

The City of Seattle
Ordinance 127436
Council Bill 121195

An ordinance relating to land use and zoning; adopting interim provisions to expand the capacity of transitional encampments; and amending Sections 23.42.054 and 23.42.056 of the Seattle Municipal Code.

Be it ordained by The City of Seattle as follows:

Section 1. The City Council finds and declares:

A. On November 2, 2015, the Mayor of the City of Seattle declared a civil emergency regarding the homelessness crisis within the City of Seattle. The emergency remains in effect.

B. Since declaring the emergency, according to the King County Medical Examiner's Office, there has been an approximately 150 percent increase in deaths annually of people presumed to be homeless – 312 decedents in 2024 compared to 124 in 2015.

C. According to the most recent Point-in-Time Count, from the King County Regional Homelessness Authority in 2024, there are 16,868 individuals experiencing homelessness countywide, a 26 percent increase from 2022 and a 260 percent increase from 2014. 58 percent of those individuals are unsheltered.

D. According to data from the Office of Civil Legal Aid, eviction filings involving low-income tenants in King County totaled 6,375 between July 2024 and March 2024, placing the state on track for a record number of evictions in 2025.

E. The homelessness crisis is worsening. The negative public health and safety consequences of homelessness, both upon persons experiencing homelessness and more generally, have been amply documented. Experiencing homelessness is traumatic and can trigger, create, or exacerbate health conditions, substance use, and mental and behavioral health conditions. In 2024 there were 1,042 overdose deaths countywide, with fentanyl the leading cause of deaths among the homeless population in 2023. Sleeping outdoors increases the likelihood of developing exposure-related conditions.

F. Since 2015, the City has worked to advance a comprehensive set of solutions both to prevent persons from entering homelessness and to provide housing that enables persons experiencing homelessness to become housed.

G. That strategy has recognized the importance of permanent supportive housing as a long-term solution to allow many homeless persons to become, and stay, housed.

H. Even under the best possible scenario, developing permanent supportive housing requires substantial funds and takes substantial time. Thus, the City has also recognized the importance of temporary solutions that enable persons experiencing homelessness to become housed while sufficient permanent supportive housing is developed.

I. A temporary solution that has shown great potential, both because of its acceptance among homeless persons and its relatively low cost, is the development of “tiny house villages,” also known as microshelters, a concept covered by the Land Use

Code's definition of "transitional encampment." Based on experience gained thus far in addressing the homelessness crisis, the City is embarking on a major effort to develop additional microshelter villages.

J. The urgency of this effort has recently increased dramatically due to recent actions by the federal government. The City's approach to the development of permanent supportive housing is based on the concept of "housing first," under which persons are provided permanent housing even if they are still addressing mental health, addiction, or similar issues. Evidence demonstrates that this approach increases the likelihood of those issues being successfully addressed, while also returning substantial public benefits including the reduction of costs in public services.

K. Housing-first programs have decades of research proving their efficacy. A 2009 study in the *Journal of the American Medical Association* found that the Downtown Emergency Service Center's 1811 Eastlake housing-first program dramatically reduced costs on public services, where the average cost from a person experiencing homelessness was \$4,066 per month from corrections, shelter, substance use treatment, and healthcare costs, and after clients moved into 1811 Eastlake the average cost offset per person per month was \$2,449. The medical journal *Psychiatric Services* published a five-year study of the Pathways to Housing housing-first program based in New York City where data showed that in nearly 90 percent of cases where a person experiencing homelessness moved into one of their apartments the resident retained their housing five years later.

L. The federal government, in a major shift in policy, has recently decided to penalize local jurisdictions that use a "housing first" approach. The Department of

Housing and Urban Development (HUD) issued a FY25 Notice of Funding Opportunity (NOFO) for \$3.9 billion dollars to fund programs to reduce homelessness nationwide, with \$65 million available to the Seattle-King County Continuum of Care (CoC), but prohibited more than 30 percent of funds to be spent on “housing first” programs. This would have pushed 170,000 formerly homeless residents back into homelessness across the United States, and places at risk up to 4,500 residents in Seattle and King County currently living in permanent supportive housing.

M. In previous years CoC funds provided as much as 80 percent of the funds available for permanent supportive housing programs, and an abrupt 30 percent funding cap on all housing programs will destabilize the entire housing sector dedicated for formerly homeless veterans, formerly homeless families, people with disabilities, and chronically homeless people.

N. On November 25, 2025, Washington State, along with 19 other states and Washington, D.C., filed suit in federal court, followed by a companion lawsuit from King County and a coalition of seven local governments and four nonprofit organizations to challenge the legality of HUD’s devastating cuts to this crucial housing program. However, the CoC contracts that fund 28 permanent supportive housing buildings in Seattle begin to expire in 2026 and the state and county litigation may not reach resolution in time to preclude a gap from when existing CoC contracts lapse.

O. Given the extremely negative tenor of the federal government’s actions and the unpredictability of the current federal administration, it is unclear whether the City will be able to mitigate the effect of federal cutbacks over the medium- to long-term. The City must brace itself for an imminent and major disruption of the pathway that it has

worked to build to provide persons at risk of or experiencing homelessness with access to the ultimate solution of permanent supportive housing.

P. One of the consequences of this impending disruption is an immediate need to create additional temporary shelter options, such as microshelter villages, that can provide persons experiencing homelessness with a place to live when permanent supportive housing is not available.

Q. While microshelter villages are quicker and less expensive to establish than permanent supportive housing, the time required to locate sites, obtain permits, and construct facilities is not insignificant. In light of the worsening of the homelessness crisis and particularly in light of recent federal actions and the resulting impending disruptions, it is necessary to quickly pursue development of microshelter villages to serve as many people as possible.

R. One of the impediments to rapidly increasing the number of persons who can be served by microshelter villages is the Land Use Code's 100-person limit on the number of occupants in a transitional encampment. Finding sites that can be developed at all for microshelter villages is difficult, and finding sites that can be developed quickly is even harder. Many of the sites that can be developed with the greatest efficiency and speed are located on City-owned property. When City-owned property is available, maximizing the number of persons served on a given site is a critical strategy for making spaces in tiny house villages available quickly. Given the limited number of City-owned sites, the most viable sites already have microshelter villages on them, and expanding those sites is hindered by the existing 100-person limit even though there may be significantly more land available to use on the site. Even on privately-owned

sites, increasing the number of occupants in each transitional encampment would increase the speed with which the overall number of spaces in tiny house villages can grow.

S. Amending the Land Use Code to increase the maximum permissible number of occupants in particular transitional encampments will allow the City to more quickly address the homelessness crisis by enabling the completion of more tiny homes in transitional encampments. Moreover, accelerating the timeline for adoption of those amendments will address the need for immediate action to prepare for and mitigate against the disruptions caused by federal government restrictions hindering the provision of permanent supportive housing.

T. Given the foregoing, the City Council determines that an exemption from conducting review under the Washington State Environmental Policy Act (SEPA) of the proposal in this ordinance is necessary under Seattle Municipal Code Section 25.05.880. For the reasons explained in this section, the proposal must be implemented immediately or within a period too short for full compliance with Seattle Municipal Code Chapter 25.05 to avoid an imminent threat to public health and safety.

U. Similarly, the City Council determines that the matters set forth in the foregoing findings create an emergency under Seattle Municipal Code Section 23.76.062 that justifies the adoption of the ordinance without a pre-adoption public hearing. Holding a public hearing (with 30 days' notice) would significantly delay the proposed changes.

V. Adopting this legislation as an interim ordinance under RCW 36.70A.390 addresses the need for immediate action as set forth in this section. In addition, the City

Council finds that it is appropriate for this interim ordinance to have a duration of one year to provide time for the Seattle Department of Construction and Inspections (SDCI) to carry out a work plan under which SDCI will undertake additional investigation and analysis to inform permanent legislation.

W. To support the success of the City's expanded shelter system, the City will also promote community safety strategies with leadership from the Community Assisted Response & Engagement (CARE) Department, crime prevention programs offered by the Seattle Police Department, and other relevant public safety agencies to support public safety needs in neighborhoods.

Section 2. Section 23.42.054 of the Seattle Municipal Code, last amended by Ordinance 126042, is amended as follows:

23.42.054 Transitional encampments located on property owned or controlled by a religious organization

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B. The encampment operator or applicant shall comply with the following provisions:

1. ~~((Allow no more than 100 persons to occupy the encampment site as residents of the encampment.))~~ Limit the number of encampment occupants as follows:

a. No more than 100 persons shall occupy a transitional encampment having more than fifty percent of shelter as tents; and

b. No more than 150 persons shall occupy a transitional encampment in which the persons occupy vehicles or micro-modular structures as

shelter. For the purposes of this Section 23.42.054, a micro-modular structure is a small, prefabricated structure intended to temporarily shelter one household.

2. Comply with the following fire safety and health standards:

a. Properly space, hang, and maintain fire extinguishers within the encampment as required by the Fire Department;

b. Provide and maintain a ~~((400))~~150-person first-aid kit;

c. Establish and maintain free of all obstructions access aisles as required by the Fire Department;

d. Install appropriate power protection devices at any location where power is provided;

e. Designate a smoking area;

f. Keep the site free of litter and garbage;

g. Observe all health-related requirements made by the Public Health Department of Seattle & King County; and

h. Post and distribute to encampment residents, copies of health or safety information provided by the City of Seattle, King County, or any other public agency.

i. Prohibit any open flames except an outdoor heat source approved by the Fire Department.

3. Provide toilets, running water, and garbage collection according to the following standards:

a. Provide and maintain chemical toilets as recommended by the portable toilet service provider or provide access to toilets in an indoor location;

b. Provide running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City; and

c. Remove garbage frequently enough to prevent overflow.

4. Cooking facilities, if they are provided, may be located in either an indoor location or outdoors according to the following standards:

a. Provide a sink with running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City;

b. Provide a nonabsorbent and easily-cleanable food preparation counter;

c. Provide a means to keep perishable food cold; and

d. Provide all products necessary to maintain the cooking facilities in a clean condition.

5. Allow officials of the Public Health Department of Seattle & King County, the Seattle Fire Department, and the Seattle Department of Construction and Inspections to inspect areas of the encampment that are located outdoors and plainly visible without prior notice to determine compliance with these standards.

6. Individuals under the age of 18 years that are not accompanied by a parent or legal guardian shall not be permitted in an encampment.

7. File a site plan with the Seattle Department of Construction and Inspections showing the arrangement of the encampment, including numbers of tents or similar sleeping shelters, all facilities that are separate from the sleeping shelters, and

all existing structures on the property, if any. The site plan is for informational purposes and is not subject to City review or permitting requirements.

* * *

Section 3. Section 23.42.056 of the Seattle Municipal Code, last amended by Ordinance 126509, 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.

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

1. Community outreach requirements that include:

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

b. A requirement that the proposed encampment operator establish a Community Advisory Committee that would provide advisory input on proposed encampment operations including identifying methods for handling community complaints or concerns as it relates to the facility or facility clients and implementation of public safety plans required by subsections 23.42.056.D.3, as applicable. The

committee shall include one individual identified by each stakeholder group in the geographic area where the proposed encampment would be located as best suited to represent their interests. The committee shall consist of no fewer than five and no more than 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.

* * *

D. Additional requirements. The transitional encampment interim use shall meet the following requirements:

* * *

7. The operator of a transitional encampment interim use who receives funding from the City of Seattle and operates an encampment with more than 100 occupants that is established or expanded after the effective date of this ordinance shall provide a public safety plan that details the following:

a. Completion of a Crime Prevention through Environmental Design (CPTED) assessment prior to the opening of the transitional encampment, and integration of any CPTED recommendations into the transitional encampment's design and operations;

b. A protocol for contributing to the data collection and reporting requirements requested in Section 4 of Ordinance 127424, including, but not limited to, the critical incident reports, 911 call data, and Unified Care Team deployments; at a

minimum the protocol shall include a requirement that all public safety calls made by the provider that originate from activity in or around the transitional encampment be recorded and reported to the Mayor's Office, with a priority for immediately reporting public safety calls that result in an arrest; and

c. Contact information for a City liaison that neighborhood residents can contact if there are issues occurring outside the transitional encampment boundaries that are beyond the provider's control or authority to address.

8. The operator of a transitional encampment interim use who receives funding from the City of Seattle and operates an encampment with more than 100 occupants that is established or expanded after the effective date this ordinance shall enter into a Good Neighbor Agreement. The Good Neighbor Agreement shall include:

a. The Good Neighbor Agreement physical boundaries and a corresponding map;

b. The roles and responsibilities of the operator as a good neighbor;

c. Communication protocols for community concerns, including a point of contact for initial concerns, which is posted at the transitional encampment and on the operator's website,

d. A commitment to attend regular community meetings, such as those held by community or business organizations;

e. Rules and behavioral standards for transitional encampment residents and their guests.

9. The operator of a transitional encampment interim use who receives funding from the City of Seattle and operates an encampment with more than 100

occupants that is established or expanded after the effective date of this ordinance shall have two staff members on site 24 hours a day every day the encampment is operating.

10. The operator of a transitional encampment interim use who receives funding from the City of Seattle and operates an encampment with more than 100 occupants that is established or expanded after the effective date of this ordinance shall strive to provide intensive case management for encampment occupants and consider a ratio of at least one case manager for every 15 high-acuity occupants.

11. For an application for a transitional encampment interim use proposed within 500 feet walking distance of the property line of another legally established transitional encampment interim use or the property line of an elementary or secondary school, the Director, in consultation with the Director of the Human Services Department, may negotiate additional operating requirements to mitigate potential public health and safety impacts. This subsection does not apply to transitional encampments designated for occupants under the age of 18, families, victims of domestic violence, and occupants in recovery from substance abuse disorder.

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F. Limit on the number of encampments and occupants

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

2. Maximum number of occupants. The maximum number of encampment occupants is limited as follows:

a. No more than 100 persons shall occupy a transitional encampment having more than fifty percent of shelter as tents; and

b. No more than 150 persons shall occupy a transitional encampment in which the persons occupy vehicles or micro-modular structures as shelter, except that one transitional encampment with up to 250 occupants may be permitted. For the purposes of this Section 23.42.056, a micro-modular structure is a small, prefabricated structure intended to temporarily shelter one household.

~~((2-))~~ 3. Existing encampments established by and operating under temporary use permits. Encampments presently operating under temporary use permits issued pursuant to subsections 23.42.040.B and 23.42.040.C may apply for an interim use permit pursuant to this Section 23.42.056, subject to the limits established by subsection 23.42.056.F.1 and subsection 23.42.056.F.2. The term for operating any encampments obtaining interim use permits in lieu of temporary use permits shall begin on the date the interim use permit is issued regardless of how long the encampment has been established by a prior temporary use permit.

Section 4. The interim development regulations set forth in this ordinance shall be in effect for a period of one year from the effective date of this ordinance and shall automatically expire after the one-year period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 5. Pursuant to RCW 36.70A.390, the Council will hold a public hearing within 60 days of adoption of this ordinance to take public testimony and to consider adopting further findings.

Section 6. Under RCW 36.70A.390, the Council approves the following work plan for the development of permanent regulations to address the issues in this ordinance and directs the Seattle Department of Construction and Inspections to transmit proposed legislation to the Council for adoption after resolution of any appeals under SEPA.

SDCI undertakes investigation and analysis to inform permanent legislation and conducts SEPA review	Spring of 2026 through Fall of 2026
Mayor transmits permanent legislation to Council	Anticipated January, 2027
Council considers and approves permanent legislation	Anticipated Winter/Spring, 2027
Permanent controls effective	Anticipated Spring, 2027

As part of the work plan, SDCI shall collect relevant data and perform analysis to make recommendations regarding (1) the appropriate maximum number of occupants per transitional encampment and whether the same maximum number should apply to all transitional encampments, and (2) if a different maximum number of occupants should apply in different cases, whether there should be a limit to the total number of transitional encampments that are allowed a particular maximum number of occupants, separate from the 40-encampment limit in Seattle Municipal Code subsection 23.42.056.F.1, and whether there should be a dispersion requirement or other limitations for transitional encampments that are allowed a particular maximum number of occupants. SDCI's analysis should take into account the following nonexclusive considerations: (1) the environmental and other impacts to surrounding areas that may

result from transitional encampments depending on the maximum number of occupants allowed, (2) the effect that particular maximum occupant limits, dispersion requirements, or other limitations would have on the City's ability to make full and efficient use of City-owned property for transitional encampments and on the availability and efficient use of sites of all types for transitional encampments, and (3) the effect that particular maximum occupant limits, dispersion requirements, or other limitations would have on the effectiveness of transitional encampments in serving their populations, including in terms of access to transit or other services.

Section 7. Based on the authority of RCW 36.70A.390 and the findings of Section 1 of this ordinance, the public hearing requirement of Seattle Municipal Code Section 23.76.062 is waived for the adoption of this ordinance.

Section 8. The City may renew these interim regulations in accordance with RCW 36.70A.390.

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

This ordinance shall take effect as provided by Seattle Municipal Code Sections
1.04.020 and 1.04.070.

Passed by the City Council and signed in open session in authentication of its
passage on May 19, 2026.



President _____ of the City Council

Approved _____ on May 28, 2026.



Katie B. Wilson, Mayor

Attested on May 28, 2026.



Scheereen Dedman, City Clerk

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