

THURSTON COUNTY COMMUNITY PLANNING

PLANNING COMMISSION – NOVEMBER 17, 2021



Emergency Housing Ordinance Code Amendment

ABOUT THE PROPOSAL

- Docket Item A-24: Emergency Housing Ordinance (EHO) – Permitting Criteria Flexibility (Titles 20 21, 22, 23)
- Today's work session – informational introduction only
 - Cover history of Homeless Encampments Chapter in TCC
 - Cover history of interim EHO ordinance
 - Review public input in developing interim ordinance

HISTORY: HOMELESS ENCAMPMENTS ORDINANCE

- Chapters 20.35, 21.64, 22.51, and 23.45 TCC
- First adopted Sept. 7, 2010 under Ordinance 14402
- Applies to rural county and all Urban Growth Areas
- The Planning Commission reviewed the original 2010 language at a public hearing in March 2010, and recommended adoption in April 2010.
- The BOCC also held a public hearing in June 2010.

HISTORY: HOMELESS ENCAMPMENTS ORDINANCE

- Adopted in part to implement changes made to the Thurston County Comprehensive Plan and the Consolidated Plan for Housing in Thurston County (CPHTC) to address housing needs
- Adopted also to meet requirements under RCW 43.185C.160, which requires jurisdictions to include provisions for regulating homeless encampments.
- Before Resolution 14401 and Ordinance 14402, the CPHTC addressed homeless encampments, but the Comprehensive Plan and associated development regulations did not

HISTORY: HOMELESS ENCAMPMENTS ORDINANCE

- Purpose is to provide standards that assure homeless encampments can be accommodated, while maintaining conformance with minimum health and safety standards
- Falls under a “temporary use” and is permitted for up to 180 days
- Includes limits on number of persons an encampment can have (up to 40)
- Must have a host and/or sponsoring agency to enforce regulations
- All schools in district with encampment must be notified

INTERIM EMERGENCY HOUSING ORDINANCE

- Since its initial adoption in 2010, the only amendments to the Homeless Encampments Chapters of the Thurston County Code have been through the interim regulations

June 14, 2018

Board of Health declared homelessness a county-wide public health crisis

June 9, 2020

Interim Ordinance renewed under Ordinance 15902

June 9, 2021

Interim ordinance renewed under Ordinance 16026

June 25, 2019

Board of County Commissioners adopted the interim emergency housing ordinance 15792, allowing a waiver of specific standards by the CPED director

December 9, 2020

Interim Ordinance renewed under Ordinance 15948 with a small amendment to add a waiver of heating devices for RVs

Dec. 9, 2021

Interim ordinance proposed for renewal with small amendment to clarify fire regulations and require Director consultation prior to waiving requirements

INTERIM EMERGENCY HOUSING ORDINANCE

- The interim Emergency Housing Ordinance regulations allow for the waiver of some regulations that are not related to public health and safety
- In order for Director to waive requirements, BoCC or BoH must hold a public hearing every 6 months and find a public health crisis still exists
- 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

PAST DEPARTMENT INPUT

- Reviewed in 2019 with Thurston County CPED, Thurston County Sheriff's Department, and Thurston County Public Health and Social Services
 - PHSS asked that changes be considered to identification and residency requirements and to not allow waiver of basic sanitary requirements. After several discussions, the interim regulations landed at allowing for waiver of sanitary requirements only at the discretion of the Director and Thurston County Health Office
 - Thurston County Sheriff's Department expressed concerns over potential changes and how it may impact response times and staffing availability
 - The BoCC requested fingerprinting be added as an identification technique, and some clarifications on prohibited items in encampments

NEXT STEPS

- Thurston County Community Planning working with CPED, Sheriff's Department and PHSS to develop alternative amendments additional to the interim emergency waiver
- Expected to return to Planning Commission in 2022

QUESTIONS?

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