



Legislation Text

File #: AM No. 22-009, **Version:** 3

TO: Members of the City Council

FROM: Mayor Angela Birney

DEPARTMENT DIRECTOR CONTACT(S):

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DEPARTMENT STAFF:

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

Adoption of an Ordinance Repealing Interim Official Control Ordinance No. 3059 and Amending the Redmond Zoning Code to Provide Permanent Regulations that Fully Implement HB1220

- a. Ordinance No. 3074: An Ordinance of the City of Redmond, Washington Repealing Interim Official Control Ordinance No. 3059 and Amending Article I, Article II, And Article VII of the Redmond Zoning Code to Implement the Preemption Adopted by House Bill 1220 That Allows Permanent Supportive Housing and Transitional Housing in All Zoning Districts Where Residential Dwellings and/or Hotels are Allowed; to Allow Emergency Housing and Emergency Shelters in All Zoning Districts Where Hotels are Allowed; and To Establish Requirements and Standards for the Siting and Establishment of Such Uses, Providing for Severability, Savings, and Establishing an Effective Date

OVERVIEW STATEMENT:

On August 17, 2021, Council unanimously adopted Ordinance No. 3059 imposing an Interim Official Control (IOC) to amend portions of the RZC to align with state-adopted definitions and to implement the preemption adopted by HB 1220. The City Council then referred the matter to the Planning Commission for development of permanent regulations. On December 1 and December 15, 2021, the Planning Commission held a public hearing and deliberated on permanent regulations, public testimony, and City Council guidance. On January 12, 2022, the Planning Commission took action on the Planning Commission Report and Recommendation. The proposed permanent regulations would repeal and replace Ordinance No. 3059. City Council has reviewed the Planning Commission Report and Recommendation and will consider adoption of the permanent regulations to Redmond Zoning Code as recommended by the Planning Commission.

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

REQUESTED ACTION:

☐ **Receive Information**

☐ **Provide Direction**

☒ **Approve**

REQUEST RATIONALE:

- **Relevant Plans/Policies:**

Revised Code of Washington (RCW), HB 1220, Comprehensive Plan, Human Services Strategic Plan, Housing Action Plan, and Community Strategic Plan.

- **Required:**

Under RCW [36.70A.390](http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.390) <<http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.390>>, an interim official control adopted may be effective for a period not longer than six months or up to one year if a work plan is developed for related studies. The Planning Commission Report and Recommendation is provided to comply with requirements set forth in RCW 36.70 and to fully implement HB 1220 which was signed into law and went into effect on July 25, 2021.

- **Council Request:**

N/A - Amendments to the RZC require City Council approval.

- **Other Key Facts:**

[Engrossed Second Substitute House Bill \(HB\) 1220 - Zoning Mandates.](#)

On May 12, HB 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.

[Redmond Zoning Code.](#)

Although these types of land uses were allowed in many zones under the RZC, it 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 HB 1220 requiring amendments to current regulations in the RZC.

[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 HB 1220.

[Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission](#)

On October 5, Council held a public hearing, in accordance with RCW 36.70A.390. Council directed staff to make several changes to the Draft Supplemental Findings of Fact, Conclusions and Transmittal Guidance to the Planning Commission during its study session on October 26, 2021. On November 1, 2021, the City Council adopted Supplemental Findings, Conclusions, and Transmittal Guidance to the Planning Commission.

[Planning Commission Report and Recommendation](#)

The Planning Commission has reviewed and considered:

- Applicable criteria for approval: RZC 21.76.AE Zoning Code Amendment - Text;
- Public Comments regarding proposed amendments;
- Council adopted Supplemental Findings of Fact and Conclusions for Interim Official Control Ordinance No. 3059; and
- The Technical Committee Report.

The Planning Commission approved the Report and Recommendation on January 12, 2021. The Planning Commission Report and Recommendation is attached here for City Council consideration and approval.

OUTCOMES:

By repealing Ordinance No. 3059 and adopting proposed regulations, the Council advances the development of more comprehensive and responsive permanent regulations to implement the preemption adopted by HB 1220. Adoption of permanent regulations will ensure substantial compliance with the requirements of state law adopted under HB 1220 and assist the city to responsibly meet its state-required jurisdictional targets for permanent supportive housing, transitional housing, emergency shelters, and emergency housing.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**
Public involvement commenced in August 2021 and has continued through December 15, 2021.
- **Outreach Methods and Results:**
 - City Council Public Hearing 10-5-21
 - Public Hearing December 1, 2021, through December 15, 2021
 - Public notices for City Council Meetings and Planning Commission Meetings
 - Notice of public hearing in the Seattle Times- on November 10, 2021.
 - SEPA Notice and Request for Comments
 - Email Distribution Lists
 - Social Media and City E-News
 - City website - Housing Page [Housing | Redmond, WA <https://www.redmond.gov/612/Housing>](https://www.redmond.gov/612/Housing)
- **Feedback Summary:**
 - A Public Input Summary was included in the packet of materials provided at the November 1, 2021, City Council Meeting.
 - A summary Matrix of Public Comment is provided in Attachment A to the Planning Commission Report and Recommendation.

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:

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Previous Contact(s)

Date	Meeting	Requested Action
1/25/2022	Study Session	Provide Direction
1/11/2022	Committee of the Whole - Planning and Public Works	Receive Information
11/1/2021	Special Meeting	Approve
11/1/2021	Committee of the Whole - Planning and Public Works	Provide Direction
10/26/2021	Study Session	Provide Direction
10/5/2021	Business Meeting - Public Hearing on IOC	Receive Information

Proposed Upcoming Contact(s)

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

Time Constraints:

Under RCW [36.70A.390](http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.390) <<http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.390>>, an adopted interim official control may be effective up to one year if a work plan is developed for related studies. A work plan was adopted under Ordinance No. 3059 for Planning Commission review and development of permanent regulations for Council consideration.

ANTICIPATED RESULT IF NOT APPROVED:

If permanent regulations are not adopted within a year of the adopted Interim Official Control (IOC) ordinance - the IOC may be renewed for one or more six-month periods if a subsequent public hearing is held, and findings of fact are made prior to each renewal. If the IOC is allowed to expire without adoption of permanent regulations, the state mandate will apply without the benefit of a locally adopted regulatory framework.

ATTACHMENTS:

Attachment A - Ordinance