CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

TENT CITY 4 – TEMPORARY USE PERMIT
NOTICE OF APPROVAL
JANUARY 17, 2012

PERMIT NO. ZON11-00044

PROJECT NAME: Tent City 4

PROJECT ADDRESS: 10021 NE 124th Street

APPLICANT OR AGENT: Pete Schnebele, Holy Spirit Lutheran Church

CITY OF KIRKLAND APPROVAL DATE: Date Application Approved: January 12, 2012
Date Decision mailed: January 17, 2012

This NOTICE OF APPROVAL is granted subject to the attached conditions and development standards. Failure to meet or maintain strict compliance shall be grounds for revocation in accordance with the Kirkland Zoning Ordinance No. 3719 as amended.

The applicant must also comply with any federal, state or local statutes, ordinances or regulations applicable to this project. <u>This Notice of Approval does not authorize grading, building or tree removal without issuance of the necessary permits from the Kirkland Building Department.</u>

CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT

FOR

By: _____
Sean LeRoy
Planner

Attachments:
Conditions of Approval
Development Standards

CONDITIONS OF APPROVAL
TENT CITY 4
FILE NO. ZON11-00044

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, I recommend approval of this application with the site plan and project description submitted by the co-applicants in Attachments 2 and 3, subject to the following conditions:

1. SHARE/WHEEL'S TC4 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 January 21, 2012, TC4 should leave the Church property by April 21, 2012.
2. The following performance and development standards pursuant to KZC Section 127.25 must be met by SHARE/WHEEL'S TC4:
   - **a. Health and Safety**
     - (1) SHARE/WHEEL'S TC4 shall permit daily inspections by Seattle/King County Public Health to check compliance with the standards for homeless encampments.
     - (2) SHARE/WHEEL'S TC4 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) SHARE/WHEEL'S TC4 shall permit frequent 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) SHARE/WHEEL'S TC4 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 TC4 residents shall adhere to the "Code of Conduct" submitted as part of the application to this TUP (see Attachment 3).
     - (2) No animals shall be permitted in TC4 except for service animals.
     - (3) SHARE/WHEEL is responsible for enforcing the Code of Conduct.
     - (4) Quiet hours at TC4 shall be between 9:00 PM and 8:00 AM. During this time, activities in TC4 shall be limited to prevent disturbance to surrounding residential properties.
     - (5) SHARE/WHEEL'S TC4 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) SHARE/WHEEL'S TC4 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) SHARE/WHEEL'S TC4 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 TC4 security workers shall be available to wait with the person. Taxi vouchers shall be available from SHARE/WHEEL when buses are not operating.

(7) SHARE/WHEEL'S TC4 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, SHARE/WHEEL shall immediately contact Child Protective Services, and endeavor to find alternative shelter for the child and any accompanying parent(s) or guardian(s).

(8) SHARE/WHEEL may be contacted at (206) 448-7889 for complaints regarding TC4.

c. Parking and Transportation

(1) The total number of vehicles associated with SHARE/WHEEL'S TC4 shall not exceed five vehicles and shall be parked in the Church's parking lot as identified on the site plan (see Attachment 2).

(2) All TC4 residents shall be provided with bus tickets as needed.

d. General Standards

(1) The encampment shall be located at least 20 feet from property lines abutting residential uses.

(2) A sight-obscuring fence shall be required as shown in Attachment 2 and described in Section II.D.1.a below. If, after installation, the proposed double-layered fabric fence does not obscure views of TC 4 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 (April 21, 2012), the site shall be returned to its original condition by the co-applicants. The co-applicants shall reimburse the City for any expenses incurred by the City in abating the temporary use (see Attachment 4).

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. Attachment 5, Development Standards, is provided in this report to familiarize the co-applicants with some of the additional development regulations.

ZON11-00044 Holy Spirit Lutheran Church January 12, 2012
Temporary Use Permit to host Tent City 4 from January 21, 2012 to April 21, 2012

FIRE DEPARTMENT CONDITIONS

1 - An approved certification regarding flame retardancy or resistiveness of the tent material shall be retained and displayed in the tent.

2 - Smoking shall not be permitted in the tent. Approved "NO SMOKING" signs shall be conspicuously posted.

3 - One fire extinguisher, minimum rating 2A10BC, shall be provided in the tent.

4 - A minimum of two exist shall be provided from the tent. The required minimum clear width of exits and aisles shall be maintained.

5 - The minimum distance from the tent for the parking of automobiles or other internal combustion engines shall be 30 feet and shall be roped off.

BUILDING DEPARTMENT CONDITIONS

1 - Maintain exit egress from the church at all times. Two exit gates are required from the fenced enclosure at least 1/2 the diagonal distance apart from each other. Gates to be out-swinging and shall be readily openable from the egress side without the use of a key or special knowledge or effort.

2 - Shower waste water must drain to sanitary sewer (not storm).

3 - Maintain access for the general public to the accessible routes of travel.

4 - No open flames allowed in or near any of the temporary membrane structures (tents).