



CITY OF LAKE FOREST PARK

CITY COUNCIL

AGENDA COVER SHEET

Meeting Date	March 9, 2023
Originating Department	Planning and Building Department
Contact Person	Steve Bennett, Planning Director
Title	Ordinance 23-1264 renewing interim development regulations relating to Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing

Legislative History

- First Presentation: Regular City Council meeting September 9, 2021
 - Second Presentation: Regular City Council meeting September 23, 2021
 - Third Presentation: Special City Council meeting November 18, 2021
 - Fourth Presentation: Regular City Council meeting March 10, 2022
 - Fifth Presentation: Regular City Council meeting September 8, 2022
 - Sixth Presentation: Regular City Council meeting March 9, 2023
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Attachments:

1. Ordinance No. 23-1264 renewing interim regulations adopted in Ordinance 1227
 2. Ordinance No. 1227 adopting interim development regulations relating to indoor Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing
 3. Washington Department of Commerce March 2, 2023, bulletin
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Executive Summary

Council is considering Ordinance No. 23-1264 (Attachment 1), that would renew for a third time the interim development regulations in Ordinance No. 1227, which was adopted by Council on September 23, 2021 (Attachment 2). Council has previously held three public hearings on this matter and would hold a fourth public hearing prior to deliberating on Ordinance No. 23-1264. Under the Growth Management Act (GMA), interim regulations may be in effect for six months and may be renewed for one or more six-month periods. The Administration recommends this renewal of the interim regulations while the City is waiting for the Washington State Department of Commerce (Commerce) to provide the City with the necessary guidance and data that could affect unit numbers, locations, and reasonable intensity, spacing, and occupancy requirements.

Background

In 2021, the state legislature adopted RCW 35A.21.430 that states that a city shall not prohibit “indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.” For transitional and permanent support housing, the statute provides that a city may not prohibit them in zones where residential dwelling units or hotels are allowed. The statute does allow reasonable occupancy, spacing, and intensity of use restrictions on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to “protect public health and safety.” These restrictions, however, must allow a “sufficient number” of these housing types to accommodate a city’s projected need for such housing and shelter. The projected need/numbers are to be provided by Commerce.

Prior to the adoption of Ordinance No. 1227, the LFPMC had two zoning districts that allowed hotels: Commercial Corridor (CC) and Town Center (TC). The CC zoning designation occurs on the three narrow parcels across Bothell Way NE from Town Center that comprise roughly one-third of an acre, and on one parcel occupied by North Park Heating and Sheet Metal on Ballinger Way that is about two-thirds of an acre. The Town Center zone includes an area of about 18 acres.

The interim regulations permit emergency housing and shelters in the CC zone, but not in the TC zone since the interim regulations removed hotels as a permitted use in the 18-acre TC zone. The interim regulations also add transitional and permanent supportive housing as permitted uses in the twelve zones that allow residential dwelling units as well as the CC zone.

On March 2, 2023, the City received notice that Commerce had finalized guidance for counties and municipalities to use in identifying how much housing is needed in each income bracket (Attachment 3). Counties, cities, and towns must work together to decide how to plan for and accommodate housing to meet the needs of each income bracket and ensure enough emergency housing can be sited as well. Additional time is needed to complete this process and finalize capacity targets for Lake Forest Park.

Fiscal & Policy Implications

Alternatives

<i>Options</i>	<i>Results</i>
<ul style="list-style-type: none"> • Approve the Ordinance 	Interim regulations will remain in effect for six months, or until sooner repealed by the City Council
<ul style="list-style-type: none"> • Do not approve the Ordinance 	The current interim regulations will expire on March 22, 2023, and the City will not be in compliance with the statutory requirements until new interim or permanent regulations are adopted

Staff Recommendation

Adopt Ordinance 23-1264 renewing interim development regulations relating to Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing.