

FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | CBO Analyst/Phone: |
|--------------------------|------------------------------|---------------------------|
| Planning and Development | Bill Mills/4-8738 | Melissa Lawrie/4-5805 |

Legislation Title: An Ordinance relating to land use and zoning; amending Sections 23.54.015, 23.76.004, 23.76.006, and 23.76.032 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.

Summary of the Legislation: The proposal would amend the Land Use Code to allow, as an interim use, transitional encampments for homeless persons to locate on a greater variety of sites than allowed by current regulations, which limit sites to those owned or controlled by religious organizations. The proposal would create a “transitional encampment interim use” as a Type I permit and allow the use to locate for a period of up to one year on sites owned or operated by the City of Seattle or private owners, and within the following zones: Industrial zones, Downtown zones, except for Downtown zones defined as residential, Seattle Mixed (SM), Neighborhood Commercial 2 (NC2), Neighborhood Commercial 3 (NC3), Commercial 1 (C1), and Commercial 2 (C2) zones.

Encampments would be required to operate according to a management plan addressing site management, maintenance and security. Encampment operators would be required to have demonstrated experience managing and operating shelters, low-income housing, or encampments serving low-income, homeless or indigent persons. Standards for locating encampments include a minimum 25-foot setback from residentially zoned lots, minimum lot size of 5,000 square feet in area and a minimum of 100 square feet of land per occupant, and requirements for location near transit stops and separation of at least one-half mile from any other legally-established transitional encampment use. Unopened public street right-of-way or sites designated as a park, playground, viewpoint, or multi-use trail are excluded from the eligible sites. Parking for any encampment staff would be required.

Background: Temporary encampments are presently defined in the Code and are allowed as an accessory use on sites owned or controlled by religious organizations. The concept is to allow an organized transitional encampment, including temporary shelters, with on-site services including showers, cooking or meal service facilities, and portable bathrooms. At a time when there are so many homeless individuals on the streets, temporary encampments provide a means for meeting the immediate needs of individuals who have no access to permanent shelter. Existing encampments in Seattle have demonstrated that they can provide 24-hour access, accommodate couples and pets, and offer various other benefits of self-governance including safety and a sense of privacy and community.

The proposed legislation is similar to the existing process of permitting transitional encampments under the current Code provisions for temporary use permits. A temporary use permit for up to six months is allowed under subsection 23.42.040.C for any use that does not involve the erection of a permanent structure and meets certain broad criteria for review, including that the use is not materially detrimental to the public welfare, does not result in substantial injury to property in the vicinity, and is consistent with the spirit and purpose of the Code. The current temporary use permit is a “Type II” Master Use Permit review, with public comment and appeal opportunities, while the proposed legislation would establish the transitional encampment interim use as a “Type I” process that is non-appealable.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
No alternatives have been identified.

e) Is a public hearing required for this legislation?

Yes. The City Council must hold a public hearing, to be scheduled before the Housing, Human Services, Health and Culture Committee.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes. Publication of notice of the Council public hearing will be made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin. Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation, and publication of notice of the environmental determination was made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin on May 3, 2012, when similar legislation was first proposed.

g) Does this legislation affect a piece of property?

No specific piece of property is identified. Sites owned or operated by the City of Seattle or private owners that are suitable for interim use transitional encampments are found throughout the City of Seattle within the non-residential zones in which the use is proposed to be allowed.

h) Other Issues: None.

List attachments to the fiscal note below: None.