



ADMINISTRATIVE ORDER #PLN23-0125

DECISION ON APPLICATION FOR TEMPORARY USE PERMIT FOR A TRANSITIONAL ENCAMPMENT

PROJECT DESCRIPTION

The proposal is for St. Dunstan's Episcopal Church located at 722 N. 145th Street to host a transitional encampment (Camp United We Stand) for no more than 35 people at any one time for the period of November 4, 2023, through February 3, 2024.

FINDINGS

Site and Surrounding Land Use

Address: 722 N. 145th Street

Existing Use: St. Dunstan's Church of the Highlands

Zoning: R-6

Comprehensive Plan Designation: Low Density Residential

Site Area: 4 acres (178,160 sf)

Parking: Approximately 6 vehicles for transitional encampment residents are anticipated to be parked on site. The church has approximately 90 existing spaces which will not be impacted by the encampment.

Setbacks: The camping area will be at least 15 feet from the property lines of adjacent non-church owned properties.

Critical Areas: A moderate landslide hazard exists on the parcel but is not near the proposed encampment location.

Surrounding Zoning and Land Use: All adjacent lots are R-6, single family. Directly East is the Interurban Trail. Directly South is the City of Seattle

APPLICABLE REGULATIONS

Shoreline Development Code 20.30.295 Temporary Use:

A. A temporary use permit is a mechanism by which the City may permit a use to locate within the City (on private property or on the public rights-of-way) on an interim basis, without requiring full compliance with the Development Code standards or by which the City may permit seasonal or transient uses not otherwise permitted.

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.

C. Except for transitional encampments and emergency temporary shelters a temporary use permit is valid for up to 60 calendar days from the effective date of the permit, except that the Director may establish a shorter time frame or extend a temporary use permit for up to one year.

D. Additional Criteria for Transitional Encampment and Emergency Temporary Shelters.

1. The site must be owned or leased by either a host or managing agency.
2. The application fee for a temporary use permit (TUP) for a transitional encampment or emergency temporary shelter is waived.
3. Prior to application submittal, the applicant is required to hold a neighborhood meeting and provide a written summary as set forth in SMC 20.30.045 and 20.30.090.
4. For transitional encampments, 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. No identification is required for people to utilize an emergency temporary shelter.

5. The applicant shall have a code of conduct that articulates the rules and regulations of the encampment or shelter. These rules shall include, at a minimum, prohibitions against alcohol and/or drug use and violence. Transitional encampments must also include provisions that, at minimum, prohibit sex offenders. For transitional encampments, the applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure will be met and will continue to be updated during the duration of the encampment.

6. The maximum number of residents at a transitional encampment site shall be determined taking into consideration site conditions, but shall in no case be greater than 100 residents at any one time. Any proposed site shall meet the site requirements in subsection (D)(7) of this section and be of sufficient size to support the activities of the transitional encampment without overcrowding of residents.

7. Site Requirements for Transitional Encampments.

a. The minimum useable site area for a transitional encampment shall be: 7,500 square feet for the first 50 residents, plus 150 square feet for each additional resident, up to the maximum allowable of 100 residents. The useable site area may be a combination of contiguous parcels in the same ownership of the host or managing agency.

b. Tents and supporting facilities within an encampment must meet 10-foot setbacks from neighboring property lines, not including right-of-way lines or properties under the same ownership as the host agency. Setback from rights-of-way must be a minimum of five feet. Additional setback from rights-of-way may be imposed based on the City's Traffic Engineer's analysis of what is required for safety. Setbacks to neighboring property lines may be reduced by the Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, taking into account site conditions that extend along the entire encampment area, including but not limited to:

- i. Topography changes from adjoining property;
 - ii. Visually solid, minimum six-foot height, intervening structures;
 - iii. Distance from nearest structure on neighboring property;
 - iv. Vegetation that creates a visual screen.
- c. The transitional encampment shall be screened. The screening shall meet setbacks except screening or structures that act as screening that are already in existence. The color of the screening shall not be black.
- d. A fire permit is required for all tents over 400 square feet. Fire permit fees are waived.
- e. All tents must be made of fire-resistant materials and labeled as such.
- f. Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area and approved smoking area.
- g. 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.
- h. Emergency vehicle access to the site must be maintained at all times.
- i. Members of the transitional encampment shall monitor entry points at all times. A working telephone shall be available to ensure the safety and security of the transitional encampment at all times.
- j. Provide adequate sanitary facilities.
8. Emergency temporary shelters may be located within an existing building subject to applicable building and fire codes and must obtain a fire operational permit prior to occupancy.
9. For emergency temporary shelters, the applicant shall provide a list of conditions that warrant opening the shelter.

10. Transitional encampments and emergency temporary shelters shall permit inspections by City, King County Health Department, and Fire Department inspectors at reasonable times during the permit period without prior notice to ensure compliance with the conditions of the permit.

11. Transitional encampments and emergency temporary shelters shall allow for an inspection by the Shoreline Fire Department during the initial week of the encampment's occupancy.

12. Transitional encampments and emergency temporary shelters may be allowed to stay under the temporary use permit for up to 90 days. A TUP extension may be granted for a total of 180 days on sites where hosts or agencies in good standing have shown to be compliant with all regulations and requirements of the TUP process, with no record of rules violations. The extension request must be made to the City but does not require an additional neighborhood meeting or additional application materials or fees.

13. Host or managing agencies may not host a transitional encampment or temporary emergency shelter on the same site within 180 days of the expiration date of the TUP for a transitional encampment or temporary emergency shelter.

14. At expiration of the permit, the host or managing agency shall restore the property to the same or similar condition as at permit issuance.

A Temporary Use Permit is a Type A action, which is a ministerial decision by the Director, based on compliance with the specific standards noted above. Other than the required Neighborhood Meeting, no additional notice is required and there is no administrative appeal process.

20.20.034 M definitions. 

Managing Agency

An organization that has the capacity to organize and manage a transitional encampment. A managing agency must be a State of Washington registered nonprofit corporation; a federally recognized tax exempt 501(c)(3) organization; a religious organization as defined in RCW [35A.21.360](#); or a self-managed homeless community. A managing agency may be the same organization as the host agency.

APPLICATION SUBMITTAL:

Camp United We Stand proposes a 90-day Transitional Encampment on St. Dunstan's Church of the Highlands' property at 722 NE 145th St. The Encampment will host up to 35 residents in an area not to exceed 12,000 square feet of area which will be shielded from view by 6-7 foot high screening. The encampment will consist of personal tents for up to 35 individuals. The site also includes larger tents for common areas including a kitchen area and donation station. Approximately six personal vehicles owned by encampment residents will be parked on the site.

The applicant, Shoreline St. Dunstan's Church of the Highlands, meets the definition of host, and Camp United We Stand meets the definition of managing agency.

The application submittal includes a Code of Conduct, a Host Church Agreement with Tenant Homeless Encampment between St. Dunstan's and Camp United We Stand, a Neighborhood Meeting report, and a camp site plan. A request for an emergency temporary shelter was not part of the application submittal.

The camp operations include 24-hour security, at no time will the camp be unoccupied. The Encampment includes a code of conduct enforced by residents. Codes of conduct include no drugs or alcohol, or intoxicated persons allowed and a prohibition against violence, intimidation, verbal abuse, and loitering. Three to four portable toilets, including wash stations will be installed at the camp and a dumpster is provided and serviced regularly for disposal of solid waste. Food is brought in. The only cooking is done in microwaves or on the outdoor propane stove, no other fires for cooking or warmth are permitted.

Camp United We Stand will maintain an up-to-date list of all residents of the encampment. Prior to occupying the site, the list of residents shall be submitted to the King County Sheriff's Office Communication Center for warrant and sex offender checks.

REVIEW AND NOTIFICATION:

The City of Shoreline Fire Department has reviewed the proposal and will perform an inspection of the site once it is set up for compliance with safety regulations. The Shoreline Police Department has been notified of the application and has no objections.

Other than the required Neighborhood Meeting, which was held on October 18, 2023, no additional notice is required and there is no administrative appeal process.

CONCLUSIONS & DECISION:

Based on review of the application materials provided, the Director finds that the criteria for temporary use transitional encampment are met. The applicant has demonstrated how health and safety requirements will be met; the site plan submitted shows the proposed camp meets the size, setback and screening requirements of the code, sufficient parking remains on site, and the use will not generate unreasonable light or glare. The host site does have mapped moderate to high-risk landslide hazard areas, however, the proposed

transitional encampment site is not located within the critical area or buffers.

Conditions:

The use of the church site for a transitional encampment shall conform to all of the criteria in SMC 20.30.295. The encampment shall not remain on the host site for greater than 90 days, if the encampment wishes to remain longer they may apply for an extension of the encampment for up to a total of 180 days consistent with SMC 20.30.295(D)(12).

The encampment site shall conform to all setback requirements and shall be screened consistent with requirements in SMC 20.30.295(7)(c).

To address rat abatement and noise due to frequent dumpster service, the dumpster shall be placed near the entrance of the camp along 145th Street and food shall be stored securely in the kitchen area. The encampment will not leave any solid waste, dumpsters, or other materials behind after they leave the host site.

The encampment site shall conform to the City's noise control ordinance in SMC 9.05.

A request to operate an emergency temporary shelter was not part of the application submittal. Should the host elect to operate an emergency temporary shelter within an existing building, a fire operational permit shall be required prior to occupancy consistent with SMC 20.30.295(D)(8) and a list of conditions that warrant operating the shelter shall be submitted to supplement this application per SMC 20.50.295(D)(9).

Any non-fabric sleeping quarters for encampment residents shall be placed in the interior of the site, not at the encampment perimeter. Their location and distance from other quarters is subject to approval by Shoreline Fire Department. Space heaters and propane tanks are not permitted in sleeping quarters. Additional wooden or trailer sleeping quarters or any other non-fabric sleeping quarters are subject to review and approval by city staff and the Shoreline Fire Department.

This permit is valid from November 4, 2023, to February 3, 2024. An extension may be requested pursuant to SMC 20.30.295(D)(12).



Director's Signature

October 30, 2023

Date