

**BILL SUMMARY & FISCAL NOTE**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Planning and Development	Bill Mills/4-8738	Melissa Lawrie/4-5805

**BILL SUMMARY**

**Legislation 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.

**Summary and background 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 are limited to sites owned or controlled by religious organizations. The proposal would create a “transitional encampment interim use” as a Type I permit and allow the use for a period of up to 12 months on sites owned or operated by the City of Seattle or private owners within the following zones: Industrial zones, Downtown zones, Seattle Mixed zones, Commercial 2 (C2), Commercial 1 (C1), Neighborhood Commercial 3 (NC3) and Neighborhood Commercial 2 (NC2) zones, except for zones defined as residential.

Encampments would be required to operate according to a management plan addressing site management, maintenance and security. Encampment operators would be required to have prior experience managing and operating shelters, low-income housing, or encampments serving low-income, homeless or indigent persons. The proposal further establishes parking requirements and clarifies existing Code to allow vehicles to be used as shelters. 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 mile from any other legally-established transitional encampment use.

**Background:** Temporary encampments are presently defined in the City’s land use regulations and are allowed as an accessory use on sites owned or controlled by religious organizations. The proposal 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.

Experience with existing encampments and a survey of the availability of suitable sites with a reasonable centralized location indicates that additional locations on sites other than those owned or controlled by a religious organization, may provide reasonable options. Access to transportation and to other important services like hygiene facilities, trash removal, electricity, running water, and sewage facilities are necessary for the success of this interim use. It is acknowledged that encampments are not a substitute for permanent housing. Therefore, it is reasonable to regulate encampments as a type of interim use, with the option to relocate to a different site once the interim period has expired.

The proposed legislation is similar to the existing process of permitting transitional encampments under the current Land Use Code regulations through issuing temporary use permits. A temporary use permit for up to six months is allowed in the Seattle Land Use Code under Section 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 Land Use 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.

**SUMMARY OF FINANCIAL IMPLICATIONS**

**X This legislation does not have direct financial implications.**

While the proposal is not expected to have direct financial implications, DPD will bear costs associated with the administration of the legislation. Adding a new use that must be tracked in order to apply the proposed limits on the number of encampments and other standards has fiscal impacts to DPD’s Information Technology (IT) division. The IT division must: add a new use category to be included in the records in DPD’s permit tracking systems as well as a reporting mechanism. The estimated cost is \$5,000-\$7,000 for this project and will be covered by existing resources in DPD’s IT division. In addition, DPD will charge a permit fee to cover the cost of review of permit applications under the proposal. Existing staff capacity is expected to be sufficient for review of future permit applications under the proposal.

**OTHER IMPLICATIONS**

**a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

No.

**b) Is there financial cost or other impacts of not implementing the legislation?**

None.

**c) Does this legislation affect any departments besides the originating department?**

The Human Services Department (HSD) would play a role in the administration of the proposal. The proposal has been prepared in close consultation with HSD.

**d) Is a public hearing required for this legislation?**

Yes. The City Council will hold a public hearing as part of its deliberations on the proposal.

**e) 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.

**f) 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.

**g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

Yes. Homelessness impacts vulnerable and disadvantaged communities. This proposal would provide direct assistance to these communities by helping individuals and families find temporary shelter as a transitional step toward a more stable living situation.

**h) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

The legislation expands the current allowance for transitional encampments associated with religious institutions. By allowing expanded opportunities to provide encampments on City and private property up to 300 additional people may be sheltered at any one time.

**i) Other Issues:** None.

**List attachments below:** None.