

Comparison of Mayor’s Prior Proposed Legislation, CM Licata’s Proposed Legislation, and Current Law Related to Transitional Encampments for Homeless Individuals

Required Standard	Mayor’s Prior Proposed Legislation	CM Licata’s Proposed Legislation	Existing Temporary Use Permit Requirements per Section 23.42.040C of SMC	Existing Authorization to Permit Transitional Encampments as Use Accessory to Religious Institution per Section 23.42.054 of SMC as authorized by RCW 35.21.915
<i>Operator</i>	City or private party with two years experience managing shelters, low-income housing, or homeless encampments	City or private party with demonstrated experience managing shelters, low-income housing, or homeless encampments. “Demonstrated experience not defined.”	Not specified	Not specified
<i>Location</i>	Non-residential zones (Industrial, Downtown, Seattle Mixed, Commercial 2, Commercial 1, Neighborhood Commercial 3, Neighborhood Commercial 2	Same as Mayor’s proposal	Any zone	Any zone
<i>Location Near Transit</i>	Within one-half mile of transit stop	Same as Mayor’s proposal	Not addressed (permit conditioning possible)	Not required
<i>Operating Agreement</i>	Written encampment operations plan required between property owner and encampment operator	Same as Mayor’s proposal	Not addressed (permit conditioning possible)	Not required
<i>Notice/Appeal Process</i>	Type I Decision - no administrative appeal of permit – no required public notice. Outreach requirements to be established by DPD Director’s Rule	Same as Mayor’s proposal	Type II Master Use Permit requiring public notice and opportunity to appeal to City Hearing Examiner	None. No permit required
<i>Number of Encampments Allowed</i>	No limit	Same as Mayor’s proposal	No limit	No limit
<i>Maximum Number of Occupants</i>	100	100	Not addressed (permit conditioning possible)	100
<i>Dispersion between encampments</i>	One-half mile minimum between encampment sites	Same as Mayor’s proposal	Not addressed (permit conditioning possible)	No limit
<i>Lot Size</i>	7,500 square feet or larger and	5,000 square feet or larger and	No limit	No limit

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	minimum of 100 square feet per encampment occupant	minimum of 100 square feet per encampment occupant		
Buffers	Encampment site lot must be 50 feet from residentially-zoned lot or, less than 50 feet if encampment is at least 50 feet from residentially-zoned lot and screened	Encampment site lot must be 25 feet from residentially-zoned lot or, less than 25 feet if encampment is at least 25 feet from residentially-zoned lot and screened	Not addressed (permit conditioning possible)	Not required
Parking	1 space for each vehicle used as shelter and 1 space for every two staff on-site at peak staffing times	No addressed	Not addressed (permit conditioning possible)	Not required
Health and Safety Standards	Listed in code by cross reference to existing Section 23.42.054 standards for sites owned or operated by religious organizations	Same as Mayor's proposal	Not addressed (permit conditioning possible)	Must meet fire safety and health standards enumerated in Section 23.42.054
Children	Subject to written operations plan between property owner and encampment operators	Not addressed	Not addressed (permit conditioning possible)	Not addressed
Inspections	Same as required under 23.45.054B standards for sites owned or operated by religious organizations	Same as Mayor's proposal	Not addressed (permit conditioning possible)	Department of Planning and Development (DPD) inspector must inspect site prior to commencement of encampment operations; Public Health Department, Fire Department and DPD officials allowed to inspect areas of encampment located outdoors and publicly visible.
Use of street, right of way, park, trail or critical area	Not allowed	Same as Mayor's proposal	Not addressed (permit conditioning possible)	Not addressed
Duration of stay	Maximum 6 months with 12 month interval before return to same site allowed	Maximum 12 months with 12 month interval before return to same site allowed	Maximum of 6 months. May be continued through new Type II MUP application. No limit on renewals, but multiple renewals are unlikely.	No limit
Behavioral Standards, code of conduct	To be listed in and adopted by Director's Rule	Same as Mayor's proposal	Not addressed (permit conditioning possible)	Not required