



City Council

Approval of an Ordinance Amending the Emergency Housing Facilities Code, Olympia Municipal Code (OMC) Chapter 18.50 - First and Final Reading

Agenda Date: 12/11/2018
Agenda Item Number: 4.J
File Number: 18-1175

Type: ordinance **Version:** 1 **Status:** Passed

Title

Approval of an Ordinance Amending the Emergency Housing Facilities Code, Olympia Municipal Code (OMC) Chapter 18.50 - First and Final Reading

Recommended Action

Committee Recommendation:

The Planning Commission recommends approval of an ordinance amending the Emergency Housing Facilities Code, OMC Chapter 18.50, on first and final reading.

City Manager Recommendation:

Move to approve the ordinance amending the Emergency Housing Facilities Code, OMC Chapter 18.50, on first and final reading.

Report

Issue:

Whether to approve an ordinance amending the Emergency Housing Facilities Code, OMC Chapter 18.50, on first and final reading.

Staff Contact:

Amy Buckler, Downtown Programs Manager, Community Planning and Development, 360.570.5847

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

The Emergency Housing Facilities Ordinance is a land use regulation that provides opportunity for faith-based, not-for-profit and government entities to host temporary housing facilities for homeless individuals on sites they own or control, subject to a permit.

On October 15, 2018, the Olympia Planning Commission held a public hearing on the interim Emergency Housing Facilities Ordinance, and on November 19, 2018, issued the attached

recommendation to the City Council. See attached ordinance and attached summary of the Commission's recommendation.

The attached proposed ordinance reflects the Planning Commission's recommendations, and staff concurs with these.

Background

On June 5, 2018, the City Council approved Ordinance No. 7142, which amended the Emergency Housing Facilities Code, OMC 18.50, on an emergency/interim basis. The primary aim of the amendments was to provide more flexibility to meet growing demand for emergency housing/shelter in Olympia.

Subsequently, on September 4, 2018, the 9th Circuit Court of Appeals issued a decision in Martin vs. City of Boise. Upon review of this decision, on October 23, 2018, City Council approved Ordinance No. 7158, which again amended the Emergency Housing Facilities Code, OMC 18.50, on an emergency/interim basis. These amendments corrected scrivener errors, the distance of notification to property owners, specified that background checks shall be for felony warrants, and added a waiver for public health emergency. Staff notified the Planning Commission at its October 15, 2018 public hearing on the ordinance that the City Council would be immediately considering these amendments.

Effective Immediately

If approved by Council, the Amendments will go into effect immediately upon adoption.

RCW 35A.13.190 provides that no ordinance shall take effect until five days after the date of publication unless otherwise provided by statute or charter, except that an ordinance designated as a public emergency ordinance for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption. Such an ordinance requires the vote of one more than the majority of the whole membership of the Council. (A majority plus one.)

Neighborhood/Community Interests (if known):

There is significant public concern regarding the issue of homelessness

Options:

1. Move to approve the ordinance amending the Emergency Housing Facilities Code, OMC Chapter 18.50 on first and final reading.
2. Do not adopt amendments to the Emergency Housing Facilities Code at this time.

Financial Impact:

None - included in base budget

Attachments:

Ordinance
Summary of Planning Commission Recommendation