



SEATTLE CITY COUNCIL

Legislative Summary

CB 119656

Record No.: CB 119656

Type: Ordinance (Ord)

Status: Passed

Version: 3

Ord. no: Ord 126042

In Control: City Clerk

File Created: 09/05/2019

Final Action: 02/28/2020

Title: AN ORDINANCE relating to land use and zoning; providing that transitional encampments for homeless individuals are allowed on any property owned or controlled by a religious organization without approval of a permit under the Seattle Land Use Code, to permit transitional encampments for homeless individuals as an interim use on all publicly owned or private property within the City of Seattle, and providing for renewal of temporary use permits for transitional encampments as a Type I decision of the Director of the Seattle Department of Construction and Inspections; amending Sections 23.40.002, 23.42.054, 23.42.056, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and amending Ordinance 124747.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Sawant

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Reviewer:

Uploaded By: jodee.schwinn@seattle.gov

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	City Clerk	09/05/2019	sent for review	Council President's Office			
1	City Council	09/16/2019	referred	Human Services, Equitable Development, and Renter Rights Committee			

Action Text: The Council Bill (CB) was referred. to the Human Services, Equitable Development, and Renter Rights Committee

- 1 Human Services, 10/17/2019
Equitable Development,
and Renter Rights
Committee

Notes: A Public Hearing was held.

- 1 City Council 01/13/2020 re-referred Select Committee
on
Homelessness
Strategies and
Investments

Action Text: The Council Bill (CB) was re-referred. to the Select Committee on Homelessness Strategies and Investments

- 1 Select Committee on 01/22/2020 discussed
Homelessness
Strategies and
Investments

Action Text: The Council Bill (CB) was discussed.

- 1 Select Committee on 02/10/2020 pass as amended Pass
Homelessness
Strategies and
Investments

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

In Favor: 5 Chair Lewis, Vice Chair Herbold, Member Morales, Member Sawant,
Member Strauss

Opposed: 0

Abstain: 1 Member Pedersen

- 1 City Council 02/18/2020 passed as amended Pass
amended

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

Notes: ACTION 1:

Motion was made by Councilmember Pedersen and duly seconded, to amend Council Bill 119656, as shown in Attachment 1 to the Minutes.

The Motion failed by the following vote:

In Favor: 1 - Pedersen

Opposed: 6 - Herbold, Juarez, Lewis, Morales, Sawant, Strauss

ACTION 2:

Motion was made by Councilmember Sawant, duly seconded and carried, to amend Council Bill 119656, as shown in Attachment 2 to the Minutes.

ACTION 3:

Motion was made by Councilmember Lewis, duly seconded and carried, to

amend Council Bill 119656, as shown in Attachment 3 to the Minutes.

ACTION 4:

Motion was made by Councilmember Sawant, duly seconded and carried, to amend Council Bill 119656, as shown in Attachment 4 to the Minutes.

ACTION 5:

Motion was made by Councilmember Lewis and duly seconded, to amend Council Bill 119656, as shown in Attachment 5 to the Minutes.

ACTION 6:

By unanimous consent, Council Rule III.A.7, relating to amendments presented to the City Council at least two hours before the meeting, was suspended to allow consideration of an amendment to Council Bill 119656.

Motion was made by Councilmember Morales and duly seconded, to amend the amendment in Action 5, as shown in Attachment 6 to the Minutes.

The Motion failed by the following vote:

In Favor: 3 - Herbold, Morales, Sawant
Opposed: 2 - Juarez, Lewis, Pedersen, Strauss

ACTION 7:

The Motion in Action 5 was restated.

The Motion carried by the following vote:

In Favor: 5 - Herbold, Juarez, Lewis, Pedersen, Strauss
Opposed: 2 - Morales, Sawant

ACTION 8:

Motion was made by Councilmember Lewis and duly seconded, to amend Council Bill 119656, as shown in Attachment 7 to the Minutes:

The Motion failed by the following vote:

In Favor: 3 - Juarez, Lewis, Pedersen,
Opposed: 4 - Herbold, Morales, Sawant Strauss

ACTION 9:

Motion was made by Councilmember Pedersen to amend Council Bill 119656, as shown in Attachment 8 to the Minutes:

The Motion failed due to the lack of a second.

ACTION 10:

Motion was made by Councilmember Lewis, duly seconded and carried, to amend Council Bill 119656, as shown in Attachment 9 to the Minutes:

ACTION 11:

Motion was made by Councilmember Pedersen and duly seconded, to amend Council Bill 119656, as shown in Attachment 10 to the Minutes:

The Motion failed by the following vote:

In Favor: 1 - Pedersen,

Opposed: 6 - Herbold, Juarez, Lewis, Morales, Sawant Strauss

ACTION 12:

Motion was made and duly seconded to pass Council Bill 119656 as amended.

In Favor: 6 Councilmember Herbold, Councilmember Juarez, Councilmember Lewis, Councilmember Morales, Councilmember Sawant, Councilmember Strauss
Opposed: 1 Councilmember Pedersen

3	City Clerk	02/21/2020	submitted for Mayor's signature	Mayor
3	Mayor	02/28/2020	Signed	
3	Mayor	02/28/2020	returned	City Clerk
3	City Clerk	02/28/2020	attested by City Clerk	

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 126042

COUNCIL BILL 119656

AN ORDINANCE relating to land use and zoning; providing that transitional encampments for homeless individuals are allowed on any property owned or controlled by a religious organization without approval of a permit under the Seattle Land Use Code, to permit transitional encampments for homeless individuals as an interim use on all publicly owned or private property within the City of Seattle, and providing for renewal of temporary use permits for transitional encampments as a Type I decision of the Director of the Seattle Department of Construction and Inspections; amending Sections 23.40.002, 23.42.054, 23.42.056, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and amending Ordinance 124747.

WHEREAS, Seattle has been in a State of Civil Emergency on homelessness since 2015; and

WHEREAS, the 2019 Point in Time Count found there are 11,199 homeless people in King

County including 5,228 sleeping unsheltered on the streets; and

WHEREAS, tiny house villages have proven to be an effective place for homeless individuals

and families to find the safety, privacy, and human dignity necessary to get back on their

feet and transition to affordable housing; and

WHEREAS, tiny houses provide the security of a sturdy wood structure, a place to store personal

belongings, insulation, and electricity; and

WHEREAS, tiny house villages have operated with a self-management model where residents

democratically run their communities; residents have reported this model has helped

them overcome the isolation and alienation of homelessness, and residents have become

more successful transitioning into permanent housing; and

WHEREAS, in 2018 residents of tiny house villages successfully transitioned to permanent

housing at higher rates than residents of shelters, with 56 percent obtaining permanent

housing or transitional housing; and

1 WHEREAS, between 2016 and 2018, approximately 500 people transitioned to permanent
2 housing from Seattle's tiny house villages; and

3 WHEREAS, through the 2020 Adopted Budget the Council appropriated approximately
4 \$2,015,000 to fund operations and siting for two additional tiny house villages or
5 enhanced shelter and approved Statement of Legislative Intent HOM-4-A-2, which
6 requests cost estimate and siting information for tiny house villages; and

7 WHEREAS, the Council intends to consider in the future whether to increase or remove the limit
8 on the maximum number of interim use transitional encampments based on changes in
9 the population of unsheltered persons, available siting opportunities, funding availability,
10 and the success of tiny house villages in exits to permanent housing; and

11 WHEREAS, Ordinance 124747, which established "Transitional Encampments as an interim
12 use" in Seattle's land use code in 2015, created the legal framework for Seattle's tiny
13 house villages, but allowed no more than three tiny house villages at any one time, and
14 will sunset on March 31, 2020 if there is no further legislative action; NOW,
15 THEREFORE,

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

17 Section 1. Section 23.40.002 of the Seattle Municipal Code, last amended by Ordinance
18 125272, is amended as follows:

19 **23.40.002 Conformity with regulations required**

20 A. The establishment or change of use of any structures, buildings or premises, or any
21 part thereof, requires approval according to the procedures ~~((set forth))~~ in Chapter 23.76(
22 ~~Procedures for Master Use Permits and Council Land Use Decisions,))~~ except:

1. ~~((establishment))~~ Establishment of an urban farm or community garden that does not include major marijuana activity as defined in Section 23.84A.025~~((;))~~ and that is permitted outright under the provisions of this Title 23 applicable to the lot;

2. ~~((as))~~ As permitted in subsections 23.47A.004.E and 23.47A.004.F;

3. ~~((keeping))~~ Keeping of animals as permitted under Section 23.42.052;

4. ~~((reinstatement))~~ Reinstatement of a use interrupted by a temporary use authorized pursuant to Section 23.42.040; ~~((and))~~

5. Establishment of a transitional encampment use on property owned or controlled by a religious organization; and

6. ~~((for uses))~~ Uses located entirely within public rights-of-way.

* * *

Section 2. Section 23.42.054 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended as follows:

23.42.054 Transitional encampments ~~((accessory to religious facilities or to other principal uses))~~ located on property owned or controlled by a religious organization

A. Transitional encampment ~~((accessory))~~ use on property owned or controlled by a religious organization. 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 is owned or controlled by a religious organization, subject to the provisions of subsection 23.42.054.B. ~~((A religious facility))~~ If the site includes property developed with legally-established parking that is accessory to ~~((the))~~ a religious facility~~((. Parking accessory to a religious facility or located on property owned or controlled by a religious organization that is))~~

1 or other use established on the property, then any parking displaced by the encampment does not
2 need to be replaced.

3 * * *

4 Section 3. Section 23.42.056 of the Seattle Municipal Code, enacted by Ordinance
5 124747, is amended as follows:

6 **23.42.056 Transitional encampment as an interim use**

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

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

11 1. Community outreach requirements that include:

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

18 b. A requirement that the proposed encampment operator establish a
19 Community Advisory Committee that would provide advisory input on proposed encampment
20 operations including identifying methods for handling community complaints or concerns as it
21 relates to the facility or facility clients. The committee shall include one individual identified by
22 each stakeholder group in the geographic area where the proposed encampment would be located
23 as best suited to represent their interests. The committee shall consist of no fewer than five and

no more than ~~((seven))~~ ten 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))~~ may be located on property within any zone ~~((meeting))~~ subject to 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))~~ Screening shall be installed and maintained along each encampment boundary, ~~((except))~~ including 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.

1 2. Except for encampments established prior to February 18, 2020, all
2 encampment facilities, improvements, activities, and uses shall be set back from abutting lot
3 lines, as follows:

4 a. 10 feet from any side or rear lot line that abuts a lot in a single-family
5 zone; and

6 b. 5 feet from any side or rear lot line that abuts a lot in any zone other
7 than single family; except that no setback is required when an abutting lot, which is not in a
8 single-family zone, does not have an established use.

9 ((4)) 3. The property is owned or controlled by ((the City of Seattle,)) a private
10 party, ((or)) an Educational Major Institution, The City of Seattle, or another public entity.

11 5)) 4. The property is within ½ mile of a transit stop. This distance shall be the
12 walking distance measured from the nearest transit stop to the lot line of the lot containing the
13 encampment site.

14 ~~((6. The property is, as measured by a straight line, at least 1 mile from any other~~
15 ~~legally-established transitional encampment interim use including encampments accessory to a~~
16 ~~religious facility or accessory to other principal uses on property owned or controlled by a~~
17 ~~religious organization. This subsection 23.42.056.A.6 shall not apply to encampments on sites~~
18 ~~owned or controlled by religious organizations, or to any legally-established transitional~~
19 ~~encampment interim use that provides shelter for fewer than ten persons.))~~

20 ((7)) 5. The property is 5,000 square feet or larger and provides a minimum of
21 100 square feet of land area for each occupant that is permitted to occupy the encampment site.

22 ((8)) 6. The property does not contain a wetland, wetland buffer, known and
23 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)) 7. 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)) 8. The property is not an unopened public ~~((right-of-way))~~ right-of-way; or
designated as a park, playground, viewpoint, or multi-use trail by the City or King County.

9. 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.B.9 shall not apply:

a. To encampments on sites owned or controlled by religious
organizations, or

b. To any legally-established transitional encampment interim use that
provides shelter for fewer than ten persons, or

c. When at least one transitional encampment is established in each
Council District.

* * *

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.

1 2. The operator of a transitional encampment interim use who receives funding
2 from the City of Seattle shall provide case management and security as established in a
3 management plan approved by the Director of the City of Seattle Human Services Department.

4 23. The operator of a transitional encampment interim use who receives funding
5 from the City of Seattle Human Services Department or the King County Regional
6 Homelessness Authority shall comply with performance standards in the contract or contracts
7 administered by those agencies for the encampment.

8 ((2))34. The operator of a transitional encampment interim use located on City-
9 owned or -controlled property shall obtain prior to permit issuance and maintain in full force and
10 effect, at its own expense, liability insurance naming the City as an additional insured in an
11 amount sufficient to protect the City as determined by the City Risk Manager from:

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

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

17 ((3))45. The operator of a transitional encampment interim use located on City-
18 owned or -controlled property shall, on a form approved by the Director, agree to defend,
19 indemnify, and hold harmless ((the)) The City of Seattle, its officials, officers, employees, and
20 agents from and against:

21 a. Any liability, claims, actions, suits, loss, costs, expense judgments,
22 attorneys' fees, or damages of every kind and description resulting directly or indirectly from any
23 act or omission of the operator of a transitional encampment interim use located on City-owned

1 or -controlled property, its subcontractors, anyone directly or indirectly employed by them, and
2 anyone for whose acts or omissions they may be liable, arising out of the operator's use or
3 occupancy of the City-owned or -controlled property; and

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

8 ((4))56. A transitional encampment interim use located on City-owned or -
9 controlled property shall allow service providers to access the site according to the approved
10 operations plan required by subsection 23.42.056.B.1.

11 E. ((Duration)) Permit term and renewal ((timing)). ((The transitional encampment
12 ~~interim use shall meet the following requirements:~~

13 1.)) A permit for a transitional encampment interim use under this Section
14 23.42.056 may be authorized for up to one year from the date of permit issuance. A permit for a
15 transitional encampment may be renewed ((one time for up to one year)) for additional one-year
16 terms by the Director as a Type I decision subject to the following:

17 ((a))1. The operator shall provide notice of a request to extend the use in a manner
18 determined by a Director's Rule. The notice shall be given to the Citizen's Advisory Committee
19 and persons who provided the operator with an address for notice;

20 ((b))2. The encampment is in compliance with the requirements of Section
21 23.42.056; and

1 ((e))3. The operator shall provide with the permit renewal application an
2 Encampment Operations Plan that shall be in effect during the permit renewal period and
3 consistent with subsection 23.42.056.A.

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

6 F. Limit on the number of encampments((?))

7 1. Maximum number of encampments. No more than ~~((three))~~ 40 transitional
8 encampment interim use encampments shall be permitted and operating at any one time, and
9 each encampment shall not have more than 100 occupants. ~~((This))~~ The limit of 40 transitional
10 interim use encampments shall not include transitional encampments ~~((accessory to a religious~~
11 facility)) located on property owned or controlled by a religious organization.

12 2. Existing encampments established by and operating under temporary use
13 permits. Encampments presently operating under temporary use permits issued pursuant to
14 subsections 23.42.040.B and 23.42.040.C may apply for an interim use permit pursuant to this
15 Section 23.42.056, subject to the limits established by subsection 23.42.056.F.1. The term for
16 operating any encampments obtaining interim use permits in lieu of temporary use permits shall
17 begin on the date the interim use permit is issued regardless of how long the encampment has
18 been established by a prior temporary use permit.

19 Section 4. Section 23.76.004 of the Seattle Municipal Code, last amended by Ordinance
20 125603, is amended as follows:

21 **23.76.004 Land use decision framework**

22 A. Land use decisions are classified into five categories. Procedures for the five different
23 categories are distinguished according to who makes the decision, the type and amount of public

notice required, and whether appeal opportunities are provided. Land use decisions are generally categorized by type in Table A for 23.76.004.

B. Type I and II decisions are made by the Director and are consolidated in Master Use Permits. Type I decisions are decisions made by the Director that are not appealable to the Hearing Examiner. Type II decisions are discretionary decisions made by the Director that are subject to an administrative open record appeal hearing to the Hearing Examiner; provided that Type II decisions enumerated in subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g, and SEPA decisions integrated with them as set forth in subsection 23.76.006.C.2.m, shall be made by the Council when associated with a Council land use decision and are not subject to administrative appeal. Type III decisions are made by the Hearing Examiner after conducting an open record hearing and not subject to administrative appeal. Type I, II, or III decisions may be subject to land use interpretation pursuant to Section 23.88.020.

* * *

Table A for 23.76.004
LAND USE DECISION FRAMEWORK ¹

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)	
*	Application of development standards for decisions not otherwise designated Type II, III, IV, or V
*	Uses permitted outright
*	Temporary uses, four weeks or less
*	Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction ((and transitional encampments))
*	Intermittent uses

*	Uses on vacant or underused lots pursuant to Section 23.42.038
*	Transitional encampment interim use
*	Certain street uses
*	Lot boundary adjustments
*	Modifications of features bonused under Title 24
*	Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
*	Temporary uses for relocation of police and fire stations
*	Exemptions from right-of-way improvement requirements
*	Special accommodation
*	Reasonable accommodation
*	Minor amendment to a Major Phased Development permit
*	Determination of whether an amendment to a property use and development agreement is major or minor
*	Streamlined design review decisions pursuant to Section 23.41.018; if no development standard departures are requested, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
*	Shoreline special use approvals that are not part of a shoreline substantial development permit
*	Adjustments to major institution boundaries pursuant to subsection 23.69.023.B
*	Determination that a project is consistent with a planned action ordinance
*	Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance
*	Decision to increase the maximum height for residential uses in the DOC2 zone according to subsection 23.49.008.H

*	Decision to increase the maximum allowable FAR in the DOC2 zone according to subsection 23.49.011.A.2.n
*	Minor revisions to an issued and unexpired MUP that was subject to design review
*	Building height increase for minor communication utilities in downtown zones
*	Other Type I decisions that are identified as such in the Land Use Code
	* * *

Section 5. Section 23.76.006 of the Seattle Municipal Code, last amended by Ordinance 125603, 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, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, transitional encampment interim use, 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))~~;

3. The following street use approvals:

- a. Curb cut for access to parking, whether associated with a development proposal or not;

1 b. Concept approval of street improvements associated with a
2 development proposal, such as additional on-street parking, street landscaping, curbs and gutters,
3 street drainage, sidewalks, and paving;

4 c. Structural building overhangs associated with a development proposal;

5 d. Areaways associated with a development proposal;

6 4. Lot boundary adjustments;

7 5. Modification of the following features bonused under Title 24:

8 a. Plazas;

9 b. Shopping plazas;

10 c. Arcades;

11 d. Shopping arcades; and

12 e. Voluntary building setbacks;

13 6. Determinations of Significance (determination that an Environmental Impact
14 Statement is required) for Master Use Permits and for building, demolition, grading, and other
15 construction permits (supplemental procedures for environmental review are established in
16 Chapter 25.05, Environmental Policies and Procedures), except for Determinations of
17 Significance based solely on historic and cultural preservation;

18 7. Discretionary exceptions for certain business signs authorized by subsection
19 23.55.042.D;

20 8. Waiver or modification of required right-of-way improvements;

21 9. Special accommodation pursuant to Section 23.44.015;

22 10. Reasonable accommodation;

23 11. Minor amendment to Major Phased Development Permit;

1 12. Streamlined design review decisions pursuant to Section 23.41.018 if no
2 development standard departures are requested pursuant to Section 23.41.012, and design review
3 decisions in an MPC zone if no development standard departures are requested pursuant to
4 Section 23.41.012;

5 13. Shoreline special use approvals that are not part of a shoreline substantial
6 development permit;

7 14. Determination that a project is consistent with a planned action ordinance,
8 except as provided in subsection 23.76.006.C;

9 15. Decision to approve, condition, or deny, based on SEPA policies, a permit for
10 a project determined to be consistent with a planned action ordinance;

11 16. Determination of requirements according to subsections 23.58B.025.A.3.a,
12 23.58B.025.A.3.b, 23.58B.025.A.3.c, 23.58C.030.A.2.a, 23.58C.030.A.2.b, and
13 23.58C.030.A.2.c;

14 17. Decision to increase the maximum height of a structure in the DOC2 500/300-
15 550 zone according to subsection 23.49.008.F;

16 18. Decision to increase the maximum FAR of a structure in the DOC2 500/300-
17 550 zone according to subsection 23.49.011.A.2.n;

18 19. Minor revisions to an issued and unexpired MUP that was subject to design
19 review, pursuant to subsection 23.41.008.G;

20 20. Building height departures for minor communication facilities in downtown
21 zones, pursuant to Section 23.57.013; and

22 21. Other Type I decisions.

23 * * *

Section 6. Subsection 23.76.032.C of the Seattle Municipal Code, which section was last amended by Ordinance 125558, is amended as follows:

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

C. Master Use Permit (~~(Renewal)~~) 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)~~) subsection 23.42.056.E (~~(one time for up to one year)~~) for additional one-year terms.

Section 7. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance 125854, is amended as follows:

1 **23.84A.038 "T"**

2 * * *

3 "Transitional ((E))encampment" means a use having tents, modular structures, or a
4 similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping
5 and shelter. The use may have common food preparation, shower, or other commonly-used
6 facilities that are separate from the sleeping shelters.

7 * * *

8 Section 8. The provisions of this ordinance are declared to be separate and severable. The
9 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance,
10 or the invalidity of its application to any person or circumstance, shall not affect the validity of
11 the remainder of this ordinance or the validity of its application to other persons or
12 circumstances.

13 Section 9. Section 8 of Ordinance 124747 is repealed:

14 ((Section 8. This ordinance shall be automatically repealed without subsequent
15 Council action on March 31, 2020.))

Section 10. 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 18th day of February, 2020,
and signed by me in open session in authentication of its passage this 28th day of
February, 2020.

DeLann
President Pro Tem of the City Council

Approved by me this 28th day of February, 2020.

Jenny A. Durkan
Jenny A. Durkan, Mayor

Filed by me this 28th day of February, 2020.

Monica Martinez Simmons
Monica Martinez Simmons, City Clerk

(Seal)



STATE OF WASHINGTON -- KING COUNTY

--SS.

383216

No.

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.

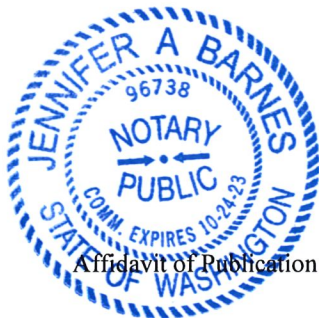
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:126042 & 126043 TITLE

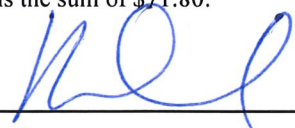
was published on

03/17/20

The amount of the fee charged for the foregoing publication is the sum of \$71.80.



Affidavit of Publication


Subscribed and sworn to before me on

03/17/2020


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on February 18, 2020, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 126042

Council Bill 119656

AN ORDINANCE relating to land use and zoning; providing that transitional encampments for homeless individuals are allowed on any property owned or controlled by a religious organization without approval of a permit under the Seattle Land Use Code, to permit transitional encampments for homeless individuals as an interim use on all publicly owned or private property within the City of Seattle, and providing for renewal of temporary use permits for transitional encampments as a Type I decision of the Director of the Seattle Department of Construction and Inspections; amending Sections 23.40.002, 23.42.054, 23.42.056, 23.76.004, 23.76.006, 23.76.032, and 23.84A.038 of the Seattle Municipal Code; and amending Ordinance 124747.

Ordinance 126043

Council Bill 119740

AN ORDINANCE appropriating money to pay certain audited claims for the week of February 3, 2020 through February 7, 2020 and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, March 17, 2020.
3/17(383218)