CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

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PLANNING DEPARTMENT
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APPLICATION FORM: TEMPORARY USE PERMIT

PROCESS: PLANNING DIRECTOR DECISION

X PRIMARY CONTACT:

Applicant's name: Rev. Jason S. Boyd Daytime phone: 425-822-3811
Applicant's mailing address: Kirkland Congregational Church 106 5th Avenue
Kirkland, WA 98033

Note: If applicant is not property owner, he/she must be authorized as agent (see page 2)

X SECONDARY CONTACT:

Applicant's e-mail address: _____

Property Owner's name: _____ Daytime phone: _____
Owner's address: _____

Owner's e-mail address: _____

A COPY OF THE STAFF REPORT, MEETING AGENDAS AND THE NOTICE OF DECISION WILL BE MAILED TO THE APPLICANT. **PLEASE INDICATE IF YOU WOULD ALSO LIKE A COPY OF THESE MATERIALS TO BE SENT TO THE PROPERTY OWNER:** YES X NO ___

(1) Property address (if vacant, indicate lot or tax number, access street and nearest intersection): 106 5th Avenue Kirkland, WA 98033

(2) Tax parcel number: 388 580 - 8250

(3) The property is zoned: RS 5.0 and is presently used as: Church

(4) Describe permit application and the nature of project (attach additional pages if necessary):

TC 4 at KCC

(5) Have there been any previous zoning permits for the subject property? Y If so, what is the Department of Planning and Community Development file number? TC4 - 2005, 2008

(6) Have you met with a planner prior to submitting your application? YES ✓ NO ___
Name of planner: Sean LeRoy Date of pre-submittal meeting: 12-7-2010

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

City of Kirkland
Department of Planning and Community Development

APPLICATION FORM: TEMPORARY USE PERMIT
STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT

The undersigned property owners, under penalty of perjury, each state that we are all of the legal owners of the property described in Exhibit A, which is attached as page 3 of this application, and designate Rev. Jason S. Boyd to act as our agent with respect to this application.

AUTHORITY TO ENTER PROPERTY

I/we acknowledge that by signing this application I/we are authorizing employees or agents of the City of Kirkland to enter onto the property which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, for the sole purpose of making any inspection of the limited area of the property which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the applicant(s) further agrees that City employees or agents may enter the property during such other times and days as necessary for such inspection upon 24 hours notice to applicant(s), which notice will be deemed received when given either verbally or in writing.

HOLD HARMLESS AGREEMENT – READ CAREFULLY BEFORE SIGNING

The undersigned in making this application certifies under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay, and save harmless the City of Kirkland, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees, and agents, and arising out of reliance by the City of Kirkland, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Applicant		Property Owner #1 + Co Applicant	
Signature:	for SHARE/WHEEL	Signature:	Jason S. Boyd
Name:	Trace DeGarmo for SHARE/WHEEL	Name:	Jason S. Boyd - Kirkland Congregational Church
Address:	P.O. Box 2548 Seattle WA 98111	Address:	106 5th Avenue Kirkland, WA 98033
Telephone:	(206) 448-7889	Telephone	425-822-3811

Agent (Other than Applicant)		Property Owner # 2	
Signature:		Signature:	
Name:		Name:	
Address:		Address:	
Telephone:		Telephone:	

PERMIT APPLICATION NARRATIVE FOR

SHARE/WHEEL'S TENT CITY4 AT

KIRKLAND CONGREGATIONAL CHURCH

JANUARY 22 2011 to APRIL 23, 2011

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CRITERIA SHEET QUESTIONS

1) THE EMERGENCY NEED FOR, AND VALUE TO THE PUBLIC WELFARE, OF TENT CITY 4

At least 8,300 members of the public are homeless in King County nightly. There are only 2,500 shelter beds, so the majority sleep outside, alone and in danger. Consequently, at least 29 homeless people died outside or by violence in King County in 2010.

Tent City4 helps keep some of these members of the public, who would otherwise be at great risk, together and safe. This allows its participants to store their belongings while away from camp at work and appointments, and allows participants to return at hours convenient to their work and obligations.

These successful efforts to stay together and safe have not materially harmed other members of the public, and have not injured any property or improvements in the immediate vicinity.

2) COMPATABILITY OF NEIGHBORHOOD

Under the same terms and conditions as those outlined in this application, Tent City4 was hosted by Kirkland Congregational Church in 2005 and 2008. Nearby services, transportation, jobs, government offices, and friendly neighbors have made it an excellent location.

Nearby residents, churches, and Kirkland City Government were not harmed, and will not be harmed, by the presence of Tent City4. The additional residents of Tent City4 will make the Norkirk Neighborhood a friendlier and safer place during their three month stay.

3) COMPATABILITY OF EXISTING ZONING ON SITE

Kirkland Congregational Church is a religious institution, founded 127 years ago, and is the Eastside's oldest church. It is recognized as such by the City of Kirkland, and due the religious freedoms set forth in the US Constitution, federal law, and the Washington State Constitution.

Sheltering homeless people and serving the poor is a sacred duty of this church. Kirkland Congregational Church is an open and affirming Congregation and has as its core mission sheltering and caring for poor and homeless people. It practices this daily in its hosting of numerous groups which help individuals and the community grow stronger. It is a founding member of the Kirkland Interfaith Network.

Without waiving our constitutional right to practice our religion we are applying for this permit with SHARE and WHEEL in order to work cooperatively with the City of Kirkland and our neighbors.

The temporary use of Kirkland Congregational Church's parking lot for Tent City4 is compatible with the basic activities and functions of this church. Its location near services and transportation make it a good site for the Tent City4 community. The size of the encampment site here is larger than many previous sites of Tent City3 and 4.

PERFORMANCE STANDARDS

2a. Kirkland Congregational Church as sponsor and SHARE/WHEEL as managing agency are the co-applicants for this permit.

2b. The attached camp layout has the same dimensions as when Tent City4 stayed at Kirkland Congregational Church in 2005 and 2008. Both at that time and again this year, the camp layout leaves twenty feet between the camp boundaries and the property line of abutting properties containing residential uses.

2c. A sturdy, six foot tall, sight obscuring fence that is built to hold up in inclement weather shall be installed around the perimeter of the homeless encampment on the entire south and east sides of the camp. The north side of the encampment closest to the church building will also be fenced. The (site obscuring) Church Building is immediately to the West of the entire camp, and does not require a fence.

The remaining north side of the site is at the bottom of a steep, twenty-five foot embankment. A fence along this strip would not obscure the encampment from anyone. The 2005 and 2008 Kirkland Permits for Tent City4 at this site recognized this topographic fact, and did not require a fence in this area. The same topographic conditions exist today, making a fence here immaterial to site obscuring.

Both the fence and fencing material have improved in quality since 2008, and the demarcation of the camps twenty foot setback from the property line underneath the twenty-five foot vegetated embankment will be well defined and established.

2d. There will be no exterior lighting.

2e. Tent City4 will maintain a camp of 100 or fewer residents. Those seeking shelter above this number after the busses stop running will be allowed to stay until the busses start running or until daybreak. At that time they will leave, and not be eligible for return until there is an opening.

2f. Five parking spaces will be marked and set aside in the First Baptist Church of Kirkland Parking Lot one block away.

2g. All Tent City4 participants will be provided with bus tickets to be utilized for daily bus travel to work and appointments. Several bus lines, and the Kirkland Transit Center, are nearby. Food, supplies and blankets will be brought in and out by van. No campers will be allowed to park personal vehicles near the camp, with the exception of five vehicles in the nearby First

Baptist Church of Kirkland Parking Lot. Only fully operating and licensed vehicles will be permitted, by prearrangement.

2h. The Kirkland Transit Center is located within a half mile of the site. There are also several nearby bus lines.

2i. No children will be registered at the camp or become residents. Those under 18 will be turned away, except under exigent circumstances. Child Protective Services will be called within one working day of arrival.

2j. Tent City4 allows service animals only.

2k. The Tent City4 Code of Conduct is attached. It exceeds the minimum standards requested by Kirkland.

2l. Sufficient porta-potties (4) are provided by SHARE/WHEEL and are serviced three times weekly, along with a Wash Station for hand-washing and wastewater. A dumpster is provided which is dumped twice a week. Electricity is required only for nighttime light of the security tent, and for small appliances such as coffee pots, microwave, and a television. If available and permitted, electricity will also be provided for a shower and computer.

The camp will access Church electricity. No electricity is allowed in the sleeping tents. Drinking water shall be provided by using the Church's water supply.

2m. Two security workers will be on duty at all times, and will check in all visitors at the camp's sole entrance. They will patrol the grounds in the camp, and the surrounding neighborhood. An Executive Committee Member will also be on duty at all times. Security workers and the Executive Committee are responsible for ensuring that the Code of Conduct is upheld.

Kirkland Police will be informed of all individuals barred or turned away from Tent City4 who appear likely to not leave the neighborhood peacefully, or who show the potential of loitering in the neighborhood.

Tent City4 will cooperate fully in any and all criminal investigations.

Neither Tent City4 nor Tent City3 has been materially detrimental to the public welfare, or injurious to the property or improvements in their immediate vicinity.

2n. Inspectors will be welcome at any time.

SHARE/WHEEL
TENT CITY4

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CODE OF CONDUCT

WE, THE PEOPLE OF SHARE/WHEEL,
IN ORDER TO KEEP A MORE HARMONIOUS COMMUNITY,
ASK THAT YOU OBSERVE THE FOLLOWING CODE OF CONDUCT:

SHARE/WHEEL'S TENT CITY4 IS A DRUG AND ALCOHOL FREE ZONE.
THOSE CAUGHT DRINKING OR USING DRUGS
WILL BE ASKED TO LEAVE. SOBRIETY IS REQUIRED.

NO WEAPONS ARE ALLOWED.
KNIVES OVER 3-1/2 INCHES MUST BE CHECKED IN.

VIOLENCE WILL NOT BE TOLERATED.
PLEASE ATTEMPT TO RESOLVE ANY CONFLICT
IN A CREATIVE AND NONVIOLENT MANNER.

DEGRADING ETHNIC, RACIST, SEXIST OR HOMOPHOBIC REMARKS ARE
NOT ACCEPTABLE. NO PHYSICAL PUNISHMENT, VERBAL ABUSE OR
INTIMIDATION WILL BE TOLERATED.

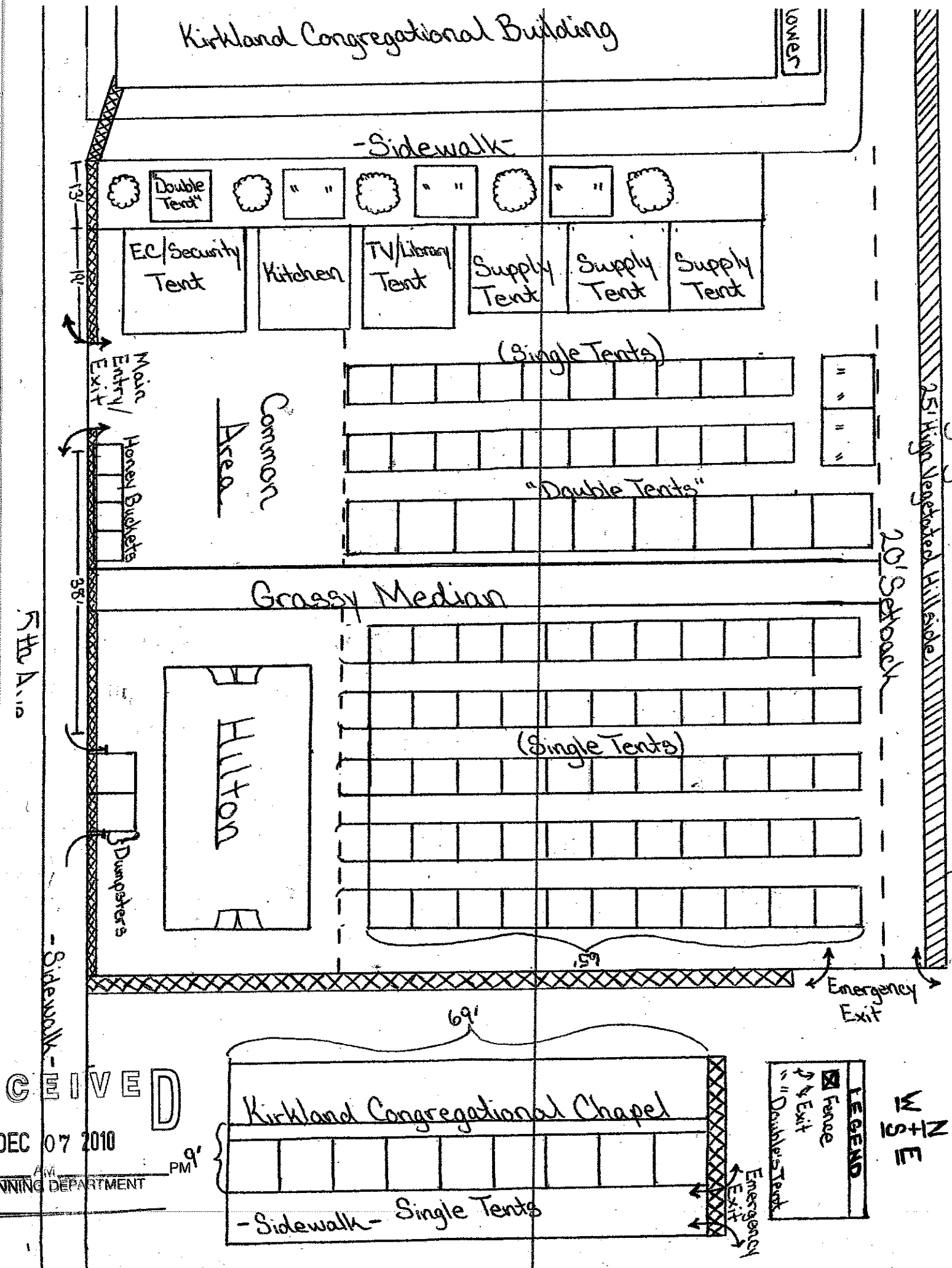
WE ARE A COMMUNITY.
PLEASE RESPECT THE RIGHTS AND PRIVACY
OF YOUR FELLOW CITIZENS.

NO MEN IN THE WOMEN'S TENTS.
NO WOMEN IN THE MEN'S TENTS.
NO OPEN FLAMES.
NO LOITERING OR DISTURBING NEIGHBORS.
NO TRESPASSING.

ATTENDANCE OF AT LEAST ONE OF THE SEVERAL COMMUNITY
MEETINGS HELD THROUGH THE WEEK IS REQUIRED.
DAYS AND TIMES WILL BE POSTED SO THAT YOU MAY WORK IT INTO
YOUR SCHEDULE.

IF THESE RULES ARE NOT RESPECTED AND ENFORCED
TENT CITY4 MAY BE PERMANENTLY CLOSED.

TCH/Kirkland Congregational Church (January 22, 2011-April 23, 2011)



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