

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

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.

..body

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

1 conditions. In 2024 there were 1,042 overdose deaths countywide, with fentanyl the leading
2 cause of deaths among the homeless population in 2023. Sleeping outdoors increases the
3 likelihood of developing exposure-related conditions.

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

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

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

13 I. A temporary solution that has shown great potential, both because of its acceptance
14 among homeless persons and its relatively low cost, is the development of “tiny house villages,”
15 also known as microshelters, a concept covered by the Land Use Code’s definition of
16 “transitional encampment.” Based on experience gained thus far in addressing the homelessness
17 crisis, the City is embarking on a major effort to develop additional microshelter villages.

18 J. The urgency of this effort has recently increased dramatically due to recent actions by
19 the federal government. The City’s approach to the development of permanent supportive
20 housing is based on the concept of “housing first,” under which persons are provided permanent
21 housing even if they are still addressing mental health, addiction, or similar issues. Evidence
22 demonstrates that this approach increases the likelihood of those issues being successfully

1 addressed, while also returning substantial public benefits including the reduction of costs in
2 public services.

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

13 L. The federal government, in a major shift in policy, has recently decided to penalize
14 local jurisdictions that use a “housing first” approach. The Department of Housing and Urban
15 Development (HUD) issued a FY25 Notice of Funding Opportunity (NOFO) for \$3.9 billion
16 dollars to fund programs to reduce homelessness nationwide, with \$65 million available to the
17 Seattle-King County Continuum of Care (CoC), but prohibited more than 30 percent of funds to
18 be spent on “housing first” programs. This would have pushed 170,000 formerly homeless
19 residents back into homelessness across the United States, and places at risk up to 4,500
20 residents in Seattle and King County currently living in permanent supportive housing.

21 M. In previous years CoC funds provided as much as 80 percent of the funds available
22 for permanent supportive housing programs, and an abrupt 30 percent funding cap on all housing

1 programs will destabilize the entire housing sector dedicated for formerly homeless veterans,
2 formerly homeless families, people with disabilities, and chronically homeless people.

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

10 O. Given the extremely negative tenor of the federal government’s actions and the
11 unpredictability of the current federal administration, it is unclear whether the City will be able
12 to mitigate the effect of federal cutbacks over the medium- to long-term. The City must brace
13 itself for an imminent and major disruption of the pathway that it has worked to build to provide
14 persons at risk of or experiencing homelessness with access to the ultimate solution of permanent
15 supportive housing.

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

20 Q. While microshelter villages are quicker and less expensive to establish than permanent
21 supportive housing, the time required to locate sites, obtain permits, and construct facilities is not
22 insignificant. In light of the worsening of the homelessness crisis and particularly in light of

1 recent federal actions and the resulting impending disruptions, it is necessary to quickly pursue
2 development of microshelter villages to serve as many people as possible.

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

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

22 T. Given the foregoing, the City Council determines that an exemption from conducting
23 review under the Washington State Environmental Policy Act (SEPA) of the proposal in this

1 ordinance is necessary under Seattle Municipal Code Section 25.05.880. For the reasons
2 explained in this section, the proposal must be implemented immediately or within a period too
3 short for full compliance with Seattle Municipal Code Chapter 25.05 to avoid an imminent threat
4 to public health and safety.

5 U. Similarly, the City Council determines that the matters set forth in the foregoing
6 findings create an emergency under Seattle Municipal Code Section 23.76.062 that justifies the
7 adoption of the ordinance without a pre-adoption public hearing. Holding a public hearing (with
8 30 days' notice) would significantly delay the proposed changes.

9 V. Adopting this legislation as an interim ordinance under RCW 36.70A.390 addresses
10 the need for immediate action as set forth in this section. In addition, the City Council finds that
11 it is appropriate for this interim ordinance to have a duration of one year to provide time for the
12 Seattle Department of Construction and Inspections (SDCI) to carry out a work plan under which
13 SDCI will undertake additional investigation and analysis to inform permanent legislation.

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

19 Section 2. Section 23.42.054 of the Seattle Municipal Code, last amended by Ordinance
20 126042, is amended as follows:

21 **23.42.054 Transitional encampments located on property owned or controlled by a**
22 **religious organization**

23 * * *

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

2 1. Allow no more than ~~((400))~~ 150 persons to occupy the encampment site as
3 residents of the encampment.

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

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

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

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

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

12 e. Designate a smoking area;

13 f. Keep the site free of litter and garbage;

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

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

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

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

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

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

4 c. Remove garbage frequently enough to prevent overflow.

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

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

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

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

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

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

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

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

1 the property, if any. The site plan is for informational purposes and is not subject to City review
2 or permitting requirements.

3 * * *

4 Section 3. Section 23.42.056 of the Seattle Municipal Code, last amended by Ordinance
5 126509, is amended as follows:

6 **23.42.056 Transitional encampment as an interim use**

7 A Type I Master Use Permit may be issued for a transitional encampment interim use according
8 to the requirements of this Section 23.42.056.

9 * * *

10 F. Limit on the number of encampments and occupants

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

16 2. Maximum number of occupants. Each Council District may contain one
17 encampment having up to 250 occupants. Otherwise, each encampment shall have no more than
18 150 occupants.

19 ~~((2-))~~ 3. Existing encampments established by and operating under temporary use
20 permits. Encampments presently operating under temporary use permits issued pursuant to
21 subsections 23.42.040.B and 23.42.040.C may apply for an interim use permit pursuant to this
22 Section 23.42.056, subject to the limits established by subsection 23.42.056.F.1 and subsection
23 23.42.056.F.2. The term for operating any encampments obtaining interim use permits in lieu of

1 temporary use permits shall begin on the date the interim use permit is issued regardless of how
2 long the encampment has been established by a prior temporary use permit.

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

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

10 Section 6. Under RCW 36.70A.390, the Council approves the following work plan for
11 the development of permanent regulations to address the issues in this ordinance and directs the
12 Seattle Department of Construction and Inspections to transmit proposed legislation to the
13 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

14
15 As part of the work plan, SDCI shall collect relevant data and perform analysis to make
16 recommendations regarding (1) the appropriate maximum number of occupants per transitional
17 encampment and whether the same maximum number should apply to all transitional
18 encampments, and (2) if a different maximum number of occupants should apply in different
19 cases, whether there should be a limit to the total number of transitional encampments that are

1 allowed a particular maximum number of occupants, separate from the 40-encampment limit in
2 Seattle Municipal Code subsection 23.42.056.F.1, and whether there should be a dispersion
3 requirement or other limitations for transitional encampments that are allowed a particular
4 maximum number of occupants. SDCI’s analysis should take into account the following
5 nonexclusive considerations: (1) the environmental and other impacts to surrounding areas that
6 may result from transitional encampments depending on the maximum number of occupants
7 allowed, (2) the effect that particular maximum occupant limits, dispersion requirements, or
8 other limitations would have on the City’s ability to make full and efficient use of City-owned
9 property for transitional encampments and on the availability and efficient use of sites of all
10 types for transitional encampments, and (3) the effect that particular maximum occupant limits,
11 dispersion requirements, or other limitations would have on the effectiveness of transitional
12 encampments in serving their populations, including in terms of access to transit or other
13 services.

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

17 Section 8. The City may renew these interim regulations in accordance with RCW
18 36.70A.390.

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

1 Section 10. This ordinance shall take effect as provided by Seattle Municipal Code
2 Sections 1.04.020 and 1.04.070.

3 Passed by the City Council the _____ day of _____, 2026,
4 and signed by me in open session in authentication of its passage this _____ day of
5 _____, 2026.

6 _____
7 President _____ of the City Council

8 Approved / returned unsigned / vetoed this ____ day of _____, 2026.

9 _____
10 Katie B. Wilson, Mayor

11 Filed by me this _____ day of _____, 2026.

12 _____
13 Scheereen Dedman, City Clerk

14 (Seal)