

Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission/Revised

I. Findings of Fact

1. **RCW 82.14.530 Sales and use tax for housing and related services (HB 1590).** A statewide measure, HB 1590, granted county jurisdictions the authority to impose a 0.1% sales tax to fund the construction or acquisition of affordable housing, which may include emergency, transitional, and supportive housing. On October 13, 2020, the Metropolitan King County Council voted to enact a 0.1% sales tax increase to fund permanent supportive housing for the chronically homeless via an emergency ordinance. Under RCW 82.14.530, the King County may impose the tax authorized under subsection (a)(ii) only if the County plans to spend at least thirty percent of the moneys collected under this section, that are attributable to taxable activities or events within any city with a population greater than sixty thousand, within that city's boundaries.
2. **Engrossed Second Substitute House Bill (ESSHB) 1220 – Zoning Mandates.** On May 12, ESSHB 1220 was signed into law and went into effect on July 25, 2021. In part, the bill amends several sections in the Growth Management Act, chapter 36.70A RCW, and the Code City provisions, chapter 35A.21 RCW, to require cities to implement the following mandates:
 - i. Effective July 25, 2021, permanent supportive housing and transitional housing shall not be prohibited in any zone where residential dwellings or hotels are allowed; and
 - ii. Effective September 30, 2021, indoor emergency housing and indoor emergency shelters shall not be prohibited in any zone where hotels are allowed.
3. **ESSHB 1220 – Regional Share Requirements.** ESSHB 1220 further provides that jurisdictions must plan for the projected growth and accommodate the targets provided by the Department of Commerce. Specifically,
 - i. Units for moderate, low, very low, and extremely low-income households; and
 - ii. Emergency housing, emergency shelters, transitional housing, and permanent supportive housing.
4. **Jurisdictional Plans and Targets – Regional Share Requirements.** In March 2021, the City adopted a Housing Action Plan that provided a target range for housing provided at or below 30% AMI. In July 2021, the Growth Management Planning Council adopted jurisdictional targets for housing provided at or below 30% AMI, which includes units located in emergency housing, emergency shelters, transitional housing, and permanent supportive housing. Target ranges are as follows:
 - i. Housing Action Plan 2020-2040 Target Range 1602-2669.
 - ii. Countywide Planning Policies 2024-2044 Target Range 2984-4906 (approx. range pending finalization of the Comprehensive Plan Housing Element).

4.5. **Redmond Zoning Code.** Although these types of land uses were allowed in many zones under the Redmond Zoning Code (RZC), the RZC does not define nor clarify the provisions through which

permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters are mandated consistent with ESSHB 1220 requiring some amendments to current regulations in the RZC.

5.6. Interim Zoning Controls. On August 17, 2021, Council unanimously adopted Ordinance No. 3059 imposing an Interim Official Control (IOC) to amend portions of the RZC to align City shelter regulations with state adopted definitions and to implement the preemption adopted by ESSHB 1220 that allows Permanent Supportive Housing and Transitional Housing in all zoning districts where residential dwellings and/or hotels are allowed, and indoor Emergency Housing and indoor Emergency Shelters in all zoning districts where hotels are allowed, for conformance and consistency with state law.

6.7. Public Hearing and Community Input. In accordance RCW 36.70A.390, a public hearing was held on October 5, 2021. Emails have also been submitted and comments have been made at City Council Business Meetings related to the IOC. Public input has centered less on the terms of the IOC and more on the details of a permanent supportive housing facility proposed by King County under the Health Through Housing (HtH) program in the Overlake Urban Center of Redmond. The HtH program is described in greater detail below. Testimony and community input have focused on the following:

- i. Public safety considerations relating to illegal use of drugs at the proposed permanent supportive housing facility.
- ii. Public safety considerations related to potential resident sex offenders residing at the proposed permanent supportive housing facility.
- iii. Public safety considerations related to the proximity of the proposed facility to schools, daycares, and neighborhoods.
- iv. Public safety considerations related to increased crime in the area and lack of background checks.
- v. Concerns that the proposed facility will only serve chronically homeless populations suffering from mental illness and drug addiction rather than homeless families.
- vi. Questions regarding the need for facilities in Redmond to serve chronically homeless populations.
- vii. Concerns that the facility will import chronically homeless populations from areas outside the Eastside and not serve the City's homeless community members.
- viii. Public concerns about safety and security.
- ix. Regulatory alignment with Bellevue code requirements governing Homeless Services Uses was urged by Bellevue residents commenting in the HtH project at the Silver Cloud Hotel.
- x. Lack of transparency in King County's acquisition of a hotel in Redmond to establish a permanent supportive housing use.
- xi. General support for the ordinance and for the King County HtH acquisition of the Silver Cloud Hotel as an important step to address the needs of the chronically homeless in our region.

7.8. Health through Housing Community Input. Public comments were received by King County in response to the recent acquisition of the Silver Cloud Hotel, which is intended to be utilized as part of the County's HtH Implementation Plan. The Silver Cloud Hotel is located in one of Redmond's two designated urban centers. It was acquired by the County because the urban center is an area rich with

transit, employment, and supportive service opportunities. The Silver Cloud Hotel building is also configured to support safety and security needs for future residents and the surrounding community. Input on the Silver Cloud Hotel acquisition was provided at a Town Hall meeting held on September 2, 2021, with County Councilmember Claudia Balducci as well as in other submittals. A summary list of community suggestions received by the County on the HtH program was presented to the Redmond City Council during a presentation by County staff on October 5, 2021, and is provided below with City Council emphasis added.

- i. 24/7 Staffing
- ii. Onsite Substance Use Treatment
- iii. Employment and Housing Assistance
- iv. Building and Property Conditions
- v. Need for Security Cameras
- vi. Partnerships and Impact with First Responders
- vii. Increased Communication
- viii. Neighborhood Advisory Group
- ix. Applicant Screening and Preparation of Residents for Housing
- x. Observing Laws on Sex Offender Registration Requirements
- xi. Connections to Local Human Service Providers
- xii. Ability to Help People Experiencing Chronic Homelessness In and Near Redmond
- xiii. Need for Controlled Access
- xiv. Safety In and Around the Housing
- xv. Code of Conduct
- xvi. Privacy Fencing
- xvii. Concerns About Enabling vs. Treatment
- xviii. Ensuring Food Access
- xix. How Quickly Occupancy Will Increase
- xx. Operator Responsiveness

II. Conclusions

1. **ESSHB 1220 Substantial Compliance.** In adopting IOC Ordinance No. 3059, the City ensured substantial compliance with the requirements of ESSH 1220.
2. **RCW 82.14.530 (HB 1590) Funding Utilization.** In adopting IOC Ordinance No. 3059, the City facilitates effective utilization of certain funds authorized under RCW 82.14.530 which are mandated to be spent within the Redmond jurisdictional boundaries.
3. **Shelter and Transitional, and Permanent Supportive Housing Jurisdictional Targets.** IOC Ordinance No. 3059 furthers the City's compliance with state mandates by ensuring that the city can responsibly address Redmond's share of regional homelessness and maximize the impact and effective utilization of

HB 1590 funding to meet targets adopted in the Housing Action Plan, the Countywide Planning Policies, and state mandated targets anticipated from the Department of Commerce next year.

4. **Addressing Local Homeless Needs.** IOC Ordinance No. 3059 assists Redmond in addressing local homelessness needs. The City of Redmond's Homeless Outreach Administrator works directly with unsheltered individuals in Redmond to find housing and connect them with needed resources. She has provided the following information.
 - i. **Redmond Needs.** On average, the Administrator serves 180 clients/year. Based on the Administrator's review of the eligibility criteria for HtH units, she has identified not less than 48 clients who could be referred to these units of permanent supportive housing.
 - ii. **Bellevue Needs.** The City of Bellevue's outreach professional anticipates that not less than 40 clients would be eligible. These estimates do not include clients served in local emergency shelters.
 - iii. **Eligibility for Health through Housing.** RCW 82.14.530 and KCC chapters 4A.503 and 24.30 combine to define and prioritize which persons are eligible to live in HtH funded projects.
5. **Consistency with the Comprehensive Plan and City Vision.** The IOC Ordinance No. 3059 provisions are tailored to be consistent with the Redmond Community Vision contained within the Comprehensive Plan and the Redmond value as a welcoming city. The IOC regulations:
 - i. Are scalable and can be modified and adjusted based on the zoning district context and the intensity of the proposed use (i.e., shelter, transitional, and permanent supportive).
 - ii. Limit density with flexibility to impose increased mitigation as occupancy is increased.
 - iii. Impose spacing requirements between shelter, transitional and permanent supportive uses to avoid use concentrations.
 - iv. Require an occupancy agreement that addresses safety and security including:
 - The use or sale of alcohol and illegal drugs;
 - Threatening or unsafe behavior; and
 - Weapon possession.
 - v. Require the development of a safety and security plan to be reviewed and approved by the Redmond Police Department.
 - vi. Require a plan for potential impacts on nearby businesses and/or residences including a proposed mitigation approach (for example, a "Good Neighbor Agreement Plan").
 - vii. Require a description of eligibility for residency and a referral process.
6. **Public Input Considerations.** Existing protocols and protections that address community concerns for public safety and information and operate in concert with new regulations adopted under IOC Ordinance No. 3059.
 - i. **National Sex Offender Registry.** Required compliance for all sex offenders to be registered with the National Sex Offender Registry and comply with applicable state and federal law.
 - ii. **Interdepartmental and Interjurisdictional Coordination.** Proactive coordination between Redmond Police Department, Homeless Outreach Administrator, and King County Human Services representatives, and surrounding cities.
 - iii. **City Mental Health Professional.** Continued involvement of a licensed Mental Health Professional (MHP) to co-respond with police officers and fire fighters to calls for service

that could benefit from social service connections, referrals, de-escalation, and assessment for behavioral health concerns.

7. **King County Health through Housing.** Programmatic components that address community concerns for safety include:

- i. **24-hour staff at facilities.**
- ii. **Resident Selection.** Resident eligibility and selection will be informed by multiple information systems in place including:
 - Homeless Management Information System (HMIS)
 - Veterans Data System
 - Behavioral Health Information System
 - Local Outreach Staff in Redmond, Bellevue, and Kirkland
- iii. **Designated Crisis Responders.** Available 24 hours a day, 365 days a year.
- iv. **Tenant Code of Conduct.** Requirement that residents sign and observe a Tenant Code of Conduct, or be moved to an alternative facility, that includes:
 - Good neighbor clause requiring residents to agree that they intend to be a good neighbor to both other residents and the community.
 - Behavioral expectations – clearly identified behaviors that will result in removal or suspension include, but are not limited to, violent behavior, property destruction, failure to comply with local, state, or federal law.

III. Transmittal Guidance to the Planning Commission for Review of Ordinance No. 3059

1. Spacing Considerations:

- i. Consider whether separation requirements can be expanded without precluding Redmond's ability to accommodate its targets for moderate, low, very low, and extremely low-income households, emergency housing, emergency shelters, transitional housing, and permanent supportive housing.

1.2. Occupancy Agreement Considerations:

- i. Consider a requirement that no shelter, transitional, or permanent supportive housing use may also be a designated supervised/safer consumption site (SCS), supervised/safer injection facility (SIF), or supervised/safer injection service (SIS), broadly classified as Community Health Engagement Locations (CHELs) under King County Department of Community and Human Services and King County Public Health.
- ~~ii. Consider whether separation requirements can be added without precluding Redmond's ability to accommodate its targets for moderate, low, very low, and extremely low-income households, emergency housing, emergency shelters, transitional housing, and permanent supportive housing.~~
- ii. Consider clarifying how the City Council will be involved in the approval of occupancy agreements.
- iii. Identify outreach opportunities that facilitate input from individuals with lived experience in homelessness during the development of required occupancy agreements.

iv. Consider a requirement that the prior experience and success of the operator is clearly addressed in the occupancy agreement.

iii-v. Consider allowing partnerships between multiple operators and providers as a mechanism to offer levels of service needed to support the proposed resident population.

vi. Consider a requirement to maintain minimum staffing levels.

— **3. Process Clarity.** Address process clarity in the siting of permanent supportive housing, transitional housing, emergency housing, and emergency shelters.

4. Periodic Review and Evaluation. Provide for a periodic review and adjustment of regulations if needed.

5. Redmond Appropriate. Ensure any permanent ordinance is Redmond-appropriate and reflects the values and vision of the Redmond community as expressed in the Comprehensive Plan, Community Strategic Plan, Human Services Strategic Plan, Housing Action Plan, and City values of welcoming.