

Shoreline Planning Commission Comments
Updates to Regulations for Transitional Encampments

Roger Smith
Resident of City of Shoreline

October 20, 2016

I am opposed to the proposed updates and urge the Planning Commission to reject the proposal before them and redirect Staff to revise the proposed regulations as commented on herewith.

From the staff report:

"Council Resolution No. 379, passed December 14, 2015, directs Staff to review City policies and codes that may create barriers for those experiencing homelessness and to continue support of the City's human service partner agencies. These amendments have been initiated in part to facilitate churches and other human service organizations to provide people that are experiencing homelessness with temporary and safe shelter without excessive process or expense.

Highlighting added.

Comment:

The direction is to continue support. The direction is not to expand the support or reduce the cost to those served.

From the staff report:

Criteria for Development Code amendments under SMC 20.30.350 are as follows: 1. The amendment is in accordance with the Comprehensive Plan; and 2. The amendment will not adversely affect the public health, safety or general welfare; and 3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Highlighting added.

Comment:

This amendment will adversely affect me and my property and its value.
It will adversely affect the public safety and general welfare.

From the staff report:

Much of the discussion was regarding staff's proposal for a 20-foot property line setback for an encampment. Staff is proposing to reduce this to 15 feet.

Highlighting added.

Comment:

Setbacks are founded in the principal of dwelling and structure safety. Setbacks provide separation to prevent fire spreading from structure to structure. Highly flammable blue tarps need substantial separation from my neighboring property.

From the staff report:

1. Definitions: SMC 20.20.034 & 20.20.048: Add definitions for "Managing Agency" and "Transitional Encampments."

Highlighting added.

Comment:

This is confusing. The reference is to Managing Agency, yet the proposal allows encampments on single family plots. There appears to be a disconnect in the proposed revised code. Who will manage encampments on single family properties. Individual homeowners are not likely to manage the same way current agencies do in regard to enforcement of rule, security, and background checks.

From the staff report:

3. Neighborhood Meeting 20.30.045: Clarify that a neighborhood meeting is required for Transitional Encampment Permit proposals.

Highlighting added.

Comment:

The cross-reference to neighborhood meetings is not clear to me. How large is the radius of inclusion? If I attend and object, will the permit be denied?

From the staff report:

Allow Transitional Encampments in all zoning districts. They are currently allowed in all residential and most commercial zones, but not allowed in the Town Center or Campus zones. Change name of use in Campus zones from "Tent City" to "Transitional Encampments" to reflect the current nomenclature.

Highlighting added.

Comment:

Transitional Encampments are not compatible with our Town Center or Campus Zones.

From the staff report:

Relevant Comprehensive Plan policies that support the amendments are as follows:

- Housing Policy #H11: "Encourage affordable housing availability in all neighborhoods throughout the city, particularly in proximity to transit, employment, and/or educational opportunities."
- Housing Policy #H25: "Encourage, assist, and support social and health service organizations that offer housing programs for targeted populations."
- Housing Policy #H29: "Support the development of public and private, short-term and long-term housing and services for Shoreline's population of people who are homeless."
- Housing Policy H31: "Partner with private and not-for-profit developers, social and health service agencies, funding institutions, and all levels of government to identify and address regional housing needs."

Highlighting added.

Comment:

These provisions are NOT relevant. Encampments are not housing.

From the staff report:

17, Transitional Encampment Permit 15 days 20.40.535

Highlighting added.

Comment:

For a potentially controversial permit, the review period is one of the shortest and should be extended to a more normal review period of 30 days.

From the staff report:

20.40.535.A: The process for past camps has been for the host to apply for a Temporary Use Permit (TUP). Applicants have often found that the TUP application submittal items are cumbersome to produce and the criteria for approval aren't necessarily relevant to the encampment. There is also a fee that is currently \$322.50. A separate permit type specific to Transitional Encampments allows to City to create a simplified application process and a checklist, with submittal criteria that are specific to the use, as opposed to the more general Temporary Use Permit application. It also allows the City to set the fee for the permit at \$0.

Highlighting added.

Comment:

This is absurd. All permits require City resources to administer, review, process, and provide inspections. Fees must be collected to cover this cost incurred by the City.

From the staff report:

20.40.535.H: Under the Temporary Use Permit code, uses are allowed for 60 days, although the Director has the discretion to extend them for up to a year. For past encampments, an expiration of 90 days has been typical because that is the timeline that was originally requested by early Tent Cities and what was approved by the City of Seattle, which was Page 6 of 8 Item 6a - Encampments-Att. A one of the first jurisdictions in the region to have an ordinance governing such encampments. Recent encampments have sometimes had difficulty lining up a new place to move after just three months. Also, some of the campers have jobs or children in school which can make moving a difficulty. The initial term of the encampment would continue to be the standard 90 days, with a possibility for an extension up to six months.

Highlighting added.

Comment:

I am shocked that the City has been miss-administering the current program and issuing permits that exceed current law by extending from 60 days to 90 days. Also, I would like to point out that I live North of 145th for a reason. We are NOT Seattle. I am offended that we have a Seattle document appended to this amendment as a reference document. We do not need to replicate Seattle's errors in Shoreline.

Also, 6 months is far too long to permit an encampment in one location in Shoreline. This is strictly contrary to Council Guidance noted in my first comment about continued support verses expanded support.

From the staff report:

F. Setback, site and screening requirements: 1. Encampments must be set back from neighboring property lines a minimum of 15 feet. Smoking areas must be designated and be located a minimum of 25 feet from neighboring property lines.

Highlighting added.

Comment:

25 feet is way too close to neighboring properties for a designated smoking area. I have a neighbor who smokes outside. It is an annoyance to me, but it is a fact of living in a city and having neighbors and recognizing their respective rights. An outdoor designated smoking area servicing a group is highly likely to have much higher use than my neighbor who occasionally annoys me. Additionally, the higher use of multiple smokers is higher impact than the occasional neighbor smoke. I strongly request that the smoking area be set back from neighboring properties by at least 200 feet.

BY THE TEXT OF THE AMMENDMENT IT APPEARS STAFF HAVE BEEN VIOLATING THE CODE BY ISSUEING 90 DAY PERMITS WHERE T.U.P. ONLY ALLOWS 60 DAY.

IF IN FACT STAFF HAVE BEEN VIOLATING CITY CODE, THEN I URGE THE CITY TO TAKE APPROPRIATE DISCIPLINARY ACTION.

STAFF SAYS ONE-NIGHT WITHOUT VETTING.
THIS DOESN'T MEET CODE.