

# Ordinance 1466 - Interim Zoning Controls

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RELATED TO ESSHB 1220 EMERGENCY SHELTER AND HOUSING



# Background:

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- State Legislature enacted Engrossed Second Substitute House Bill (ESSHB 1220), signed by Governor on May 12, 2021.
  - § Regarding: Transitional Housing, Permanent Supportive Housing and Emergency Shelters.
  - § Address the growing affordable housing and homelessness crisis.
- Bill requires all jurisdictions undertake immediate and long-term amendments to development regulations and Comprehensive Plans.

# Overview of Requirements: Sections

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## Section 1:

The bill amended the Growth Management Act (36.70A) by updating the housing goal definition. The language no longer “encourages” affordable housing but requires jurisdictions to plan for and accommodate affordable housing.

-City policy actions pertaining to this change can be addressed through the 2024 Comprehensive Plan Update.

## Section 2:

The bill amended the Growth Management Act (36.70A.070) to require jurisdictions to inventory, analyze, plan for and accommodate dwelling units for moderate, low, very low, and extremely low-income households. The bill also requires jurisdictions to inventory, analyze, plan for and accommodate emergency housing, emergency shelters, and permanent supportive housing.

-City policy actions pertaining to this change can be addressed through the 2024 Comprehensive Plan Update.

# Overview of Requirements: Sections Cont.

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## Section 3:

This section preempts local authority to prohibit certain shelters and housing types. The bill added a new Section to chapter 35A.21 stating, *“A code City shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. A code City shall not prohibit indoor emergency shelters and indoor emergency housing in any zones which hotels are allowed.”*

- These requirements are effective as of September 30, 2021 and require City action.
- The bill allows jurisdictions to place reasonable occupancy, spacing and intensity use requirements upon these uses, which are proposed in the ordinance (Exhibit A).



# Overview of Requirements: Sections Cont.

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## Section 4:

This section is redundant to Section 3 for non-code cities.

## Section 5:

The bill amended the Growth Management Act (36.70A.390 – Moratoria, interim zoning controls), to prohibit jurisdictions from utilizing moratoria or interim zoning controls to prohibit building permit applications for the construction of transitional housing or permanent supportive housing as required by this bill.

-The City may utilize interim zoning controls to implement these regulations but may not use moratoria or interim zoning controls to prohibit the implementation of this bill.

## Section 6:

This section adds definitions of “emergency housing”, “emergency shelter” and “moderate income household”.

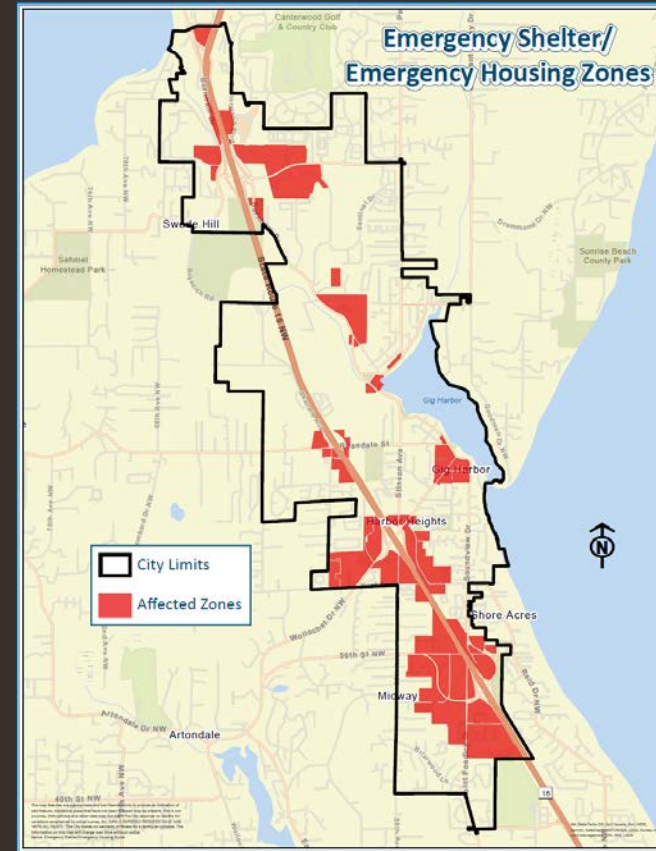


# Interim Zoning Regulations: Specifics

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- Transitional Housing and Permanent Supportive Housing
  - Conditionally Allowed in all Zones **except** PI, ED, WR, WM and WC.
  - Chapter 17.55 Added with Specific Conditions
- Emergency Shelters and Emergency Housing
  - Conditionally Allowed only in the Following Zones: RB-2, DB, B2, C1 and PCD-C.
  - Chapter 17.57 Added with Specific Conditions





What areas do the interim regulations affect?

## What will the City do within the 6-month Interim?

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- **Mandatory Public Hearing within 60-Days on Interim Zoning Controls**
  - **October 11, 2021**
- **Planning Commission consideration, public hearing and recommendation.**





# Questions?

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