

CITY COUNCIL REGULAR SESSION

Ordinance amending sections 20.10.440, 20.20.010, 20.20.455, 20.25A.050, 20.25D.070, 20.25F.010, 20.25F.040, 20.25L.020, 20.25P.050, and 20.25Q.050 of the Land Use Code (LUC) and adding a new section LUC 20.20.845 to establish regulations for permanent supportive housing, transitional housing, emergency housing, and emergency shelter; repealing Ordinance Nos. 6585, 6637, and 6668; providing for severability; and establishing an effective date.

Liz Stead, Interim Co-Director, 452-2725

Trisna Tanus, Consulting Attorney, 452-2970

Nick Whipple, Planning Manager, 452-4578

Caleb Miller, Senior Planner, 452-4574

Development Services

EXECUTIVE SUMMARY

On June 21, after discussion in Study Session, Council directed staff to finalize this Ordinance for approval. This Ordinance is a Land Use Code Amendment (LUCA) to establish regulations for Permanent Supportive Housing, Transitional Housing, Emergency Housing, and Emergency Shelter in the LUC, consistent with RCW 35A.21.430.

RECOMMENDATION

Move to adopt Ordinance No. 6672

BACKGROUND/ANALYSIS

Background

On May 23 and June 21, the City Council reviewed the Planning Commission recommended LUCA, which would amend Chapters 20.10, 20.20, and 20.25 LUC to regulate permanent supportive housing, transitional housing, and non-transient emergency housing as Supportive Housing and allow this use in all Land Use Districts where residential uses or hotels and motels are allowed; and to regulate transient emergency housing and emergency shelter as Homeless Services Uses and allow this use in all Land Use Districts where hotels and motels are allowed. A final strike-draft of the LUCA is provided as Attachment A.

The LUCA is in direct response to RCW 35A.21.430, which was amended in 2021 by House Bill 1220 to mandate the allowances described above. If adopted, this LUCA Ordinance will repeal and replace an Interim Official Control (IOC) Ordinance No. 6584 (Attachment B), which was extended by Ordinance No. 6637, and again by Ordinance No. 6668 (Attachment C). The IOC was necessary to timely comply with the requirements of RCW 35A.21.430 prior to the effective date of HB 1220. The extended IOC will expire on January 12, 2023, in the absence of repeal or any future extension.

On June 21, staff returned with additional information in response to questions and topics that Council posed during the May 23 study session. These responses related to the Planning Commission's review process and approach to the LUCA, and Council's previous discussions on Permanent Supportive Housing best practices and funding agreements, including Council's direction to develop a best practice

guide for community engagement for Supportive Housing. An outline of this guide, which is being prepared by Community Development, is provided as Attachment E.

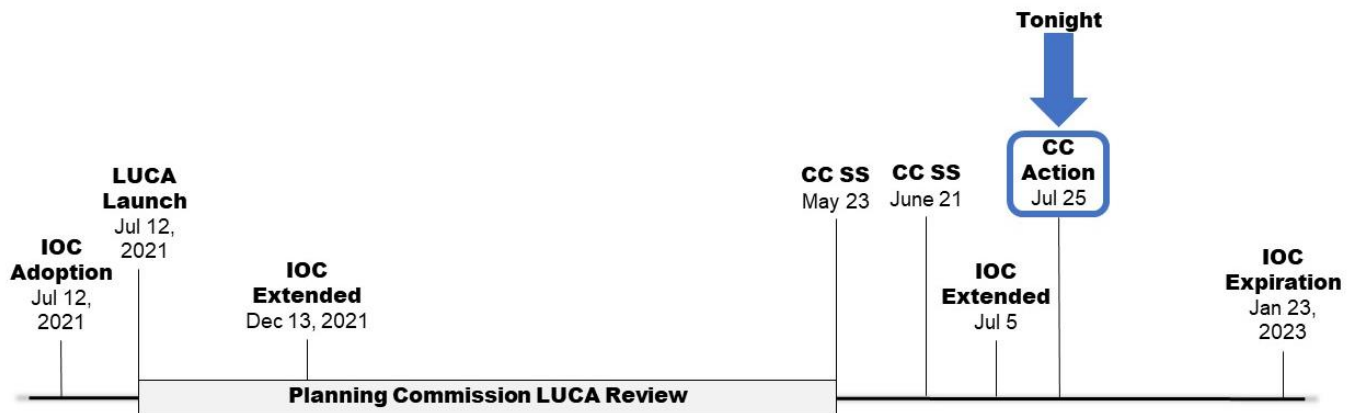
At the June 21 meeting and as included in the materials for that meeting, Council considered a package of proposed amendments from Councilmember Robertson to the recommended LUCA, which included removing certain exceptions to the registration, notice, density limits, and occupancy limits, as well as new separation requirements between Supportive Housing uses and changes to the submittal and review requirements. During the June 21 meeting, Council also considered Councilmember Barksdale’s amendment to remove the distinction between transient and non-transient Emergency Housing, which would result in transient Emergency Housing no longer being subject to the Conditional Use Permit process applicable to Homeless Services Uses.

After discussion, Council directed staff to prepare the LUCA Ordinance, as recommended by the Planning Commission, for adoption at a future meeting. Council did acknowledge that amendments may be proposed again at that time and asked staff to provide additional information about the anticipated amendments.

Councilmember Robertson and Councilmember Barksdale’s revised amendments to the Planning Commission Recommended LUCA are included as separate attachments hereto. Councilmember Robertson’s amendments are shown in strike-draft, with notations on the right-hand margin of the corresponding topics, in Attachment E-1. Councilmember Barksdale intends to offer two amendment options, which are also shown in strike-draft in Attachments E-2 and E-3. For ease of review, a table listing Councilmembers Robertson’s and Barksdale’s revised amendments, the potential implications of each proposed amendment, and the affected code section(s) is provided as Attachment G.

Review Process

The timeline below identifies the review process for this LUCA:



POLICY & FISCAL IMPACTS

Policy Impact

The recommended LUCA responds to recent amendments to RCW 35A.21.430, which require cities to allow Permanent Supportive Housing and Transitional Housing in all Land Use Districts where residential or hotel/motel uses are allowed; and indoor emergency housing and indoor emergency shelter in all Land Use Districts where hotel and motel uses are allowed.

In addition, this LUCA supports several Comprehensive Plan policies and 2021 King County Countywide Planning Policies. Relevant details and discussion on these policies can be found in the Agenda Memo for the June 21 City Council Study Session.

Fiscal Impact

There is no fiscal impact associated with implementing the recommended LUCA.

OPTIONS

1. Adopt the Ordinance amending sections 20.10.440, 20.20.010, 20.20.455, 20.25A.050, 20.25D.070, 20.25F.010, 20.25F.040, 20.25L.020, 20.25P.050, and 20.25Q.050 of the Land Use Code (LUC) and adding a new section LUC 20.20.845 to establish regulations for permanent supportive housing, transitional housing, emergency housing, and emergency shelter; repealing Ordinance Nos. 6585, 6637, and 6668; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. LUCA Final Strike-Draft
- B. IOC Ordinance No. 6585
- C. IOC Extension Ordinance No. 6668
- D. Best Practices Guide for Public Engagement for Permanent Supportive Housing
- E-1. Councilmember Robertson Proposed Amendments
- E-2. Councilmember Barksdale Proposed Amendments (Option 1)
- E-3. Councilmember Barksdale Proposed Amendments (Option 2)
- F. Table of Proposed Amendments
Proposed Ordinance No. 6672

AVAILABLE IN COUNCIL LIBRARY

N/A