

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Ordinance amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to impose a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; providing for severability; and establishing an effective date.

### **FISCAL IMPACT**

No fiscal impact is expected. This amendment to the Land Use Code (LUC) will be administered by land use staff during review of permit applications.

### **STAFF CONTACT**

Carol Helland, Code & Policy Director, 452-2724  
*Development Services Department*

### **POLICY CONSIDERATION**

Interim Official Control Ordinance No. 6369 amending the LUC to prohibit Community Health Engagement Locations (CHELs) and safe injection sites citywide was adopted by the City Council on August 7. The policy choice before Council is whether to adopt the prohibition on CHELs and safe injection sites as a permanent amendment to the LUC.

### **DIRECTION NEEDED FROM COUNCIL**

#### **ACTION**



#### **DIRECTION**



#### **INFORMATION ONLY**



Council is being asked to adopt an ordinance amending the LUC to prohibit CHELs and safe injection sites citywide.

### **BACKGROUND**

On August 7, the City Council adopted Ordinance No. 6369 imposing an Interim Official Control (IOC) that amended the LUC to prohibit CHELs, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs. Refer to Attachment A. On September 25, the City Council held a public hearing on the IOC and sought public comment on whether the Ordinance should be adopted as a permanent regulation. Following the public hearing, Council directed staff to prepare the IOC for final adoption as a permanent amendment to the LUC.

Completion of the permanent code amendment process also requires a Courtesy Hearing before the East Bellevue Community Council (EBCC). The EBCC conducted its hearing on October 3, and five members of the public participated in the hearing. There was general consensus that the issues surrounding opioide use and addiction are important and require focused attention. There was also support for the emergency action taken by the City Council to adopt an IOC while a permanent regulation was drafted. The EBCC expressed concern, however, about adopting the citywide ban as a permanent regulation. Specifically, the EBCC was concerned that the permanent ban could be overly broad, and could prevent hospitals from providing needle exchange, needle disposal and overdose recesitation services.

The ban on safe injection sites that is before the City Council for adoption would not prevent hospitals from providing health care services, including recessitation. The ban is intended to prohibit the establishment of locations for individuals to consume illicit drugs intravenously under the supervision of a care provider. The procedural requirements for adopting a permanent citywide ban on safe injection sites have been met. The strike-underline draft of the permanent ordinance is provided in Attachment B. Council is being asked to adopt the permanent ordinance tonight.

### **EFFECTIVE DATE**

If approved, this Ordinance becomes effective on October 26, 2017.

### **OPTIONS**

1. Adopt the Ordinance amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to impose a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; 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. 6376 amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to impose a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; providing for severability; and establishing an effective date.

### **ATTACHMENTS**

- A. Interim Official Control Ordinance No. 6369
  - B. Strike-Underline Draft of Proposed Ordinance No. 6376
- Proposed Ordinance No. 6376

### **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A