Ordinance No. 124747

Council Bill No. 118310

AN ORDINANCE relating to land use and zoning; amending Sections 23.42.054, 23.54.015, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and adding new Section 23.42.056; to permit transitional encampments for homeless individuals as an interim use on City-owned or private property.

Related Legislation File: _____

| | |
|---|---|
| Date Introduced and Referred: | To: (committee): |
| Date Re-referred: | To: (committee): |
| Date Re-referred: | To: (committee): |
| Date of Final Action: | Date Presented to Mayor: |
| Date Signed by Mayor: | Date Returned to City Clerk: |
| Published by Title Only _____<br>Published in Full Text _____ | Date Vetoed by Mayor: |
| Date Veto Published: | Date Passed Over Veto: |
| Date Veto Sustained: | Date Returned Without Signature: |

# The City of Seattle – Legislative Department

## Council Bill/Ordinance sponsored by: _____

## Committee Action:

| Date | Recommendation | Vote |
|---|---|---|
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| | | |
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This file is complete and ready for presentation to Full Council. _____

## Full Council Action:

| Date | Decision | Vote |
|---|---|---|
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# SEATTLE CITY COUNCIL

## Legislative Summary

### CB 118310

**Record No.:** CB 118310 **Type:** Ordinance (Ord) 124747 **Status:** Attested by City Clerk

**Version:** 3 **In Control:** City Clerk

**File Created:** 02/03/2015

**Final Action:** 04/10/2015

**Title:** AN ORDINANCE relating to land use and zoning; amending Sections 23.42.054, 23.54.015, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and adding new Section 23.42.056; to permit transitional encampments for homeless individuals as an interim use on City-owned or private property.

**Notes:**

**Sponsors:** O'Brien

**Attachments:**

**Drafter:** jaci.dahlvang@seattle.gov

| | Date |
|---|---|
| **Filed with City Clerk:** | |
| **Mayor's Signature:** | |
| **Vetoed by Mayor:** | |
| **Veto Overridden:** | |
| **Veto Sustained:** | |

**Filing Requirements/Dept Action:**

**History of Legislative File** **Legal Notice Published:** ☐ Yes ☐ No

| Ver-sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|---|---|---|---|---|---|---|---|
| 1 | Full Council | 01/26/2015 | referred | Planning, Land Use, and Sustainability Committee | | | |

**Action Text:** The Council Bill (CB) was referred to the Planning, Land Use, and Sustainability Committee

**Notes:** City Clerk Note: This Council Bill was introduced as version 10. Version 10 is provided in the Full Text.

1 Planning, Land Use, and Sustainability Committee 02/03/2015 held

**Action Text:** The Council Bill (CB) was Held in committee and will be discussed at next Planning, Land Use and Sustainability Committee meeting.

1 Planning, Land Use, and Sustainability Committee 02/20/2015 held

**Action Text:** This bill was discussed and held in committee. The next committee discussion will be a Public Hearing on Thursday February 26, 215 at 5:30pm in Council Chambers: 600 4th Avenue.

| | | | | |
|---|---|---|---|---|
| 1 | Planning, Land Use, and Sustainability Committee | 02/26/2015 | | |
| 1 | Planning, Land Use, and Sustainability Committee | 03/03/2015 | pass as amended | Pass |

**Action Text:** The Committee recommends that Full Council pass as amended the Council Bill (CB).

In Favor: 6 Chair O'Brien, Vice Chair Burgess, Member Licata, Alternate Clark, Sawant, Godden

Opposed: 0

| | | | | |
|---|---|---|---|---|
| 2 | Full Council | 03/30/2015 | amended | Pass |

**Action Text:** The Motion carried and the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

**Notes:** ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill No. 118310, Sections 2 and 6, as provided in Amendment 1 as a supporting document.

ACTION 2:

Motion was made by Councilmember Sawant and duly seconded, to amend Council Bill No. 118310, by adding a new section 11 and renumbering the remaining sections accordingly, as shown below:

Section 11. The City Council requests that the Department of Planning and Development (DPD) complete environmental review and make a threshold determination according to Chapter 25.05 SMC on a proposal to modify the new Section 23.42.056 of the Seattle Municipal Code as proposed in this ordinance that would allow the City of Seattle to issue Type I Master Use Permits for transitional encampments as an interim use without restriction by zone or property ownership. The Council requests that DPD complete the environmental review and make a threshold determination, and attempt to report back to the Planning, Land Use and Sustainability Committee no later than August 31, 2015.

Section ~~11~~12. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, sub-division, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to

other persons or circumstances.

ACTION 3:

Motion was made by Councilmember Clark and duly seconded, to further amend the proposed amendment in Action 2 and as shown in Amendment 3 as a supporting document.

The Motion failed by the following vote:
In Favor: Clark, Godden, Burgess
Opposed: Bagshaw, Harrell, Licata, O'Brien, Rasmussen, Sawant

ACTION 4:

The Motion to amend CB 118310 in Action 2, passed by the following vote:
In Favor: Bagshaw, Harrell, Licata, O'Brien, Rasmussen, Sawant
Opposed: Clark, Godden, Burgess

ACTION 5:

Motion was made and duly seconded to pass Council Bill 118310 as amended.

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Clark, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

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|---|---|---|---|---|
| 3 | Full Council | 03/30/2015 | passed as amended | |
| | **Action Text:** | The Council Bill (CB) was passed as amended. | | |
| | **Notes:** | | | |
| 3 | City Clerk | 04/01/2015 | submitted for Mayor's signature | Mayor |
| | **Action Text:** | The Council Bill (CB) was submitted for Mayor's signature. to the Mayor | | |
| | **Notes:** | | | |
| 3 | Mayor | 04/10/2015 | Signed | |
| | **Action Text:** | The Council Bill (CB) was Signed. | | |
| | **Notes:** | | | |
| 3 | Mayor | 04/10/2015 | returned to Clerk | City Clerk |
| | **Action Text:** | The Council Bill (CB) was returned to Clerk. to the City Clerk | | |
| | **Notes:** | | | |
| 3 | City Clerk | 04/10/2015 | attested by City Clerk | |
| | **Action Text:** | The Ordinance (Ord) was attested by City Clerk. | | |
| | **Notes:** | | | |

Mills/McConaghy
DPD Transitional Encampments ORD
March 30, 2015
Version #12

**CITY OF SEATTLE**

**ORDINANCE** 124747

COUNCIL BILL 118310

AN ORDINANCE relating to land use and zoning; amending Sections 23.42.054, 23.54.015, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and adding new Section 23.42.056; to permit transitional encampments for homeless individuals as an interim use on City-owned or private property.

WHEREAS, there is a well-documented history of homelessness in Seattle and a demonstrated need for additional facilities to address the issue;

WHEREAS, the current crisis of homelessness is impacted by a broad number of other societal challenges, including the growth of poverty and inequality, and the erosion of state and federal investments in our criminal justice, mental health, substance abuse, foster care and safety net systems, which have compounded in a crisis that requires the response of not just government, but by our entire community;

WHEREAS, since 2010, the number of people sleeping without shelter in Seattle has increased nearly 42 percent, to more than 2,800 people counted in the 2015 One Night Count;

WHEREAS, in the fall of 2010 a Citizen Review Panel on Housing and Services for Seattle's Unsheltered Homeless Population recommended that the City establish a transitional encampment to help meet the immediate survival and safety needs of individuals without access to safe shelter;

WHEREAS, the City's focus on solutions for people who are homeless should be a roof-over-head and services to connect individuals with a pathway toward long-term housing, however, the current capacity of our housing and homeless services continuum cannot meet the needs of all those who are homeless and, as an alternative, tent encampments can offer a sense of safety and community while seeking longer term housing options;

WHEREAS, temporary encampments hosted by qualified organizations on properties owned or controlled by religious organizations as authorized by Ordinance 123729, effective November 2011, must provide, at a minimum, running water and hygiene facilities for people in the encampments; and

WHEREAS, in 2012, City Council adopted Ordinance 123854, amending the Human Development Element of the Comprehensive Plan to add Policy HD11.1: Guide the operation of safe and healthy transitional encampments to allow temporary shelter for those who are homeless;

WHEREAS, agreements are encouraged between transitional encampment operators and the owner of the property where an encampment is located to provide encampment guidelines that extend beyond zoning standards, including prohibiting alcohol, drugs, weapons, and sex offenders; or establishing rules for children in encampments;

WHEREAS, in 2014 the Mayor with support from Council launched a three-part strategy to address the growing population of homeless individuals and families that included convening a Housing Affordability and Livability Advisory Committee to make recommendations for creating more permanent, affordable housing options across the income spectrum, including housing for homeless or formerly homeless people, and;

WHEREAS, the Mayor directed the Human Services Department to evaluate the City's investments in homeless services, interventions, and prevention and make recommendations to better align our efforts with national best practices, and;

WHEREAS, it is the intent of the Mayor and the City Council that any encampment operator seeking City funding for operations or a lease agreement for use of any designated City-owned properties to site an encampment would be required to participate in the City's Homelessness Management Information System as managed by the Human Services Department;

WHEREAS, the Council intends to measure the success of transitional encampments in temporarily sheltering people until they can secure housing in comparison with indoor shelter, and the Council expects that the rate at which people move from sheltering in transitional encampments to housing should be within 15% of the rate at which people move from indoor shelter to housing;

WHEREAS, the Council recognizes that the appropriate amount and type of support to secure some form of permanent housing will vary among the individuals and families experiencing homelessness. The Council intends that case management funded by the City of Seattle should be focused on achieving success in securing housing along with other client needs. The Council finds that case managers serving as "navigators" who help homeless persons work through various barriers to housing is a proven and successful approach, and expects that City-funded case managers working with encampment residents will work in this capacity;

WHEREAS, the Mayor convened an Emergency Task Force on Unsheltered Homelessness to make recommendations to rapidly address the needs of those who are without shelter;

WHEREAS, in December of 2014, the Emergency Task Force on Unsheltered Homelessness recommended to the Mayor a proposal to make public and private lands available for tent encampments; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 23.42.054 of the Seattle Municipal Code, enacted by Ordinance 123729, is amended as follows:

**23.42.054 Transitional ((~~Encampments~~))encampments ((~~Accessory~~))accessory to ((~~Religious~~))religious ((~~Facilities~~))facilities or to ((~~Other~~))other ((~~Principal~~))principal ((~~Uses~~))uses ((~~Located~~))located on ((~~Property~~))property ((~~Owned~~))owned or ((~~Controlled~~))controlled by a ((~~Religious~~))religious ((~~Organization~~))organization**

A. Transitional encampment accessory use. A transitional encampment is allowed as an accessory use on a site in any zone, if the established principal use of the site is as a religious facility or the principal use is on property owned or controlled by a religious organization, subject to the provisions of subsection 23.42.054.B. A religious facility site includes property developed with legally-established parking that is accessory to the religious facility. Parking accessory to a religious facility or located on property owned or controlled by a religious organization that is displaced by the encampment does not need to be replaced.

B. The encampment operator or applicant shall comply with the following provisions:

* * *

6. Individuals under the age of 18 that are not accompanied by a parent or legal guardian shall not be permitted in an encampment.

7. File a site plan with the Seattle Department of Planning and Development showing the arrangement of the encampment, including numbers of tents or similar sleeping shelters, all facilities that are separate from the sleeping shelters, and all existing structures on the property, if any. The site plan is for informational purposes and is not subject to City review or permitting requirements.

* * *

Section 2. A new Section 23.42.056 to the Seattle Municipal Code is adopted as follows:

**23.42.056 Transitional encampment as an interim use**

A Type I Master Use Permit may be issued for a transitional encampment interim use according to the requirements of this Section 23.42.056.

A. The Director, in consultation with the Human Services Director, shall adopt a rule according to subsection 23.88.010.A that includes but is not limited to establishing:

1. Community outreach requirements that include:

a. Community outreach standards that the encampment operator shall comply with before filing a transitional encampment interim use permit application, whether for a new transitional encampment or relocation of an existing transitional encampment. At a minimum, outreach standards shall contain a requirement that the encampment operator convene at least one public meeting in the neighborhood where the transitional encampment interim use is proposed to be established, at least 14 days prior to applying for a permit;

b. A requirement that the proposed encampment operator establish a Community Advisory Committee that would provide advisory input on proposed encampment operations including identifying methods for handling community complaints or concerns as it relates to the facility or facility clients. The committee shall include one individual identified by each stakeholder group in the geographic area where the proposed encampment would be located as best suited to represent their interests. The committee shall consist of no more than seven members. Encampment operator representatives shall attend committee meetings to answer questions and shall provide regular reports to the committee concerning encampment operations. City staff may attend the meetings; and

2. Operations standards that the encampment operator is required to implement while an encampment is operating.

B. Location. The transitional encampment interim use shall be located on property meeting the following requirements:

1. The property is:

a. Zoned Industrial, Downtown, SM, NC2, NC3, C1, or C2; except if the property is in a residential zone as defined in Section 23.84A.048 or is in a special review district established by Chapter 23.66; or

b. Within a Major Institution Overlay district.

2. The property is at least 25 feet from any residentially-zoned lot.

3. A property may be less than 25 feet from a residentially-zoned lot and used as an encampment site if:

a. All encampment facilities, improvements, activities, and uses are located at least 25 feet from any residentially-zoned lot. Access to the encampment site may be located within the 25-foot setback area; and

b. Screening is installed and maintained along each encampment boundary, except boundaries fronting on an opened public street. The screening shall consist of existing or installed vegetation that is sufficiently dense to obscure viewing the encampment site, or a 6-foot high view-obscuring fence or wall.

4. The property is owned by the City of Seattle, a private party, or an Educational Major Institution.

5. The property is within 1/2 mile of a transit stop. This distance shall be the walking distance measured from the nearest transit stop to the lot line of the lot containing the encampment site.

6. The property is, as measured by a straight line, at least 1 mile from any other legally-established transitional encampment interim use including encampments accessory to a religious facility or accessory to other principal uses on property owned or controlled by a religious organization. This subsection 23.42.056.A.6 shall not apply to encampments on sites

owned or controlled by religious organizations, or to any legally-established transitional encampment interim use that provides shelter for fewer than ten persons.

7. The property is 5,000 square feet or larger and provides a minimum of 100 square feet of land area for each occupant that is permitted to occupy the encampment site.

8. The property does not contain a wetland, wetland buffer, known and potential landslide designations, steep slope, steep slope buffer, or fish and wildlife habitat conservation area defined and regulated by Chapter 25.09, Regulations for Environmentally Critical Areas, unless all encampment facilities, improvements, activities, and uses are located outside any critical area and required buffer as provided for in Chapter 25.09.

9. The encampment site is not used by an existing legally-permitted use for code or permit-required purposes including but not limited to parking or setbacks.

10. The property is not an unopened public right of way; or designated as a park, playground, viewpoint, or multi-use trail by the City or King County.

C. Operation. The transitional encampment interim use shall meet the following requirements:

1. The encampment may be operated by a private party that shall prepare an Encampment Operations Plan that shall address: site management, site maintenance, provision of human and social services, referrals to service providers that are able to provide services to individuals under the age of 18 who arrive at an encampment unaccompanied by a parent or legal guardian, and public health and safety standards. The operations plan shall be filed with the transitional encampment interim use permit application.

2. The operator shall be included in the qualified encampment roster prepared by the Human Services Director. The transitional encampment interim use permit applicant shall include documentation as part of the permit application demonstrating that the encampment operator is on the qualified encampment operator roster.

D. Additional requirements. The transitional encampment interim use shall meet the following requirements:

1. The requirements for transitional encampment accessory uses in subsections 23.42.054.B and 23.42.054.C.

2. The operator of a transitional encampment interim use located on City-owned property shall obtain prior to permit issuance and maintain in full force and effect, at its own expense, liability insurance naming the City as an additional insured in an amount sufficient to protect the City as determined by the City Risk Manager from:

a. All potential claims and risks of loss from perils in connection with any activity that may arise from or be related to the operator's activity upon or the use or occupation of the City property allowed by the permit; and

b. All potential claims and risks in connection with activities performed by the operator by virtue of the permission granted by the permit.

3. The operator of a transitional encampment interim use located on City-owned property shall, on a form approved by the Director, agree to defend, indemnify, and hold harmless the City of Seattle, its officials, officers, employees, and agents from and against:

a. Any liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the operator of a transitional encampment interim use located on City-owned property, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the operator's use or occupancy of the City property; and

b. All loss by the failure of the operator of a transitional encampment interim use located on City-owned property to perform all requirements or obligations under the transitional encampment interim use permit, or federal, state, or City codes or rules.

4. A transitional encampment interim use located on City-owned property shall allow service providers to access the site according to the approved operations plan required by subsection 23.42.056.B.1.

E. Duration and timing. The transitional encampment interim use shall meet the following requirements:

1. A permit for a transitional encampment interim use under this Section 23.42.056 may be authorized for up to one year from the date of permit issuance. A permit for a transitional encampment may be renewed one time for up to one year by the Director as a Type I decision subject to the following:

a. The operator shall provide notice of a request to extend the use in a manner determined by a Director's Rule. The notice shall be given to the Citizen's Advisory Committee and persons who provided the operator with an address for notice;

b. The encampment is in compliance with the requirements of Section 23.42.056; and

c. The operator shall provide with the permit renewal application an Encampment Operations Plan that shall be in effect during the permit renewal period and consistent with subsection 23.42.056 A.

2. At least 12 months shall elapse before an encampment use may be located on any portion of a property where a transitional encampment interim use was previously located.

F. Limit on the number of encampments. No more than three transitional encampment interim use encampments shall be permitted and operating at any one time, and each

encampment shall not have more than 100 occupants. This limit shall not include transitional encampments accessory to a religious facility.

Section 3. Table A for 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 124608, is amended as follows:

**23.54.015 Required parking**

* * *

**Table A for 23.54.015**

**Parking for ((~~n~~))Non-residential ((~~u~~))Uses ((~~o~~))Other ((~~t~~))Than ((~~i~~))Institutions**

| Use | | | | Minimum parking required |
|---|---|---|---|---|
| **I. General Non-residential Uses (other than institutions)** | | | | |
| * * * | | | | |
| G. | TRANSITIONAL ENCAMPMENT INTERIM USE | | | 1 space for every vehicle used as shelter; plus 1 space for each 2 staff members on-site at peak staffing times |
| ((~~G~~))H. | TRANSPORTATION FACILITIES | | | |
| | ((~~G~~))H.1. | Cargo terminals | | 1 space for each 2,000 square feet |
| | ((~~G~~))H.2. | Parking and moorage | | |
| | | ((~~G~~))H.2.a. | Principal use parking | None |
| | | ((~~G~~))H.2.b. | Towing services | None |
| | | ((~~G~~))H.2.c. | Boat moorage | 1 space for each 2 berths |
| | | ((~~G~~))H.2.d. | Dry storage of boats | 1 space for each 2,000 square feet |
| | ((~~G~~))H.3. | Passenger terminals | | 1 space for each 100 square feet of waiting area |
| | ((~~G~~))H.4. | Rail transit facilities | | None |
| | ((~~G~~))H.5. | Transportation facilities, air | | 1 space for each 100 square feet of waiting area |
| | ((~~G~~))H.6. | Vehicle storage and maintenance uses | | 1 space for each 2,000 square feet |
| ((~~H~~))I. | UTILITIES | | | 1 space for each 2,000 square feet |

| Table A for 23.54.015 | | |
|---|---|---|
| **Parking for ((n))Non-residential ((u))Uses ((o))Other ((t))Than ((i))Institutions** | | |
| **Use** | | **Minimum parking required** |
| **II. Non-residential Use Requirements For Specific Areas** | | |
| ((I))J. | Non-residential uses in urban centers or the Station Area Overlay District (3) | No minimum requirement |
| ((J))K. | Non-residential uses in urban villages that are not within an urban center or the Station Area Overlay District, if the non-residential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the non-residential use. (3) | No minimum requirement |
| ((K))L. | Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504. | No minimum requirement |
| * * * | | |

* * *

Section 4. Table A for 23.76.004 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

**23.76.004 Land use decision framework**

* * *

| Table A for 23.76.004<br>LAND USE DECISION FRAMEWORK[1] | |
|---|---|
| **Director's and Hearing Examiner's Decisions Requiring Master Use Permits** | |
| **((~~DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS~~))** | |
| **TYPE I** | |
| **Director's Decision** | |
| (Administrative review through land use interpretation as allowed by Section 23.88.020[2]) | |
| * * * | |
| * | Uses on vacant or underused lots pursuant to Section 23.42.038 |
| * | Transitional encampment interim use |
| * | Certain street uses |
| * * * | |

Section 5. Section 23.76.006 of the Seattle Municipal Code, last amended by Ordinance 123963, is amended as follows:

**23.76.006 Master Use Permits required**

A. Type I, II, and III decisions are components of Master Use Permits. Master Use Permits are required for all projects requiring one or more of these decisions.

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;

2. Establishment or change of use for uses permitted outright, interim use parking under subsection 23.42.040.G, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, transitional encampment interim use, and temporary uses for four weeks or less not otherwise permitted in the zone, and renewals of temporary uses for up to six months, except temporary uses and facilities for light rail transit facility construction and transitional encampments;

* * *

C. The following are Type II decisions:

* * *

2. The following decisions are subject to appeal to the Hearing Examiner (except shoreline decisions and related environmental determinations that are appealable to the Shorelines Hearings Board):

* * *

l. Establishment of temporary uses for transitional encampments, except transitional encampment interim uses provided for in subsection 23.76.006.B.2 ; and

* * *

Section 6. Section 23.76.032.A of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

**23.76.032 Expiration and renewal of Type I and II Master Use Permits**

A. Type I and ((~~Type~~))II Master Use Permit expiration

1. An issued Type I or II Master Use Permit expires three years from the date a permit is approved for issuance as described in Section 23.76.028, except as follows:

a. A Master Use Permit with a shoreline component expires pursuant to WAC 173-27-090.

b. A variance component of a Master Use Permit expires as follows:

1) Variances for access, yards, setback, open space, or lot area minimums granted as part of a short plat or lot boundary adjustment run with the land in perpetuity as recorded with the King County Recorder.

2) Variances granted as separate Master Use Permits pursuant to subsection 23.76.004.G expire three years from the date the permit is approved for issuance as described in Section 23.76.028 or on the effective date of any text amendment making more stringent the development standard from which the variance was granted, whichever is sooner. If a Master Use Permit to establish the use is issued prior to the earlier of the dates specified in the preceding sentence, the variance expires on the expiration date of the Master Use Permit.

c. The time during which pending litigation related to the Master Use Permit or the property subject to the permit made it reasonable not to submit an application for a building permit, or to establish a use if a building permit is not required, is not included in determining the expiration date of the Master Use Permit.

d. Master Use Permits with a Major Phased Development or Planned Community Development component under Sections 23.47A.007, 23.49.036, or 23.50.015 expire as follows:

1) For the first phase, the expiration date shall be three years from the date the permit is approved for issuance;

2) For subsequent phases, the expiration date shall be determined at the time of permit issuance for each phase, and the date shall be stated in the permit.

e. Permits for uses allowed under Section 23.42.038, and temporary, interim, or intermittent use permits issued pursuant to Section 23.42.040, and transitional encampment interim use permits issued under Section 23.42.056, expire on the date stated in the permit.

* * *

C. Master Use Permit Renewal.

1. Except for Major Phased Development permits, the Director shall renew issued Master Use Permits for projects that are in conformance with applicable regulations, including but not limited to land use and environmentally critical areas regulations and SEPA policies in effect at the time renewal is sought. Except as provided in subsections 23.76.032.C.2 and 23.76.032.C.3, Master Use Permit renewal is for a period of two years. A Master Use Permit shall not be renewed beyond a period of five years from the original date the permit is approved for issuance. The Director shall not renew issued Master Use Permits for projects that are not in conformance with applicable regulations in effect at the time renewal is sought.

2. If an application for a building permit is submitted before the end of the two year term of renewal, and is subsequently issued, the Master Use Permit shall be extended for the life of the building permit.

3. The Director may renew a Master Use Permit for the temporary relocation of police and fire stations issued pursuant to Section 23.42.040 for a period not to exceed 12 months.

4. The Director may renew a Master Use Permit for a transitional encampment interim use issued according to Section 23.42.056.E one time for up to one year.

Section 7. Section 23.84A.038 of the Seattle Municipal Code, which section was last amended by Ordinance 124378, is amended as follows:

**23.84A.038 "T"**

* * *

"Transitional Encampment" means a use having tents or a similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping and shelter. The use may have common food preparation, shower, or other commonly-used facilities that are separate from the sleeping shelters.

* * *

Section 8. The Human Services Director shall adopt a rule according to subsection 23.88.010.A that establishes a process the Human Services Director shall use to: determine the qualifications transitional encampment interim use operators shall have to operate an encampment; and create a roster of qualified encampment operators.

Section 9. The City Council intends that transitional encampments serve to shelter people temporarily until they can secure housing. To monitor the success in transitioning encampment residents to housing, the Council directs the Human Services Department to report annually to the Council on all permitted transitional encampments in Seattle beginning one year from the date the first encampment is permitted as an interim use according to Section 23.42.056. The annual reports shall include at least the following information that is described a monthly basis:

1. The number of adults and minors occupying all encampments;

2. The number encampment occupants accepting or declining offers for human or social services;

3. Where the occupants previously lived and where they are expected to go after leaving an encampment; and

4. The number of persons moving from transitional encampments to housing.

Section 10. This ordinance shall be automatically repealed without subsequent Council action on March 31, 2020.

Section 11. The City Council requests that the Department of Planning and Development (DPD) complete environmental review and make a threshold determination according to Chapter 25.05 SMC on a proposal to modify the new Section 23.42.056 of the Seattle Municipal Code as proposed in this ordinance that would allow the City of Seattle to issue Type I Master Use Permits for transitional encampments as an interim use without restriction by zone or property ownership. The Council requests that DPD complete the environmental review and make a threshold determination, and attempt to report back to the Planning, Land Use and Sustainability Committee no later than August 31, 2015.

Section 12. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, sub-division, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 13. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 30th day of March, 2015, and signed by me in open session in authentication of its passage this 30th day of March, 2015.

President _____ of the City Council

Approved by me this 10th day of April, 2015.

Edward B. Murray, Mayor

Filed by me this 10th day of April, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

**STATE OF WASHINGTON -- KING COUNTY**

--ss.

323201 No. 124744,745,746,747,

CITY OF SEATTLE,CLERKS OFFICE

# Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

was published on

04/23/15

The amount of the fee charged for the foregoing publication is the sum of $77.50 which amount has been paid in full.

JENNIFER A. BORRERO NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 10-24-15

Subscribed and sworn to before me on 04/23/2015

Notary public for the State of Washington, residing in Seattle

Affidavit of Publication

# State of Washington, King County

## City of Seattle

**Title Only Ordinances**

The full text of the following legislation, passed by the City Council on March 30, 2015, and published below by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124744

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124745

AN ORDINANCE relating to contracting indebtedness; amending Ordinance 124125 to increase the authorized amount of interfund loans for the Alaskan Way Seawall Replacement Project; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124746

AN ORDINANCE granting Columbia Center Property LLC permission to continue to maintain and operate a pedestrian tunnel under and across 5th Avenue, south of Columbia Street, and under and across Columbia Street, east of 5th Avenue, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124747

AN ORDINANCE relating to land use and zoning; amending Sections 23.42.054, 23.54.015, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and adding new Section 23.42.056; to permit transitional encampments for homeless individuals as an interim use on City-owned or private property.

Date of publication in the Seattle Daily Journal of Commerce, April 23, 2015.

4/23(323201)