

January 20, 2020

MEMORANDUM

To: Select Committee on Homelessness Strategies and Investments
From: Ketil Freeman, Analyst
Subject: Council Bill 119656 – Amendments to Land Use Code Regulations for Permitting Transitional Encampments

On January 22, 2020 the Select Committee on Homelessness Strategies and Investments will discuss [Council Bill \(CB\) 119656](#). CB 119656 would amend Land Use Code regulations and permitting procedures for transitional encampments. A transitional encampment is “a use having tents or a similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping and shelter. The use may have a common food preparation area, shower, or other commonly-used facilities that are separate from the sleeping shelter.”¹ Some transitional encampments are referred to as “Tiny Home Villages.”

This memorandum: (1) provides background on the number and location of transitional encampments, (2) describes budget actions reflected in the 2020 Adopted Budget related to transitional encampments, (3) describes how transitional encampments are currently regulated, and (4) describes how CB 119656 would modify those regulations.

Number and Locations

The January 2019 point-in-time count of people experiencing homelessness in King County identified 3,558 unsheltered persons living in Seattle.² The number of unsheltered persons does not include persons living in authorized encampments, whose occupants are generally classified as sheltered because of the characteristics of the accommodations provided in most authorized encampments, including ADA compatibility, hygiene facilities, and a kitchen. On the night of the count, 161 people were homeless but had found shelter in a sanctioned encampment. As of July 2019, eight authorized encampments were located in the city. Camp locations, populations served, and the number of tents and tiny homes are summarized in Table 1 and shown on Attachment A.

¹ [Seattle Municipal Code Section 23.84A.038](#).

² [Seattle/King County Point-in-Time Count of Persons Experiencing Homelessness – 2019](#), p.110.

Table 1. Current Transitional Encampment

Village Name	Population	# Units (tents & structures)
1. Othello	Single Adults, Couples & Families	10 Tents & 30 Tiny Homes
2. Georgetown	Single Adults, Couples & Families	2 Tents & 37 Tiny Homes
3. Myers Way	Single Adults	49 Tiny Homes
4. Interbay	Single Adults, Couples & Families	2 Tents, 24 Tiny Homes
5. Northlake	Single Adults, Couples & Families	19 Tiny Homes
6. Whittier Heights	Single Women & Female Couples	15 Tiny Homes
7. True Hope	Single Adults, Couples & Families	34 Tiny Homes
8. Lake Union Village	Single Adults	22 Tiny Homes

Budget Actions

The Mayor’s Proposed 2020 Budget included approximately \$4 million in ongoing funding for operation of eight transitional encampments. The Council made multiple amendments to the proposed budget related to transitional encampments, including:

- Appropriating an additional \$2,015,000 to site two additional transitional encampments (Council Budget Actions (CBA) [HOM-2-D-1](#) and [HOM-3-B-3](#));
- Imposing provisos on appropriations in the Human Service Department to prioritize accommodating referrals from the Navigation Team and the Law Enforcement Assisted Diversion Program and to prevent expenditure for relocating the Georgetown Tiny Home Village (HOM-2-D-1 and HOM-3-B-3);
- Reducing by approximately \$1.2 million a proposed appropriation to relocate two transitional encampments ([HOM-62-B-1](#)); and
- Requesting a report by February 1, 2020, on potential transitional encampment locations for the two additional, funded encampments (Statement of Legislative Intent (SLI) [HOM-4-A-2](#)).³

Current Regulations

Transitional encampments are currently authorized through three regulatory processes: (1) as temporary uses for up to six months; (2) as interim uses for up to one year; and (3) as accessory uses on property owned or controlled by a religious organization. Absent Council action, the authorization for interim use encampments will expire in March 2020. Key development standards associated with each process are summarized in Table 2.

³ See [Clerk File 314438](#) for approved CBAs.

Table 2. Development Regulations

Development Standard	Temporary Use	Interim use	Religious Organization Accessory Use
Duration	6 months, may be renewed	1 year, may be renewed once	Any length of time
Location	Any location	<ul style="list-style-type: none"> • Private or City-owned property in non-residential zones • Must be at least 1 mile from other transitional encampments 	Any location
Maximum Number Permitted Citywide	No limit	<ul style="list-style-type: none"> • Three 	No limit
Physical Development Standards	Determined on a case-by-case basis, generally similar to standards for interim use encampments	<ul style="list-style-type: none"> • Screening along each non-street boundary • Encampment facilities must be setback from adjacent residential lots by 25 feet • Site must be at least 5,000 square feet with 100 square feet of space per resident • No more than 100 residents per encampment 	<ul style="list-style-type: none"> • No more than 100 residents per encampment • Life-safety standards
Outreach and Notice Requirements	Mailed notice of application to nearby residents and 14-day comment period	<ul style="list-style-type: none"> • Encampment operator must conduct a public meeting 14-days prior to applying for a permit • Encampment operator must convene a community advisory committee to provide input on encampment operations 	None required
Type of Permit	Type II, appealable	Type I, non-appealable	No permit required, unless the use is not accessory

Amendments to Regulations in CB 119656

CB 119656 would amend Land Use Code regulations and permitting procedures to facilitate maintaining existing, and establishing new, transitional encampments. Generally, the proposal would:

- Remove the current requirement that encampments on property owned or controlled by a religious organization be accessory to an existing principal use on that property to facilitate siting encampments on sites controlled by religious organizations on which a principal use has not been established;
- Permit transitional encampments on sites owned or controlled by other public entities, such as King County or the State of Washington;
- Remove the requirement that transitional encampments be located at least one mile from any other legally-established transitional encampment use;
- Authorize interim use encampments in residential zones;
- Allow unlimited renewals of the one-year permit, subject to compliance with all applicable regulations;
- Remove the requirement that encampments must be located at least 25 feet from any residentially zoned lot;
- Require screening for all lot boundaries;
- Increase the maximum number of authorized encampments from three citywide to a maximum of 40;
- Remove the sunset date of March 2020 for interim use encampment regulations; and
- For encampments established by the six-month temporary use process, which is an appealable, Type II Master Use Permit, allow conversion of the six-month permit to an interim use as a non-appealable, Type I permit.

Next Steps

The Select Committee will discuss the bill on Wednesday, January 22, 2020. The Committee will discuss and may vote on the bill at a subsequent meeting in February.

Attachment:

- A. Current and Potential Locations

cc: Kirstan Arestad, Executive Director
Aly Pennucci, Supervising Analyst

