

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2013-364**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON CREATING AN INTERIM OPTION FOR
TEMPORARY USE PERMIT APPLICANTS TO REQUEST
AN EXTENSION TO THE PERMIT TIME LIMIT**

WHEREAS, the Revised Code of Washington (RCW) section 36.70A.390 authorizes cities to adopt interim zoning controls; and

WHEREAS, the Sammamish Municipal Code (SMC) chapter 21A.70 contains requirements for temporary uses including a 60-day time limit; and

WHEREAS, some applicants for temporary use permits have expressed a desire to request an extension of their issued permits; and

WHEREAS, the City of Sammamish has previously taken action to extend permit timelines for applicants when it is in the public interest and adverse effects are absent or minimal, such as during the global economic downturn; and

WHEREAS, it is in the public interest to create an interim process for such temporary use permit extension requests and to provide criteria for the administrative approval of those requests; and

WHEREAS, it is in the public interest to also develop a permanent set of regulations for certain temporary uses such as homeless encampments; and

WHEREAS, the review process for permanent regulations should include an assessment of state and federal requirements, the city's and the community's experience with the current Tent City 4 encampment at Mary, Queen of Peace church, the experience of peer jurisdictions regarding homeless encampments and recommendations for best practices, review and recommendations from the Planning Commission, and stakeholder and public input; and

WHEREAS, the action described herein is procedural in nature and therefore not subject to review under the State Environmental Policy Act pursuant to WAC 197-11-800(19); and

WHEREAS, the City Council held one reading and considered public comment on this proposed ordinance on December 3, 2013; and

WHEREAS, the City Council intends to hold public hearing on January 21, 2014 which is within sixty days of the adoption date of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. As an interim zoning control adopted pursuant to RCW 36.70A.390, SMC 21A.70.120 is amended to add a new section (5) as follows:

(5) Applicants who have been granted a temporary use permit may apply for a one-time 30-day extension of the permit time limit. Such an application shall be submitted and approved prior to the expiration of the permit. In approving such an extension request, the director shall review compliance with the permit conditions and shall confirm that the extension of time will not create significant adverse impacts and is in the public interest.

Section 2. This ordinance shall be effective five days after publication and shall remain effective for a period of six months.

Section 3. The City Council refers this issue to the Sammamish Planning Commission for review and recommendations. The City Manager or designee is directed to work with the Planning Commission to develop a proposed ordinance with permanent regulations for homeless encampments for adoption by the City Council by December 31, 2014. The Commission should review the experience of other jurisdictions in King County and include the best practices in developing their recommendations.

Section 4. The above "WHEREAS" statements in the recital section of this ordinance shall constitute findings of fact pursuant to RCW 36.70A.390.

Section 5. Pursuant to RCW 36.70A.106, this interim Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 3RD DAY OF DECEMBER, 2013.

CITY OF SAMMAMISH



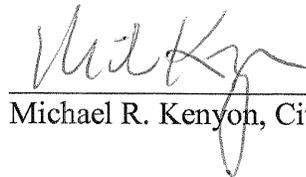
Mayor Thomas T. Odell

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

Approved as to form:



Michael R. Kenyon, City Attorney

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| Filed with the City Clerk: | November 27, 2013 |
| First Reading: | December 3, 2013 |
| Passed by the City Council: | December 3, 2013 |
| Date of Publication: | December 9, 2013 |
| Effective Date: | December 14, 2013 |