

HOUSING THE HOMELESS: LAND USE OPTIONS AVAILABLE IN THE CITY

1 PERMANENT SHELTERS

- Allowed in many zones: Public, R-O, C-1, C-2, C-3, and M-1 (*these total 1,989-acres = 29% of the City*)
- Location is zone specific - does **not** require a religious organization to own property
- Required to be 1,000 feet from another homeless shelter
- No time limitations
- Required to comply with Fire and Building Codes

2 TEMPORARY COLD WEATHER SHELTERS

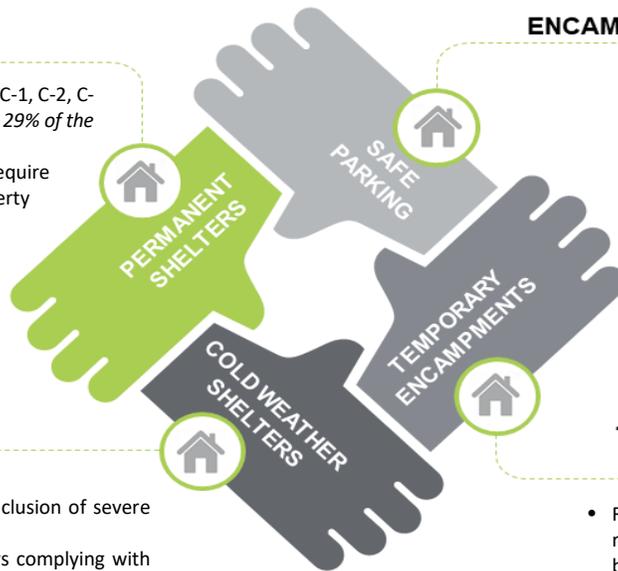
- Regulated by Interim Ordinance 3811
- Mayor determines initiation and conclusion of severe weather event
- During severe weather event shelters complying with basic building safety standards can operate
- Building Official issues a Temporary Use Permit to allow shelter to open
- Building Official and Fire Marshal inspect and condition shelters to ensure basic building safety is achieved

LIMITED TEMPORARY ENCAMPMENT (SAFE PARKING) 4

- Regulated by Interim Ordinance 3812
- Allows no more than 1 vehicle for every 10 parking stalls in an existing parking lot
- Access to restroom, handwashing and trash facilities required
- Limited to 6 months in a calendar year unless an extension is granted by City Council
- Host is required to hold a public meeting with neighborhood

TEMPORARY HOMELESS ENCAMPMENTS 3

- Regulated by MVMC Chapter 17.210, required to be located on property owned by a religious organization
- Host is required to provide public notice and hold a public meeting with neighbors
- Max. 100 residents allowed & transportation plan required
- Allowed for no more than 120 days over a one-year period



COMMONLY ASKED QUESTIONS

Q: HOW DOES THE CITY REGULATE ACCOMMODATIONS FOR THE HOMELESS?

For decades the City has allowed permanent homeless shelters in many different zoning designations. Over the last few years the City has responded to the increasing numbers of homeless individuals by enacting regulations allowing temporary cold weather shelters, temporary homeless encampments, and most recently limited temporary encampments (safe parking).

Q: CAN THE CITY PROHIBIT HOMELESS ENCAMPMENTS, SHELTERS OR SAFE PARKING?

A: *No, an outright ban on temporary homeless encampments has been found to be unconstitutional. Litigation with regard to homeless shelters/encampments has resulted in a number of court decisions stating that when a church wishes to use its property to shelter the homeless they are expressing their right to religious expression that is protected by the First Amendment of the United States Constitution and Article 1, Section 11 of the Washington State Constitution. The City may, however, regulate these encampments in the interest of public health and safety.*

Q: HOW CAN I LEARN MORE?

A: *Visit the City's website at: www.mountvernonwa.gov and navigate to the Development Services Department; once here click on "Housing Issues & Resources" that is an option under Affordable Housing Work Plan located in the menu on the left side of the department home page.*

The purpose of this handout is to assist the public in conceptualizing the complex sets of regulations the City has adopted related to providing housing for homeless individuals and families. It is NOT a complete list of permit or code requirements and should NOT be used as a substitute for applicable laws and regulations.