



## Legislation Text

**File #:** AM No. 21-165, **Version:** 3

**TO:** Members of the City Council

**FROM:** Mayor Angela Birney

**DEPARTMENT DIRECTOR CONTACT(S):**

Planning and Community Development	Carol Helland	425-556-2107
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**DEPARTMENT STAFF:**

Planning and Community Development	Beverly Mesa-Zendt	Deputy Director
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**TITLE:**

Approve Supplemental Findings of Fact on the Interim Official Control Ordinance No. 3059 that Support Amendments to the Redmond Zoning Code to Align Homeless Shelter Regulations with State Adopted Definitions and to Implement the Preemption Adopted by Engrossed Second Substitute House Bill 1220

**OVERVIEW STATEMENT:**

The City Council is being asked to approve Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission to inform development of permanent regulations that implement the preemption adopted in ESSHB 1220. Council approved Interim Official Control (IOC) Ordinance No. 3059 on August 17, 2021, and timely held a public hearing on October 5, 2021. Although findings of fact were included in the IOC ordinance, the Council requested a Study Session to consider Supplemental Findings that captured the new information, public comment, and testimony received following adoption of the IOC. Council directed staff revise the Draft Supplemental Findings of Fact, Conclusions and Transmittal Guidance to the Planning Commission during its Study Session on October 26, 2021. Final Supplemental Findings of Fact, Conclusions, and Transmittal Guidance for transmittal to the Planning Commission are included with this memorandum as Attachment A.

☒ **Additional Background Information/Description of Proposal Attached**

**REQUESTED ACTION:**

☐ **Receive Information**      ☐ **Provide Direction**      ☒ **Approve**

**REQUEST RATIONALE:**

- **Relevant Plans/Policies:**  
Revised Code of Washington (RCW), ESSHB 1220, Comprehensive Plan, Human Services Strategic Plan, Housing Action Plan, and Community Strategic Plan.
- **Required:**  
IOC Ordinance No. 3059 was required to align City regulations with the preemption adopted by ESSHB 1220, which became effective on July 25, 2021. Permanent regulations will finalize the city's efforts to comply with state law. The Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission will

inform development of the permanent regulations.

- **Council Request:**

Following the Study Session on October 26, 2021, Council directed staff to revise the Draft Supplemental Findings of Fact, Conclusions and Transmittal Guidance to the Planning Commission. The final document is scheduled for approval by the City Council and transmittal to the Planning Commission during the November 1 Special Meeting.

- **Other Key Facts:**

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.

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. IOC Ordinance No. 3059 was adopted to address the new state preemption.

**OUTCOMES:**

In approving the Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission, the Council advances and supports the development of more comprehensive and responsive permanent regulations to implement the preemption adopted by ESSHB 1220.

Adoption of permanent regulations will ensure substantial compliance with the requirements of state law as adopted under ESSHB 1220 and assist the city to responsibly meet its state required jurisdictional targets for permanent supportive housing, transitional housing, and emergency shelters and housing.

**COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:**

- **Timeline (previous or planned):**

Public involvement commenced in August 2021 and will continue until permanent ordinance adoption which is anticipated in March 2022. The Planning Commission is tentatively scheduled to hold its public hearing on December 1, 2021.

- **Outreach Methods and Results:**

- o Public notices for City Council Meetings and Planning Commission Meetings
- o SEPA Notice and Request for Comments
- o Public Hearing 10-5-21
- o Email Distribution Lists

- **Feedback Summary:**

Feedback to-date is more fully described in Attachment A: Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission.

**BUDGET IMPACT:**

**Total Cost:**

There is no fiscal impact associated with this proposed amendment to the Redmond Zoning Code. Staff working on this amendment are funded through the adopted budget.

Approved in current biennial budget: ☐ Yes ☐ No ☒ N/A

**Budget Offer Number:**

000250 - Community and Economic Development

**Budget Priority:**

Vibrant and Connected

Other budget impacts or additional costs: ☐ Yes ☐ No ☒ N/A

*If yes, explain:*

N/A

**Funding source(s):**

General Fund

**Budget/Funding Constraints:**

N/A

☐ Additional budget details attached

**COUNCIL REVIEW:**

**Previous Contact(s)**

Date	Meeting	Requested Action
8/17/2021	Business Meeting - Adoption of IOC	Approve
10/5/2021	Business Meeting - Public Hearing on IOC	Receive Information
10/26/2021	Study Session	Provide Direction

**Proposed Upcoming Contact(s)**

Date	Meeting	Requested Action
N/A	None proposed at this time	N/A

**Time Constraints:**

The Planning Commission is scheduled to begin its consideration of permanent regulations on November 3, 2021. Council guidance to the Planning Commission should be adopted no later than the November 1, 2021 for the information to be available when the Planning Commission initiates its work.

**ANTICIPATED RESULT IF NOT APPROVED:**

If supplemental findings of fact are not adopted by the City Council, the Planning Commission will work with the findings included in IOC Ordinance No. 3059 and the record that has been developed to-date.

**ATTACHMENTS:**

A. Revised Supplemental Findings of Fact, Conclusions, and Transmittal Guidance to the Planning Commission