



**City of Pacific**  
**PLANNING COMMISSION MEETING**  
Tuesday, November 23, 2021  
6:00 p.m. at Pacific City Hall

1. **Call to Order**
  - A. *Flag Salute*
  - B. *Roll Call*
2. **Approval of Agenda**  
*Approval of the November 23, 2021 Planning Commission Agenda*
3. **Approval of Minutes** – *October 26, 2021 Planning Commission Meeting*
4. **Audience Participation**

*Members of the audience who wish to speak on matters not on the agenda: Please state your name and address for the record and limit your comments to 3 minutes*

**The November 23, 2021 meeting will be conducted via Zoom. City Hall will be closed due to asbestos abatement. For Commissioners wishing to attend in person, the public hearing will be conducted in the Senior Center. Since a public hearing is scheduled, please let me know if you will be able to participate via ZOOM or in person. To conduct the public hearing, we will need the attendance of at least four (4) Planning Commissioners.**

Thanks, Jack

**Public Hearings**

1. Proposed code amendments related to Permanent Supportive Housing, Transitional Housing, Emergency Housing, and Emergency Shelters (Interim Ordinance 2021-2045)

**Cancellation of December 27, 2021**

**Adjournment**

**The next regularly scheduled Planning Commission Meeting will be Tuesday, December 27, 2021 at 6:00 p.m.**

Citizens are welcomed and encouraged to attend this meeting, and to present oral or written comments. *The City of Pacific does not discriminate on the basis of disabilities. If you need special accommodations, or have any questions about items on this agenda, please contact the Community Development Department at (253) 929-1110. American Disabilities Act accommodations will be provided upon request.*

# PACIFIC PLANNING COMMISSION

## **Meeting Minutes of October 26, 2021**

### **Call to Order**

Chairman Gratz called the Regular Meeting to order at 6:00 p.m. and led the flag salute.

### **Attendance**

Commissioners Present: DuWayne Gratz, John Welch Jr, Don Blackwell, John Boyd, Patrick Mahaffey, and Wynette McCracken

Commissioners Absent:

City Staff Present: Community Development Manager Jack Dodge and Administrative Assistant Nicole MacDonald

### **Approval of Agenda**

Commissioner Boyd moved to approve the agenda as presented, seconded by Commissioner McCracken; motion carried unanimously.

### **Approval of Planning Commission Minutes**

Commissioner McCracken moved to approve the August 24, 2021 Regular Meeting minutes as presented, seconded by Commissioner Blackwell; motion carried unanimously.

### **Audience Participation**

None

### **Public Hearing**

1. Proposed code amendments related to Permanent Supportive Housing, Transitional Housing, Emergency Housing, and Emergency Shelters (Interim Ordinance 2021-2045)

Chairman Gratz opened the Public Hearing at 6:05. Jack explained that the Planning Commission will need to close this hearing and set a new Public Hearing on November 23, 2021. Jack explained that recent revisions to the draft ordinance were not listed within the original public hearing notice, therefore, a new public hearing notice would have to be posted. Chairman Gratz closed the Public Hearing at 6:08

Commissioner Mahaffey made a motion to set the public hearing on November 23, 2021, seconded by Commissioner Blackwell; motion carried unanimously.

### **Next Meeting**

The next meeting will be held on November 23, 2021 via Zoom.

### **Adjournment**

Commissioner Blackwell moved to adjourn, seconded by Commissioner McCracken; motion carried unanimously. The meeting was adjourned at 6:11 p.m.

Minutes prepared by Nicole MacDonald, Administrative Assistant.

Approved \_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairperson  
DuWayne Gratz



**TO:** Planning Commission

**FROM:** Jack Dodge, Community Development Manager

**MEETING DATE:** November 23, 2021

**SUBJECT:** Proposed Amendments the Zoning Code to meet the requirements of Engrossed Second Substitute House Bill (ESSHB) 1220 regarding emergency shelters and housing

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**ATTACHMENTS:** 1. Draft Ordinance 2021-xxxx related to Transitional Housing

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**Planning Commission: 8/24/2021, 10/26/2021**

**City Council: 8/2/2021, 8/9/2021, 8/23/2021, 9/27/2021, 10/11/2021 (Public Hearing)**

### **Background**

The Planning Commission opened the public hearing regarding “Transitional Housing” at their October 26, 2021 meeting. Based on a request by staff, the Planning Commission continued the public hearing to the November 23, 2021 meeting. The basis of staff’s request was the addition of two additional Sections (15 and 16) to the draft ordinance outlining performance standards for the allowance of transitional housing (New Section 20.68.200). A new definition for “Supportive Housing Facilities” also was added. The original public hearing notice and documentation did not include these new sections. A new public notice was issued which included a reference for the new sections.

### **Summary**

On May 12, 2021, the Governor signed Engrossed Second Substitute House Bill (ESSHB) 1220. This bill requires that cities amend their zoning codes to allow “Indoor Emergency Housing”, “Indoor Emergency Shelters”, “Permanent Supportive Housing” and “Transitional Housing” within specific zoning districts within the City. This bill became effective on July 25, 2021. Cities will need to revise their codes by September 30<sup>th</sup> to conform to the new State laws. The proposed Interim Ordinance will meet the requirements to conform to the September 30<sup>th</sup> deadline. The City will need to conduct a public hearing regarding the proposed changes within 60 days of the adoption of the

interim ordinance and adopt final regulations within six (6) months of the adoption of the interim ordinance.

The City Council adopted Interim Ordinance 2021-2045 at their September 27, 2021 meeting. The Council conducted a public hearing regarding the ordinance at their 10/11/2021 meeting. The Planning Commission is charged with reviewing the interim regulations and making a recommendation to the Council on the final regulations regarding the uses cited above and below.

#### “Indoor Emergency Housing” and “Indoor Emergency Shelters”

Indoor Emergency Housing and Indoor Emergency Shelters are required to be allowed in all zoning districts where Hotels/Motels are allowed. Within Pacific, the following zoning districts allow hotels/motels.

RMH (Multiple-Family Residential) Zoning District  
MC (Commercial Residential Mixed Use) Zoning District  
C (Commercial) Zoning District  
HC (Highway Commercial) Zoning District

These uses would be allowed as “conditional uses” which would require a public hearing before the City’s Hearing Examiner.

#### “Permanent Supportive Housing” and “Transitional Housing”

Permanent Supportive Housing and Transitional Housing is required to be allowed in zoning districts where residential dwelling units are allowed and all zoning districts where hotels/motels are allowed. Within Pacific, they are allowed in the following districts.

RO (Residential Open Space) Zoning District  
RS (Single-Family Residential) Zoning District  
RML (Limited Multiple-Family Residential) Zoning District  
RMH (Multiple-Family Residential) Zoning District  
NC (Neighborhood Center Overlay) Zoning District  
MC (Commercial Residential Mixed Use) Zoning District  
C (Commercial) Zoning District  
HC (Highway Commercial) Zoning District

The applicable Chapters within the Zoning Code have been revised to allow these uses a “Conditional Uses” in their respective zones.

#### Definitions

Following are the definitions for “Indoor Emergency Housing”, “Indoor Emergency Shelters”, “Permanent Supportive Housing” and “Transitional Housing”

**"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.

**"Emergency shelter"** means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

**"Permanent supportive housing"** is one or more subsidized, leased dwelling units 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 the Residential Landlord Tenant Act, chapter 59.18 RCW.

**"Transitional housing"** means one or more dwelling units that provides housing and supportive services to homeless individuals or families for up to two years and that has its purpose facilitating the movement of homeless individuals and families into independent living.

**"Supportive Housing Facilities"** is a collective term for the following housing types: emergency housing, emergency shelter, permanent supportive housing, and transitional housing located in a building or other permanent shelter. Supportive housing facilities does not include emergency shelters and emergency housing facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency that has caused unexpected homelessness within the city. Supportive housing facilities further does not include any use that is classified as an "adult family home" in accordance with PMC 20.04.037.

The new performance standards listed under new section 20.68.200 will provide for the following:

- General performance standards for all "Supportive Housing Facilities.
- Siting requirements adjacent to a transit stop.
- Standards for facility operations.
- Additional standards for emergency housing and emergency shelters.

- Additional standards for permanent supportive and transitional housing.

**Staff Recommendation:** Staff recommends that the Planning Commission open the Public Hearing for input on the draft Ordinance 2021-xxxx.

**Motion:**

Alternatives

1. Continue the review of the Transitional Housing regulations at the next regularly scheduled Planning Commission meeting.
2. Make a recommendation to the City Council to adopt the Transitional Housing regulations contained in the draft ordinance 2021-xxxx, provided as Attachment 1 of the Agenda Bill.

CITY OF PACIFIC, WASHINGTON  
ORDINANCE NO. 2021-xxxx

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATED LAND USE AND ZONING, ADOPTING NEW REGULATIONS FOR PERMANENT SUPPORTIVE HOUSING, TRANSITIONAL HOUSING, EMERGENCY HOUSING, AND EMERGENCY SHELTERS, COLLECTIVELY “SUPPORTIVE HOUSING FACILITIES” AMENDING SECTIONS 20.32.025, 20.36.030, 20.40.030, 20.44.030, 20.48.030, 20.50.030, 20.51.030, 20.56.030, 20.58.030, OF THE PACIFIC MUNICIPAL CODE, AND ADDING NEW SECTIONS 20.04.271, 20.04.272, 20.04.513, 20.04.557, 20.04.603, AND 20.68.200 TO THE PACIFIC MUNICIPAL CODE, TO DEFINE AND ALLOW PERMANENT SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING IN ALL LAND USE DISTRICTS WHERE RESIDENTIAL DWELLINGS AND/OR HOTELS AND MOTELS ARE ALLOWED, AND TO DEFINE AND ALLOW SUPPORTIVE HOUSING FACILITIES USES IN ALL LAND USE DISTRICTS WHERE HOTELS AND MOTELS ARE ALLOWED; ESTABLISHING PERFORMANCE STANDARDS FOR ALL SUPPORTIVE HOUSING FACILITIES IN PACIFIC; REPEALING THE CITY’S INTERIM OFFICIAL CONTROL WHICH WAS ADOPTED UNDER ORDINANCE NO. 2021-2045; AND PROVIDING FOR AN EFFECTIVE DATE AND SEVERABILITY.

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WHEREAS, earlier this year, the state legislature enacted ESSHB 1220, which, after partial veto by Governor Inslee, became Chapter 254, Laws of 2021, which took effect on July 25, 2021; and

WHEREAS, Section 3 of ESSHB 1220 contains the following preemption of local zoning authority:

A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.; and

WHEREAS, in response to ESSHB 1220, on September 27, 2021 the City Council adopted an interim official control by passage of Ordinance No. 2021-2045 which regulated permanent supportive housing, transitional housing, emergency housing, and emergency shelters (collectively “supportive housing facilities”); and

WHEREAS, the City Council recognizes that in the interest of public health and safety that it is necessary to create standards that will regulate the siting and safe operation of supportive housing facilities within the City of Pacific consistent with Chapters 35.21 and 35A.21 RCW; and

WHEREAS, supportive housing facilities do not include adult family homes; and

WHEREAS, supportive housing facilities often have a service component which assists the residents of these facilities in gaining stability, life skills, behavior or mental health services, and permanent housing; and

WHEREAS, this Ordinance is intended to create facilities to assist those residents who need supportive housing facilities and services and to result in the development of such facilities within the City of Pacific to accommodate the City's projected needs for such housing and shelter and supportive services; and

WHEREAS, the Planning Commission was asked to develop permanent regulations on this topic; and

WHEREAS, on October 26, 2021, the Planning Commission held a public hearing on consideration of permanent regulations to replace the Interim Official Control; and

WHEREAS, following the public hearing, the Planning Commission continued to study this topic and has recommended approval of permanent regulations as set forth in this Ordinance; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) on \_\_\_\_\_, 2021 with a comment deadline of \_\_\_\_\_, 2021; and

WHEREAS, in accordance with RCW 36.70A.106, this amending ordinance has been sent to the State Department of Commerce [with a request for expedited review] on \_\_\_\_\_, 2021 and [the request for expedited review was granted and] the required time has passed to allow adoption by the City Council on the date of adoption; and

WHEREAS, the Pacific City Council deems it in the public interest, health, safety and welfare to adopt the ordinance as recommended by the Planning Commission and to repeal the Interim Official Control Ordinance No. 2021-2045;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC DOES HEREBY ORDAIN AS FOLLOWS:**



Section 1. Findings of Fact. The findings and recitals set forth above are hereby adopted as Findings of Fact to justify adoption of this Ordinance.

Section 2. Section 20.32.025 of the Pacific Municipal Code is hereby amended to read as follows:

**20.32.025 Matrix of permitted and conditional uses.**

The matrix set forth below summarizes the permitted and conditional uses for the commercial districts of Chapters [20.52](#) (neighborhood business), [20.54](#) (office park), [20.56](#) (commercial), [20.58](#) (highway commercial), [20.60](#) (light industrial) and [20.64](#) (heavy industrial) PMC. The provisions of these chapters shall control over inconsistent parts of the matrix. For purposes of the matrix, the following acronyms shall refer to the following terms:

- OP Office Park
- NB Neighborhood Business
- LI Light Industrial
- HI Heavy Industrial
- C Commercial
- A Agriculture
- HC Highway Commercial
- P Permitted (where no number is present, all levels of the use type are allowed)
- C Requires conditional use permit
- G Grandfathered
- NOS No outdoor storage
- Number Refers to level of use type allowed (see Chapter [20.06](#) PMC for descriptions of levels of uses)

USE CATEGORIES AND TYPES	OP	LI	C	HC	NB	HI
<b>Residential Use Category</b>						
Duplex						
Fraternity and sorority house						
Group home						
<u>Indoor Emergency Housing<sup>1</sup></u>			<u>C</u>	<u>C</u>		

<b>USE CATEGORIES AND TYPES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>
<u>Indoor Emergency Shelter<sup>1</sup></u>			<u>C</u>	<u>C</u>		
Mobile home park						
Multifamily housing						
Nursing home						
<u>Permanent Supportive Housing<sup>1</sup></u>			<u>C</u>	<u>C</u>		
Senior housing						
<u>Transitional Housing<sup>1</sup></u>			<u>C</u>	<u>C</u>		
<b>Civic Use Category</b>						
Administrative and government facilities and services	P	P	P	P	P	
Day-care centers	P	P	P	P	P	
Community and cultural services	C	C	P	P	P	
Educational facilities	C	C	C	C	C	
Health services	P	P	P	P	P	
Postal services	P	P	P	P	P	
Recreation, nonprofit	P1, 4	P1, 4	C4	C4	C4	
Religious assembly	C	C	C	C	C	
Public safety services	P1, 2	P1, 2; C3	P1, 2	P1	C1	
Transportation		P1; C2, 3	P1; C2, 3	P1; C2, 3	P1; C2, 3	
Utilities or public maintenance facilities	C1	P1, 2	P1; C2	P1; C2	C1, 2	
<b>Utilities Use Category</b>						
Communication or cellular facilities	P	P; C1, 2, 3	P1, 2	P1, 2	C1, 2	
Electrical facilities	C	C	C	C	C	
Electrical generation facilities						
Natural gas facilities		P1, 3	P1, 3	P1, 3	P1	
Organic waste processing facilities						
Pipelines	P	P	P	P	P	
Sewage collection facilities	P	P	P	C	P	

<b>USE CATEGORIES AND TYPES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>
Stormwater facilities	P	P	P	P	P	
Waste disposal facilities						
Waste transfer facilities		P1; C2	P1; C2		P1; C2	
Water supply facilities	P1; C2	P	P1	P1	P1	
<b>Office/Business Use Category</b>						
Administrative and professional offices	P	P	P	P	C	
Educational services	C	C	P	P	C	
<b>Resource Use Category</b>						
Agricultural sales			P	P	P1	
Agricultural services	C	P	P	C		
Animal production, boarding and slaughtering		C1	C1			
Crop production	C1	P2	P	P2		
Fish hatcheries and aquaculture		C	C			
Forestry		P1; C2	P1; C2	P1		
Mineral extraction						
<b>Commercial Use Category</b>						
Adult business			C			
Amusement and recreation			P1, 2	P1, 2		P1, 2
Building materials and garden supplies		P	P	P	P1	
Bulk fuel dealers		C	C			
Business services	P	P	P	P	P	
Buy-back recycling center		P	P	C		
Commercial centers		C	P	C		
Eating and drinking establishment	P	P	P	P		
Food stores	P1; C2	P1, 2	P	P	P1	
Lodging			P1, 2	P2		
Mobile, manufactured and modular homes and office		P	P	C		

<b>USE CATEGORIES AND TYPES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>
sales						
Motor vehicles and related equipment sales/rental/repair and services		P	P	P1, 2		
Personal services	C1	C	P	P	C1	
Storage	C	P	P			
Pet sales and services	P1	P1	P	P	C	
Rental and repair services		P	P	P	C1	
Sales of general merchandise		P	P	P	P1	
Swap meet (PMC <a href="#">20.06.080</a> , sales of general merchandise)		C	P1; C2, 3	C		
Wholesale trade	P1	P	P		C1	
<b>Industrial Use Category</b>						
Basic manufacturing		C3, 5	C3, 5			P
Contractor yards		P	P			P
Food and related products		C	P	C		P
Industrial services and repair		P1	P1	C1		P
Intermediate manufacturing and intermediate/final assembly (See PMC <a href="#">20.06.110</a> )						
Motion picture/television and radio production studios	C	P	P	P	C	P
Off-site hazardous waste treatment and storage facilities						C
Printing, publishing and related industries	P1	P1, 2	P1	P1		C
Recycling processor		P1; C2				P
Salvage yards/vehicle storage facilities						C
Warehousing, distribution and freight movement	P1	P	P			P

[<sup>1</sup>Indoor emergency housing, indoor emergency shelter, permanent supportive housing, and transitional housing performance standards are contained in PMC 20.68.200.](#)

Section 3. Section 20.36.030 (Residential Open Space (RO) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.36.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for the following buildings and uses in accordance with the procedures set forth in Chapter [20.20](#) PMC:

A. Libraries;

B. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);

C. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations); and

BD. Any other buildings or uses determined to be similar to those listed in PMC [20.36.020](#). Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas or landscape than the specifically permitted buildings and uses.

Section 4. Section 20.40.030 (Single-family Residential (RS) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.40.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

A. Churches, when using existing buildings;

B. Group care homes;

C. Homes for the aged, including assisted and unassisted living facilities;

D. Hospitals;

E. Libraries;

F. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);

G. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations); and

FH. Unassisted senior housing complexes, at densities supportable by available infrastructure and land use compatibility, within 2,000 feet walking distance

of the Senior Center, measured from the center of the housing complex to the Senior Center entrance following pedestrian routes.

Section 5. Section 20.44.030 (Limited Multiple Family Residential (RML) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.44.030 Buildings and uses permitted conditionally**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Churches, when using existing buildings;
- B. Day nurseries;
- C. Group care homes;
- D. Homes for the aged, including assisted and unassisted living facilities;
- E. Mobile home parks;
- F. Libraries;
- G. Nursing homes;
- H. Public parking areas;
- I. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);
- J. One accessory dwelling unit per lot; and
- K. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations).

Section 6. Section 20.48.030 (Multiple Family Residential (RMH) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.48.030 Buildings and uses permitted conditionally**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Artists' studios;
- B. Hospitals;
- C. Hotels, motels and motor hotels;
- D. Indoor Emergency Housing (See PMC 20.68.200 for applicable regulations);
- E. Indoor Emergency Shelter (See PMC 20.68.200 for applicable regulations);
- ~~F.~~ Libraries;
- G. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations); and
- H. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations).

Section 7. Section 20.50.030 (Neighborhood Center Overlay (NC) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.50.030 Conditional uses**

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Administrative and professional offices;
- B. Communication or cellular facilities (levels 1 and 2);
- C. Electrical facilities;
- D. Educational facilities;
- E. Educational services;
- F. Motion picture/television and radio production studios;
- G. Personal services (level 1);
- H. Pet sales and services;

I. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);

J. Public safety services (level 1);

JK. Recreation, nonprofit (level 4);

KL. Religious assembly;

LM. Rental and repair services (level 1);

N. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);

MO. Transportation (levels 2 and 3);

NP. Utility or public maintenance facilities (levels 1 and 2);

OQ. Wholesale trade (level 1); and

PR. Any other buildings or uses determined to be similar to those listed in PMC 20.52.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses.

Section 8. Section 20.51.030 (Commercial Residential Mixed Use (MC) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.51.030 Buildings and uses permitted conditionally**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Educational facilities;
- B. Linear trails, long narrow parks used for walking, jogging and bicycling;
- C. Religious assembly;
- D. Transportation uses serving communities and regions, e.g., passenger rail stations, parking facilities, school bus yards, bus barns, weigh stations, bus stations, transfer centers, heliports;



- E. Utilities or public maintenance facilities, e.g., facilities with a building of more than 1,000 square feet, without outdoor storage;
- F. Electrical facilities;
- G. Commercial centers selling a variety of goods or providing a variety of services, ranging from general merchandise to specialty goods and foods, e.g., any lot or combination of lots with a store or variety of stores, offices, and services integrated into a complex utilizing uniform parking facilities;
- H. Food and related product manufacturing that can be shown to be primarily a retail establishment such as a bakery or a brewpub;
- I. Residential uses not within a mixed use building. In addition to meeting the criteria for approval of a CUP as set forth in Chapter 20.20 PMC, such residential uses must be shown to be subordinate to the commercial use on the property in terms of location on the property, size and/or height of the residential component versus the commercial component and location on the site. In most instances, a stand-alone residential building would not be permitted as a conditional use on a parcel in the MC district.
- J. Indoor Emergency Housing (See PMC 20.68.200 for applicable regulations);
- K. Indoor Emergency Shelter (See PMC 20.68.200 for applicable regulations);
- L. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations); and
- M. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations).

Section 9. Section 20.56.030 (Commercial (C) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.56.030 Conditional uses**

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Adult entertainment businesses in the area west of State Route 167, south of the King/Pierce County line, east of West Valley Highway and north of 8th Street East;

- B. Animal production, boarding, slaughtering (level 1);
- C. Basic manufacturing (categories 3, 5);
- D. Bulk fuel dealers;
- E. Electrical facilities;
- F. Educational facilities;
- G. Fish hatcheries and aquaculture;
- H. Forestry (level 2);
- I. Indoor Emergency Housing (See PMC 20.68.200 for applicable regulations);
- J. Indoor Emergency Shelter (See PMC 20.68.200 for applicable regulations);
- ~~IK.~~ Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
- L. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);
- ~~JM.~~ Public safety services (level 3);
- ~~KN.~~ Recreation, nonprofit (level 4);
- ~~LQ.~~ Religious assembly;
- ~~MP.~~ Swap meet (levels 2 and 3);
- Q. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations);
- ~~NR.~~ Transportation (levels 2 and 3);
- ~~OS.~~ Utility or public maintenance facilities (level 2); and
- ~~PT.~~ Waste transfer facilities (level 2).

Section 10. Section 20.58.030 (Highway Commercial (HC) Zone) of the Pacific Municipal Code is hereby amended to read as follows:

**20.58.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter [20.20](#) PMC:

- A. Educational facilities;
- B. Linear trails, long narrow parks used for walking, jogging and bicycling;
- C. Religious assembly;
- D. Transportation uses serving communities and regions, i.e., passenger rail stations, parking facilities, school bus yards, bus barns, weigh stations, bus stations, transfer centers, heliports;
- E. Utilities or public maintenance facilities, i.e., facilities with a building of more than 1,000square feet, without outdoor storage;
- F. Electrical facilities;
- G. Sewage collection facilities;
- H. Agricultural services;
- I. Commercial centers selling a variety of goods or providing a variety of services, ranging from general merchandise to specialty goods and foods, i.e., any lot or combination of lots with a store or variety of stores, offices, and services integrated into a complex utilizing uniform parking facilities;
- J. Mobile, manufactured and modular home sales;
- K. Food and related product manufacturing;
- L. Industrial services and repair;
- M. Warehousing, distribution and freight movement;
- N. Natural gas facilities, i.e., interim propane storage facilities or natural gas dispensing station;
- O. Swap meets (levels 1, 2 and 3).
- [P. Indoor Emergency Housing \(See PMC 20.68.200 for applicable regulations\);](#)
- [Q. Indoor Emergency Shelter \(See PMC 20.68.200 for applicable regulations\);](#)

R. Permanent Supportive Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations); and

S. Transitional Housing (Shall conform to Chapter 20.96 – Multifamily Housing Design Standards) (See PMC 20.68.200 for applicable regulations).

Section 11. A new Section 20.04.271 is hereby added to the Pacific Municipal Code to read as follows:

**20.04.271 Emergency housing**

"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.

Section 12. A new Section 20.04.272 is hereby added to the Pacific Municipal Code to read as follows:

**20.04.272 Emergency shelter**

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Section 13. A new Section 20.04.513 is hereby added to the Pacific Municipal Code to read as follows:

**20.04.513 Permanent supportive housing**

"Permanent supportive housing" is one or more subsidized, leased dwelling units 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 the Residential Landlord Tenant Act, chapter 59.18 RCW.

Section 14. A new Section 20.04.557 is hereby added to the Pacific Municipal Code to read as follows:

**20.04.557 Transitional housing**

"Transitional housing" means one or more dwelling units that provides housing and supportive services to homeless individuals or families for up to two years and that has its purpose facilitating the movement of homeless individuals and families into independent living.

Section 15. A new Section 20.04.603 is hereby added to the Pacific Municipal Code to read as follows:

**20.04.603 Supportive Housing Facilities**

"Supportive housing facilities" is a collective term for the following housing types: emergency housing, emergency shelter, permanent supportive housing, and transitional housing located in a building or other permanent shelter. Supportive housing facilities does not include emergency shelters and emergency housing facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency that has caused unexpected homelessness within the city. Supportive housing facilities further does not include any use that is classified as an "adult family home" in accordance with PMC 20.04.037.

Section 16. A new section 20.68.200 is hereby added to the Pacific Municipal Code to read as follows:

**20.68.200 Supportive Housing Facilities Standards**

**A. Purpose and Applicability.**

1. The purpose of this section is to establish reasonable standards for the safe operation and appropriate siting of supportive housing facilities within the City of Pacific, so as to protect public health and safety for both facility residents and the broader community.
2. This section applies to "supportive housing facilities" as defined in PMC 20.04.603.

**B. Performance Standards.**

1. General for All Supportive Housing Facilities ("Facilities").

General.

- a. All supportive housing facilities must comply with the provisions of the Building and Construction Code (Title 17 PMC).

- b. When a site includes more than one type of supportive housing facility (“facility”), the more restrictive requirements in this section shall apply.
- c. Specific needs of each facility will be reviewed through the conditional use permit process in Chapter 20.20 PMC.
- d. Modifications. The decision maker may relax one or more standards in this subsection as follows:
  - 1. The applicant submits a description of the standard to be modified and demonstrates how the modification would result in a safe facility with minimal negative impact to the community and residents under the specific circumstances of the application. In considering whether the modification should be granted, the decision maker shall first consider the effects on the health and safety of facility residents and the neighboring communities. Modification will not be granted if the adverse impact on residents of the facility and/or neighboring communities will be greater than without such modification; or
  - 2. Strict adherence to the standard(s) will result in the City not having an adequate number of supportive housing facilities of the type proposed to accommodate the City’s projected need for that type of housing or shelter. Any modification granted under this subsection shall be only to the extent necessary to accommodate the projected need for that type of housing or shelter and shall be conditioned to mitigate impacts on residents of the facility and/or neighboring communities.
  - 3. The burden of proof is on the applicant to establish that the application meets the requirement of either subsection B.1.d.1 or B.1.d.2 above.

Site and Transit.

- e. All supportive housing facilities shall be located within a quarter of a mile walking distance to a transit stop.
- f. Facilities shall match the bulk and scale of residential uses allowed in the zone where the facility is located. The design, construction, appearance, physical integrity, and maintenance of the facility shall provide an environment that is attractive, sustainable, functional, appropriate for the surrounding community, and conducive to tenants’ stability.
- g. If provided, exterior lighting must be directed downward, and glare must be contained within the facility site to limit the impact on neighboring properties.
- h. The minimum number of off-street parking spaces required for each facility will be determined by the decision maker through

the approval process, taking into consideration factors such as the potential number of residents, site constraints, and impact on the surrounding neighborhood.

- i. A description of transit, pedestrian, and bicycle access from the subject site to services must be provided at the time of application by the sponsor and/or managing agency.

Facility Operations.

- j. The sponsor or managing agency shall comply with all federal, state, and local laws and regulations, including King or Pierce County Department of Health regulations (as is applicable to the location). The sponsor or managing agency shall be subject to inspections by local agencies and/or departments to ensure such compliance and shall implement all directives resulting therefrom within the specified time period.

- k. Service providers must exercise reasonable and appropriate on-site supervision of facilities and program participants at all times, unless it can be demonstrated through the operations plan that this level of supervision is not warranted for the population being housed.

- l. The sponsor or managing agency must provide an operation plan at the time of the application that adequately addresses the following elements:

1. Name and contact information for key staff;
2. Roles and responsibilities for key staff;
3. Site/facility management, including security policies and an emergency plan;
4. Site/facility maintenance;
5. Occupancy policies, including resident responsibilities and a code of conduct that addresses, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
6. Provision for human and social services, including staffing plan, credentials or certification, and outcome measures;
7. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
8. Procedures for maintaining accurate and complete records.

- m. Sponsors or managing agencies shall demonstrate applicable experience providing similar services to people experiencing homelessness.

2. Additional requirements for emergency housing and emergency shelters. In addition to the requirements under subsection B.1 of this Section, emergency housing and emergency shelters are required to comply with the following:

### Facility Standards.

- a. Facilities shall not be located closer than 1,000 feet to an elementary, middle, or high school, public park, library, community center, or closer than a half-mile to another supportive housing facility. For the purposes of this subsection, the distance shall be measured in a straight line between the closest property line of the existing facility or the school/park/library/community center use and the closest property line of the proposed facility.
- b. In residential zones, no more than one adult bed per 250 square feet of floor area is allowed per facility, and no more than ten families or 40 total residents, whichever is fewer. For purposes of this section, the following zones are considered residential zones: RO, RS, RML, RMH, NC, MC, and NB.
- c. In all other zones, no more than one adult bed per 100 square feet of floor area is allowed per facility, up to 80 residents.

### Facility Operations.

- d. In residential zones, and in order to maintain the residential nature of the facility, residents must be screened off-site by providers of housing and services for people experiencing homelessness.
- e. Solid waste receptacles must be provided in multiple locations throughout the facility and site. A regular trash patrol in the immediate vicinity of the site must be provided.
- f. Residents and staff must comply with all King or Pierce County Health Department (as applicable to the site) requirements related to food donations.
- g. No children under the age of 18 are allowed to stay overnight in the facility, unless accompanied by a parent or guardian, or unless the facility is licensed to provide services to this population.

### Facility Services.

- h. Residents shall have access to the following services on-site; if not provided on-site, transportation shall be provided:
  1. For all facilities, medical services, including mental and behavioral health counseling.
  2. For emergency housing facilities, access to resources on obtaining permanent housing and access to employment and education assistance.
  3. For emergency shelter facilities, substance abuse assistance.
- i. All functions associated with the facility, including adequate waiting space, must take place within a building or on the site proposed to house the facility.
- j. The number of toilets and other hygiene facilities required for each facility will be determined by the decision maker on a case-by-case basis in consultation with the King or Pierce County Health Department after a review of factors such as the potential number and composition of residents.



- k. Facilities serving more than five residents shall have dedicated spaces for residents to meet with service providers.
  - l. The sponsor or managing agency shall coordinate with the homelessness service providers for referrals to their program and with other providers of facilities and services for people experiencing homelessness to encourage access to all appropriate services for their residents.
3. Additional requirements for permanent supportive and transitional housing.

In addition to the requirements under subsection B.1 of this Section, permanent supportive housing and transitional housing are required to comply with the following:

Facility Standards.

- a. Individual facilities shall not have more than the number of standard dwelling units that would be allowed under the zoning of the property, provided that in no case shall the number of permanent supportive housing units and transitional housing units allowed on any given property exceed ten (10) dwelling units. In addition, all density and performance standards of the underlying zone shall continue to apply.

Facility Services.

- b. All residents shall have access to appropriate cooking and hygiene facilities.
- c. Facilities serving more than five dwelling units shall have dedicated spaces for residents to meet with service providers.
- d. Residents shall have access to the following services on-site or shall be provided transportation to such services by the sponsor or managing agency:
  1. Medical services, including mental and behavior health counseling; and
  2. Employment and education assistance.

Section 17. Repeal of Interim Official Control. Upon the effective date of this Ordinance, the Interim Official Control adopted under Ordinance No. 2021-2045 will be repealed.

Section 18. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 19. Effective date. This Ordinance shall be effective five days after publication as provided by law.

Section 20. Publication. This Ordinance shall be published by an approved summary consisting of the title.

PASSED by the City Council of Pacific this \_\_\_ day of \_\_\_\_, 2021.

APPROVED by the Mayor of Pacific this \_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
Leanne Guier  
Mayor

AUTHENTICATED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

\_\_\_\_\_  
Charlotte Archer, City Attorney

PUBLISHED:  
EFFECTIVE DATE: