



MEMORANDUM

TO: Mayor Roberts and City Councilmembers

FROM: Jessica Simulcik Smith, City Clerk

DATE: March 21, 2017

RE: Documents received at 3/20/17 Council Meeting

CC: Debbie Tarry, City Manager
John Norris, Assistant City Manager

Attached hereto are documents received from the public at your March 20, 2017 City Council Regular Meeting.

- 1) Written Comment Form regarding Ordinance No. 762 (Transitional Encampments) submitted by Sara Betrel.
- 2) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Lori Theis.
- 3) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Tom Moffat.
- 4) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Eugene McPhail.
- 5) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Margaret Willson.
- 6) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Dan Jacoby.
- 7) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Cynthia Roat.
- 8) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Larry Hadland.
- 9) Written comment regarding Ordinance No. 762 (Transitional Encampments) submitted by Pam Cross.

City Council Comment Form

Shoreline City Council Meeting

Date: 3/20/17

Please use this form if you wish to provide written comments to the City Council. The form can be turned in to the City Clerk or left in the Comment box on the table. This comment form is Public Record, so any contact information you provide may be disclosed as part of a Public Record.

Name Sara Betnel

Address 1805 NE 185th St., Shoreline, WA 98155

Phone Number 650-274-8011

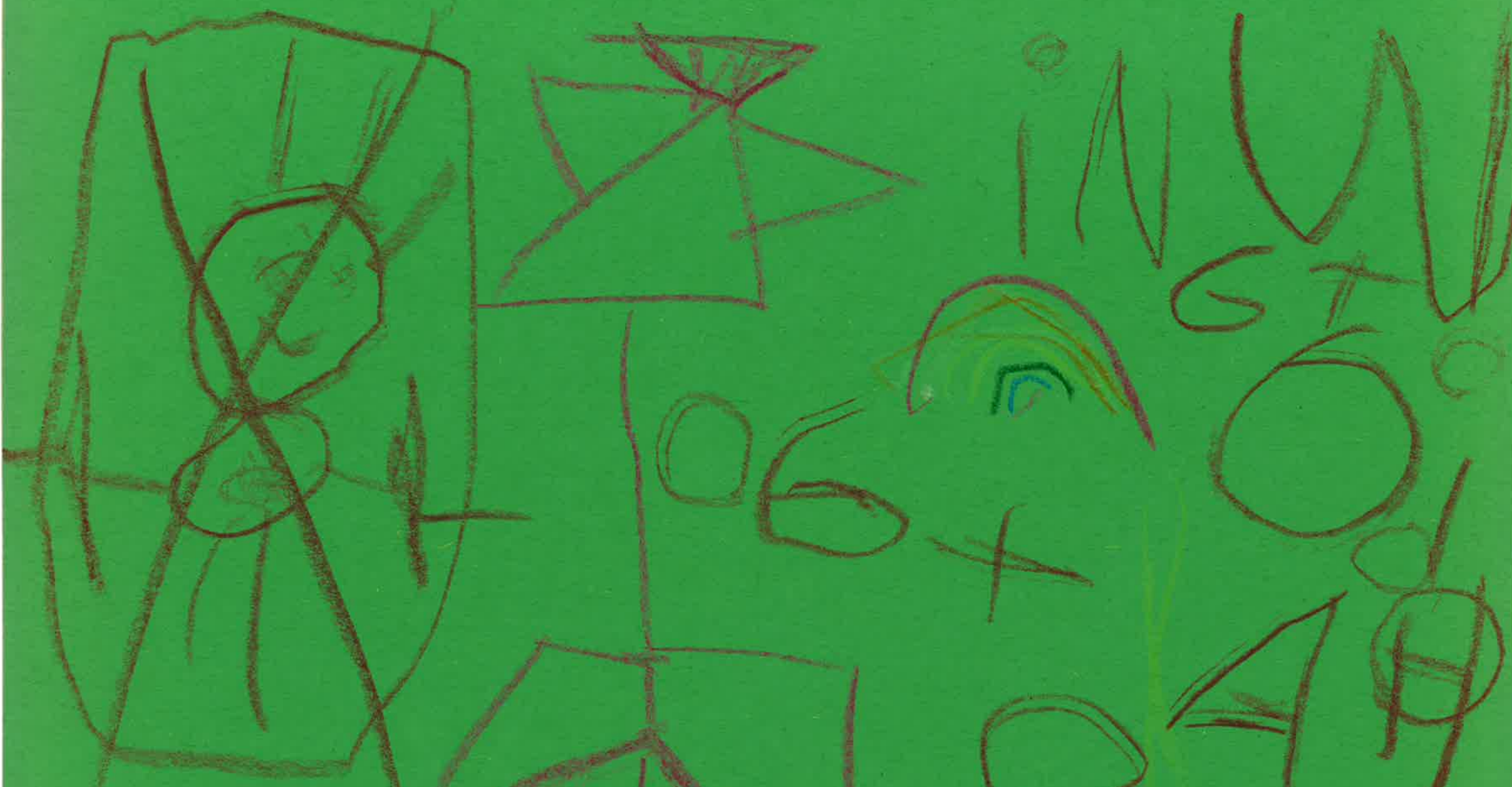
Agenda Item (if applicable) Homeless Encampments

Comment:

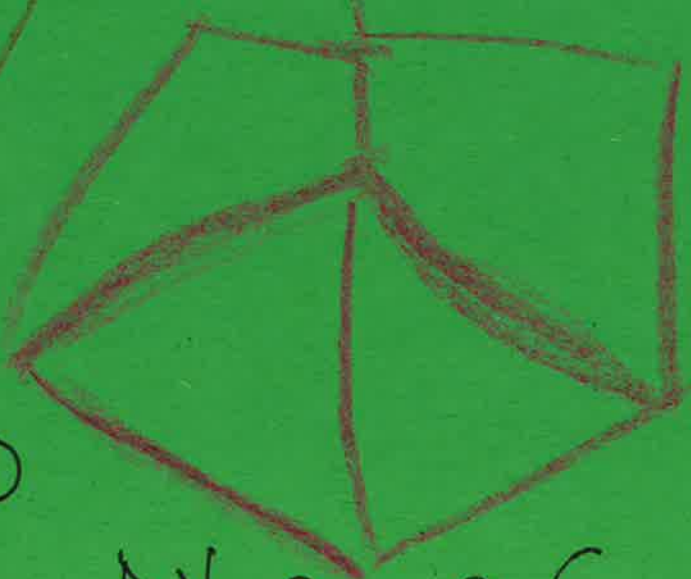
Thank you to the Council Members who passed this resolution to enable healthy and safe temporary encampments for people experiencing homelessness. As the testimony proceeded it was alarming to hear the level of fear and stereotyping used in the language of fellow residents not based on information around how this ordinance is looking to be enacted. Our family rents

in Shoreline and hope to buy a home here, but see it as unlikely for a while. We have little opportunity to change our financial situation in the short term. Having substantive changes in one's income is often a long process, either through diligent work to change employment opportunities, or by careful budgeting to save money needed to make the leap in housing status, or by some stroke of luck or the generosity of others to come by a sudden additional amount of money. During that long period, one can feel trapped by their circumstances and, often, lose hope you'll ever get there. Unfortunately, when people are facing this challenge and are houseless it's even more challenging and "trapping," both in reality and perception. As seen in the testimony, people began to ask for and expect extra regulation of people who would be in the encampment as though that housing would be any less than owned or rented housing or they by being there, are any less of a person or requires more regulation which might only otherwise be applied to children or prisoners. Our daughter, listening to tonight's testimony drew this picture for you of a person in a cage with a sign outside it saying "We are not going to do that." Thank you for keeping that promise and making sure any future changes will do so, as well.

Sincerely, Sara Bethel



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AV e ne G

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W N O R X
O R X

To Representatives

A person trapped in a cage.

"We are not going to do that."

Fran Geneva Betnel, Age 4½

March 20, 2017

Lori Theis
115 NW 183rd Street
Shoreline, WA 98177
(206) 922-9011

In King County, in the last TWO WEEKS alone FOUR DIFFERENT HOMELESS men have been arrested for sexual assaults, including CHILD RAPE.

February 23

Two homeless men are charged with raping multiple teen girls in Seattle. **Teens told police they were passed around among campers and raped or prostituted for money and drugs.**

February 23

A homeless man is charged with first-degree rape and first-degree burglary of a UW student in her bedroom. The rapist also tried to inject the girl with Methamphetamine.

March 5

A homeless level 3 sex offender violently attacked and attempted to rape a woman inside a public restroom at Golden Gardens Park in Ballard. This homeless man has an extensive criminal background — having been convicted of assaulting several women in Arizona.

According to Seattle University's Project on Family Homelessness homeless estimates surpass 10,000 countywide. Of those counted, 36 percent were "mentally ill". **That means upwards of 4,000 mentally ill homeless are living among us.** Who will be the next victim?

I myself am the victim of an attempted rape by a homeless man who my then-boyfriend was allowing to live on our property for several weeks and had engendered my trust. He repaid my trust by attacking me in my sleep. Luckily the would-be rapist was so intoxicated that I was able to fight him off and escape the scene.

This crime happened in Seattle's Magnolia neighborhood when I was 25 years old and I've learned a lot and seen a lot since then. The biggest lesson time provides a victim of crime is the imperative to SPEAK UP in the face of danger or persecution.

Why should Shoreline taxpayers be asked to accept the risk and decline in our quality of life in order to appease those over-eager to signal their virtue by placing homeless encampments within 500 feet of our homes? Allowing homeless encampments in residential areas will do more harm than good and is entirely unfair to victims of crimes, who already live with enough anxiety as it is.

Tom Moffat
115 NW 183rd Street
Shoreline, WA 98177

As a Catholic, I am well aware of our duty to care for those at the margins of society. I am empathetic and feel compassion for those truly in despair. However, recent trends show homeless encampments are increasingly shelters not for those simply down on their luck, but hardened criminals, drug dealers and sex traffickers. No matter what way Ed Murray and the City of Seattle try to spin it the reality comes much closer to what Jeff Lilley, president of the Union Gospel Mission in Seattle has to say:

“...a significant percentage of homeless is from out of state ... when you add that, plus the amount of people that said they came because of the legal marijuana, you exceed the number of the growth of homelessness in King County. If you remove those two factors: legalized marijuana and out of state homeless, numbers of homelessness would actually decline.”

Lilley also suspects that drug-use numbers are much **higher than reported in the survey** commissioned by Seattle. Lilley says from the mission's own survey he would put the number of **drug users among homeless above 90 percent**.

A review of the latest Seattle crime statistics appears to indicate a correlation between the presence of RVs and crime in Magnolia. The recent trend of removing RVs from Magnolia roadsides has resulted in dropping crime in the area. The SPD's online crime map comparing crime in Magnolia from last year to the first two months of this year shows a considerable drop in crime where the RV's had previously congregated.

Legalized tent cities are only one answer to the need for more short-term housing for the homeless. But the encampments embraced by governments and advocates for the poor must well-organized, **situated away from residential neighborhoods** and equipped with an adequate number of showers, Dumpsters and portable toilets.

What we have now in Shoreline and what we can expect to see continue under this proposal: tents lining the parking strips separating houses from the streets, luggage and garbage bags filled with people's belongings, cigarette butts, hypodermic needles, food wrappers, dirty clothes, bags and buckets of human waste and bikes in various stages of disrepair. Added to this is the lion's share of the homeless problem has fallen on the shoulders of police.

I call on this city council and citizens of Shoreline to strike down any attempt to place homeless encampments in residential neighborhoods. And let it be known that if such an ordinance passes a formidable oppositional referendum will be mounted.

STATEMENT TO SHORELINE CITY COUNCIL

March 20 2017

My name is Eugene McPhail, and my wife and I have owned our home in Shoreline for more than fifty (50) years. I am also the Homeless Coordinator for Haller Lake United Methodist Church in north Seattle. I have been regularly involved with Camp United We Stand for two and a half years, during which our church hosted UWS for two periods totaling seven (7) months.

While the Camp UWS roster has changed many times, I am not aware of any UWS members, present or former, being accommodated into Ronald Commons. We at HLUMC are proud of the role of the UMC in achieving the services provided at Ronald Commons, but I caution against any perception that Ronald Commons has mitigated the continuing needs to serve the Transitional Encampment which has been sanctioned to be in Shoreline for most of the past two years.

Clearly, more Church sites need to become involved in serving as camp hosts. I invite attention to the Seattle Municipal Code 23.42.054, which doesn't mention any square footage requirements, but allows each Church to determine it's own opportunity to serve as a host. To date, UWS has maintained a resident limit of 35 persons; so I urge that a 5000 square feet area for 35 persons be included in any such space requirements.

A year ago today my wife and I were in Taiwan, and I had a chance meeting with a young American in a tech company compiling vital statistics for the national government, and I asked about homelessness in Taiwan. The answer: while Taiwan has roughly ten times the population of King County, it has one-tenth the number of homeless persons, only 500 – 600 in the entire country. Taiwan's government has a goal to provide a home for every citizen, and appears to have a good success rate.

A handwritten signature in cursive script that reads "Eugene McPhail". The signature is written in dark ink on a white background.

23.42.054 - Transitional encampments accessory to religious facilities or to other principal uses located on property owned or controlled by a religious organization

- A. Transitional encampment accessory use. A transitional encampment is allowed as an accessory use on a site in any zone, if the established principal use of the site is as a religious facility or the principal use is on property owned or controlled by a religious organization, subject to the provisions of subsection 23.42.054.B. A religious facility site includes property developed with legally-established parking that is accessory to the religious facility. Parking accessory to a religious facility or located on property owned or controlled by a religious organization that is displaced by the encampment does not need to be replaced.**
- B. The encampment operator or applicant shall comply with the following provisions:**
- 1. Allow no more than 100 persons to occupy the encampment site as residents of the encampment.**
 - 2. Comply with the following fire safety and health standards:**
 - a. Properly space, hang, and maintain fire extinguishers within the encampment as required by the Fire Department;**
 - b. Provide and maintain a 100-person first-aid kit;**
 - c. Establish and maintain free of all obstructions access aisles as required by the Fire Department;**
 - d. Install appropriate power protection devices at any location where power is provided;**
 - e. Designate a smoking area;**
 - f. Keep the site free of litter and garbage;**
 - g. Observe all health-related requirements made by the Public Health Department of Seattle & King County; and**
 - h. Post and distribute to encampment residents, copies of health or safety information provided by the City of Seattle, King County, or any other public agency.**
 - i. Prohibit any open flames except an outdoor heat source approved by the Fire Department.**
 - 3. Provide toilets, running water, and garbage collection according to the following standards:**
 - a. Provide and maintain chemical toilets as recommended by the portable toilet service provider or provide access to toilets in an indoor location;**
 - b. Provide running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City; and**
 - c. Remove garbage frequently enough to prevent overflow.**

4. Cooking facilities, if they are provided, may be located in either an indoor location or outdoors according to the following standards:
 - a. Provide a sink with running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City;
 - b. Provide a nonabsorbent and easily-cleanable food preparation counter;
 - c. Provide a means to keep perishable food cold; and
 - d. Provide all products necessary to maintain the cooking facilities in a clean condition.
 5. Allow officials of the Public Health Department of Seattle & King County, the Seattle Fire Department, and the Seattle Department of Construction and Inspections to inspect areas of the encampment that are located outdoors and plainly visible without prior notice to determine compliance with these standards.
 6. Individuals under the age of 18 years that are not accompanied by a parent or legal guardian shall not be permitted in an encampment.
 7. File a site plan with the Seattle Department of Construction and Inspections showing the arrangement of the encampment, including numbers of tents or similar sleeping shelters, all facilities that are separate from the sleeping shelters, and all existing structures on the property, if any. The site plan is for informational purposes and is not subject to City review or permitting requirements.
- C. A site inspection of the encampment by a Department inspector is required prior to commencing encampment operations.
- D. Parking is not required for a transitional encampment allowed under this Section 23.42.054.
(Ord. 124919, § 132, 2015; Ord. 124747, § 1, 2015; Ord. 123729, § 1, 2011.)

Comments for Shoreline City Council Meeting

3/20/2017

Margaret Willson

maggienum@yahoo.com

I had trouble sleeping last night because of the deafening sound of Edmund Burke turning over in his grave.

Burke was a traditionalist and a conservative. In fact, he's often called the father of modern conservatism.

Burke would be appalled at having a quote of his employed to justify a dangerous social experiment such as placing homeless encampments in residential back yards in lovely suburban neighborhoods.

But last night, when I looked at the letters for tonight's meeting, there it was. A commenter wrote the following in support of BYEs:

"I understand the fears that some people in our city have about homeless people living, or at any rate temporarily staying, nearby. As representatives, you do have a duty to reflect the needs and desires of the community, but you also have a responsibility to be better informed than the community at large, and to represent their needs and desires based on that higher level of information. The commenter then quoted Burke: ' Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.' "

First of all, Burke would never have supported a dangerous social experiment like BYEs.

Second of all, what an insult to the engaged citizens of Shoreline, to say that we are in need of more enlightened representatives to tell us what is good for us. Certainly there are times when we have to trust our elected representatives to make decisions for us, knowing that they have much more knowledge than we do. Foreign policy comes to mind. But it's sheer arrogance and elitism to say that only our betters know what is right for our neighborhoods.

And third of all, "more informed", ayfkm? Have you seen Seattle lately - the human excrement in doorways, the RV sewage dumped in the street, the illegal encampments where teenage girls get passed from rapist to rapist? Seattle used to be a top tourist destination. Now JD Power has rated Seattle #37 out of 50 cities surveyed.

<http://www.seattletimes.com/seattle-news/data/tourism-in-seattle-gee-whats-not-to-like-apparently-a-lot/>

I'll close with a couple of MY favorite Edmund Burke quotes:

“To drive men from independence to live on alms, is itself great cruelty.”

“Good order is the foundation of all things.”

Dan Jacoby

Public comment to the Shoreline City Council

Re: Ordinance 762

March 20, 2017

Based on city staff's estimate that waiving the \$1,500 TUP fee would cost the city \$1,800/yr., that comes out to 1.2 applications per year, or one application every 10 months. With the six-month limit on encampments, that means that at least 40% of the time homeless people in Shoreline have nowhere to go.

Nowhere to go.

Late last week I emailed you suggestions for three changes to the ordinance. They are all based on interviews with people who operate encampments in Seattle and Edmonds as well as several Shoreline residents, and on two concepts – first, that these items are solving a problem that doesn't exist, and second, that we should not send an unnecessarily harsh message to homeless people.

Change #1 is to replace the requirement that a managing agent or agency be a nonprofit organization with the statement that the managing agent or agency is responsible for the proper running of the encampment. As long as someone is legally responsible, that's all you need.

Change #2 is to eliminate the 180-day limit. If someone finds a way to be able to keep an encampment open for longer, they should be allowed to do so. You've already discussed the need for children to have stability at least through a school year, but this ordinance prohibits anyone from providing it. That prohibition needs to be removed.

Change #3 is to allow the Director to waive the 7,500 sq. ft. minimum. Giving the Director discretionary power, perhaps with a smaller maximum number of inhabitants (I suggested 20 people) opens up possibilities for smaller organizations to get involved while still maintaining a safety net for the homeless and the surrounding neighborhood around all encampments.

I know from your comments on this and other issues that none of you wants to send a harsh message to homeless people. Keeping these parts of Ordinance 762 sends the message that homeless people will be tolerated but aren't wanted here. Because current law plus the rest of the ordinance create strict regulations, my suggested changes offer a more hopeful message with no tangible down side.

Mr. Mayor, Honorable Councilmembers,

My name is Cynthia Roat. I am a Shoreline resident and President of Greater Seattle Cares, a small non-profit supporting four transitional encampments in the Puget Sound region. Thank you for this opportunity to address you once again on the proposed amendments to Shoreline's zoning code regarding transitional encampments.

As you will remember, the amendments as formerly proposed had a number of serious problems, which the Council has directed the Planning Department to remedy. Some have been resolved, however, the resulting amendment still has significant problems.

1. The original amendments called for 20 foot setbacks, which would have limited all but three Shoreline churches from hosting encampments. As the Council wisely rejected this approach, the amendments now call for a 7500 square foot minimum plus 10 foot set-backs for any camp, however small – that's 9350 for a camp placed in the corner of a property. Larger camps of 100 (such as Tent City 3) would almost 17,000 square feet. While churches may have this much room in their parking areas, this represents so much of a church's parking space that the church could not comply with other zoning codes regulating number of parking spaces required. And it is not necessary. We have already submitted to the Planning Department proof that Tent City 3 has routinely been hosted in sites of only 10,000 square feet and less. This minimum area does nothing but create a barrier for churches interested in exercising their right to provide sanctuary to the poor and homeless.
2. And speaking of this right, I do not understand how these amendments are not in violation of federal and state law.
 - The federal land use provisions of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc, *et seq.*, protect individuals, houses of worship, and other religious institutions from discrimination in zoning and landmarking laws. In particular, the law protects against any "land use regulation that . . . unreasonably limits religious assemblies, institutions, or structures within a jurisdiction." Since the provision of sanctuary to the poor and homeless is a long-standing, even ancient, right of religious institutions, the ~~law~~ stipulation mentioned above could be construed as in effect placing the city out of compliance with RLUIPA. For more information on RLUIPA, see <https://www.justice.gov/crt/religious-land-use-and-institutionalized-persons-act>.
 - State laws [RCW 35.21.915](#) and [RCW 35A.21.360](#) also prohibit local government from taking any action that "imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization." The limitations described above that would be created by the proposed amendments have nothing at all to do with public health and safety and so may be considered in violation of RCW 35.21.915 and RCW 35Z.21.360.

We don't like to see the poverty among us. It is a reminder of our collective failure to provide a safety net for those who misfortune has pushed through the cracks in society's floor. However, in your desire to appease some homeowners' fear that they will be forced to see the poverty that exists in our midst, you risk making complicated what was once relatively simple – a

church's willingness to let a group of people live peacefully and quietly on land that is not being used for anything else.

Honored Council members, we are better than this. Please vote no on these amendments.

Submitted on March 20, 2017



U.S. Department of Justice Civil Rights Division

A Guide To Federal Religious Land Use Protections

The Religious Land Use and Institutionalized Persons Act (RLUIPA) protects religious institutions from unduly burdensome or discriminatory land use regulations. The law was passed unanimously by Congress in 2000, after hearings in which Congress found that houses of worship, particularly those of minority religions and start-up churches, were disproportionately affected, and in fact often were actively discriminated against, by local land use decisions. Congress also found that, as a whole, religious institutions were treated worse than comparable secular institutions. Congress further found that zoning authorities frequently were placing excessive burdens on the ability of congregations to exercise their faiths in violation of the Constitution.

In response, Congress enacted RLUIPA. This new law provides a number of important protections for the religious freedom of persons, houses of worship, and religious schools. The full text of RLUIPA is available at <https://www.justice.gov/crt/title-42-public-health-and-welfare>. Below is a summary of the law's key provisions relating to land use, with illustrations of the types of cases that may violate the law. Information about the institutionalized persons portion of RLUIPA is available at <https://www.justice.gov/crt/religious-land-use-and-institutionalized-persons-act-0>.

- **RLUIPA prevents infringement of religious exercise.**

Land use regulations frequently can impede the ability of churches or other religious institutions to carry out their mission of serving the religious needs of their members. Section 2(a) of RLUIPA thus bars zoning restrictions that impose a “substantial burden” on the religious exercise of a person or institution, unless the government can show that it has a “compelling interest” for imposing the restriction and that the restriction is the least restrictive way for the government to further that interest.

Minor costs or inconveniences imposed on religious institutions are insufficient to trigger RLUIPA's protections. The burden must be “substantial.” And, likewise, once the institution has shown a substantial burden on its religious exercise, the government must show not merely that it has a rational reason for imposing the restriction, but must show that the reason is “compelling” and the least restrict means of furthering the interest.

A church applies for a variance to build a modest addition to its building for Sunday school classes. Despite the church demonstrating that the addition is critical to carrying out its religious mission, that there is adequate space on the lot, and that there would be a negligible impact on traffic and congestion in the area, the city denies the variance.

A Jewish congregation that has been meeting in various rented spaces that have proven inadequate for the religious needs of its growing membership purchases land and seeks to build a synagogue. The town council denies a special use permit, and the only reason given is “we have enough houses of worship in this town already, and want more businesses.”

Because the religious organizations in these cases have demonstrated a substantial burden on their religious exercise, and the justification offered by the city in both cases is not compelling, these cases likely would be violations of RLUIPA, assuming certain jurisdictional requirements of the statute are met.

- **Religious institutions must be treated as well as comparable secular institutions.**

Section 2(b)(1) of RLUIPA provides that religious assemblies and institutions must be treated at least as well as nonreligious assemblies and institutions. This is known as the “equal terms” provision of RLUIPA.

A mosque leases space in a storefront, but zoning officials deny an occupancy permit since houses of worship are forbidden in that zone. However, fraternal organizations, meeting halls, and banquet facilities are all permitted as of right in the same zone.

Because the statute on its face favors nonreligious places of assembly over religious assemblies, this example would be a violation of 2(b)(1).

- **RLUIPA bars discrimination among religions.**

Section 2(b)(2) of RLUIPA bars discrimination “against any assembly or institution on the basis of religion or religious denomination.”

A Hindu congregation is denied a building permit despite meeting all of the requirements for height, setback, and parking required by the zoning code. The zoning administrator is overheard making a disparaging remark about Hindus.

If it were proven that the permit was denied because the applicants were Hindu, this would constitute a violation of 2(b)(2).

- **Zoning ordinances may not totally exclude religious assemblies.**

Section 2(b)(3)(A) of RLUIPA provides: “No government shall impose or implement a land use regulation that totally excludes religious assemblies from a jurisdiction.”

A town, seeking to preserve tax revenues, enacts a law that no new churches or other houses of worship will be permitted.

Such total exclusions of religious assemblies are explicitly forbidden by section 2(b)(3)(A).

- **RLUIPA forbids laws that unreasonably limit houses of worship.**

Section 2(b)(3)(B) of RLUIPA provides: “No government shall impose or implement a land use regulation that unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.”

A city has no zones that permit houses of worship. The only way a church may be built is by having an individual parcel rezoned, a process which in that city takes several years and is extremely expensive.

This zoning scheme, if proven to be an unreasonable limitation on houses of worship, would constitute a violation of section 2(b)(3)(B).

Enforcement of RLUIPA Rights

Religious institutions and individuals whose rights under RLUIPA are violated may bring a private civil action for injunctive relief and damages. The Department of Justice also can investigate alleged RLUIPA violations and bring a lawsuit to enforce the statute. The Department can obtain injunctive, but not monetary, relief.

If you believe that your rights under RLUIPA may have been violated and you wish to file a complaint or find out more information about the law, you may write to:

Housing and Civil Enforcement Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

or call the Housing and Civil Enforcement Section at (800) 896-7743. Further information about RLUIPA, including common Questions and Answers, is available at the Section’s RLUIPA page website at <https://www.justice.gov/crt/religious-land-use-and-institutionalized-persons-act>. You also may call the Special Counsel for Religious Discrimination at (202) 353-8622 or write to combatingreligiousdiscrimination@USDOJ.gov.

RCW 35A.21.360

Temporary encampments for the homeless—Hosting by religious organizations authorized—Prohibitions on local actions.

(1) A religious organization may host temporary encampments for the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(2) A code city may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;

(b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; or

(c) Imposes permit fees in excess of the actual costs associated with the review and approval of the required permit applications.

(3) For the purposes of this section, "religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(4) An appointed or elected public official, public employee, or public agency as defined in RCW **4.24.470** is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.

[**2010 c 175 § 4.**]

NOTES:

Findings—Intent—Construction—Prior consent decrees and negotiated settlements for temporary encampments for the homeless not superseded—2010 c 175: See notes following RCW **36.01.290**.

Hello,

My name is Larry Hadland

14518 Fremont Ave North Shoreline 98133

- **Our family is not averse to caring for those whom find themselves in need. I have worked for several years assisting houseless and unsheltered persons in Snohomish County.**
- **Having experienced three tent city encampments adjacent to our property, we wish to convey our experience from November 2016-March 2017:**

We wish to point out that currently, practice does not follow policy

Notificaton:

No notification-we have a locking mailbox due to persistent mail theft.

20.30.295 Temporary use. 5. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties;

- **Loud conversations, television and barking dogs out of encampment. Arguments on neighboring property and heavy vehicle traffic at all hours of the day and night.**

f. Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ashtrays in areas approved for smoking.

- **Frequent smoking on our property line**

h. Security personnel shall monitor entry points at all times. A working telephone shall be available to security personnel at all times.

- **No phone due to theft, requiring me to walk to camp late at night to request the television volume turned down.**

Suggestion-City to have a system of monitoring the encampments and effects on surrounding area.

Ordinance weakness:

Additional Criteria for Transitional Encampment 4. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.

- **Out of state registered sex offenders most likely will not appear in local database. We are experiencing an influx of unsheltered persons arriving from CA, AZ, NV, and TX.**

Site requirements:

d. All tents must be made of fire resistant materials and labeled as such.

- **No rating agency named-NFPA 701, CA State Fire Marshal...There are many so called "rated" enclosures that do not meet any recognized flame spread standard. Please ask the Shoreline Fire Marshall.**

9. Inspection by the Shoreline Fire Department during the initial week of the encampment's occupancy.

- **No requirement for an L&I inspection of electrical connections. Recent camp rigged a 220-volt Romex from the church across the property to the camp; all this was exposed on the ground. Total length of the run was approximately 200 plus feet.**

Final comment:

Please describe in the ordinance "temporary". Many of the persons living a houseless lifestyle choose to do so and have been living in tent encampments for 3,5, and in one case 9 years. Would it be wise to incorporate residence at an encampment into the ordinance?

Thank you.

February 23, 2017

St Dunstan's Church
711 N 145th St
Shoreline, WA 98133

We are neighbors to the Church property and we would like to provide feedback as a result of the Church's decision to host the most recent tent camp. We were never advised that the camp would be installed nor afforded the opportunity to provide opinion or input prior to the decision; but we believe we are now entitled to voice our retrospective experience.

The dumpsters, parking area, and community/audio visual tent were positioned closest to our property; therefore we have been the most affected residents. We do not believe that any church members reside in the immediate vicinity and as such, would not have any knowledge of the impact to the residents that these camps may cause. We are not insensitive to others who are less fortunate than we, have found they facing an acute life challenge or chose to live a transient lifestyle.

Noise ordinances exist because citizen's right to peace outweighs citizen's right to cause disturbances. Nightly disturbances at the camp were not uncommon. Noise included:

- Vehicles slamming doors during all hours of the night and early morning,
- Dogs from the camp barking throughout the day and night
- Friday mornings before 6:00 AM the trash collection caused extremely loud noise when lifting and dropping the waste receptacles
- Continual slamming of the downstairs church door on nights when the tent residents were allowed to sleep inside

Additionally, we have experienced two instances where individuals walked out of the driveway from the camp and jaywalked against the light on Linden/N 145th St, stopping vehicular traffic (which had the right of way) and exhibited indignant and offensive behavior toward the drivers who were forced to stop to avoid a collision with them.

We recorded some instances where having this group within 114 feet of our front bedroom negatively impacted our right to live without ongoing disturbances. This is merely a sampling and not a comprehensive list of nuisances we have endured.

11/26/2016	10:28 PM	Trespassers in neighbors yard jumped over fence into our driveway	Captured on video - individual identified as
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			resident from tent camp
11/28/2016	10:56 PM	Loud TV noise	Called Church to report
12/1/2016	12:30 AM	Barking dog	
12/11/2016	4:30 PM	Barking dog	
12/12/2016	4:15 PM	Barking dog	
12/18/2016	3:00 PM	Barking dog	Woke our 2 yr old grandchild from nap
12/20/2016	6:00 AM/4:00 PM/6:10 PM	Barking dog	
12/21/2016	10:14AM/11:40 AM/2:30 PM/2:57 PM/4:17 PM	Barking dog	
12/24/2016	7:00 AM	Loud voices	
12/27/2016	3:00 AM	Loud voices	
1/1/2017	10:00 PM	Loud TV and voices	
1/2/2017	8:30 AM/4:30 PM	Barking dog	
1/5/2017	10:00 PM	Loud voices	
1/6/2017	3:35 PM	Barking dog	Woke our 2 yr old grandchild from nap
1/9/2017	12:40 PM	Barking dog	
1/11/2017	9:45 PM – 10:30 PM	Downstairs church door slamming	Church allowed indoor camping due to weather
1/13/2017	2:00 AM – 2:30 AM	Downstairs church door slamming	Church allowed indoor camping due to weather
1/14/2017	Loitering at Interurban rest area at Linden/N 145th	Male subject who admitted being a tent resident set up bedroll and had gas tanks spread out and refused to leave when asked; was badgering trail visitor who practices daily Tai Chi at the trail	
1/15/2017	7:00 AM/2:00 PM	Barking dog	
1/18/2017	2:30 – 3:00 PM	Barking dog	
1/24/2017	6:35 PM	Barking dog	
1/27/2017	5:45 AM	Trash collection noise	Recorded event on video

1/28/2017	3:30 PM	Barking dog	
1/30/2017	9:30 – 10:17 PM	Loud talking	Called Police for noise complaint
2/2/2017	7:00 AM	Sirens	FD response to camp
2/2/2017	9:30 PM – 11:00 PM	Downstairs church door slamming	Church allowed indoor camping due to weather
2/5/2017	09:30 PM – 11:00 PM	Downstairs church door slamming	Church allowed indoor camping due to weather
2/11/2017	6:00 AM	Garbage pick up and loud talking	
2/11/2017	3:00 PM	Barking dog	Woke our 2 yr old grandchild from nap
2/15/2017	3:00 AM	Barking dog	
2/16 2017	3:00 AM	Barking dog	
2/17/2017	5:55 AM	Garbage pick up	Recorded on video

We have gone over to the camp several times to ask the people to quiet down and on one occasion called the police for a noise complaint. We have called the security staff at the church, and (until the phone was stolen from the entry station at the camp) have also called directly in to the camp to ask them to be respectful of the noise level. We do not believe we should have to do this, as we believe all neighbors should exercise reciprocal respect to one another, whether opting to live indoors or outdoors. We understand the Church is extending the property to these folks as a compassionate gesture, but are we less worthy of the Church's compassion?

We both work 5 days a week and get up at 5:30 AM. We are also the primary caregivers to our 2-year-old granddaughter who has been awakened during daytime naps and overnight stays by the noise. We are quiet, respectful, law abiding homeowners who have spent our lives working hard to purchase our home, which is our investment and our sanctuary. Not only has the noise been an issue. The dumpsters were regularly overflowing and visited nightly, as recorded on our security cameras, by raccoons. We have also recently experienced an intrusion of rats into our home, which we believe is a direct result of the sudden food source provided by unsecured waste.

This being the third camp the church has allowed since we have lived here, we do not anticipate this will cease anytime soon. We are now considering selling our

home, even though this would be heartbreaking, as we have made this our family's ideal dwelling. We also foresee that selling our home will be more difficult, as we would have to disclose this situation to any potential buyers. We are concerned that this will negatively impact our property value and therefore, selling price.

If the Church is insistent on offering their property for this type of usage in spite of the impacts to neighboring homeowners, here are some mitigating steps we will suggest:

1. Consider using the upper Church lot instead of the lower lot for future ventures
2. Place the noise-originating components of the camp further away from the neighboring homes
3. Establish a periodic check with the neighboring residents throughout the term to inquire of any ongoing issues
4. Neighborhood residents are provided a 24/7 contact number to a Church member who can respond to issues in a timely manner.

We realize we may be one of few households this particular camp affects, but if this is the impact on a single affected home, we likely speak for others in the area who have not come forward, or certainly living near locations in Shoreline that also allow encampments and may go unheard.

We look forward to working with the Church and the City of Shoreline, and other stakeholders to find a resolution should the congregation be committed to continuing to host these types of encampments.

Respectfully,

Larry Hadland and Kelly Donnelly
14518 Fremont Ave N
Shoreline, WA 98133

Enclosures: photos of overflowing dumpsters, raccoons at dumpsters with open trash

Cc: Shoreline City Council, Shoreline City Manager

TO: SHORELINE CITY COUNCIL
RE: BACKYARD ENCAMPMENTS
FROM: PAM CROSS
MARCH 20, 2017

I believe I am a loving and caring person. Like many other people in this room, I have been a volunteer in several capacities, as well as a caregiver for the elderly, and a compassionate friend to those suffering from illness or other life-altering events.

I am also a believer in the right of the individual to have access to somewhere to live, healthcare, employment, healthy food and clean water, and to protect their personal possessions.

At the same time, I expect other people to respect my right to these same things.

There is no shame in owning your own house that you have worked hard to buy and maintain. There is no reason to apologize for driving a car to your warm home and sitting down to a hot meal.

I have every right, as do others here, to feel proud of my accomplishments - knowing that they were attained by hard work - not by using others as a means to my goal. I didn't get what little I have by stepping on the hands and feet of others.

I do what I can everyday to help people who, at this time in their life, are down on their luck. I donate time and money and food and clothes and household goods.

And I do not believe I should be accused of not caring because i do not want to share my backyard, or by proximity to a neighbor, their backyard with an encampment. This is my choice; this is my right.

But I agree that Encampments have to be located somewhere.

The churches that currently house Encampments will still qualify under this latest proposal.

Having small encampments located throughout the city, hidden in backyards, without support will have out-of-sight out-of-mind results.

In my opinion, hiding the homeless is the least compassionate thing the City could do.