

ORDINANCE NO. 8771**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CHAPTER 18.50 AND SECTIONS 18.08.040 AND 18.82.120 OF THE OLYMPIA MUNICIPAL CODE RELATING TO HOMELESS ENCAMPMENTS.**

- WHEREAS**, the City Council adopted a Temporary Homeless Encampments Ordinance in 2008; and
- WHEREAS**, in 2010, the State Legislature enacted Engrossed Senate House Bill No.1956 which provides the City with the authority to address homeless encampments through zoning regulations as a way to strike a balance between the wide array of competing interests, including siting homeless facilities (whether publicly or privately owned or operated), that serve a public interest and are difficult to site; and
- WHEREAS**, despite laudable efforts by all levels of government, private individuals, nonprofit organizations, and charitable foundations to end homelessness, the number of homeless persons in Washington continues to be unacceptably high and includes a large number of families with children, youth, and unemployed persons; and
- WHEREAS**, the Land Use & Environment Committee considered a request by Thurston County and Panza, a federally recognized non-profit organization, to establish a permanent site for homeless persons on County-owned property; and
- WHEREAS**, the City Council initiated consideration of an amendment to the Olympia Municipal Code to authorize a permanent County Homeless Encampment; and
- WHEREAS**, the Olympia Planning Commission received a briefing on the proposed permanent County Homeless Encampment on March 7, 2011, held a public hearing on May 2, 2011 and deliberated on June 6, 2011; and
- WHEREAS**, following the public hearing and deliberations, the Planning Commission recommended amendments to the Olympia Municipal Code authorizing a permanent County Homeless Encampment; and
- WHEREAS**, pursuant to the State Environmental Policy Act (SEPA), the City issued a Determination of Non-significance on the permanent County Homeless Encampment amendments on June 8, 2011; and
- WHEREAS**, no appeal of the SEPA Determination of Non-significance was submitted; and
- WHEREAS**, Thurston County and Panza intend to partner to convert the temporary Camp Quixote into a permanent Quixote Village on County-owned land in a Light-Industrial District; and
- WHEREAS**, it is reasonable to treat County-owned property differently since Thurston County is a political subdivision of the State with expertise in providing services to diverse populations and is responsible for public health, safety and welfare; and
- WHEREAS**, Thurston County, acting as the Board of Health and Health Department, is the only public entity that has direct jurisdiction, expertise and oversight of potential public health issues such as the unique sanitation and food preparation issues at a permanent homeless encampment; and
- WHEREAS**, this Ordinance does not create a spot zone, because, as noted in the previous recital, there is a rational basis for limiting this unusual use to properties owned by the County; and

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WHEREAS, this Ordinance does not create a spot zone since it provides for a permanent homeless encampment as a conditional use on any land zoned Light Industrial that is owned by Thurston County and not adjacent to residentially zoned property; and

WHEREAS, this Ordinance is a text amendment to the development regulations (Title 18 OMC) and is not a site specific rezone and is not an amendment to the zoning map; and

WHEREAS, this Ordinance is consistent with the City's development regulations since it does not alter existing prohibitions or protections on current or future land uses, create conflict with current or future industrial operations, or alter enforcement of existing rules and regulations for industrial zoned land; and

WHEREAS, this Ordinance does not discourage industrial uses because it applies to County-owned land, and it is highly unlikely that the County would engage in industrial uses on properties that it owns; and

WHEREAS, this Ordinance is consistent with the City of Olympia Comprehensive Plan policy to "*Create desirable, livable neighborhoods that provide a variety of housing opportunities, accommodate different lifestyles and income levels, and provide a sense of community;*" and

WHEREAS, this Ordinance is consistent with the City of Olympia Comprehensive Plan to "*Disperse housing for low- and moderate-income and special needs throughout Olympia and its Urban Growth Area, and discourage concentration of such housing in any one geographical area;*" and

WHEREAS, the Ordinance is consistent with the City of Olympia Comprehensive Plan to "*Continue to support homeless prevention, homeless shelters, and transitional programs for homeless households and individuals;*" and

WHEREAS, this Ordinance is consistent with the City of Olympia Comprehensive Plan to "*Promote partnerships between public and private nonprofit organizations to create increased housing and home ownership opportunities for households with special needs and for low- and moderate-income households;*" and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance; and

WHEREAS, on August 15, 2011, the City Council held a public hearing to consider testimony on a permanent County Homeless Encampment and held the record open for written comments until 12:00 p.m. August 19, 2011; and

WHEREAS, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia, including but not limited to documents relating to temporary homeless encampments; and

WHEREAS, this Ordinance is also supported by the professional judgment and experience of the City staff who have worked on this proposal; and

WHEREAS, City Staff are known to the City Council, and staff's curriculum vitae shall be part of the record in support of this Ordinance;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 18.08.040. Olympia Municipal Code Section 18.08.040 is hereby amended to read as follows:

18.08.040 Permitted, conditional and prohibited uses

A. PERMITTED AND CONDITIONAL USES.

Table 8.01 Permitted and Conditional Uses identifies land uses in the industrial districts which are permitted outright (P) or subject to a Conditional Use Permit (C). The applicable requirements for these uses and activities are identified by a number referencing the list of use regulations under Section 18.08.060 Use Standards, Light Industrial/Commercial District, or Section 18.08.080 Use Standards, Industrial District. Regulations that pertain only to a specific use in a specific district are identified by a number in the space corresponding to that use and district.

B. PROHIBITED AND UNSPECIFIED USES.

Land uses which are not listed as permitted or conditional uses are prohibited unless authorized by the Director consistent with Section 18.02.080, Interpretations.

**TABLE 8.01
PERMITTED AND CONDITIONAL USES**

INDUSTRIAL DISTRICT	LI/C	I
Additional Regulations	18.08.060(A), 18.08.060(C) 18.44	18.08.080(A), 18.08.080(C) 18.44
1. INDUSTRIAL USES	LI/C	I
Food Processing		P
Manufacture, repair, or servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and the community, such as: veterinary clinics, dry-cleaning plants, storage of mechanical equipment, auto and marine contractors/builders.	P	P
Manufacture, assembly, bulk storage, processing, repair, or servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and community.		P
Off-site treatment & storage facilities for hazardous waste.		C 18.08.080(B)
On-site treatment & storage facilities for hazardous waste as an accessory use, subject	P	P

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to the State siting criteria Chapter 70.105, RCW.

Recycling Facilities.	P	P
2. RETAIL SERVICES	LI/C	I
Retail sale of goods or products manufactured on the premises, or utilized in manufacturing, repairing or servicing activities which are permitted in this district.	P	P
3. COMMERCIAL USES	LI/C	I
Auto Wrecking & Junk Yards.		P
Commercial uses which, although not essential to the successful functioning of these areas, do not create significant interference or conflict with the permitted activities, such as: service stations, hardware stores, eating and drinking places, including drive-ins.	P 18.08.060(B)	P 18.08.080(B)
4. RESIDENTIAL USES	LI/C	I
Living or residential quarters as an accessory use such as guards' quarters in large establishments where such quarters are customarily provided for security and/or insurability of the premises.	P	P
Child Day Care Centers	P	P
Secure Community Transition Facilities	C 18.08.060(E)	C 18.08.080(E)
<u>County Homeless Encampment</u>	<u>C 18.50</u>	
5. OFFICE USES	LI/C	I
Government Offices	C	C
6. UTILITIES	LI/C	I
Public Utilities	P	P
Radio/TV and Other Communication towers and antennas	P	P

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Wireless Communications Facilities	See 18.44	See 18.44
7. PUBLIC FACILITIES	P	P
8. ESSENTIAL PUBLIC FACILITIES	LI/C	I
Airports	C 18.08.060(E)	C 18.08.080(E)
State or Regional Transportation Facilities	P	P
Prisons	C 18.08.060(E)	C 18.08.080(E)
Jails	C 18.08.060(E)	C 18.08.080(E)
Secure Community Transition Facilities	C 18.08.060(E)	C 18.08.080(E)
Solid Waste Handling Facilities	C 18.08.060(E)	P
Mental Health Facilities	C 18.08.060(E)	C 18.08.080(E)
Other facilities designated as Essential Public Facilities by the Washington State Office of Financial Management	C 18.08.060(E)	C 18.08.080(E)
9. OTHER	LI/C	I
Crematoriums	P	P
Parking Lots, Off-Site [see 18.38.200]	C	C
Temporary Uses	P 18.08.060(D)	P 18.08.080(D)
Transportation Terminals		P
Uses similar to permitted uses may be allowed subject to site plan review and approval by the Hearing Examiner.		
10. STORAGE FACILITIES	LI/C	I
Ministorage	P	P
Warehousing		P

Section 2. Amendment of OMC 18.82.120. Olympia Municipal Code Section 18.82.120 is hereby amended to read as follows:

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18.82.120 Authority

The following cases shall be within the jurisdiction of the Hearing Examiner under the terms and procedures of this Chapter.

- A. Short plat modification, variance requests or appeals.
- B. Shoreline development permits and permit rescissions.
- C. Shoreline development variances.
- D. Preliminary plat applications.
- E. Preliminary plat approval extension requests.
- F. Rezone and Master Planned Development applications.
- G. Preliminary plat modification requests.
- H. Planned residential developments.
- I. Conditional use permits.
- J. Zoning variances.
- K. Appeals of zoning interpretations.
- L. Administrative appeals.
- M. Public Works - Development Standards variances.
- N. Applications for density bonuses.
- O. Removal of density bonus conditions.
- P. Critical area reasonable use exception.
- Q. Site plan and home occupation application referred by staff.
- R. Preliminary short plat or binding site plan applications referred by staff.
- S. Concept design review.
- T. Detailed design review.
- U. Building and grading permits.
- V. Engineering and other construction permits.
- W. Permits and other matters associated with and consolidated with applications for the above project approvals.
- X. Appeals of Community Planning and Development Director's denial or cancellation of a multi-family housing final certificate of tax exemption.

Y. Subdivision improvement deferral agreement.

Z. County homeless encampments.

Section 3. Amendment of OMC 18.50. Olympia Municipal Code Chapter 18.50 is hereby amended to read as follows:

Chapter 18.50
TEMPORARY HOMELESS ENCAMPMENTS

18.50.000 Chapter Contents

Sections:

- 18.50.010 Homeless Encampment
- 18.50.020 Host Agency
- 18.50.030 Sponsoring Agency
- 18.50.040 Who May Apply
- 18.50.050 Applicable Procedures
- 18.50.060 Homeless Encampment - Criteria/Requirements for Approval

18.50.010 Homeless Encampment

"Homeless Encampment" means an temporary emergency homeless encampment, hosted by a religious organization, or County Homeless Encampment which provides temporary housing to homeless persons.

18.50.020 Host Agency

A. Temporary Homeless Encampment. "Host Agency" means the religious organization which owns the property or has an ownership interest in the property that is the subject of an application for a City Temporary Homeless Encampment Permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.

B. County Homeless Encampment. "Host Agency" means Thurston County, which owns the property that is the subject of an application for a County Homeless Encampment Permit to provide service to support emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.

18.50.030 Sponsoring Agency

"Sponsoring Agency" means the Host Agency or another agency that assists the Host Agency and that joins in an application with a Host Agency for a City-Temporary or County Homeless Encampment Permit

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and assumes responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.

18.50.040 Who May Apply

A. Temporary Homeless Encampment. ~~Temporary H~~homeless encampments shall be permitted only as an accommodation of religious exercise by a Host Agency and Sponsoring Agency. Each Host Agency and Sponsoring Agency shall jointly apply for a permit under this Section and shall jointly certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.

B. County Homeless Encampment. ~~A County Homeless Encampment shall be permitted only to Thurston County. A Sponsoring Agency may join the County to apply for a permit under this Section. Only Thurston County shall certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.~~

18.50.050 Applicable Procedures

A. Temporary Homeless Encampment. A Temporary Encampment Permit is an administrative decision. In addition to the requirements for administrative decisions found elsewhere in the Olympia Municipal Code, the following procedures apply:

A.1. Advance Notice Required. The Host Agency and Sponsoring Agency shall notify the City of the proposed homeless encampment a minimum of thirty (30) days in advance of the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a Temporary Encampment Permit and shall contain the following information:

- 1.a. The date the homeless encampment will commence;
- 2.b. The length of encampment;
- 3.c. The maximum number of residents proposed;
- 4.d. The host location;
- 5.e. The names of the Host and Sponsoring Agencies; and
- 6.f. The manner in which the homeless encampment will comply with the requirements of this Chapter.

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B.2. Informational Meeting Required. The Host Agency and/or Sponsoring Agency shall conduct at least one (1) informational meeting within, or as close to, the location where the proposed homeless encampment will be located, a minimum of two (2) weeks prior to the issuance of the temporary use permit. The time and location of the meeting shall be agreed upon between the City and the Host Agency and/or Sponsoring Agency. All property owners within 300 feet of the proposed homeless encampment shall be notified by mail ten (10) days in advance of the meeting by the Host Agency and/or Sponsoring Agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within 300 feet of the proposed encampment.

C.3. Signs Required. The applicant shall also provide notice of the application within the same timeframe identified above by posting two signs or placards on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or their designee shall establish standards for size, color, layout, design, working, placement, and timing of installation and removal of the signs or placards.

B. County Homeless Encampment. A County Homeless Encampment requires a Conditional Use Permit subject to OMC 18.82. In addition to the requirements for Conditional Use Permits found elsewhere in the Olympia Municipal Code, the following procedures apply:

1. Application. Thurston County shall submit an application for a County Homeless Encampment Permit that contains the following information:

- a. The date the homeless encampment is proposed to commence;
- b. The maximum number of residents proposed;
- c. The names of any Host or Sponsoring Agencies;
- d. The manner in which the homeless encampment will comply with the requirements of this Chapter;
- e. A Site Plan drawn to scale.

2. Informational Meeting Required. Thurston County shall conduct at least one (1) informational meeting within a minimum of thirty (30) days of application of the homeless encampment permit. The time and location of the meeting shall be agreed upon between the City and the County. All property owners, residents and business owners within 300 feet of the proposed homeless encampment shall be notified by mail at least ten (10) business days in

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advance of the meeting. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners, residents and business owners within 300 feet of the proposed encampment.

3. Signs Required. Thurston County shall also provide notice of the application within the same time frame identified above by posting two public notice signs in locations determined by the Director that provide visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or their designee shall provide the Public Notice signs.

18.50.060 Homeless Encampment - Criteria/Requirements for Approval

The Director of the Community Planning and Development Department or their designee may issue a temporary and revocable permit for a homeless encampment subject to the following criteria and requirements.

A. Site Criteria.

1. Temporary Homeless Encampment

- a.** If the Sponsoring Agency is not the Host Agency of the site, the Sponsoring Agency shall submit a written agreement from the Host Agency allowing the homeless encampment and clarifying the obligations of the Sponsoring Agency.
- 2.b.** The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:
 - a-i.** Sanitary portable toilets in the number required to meet capacity guidelines;
 - b-ii.** Hand washing stations by the toilets and by the food areas;
 - c-iii.** Refuse receptacles; and
 - d-iv.** Food tent and security tent.
- 3.c.** The Host and Sponsoring Agencies shall provide an adequate water source to the homeless encampment, as approved by the City.
- 4.d.** No homeless encampment shall be located within a Sensitive/Critical Area or its buffer as defined under Chapter 18.32 of the Olympia Municipal Code.

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~~5.e.~~ No permanent structures will be constructed for the homeless encampment.

~~6.f.~~ No more than 40 residents shall be allowed at any one encampment. The City may further limit the number of residents as site conditions dictate.

~~7.g.~~ Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided in the permit application. If the homeless encampment is located on a site that has another preexisting use, it shall be shown that the homeless encampment parking will not create a shortage of on-site parking for the other use/s on the property.

~~8.h.~~ The homeless encampment shall be located within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter mile of a bus stop, the Host or Sponsoring Agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

~~9.i.~~ The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.

~~10.j.~~ All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

2. County Homeless Encampment

~~a.~~ The property must be owned by Thurston County and located in a Light-Industrial/Commercial (LI/C) zoning district. The property shall not be located adjacent to residentially zoned property, and the Conditional Use Permit shall not allow more than 30 tents or cottage structures. The necessary on-site shared community facilities shall include but not be limited to the following:

~~i.~~ Adequate water source and sanitary restrooms in the number required to meet capacity guidelines;

~~ii.~~ Hand washing stations by the restrooms and by the food preparation areas;

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iii. Refuse receptacles; and

iv. Community Building(s) providing kitchen, dining, shower, laundry, offices for management & security.

b. If proposed, any recreational areas, garden areas or other on-site provisions should be designed as shared community facilities.

c. At least six (6) on-site vehicular parking stalls and a covered bike shelter shall be provided for the County homeless encampment.

d. The homeless encampment shall be located within a quarter (1/4) mile of a bus stop or have public bus services provided.

e. The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and surrounding properties. Screening shall be a fence with a minimum height of six (6) feet and may include landscaping.

B. Security.**1. Temporary Homeless Encampment**

a. An operations and security plan for the homeless encampment shall be submitted to the City at the time of application.

2-b. The Host Agency shall provide to all residents of the homeless encampment a Code of Conduct for living at the homeless encampment. A copy of the Code of Conduct shall be submitted to the City at the time of application and shall be in substantially the following form or address the following issues:

a-i. Possession or use of illegal drugs is not permitted.

b-ii. No alcohol is permitted.

c-iii. No weapons are permitted.

d-iv. All knives over three and one-half (3-1/2) inches must be turned into the Host or Sponsoring Agencies on-site Encampment Manager for safekeeping.

e-v. No violence is permitted.

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f.vi. No open flames are permitted without pre-approval by the Department of Community Planning and Development.

g.vii. No trespassing into private property in the surrounding neighborhood is permitted.

h.viii. No loitering in the surrounding neighborhood is permitted.

ix. No littering on the Temporary Encampment site or in the surrounding neighborhood is permitted.

Nothing in this Section shall prohibit the Host Agency, Sponsoring Agency or Encampment Manager from imposing and enforcing additional Code of Conduct conditions not otherwise inconsistent with this Section.

3.c. All homeless encampment residents must sign an agreement to abide by the Code of Conduct and failure to do so shall result in the noncompliant resident's immediate expulsion from the property.

4.d. The Host or Sponsoring Agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept a minimum of six (6) months.

5.e. The Host or Sponsoring Agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver's license, government-issued identification card, military identification, or passport from prospective and existing encampment residents.

6.f. The Host or Sponsoring Agency will use identification to obtain sex offender and warrant checks from the Washington State Patrol, the Thurston County Sheriff's Office or relevant local police department.

a.i. If said warrant and sex offender checks reveal either (1) an existing or , outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then the Host or Sponsoring Agency will reject the subject of the check for residency to the homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

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~~b.ii.~~ The Host or Sponsoring Agency shall immediately contact the police department if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant. In other cases of rejection or ejection, the designated representative of the Host or Sponsoring Agency shall immediately provide the facts leading to such action to the Olympia Police Department and the Thurston County Sheriff's Office.

~~7.g.~~ The Host or Sponsoring Agency shall self-manage its residents and prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering, or disturbing the neighbors while located on the property.

~~8.h.~~ The Host or Sponsoring Agency will appoint a designated representative to serve "on-duty" as an Encampment Manager at all times to serve as a point of contact for the Police Department and will orient the Police as to how the security tent operates. The names of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

~~2. County Homeless Encampment. An operations and security plan for the homeless encampment shall be established and enforced by Thurston County. The operations plan shall provide for ensuring that potential residents are provided notice that the homeless encampment is within a property zoned light industrial.~~

C. Timing.

1. Temporary Homeless Encampment

~~a.~~ The duration of the temporary homeless encampment shall not exceed one hundred eighty (180) days.

~~2.b.~~ No additional temporary homeless encampments may be allowed on the same parcel of property in any 12-month period beginning on the date the homeless encampment locates on a parcel of property.

~~3.c.~~ No more than one (1) temporary homeless encampment may be located in the City at any time.

~~2. County Homeless Encampment. No more than one County homeless encampment may be located in the City at any time.~~

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D. Health and Safety.

1. Temporary Homeless Encampment. The homeless encampment shall conform to the following fire requirements:

- a. There shall be no open fires for cooking without pre-approval by the Fire Department and no open fires for heating;
- b. No heating appliances within the individual tents are allowed without pre-approval by the Olympia Fire Department;
- c. No cooking appliances other than microwave appliances are allowed in individual tents;
- d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Fire Department;
- e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;
- f. Adequate separation between tents and other structures shall be maintained as determined by the Fire Department; and
- g. Electrical service shall be in accordance with recognized and accepted practice. Electrical cords are not to be strung together and any cords used must be approved for exterior use.

2. County Homeless Encampment. The County homeless encampment shall conform to the City engineering, building and fire codes.

3. The Host Agency and Sponsoring Agency shall permit inspections by City staff and the Thurston County Health Department at reasonable times without prior notice of compliance with the conditions of the Temporary and County Homeless Encampment Permit.

E. Director's Decision.

1. Temporary Homeless Encampment

- a. Purpose. The Director shall review the proposal to ensure compliance with the provisions of this chapter and all other applicable law, to ensure that the health, safety and

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welfare of the citizens of the City is preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this chapter.

~~2-b.~~ **Director Authority.** The Director may modify the submittal requirements as deemed appropriate.

~~3-c.~~ **Notice of Decision.** The Director shall notify the Sponsoring and Host Agencies of his or her decision to approve, modify or deny the application within a timely manner, but not prior to 14 days after the neighborhood informational meeting. This Decision is a final decision of the City. Appeals of decisions to approve or deny a Temporary Encampment Permit shall be to Thurston County Superior Court.

2. County Homeless Encampment

a. Purpose. The Director shall review the proposal and make a recommendation to the Hearing Examiner regarding compliance with applicable law.

b. Hearing Examiner Authority. The Hearing Examiner may issue a County Homeless Encampment Permit pursuant to Hearing Examiner Chapter 18.82. The Director will forward the application and a recommendation to the Hearing Examiner subject to the provisions of this Chapter 18.50, the "Conditional Uses Chapter 18.48" and Hearing Examiner Chapter 18.82.

c. Notice of Decision. The Director shall provide notice of the Olympia Hearing Examiner Decision pursuant to OMC 18.60. The Decision is a final decision of the City. Appeals of decisions to approve or deny a County Homeless Encampment Permit shall be to Thurston County Superior Court.

F. Temporary Homeless Encampment Permit Termination. If the Host Agency or Sponsoring Agency fail to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the City learns of uncontrolled violence or acts of violence by residents of the encampment and the Host Agency or Sponsoring Agency has not adequately addressed the situation, the temporary use permit may be immediately terminated.

G. Temporary Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director of Community Planning and Development or their designee may give written notice to the permit holder describing the alleged violation. Within 14 days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the 14-day period, the Director of Community Planning and Development or their designee shall sustain or revoke the permit. When a Temporary Homeless

Encampment Permit is revoked, the Director of Community Planning and Development or their designee shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a Temporary Encampment permit shall be to Thurston County Superior Court.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

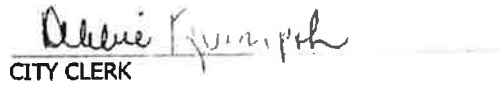
Section 6. Recitals. The recitals above shall be treated as findings and conclusions in support of this Ordinance.

Section 7. Codification. Only Sections 1 through 3 of this Ordinance shall be codified.

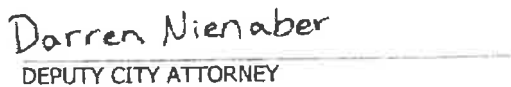


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


DEPUTY CITY ATTORNEY

PASSED: September 13, 2011

APPROVED: September 13, 2011

PUBLISHED: September 17, 2011

