SUMMARY

-- The proposed amendments do not meet the minimum requirements for approving an amendment to the Development Code under SMC 20.30.350

-- Backyard tent cities would be a clear violation of R-6 zoning, and many other statutes

-- Backyard tent cities would endanger public health, safety, and welfare

-- Backyard tent cities would harm neighbors financially by reducing property values

-- Backyard tent cities would open the City (taxpayers) up to lawsuits

-- Backyard tent cities would cost the City (taxpayers) money

-- **We wouldn't allow a backyard tent city for a Boy Scout camp. Why would we allow it for a homeless camp?**

-- Many Shoreline citizens are refugees from Seattle. We moved here to escape Seattle's **feel-good do-bad** policies. Please don't turn Shoreline into Seattle!

-- Shoreline should not be a testing ground for bad policy

-- Religious freedom does not give you the right to break the law

-- Putting a tent city in your back yard violates the teachings of Matthew 6:1-2 (when you give to the needy, do it in secret) and Matthew 7:12 (the Golden Rule)

-- If you want to help the homeless in a truly Christian way, go volunteer at the Salvation Army Rehab Center (which, by the way, always has open beds), or invite a homeless family to live in your house with you. You could even open a Catholic Worker house…

-- Setbacks for tents should be **even greater** than setbacks for buildings, as a tent provides virtually no barrier from the unpleasant sounds and smells emitted by its occupant(s)

-- If allowing tent cities for churches in R-6 zones requires us to allow tent cities in back yards, we must forbid tent cities for churches, too. It is obvious that tent cities do not belong in R-6 zones. We allow churches to host them out of the kindness of our hearts, but in reality a church has no more right than an individual to infringe upon its neighbors' property rights.

-- If the City approves these illegal and dangerous amendments, it must at a minimum give absolute veto power to owners of adjoining properties

DETAILED COMMENTS

I was shocked to learn last week that the City of Shoreline is considering changing the Development Code portion of the Shoreline Municipal Code to allow tent cities in residential back yards. This is a terrible idea, and here's why.

Let's try taking the emotional issue of homelessness out of the discussion for a moment, so that our desire to be compassionate does not override rational thought. Imagine a situation where several homeowners want to host summer-long tent encampments for East Coast Ivy League graduates who want to explore the Pacific Northwest. Would it make sense to amend the Development Code to allow such months-long large encampments in back yards in residential neighborhoods? Of course not. In fact, the City probably wouldn't even consider any such amendments, because the camps would violate SMC 20.30.350's Criteria 2 and 3 for approving an amendment to the Development Code:

"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"

Such camps would clearly violate both of these criteria:

General Welfare

1. Such camps would deprive neighbors of quiet enjoyment of their property, by exposing them to:

a) portapotty odors - both human and chemical
b) noise from campers
c) unsightliness of large groups of tents and tarps (I know that fences would be required, but you'd still be able to see the camps from upstairs)

Imagine going out to grill a Garden Burger on your back deck only to be confronted with the stench of a Honey Bucket!

2. The camps would almost certainly violate public nuisance and noise statutes.

3. Things would be even worse if the required setback were only 15 feet, as is proposed in the tent city amendments. I've done a lot of camping, and I can tell you with certainty that you can hear and smell a lot of unpleasant things emanating from a tent that's 15 feet away. Think snoring and flatulence and coitus. Not to mention the body odor that develops after a few days of outdoor camping.

Health and Safety

1. There would be risks of contagious disease from group camps without proper sanitation.

2. Suppose a camper couldn't make it to the portapotty and had an "accident". What would happen when rain washed the human waste from said accident into a neighbor's yard?

3. There would likely be road congestion from extra cars.

4. Jamming a space beyond its carrying capacity is a recipe for crime and accidents.

How many millions in liability insurance would the homeowner be required to carry? Or would the City (taxpayers) compensate any neighbor injured by residents of the camps?

Violation of Best Interest of Citizens and Property Owners

1. There would almost certainly be a reduction in property values for nearby properties.

2. In addition to violating neighbors' property rights, that would open the City (taxpayers) up to class action lawsuits from neighbors.

3. Who would pay for the financial harm done to neighbors? The property owner who hosted the camp? The City (taxpayers) by providing a **permanent property tax holiday** for the injured parties?

Violation of Existing Code

The camps would in essence be small businesses/non-profits. SMC 20.40.400 allows residents to run small business from their homes. However, Section B states:

*" In residential zones, all the activities of the home occupation(s) (including storage of goods associated with the home occupation) shall be conducted **INDOORS** (bold and caps mine), except for those related to growing or storing of plants used by the home occupation(s)."*

Additional Issues

The camps would be an obvious violation of the intent behind the laws regarding RV camping in residential zones (SMC 20.40.495). Those laws are intended to protect neighbors by strictly limiting RV camping. **It should be noted that RVs provide a MUCH better barrier than tents to protect neighbors. In addition, an RV holds a**

lot fewer people than a back yard full of tents. And more importantly, most RVs have toilets and running water. Here is SMC 20.40.495:

"Recreational vehicles (RVs) as defined in SMC 20.20.044 may be occupied for temporary lodging for up to two weeks (two weeks equals one occupancy) on a lot with the permission of the property owner subject to the following conditions:

A. Limited to one recreational vehicle per lot plus additional recreational vehicles for every additional 10,000 square feet of lot, above the minimum lot size for a particular zone;

B. No more than two occupancies per calendar year per lot;

C. Such occupancy does not create a public health hazard or nuisance;

D. RV must be parked on approved surface that meets the off-street parking construction standards in the Engineering Development Manual;

E. RV may not be parked in yard setbacks;

F. RV may be occupied for temporary lodging for up to 30 days if connected to approved utilities including water and wastewater disposal;

G. No business occupation shall be conducted in said recreational vehicle;

H. Recreational vehicles shall not use generators;

I. Any deviation from time limits, number of occupancies per year, and number of recreational vehicles allowed may be proposed through a temporary use permit, SMC 20.30.295."

In turn, a tent encampment would CLEARLY not qualify for a temporary use permit under SMC 20.30.295., as it would violate almost every requirement for approval, especially Criteria B1, B2, B3, and B5:

B. The Director may approve or modify and approve an application for a temporary use permit if:
1. The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use;
2. The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use;
3. Adequate parking is provided for the temporary use and, if applicable, the temporary use does not create a parking shortage for the existing uses on the site;

4. Hours of operation of the temporary use are specified;
5. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties; and
6. The temporary use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and is located outside the shoreline jurisdiction regulated by the Shoreline Master Program, SMC Title 20, Division II.

Now let's add homelessness back into the equation. We know that there is a larger incidence of drug abuse, criminality, mental illness, and contagious disease among the homeless than among the population at large.

So, in addition to the problems cited above, we can add:

Health and Safety

1. Risks of physical harm by violent criminal acts

2. Risks of property theft

3. Risks of being exposed to dangerous drug paraphernalia, such as HIV- or hepatitis-contaminated hypodermic needles

4. Risks of being injured by an impaired driver

5. Who is liable if a neighbor catches a really nasty contagious disease from one of the people camping next to his property? The City (taxpayers)? The host?

Violation of Best Interest of Citizens and Property Owners

1. Additional costs incurred by the City (taxpayers) when law enforcement has to be called to the camps for issues such as trespassing, noise, and intoxication

2. Even bigger lawsuits than the Ivy League camps would generate

3. I can't even begin to imagine what having a tent city next door would do to a home's property value, especially since these camps are not one-offs. Homeowners would be allowed to host a camp for 3-6 months EVERY YEAR.

Imagine that you're unlucky enough to have one of these recurring camps next door to you, so you decide you want to sell your house. Picture a realtor showing your home to a prospective buyer:

Buyer: What's that smell?

Realtor: Oh , that's the portapotty at the tent city next door. The camp's there every year from April through September.

Buyer: That's great! I've always wanted to live next to a homeless camp! Let's offer $10K over asking price!

I urge the Commission to reconsider this matter. Tent cities do not belong in residential neighborhoods, for all the reasons I've listed above. When my husband and I bought our house in Shoreline in 2014, it never would have occurred to us that we might end up with a tent city next door. We certainly would not have bought a house in Shoreline if we thought this might happen. In fact, Seattle's feel-good do-bad leniency toward vagrancy and other crime is one of the reasons we decided to move to Shoreline.

As part of my research for these comments, I talked with a friend who is a real estate appraiser. He said he would expect this policy to adversely affect property values, but it would be impossible to quantify exactly how badly until there was historical data. So I went out to the Internet to look for historical data from other cities. I could not find even one other city that has allowed backyard tent cities. SHORELINE SHOULD NOT BE A TESTING GROUND FOR BAD POLICY!

If the City does decide to defy common sense and allow these camps, it must at a minimum require neighborhood approval. Here is what I would propose - require UNANIMOUS approval from all neighbors in the immediate view/sound/smellshed. If anyone who would be able to see, hear, or smell the camp objects to it, the camp would not be allowed.

Adjacent neighbors would have absolute veto power, but other neighbors should also have a say. If a majority of households within a 1/4 (or 1/8?) mile radius objects, the camp would not be allowed.

COMMENTS ON SEPTEMBER 15TH MINUTES

In addition to outlining the reasons why the City should not allow tent cities in people's yards, I'd like to address some of the issues discussed at the September 15th Planning Commission meeting:

1. Specious Religious Freedom Argument

At the September 15th meeting, Kim Lancaster said that "every resident of Shoreline has a constitutional right to exercise religious beliefs, and some do that by helping homeless people."

It is true that you have a constitutional right to exercise your religious beliefs, but only if the actions you take are LEGAL. For example, some religions permit polygamy, but we don't allow adherents of those religions to practice polygamy in the US, even though it is part of their religion. Polygamy is ILLEGAL here, and you have no constitutional right to practice it.

Similarly, hosting a tent city in your back yard is illegal, because it endangers public health, safety, and general welfare, and is contrary to the best interests of Shoreline's citizens and property owners.

2. Misunderstanding of Christian Charity

Mrs. Lancaster claims that hosting a tent city is required by her Christian faith. She might do well to read these Bible passages:

Matthew 6:1-2

1"Be careful not to practice your righteousness in front of others to be seen by them. If you do, you will have no reward from your Father in heaven.

2So when you give to the needy, do not announce it with trumpets, as the hypocrites do in the synagogues and on the streets, to be honored by others. Truly I tell you, they have received their reward in full. 3But when you give to the needy, do not let your left hand know what your right hand is doing, 4so that your giving may be in secret. Then your Father, who sees what is done in secret, will reward you.

Matthew 7:12

"12 So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets."

Doing harm to your neighbors is not in keeping with Matthew 7:12.

If you want to help the homeless in a truly Christian way, go volunteer at the Salvation Army Rehab Center (which, by the way, always has open beds), or invite a homeless family to live IN YOUR HOUSE with you. You could even open a Catholic Worker house.

Bottom line: being a bad neighbor does not make you good person!

3. Setbacks

We shouldn't allow tent cities in residential neighborhoods at all, but I must address Commissioner Maul's September 15th assertion that a 5- or 10- foot setback would be sufficient because tents are so much shorter than buildings. That is simply absurd. If anything, the setback should be LARGER for a tent than for a building, for the simple reason that a tent provides the adjoining property virtually NO barrier from the sounds and smells generated by its occupant(s). Once again, snoring, flatulence, coitus and body odor.

4. If We Let Churches Do It, We Have to Let Homeowners Do It

Associate Planner Lehmberg said on September 15th that "most churches are in the R-6 zone, so the City cannot really disallow them (tent cities) in the residential zones".

You're dealing with a false premise here - that churches in residential neighborhoods must be allowed to host tent cities.

For the reasons I've delineated above, tent cities do not belong in residential neighborhoods. I can understand making an exception for churches, but if that exception requires us to also allow tent cities in back yards, we need to stop making the exception. A church has no more right than an individual to infringe upon its neighbors' property rights.