant programs such as Community Development Block Grant (CDBG) programs (when Puyallup’s population grows to meet eligibility thresholds), HOME Investment Partnerships (HOME) programs, or local sources such as housing trust fund proceeds may be used to fund these programs.

Programs can be designed to prioritize specific populations. Individuals and households who typically find it difficult to access housing in the private market can be targeted for assistance. Individuals and families fleeing domestic violence, individuals and families who are at risk of homelessness or leaving homeless shelters or transitional housing, or people with disabilities, can be potential beneficiaries of assistance.

### Provide down payment assistance

Down payment assistance programs offer no-interest or low-interest capital for qualified buyers. This is a key form of assistance because saving enough money for a down payment can take many years, and high rents or housing cost pressures often push households to relocate long before they save enough for a down payment. Many programs support first-time home buyers and can be accompanied with home ownership education courses to support financial preparedness for first-time homeowners. Down payment assistance to qualified first-time homebuyers (at or below 80% of AMI, for example) are often delivered through partnerships with local non-profits and lending institutions.

## **Provide need-based rehabilitation assistance**

Need-based rehabilitation assistance is a strategy to preserve existing housing that is currently serving low-income, disabled, or senior residents. This assistance helps qualified homeowners make needed home repairs and safety upgrades by offering direct grant assistance, favorable financing terms or time-limited tax abatements. They may cover a range of projects, such as weatherization and energy efficiency improvements. In addition to near-term upgrades, these investments can improve long-term affordability for the homeowner by reducing monthly energy costs. Depending on the funding sources and local priorities, cities may target certain neighborhoods or populations for this type of assistance. Some example funding sources that can be used for rehabilitation programs include federal CDBG grant funds (when Puyallup's population grows to meet eligibility thresholds), HOME grant funds, or HUD/Federal Housing Administration (FHA) lending programs.

Programs might blend federal funds with local funds to extend eligibility or overall program coverage. The City may choose to directly provide the grants or loans, or partner with non-profit organizations specializing in this type of work, such as Habitat for Humanity. RCW 84.37 and RCW 84.38 provide for property tax deferrals for homeowners with limited incomes.

# 8. Encourage permanent supportive housing.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

**Needs addressed by this strategy**

- Housing for older residents, residents with lower incomes, and residents with disabilities



Permanent supportive services address housing instability and is an anti-displacement strategy.

Permanent supportive housing (PSH) is a combination of affordable housing units with on-site and community-based services to help individuals and families facing significant barriers to remaining safely housed. This includes cognitive and physical disabilities, mental illnesses, and substance use disorder. It has been shown to be a cost-effective solution which lowers public costs associated with the use of crisis services such as shelters, hospitals, jails, and prisons. These projects involve several entities in partnership including a lead service provider and a property developer and ongoing property manager.

Puyallup currently has units of PSH operated by local non-profits Share and Care House, Catholic Community Services of Western Washington (Pioneer House), and Helping Hand House. Connection to these entities can help the City further understand the local demand for PSH.

**Housing for people experiencing homelessness.** Fair housing laws require that PSH not be prohibited in areas zoned for multifamily housing (Engrossed Second Substitute House Bill [E2SHB] 1923 [2019] and Substitute House Bill [SHB] 2343 [2020], RCW 35A.21.305, RCW 35.21.689). Further encouragement of permanent supportive housing at the City-level can come by exempting these housing types from development mandates, “fast-tracking” city processes for supportive housing developments, identifying zones near transit and other services to encourage this development, and/or helping to coordinate resources and partners and public support for supportive housing.

**Housing for people with intellectual and developmental disabilities (IDD)** can span a wide range of types, just as there is a wide range in the severity and nature of the disabilities experienced by people. As a group, however, people with IDD face barriers to finding affordable housing. Access to services, transportation, employment centers, and supportive connections, including peers and family, are at a premium. For those not living with family, the most common residence types are independent living, group homes of one to three people, group homes of four to six people, host homes, and family foster housing. Those living with a co-occurring

behavioral health issue or with a more severe IDD may live in a specialized residential care facility, including those run by the Department of Social and Health Services, licensed psychiatric facility, or nursing home. Along with race, religion, sex, familial status, and national origin, people with disabilities are protected by the Fair Housing Act from discrimination in housing.

As the majority of adults with IDD live independently, other strategies to improve affordable housing overall will support this community. The City can also play a role in facilitating access to services, subsidies, and programs geared toward improving housing access and stability for adults with IDD. For example, Section 811 is a federal project-based rental assistance grant administered by the Washington State Department of Commerce. The funding must be applied to a new or existing property funded with Washington State Housing Trust Fund, HOME, Washington State Low Income Housing Tax Credit program, Washington State Housing Finance Commission (WSHFC) Multifamily Bond program, or US Department of Agriculture (USDA) – Rural Development funding. The Non-Elderly Disabled Voucher (also known as the Mainstream Voucher) program is also federally funded and administered by public housing authorities in Washington State.

Group homes of up to six people and residential care facilities are two housing types that are especially important to the population of people with disabilities. The City should review current zoning and code regulations to consider strategies for barrier removal and expansion for these specific housing types.

# Second Priority Strategies

# 1. Support manufactured home parks.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

## Needs addressed by this strategy

- Housing supply
- Housing diversity
- Middle-income rental housing
- Senior housing
- Small household rental housing



This is an anti-displacement strategy.

Residents of manufactured homes often face a unique set of challenges. Residents can buy their homes, but they typically rent the land that their homes sit on. Once a home is positioned on a lot, it can be expensive or impossible to move.

Unlike traditional homeownership, where homes appreciate in value and can form the basis for intergenerational wealth, mobile homes depreciate in value, and are comparable to cars or motorboats.

Securing financing for manufactured homes can be difficult owing to the limited number of lenders, the nature of manufactured homes, and underwriting standards. Buyers are often not eligible for 15- or 30-year fixed-rate mortgages, so many of them finance their homes with high-interest "chattel loans."

Manufactured housing parks are a key source of nonsubsidized low-income housing. Demand for subsidized housing far exceeds supply, and manufactured home parks often offer the most affordable private market options. With their smaller sizes, single level living spaces, and clustered design, manufactured home parks are attractive to many residents with modest or fixed incomes, including older adults, veterans, small families, and people with disabilities.

There are two existing manufactured home parks in Puyallup. The condition of individual units within these parks and the parks overall vary widely. It is typical in other manufactured home communities that homes built prior to the introduction of HUD's manufactured housing standards in 1976 often lack fire safety considerations and proper electrical wiring. Parks overall are often not well maintained. In recent years, investors have turned to existing manufactured home parks since they are seen as assets that generate steady returns with minimal need for maintenance. Many large investment firms are interested or have bought manufactured home communities from small, independent owners.

This HAP recommends a number of actions to support manufactured home parks. These include:

- Implement an inspection program for manufactured home parks.
- Provide technical assistance to manufactured home community resident organizations who wish to convert the park in which they reside to resident ownership.
- Support resident, non-profit, or local public housing authority acquisitions of manufactured home parks.
- Allow new manufactured home parks in areas of the city with access to transit and other amenities.
- Allow manufactured homes to be relocated to other properties in the city in the event of displacement. The City currently allows only new manufactured homes in the city. Relocating is also prohibited.
- The City could adopt regulations requiring payment of fees by developers for displacement of housing units due to rehabilitation or redevelopment.

## 2. Use surplus or city-owned land for attainable housing.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	<b>Low &amp; moderate incomes</b>	Residents with disabilities	<b>Improves transit &amp; amenity access</b>	Creates supportive programs	City Only	<b>Engages Partners</b>	<b>Prevents displacement</b>	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Housing diversity
- Attainable housing

Acquiring land can add significant costs during development that are often passed on to renters or owners, making housing less attainable. Many cities own land or properties, including vacant, underutilized, or no longer useful buildings and surface parking lots, that could be repurposed for residential development.

Washington State (RCW 39.33.015) allows cities with authority to dispose of surplus public property, to transfer, lease, or dispose of such property for affordable housing for low-income and very low-income households. This can lead to the effective use of publicly owned surplus and underutilized land and buildings to address community needs.

Identifying and maintaining a surplus land and building inventory with key attributes of the property is a starting point to implement this strategy. The City can then consider a few options to leverage these resources. For example, some cities adopt a policy to first make these properties available at no or reduced cost to developers of attainable housing. Once a designated period has passed the properties can be opened up for other uses. Others consider each site on a case-by-case basis using specific criteria to determine whether to prioritize it for attainable housing or for another purpose.

Inter-agency coordination is an important piece of success in these efforts. For example, in some communities, the school district is the largest public landholder. Local agencies with real estate assets should be active participants in identifying land and buildings that are no longer needed or where attainable housing could be added. Regular convenings of local agencies can facilitate the identification of available properties.

### 3. Consider actions to preserve existing attainable housing.

Supports Households with:		Intersectional Tactics		Collaboration		Displacement Analysis		
Older residents	<b>Low &amp; moderate incomes</b>	Residents with disabilities	<b>Improves transit &amp; amenity access</b>	Creates supportive programs	City Only	<b>Engages Partners</b>	<b>Prevents displacement</b>	Requires mitigation

**Needs addressed by this strategy**

- Housing supply
- Housing diversity
- Attainable housing



This strategy maintains the character of existing neighborhoods by maintaining the affordability of existing buildings and is an anti-displacement strategy.

#### Consider a Notice of Intent to Sell / Sale Ordinance

A Notice of Intent to Sell policy requires notice when multifamily housing is to be offered for sale. The notice gives public authorities the opportunity to evaluate the property and potentially preserve low- or moderate-income residences. City actions for preservation could include incentives, acquisition, and/or partnership with community organizations for affordable housing. This strategy advances preservation and acquisition of existing multifamily housing serving low-income families. It also strengthens tenant rights by requiring property owners to provide official advance notification to tenants and local housing officials.

#### Pursue strategic acquisition and financing of existing multi-family housing

A strategy to acquire and finance existing multifamily housing requires both timely identification and tools for purchase. An up-to-date inventory and/or registry of privately owned naturally occurring affordable multifamily properties at risk of redevelopment or rapid rent escalation is one tool for timely identification, as is the implementation of a Notice to Intent to Sell ordinance. Once identified, assessment of the opportunity and financing acquisition of these properties can involve several partners. Thus, the City should cultivate relationships around the intent to acquire affordable multifamily housing, so they are ready to move when the opportunity is available. These partners can include non-profits, community-based organizations, and community land trusts.

Some example financing tools include the Regional Equitable Development Initiative (REDI) Fund, administered by Enterprise Community Partners, which helps finance the acquisition of property along transit corridors ½ mile walk shed of light rail or commuter rail, or within a ¼ mile walk shed of frequent bus service or streetcar stops and loan programs through the Washington State Housing Finance Commission (WSHFC) or Impact Capital,

a Community Development Finance Institution. HB 1406 (2019) created a 20-year program where the State shares a portion of its sales tax receipts with cities and counties to support investments in affordable housing. All cities may use these funds to support the construction and acquisition of affordable housing<sup>1</sup>. Leveraging public resources to empower trusted institutions is authorized by RCW 35.21.685. City funds can help bridge projects, access other funding sources available only to public entities, and to promote stability for residents.

Multi-family units account for only 39% of overall housing stock in Puyallup. Most of the units are in larger buildings (5+ units). Only 6% are in buildings with fewer than 5 units and duplexes account for just 3%. These units are in high demand and represent a large portion of existing affordable housing. This strategy prioritizes preserving these units.

As a further consideration of priority, the Puyallup Housing Needs Assessment identified areas in central and southern Puyallup along the eastern side of SR 512 and areas in northern Puyallup to the western side of SR 512 as some of the highest risk for eviction and displacement.

## **Partner with the faith community and local nonprofits**

Faith-based organizations (churches, mosques, synagogues, and organizations affiliated with these) and non-profits often have unique assets and resources, such as land, and a desire to address community challenges. Despite holding these assets, they may face significant barriers in developing land or otherwise addressing housing on their own. For example, zoning for the properties may limit housing types or intensity. Developing affordable housing also involves high degree of financial complexity, especially in navigating major sources of financing for subsidized housing (such as the Low-Income Housing Tax Credit) can also be a challenge. The City may play a role in directly assisting or bringing in partners to unlock land and other assets to help meet community housing needs.

## 4. Consider an affordable housing trust fund.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

Housing trust funds can be designed to meet priority local needs, especially those needs that are difficult to fund with other sources. Examples include:

- Very-low income housing
- Affordable homeownership
- Middle-income rental housing
- Acquisition and operation of moderate-cost rental units
- Security deposit and/or first and last month's rent assistance

### HB 1590

In 2019, the State passed HB 1590 allows cities and counties to authorize a one tenth of one percent sales and use tax increase to fund housing and homelessness initiatives. A minimum of 60 percent of revenues collected must be used for constructing affordable housing and facilities providing housing-related services, constructing mental and behavioral health-related facilities, or funding the operations and maintenance costs of newly constructed affordable housing, facilities providing housing-related services, or evaluation and treatment centers. The affordable housing and facilities providing housing-related programs may only serve the following individuals with income below 60 percent of area median income.

Housing trust funds are distinct funds established by local governments that receive on ongoing source of dedicated funding to support housing affordability. Housing trust funds have some distinct advantages. Since they are created and administered at the local level, they can be designed to address local priorities and needs. They are a flexible source of funding and can be used to support a variety of affordable housing activities. These could include emergency rent assistance for families facing the threat of eviction or homelessness, gap financing for new construction of affordable housing, repairs and weatherization for older homeowners, and down payment assistance. Housing trust funds require resources to design and manage. The City of Puyallup will need decide the source of revenue, how the trust fund is administered, and eligible uses. Establishing the agency or department responsible for day-to-day management of the fund and expectations for reporting on housing trust fund activities is an important consideration. One option to consider would be to establish an advisory body composed of a diverse range of stakeholders from diverse backgrounds to help guide trust fund administration and provide program oversight. Partnerships with other cities or regional authorities can also be used to assist in the management of the administration of the housing trust fund.

Housing trust funds can also be designed to fund one high-priority activity, or a variety of possible uses. Typical consideration to decide on eligible uses for trust fund expenditures include high-priority housing needs that are difficult to fund with other sources. The selection of activities for trust fund expenditures will also depend on the amount of revenue likely to be raised. Smaller grants are more feasible with modest funding streams while a robust amount of revenue could fund more costly programs such as a local tenant-based rental assistance program. A potential option would be for the City to take Councilmanic action to implement 1590 funds to fund the local housing trust fund.

## 5. Adopt tenant protections and supports.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Attainable rental housing
- Housing diversity



With protections and supportive services for renters, this is an anti-displacement strategy.

Tenant protections are important to consider in conjunction with other strategies to mitigate displacement risk. They help avoid or slow the process of displacement for households by providing access to legal resources, more time, and/or resources to find another place to live. The Residential Landlord-Tenant Act (RCW 59.18) is the primary statute regulating Landlord-Tenant relationships at the state level, and there are several policies and programs that can go further at the local level. Some programs designed to protect tenants that could be implemented in whole or in part by the City of Puyallup. Others could be led by partner community organizations but supported through referral and resource contributions on the part of the City. Some examples include:

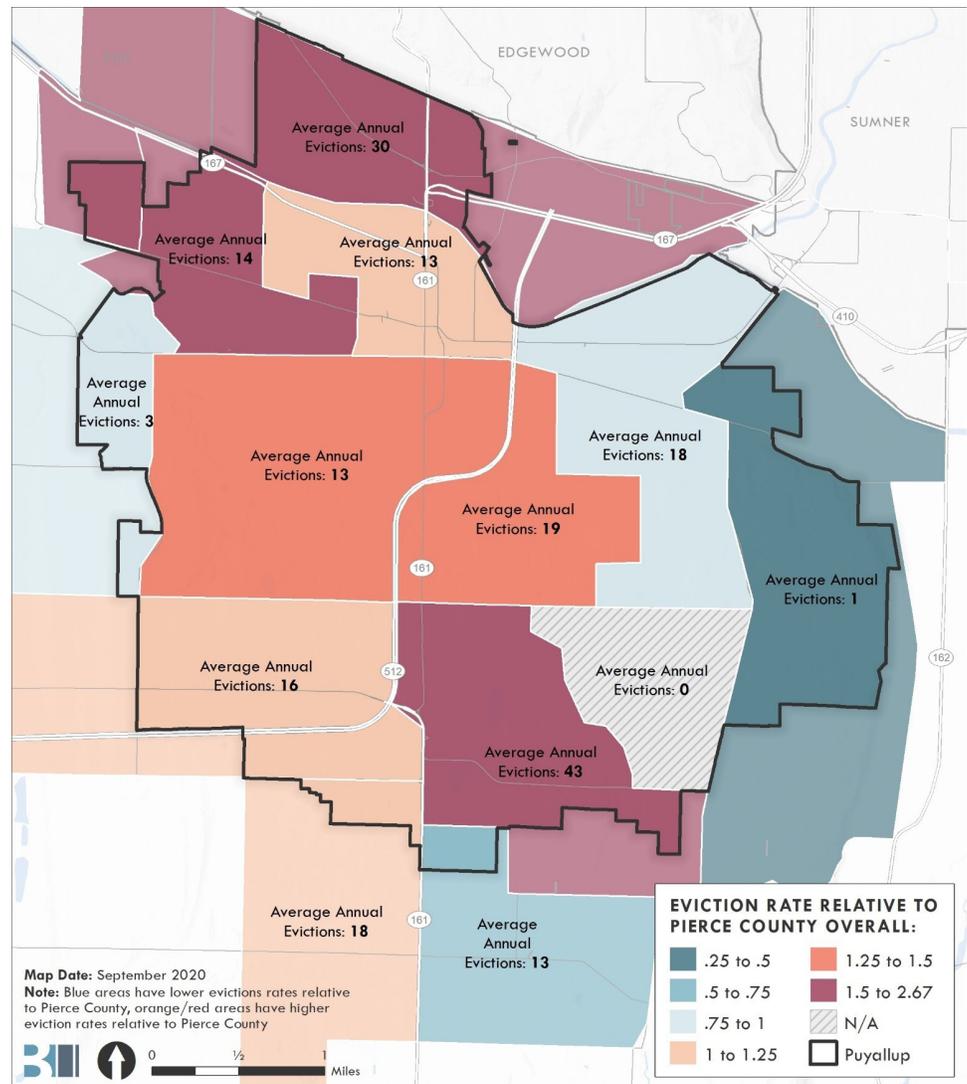
- **Rental assistance programs.** Pierce County Human Services and the City of Tacoma have received funding for rental and utility assistance for tenants impacted by COVID-19 and are behind on rent. Applicants must qualify as low-income at or below 80% Area Median Income (AMI), but priority will be given to those under 50% AMI. HB 1406 (2019) created a 20-year program where the State shares a portion of its sales tax receipts with cities and counties to support investments in affordable housing. All cities may use these funds to support the construction and acquisition of affordable housing. Cities with 100,000 residents or less can use the funds for rental assistance programs .
- **Landlord liaison and outreach programs.** The Pierce County Landlord Liaison Program was developed in 2018 to create long-lasting relationships between housing agencies and property owners by educating both tenants and landlords in operational etiquette, new housing-related laws and policies, and how to supply housing units for residents of Pierce County. The program provides incentives such as access to mitigation funds, educational tools for tenants and landlords, and 24-hour support services. The program also works to successfully house previously homeless individuals and families who cannot otherwise access housing due to rental barriers. This program currently operates under the umbrella of Associated Ministries under contract with Pierce County Human Services.

- **Housing Navigators.** Housing Navigators work with both landlords and tenants and offer customized assistance to reduce barriers through supports such as search assistance, landlord engagement, and short-term financial assistance. Examples of customized assistance include providing information on amenities and resources across neighborhoods, facilitating neighborhood tours, preparing individuals to be tenants on the private rental market, identifying barriers to renting, budgeting assistance, preparing materials needed for rental applications, support during the housing search process, referrals to units, and providing flexible funds to help families overcome additional costs associated with moving.
- **Tenant education and landlord incentive programs.** Tenant education can be offered to both prospective and current renters. Topics such as fair housing laws, rental screening, and communication with landlords prepare individuals to become successful tenants. Pairing this education with landlord incentive funds helps to cover their security deposit when renting to graduates of the tenant education program.
- **Legal services program for eviction defense and fair housing enforcement.** Renters in Pierce County who don't qualify for rental or utility assistance are referred to the Housing Justice Project for free eviction resolution services. Statewide resources and services are also available from the Northwest Justice Project, Solid Ground, and Washington LawHelp, and the Fair Housing Center of Washington.
- **Rental inspection and registry program.** Rental registry programs inspect and inventory rental units for health and safety. They help preserve overall numbers of rental units and provide a third-party actor in cases where renters feel they do not have the power to address safety and legal concerns with landlords directly.

## Eviction Filings in Puyallup, 2017 Rate and Average 2008-2017 Annual Count.

Sources: Eviction Study, 2017; BERK, 2020.

Eviction filing is a legal notice of an eviction suit—not all eviction filings result in actual evictions, in which a household is forced to leave their housing unit. Instead, a renter household may move out preemptively, pay overdue rent, or reach some other settlement with the landlord. However, eviction filings are public record and may be seen by future potential landlords when conducting background checks.



## Evictions

A count of evictions reveals that over the 10-year period from 2008 to 2017, there was a relatively consistent annual count of court-documented evictions in Puyallup at an average of 157 per year.

Census Tract level averages are highest in the south-central area of the city to the east of SR 512. Other areas with high tract-level averages include the northwest portion of the city. Perhaps unsurprisingly, this area aligns with areas of the city with the lowest income block groups.

Relative eviction risk rates evaluate the number of evictions against the total number of renters within a given Census tract and then compare this rate

to all other Census tracts within Pierce County to identify locations which stand out in the county for high eviction rates. In Puyallup, the tracts with the highest relative eviction risk rates align with the tracts with the highest eviction counts, particularly in the aforementioned tract in the south-central area of the city to the east of SR 512. These tracts are highlighted in dark red on the map on the left and have rates of evictions from one-and-a-half to over two times the average rate across Pierce County. The data show that these areas may be a focus area for anti-displacement work in Puyallup.

Studies show that women with lower incomes, especially women of color, have a high risk of eviction. Domestic violence victims and families with children are also at particularly high risk for eviction.

## 6. Consider development agreements.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	<b>Low &amp; moderate incomes</b>	Residents with disabilities	<b>Improves transit &amp; amenity access</b>	Creates supportive programs	City Only	<b>Engages Partners</b>	<b>Prevents displacement</b>	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Housing diversity

Development agreements are voluntary, negotiated contracts between developers and municipalities. These agreements specify public benefits that the development will provide, along with each party’s responsibility. They provide flexibility to developers and support affordable housing, diverse housing types, affordable commercial space, community gathering spaces, and other public amenities. The agreements provide assurances to developers that certain development regulations will not change during the term of the agreement and the City can, in turn, require conditions to mitigate project impacts and clarify project phasing and public improvements. The City of Puyallup can use development agreements as a tool to specify certain community-desired improvements such as desired housing types and parks or trails in exchange for assurances to the developer. The development agreement can also stipulate that any development agreement with a housing component set aside a percentage of affordable units for a specified time period.

## 7. Make it easier to build ADUs by revising standards and creating pre-approved plans.

Supports Households with:			Intersectional Tactics		Collaboration		Displacement Analysis	
Older residents	Low & moderate incomes	Residents with disabilities	Improves transit & amenity access	Creates supportive programs	City Only	Engages Partners	Prevents displacement	Requires mitigation

### Needs addressed by this strategy

- Housing supply
- Housing diversity
- Middle-income rental housing
- Senior housing
- Small household rental housing

ADUs are small dwelling units that are either attached to the primary dwelling or in a detached structure (DADU) that is typically placed to the side or rear of the primary dwelling. ADUs have long been an important option for communities to add variety and housing choice in single-family neighborhoods. ADUs can provide low-cost housing in established neighborhoods. They provide dwelling opportunities for extended family members and small households that prefer a neighborhood setting over apartment living. ADUs can also offer a critical source of monthly income for homeowners when rented out.

Puyallup already allows ADUs in all single-family zones. However, relatively few have been built. This may be due to various permitting costs and challenges, the owner-occupancy requirement, or size limitations. In 2019 the Council completed some recent amendments to ADU regulations to encourage their production. This included eliminating separate land use approval for DADUs, raising allowable size for DADUs, and reducing impact fees.

By simplifying the process in a manner consistent with Council’s previous actions, Puyallup can help these modest dwelling units relieve housing shortages and allow more people to enjoy the benefits of low-density neighborhoods. Specific **recommendations** include:

- Provide pre-approved ADU designs to facilitate faster permitting and reduced costs.
- Remove owner-occupancy requirements in higher density single family zones.
- Consider eliminating the ratio requirement that limits the size of the ADU. The City currently allows 900 square feet but also no more than 40% of the primary home size.

Based on the experience of other cities, addition of ADUs, even if this strategy is fully implemented, is likely to occur on only a small minority of lots. This is likely due to a combination of owner preferences, lot size and siting challenges, and the general cost and complication of building an ADU. ADUs pair well with strategies that support aging in place and should be considered along with strategies that relate to other missing middle housing types.

**Examples of Accessory Dwelling Units (ADUs)**





# Implementing the Plan

The HAP establishes a framework for aligning efforts across the City, coordinating with partners, and measuring progress. The City and community partners will need to work together to implement this plan. To support an effective implementation program, a comprehensive listing of strategies, timelines, resource requirements, responsibilities for leading the tasks, and partnership opportunities is provided.

The implementation matrix is intended to guide budgets and workplans for City departments and community partners. While this plan identifies potential community partners and leads, no commitments or agreements have yet been made.

## Implementation Matrix Key

Strategies are categorized by short-term (1-2 years), medium-term (3-5 years), and long-term (5+ years) implementation timelines. A matrix shows each strategy with the timeline, lead, potential partners, and cost/level of effort (\$, \$\$ or \$\$\$).

Timeline	Cost	Effort
🕒 🕒 🕒 Short-term (1-2 years)	\$\$\$\$ Minimal Investment	● ○ ○ Minimal Effort
🕒 🕒 🕒 Mid-term (3-5 years)	\$\$\$\$ Moderate Investment	● ● ○ Moderate Effort
🕒 🕒 🕒 Long-term (5+ years)	\$\$\$\$ Significant Investment	● ● ● Significant Effort
	\$\$\$\$ Major Investment	

STRATEGY	WHO WILL LEAD?	POTENTIAL PARTNERS	TIMELINE	COST	EFFORT
1. Make strategic infrastructure investments	City of Puyallup and Partners		🕒 🕒 🕒	\$\$\$\$	● ● ●
2. Rezone areas to facilitate higher density and more diverse housing types	City of Puyallup	Development community	🕒 🕒 🕒	\$\$\$\$	● ● ●
3. Create a residential infill pilot program	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
4. Incentivize attainable housing	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
5. Update and expand MFTE program	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
6. Revise existing zoning provisions	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
7. Expand City support for housing services and programs	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
8. Encourage permanent supportive housing	Partners		🕒 🕒 🕒	\$\$\$\$	● ● ○
1. Consider developer agreements	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
2. Support manufactured home parks	City of Puyallup and Partners		🕒 🕒 🕒	\$\$\$\$	● ● ○
3. Use surplus or city-owned land for attainable housing	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
4. Consider actions to preserve existing attainable housing	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○
5. Consider an Affordable housing bond/trust fund	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ●
6. Adopt tenant protections and supports	Partner		🕒 🕒 🕒	\$\$\$\$	● ● ○
7. Make it easier to build ADUs by revising standards and creating pre-approved plans	City of Puyallup		🕒 🕒 🕒	\$\$\$\$	● ● ○

## Measuring Progress

The city intends to monitor and evaluate HAP implementation and outcomes on a regular basis. This will allow the City to be flexible to any refinements to actions that may be necessary and focus scarce public dollars on actions that are most effective. The HAP monitoring program has two components—implementation monitoring and performance monitoring—described below. Implementation monitoring will track which of the HAP actions are being implemented and the extent to which City partners—including other public agencies and private sector entities—are

participating. Performance monitoring will show whether HAP actions are achieving the desired results. Key indicators have been selected, based on results from the Needs Assessment. Findings of both implementation and performance monitoring will be used by the city to refine implementation.

## Performance Monitoring

Key indicators reflect the overall desired outcomes of this Housing Action Plan. These indicators reflect success over the long term, rather than easy wins in the one- to two-year timeframe.

Key indicators:

- **Key Indicator 1:** Rates of cost burden for moderate- and low-income households are decreased without loss of moderate- and low-income households.
- **Key Indicator 2:** Rates of annual production rate of ADU, duplex, townhome, smaller multifamily (49 units or less) and multifamily units overall.
- **Key Indicator 3:** Eviction Rate

# Appendix A: Engagement Summary

## [Engagement Summary](#)

(Comprehensive engagement activity meeting notes finalization underway.)

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# Appendix B: Housing Needs Assessment

[Housing Needs Assessment](#)

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## City Council Agenda Item Report

Submitted by: Katie Baker

Submitting Department: Development Services

Meeting Date: 8/31/2021

### **Subject:**

Interim zoning controls to accommodate facilities for the homeless

### **Presenter:**

Katie Baker, Planning Manager

### **Recommendation:**

Hear potential options for interim zoning controls to address new State requirements.

### **Background:**

In 2021, the State of Washington enacted HB 1220 which requires cities to accommodate housing and shelter facilities for homeless persons or those at risk of becoming homeless. The provisions for transitional housing and permanent supportive housing went into effect on July 25, 2021, and the provision for indoor emergency shelter or emergency housing goes into effect on September 30, 2021.

In order to provide time to develop permanent zoning regulations, the City Council passed a moratorium on July 20, 2021 and will consider adoption of interim zoning controls in September 2021. Staff will work with the Planning Commission over the next two months to develop recommended permanent zoning regulations for City Council consideration. Those are anticipated to come forward later this year.

The attached staff memo provides additional background on HB 1220 and factors for City Council to consider in the adoption of interim and permanent zoning controls.

### **Council Direction:**

This item is for discussion and initial Council direction. Staff will bring back interim zoning controls for Council's consideration at the September 14, 2021 meeting.

### **Fiscal Impacts:**

### **ATTACHMENTS**

- [Staff Memo](#)
- [HB 1220](#)
- [PMC 20.72 Homeless Drop-in Centers and Overnight Shelters](#)



**CITY OF PUYALLUP**  
**Development & Permitting Services Department**  
**Planning Division**  
333 S. Meridian  
Puyallup, WA 98371

To: City Council  
From: Katie Baker, AICP, Planning Manager

**RE: Supportive Housing Facilities (HB 1220) – Overview**

Date: August 31, 2021

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## Background

In May 2021, HB 1220 was passed into law, which eliminates certain zoning barriers related to the provision of transitional housing, emergency shelters, and similar homelessness-related facilities. Specifically, HB 1220 includes the following requirements:

- Preempts local authority to prohibit transitional housing and permanent supportive housing in any zone in which residential dwelling units or hotels are allowed. This requirement went into effect July 25, 2021.
- Preempts local authority to prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. This requirement goes into effect September 30, 2021.
- Adds definitions for “emergency housing”, “emergency shelter”, and “moderate-income household”.

In response to the above provisions, the City has reviewed our existing zoning regulations and has determined that code amendments are necessary to comply with this law. It is anticipated that proposed code amendments will:

1. Establish definitions for the housing types addressed in HB 1220;
2. Establish use allowances for the specified housing types; and
3. Review and establish reasonable occupancy, spacing, and intensity of use requirements.

The sections below outline the City’s current development regulations that pertain to the facility types addressed in HB 1220 as well as the options for amendments to comply with the changes and the steps moving forward. At the August 31 City Council meeting, staff will provide a presentation to further detail HB 1220 and the code changes it will necessitate.

## Current Code Regulations

### 1. Definitions

- a. The Puyallup Municipal Code (PMC) definitions chapter (PMC 20.15) does not currently include definitions for: (1) “transitional housing”, (2) “permanent supportive housing”, (3) “emergency housing”, (4) “emergency shelter”.
- b. PMC 20.72 – Homeless Drop-In Centers and Overnight Shelters does include definitions for “daytime drop-in center” and “overnight shelter”. The PMC definition of “overnight shelter” is similar to the State definition of “emergency housing”, and the State definition of “emergency shelter” seems to encompass the PMC definition of both “daytime drop-in center” and “overnight shelter”.
- c. Terms defined – RCW 36.70A.030 and RCW 84.36.043:
  - i. “Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.
  - ii. “Permanent supportive housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.
  - iii. “Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.
  - iv. “Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.
- d. Terms defined – PMC 20.72:

- i. “Daytime drop-in center” means a center which has a primary purpose of serving homeless individuals, whose clientele may spend time during day or evening hours, but with no overnight stays. Services may include counseling and/or medication monitoring on a formal or informal basis, personal hygiene supplies, facilities for showering, shaving, napping, laundering clothes, making necessary telephone calls and other basic supportive services. Centers may also provide meals or facilities for cooking.
- ii. “Overnight shelter” means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless. Temporary shelter facilities associated with disaster relief are excluded from this use category. Homeless drop-in center services may also be provided on the same site during daytime hours.

## 2. Use allowances for the specified housing types by zone

- a. Transitional housing and permanent supportive housing: As noted above in “Definitions”, these terms are not currently defined in the PMC, nor are they expressly called out as permitted uses in any zone. However, this housing type already exists throughout the City and is allowed as long as the housing structure meets the use allowances of a specific zone (e.g. individuals living in a single-family home in an RS zone). Helping Hand House, Share & Care House, and Step by Step are a few examples of service providers that provide and maintain housing meeting these definitions within the City.

HB 1220 requires that these uses are allowed in any zone that allows residential dwelling units or hotels. While the uses are allowed indirectly, it is recommended that Council consider amending the code to expressly permit these uses in all zones that allow residential dwelling units or hotels.

In addition to the changes brought about by HB 1220, the State also struck down a city’s ability to regulate or limit the number of unrelated persons that may occupy a household or dwelling unit. This will necessitate an amendment to the PMC definition of “family” as not more than six unrelated individuals, and result in any limitations being dictated by building code.

- b. Emergency housing and emergency shelter: As noted above in “Definitions”, PMC 20.72 establishes regulations for uses that seem to meet the terms used in HB 1220. The PMC allows these uses in three zones: ML Limited Manufacturing, CG General Commercial, and CB Community Business, subject to a conditional use permit process and other siting standards.

HB 1220 requires that these uses be allowed in any zone that allow hotels, which would result in allowing these uses in nine additional zones. To comply with HB 1220, Council

should consider amending the code to be consistent in the zones that allow hotels and emergency housing and shelter.

3. **Review and establish reasonable occupancy, spacing, and intensity of use requirements.** Per discussion under 2a., there are currently no code regulations pertaining to occupancy, spacing, or intensity of use related to transitional or permanent supportive housing. The subsections below describe those requirements in relation to PMC 20.72, regulating emergency housing and shelters (referred to as daytime drop-in centers and overnight shelters), which are authorized through a development agreement or a conditional use permit.
  - a. Occupancy: PMC 20.72 has no occupancy limitations, nor does it require applicants to provide that information in their application submittal documents.
  - b. Spacing: PMC 20.72 has no spacing requirements from other similar uses; however it does establish buffer setbacks from sensitive uses such as schools and daycares, parks, and residential zoning.
  - c. Intensity of use: PMC 20.72 has no specific limitations on traffic, noise, or visibility, but does contain zoning standards that regulate site standards (lighting, visibility, waiting areas) and proximity to public transportation. In addition, the code requires an operations plan to deal with mitigation of potential impacts including staffing levels, travel routes, identification, and management point of contact.

## Options for Amendments

### 1. Definitions

- a. The Puyallup Municipal Code (PMC) does not currently include definitions for “transitional housing”, “permanent supportive housing”, “emergency housing”, or “emergency shelter”. It is recommended that PMC 20.15 be amended to include the four definitions for the terms addressed in HB 1220, and subsequently that these terms are used throughout other sections of the PMC to be clear and consistent in their usage.

### 2. Use allowances by zone

- a. Transitional housing and permanent supportive housing: HB 1220 requires that transitional housing and permanent supportive housing be allowed in any zones that allow residential dwelling units or hotels. As discussed above, while the uses are already allowed indirectly, it is recommended that Council consider amending the code to expressly permit these uses in all zones that allow residential dwelling units or hotels. This would result in amending the permitted use table in approximately two-thirds of zones in the City – all eight residential (RS and RM) zones, all five commercial (C) zones, all five mixed-use (MX) zones and the medical (MED) zone. The Council could choose to impose additional permit process, such as an administrative conditional use permit, and/or occupancy or spacing regulations, as outlined below under section 3.

- b. Emergency housing and emergency shelter: HB 1220 also requires that emergency housing and emergency shelters be allowed in any zones that allow hotels. This includes all five (C) Commercial zones, all five (MX) Mixed Use zones, and the (MED) Medical zone. Per PMC 20.72 – Homeless Drop-In Centers and Overnight Shelters, emergency shelters (including both daytime drop-in centers and overnight shelters) are permitted only in the ML Limited Manufacturing, CG General Commercial, and CB Community Business zones.

Options:

- i. The Council may consider reducing zones that allow hotels, possibly resulting in nonconforming existing hotels and/or preventing new hotels from being established.
- ii. Alternatively, the Council may consider permitting emergency housing and shelters in all 11 zones that allow hotels and relying on the permit process and standards outlined below to regulate.

**3. Standards related to occupancy, spacing, and intensity of use**

In addition to addressing the specific zones allowing emergency housing and emergency shelters, the City Council may also consider establishing standards related to occupancy, spacing, and intensity of use. These standards may vary among zones or be adopted to apply in the same way to each zone where the use is permitted. Council may choose to retain the process options of being permitted through either a development agreement or a conditional use permit or may modify those process options.

- a. Occupancy: The code may be amended to establish occupancy limits of a given facility.

Examples from other jurisdictions include:

- Maple Valley – Limits occupancy to ten families or 40 people, whichever is fewer.
- Covington – Limits occupancy to building capacity or not more than 30 residents.
- Bellevue – No occupancy limits in interim controls.
- SeaTac – Limits occupancy to 80 residents.

- b. Spacing: The code may be amended to establish spacing standards between facilities.

Examples from other jurisdictions include:

- Maple Valley – Limits number of facilities to no more than one at any given time.
- Covington – Facilities must be at least a half mile from each other.
- Bellevue – No spacing standards in interim controls.

- SeaTac – Prohibits facilities with 1,000 feet of a school or other emergency housing facility.
- c. Intensity of use: The code may be amended to establish standards addressing impacts such as building size and height, traffic levels, or noise, in addition to the existing standards noted under the current code description.

## Council Direction and Next Steps

At the August 31, 2021 City Council meeting, staff will provide an overview presentation on the requirements of HB 1220 and will further detail the potential options for Council’s consideration. It is desired that Council provide preliminary direction for staff to return in September with a proposed ordinance for interim zoning controls for Council consideration and adoption. Interim controls must be adopted prior to September 30<sup>th</sup>, when the new law goes into effect.

Staff will then work with the Planning Commission over the Fall to develop recommended code changes to Title 20 – Zoning, which comply with the provisions of HB 1220. It is anticipated that, following Planning Commission review, the recommended code amendments will come before City Council for consideration and action before the end of the year.

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1220**

Chapter 254, Laws of 2021

(partial veto)

67th Legislature  
2021 Regular Session

EMERGENCY SHELTERS AND HOUSING—LOCAL PLANNING AND DEVELOPMENT

EFFECTIVE DATE: July 25, 2021

Passed by the House April 14, 2021  
Yeas 57 Nays 40

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate April 10, 2021  
Yeas 25 Nays 24

DENNY HECK

**President of the Senate**

Approved May 12, 2021 2:35 PM with  
the exception of section 7, which is  
vetoed.

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1220** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 12, 2021

**Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1220**

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AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Peterson, Macri, Bateman, Ryu, Lekanoff, Fitzgibbon, Kloba, Davis, Lovick, Santos, Ortiz-Self, Simmons, Berg, Hackney, Chopp, Tharinger, and Frame)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to supporting emergency shelters and housing  
2 through local planning and development regulations; amending RCW  
3 36.70A.020, 36.70A.390, and 36.70A.030; reenacting and amending RCW  
4 36.70A.070; adding a new section to chapter 35A.21 RCW; adding a new  
5 section to chapter 35.21 RCW; and adding a new section to chapter  
6 36.70A RCW.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 36.70A.020 and 2002 c 154 s 1 are each amended to  
9 read as follows:

10 The following goals are adopted to guide the development and  
11 adoption of comprehensive plans and development regulations of those  
12 counties and cities that are required or choose to plan under RCW  
13 36.70A.040. The following goals are not listed in order of priority  
14 and shall be used exclusively for the purpose of guiding the  
15 development of comprehensive plans and development regulations:

16 (1) Urban growth. Encourage development in urban areas where  
17 adequate public facilities and services exist or can be provided in  
18 an efficient manner.

19 (2) Reduce sprawl. Reduce the inappropriate conversion of  
20 undeveloped land into sprawling, low-density development.

1 (3) Transportation. Encourage efficient multimodal transportation  
2 systems that are based on regional priorities and coordinated with  
3 county and city comprehensive plans.

4 (4) Housing. (~~Encourage the availability of affordable~~) Plan  
5 for and accommodate housing affordable to all economic segments of  
6 the population of this state, promote a variety of residential  
7 densities and housing types, and encourage preservation of existing  
8 housing stock.

9 (5) Economic development. Encourage economic development  
10 throughout the state that is consistent with adopted comprehensive  
11 plans, promote economic opportunity for all citizens of this state,  
12 especially for unemployed and for disadvantaged persons, promote the  
13 retention and expansion of existing businesses and recruitment of new  
14 businesses, recognize regional differences impacting economic  
15 development opportunities, and encourage growth in areas experiencing  
16 insufficient economic growth, all within the capacities of the  
17 state's natural resources, public services, and public facilities.

18 (6) Property rights. Private property shall not be taken for  
19 public use without just compensation having been made. The property  
20 rights of landowners shall be protected from arbitrary and  
21 discriminatory actions.

22 (7) Permits. Applications for both state and local government  
23 permits should be processed in a timely and fair manner to ensure  
24 predictability.

25 (8) Natural resource industries. Maintain and enhance natural  
26 resource-based industries, including productive timber, agricultural,  
27 and fisheries industries. Encourage the conservation of productive  
28 forestlands and productive agricultural lands, and discourage  
29 incompatible uses.

30 (9) Open space and recreation. Retain open space, enhance  
31 recreational opportunities, conserve fish and wildlife habitat,  
32 increase access to natural resource lands and water, and develop  
33 parks and recreation facilities.

34 (10) Environment. Protect the environment and enhance the state's  
35 high quality of life, including air and water quality, and the  
36 availability of water.

37 (11) Citizen participation and coordination. Encourage the  
38 involvement of citizens in the planning process and ensure  
39 coordination between communities and jurisdictions to reconcile  
40 conflicts.

1 (12) Public facilities and services. Ensure that those public  
2 facilities and services necessary to support development shall be  
3 adequate to serve the development at the time the development is  
4 available for occupancy and use without decreasing current service  
5 levels below locally established minimum standards.

6 (13) Historic preservation. Identify and encourage the  
7 preservation of lands, sites, and structures, that have historical or  
8 archaeological significance.

9 **Sec. 2.** RCW 36.70A.070 and 2017 3rd sp.s. c 18 s 4 and 2017 3rd  
10 sp.s. c 16 s 4 are each reenacted and amended to read as follows:

11 The comprehensive plan of a county or city that is required or  
12 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,  
13 and descriptive text covering objectives, principles, and standards  
14 used to develop the comprehensive plan. The plan shall be an  
15 internally consistent document and all elements shall be consistent  
16 with the future land use map. A comprehensive plan shall be adopted  
17 and amended with public participation as provided in RCW 36.70A.140.  
18 Each comprehensive plan shall include a plan, scheme, or design for  
19 each of the following:

20 (1) A land use element designating the proposed general  
21 distribution and general location and extent of the uses of land,  
22 where appropriate, for agriculture, timber production, housing,  
23 commerce, industry, recreation, open spaces, general aviation  
24 airports, public utilities, public facilities, and other land uses.  
25 The land use element shall include population densities, building  
26 intensities, and estimates of future population growth. The land use  
27 element shall provide for protection of the quality and quantity of  
28 groundwater used for public water supplies. Wherever possible, the  
29 land use element should consider utilizing urban planning approaches  
30 that promote physical activity. Where applicable, the land use  
31 element shall review drainage, flooding, and stormwater runoff in the  
32 area and nearby jurisdictions and provide guidance for corrective  
33 actions to mitigate or cleanse those discharges that pollute waters  
34 of the state, including Puget Sound or waters entering Puget Sound.

35 (2) A housing element ensuring the vitality and character of  
36 established residential neighborhoods that:

37 (a) Includes an inventory and analysis of existing and projected  
38 housing needs that identifies the number of housing units necessary

1 to manage projected growth, as provided by the department of  
2 commerce, including:

3 (i) Units for moderate, low, very low, and extremely low-income  
4 households; and

5 (ii) Emergency housing, emergency shelters, and permanent  
6 supportive housing;

7 ~~((includes))~~ Includes a statement of goals, policies,  
8 objectives, and mandatory provisions for the preservation,  
9 improvement, and development of housing, including single-family  
10 residences, and within an urban growth area boundary, moderate  
11 density housing options including but not limited to, duplexes,  
12 triplexes, and townhomes;

13 ~~((identifies))~~ Identifies sufficient capacity of land for  
14 housing~~((r))~~ including, but not limited to, government-assisted  
15 housing, housing for ~~((low-income families))~~ moderate, low, very low,  
16 and extremely low-income households, manufactured housing,  
17 multifamily housing, ~~((and))~~ group homes ~~((and)),~~ foster care  
18 facilities, emergency housing, emergency shelters, permanent  
19 supportive housing, and within an urban growth area boundary,  
20 consideration of duplexes, triplexes, and townhomes; ((and))

21 ~~((makes))~~ Makes adequate provisions for existing and  
22 projected needs of all economic segments of the community, including:

23 (i) Incorporating consideration for low, very low, extremely low,  
24 and moderate-income households;

25 (ii) Documenting programs and actions needed to achieve housing  
26 availability including gaps in local funding, barriers such as  
27 development regulations, and other limitations;

28 (iii) Consideration of housing locations in relation to  
29 employment location; and

30 (iv) Consideration of the role of accessory dwelling units in  
31 meeting housing needs;

32 (e) Identifies local policies and regulations that result in  
33 racially disparate impacts, displacement, and exclusion in housing,  
34 including:

35 (i) Zoning that may have a discriminatory effect;

36 (ii) Disinvestment; and

37 (iii) Infrastructure availability;

38 (f) Identifies and implements policies and regulations to address  
39 and begin to undo racially disparate impacts, displacement, and  
40 exclusion in housing caused by local policies, plans, and actions;

1 (g) Identifies areas that may be at higher risk of displacement  
2 from market forces that occur with changes to zoning development  
3 regulations and capital investments; and

4 (h) Establishes antidisplacement policies, with consideration  
5 given to the preservation of historical and cultural communities as  
6 well as investments in low, very low, extremely low, and moderate-  
7 income housing; equitable development initiatives; inclusionary  
8 zoning; community planning requirements; tenant protections; land  
9 disposition policies; and consideration of land that may be used for  
10 affordable housing.

11 In counties and cities subject to the review and evaluation  
12 requirements of RCW 36.70A.215, any revision to the housing element  
13 shall include consideration of prior review and evaluation reports  
14 and any reasonable measures identified. The housing element should  
15 link jurisdictional goals with overall county goals to ensure that  
16 the housing element goals are met.

17 (3) A capital facilities plan element consisting of: (a) An  
18 inventory of existing capital facilities owned by public entities,  
19 showing the locations and capacities of the capital facilities; (b) a  
20 forecast of the future needs for such capital facilities; (c) the  
21 proposed locations and capacities of expanded or new capital  
22 facilities; (d) at least a six-year plan that will finance such  
23 capital facilities within projected funding capacities and clearly  
24 identifies sources of public money for such purposes; and (e) a  
25 requirement to reassess the land use element if probable funding  
26 falls short of meeting existing needs and to ensure that the land use  
27 element, capital facilities plan element, and financing plan within  
28 the capital facilities plan element are coordinated and consistent.  
29 Park and recreation facilities shall be included in the capital  
30 facilities plan element.

31 (4) A utilities element consisting of the general location,  
32 proposed location, and capacity of all existing and proposed  
33 utilities, including, but not limited to, electrical lines,  
34 telecommunication lines, and natural gas lines.

35 (5) Rural element. Counties shall include a rural element  
36 including lands that are not designated for urban growth,  
37 agriculture, forest, or mineral resources. The following provisions  
38 shall apply to the rural element:

39 (a) Growth management act goals and local circumstances. Because  
40 circumstances vary from county to county, in establishing patterns of

1 rural densities and uses, a county may consider local circumstances,  
2 but shall develop a written record explaining how the rural element  
3 harmonizes the planning goals in RCW 36.70A.020 and meets the  
4 requirements of this chapter.

5 (b) Rural development. The rural element shall permit rural  
6 development, forestry, and agriculture in rural areas. The rural  
7 element shall provide for a variety of rural densities, uses,  
8 essential public facilities, and rural governmental services needed  
9 to serve the permitted densities and uses. To achieve a variety of  
10 rural densities and uses, counties may provide for clustering,  
11 density transfer, design guidelines, conservation easements, and  
12 other innovative techniques that will accommodate appropriate rural  
13 economic advancement, densities, and uses that are not characterized  
14 by urban growth and that are consistent with rural character.

15 (c) Measures governing rural development. The rural element shall  
16 include measures that apply to rural development and protect the  
17 rural character of the area, as established by the county, by:

- 18 (i) Containing or otherwise controlling rural development;
- 19 (ii) Assuring visual compatibility of rural development with the  
20 surrounding rural area;
- 21 (iii) Reducing the inappropriate conversion of undeveloped land  
22 into sprawling, low-density development in the rural area;
- 23 (iv) Protecting critical areas, as provided in RCW 36.70A.060,  
24 and surface water and groundwater resources; and
- 25 (v) Protecting against conflicts with the use of agricultural,  
26 forest, and mineral resource lands designated under RCW 36.70A.170.

27 (d) Limited areas of more intensive rural development. Subject to  
28 the requirements of this subsection and except as otherwise  
29 specifically provided in this subsection (5)(d), the rural element  
30 may allow for limited areas of more intensive rural development,  
31 including necessary public facilities and public services to serve  
32 the limited area as follows:

33 (i) Rural development consisting of the infill, development, or  
34 redevelopment of existing commercial, industrial, residential, or  
35 mixed-use areas, whether characterized as shoreline development,  
36 villages, hamlets, rural activity centers, or crossroads  
37 developments.

38 (A) A commercial, industrial, residential, shoreline, or mixed-  
39 use area are subject to the requirements of (d)(iv) of this

1 subsection, but are not subject to the requirements of (c)(ii) and  
2 (iii) of this subsection.

3 (B) Any development or redevelopment other than an industrial  
4 area or an industrial use within a mixed-use area or an industrial  
5 area under this subsection (5)(d)(i) must be principally designed to  
6 serve the existing and projected rural population.

7 (C) Any development or redevelopment in terms of building size,  
8 scale, use, or intensity shall be consistent with the character of  
9 the existing areas. Development and redevelopment may include changes  
10 in use from vacant land or a previously existing use so long as the  
11 new use conforms to the requirements of this subsection (5);

12 (ii) The intensification of development on lots containing, or  
13 new development of, small-scale recreational or tourist uses,  
14 including commercial facilities to serve those recreational or  
15 tourist uses, that rely on a rural location and setting, but that do  
16 not include new residential development. A small-scale recreation or  
17 tourist use is not required to be principally designed to serve the  
18 existing and projected rural population. Public services and public  
19 facilities shall be limited to those necessary to serve the  
20 recreation or tourist use and shall be provided in a manner that does  
21 not permit low-density sprawl;

22 (iii) The intensification of development on lots containing  
23 isolated nonresidential uses or new development of isolated cottage  
24 industries and isolated small-scale businesses that are not  
25 principally designed to serve the existing and projected rural  
26 population and nonresidential uses, but do provide job opportunities  
27 for rural residents. Rural counties may allow the expansion of small-  
28 scale businesses as long as those small-scale businesses conform with  
29 the rural character of the area as defined by the local government  
30 according to RCW 36.70A.030(~~((+16))~~) (23). Rural counties may also  
31 allow new small-scale businesses to utilize a site previously  
32 occupied by an existing business as long as the new small-scale  
33 business conforms to the rural character of the area as defined by  
34 the local government according to RCW 36.70A.030(~~((+16))~~) (23). Public  
35 services and public facilities shall be limited to those necessary to  
36 serve the isolated nonresidential use and shall be provided in a  
37 manner that does not permit low-density sprawl;

38 (iv) A county shall adopt measures to minimize and contain the  
39 existing areas or uses of more intensive rural development, as  
40 appropriate, authorized under this subsection. Lands included in such

1 existing areas or uses shall not extend beyond the logical outer  
2 boundary of the existing area or use, thereby allowing a new pattern  
3 of low-density sprawl. Existing areas are those that are clearly  
4 identifiable and contained and where there is a logical boundary  
5 delineated predominately by the built environment, but that may also  
6 include undeveloped lands if limited as provided in this subsection.  
7 The county shall establish the logical outer boundary of an area of  
8 more intensive rural development. In establishing the logical outer  
9 boundary, the county shall address (A) the need to preserve the  
10 character of existing natural neighborhoods and communities, (B)  
11 physical boundaries, such as bodies of water, streets and highways,  
12 and land forms and contours, (C) the prevention of abnormally  
13 irregular boundaries, and (D) the ability to provide public  
14 facilities and public services in a manner that does not permit low-  
15 density sprawl;

16 (v) For purposes of (d) of this subsection, an existing area or  
17 existing use is one that was in existence:

18 (A) On July 1, 1990, in a county that was initially required to  
19 plan under all of the provisions of this chapter;

20 (B) On the date the county adopted a resolution under RCW  
21 36.70A.040(2), in a county that is planning under all of the  
22 provisions of this chapter under RCW 36.70A.040(2); or

23 (C) On the date the office of financial management certifies the  
24 county's population as provided in RCW 36.70A.040(5), in a county  
25 that is planning under all of the provisions of this chapter pursuant  
26 to RCW 36.70A.040(5).

27 (e) Exception. This subsection shall not be interpreted to permit  
28 in the rural area a major industrial development or a master planned  
29 resort unless otherwise specifically permitted under RCW 36.70A.360  
30 and 36.70A.365.

31 (6) A transportation element that implements, and is consistent  
32 with, the land use element.

33 (a) The transportation element shall include the following  
34 subelements:

35 (i) Land use assumptions used in estimating travel;

36 (ii) Estimated traffic impacts to state-owned transportation  
37 facilities resulting from land use assumptions to assist the  
38 department of transportation in monitoring the performance of state  
39 facilities, to plan improvements for the facilities, and to assess

1 the impact of land-use decisions on state-owned transportation  
2 facilities;

3 (iii) Facilities and services needs, including:

4 (A) An inventory of air, water, and ground transportation  
5 facilities and services, including transit alignments and general  
6 aviation airport facilities, to define existing capital facilities  
7 and travel levels as a basis for future planning. This inventory must  
8 include state-owned transportation facilities within the city or  
9 county's jurisdictional boundaries;

10 (B) Level of service standards for all locally owned arterials  
11 and transit routes to serve as a gauge to judge performance of the  
12 system. These standards should be regionally coordinated;

13 (C) For state-owned transportation facilities, level of service  
14 standards for highways, as prescribed in chapters 47.06 and 47.80  
15 RCW, to gauge the performance of the system. The purposes of  
16 reflecting level of service standards for state highways in the local  
17 comprehensive plan are to monitor the performance of the system, to  
18 evaluate improvement strategies, and to facilitate coordination  
19 between the county's or city's six-year street, road, or transit  
20 program and the office of financial management's ten-year investment  
21 program. The concurrency requirements of (b) of this subsection do  
22 not apply to transportation facilities and services of statewide  
23 significance except for counties consisting of islands whose only  
24 connection to the mainland are state highways or ferry routes. In  
25 these island counties, state highways and ferry route capacity must  
26 be a factor in meeting the concurrency requirements in (b) of this  
27 subsection;

28 (D) Specific actions and requirements for bringing into  
29 compliance locally owned transportation facilities or services that  
30 are below an established level of service standard;

31 (E) Forecasts of traffic for at least ten years based on the  
32 adopted land use plan to provide information on the location, timing,  
33 and capacity needs of future growth;

34 (F) Identification of state and local system needs to meet  
35 current and future demands. Identified needs on state-owned  
36 transportation facilities must be consistent with the statewide  
37 multimodal transportation plan required under chapter 47.06 RCW;

38 (iv) Finance, including:

39 (A) An analysis of funding capability to judge needs against  
40 probable funding resources;

1 (B) A multiyear financing plan based on the needs identified in  
2 the comprehensive plan, the appropriate parts of which shall serve as  
3 the basis for the six-year street, road, or transit program required  
4 by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW  
5 35.58.2795 for public transportation systems. The multiyear financing  
6 plan should be coordinated with the ten-year investment program  
7 developed by the office of financial management as required by RCW  
8 47.05.030;

9 (C) If probable funding falls short of meeting identified needs,  
10 a discussion of how additional funding will be raised, or how land  
11 use assumptions will be reassessed to ensure that level of service  
12 standards will be met;

13 (v) Intergovernmental coordination efforts, including an  
14 assessment of the impacts of the transportation plan and land use  
15 assumptions on the transportation systems of adjacent jurisdictions;

16 (vi) Demand-management strategies;

17 (vii) Pedestrian and bicycle component to include collaborative  
18 efforts to identify and designate planned improvements for pedestrian  
19 and bicycle facilities and corridors that address and encourage  
20 enhanced community access and promote healthy lifestyles.

21 (b) After adoption of the comprehensive plan by jurisdictions  
22 required to plan or who choose to plan under RCW 36.70A.040, local  
23 jurisdictions must adopt and enforce ordinances which prohibit  
24 development approval if the development causes the level of service  
25 on a locally owned transportation facility to decline below the  
26 standards adopted in the transportation element of the comprehensive  
27 plan, unless transportation improvements or strategies to accommodate  
28 the impacts of development are made concurrent with the development.  
29 These strategies may include increased public transportation service,  
30 ride-sharing programs, demand management, and other transportation  
31 systems management strategies. For the purposes of this subsection  
32 (6), "concurrent with the development" means that improvements or  
33 strategies are in place at the time of development, or that a  
34 financial commitment is in place to complete the improvements or  
35 strategies within six years. If the collection of impact fees is  
36 delayed under RCW 82.02.050(3), the six-year period required by this  
37 subsection (6)(b) must begin after full payment of all impact fees is  
38 due to the county or city.

39 (c) The transportation element described in this subsection (6),  
40 the six-year plans required by RCW 35.77.010 for cities, RCW

1 36.81.121 for counties, and RCW 35.58.2795 for public transportation  
2 systems, and the ten-year investment program required by RCW  
3 47.05.030 for the state, must be consistent.

4 (7) An economic development element establishing local goals,  
5 policies, objectives, and provisions for economic growth and vitality  
6 and a high quality of life. A city that has chosen to be a  
7 residential community is exempt from the economic development element  
8 requirement of this subsection.

9 (8) A park and recreation element that implements, and is  
10 consistent with, the capital facilities plan element as it relates to  
11 park and recreation facilities. The element shall include: (a)  
12 Estimates of park and recreation demand for at least a ten-year  
13 period; (b) an evaluation of facilities and service needs; and (c) an  
14 evaluation of intergovernmental coordination opportunities to provide  
15 regional approaches for meeting park and recreational demand.

16 (9) It is the intent that new or amended elements required after  
17 January 1, 2002, be adopted concurrent with the scheduled update  
18 provided in RCW 36.70A.130. Requirements to incorporate any such new  
19 or amended elements shall be null and void until funds sufficient to  
20 cover applicable local government costs are appropriated and  
21 distributed by the state at least two years before local government  
22 must update comprehensive plans as required in RCW 36.70A.130.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21  
24 RCW to read as follows:

25 A code city shall not prohibit transitional housing or permanent  
26 supportive housing in any zones in which residential dwelling units  
27 or hotels are allowed. Effective September 30, 2021, a code city  
28 shall not prohibit indoor emergency shelters and indoor emergency  
29 housing in any zones in which hotels are allowed, except in such  
30 cities that have adopted an ordinance authorizing indoor emergency  
31 shelters and indoor emergency housing in a majority of zones within a  
32 one-mile proximity to transit. Reasonable occupancy, spacing, and  
33 intensity of use requirements may be imposed by ordinance on  
34 permanent supportive housing, transitional housing, indoor emergency  
35 housing, and indoor emergency shelters to protect public health and  
36 safety. Any such requirements on occupancy, spacing, and intensity of  
37 use may not prevent the siting of a sufficient number of permanent  
38 supportive housing, transitional housing, indoor emergency housing,  
39 or indoor emergency shelters necessary to accommodate each code

1 city's projected need for such housing and shelter under RCW  
2 36.70A.070(2)(a)(ii).

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21  
4 RCW to read as follows:

5 A city shall not prohibit transitional housing or permanent  
6 supportive housing in any zones in which residential dwelling units  
7 or hotels are allowed. Effective September 30, 2021, a city shall not  
8 prohibit indoor emergency shelters and indoor emergency housing in  
9 any zones in which hotels are allowed, except in such cities that  
10 have adopted an ordinance authorizing indoor emergency shelters and  
11 indoor emergency housing in a majority of zones within a one-mile  
12 proximity to transit. Reasonable occupancy, spacing, and intensity of  
13 use requirements may be imposed by ordinance on permanent supportive  
14 housing, transitional housing, indoor emergency housing, and indoor  
15 emergency shelters to protect public health and safety. Any such  
16 requirements on occupancy, spacing, and intensity of use may not  
17 prevent the siting of a sufficient number of permanent supportive  
18 housing, transitional housing, indoor emergency housing, or indoor  
19 emergency shelters necessary to accommodate each city's projected  
20 need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).

21 **Sec. 5.** RCW 36.70A.390 and 1992 c 207 s 6 are each amended to  
22 read as follows:

23 A county or city governing body that adopts a moratorium, interim  
24 zoning map, interim zoning ordinance, or interim official control  
25 without holding a public hearing on the proposed moratorium, interim  
26 zoning map, interim zoning ordinance, or interim official control,  
27 shall hold a public hearing on the adopted moratorium, interim zoning  
28 map, interim zoning ordinance, or interim official control within at  
29 least sixty days of its adoption, whether or not the governing body  
30 received a recommendation on the matter from the planning commission  
31 or department. If the governing body does not adopt findings of fact  
32 justifying its action before this hearing, then the governing body  
33 shall do so immediately after this public hearing. A moratorium,  
34 interim zoning map, interim zoning ordinance, or interim official  
35 control adopted under this section may be effective for not longer  
36 than six months, but may be effective for up to one year if a work  
37 plan is developed for related studies providing for such a longer  
38 period. A moratorium, interim zoning map, interim zoning ordinance,

1 or interim official control may be renewed for one or more six-month  
2 periods if a subsequent public hearing is held and findings of fact  
3 are made prior to each renewal.

4 This section does not apply to the designation of critical areas,  
5 agricultural lands, forestlands, and mineral resource lands, under  
6 RCW 36.70A.170, and the conservation of these lands and protection of  
7 these areas under RCW 36.70A.060, prior to such actions being taken  
8 in a comprehensive plan adopted under RCW 36.70A.070 and implementing  
9 development regulations adopted under RCW 36.70A.120, if a public  
10 hearing is held on such proposed actions. This section does not apply  
11 to ordinances or development regulations adopted by a city that  
12 prohibit building permit applications for or the construction of  
13 transitional housing or permanent supportive housing in any zones in  
14 which residential dwelling units or hotels are allowed or prohibit  
15 building permit applications for or the construction of indoor  
16 emergency shelters and indoor emergency housing in any zones in which  
17 hotels are allowed.

18 **Sec. 6.** RCW 36.70A.030 and 2020 c 173 s 4 are each amended to  
19 read as follows:

20 Unless the context clearly requires otherwise, the definitions in  
21 this section apply throughout this chapter.

22 (1) "Adopt a comprehensive land use plan" means to enact a new  
23 comprehensive land use plan or to update an existing comprehensive  
24 land use plan.

25 (2) "Affordable housing" means, unless the context clearly  
26 indicates otherwise, residential housing whose monthly costs,  
27 including utilities other than telephone, do not exceed thirty  
28 percent of the monthly income of a household whose income is:

29 (a) For rental housing, sixty percent of the median household  
30 income adjusted for household size, for the county where the  
31 household is located, as reported by the United States department of  
32 housing and urban development; or

33 (b) For owner-occupied housing, eighty percent of the median  
34 household income adjusted for household size, for the county where  
35 the household is located, as reported by the United States department  
36 of housing and urban development.

37 (3) "Agricultural land" means land primarily devoted to the  
38 commercial production of horticultural, viticultural, floricultural,  
39 dairy, apiary, vegetable, or animal products or of berries, grain,

1 hay, straw, turf, seed, Christmas trees not subject to the excise tax  
2 imposed by RCW 84.33.100 through 84.33.140, finfish in upland  
3 hatcheries, or livestock, and that has long-term commercial  
4 significance for agricultural production.

5 (4) "City" means any city or town, including a code city.

6 (5) "Comprehensive land use plan," "comprehensive plan," or  
7 "plan" means a generalized coordinated land use policy statement of  
8 the governing body of a county or city that is adopted pursuant to  
9 this chapter.

10 (6) "Critical areas" include the following areas and ecosystems:

11 (a) Wetlands; (b) areas with a critical recharging effect on aquifers  
12 used for potable water; (c) fish and wildlife habitat conservation  
13 areas; (d) frequently flooded areas; and (e) geologically hazardous  
14 areas. "Fish and wildlife habitat conservation areas" does not  
15 include such artificial features or constructs as irrigation delivery  
16 systems, irrigation infrastructure, irrigation canals, or drainage  
17 ditches that lie within the boundaries of and are maintained by a  
18 port district or an irrigation district or company.

19 (7) "Department" means the department of commerce.

20 (8) "Development regulations" or "regulation" means the controls  
21 placed on development or land use activities by a county or city,  
22 including, but not limited to, zoning ordinances, critical areas  
23 ordinances, shoreline master programs, official controls, planned  
24 unit development ordinances, subdivision ordinances, and binding site  
25 plan ordinances together with any amendments thereto. A development  
26 regulation does not include a decision to approve a project permit  
27 application, as defined in RCW 36.70B.020, even though the decision  
28 may be expressed in a resolution or ordinance of the legislative body  
29 of the county or city.

30 (9) "Emergency housing" means temporary indoor accommodations for  
31 individuals or families who are homeless or at imminent risk of  
32 becoming homeless that is intended to address the basic health, food,  
33 clothing, and personal hygiene needs of individuals or families.  
34 Emergency housing may or may not require occupants to enter into a  
35 lease or an occupancy agreement.

36 (10) "Emergency shelter" means a facility that provides a  
37 temporary shelter for individuals or families who are currently  
38 homeless. Emergency shelter may not require occupants to enter into a  
39 lease or an occupancy agreement. Emergency shelter facilities may

1 include day and warming centers that do not provide overnight  
2 accommodations.

3 (11) "Extremely low-income household" means a single person,  
4 family, or unrelated persons living together whose adjusted income is  
5 at or below thirty percent of the median household income adjusted  
6 for household size, for the county where the household is located, as  
7 reported by the United States department of housing and urban  
8 development.

9 ~~((10))~~ (12) "Forestland" means land primarily devoted to  
10 growing trees for long-term commercial timber production on land that  
11 can be economically and practically managed for such production,  
12 including Christmas trees subject to the excise tax imposed under RCW  
13 84.33.100 through 84.33.140, and that has long-term commercial  
14 significance. In determining whether forestland is primarily devoted  
15 to growing trees for long-term commercial timber production on land  
16 that can be economically and practically managed for such production,  
17 the following factors shall be considered: (a) The proximity of the  
18 land to urban, suburban, and rural settlements; (b) surrounding  
19 parcel size and the compatibility and intensity of adjacent and  
20 nearby land uses; (c) long-term local economic conditions that affect  
21 the ability to manage for timber production; and (d) the availability  
22 of public facilities and services conducive to conversion of  
23 forestland to other uses.

24 ~~((11))~~ (13) "Freight rail dependent uses" means buildings and  
25 other infrastructure that are used in the fabrication, processing,  
26 storage, and transport of goods where the use is dependent on and  
27 makes use of an adjacent short line railroad. Such facilities are  
28 both urban and rural development for purposes of this chapter.  
29 "Freight rail dependent uses" does not include buildings and other  
30 infrastructure that are used in the fabrication, processing, storage,  
31 and transport of coal, liquefied natural gas, or "crude oil" as  
32 defined in RCW 90.56.010.

33 ~~((12))~~ (14) "Geologically hazardous areas" means areas that  
34 because of their susceptibility to erosion, sliding, earthquake, or  
35 other geological events, are not suited to the siting of commercial,  
36 residential, or industrial development consistent with public health  
37 or safety concerns.

38 ~~((13))~~ (15) "Long-term commercial significance" includes the  
39 growing capacity, productivity, and soil composition of the land for  
40 long-term commercial production, in consideration with the land's

1 proximity to population areas, and the possibility of more intense  
2 uses of the land.

3 ~~((14))~~ (16) "Low-income household" means a single person,  
4 family, or unrelated persons living together whose adjusted income is  
5 at or below eighty percent of the median household income adjusted  
6 for household size, for the county where the household is located, as  
7 reported by the United States department of housing and urban  
8 development.

9 ~~((15))~~ (17) "Minerals" include gravel, sand, and valuable  
10 metallic substances.

11 ~~((16))~~ (18) "Moderate-income household" means a single person,  
12 family, or unrelated persons living together whose adjusted income is  
13 at or below 120 percent of the median household income adjusted for  
14 household size, for the county where the household is located, as  
15 reported by the United States department of housing and urban  
16 development.

17 (19) "Permanent supportive housing" is subsidized, leased housing  
18 with no limit on length of stay that prioritizes people who need  
19 comprehensive support services to retain tenancy and utilizes  
20 admissions practices designed to use lower barriers to entry than  
21 would be typical for other subsidized or unsubsidized rental housing,  
22 especially related to rental history, criminal history, and personal  
23 behaviors. Permanent supportive housing is paired with on-site or  
24 off-site voluntary services designed to support a person living with  
25 a complex and disabling behavioral health or physical health  
26 condition who was experiencing homelessness or was at imminent risk  
27 of homelessness prior to moving into housing to retain their housing  
28 and be a successful tenant in a housing arrangement, improve the  
29 resident's health status, and connect the resident of the housing  
30 with community-based health care, treatment, or employment services.  
31 Permanent supportive housing is subject to all of the rights and  
32 responsibilities defined in chapter 59.18 RCW.

33 ~~((17))~~ (20) "Public facilities" include streets, roads,  
34 highways, sidewalks, street and road lighting systems, traffic  
35 signals, domestic water systems, storm and sanitary sewer systems,  
36 parks and recreational facilities, and schools.

37 ~~((18))~~ (21) "Public services" include fire protection and  
38 suppression, law enforcement, public health, education, recreation,  
39 environmental protection, and other governmental services.

1       (~~(19)~~) (22) "Recreational land" means land so designated under  
2 RCW 36.70A.1701 and that, immediately prior to this designation, was  
3 designated as agricultural land of long-term commercial significance  
4 under RCW 36.70A.170. Recreational land must have playing fields and  
5 supporting facilities existing before July 1, 2004, for sports played  
6 on grass playing fields.

7       (~~(20)~~) (23) "Rural character" refers to the patterns of land  
8 use and development established by a county in the rural element of  
9 its comprehensive plan:

10       (a) In which open space, the natural landscape, and vegetation  
11 predominate over the built environment;

12       (b) That foster traditional rural lifestyles, rural-based  
13 economies, and opportunities to both live and work in rural areas;

14       (c) That provide visual landscapes that are traditionally found  
15 in rural areas and communities;

16       (d) That are compatible with the use of the land by wildlife and  
17 for fish and wildlife habitat;

18       (e) That reduce the inappropriate conversion of undeveloped land  
19 into sprawling, low-density development;

20       (f) That generally do not require the extension of urban  
21 governmental services; and

22       (g) That are consistent with the protection of natural surface  
23 water flows and groundwater and surface water recharge and discharge  
24 areas.

25       (~~(21)~~) (24) "Rural development" refers to development outside  
26 the urban growth area and outside agricultural, forest, and mineral  
27 resource lands designated pursuant to RCW 36.70A.170. Rural  
28 development can consist of a variety of uses and residential  
29 densities, including clustered residential development, at levels  
30 that are consistent with the preservation of rural character and the  
31 requirements of the rural element. Rural development does not refer  
32 to agriculture or forestry activities that may be conducted in rural  
33 areas.

34       (~~(22)~~) (25) "Rural governmental services" or "rural services"  
35 include those public services and public facilities historically and  
36 typically delivered at an intensity usually found in rural areas, and  
37 may include domestic water systems, fire and police protection  
38 services, transportation and public transit services, and other  
39 public utilities associated with rural development and normally not

1 associated with urban areas. Rural services do not include storm or  
2 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

3 ~~((23))~~ (26) "Short line railroad" means those railroad lines  
4 designated class II or class III by the United States surface  
5 transportation board.

6 ~~((24))~~ (27) "Urban governmental services" or "urban services"  
7 include those public services and public facilities at an intensity  
8 historically and typically provided in cities, specifically including  
9 storm and sanitary sewer systems, domestic water systems, street  
10 cleaning services, fire and police protection services, public  
11 transit services, and other public utilities associated with urban  
12 areas and normally not associated with rural areas.

13 ~~((25))~~ (28) "Urban growth" refers to growth that makes  
14 intensive use of land for the location of buildings, structures, and  
15 impermeable surfaces to such a degree as to be incompatible with the  
16 primary use of land for the production of food, other agricultural  
17 products, or fiber, or the extraction of mineral resources, rural  
18 uses, rural development, and natural resource lands designated  
19 pursuant to RCW 36.70A.170. A pattern of more intensive rural  
20 development, as provided in RCW 36.70A.070(5)(d), is not urban  
21 growth. When allowed to spread over wide areas, urban growth  
22 typically requires urban governmental services. "Characterized by  
23 urban growth" refers to land having urban growth located on it, or to  
24 land located in relationship to an area with urban growth on it as to  
25 be appropriate for urban growth.

26 ~~((26))~~ (29) "Urban growth areas" means those areas designated  
27 by a county pursuant to RCW 36.70A.110.

28 ~~((27))~~ (30) "Very low-income household" means a single person,  
29 family, or unrelated persons living together whose adjusted income is  
30 at or below fifty percent of the median household income adjusted for  
31 household size, for the county where the household is located, as  
32 reported by the United States department of housing and urban  
33 development.

34 ~~((28))~~ (31) "Wetland" or "wetlands" means areas that are  
35 inundated or saturated by surface water or groundwater at a frequency  
36 and duration sufficient to support, and that under normal  
37 circumstances do support, a prevalence of vegetation typically  
38 adapted for life in saturated soil conditions. Wetlands generally  
39 include swamps, marshes, bogs, and similar areas. Wetlands do not  
40 include those artificial wetlands intentionally created from

1 nonwetland sites, including, but not limited to, irrigation and  
2 drainage ditches, grass-lined swales, canals, detention facilities,  
3 wastewater treatment facilities, farm ponds, and landscape amenities,  
4 or those wetlands created after July 1, 1990, that were  
5 unintentionally created as a result of the construction of a road,  
6 street, or highway. Wetlands may include those artificial wetlands  
7 intentionally created from nonwetland areas created to mitigate  
8 conversion of wetlands.

9 **\*NEW SECTION.** *Sec. 7. A new section is added to chapter 36.70A*  
10 *RCW to read as follows:*

11 *In addition to ordinances, development regulations, and other*  
12 *official controls adopted or amended, a city or county should*  
13 *consider policies to encourage the construction of accessory dwelling*  
14 *units as a way to meet affordable housing goals. These policies could*  
15 *include, but are not limited to:*

16 *(1) The city or county may not require the owner of a lot on*  
17 *which there is an accessory dwelling unit to reside in or occupy the*  
18 *accessory dwelling unit or another housing unit on the same lot;*

19 *(2) The city or county may require the owner not to use the*  
20 *accessory dwelling unit for short-term rentals;*

21 *(3) The city or county may not count residents of accessory*  
22 *dwelling units against existing limits on the number of unrelated*  
23 *residents on a lot;*

24 *(4) The city or county may not establish a minimum gross floor*  
25 *area for accessory dwelling units that exceeds the state building*  
26 *code;*

27 *(5) The city or county must make the same allowances for*  
28 *accessory dwelling units' roof decks, balconies, and porches to*  
29 *encroach on setbacks as are allowed for the principal unit;*

30 *(6) The city or county must apply abutting lot setbacks to*  
31 *accessory dwelling units on lots abutting zones with lower setback*  
32 *requirements;*

33 *(7) The city or county must establish an amnesty program to help*  
34 *owners of unpermitted accessory dwelling units to obtain a permit;*

35 *(8) The city or county must permit accessory dwelling units in*  
36 *structures detached from the principal unit, must allow an accessory*  
37 *dwelling unit on any lot that meets the minimum lot size required for*  
38 *the principal unit, and must allow attached accessory dwelling units*  
39 *on any lot with a principal unit that is nonconforming solely because*

1 the lot is smaller than the minimum size, as long as the accessory  
2 dwelling unit would not increase nonconformity of the residential use  
3 with respect to building height, bulk, or lot coverage;

4 (9) The city or county may not establish a maximum gross floor  
5 area requirement for accessory dwelling units that are less than  
6 1,000 square feet or 60 percent of the principal unit, whichever is  
7 greater, or that exceeds 1,200 square feet;

8 (10) A city or county must allow accessory dwelling units to be  
9 converted from existing structures, including but not limited to  
10 detached garages, even if they violate current code requirements for  
11 setbacks or lot coverage;

12 (11) A city or county may not require public street improvements  
13 as a condition of permitting accessory dwelling units; and

14 (12) A city or county may require a new or separate utility  
15 connection between an accessory dwelling unit and a utility only when  
16 necessary to be consistent with water availability requirements,  
17 water system plans, small water system management plans, or  
18 established policies adopted by the water or sewer utility provider.  
19 If such a connection is necessary, the connection fees and capacity  
20 charges must:

21 (a) Be proportionate to the burden of the proposed accessory  
22 dwelling unit upon the water or sewer system; and

23 (b) Not exceed the reasonable cost of providing the service.

*\*Sec. 7 was vetoed. See message at end of chapter.*

Passed by the House April 14, 2021.

Passed by the Senate April 10, 2021.

Approved by the Governor May 12, 2021, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State May 12, 2021.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 7,  
Engrossed Second Substitute House Bill No. 1220 entitled:

"AN ACT Relating to supporting emergency shelters and housing  
through local planning and development regulations."

Section 7 of this bill can be read to encourage the siting and  
development of accessory dwelling units in areas of the state outside  
of urban growth areas. This was a technical oversight that occurred  
during the legislative process. As passed, the bill inadvertently  
omitted a key reference limiting these policies to urban growth  
areas, which was not the intention of the bill's sponsor.

For these reasons I have vetoed Section 7 of Engrossed Second  
Substitute House Bill No. 1220.

With the exception of Section 7, Engrossed Second Substitute House Bill No. 1220 is approved."

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## Chapter 20.72

# HOMELESS DROP-IN CENTERS AND OVERNIGHT SHELTERS

Sections:

**20.72.010 Purpose.**

**20.72.020 Definitions.**

**20.72.030 Applicable procedures.**

**20.72.040 Applicable zone districts.**

**20.72.050 Other zoning standards.**

**20.72.060 Submittal requirements.**

**20.72.070 Good neighbor agreement.**

**20.72.080 Review procedures.**

### **20.72.010 Purpose.**

To provide within the Puyallup Municipal Code a reasonable process to meet the need for daytime drop-in centers and overnight shelters intended to serve homeless persons, and to help those homeless individuals transition out of homelessness, consistent with state and federal statutes and laws including the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) while protecting the health, safety and welfare of the community. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

### **20.72.020 Definitions.**

(1) "Daytime drop-in center" means a center which has a primary purpose of serving homeless individuals, whose clientele may spend time during day or evening hours, but with no overnight stays. Services may include counseling and/or medication monitoring on a formal or informal basis, personal hygiene supplies, facilities for showering, shaving, napping, laundering clothes, making necessary telephone calls and other basic supportive services. Centers may also provide meals or facilities for cooking.

(2) "Overnight shelter" means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless. Temporary shelter facilities associated with disaster relief are excluded from this use

category. Homeless drop-in center services may also be provided on the same site during daytime hours. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

### **20.72.030 Applicable procedures.**

In addition to any applicable requirements found elsewhere in the Puyallup Municipal Code, the following procedures apply:

(1) **Preapplication Meeting Required.** Applicants interested in establishing either a daytime drop-in center or overnight shelter, pursuant to this section, shall be required to participate in a preapplication meeting about their proposal with applicable city staff, prior to the submittal of a formal application for the proposal. This meeting shall follow standard city preapplication meeting procedures.

(2) **Two Process Options.** Applications for a daytime drop-in center or overnight shelter, as provided in this section, shall be processed pursuant to one of the following options:

(a) **Development Agreement.** A daytime drop-in center or overnight shelter requires approval of a conditional use permit pursuant to this section unless the city council agrees to negotiate a development agreement in response to a formal request from the applicant. The city council may by resolution accept or decline to negotiate a development agreement that would allow a daytime drop-in center or overnight shelter to be established and constructed pursuant to the provisions of Chapter [36.70B](#) RCW, Chapter [1.15](#) PMC and this section. Nothing in this subsection shall preclude an applicant from requesting the director to initiate processing of their application under the conditional use permit provisions of this section without requesting the city council to consider negotiation of a development agreement.

(b) **Conditional Use Permit.** A daytime drop-in center or overnight shelter requires approval of a conditional use permit unless the city council agrees to negotiate a development agreement pursuant to the process and decision criteria contained in this section. Where the city council has not adopted a resolution to initiate negotiation of a development agreement to allow a daytime drop-in center or overnight shelter to be established, a conditional use permit approval shall be processed pursuant to the provisions of Chapter [20.80](#) PMC and this section.

(3) **Informational Neighborhood Meeting Required.** The applicant shall conduct a public informational meeting within, or close to, the location where the proposed daytime drop-in center or overnight shelter will be located, within eight weeks following the filing of the subject application, but prior to completion of a staff report for either a conditional use permit or development agreement for the proposal. The time and location of the meeting shall be agreed upon between the city and the applicant. All property owners of parcels within a 1,000-foot radius of the parcel on which the proposed daytime drop-in center or overnight shelter is proposed shall be notified by mail at least 14

days in advance of the meeting by the applicant. In addition, notice of the neighborhood meeting, in a sign size and format consistent with applicable city standards, shall be posted in a conspicuous location on the property on which the facility is proposed at least 14 days prior to the date of the meeting. Posting of this notice within public right-of-way adjacent to the subject property shall be considered as meeting this requirement. The intent of this neighborhood meeting is to facilitate information sharing by the applicant about the proposed use and to respond to questions and input from the community.

(4) CUP Appeals. Any appeals of a conditional use permit approval from the hearing examiner, processed under this section, shall be to appellate hearing examiner, in accord with the review criteria established in PMC [2.54.170](#).

Any party of record for a particular application, consistent with the provisions of Chapter [2.54](#) PMC may file an appeal under this section. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

#### **20.72.040 Applicable zone districts.**

Daytime drop-in centers or overnight shelters permitted under this section shall be allowed, via a conditional use permit, in the limited manufacturing (ML), general commercial (CG), or community business (CB) zone districts. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

#### **20.72.050 Other zoning standards.**

Any daytime drop-in center or overnight shelter permitted under this section shall be subject to the following standards:

(1) A finding shall be made that any property containing a daytime drop-in center or overnight shelter shall have adequate on-site lighting and clear visibility from public rights-of-way, including the absence of substantive sight-obscuring vegetation and related obstructions. A finding shall also be made that the proposed facility, whether involving a new or existing structure, has an adequate internal waiting area to accommodate expected visitor and client levels without requiring exterior queuing during operating hours.

(2) Buffer Setbacks from Sensitive Uses. Any portion of a daytime drop-in center or overnight shelter facility permitted under this section shall not be located within 1,000 feet of a parcel containing any sensitive use under subsections (a) (public or private school) or (d) (licensed day care center or licensed preschool facility) of this section or within 500 feet of a parcel containing any of the other sensitive use subsections cited below:

(a) Public or private school, not including a college;

- (b) Public park, including public trails;
- (c) Public library;
- (d) Licensed day care center or licensed preschool facility;
- (e) Special needs senior housing facility (e.g., assisted living, rehabilitation center, memory care);
- (f) Any residentially zoned parcel.

Buffer setbacks do not apply across the Puyallup River.

(3) A finding that shall be made that any property containing a daytime drop-in center or overnight shelter shall be in general proximity to public transportation and shall have adequate on-site parking, unless sited in a zone district which would not otherwise have an off-street code parking requirement. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

#### **20.72.060 Submittal requirements.**

Any conditional use permit application, or development agreement application if accepted by the city council pursuant to PMC [20.72.030](#)(2), for a daytime drop-in center or overnight shelter shall include the following material in order to be considered a complete application:

(1) Site Information. Any conditional use permit or, if applicable, development agreement application for a daytime drop-in center or overnight shelter shall include adequate site information (e.g., site plans, building details, vicinity map) as specified on the conditional use permit application form.

(2) In addition to the applicable conditional use permit submittal requirements identified in Chapter [20.80](#) PMC and this section or, if applicable, development agreement submittal requirements consistent with Chapter [1.15](#) PMC and this section, information identified in this subsection shall also be included with the respective permit application. All applications for daytime drop-in center or overnight shelter shall include the following:

(a) A description of the homeless population to be served by the proposed daytime drop-in center or overnight shelter, dates and times of operation, and associated occupancy targets.

(b) A statement of the operator's experience at providing daytime drop-in center or overnight shelter, including examples of similar facilities managed by the operator.

(3) A standard operating procedures plan including, but not limited to:

- (a) A description of how the proposed daytime drop-in center or overnight shelter will serve the homeless population that will be accommodated by the use;
  - (b) A description of staffing for the proposed daytime drop-in center or overnight shelter and the training provided to staff hired to fulfill the identified staffing demand;
  - (c) A description of the anticipated providers that will serve the population that will be accommodated by the daytime drop-in center or overnight shelter;
  - (d) A description of the proposed area around the site where the code of conduct and applicable sections of the safety and security plan will apply;
  - (e) A map of proposed travel routes that the operator will suggest individuals use when seeking access to the daytime drop-in center or overnight shelter;
  - (f) A description of the procedures used to manage intake of the homeless population that is proposed to be served;
  - (g) A plan for encouraging prospective occupants to provide personal identification for inclusion in the homeless management information system (HMIS) to help increase opportunities to provide access to housing and services and to secure public funding for the proposed homeless services use;
  - (h) Where applicable, a plan to ensure that school-aged residents of the use are enrolled in school during their stay;
  - (i) Identification of a primary point of operator contact for assistance and referrals to send homeless individuals seeking services;
  - (j) A plan for managing exterior appearance of the proposed daytime drop-in center or overnight shelter, including trash/litter, hazardous materials, and biohazards in the vicinity of the site;
  - (k) A description of how the operator will inform and educate occupants of the daytime drop-in center or overnight shelter regarding the code of conduct; and
  - (l) A description of consequences to be imposed for violating the code of conduct.
- (4) A code of conduct that applies within the vicinity to all individuals granted access to the proposed daytime drop-in center or overnight shelter including, but not limited to:

- (a) Respect the rights of property owners to restrict access to areas of their property that are not open to the public;
  - (b) Use operator-suggested routes of travel to access the daytime drop-in center or overnight shelter;
  - (c) Maintain the site aesthetics;
  - (d) Respect state law restrictions on smoking and use designated smoking areas where provided;
  - (e) Comply with city of Puyallup regulations governing public conduct (including but not limited to the prohibition on public camping, loitering, trespassing, panhandling, etc.); and
  - (f) Comply with terms of good neighbor agreement provisions that apply to occupants of the daytime drop-in center or overnight shelter use.
- (5) A safety and security plan describing measures that the operator will employ to promote the safety of drop-in center or shelter occupants and surrounding residents and businesses, including but not limited to:
- (a) Criteria for rejection or removal of an individual seeking access to the proposed daytime drop-in center or overnight shelter;
  - (b) A plan for deployment (including time, place and manner) of security patrols;
  - (c) A plan to address disruptive behavior within a daytime drop-in center or overnight shelter and in the area that infringes on the safety of occupants or employees of the use, and a description of the consequences for engaging in disruptive behavior;
  - (d) A plan for managing loitering, panhandling, and unpermitted camping in the area of the daytime drop-in center or overnight shelter;
  - (e) Identification of site-specific magnet areas (e.g., greenbelts, parks, libraries, transit facilities, etc.) and a plan to address behavior that is inconsistent with the code of conduct and Puyallup City Code;
  - (f) Implementation of registered sex offender background checks and compliance with applicable registration and notification requirements;

- (g) A plan for managing individuals excluded from accessing the proposed daytime drop-in center or overnight shelter;
- (h) A plan for coordination between the operator, city of Puyallup police, Central Pierce fire and rescue and any private security forces employed by surrounding property and business owners;
- (i) A plan for coordination and communication between the operator, Puyallup police, and other local and regional law enforcement agencies to ensure timely information sharing between agencies;
- (j) A plan for coordination with state and local law enforcement to ensure compliance with conditions of parole, probation, or community custody, including but not limited to any residency restrictions;
- (k) Provision of a phone number and point of contact at the site of the proposed daytime drop-in center or overnight shelter for the community to report concerns;
- (l) A plan for addressing reported concerns and documenting resolutions, and making this information publicly available; and
- (m) Identification of performance metrics that will be used to track compliance with the safety and security plan.
- (n) The Puyallup police department shall specifically review the safety and security plan as submitted by the applicant. The police will also review site information related to “CPTED” (Crime Prevention Through Environmental Design) factors, as required in PMC [20.72.050](#)(1). Any police department comments on said safety and security plan shall become part of the record and shall be provided to the decision makers for the conditional use permit or development agreement public hearing. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

#### **20.72.070 Good neighbor agreement.**

In addition to the submittal requirements specified in PMC [20.72.060](#), any proposal under this section shall be subject to the following good neighbor agreement advisory committee process and resultant good neighbor agreement.

- (1) Purpose. The purpose of a GNA advisory committee formed under the terms of this section is to foster communication between the community and daytime drop-in center or overnight shelter operators by:

- (a) Dedicating the time necessary to represent community, neighborhood and citywide interests in the daytime drop-in center or overnight shelter approval process;
- (b) Ensuring that issues of importance are identified early in the daytime drop-in center or overnight shelter approval process while there is still time to address design issues while minimizing cost implications;
- (c) Considering the neighborhood and land uses within which the daytime drop-in center or overnight shelter is proposed;
- (d) Helping guide daytime drop-in center or overnight shelter design to ensure that specific neighborhood conditions are considered and design is context sensitive by engaging in ongoing dialogue with the operator and the city during permit review; and
- (e) Ensuring the GNA advisory committee participation is streamlined and effectively integrated into the daytime drop-in center or overnight shelter permit process to avoid delays that jeopardize funding or place people experiencing homelessness at risk.

(2) GNA Membership. Following submittal of a valid conditional use permit or development agreement application, the director shall constitute a staff support team and GNA advisory committee:

(a) Staff Support Team to Work with the GNA Advisory Committee. The director shall consult with department heads in relevant city departments to identify staff that will represent the city on the GNA advisory committee in a neutral manner (free of self-interest). One city staff person will act as a neutral facilitator for the GNA advisory committee. Other city representatives shall represent other applicable interests (e.g., police, land use).

(b) Member Composition. It is the responsibility of the director to constitute the GNA advisory committee in a timely manner upon submittal of a valid application. Membership should be composed of individuals meeting the below-described locational or subject matter expertise requirements. A single individual may be identified to represent more than one of the roles requiring subject matter expertise.

(i) Up to a maximum total of three residents that live within the city of Puyallup who reside within one-quarter mile of the proposed daytime drop-in center or overnight shelter who will represent residents in the vicinity. Participation priority should be given to those residents living in closest proximity to the proposed daytime drop-in center or overnight shelter.

(ii) If school-age children are expected to be served by the daytime drop-in center or overnight shelter, a representative of the Puyallup School District shall be invited to participate on the GNA advisory committee to represent the K-12 student perspective.

(iii) Up to two representatives from businesses located within one-quarter mile of the proposed daytime drop-in center or overnight shelter who will represent business interests in the vicinity. Participation priority should be given to those representatives of businesses located in closest proximity to the proposed daytime drop-in center or overnight shelter.

(iv) One representative of the proposed daytime drop-in center or overnight shelter operator.

(v) One representative of the agencies or organizations identified as a provider (providing support services) for the proposed daytime drop-in center or overnight shelter.

(vi) Up to one representative of the population of individuals who has experienced homelessness in the past, or is currently experiencing homelessness, and is willing to serve on the GNA advisory committee.

(vii) Up to one representative of the human service community with a background in the provision of human services in Pierce County.

(c) Member Commitment. Members of the GNA advisory committee are expected to:

(i) Be reliable and available to attend meetings of the GNA advisory committee;

(ii) Bring subject matter expertise regarding issues related to homelessness or unique knowledge of a proposed site to help inform the committee's work;

(iii) Accept different perspectives and ideas, and be willing to learn and share rather than just advocate for a position;

(iv) Steer conflict toward positive and creative results;

(v) Contribute to completion of the GNA advisory committee scope of work described in this section; and

(vi) Understand that consensus is not required, and that failure of the group to reach agreement will not be grounds for denial of a permit application.

(3) Scope of GNA Advisory Committee Work. The scope of work for the GNA advisory committee is intended to support the GNA advisory committee purpose described in this section. The GNA advisory committee is advisory to the decision maker for the development agreement or conditional use permit processes identified for a specific daytime drop-in center or overnight shelter, and its scope includes:

- (a) Becoming informed on the proposed daytime drop-in center or overnight shelter standard operating procedures and project design;
- (b) Participating in context setting to describe the community within which the daytime drop-in center or overnight shelter is proposed to be located;
- (c) Providing early and ongoing advice to the daytime drop-in center or overnight shelter operator on how to incorporate appropriate design into the proposed project;
- (d) Providing advisory guidance to permit decision makers as described in more detail below regarding daytime drop-in center design and operational concerns prior to any recommendation from the director on a development agreement or conditional use permit proposal;
- (e) Collaborating with the operator to establish a plan for communications, and engagement in any ongoing communication between the operator and neighbors after the use is established, constructed and operational; and
- (f) Collaborating with the operator to consider and evaluate metrics for success of the shelter operations, including security, sanitation, and transitioning shelter clients out of homelessness.

(4) Involvement Process – Timing, Focus of Involvement, and Work Product.

(a) Process Summary. The GNA advisory committee process is intended to be aligned with the daytime drop-in center or overnight shelter permit process to optimize process efficiency and funding predictability.

(b) Timing of GNA Advisory Committee Involvement.

(i) The GNA advisory committee process should occur early in the process to avoid delays that jeopardize participation in funding cycles, require shelters to operate under emergency declarations or place homeless individuals at risk.

(ii) The actual timing of GNA advisory committee review and participation will be scheduled by the facilitator to ensure that GNA advisory committee input is consolidated into the

applicable city application review and recommendation process, and provided to the decision makers for the respective permit public hearing.

(iii) The GNA advisory committee will be dissolved once its scope of work has been completed.

(c) Work Product. The work of the GNA Advisory Committee review phase shall culminate in an advisory document or good neighbor agreement that describes the GNA advisory committee feedback consistent with the scope of work described in this section. City staff will support the GNA advisory committee preparation of this work product. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

### **20.72.080 Review procedures.**

(1) Decision Criteria Applicable to Development Agreements and Conditional Use Permits for a Daytime Drop-In Center or Overnight Shelter. The city may approve or approve with modifications a development agreement or conditional use permit application for a daytime drop-in center or overnight shelter if the applicant demonstrates that:

- (a) A conditional use permit proposal complies with the criteria of Chapter [20.80](#) PMC;
- (b) The proposal complies with other applicable requirements of the Puyallup Municipal Code;
- (c) The proposal includes a standard operating procedure plan meeting the requirements of this chapter;
- (d) The proposal includes a code of conduct meeting the requirements of this chapter;
- (e) The proposal includes a safety and security plan meeting the requirements of this chapter and incorporating the feedback provided by the Puyallup police department;
- (f) The input of the GNA advisory committee developed pursuant to this chapter has been integrated into the daytime drop-in center or overnight shelter proposal, to the maximum extent feasible; and
- (g) The proposal addresses all applicable design guidelines and development standards of this chapter and any other applicable zone district standards in a manner which fulfills their purpose and intent.

(2) Minimum required notice and public engagement procedures for daytime drop-in center or overnight shelter shall specifically include the following:

(a) Notice of the informational neighborhood meeting shall be provided pursuant to this section and prospective members of the GNA advisory committee shall be invited to attend;

(b) Notice of application for a conditional use permit or development agreement to establish a daytime drop-in center or overnight shelter shall occur pursuant to established city procedures;

(c) Hearing examiner and city council public hearings on the conditional use permit or development agreement request, respectively, shall be noticed pursuant to established city procedures.

(3) Mitigation Measures. The city may impose conditions relating to the development, design, use, or operation of a daytime drop-in center or overnight shelter to mitigate environmental, public safety, or other identifiable impacts.

(4) Public Hearing and Appeals.

(a) Development Agreements. Public hearings on development agreements applied for to establish a daytime drop-in center or overnight shelter shall be held by the city council pursuant to Chapter [36.70B](#) RCW, Chapter [1.15](#) PMC and adopted city council rules of procedure.

(b) Conditional Use Permits. Public hearings on conditional use permits applied for to establish a daytime drop-in center or overnight shelter shall be held by the hearing examiner pursuant to Chapter [20.80](#) PMC and other applicable city procedures. Any appeals of hearing examiner decisions pursuant to this section shall be heard by the appellate hearing examiner.

(5) Modifications to an Approved Daytime Drop-In Center or Overnight Shelter. Conditions of approval for a daytime drop-in center or overnight shelter apply for the life of the project. Any proposed minor additions or modifications to an approved daytime drop-in center or overnight shelter which conform to PMC [20.80.031](#) may be processed administratively, whether originally approved via conditional use permit or development agreement. Any more substantive modifications to an approved daytime drop-in center or overnight shelter shall be processed as a new conditional use permit or development agreement, as applicable.

(6) Revocation of an Approved Conditional Use Permit. Upon cause shown, the hearing examiner may revoke a conditional use permit approved under this section pursuant to the terms of PMC [20.80.040](#) or based upon a finding that the permitted facility is not compliant with applicable conditions or is otherwise injurious to the public health, safety or welfare.

(7) Abandonment. Any established daytime drop-in center or overnight shelter established under this section that is abandoned for a continuous period of one year or more shall not be permitted to be reestablished, except as allowed in accordance with the standards and requirements for a new or expanding use in this section. (Ord. 3195 § 2, 2019; Ord. 3179 § 2, 2018).

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The Puyallup Municipal Code is current through Ordinance 3237, passed July 20, 2021.

Disclaimer: The city clerk's office has the official version of the Puyallup Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofpuyallup.org/>

City Telephone: (253) 841-5480

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