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Title: AN ORDINANCE relating to zoning; continuing a temporary use permit for homeless encampments; amending Ordinance 15170, Section 10, and K.C.C. 21A.45.050, Ordinance 15170, Section 16, and Ordinance 15170, Section 17, and adding a new section to K.C.C. chapter 21A.45.

Sponsors: Rod Dembowski

Indexes: Homelessness, Permits, Zoning

Code sections: 21A.45 - ., 21A.45.050 - .

Attachments: 1. Legislative Review Form.pdf, 2. 2014-0362 draft hearing notice.doc, 3. 2014-0362 Fiscal Note - Homeless Encampment.xls, 4. 2014-0362 Regulatory Note homeless encampments.doc, 5. 2014-0362 transmittal letter.doc, 6. Dept of Commerce Notice of Intent -60-Day Homeless Encamp.doc, 7. Dept of Commerce Ack Letter 7-14.pdf

Date	Ver.	Action By	Action	Result
8/25/2014	1	Metropolitan King County Council	Introduced and Referred	

Clerk 08/13/2014

AN ORDINANCE relating to zoning; continuing a temporary use permit for homeless encampments; amending Ordinance 15170, Section 10, and K.C.C. 21A.45.050, Ordinance 15170, Section 16, and Ordinance 15170, Section 17, and adding a new section to K.C.C. chapter 21A.45.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Homelessness is recognized as a significant problem in King County and elsewhere in the nation.

Every day large numbers of individuals and families in our community go unsheltered. At this time our community simply does not have the capacity to meet the need.

B. King County finds it unacceptable that people are dying on the streets of our communities because there are insufficient safe alternative locations for habitation by homeless persons.

C. On a specific recent night, January 24, 2014, more than three thousand one hundred twenty-three individuals were living outside and another six thousand one hundred seventy-one individuals were in shelters or transitional housing in King County, according to the One Night Count conducted by the Seattle/King County Coalition for the Homeless.

D. Formed in 2005, the Committee to End Homelessness is dedicated to making homelessness rare, brief, and one time in King County. The Committee to End Homelessness - King County 2013 Annual Report states that thirty six thousand people have move from homelessness to permanent housing since 2005.

E. The Committee to End Homelessness adopted a final plan and recommendations in 2005 titled King County Ten Year Plan to End Homelessness. The plan found that homeless encampments are not ideal but found that there is a need for homeless encampments until more permanent housing is available across King County.

F. Homeless encampments serve as an interim survival mechanism while King County continues its important work as a member of the regional Committee to End Homelessness. In 2005, Ordinance 15170 relating to zoning, created a temporary use permit for homeless encampments. These provisions expire January 1, 2015.

G. In 2014, the Committee to End Homelessness continues to support this philosophy and recommends support for interim survival mechanisms, such as organized encampments and safe parking programs that bring people out of the elements and create pathways to housing.

H. King County finds that there continues to be a need for homeless encampments and the temporary use permits that allow them.

SECTION 2. Ordinance 15170, Section 10, and K.C.C. 21A.45.050 are each hereby amended to read as follows:

A. An application for a homeless encampment shall be submitted to the department at least thirty days in advance of the desired date to commence the use for a type 1 permit or forty days in advance of the desired

date to commence the use for a type 2 permit.

B. In addition to contents otherwise required for such applications, the application shall include:

1. A copy of a written code of conduct adopted by the host or entered into between the host and managing agency addressing the issues identified in the example code of conduct, Attachment A to Ordinance 15170. The written code of conduct must require homeless encampment residents to abide by specific standards of conduct to promote health and safety within the homeless encampment and within the adjoining neighborhoods. Nothing in this subsection is intended to preclude the host and the managing agency from agreeing, in the written code of conduct, to additional terms or standards of conduct stricter than the example code of conduct;

2. The name of the managing agency and the sponsor including the name and telephone number of the person available to immediately respond to an onsite problem; ~~((and))~~

3. The host signature;

4. The name of the onsite camp manager, or designee, who is available to immediately respond to an onsite problem and whose telephone number is posted at the encampment entrance and visible from one hundred feet outside the encampment; and

5. Satisfactory evidence that the managing agency and sponsor have secured at least one site to which the homeless encampment will move subsequent to the conclusion of the time period identified in the application.

NEW SECTION. SECTION 3. There is hereby added to K.C.C chapter 21A.45 a new section to read as follows:

If a violation of K.C.C. 21A.45.090 is determined to have occurred, the department may issue a notice of violation to the managing agency and the sponsor. Within three days of the notice issuance, the managing agency or the sponsor shall demonstrate to the department that the violation has been cured. If the violation is not cured within this time period as determined by the department, the department may issue a notice and order

as allowed by K.C.C. Title 23 requiring the residents to vacate the encampment site. By accepting the permit, and as a condition of the permit, the managing agency and the sponsor are presumed to agree to vacate the encampment site within fourteen days if a notice and order is issued and not appealed.

SECTION 4. Section 3 of this ordinance expires January 1, 2025.

SECTION 5. Ordinance 15170, Section 16, is hereby amended to read as follows:

Ordinance 15170, Sections 5 through 15, as amended, expire January 1, (~~2015~~) 2025.

SECTION 6. Ordinance 15170, Section 17, is hereby amended to read as follows:

Ordinance 15170, Section 18, as amended, takes effect January 1, (~~2015~~) 2025.