

Amendment 2 to CB 119656 – Interim Use Encampment Setbacks

Sponsor: Herbold

This amendment would require that encampment uses be setback 10 feet from abutting single-family zoned properties and 5 feet from properties in other zones. Except for single family zones, when an abutting lot does not have an established use no setback is required. Changes are shown in track changes.

Amend Section 3 as follows:

Section 3. 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))~~ 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.

2. All encampment facilities, improvements, activities, and uses shall be set back from abutting lot lines, as follows:

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

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

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((4)) ~~23~~. The property is owned or controlled by ~~((the City of Seattle,))~~ a private party, ~~((or))~~ an Educational Major Institution, The City of Seattle, or another public entity.

5)) ~~34~~. The property is within 1/2 mile of a transit stop. This distance shall be the walking distance measured from the nearest transit stop to the lot line of the lot containing the encampment site.

~~((6. 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.A.6 shall not apply to encampments on sites owned or controlled by religious organizations, or to any legally established transitional encampment interim use that provides shelter for fewer than ten persons.))~~

((7)) ~~45~~. The property is 5,000 square feet or larger and provides a minimum of 100 square feet of land area for each occupant that is permitted to occupy the encampment site.

((8)) ~~56~~. The property does not contain a wetland, wetland buffer, known and 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)) ~~67~~. 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)) ~~78~~. 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.

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