



MEMORANDUM

TO: BELLINGHAM CITY COUNCIL

FROM: RICK SEPLER, AICP, PCDD DIRECTOR
KURT NABBEFELD, DEVELOPMENT SERVICES MANAGER

SUBJECT: INTERIM ORDINANCE ALLOWING TEMPORARY ENCAMPMENTS IN BUILDINGS IN PUBLIC ZONES AND EXEMPTIONS FOR VERY SHORT-TERM ADVERSE WEATHER SHELTERS

DATE: AUGUST 26, 2019

Temporary Encampments in Buildings in Public Zones. Council adopted regulations for temporary shelters in October, 2018 (Ordinance 2018-10-019). These regulations included those associated with temporary encampments. While temporary encampments in tents, tiny homes and safe parking areas were permitted in Public zones, temporary encampments in buildings were allowed in industrial zones, commercial and industrial areas in Urban Village zones, and Commercial zones where hotels and motels are allowed. At the time of ordinance adoption, these areas were identified as the most suitable zoning districts for this use, as this use could be approved for up to five years and is most similar in nature to other uses that allow temporary guests, such as hotels and motels. The regulations did not allow this use in Residential, Institutional or Public zones.

Many City-owned properties, including parks, include the Public designation. Last fall when the temporary shelter ordinance was adopted, City staff had concerns regarding potential impacts to the availability of City parks for scheduled programs and the lack of suitable public buildings for this use; however, upon further review, staff has since identified suitable buildings that may be used on a temporary basis during the cold weather months. Excluding City buildings from this use severely limits the City's ability to be nimble in providing temporary shelter to people experiencing homelessness with adverse weather conditions. As circumstances have changed to warrant reconsideration, City staff recommends that the City Council approve the attached emergency interim ordinance to allow this use in Public zones.

Exemption for Very Short Duration Adverse Weather Shelters. Currently, the City can respond to an emergency by following the requirements of BMC Chapter 2.57. However, the intent and purpose of that process is to address community-wide impacts associated with a natural disaster. Experience has shown that, while effective, this process is cumbersome as it relates to the more limited needs of adverse weather shelters.

As proposed, the revisions to BMC Chapter 20.15 would exempt from review adverse weather shelters that are of very short duration (less than 14 successive days). This will allow the establishment of such facilities to occur immediately when needed.