

August 7, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance imposing an interim official control regarding the prohibition of community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs; providing for severability; and establishing an effective date.

FISCAL IMPACT

No fiscal impact is expected. The application of this Interim Official Control amending the LUC will be administered by land use staff during review of permit applications.

STAFF CONTACTS

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Patricia Byers, Code Development Manager, 452-4241
Development Services Department

Mac Cummins, Director, 452-6191
Terry Cullen, Comprehensive Planning Manager, 452-4070
Planning and Community Development Department

POLICY CONSIDERATION

Should the City Council adopt an Interim Official Control that amends the LUC to prohibit safe injection sites citywide? Because this is an Interim Official Control, a public hearing will be required within 60 days of the enactment of this Ordinance in order to remain in effect. Permanent regulations will be prepared during the effective period of this Ordinance.

DIRECTION NEEDED FROM COUNCIL

ACTION



DIRECTION



INFORMATION ONLY



BACKGROUND

In April the City Council provided direction to pursue a citywide ban on “Community Health Engagement Locations (CHELs),” also known as “safe injection sites”. Safe injection sites are part of a regional conversation led by King County in response to county-wide impacts from heroin use and heroin addiction. At the July 24 Council Study Session, the City Council again expressed a strong preference for prohibiting uses and activities in the City of Bellevue that are established and designed to provide a location for individuals to consume illicit drugs.

The proposed Interim Official Control amends the LUC by adding language to Chapter 20.10 of the LUC. New section 20.10.410 in the LUC defines the activity that occurs at CHELs, safe

injection sites, and other supervised injection facilities, and the Interim Official Control prohibits the activity outright citywide.

An Interim Official Control puts temporary regulations in place to guide new development while permanent regulations are being prepared. Notice and a public hearing are not necessary prior to enactment of an Interim Official Control, so the regulations can be put in place quickly. However, a public hearing must be held within 60 days of its adoption.

The Growth Management Act, RCW 36.70A.390, states that this Interim Official Control may be effective for six (6) months. If necessary, the Interim Official Control may be renewed for one or more six (6) month periods if a subsequent public hearing is held and findings of fact are made prior to each successive renewal.

The adoption of an Interim Official Control to ban safe injection sites citywide provides a near-term solution consistent with the City Council's direction. Permanent LUC amendments necessary to prohibit safe injection sites citywide are being prepared and will be evaluated by Council over the coming six month period.

EFFECTIVE DATE

If adopted, this Ordinance becomes effective on August 17, 2017.

OPTIONS

1. Adopt the Ordinance imposing an interim official control regarding the prohibition of community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Move to adopt Ordinance No. 6369 imposing an interim official control regarding the prohibition of community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs; providing for severability; and establishing an effective date.

ATTACHMENT

Proposed Ordinance No. 6369

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A