



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.kirklandwa.gov

**ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

July 24, 2014

Permit application: ZON14-01181
Location: 106 5TH Ave
Project: Camp Unity Homeless Encampment
Kirkland Congregational Church
Decisions Included: Planning Official
Project Planner: Sean LeRoy

I. INTRODUCTION

A. APPLICATION

1. Applicant: Kirkland Congregational Church, Managing Agency and Sponsor for CAMP UNITY
2. Site Location: 106 5th Ave
3. Request: Temporary Use Permit (TUP) to locate a homeless encampment called CAMP UNITY within the parking lot of the existing KIRKLAND CONGREGATIONAL building for a period of 92 days from August 1, 2014 to October 31, 2014. The maximum capacity of a homeless encampment allowed in the City's Zoning Code (KZC) is 100 people.

The request is to allow a dinner area, community area, storage tents and sleeping tents along with a portable shower, portable toilets, television, kitchen, wash basin and garbage dumpsters. A six-foot tall sight obscuring fence is proposed around the perimeter of the encampment, on the sides not enclosed by the church building.

See Attachment 1 for the co-applicants' description of the project which includes an operational overview, utilities, security, homeless encampment Code of Conduct, and transportation.

4. Review Process: A TUP is requested per Kirkland Zoning Code (KZC) Chapter 127. A decision is made by the Planning Director.

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, I recommend approval of this application, subject to the following conditions:

1. CAMP UNITY shall be limited to the maximum duration allowed by KZC Section 127.30.2.b which is 92 days. Based on a move in date of August 1, 2014, CAMP UNITY should leave the Church property on October 31, 2014.
2. The following performance and development standards pursuant to KZC Section 127.25 must be met by CAMP UNITY and Managing Agency (MA) Kirkland Congregational Church (KCC):

a. Health and Safety

- (1) CAMP UNITY and KCC shall permit necessary inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.
- (2) CAMP UNITY and KCC shall comply with Washington State and City Codes including those concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, and fire resistant materials.
- (3) CAMP UNITY and KCC shall permit necessary inspections by City inspectors to check compliance with the standards for homeless encampments and shall implement all directives from the inspectors within a specified time period.
- (4) CAMP UNITY and KCC shall prohibit littering at the encampment and shall regularly conduct litter clean-up patrols in the immediate vicinity of the encampment.
- (5) Open Flames are not permitted.

b. Conduct and Security

- (1) The CAMP UNITY residents shall adhere to the "Code of Conduct" submitted as part of the application to this TUP (see Attachment 1).
- (2) No animals shall be permitted in CAMP UNITY except for service animals.
- (3) CAMP UNITY is responsible for enforcing the Code of Conduct.
- (4) Quiet hours at CAMP UNITY shall be between 9:00 PM and 8:00 AM. During this time, activities in CAMP UNITY shall be limited to prevent disturbance to surrounding residential properties.

- (5) CAMP UNITY and KCC shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements of the Kirkland Police Department related to identified sex offenders, or prospective residents with warrants shall be met.
- (6) CAMP UNITY shall immediately contact the City of Kirkland Police Department if the reason for rejection or ejection of an individual from the encampment is for an active warrant or a match on the sex offender check, or if in the opinion of the encampment, the rejected/ejected person is a potential threat to the community.

Other individuals who are turned away from camp shall be handled as follows: 1) CAMP UNITY security workers shall walk the individual to the bus stop and wait with them until the bus arrives; or 2) a camp vehicle shall be used to drive the individual to the closest available bus service; or 3) a taxi or volunteer driver shall be called and CAMP UNITY security workers shall be available to wait with the person. Taxi vouchers shall be available from CAMP UNITY when buses are not operating.

- (7) CAMP UNITY shall not register children under 18 to stay overnight at the homeless encampment. If a child under the age of 18, either alone or accompanied by a parent or guardian, attempts to stay at the homeless encampment, CAMP UNITY and/or KCC shall immediately contact Child Protective Services, and endeavor to find alternative shelter for the child and any accompanying parent(s) or guardian(s).
- (8) KCC may be contacted at (425) 822-3811 and CAMP UNITY at (206) 293-5901 and via email at campunityeastside@gmail.com or allenbolenpro@gmail.com

c. Parking and Transportation

- (1) The total number of vehicles associated with CAMP UNITY shall not exceed five vehicles and shall be parked in the Church's parking lot as identified on the site plan (see Attachment 1).
- (2) All CAMP UNITY residents shall be provided with bus tickets as needed.

d. General Standards

- (1) The encampment shall be located at least 20 feet from all property lines abutting properties containing residential uses.
 - (2) A sight-obscuring fence shall be required as described in Section II.D.1.a below. If, after installation, the fence does not obscure views of CAMP UNITY and/or does not hold up in inclement weather, the applicant shall work with City to install a replacement fence that meets City standards.
 - (3) Any exterior lighting shall be directed downward and contained within the homeless encampment.
 - (4) The maximum number of residents is 100.
3. The City may void this permit pursuant to KZC Section 170.50 if there are repeated violations of any aspect, including conditions of approval or performance and development standards, of the permit.
 4. At least by the end of the TUP period (October 31, 2014), the site shall be returned to its original condition by the applicants. The applicants shall reimburse the City for any expenses incurred by the City in abating the temporary use (see Attachment 2).
 5. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Fire and Building Code. It is the responsibility of the co-applicants to ensure compliance with the various provisions contained in these ordinances.

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning
 - a. Facts:
 - (1) Size: The size of the area proposed to be occupied by CAMP UNITY is approximately 13,000 square feet. The Church property is 40,938 square feet.
 - (2) Land Use: Church.
 - (3) Zoning: RS 5.0 (low density residential)
 - (4) Terrain and Vegetation: The area in which CAMP UNITY is being located contains a surface parking lot. The majority of the lot's trees are around the perimeter of the property and the trees that are within the encampment will not be disturbed during encampment.

- b. Conclusions: The area of the encampment comprises a small portion of the total site area of the church. There will be little site disturbance because the tents and other CAMP UNITY structures and uses will be placed in an existing parking lot.

2. Neighboring Development and Zoning

- a. Facts:
North – RS 5.0, single family residential
East – PLA 7A, high density residential
South – PLA 7A, City of Kirkland City Hall
West – RS 5.0, single family residential
- b. Conclusion: The Church and encampment site is bordered on the North and West with low density residential zoning and improvements, and on the East by high density residential. To the South is the City of Kirkland’s City Hall. CAMP UNITY should be subject to the requirements for temporary uses found in KZC Chapter 127. Section II.D below contains an analysis of the City’s requirements and the proposed encampment.

B. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Fact: This application is exempt from SEPA per WAC 197-11 800(1) Minor construction.
2. Conclusion: The applicant and City have met the requirements of SEPA.

C. APPROVAL CRITERIA

1. Section 127.20 – Criteria for Granting a Temporary Use Permit

The City may grant a temporary use permit only if it finds that:

- The proposed temporary use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity; and
- The proposed temporary use is compatible with existing land use in the immediate vicinity; and
- The proposed temporary use or site plan is not otherwise allowable in the zone in which it is proposed.

- a. Facts:
- (1) Materially Detrimental: The proposal includes operational guidelines that speak to the conduct and governance of the residents as well as health and safety issues.

KCC/CAMP UNITY has a Code of Conduct with which it pledges to comply. It has two security workers on-duty at all times that check visitors at the entrance to the camp. The security workers patrol the camp and the surrounding area.

The security of surrounding properties and residents or visitors is the responsibility of the Kirkland Police Department. The law enforcement community has a joint response agreement in effect and routinely responds to requests from neighboring jurisdictions. The City has designated a Fire/Building Inspector to make necessary visits to CAMP UNITY to check-in and confirm compliance with permit conditions and standards. ID checks are conducted and logs of individuals are maintained by the encampment. KZC Section 170.50 addresses what the City should do if there are repeated violations of any aspect of a permit approved by the City.

- (2) Compatibility: The encampment has fairly generous setbacks from surrounding homes. CAMP UNITY has also established a quiet time from 9:00pm to 8:00am. The required sight obscuring fence surrounding the encampment will contain the tents and assist with privacy concerns.
 - (3) Not Otherwise Allowable: Temporary housing or camps are not listed as allowed uses within any zone in Kirkland. KZC Section 5.780 defines a Residential Use as, "Developments in which persons sleep and prepare food, other than developments used for transient occupancy."
- b. Conclusions: The application complies with the criteria for a TUP provided that the following actions are taken:
- (1) CAMP UNITY should check identification of incoming residents and provide the information to the King County Sheriff's Office or the City in order to check for warrants and sex offender status.
 - (2) CAMP UNITY and/or KCC should contact the Kirkland Police Department if there is a rejection of an individual from the encampment that is a potential threat to the community. Other persons who are not accepted should be escorted to a bus stop by CAMP UNITY security or provided a ride from a volunteer or taxi. Taxi vouchers should be made available in situations when buses are not operating.
 - (3) CAMP UNITY should be held to the same standard as other residents or visitors in Kirkland in terms of their behavior in public areas.

- (4) Children, whether or not accompanied by parents or guardians, should not be allowed to stay overnight at CAMP UNITY. Child Protective Services should be immediately notified if children try to enter or accompany adults entering CAMP UNITY.
 - (5) Litter should be patrolled and cleaned up as necessary by CAMP UNITY and KCC.
 - (6) Quiet hours should be observed by the encampment residents between the hours of 9:00 PM and 8:00 AM every day.
 - (7) A sturdy, six foot tall, sight-obscuring fence should be provided for separation and privacy as proposed.
2. KZC Section 127.25.2 Dimensional Requirements and Development and Performance Standards for homeless encampments
- a. Facts: KZC Section 127.25.2 standards for homeless encampments are listed below:
 - (1) An application for a homeless encampment must include a local church or other community-based organization as a sponsor or managing agency. *Within the disapproval jurisdiction of the Houghton Community Council, an application must include a local church as a sponsor or managing agency.*
 - (2) The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
 - (3) Sight-obscuring fencing is required around the perimeter of the homeless encampment unless the Planning Director determines that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
 - (4) Exterior lighting must be directed downward and contained within the homeless encampment.
 - (5) The maximum number of residents within a homeless encampment is 100.
 - (6) Parking for five vehicles shall be provided.
 - (7) A transportation plan is required which shall include provision of transit services.
 - (8) The homeless encampment shall be located within one-half mile of transit service.

- (9) No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- (10) No animals shall be permitted in encampments except for service animals.
- (11) A code of conduct is required to be enforced by the managing agency. The code shall contain the following as a minimum:
 - a) No drugs or alcohol.
 - b) No weapons.
 - c) No violence.
 - d) No open flames.
 - e) No loitering in the surrounding neighborhood.
 - f) Quiet hours.
- (12) The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials.
- (13) The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Kirkland Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- (14) The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.

The applicant has submitted a written response to the above listed standards (see Attachment 1).

- b. Conclusions: Based on a review of the applicant's proposal, Staff has determined that the applicant's proposal is consistent with the required standards found in KZC Section 127.25. Therefore, the TUP should be contingent on the applicant following through on the proposal so that the standards in KZC Section 127.25 are met.

3. KZC Section 127.30 Frequency and Duration of Temporary Use

- a. Facts: KZC Section 127.30.1 states that the City may not grant a temporary use permit at the same site more frequently than once in every 365-day period. The City may only grant a temporary use permit for a specified period of time, not to exceed 60 days. For homeless encampments, the time period cannot exceed 92 days.

The applicant is proposing to host CAMP UNITY for a period of 92 days from August 1, 2014 to October 31, 2014.

- b. Conclusions: The City may approve a TUP for CAMP UNITY at the Kirkland Congregational Church for up to 92 days. The applicants proposed dates for TC4 is consistent with this code requirement.

4. KZC Section 17.35 Removal of Temporary Use

- a. Facts: Section 127.35 requires the City to designate a deadline for removal of the temporary use and to ensure that if the use is not removed, the applicant will pay 100% of the cost for the City to remove the temporary use.

As part of the application materials, the City received a signed and notarized agreement 'Temporary Use Permit' which specifies an agreement for the removal of a temporary use (see Attachment 2).

- b. Conclusions: The application complies with KZC Section 127.35.

D. DEVELOPMENT REVIEW

1. Fact: Additional comments and requirements placed on the project are found as development standards listed in Attachment 1.
2. Conclusion: The applicant should follow the requirements in Attachment 1.

III. APPEALS

There is no administrative appeal of the Planning Director's decision for a temporary use permit. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in RCW 35.70C.130 in the King County Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision of the City. For more information on the judicial process for land use decision, see Chapter 36.70C RCW.

IV. APPENDICES

Attachments 1 through 2 are attached:

1. Application Materials
2. Temporary Use Agreement

CC:

Kirkland Congregational Church, 106 5th Ave, Kirkland, WA 98033



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033
425.587.3225 ~ www.kirklandwa.gov

APPLICATION FORM: HOMELESS ENCAMPMENT TEMPORARY USE PERMIT

PROCESS: PLANNING OFFICIAL DECISION

SPONSOR CONTACT:

Applicant's name: Kirkland Congregational Church Daytime phone: 425-822-3811
Applicant's mailing address: 106 5th Avenue, Seattle WA 98033

Applicant's email address: 'Eloise Boyle' eloise.boyle@gmail.com

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

MANAGING AGENCY CONTACT:

Applicant's e-mail address: Campunityeastside@gmail.com

Applicant's name: Campunity Eastside Allen Bolen Daytime phone: 206-293-5901

Applicant's address: Mailing Address Lake Washington United Methodist
C/O Campunity Eastside, 7525 132nd Ave NE, Kirkland WA 98033

Applicant's e-mail address: Campunityeastside@gmail.com

A COPY OF THE STAFF REPORT AND THE NOTICE OF DECISION WILL BE MAILED TO THE APPLICANTS.

(1) Property address (if vacant, indicate lot or tax number, access street and nearest intersection):

(2) Tax parcel number: 38-8580-8250

(3) The property is zoned: RS-5.0 and is presently used as:
religious institution

(4) Describe permit application, start and end dates, and the nature of project:
Temporary use for our tent encampment.

(5) Is this a new or repeat location? NEW

FOR NEW LOCATIONS ONLY

(6) Have you met with a planner prior to submitting your application? YES NO

Name of planner: Sean Le Roy Date of pre-submittal meeting: N/A

**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 ELOISE BOYLE 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	
Signature:	<u>Allen Boden</u>	Signature:	<u>Eloise M. Boyle</u>
Name:	<u>Allen Boden Camp Unity Fastside</u>	Name:	<u>ELOISE M. BOYLE</u>
Address:	<u>7525 132nd Ave NE Kirkland WA 98033</u>	Address:	<u>106 5th Ave Kirkland WA 98033</u>
Telephone:	<u>206-293 5401</u>	Telephone:	<u>425 822 3811</u>
Agent (Other than Applicant)		Property Owner # 2	
Signature:	_____	Signature:	_____
Name:	_____	Name:	_____
Address:	_____	Address:	_____
Telephone:	_____	Telephone:	_____

APPLICATION FORM: TEMPORARY USE PERMIT

EXHIBIT A: LEGAL DESCRIPTION

Kirkland Congregational Church
United Church of Christ
106 Fifth Ave.
Kirkland, WA 98033

Lots 3, 4, 5, 6, 7 and 8 in Block 195 and Lots 8, 9, and 10 in Block 196, of Town of Kirkland, as per plat recorded in Volume 6 of Plats on Page 53, records of King County, TOGETHER WITH the vacated south 102 feet of the alley between said Block 195 and said 196. EXCEPT that portion of Lot 10 in said Block 196, described as follows:

Beginning at the southeast corner of said Lot 10, and running thence north, along the east line thereof, 102 feet to the south line of the valley in said Block 196; thence west, along the south line of said alley, 21 feet to a point of curve, the center of which bears south along a line which is parallel to the east line of said Lot 10; thence southerly, along the arc of said curve to the right having a radius of 5 feet, a distance of 7.85 feet to intersect a line which is parallel to and 16 feet west from the east line of said Lot 10; thence south along said parallel line, 97 feet to the north margin of 5th Avenue; thence east, along said north margin, 16 feet to the place of beginning; situate in the City of Kirkland, County of King, State of Washington.

**CRITERIA SHEET
FOR A TEMPORARY USE PERMIT (SECTION 127.20)
PLANNING DIRECTOR DECISION**

1. Explain how the proposed temporary use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity.
2. Explain how the proposed temporary use is compatible with existing land use in the immediate vicinity.
3. Explain how the proposed temporary use or site plan is not otherwise allowable in the zone in which it is proposed.

RESPONSE See our Attachment One

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-
- f. Parking for five vehicles shall be provided.

See Attachment Two

- g. A transportation plan is required which shall include provision of transit services.

See Attachment Two

- h. The homeless encampment shall be located within one-half mile of transit service.

See Attachment Two

- i. No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.

See Attachment Two

- j. No animals shall be permitted in encampments except for service animals.

See Attachment Two

k. A code of conduct is required to be enforced by the managing agency. The code shall contain the following as a minimum:

- 1) No drugs or alcohol
- 2) No weapons
- 3) No violence
- 4) No open flames
- 5) No loitering in the surrounding neighborhood
- 6) Quiet hours

See Attachment Two

l. The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials.

See Attachment Two

m. The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Kirkland Police Department related to identified sex offenders or prospective residents with warrants shall be met.

See Attachment Two

n. The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.

See Attachment Two

OTHER REQUIRED INFORMATION

1. (New locations only) What is the date and time of the public meeting?

Not Applicable

2. (All encampments) Where will the encampment move after this location?

Holy Spirit Lutheran. See Attached Acceptance Letter



CODE OF CONDUCT

WE, THE PEOPLE OF Camp Unity Eastside, IN ORDER TO KEEP A MORE HARMONIOUS COMMUNITY, ASK THAT YOU OBSERVE THE FOLLOWING CODE OF CONDUCT WHILE RESIDING AT Camp Unity Eastside

Camp Unity Eastside IS A DRUG AND ALCOHOL FREE ZONE.
THOSE CAUGHT DRINKING OR USING DRUGS WILL BE asked TO LEAVE.

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

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

DEGRADING ETHNIC, RACIST, SEXIST OR HOMOPHOBIC REMARKS ARE NOT ACCEPTABLE. VERBAL ABUSE OR INTIMIDATION WILL NOT 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 OR SMOKING IN TENTS or HONEY BUCKETS.
NO LOITERING OR DISTURBING NEIGHBORS. NO TRESPASSING.

VIOLATING ONE OR MORE TERMS OF THIS CODE OF CONDUCT may RESULT IN YOU BEING TEMPORARILY OR PERMANENTLY EVICTED FROM Camp Unity Eastside.



Holy Spirit Lutheran Church

Compassionate. Challenging. Inclusive.

Camp Unity Eastside

May 15, 2014

Camp Unity Residents,

This is to confirm our invitation to host your encampment sometime between November, 2014 and March, 2015 for a 90-day period as allowed by the City of Kirkland Temporary Use Ordinance. Please notify us at least 90 days in advance of your planned move-in date so that we can begin the planning and permitting process. Also attached is a proposed agreement that we will ask you to sign in addition to the Permit Application. Let us know if you have any concerns or questions.

We look forward to having you stay with us.

Pete Schnebele

Chair of Housing and Homelessness Team
Holy Spirit Lutheran Church

ATTACHMENT ONE

PERMIT APPLICATION NARRATIVE FOR CAMP UNITY EASTSIDE KIRKLAND CONGREGATIONAL CHURCH AUGUST 1, 2014 TO NOVEMBER 1, 2014

CRITERIA SHEET QUESTIONS

I THE EMERGENCY NEED FOR AND VALUE TO THE PUBLIC WELFARE OF CAMP UNITY EASTSIDE

We are a transitional mobile encampment and self-managed outdoors community. We make living simple and available to those in need.

Kirkland has a history for helping homeless people support themselves through using the self-managed encampment format which ensures the safety and well-being of the members that reside in encampments. In the two years since being founded, we at Camp Unity Eastside have provided an alternative to the already established encampments.

By utilizing this structure and shelter we keep people off the streets and safe and due to the fact that in Seattle 75% of shelters are overnight shelters only (participants arrive into shelters between 8-9 PM and exit between 6-8 PM). The great need of those in transition have a place with us where they can sleep in peace, eat, shower, maintain employment and can hold their heads up while we conserve the costs traditionally associated with maintaining inside shelters. If there is a solution to homelessness, it's in providing enough options for resources.

II COMPATABILITY OF NEIGHBORHOOD

We were established in Kirkland and have a brief but productive relationship with our neighbors of the eastside throughout 2012 and 2013. The area is representative of what gives encampment residents what they need most, access to hiring businesses and transportation.

While we had residence across from Lake Washington High School at Trinity Lutheran in 2013 there were no problems with the neighborhood. The relationships we have had with our hosts have all been built on trust and that is shown through our having regular inside access to all churches who have hosted us when access was possible. Also we pride ourselves on ensuring the safety of all parties concerned through routine security checks.

III COMPATABILITY OF EXISTING ZONING ON SITE

Kirkland Congregational Church has always been an example of an organization living up to its mission to be an advocating congregation of both the Faith Action Network and Kirkland Interfaith Networks and has demonstrated this through their continued support of the tent encampments and the charitable support of Sophia's Way.

We have not been asked to endorse or follow any religious program by this church and operate under the public regulation and laws.

Our use of the Kirkland Congregational Church's parking lot is temporary and is done with the foreknowledge and planning of the church and serves the need of our camp.

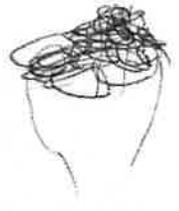
ATTACHMENT TWO

PERFORMANCE STANDARDS

- 2a. Kirkland Congregational Church as sponsor and Camp Unity Eastside as managing agency are the co-applicants for this permit.
- 2b. The attached camp layout is our first as this is our first time being hosted by KCUUC, though campers with previous knowledge of TC4 are consulting on the layout.
- 2c. A privacy fence, 6 foot tall and will wrap around the encampment where it would be facing our neighbors.
- 2d. There will be no lighting on the outside of our perimeter.
- 2e. Camp Unity Eastside has a maximum capacity of 75 people.
- 2f. As arranged with the church we will have 5 reserved parking spaces for campers with vehicles. This space will be made available at the First Baptist Church of Kirkland.
- 2g. When tickets are available they will be given to campers. Our vehicles are also available upon scheduled request.
- 2h. The City of Kirkland Bus Center is within walking distance.
- 2i. All campers are required to be 18+ when intaked.
- 2j. Camp Unity Eastside accepts campers with properly documented service animals.
- 2k. Our Code Of Conduct is attached.
- 2l. 4 United Portable toilets and sanitizing station will be maintained twice a week and paid by the residents of camp. Our garbage will be handled by Waste Management and dumped twice weekly. Our use of the electric utilities for lighting and general use in common areas will be paid by camp. No personal use except those campers with C-pap machines who have express permission.
- 2m. Security (a minimum of 2 campers) will be actively patrolling our camp's perimeter and neighborhood. They also will be handling the responsibilities of dealing with visitors. We have a Camp Supervisor always working with the security to ensure the requirements of camp and neighborhood safety are always being met and camp rules and the rules of conduct are enforced.
- Our active relationship with Kirkland Police will be two steps. Our calling them when it appears barred campers or individuals turned away at intake are not voluntarily leaving neighborhood.
- 2n. Inspectors are welcome to camp at any time.



Lake Washington



Legend

Approximate
Scale 1:470
1 in = 39 ft

Produced by the City of Kirkland. (c) 2007, the City of Kirkland, all rights reserved. No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

122 ft.



Kirkland Congregational Church
United Church of Christ
106 - 5th Avenue
Kirkland, WA 98033
425/822-3811

July 1, 2014

Dear Neighbors:

Kirkland Congregational Church, United Church of Christ, has received a request to host the homeless encampment known as Camp Unity on our parking lot from August 1 – October 31, 2014.

In keeping with our mission of living out the teachings of Jesus that include serving the poor and sheltering the homeless, the Congregation and Church Council of KCC, UCC have agreed to approve Camp Unity's request to camp on our property.

We have hosted Tent City 4 four times on our lot and each time the stay was met with kindness and generosity as other faith and community groups supported our hospitality by donating money, food and evening meals.

The City of Kirkland no longer requires a neighborhood meeting to discuss the camp hosting, but if you have any questions at all, please do not hesitate to contact the church at (425) 822-3811. The applicable City of Kirkland Codes are included with this letter.

The City of Kirkland contact person is Sean LeRoy, Planner: sleroy@kirklandwa.gov; (425) 587-3260.

Sincerely,

Eloise M. Boyle
Moderator, Kirkland Congregational Church

127.25 Dimensional Requirements and Development and Performance Standards

The City shall establish dimensional requirements and development and performance standards as part of the approval of each temporary use permit. The City will use the nature of the proposed use and the character of the surrounding area as guides in establishing these requirements and standards.

In addition to these requirements and standards, the following definitions and standards apply to homeless encampments:

1. Definitions

- a. Homeless Encampment – A group of homeless persons temporarily residing out of doors on a site with services provided by a sponsor and supervised by a managing agency.
- b. Managing Agency – An organization that has the capacity to organize and manage a homeless encampment. A “managing agency” may be the same entity as the sponsor.
- c. Sponsor – An entity that has an agreement with the managing agency to provide basic services and support for the residents of a homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A “sponsor” may be the same entity as the managing agency.

2. Standards

- a. An application for a homeless encampment must include a local church or other community-based organization as a sponsor or managing agency. *Within the disapproval jurisdiction of the Houghton Community Council, an application must include a local church as a sponsor or managing agency.*
- b. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
- c. Sight-obscuring fencing is required around the perimeter of the homeless encampment unless the Planning Director determines that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
- d. Exterior lighting must be directed downward and contained within the homeless encampment.
- e. The maximum number of residents within a homeless encampment is 100.
- f. Parking for five (5) vehicles shall be provided.
- g. A transportation plan is required which shall include provision of transit services.
- h. The homeless encampment shall be located within one-half (1/2) mile of transit service.
- i. No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- j. No animals shall be permitted in encampments except for service animals.
- k. A code of conduct is required to be enforced by the managing agency. The code shall contain the following as a minimum:
 - 1) No drugs or alcohol.
 - 2) No weapons.
 - 3) No violence.
 - 4) No open flames.
 - 5) No loitering in the surrounding neighborhood.
 - 6) Quiet hours.

- l. The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials.
- m. The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Kirkland Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- n. The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.

127.44 Notice Requirements for Homeless Encampments at Repeat Locations

1. A minimum of 14 calendar days prior to the anticipated start of the encampment, the sponsor and/or managing agency shall provide mailed notice to owners of property within 500 feet of the subject property and residents and tenants adjacent to the subject property. The purpose of the notice is to inform the surrounding community of the proposed duration and operation of the homeless encampment, applicable standards, requirements of the written code of conduct, and how to get more information.
2. A minimum of 14 calendar days prior to the anticipated start of the encampment, the City shall update the City's website with the date of application, project location, proposed duration and operation of the homeless encampment, the conditions that will be placed on the operation of the homeless encampment, requirements of the written code of conduct and how to get more information.
3. If the encampment is proposed with the jurisdiction of the Houghton Community Council, the City shall notify the Houghton Community Council no later than 14 calendar days prior to the anticipated start of the encampment.



TEMPORARY USE PERMIT

File Number: ZON14-01181

Parcel: 3885808250

Issued to: Kirkland Congregational Church

For: Camp Unity Homeless Encampment

Finding that the proposed Temporary Use:

1. Will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity, and;
2. Will be compatible with existing land use in the immediate vicinity, and;
3. Is not otherwise allowable in the zone in which it is proposed.

The City of Kirkland approves the Temporary Use for the period beginning on 8/1/14 and expiring on 10/31/14 and subject to the following conditions:

1. See conditions set forth in ZON14-01181 (staff report)
2. See KCC 127
- 3.

The City shall not grant another Temporary Use Permit to this user for 365 days following the above expiration date.

Nancy Cox for es
Eric Shields, Planning Director

July 18, 2014
Date

The decision of the Planning Director may be appealed using the appeal provision, as applicable, or Process I Zoning Code Sections 145.60 through 145.110.

AGREEMENT FOR REMOVAL OF TEMPORARY USE

(Record after 69 days if temporary use is not removed.)

Parcel Data File: N/A

THE UNDERSIGNED acknowledge that application has been made to the City of Kirkland for:

Project Name: Camp Unity Encampment - KCC

Project Address: 106 5th Ave

for the proposed development of the hereinafter described real property.

THE UNDERSIGNED warrant to the City of Kirkland that they are all the owners of the real property hereinafter described with full power to enter into agreements and/or covenants which will run with the land.

Start-up Date of Temporary Use: August 1, 2014

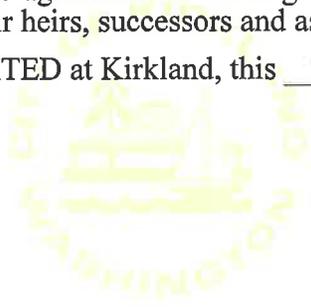
Expiration Date of Temporary Use: October 31, 2014

To insure actual removal of the temporary use Permit No. ZON14-1181 should said temporary use and all physical evidence of said use not be removed by the applicant within 92 calendar days after the first day of operation of the temporary use, THE UNDERSIGNED agree to pay for 100 percent of the City's cost to remove said temporary use, plus all administrative and attorneys' fees associated with its removal.

THE UNDERSIGNED agree to be responsible for the full performance of this agreement and agree that any of the above-described costs to the City which are unpaid for seven days after the temporary use has been removed shall be a lien upon the real property hereinafter described.

This agreement is binding upon all the owners of the real property hereinafter described and their heirs, successors and assigns, and runs with the land described as follows:

DATED at Kirkland, this 18 day of July, 2014.



(Corporations Only)

OWNER(S) OF REAL PROPERTY

KIRKLAND CONGREGATIONAL CHURCH

(Name of Corporation)

ELOISE M. BOYLE *Eloise M. Boyle*

By President

By Secretary



(Corporations Only)

STATE OF WASHINGTON)

County of King)

) SS.

On this 18 day of July, 2014, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

Eloise M. Boyle and

to me known to be the individual(s) described herein and who executed the Temporary Use Permit and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Justine C. Mason

Notary's Signature

Justine C. Mason

Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

King

My commission expires: 10/1/16

The foregoing Agreement is accepted by the City of Kirkland this 18 day of July, 2014.

CITY OF KIRKLAND

BY: _____