



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
www.ci.kirkland.wa.us

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

**October 28, 2014**

Permit application: ZON14-01859  
Location: 10021 NE 124<sup>th</sup> Street  
Project: Camp Unity Homeless Encampment  
Holy Spirit Lutheran Church  
Decisions Included: Planning Official  
Project Planner: Sean LeRoy

**I. INTRODUCTION**

**A. APPLICATION**

1. Applicant: Holy Spirit Lutheran Church, Managing Agency and Sponsor for CAMP UNITY
2. Site Location: 10021 NE 124<sup>th</sup> Street
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 November 1, 2014 to January 31, 2015. The maximum capacity of a homeless encampment allowed in the City's Zoning Code (KZC) is 100 people. The encampment will  
  
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 November 1, 2014, CAMP UNITY should leave the Church property on January 31, 2015.
2. The following performance and development standards pursuant to KZC Section 127.25 must be met by CAMP UNITY and Managing Agency (MA) Holy Spirit Lutheran Church (HSLC):

**a. Health and Safety**

- (1) CAMP UNITY and HSLC shall permit necessary inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.
- (2) CAMP UNITY and HSLC 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 HSLC 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 HSLC 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 HSLC 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 HSLC shall immediately contact Child Protective Services, and endeavor to find alternative shelter for the child and any accompanying parent(s) or guardian(s).
- (8) HSLC may be contacted at (425) 823-227 ext. 44 and CAMP UNITY at (206) 293-5901 and via email at [campunityeastside@gmail.com](mailto:campunityeastside@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: RM 3.6 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* – RM 3.6, NE 124<sup>TH</sup> St, Condominiums

*East* – RM 3.6, Condominiums

*South* – RM 2.4, Condominiums

*West* – RM 1.8, Condominiums

b. Conclusion: The Church and encampment site is bordered on all sides by medium and high density residential uses. 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. HSLC/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 HSLC 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 HSLC.

- (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 November 1, 2014 to January 31, 2015.

- b. Conclusions: The City may approve a TUP for CAMP UNITY at the Holy Spirit Lutheran Church for up to 92 days. The applicants proposed dates for CAMP UNITY 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:

Holy Spirit Lutheran Church, 10021 NE 124th Street, Kirkland, WA 98034





CITY OF KIRKLAND  
PLANNING & COMMUNITY DEVELOPMENT  
123 5<sup>th</sup> Avenue, Kirkland, WA 98033  
425.587.3225 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)

RECEIVED  
SEP 25 2014  
PLANNING DEPARTMENT  
PM

ZON 14 - 01859

APPLICATION FORM: HOMELESS ENCAMPMENT TEMPORARY USE PERMIT

PROCESS: PLANNING OFFICIAL DECISION

SPONSOR CONTACT:

Applicant's name: Holy Spirit LUTHERAN Church Daytime phone: 425-823-2727 EXT 44  
Applicant's mailing address: 10021 NE 124<sup>th</sup> St, KIRKLAND, WA 98034

Applicant's email address: CAMP-UNITY @ HSLC KIRKLAND.ORG

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: ALLEN BOLEN Daytime phone: 206-293-5901  
Applicant's address: c/o KIRKLAND CONGREGATIONAL CHURCH, 106 5<sup>th</sup> AVE, 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):  
10021 NE 124<sup>th</sup> St, KIRKLAND, WA 98034

(2) Tax parcel number: 2926059047

(3) The property is zoned: RM 3.6 and is presently used as:  
A CHURCH

(4) Describe permit application, start and end dates, and the nature of project:  
TEMPORARY USE FOR HOMELESS ENCAMPMENT  
BEGINNING Nov. 1, 2014 AND ENDING  
JAN. 31, 2015

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

FOR NEW LOCATIONS ONLY

(6) Have you met with a planner prior to submitting your application? YES  NO   
Name of planner: SEAN LEROY Date of pre-submittal meeting: 9/17/14

**Plans**

Applicant  
To check if  
Submitted

92810-0182

Three (3) copies of dimensioned site plans showing:

- a. Property dimensions
- b. Location and dimensions of proposed encampment (and related facilities) and required parking areas.
- c. Lot size
- d. Dimension and location of required setbacks.
- e. Location and screening of dumpsters
- f. Existing structures proposed to remain on property.
- G. Names of adjacent rights-of-ways.
- H. Existing water courses and bodies, fire hydrants, utility lines (including location of nearest utility poles and fire hydrants), structures and other relevant man-made or natural features.

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**Other**

Additional information required for Homeless Encampment applications:

- a. Response to Performance Standards requirements in KZC 127.25.
- b. Date and location of Public Meeting (see KZC 127.42) (New locations only)
- c. Name, location and address of subsequent encampment.

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**APPLICATION CHECKLIST:  
TEMPORARY USE PERMIT  
(Allow 4 – 6 weeks permit processing time)**

The following is a list of materials which must be submitted in order to have a complete application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Department of Planning and Community Development if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off. NOTE: A pre-submittal meeting – new locations only – must be applied for prior to the timeframe noted above.

**RETURN THIS CHECKLIST WITH APPLICATION**

Applicant  
To check if  
Submitted

**Pre-Submittal Meeting**

A meeting with a planner may be required within the three months immediately prior to submittal.

*NOT REQUIRED BUT HELD  
9/17/14*

**Application**

A completed application form and supporting affidavits.

A statement describing how the application specifically complies with applicable criteria set forth in the Zoning Code.

A COMPLETED Agreement for Removal of Temporary Use (contact the Planning & Community Development Department prior to submittal for this document)

**Fees**

A check to the City of Kirkland for the filing fee.



**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)**

**TEMPORARY USE PERMIT APPLICATION**

This permit application packet is designed to obtain all the information necessary *to allow the* City to make a well informed decision on your application. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information.

Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent section of the Zoning Code, the Kirkland Comprehensive Plan, other City regulatory ordinances, inspection of the property, as well as public comments.

**YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT COMPLIANCE WITH CITY REGULATIONS. YOU MUST MEET WITH A PLANNER TO OBTAIN GUIDANCE ON THE APPLICATION MATERIALS YOU MUST SUBMIT.**

Copies of City documents such as the Comprehensive Plan and Zoning Ordinance are available online at [www.kirklandwa.gov](http://www.kirklandwa.gov), and in the Department of Planning and Community Development in City Hall, 123 Fifth Avenue; and the Kirkland Public Library, 308 Kirkland Avenue. To purchase the Comprehensive Plan or Zoning Ordinance, call Code Publishing Company at (206) 527-6831.

**NOTE:** Information provided by the Department of Planning and Community Development represents a preliminary, qualified assessment which is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements. Furthermore, in the case of a discretionary zoning permit, the role and the authority of the City staff is advisory only. A final decision on such a permit can only be made, after public comment and/or a public hearing by the Planning Director, Hearing Examiner, or City Council, depending upon the type of permit.

**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 DAVID PAPPENHAUSEN 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  
Signature: [Signature]  
Name: ALLEN BOLEN, CAMP  
Address: UNITY EASTSIDE  
c/o 106 5th AVE  
KIRKLAND, WA 98033  
Telephone: 425-822-3811

Property Owner #1  
Signature: [Signature]  
Name: DAVID PAPPENHAUSEN  
Address: 10021 NE 124th ST  
KIRKLAND WA 98034  
Telephone: 425-823-2727 ext 44

Agent (Other than Applicant)  
Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Property Owner # 2  
Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

APPLICATION FORM: TEMPORARY USE PERMIT

EXHIBIT A: LEGAL DESCRIPTION

LOT 1 OF KING COUNTY SHORT PLAT  
# 1280045 REC # 8111200644 SD SP  
DAF - N  $\frac{1}{2}$  OF NW  $\frac{1}{4}$  OF NW  $\frac{1}{4}$   
OF SW  $\frac{1}{4}$  LESS CO. ROADS

**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 ATTACHMENT 1*

PERFORMANCE STANDARDS – HOMELESS ENCAMPMENTS  
KIRKLAND ZONING CODE 127.25

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 – Please describe how the application complies with each standard by filling in the blanks below:

- 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.

SEE ATTACHMENT 2

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- b. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.

SEE ATTACHMENT 2

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- 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.

SEE ATTACHMENT 2

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- d. Exterior lighting must be directed downward and contained within the homeless encampment.

SEE ATTACHMENT 2

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- e. The maximum number of residents within a homeless encampment is 100.

**Holy Spirit Lutheran Church and Camp Unity      Attachment 1**  
**TUP Application Addendum**

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.**

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.

- 2. Explain how the proposed temporary use is compatible with existing land use in the immediate vicinity.**

Camp Unity was established in Kirkland and has 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.

Our site is zoned for a church, and this mission is well within the normal activities of a place of worship, therefore allowable in the zone where it is proposed. Holy Spirit Lutheran Church offers services and support to many vulnerable people on our grounds. We host a community supper every Tuesday for people living in transitional housing (KITH) and we host meetings for Alcoholics Anonymous and many other groups working to make themselves stronger. We hosted the Hopelink Food Bank for nine years. It was a disappointment to us that Hopelink outgrew our site. Outside our grounds, we anticipate only normal foot traffic to and from bus stops and local area businesses; therefore significant impact on these areas is not anticipated. We also believe that because of the dense housing in our area that the residents of Camp Unity will make only a minor impact on the neighborhood.

**3. Explain how the proposed temporary use or site plan is not otherwise allowable in the zone in which it is proposed.**

We actually believe that because our property is zoned for a church, and because housing the homeless and serving the poor is a traditional and sacred duty of churches, that hosting Camp Unity is allowable in within our zoning. Holy Spirit Lutheran Church has a long-standing, core mission of sheltering and caring for poor and homeless people in our community. We practice this daily in supporting a number of groups which help individuals and the community grow stronger. We are long-term members of the Kirkland Interfaith Network (KIN), Kirkland Interfaith Transitions in Housing (KITH) and the Compass Housing Alliance, we host dinner every Tuesday for residence of KITH in our building and we hosted the Hopelink food bank for nine years before they out grew our space. On a long-term and ongoing basis we donate our time, treasure and talents to organizations such as the Woman's Day Center in Bellevue, Sophia's Way (the Eastside's women's shelter), Eastside Domestic Violence Program's transitional housing and Eastside Habitat for Humanity. Without waiving our constitutional right to practice our religion we are applying for this permit with Camp Unity in order to work cooperatively with the City of Kirkland and our neighbors.

PERFORMANCE STANDARDS—HOMELESS ENCAMPMENTS **Attachment 2**  
KIRKLAND ZONING CODE 127.25

**1. Definitions**

no response required

**2. Standards – Please describe how the application complies with each standard by filling in the blanks below:**

- 2.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.**

Holy Spirit Lutheran Church is applying for this Temporary Use Permit as the sponsoring organization which will serve as the managing agency for Camp Unity. Holy Spirit Lutheran Church would like to invite Camp Unity to stay on its grounds from November 1, 2014 to January 31, 2015.

- 2.b. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.**

We have planned the camp layout carefully to leave 20 feet between our property line and Camp Unity structures and residents. See attached camp layout.

- 2.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.**

There is a solid fence on the east and most of the south sides and of the property and the west side of the camp will be hidden by our building. For the privacy and comfort of Camp Unity resident's and our neighbors, Camp Unity's portable site-obscuring fencing will be used to obscure the encampment from view on the north end of the property.

- 2.d. Exterior lighting must be directed downward and contained within the homeless encampment.**

No exterior lighting is planned.

**2.e. The maximum number of residents within a homeless encampment is 100.**

Camp Unity will maintain a camp of 100 or fewer residents. Those seeking shelter above this number after the buses stop running will be allowed to stay until the buses start running or day break. Every effort will be made to try and find appropriate shelter elsewhere for these individuals. Bus tickets maybe used for residents being barred from the camp and people who would like to have joined the camp but were turned away.

**2.f. Parking for five vehicles shall be provided.**

We have made arrangements for 5 vehicles to park in our parking lot. These parking spots will be marked as reserved for Camp Unity.

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

Holy Spirit Lutheran Church serves as a Park and Ride and is ideally suited to offer excellent access to transit to the residents of Camp Unity. The following Metro buses stop within one block of the Church: #234, #235, #244, #260 and #935. See attached map of transit routes. These routes connect with many other bus routes at busy Park and Rides on the Eastside and in downtown Seattle. The buses run everyday of the week including Sundays and Holidays.

Holy Spirit Lutheran Church already has a parking agreement in place with the Community Center on 124<sup>th</sup> Street. When our parking lot is filled, our members park at the Community Center and walk to Church on side walks and cross the street at a lighted cross walk. We will continue to offer shuttle service from the Community Center to the church on Sundays which are expected to be very busy, such as during the month of December.

**2.h. The homeless encampment shall be located within one-half mile of transit services.**

Two bus stops are located within a block of the Church.

**2.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.**

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.

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

Only service animals are allowed in Camp Unity.

**2.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) quite hours.**

Every member of Camp Unity is required to live by the Code of Conduct which is strictly enforced. A copy is attached with this Application.

**2.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.**

Drinking water shall be provided by using the Church's water supply. Sufficient porta-potties are provided by Camp Unity and serviced three times per week along with a wash station for hand washing and wastewater. Camp Unity owns a shower and provides a dumpster which is emptied twice a week. Electricity is required only for nighttime light for the security tent and several small appliances such as a coffee pot, microwave, television and shower. The camp will access Church electricity. No electricity is allowed in the sleeping tents.

**2.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.**

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.

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

Camp Unity will cooperate fully in any and all criminal investigations.

Neither Camp Unity, at its previous locations or since its inception, has ever been materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity, in any way.

- 2n. The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.**

Inspectors will be welcome at anytime.



## **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.**

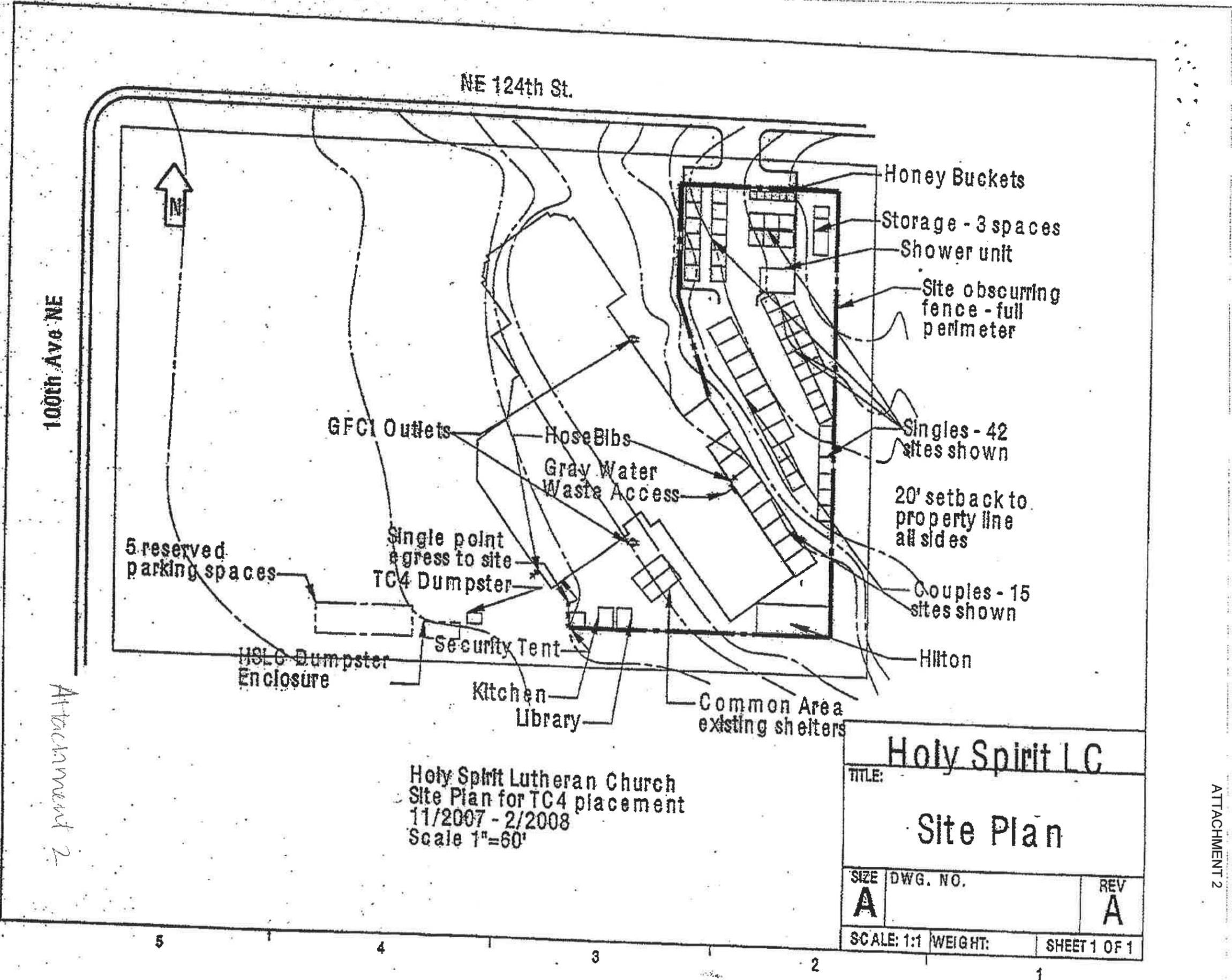
**DEGRADING ETHNIC, RACIST, SEXIST OR HOMOPHOBIC REMARKS  
ARE NOT ACCEPTABLE. VERBAL ABUSE OR INTIMIDATION WILL NOT BE  
TOLERATED.**

**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.**





100th Ave NE

NE 124th St.

Attachment 2

5 reserved parking spaces

GFCI Outlets

Hose Bibs

Gray Water Waste Access

Single point egress to site  
TC4 Dumpster

HSLC Dumpster Enclosure

Security Tent

Kitchen  
Library

Common Area existing shelters

Honey Buckets

Storage - 3 spaces

Shower unit

Site obscuring fence - full perimeter

Singles - 42 sites shown

20' setback to property line all sides

Couples - 15 sites shown

Hilton

Holy Spirit Lutheran Church  
Site Plan for TC4 placement  
11/2007 - 2/2008  
Scale 1"=60'

Holy Spirit LC

TITLE:

Site Plan

SIZE

DWG. NO.

REV

A

A

SCALE: 1:1

WEIGHT:

SHEET 1 OF 1

5

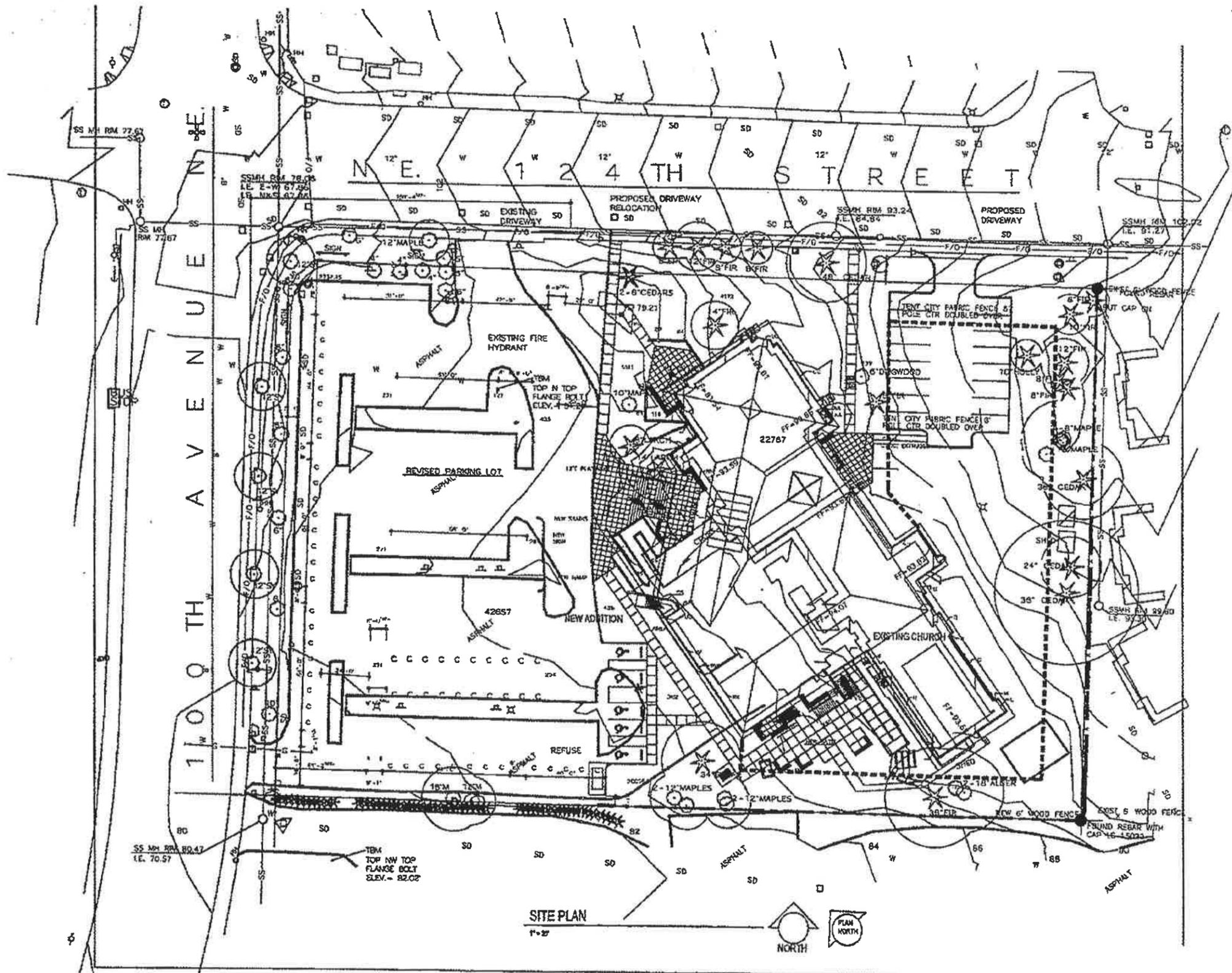
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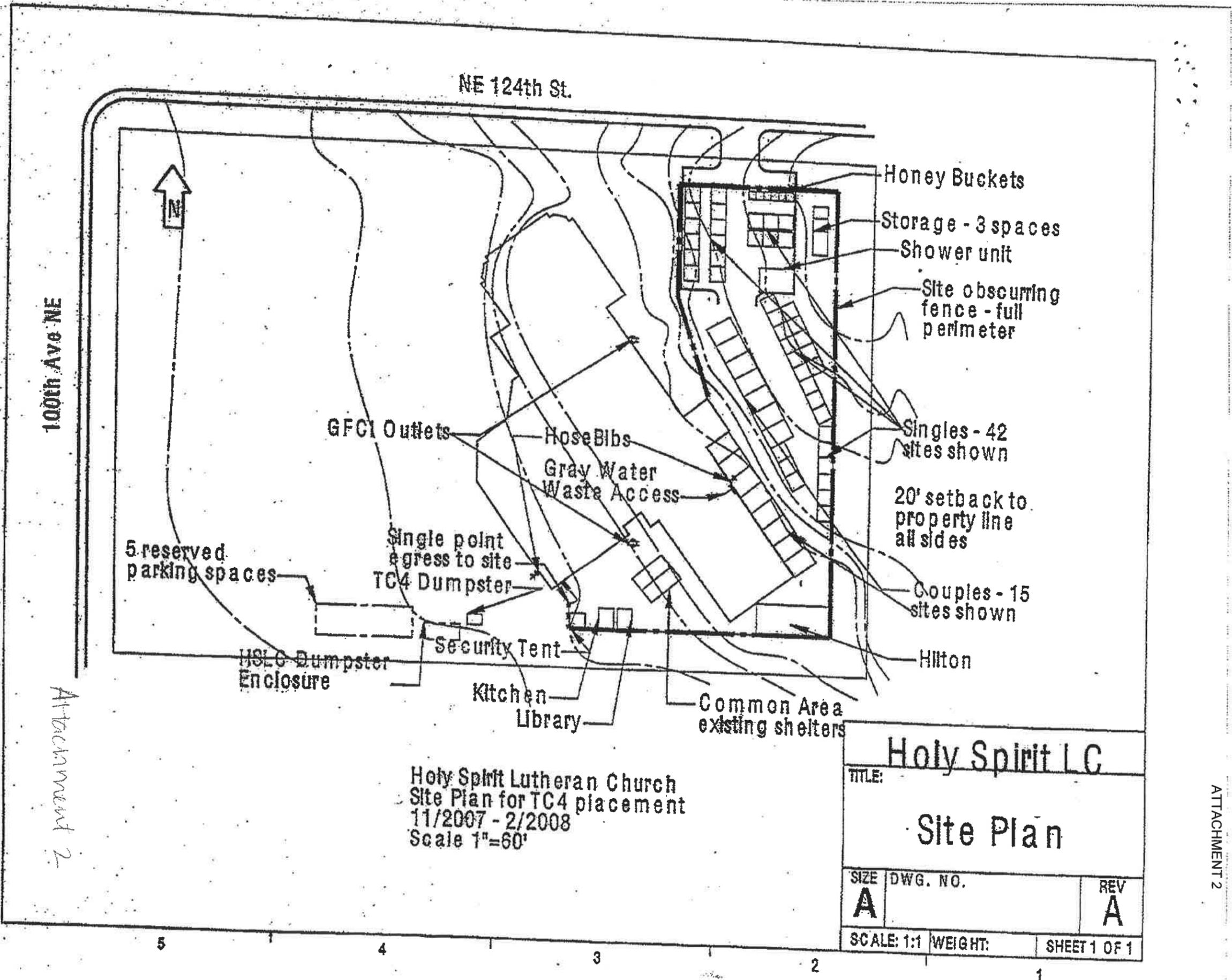
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ATTACHMENT 2



SITE PLAN  
1"=20'





NE 124th St.

100th Ave NE

Honey Buckets

Storage - 3 spaces

Shower unit

Site obscuring fence - full perimeter

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20' setback to property line all sides

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Scale 1"=60'

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TITLE:

Site Plan

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DWG. NO.

REV

A

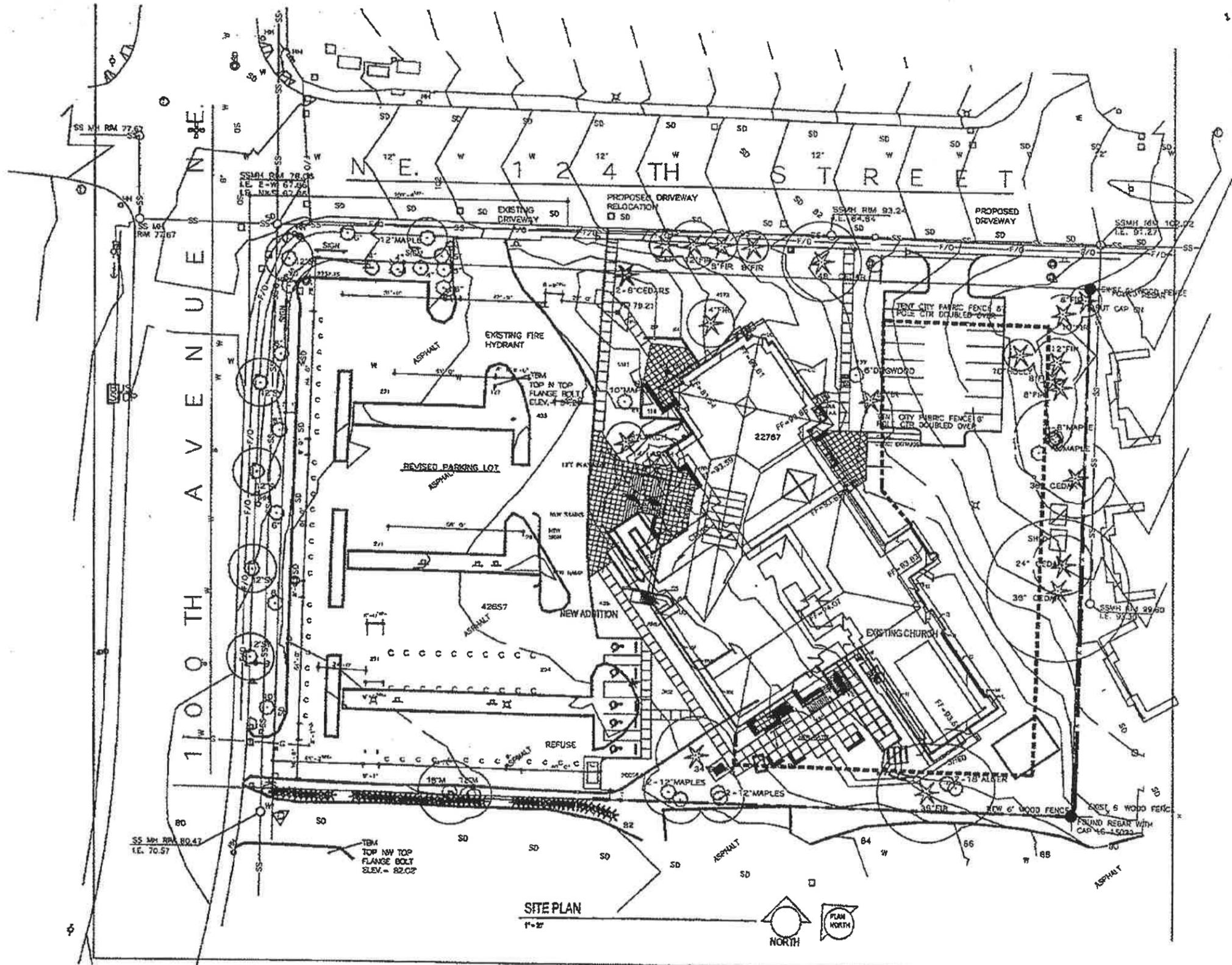
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SCALE: 1:1

WEIGHT:

SHEET 1 OF 1

ATTACHMENT 2

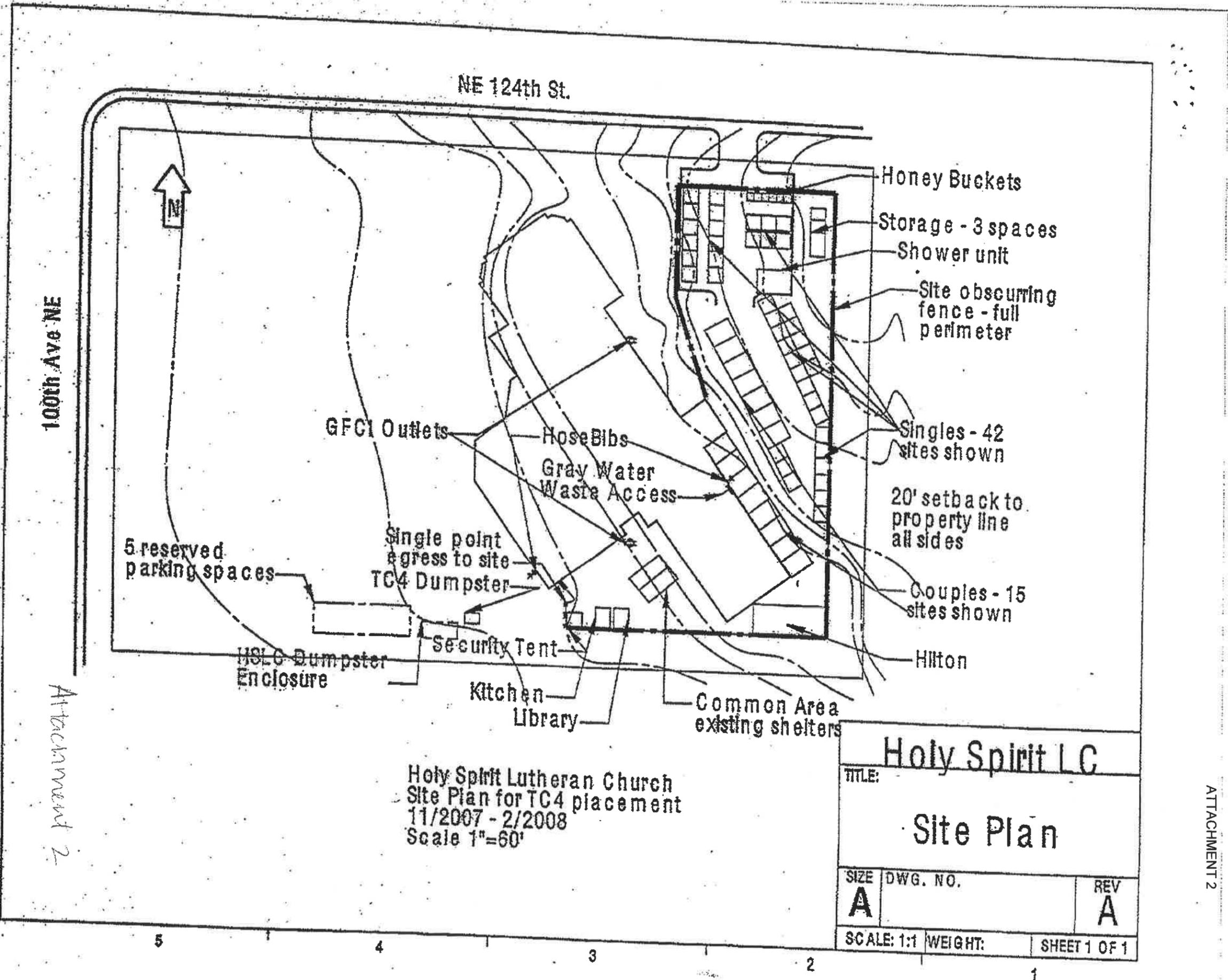


SITE PLAN

1"=20'







100th Ave NE

NE 124th St.

Attachment 2

5 reserved parking spaces

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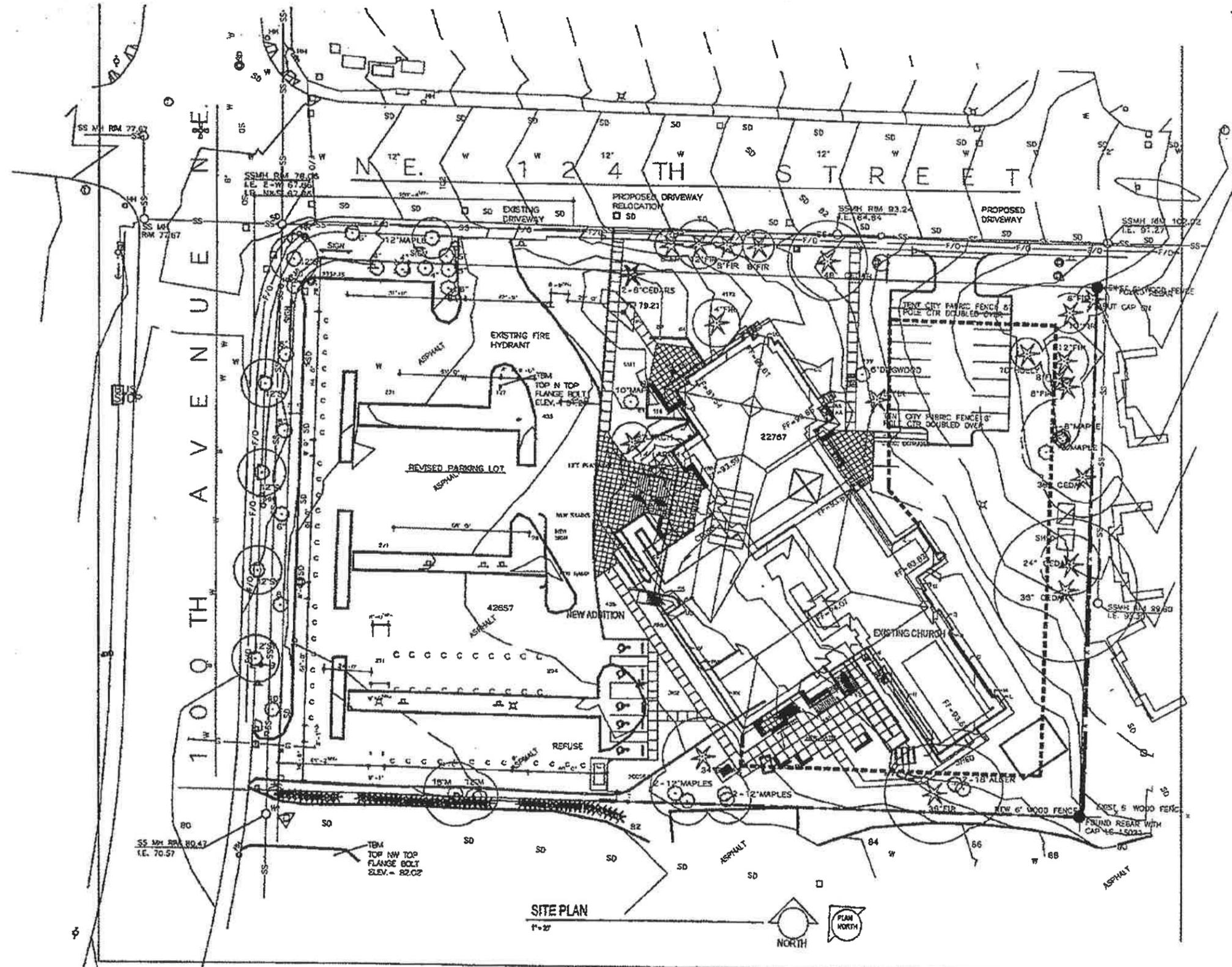
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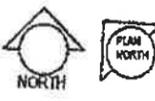
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2

1



SITE PLAN  
1"=20'





NORTHSHORE  
UNITED  
CHURCH OF  
CHRIST



www.northshoreucc.org  
(425) 483-6557  
18900 168th Ave NE,  
Woodinville, WA 98072

Letter of Intent

September 24, 2014

To Whom It May Concern,

Northshore United Church of Christ, Woodinville, WA has begun the process of obtaining land and appropriate permits from the City of Woodinville to host Camp Unity Eastside on City of Woodinville Land.

It is our intention to sponsor and lead an Interfaith host of Camp Unity Eastside in partnership with the City of Woodinville and interested Faith Communities.

The City of Woodinville successfully hosted Tent City 4 in August of 2004 with care, dignity and respect. We are requesting that the same land (or other property) be offered to Camp Unity Eastside for a time period of 90 days. The beginning date requested is February 1<sup>st</sup> 2015 for move in, and May 2<sup>nd</sup> 2015 as the final day to move the Camp to its next host site.

Northshore United Church of Christ will lead and coordinate this effort and happily provide a person or persons to coordinate communication and resources with the City of Woodinville and other interested communities and organizations

We look forward to this opportunity to be God's hands and feet in the world and we are excited to create interfaith support and local city partnership to address the very complex problem of homelessness.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Dave Parker', written over a faint circular stamp.

Dave Parker, Moderator

A handwritten signature in blue ink, appearing to read 'Chris Yager'.

Chris Yager, Ministry of Justice and Outreach

Transforming the  
human spirit to do  
God's work





## TEMPORARY USE PERMIT

File Number: ZON14-01859

Parcel: \_\_\_\_\_

Issued to: Holy Spirit Lutheran Church / Camp Unity

For: 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 11/1/14 and expiring on 1/31/15 and subject to the following conditions:

1. See staff report for ZON14-01859
2. \_\_\_\_\_
3. \_\_\_\_\_

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

[Signature] Eric Shields, Planning Director Date 10/22/14

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: ZON14-01859

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

Project Name: Camp Unity Homeless Encampment

Project Address: 10021 NE 124<sup>th</sup> St.

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: Nov 1, 2014

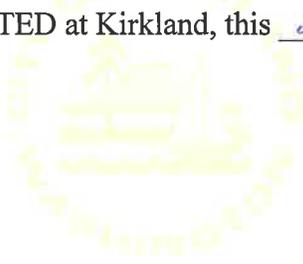
Expiration Date of Temporary Use: Jan 31, 2015

To insure actual removal of the temporary use Permit No. ZON14-1859 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 22 day of Oct, 2014.



**(Partnerships Only)**

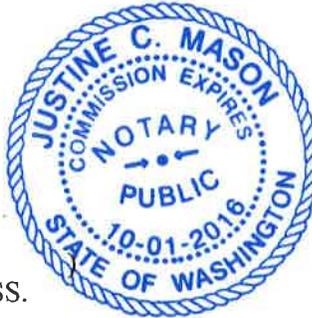
OWNER(S) OF REAL PROPERTY

Holy Spirit Lutheran Church  
(Name of Partnership or Joint Venture)

David W. Papenhausen DAVID W. PAPPENHAUSEN  
By General Partner

By General Partner

By General Partner



**(Partnerships Only)**

STATE OF WASHINGTON

County of King )

) SS.

On this 28 day of October, 2014, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

David W. Papenhausen and

to me known to be the individual(s) described herein and who executed the Temporary Use Permit and acknowledged that he signed the same as his 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.

[Signature]  
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