

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**  
**COUNCIL BILL \_\_\_\_\_**

..title

AN ORDINANCE relating to land use and zoning; amending Section 23.42.056 of the Seattle Municipal Code to permit transitional encampments for homeless individuals as an interim use on all publicly owned or private property within the City of Seattle.

..body

NOW, THEREFORE,

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

Section 1. Section 23.42.056 of the Seattle Municipal Code, enacted by Ordinance 124747, is amended 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.

\* \* \*

B. Location. The transitional encampment interim use ~~((shall))~~ may be located on property within any zone ~~((meeting))~~ if the encampment meets 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:~~

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

4           ~~b. Screening is))~~ If the encampment site is adjacent to a residentially zoned lot  
5 that is developed with a residential use, all encampment facilities, improvements, activities, and  
6 uses shall either be located 25 feet from the lot line of the adjacent lot or screening shall be  
7 installed and maintained along each encampment boundary, except boundaries fronting on an  
8 opened public street. The screening shall consist of existing or installed vegetation that is  
9 sufficiently dense to obscure viewing the encampment site, or a 6-foot high view-obscuring  
10 fence or wall.

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

13           5)) 2. The property is within 1/2 mile of a transit stop. This distance shall be the  
14 walking distance measured from the nearest transit stop to the lot line of the lot containing the  
15 encampment site.

16           ~~((6))~~ 3. The property is, as measured by a straight line, at least 1 mile from any  
17 other legally-established transitional encampment interim use including encampments accessory  
18 to a religious facility or accessory to other principal uses on property owned or controlled by a  
19 religious organization. This subsection 23.42.056.A.3 shall not apply to encampments on sites  
20 owned or controlled by religious organizations, or to any legally-established transitional  
21 encampment interim use that provides shelter for fewer than ten persons.

22           ~~((7))~~ 4. The property is 5,000 square feet or larger and provides a minimum of  
23 100 square feet of land area for each occupant that is permitted to occupy the encampment site.

1 ((8)) 5. The property does not contain a wetland, wetland buffer, known and  
2 potential landslide designations, steep slope, steep slope buffer, or fish and wildlife habitat  
3 conservation area defined and regulated by Chapter 25.09, Regulations for Environmentally  
4 Critical Areas or Chapter 23.60A, the Seattle Shoreline Master Program Regulations, unless all  
5 encampment facilities, improvements, activities, and uses are located outside any critical area  
6 and required buffer as provided for in Chapter 25.09 and Chapter 23.60A.

7 ((9)) 6. The encampment site is not used by an existing legally-permitted use for  
8 code or permit-required purposes including but not limited to parking or setbacks.

9 ((10)) 7. The property is not an unopened public (~~right-of-way~~) right-of-way; or  
10 designated as a park, playground, viewpoint, or multi-use trail by the City or King County.

11 \* \* \*

12 Section 2. This ordinance shall be automatically repealed without subsequent Council  
13 action on March 31, 2020.

14 Section 3. Severability. The provisions of this ordinance are declared to be separate and  
15 severable. The invalidity of any clause, sentence, paragraph, sub-division, section or portion of  
16 this ordinance, or the invalidity of the application thereof to any person or circumstance shall not  
17 affect the validity of the remainder of this ordinance, or the validity of its application to other  
18 persons or circumstances.

19

1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2015.

7  
8 \_\_\_\_\_  
9 President \_\_\_\_\_ of the City Council

10  
11 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

12  
13 \_\_\_\_\_  
14 Edward B. Murray, Mayor

15  
16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.  
17  
18 \_\_\_\_\_  
19 Monica Martinez Simmons, City Clerk

20  
21  
22 (Seal)  
23