

**Development Code Docket Item A-24:
Emergency Housing Ordinance – Permitting Criteria Flexibility
Public Hearing Staff Report**

Date: August 17, 2022

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Proponent/Applicant: Thurston County Community Planning & Economic Development

Proposal Description: Amend Thurston County Code, Title 20, 21, 22, and 23, to update development regulations related to homeless encampments.

Action Requested: Amend the Homeless Encampment and Administrative Procedures Chapters within Titles 20, 21, 22, and 23 to allow for a waiver of some permitting criteria of homeless encampments during a declared emergency; and clarify application and permitting procedures for homeless encampments.

Location: Thurston County, Urban Growth Areas

APN: N/A

Acres: N/A

Comprehensive Plan Changes: Map Changes Text Changes Both
 Development Code Amendments (Titles 20, 21, 22, and 23)
 Affected Jurisdictions (Thurston County, UGAs)

BACKGROUND

Development Code Docket Item A-24 is referred to as the “Emergency Housing Ordinance: Permitting Criteria Flexibility” and is a board-initiated proposal to consider making current interim regulations that allow permitting criteria flexibility within the Homeless Encampments Chapters (20.35, 21.64, 22.51, 23.45 TCC) permanent. This docket item would amend the code to allow for a waiver of specific permitting criteria for homeless encampments during a declared emergency to facilitate a quick permitting response and increase flexibility for permit applicants. These changes to the regulations would aid in getting unsheltered people living in unauthorized, makeshift camps or otherwise unhoused into a permitted shelter more quickly. Additionally, changes would clarify

the application and permitting process of homeless encampments for the public, permitting staff, and applicants.

Homeless encampments have been permitted since 2010 under Ordinance No. 14402 within the rural county and three Urban Growth Areas of Lacey, Tumwater, and Olympia. Interim regulations to allow for permitting criteria flexibility within the Homeless Encampments Chapters of the Thurston County Code have been allowed since June 2019.

The amendments being considered under this docket item are not intended to eliminate all unsanctioned homeless camps in the rural county or urban growth areas or to serve as a standalone solution to the homelessness crisis. They also do not establish any homeless encampments in Thurston County; all hosts would still need to apply for a permit and meet requirements within the code before establishing an encampment. The proposed amendments only clarify processes and facilitate quicker permitting during an emergency and are one of many tools in combatting homelessness in Thurston County.

DEPARTMENT ANALYSIS:

Homeless encampments are currently permitted as a temporary use in unincorporated Thurston County (Chapters 20.35, 21.64, 22.51, 23.45 TCC). Regulations for homeless encampments were first adopted in 2010 under Ordinance No. 14402. This ordinance was partly adopted to implement changes made to the Thurston County Comprehensive Plan and the Consolidated Plan for Housing in Thurston County (CPHTC) to address housing needs and meet requirements under RCW 43.185C.160 that requires jurisdictions to include provisions for the development of regulated, temporary homeless encampments. Before Resolution No. 14401 and Ordinance No. 14402, the CPHTC addressed homeless encampments, but the Thurston County Comprehensive Plan and associated development regulations did not.

Ordinance No. 14402, adopted September 7, 2010, updated the Thurston County Zoning Ordinance (Title 20), the Zoning Ordinance for the Lacey Urban Growth Area (Title 21), the Tumwater Urban Growth Area (Title 22), and the Olympia Urban Growth Area (Title 23) to include temporary homeless encampment regulations. The Planning Commission and the public reviewed these regulations at a public hearing in March of 2010, and the Planning Commission recommended adoption on April 7, 2010. The Board of County Commissioners (BoCC) also reviewed the amendments and held public hearings in June 2010.

To date, Thurston County has not permitted any homeless encampments in either the rural county or urban growth areas. Only one application has been submitted to the County for a temporary homeless encampment in Fall 2021.

Interim regulations have been in place since 2019 and have been renewed on 5 separate occasions. There have been two renewals that have included amendments.

The proposed amendments include those changes under the interim regulations (Ord. 16161), which allow for the Director of Community Planning and Economic Development to waive certain requirements in a declared emergency. Additional amendments clarify application requirements and permitting procedures for this type of application. Further, some minor adjustments are needed to further protect the environment and add clarification. Proposed amendments are summarized in a July 20, 2022 [memorandum](#) to the Planning Commission.

In working with Development Services and Public Health and Social Services (PHSS), some barriers identified for applicants who may want to apply for a permit for a homeless encampments include lack of clarity around regulations; the initial and ongoing expense of hosting a homeless encampment; difficulty finding a suitable site; and laws requiring logs of residents be kept and available to the Sheriff's Office. The Planning Commission noted other barriers to getting unsheltered people into homeless encampments, such as prohibiting illegal drugs and alcohol. While PHSS has not cited the prohibition on drugs and alcohol as a major barrier to entry, they have identified that requiring identification can be a significant barrier and that using "may" rather than "must" in the ID section (a change already included under interim regulations and carried over into the proposed amendments as part of this hearing) reduces barriers to getting unsheltered people into homeless encampments significantly.

Proposed Amendments – Summary of What Can and Cannot Be Waived¹

Examples of requirements that the CPED Director may waive in a homelessness emergency:	Examples of requirements that may <u>NOT</u> be waived:
<ul style="list-style-type: none"> • Number of residents in the encampment. • Public informational meetings. • On-site parking. • Locational and screening requirements. • Security plan requirement. • Requirement of a security tent. • Visitor regulations. • Numbering system of encampment. • General liability insurance. 	<ul style="list-style-type: none"> • Sanitary portable toilets must be screened from adjacent properties and rights-of-way. • Temporary structures must conform to all building codes. • <i>Fire safety requirements apply, except they may be waived only to allow for integrated cooking and heating units within the RVs.</i> • A "Code of Conduct" is required. • Residents must sign an agreement to abide by the code of conduct.

¹ The requirements that are waivable during an emergency were discussed by the Board of County Commissioners, PHSS, and Sheriff's Office in 2019 and have been included in the interim regulations as waivable requirements since their adoption in 2019, except for 1) the ban on heating and cooking devices, which was added as a waivable requirement in December 2020, and 2) not allowing for homeless encampments in critical areas or their buffers, which was added as a non-waivable requirement during this update in 2022.

	<ul style="list-style-type: none"> • The sponsoring agency may use verifiable identification to obtain sex offender and warrant checks for prospective and existing homeless encampment residents. • The sponsoring agency shall self-police and self-manage its residents and prohibit alcohol, illegal drugs, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property. • <i>Homeless encampments may not be sited in a critical area or its buffer.</i>
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Proposed Amendments - Diversions from Interim Ordinance:

- Adds 20.35.080(3) TCC as a non-waivable requirement – “No homeless encampment shall be located within a critical area or its buffer.”
- Removes the allowance of heating and cooking systems for RVs from the emergency waiver section (20.35.130 TCC) and includes this as an exception within the fire requirements of the code (20.35.080(11)(c)&(d) TCC). This means that this exception would not need an approved waiver from the Director and would always apply even without a declared public health emergency.
- Extends the time for which requirements may be waived from 6 months with a public hearing to so long as the public health emergency exists (note: this does not eliminate the time limitations for the temporary use permit as a whole).

New amendments, based on further review of the regulations and permitting experience:

- Temporary homeless encampments are currently permitted for six months and must apply for an extension after the term. Suggested amendment to extend to a one-year time limit on temporary homeless encampments and to allow for a one-time extension of the temporary use permit (20.35.100 TCC). This suggestion would reduce permit staff time dedicated to new temporary use permits.
- Clarifying language added that only one permit extension might be granted, and the applicant must apply for a new temporary use permit after one extension.
- Adds a permit revocation section to address scenarios where there may be a violation of approval criteria and the process for the Director to revoke the permit.
- Adds clarifying language for approval authority of applications, public informational meeting requirements, and security plan requirements.
- Changes permit process for temporary homeless encampments to add in Director review of the administrative decision with the Thurston Board of County Commissioners, and to amend appeal procedures, so final decisions are appealed directly to Superior Court.

CONSISTENCY WITH OTHER REGULATIONS, PLANS, AND POLICIES:

The proposed amendments are consistent with Thurston County Comprehensive Plan policies and other County plans, like the 2018-2022 Thurston County and *Olympia Regional Consolidated Plan*, and the *Thurston County Homeless Crisis Response Plan 2019-2024*. This information was summarized in a [memorandum](#) and presentation to the Planning Commission on July 6, 2022.

PUBLIC OUTREACH/PARTICIPATION:

The proposal affects County residents, Community Planning & Economic Development, Thurston County Public Health and Social Services, and the Thurston County Sheriff's Office. In reviewing interim regulations and considering additional amendments, Thurston County Community Planning worked with the Thurston County's Sheriff's Office, Thurston County Public Health and Social Services, and Development Services CPED staff. Interdepartmental outreach is summarized in a July 20, 2022, [memorandum](#) to the Planning Commission.

The Board of County Commissioners has renewed interim regulations five times since their original adoption in 2019. Each time, a public hearing has been held. All public comments received during hearings on interim regulations are available on the project website:

<https://www.thurstoncountywa.gov/planning/Pages/devcode-eho-permanent.aspx>

PREVIOUS REVIEW:

The Planning Commission held an informational work session on Nov. 17, 2021 and two additional work sessions on the proposed amendments on July 6 and July 20, 2022. Attachments and other supporting materials for that meeting can be viewed at:

<https://www.thurstoncountywa.gov/planning/Pages/pc-meetings.aspx>

SEPA:

An environmental determination for the proposed amendment is required pursuant to WAC 197-11-704 and will be completed before a public hearing on the amendments before the Board of County Commissioners.

PUBLIC COMMENT:

As of August 9, 2022, at 12 PM, no public comments have been received. Any written comments received up until 4PM the day of the hearing will be forwarded to the Planning Commission and included on the project website.

ATTACHMENT:

- Attachment A: Draft Proposed Amendments
- Attachment B: Draft Environmental Checklist

**Thurston County Community Planning and Economic Development
Department
Community Planning Division**

**THURSTON COUNTY PLANNING
COMMISSION**

PUBLIC HEARING DRAFT

August 17, 2022

A-24 Emergency Housing Ordinance.

Chapters: **Title 20, Chapter 20.35 and 20.60 (attachment-A)**
 Title 21, Chapter 21.64 and 21.81 (attachment-B)
 Title 22, Chapter 22.51 and 22.62 (attachment-C)
 Title 23, Chapter 23.54 and 23.72 (attachment-D)

Deleted Text: ~~Strikethrough~~ Proposed Changes: Underlined
Staff Comments: *Italics* Unaffected Omitted Text ...

The proposed amendments contained herein are included on the 2022-2023 Official Development Code Docket (Item A-24). This docket item is a board-initiated amendment to consider making current interim regulations for permitting criteria flexibility of homeless encampments, permanent. The amendments apply to unincorporated county, both rural (Title 20) and the three urban growth areas of Lacey (Title 21), Tumwater (Title 22), and Olympia (Title 23).

ATTACHMENT A: Thurston County Zoning Ordinance (Title 20)

Proposed amendments to Chapter 20.35 include amendments that clarify application procedures, approval authority, procedural and public informational meeting requirements, operation and security plan requirements, and addition of new sections that clarify application review procedures (Section 20.35.065) and allow the director of Community Planning and Economic Development to waive specific requirements in a public health emergency (Section 20.35.130).

Some language from the previous interim ordinance emergency waiver section (Section 20.35.130) has been changed:

- Emergency waiver clause for cooking and heating units eliminated, and moved to fire requirements section under requirements for approval (making it a permanent exception that does not require a waiver).*
- Not allowing homeless encampments in critical areas or their buffers is added as a non-waivable requirement.*
- Change how long waiver of requirements is valid, eliminate requirement of public hearing for renewal every 6 months, and add in language about what happens if the public health emergency is rescinded.*

Chapter 20.35 – Homeless Encampments

20.35.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards. Additionally, the purpose of this chapter is to facilitate a quick response in permitting of homeless encampments as needed during a declared crisis or emergency.

20.35.040 Approval authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a ~~church~~ faith-based organization, not-for-profit organization, or other organization.

20.35.060 Homeless encampment—Initiation—Procedure—Notice.

1. Advance Notice Required. The host and/or sponsoring agency shall ~~send a notice of application to~~ notify the county ~~to establish~~ of the proposed homeless encampment a minimum of thirty days prior to the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a permit for a temporary homeless encampment and shall contain the following information:
 - a. Host and sponsoring agency contact and location information;

- b. The maximum number of residents;
 - c. The estimated length of time the homeless encampment will continue, not to exceed the requirements under this chapter;
 - d. The proposed opening date of the homeless encampment;
 - e. The proposed location of the public informational meeting; and
 - f. The manner in which the homeless encampment will comply with the requirements of this Chapter and which requirements, if any, are requested to be waived as considered under TCC 20.35.130.
2. ~~The public informational meeting as described TCC 20.35.070 shall be held within ten days of filing the notice of application.~~
3. ~~The notice of application and public informational meeting shall contain the following information:~~
- a. ~~Host and sponsoring agency contact and location information;~~
 - b. ~~The maximum number of residents;~~
 - c. ~~The proposed opening date of the homeless encampment; and~~
 - d. ~~The proposed location of the public informational meeting.~~
42. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
53. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
64. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall ~~coincide with other notification requirements described above~~ occur no later than nine (9) days after receiving an application that is deemed complete or at the same time for which the public informational meeting is noticed under 20.35.070(3) and (4), whichever comes first. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards. The county shall provide the sign to the host and/or sponsoring agency along with a date by which the sign must be posted. The sign shall include the name and general description of the proposed project, proposed opening date, the sponsoring agency and a contact name and phone number for more information.
- a. The sign shall be installed in a place visible to the public, midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
 - b. The sign board shall be secured to at least one (1) four (4) inch by four (4) inch posts. Bracing shall be used in order for the sign board to withstand high wind conditions that may occur. Posts shall be dug twenty-four (24) to thirty-six (36) inches into the ground for stability. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.

- c. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
 - d. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
 - e. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing.
5. Within nine (9) days after the application is received and deemed complete, the department shall mail a notice of application to all owners of the property within one-thousand feet of the project site. This may be done concurrently with the notice required for the public informational meeting under 20.35.070(4). It shall also be mailed to the applicant and other interested parties. The notice of application shall include the information required under 20.35.060(1), and the additional following:
 - a. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 - b. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 - c. A map showing the project site in relation to other properties; and
 - d. Any other information determined appropriate by the department.

20.35.065 Homeless encampment—Application Review Procedures.

A homeless encampments permit is a temporary use permit that is an administrative decision by the Director or Director's designee. The Director may issue a temporary and revocable permit for a Homeless Encampment subject to the requirements of this Chapter.

1. Homeless encampments are permitted as a temporary use through and administrative special use permit, Type I. Where regulations differ between Chapter 20.60 TCC and this Chapter, the regulations for processing the permit of this chapter apply. This includes timing and procedure for notice of application, public informational meeting requirements, and appeal procedures.
 - a. Advanced Notice is required as outlined under Section 20.35.060(1) TCC.
 - b. A public informational meeting is required as outlined under Section 20.35.070 TCC.

- c. Proper noticing is required by both the host and/or sponsoring agency, and the department to provide notice of the application and notice of the public meeting, as stated in this Chapter.
- d. Homeless encampments are subject to the requirements of approval and operations and security plan requirements as outlined in this Chapter. Certain requirements may be waived subject to Section 20.35.130 TCC.
- e. Director's Decision on Homeless Encampments.
 - i. The Director shall review the proposal to ensure compliance with the provisions of this Chapter and all other applicable laws to ensure that the health, safety and welfare of the citizens of the County are preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this Chapter.
 - ii. Director Authority. The Director may modify the submittal requirements as deemed appropriate.
 - iii. The Director will review the decision on the permit application with the Thurston Board of County Commissioners. Upon review, the Thurston Board of County Commissioners shall either confirm or reverse the recommendation of the Director, or remand the decision back to the Director with instructions. The Director shall issue a final decision following review with the Board of County Commissioners.
 - iv. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of the Director's decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the public informational meeting. The Director's decision as reviewed by the Thurston County Board of County Commissioners is a final decision of the County.
- f. Appeal Procedures. Notwithstanding appeal procedures under 20.60.060 TCC, or any other Thurston County procedure, the Director's decision is final and no reconsideration requests, appeals to the Hearings Examiner, nor appeals to the Board of County Commissioners shall be considered. The Director's final decision under this Chapter may be appealed to a Superior Court with competent jurisdiction. The filing of an appeal to Superior Court will not result in an automatic stay absent a court order.

20.35.070 Public Informational Meeting.

- 1. The sponsoring agency shall conduct at least one neighborhood public informational meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site. A virtual meeting may be considered in combination with a public informational meeting. However, a virtual meeting may only serve in lieu of an in-person public informational meeting at the discretion of the Director if there are existing concerns related to public health and safety.

2. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency. The public informational meeting shall be held a minimum of fourteen (14) days prior to the issuance of the temporary use permit.
3. The host and/or sponsoring agency shall provide notice of the ~~neighborhood~~public informational meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than ~~fourteen~~ ten days prior to the date of the ~~neighborhood~~public informational meeting. The publication shall specify the time and place of the ~~neighborhood~~public informational meeting, and the information required for the ~~advanced notification of application~~ notice of application under Section 20.35.060(1)(C) to establish a homeless encampment. This may be done concurrently with the notice of application required under 20.35.060(5).
4. At minimum, all property owners within one thousand feet of the proposed homeless encampment location shall be notified by mail a minimum of ~~fourteen~~ ten (10) days in advance of the public informational meeting by the host and/or sponsoring agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within one thousand feet of the proposed homeless encampment.
5. The public informational meeting shall at a minimum include general information of the proposed project, maximum number of residents, proposed opening date, contact information for the sponsoring agency, and availability of the host and/or sponsoring agency to answer questions.

20.35.080 Requirements for approval.

1. Each homeless encampment shall be a minimum of one thousand square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - a. Sanitary portable toilets in the number and pumping interval required to meet capacity guidelines;
 - b. Hand washing stations by the toilets and by the food areas;
 - c. Refuse receptacles with capacity to handle pickup intervals without overflowing and ~~vector proof~~ that close and keep out flies, rodents and other animals;
 - d. Food tent and security tent. Food needs to be stored in ~~vector proof~~ closed containers (or receptacles) that keep out flies, rodents and other animals.
2. The host and sponsoring agencies shall provide adequate potable water source with backflow prevention to the homeless encampment, as approved by the local water district and the county.
3. No homeless encampment shall be located within a critical area or its buffer.
4. No permanent structures shall be constructed for the homeless encampment.
5. No more than forty residents shall be allowed. The county may further limit the number of residents as site conditions dictate.

6. Adequate onsite parking shall be provided for the homeless encampment. No offsite parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on a site with another use, it shall be shown that the homeless encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.
7. The homeless encampment shall be within a quarter mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
8. The homeless encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
9. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
10. Indoor encampments and all temporary structures within the homeless encampment shall conform to all building codes.
11. At minimum, the homeless encampment shall conform to the following Fire requirements:
 - a. Material used as roof covering and walls shall be of flame retardant material;
 - b. There shall be no open fires;
 - c. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 - d. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 - e. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the fire department;
 - f. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the fire department;
 - g. Adequate separation between camping units and other structures shall be maintained as determined by the fire department, but in no case, less than ten feet; and
 - h. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
12. No homeless encampment shall be permitted on public rights-of-way.
13. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a

distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within three hundred feet from the property line of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential host agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

20.35.090 Operations and security plan required.

1. The host and/or sponsoring agency shall submit an operations and security plan to the department as part of the permit application for the homeless encampment. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the temporary site.
2. The host agency shall provide to all residents of the homeless encampment a "Code of Conduct" for living at the encampment. A copy of the "Code of Conduct" shall be submitted as part of the operations and security plan.
3. All homeless encampment residents must sign an agreement to abide by the code of conduct. Failure to abide by the code of conduct and the operations and security plan shall result in the noncompliant resident's immediate and permanent expulsion from the property.
4. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names, birth dates, and dates of stay. Logs shall be kept for a minimum of six months and made available to the county and the sheriff's Office upon request.
5. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID~~s~~. The sponsoring agency may require presentation of identification such as a driver's license, government issued identification card, military identification or passport, fingerprinting technologies, or other reasonable forms of identification from prospective and existing encampment residents.
6. The host agency shall ensure there is a security tent that is labeled with a visible sign indicating it is the security tent. The security tent shall have an operational telephone or cell phone that is manned twenty-four hours a day seven days a week and must provide the phone number to ~~CAPCOM~~COMM (county dispatch center). The security tent shall be located near the entrance of the encampment and be staffed by a volunteer, encampment resident, designated representative of the host agency, or other responsible person.
7. The sponsoring agency ~~will~~ may use verifiable identification listed in this section (20.35.090 TCC), to obtain sex offender and warrant checks ~~from the Thurston County Sheriff's Office~~ for prospective and existing homeless encampment residents.
 - a. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the county sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency ~~will~~ may reject the subject to the check for

- residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.
- b. The sponsoring agency shall immediately contact the ~~Thurston County Sheriff's office~~ TCOMM if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant or if, in the opinion of the on duty designated representative of the host agency or the on duty security staff, the rejected/ejected person is a potential threat to the community.
8. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, illegal drugs, ~~weapons~~, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
 9. The sponsoring agency will appoint a designated representative of the host agency to serve on duty at all times to serve as a point of contact for the ~~Thurston County Sheriff's Office~~ responding agency and will orient the officers or deputies as to how the security tent operates. The names of the on duty designated representative of the host agency will be posted daily in the security tent. The county shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.
 10. Visitors: Visitors to the encampment must meet the following procedures and requirements:
 - a. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.
 - b. Visitors may be at the encampment only between the hours of 9:00 a.m. and 10:00 p.m.
 - c. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.
 11. The homeless encampment shall have a numbering system to easily identify each of the tents. A map of the homeless encampment indicating the general location and the numbering of the tents shall be posted at the security tent.
 12. The host agency shall provide proof of general liability insurance with minimum limits of one million dollars per occurrence.

20.35.100 Timing.

1. No more than one homeless encampment may be located in each of the sheriff districts in Thurston County at any time but never more than two homeless encampments may be located within unincorporated Thurston County at any one time.
2. Duration of the homeless encampment shall not exceed ~~one hundred eighty days~~ three hundred and sixty-five (365) days. One (1) one-year permit extension may be granted by the Director upon the submittal of a letter from the Host Agency requesting said extension. Extension of any waived requirements under TCC 20.35.130 must also be requested. After one (1) extension has been granted, a new temporary use permit under this Chapter shall be required.

3. No host agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040(83)(d), more than one time in any twelve-month period, beginning on the date the homeless encampment locates on a parcel of property.

20.35.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, public health, environmental health, and the sheriff's Office at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

20.35.120 Termination and Revocation.

1. Homeless Encampment Permit Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the county learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.
2. Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director or the Director's designee may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the fourteen (14) day period, the Director or the Director's designee shall sustain or revoke the permit. When a Homeless Encampment Permit is revoked, the Director or the Director's designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals from the Director's decision to revoke a temporary Homeless Encampment permit shall be to Superior Court.

20.35.130 Emergency Waiver.

Upon adoption of an emergency resolution by the Thurston County Board of Health and/or the Thurston County Board of Commissioners declaring a public health emergency or crisis and after consultation with stakeholders, the requirements of this Chapter may be waived or modified by the Director or his or her designee for faith- based organizations, not-for-profit organizations and units of government, except for the requirements in TCC 20.35.080 (3), (9), (10), and (11), and TCC 20.35.090 (2), (3), (7), and (8). Waiver or modification of TCC 20.35.080 (1) and (2) also requires concurrence from the Thurston County Health Officer in addition to the other requirements necessary for waiver under this Section. Any waiver of the requirements of this Chapter shall be valid for the duration of the temporary use permit as long as the Thurston County Board of Health and/or the Thurston County Board of Commissioners continues to find that the public health emergency exists. If a public health emergency is rescinded, the applicant has ninety (90) days to remedy any waived conditions consistent with the requirements of this Chapter.

Chapter 20.60 – Administrative Procedures

20.60.020 – Application review procedures.

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Table 2

Permit Review Matrix

Thurston County Zoning Ordinance

Permit/Review	Staff/ Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
...								
Other administrative decisions/code interpretations	D	A		A	✓			
<u>Temporary Use Permit for Homeless Encampments (20.35 TCC)¹</u>	<u>D</u>	<u>Appealable directly to Superior Court.</u>			✓			
Amendments to administrative actions	D	A		A	✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 20.35 TCC apply. Administrative Decisions made by the Director are considered final and are directly appealable to Superior Court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

...

ATTACHMENT B: Lacey Urban Growth Area Zoning Ordinance (Title 21)

Proposed amendments to Chapter 21.64 include amendments that clarify application procedures, approval authority, procedural and public informational meeting requirements, operation and security plan requirements, and addition of new sections that clarify application review procedures (Section 21.64.065) and allow the director of Community Planning and Economic Development to waive specified requirements in a public health emergency (Section 21.64.130).

Some language from the previous interim ordinance emergency waiver section (Section 20.35.130) has been changed:

- Emergency waiver clause for cooking and heating units eliminated, and moved to fire requirements section under requirements for approval (making it a permanent exception that does not require a waiver).*
- Not allowing homeless encampments in critical areas or their buffers is added as a non-waivable requirement.*
- Change how long waiver of requirements is valid, eliminate requirement of public hearing for renewal every 6 months, and add in language about what happens if the public health emergency is rescinded.*

Chapter 21.64 – Homeless Encampments

21.64.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards. Additionally, the purpose of this chapter is to facilitate a quick response in permitting of homeless encampments as needed during a declared crisis or emergency.

21.64.040 Approval authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church, faith-based organization, not-for-profit organization, or other organization.

21.64.060 Homeless encampment—Initiation—Procedure—Notice.

A. Advance Notice Required. The host and/or sponsoring agency shall ~~send a notice of application to~~ notify the county to establish of the proposed homeless encampment a minimum of thirty days prior to the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a permit for a temporary homeless encampment and shall contain the following information:

1. Host and sponsoring agency contact and location information;

2. The maximum number of residents;
 3. The estimated length of time the homeless encampment will continue, not to exceed the requirements under this chapter;
 4. The proposed opening date of the homeless encampment;
 5. The proposed location of the public informational meeting; and
 6. The manner in which the homeless encampment will comply with the requirements of this Chapter and which requirements, if any, are requested to be waived as considered under TCC 21.64.130.
- ~~B.~~ ~~The public informational meeting as described TCC 20.35.070 shall be held within ten days of filing the notice of application.~~
- ~~C.~~ ~~The notice of application and public informational meeting shall contain the following information:~~
1. ~~Host and sponsoring agency contact and location information;~~
 2. ~~The maximum number of residents;~~
 3. ~~The proposed opening date of the homeless encampment; and~~
 4. ~~The proposed location of the public informational meeting.~~
- ~~DB.~~ If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- ~~EC.~~ All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- ~~FD.~~ The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall ~~coincide with other notification requirements described above~~ occur no later than nine (9) days after receiving an application that is deemed complete or at the same time for which the public informational meeting is noticed under 21.64.070(C) and (D), whichever comes first. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards. The county shall provide the sign to the host and/or sponsoring agency along with a date by which the sign must be posted. The sign shall include the name and general description of the proposed project, proposed opening date, the sponsoring agency and a contact name and phone number for more information.
1. The sign shall be installed in a place visible to the public, midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
 2. The sign board shall be secured to at least one (1) four (4) inch by four (4) inch posts. Bracing shall be used in order for the sign board to withstand high wind conditions that may occur. Posts shall be dug twenty-four (24) to thirty-six (36) inches into the ground for stability. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.

3. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
 4. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
 5. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing.
- E. Within nine (9) days after the application is received and deemed complete, the department shall mail a notice of application to all owners of the property within one-thousand feet of the project site. This may be done concurrently with the notice required for the public informational meeting under 21.64.070(D). It shall also be mailed to the applicant and other interested parties. The notice of application shall include the information required under 21.64.060(A), and the additional following:
1. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 2. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 3. A map showing the project site in relation to other properties; and
 4. Any other information determined appropriate by the department.

21.64.065 Homeless encampment—Application Review Procedures.

A homeless encampments permit is a temporary use permit that is an administrative decision by the Director or Director's designee. The Director may issue a temporary and revocable permit for a Homeless Encampment subject to the requirements of this Chapter.

- A. Homeless encampments are permitted as a temporary use through and administrative special use permit, Type I. Where regulations differ between Chapter 21.81 TCC and this Chapter, the regulations for processing the permit of this chapter apply. This includes timing and procedure for notice of application, public informational meeting requirements, and appeal procedures.
1. Advanced Notice is required as outlined under Section 21.64.060(A) TCC.
 2. A public informational meeting is required as outlined under Section 21.64.070 TCC.

3. Proper noticing is required by both the host and/or sponsoring agency, and the department to provide notice of the application and notice of the public meeting, as stated in this Chapter.
4. Homeless encampments are subject to the requirements of approval and operations and security plan requirements as outlined in this Chapter. Certain requirements may be waived subject to Section 21.64.130 TCC.
5. Director's Decision on Homeless Encampments.
 - a. The Director shall review the proposal to ensure compliance with the provisions of this Chapter and all other applicable laws to ensure that the health, safety and welfare of the citizens of the County are preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this Chapter.
 - b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.
 - c. The Director will review the decision on the permit application with the Thurston Board of County Commissioners. Upon review, the Thurston Board of County Commissioners shall either confirm or reverse the recommendation of the Director, or remand the decision back to the Director with instructions. The Director shall issue a final decision following review with the Board of County Commissioners.
 - d. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of the Director's decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the public informational meeting. The Director's decision as reviewed by the Thurston County Board of County Commissioners is a final decision of the County.
6. Appeal Procedures. Notwithstanding appeal procedures under 21.81.070 TCC, or any other Thurston County procedure, the Director's decision is final and no reconsideration requests, appeals to the Hearings Examiner, nor appeals to the Board of County Commissioners shall be considered. The Director's final decision under this Chapter may be appealed to a Superior Court with competent jurisdiction. The filing of an appeal to Superior Court will not result in an automatic stay absent a court order.

21.64.070 Public Informational Meeting.

- A. The sponsoring agency shall conduct at least one ~~neighborhood~~ public informational meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site. A virtual meeting may be considered in combination with a public informational meeting. However, a virtual meeting may only serve in lieu of an in-person public informational meeting at the discretion of the Director if there are existing concerns related to public health and safety.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency. The public informational meeting shall be held a minimum of fourteen (14) days prior to the issuance of the temporary use permit.

- C. The host and/or sponsoring agency shall provide notice of the ~~neighborhood~~public informational meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than ~~fourteen~~ ten days prior to the date of the ~~neighborhood~~public informational meeting. The publication shall specify the time and place of the ~~neighborhood~~public informational meeting, and the information required for the advanced notification of application ~~notice of application~~ under Section 21.64.060(A) ~~20.35.060(C)~~ to establish a homeless encampment. This may be done concurrently with the notice of application required under 21.64.060(E).
- D. At minimum, all property owners within one thousand feet of the proposed homeless encampment location shall be notified by mail a minimum of ~~fourteen~~ ten (10) days in advance of the public informational meeting by the host and/or sponsoring agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within one thousand feet of the proposed homeless encampment.
- E. The public informational meeting shall at a minimum include general information of the proposed project, maximum number of residents, proposed opening date, contact information for the sponsoring agency, and availability of the host and/or sponsoring agency to answer questions.

21.64.080 Requirements for approval.

- A. Each homeless encampment shall be a minimum of one thousand square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number and pumping interval required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles with capacity to handle pickup intervals without overflowing and ~~vector proof~~ that close and keep out flies, rodents and other animals;
 - 4. Food tent and security tent. Food needs to be stored in ~~vector proof~~ closed containers (or receptacles) that keep out flies, rodents and other animals.
- B. The host and sponsoring agencies shall provide adequate potable water source with backflow prevention to the homeless encampment, as approved by the local water district and the county.
- C. No homeless encampment shall be located within a critical area or its buffer.
- D. No permanent structures shall be constructed for the homeless encampment.
- E. No more than forty residents shall be allowed. The county may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the homeless encampment. No offsite parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on a site with another use, it shall be

shown that the homeless encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.

- G. The homeless encampment shall be within a quarter mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The homeless encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights of way. The type of screening shall be approved by the county and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. Indoor encampments and all ~~all~~ temporary structures within the homeless encampment shall conform to all building codes.
- K. At minimum, the homeless encampment shall conform to the following fire requirements:
 - 1. Material used as roof covering and walls shall be of flame retardant material;
 - 2. There shall be no open fires;
 - 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 - 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 - 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the fire department;
 - 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the fire department;
 - 7. Adequate separation between camping units and other structures shall be maintained as determined by the fire department, but in no case, less than ten feet; and
 - 8. Electrical service shall be in accordance with recognized and accepted practice. Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within three hundred feet from the property line of a licensed child daycare facility or any

public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential host agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

21.64.090 Operations and security plan required.

- A. The host and/or sponsoring agency shall submit an operations and security plan to the department as part of the permit application for the homeless encampment. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the temporary site.
- B. The host agency shall provide to all residents of the homeless encampment a "Code of Conduct" for living at the encampment. A copy of the "Code of Conduct" shall be submitted as part of the operations and security plan.
- C. All homeless encampment residents must sign an agreement to abide by the code of conduct. Failure to abide by the code of conduct and the operations and security plan shall result in the noncompliant resident's immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names, birth dates, and dates of stay. Logs shall be kept for a minimum of six months and made available to the county and the sheriff's office upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID^s. The sponsoring agency may require presentation of identification such as a driver's license, government issued identification card, military identification or passport, fingerprinting technologies, or other reasonable forms of identification from prospective and existing encampment residents.
- F. The host agency shall ensure there is a security tent that is labeled with a visible sign indicating it is the security tent. The security tent shall have an operational telephone or cell phone that is manned twenty-four hours a day seven days a week and must provide the phone number to ~~CAPCOMTCOMM~~ (county dispatch center). The security tent shall be located near the entrance of the encampment and be staffed by a volunteer, encampment resident, designated representative of the host agency, or other responsible person.
- G. The sponsoring agency ~~will~~ may use verifiable identification listed in this section (21.64.090 TCC), to obtain sex offender and warrant checks from the Thurston County Sheriff's Office for prospective and existing homeless encampment residents.
 - 1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the county sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency ~~will~~ may reject the subject to the check for residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

2. The sponsoring agency shall immediately contact the ~~Thurston County Sheriff's office~~TCOMM if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant or if, in the opinion of the on duty designated representative of the host agency or the on duty security staff, the rejected/ejected person is a potential threat to the community.
- H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, illegal drugs, ~~weapons~~, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
- I. The sponsoring agency will appoint a designated representative of the host agency to serve on duty at all times to serve as a point of contact for the ~~Thurston County Sheriff's Office~~ responding agency and will orient the officers or deputies as to how the security tent operates. The names of the on duty designated representative of the host agency will be posted daily in the security tent. The county shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.
- J. Visitors: Visitors to the encampment must meet the following procedures and requirements:
1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.
 2. Visitors may be at the encampment only between the hours of 9:00 a.m. and 10:00 p.m.
 3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.
- K. The homeless encampment shall have a numbering system to easily identify each of the tents. A map of the homeless encampment indicating the general location and the numbering of the tents shall be posted at the security tent.
- L. The host agency shall provide proof of general liability insurance with minimum limits of one million dollars per occurrence.

21.64.100 Timing.

- A. No more than one homeless encampment may be located in each of the sheriff districts in Thurston County at any time but never more than two homeless encampments may be located within unincorporated Thurston County at any one time.
- B. Duration of the homeless encampment shall not exceed ~~one hundred eighty days~~three hundred and sixty-five (365) days. One (1) one-year permit extension may be granted by the Director upon the submittal of a letter from the Host Agency requesting said extension. Extension of any waived requirements under TCC 21.64.130 must also be requested. After one (1) extension has been granted, a new temporary use permit under this Chapter shall be required.
- C. No host agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any twelve-month period, beginning on the date the homeless encampment locates on a parcel of property.

21.64.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, public health, environmental health, and the sheriff's office at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

21.64.120 Termination Termination and Revocation.

- A. Homeless Encampment Permit Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the county learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.
- B. Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director or the Director's designee may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the fourteen (14) day period, the Director or the Director's designee shall sustain or revoke the permit. When a Homeless Encampment Permit is revoked, the Director or the Director's designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals from the Director's decision to revoke a temporary Homeless Encampment permit shall be to Superior Court.

21.64.130 Emergency Waiver.

Upon adoption of an emergency resolution by the Thurston County Board of Health and/or the Thurston County Board of Commissioners declaring a public health emergency or crisis and after consultation with stakeholders, the requirements of this Chapter may be waived or modified by the Director or his or her designee for faith-based organizations, not-for-profit organizations and units of government, except for the requirements in TCC 21.64.080 (C), (I), (J), and (K), and TCC 21.64.090 (B), (C), (G), and (H). Waiver or modification of TCC 21.64.080 (A) and (B) also requires concurrence from the Thurston County Health Officer in addition to the other requirements necessary for waiver under this Section. Any waiver of the requirements of this Chapter shall be valid for the duration of the temporary use permit as long as the Thurston County Board of Health and/or the Thurston County Board of Commissioners continues to find that the public health emergency exists. If a public health emergency is rescinded, the applicant has ninety (90) days to remedy any waived conditions consistent with the requirements of this Chapter.

Chapter 21.81 – Administration and Enforcement Procedures

21.81.040 – Application review procedures.

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Illustration 1.

Permit Review Matrix

Lacey UGA Zoning Ordinance

Permit/Review	Staff/ Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
...								
Other administrative decisions/code interpretations	D	A		A	✓			
<u>Temporary Use Permit for Homeless Encampments (21.64 TCC)¹</u>	<u>D</u>	<u>Appealable directly to Superior Court.</u>			✓			
Amendments to administrative actions	D	A		A	✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 21.64 TCC apply. Administrative Decisions made by the Director are considered final and are directly appealable to Superior Court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

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ATTACHMENT C: Tumwater Urban Growth Area Zoning Ordinance (Title 22)

Proposed amendments to Chapter 22.51 include amendments that clarify application procedures, approval authority, procedural and public informational meeting requirements, operation and security plan requirements, and addition of new sections that clarify application review procedures (Section 22.51.065) and allow the director of Community Planning and Economic Development to waive specified requirements in a public health emergency (Section 22.51.130).

Some language from the previous interim ordinance emergency waiver section (Section 22.51.130) has been changed:

- Emergency waiver clause for cooking and heating units eliminated, and moved to fire requirements section under requirements for approval (making it a permanent exception that does not require a waiver).*
- Not allowing homeless encampments in critical areas or their buffers is added as a non-waivable requirement.*
- Change how long waiver of requirements is valid, eliminate requirement of public hearing for renewal every 6 months, and add in language about what happens if the public health emergency is rescinded.*

Chapter 22.51 – Homeless Encampments

22.51.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards. Additionally, the purpose of this chapter is to facilitate a quick response in permitting of homeless encampments as needed during a declared crisis or emergency.

22.51.040 Approval authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a ~~church~~ faith-based organization, not-for-profit organization, or other organization.

22.51.060 Homeless encampment—Initiation—Procedure—Notice.

A. Advance Notice Required. The host and/or sponsoring agency shall ~~send a notice of application to~~ notify the county ~~to establish~~ of the proposed homeless encampment a minimum of thirty days prior to the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a permit for a temporary homeless encampment and shall contain the following information:

1. Host and sponsoring agency contact and location information;

2. The maximum number of residents;
 3. The estimated length of time the homeless encampment will continue, not to exceed the requirements under this chapter;
 4. The proposed opening date of the homeless encampment;
 5. The proposed location of the public informational meeting; and
 6. The manner in which the homeless encampment will comply with the requirements of this Chapter and which requirements, if any, are requested to be waived as considered under TCC 22.51.130.
- ~~B.~~ ~~The public informational meeting as described TCC 20.35.070 shall be held within ten days of filing the notice of application.~~
- ~~C.~~ ~~The notice of application and public informational meeting shall contain the following information:~~
1. ~~Host and sponsoring agency contact and location information;~~
 2. ~~The maximum number of residents;~~
 3. ~~The proposed opening date of the homeless encampment; and~~
 4. ~~The proposed location of the public informational meeting.~~
- ~~DB.~~ If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- ~~EC.~~ All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- ~~FD.~~ The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall ~~coincide with other notification requirements described above~~ occur no later than nine (9) days after receiving an application that is deemed complete or at the same time for which the public informational meeting is noticed under 22.51.070(C) and (D), whichever comes first. ~~The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.~~ The county shall provide the sign to the host and/or sponsoring agency along with a date by which the sign must be posted. The sign shall include the name and general description of the proposed project, proposed opening date, the sponsoring agency and a contact name and phone number for more information.
1. The sign shall be installed in a place visible to the public, midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
 2. The sign board shall be secured to at least one (1) four (4) inch by four (4) inch posts. Bracing shall be used in order for the sign board to withstand high wind conditions that may occur. Posts shall be dug twenty-four (24) to thirty-six (36) inches into the ground for stability. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.

3. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
 4. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
 5. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing.
- E. Within nine (9) days after the application is received and deemed complete, the department shall mail a notice of application to all owners of the property within one-thousand feet of the project site. This may be done concurrently with the notice required for the public informational meeting under 22.51.070(D). It shall also be mailed to the applicant and other interested parties. The notice of application shall include the information required under 22.51.060(A), and the additional following:
1. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 2. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 3. A map showing the project site in relation to other properties; and
 4. Any other information determined appropriate by the department.

22.51.065 Homeless encampment—Application Review Procedures.

A homeless encampments permit is a temporary use permit that is an administrative decision by the Director or Director's designee. The Director may issue a temporary and revocable permit for a Homeless Encampment subject to the requirements of this Chapter.

- A. Homeless encampments are permitted as a temporary use through and administrative special use permit, Type I. Where regulations differ between Chapter 22.62 TCC and this Chapter, the regulations for processing the permit of this chapter apply. This includes timing and procedure for notice of application, public informational meeting requirements, and appeal procedures.
1. Advanced Notice is required as outlined under Section 22.51.060(A) TCC.
 2. A public informational meeting is required as outlined under Section 22.51.070 TCC.

3. Proper noticing is required by both the host and/or sponsoring agency, and the department to provide notice of the application and notice of the public meeting, as stated in this Chapter.
4. Homeless encampments are subject to the requirements of approval and operations and security plan requirements as outlined in this Chapter. Certain requirements may be waived subject to Section 22.51.130 TCC.
5. Director's Decision on Homeless Encampments.
 - a. The Director shall review the proposal to ensure compliance with the provisions of this Chapter and all other applicable laws to ensure that the health, safety and welfare of the citizens of the County are preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this Chapter.
 - b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.
 - c. The Director will review the decision on the permit application with the Thurston Board of County Commissioners. Upon review, the Thurston Board of County Commissioners shall either confirm or reverse the recommendation of the Director, or remand the decision back to the Director with instructions. The Director shall issue a final decision following review with the Board of County Commissioners.
 - d. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of the Director's decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the public informational meeting. The Director's decision as reviewed by the Thurston County Board of County Commissioners is a final decision of the County.
6. Appeal Procedures. Notwithstanding appeal procedures under 22.62.050 TCC, or any other Thurston County procedure, the Director's decision is final and no reconsideration requests, appeals to the Hearings Examiner, nor appeals to the Board of County Commissioners shall be considered. The Director's final decision under this Chapter may be appealed to a Superior Court with competent jurisdiction. The filing of an appeal to Superior Court will not result in an automatic stay absent a court order.

22.51.070 Public Informational Meeting.

- A. The sponsoring agency shall conduct at least one ~~neighborhood~~ public informational meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site. A virtual meeting may be considered in combination with a public informational meeting. However, a virtual meeting may only serve in lieu of an in-person public informational meeting at the discretion of the Director if there are existing concerns related to public health and safety.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency. The public informational meeting shall be held a minimum of fourteen (14) days prior to the issuance of the temporary use permit.

- C. The host and/or sponsoring agency shall provide notice of the ~~neighborhood~~public informational meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than ~~fourteen~~ ten days prior to the date of the ~~neighborhood~~public informational meeting. The publication shall specify the time and place of the ~~neighborhood~~public informational meeting, and the information required for the advanced notification of application ~~notice of application~~ under Section 22.51.060(A) ~~20.35.060(C)~~ to establish a homeless encampment. This may be done concurrently with the notice of application required under 22.51.060(E).
- D. At minimum, all property owners within one thousand feet of the proposed homeless encampment location shall be notified by mail a minimum of ~~fourteen~~ ten days in advance of the public informational meeting by the host and/or sponsoring agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within one thousand feet of the proposed homeless encampment.
- E. The public informational meeting shall at a minimum include general information of the proposed project, maximum number of residents, proposed opening date, contact information for the sponsoring agency, and availability of the host and/or sponsoring agency to answer questions.

22.51.080 Requirements for approval.

- A. Each homeless encampment shall be a minimum of one thousand square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number and pumping interval required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles with capacity to handle pickup intervals without overflowing and ~~vector proof~~ that close and keep out flies, rodents and other animals;
 - 4. Food tent and security tent. Food needs to be stored in ~~vector proof~~ closed containers (or receptacles) that keep out flies, rodents and other animals.
- B. The host and sponsoring agencies shall provide adequate potable water source with backflow prevention to the homeless encampment, as approved by the local water district and the county.
- C. No homeless encampment shall be located within a critical area or its buffer.
- D. No permanent structures shall be constructed for the homeless encampment.
- E. No more than forty residents shall be allowed. The county may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the homeless encampment. No offsite parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on a site with another use, it shall be shown that the homeless encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.

- G. The homeless encampment shall be within a quarter mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The homeless encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. Indoor encampments and all ~~All~~ temporary structures within the homeless encampment shall conform to all building codes.
- K. At minimum, the homeless encampment shall conform to the following fire requirements:
1. Material used as roof covering and walls shall be of flame retardant material;
 2. There shall be no open fires;
 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the fire department;
 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the fire department;
 7. Adequate separation between camping units and other structures shall be maintained as determined by the fire department, but in no case, less than ten feet; and
 8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within three hundred feet from the property line of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential host agency, this

requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

22.51.090 Operations and security plan required.

- A. The host and/or sponsoring agency shall submit an operations and security plan to the department as part of the permit application for the homeless encampment. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the temporary site.
- B. The host agency shall provide to all residents of the homeless encampment a "Code of Conduct" for living at the encampment. A copy of the "Code of Conduct" shall be submitted as part of the operations and security plan.
- C. All homeless encampment residents must sign an agreement to abide by the code of conduct. Failure to abide by the code of conduct and the operations and security plan shall result in the noncompliant resident's immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names, birth dates, and dates of stay. Logs shall be kept for a minimum of six months and made available to the county and the sheriff's office upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID's. The sponsoring agency may require presentation of identification such as a driver's license, government issued identification card, military identification or passport, fingerprinting technologies, or other reasonable forms of identification from prospective and existing encampment residents.
- F. The host agency shall ensure there is a security tent that is labeled with a visible sign indicating it is the security tent. The security tent shall have an operational telephone or cell phone that is manned twenty-four hours a day seven days a week and must provide the phone number to ~~CAPCOM~~ TCOMM (county dispatch center). The security tent shall be located near the entrance of the encampment and be staffed by a volunteer, encampment resident, designated representative of the host agency, or other responsible person.
- G. The sponsoring agency ~~will~~ may use verifiable identification listed in this section (22.51.090 TCC), to obtain sex offender and warrant checks from the Thurston County Sheriff's Office for prospective and existing homeless encampment residents.
 - 1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the county sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency ~~will~~ may reject the subject to the check for residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.
 - 2. The sponsoring agency shall immediately contact the ~~Thurston County Sheriff's office~~ TCOMM if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant or if, in the opinion of the on duty designated representative of the host agency or the on duty security staff, the rejected/ejected person is a potential threat to the community.

- H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, illegal drugs, ~~weapons~~, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
- I. The sponsoring agency will appoint a designated representative of the host agency to serve on duty at all times to serve as a point of contact for the ~~Thurston County Sheriff's Office~~ responding agency and will orient the officers or deputies as to how the security tent operates. The names of the on duty designated representative of the host agency will be posted daily in the security tent. The county shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.
- J. Visitors: Visitors to the encampment must meet the following procedures and requirements:
 - 1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.
 - 2. Visitors may be at the encampment only between the hours of 9:00 a.m. and 10:00 p.m.
 - 3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.
- K. The homeless encampment shall have a numbering system to easily identify each of the tents. A map of the homeless encampment indicating the general location and the numbering of the tents shall be posted at the security tent.
- L. The host agency shall provide proof of general liability insurance with minimum limits of one million dollars per occurrence.

22.51.100 Timing.

- A. No more than one homeless encampment may be located in each of the sheriff districts in Thurston County at any time but never more than two homeless encampments may be located within unincorporated Thurston County any one time.
- B. Duration of the homeless encampment shall not exceed ~~one hundred eighty days~~ three hundred and sixty-five (365) days. One (1) one-year permit extension may be granted by the Director upon the submittal of a letter from the Host Agency requesting said extension. Extension of any waived requirements under TCC 22.51.130 must also be requested. After one (1) extension has been granted, a new temporary use permit under this Chapter shall be required.
- C. No host agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any twelve-month period, beginning on the date the homeless encampment locates on a parcel of property.

22.51.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, public health, environmental health, and the sheriff's office at reasonable

times without prior notice for compliance with the conditions of the permit for the homeless encampment.

22.51.120 Termination and Revocation.

- A. Homeless Encampment Permit Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the county learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.
- B. Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director or the Director's designee may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the fourteen (14) day period, the Director or the Director's designee shall sustain or revoke the permit. When a Homeless Encampment Permit is revoked, the Director or the Director's designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals from the Director's decision to revoke a temporary Homeless Encampment permit shall be to Superior Court.

22.51.130 Emergency Waiver.

Upon adoption of an emergency resolution by the Thurston County Board of Health and/or the Thurston County Board of Commissioners declaring a public health emergency or crisis and after consultation with stakeholders, the requirements of this Chapter may be waived or modified by the Director or his or her designee for faith-based organizations, not-for-profit organizations and units of government, except for the requirements in TCC 22.51.080 (C), (I), (J), and (K), and TCC 22.51.090 (B), (C), (G), and (H). Waiver or modification of TCC 22.51.080 (A) and (B) also requires concurrence by the Thurston County Health Officer in addition to the other requirements necessary for waiver under this Section. Any waiver of the requirements of this Chapter shall be valid for the duration of the temporary use permit as long as the Thurston County Board of Health and/or the Thurston County Board of Commissioners continues to find that the public health emergency exists. If a public health emergency is rescinded, the applicant has ninety (90) days to remedy any waived conditions consistent with the requirements of this Chapter.

Chapter 22.62 – Administration and Appeals

22.62.020 – Application review procedures.

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Table 22.62.

Permit Review Matrix

Tumwater UGA Zoning Ordinance

Permit/Review	Staff/ Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
...								
Other administrative decisions/code interpretations	D	A		A	✓			
<u>Temporary Use Permit for Homeless Encampments (22.51 TCC)¹</u>	<u>D</u>	<u>Appealable directly to Superior Court.</u>			✓			
Amendments to administrative actions	D	A		A	✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 22.51 TCC apply. Administrative Decisions made by the Director are considered final and are directly appealable to Superior Court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

...

ATTACHMENT D: Olympia Urban Growth Area Zoning Ordinance (Title 23)

Proposed amendments to Chapter 23.45 include amendments that clarify application procedures, approval authority, procedural and public informational meeting requirements, operation and security plan requirements, and addition of new sections that clarify application review procedures (Section 23.45.065) and allow the director of Community Planning and Economic Development to waive specified requirements in a public health emergency (Section 23.45.130).

Some language from the previous interim ordinance emergency waiver section (Section 23.45.130) has been changed:

- Emergency waiver clause for cooking and heating units eliminated, and moved to fire requirements section under requirements for approval (making it a permanent exception that does not require a waiver).*
- Not allowing homeless encampments in critical areas or their buffers is added as a non-waivable requirement.*
- Change how long waiver of requirements is valid, eliminate requirement of public hearing for renewal every 6 months, and add in language about what happens if the public health emergency is rescinded.*

Chapter 23.45 – Homeless Encampments

23.45.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards. Additionally, the purpose of this chapter is to facilitate a quick response in permitting of homeless encampments as needed during a declared crisis or emergency.

23.45.040 Approval authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church, faith-based organization, not-for-profit organization, or other organization.

23.45.060 Homeless encampment—Initiation—Procedure—Notice.

A. Advance Notice Required. The host and/or sponsoring agency shall ~~send a notice of application to~~ notify the county ~~to establish~~ of the proposed homeless encampment a minimum of thirty days prior to the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a permit for a temporary homeless encampment and shall contain the following information:

1. Host and sponsoring agency contact and location information;
2. The maximum number of residents;

3. The estimated length of time the homeless encampment will continue, not to exceed the requirements under this chapter;
 4. The proposed opening date of the homeless encampment;
 5. The proposed location of the public informational meeting; and
 6. The manner in which the homeless encampment will comply with the requirements of this Chapter and which requirements, if any, are requested to be waived as considered under TCC 23.45.130.
- ~~B. The public informational meeting as described TCC 20.35.070 shall be held within ten days of filing the notice of application.~~
- ~~C. The notice of application and public informational meeting shall contain the following information:~~
- ~~1. Host and sponsoring agency contact and location information;~~
 - ~~2. The maximum number of residents;~~
 - ~~3. The proposed opening date of the homeless encampment; and~~
 - ~~4. The proposed location of the public informational meeting.~~
- DB. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- EC. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- FD. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above occur no later than nine (9) days after receiving an application that is deemed complete or at the same time for which the public informational meeting is noticed under 23.45.070(C) and (D), whichever comes first. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards. The county shall provide the sign to the host and/or sponsoring agency along with a date by which the sign must be posted. The sign shall include the name and general description of the proposed project, proposed opening date, the sponsoring agency and a contact name and phone number for more information.
1. The sign shall be installed in a place visible to the public, midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
 2. The sign board shall be secured to at least one (1) four (4) inch by four (4) inch posts. Bracing shall be used in order for the sign board to withstand high wind conditions that may occur. Posts shall be dug twenty-four (24) to thirty-six (36) inches into the ground for stability. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.
 3. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county

decision on the proposal including the expiration of the applicable appeal period. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.

4. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
5. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing.

E. Within nine (9) days after the application is received and deemed complete, the department shall mail a notice of application to all owners of the property within one-thousand feet of the project site. This may be done concurrently with the notice required for the public informational meeting under 23.45.070(D). It shall also be mailed to the applicant and other interested parties. The notice of application shall include the information required under 23.45.060(A), and the additional following:

1. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
2. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
3. A map showing the project site in relation to other properties; and
4. Any other information determined appropriate by the department.

23.45.065 Homeless encampment—Application Review Procedures.

A. Homeless encampments are permitted as a temporary use through and administrative special use permit, Type I. Where regulations differ between Chapter 23.72 TCC and this Chapter, the regulations for processing the permit of this chapter apply. This includes timing and procedure for notice of application, public informational meeting requirements, and appeal procedures.

1. Advanced Notice is required as outlined under Section 23.45.060(A) TCC.
2. A public informational meeting is required as outlined under Section 23.45.070 TCC.
3. Proper noticing is required by both the host and/or sponsoring agency, and the department to provide notice of the application and notice of the public meeting, as stated in this Chapter.
4. Homeless encampments are subject to the requirements of approval and operations and security plan requirements as outlined in this Chapter. Certain requirements may be waived subject to Section 23.45.130 TCC.
5. Director’s Decision on Homeless Encampments.

- a. The Director shall review the proposal to ensure compliance with the provisions of this Chapter and all other applicable laws to ensure that the health, safety and welfare of the citizens of the County are preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this Chapter.
 - b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.
 - c. The Director will review the decision on the permit application with the Thurston Board of County Commissioners. Upon review, the Thurston Board of County Commissioners shall either confirm or reverse the recommendation of the Director, or remand the decision back to the Director with instructions. The Director shall issue a final decision following review with the Board of County Commissioners.
 - d. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of the Director's decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the public informational meeting. The Director's decision as reviewed by the Thurston County Board of County Commissioners is a final decision of the County.
6. Appeal Procedures. Notwithstanding appeal procedures under 23.72.190 TCC, or any other Thurston County procedure, the Director's decision is final and no reconsideration requests, appeals to the Hearings Examiner, nor appeals to the Board of County Commissioners shall be considered. The Director's final decision under this Chapter may be appealed to a Superior Court with competent jurisdiction. The filing of an appeal to Superior Court will not result in an automatic stay absent a court order.

23.45.070 Public Informational Meeting.

- A. The sponsoring agency shall conduct at least one ~~neighborhood~~public informational meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site. A virtual meeting may be considered in combination with a public informational meeting. However, a virtual meeting may only serve in lieu of an in-person public informational meeting at the discretion of the Director if there are existing concerns related to public health and safety.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency. The public informational meeting shall be held a minimum of fourteen (14) days prior to the issuance of the temporary use permit.
- C. The host and/or sponsoring agency shall provide notice of the ~~neighborhood~~public informational meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than ~~fourteen~~ ten days prior to the date of the ~~neighborhood~~public informational meeting. The publication shall specify the time and place of the ~~neighborhood~~public informational meeting, and the information required for the advanced notification of application ~~notice of application~~ under Section 23.45.060(A)

~~20.35.060(C)~~ to establish a homeless encampment. This may be done concurrently with the notice of application required under 23.45.060(E).

- D. At minimum, all property owners within one thousand feet of the proposed homeless encampment location shall be notified by mail a minimum of ~~fourteen~~ ten days in advance of the public informational meeting by the host and/or sponsoring agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within one thousand feet of the proposed homeless encampment.
- E. The public informational meeting shall at a minimum include general information of the proposed project, maximum number of residents, proposed opening date, contact information for the sponsoring agency, and availability of the host and/or sponsoring agency to answer questions.

23.45.080 Requirements for approval.

- A. Each homeless encampment shall be a minimum of one thousand square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
1. Sanitary portable toilets in the number and pumping interval required to meet capacity guidelines;
 2. Hand washing stations by the toilets and by the food areas;
 3. Refuse receptacles with capacity to handle pickup intervals without overflowing and ~~vector proof~~ that close and keep out flies, rodents and other animals;
 4. Food tent and security tent. Food needs to be stored in ~~vector proof~~ closed containers (or receptacles) that keep out flies, rodents and other animals.
- B. The host and sponsoring agencies shall provide adequate potable water source with backflow prevention to the homeless encampment, as approved by the local water district and the county.
- C. No homeless encampment shall be located within a critical area or its buffer.
- D. No permanent structures shall be constructed for the homeless encampment.
- E. No more than forty residents shall be allowed. The county may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the homeless encampment. No offsite parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on a site with another use, it shall be shown that the homeless encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.
- G. The homeless encampment shall be within a quarter mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

- H. The homeless encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the county and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. Indoor encampments and all ~~AH~~ temporary structures within the homeless encampment shall conform to all building codes.
- K. At minimum, the homeless encampment shall conform to the following fire requirements:
1. Material used as roof covering and walls shall be of flame retardant material;
 2. There shall be no open fires;
 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures, except for those common to and located inside recreational vehicles or tiny homes if there is no additional risk to health and safety;
 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the fire department;
 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the fire department;
 7. Adequate separation between camping units and other structures shall be maintained as determined by the fire department, but in no case, less than ten feet; and
 8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within three hundred feet from the property line of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential host agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

23.45.090 Operations and security plan required.

- A. The host and/or sponsoring agency shall submit an operations and security plan to the department as part of the permit application for the homeless encampment. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the temporary site.
- B. The host agency shall provide to all residents of the homeless encampment a "Code of Conduct" for living at the encampment. A copy of the "Code of Conduct" shall be submitted as part of the operations and security plan.
- C. All homeless encampment residents must sign an agreement to abide by the code of conduct. Failure to abide by the code of conduct and the operations and security plan shall result in the noncompliant resident's immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names, birth dates, and dates of stay. Logs shall be kept for a minimum of six months and made available to the county and the sheriff's office upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID; The sponsoring agency may require presentation of identification such as a driver's license, government issued identification card, military identification or passport, fingerprinting technologies, or other reasonable forms of identification from prospective and existing encampment residents.
- F. The host agency shall ensure there is a security tent that is labeled with a visible sign indicating it is the security tent. The security tent shall have an operational telephone or cell phone that is manned twenty-four hours a day seven days a week and must provide the phone number to ~~CAPCOM~~TCOMM (county dispatch center). The security tent shall be located near the entrance of the encampment and be staffed by a volunteer, encampment resident, designated representative of the host agency, or other responsible person.
- G. The sponsoring agency ~~will~~ may use verifiable identification listed in this section (23.45.090 TCC), to obtain sex offender and warrant checks from the Thurston County Sheriff's Office for prospective and existing homeless encampment residents.
 - 1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the county sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency ~~will~~ may reject the subject to the check for residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.
 - 2. The sponsoring agency shall immediately contact the ~~Thurston County Sheriff's Office~~ TCOMM if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant or if, in the opinion of the on duty designated representative of the host agency or the on duty security staff, the rejected/ejected person is a potential threat to the community.
- H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol,

illegal drugs, ~~weapons~~, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.

- I. The sponsoring agency will appoint a designated representative of the host agency to serve on duty at all times to serve as a point of contact for the ~~Thurston County Sheriff's Office~~ responding agency and will orient the officers or deputies as to how the security tent operates. The names of the on duty designated representative of the host agency will be posted daily in the security tent. The county shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.
- J. Visitors: Visitors to the encampment must meet the following procedures and requirements:
 1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.
 2. Visitors may be at the encampment only between the hours of 9:00 a.m. and 10:00 p.m.
 3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.
- K. The homeless encampment shall have a numbering system to easily identify each of the tents. A map of the homeless encampment indicating the general location and the numbering of the tents shall be posted at the security tent.
- L. The host agency shall provide proof of general liability insurance with minimum limits of one million dollars per occurrence.

23.45.100 Timing.

- A. No more than one homeless encampment may be located in each of the sheriff districts in Thurston County at any time but never more than two homeless encampments may be located within unincorporated Thurston Count at any one time.
- B. Duration of the homeless encampment shall not exceed ~~one hundred eighty days~~ three hundred and sixty-five (365) days. One (1) one-year permit extension may be granted by the Director upon the submittal of a letter from the Host Agency requesting said extension. Extension of any waived requirements under TCC 23.45.130 must also be requested. After one (1) extension has been granted, a new temporary use permit under this Chapter shall be required.
- C. No host agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any twelve-month period, beginning on the date the homeless encampment locates on a parcel of property.

23.45.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, public health, environmental health, and the sheriff's office at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

23.45.120 Termination and Revocation.

- A. Homeless Encampment Permit Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the county learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.
- B. Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director or the Director's designee may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the fourteen (14) day period, the Director or the Director's designee shall sustain or revoke the permit. When a Homeless Encampment Permit is revoked, the Director or the Director's designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals from the Director's decision to revoke a temporary Homeless Encampment permit shall be to Superior Court.

23.45.130 Emergency Waiver.

Upon adoption of an emergency resolution by the Thurston County Board of Health and/or the Thurston County Board of Commissioners declaring a public health emergency or crisis and after consultation with stakeholders, the requirements of this Chapter may be waived or modified by the Director or his or her designee for faith-based organizations, not-for-profit organizations and units of government, except for the requirements in TCC 23.45.080 (C), (I), (J), and (K), and TCC 23.45.090 (B), (C), (G), and (H). Waiver or modification of TCC 23.45.080 (A) and (B) also requires concurrence by the Thurston County Health Officer in addition to the other requirements necessary for waiver under this Section. Any waiver of the requirements of this Chapter shall be valid for the duration of the temporary use permit as long as the Thurston County Board of Health and/or the Thurston County Board of Commissioners continues to find that the public health emergency exists. If a public health emergency is rescinded, the applicant has ninety (90) days to remedy any waived conditions consistent with the requirements of this Chapter.

Chapter 23.72 – Administration

23.72.040 – Application review procedures.

...

Table 72.01.

Permit Review Matrix

Olympia UGA Zoning Ordinance

Permit/Review	Staff/ Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
...								
Other administrative decisions/code interpretations	D	A		A	✓			
<u>Temporary Use Permit for Homeless Encampments (23.45 TCC)¹</u>	<u>D</u>	<u>Appealable directly to Superior Court.</u>			✓			
Amendments to administrative actions	D	A		A	✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 23.45 TCC apply. Administrative Decisions made by the Director are considered final and are directly appealable to Superior Court.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

...



Community Planning & Economic Development
2000 Lakeridge Dr. S.W. Olympia, WA 98502
(360)786-5490 / (360)754-2939 (Fax)
TDD Line (360) 754-2933
Email: permit@co.thurston.wa.us
www.co.thurston.wa.us/permitting

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.



THURSTON COUNTY
Community Planning and Economic Development
ENVIRONMENTAL CHECKLIST

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

Emergency Housing Ordinance:
Permitting Criteria Flexibility

2. Name of applicant:

Thurston County Community Planning
and Economic Development

3. Address and phone number of applicant and contact person:

Maya Teeple, 2000 Lakeridge Dr. SW, Olympia WA 98502
360-545-2593

4. Date checklist prepared:

June 21, 2022

5. Agency requesting checklist:

Thurston County

6. Proposed timing or schedule (including phasing, if applicable):

Final action planned by December 2022

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

If adopted, there may be future developments that are permitted under the proposed regulations. Each development must still apply and go through the permitting process.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA prepared for the amendments adopted under the original ordinance # 14402 on 9-7-2010.
Determination of non-significance issued for those regulations.

* * * * OFFICIAL USE ONLY * * * *

Folder Sequence # XA 22 108100

Project # : 2022103138

Related Cases: _____

Date Received: 6/23/2022 By: _____

* * * * OFFICIAL USE ONLY * * * *

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

N/A

10. List any government approvals or permits that will be needed for your proposal, if known.

Amendments must be certified by WA State Dept. of Commerce as in compliance with the Growth Management Act.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This is a non-project action. Amendments to Homeless Encampments Chapters (Chapter 20.35, 21.64, 22.62, and 23.54) and Administrative Procedures Chapters of the Thurston County Code (Chapters 20.60, 21.81, 22.62, and 23.72). Amendments allow for flexibility of permitting criteria by allowing the Director to waive some requirements unrelated to public health and safety in the event of an emergency or crisis, and also provide greater clarity around application requirements and permitting procedures.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Thurston County (rural and Urban Growth Areas of Olympia, Lacey and Tumwater)



THURSTON COUNTY
Community Planning & Economic Development
ENVIRONMENTAL ELEMENTS

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site: (check one):

- Flat
- Rolling
- Hilly
- Steep Slopes
- Mountainous

Other: Varies across County

b. What is the steepest slope on the site (approximate percent slope)?

N/A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Varies across County

c. List threatened and endangered species known to be on or near the site.

Varies across County

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

e. List all noxious weeds and invasive species known to be on or near the site.

N/A

5. Animals [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other X

Varies across County

b. List any threatened and endangered species known to be on or near the site.

Varies across County

c. Is the site part of a migration route? If so, explain.

N/A

d. Proposed measures to preserve or enhance wildlife, if any:

N/A

e. List any invasive animal species known to be on or near the site.

N/A

6. **Energy and Natural Resources** [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. Environmental Health [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

N/A

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

4) Describe special emergency services that might be required.

N/A

5) Proposed measures to reduce or control environmental health hazards, if any:

N/A

b. *Noise*

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

3) Proposed measures to reduce or control noise impacts, if any:

N/A

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated,

how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A

c. Describe any structures on the site.

N/A

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

Varies across County

f. What is the current comprehensive plan designation of the site?

Varies across County

g. If applicable, what is the current shoreline master program designation of the site?

Varies across County

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

N/A

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project displace?

N/A

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

9. **Housing** [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

Varies across County.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Varies across County.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would

be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A

h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities [\[help\]](#)

a. Check utilities currently available at the site:

electricity natural gas water refuse service telephone sanitary sewer
septic system Other VARIES

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Maya Teeple Digitally signed by Maya Teeple
Date: 2022.07.11 10:55:06 -07'00'

Name of signee Maya B Teeple

Position and Agency/Organization Thurston County Community Planning

Date Submitted: 6/23/2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendments allows for some permitting requirements to be waived in an emergency.

Under the current regulations, homeless encampments are required to have necessary on-site facilities, including sanitary portable toilets, hand-washing stations, refuse receptacles, and potable water sources with back-flow prevention as approved by the local water district and county (TCC 20.35.080(1) & (2), TCC 21.64.080(A) & (B), TCC 22.52.080(A) & (B), and TCC 23.45.080(A) & (B)).

The proposed amendments would allow these requirements to be waived or modified under a public health emergency or crisis at the discretion of the Director with concurrence by the Thurston County Health Officer. In the event that these requirements are waived, there may be an increase to discharge to water.

Under current regulations, no more than 40 residents are permitted (TCC 20.35.080(5), TCC 21.64.080 (E), TCC 22.52.080(E), and TCC 23.45.080(E)). This criteria may be waived under a public health emergency or crisis at the discretion of the Director. Waiving this requirement may result in temporary periods of increased production of noise above what the existing regulations would allow.

Production, storage and release of toxic hazardous substances is unexpected to change with the proposed amendments.

Proposed measures to avoid or reduce such increases are:

Waiver of any requirements are at the discretion of the Director and Health Officer after review of site-specific conditions and after consultation with stakeholders. Permitting requirements may only be waived during a declared health emergency or crisis.

The Director and Health Officer may consider site-specific criteria when waiving requirements and ultimately determine that certain requirements may not be waived. For example, the Director may decide to not waive the limit on number of residents if the application is for a facility nearby to a residential area, or the Health Officer may not waive portable toilets and hand-washing stations if there is no alternative bathroom facility nearby or the site is near to body of water. A level of review is still required for any application that wishes to waive requirements.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Project-level applications may have impacts during development that impact plants or animals, however the proposed amendments are not expected to increase these impacts any more than under the current regulations.

Current regulations do not allow for homeless encampments to be located within a critical area or its buffer. The proposed amendments maintain this criteria as a requirement, and it cannot be waived.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed as there are no expected increase in impacts to plants, animals, fish or marine life.

3. How would the proposal be likely to deplete energy or natural resources?

There are no expected increases in impacts to energy or natural resources with the proposed amendments.

Proposed measures to protect or conserve energy and natural resources are:

None proposed as there are no expected increase in impacts to energy or natural resources with the proposed amendments.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Current regulations do not allow for homeless encampments to be located within a critical area or its buffer. There are no expected increases in impacts to parks, wilderness areas, or historic/cultural sites. The current regulations may allow for temporary impacts to parks or wilderness areas if an encampment is sited in close proximity to these areas, however the proposed amendments are not expected to increase these impacts any more than what would occur under current regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

No additional measures are proposed as there are no expected increase in impacts to environmentally sensitive areas, parks, habitat, historic sites, wetlands, floodplains or farmlands. Specific measures may be determined at the individual project level dependent on site criteria.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments are not expected to encourage land or shoreline uses that are incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

No additional measures are proposed. Specific measures may be determined at the individual project level dependent on site criteria.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendments would not increase demands on transportation infrastructure or public services and utilities. Current regulations require an encampment be sited within a quarter mile of a bus stop, so there may be periods of temporary increases in use of public transit under current regulations. The proposed amendments may allow for waiver of criteria that limits the number of residents in an encampment which could further increase use of public transit.

The proposed amendments also allow the permitting criteria requiring encampments be close to a bus stop to be waived in a declared emergency, which would result in no change in impact to public transit.

Proposed measures to reduce or respond to such demand(s) are:

No additional measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None. The goal of this project is to be in full compliance with the Growth Management Act. Additional review may be required at the permitting stage to ensure compliance with local, state, and federal environmental laws.