



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) or joined via Zoom using this link: <https://bit.ly/40CY56T>. To listen by phone, call 253-215-8782 and enter webinar ID 897 9444 4646 and passcode 831543.

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

Tuesday, May 2, 2023

6:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

1. APPROVAL OF AGENDA

2. CONSIDERATION OF MINUTES

- 2.a Approval of the September 20, 2022 minutes
[Draft Minutes - September 20, 2022](#)

- 2.b Approval of the February 7, 2023 minutes
[Draft minutes - February 7, 2023](#)

- 2.c Approval of the February 28, 2023 minutes
[Draft minutes - February 28, 2023](#)

- 2.d Approval of the March 7, 2023 minutes
[Draft minutes - March 7, 2023](#)

- 2.e Approval of the March 28, 2023 minutes
[Draft Minutes - March 28, 2023](#)

3. PRESENTATIONS AND PROCLAMATIONS

- 3.a Proclamation: National Police Week
[Proclamation](#)

- 3.b Proclamation: Tree City USA
[Proclamation](#)

CITIZEN COMMENTS

4. CONSENT AGENDA

- 4.a Approve accounts payable, payroll, and electronic fund transfers for \$9,361,745.63 and \$5,657,285.95

January Voucher Cover Sheets
February Voucher Cover Sheets

5. ORDINANCES

- 5.a Second reading of ordinances to accommodate supportive housing facilities
[Ordinance PMC 5.30 Business License](#)
[Ordinance Title 20 Zoning](#)
- 5.b Second reading of an ordinance amending section 14.02.060 of the Puyallup Municipal Code pertaining to water meter test deposit fees
[Ordinance](#)

6. CONSIDERATIONS AND REQUESTS

- 6.a Food truck program update and discussion

CITY MANAGER'S REPORT

COUNCIL REPORTS

MAYOR'S REPORT

EXECUTIVE SESSION - Real Estate and Litigation

ADJOURNMENT

The City Council Chambers is wheelchair accessible. Those needing assistance with hearing devices should contact the City Clerk's Office (253-841-4321) the Friday preceding the meeting.

**City of Puyallup
City Council Study Session
September 20, 2022**

COUNCILMEMBERS PRESENT: Mayor Johnson, Deputy Mayor Witting, Councilmember Door, Councilmember Farris, Councilmember Kastama, Councilmember King, and Councilmember Palmer

APPROVAL OF THE AGENDA

Council Action: A motion was made by Councilmember Palmer, and seconded by Councilmember Door, to approve the agenda. The motion passed 7-0.

AGENDA ITEMS

Presentation from South Sound 911

South Sound 911 (SS911) Executive Director Deborah Grady provided a presentation highlighting the organization's history, operations and support services, statistics, staffing and recruiting, and community relations. She shared the future goals for SS911 which include replacement of the Records Management System, regional collaboration for outages, a remodel of the back-up facility for outages, working with 988 to handle crisis calls, and the merging of two radio systems into one.

Councilmember Door shared an overview of the SS911 Board of Directors, as she also serves as the Chair for the board.

Council inquired on performance measures, customer service surveys, costs per call, and the current radio system.

Expansion of the Multi-Family Development Property Tax Exemption Program

Development and Permitting Services Associate Planner Rachael Brown provided a presentation on the Multi-Family Development Property Tax Exemption Program. She provided an overview of the program that covered the guidelines and intents, the areas currently zoned for this exemption, areas that could be added to qualify for the exemption, current housing challenges, and program customization options.

Council shared comments, concerns, and questions throughout the presentation related to the definition and goals of affordable housing, the origin of this incentive and how the needs have changed over time, the pros and cons of the 8, 12, and 20 year terms, and of the minimum requirements for the number of units required to qualify. There was also discussion on the multi-housing zones and the benefits of expanding the areas downtown and in the South Hill growth area.

CITIZEN COMMENTS

David DeGroot discussed tax break differences for different types of housing, inquired who pays for the monitoring and enforcement of tax breaks, and shared his concerns with multi-housing options affecting single family neighborhoods.

ADJOURNMENT – 9:15 p.m.

DRAFT

**City of Puyallup
Regular City Council Meeting
February 7, 2023**

COUNCILMEMBERS PRESENT: Mayor Johnson, Deputy Mayor Witting, Councilmember Door, Councilmember Farris, Councilmember Kastama, Councilmember King, and Councilmember Palmer

CONSIDERATION OF MINUTES

Council Action: A motion was made by Councilmember King, and seconded by Councilmember Kastama, to approve the minutes of November 22, 2022. The motion passed 7-0.

PRESENTATIONS AND PROCLAMATIONS

Proclamation honoring Black History Month

Mayor Johnson read the proclamation and presented it to multiple community representatives.

CITIZEN COMMENTS

Kim Field provided feedback on the number of customers the “All Things Fun Sports!” runs bring to downtown restaurants and shops and requested that the city allow their Thanksgiving run to start at the Pavilion and provide street closures due to the increased number of participants.

Greg Klein provided his support for the “All Things Fun Sports!” Turkey Trot to occur from the Pavilion.

Lisa Pyle spoke on the proposed route/mapping for the Turkey Trot and encouraged approval of the event at the Pavilion.

Randy Skeen expressed support for the Turkey Trot.

Darice Hermann shared her appreciation to the council for the continuous support for the library. Darice shared her family’s love for the Thanksgiving morning run.

Celeste McDonough shared her involvement in the run over the years and the need for more space as the group has grown.

Heather Shadko spoke of her participation in the Turkey Trot run since the inception and has watched the group grow and become a family. She stressed the benefit of bringing participants into the local businesses in the days prior to the race when they pick up packets.

Ken Farthing shared concerns with council two weeks prior regarding the dangerous semi-truck issues along Todd Road. He thanked Council, Police, and Public Works for immediately addressing the issues and making an instant improvement for the neighborhood.

Chris Todd and Brianna Chavez appreciated the swift action taken with the semi-truck issues on Todd Road. They expressed a sincere thank you to the City and the direct contact from Chief Engle.

Kevin Bates is honored by the partnership with the City to help families in Puyallup and requests continued collaboration on the homelessness issue.

Celina McKenney shared her concerns related to special licensing requirements for permanent supportive housing, noting that if a license is going to be required for agencies providing housing assistance for people with disabilities, that license should be required for all rental units to avoid discrimination.

John Hopkins expressed his appreciation for the proclamation for Black History Month and shared his support for “All Things Sports!”. John also shared info on the passing of Handy Randy, a long-time Puyallup resident, who could have benefited from more social services and assistance.

Becky Condra provided information on a free Cultural and Arts Festival at the Karshner Museum on Saturday, February 11, 2023 for Black History Month to include performances from a multitude of different groups, art projects, and family activities.

CONSENT AGENDA

Accept the Shaw Road Surface Repairs project between 33rd Avenue SE and Manorwood Drive with Puget Paving Construction as complete

Authorize the City Manager to execute professional services contracts with Krazan, Mayes Terracon, and Construction Testing Laboratories for On-Call Materials Testing and Special Inspection

Accept the River Road Sewer Main Replacement project with RS Underground, in the final amount of \$201,730.82, as complete

Authorize the City Manager to execute a professional services contract with AHBL for on-call planning services

Authorize the City Manager to execute a professional services contract with MIG, Inc. for assistance with the 2024 Periodic Update to the City’s Comprehensive Plan

Purchase radio-controlled mower for the Public Works Collections (Sewer/Storm) Division

Authorize the City Manager to accept an amendment to the Water Quality Stormwater Capacity Grant with the Washington State Department of Ecology

Authorize additional funding for the existing professional services contract with Jacobs Engineering Group, Inc., for traffic engineering services

Authorize the City Manager to execute a professional services contract with American Traffic Solutions

Council Action: A motion was made by Councilmember Farris, and seconded by Councilmember Palmer, to approve the consent agenda. The motion passed 7-0.

ORDINANCES

Second reading of ordinances to accommodate supportive housing facilities

Discussion ensued among councilmembers related to accountability for the business owners, confidentiality for the residents, fee requirements, and differences between permanent supportive housing and emergency housing.

7:45 p.m. – Mayor Johnson called a five-minute recess to allow Councilmember Door to resolve technical issues with Zoom.

7:46 p.m. – Councilmember Door’s technical issues were resolved and Mayor Johnson noted that the council meeting would reconvene for further discussion.

Council Action: A motion was made by Deputy Mayor Witting, and seconded by Councilmember Palmer, to refer this back to staff to make a distinction between emergency shelter and emergency housing and put emergency housing under the license agreement program. The motion passed 7-0.

First Reading of a Compost Procurement Ordinance to comply with RCW 43.19A.150

Public Works Director Ken Davies provided a summary of the proposed ordinance and advised that the Department of Ecology is requiring a report on the use and cost of compost to the city starting in 2024.

Council Action: A motion was made by Councilmember Farris, and seconded by Deputy Mayor Witting, to approve the first reading of the ordinance. The motion passed 7-0.

RESOLUTIONS

Resolution confirming appointments to various citizen volunteer boards and commissions

Mayor Johnson introduced the appointments.

Council Action: A motion was made by Councilmember Farris, and seconded by Councilmember King, to approve the resolution appointing certain board and commission members. The motion passed 7-0.

CONSIDERATIONS AND REQUESTS

Authorize the City Manager to execute a public works contract with Neeley Construction for the Pioneer Park Restroom Upgrades project

A presentation was provided by Senior Civil Engineer (SCE) Drew Young and Parks and Recreation Director (PRD) Sarah Harris regarding the Pioneer Park Restroom Upgrade project that was previously presented to the Council. The goal is to provide a facility that fits in with the core of downtown Puyallup and large enough to meet the demands for the activities at Pioneer Park.

SCE Young presented the final design changes to include building and site improvement modifications that include sewer main and pump station replacement, add a required on-site stormwater management system, fiber relocation related to the library and police department, and additional features for ADA compliance. He also provided a budget overview and the funding sources for the project, which include \$1,450,000 in grant funds.

Council discussion included whether to use unallocated Parks Department Capital Improvement Project (CIP) funds or Tier 3 funds for the remaining project costs of \$209,000, projected timeframes for the start and the completion of the project, and the benefits of using quality long lasting materials versus cheaper material alternatives.

Council Action: A motion was made by Councilmember Kastama, and seconded by Councilmember Farris, to approve the contract with Neeley Construction for the Pioneer Park Restroom Upgrades project using Parks Department CIP funds of \$209,000. The motion passed 6-1 (Johnson).

CITY MANAGER'S REPORT

City Manager (CM) Steve Kirkelie expressed appreciation to the Puyallup Main Street Association for working with the city on timeframes and event impacts related to the Pioneer Park Restroom Upgrade project.

A staffing update was provided to include the assignment of a Puyallup Police officer to the Auto Theft Task Force and a recently funded Parks Department position has been filled.

Recreation Manager Deon Moyd was selected to represent Pierce County at the Aspen Institute's Summit for Project Play in Colorado Springs in May.

The See, Click, Fix Puyallup app is now available and allows citizens to send repair and maintenance requests directly to Public Works with a photo from their cellphone.

The next council meeting is a Study Session scheduled for Tuesday, February 28, 2023.

COUNCIL REPORTS

Councilmember Kastama appreciated the proclamation for Black History Month.

Councilmember Farris thanked CM Kirkelie and Chief Engle for the quick response on the Auto Theft Task Force questions. She also shared information on the increased thefts of Hyundai and Kia vehicles and that steering wheel locks are available at the police department.

Councilmember Palmer expressed his enthusiasm for the grant the city is seeking for Shaw Road.

Councilmember King thought the Black History Month proclamation was a great way to honor individuals and bring people together at the meeting.

Deputy Mayor Witting spoke on the issue of police pursuits currently with the State legislature to support the change from probable cause to reasonable suspicion as a guideline for vehicle pursuits.

Councilmember Door expressed appreciation to the city staff who worked on the Todd Road parking complaint for providing a resolution so quickly, and thanked the residents who attended the Council meeting to share the positive results and their appreciation.

MAYOR'S REPORT

Several councilmembers attended the Puyallup Main Street Association annual meeting and experienced a great sense of community.

EXECUTIVE SESSION – NONE

ADJOURNMENT – 8:39 p.m.

**City of Puyallup
City Council Study Session
February 28, 2023**

COUNCILMEMBERS PRESENT: Mayor Johnson, Deputy Mayor Witting, Councilmember Farris, Councilmember Kastama, Councilmember King, and Councilmember Palmer

COUNCILMEMBERS EXCUSED: Councilmember Door

APPROVAL OF THE AGENDA

Council Action: A motion was made by Councilmember King, and seconded by Councilmember Farris, to approve the agenda. The motion passed 6-0.

AGENDA ITEMS

Outdoor Dining and Parklet Update and Discussion

Economic Development Manager Meredith Neal provided a presentation on the Outdoor Dining and Retail Pilot Program that was created in 2020 as a solution to COVID restrictions for dining and retail establishments. The overview of the program included the four options offered to businesses to include parking lot dining, parklet curbside dining, sidewalk dining and sales, and street alley closure, as well as the number of businesses that utilized each option through 2022, and the feedback provided by local businesses. Modification options and alternative options were also presented for consideration for the program moving forward.

Council discussion included providing uniformity for the parklets set-up, standards for parking lot dining structures and tents, seasonal timeframe limits, the importance of aesthetics, and whether this should become a permanent program or remain temporary.

Design Review Code Amendments Overview and Discussion

Senior Planner Kendall Wals presented the Design Review Code Amendments which are intended as solutions leading up to the code updates planned for the 2024 Comprehensive Plan Periodic Update. The presentation provided the background of the design standards and the challenges identified with each, the review process, and the intended goals to improve clarity and processing timelines for applicants.

Council discussed the proposed policy considerations and provided input on the importance of high standards for the downtown core and whether there should be more flexibility for the River Road and South Hill areas. Recommendations were made to include consulting with an expert or consultant on issues as needed to combine with the Planning staff and Planning Commission expertise, and to research the guidelines in other comparable cities in Pierce and King counties.

Environment and Sustainability Action Plan (ESAP) Council Briefing

Senior Planner Chris Beale provided an initial overview of the Environment and Sustainability Action Plan (ESAP) which Council allocated grant funds for the development of in 2022 in collaboration with consultants. The overview includes the project scope, timeline, public outreach, and the plan framework.

Council provided comments related to the importance of having a purpose geared toward providing cost savings for citizens, aligning with state and national laws to qualify for additional grants, funds, and opportunities in the future, and also help individuals to take advantage of incentives, adopt newer technologies, and make related investments. Some concern was expressed that this plan could be broader than what council originally approved, and a request was made that council be allowed to review and offer input on the questions used for community outreach.

CITIZEN COMMENTS - None

ADJOURNMENT – 8:43 p.m.

**City of Puyallup
Regular City Council Meeting
March 7, 2023**

COUNCILMEMBERS PRESENT: Mayor Johnson, Deputy Mayor Witting, Councilmember Kastama, Councilmember King

COUNCILMEMBERS EXCUSED: Councilmember Door, Councilmember Farris, Councilmember Palmer

APPROVAL OF THE AGENDA

Proposed Agenda item: Consideration of increasing the City's annual donation to Puyallup Main Street Association (PMSA) through the State's Main Street Tax Credit Incentive Program (Johnson/Kastama)

Council Action: A motion was made by Councilmember King, and seconded by Deputy Mayor Witting, to approve the agenda with the additional agenda item. The motion passed 4-0.

Mayor Johnson addressed the possibility to have the City defer Business and Occupation taxes (B&O) paid to the State to the Puyallup Main Street Association (PMSA) at a 75% rate of return. The request of the City would be for PMSA to continue to pressure wash city sidewalks and to host a three-day music festival in return for the increased donation.

Council verbalized their appreciation for all that PMSA does for the city and that they liked the idea of a music festival event.

Council Action: A motion was made by Councilmember King, and seconded by Deputy Mayor Witting, to approve deferring \$100,000.00 of B&O Tax to PMSA. The motion passed 4-0.

CONSIDERATION OF MINUTES

Council Action: A motion was made by Councilmember Kastama, and seconded by Deputy Mayor Witting, to approve the minutes of December 6, 2022 and January 24, 2023. The motion passed 4-0.

CITIZEN COMMENTS

John Hopkins shared his thoughts on the usage of the fire stations within the city, suggesting that the 7th Street fire station be rented at fair market value and if a downtown fire station was built, it would open much needed space at the current Public Safety Building.

Jennifer Strickling-Severns spoke on transparency within the police department and the concerns for sexual assault victims to feel comfortable coming forward. She suggested an accountability group and the hiring of more female police officers.

Chris Chisholm expressed his concerns with the significant increase in water connection fees which could be a deterrent to building affordable housing and suggested a sliding scale. He also spoke on expectations of supervision responsibilities related to the recent arrest of a Puyallup police officer.

CONSENT AGENDA

Authorize the City Manager to accept the Wildwood Park Log Shelter #7 Garland/DBS, Inc., as complete

Authorize the City Manager to accept the Toscano's Sink Hole Repair Project with Scarsella Brothers Inc., as complete

Authorize the purchase of four Windsor Columbarium Units for the Woodbine Cemetery

Authorize the City Engineer to accept a Puget Sound Regional Council grant in the amount of \$1,500,000.00, for the design and construction of Valley Avenue NW Overlay, Phases 1 and 2

Accept a grant in the amount of \$16,565.00 from the Washington Association of Sheriffs and Police Chiefs to purchase traffic safety equipment

Authorize the City Manager to execute a public works contract with Marshbank Construction Inc., for the 11th Street SW Culvert Replacement Project

Authorize a price adjustment for two vehicles for the Puyallup Police Department

Accept a Street Lighting Conservation Grant from Puget Sound Energy to implement energy conservation measures along Shaw Road from E. Pioneer to E. Main

Accept the City Parks Maintenance Facility Automated Gate & Card Reader project as complete

Approve accounts payable, payroll, and electronic fund transfers of \$6,712,309.37

Approve the 2023-2025 City of Puyallup and International Brotherhood of Teamsters Chauffeurs, Warehousemen and Helpers of America Local Union Number 313 (Teamsters Maintenance) Collective Bargaining Agreement

Authorize the City Manager to execute Supplemental Agreement #2 with KPG Psomas for the 8th Avenue NW street and stormwater project

Council Action: A motion was made by Councilmember King, and seconded by Councilmember Kastama, to approve the consent agenda. The motion passed 4-0.

PUBLIC HEARINGS**Public Hearing for Amendments to the 2023-2028 Six-Year Transportation Improvement Plan**

City Engineer (CE) Hans Hunger provided an overview of the Six-Year Transportation Improvement Plan which lays out the long-range plans for the city. An amendment is being proposed to include a revision to a previous project on 39th Ave SW after a public request for improvement due to safety issues.

Mayor Johnson opened the hearing for public comments at 7:00 p.m.

Steve Aldridge expressed appreciation to Councilmember Kastama and Councilmember King for listening to his neighborhood's safety concerns and is asking for council to make this project a priority. He emphasized the difficulty in capturing the number of near misses that occur on that roadway.

Council discussed the circumstances regarding the original project limitations and acknowledged the current road is an odd set-up and difficult to access 39th Ave SW. Questions included what the possibilities were for grants, if the project could be handled quicker if grant funds were obtained, and how to capture data to show the safety issues with the current roadway.

Council Action: A motion was made by Deputy Mayor Witting, and seconded by Councilmember Kastama, to approve the resolution presented related to the Six-Year Transportation Improvement Plan and 39th Ave SW. The motion passed 4-0.

RESOLUTION NO. 2478**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, revising and extending the Six-Year Transportation Improvement Program as required by state law.****ORDINANCES****Second reading of a Compost Procurement Ordinance to comply with RCW 43.19A.150**

Public Works Director Ken Davies gave a brief overview of the Compost Procurement Ordinance.

Council Action: A motion was made by Deputy Mayor Witting, and seconded by Councilmember King, to approve second reading of the ordinance. With a roll call vote, the motion passed 4-0.

ORDINANCE NO. 3272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, specifying City policy for the procurement of compost in response to HB 1799 and in compliance with RCW 43.19A.

RESOLUTIONS**Approve a resolution updating the City's Fee Schedule**

City Manager (CM) Steve Kirkelie provided background on the water meter installation fee increase to address public comment for that specific fee. CE Hunger also advised that the proposed fees are scaled based on the size of the line used which is related to the size of the home or building.

Council Action: A motion was made by Councilmember Kastama, and seconded by Councilmember King, to approve the resolution for the updated fee schedule.

Council Action: Deputy Mayor Witting proposed an amendment to the initial motion to remove the increased water meter installation fees from the schedule update for discussion at a later date. No second motion given.

The initial motion passed 4-0.

RESOLUTION NO. 2479

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, revising certain fees charged for Administrative Services, Development and Permitting Services, Emergency Management, Public Works, and the Parks and Recreation.

Resolution confirming appointment to citizen volunteer board

CM Kirkelie introduced the appointee for the Parks and Recreation Board.

Council Action: A motion was made by Deputy Mayor Witting, and seconded by Councilmember King, to approve the resolution of the board appointment. The motion passed 4-0.

RESOLUTION NO. 2480

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, confirming an appointment to the Parks and Recreation Board.

CONSIDERATIONS AND REQUESTS

Authorize the use of ARPA funds for the Tourism Branding Implementation Project

Public Affairs Officer Eric Johnson gave a presentation on the three phases of the Tourism Branding Implementation Project and a representative from Rotator was present to answer questions.

Council expressed enthusiasm for the new campaign and the opportunities for local businesses to participate. Suggestions for the project included pursuing a licensing agreement on the designs to provide guidelines for the use of the logos, and to add additional graphics to the designs related to specific events or neighborhoods.

Council Action: A motion was made by Councilmember Kastama, and seconded by Councilmember King, to allocate \$100,000.00 of federal American Rescue Plan Act (ARPA) funds to the Tourism Branding Implementation Project for Phase 1 and partial Phase 2. The motion passed 4-0.

OTHER BUSINESS

Finance Department update regarding grant activities and software updates

Finance Director (FD) Barbara Lopez provided a presentation on the new software for Finance, Human Resources, and Utility Billing systems to include the background on the funding, goals, city-wide impact, and the completed processes and the upcoming phases.

FD Lopez also provided an update on the Grant staff position that was funded in 2022, the process of locating grant opportunities, preparing and submitting applications, and recordkeeping. She also shared information on a significant grant application submitted for Shaw Road and the grant amounts awarded over the last two years.

Council inquired on the possibility of working with other local jurisdictions on grants for projects that cross over into multiple jurisdictions and if grants are available to the city through the private sector. A suggestion was made to use State Legislators as an outlet for creating grants based on city needs.

CITY MANAGER'S REPORT

CM Kirkelie provided information on public comment concern related to the arrest of the former Puyallup police officer and stressed that the officer was terminated and arrested the same day the City learned of the allegations. He also shared that the next council meeting is on March 21, 2023 and will be discussing the Citywide Strategic Plan.

COUNCIL REPORTS

Councilmember Kastama discussed the issues brought up during public comment related to safety and the Puyallup Police Department. He spoke of the importance of residents feeling safe in their community, his support of Chief Engle and the officers, and his pride that the city has focused on increased police staffing and support.

Deputy Mayor Witting stated that the police department's responsibilities are to protect our citizens and ensure the department upholds the highest standards of policing. He believes the Puyallup Police department does both of those things and applauds Chief Engle for handling the officer termination quickly.

MAYOR'S REPORT

Mayor Johnson expressed his excitement for the future of Puyallup.

EXECUTIVE SESSION - NONE

ADJOURNMENT – 8:25 p.m.

**City of Puyallup
City Council Study Session
March 28, 2023**

COUNCILMEMBERS PRESENT: Mayor Johnson, Deputy Mayor Witting, Councilmember Door, Councilmember Farris, Councilmember Kastama, Councilmember King, and Councilmember Palmer

APPROVAL OF THE AGENDA

Council Action: A motion was made by Councilmember King, and seconded by Deputy Mayor Witting, to approve the agenda. The motion passed 7-0.

BUSINESS PORTION OF THE AGENDA

Authorize the City Manager to execute a contract with RS Underground, Inc., for the 3rd Street SE, 7th Ave SE to 9th Ave SE sewer main replacement

Council Action: A motion was made by Councilmember Farris, and seconded by Councilmember King, to approve the business portion of the agenda. The motion passed 7-0.

AGENDA ITEMS

Presentation on the 2022 City2City Trip to Gilbert, Arizona

CEO of the Puyallup-Sumner Chamber Tara Doyle-Enneking shared a presentation on the City2City Tour to Gilbert, Arizona that occurred in October 2022, along with a panel that included Krista Linden, Justin Jones, and State Representative Kelly Chambers.

Tara provided a background on the immense growth in Gilbert, Arizona with an emphasis on the Heritage District and Agritopia area. The city's vision was for these areas to be the heart of the community as a vibrant, safe, peaceful, family, and pedestrian friendly location that maintains their heritage with a mix of retail, restaurant, entertainment, and office space that is economically sustainable. This was established with a partnership between Economic Development, the City of Gilbert, and Chamber, as well as private investors and the business community.

Ms. Linden, Mr. Jones, and Representative Chambers shared their insight and experiences from the trip to include tax revenues and the growth of private investment, suggestions for alleviating individual burdens on businesses related to parking, utilities, and garbage, and the City of Gilbert's streamlined permitting and customer service processes and program created to assist small business owners.

Council commented on the area of Shaw and Pioneer as a possible location with potential for a similar type of development.

Update and Discussion regarding the Public Safety Building Project

Brett Hanson, Architect/Consultant from Mackenzie, Inc., provided a presentation on the proposed Public Safety Facility and downtown substation. He was tasked with updating the project to provide a current needs assessment. The three proposed sites were reassessed for staffing, organizational changes, and the constraints and challenges for each related to parking needs, security, and if other support functions could exist at other locations. The needs for the court and current technology changes were also taken into consideration. The current proposals presented were a reduction in overall size by 6,000 to 7,000 sq ft., offered a varied number of public and secured parking stalls, and a jail housing option of 58 or 82 beds.

Financial Director Barbara Lopez spoke and provided options and scenarios for funding for the project to include voted bonds and councilmanic bonds, different bond terms, and additional funding sources.

Council shared comments and concerns related to the option of adding a shell for the court portion of the facility, how many jail beds were necessary and the option for a shell for the larger bed capacity, the necessity of replacing the current public safety building soon, what types of bonds and repayment time frames to request, and a realistic date to place on the ballot.

Council also discussed including an additional option to complete the project in its entirety, to include the full court and 82 bed jail.

CITIZEN COMMENTS

Mr. Dotson shared his concern with how inmates are currently released from the jail directly into the area of several schools, the park, and areas with children and families. He also inquired on the anticipated needs in the future for jail beds and if a 58 bed jail was sufficient if already at capacity with a 52 bed jail.

Chris Chisholm expressed his opposition to the proposed jail bed size and commented that the jail reaches capacity only because they are contracting with other small cities. He stressed that there is a greater likelihood for citizens to vote for the new facility if costs are kept down.

EXECUTIVE SESSION

The Council recessed into executive session to consider the minimum price at which real estate will be offered for sale or lease, and to discuss with City Attorneys litigation or potential litigation to which the City, the City Council, or a Councilmember acting in an official capacity is, or is likely to become a party. The executive session is expected to last 30 minutes.

ADJOURNMENT – 9:43 p.m.

PROCLAMATION

WHEREAS, each May during the week surrounding May 15th, our nation salutes the American men and women who put their lives on the line every day to maintain public safety and hold accountable those who break the law; and

WHEREAS, there are more than 900,000 law enforcement officers serving in communities across the United States, including the 70 dedicated officers of the Puyallup Police Department; and

WHEREAS, over 60,000 assaults against law enforcement officers are reported each year, resulting in over 18,000 injuries; and

WHEREAS, since the first recorded death in 1786, more than 21,000 law enforcement officers in the United States have been killed in the line of duty, including three members of the Puyallup Police Department- Marshal William Jeffery 1894, Officer Harry Storem 1935, and Chief of Police Frank Chadwick 1935; and

WHEREAS, it is with heavy hearts, we mourn the heroes taken from us only because they chose to serve, and we rededicate ourselves to carrying forward their noble legacy; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

NOW THEREFORE, BE IT RESOLVED that the Puyallup City Council officially recognizes May 14-20, 2023, as

NATIONAL POLICE WEEK

and May 15, 2023, as

NATIONAL PEACE OFFICERS MEMORIAL DAY

in the City of Puyallup, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

IN WITNESS WHEREOF, I, Mayor Dean Johnson, have hereunto set my hand and caused the seal of the City of Puyallup to be affixed this 2nd day of May, 2023.

Dean Johnson, Mayor

PROCLAMATION

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day, called Arbor Day, to be set aside for the planting of trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperatures, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees — wherever they are planted — are a source of joy and spiritual renewal;

NOW THEREFORE, be it proclaimed by the Puyallup City Council, that we officially recognized April 28th, 2023 as

ARBOR DAY

IN WITNESS WHEREOF, I, Mayor Dean Johnson, have hereunto set my hand and caused the seal of the City of Puyallup.

Dean Johnson, Mayor



City Council Agenda Item Report

Submitted by: Barbara Lopez

Submitting Department: Finance

Meeting Date: May 2, 2023

Subject:

Approve accounts payable, payroll, and electronic fund transfers for \$9,361,745.63 and \$5,657,285.95

Presenter:

Finance Director Barbara Lopez

Recommendation:

Approve accounts payable, payroll, and electronic fund transfers of \$9,361,745.63 and \$5,657,285.95; ratify and confirm payments as previously authorized by the finance director.

ATTACHMENTS

[January Voucher Cover Sheets](#)

[February Voucher 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:	AP 260694	through	AP 260957	\$ 1,788,363.85
Accounts Payable (ACH) warrant numbers:	EF 708647	through	EF 708809	\$ 3,783,023.76
Payroll warrant numbers:	PY 107591	through	PY 107610	\$ 31,751.49
Payroll (direct deposit) numbers:	EF 90160895	through	EF 90161639	\$ 1,796,744.92
Electronic payments / Wire transfers dates:	1/1/2023	through	1/31/2023	\$ 1,961,861.61
Total All Funds \$ <u>9,361,745.63</u>				

Barbara Lopez
Barbara Lopez
Finance Director
City of Puyallup

4/17/23

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:	AP 260958	through	AP 261184	\$ 1,249,517.17
Accounts Payable (ACH) warrant numbers:	EF 708810	through	EF 708991	\$ 698,637.44
Payroll warrant numbers:	PY 107611	through	PY 107621	\$ 6,394.53
Payroll (direct deposit) numbers:	EF 90161640	through	EF 90162377	\$ 1,780,525.29
Electronic payments / Wire transfers dates:	2/1/2023	through	2/28/2023	\$ 1,922,211.52
Total All Funds \$ <u>5,657,285.95</u>				

Barbara Lopez
Barbara Lopez
Finance Director
City of Puyallup

4/17/23

Date



City Council Agenda Item Report

Submitted by: Katie Baker

Submitting Department: Development & Permitting Services

Meeting Date: May 2, 2023

Subject:

Second reading of ordinances to accommodate supportive housing facilities

Presenter:

Katie Baker, Planning Manager

Recommendation:

1. Consider second reading of an ordinance approving amendments to Title 20 of Puyallup Municipal Code related to supportive housing facilities as required by HB 1220.
2. Consider second reading of an ordinance adding Chapter 5.30 to Puyallup Municipal Code Title 5, Business Licenses and Regulations, to establishing licensing provisions for transitional and permanent supportive housing.

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 went into effect on September 30, 2021.

City Council adopted interim zoning measures to ensure compliance with state law while providing the Planning Commission time to develop recommended permanent zoning regulations. The Planning Commission held a public hearing on the draft regulations at their July 13, 2022 meeting and issued a recommendation on August 24, 2022.

City Council held a public hearing at their September 13, 2022 regular meeting and asked staff to draft code amendments to establish a business license process for the regulation of transitional housing and permanent supportive housing. On January 10, 2023, City Council unanimously approved first reading of the zoning ordinance. Council approved, by a 5-2 vote, first reading of the business license ordinance and directed staff to meet with housing providers and return with an amended ordinance addressing their concerns expressed at the January 10, 2023 meeting. Councilmembers gave additional direction at their February 7, 2023 meeting.

Amendments to the ordinance since that prior (February 7) version are highlighted in the attached ordinances. Key amendments include:

Title 5

- Addition of phrase "by a preponderance of evidence" to provide guidance for when to invoke good neighbor agreement.

Title 20

- Addition of definitions to distinguish between "scattered site" and "congregate" shelter/housing.
- Allowance of scattered site shelter as a permitted use in residential and medical zones and within conforming or permitted housing structures in commercial and mixed use zones.

- Allowance of congregate shelter as a conditionally permitted use in commercial, mixed use, and medical zones.

The ordinances maintain the additional business license requirement and regulations for transitional housing and permanent supportive housing. Council may wish to consider whether to also apply these requirements to scattered site emergency shelter and emergency housing.

At this meeting, staff will present the amended business license code for City Council's consideration and be available for any questions. City Council may then take action on both the zoning ordinance and the business license ordinance.

Council Direction:

City Council may approve, amend, or deny the proposed ordinances.

ATTACHMENTS

[Ordinance PMC 5.30 Business License](#)

[Ordinance Title 20 Zoning](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PUYALLUP adopting new Chapter 5.30 thereby providing for licensing regulations related to permanent supportive housing and transitional housing.

WHEREAS, the City has provided for indoor emergency housing and emergency shelters in all zone districts where hotels are allowed; and,

WHEREAS, Revised Code of Washington (RCW) 35A.82.020 authorizes the City to exercise the authority authorized by general law for any class of city to license and revoke the same for cause, to regulate, make inspections and to impose excises for regulation or revenue in regard to all places and kinds of business, production, commerce, entertainment, exhibition, and upon all occupations, trades and professions and any other lawful activity; and,

WHEREAS, RCW 35.90.060 provides the City with the authority to require a business license for any person or company engaging in business within the city limits; and,

WHEREAS, RCW 35.90.010(6) provides recognition of “regulatory business licenses” for classes of businesses when the City Council finds in their analysis that it is necessary to require additional regulation and oversight for code enforcement and/or public safety purposes; and,

WHEREAS, the requirement of a regulatory business license is needed and appropriate to provide for monitoring the business activities and ensure public safety and code compliance related to permanent supportive housing and transitional housing; and,

WHEREAS, the creation of a city-issued licensing program does not prevent the establishment or creation of permanent supportive housing and transitional housing facilities; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this ordinance;

NOW, THEREFORE, the City Council of the City of Puyallup, Washington, ordains as follows:

Section 1. *Puyallup Municipal Code*. Chapter 5.30 is hereby adopted as follows.

Chapter 5.30
TRANSITIONAL AND PERMANENT SUPPORTIVE HOUSING

Sections

- | | |
|------------------------|--|
| <u>5.30.010</u> | <u>Exception from chapter.</u> |
| <u>5.30.015</u> | <u>Definitions</u> |
| <u>5.30.020</u> | <u>License required.</u> |
| <u>5.30.030</u> | <u>License applications.</u> |
| <u>5.30.040</u> | <u>License fee.</u> |
| <u>5.30.050</u> | <u>License expiration.</u> |
| <u>5.30.060</u> | <u>Renewal of license.</u> |
| <u>5.30.070</u> | <u>Standards of safety and operation.</u> |
| <u>5.30.080</u> | <u>Standards of conduct.</u> |
| <u>5.30.090</u> | <u>Good Neighbor Agreement</u> |

5.30.010 Exception from chapter.

This chapter does not apply to emergency housing and shelter that is operated as a result of inclement weather, natural disaster, or similar event or to emergency shelter or emergency housing as defined and regulated in Chapter 20.72 PMC.

5.30.015 Definitions.

(1) “Permanent supportive housing” is defined for the purposes of this chapter as subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services in order to retain tenancy and which utilizes admissions practices designed to allow lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to disability, rental history, criminal history, and personal behaviors.

(2) “Transitional housing” is defined for the purpose of this chapter as residential uses that provide housing and supportive services to homeless persons or families for up to two years.

(3) “Unit” means a structure or room(s) within a larger structure, such as a house, apartment, mobile home, or group of rooms, operated as permanent supportive housing or transitional housing, where a person or family eat, live, and sleep.

5.30.020 License required.

Unless expressly excepted by the provisions of this chapter, it is unlawful to operate permanent supportive housing or transitional housing, as defined in this chapter, unless such facility or unit is licensed as hereinafter provided. Any operating person or entity shall submit one initial application for licensing of all facilities and/or units in operation at the time of initial application.

5.30.030 License applications.

(1) All applications for license, or license renewal shall be made to the city on a form prescribed by the director, and shall include the following information:

(a) The name, business address, and contact telephone number of the license applicant, operator and property owner (if different);

(b) The business name, of the permanent supportive or transitional housing organization to be licensed (if different from applicant/operator);

(c) A list (by name or other designation) and approximate location by neighborhood, city quadrant, and city council district of all Permanent Supportive Housing and Transitional Housing facilities and units owned, operated, managed by, and/or affiliated with the applicant;

(d) The names, titles, business addresses, and telephone numbers of those who will act as the principal point(s) of contact with the city – each operator shall provide at least one emergency 24-hour contact number;

(e) A declaration of the total number of units and rooms used for permanent supportive housing and/or transitional housing within city limits;

(f) Attestation to the maximum number of occupants that can be housed in each unit and room;

(g) An operational plan demonstrating compliance with the safety and operational requirements in PMC 5.30.070 and the requirements of PMC 5.30.080;

(h) Documentation identifying that providers or managing agencies have either demonstrated experience providing similar services to people experiencing homelessness, and/or certifications or academic credentials in an appropriate human service field, and/or applicable experience in a related program with people experiencing homelessness.

(2) The city shall notify the applicant within 15 working days of submittal of a license or license renewal application if the application is deemed incomplete and shall specify what additional information is required.

(3) In the event a licensee adds additional units, rooms, or otherwise adds capacity to house additional residents, the licensee shall immediately update such information with the City.

5.30.040 License fee.

(1) The license fee for permanent supportive housing and transitional housing operations, as required in this chapter, shall be set in the city's fee resolution. Such fee shall be in addition to general business license fees where applicable.

(2) The entire annual license fee shall be paid for the applicable calendar year regardless of when the application for license is made and shall not be prorated for any part of the year except that if the original application for license is made subsequent to June 30th, the license fee for the remainder of that year shall be one-half of the annual license fee.

(3) Permanent supportive housing and transitional housing operated by governmental organizations, shall be exempt from the license fee.

5.30.050 License expiration.

(1) All licenses issued or renewed under the provisions of this chapter shall expire on the thirty-first of December of each year.

(2) Due date. All license fees required by this chapter for either an original license or renewal are payable to the city at least two weeks prior to the commencement of operation of the permanent supportive housing and transitional housing. Every operator of a facility or unit subject to this chapter that exists as of the initial effective date of this Chapter, shall have 30 days to apply for and obtain a valid business license as required in this Chapter. No additional fee over and above the regular business license fee required under Chapter 5.04 shall be required for operators that already exist within the City as of the initial effective date of this Chapter.

(3) Failure to renew. Failure to renew shall result in expiration of the license and all privileges granted to the licensee.

5.30.060 Renewal of license.

(1) For permanent supportive housing and transitional housing to continue operation beyond the expiration of its existing license, an application for renewal must be submitted with the city prior to the expiration of the existing license.

(2) A late penalty shall be charged on all applications for renewal of a license received later than seven calendar days after the expiration date, as well as all applications that fail to rectify application deficiencies identified by the city pursuant to PMC 5.30.030(2) within seven calendar days of the city notice provided for in that subsection.

The amount of such penalty is fixed as follows:

<u>Days Past Due</u>	<u>Late Fee</u>
<u>8 – 30</u>	<u>\$50</u>
<u>31 – 60</u>	<u>\$100</u>
<u>61 and over</u>	<u>\$200</u>

(3) The license renewal application shall update any of the application information required under 5.30.030 and shall certify compliance with all standards identified in sections 5.30.070 and 5.30.080. Additionally, if there have been any reported violations of the standards contained in this chapter or any unresolved neighborhood impacts, the director may require, as a condition of renewal, that the applicant engage in the Good Neighbor Agreement process as outlined in 5.30.090.

5.30.070 Standards of safety and operation.

(1) Every facility licensed under the provisions of this chapter must meet the following safety and operational requirements:

The agency will at all times keep the premises fit for human habitation, and shall in particular:

- (a) Maintain the premises to substantially comply with any applicable code, statute, ordinance, regulation governing their maintenance or operation;
- (b) If owned maintain the structural components including, but not limited to, the roofs, floors, walls, chimneys, fireplaces, foundations, and all other structural components, in reasonably good repair so as to be usable;
- (c) Keep any shared or common areas reasonably clean, sanitary, and safe from defects increasing the hazards of fire or accident;
- (d) Provide a reasonable program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and, except in the case of a single-family residence, control infestation during tenancy except where such infestation is caused by the tenant;
- (e) Except where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premises in as good condition as it by law or rental agreement should have been, at the commencement of the tenancy;
- (f) Provide reasonably adequate locks and furnish keys to the tenant;

- (g) Maintain all electrical, plumbing, heating, and other facilities and appliances supplied by him or her in reasonably good working order;
- (h) If owned, except in the case of a single-family residence, provide and maintain appropriate receptacles in common areas for the removal of ashes, rubbish, and garbage, incidental to the occupancy and arrange for the reasonable and regular removal of such waste;
- (i) Provide facilities adequate to supply heat and water and hot water as reasonably required by the tenant;
- (j) Provide a written notice to all tenants disclosing fire safety and protection information;
- (k) Provide tenants with information provided or approved by the department of health about the health hazards associated with exposure to indoor mold;
- (l) Adopt and broadly disseminate a written security and emergency plan for residents and employees;
- (m) Provide a phone number and point of contact for the community to report concerns;
- (n) Prepare and provide a plan for addressing reported concerns, documenting resolutions, and making this information publicly available;
- (o) Take all reasonable and legal steps to obtain verifiable identification information, including full name and date of birth, from all current and prospective residents, and keep a log containing this information;
- (p) Incorporate procedures into operations to ensure complete and accurate recordkeeping.
- (q) If owned, post prominently, or if not owned, provide and require the posting of a list of all human and health services offered with a brief description of the service(s) and the availability of such service(s).
- (r) If owned, follow Crime Prevention Through Environmental Design (CPTED) standards for landscaping and plant maintenance;
- (s) Broadly disseminate information to residents identifying transit, pedestrian and bicycle routes to services and schools from the site;
- (t) In the event a facility licensed under this Chapter is associated with any crime, nuisance, or other negative impact such that law enforcement, police, or code enforcement determines that there is cause to investigate, upon request from such law enforcement, police or code enforcement agency, every licensee when requested shall have a duty to confirm or deny whether they are the operator of such facility. Failure to respond to such a request shall constitute grounds for revocation of the operator and/or owners' business license;
- (u) Licensee will follow all landlord tenant laws and fair housing practices to address these situations in a timely manner.

(2) Every standalone facility exceeding 20 units exclusively for permanent supportive housing and transitional housing, licensed under the provisions of this chapter, must meet the following additional safety and operation requirements:

(a) Install lighting in all internal common areas providing a minimum of one and one-half foot-candles at ground level 24 hours per day, seven days a week.

(b) Have a manager or operator's representative on the premises at all times.

5.30.080 Standards of conduct.

Every facility licensed under the provisions of this chapter must adopt and enforce standards of conduct applicable to all residents and guests designed to encourage the following standards are met:

(1) All residents and guests comply with all applicable federal, state, and local laws, including all safety and sanitation requirements and the city's building, fire, and zoning and development codes.

(2) No resident exhibit threatening or unsafe behavior.

(3) Nuisance is not permitted.

(4) Residents do not engage in drug-related activity at the rental premises, or allow a subtenant, sublessee, resident, or anyone else to engage in drug-related activity at the rental premises with the knowledge or consent of the tenant. "Drug-related activity" means that activity which constitutes a violation of chapter 69.41, 69.50, or 69.52 RCW.

(5) No resident engages in any activity at the rental premises or in the vicinity of the rental premises that is: Imminently hazardous to the physical safety of other persons on the premises; and entails physical assaults upon another person which result in an arrest; or entails the unlawful use of a firearm or other deadly weapon as defined in RCW 9A.04.110 which results in an arrest, including threatening another tenant or the landlord with a firearm or other deadly weapon under RCW 59.18.352.

(6) Residents do not engage in any gang-related activity at the premises, as defined in RCW 59.18.030.

5.30.090 Good Neighbor Agreement.

If, by a preponderance of evidence, the Director determines that the standards set out in this chapter have been violated at any time, or if there are unresolved neighborhood impacts at the time of any license renewal under this chapter, the director may require that a licensee pursue and obtain a Good Neighbor Agreement (GNA) pursuant to this section. Failure to obtain a GNA when initiated may result in denial or revocation of the business license.

(1) Purpose. The purpose of a GNA advisory committee formed under the terms of this section is to foster communication between the community and permanent supportive housing or transitional housing operators by:

(a) Dedicating the time necessary to include community, neighborhood and citywide interests in the permanent supportive housing or transitional housing business license renewal process;

- (b) Ensuring that issues of importance are identified to address design issues while minimizing cost implications;
- (c) Considering the neighborhood and land uses within which the permanent supportive housing or transitional housing is located;
- (d) Helping guide permanent supportive housing or transitional housing design and operation to ensure that specific neighborhood conditions are considered, and operation is context sensitive by engaging in ongoing dialogue with the operator and the city during license renewal; and
- (e) Ensuring the GNA advisory committee participation is streamlined and effectively integrated into the permanent supportive housing or transitional housing license renewal process to avoid delays that jeopardize funding or place people experiencing homelessness at risk.

(2) GNA Membership. Following submittal of a valid business license renewal application when the Director has determined that the standards set out in this chapter have been previously violated or if there are unresolved neighborhood impacts, 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 permanent supportive housing or transitional housing who will represent residents in the vicinity. Participation priority should be given to those residents living in closest proximity to the proposed permanent supportive housing or transitional housing.
 - (ii) If school-age children are expected to be served by the permanent supportive housing or transitional housing, 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 permanent supportive housing or transitional housing 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 permanent supportive housing or transitional housing.
 - (iv) One representative of the permanent supportive housing or transitional housing operator.

(v) One representative of the agencies or organizations identified as a provider (providing support services) for the proposed permanent supportive housing or transitional housing.

(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 business license identified for a specific permanent supportive housing or transitional housing facility, and its scope includes:

(a) Becoming informed regarding the permanent supportive housing or transitional housing standard operating procedures and project design;

(b) Participating in context setting to describe the community within which the permanent supportive housing or transitional housing is located;

(c) Providing advisory guidance to business license decision makers as described in more detail below regarding permanent supportive housing or transitional housing design and operational concerns prior to any recommendation from the director on a business license renewal;

(d) 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

(e) Collaborating with the operator to consider and evaluate metrics for success of the shelter operations, including security, sanitation, and transitioning clients out of homelessness and into permanent housing.

(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 permanent supportive housing or transitional housing business license renewal 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 facilities 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 business license application review and recommendation process and provided to the decision makers prior to any decision.

(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.

Section 2. Severability. All sections in this ordinance are hereby deemed severable. Any section found invalid or unconstitutional by a court of law with jurisdiction shall not be deemed to invalidate or find unconstitutional other sections in this ordinance.

Section 3. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance shall become effective five days after publication in the official newspaper of the City of Puyallup.

DATED this ____ day _____, 2023.

Dean Johnson, Mayor

APPROVED AS TO FORM:

Joseph N. Beck, City Attorney

ATTEST:

Dan Vessels Jr., City Clerk

PUBLISHED:

EFFECTIVE:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PUYALLUP adopting zoning regulations related to permanent supportive housing, transitional housing, emergency housing, and emergency shelters in response to HB 1220; amending Puyallup Municipal Code Sections 20.15.005, 20.20.015, 20.25.015, 20.30.010, 20.31.014, 20.43.015 and Chapter 20.72, and adding a new Chapter 20.74.

WHEREAS, in 2021, the Washington State Legislature enacted House Bill (HB) 1220, which requires cities to allow development of permanent supportive housing and transitional housing in all zone districts where residential dwellings and/or hotels are allowed; and,

WHEREAS, HB 1220 also requires cities to allow indoor emergency housing and emergency shelters in all zone districts where hotels are allowed; and,

WHEREAS, HB 1220 became effective on July 25, 2021 and requires cities to regulate permanent supportive housing and transitional housing consistent with HB 1220 on that date; and,

WHEREAS, HB 1220 requires cities to regulate indoor emergency housing and emergency shelters consistent with HB 1220 by September 30, 2021; and,

WHEREAS, the City of Puyallup Zoning Code currently does not define or regulate permanent supportive housing or transitional housing as distinct land uses; and,

WHEREAS, HB 1220 allows cities to impose reasonable occupancy, spacing, and intensity of use requirements on permanent supportive housing, transitional housing, indoor emergency housing and indoor emergency shelters to protect public health and safety; and,

WHEREAS, the City of Puyallup does define overnight shelters in a manner consistent with the definition of indoor emergency housing and emergency shelters, and currently allows overnight shelters only in the limited manufacturing (ML), general commercial (CG), and community business (CB) zone districts; and,

WHEREAS, the City of Puyallup currently permits hotels and motels in the central business district (CBD), central business district core (CBD-Core), limited commercial (CL), Shaw-Pioneer community mixed use (CMX), River Road mixed use (RMX), community commercial mixed use (CCX), urban center mixed use (UCX), limited mixed use (LMX), and medical (MED) zones; and,

WHEREAS, HB 1220 requires that the City allow emergency housing and emergency shelters in the central business district (CBD), central business district core (CBD-Core), limited commercial (CL), Shaw-Pioneer community mixed use (CMX), River Road mixed use (RMX), community commercial mixed use (CCX), urban center mixed use (UCX), limited mixed use (LMX), and medical (MED) zone districts, to the extent that the City allows hotel use in those districts; and,

WHEREAS, Comprehensive Plan policy H 6.1 recommends the City encourage and support the development of emergency, transitional and permanent housing with appropriate on-site services for persons with special needs; and,

WHEREAS, Comprehensive Plan policy H 6.2 recommends the City encourage the fair distribution of special needs housing throughout the City, recognizing that some clustering may be appropriate if in proximity to public transportation, medical facilities, or other essential services; and,

WHEREAS, the City's Housing Action Plan, adopted in 2021, includes a strategy to encourage permanent supportive housing as a cost-effective housing solution for individuals facing barriers, including those with cognitive and physical disabilities, mental illness, and substance use disorder, to lower public costs associated with the use of crisis services such as shelters, hospitals, jails, and prisons; and,

WHEREAS, the best available County-wide data indicates that there is a shortage of housing and shelter facilities to meet the need of low-income and homeless individuals and families; and,

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this ordinance; and

NOW, THEREFORE, the City Council of the City of Puyallup, Washington, ordains as follows:

Section 1. *Puyallup Municipal Code*. Section 20.15.005 is amended as follows.

20.15.005 Words and phrases defined.

As used in this title:

...

“Adult family home” means a regular family abode of a person or persons who are providing personal care, room, and board to more than one, but not more than ~~four~~ six, adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of ~~six~~ eight adults may be permitted if the Department of Social and Health Services determines that the home is of adequate size and that the home and provider are capable of meeting the standards and qualifications established in Chapters 70.128 RCW and 388-76 WAC. The quantity of residents allowed shall be consistent with any amendments in state law in the future.

...

“Congregate” means a type of shared housing in which each individual or family may have a private bedroom or living space but shares with other residents common dining, recreational or other facilities. These shelters shall include on-site staff and services.

...

“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.

...

“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. For the purpose of this definition, “temporary” shall mean not more than 365 days.

“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 and/or daytime drop-in centers that do not provide overnight accommodations. Temporary shelter facilities associated with disaster relief are excluded from this use category. For the purpose of this definition, “temporary” shall mean not more than 365 days.

...

“Family” means one or more persons related by blood, marriage, adoption, or guardianship and including foster children and exchange students, or a group of unrelated people not more than six unrelated persons, excluding servants, living together as a single nonprofit housekeeping unit.

For the purposes of this section, a housekeeping unit is not nonprofit if it is operated by or under the sponsorship of an entity which receives payment per resident on a monthly or other periodic basis from any governmental or private agency to provide care or shelter for any resident of the unit who is unrelated to the caregiver; provided, that foster family homes and adult family homes shall be considered to be nonprofit housekeeping units. Nothing in this definition shall be applied so as to prevent the city from making reasonable accommodations as may be necessary to afford persons with handicaps equal opportunity to use and enjoy a dwelling as required by the Fair Housing Act Amendments of 1988.

...

“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.

...

“Scattered site units” means a single-family dwelling unit providing for one family, a two-family dwelling unit providing for two families, or a dwelling unit leased from a multi-family building or facility not specifically designated as emergency housing or an emergency shelter.

...

“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.

...

Section 2. *Puyallup Municipal Code.* Section 20.20.010 is amended as follows.

20.20.010 Permitted uses – RS single-family residential zones.

The following uses are permitted for all RS single-family residential zones unless otherwise specified:

...

(21) Transitional housing and permanent supportive housing, subject to the standards of Chapter 20.74 PMC.

(22) Scattered site emergency housing units and scattered site emergency shelter units, subject to the standards of Chapter 20.72 PMC.

Section 3. *Puyallup Municipal Code.* Section 20.25.010 is amended as follows.

20.25.010 Permitted uses – RM multiple-family residential zones.

The following uses are permitted for all RM multiple-family residential zones unless otherwise specified:

...

(26) Transitional housing and permanent supportive housing, subject to the standards of Chapter 20.74 PMC.

(27) Scattered site emergency housing units and scattered site emergency shelter units, subject to the standards of Chapter 20.72 PMC.

Section 4. *Puyallup Municipal Code.* Section 20.30.010 is amended as follows.

20.30.010 Permitted uses and conditionally permitted uses – C commercial zones.

The following table (Table 20.30.010) details permitted and conditionally permitted uses in the C commercial zones. Where a “P” is indicated, the respective use in the same row is permitted in the zone classification in the same column. Where a “CUP” is indicated, the respective use in the same row is conditionally permitted in the zone classification in the same column. A conditional use permit pursuant to Chapter [20.80](#) PMC shall be required and in full force and effect in order to establish said conditional uses. An “ACUP” indicates that an administrative conditional use permit issued under Chapter [20.81](#) PMC may conditionally permit the use. Accessory buildings and uses customarily incidental to a permitted or conditionally permitted use shall also be allowed.

Table 20.30.010

Permitted and Conditionally Permitted Uses – C Zones					
	CBD	CBD-Core	CL	CB	CG
(1) Professional offices and services	P	P	P	P	P
(2) General commercial uses	P* *Refer to 20.30.029	P* *Refer to 20.30.029	Refer to 20.30.028	P	P
(3) Commercial recreation uses, minor	P	P	P	P	P
Commercial recreation uses, major	–	–	–	–	P
(4) Road service uses	–	–	–	Refer to 20.30.0285	P
(5) Public service uses	P	P	CUP	CUP	P
(6) Community facility uses	CUP	CUP	–	CUP	CUP
(7) Manufacturing park uses	–	–	–	–	CUP
(8) Limited manufacturing/light industrial uses	–	–	–	–	CUP
(9) Multiple-family uses	Refer to 20.30.024	Refer to 20.30.025	P* *Refer to 20.30.027	P* *Refer to 20.30.026	P* *Refer to 20.30.027
(10) Churches/religious institutions	P	P	P	P	P
(11) Hazardous waste treatment and storage facility, on-site	–	–	–	–	P
(12) Day care facilities:					
(a) Family day care providers	P	P	P	P	P
(b) Day care centers as principal use	P	P	P	P	P
(13) Veterinary clinic	P	P	CUP	P	P
(14) Dog kennel, principal use	–	–	–	–	P
Dog kennel, accessory use	P	P	CUP	CUP	P
(15) Outdoor storage:					
(a) Merchandise display					
principal use	–	–	–	–	–
accessory use	P	P	–	CUP	P
(b) Equipment and material storage					

Permitted and Conditionally Permitted Uses – C Zones

	CBD	CBD-Core	CL	CB	CG
principal use	—	—	—	—	—
accessory use	—	—	—	—	P
(c) Junk and scrap storage					
principal use	—	—	—	—	—
accessory use	—	—	—	—	CUP
(16) Boardinghomes					
up to 6 persons	P	P	P	P	P
7 or 8 persons	ACUP	ACUP	ACUP	ACUP	ACUP
More than 8 persons	CUP	CUP	CUP	CUP	CUP
(17) Residential care facility					
up to 4 persons	P	P	P	P	P
5 or 6 persons	ACUP	ACUP	ACUP	ACUP	ACUP
More than 6 persons	CUP	P	CUP	CUP	CUP
(18) Community recreational facility/ health club	P	P	—	P	P
(19) Electric vehicle infrastructure	P* *Refer to 20.30.019	P* *Refer to 20.30.019	P	P	P
(20) <u>Transitional housing and permanent supportive housing</u>	P *Refer to 20.74	P *Refer to 20.74	P *Refer to 20.74	P *Refer to 20.74	P *Refer to 20.74
(21) <u>Scattered site emergency shelters and scattered site emergency housing</u>	P *Refer to 20.72	P *Refer to 20.72	P *Refer to 20.72	P *Refer to 20.72	P *Refer to 20.72
(22) <u>Congregate emergency shelters and congregate emergency housing¹</u>	CUP* *Refer to 20.72	CUP* *Refer to 20.72	CUP* *Refer to 20.72	CUP* *Refer to 20.72	CUP* *Refer to 20.72

Section 5. *Puyallup Municipal Code*. Section 20.31.014 is amended as follows.

20.31.014 Conditionally permitted uses.

¹ Notwithstanding any other provision of this Code, the CUP for these uses is limited to consideration of reasonable occupancy, spacing, and intensity of use requirements.

The following uses are conditionally permitted uses in the MX zones specified. A conditional use permit pursuant to Chapter [20.80](#) PMC, or administrative conditional use permit pursuant to Chapter [20.81](#) PMC, where specified, shall be required and in full force and effect in order to establish said uses.

- (1) Public service uses proposed as a stand-alone project (all MX zones).
 - (2) Major commercial recreational uses (CCX).
 - (3) Congregate emergency shelters and congregate emergency housing, (all MX zones) subject to the standards and criteria of Chapter [20.72](#) PMC.²
- (34) Also refer to PMC [20.31.018](#) for other conditionally permitted uses in the MX zone districts.

Section 6. *Puyallup Municipal Code.* Section 20.43.010 is amended as follows.

20.43.010 Permitted uses – MED zone.

The MED zone requires the development and approval of a master plan pursuant to Chapter 20.88 PMC for any hospital or hospital-affiliated uses. Any master plan proposed within the MED zone must include a hospital as the primary use. Other uses as defined are allowed within the MED zone, but do not require master plan approval if located outside the boundaries of an approved master plan.

- ...
- (2) The following uses are permitted either as part of an approved master plan or outright within the MED zone:

...

(m) Transitional housing and permanent supportive housing, subject to the standards of Chapter [20.74](#) PMC.

(n) Scattered site emergency housing and scattered site emergency shelter units, subject to the standards of Chapter [20.72](#) PMC.

- (mo) Other uses related to a regional medical center, as determined by the community development director.

Section 7. *Puyallup Municipal Code.* Section 20.43.015 is amended as follows.

20.43.015 Conditionally permitted uses – MED zone.

The following uses are conditionally permitted in the MED zone if not included as part of an approved master plan. A conditional use permit pursuant to Chapter [20.80](#) PMC, or administrative conditional use

² Notwithstanding any other provision of this Code, the CUP for these uses is limited to consideration of reasonable occupancy, spacing, and intensity of use requirements.

permit pursuant to Chapter 20.81 PMC, where specified, shall be required and in full force and effect in order to establish said uses unless otherwise authorized through an approved master plan:

...

(12) Congregate emergency shelters and congregate emergency housing, subject to the standards and criteria of Chapter 20.72 PMC.³

Section 8. *Puyallup Municipal Code.* Chapter 20.72 is amended as follows.

Chapter 20.72

~~HOMELESS DROP-IN CENTERS AND OVERNIGHT SHELTERS~~EMERGENCY SHELTER AND EMERGENCY HOUSING

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 shelterscongregate emergency shelters, and congregate emergency housing 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.

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) “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

³ Notwithstanding any other provision of this Code, the CUP for these uses is limited to consideration of reasonable occupancy, spacing, and intensity of use requirements.

require occupants to enter into a lease or an occupancy agreement. For the purpose of this definition, “temporary” shall mean not more than 365 days.

(a) “Congregate” means a type of shared housing in which each individual or family may have a private bedroom or living space but shares with other residents common dining, recreational or other facilities. These shelters shall include on-site staff and services.

(b) “Scattered site units” means a single-family dwelling unit providing for one family, a two-family dwelling unit providing for two families, or a dwelling unit leased from a multi-family building or facility not specifically designated as emergency housing or an emergency shelter.

(3) "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 and/or daytime drop-in centers that do not provide overnight accommodations. Temporary shelter facilities associated with disaster relief are excluded from this use category. For the purpose of this definition, “temporary” shall mean not more than 365 days.

(a) “Congregate” means a type of shared housing in which each individual or family may have a private bedroom or living space but shares with other residents common dining, recreational or other facilities. These shelters shall include on-site staff and services.

(b) “Scattered site units” means a single-family dwelling unit providing for one family, a two-family dwelling unit providing for two families, or a dwelling unit leased from a multi-family building or facility not specifically designated as emergency housing or an emergency shelter.

(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.

20.72.030 Applicable procedures.

In addition to any applicable requirements found elsewhere in the Puyallup Municipal Code, the following procedures apply to the establishment of a daytime drop-in center, congregate emergency shelter, or congregate emergency housing:

(1) Preapplication Meeting Required. Applicants interested in establishing either a daytime drop-in center, or overnight shelter congregate emergency shelter, or congregate emergency housing, 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 congregate emergency shelter, or congregate emergency housing, 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 congregate emergency shelter, or congregate emergency housing 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 congregate emergency shelter, or congregate emergency housing~~ 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.⁴ A daytime drop-in center, ~~or overnight shelter congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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.

20.72.040 Applicable zone districts.

(1) Daytime drop-in centers, ~~or overnight shelter congregate emergency shelters, or congregate emergency housings~~ permitted under this section shall be allowed, via a conditional use permit, in the limited manufacturing (ML) ~~zone and any zone where hotels are allowed, including general commercial (CG), community business (CB), limited commercial (CL), central business district (CBD), central business district core (CBD-Core), Shaw-Pioneer community mixed use (CMX), River Road mixed use (RMX),~~

⁴ ~~Notwithstanding any other provision of this Code, any CUP required in this Chapter is limited to consideration of reasonable occupancy, spacing, and intensity of use requirements.~~

community commercial mixed-use (CCX), urban center mixed use (UCX), limited mixed use (LMX), and medical (MED) zones, general commercial (CG), or community business (CB) zone districts.

(2) Scattered site emergency shelters or emergency housing are permitted outright in the single family residential (RS), multi-family residential (RM), general commercial (CG), community business (CB), limited commercial (CL), central business district (CBD), central business district core (CBD-Core), Shaw-Pioneer community mixed use (CMX), River Road mixed use (RMX), community commercial mixed-use (CCX), urban center mixed use (UCX), limited mixed use (LMX), and medical (MED) zones.

(a) Scattered site units are only permitted in housing units that are otherwise permitted by zoning or are pre-existing nonconforming structures.

20.72.050 Other zoning standards.

Any daytime drop-in center, or overnight sheltercongregate emergency shelter, or congregate emergency housing 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 sheltercongregate emergency shelter, or congregate emergency housing 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 sheltercongregate emergency shelter, or congregate emergency housing 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 sheltercongregate emergency shelter, or congregate emergency housing shall be located within 1,500 feet of a bus transit stop and/or a commuter rail station 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.

(4) Spacing. Any property containing a congregate emergency shelter or congregate emergency housing shall not be located within 1,000 feet of a parcel containing another congregate emergency shelter or congregate emergency housing facility. In addition, there shall be no more than one congregate emergency shelter or congregate emergency housing per zone district.

(5) Occupancy Limitations. A congregate emergency shelter or congregate emergency housing facility shall have no more than 30 occupants exclusive of on-site staff. In the event the maximum building occupancy, as defined by the building code official and international building and/or residential codes, is less than 30 total occupants, the building code shall govern occupancy maximums.

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~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing shall include the following:

(a) A description of the homeless population to be served by the proposed daytime drop-in center, ~~or overnight shelter~~congregate emergency shelter, or congregate emergency housing, 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~~congregate emergency shelter, or congregate emergency housing, 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~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing;

- (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~~ congregate emergency shelter, or congregate emergency housing;
 - (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~~ congregate emergency shelter, or congregate emergency housing, 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~~ congregate emergency shelter, or congregate emergency housing 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~~ congregate emergency shelter, or congregate emergency housing 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~~ congregate emergency shelter, or congregate emergency housing;
 - (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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~;
 - (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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~;
 - (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 congregate emergency shelter, or congregate emergency housing~~;
 - (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 congregate emergency shelter, or congregate emergency housing~~ 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.

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~~congregate emergency shelter, or congregate emergency housing operators by:

(a) Dedicating the time necessary to represent community, neighborhood and citywide interests in the daytime drop-in center, ~~or overnight shelter~~congregate emergency shelter, or congregate emergency housing approval process;

(b) Ensuring that issues of importance are identified early in the daytime drop-in center, ~~or overnight shelter~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing is proposed;

(d) Helping guide daytime drop-in center, ~~or overnight shelter~~congregate emergency shelter, or congregate emergency housing 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~~congregate emergency shelter, or congregate emergency housing 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~~ ~~congregate emergency shelter, or congregate emergency housing~~ 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~~ ~~congregate emergency shelter, or congregate emergency housing~~.
- (ii) If school-age children are expected to be served by the daytime drop-in center, ~~or overnight shelter~~ ~~congregate emergency shelter, or congregate emergency housing~~, 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~~ ~~congregate emergency shelter, or congregate emergency housing~~ 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~~ ~~congregate emergency shelter, or congregate emergency housing~~.
- (iv) One representative of the proposed daytime drop-in center, ~~or overnight shelter~~ ~~congregate emergency shelter, or congregate emergency housing~~ 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~~ ~~congregate emergency shelter, or congregate emergency housing~~.
- (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 congregate emergency shelter, or congregate emergency housing~~, and its scope includes:
- (a) Becoming informed on the proposed daytime drop-in center, ~~or overnight shelter congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ is proposed to be located;
 - (c) Providing early and ongoing advice to the daytime drop-in center, ~~or overnight shelter congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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.

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 Congregate Emergency Shelter, or Congregate Emergency Housing~~. 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 congregate emergency shelter, or congregate emergency housing~~ 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 applicant will provide services appropriate to the particular use, including but not limited to counseling services;](#)
- (f) The proposal includes a safety and security plan meeting the requirements of this chapter and incorporating the feedback provided by the Puyallup police department;
- (g) The input of the GNA advisory committee developed pursuant to this chapter has been integrated into the daytime drop-in center ~~, or overnight shelter congregate emergency shelter, or congregate emergency housing~~ proposal, to the maximum extent feasible; and
- (h) 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 Congregate Emergency Shelter, or Congregate Emergency Housing~~. Conditions of approval for a daytime drop-in center, ~~or overnight shelter congregate emergency shelter, or congregate emergency housing~~ apply for the life of the project. Any proposed minor additions or modifications to an approved daytime drop-in center, ~~or overnight shelter congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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 congregate emergency shelter, or congregate emergency housing~~ 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.
- (8) Exemptions. The provisions of this chapter, PMC 20.72, do not apply to daytime drop-in centers, emergency shelters, or emergency housing operated by the City of Puyallup.

Section 9. *Puyallup Municipal Code.* Chapter 20.74 is established as follows.

Chapter 20.74
TRANSITIONAL AND PERMANENT SUPPORTIVE HOUSING

Sections

- 20.74.010 Purpose.
- 20.74.020 Applicable zone districts.
- 20.74.030 Other applicable procedures.
- 20.74.040 Noticing.

20.74.010 Purpose.

The purpose of this chapter is to establish reasonable standards for the safe operation and appropriate siting of permanent supportive housing and transitional housing facilities, as defined in Chapter 20.15 PMC, within the city, and to protect the public health and safety for both supportive housing facility residents and the broader community.

20.74.020 Applicable zone districts.

Permanent supportive housing and transitional housing shall be allowed in any zone district where dwelling units are permitted, including RS, RM, C, MED and MX zone districts.

20.74.030 Other applicable procedures.

In addition to the standards outlined in this chapter, permanent supportive or transitional housing units shall obtain a business license(s) per the regulations outlined in Chapter 5.30 Title 5 PMC.

20.74.040 Reporting.

(1) Housing providers shall provide written notice to the Development and Permitting Services department (DPS) on an annual basis, by December 31, of their operations in the city, including program details and total number of housing units in operation. The following shall also be completed:

- (a) Housing providers shall maintain a business license.
- (b) Housing providers shall provide housing audit information from Pierce County, HUD, or other housing agency regarding compliance with applicable housing laws/standards; providers that do not provide housing audit information from other agencies may be required to submit similar data on forms established by the Department.
- (c) Housing providers shall use the Homeless Management Information System (HMIS) to report homeless and housing service data.
- (d) Housing providers do not need to provide information regarding tenants or housing location(s) where such information would violate privacy laws or applicable tenant/landlord laws.

Section 10. Severability. All sections in this ordinance are hereby deemed severable. Any section found invalid or unconstitutional by a court of law with jurisdiction shall not be deemed to invalidate or find unconstitutional other sections in this ordinance.

Section 11. *Corrections.* The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 12. *Effective Date.* This ordinance shall become effective five days after publication in the official newspaper of the City of Puyallup.

DATED this ____ day of FEBRUARY, 2023.

Dean Johnson, Mayor

APPROVED AS TO FORM:

Joseph N. Beck, City Attorney

ATTEST:

Dan Vessels, City Clerk

PUBLISHED: May ___, 2023 – Tacoma News Tribune



City Council Agenda Item Report

Submitted by: Michelle Gehring
Submitting Department: Public Works
Meeting Date: May 2, 2023

Subject:

Second reading of an ordinance amending section 14.02.060 of the Puyallup Municipal Code pertaining to water meter test deposit fees

Presenter:

Joe Beck, City Attorney

Recommendation:

Motion for second reading and adoption of an ordinance amending section 14.02.060 of the Puyallup Municipal Code pertaining to water meter test deposit fees.

Background:

Section 14.02.060 of the Puyallup Municipal Code (PMC) provides for a deposit of funds related to customers who request water meter testing. These deposit amounts were last set by ordinance in 1999 and have been adjusted through the City's annual fee resolution. This ordinance is necessary to permanently move the setting of these deposit amounts from code to the fee resolution and to ratify prior deposit adjustments that have been implemented through the annual fee resolution.

ATTACHMENTS

[Ordinance](#)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF
PUYALLUP AMENDING ORDINANCE 2593 AND
SECTION 14.02.060 OF THE PUYALLUP MUNICIPAL
CODE PERTAINING TO WATER METER TEST
DEPOSIT FEES.**

WHEREAS, Puyallup Municipal Code (PMC) 14.02.060(1) provides for a deposit of funds related to any customer requested water meter testing; and

WHEREAS, these fees were last set by ordinance in 1999 and have subsequently been adjusted through the City of Puyallup's annual fee resolution; and

WHEREAS, the Puyallup City Council wishes to clarify and amend the City Code to provide that such deposits will be set solely through the City's annual fee resolution; and

WHEREAS, the Puyallup City Council wishes to ratify all prior deposit adjustments that have been implemented through the City's annual fee resolution;

NOW THEREFORE, the City Council of the City of Puyallup do ordain as follows:

Section 1. City of Puyallup Ordinance 2593 and Puyallup Municipal Code Section 14.02.060 is hereby amended to read as follows:

14.02.060 Meter tests.

(1) A customer may request that the city test the meter at the service address in question. The customer will be required to make a deposit with the city prior to the test being performed. Should the meter be found to be defective, the deposit shall be returned. If the meter is found to be accurate, in accordance with accepted American Water Works Association methods, the deposit shall be kept by the city. Water meter test deposit amounts shall be set through the City of Puyallup's annual fee resolution.

Meter Size	Deposit
1" or smaller	\$25.00

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Meter Size	Deposit
<u>1-1/2"</u>	<u>35.00</u>
<u>2-1/2"</u>	
<u>3"</u>	<u>125.00</u>
<u>4"</u>	<u>140.00</u>
<u>6"</u>	<u>160.00</u>
<u>8"</u> <u>or</u> <u>larger</u>	<u>180.00</u>

(2) The customer or his representative must be present at the time of the test which shall be set at the time and date mutually agreed upon. In any case, the test shall be performed within 10 days of the request. A report showing the results of the test will be furnished within 15 days after completion of the test, a copy of which will be mailed to the customer.

(a) **Fast Meters.** When, upon test, any meter is found to be registering more than two percent fast, the city will refund to the customer the deposit and the amount of the overcharge based on corrected meter readings for the period the meter was in use at the customer's premises, but not to exceed the preceding six months, whichever is shorter.

(b) **Slow Meters.** When, upon test, a meter is found to be registering more than two percent slow, the city may bill the customer for the amount of the undercharge based on corrected meter readings for the period the meter was in use at the customer's premises, but not to exceed the preceding six months, whichever is shorter. The deposit will be refunded.

(c) **Nonregistering Meters.** When, upon a test, a meter is found to be nonregistering, the city may bill the customer for water consumed while the meter was nonregistering for a period not exceeding three months at an estimate of the consumption based upon the customer's prior use during the same season of the previous year or upon another customer of the same class.

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In all cases, if it is found that the error in a meter is due to some cause, the date of which can be fixed, the overcharge or undercharge will be computed back to, but not beyond such date. The deposit will be refunded.

Section 2. All prior changes to the water meter test deposit fee adopted through the City of Puyallup annual fee resolution are hereby ratified and shall apply retroactively.

Section 3. *Severability.* All sections in this ordinance are hereby deemed severable. Any section found invalid or unconstitutional by a court of law with jurisdiction shall not be deemed to invalidate or find unconstitutional other sections in this ordinance

Section 4. *Corrections.* The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall become effective five day after publication in the official newspaper of the City of Puyallup

Passed and approved by City Council of the City of Puyallup at regularly scheduled open public meeting on the _____ day of _____, 2023.

Dean Johnson
Mayor

Approved as to form:

Attest:

Joseph N. Beck
City Attorney

Dan Vessels
City Clerk

Published:

Effective:

Ordinance No. _____

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City Council Agenda Item Report

Submitted by: Meredith Neal

Submitting Department: Economic Development

Meeting Date: May 2, 2023

Subject:

Food truck program update and discussion

Presenter:

Meredith Neal, Economic Development Manager

Recommendation:

Provide feedback on recommendations pertaining to rules and guidance for food truck program

Background:

The Food Truck Pilot Program's success has shown a demand for food trucks in Puyallup. In response to that demand, Council requested a permanent food truck program be created, with some modifications and keeping the popular features of the pilot program, including the short application and quick turn around time.

The new permanent program is set to replace the pilot program this summer (anticipated launch in June 2023). At this meeting, Council will review and provide feedback on the proposed changes.

Elements to be reviewed include:

- License - the pilot program was a permit administrated by Development & Permitting Services, and staff suggests changing it to a license that will be administered by the City Clerk.
- Fee - the pilot program charged no fee. Staff suggests a \$50 annual fee for the license, similar to that currently assessed under Puyallup Municipal Code (PMC) 5.65.060 to mobile food vendors.
- Restrictions - the pilot program had a few streets that didn't allow food truck parking due to traffic safety concerns (short blocks or narrow streets). Staff suggests keeping that map, and adding a 300' buffer around events in public parks and right-of-way that have food vendors and food sales, while an event is happening.
- Administrative Policy - staff suggests making this an administrative policy with updated Food Truck Guidelines, and amending portions of PMC 5.65 regarding "Mobile Vendors" to clarify that chapter.

ATTACHMENTS