



**City of Tacoma**  
Environmental Services Science and Engineering

---

**MINIMUM REQUIREMENT EXCEPTION REQUEST:  
PERMIT NO: SDEV20-0436**

Applicant / Agent for Request in behalf of:  
City of Tacoma, Neighborhood and Community Services, through:  
Erik Ward, P.E.  
326 East D Street  
Tacoma, WA 98421

**LOCATION:**  
The site is located at 602 N. Orchard Street, Parcel No. 0220025014.

**SUMMARY OF REQUEST:**  
The applicant is requesting an exception to the Tacoma Municipal Code ("TMC") 12.08.090.D.5 – Onsite Stormwater Management and 12.08.090.D.7 – Flow Control for temporary development of an emergency housing site for residents experiencing homelessness.

**DECISION:**  
Approved, subject to compliance with the remaining requirements of the City of Tacoma Stormwater Management Manual and after the site is cleared of improvements, BMP L613:Post-Construction Soil Quality and Depth and lawn or landscaping is required to be installed on all disturbed areas that are currently pervious.

**DECISION DATE: October 30, 2020**

**FOR ADDITIONAL INFORMATION CONCERNING THIS APPROVAL PLEASE CONTACT:**

Merita Trohimovich, P.E.  
Environmental Services / Science & Engineering  
326 East D Street  
Tacoma, WA 98421  
253-502-2103  
Email: [mtrohimo@cityoftacoma.org](mailto:mtrohimo@cityoftacoma.org)

## **APPLICABLE REGULATIONS**

TMC Section 12.08.090 Stormwater program requirements.  
TMC Section 12.08.095 Exceptions procedure.

## **SUMMARY OF INFORMATION PROVIDED**

The following information and exhibits were provided by the applicant and reviewed by staff on behalf of the Environmental Services Director:

- A. Minimum Requirements Exemption Request Memo, Dated October 30, 2020
- B. Offsite Analysis Calculations, Dated October 30, 2020
- C. Use Agreement with Property Owner

## **CONCLUSIONS**

The Director has determined that granting an exception from TMC 12.08.090 D.5 and TMC 12.08.090 D.7 is appropriate in this circumstance because the request meets all exception criteria of TMC12.08.095.B.

## **DECISION**

**Decision On Request For An Exception:** **APPROVED** in accordance with TMC 12.08.095. Approval is subject to compliance with the remaining requirements of the City of Tacoma Stormwater Management Manual and after the site is cleared of improvements, BMP L613: :Post-Construction Soil Quality and Depth and lawn or landscaping is required to be installed on all disturbed areas that are currently pervious.

**Background.** The applicant, the City of Tacoma, is proposing to construct a temporary emergency housing development. The proposed temporary development, hereafter called “the site”, includes 40 micro-shelter homes, 1 hygiene building, 1 community kitchen, 1 community tent, 4 micro-office buildings, siting for up to 4 small refuse dumpsters, and 4 parking stalls. The site will be active for a period of up to two years commencing in December of 2020. After this time, all temporary improvements will be removed; or in the case of buried utilities, deactivated and appropriately abandoned in place. Any grading performed will remain; however, the surface will be restored to its current state, which is lawn and pedestrian pathways. The proposed site surfacing will be a combination of gravel and asphalt to support pedestrian access and micro-shelter foundations.

The site will provide a safe, secure, and sanitary location for multiple disadvantaged people, who have little to no alternatives to homelessness. In short, the site will provide a home and basic services to those who would otherwise be living on the streets, creating unsanitary conditions in the City’s public spaces and compromising the health and safety of its citizens.

**Reasons Supporting Decision.** The Director is approving the applicant’s request for an Exception to Minimum Requirement TMC 12.08.090 D.5 and TMC 12.08.090 D.7. because the applicant has demonstrated that: (i) the application of the Minimum Requirements would impose a severe and unexpected economic hardship, (ii) the exception is not likely to increase risk to the public health and welfare, nor be injurious to other properties in the vicinity and/or downstream, or waters of the State, and (iii) the exception is the least possible exception that

could be granted to comply with the intent of the Minimum Requirements in accordance with TMC 12.08.095.

The proposed project will be temporary and short term. The location will be in operation for a period of 2 years. The downstream stormwater system has been analyzed in accordance with the City of Tacoma Stormwater Management Manual and has been found to be sufficient for the proposed development. Based upon the site use agreement, all improvements associated with this development will be removed and the site returned to its current condition. A requirement of this Approval is that the areas of the site that are currently pervious will have BMP L613: Post-Construction Soil Quality and Depth installed and lawn or landscaping.

If this site is not constructed residents experiencing homelessness will continue to occupancy public spaces and expensive cleanups of these areas will be necessitated. The costs of the cleanups are borne by the City. Residents are also vulnerable to many hazards including the weather and lack of food and sanitary facilities. This facility will allow this population to have a safe and stable location that does not create a public hazard and can help to facilitate access to additional services and possible permanent housing placement. This project is in accordance with the City's Emergency Ordinance No. 28637.

If the applicant is not granted this exception request, the project budget will be required to be altered significantly and the project may not occur at all due to financial constraints and the temporary nature of the project.

**PUBLIC NOTICE**

The Legal Notice will be published November 4, 2020, in the City's newspaper of record and a local newspaper of general circulation within Tacoma. The Notice is also published on the stormwater manual section of the City's website.

**PROCEDURE TO CONTEST DECISION**

Any person with legal standing who wishes to contest this Decision on Request for an Exception may do so by filing an appeal with the Hearing Examiner in accordance with TMC 12.08.678, which requires an appeal to be filed within thirty (30) days of the applicant's receipt of this decision.

DECISION this 30 day of October, 2020.

DocuSigned by:

*Michael P. Slevin III, P.E.*

Michael P. Slevin, III

Environmental Services Director

FULL DECISION TRANSMITTED this 30 day of October, 2020 via email to:

Agent / Applicant for Request:

City of Tacoma, Neighborhood and Community Services, through:

Erik Ward, P.E.

326 East D Street

Tacoma, WA 98421