

AGENDA

Finance and Economic Development Committee Meeting

Thursday, August 13, 2015

5:00 p.m. – 6:00 p.m.

South Conference Room

- 1. Call to Order**
- 2. Homeless Encampment Ordinance**
Staff will provide an update on the previous discussion of the Draft Ordinance on Homeless Encampments. This is related to a 2014 Land Use Audit by WCIA.
- 3. Economic and Development Update**
Staff will provide an update on economic development efforts and the status of development projects throughout the City.

Memo



Date: August 7, 2015

To: Council Finance and Economic Development Committee (F&EDC)

From: Denise Lathrop, AICP – Community Development Mgr.
Laura Techico, AICP – Senior Planner

RE: *Temporary Homeless Encampments*

Purpose

The purpose of this agenda item is to provide additional information to the Council Finance and Economic Development Committee (F&EDC) related to Temporary Encampments for the Homeless.

Background

In June 2014, Washington Cities Insurance Authority (WCIA) completed their 2014 Land Use Liability Audit of the City's land use practices. One of the audit findings related to Des Moines compliance with legislation on Temporary Encampments for the Homeless, pursuant to RCW 35.21.915, RCW 35A.21.360 and RCW 36.01.290.

Q1.22: *Do your code and practices comply with current legislative enactments governing temporary encampments for the homeless?*

At the May 14, 2015 F&EDC meeting, staff discussed the WCIA audit findings and the State legislation that authorize religious organizations to host temporary encampments for homeless persons on property owned or controlled by a religious organization (RCW 36.01.290).

In preparing Draft Ordinance No. 15-030 (Attachment 1), staff reviewed information from other agencies that have dealt with temporary encampments in the past including King County and the Cities of Seattle, Redmond, and Sammamish. The draft ordinance would amend DMMC 18.01.050 to add new definitions, and add new sections to Chapter 18.170 Temporary Uses. Specific amendments address frequency and duration of the use, noticing requirements, and options for modifying standards.

Discussion

At the conclusion of the July 9, 2015 F&EDC meeting, the Committee requested that staff provide additional research in response to the following Committee member questions:

- ***Prepare a map showing a location of all churches in Des Moines. See Attachment 2.***
- ***Can we require a bond to cover any unforeseen City costs? RCW 36.01.290 prohibits the City from "requiring 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". No other cities were found to require a bond.***
- ***Is there a minimum square footage for a parcel/site or a ratio of land/person? No cities have this, most limit the number of residents to 100. Additional language was added to Draft Ordinance No. 15-030 stating "The city may further limit the number of residents as site conditions dictate."***

- *Is there a ratio of Sani cans/toilets per person?* **No.**
- *Is there siting criteria related to proximity to schools?* **No.**
- *Look at our adjacent Cities (Burien and Kent). Neither Burien nor Kent have a temporary encampment ordinance. Attachment 3 is a summary table of requirements that the City of Mercer Island prepared that compares tent city regulations of several east side cities.*
 - Burien hosted the Share Wheel Tent City encampment many years ago and were able to negotiate conditions on a temporary use permit that addressed a majority of the community's concerns. They also had an informal, unpermitted encampment at a local church this past spring that was controversial and was eventually terminated by the host organization due to behavioral and drug related issues.
 - Kent has talked about setting some very basic guidelines in the past, but has yet to establish. For now a temporary encampment would be handled through a temporary use permit.

Draft Ordinance No. 15-030 was further revised to ensure the regulations are as stringent as possible within the confines of State law. Revisions include added provisions for the managing agency, site occupancy, code of conduct and code enforcement as summarize below:

- Managing agency requirements:
 - Applying for a temporary encampment permit at least 75 days before any occupancy by the temporary encampment.
 - Compliance with Washington State and City codes concerning drinking water connections, human waste, solid waste disposal, electrical systems, and fire resistant materials;
 - Obtaining verifiable identification from prospective encampment
 - Obtaining sex offender and warrant checks from the appropriate agency and ensuring Des Moines Police Department requirements related to identified sex offenders or prospective residents with warrants are met;
 - Authorizing daily inspections by the City and/or Health department to check compliance with the standards for temporary homeless encampments; and
 - Requiring the managing agency and temporary encampment sponsor to sign a hold harmless agreement for the temporary encampment.
- Language that gives the City some authority to further limit the number of residents as site conditions dictate.
- Code of Conduct requirements related to trespass, littering, sex offender, and fire inspections.
- Code enforcement actions that the City can take if it is determined that there has been a violation of any condition of approval.

If the committee concurs with the proposed legislation, staff will bring Draft Ordinance No. 15-030 before the full Council for consideration in the September/October timeframe.

CITY ATTORNEY'S FIRST DRAFT 05/07/2015

DRAFT ORDINANCE NO. 15-030

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to zoning and the regulating of temporary homeless encampments, amending DMMC 18.01.050 by adding definitions, amending DMMC 18.20.080A project review chart, and adding and codifying new sections to chapter 18.170 DMMC.

WHEREAS, there are many homeless persons in our region that are in need of shelter and other services that are not being provided by the state and local governments, and

WHEREAS, in many communities, religious organizations play an important role in providing needed services to the homeless, including the provision of shelter upon property owned by the religious organization, and

WHEREAS, establishing temporary use provisions that allow temporary homeless encampments enable religious institutions in our community to perform a valuable public service that, for many, offers a temporary, stop-gap solution to the larger social problem of increasing numbers of homeless persons, and

WHEREAS, Draft Ordinance No. 15-030 provides guidance in regulating temporary homeless encampments and provides the City with broad discretion to protect the health and safety of our citizens; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. The following definitions shall be added to DMMC 18.01.050 and section 5 of Ordinance No. 1591:

"Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

"Temporary Homeless encampment" means a group of homeless persons temporarily residing out of doors on a site with services provided by a sponsor and supervised by a managing agency.

"Temporary homeless encampment managing agency" means an organization that has the capacity to organize and manage a temporary homeless encampment. A managing agency may be the same entity as the sponsor.

"Temporary homeless encampment sponsor" means an entity that has an agreement with the managing agency to provide basic services and support for the residents of a temporary homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A sponsor may be the same entity as the managing agency.

NEW SECTION. **Sec. 2.** A new section is added to chapter 18.170 DMMC to read as follows:

Temporary **homeless encampment use permit.** Temporary homeless encampments are allowed pursuant to a temporary homeless encampment use permit, which shall be a Type I land use decision reviewed and issue pursuant to chapter 18.20 DMMC and the following conditions:

(1) An application for a temporary homeless encampment use permit shall include a religious organization as a sponsor or managing agency and must be located on real property owned or controlled by the religious organization. The managing agency shall be responsible for complying with the following conditions:

(a) The managing agency and temporary encampment sponsor shall submit a complete application for a temporary encampment permit at least 75 days before any occupancy by the temporary encampment.

(b) The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire resistant materials;

(c) The managing agency 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 by the Des Moines Police Department related to identified sex offenders or prospective residents with warrants shall be met; and

(d) The managing agency shall permit daily inspections by the City and/or Health department to check compliance with the standards for temporary homeless encampments; and

(e) The managing agency and temporary encampment sponsor shall sign a hold harmless agreement for the temporary encampment.

(2) Site requirements. All temporary homeless encampments shall comply with the following site requirements:

(a) The encampment shall be located a minimum of twenty (20) feet from the property line of abutting properties containing residential uses;

(b) Sight-obscuring fencing shall be required around the perimeter of the temporary homeless encampment unless the Planning, Building and Public Works Director determines that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed;

(c) Exterior lighting shall be directed downward and contained within the temporary homeless encampment;

(d) Tents, membrane structures, or canopies in excess of 400 square feet as defined by the International Fire Code, shall require a permit and approval from the fire marshal;

(e) A designated smoking area shall be provided on site and in a location that results in the least impact on neighboring properties;

(f) Garbage and recycling containers shall be provided on site and each site shall be cleared of debris, litter when the temporary homeless encampment moves from the site; and

(g) Temporary homeless encampments shall comply with all applicable standards of the Seattle-King County public health department.

(3) The maximum number of residents within a temporary homeless encampment is one hundred (100). The city may further limit the number of residents as site conditions dictate.

(4) Parking:

(a) Parking for a minimum of five (5) vehicles and vehicle maneuvering area shall be provided; and

(b) Parking of vehicles associated with a temporary homeless encampment, and the Temporary Homeless Encampment itself, shall not displace the sponsor's off-street parking in such a way that the sponsor's site no longer meets the minimum or required parking of the principal use as required by Chapter 18.210 DMMC or previous approvals, unless an alternative parking plan is approved by the City Manager or the City Manager's designee.

(5) Transportation plan. A transportation plan shall be submitted with the permit application demonstrating:

(a) Reasonable access to methods of communication and services such as groceries, supplies and medical care; and

(b) Access to public transit services and any alternative means of transportation such as private or volunteer shuttle service and reasonable bicycle and pedestrian paths.

(c) The temporary homeless encampment shall be located within one-half (1/2) mile of transit service.

(6) No children under eighteen (18) years of age are allowed in the temporary homeless encampment. If a child under the age of eighteen (18) attempts to stay at the temporary homeless encampment, the managing agency shall immediately contact the Washington State Department of Social and Health Services Child Protective Services.

(7) No animals shall be permitted in encampments except for service animals.

(8) A code of conduct is required to be enforced by the managing agency. The code shall contain the following as a minimum:

- (a) No illegal drugs or alcohol.
- (b) No weapons.
- (c) No violence.
- (d) No open flames.
- (e) No loitering in the surrounding neighborhood.

(f) No trespassing into private property in the surrounding neighborhood is permitted.

(g) No littering on the temporary encampment site or in the surrounding neighborhood is permitted.

(h) No convicted sex offender shall reside in the temporary encampment.

(9) The fire department shall do an initial fire inspection and safety meeting at the inception of the temporary encampment.

(10) Upon determination that there has been a violation of any condition of approval, the code official may give written notice to the permit holder describing the alleged violation. Within seven days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the seven-day period, the code official shall sustain or revoke the permit. When a temporary encampment permit is revoked, the code official shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a temporary encampment permit will be processed pursuant to Chapter 36.70C RCW.

NEW SECTION. **Sec. 3.** A new section is added to chapter 18.170 DMMC to read as follows:

Temporary **homeless encampment frequency and duration of temporary use.** The City may not grant a temporary homeless encampment use permit ~~at the same site to~~ each religious organization or managing agency more frequently than once in every 365-day period. The City may only grant a temporary homeless encampment use permit for a specified period of time, not to exceed 92 days.

NEW SECTION. **Sec. 4.** A new section is added to chapter 18.170 DMMC to read as follows:

Notice requirements for temporary homeless encampments in new locations.

(1) Applicability. The following notice requirements apply only to new locations for temporary homeless encampments. If an encampment has previously located at the site, the provisions of [REDACTED] shall apply.

(2) Public meeting. A minimum of fourteen (14) calendar days prior to the anticipated start of the encampment, the sponsor and/or managing agency shall conduct a public informational meeting by providing mailed notice to owners of property within six hundred (600) feet of the subject property and residents and tenants adjacent to the subject property. The purpose of the meeting is to provide the surrounding community with information regarding the proposed duration and operation of the temporary homeless encampment, conditions that will likely be placed on the operation of the temporary homeless encampment, requirements of the written code of conduct, and to answer questions regarding the temporary homeless encampment.

(3) A Notice of Application for Temporary Homeless Encampment shall be provided prior to the Planning, Building and Public Works Director's decision. The purpose of the notice is to inform the surrounding community of the application. Due to the administrative and temporary nature of the permit, there is no comment period. The notice shall contain at a minimum the date of

application, project location, proposed duration and operation of the temporary homeless encampment, conditions that will likely be placed on the operation of the temporary homeless encampment, requirements of the written code of conduct, and how to get more information (i.e., City website). The Planning, Building and Public Works Department shall distribute this notice as follows:

(a) The notice, or a summary thereof, will be published in the official newspaper of the City at least seven (7) calendar days prior to the Planning, Building and Public Works Director's decision.

(b) The notice, or a summary thereof, will be distributed to owners of all property within six hundred (600) feet of any boundary of the subject property and residents and tenants adjacent to the subject property at least fourteen (14) calendar days prior to the Planning, Building and Public Works Director's decision.

(c) The notice will be posted on the City's website.

(4) A Notice of Decision for Temporary Homeless Encampment, or summary thereof, shall contain the decision of the Planning, Building and Public Works Director and appeal procedure and be distributed as required for notice of application within four (4) business days after the decision.

NEW SECTION. **Sec. 5.** A new section is added to chapter 18.170 DMMC to read as follows:

Option to Modify Standards for Temporary Homeless Encampments. The applicant may apply for a temporary homeless encampment use permit that applies standards that differ from those in DMMC [REDACTED]. If a modification is proposed, then the application will be processed according to **Process [REDACTED] DMMC**, including a comment period and appeal to the Hearing Examiner. In addition to all other permit application requirements, the applicant shall submit a description of the standard to be modified and shall demonstrate how the modification will result in a safe temporary homeless encampment under the specific circumstances of the application. In considering whether the modification should be granted, the Planning, Building and Public Works Director shall

consider the effects on health and safety of residents and the community.

NEW SECTION. **Sec. 6.** A new section is added to chapter 18.170 DMMC to read as follows:

Notice Requirements for Temporary Homeless Encampments at Repeat Locations.

(1) A minimum of fourteen (14) calendar days prior to the anticipated start of the encampment, the sponsor and/or managing agency shall provide mailed notice to owners of property within six hundred (600) feet of the subject property and residents and tenants adjacent to the subject property. The purpose of the notice is to inform the surrounding community of the proposed duration and operation of the temporary homeless encampment, applicable standards, requirements of the written code of conduct, and how to get more information.

(2) A minimum of fourteen (14) calendar days prior to the anticipated start of the encampment, the City shall update the City's website with the date of application, project location, proposed duration and operation of the temporary homeless encampment, the conditions that will be placed on the operation of the temporary homeless encampment, requirements of the written code of conduct and how to get more information.

Sec. 7. Codificaton. Sections 2 through 6 of this Ordinance shall be codified as a new section in chapter 18.170 DMMC entitled "*Temporary Homeless Encampments.*"

Sec. 8. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Ordinance No. _____
Page 9 of 9

Sec. 9. Effective date. This Ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this _____ day of _____, 2015 and signed in authentication thereof this _____ day of _____, 2015.

M A Y O R

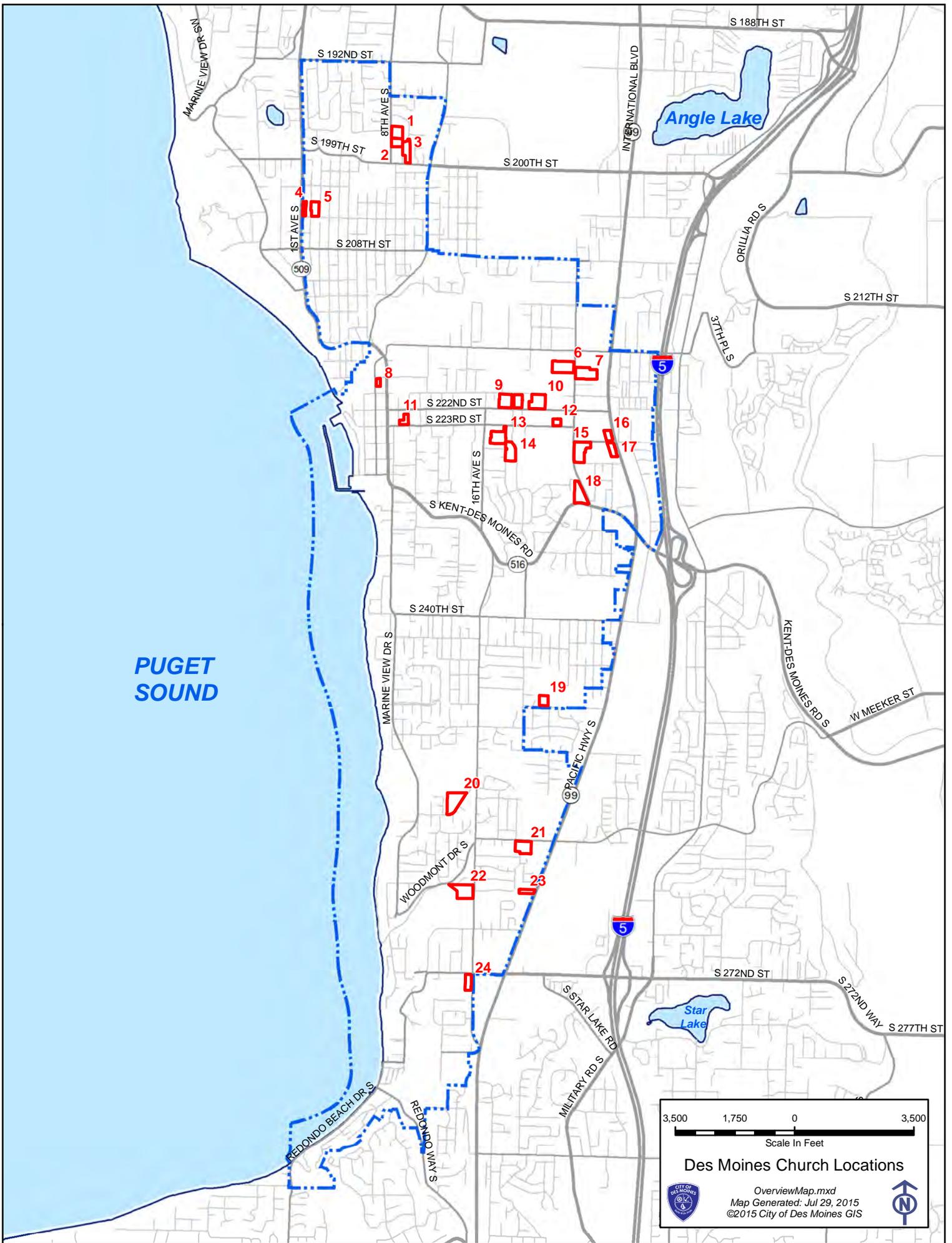
APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____



PUGET
SOUND

3,500 1,750 0 3,500
Scale In Feet

Des Moines Church Locations

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19702

19642

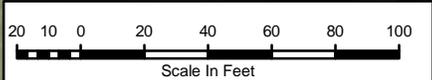
S 198TH ST

19635

8TH AVES

19804

Name: Samoan Christian Fellowship
Acres: 2.61
Square Feet: 113,886.88
Sheet: 1 of 24



Des Moines Church Locations



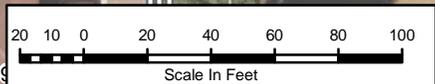
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8TH AVES



Name: Southminster Presbyterian
Acres: 1.79
Square Feet: 77,885.76
Sheet: 2 of 24



Des Moines Church Locations

Mapbook.mxd
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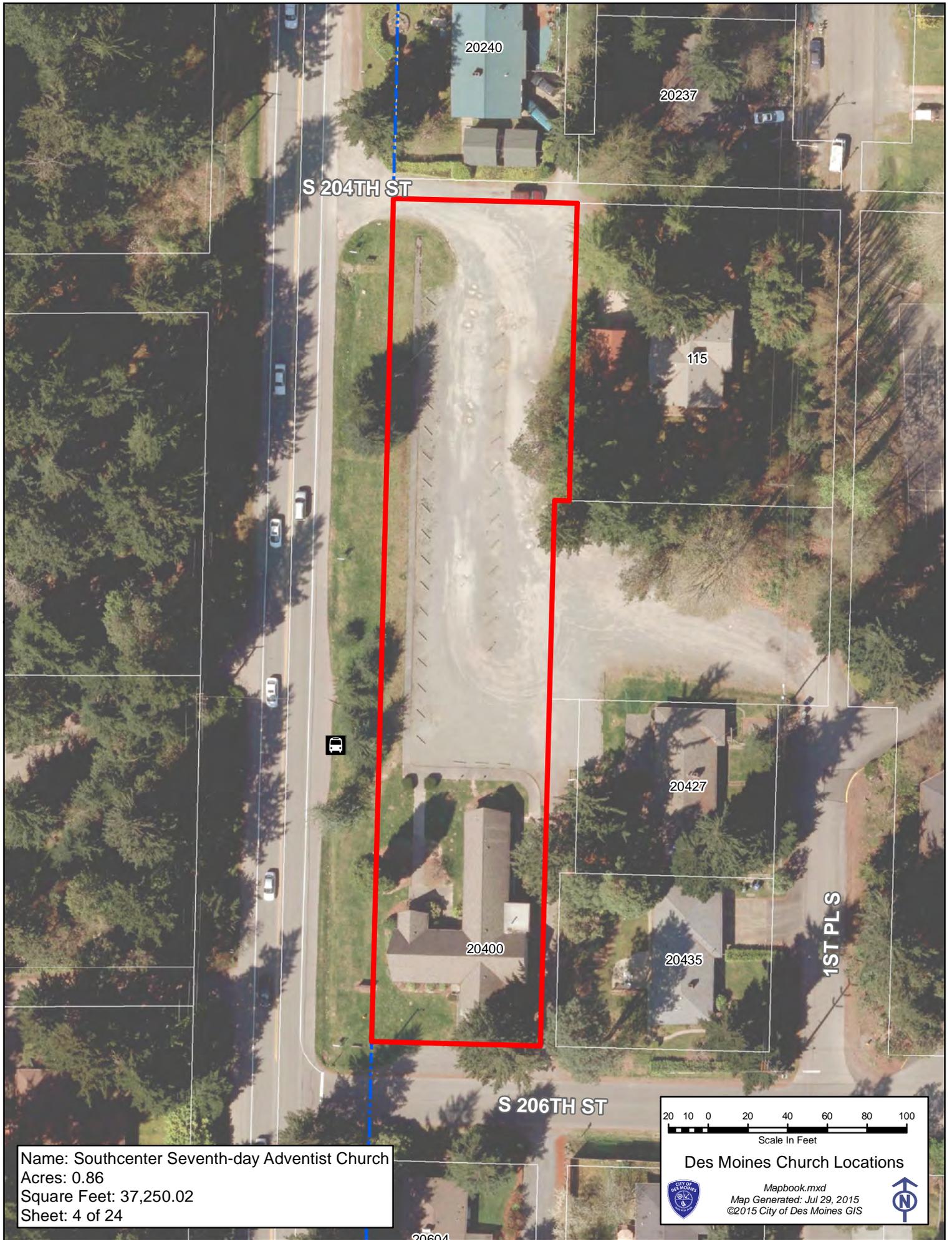
Name: Normandy Christian Church
Acres: 2.79
Square Feet: 121,450.53
Sheet: 3 of 24

20 10 0 20 40 60 80 100 120 140 160 180
Scale In Feet

Des Moines Church Locations

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Name: Southcenter Seventh-day Adventist Church
Acres: 0.86
Square Feet: 37,250.02
Sheet: 4 of 24

20 10 0 20 40 60 80 100
Scale In Feet

Des Moines Church Locations

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Name: Resurrection Lutheran Church
Acres: 2.24
Square Feet: 97,625.02
Sheet: 5 of 24

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Scale In Feet

Des Moines Church Locations

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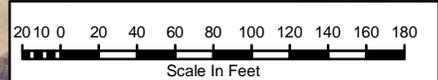




S 216TH ST

24TH AVE S

Name: Des Moines Kingdom Hall
Acres: 4.77
Square Feet: 207,620.33
Sheet: 6 of 24



Des Moines Church Locations
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S 219TH ST



24TH AVES

21606

21614

21612

2459

21650

21816

21815

21902

2420

2428

2432

2444

2508

2514

S 219TH ST

2515

2401

2411

2419

2427

2435

2443

Name: Highline Seventh-Day Adventist Church
Acres: 4.53
Square Feet: 197,156.84
Sheet: 7 of 24



Des Moines Church Locations

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21849

S 219TH ST

7TH AVE S

21914

709 717 721

21905

21907

21915

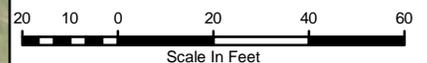
21917

21919

21921

21923

21927



Scale In Feet

Name: Des Moines Gospel Chapel
Acres: 0.62
Square Feet: 26,999.97
Sheet: 8 of 24

Des Moines Church Locations



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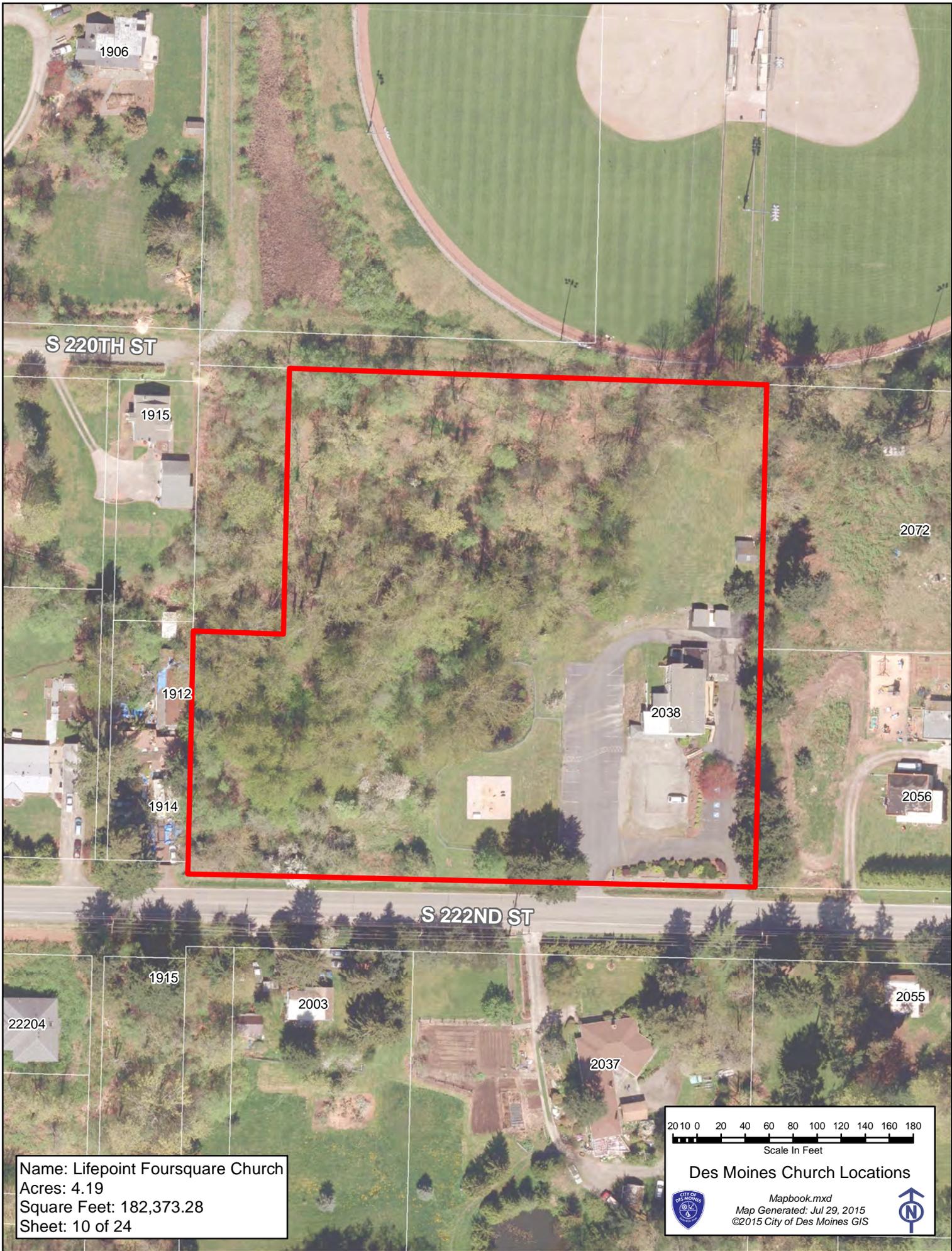
Name: St. Philomena Church
Acres: 5.45
Square Feet: 237,267.46
Sheet: 9 of 24

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Scale In Feet

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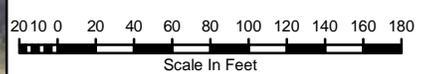




S 220TH ST

S 222ND ST

Name: Lifepoint Foursquare Church
Acres: 4.19
Square Feet: 182,373.28
Sheet: 10 of 24



Des Moines Church Locations



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S 222ND ST

22203

22202

817

825

22204

22208

2209

22212

8TH AVES

22216

9TH AVES

22222

22225

802

904

S 223RD ST

823

833

Name: Des Moines Methodist Church
Acres: 1.26
Square Feet: 54,941.25
Sheet: 11 of 24

20 10 0 20 40 60 80 100
Scale In Feet

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2055

2209

2219

2229

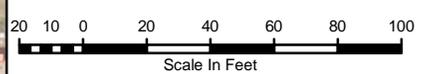
2204

2208

S 223RD ST

2215

Name: Des Moines Masonic Temple
Acres: 1.05
Square Feet: 45,926.78
Sheet: 12 of 24



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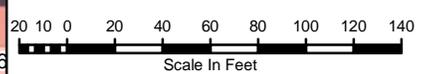
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S 223RD ST

S 225TH ST

Name: Russian Baptist Church
Acres: 3.75
Square Feet: 163,420.78
Sheet: 13 of 24



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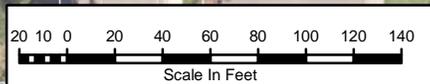


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Name: First Baptist Church
Acres: 3.56
Square Feet: 155,257
Sheet: 14 of 24



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2422

2430

S 224TH ST

2461

2422

2428

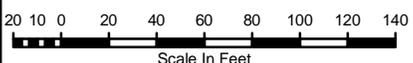
22460

2424

2426

24TH AVE S

S 226TH ST



Scale In Feet

Name: Midway Covenant Church
Acres: 4.87
Square Feet: 212,243.04
Sheet: 15 of 24

Des Moines Church Locations



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2417

2425



22247

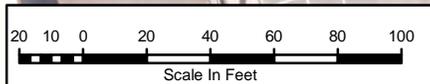
22323

S 224TH ST

PACIFIC HWY S

2701

Name: Citadel Church
Acres: 1.3
Square Feet: 56,607.21
Sheet: 16 of 24



Scale In Feet

Des Moines Church Locations



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S 224TH ST

28TH AVES

22419

PACIFIC HWY S

22505

2812

Name: Open Door Baptist Church - Moved to 1826 S 240th St
Acres: 1.74
Square Feet: 75,583.96
Sheet: 17 of 24



Scale In Feet

Des Moines Church Locations

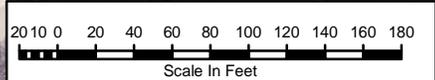


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Name: Grace Lutheran Church
Acres: 3.91
Square Feet: 170,221.23
Sheet: 18 of 24



Des Moines Church Locations



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24700

24704

24710

2110

2130

2115

2123

2133

24805

S 248TH ST

Name: Marcus Whitman Presbyterian
Acres: 1.72
Square Feet: 74,755.51
Sheet: 19 of 24

20 10 0 20 40 60 80 100
Scale In Feet

Des Moines Church Locations

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Name: Saltwater Unitarian Universalist Church
Acres: 5.25
Square Feet: 228,675.1
Sheet: 20 of 24

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Scale In Feet

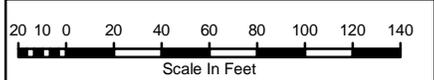
Des Moines Church Locations

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Name: Holy Trinity Lutheran Church
Acres: 3.65
Square Feet: 159,112.65
Sheet: 21 of 24



Des Moines Church Locations



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Name: The Salvation Army Federal Way Corps
Acres: 4.84
Square Feet: 210,973.19
Sheet: 22 of 24

20 10 0 20 40 60 80 100 120 140 160 180
Scale In Feet

Des Moines Church Locations

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Name: Hanwoori Mission Church
Acres: 1.19
Square Feet: 51,815.75
Sheet: 23 of 24

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Scale In Feet

Des Moines Church Locations

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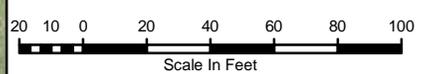
15TH AVES

S 272ND ST

16TH AVES

27233

Name: Kingdom Hall
Acres: 1.87
Square Feet: 81,283.09
Sheet: 24 of 24



Des Moines Church Locations



Mapbook.mxd
Map Generated: Jul 29, 2015
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Mercer Island's Tent City Temporary Use Agreement

On June 16, 2008 the City of Mercer Island entered into an agreement with the Seattle Housing and Resource Effort (SHARE), the Women's Housing and Resource Effort Enhancement League (WHEEL) and the Mercer Island United Methodist Church. The agreement was developed through research into conditions that have been applied by other Eastside cities. Following is a comparison of those conditions. To view Mercer Island's Temporary Use Agreement, please visit the City website: www.mercergov.org/tentcity.

	Mercer Island	Bellevue	Bothell	Issaquah	Kirkland	Redmond	Woodinville
<i>Length of Stay.</i>	Cannot exceed 93 days. Temp. Use Agreement Sec. 2.	Cannot exceed 60 days. LUC 20.30U.125.	90 days. Agreement Sec. III.B.1.	90 days. Special Event/Use Permit SPE07-00032.	Cannot exceed 92 days. KZC 127.30.	Cannot exceed 110 days. Temp. Use Permit Sec. II.1.	40 days with possible increase to 100 days. Temp Use Agreement Sec. 2 and 3.
<i>Encampment Setback from Abutting Properties.</i>	20 feet or more, Agreement Sec. 3(i).	20 feet or more, LUC 20.30U.125.	20 feet or more. Agreement Sec. III.B.5.	No setback requirement in Permit.	20 feet or more. KZC 127.25.	No setback requirement in Permit.	No setback requirement in Agreement.
<i>Sight Obscuring Fence or Screening Required?</i>	Yes. Agreement Sec. 3(ii).	Yes. LUC 20.30U.125.	Yes. Agreement Sec. III. B. 5.	Yes, Use Permit # SPE07-00032.	Yes, KZC 127.25.	Yes. In Permit decision criteria, found to be met by City.	No.
<i>Lighting Regulation.</i>	Lighting must be directed inward toward camp. Agreement Sec. 3(iii).	Glare and reflections must be contained within Camp. LUC 20.30U.125.	No.	None in Permit.	Lighting must be directed downward and containing within camp. KZC 127.25.	None specified.	No.
<i>Maximum Number of Residents at Encampment.</i>	100 persons. Agreement Sec. 3(iv).	100 persons. LUC 20.30U.125.	100 persons, Agreement Sec. II.B.3.	100 persons. Use Permit # SPE07-00032.	100 persons. KZC 127.25.	100 persons. Temp. Use Permit Sec. II.1.	100 persons. Agreement Sec. C.
<i>Parking Requirements at Site?</i>	Yes. Agreement Sec. 3(v).	Yes. LUC 20.30U.125.	Yes. Agreement Sec. III. B.6.	Yes. Use Permit Condition 5.	Yes. KZC 127.25.	Yes. Temp Use Permit Sec. II.2.	None in Agreement.
<i>Proximity to transit Required?</i>	Yes. Shall be within walking distance of transit service (a stop is immediately across the street from Church). Agreement Sec. (vi)	Yes. Within ½ mile of a transit stop. LUC 20.30U.125.	No requirement in Agreement.	No requirement in Permit # SPE07-00032.	Yes, Within ½ mile of a transit stop. KZC 127.25.	No requirement in Temp Use Permit.	No requirement in Agreement.

Mercer Island's Tent City Temporary Use Agreement

	Mercer Island	Bellevue	Bothell	Issaquah	Kirkland	Redmond	Woodinville
Children Prohibited from Staying in Encampment?	Yes. Cannot stay overnight, except under exigent circumstances. Agreement Sec. (vii).	Yes. LUC 20.30U.125.	Yes. Agreement Sec. III. B.4.	No. Not under Permit # SPE07-00032.	Yes. KZC 127.25.	No. Not in Temp Use Permit.	No. Not in Agreement.
Code of Conduct for Persons in Encampment?	Yes. Temp. Use Agreement Sec.. 3(viii) & Exhibit A.	Yes, LUC 20.30U.125.	Yes. Agreement Sec. III. B. 10-11.	Not mentioned in Permit # SPE07-00032.	Yes. KZC 127.25 .	No. Not part of Temp Use Permit conditions.	Yes. Temp. Use Agreement Sec. 5.
Specific Health, Safety and Fire Protections Apply?	Yes. Temp. Use Agreement Sec. 3(ix), incorporates by reference City and State Codes related to drinking water, human waste, solid waste disposal, electrical systems, cooking and food handling and fire. See, e.g., City of Mercer Island Codes 8.04.120, 8.30.030, 17.14, 17.15, and 19.15.030. RCW 70.95.240(2). WAC 51-50-3103. Agreement Sec. 3(ix), requires fire resistant materials. Mercer Island Fire Department will do inspection and specific Fire Codes apply independent of the Agreement.	Yes.	Yes.	Yes.	Yes.	Yes.	Yes.
Identification, and Warrant and Sex Offender Checks Required For Persons at Encampment?	Yes. Temp Use Agreement Sec. 3(x).	Yes. 20.30U.121.	Yes. See Temp Use Agreement.	Not mentioned in Permit # SPE07-00032. (may be in separate agreement with Police Depart.).	Yes. KZC 127.25.	Yes. Permit Condition 8.	Yes. Temp Use Agreement Sec. 5.

Mercer Island's Tent City Temporary Use Agreement

	Mercer Island	Bellevue	Bothell	Issaquah	Kirkland	Redmond	Woodinville
<i>Inspections Required?</i>	Yes. Temp Use Agreement Sec. 3(xi), requires regular inspections by City and King County Health Department and City Fire Department.	Not addressed in 20.30U.	Yes. Temp Use Agreement. Sec. III.B.9.	Yes. Temp Use Permit.	Yes. KZC 127.25.	Not addressed in Temp. Use Permit.	Yes. Temp Use Agreement Sec. 8.
<i>Was Notice Provided to Neighbors Prior to Decision?</i>	Yes. Notice of Council Meeting where Agreement Considered, and public meeting at the host church.	Yes. LUC 20.35.510 & 525.	?	?	Yes. KZC 127.42.	No.	Yes. Notice of Council Meeting.
<i>Must Notify, and Meet and Confer with Nearby Schools and Daycares?</i>	Yes. Any within 600 feet of the encampment. More conditions can be added. In Mercer Island, no schools or daycares nearby.	Yes. Any within 600 feet of site. LUC 20.30U.122.	No. Not in Agreement.	No. Not in Temporary Use Permit.	No. (does require compatibility with surrounding uses).	Temp Use Permit II. 9. during certain hours, requires sidewalk monitors at nearby schools.	No. Not in Agreement.
<i>Can There be Immediate Enforcement of Violations?</i>	Yes. Mercer Island Codes 8.04.120, 8.30.030, 17.14, 17.15, and 19.15.030; incorporated in Agreement by reference.	Yes.	Yes.	Yes.	Yes.	Yes.	Yes.
<i>Are There Any Penalties for Violating Codes or Agreement?</i>	Yes. Terminate Tent City. Agreement Sec. 5. Civil fines and penalties for City and State Code violations. Mercer Island Codes 8.04.120, 8.30.030, 17.14.113, 17.14.115, 17.15.030, and 19.15.030, & RCW 70.95.240(2)(b)-(c). incorporated into the Agreement by reference.	Yes.	Yes.	Yes.	Yes.	Yes.	Yes.

Mercer Island's Tent City Temporary Use Agreement

	Mercer Island	Bellevue	Bothell	Issaquah	Kirkland	Redmond	Woodinville
<i>Is there a provision for hold harmless / indemnification for City taxpayers?</i>	Yes, City is held harmless and indemnified.	No.	No.	Yes, Permit Sec. 14.	No.	No.	No.
<i>Process For People Evicted From Tent City?</i>	Yes. Process for eviction or unlawful detainer. RCW 59.12. See RWC 59.16-59.20. See also Mercer Island City Code 9.14, Trespass, to which usual police procedures apply.	Yes.	Yes. Temp Use Agreement Sec. 11(b)-(c).	Yes.	Yes. In Temp Use Permit ZOzn08-00001.	Yes.	Yes.

Development Activities

Project	Pre-App Meeting	SEPA	Design Review	Civil Plan Approval	Building Permit Application	Building Permit Issued	Active Construction	2015				2016				2017				2018			
								Q1	Q2	Q3	Q4												
Four Point Sheraton Hotel (Artemis)	X	X	X	X	X	X	X																
Hotel TI's		X	X		1 of 2																		
Parking Lot	X	X	X	^																			
Sea Mar (RES)	X	X	X	X	X	X	X																
Sea Mar (MOB)	X	X	X	X	X	X	X																
Dougherty Mixed Use	X	X	X	X	X	X	X																
Adriana	X	X	X	X	X	July	September																
Landmarque	X	X	X	X	X	X	X																
Woodmont Vista	X	X	X	X	X	X	X																
Blueberry Lane (62 Lots)	X	X	X	X			X																
Highline View Estates (21 lots)	X	X	X	September			July																
800 Townhomes (4 condo units)	X	X	X	X	X	X	September																
Des Moines Creek Business Park - Phase 1	X	X	X	X	X	X	X																
Building 1A TI's		X	X																				
Building 1B TI's	X	X	X																				
Building 1C TI's		X	X																				
Des Moines Creek Business Park - Phase 2 (FAA)	X	X			September	August	February																
Des Moines Creek Business Park - Phase 3		X			January	March	April																
Building 3A TI's		X	X																				
Building 3B TI's		X	X																				
Des Moines Creek Business Park West - Phase 4																							
Woodmont Recovery Campus - Phase 1	X	X	X		August																		
Woodmont Recovery Campus - Phase 2	X	X	X																				
Woodmont Recovery Campus - Phase 3	X	X	X																				
Des Moines Theater	X		October		November	January	February																
Wesley Homes - Phase 1	X	August																					
Wesley Homes - Phase 2	X																						
Wesley Homes - Phase 3	X																						
Wesley Homes - Phase 4	X																						
Wesley Homes - Phase 5	X																						
Highline Place - Phase 1	X	August	September	September	October	November																	
Highline Place - Phase 2	X																						
Highline College																							
Building 24					X																		
Health & Life Sciences Building (26)																							
Student Services, Faculty & Classrooms																							
Building 23																							
Library 25																							
"Base" Projects																							

Development Activities

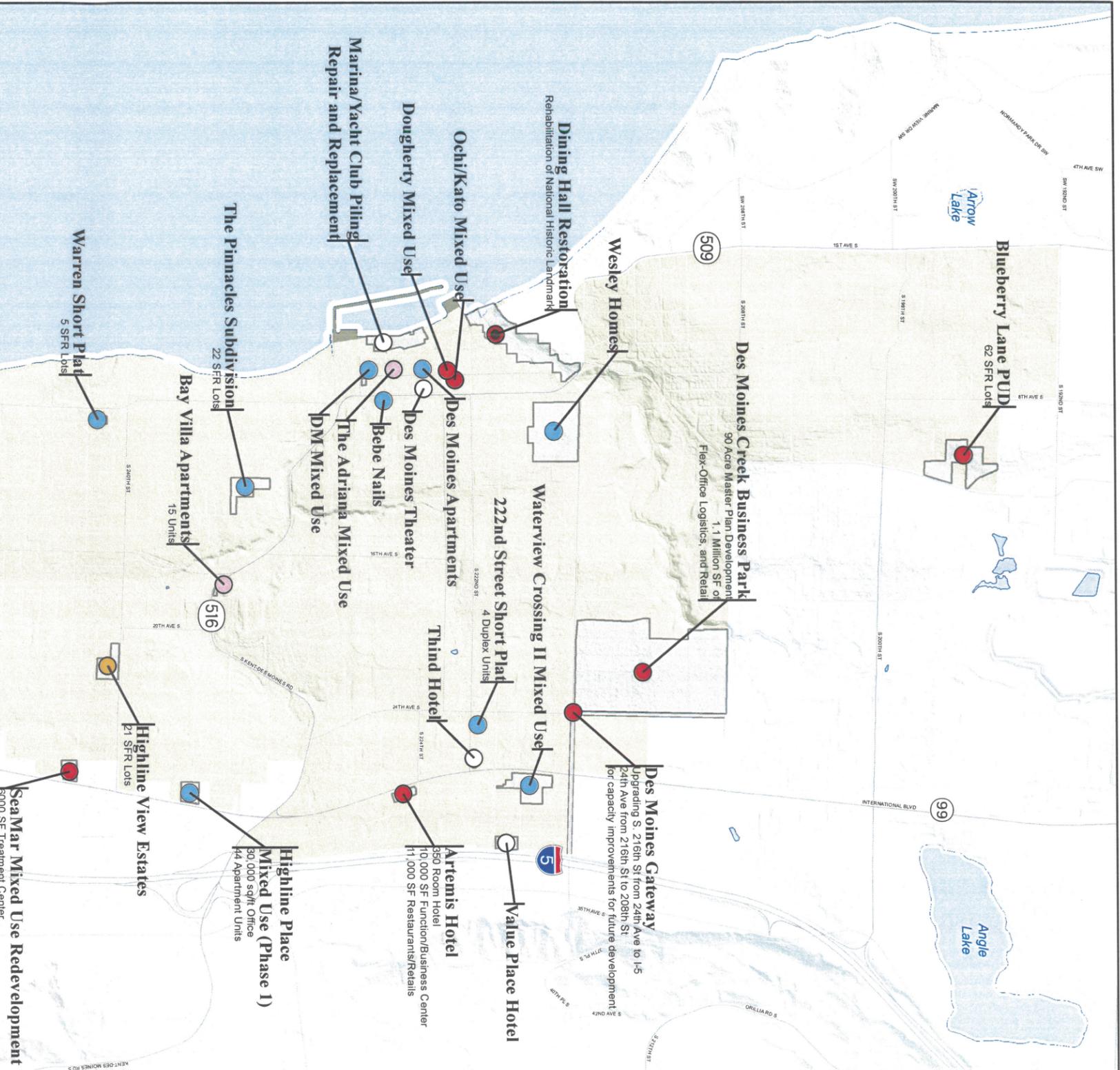
Project	Pre-App Meeting	SEPA	Design Review	Civil Plan Approval	Building Permit Application	Building Permit Issued	Active Construction	2015				2016				2017				2018			
								Q1	Q2	Q3	Q4												
Potential Development Activity																							
Pacific Heights (77 Lots)	X	X	X	X																			
Bay Villa	X	X	^																				
Des Moines Apartments	X	X	^																				
The Pinnacles - 23 Lots (Cedar Heights)	X	X	X																				
Thind Mixed Use	X	X	^																				
DM Mixed Use (Clayt's Tavern)	X	^	^																				
Breckenridge short plat (7 lots)	X	^	^																				
Warren Short Plat (5 lots)	X	^	^																				
BB Nails	X	^	^																				
Extended Stay Hotel	X	X																					
DEVCO	X	X	^																				
The "Pit"																							
Barcelona																							
Landmark Redevelopment																							
Furney																							
Ohno																							
Marina Floor Development																							
Workforce Housing	X																						
Sound Transit FWLE																							
Sound Transit FWLE D-EIS Review																							
Sound Transit FWLE F-EIS Review																							
Sound Transit FWLE Engineering																							
Sound Transit FWLE - ROW/Construction																							
Comprehensive Plan Update																							
March 2015 Landslide																							
Singh Stop Work Order																							
Huseby Nonconforming																							
Ron Dupard Variance Request																							
Ages in Stages UUP																							
Morchin UUP (219th)																							
Russian Baptist Church Stop Work Order																							
Im																							
Policy Work																							
Des Moines Theater																							
Draft Ordinance 15- : Wireless Facilities																							
Draft Ordinance 15- : Temporary Encampments																							
Draft Ordinance 15- : Transportation concurrency																							
Draft Ordinance 15- : Nonconformance																							
Draft Ordinance 15- : Adult Entertainment																							
Business Park Zoning																							
Domestic Fowl/Keeping of Animals																							
Link Light Rail Standards (TC Zone)																							
Code Maintenance																							
Other Activities																							
Tree Initiative																							
SV Lawsuit																							
Group Home																							
WCIA Audit																							



Development Activity

3rd Quarter 2015

- Project Complete
- Under Construction
- Building Permit Approved/Issued
- Design Review Approved
- Master Plan/PUD Approved
- Final Plat Approved
- Preliminary Plat Approved
- Land Use Application Submitted
- Pre-Application/Pre-Design



NOTES:



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 21630 11th Ave S
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Potential Development Activity

3rd Quarter 2015

● Potential Development

NOTES:



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