

**CITY COUNCIL STUDY SESSION**

Temporary Encampment Land Use Code Amendment (LUCA) – Bellevue Land Use Code (LUC)  
Chapter 20.30U

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**DIRECTION NEEDED FROM COUNCIL****DIRECTION**

As directed by Council at the November 18 Public Hearing, staff will provide additional options for Council consideration regarding three of the four topics recommended in the Draft Public Hearing LUCA. The recommended LUCA is to improve the administration of temporary encampment regulations based upon stakeholder feedback, evaluation of current regulations, and permitting experience. Staff is seeking direction from Council on changes that will be included in the final LUCA.

**RECOMMENDATION**

Direct staff to prepare an ordinance based upon the Draft Public Hearing LUCA that includes the four topic areas of Health and Safety, Neighborhood Engagement, Frequency and Duration, and Streamlined Permitting Process for final adoption on December 9.

**BACKGROUND & ANALYSIS**

On November 18, Council held the required public hearing for the Temporary Encampment LUCA to update Chapter 20.30U, which covers permitting of temporary encampments hosted by religious organizations. The Draft Public Hearing LUCA contains recommended amendments in four topics areas for Council consideration:

1. Proven effective public health and safety standards: Alignment of the public health and safety standards to reflect the administration of Temporary Encampments under the Consent Decree;
2. Neighborhood engagement: Removal of mandatory litter patrol requirement and the addition of optional post-issuance neighborhood meetings;
3. Consistent and predictable frequency and duration of temporary encampments: Increase duration of Temporary Encampments to 120 days and adopt a 12-month gap between Temporary Encampments in the City; and
4. Streamlined permit process for temporary encampments: Create an option for a 5-year permit for Encampment Hosts that have hosted a Temporary Encampment at the same site that was not subject to revocation, which allows for a modified application process for subsequent year Temporary Encampment deployments under the same permit.

During the hearing, Council received public comments including:

- Several residents located near prior Temporary Encampment deployments expressed concerns regarding safety and security and the desire for additional strategies to hold Temporary Encampment Hosts and Operators accountable. Some residents also stated concerns about the proposed increase in duration to 120 days and the length of the proposed Extended Temporary Encampment Permit (5 years).
- Representatives of religious organizations and/or human services organizations suggested that Council consider the role religious organizations fulfill in serving the homeless population and stated concerns regarding the potential burden of Temporary Encampment regulations, including the proposed 12-month gap between Temporary Encampments in the City.
- Individuals who volunteered at prior Temporary Encampment deployments shared their experiences related to prior Temporary Encampment deployments and expressed support for regulations that reduce burdens on religious hosts.

During the hearing, Council expressed interest in receiving additional options in the topic areas contained in the Draft Public Hearing LUCA that can address the concerns expressed in the Public Hearing within the applicable legal framework. Staff is providing additional options for consideration that are responsive to the interests expressed by Council during the discussion on November 18. Three separate approaches are provided to achieve the final direction necessary to finalize the LUCA.

1. Adoption of an ordinance based upon the *Draft Public Hearing LUCA* that includes the four topic areas of Health and Safety, Neighborhood Engagement, Frequency and Duration, and Streamlined Permitting Process. This is composed of staff's recommendations which are based upon input received from the original signatories of the Consent Decree, the neighborhood focus group, and implementation experience for the past 13+ years.
2. Adoption of an ordinance based upon the *Initial Draft LUCA* that aligns Chapter 20.30U LUC to operations under the Consent Decree only. This reflects how Temporary Encampments have operated in the City for the past 13+ years.
3. Adoption of an ordinance that *modifies the Draft Public Hearing LUCA* that includes the updated Health and Safety regulations and the package of alternative amendments in the topic areas of Neighborhood Engagement, Frequency and Duration, and Streamlined Permitting Process.

See Attachment A for an overview of the proposed LUCA options.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

These updates to Chapter 20.30U LUC will eliminate the need to refer to both the LUC and Consent Decree for administration of temporary encampments, resulting in greater consistency, predictability and ease of implementation for future temporary encampments in the City. They also give rise to greater consistency with regional standards for temporary encampments.

**Fiscal Impact**

There are no fiscal impacts expected from the implementation of the proposed LUCA.

**OPTIONS**

1. Direct staff to prepare an ordinance based upon the Draft Public Hearing LUCA that includes the four topic areas of Health and Safety, Neighborhood Engagement, Frequency and Duration, and Streamlined Permitting Process for final adoption on December 9.
2. Direct staff to prepare an ordinance based upon the initial draft LUCA that aligns Chapter 20.30U LUC to operations under the Consent Decree only for final adoption on December 9.
3. Direct staff to prepare an ordinance that modifies the Draft Public Hearing LUCA that includes the updated Health and Safety regulations and the package of alternative amendments in the topic areas of Neighborhood Engagement, Frequency and Duration, and Streamlined Permitting Process for final adoption on December 9.
4. Do not direct staff to prepare a final ordinance and provide alternative direction.

**ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Study Session 5 Matrix Analysis

**AVAILABLE IN COUNCIL LIBRARY**

Consent Decree, Western District of Washington Case No. C05-1921-JCC (Docket Nos. 62 and 64)  
Letters of Comment