



# Supportive Housing Code Amendments

## Planning Commission

July 20, 2021



# PRESENTATION OVERVIEW

## PURPOSE OF PRESENTATION

- Review draft code language based on previous direction.
- Prepare for August 3, 2021 public hearing.

## WHY IS THIS ISSUE IMPORTANT?

1. House Bills 1070 and 1220 passed in May 2021, which together provide funding for supportive housing and require cities to allow various types of supportive housing.
2. In April 2021, the City passed a six-month moratorium on the establishment of overnight shelters and transitional housing.
3. HB 1220 limits such a moratorium and requires zoning allowances to be in place by September 30, 2021.



# POTENTIAL COMMISSION ACTION

## COMMITTEE ACTION REQUESTED

- Review materials and provide any direction to staff to prepare for 8/3/2021 public hearing.
- Planning Commission recommendation to Council desired by 8/17/2021, if not provided 8/3/2021.

## REVIEWS TO DATE

- PED: 5/27/2021
- PC: 6/15/2021, 7/6/2021, 7/20/2021



# SUMMARY OF HB 1220 AND DRAFT AMENDMENTS

- **Transitional Housing and Permanent Supportive Housing**

Located in all zones that allow hotels or residential uses

- **Indoor Emergency Shelters and Indoor Emergency Housing**

Located in all zones that allow hotels (Option Preferred by Commission on 7/6)

**OR**

Located in majority of zones within 1 mile of transit

- City can impose reasonable occupancy, spacing, and intensity of use requirements to protect public health and safety.
- City may not prevent the siting of a sufficient number of supportive housing facilities necessary to accommodate city's projected need for such housing and shelter.
- The City is not required to produce any of this housing.
- The City must allow the opportunity for these housing types at the city's projected need; but, as of now, the City is not required to show that a specific amount, by use type, has been provided.



# PROJECTED NEED FOR SUPPORTIVE HOUSING FACILITIES

## How many persons are currently without homes in SeaTac?

### Approach

- Relatively limited data is available for quantifying persons meeting this criteria of need. Staff used an extrapolation of the most up to date data from the 2020 count of persons experiencing homelessness within King County.

## STAFF COMMENTS

- Requirements generally relates to “homeless or at imminent risk of becoming homeless.”
- WA Dept. of Commerce guidance expected by end of 2022.
- In review of the 2020 Point-in-Time Count, staff found that the number of persons experiencing homeless in SeaTac is likely about **100** persons, based on a proportion of Southwest King County Data. This data is likely an undercount based on study factors.
- Staff estimates that the overall need for the city is 100-150 persons.
- Staff is aware of very few permanent facilities within the City Limits to address this need presently.



# POTENTIAL POPULATION VULNERABLE TO LOSING HOUSING

## How many are at imminent risk of becoming homeless?

### Approach

- Staff has used data from the Housing Inventory & Assessment Report (HIAR).

## STAFF RATIONAL

- WA Dept. of Commerce guidance expected by end of 2022.
- Staff considered the most vulnerable as renters being extremely cost burdened (greater than 50% of income used toward housing costs) and existing within the very low-, or extremely low-income levels (representing less than 51% AMI).
- This totaled to approximately 2,593 persons.
- Note: Approximately 802 King County Housing Authority Owned units exist to serve persons at lower income ranges.



# SUMMARY OF AMENDMENTS: DEFINITIONS

## USE TYPE AND DEFINITION CHANGES:

### New Definitions and Use Type:

**"Emergency housing"** Temporary indoor accommodations for those that are homeless or those at imminent risk, intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. May or may not require occupants to enter into a lease or an occupancy agreement. *(paraphrased)*

**"Emergency shelter"** Facility that provides a temporary shelter for those currently homeless. May not require occupants to enter into a lease or an occupancy agreement. May include day and warming centers that do not provide overnight accommodations. *(paraphrased)*

**"Permanent supportive housing"** Subsidized, leased housing with no limit on length of stay prioritizing people who need comprehensive support services to retain tenancy, with lower barriers to entry than would be typical for other rental housing, especially related to rental history, criminal history, and personal behaviors. Paired with on-site or off-site voluntary services designed to support complex and disabling behavioral health or physical health conditions. Intended for those homeless or imminent risk of homelessness prior to moving into housing. *(paraphrased)*



# SUMMARY OF AMENDMENTS: DEFINITIONS cont.

## USE TYPE AND DEFINITIONS CHANGES:

### Amended Definition and Use Type:

#### “Transitional housing”

~~Housing provided under a program, offering twenty-four (24) hour access to specific persons, for periods of one (1) month or more for human services purposes, such as helping unemployed, homeless individuals to obtain employment and permanent housing. Transitional housing is not a transient accommodation. A project that provides housing and supportive services to homeless persons or families for up to two years and that has its purpose facilitating the movement of homeless persons and families into independent living.~~

Housing and supportive services to homeless persons or families for up to two years and that has its purpose facilitating the movement of homeless persons and families into independent living.

### Removed Definition and Use Type:

#### “Overnight Shelter”

- ~~• A facility providing overnight, temporary lodging, with or without meals, for homeless families or individuals and meeting the standards of Chapter 246-360 WAC.~~
- Use Type Removed from Use Charts





# SUMMARY OF AMENDMENTS: PERMANENT SUPPORTIVE AND TRANSITIONAL HOUSING

## PERMANENT SUPPORTIVE AND TRANSITIONAL HOUSING

### Location:

- Permanent supportive and transitional housing permitted in all zones that allow hotels or residential uses.

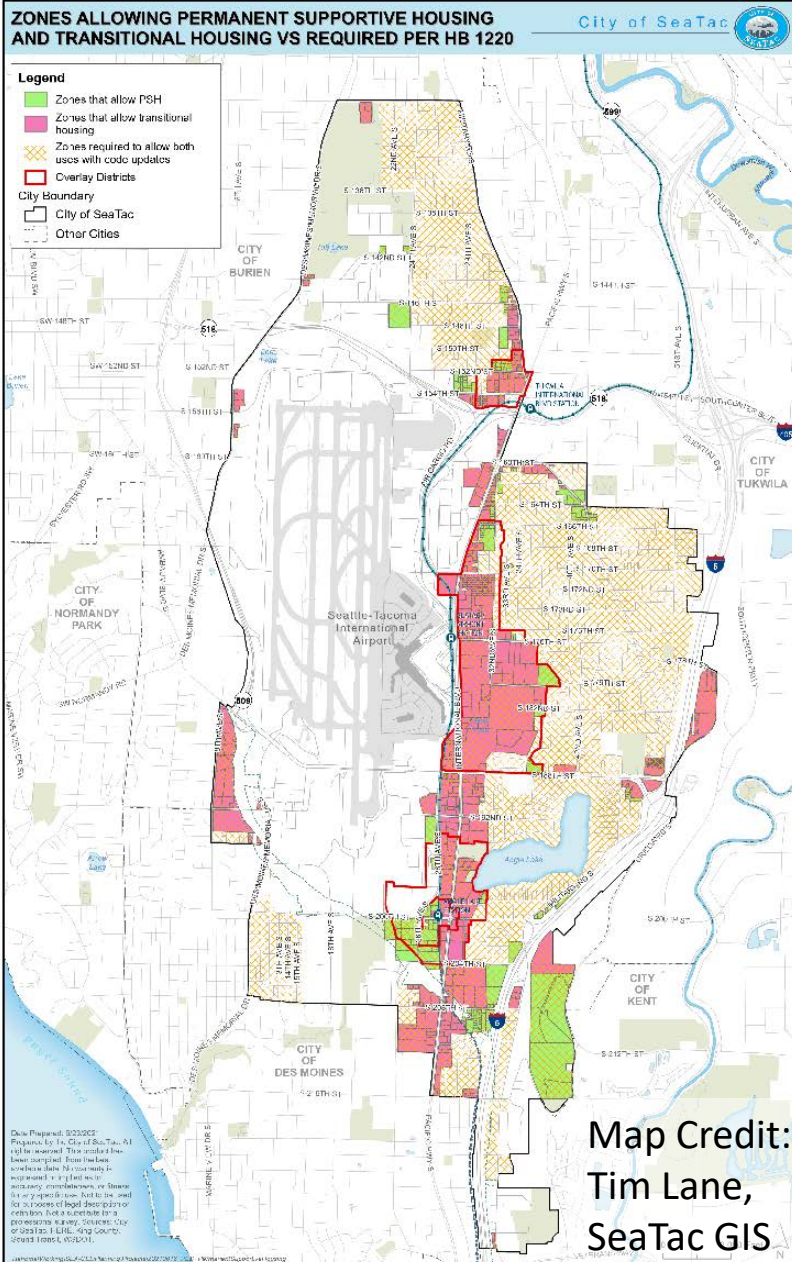
### Scale:

- Permanent supportive and transitional housing serving 5 residents or less (“small-scale”) will be classified at Community Residential Facilities Category I (CRF I) to allow such uses in the Urban Low Density Residential (UL) zones.
- CRF I include group homes for children, disabled, or elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims.
- CRF I must be a single-family structure and maintain residential character.
- Larger such supportive housing facilities are not permitted in the UL zones. Permitted in other zones allowing hotels or residential.

### Permitting:

- Small-scale facilities approved administratively under CFR I requirements.
- Large Scale (above 5 residents) require a minor conditional use permit.





# LOCATION FOR TRANSITIONAL AND SUPPORTIVE HOUSING

- Red shading represents parcels that currently allow both multi-family and transitional housing, while the green shading represents only parcels currently allowing multi-family development.
- The area crosshatched in yellow represents parcels which must now allow Transitional and Permanent Supportive Housing (PSH) per HB1220.



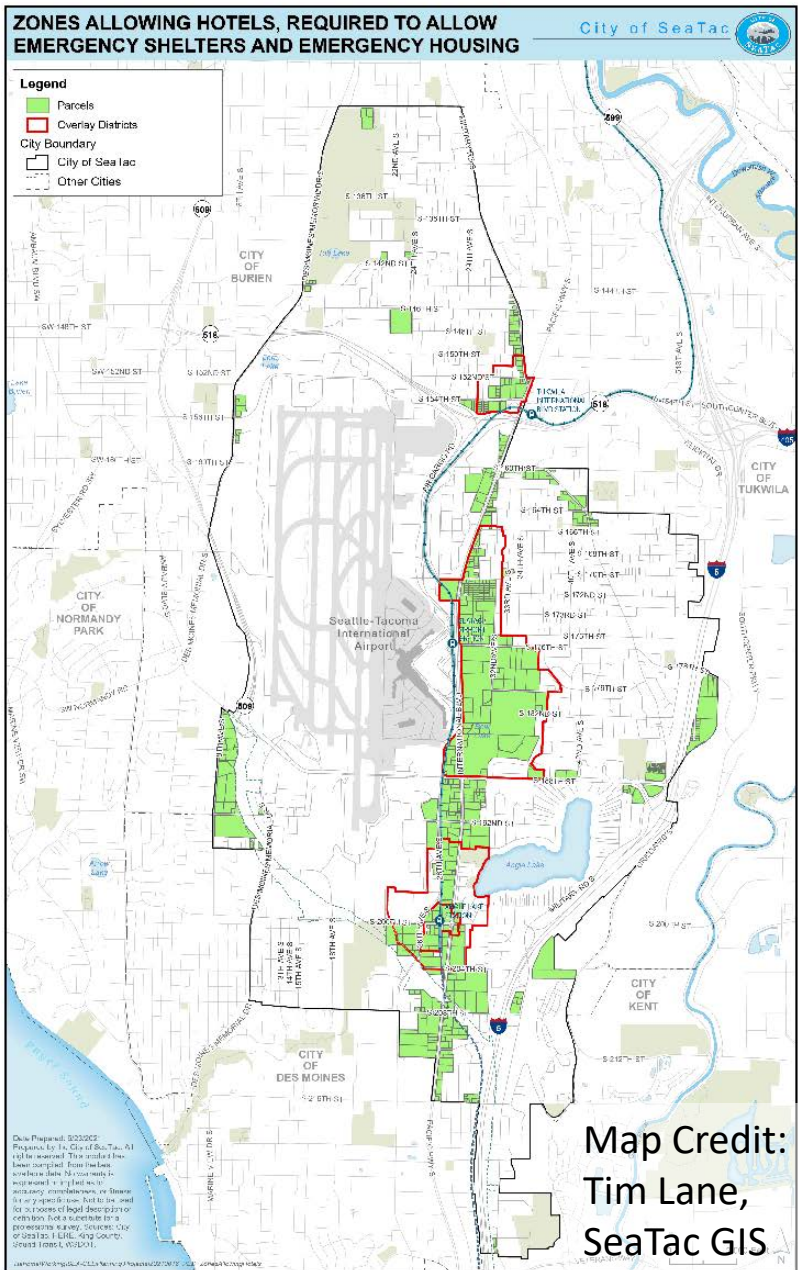
# LOCATION AND PERMITTING FOR EMERGENCY HOUSING SERVICES

## Location and Permitting:

- Indoor emergency housing and indoor emergency shelters will be permitted in all zones that allow hotels.
- Requires a major conditional use permit.

## Mapped Potential Locations:

- Represents all zones allowing hotels, with the respective overlay district boundaries represented by red outlines.
- These are largely commercial and high-density residential zones.



# SUPPORTIVE HOUSING PERFORMANCE STANDARDS

## What services and standards are required for supportive housing facilities?

### Approach

- Performance standards for public health and safety, intensity, occupancy, and spacing/separation will be established through a new Supportive Housing Standards section.

## STANDARDS FOR ALL USES:

- Multiple Types: Stricter standards apply
- Specific impact assessment through CUP
- Meet building and fire code
- Match bulk and scale of residential use
- Parking plan.
- Operations plan, including security, code of conduct, human and social services.
- Transportation access.
- On-site supervision.
- Sponsor/managing agency with demonstrated experience and stable funding source.
- Access and coordination with police services.



# SUPPORTIVE HOUSING PERFORMANCE STANDARDS cont.

## What services and standards are required for emergency housing and shelters?

### Approach

- Specific spacing requirements, occupancy limits, services to be provided by sponsor/managing agency and operating standards.

## STANDARDS FOR EMERGENCY HOUSING AND SHELTERS:

- No closer than 1,000 feet to school or other emergency facility.
- Limit of 80 residents.
- Access to medical services and, mental and behavioral services.
- For housing: Access to resources for permanent housing, and employment/education assistance
- For shelters: Substance abuse assistance.
- Variety of other requirements to limit surrounding impacts and for public health and safety (trash, food donations, waiting space, minor children, identification, sex offenders).



# SUPPORTIVE HOUSING PERFORMANCE STANDARDS cont.

## **What services and standards are required for permanent supportive and transitional?**

### **Approach**

- Specific occupancy limits and services to be provided by sponsor/managing agency and operating standards.

## **STANDARDS FOR PERMANENT SUPPORTIVE AND TRANSITIONAL HOUSING:**

- Subject to density standards, maximum of 80 units.
- Must meet multi-family design standards.
- Provide resident access to cooking and hygiene facilities.
- Dedicated space to meet with service providers.
- Access to medical services and, mental and behavioral services.
- Access to employment and education assistance

# MISCELLANEOUS CODE AMENDMENTS

## LANDSCAPING CHARTS:

- Emergency Housing and Shelters: Landscape type and width requirements consistent with hotel uses.
- Permanent Supportive and Transitional Housing: Landscape type and width requirements consistent with existing transitional housing provisions.

## PARKING CHARTS:

- All uses: Parking Plan based on population served and projected needs submitted and approved by the Director.

## CURRENT USES:

- Maintain current homeless encampment standards.
- Maintain current allowance for religious facilities to provide emergency housing and shelters as an accessory use.



# POTENTIAL COMMISSION ACTION

## COMMITTEE ACTION REQUESTED

- Review materials and provide any direction to staff to prepare for 8/3/2021 public hearing.
- Planning Commission recommendation to Council desired by 8/17/2021, if not provided 8/3/2021.

## FUTURE CODE UPDATES

- Updated guidance from the Department of Commerce on the City's projected housing needs expected by end of 2022.
- Housing Action Plan implementation amendments may impact these uses.
- Staff suggest reviewing code within the first year of adoption or after first implementation to identify needed refinements.
- Code amendment updates likely included in the 2024 GMA Periodic Review of comprehensive plan and development regulations.







# Full Definitions from RCW and WAC

**Transitional housing**" means a facility that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

**"Permanent supportive housing"** is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.



# Key Definitions

**"Emergency housing"** means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

**"Emergency shelter"** means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

