

THURSTON COUNTY COMMUNITY PLANNING

PLANNING COMMISSION – JULY 20, 2022



Emergency Housing Ordinance Code Amendment

ABOUT THE PROPOSAL

- Docket Item A-24: Emergency Housing Ordinance (EHO) – Permitting Criteria Flexibility (Titles 20, 21, 22, 23)
- Last work session – history of homeless encampments code, interim EHO code, what other jurisdictions are doing and related policies
- Today's work session – review proposed amendments

ABOUT THE PROPOSAL

- Proposed amendments consider making the interim regulations permanent to allow for quick permitting response in the event of an emergency
- Includes additional amendments beyond interim regulations that:
 - Clarify application requirements;
 - Clarify permitting process; and
 - Amend the permit review and appeals process for this type of application.

ABOUT THE PROPOSAL

- Interim regulations have been in place since 2019, with two minor amendments over the years
- In 2021 during a renewal of the interim regulations, the Board of County Commissioner's requested staff investigate if additional changes are needed to the ordinance to make it more effective
- Additional amendments were identified as a need in late 2021 when CPED received an application and applied the ordinance for the first time

DEPARTMENT INPUT

- **Public Health and Social Services** – commented with questions around procedures for non-compliant residents, retaining guest logs, and other questions around verbiage.
- **Thurston County Sheriff's Office** – provided some feedback correcting references. Previously (2019) indicated they were not in favor of the changed language, and has maintained that position, noting that it may be difficult to enforce and place extra pressure on limited staffing resources.
- **CPED Development Services** – Indicated more clarity is needed around the permitting process and application review procedures.
- **Previous BoCC Comments** – during initial review of the interim regulations, the BoCC requested additional methods for identification purposes and clarification on prohibited drugs, as well as not prohibiting weapons. These amendments are effective in the interim language and carried over in the proposed amendments presented tonight.

PROPOSED AMENDMENTS – CARRYOVER FROM INTERIM REGULATIONS

- Adopts a section that allows for the waiver of some regulations for temporary homeless encampments that are not related to public health and safety during a public health crisis
- Requires the Director to first consult with stakeholders before waiving requirements
- Includes fingerprinting as a type of verifiable ID
- Removes prohibition on weapons, and clarifies that illegal drugs are prohibited

PROPOSED AMENDMENTS – CARRYOVER FROM INTERIM REGULATIONS

- **Example of requirements that cannot be waived (not a full list):**
sanitary portable toilets must be screened; temporary structures must conform with building codes; fire safety requirements; required “Code of Conduct” that residents must sign; sponsoring agency to self policy and self manage
- **Example of requirements that can be waived (not a full list):**
number of residents allowed in a camp; length an encampment is established; requirement for public informational meetings; on-site parking requirements; visitor regulations

PROPOSED AMENDMENTS – DIVERSIONS FROM INTERIM REGULATIONS

- Emergency waiver clause for cooking and heating units eliminated, moved as a permanent exception under requirements for approval
- 20.35.080(3) TCC added as a non-waivable requirement - “No homeless encampment shall be located within a critical area or its buffer”
- Revises language to allow waiver of requirements to remain valid for the duration of a temporary use permit (current interim language only allows waiver of requirements for 6 months)

PROPOSED AMENDMENTS – ADDITIONAL CHANGES

- Includes additional amendments to clarify application and permitting process:
 - Clarifying language added for application requirements, approval authority, public informational meeting, operation and security plan requirements
 - References updated
 - New section added for application review procedures (20.35.065 TCC)
 - Includes BoCC in review of permit application
 - Changes appeal process to go directly to Superior Court
 - Duration for which homeless encampments are allowed 180 days or 365 days (current language is 180).

NEXT STEPS

If no further questions, the Planning Commission may set a public hearing:

- Move to set a public hearing on Development Code Docket Item A-24, the Emergency Housing Ordinance code amendment, for Wednesday August 17, 2022 at 7 PM or as soon thereafter as the matter may be heard.

QUESTIONS?

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