



**Agenda Planning Commission
Gig Harbor Civic Center
Thursday, March 17, 2022
5:00 P.M.**

Due to public health concerns, this meeting will be accessible to listen by using the information below:

Link to join Webinar <https://zoom.us/j/95353411299>

Call-in: (253) 215- 8782 Meeting ID: 953 5341 1299

- I. 5:00 p.m. - Call to order, roll call**
- II. Approval of Minutes: March 2, 2022**
- III. Agenda Items**
 - a. Transitional Housing, Permanent Supportive Housing, Emergency Shelters, and Emergency Housing
- IV. Other Business**
 - a. Next meeting: Thursday, March 31, 2022 Short Term Rentals
- V. Adjournment**



**DRAFT Minutes Planning Commission
Gig Harbor Civic Center
Thursday, March 2, 2022
5:00 P.M.**

- I. Call to order:**
- II. Roll call:** Chair Hoeksema, Commissioner Krawczyk, Commissioner Grina, Commissioner Bradbury, Commissioner Soltess, Commissioner Bennett & Commissioner Brown

Staff: Carl deSimas, Principal Planner; Laura Pettit Tourism & Communications Director & Michelle Thomas, Planning Technician
- III. Approval of Minutes:** February 17, 2022 Motion Bradbury/Krawczyk All in favor minutes approved as written
- IV. Agenda Items**
 - a. Short Term Rental Study Session #2 – Council Discussion & Questions
- V. Other Business**
 - b. Next meeting: Thursday, March 17, 2022 Transitional Housing March 31, 2022 Special Meeting Short Term Rentals
- VI. Adjournment:** Motion Soltess/Bennett all in favor meeting adjourned at 6:55



Staff Memorandum

TO: Planning Commission

FROM: City Staff

SUBJECT: Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelter Regulations

DATE: March 10, 2022

At the upcoming Planning Commission (PC) meeting on **March 17, 2022**, Staff will present the Commission with a letter received from the Washington State Department of Commerce (DOC) on March 3, 2022 related to draft Ordinance 1483. The Planning Commission reviewed the draft ordinance and conducted a public hearing on February 17, 2022. On March 2, 2022, the Commission was anticipated to formulate their recommendation to City Council. However, staff advised the Commission to withhold their recommendation due to the forthcoming DOC letter.

Therefore, the purpose of this meeting will be to review the DOC comment letter, consider its merits, and determine whether or not the Commission would like to amend Ordinance 1483 to incorporate any of the ideas proposed by DOC. If the Commission chooses to make changes to the draft ordinance, the Commission should direct Staff to make those changes and bring a revised draft of the ordinance back to the Commission for another public hearing and subsequent Planning Commission Recommendation.

Staff recommends that the Commission consider the following changes as a result of the DOC comments:

1. Amend the proximity restriction from a half mile to a quarter mile to ensure the ordinance is consistent with state law, allowing for a sufficient number of special housing types to locate within the City.
2. Consider amending the use table to permit Transitional Housing and Permanent Supportive Housing in certain zones, rather than requiring a conditional use permit in every zone where they are allowed.

Your packet for this discussion contains:

- Comment Letter, Department of Commerce, dated March 2, 2022
- Draft Ordinance 1483

Please feel free to contact Staff directly with any questions. Thank you



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

March 2, 2022

Planning Commission
City of Gig Harbor
c/o Mr. Carl de Simas
Principal Planner

Sent Via Electronic Mail: cdesimas@gigharborwa.gov

Re: Ordinance No. 1483

Dear Council and Commission members:

Thank you for the opportunity to comment on the proposed amendments to the Gig Harbor Municipal Code (GHMC) Title 17, relating to permanent supportive housing, emergency housing, emergency shelters, and transitional housing. The proposed amendments were received by Growth Management Services on February 17, 2022, and given material identification number 2022-S-3689.

In 2021, the legislature adopted ESSHB 1220, changing how Washington plans for housing. The bill, which supports emergency shelters and housing through local planning and development regulations, states in Section 3 that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed and shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed. This is codified in RCW 30.21A.430, and is copied in at the end of this letter.

On September 27, 2021, the Gig Harbor city council adopted interim zoning controls, which established interim measures for permanent supportive housing and emergency shelters. These proposed amendments appear to be the permanent implementation of those interim measures. We appreciate the City of Gig Harbor's efforts to implement this portion of ESSHB 1220. We offer the following comments on your draft amendments to the Gig Harbor Municipal Code:

- Proposed section 17.55.010(E) GHMC states that no permanent supportive housing or transitional housing unit may be located within half a mile of another property that contains permanent supportive housing or transitional housing. Proposed section 17.57.010(D) GHMC also states that no emergency housing facility or emergency shelter shall be located within a half mile of permanent supportive housing or transitional housing units. First, we urge you to consider these types of facilities differently. The impacts of permanent supportive housing and transitional housing are mostly consistent with residential uses. Frequently these housing programs are designed to serve specialized populations and have support services which provide stability. This

is particularly true for transitional housing which is commonly used to provide housing for youth exiting foster care, veterans, and survivors of domestic violence. Unlike shelters, which can meet a broad spectrum of service needs and may have an unpredictable demand for services, permanent supportive housing and transitional housing limit residents to a set number of units and require applications for services. For more [information on permanent supportive housing click here](#).

- As new housing element requirements become effective, Gig Harbor will be required to plan for and accommodate housing for all income brackets. Commerce will be providing projections of housing need by income band and for these special housing types, which each city must plan for and accommodate over the next 20 years¹. Proposed section 17.57.010(B) GHMC states that no more than one continuously operating emergency shelter and no more than one continuously operating emergency housing facility shall be in operation at the same time in city limits. This language may limit your ability to plan for a shelter, and the housing that may be needed for people who need a place to stay in an emergency, such as those fleeing domestic violence, veterans in need of support services, or other emergencies, such as natural disasters.
- We suggest you consider reducing the restriction from half a mile to a smaller distance, such as a quarter mile. In our review of Gig Harbor’s zoning map, the half-mile distance seems too large to allow adequate facilities to meet the special housing types needed to satisfy RCW 36.70A.070(2)(c).² RCW 35A.21.430 expressly states requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city’s projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).
- We also suggest you consider adding a qualification: “No permanent supportive housing or transitional housing unit may be located within a certain distance of another property . . . unless sponsored by the same governmental, religious, or not for profit agency.” Many times, communities find it beneficial to allow non-profit agencies to maintain a continuum of housing services on one campus rather than requiring them to be spread out across the jurisdiction. This capitalizes on investments in security measures, reduces off-site camping, and reduces pressures on transportation systems.
- Finally, we caution you against using a blanket conditional use procedure for these types of housing. A conditional use process can complicate permitting of facilities, such as transitional housing, that may have minimal impacts to the community. The ordinance does not create a clear path to permitting for these types of important facilities, and could be a source of risk. Your ordinance should include a clear intent or purpose section as 17.64.020(C) GHMC states that conditional use approval or denial is based on what is deemed necessary or desirable in furthering the intent of the ordinance pertaining to the proposed development.

An example of a different approach to allowing these types of housing is the City of [SeaTac Ordinance 21-1031 found at this link](#), starting on page 191. It might be a useful approach as you consider this requirement. Thank you for the opportunity to comment. If you have any questions

¹ [Updating GMA Housing Elements](#)

² Housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and within an urban growth area boundary.

about this letter, please contact Mary.Reinbold@commerce.wa.gov or 509.638.5449. If you have questions about any other aspect of growth management, please contact Keri.Sallee@commerce.wa.gov or at 360.725.3064.

Sincerely,
Mary M. Reinbold, AICP
Senior Planner
Growth Management Services

cc:

David Andersen, AICP, Managing Director, Growth Management Services
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services
Ben Serr, AICP, Eastern Washington Regional Manager, Growth Management Services
Anne Fritzel, AICP, Housing Programs Manager, Growth Management Services
Laura Hodgson, Senior Housing Planner, Growth Management Services

[RCW 30.21A.430](#)

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. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).