

# DEVELOPMENT CODE AMENDMENT

## TRANSITIONAL ENCAMPMENTS

March 20, 2017



# February 27 Council Direction

- Substitute Ordinance to Incorporate Changes to Planning Commission Recommendation except:
  - Refine “Managing Agency”
    - More Specific
  - Definition for “Host Agency”
    - Should it include private individuals and/or commercial owned properties?
  - Clarify “Intervening Structures”

# Changes to PC Recommendation Incorporated to Substitute Ordinance No. 762 (Attachment B)

- Revised Setbacks from 20 to 10/5 feet
- Added 100 Resident Maximum Camp Size
- Added 7,500 SF Minimum up to 15,000 SF (100 Residents Max @150 SF per Resident)

# 3 Remaining Council Issues

- “Host Agency” – add definition
- “Managing Agency” - refine definition
- “Intervening Structures” - clarification

# Host Agency

- Staff Recommendation:
  - Host agency: Host agency means a religious or non-profit organization that invites a transitional encampment to reside on the land that they own or lease.

# Managing Agency

- **Managing Agency:** Managing agency means an organization that has the capacity to organize and manage a transitional encampment. A Managing Agency must be a State of Washington registered non-profit corporation; a federally recognized tax exempt 501(c)(3) organization; a religious organization as defined in RCW 35A.21.360; or a self-managed homeless community. A Managing Agency may be the same organization as the Host Agency.

# Intervening Structures

- SMC 20.30.295 (D)(7)(b) of Substitute Ordinance No. 762 with the underlined language:
  - *Tents and supporting facilities within an encampment must meet 10-foot setbacks from neighboring property lines, not including right-of-way lines or properties under the same ownership as the host agency. Setback from rights-of-way must be a minimum of five feet. Additional setback from rights-of-way may be imposed based on the City's Traffic Engineer's analysis of what is required for safety. Setbacks to neighboring property lines may be reduced by the Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, taking into account site conditions that extend along the entire encampment area, including but not limited to:*
    1. *Topography changes from adjoining property*
    2. *Visually solid, minimum 6-foot height*, intervening structures
    3. *Distance from nearest structure on neighboring property*
    4. *Vegetation that creates a visual screen*

# Staff Recommendation

- Move to Adopt Substitute Ordinance No. 762 (Attachment B)
- Council Amendments to Include:
  - Include Definition of Host Agency
  - Replace Definition of Managing Agency
  - Refine Definition of Intervening Structures



# Recommended Amendments

## Host Agency Definition

- I move to amend SMC 20.20.024 to include a definition for Host Agency:
  - *Host agency means a religious or non-profit organization that invites a transitional encampment to reside on the land that they own or lease.*
  - This is the Staff Recommended Definition

# Recommended Amendment Managing Agency Definition

- I move to replace the Managing Agency definition in SMC 20.20.034 with the following:
  - *Managing Agency: Managing agency means an organization that has the capacity to organize and manage a transitional encampment. A Managing Agency must be a State of Washington registered non-profit corporation; a federally recognized tax exempt 501(c)(3) organization; a religious organization as defined in RCW 35A.21.360; or a self-managed homeless community. A Managing Agency may be the same organization as the Host Agency.*

# Recommended Amendment Clarify Intervening Structure

- I move to amend SMC 20.30.295 (D)(7)(b) with the underlined language:
  - *Tents and supporting facilities within an encampment must meet 10-foot setbacks from neighboring property lines, not including right-of-way lines or properties under the same ownership as the host agency. Setback from rights-of-way must be a minimum of five feet. Additional setback from rights-of-way may be imposed based on the City's Traffic Engineer's analysis of what is required for safety. Setbacks to neighboring property lines may be reduced by the Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, taking into account site conditions **that extend along the entire encampment area**, including but not limited to:*
    1. *Topography changes from adjoining property*
    2. **Visually solid, minimum 6-foot height**, intervening structures
    3. *Distance from nearest structure on neighboring property*
    4. *Vegetation that creates a visual screen*