

September 25, 2017

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Public Hearing on Interim Official Control Ordinance No. 6369 that amended the Land Use Code (LUC) to prohibit community health engagement locations (CHELs), safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs.

### **FISCAL IMPACT**

No fiscal impact is expected. This amendment to the LUC (whether interim or permanent) 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**

On August 7, the City Council made the policy choice to adopt an Interim Official Control amending the LUC to prohibit CHELs and safe injection sites citywide when it adopted Ordinance No. 6369. The policy choice before Council now is whether to make the Interim Official Control a permanent amendment to the LUC.

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. Council will hold the public hearing necessary for the Interim Official Control to remain in effect and to consider whether a permanent regulation should be adopted.

### **BACKGROUND**

On August 7, the City Council adopted Ordinance No. 6369 imposing an Interim Official Control 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. Ordinance No. 6369 is included at the end of Attachment A. On September 25, the City Council will be holding a public hearing on the Interim Official Control and seeking public comment on whether the Ordinance should be adopted as a permanent regulation.

Staff has concluded that the Interim Official Control is consistent with the decision criteria required for adoption of amendments to the text of the LUC, pursuant to Part 20.30J LUC, and could be adopted as a permanent amendment to the LUC following a public hearing and completion of the code amendment processing requirements. The Staff Report providing the rationale for this conclusion is included with this memorandum as Attachment A.

### **EFFECTIVE DATE**

Ordinance No. 6369 became effective on August 15. Council is being asked to hold the public hearing necessary for the Interim Official Control to remain in effect and for a permanent regulation to be adopted at a future meeting.

**OPTIONS**

1. Hold the Public Hearing on Ordinance No. 6369 and, following the Public Hearing, direct staff to prepare an ordinance for final adoption of permanent regulations prohibiting CHELs, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs.
2. Hold the Public Hearing on Ordinance No. 6369 and, following the Public Hearing, provide alternative direction to staff.

**RECOMMENDATION**

Option 1

**MOTION**

Move to open the Public Hearing on Ordinance No. 6369.

Move to close the Public Hearing on Ordinance No. 6369.

**ATTACHMENTS**

A. Staff Report including Ordinance No. 6369.

**AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A