

Planning Commission Meeting Date: October 20, 2016

Agenda Item
Ordinance 762

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	PUBLIC HEARING on Updates to Regulations for Transitional Encampments		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Kim Lehmborg, Associate Planner Paul Cohen, Planning Manager		
<input checked="" type="checkbox"/> Public Hearing	<input type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only	
<input type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other	

INTRODUCTION

Presented are proposed amendments to the City’s Transitional Encampment regulations. These amendments are intended to:

- Simplify and streamline the permitting process by creating a “Transitional Encampment Permit,” expressly for the use;
- Remove the fee for the permit;
- Provide a timeline for encampments for 90 days with the possibility for extension up to six months; and
- Clarify the encampment regulations in the Code.

BACKGROUND

Council Resolution No. 379, passed December 14, 2015, directs Staff to review City policies and codes that may create barriers for those experiencing homelessness and to continue support of the City’s human service partner agencies. These amendments have been initiated in part to facilitate churches and other human service organizations to provide people that are experiencing homelessness with temporary and safe shelter without excessive process or expense.

Transitional encampments provide shelter for persons experiencing homelessness, and have been hosted numerous times in Shoreline, mostly at churches. The process for these encampments has been for the host to apply for a Temporary Use Permit (TUP). Applicants have often found that the TUP application submittal items are cumbersome to produce and the criteria for approval are not necessarily relevant to the use. There is also a fee that is currently \$322.50, which can be considered a barrier in providing services to persons experiencing homelessness.

Shoreline Municipal Code (SMC) Section 20.30.070 describes the process and procedures for Type L, Legislative decisions. Amendments to the Development Code

Approved By: **Project Manager** _____ **Planning Director** _____

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are Type L decisions that include a hearing and recommendation by the Planning Commission and action by the City Council.

Criteria for Development Code amendments under SMC 20.30.350 are as follows:

1. The amendment is in accordance with the Comprehensive Plan; and
2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Council Resolution No. 379, adopted April 25, 2016, supported King County's declaration of emergency due to homelessness, and expressed the City's commitment to work with King County and partner agencies on plans to address homelessness. The proposed amendments are an attempt to address some of the barriers agencies face when providing emergency shelter for the homeless. Stakeholders have presented to Council and met with Staff to discuss how to incorporate some of these ideas into the Development Code.

On September 15, 2016, the Planning Commission heard the proposed amendments in a study session. There was also public testimony. Much of the discussion was regarding staff's proposal for a 20-foot property line setback for an encampment. Staff is proposing to reduce this to 15 feet. The reasoning for this is expanded upon in Attachment A. One other change was to add in the requirement for visual screening, a common condition imposed upon encampments.

Public testimony also referred to the Council adoption of Resolution 379 and the testimony presented in the months leading up to the adoption of the Resolution. This information (Resolution 379, and related staff report, meeting minutes, video links, documents) was forwarded to the Planning Commission on September 16, 2016.

The Planning Commission previously reviewed the homeless encampment ordinance in the fall of 2015. In December of 2015 Council adopted Ordinance 731, amending the indexed criteria for Tent City and renaming the use from "Tent City" to "Transitional Encampments." The ordinance added language to the standards to reasonably and reliably identify potential residents and check for sex offenders and people with warrants. The Commission had recommended adoption of this change in October 2015 without comment.

Staff have met with stakeholders, including representatives from churches and others that have hosted encampments, and received direct input into these issues over the past 10 months. Given the direction from Council and input from stakeholders, staff further refined the regulations.

PROPOSAL & ANALYSIS

The proposed amendments to the Code are summarized below and presented in full on Attachment A.

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1. Definitions: SMC 20.20.034 & 20.20.048: Add definitions for “Managing Agency” and “Transitional Encampments.”
2. Table 20.30.040 Procedures: Add “Transitional Encampment Permit” as a Type A permit that will be required. A Temporary Use Permit will no longer be required.
3. Neighborhood Meeting 20.30.045: Clarify that a neighborhood meeting is required for Transitional Encampment Permit proposals.
4. Use Tables: Allow Transitional Encampments in all zoning districts. They are currently allowed in all residential and most commercial zones, but not allowed in the Town Center or Campus zones. Change name of use in Campus zones from “Tent City” to “Transitional Encampments” to reflect the current nomenclature.
5. Add additional standards and clarifications to the indexed criteria: Most of these are standard conditions having to do with health and safety that have been required for a Temporary Use Permit. The setback standard is additional and is designed to protect neighbors from potential impacts from having an encampment close by. Based on Planning Commission discussion at the Study Session on September 15, 2016, Staff is proposing to reduce the originally proposed setback of 20 feet to 15 feet (see Attachment A for additional clarification). The timeline has also been extended and clarified. A specific time limit will be codified as well as limiting the number of encampments to one per calendar year.

The proposed amendments are based on Council direction to address the homelessness crisis in general, and Transitional Encampments in particular. These revisions will make it easier for entities in good standing with appropriate sites to obtain permits for camps, while protecting single-family neighborhoods from the uncertainty of being in close proximity to Transitional Encampments. Standard conditions, that have been added to all previous Temporary Use Permit approvals for transitional encampments, are proposed by staff to be added to the code.

Relevant Comprehensive Plan policies that support the amendments are as follows:

- Housing Goal H VII: *“Collaborate with other jurisdictions and organizations to meet housing needs and address solutions that cross jurisdictional boundaries.”*
- Housing Policy #H11: *“Encourage affordable housing availability in all neighborhoods throughout the city, particularly in proximity to transit, employment, and/or educational opportunities.”*
- Housing Policy #H19: *“Encourage, assist, and support non-profit agencies that construct, manage, and provide services for affordable housing and homelessness programs within the city.”*
- Housing Policy #H25: *“Encourage, assist, and support social and health service organizations that offer housing programs for targeted populations.”*
- Housing Policy #H29: *“Support the development of public and private, short-term and long-term housing and services for Shoreline’s population of people who are homeless.”*
- Housing Policy H31: *“Partner with private and not-for-profit developers, social and health service agencies, funding institutions, and all levels of government to identify and address regional housing needs.”*

OPTIONS

The public hearing is to gather public input and make a recommendation on the amendments to Council. Staff has proposed the attached amendments, focusing on the following code sections:

20.20 Definitions

20.30 Procedures: creating a Transitional Encampment Permit to streamline the permitting process; clarifying that Neighborhood Meeting is required

20.40 Permitted Uses: adding the use as allowed in Town Center and Campus zones (currently allowed in all other zones)

20.40 Indexed Criteria: adding indexed criteria - clarifying regulations by adding standards for setbacks, screening, camp rules, and time limits.

After hearing public testimony the Planning Commission may choose to recommend the proposed amendments as presented by Staff; or recommend changes to the proposed language; or recommend additional code language

RECOMMENDATION

Staff recommends that the Planning Commission conduct a Public Hearing to receive comments on proposed amendments related to the transitional encampments and recommend approval as proposed to the City Council of Transitional Encampment amendments.

ATTACHMENTS

Attachment A - Proposed Amendments with specific justification.

Attachment B – City of Seattle Code forwarded by Commissioner Chang. Contains examples of additional code requirements.

Attachment C - Public Comment

ATTACHMENT A

Amendment #1 - Definitions.

This proposal adds a definition of a “Managing Agency” to clarify the application requirements. This helps to ensure that there is an entity with responsibility for compliance with the requirements of the camp. A definition of “Transitional Encampments” is added to differentiate it from a non-sanctioned camp, or a back yard camp-out for children or other family members.

20.20.034 M definitions.

Managing agency: Managing agency means an organization, such as a non-profit or religious organization, that organizes and manages a transitional encampment.

20.20.048 T definitions.

Transitional Encampments: Temporary campsites for the homeless, organized by a managing agency.

Amendment #2 Procedures and Administration

Adds Transitional Encampment Permit as a Type A action. This allows to City to create a simplified application process and a checklist with submittal criteria that are specific to the use, as opposed to the more general Temporary Use Permit application. It also allows the City to set the fee for the permit at \$0. A line item is being proposed in the 2017 budget to reflect this under SMC 30.01.010(G) Land use (23).

Table 20.30.040 – Summary of Type A Actions and Target Time Limits for Decision, and Appeal Authority

Action Type	Target Time Limits for Decision (Calendar Days)	Section
Type A:		
1. Accessory Dwelling Unit	30 days	20.40.120, 20.40.210
2. Lot Line Adjustment including Lot Merger	30 days	20.30.400
3. Building Permit	120 days	All applicable standards
4. Final Short Plat	30 days	20.30.450
5. Home Occupation, Bed and Breakfast, Boarding House	120 days	20.40.120, 20.40.250, 20.40.260, 20.40.400
6. Interpretation of Development Code	15 days	20.10.050, 20.10.060, 20.30.020
7. Right-of-Way Use	30 days	12.15.010 – 12.15.180

Action Type	Target Time Limits for Decision (Calendar Days)	Section
8. Shoreline Exemption Permit	15 days	Shoreline Master Program
9. Sign Permit	30 days	20.50.530 – 20.50.610
10. Site Development Permit	60 days	20.20.046, 20.30.315, 20.30.430
11. Deviation from Engineering Standards	30 days	20.30.290
12. Temporary Use Permit	15 days	20.30.295
13. Clearing and Grading Permit	60 days	20.50.290 – 20.50.370
14. Administrative Design Review	28 days	20.30.297
15. Floodplain Development Permit	30 days	13.12.700
16. Floodplain Variance	30 days	13.12.800
<u>17. Transitional Encampment Permit</u>	<u>15 days</u>	<u>20.40.535</u>

An administrative appeal authority is not provided for Type A actions, except that any Type A action which is not categorically exempt from environmental review under Chapter [43.21C](#) RCW or for which environmental review has not been completed in connection with other project permits shall be appealable. Appeal of these actions together with any appeal of the SEPA threshold determination is set forth in Table 20.30.050(4).

Amendment #3 Neighborhood meeting

This is not a new requirement – it has been in the indexed criteria since 2005 and that is not proposed to change. This amendment clarifies the requirement by including it with the other neighborhood meeting requirements for certain Type A proposals.

20.30.045 Neighborhood meeting for certain Type A proposals.

1. A neighborhood meeting is required for Transitional Encampment Permit proposals.

2. A neighborhood meeting shall be conducted by the applicant for developments consisting of more than one single-family detached dwelling unit on a single parcel in the R-4 or R-6 zones. This requirement does not apply to accessory dwelling units (ADUs). This neighborhood meeting will satisfy the

neighborhood meeting requirements when and if an applicant applies for a subdivision (refer to SMC [20.30.090](#) for meeting requirements). (Ord. 695 § 1 (Exh. A), 2014).

Amendment #4 – Use Tables.

This proposal allows Transitional Encampments in all zones, removing a barrier to locating in Town Center or Campus zones. It also clarifies the name, which was missed during the last code amendment process.

20.40.120 Residential uses. 

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
RESIDENTIAL GENERAL									
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Apartment		C	P	P	P	P	P	P
	Duplex	P-i	P-i	P-i	P-i	P-i			
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i	P-i				
	Mobile Home Park	P-i	P-i	P-i	P-i				
	Single-Family Attached	P-i	P	P	P	P			
	Single-Family Detached	P	P	P	P				
GROUP RESIDENCES									
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i	P-i	P-i
	Community Residential Facility-I	C	C	P	P	P	P	P	P
	Community Residential Facility-II		C	P-i	P-i	P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING									

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
	Transitional Encampment	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
MISCELLANEOUS									
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use

S = Special Use

C = Conditional Use

-i = Indexed Supplemental Criteria

20.40.150 Campus uses. 

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
513	Broadcasting and Telecommunications	P-m			P-m
	Bus Base	P-m			P-m
	Child and Adult Care Services	P-m	P-m		P-m
	Churches, Synagogue, Temple	P-m	P-m		
6113	College and University				P-m
	Conference Center	P-m			P-m
6111	Elementary School, Middle/Junior, High School	P-m			
	Food Storage, Repackaging, Warehousing and Distribution		P-m		
	Fueling for On-Site Use Only		P-m		P-m
	Home Occupation	P-i	P-i		

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
	Housing for Disabled Persons	P-m	P-m		
	Library	P-m		P-m	P-m
	Light Manufacturing		P-m		P-m
	Maintenance Facilities for On-Site Maintenance	P-m	P-m	P-m	P-m
	Medical-Related Office or Clinic (including personal care facility, training facilities, and outpatient clinic)	P-m	P-m	P-m	P-m
	State Owned/Operated Office or Laboratory		P-m	P-m	P-m
	Outdoor Performance Center	P-m			P-m
623	Nursing and Personal Care Facilities	P-m	P-m		P-m
	Performing Arts Companies/Theater	P-m			P-m
	Personal Services (including laundry, dry cleaning, barber and beauty shop, shoe repair, massage therapy/health spa)	P-m	P-m		P-m
	Power Plant for Site Use Power Generation Only		P-m	P-m	P-m
	Recreational Facility	P-m	P-m		P-m
	Recreation Vehicle	P-i			
	Research Development and Testing		P-m	P-m	P-m
	Residential Habilitation Center and Support Facilities	P-m	P-m		
6111	Secondary or High School	P-m			P-m
	Senior Housing (apartments, duplexes, attached and detached single-family)	P-m			
	Social Service Providers		P-m		P-m
6116	Specialized Instruction School	P-m	P-m		P-m
	Support Uses and Services for the Institution On Site (including dental hygiene clinic, theater, restaurant, book and video stores and conference rooms)	P-m	P-m	P-m	P-m
	Tent City Transitional Encampments	P-i	P-i	P-i	P-i
	Wireless Telecommunication Facility	P-i			P-i

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
<p>P = Permitted Use</p> <p>P-i = Permitted Use with Indexed Supplemental Criteria</p> <p>P-m = Permitted Use with approved Master Development Plan</p>					

Amendment #5 Indexed Criteria

These additions to the ordinance mostly reflect the typical conditions that Staff has attached to past Temporary Use Permits for encampments. New code language includes the new permit type, the provision for a minimum 15 foot setback from property lines, an allowance for up to a six-month stay with an extension, and a once per year restriction. The following describes the intent of each of these changes in more detail:

20.40.535.A: The process for past camps has been for the host to apply for a Temporary Use Permit (TUP). Applicants have often found that the TUP application submittal items are cumbersome to produce and the criteria for approval aren't necessarily relevant to the encampment. There is also a fee that is currently \$322.50. A separate permit type specific to Transitional Encampments allows to City to create a simplified application process and a checklist, with submittal criteria that are specific to the use, as opposed to the more general Temporary Use Permit application. It also allows the City to set the fee for the permit at \$0.

20.40.535.F: The minimum setback requirement is in response to the possibility of camps being hosted on sites that may be too small for the use. An encampment located on a single-family parcel will tend to have greater impact to neighboring properties than one hosted by a church, which typically will have a much larger lot size. Based on Planning Commission discussion and public testimony at the Study Session on September 15, 2016, Staff is proposing to reduce the originally proposed setback of 20 feet to 15 feet. The reasoning for the 15-foot setback originates in Shoreline Municipal Code section 20.50.020, Exception 5, which states

For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones.

The original proposal of 20 feet was based on the code requirement for a 20-foot setback from commercial zones to single-family zones. Also, most jurisdictions that have a setback requirement use at least 20 feet. Some use the setback requirement of the zone. An encampment, however, is more similar to a multi-family use than it is to a commercial use, so the provision of a 15-foot setback makes more sense from a code perspective.

20.40.535.H: Under the Temporary Use Permit code, uses are allowed for 60 days, although the Director has the discretion to extend them for up to a year. For past encampments, an expiration of 90 days has been typical because that is the timeline that was originally requested by early Tent Cities and what was approved by the City of Seattle, which was

one of the first jurisdictions in the region to have an ordinance governing such encampments. Recent encampments have sometimes had difficulty lining up a new place to move after just three months. Also, some of the campers have jobs or children in school which can make moving a difficulty. The initial term of the encampment would continue to be the standard 90 days, with a possibility for an extension up to six months.

20.40.535.I: Limiting the encampments to once per calendar year keeps them from becoming a permanent fixture; further protecting neighboring properties from impacts associated with the use. It also allows a host to continue to host an encampment at the same time each year. This is often desired by churches as some sites are better suited to host during certain times of year based on the location and layout, as well as scheduling preferences.

20.40.535 Transitional encampment.

- A. Allowed only by Transitional Encampment ~~temporary use~~ Permit (TEP).
- B. Prior to application submittal, the applicant is required to hold a neighborhood meeting as set forth in SMC 20.30.090. A neighborhood meeting report will be required for submittal.
- C. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.
- D. The applicant shall have a code of conduct that articulates the rules and regulation of the encampment. These rules shall include, at a minimum, prohibitions against alcohol and/or drug use and violence; and exclusion of sex offenders.
- E. The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment. (Ord. 731 § 1 (Exh. A), 2015; Ord. 368 § 2, 2005).
- F. Setback, site and screening requirements:
 - 1. Encampments must be set back from neighboring property lines a minimum of 15 feet. Smoking areas must be designated and be located a minimum of 25 feet from neighboring property lines.

2. Screening for mitigation of visual appearance to the street and neighboring properties is required. There shall be screening a minimum of six feet in height installed wherever the camp is visible from streets or residential properties. The color of the screening shall not be black.
3. A fire permit is required for all tents over 400 square feet. Fire Permit fees are waived.
4. All tents must be made of fire resistant materials and labeled as such.
5. Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area and approved smoking area.
6. Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ash trays in areas approved for smoking.
7. Emergency vehicle access to the site must be maintained at all times.
8. Security personnel shall monitor entry points at all times. A working telephone shall be available to security personnel at all times.

G The encampment shall permit inspections by City, Health and Fire Department inspectors at reasonable times without prior notice for compliance with the conditions of this permit. An inspection will be conducted by the Shoreline Fire Department within seven days of initial occupancy.

H. Encampments may be allowed to stay under the Transitional Encampment Permit for up to 90 days. A TEP extension may be granted for up to six months, on sites where agencies in good standing have shown to be compliant with all regulations and requirements of the TEP process, with no record of rules violations. The extension request must be made to the City, but does not require an additional neighborhood meeting or additional application materials or fees.

I. Managing Agencies may host an encampment no more often than once per calendar year.

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. 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 owned or controlled by a religious organization, subject to the provisions of subsection 23.42.054.B. A religious facility site includes property developed with legally-established parking that is accessory to the religious facility. Parking accessory to a religious facility or located on property owned or controlled by a religious organization that is displaced by the *encampment* does not need to be replaced.

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*.

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 100-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.
- C. A site inspection of the *encampment* by a Department inspector is required prior to commencing *encampment* operations.
- D. Parking is not required for a transitional *encampment* allowed under this [Section 23.42.054](#).

(Ord. [124919](#) , § 132, 2015; Ord. [124747](#) , § 1, 2015; Ord. [123729](#), § 1, 2011.)

- 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 subsection 23.88.010.A 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. 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 more than seven 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 be located on property meeting 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 installed and maintained along each encampment boundary, except 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.

4. The property is owned by the City of Seattle, a private party, or an Educational Major Institution.
5. 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. 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. 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. 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. The property is not an unopened public right of way; or designated as a park, playground, viewpoint, or multi-use trail by the City or King County.

C. Operation. The transitional encampment interim use shall meet the following requirements:

1. The encampment may be operated by a private party that shall prepare an Encampment Operations Plan that shall address: site management, site maintenance, provision of human and social services, referrals to service providers that are able to provide services to individuals under the age of 18 who arrive at an encampment unaccompanied by a parent or legal guardian, and public health and safety standards. The operations plan shall be filed with the transitional encampment interim use permit application.
2. The operator shall be included in the qualified encampment roster prepared by the Human Services Director. The transitional encampment interim use permit applicant shall include documentation as part of the permit application demonstrating that the encampment operator is on the qualified encampment operator roster.

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.

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

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

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

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

a. Any liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the operator of a transitional encampment interim use located on City-owned property, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the operator's use or occupancy of the City property; and

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

4. A transitional encampment interim use located on City-owned property shall allow service providers to access the site according to the approved operations plan required by subsection 23.42.056.B.1.

E. Duration and timing. The transitional encampment interim use shall meet the following requirements:

1. A permit for a transitional encampment interim use under this [Section 23.42.056](#) may be authorized for up to one year from the date of permit issuance. A permit for a transitional encampment may be renewed one time for up to one year by the Director as a Type I decision subject to the following:

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

- b. The encampment is in compliance with the requirements of [Section 23.42.056](#); and
 - c. The operator shall provide with the permit renewal application an Encampment Operations Plan that shall be in effect during the permit renewal period and consistent with subsection 23.42.056.A.
2. At least 12 months shall elapse before an encampment use may be located on any portion of a property where a transitional encampment interim use was previously located.
- F. Limit on the number of *encampments*. No more than three transitional encampment interim use *encampments* shall be permitted and operating at any one time, and each encampment shall not have more than 100 occupants. This limit shall not include transitional *encampments* accessory to a religious facility.

6a - Encampments Attachment C
Public Comment

From: [Plancom](#)
To: [Rachael Markle](#); [Steve Szafran](#); [Easton Craft](#); [David Maul](#); [William Montero](#); [Paul Cohen](#); [Lisa Basher](#); [Jack Malek](#); [Laura Mork](#); [Miranda Redinger](#); [Julie Ainsworth-Taylor](#); [Susan Chang](#); [Donna M. Moss](#)
Subject: FW: Development Code (SMC Title 20)
Date: Thursday, October 13, 2016 10:43:25 AM

From: Linda Erickson[SMTP:SONGDOG194@GMAIL.COM]
Sent: Thursday, October 13, 2016 10:43:19 AM
To: Plancom
Subject: Development Code (SMC Title 20)
Auto forwarded by a Rule

I have been a homeowner in Shoreline for 30 years. This email is to let you know I oppose amending SMC Title 20 to allow transitional encampments in single family zoning. Thank you for your consideration.

Linda Erickson
222 NW 196th Pl.
Shoreline, WA