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| **From:** | Barbara Twaddell |
| **To:** | City Council |
| **Subject:** | Tent encampments meeting 1/30/17 |
| **Date:** | Tuesday, January 24, 2017 10:42:58 AM |

January 24, 2017

Dear Shoreline City Council Members:

Regarding backyard Homeless Encampments and the continued challenging of the 20 foot setbacks, religious freedom, and managing entities:

I don't think the 20 foot setback nor the definition of managing entity will likely stop any church from hosting an encampment. I am glad these details were kept in the proposal to even stronger disallow backyard encampments. For instance if an individual went through the steps to call his private home a church, the 20 foot setbacks and the definition of managing entity would help disallow a back yard encampment. On the other hand here is what the commission passed which makes it clear that church encampments would not likely be disallowed under these rules.

"Staff is recommending a 20-foot setback from neighboring property lines be established for tents, with the Director's discretion to modify based upon site conditions and ability to meet the established criteria."

So the director can modify these setbacks, which I'm sure may well happen for most churches, if appropriate.

Regarding managing entities. I have heard several members of Camp United We Stand testify that these rules will disqualify them from being able to stay on church property. I do not believe this part of the code will disqualify them. They are a nonprofit group that can be recognized by the director as a qualifying managing entity.

Regarding the argument for religious freedom:

Several Shoreline citizens have threatened lawsuits based on religious freedom if they are not allowed to host homeless camps in their back yard. I am not a lawyer but I have looked up the principle behind his threat. I do not think that denying them the right to do what they want in their backyards will violate their religious freedom. The "Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)", that has been used to allow churches to have homeless encampments in single family zoned residential areas, applies to churches; and I have not seen in any instance that it applies to a private homeowner. Here is a link to the DOJ site which gives multiple examples of possible violations of RLUIPA but none rise to what they are suggesting. https://www.justice.gov/crt/combating-religious-discrimination-and-protecting-religious-freedom-10.

On the contrary if the council allows this type of code violation based on religious freedom, it must allow all other types of code violations based on religious freedom. This is what happened in a public school system that allowed Christian school clubs. Because of that allowance they had to allow a Satanist club also.

If the planning commission rules this type of activity is to be allowed in single family back yards then under RLUIPA a Satanist family must be allowed to exercise its religious beliefs by having back yard bonfires every night with dancing and music all night long and maybe sacrificing a few animals to boot, if that is their religious belief. Another example is my family who are enrolled members of the Lax Kwalaams band of the Tsimshian tribe. It we choose have nightly 24 hour drumming powwows to celebrate our religion it will also have to be allowed under RLUIPA. It's a slippery slope. I encourage the council to dismiss this pseudo religious freedom argument.

Thank you,
Barbara Twaddell
Shoreline resident

Sent from my iPhone