



NOTICE OF ADMINISTRATIVE DECISION

APPLICATION NAME & NUMBER: Seventh Day Adventist Temporary Emergency Shelter, PL17-131

DECISION: **APPROVED WITH CONDITIONS**

This decision will be final unless an appeal to the hearing examiner is filed with the Development Services Department within 14 days of the date of the decision. Information regarding the appeal process may be obtained by contacting the Development Services Department or by reading through Chapter 14.05 of the Mount Vernon Municipal Code that can be downloaded at: www.mountvernonwa.gov

Permits to allow Temporary Homeless Encampments are Process II decisions per MVMC Chapter 14.05; where a final decision is made by the director or the director's designee following a public comment period but without a public hearing.

PROJECT DESCRIPTION: The Seventh Day Adventist Church wishes to host a temporary emergency shelter for the homeless within the Church gymnasium at their below-described site. The shelter will be contained inside the church and the applicant states they will have trained staff supervising the homeless individuals at all times.

PROJECT LOCATION: The project site is located at 4520 East College Way. The parcel numbers are P109134 and P24796 and the site is located within the SE ¼ of Section 15, Township 34 North, Range 04 East, W.M.

CONTACT PERSON: Rebecca Lowell, Principal Planner
Development Services Department
910 Cleveland Ave.
Mount Vernon, WA 98273
(360) 336-6214

The application and materials submitted by the applicant are available for review at the Development Services Department located at City Hall (910 Cleveland Ave, Mount Vernon).

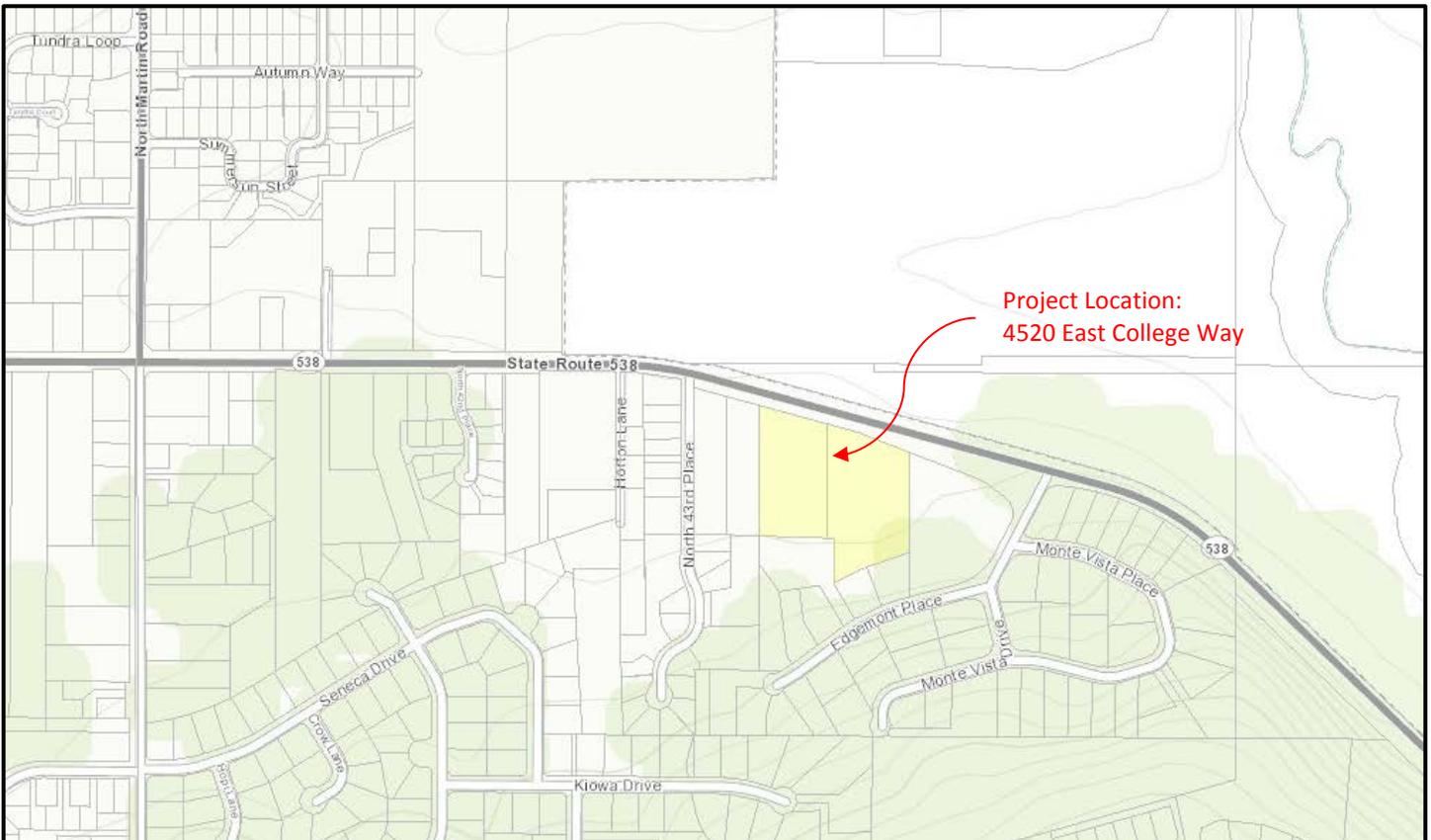
Further information may also be obtained by contacting the Development Services Department at the above-listed address and telephone number. The City's website: www.mountvernonwa.gov contains project information and the Mount Vernon Municipal Code.

DATE: December 28, 2017

DECISION & STAFF REPORT *for* TEMPORARY HOMELESS ENCAMPMENT

PROJECT DESCRIPTION & LOCATION

PROJECT NAME:	Seventh Day Adventist Temporary Emergency Shelter
PROJECT DESCRIPTION:	The Seventh Day Adventist Church wishes to host a temporary emergency shelter for the homeless within the Church gymnasium at their below-described site. The shelter will be contained inside the church and the applicant states they will have trained staff supervising the homeless individuals at all times.
PROJECT LOCATION:	The project site is located at 4520 East College Way. The parcel numbers are P109134 and P24796 and the site is located within the SE ¼ of Section 15, Township 34 North, Range 04 East, W.M. Please see the vicinity and aerial maps below.



MAP 1.0: VICINITY MAP



MAP 2.0: AERIAL MAP



MAP 3.0: AERIAL MAP

EXHIBIT LIST:

1. Temporary Homeless Encampment Land Use Application
2. Project Narrative and Management Responsibility Plan from Encampment Sponsor/Manager
3. Maps from Encampment Sponsor/Manager
4. City's Notices and Correspondence:
 - 4a. Technically Complete Determination, December 7, 2017
 - 4b. Notice of Application and Public Meeting, December 8, 2017
 - 4c. Affidavit of Mailing and Affidavit of Posting
 - 4d. Public Meeting Sign-In Sheet
5. Public Comments Received
6. Fire Safety Plan from Encampment Sponsor/Manager
7. Ordinance 3721

PROCEDURAL:

- | | |
|------------|---|
| 11.21.2017 | The subject application was submitted to the City |
| 12.07.2017 | Staff deemed the materials submitted technically complete for processing |
| 12.08.2017 | The Notice of Application (NOA) was mailed to property owners within 600 feet of the site |
| 12.08.2017 | The subject site was posted with a Land Use sign |
| 12.21.2017 | A public meeting was held |

EXISTING CONDITIONS/FINDINGS OF FACT:

PROPERTY OWNER	Western WA Corp. of Seventh Day Adventist 32229 Weyerhauser Way South Auburn, WA 98001	ENCAMPMENT HOST	Mount Vernon Seventh Day Adventist Church 4520 East College Way Mount Vernon, WA 98273
ENCAMPMENT MANAGER	Skagit Valley Hospitality Association, dba Friendship House P.O. Box 517 Mount Vernon, WA 98273	ENCAMPMENT SPONSOR	Skagit Valley Hospitality Association, dba Friendship House P.O. Box 517 Mount Vernon, WA 98273
SITE ACREAGE	P109134 = 2.50 acres and P24796 = 3.21 acres		
SITE ZONING	Public (P)	SITE COMPREHENSIVE PLAN DESIGNATION	Church (CH)

EXISTING SITE USE & IMPROVEMENTS

The Skagit County Assessor provided the below listed information with regard to the existing improvements on the subject site: 17,353 square foot church building constructed in 1996.

SURROUNDING LAND USES

- Abutting the site to the north is East College Way
- Abutting the site to the east is a church named Faith Community Fellowship that exists on a 3.18 acre property
- Abutting the site to the south are six (6) single-family residential homes that take access off of Edgemont Place and a Native Growth Protection Area (NGPA) owned by the City of Mount Vernon
- Abutting the site to the west is a duplex dwelling unit

APPLICABLE MVMC:

Title 14 Land Use and Development

Chapter 14.05 Administration of Development Regulations

Title 15 Buildings and Construction

Chapter 15.04 Building Code

Chapter 15.08 International Fire Code and Fire Prevention Bureau

Title 17 Zoning

Chapter 17.210 Temporary Homeless Encampments

PERMIT REQUIREMENTS:

MVMC 17.110.030 states that temporary homeless encampments must meet all of the below listed requirements:

1. The property or building must be of sufficient size to accommodate the proposed number of tents and residents and the on-site facilities required by this section.

STAFF ANALYSIS: Outdoor tents are not proposed. The occupancy of the structure has been determined by the City’s Fire Marshall and is discussed in greater detail within item #6, below.

2. Adequate provision must be made for the provision of drinking water, disposal of human waste, disposal of garbage and other solid waste, and the provision of other services, including, but not limited to, the following facilities:

- a. Sanitary portable toilets or other restroom facilities in the number required to meet health regulations for the residents and staff of the temporary homeless encampment; and
- b. Hand washing stations by the toilets or restrooms and by food service areas; and
- c. Refuse receptacles meeting the requirements of the city’s solid waste division; and
- d. A food service tent or other food service building or facility meeting health department requirements; and
- e. A management tent or other management office or facility providing administrative and security services and readily identifiable to residents and visitors.

STAFF ANALYSIS: The structure within which this encampment is proposed is connected to a potable water supply, has bathroom facilities for disposal of human waste, sinks for washing hands, and the encampment manager has stated they will dispose of garbage and other solid waste in receptacles meeting the requirements of the City’s Solid Waste Division. Food preparation is not proposed. The encampment Manager will be required to provide administrative and security services readily identifiable to residents and visitors.

3. The temporary homeless encampment shall meet all setbacks for the zoning district in which the property is located; provided, that where the temporary homeless encampment abuts property containing residential uses, the temporary homeless encampment shall be set back 20 feet from the property line or the minimum setback provided in the Mount Vernon Municipal Code, whichever is greater.

STAFF ANALYSIS: This item is not applicable because the subject proposal is for an encampment located within an existing building.

4. A six-foot-tall sight obscuring fence shall be provided around the perimeter of the temporary homeless encampment unless the Director determines that there is sufficient vegetation, topographic variation, or other site conditions to provide equivalent screening of the use from adjacent properties.

STAFF ANALYSIS: This item is not applicable because the subject proposal is for an encampment located within an existing building.

5. Any and all exterior lighting for the temporary homeless encampment shall be directed downward and away from adjacent properties to minimize light impacts.

STAFF ANALYSIS: This item is not applicable because the subject proposal is for an encampment located within an existing building.

6. The maximum number of residents within a temporary homeless encampment shall not exceed 100.

STAFF ANALYSIS: The City's Fire Marshall has set the occupancy for the 4,214 square foot area where occupants will be sleeping at 25 based on residential allowances of table 1004.1.2 of the International Fire Code.

7. Parking for at a minimum five vehicles shall be provided and otherwise comply with Chapter 17.84 of the MVMC.

STAFF ANALYSIS: The church has 110 existing parking spaces with six (6) of these spaces being ADA compliant.

8. No children under the age of 18 shall be allowed in the temporary homeless encampment. If a child under the age of 18 attempts to reside at the temporary homeless encampment, the Encampment Sponsor, the Encampment Host, or the Encampment Manager shall immediately contact Child Protective Services.

STAFF ANALYSIS: The Encampment Manager has stated, "No children under the age of 18 will be admitted into the shelter. Child Protective Services will be notified as appropriate". See the accompanying Exhibit 2.

9. No animals shall be permitted in the temporary homeless encampment, except for service animals.

STAFF ANALYSIS: The Encampment Manager/Sponsor has requested a hardship exemption for this item. Hardship exemptions are allowed per MVMC 17.210.040. See the accompanying Exhibit 2 and the conditions upon which this hardship exemption has been approved contained under the heading Decision & Conditions.

- 10.** The Encampment Sponsor and/or the Encampment Host shall submit a code of conduct for the temporary homeless encampment and a statement describing how the code of conduct will be enforced. The code of conduct shall, at a minimum, contain the following:
- a. A prohibition on the possession or use of illegal drugs or alcohol.
 - b. A prohibition on the possession of guns, knives with blades in excess of three inches, and weapons of all kinds.
 - c. A prohibition on violence.
 - d. A prohibition on open flames.
 - e. A prohibition on trespassing into private property in the surrounding neighborhood.
 - f. Hours during which quiet is to be observed.

STAFF ANALYSIS: The accompanying Exhibit 2, submitted by the Encampment Manager, contains each of the code of conduct items that are listed within this item.

- 11.** A transportation plan must be submitted providing for access to transit. All temporary homeless encampments must be located within one-half mile of transit service. This measurement shall be taken in a straight line from the closest property line where the temporary homeless encampment is proposed to the existing transit service provided by Skagit Transit. During hours when public transportation is not available, the Encampment Sponsor, Encampment Host, or Encampment Manager shall also make transportation available to anyone who is rejected from or ordered to leave the Temporary Homeless Encampment.

STAFF ANALYSIS: The accompanying Exhibit 2, submitted by the Encampment Manager, contains the transportation plan required within this item.

- 12.** The Temporary Homeless Encampment must comply with all regulations of Washington State, the City of Mount Vernon, and the Skagit County Public Health Department. The Temporary Homeless Encampment shall comply with the requirements of the International Fire Code and Washington Cities Electrical Code as adopted by the city of Mount Vernon. The Encampment Sponsor and Encampment Host shall permit inspections at all reasonable times by appropriate public officials from the agencies enforcing these codes for code compliance.

STAFF ANALYSIS: The encampment host, sponsor, and manager have all been made aware that the existing church building constructed in 1996 while under the jurisdiction of Skagit County – not the City of Mount Vernon – does not comply with current Building or Fire codes contained within MVMC Chapters 15.04 (Building Code) or 15.08 (International Fire Code and Fire Prevention Bureau) primarily due to the lack of an automatic fire sprinkler system and existing infrastructure to safely deliver fire suppression flow per the Public Utility District #1's required criteria.

A hardship exemption for this item has been requested and the Encampment Manager has stated they will have a minimum of two (2) staff members awake and alert to keep a fire watch and conduct regular fire inspections. Additionally, they have agreed to perform emergency drills with the occupants. The conditions upon which this hardship exemption has been approved are contained under the heading Decision & Conditions.

- 13.** The Encampment Sponsor shall take all reasonable and legal steps to obtain verifiable identification from prospective residents of the temporary homeless encampments and use the identification to obtain sex offender and warrant checks from the appropriate agency. If the warrant and sex offender check reveals that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the Encampment Sponsor shall reject the prospective resident or evict the existing resident.

STAFF ANALYSIS: The permit for this encampment has been conditioned such that the encampment manager/sponsor is required to take all reasonable and legal steps to obtain verifiable identification from prospective residents to obtain sex offender and warrant checks from appropriate agencies and to reject or evict those that do not comply with the criteria of this item.

14. Adequate access for fire and emergency medical apparatus shall be provided.

STAFF ANALYSIS: In its existing condition the church property has adequate access for fire and emergency medical apparatus.

15. Adequate separation between tents and other structures shall be to limit fire exposure and provide for emergency exiting by residents.

STAFF ANALYSIS: This item is not applicable because the subject proposal is for an encampment located within an existing building and tents and other structures are not proposed.

16. Temporary homeless encampment permits may be approved for a time period not to exceed 90 days on any single property regardless of whether or not an Encampment Manager or Sponsor is different. No temporary homeless encampment shall be permitted on any single property for more than 90 days in any calendar year. In addition, minimum of 120 days must lapse before an encampment can be allowed to locate on a site previously occupied by a temporary homeless encampment.

STAFF ANALYSIS: The subject permit will be issued for 90 days and will contain the timing limitations outlined within this item.

DECISION & CONDITIONS:

The Temporary Homeless Encampment Permit hosted by the Mount Vernon Seventh Day Adventist Church, file number: PL17-131 is hereby **APPROVED** by the Development Services Department subject to compliance with the standards of the Mount Vernon Municipal Code and the following specific requirements placed on this action that allow this permit to be issued:

1. The Encampment shall be operated consistent with the Encampment Management Responsibility Plan, accompanying this permit identified as Exhibit 2, and all of the additional requirements outlined below that are conditions of approval for this permit.
2. A hardship exemption per MVMC 17.210.040 with regard to having animals at the encampment is hereby granted subject to all of the following:
 - a. All animals must be pre-screening by the Encampment Manager to ensure that the subject animal is not a threat to people, other animals, property, and can be controlled by their owner.
 - b. Animals shall be required to be kept on-leash at all times.
 - c. The Encampment Manager is responsible for providing on-site crates to contain animals.
 - d. A designated and supervised outdoor area where pets can urinate and defecate shall be created by the Encampment Manager. Animals shall be taken inside after urinating/defecating and shall not be outside of the church building for any other reason.
3. A hardship exemption per MVMC 17.210.040 with regard to complying with Building and Fire codes is hereby granted subject to all of the following:
 - a. Occupants and encampment staff, during encampment hours, shall not occupy the educational wing, sanctuary, lobby or administrative offices.
 - b. A minimum of two (2) qualified personnel shall be on duty when the encampment is open. One of the staff members is to remain in the sleeping area at all times. The other member is required to walk the building every 30 minutes and complete the below-described activity log.

- c. An activity log shall be maintained by encampment staff/manager. The activity log shall include all of the following.
 - i. Name of the person completing the log
 - ii. Date and time of activity
 - iii. Inspection of exit doors for operation, clear pathways, and to make sure they are not locked or blocked from the inside. These inspections shall occur every 30 minutes.
 - iv. Inspection of unoccupied and occupied areas. These inspections shall occur every 30 minutes.
 - v. Inspection of fire extinguishers before the encampment opens every evening.
 - vi. Inspection and testing of emergency lights and exit signs before the shelter opens every evening.
 - vii. Garbage cans emptied daily while the encampment is in operation.
 - viii. Inspection to make sure that emergency evacuation plan is posted at all exits in the sleeping area before the encampment opens every evening.
 - ix. Verify that the emergency evacuation plan is practiced by occupants each and every day the encampment is in operation.
 - x. Verify that information is compiled in writing and provided to the staff in charge that lists/describes each of the occupants at the encampment every day the encampment is in operation. This form will be used to account for everyone in the building in the event of an emergency
 - d. The two encampment staff on duty shall have certified fire extinguisher training in the last 12 months. Each member shall have their card upon request.
 - e. No cooking in the church kitchen will be allowed for encampment occupants or staff.
 - f. No smoking or open flame allowed in building. Smoking may take place at least 25 feet from the building. Smoking materials to be placed in an approved metal container. Smoking signs to be posted in areas where occupants are permitted
 - g. The buildings fire alarm shall be operational at all times, if the fire alarm becomes inoperable for any reason the encampment shall be closed until the alarm is repaired.
 - h. Occupant load - The maximum occupant load for the encampment will be 25. The occupant load is based on residential allowances of table 1004.1.2 of the International Fire Code. A sign listing this occupancy shall be posted within the sleeping area.
 - i. Partitions used shall be non-combustible or limited so that it is not easily ignited by open flame.
4. A hardship exemption per MVMC 17.210.040 with regard to complying with the code requirements for background checks is not granted and the encampment manager/sponsor shall take all reasonable and legal steps to obtain verifiable identification from prospective residents of the encampment. The encampment manager/sponsor shall obtain sex offender and warrant checks from appropriate agencies. If the warrant and sex offender checks reveal that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the Encampment Manager/Sponsor shall reject the prospective resident or evict the existing resident.
 5. The encampment can operate for 90 days at the subject site. The 90 day period shall toll from the first day the encampment opens following approval of the subject permit and shall run consecutively. For example, if the encampment opens for the first time on December 29, 2017 it can continue operating until March 28, 2018.
 6. The Encampment Manager/Sponsor shall call the City for an inspection of the encampment facility for compliance with this permit prior to becoming operational for the first time.
 7. The Encampment Manager/Sponsor shall submit reports with supplemental evidence verifying that all conditions of approval of this permit are being complied with including, but not limited to, background checks and activity logs described within condition 3 (above). These reports shall be submitted to the City every 30 days while the encampment is in operation.

SIGNATURE:



Rebecca Lowell, Principal Planner

December 28, 2017

Date

NOTES TO THE APPLICANT AND PARTIES OF RECORD

Permits to allow Temporary Homeless Encampments are Process II decisions per MVMC Chapter 14.05; where a final decision is made by the director or the director's designee following a public comment period but without a public hearing.

This decision may be appealed in an open record appeal hearing to the hearing examiner within 14 days of the date this document was signed by the approval authority, as noted above.

Further information regarding the appeal process may be obtained by contacting the Development Services Department at: 910 Cleveland Ave / P.O. Box 809, Mount Vernon, WA 98273, (360) 336-6214; or by reading through Mount Vernon Municipal Code Chapter 14.05: www.mountvernonwa.gov

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NOV 21 2017

C.E.D. DEPARTMENT
BY _____

TEMPORARY HOMELESS ENCAMPMENT PERMIT

Site Address: 4520 E College Way

P24796

Parcel Number (if applicable):

Lot/Tract Number/Plat name (if applicable):

Flood Zone (if applicable):

ENCAMPMENT HOST NAME: Mount Vernon Seventh Day Adventist Church

ENCAMPMENT MANAGER NAME: Skagit Valley Hospitality Association dba Friendship House

Address: 4520 E College Way

Address: PO Box 517

City/State: Mount Vernon, WA

City/State: Mount Vernon, WA

Zip:98273

Zip: 98273

Phone: 360-336-6138

Phone: 360-336-6138

Email: pastor@mountvernonwa.com

Email: tina@skagitfriendshiphouse.org

ENCAMPMENT SPONSOR NAME: Skagit Valley Hospitality Association dba Friendship House

SUBMITTAL ITEMS:

Address: PO Box 517

The following items must be submitted to the City with the noted number of copies – as applicable:

Application Fees

Application fees must be paid when an application is submitted to the CEDD. The total fee amount will be determined at the pre-submittal meeting with a staff planner.

City/State: Mount Vernon, WA

Project Narrative (9 copies)

A clear and concise description and summary of a proposed project that includes all of the items listed on the accompanying project narrative sheet.

Zip:98273

Phone: 360-336-6138

Site Plan(s) (9 copies)

A site plan that includes all of the items listed on the accompanying site plan requirements list.

Email:tina@skagitfriendshiphouse.org

I, Mark Everett, declare that I am (please check one) _____ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (proof of authorization must be attached), and that the statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Applicant Signature: Mark Everett

Church Business Meeting

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C.E.D. DEPARTMENT
BY _____

Sunday, October 8, 2017

Opening Prayer and Remark

Start:

Prayer:

Members:

- a.. **John McGhee** -- *(chair) Pastor*
- b.. **Bonnie Bierman** -- *Treasurer / Clerk*
- c.. **Mark Everett** -- *Head Elder*
- d.. **Bob Walton** -- *Head Deacon*
- e.. **Melissa Baskett** -- *Head Deaconess*
- f.. **Arlene Salt** -- *Elder*
- g.. **Rick Baskett** -- *Elder*
- h.. **Ron Everett** - *Elder*
- i.. **Ann Struthers/Rochelle Everett** -- *Children's Ministries*
- j.. **Rozella Stroud** -- *Women's Ministries*
- k.. **Darci Guise** -- *Worship Coordinator*

Flex:

- l.. **Jennifer Walton** -- *JOS Coach/Health Coach*
- m.. **Trevir Faley / Jake Starr** -- *Youth Ministries Director / Youth Ministries Associate*



John McGhee

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NOV 21 2017

C.E.D. DEPARTMENT
BY _____



MOUNT VERNON
Seventh-Day Adventist Church
Setting People Free in Jesus

John K. McGhee
Missionary Pastor
253-307-0954

office@mountvernonnsda.com

OFFICE: 360-416-0443 • FAX: 360-848-9603

November 21, 2017

Dear Mr. Phillips:

Thank you for considering our application to host a temporary, emergency winter shelter ~~at the Mount~~ Vernon Seventh Day Adventist Church located at 4520 East College Way. Friendship House, the shelter sponsor and manager, is working together with the Church to meet a critical need in our community. After over a year of working with our respective leadership councils to find funding, staffing, and an appropriate location for a new shelter, we are anxious to begin services to those in need.

On any given night in Skagit County, there are over 130 individuals living outdoors on our streets. Many of the people sleeping on our streets are elderly or medically-compromised, making them especially vulnerable to injury, illness, or death. Across the City—from our hospital to our downtown businesses—we see the toll homelessness takes on individuals, our first responders, and the community at large. Providing shelter is the best way to bring immediate relief to those suffering on our streets may prevent future tragedies.

Friendship House has over thirty years of experience sheltering and feeding the homeless and is pleased to expand the reach of its services through this new temporary, emergency winter shelter. We believe our community has a duty to provide a safe temporary cold weather shelter option, and we are committed to providing this service in a responsible manner. The shelter will be completely contained inside an existing building, with trained staff supervising guests at all times. Friendship House will provide meals at its Downtown location and private transport to the Church. The existing Church gymnasium will provide a warm, safe space for guests to sleep with minimal impact to the surrounding area.

We respectfully request the City of Mount Vernon expedite its review and approval of our application so the shelter can open no later than **Thursday, December 21, 2017**, the first day of winter and in time for the Christmas holiday. We request a permit to remain open until March 31, 2018, allowing us to provide services through the coldest months of the year. Please find the enclosed completed application form, (which also serves as our Encampment Management Responsibility Plan), and a site plan and an indoor as-built drawing from the original building permit file.

We look forward to partnering with the City of Mount Vernon on this application. Please feel free to contact me at 360-488-4357 with any questions. Thank you again for your consideration.

Sincerely,



Tina Tate
Director, Friendship House



Ann Struthers
Mt. Vernon Seventh Day Adventist Church

PL2017-131
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NOV 21 2017
C.E.D. DEPARTMENT

Since the information contained within this application includes the same information required in an Encampment Management Responsibility Plan under MVMC 17.110.020(C), the application also serves as the Encampment Management Responsibility Plan.

ENCAMPMENT MANAGEMENT RESPONSIBILITY PLAN:

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PROJECT NARRATIVE REQUIREMENTS

NOV 21 2017

C.E.D. DEPARTMENT
BY _____

1. **Describe how and why the property or building is of sufficient size to accommodate the proposed number of tents and residents and the on-site facilities required.**

The Mount Vernon Seventh Day Adventist Church was built in approximately 1995 and includes a carpeted gymnasium with adjacent restrooms, which will be used to host the temporary, emergency shelter. Other sections of the church will be locked and off limits to guests. There will be no tents on the property and no guests will be permitted to sleep outdoors. Guests may be permitted outside one at a time to smoke in the designated smoking area. Guests will not be permitted to come and go during shelter hours, which will be approximately 7 pm to 7 am. Intake will occur at the Friendship House Café located at 1008 S. Third Street in Mount Vernon prior to transport to the Church each evening. The property includes 110 parking spaces, but guests will be transported to and from the Friendship House Café and the property in one or two 15 passenger vans. The shelter will allow for law enforcement drop-offs outside of the normal intake hours. Aside from law enforcement drop-off, intake will be limited to Friendship House's scheduled drop off times.

2. **Describe how adequate provisions for drinking water, disposal of human waste, disposal of garbage and other solid waste, and the provision of other services, including, but not limited to, the following facilities will be made:**

- (i) Sanitary portable toilets or other restroom facilities in the number required to meet health regulations for the residents and staff of the temporary homeless encampment
- (ii) Hand washing stations by the toilets or restrooms and by food service areas;
- (iii) Refuse receptacles meeting the requirements of the city's solid waste division; and

Restrooms with hand washing facilities and refuse are located in the hallway outside of the gymnasium as noted on the site plan.

- (iv) A food service tent or other food service building or facility meeting health department requirements; and

A drinking fountain will be available for water and paper cups will be provided. No food will be prepared or provided on site; guests will be provided meals at the Friendship House Café.

- (v) A management tent or other management office or facility providing administrative and security services and readily identifiable to residents and visitors.

Management and security staff will have identification badges and will be located inside the church as noted on the site plan. Friendship House will have a minimum of two staff on site at all times, including sub-contracted security personnel. Trained volunteers may also be present at times.

- 3. Describe how the temporary homeless encampment will meet all setbacks for the zoning district in which the property is located; provided, that where the temporary homeless encampment abuts property containing residential uses, the temporary homeless encampment shall be set back 20 feet from the property line or the minimum setback provided in the Mount Vernon Municipal Code, whichever is greater.**

As noted above, the temporary, emergency shelter will be located in the Church gymnasium built in approximately 1995 with a building permit approved by the City of Mount Vernon with the appropriate minimum setbacks as shown on the site plan.

- 4. Describe the location of the six-foot-tall sight obscuring fence to be provided around the perimeter of the temporary homeless encampment; or describe how/why there is sufficient vegetation, topographic variation, or other site conditions to provide equivalent screening of the use from adjacent properties.**

As shown on the site plan, there is sufficient vegetation surrounding the existing Church to provide adequate screening to the adjacent properties. Since the shelter will be located inside the gymnasium, the Church building provides additional screening.

- 5. Describe how any and all exterior lighting for the temporary homeless encampment will be directed downward and away from adjacent properties to minimize light impacts.**

The Church will utilize existing facility lighting; no additional outdoor lighting will be installed.

- 6. Provide details with regard to the maximum number of residents within the temporary homeless encampment. Please note that the maximum number shall not exceed 100.**

We are working with the City to determine the appropriate occupancy number. In any event, the maximum number shall not exceed 100.

- 7. Describe where the required parking that complies with MVMC chapter 17.84 will be located. Please note that a minimum of five parking spaces are required to be provided.**

There are approximately 110 parking spaces available at the property.

8. **Verify that no children under the age of 18 shall be allowed in the temporary homeless encampment. Please note that if a child under the age of 18 attempts to reside at the temporary homeless encampment, the Encampment Sponsor, the Encampment Host, or the Encampment Manager shall immediately contact Child Protective Services.**

No children under the age of 18 will be admitted into the shelter. Child Protective Services will be notified as appropriate.

9. **Verify that no animals will be permitted in the temporary homeless encampment, except for service animals.**

Pursuant to MVMC 17.210.040, we are requesting a hardship exemption to allow pets on a case-by case basis. Animals will sleep indoors with shelter guests and kept on-leash at all times. We will only allow animals that are not a threat to people, other animals, or property, and are adequately controlled by their owner. We are planning to provide crates of different sizes for guests to keep their animals next to them. Prohibition of pets is a barrier for homeless people utilizing shelter services. We are attempting to implement a low-barrier shelter in accordance with best practice standards and state and federal guidance in which access and assistance is not contingent upon conditions that could prevent people from seeking services. People experiencing homelessness rely on pets for security and comfort, and many people would not utilize the shelter if they were forced to part with their companion animals. A designated and supervised outdoor pet potty area will be identified by the shelter host with proper signage. Guests are responsible for cleaning up after their pets.

10. **Verify that you have attached a code of conduct for the temporary homeless encampment and a statement describing how the code of conduct will be enforced. The code of conduct shall, at a minimum, contain the following:**

- (i) A prohibition on the possession or use of illegal drugs or alcohol.**
- (ii) A prohibition on the possession of guns, knives with blades in excess of three inches, and weapons of all kinds.**
- (iii) A prohibition on violence.**
- (iv) A prohibition on open flames.**
- (v) A prohibition on trespassing into private property in the surrounding neighborhood.**
- (vi) Hours during which quiet is to be observed.**

The shelter rules cover all of the above requirements and are as follows:

- Guests must not present a danger to themselves, others, or property
- Cooperate with law enforcement
- Be respectful of other guests, staff, volunteers – no violence will be tolerated
- No weapons - check in any weapons, lighters, or matches with staff upon entry
- No drugs or alcohol are allowed
- No open flames allowed
- No loitering outside or trespassing onto neighboring private property. Drop-off and pick-up times will be supervised and at set times to ensure compliance.
- Be helpful
- Quiet hours will be observed from 7 pm to 7 am

Any individual that is unable to comply with the rules will not be allowed to stay until or unless they are able to ensure that they will abide by the rules. In the event that an individual becomes dangerous or refuses to leave, law enforcement will be contacted.

- 11. Provide details with regard to the required transportation plan providing for access to transit. Please note that all temporary homeless encampments must be located within one-half mile of transit service. This measurement shall be taken in a straight line from the closest property line where the temporary homeless encampment is proposed to the existing transit service provided by Skagit Transit. During hours when public transportation is not available, the Encampment Sponsor, Encampment Host, or Encampment Manager shall also make transportation available to anyone who is rejected from or ordered to leave the Temporary Homeless Encampment.**

Pursuant to MVMC 17.210.040, we are requesting a hardship exemption to the requirement that the shelter be within one-half mile of transit service. The nearest bus stop is approximately 1.5 miles from the property. Transportation to and from the shelter will be provided by vans owned by Friendship House and driven by staff. Staff will conduct intake with shelter guests at the Friendship House Café before the individual is transported to the shelter. If an individual is rejected from the shelter at intake at the Friendship House Café, they will be within one-half mile of transit services. If an individual is ordered to leave the shelter during their stay, staff will arrange appropriate transportation. If necessary, law enforcement may be contacted to assist with the removal of an uncooperative or combative individual.

- 12. Provide details demonstrating how the Temporary Homeless Encampment will comply with all regulations of Washington State, the City of Mount Vernon, and the Skagit County Public Health Department. The Temporary Homeless Encampment shall comply with the requirements of the International Fire Code and Washington Cities Electrical Code as adopted by the city of Mount Vernon. The Encampment Sponsor and Encampment Host shall permit inspections at all reasonable times by appropriate public officials from the agencies enforcing these codes for code compliance.**

The temporary, emergency shelter complies with the specific requirements of MVMC 17.210 and other applicable regulations. Specifically, the application/Encampment Management Responsibility Plan has sufficient measures to protect the health and safety of the guests and the neighboring community. The Church was built in approximately 1995 with a building permit approved by the City of Mount Vernon. The gymnasium has several signed emergency exits, emergency lighting, fire extinguishers, automatic fire alarm system for early detection, and two fire hydrants on-site as noted on the as-built drawing. In addition, a minimum of two staff members will be awake and alert to keep fire watch and conduct regular fire inspections. The staff can also perform emergency drills to

ensure the safety of the participants. Accordingly, the temporary, emergency shelter will provide a safe, warm space for the most vulnerable members of community during the cold weather season.

- 13. Explain how the Encampment Sponsor will take all reasonable and legal steps to obtain verifiable identification from prospective residents of the temporary homeless encampments and use the identification to obtain sex offender and warrant checks from the appropriate agency. Please note that if the warrant and sex offender check reveals that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the Encampment Sponsor shall reject the prospective resident or evict the existing resident.**

Pursuant to MVMC 17.210.040, we are requesting a hardship exemption to these requirements. Friendship House will check identification if it is available; however, many homeless individuals do not have identification, and as a result, this requirement would be a major barrier to entry. Friendship House may conduct a WSP check, but is unable to conduct a more extensive background check. The shelter will not serve any person who presents a danger to themselves or others.

- 14. Describe how adequate access for fire and emergency medical apparatus shall be provided.**

Access for fire and emergency medical apparatus will be provided through several church doors and staff will ensure that pathways will be kept clear of any obstacles. See attached site plan and as-built drawing.

- 15. Describe how adequate separation between tents and other structures shall be to limit fire exposure and provide for emergency exiting by residents.**

Not applicable, no tents or other outdoor structures are proposed; existing gymnasium in Church will be utilized with appropriate emergency exits. See also answer to question #12 above regarding additional fire protection measures in the building and as-built drawing.

- 16. Provide details with regard to the timing associated with the temporary homeless encampment. Please note that these permits may be approved for a time period not to exceed 90 days on any single property regardless of whether or not an Encampment Manager or Sponsor is different. No temporary homeless encampment shall be permitted on any single property for more than 90 days in any calendar year. In addition, minimum of 120 days must lapse before an encampment can be allowed to locate on a site previously occupied by a temporary homeless encampment.**

The temporary, emergency shelter will open no later than December 21, 2017 and provide services through the end of the winter on March 31, 2018. Pursuant to MVMC 17.210.040, we are requesting a hardship exemption to the 90 day limit to provide shelter during the coldest time of the year.

17-131

RECEIVED
CITY OF MOUNT VERNON

NOV 21 2017

C.E.D. DEPARTMENT
BY _____

Project Title

Homeless Shelter
Mount Vernon Seventh Day
Adventist Church
4520 East College Way
Mount Vernon, WA

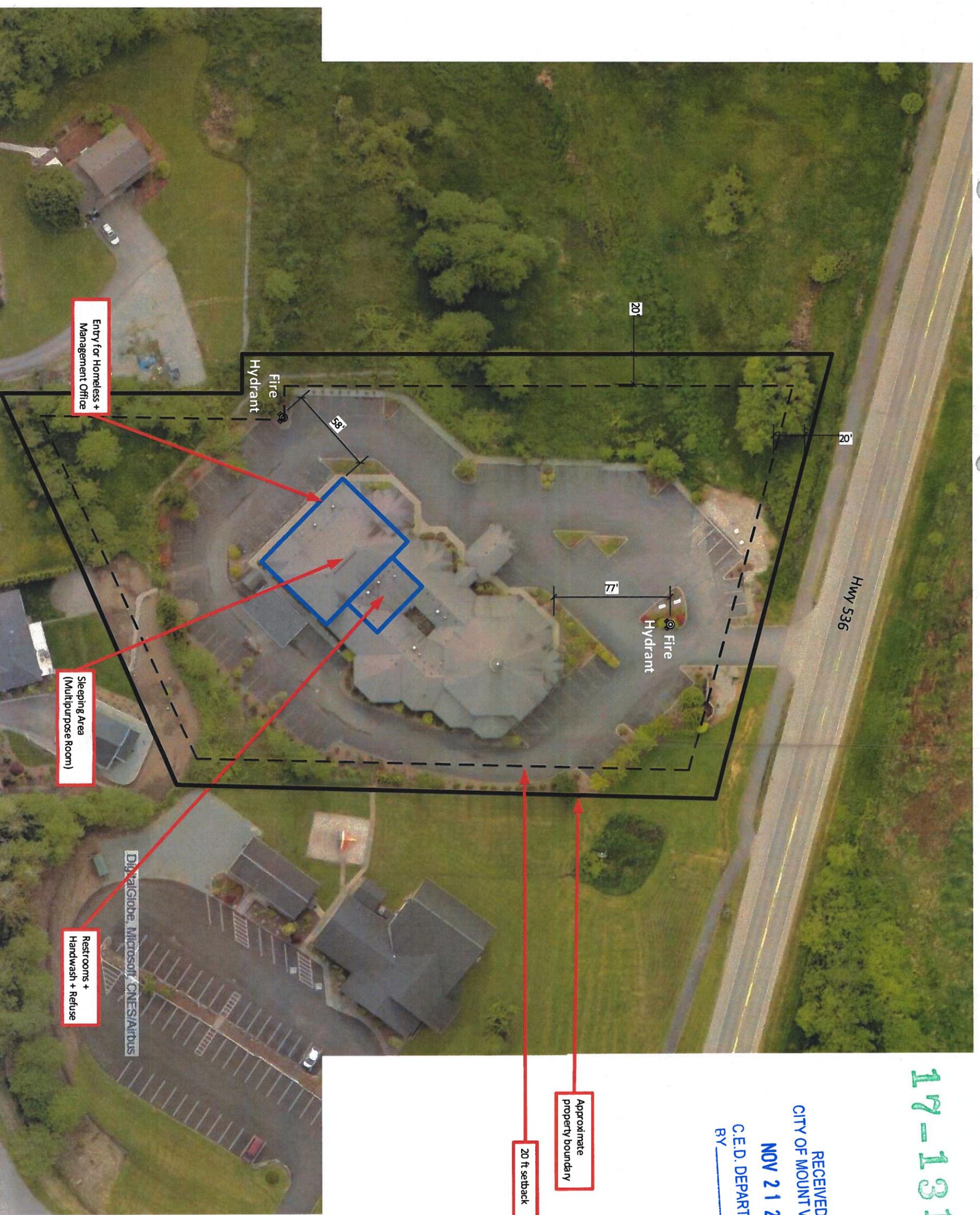
Sheet Title

Approximate Site Plan
Date 11/21/2017
Scale 1/64" = 1'



Approximate
property boundary

20 ft setback

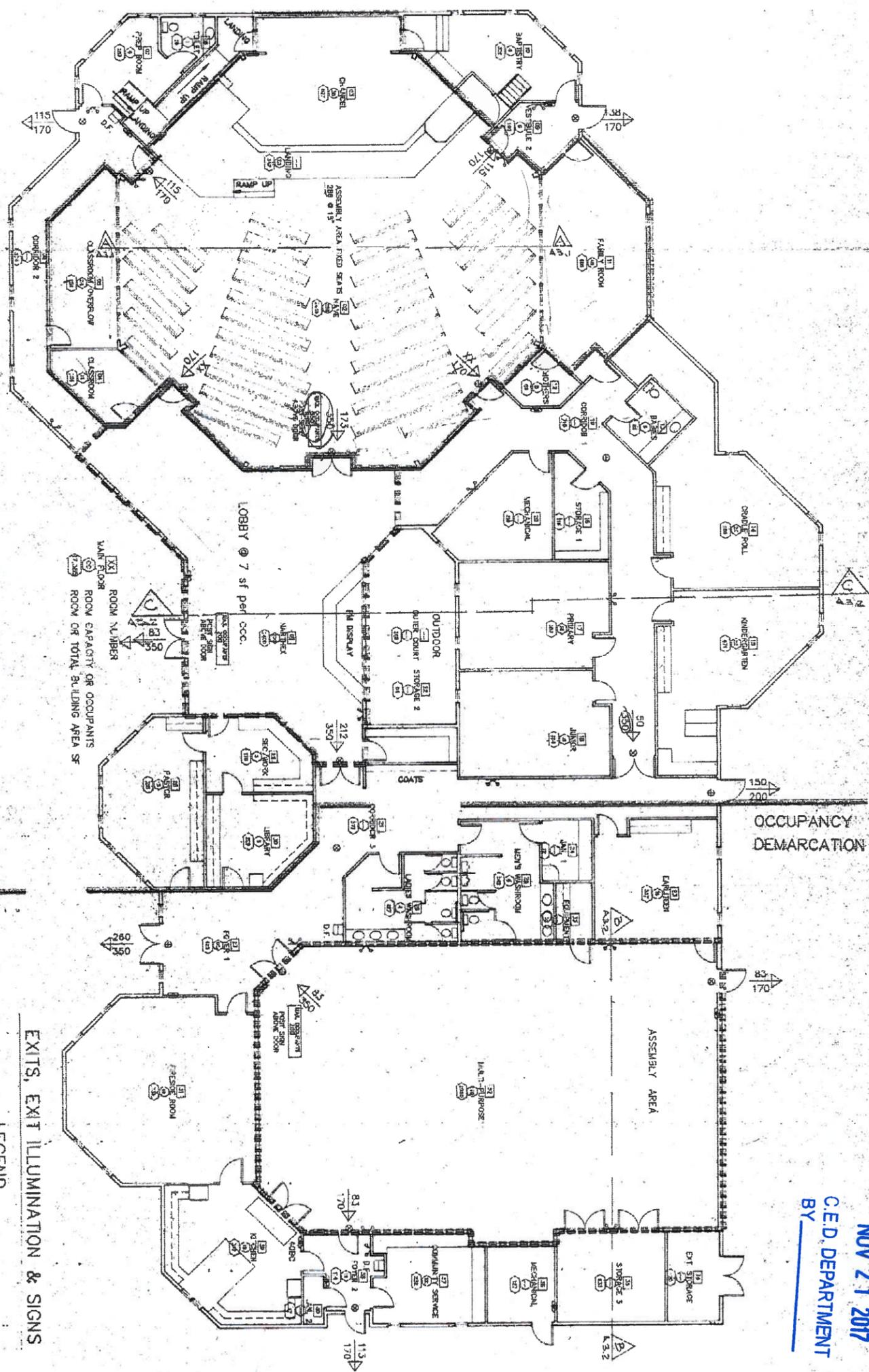


19-131

RECEIVED
CITY OF MOUNT VERNON

NOV 21 2017

C.E.D. DEPARTMENT
BY _____



FLOOR PLAN 17,394 SQ. FT.
Scale: 1/8" = 1'-0"

EXITS, EXIT ILLUMINATION & SIGNS

LEGEND

- EMERGENCY BATTERY
- E2 RECYCLE TWO LAMP EMERGENCY FIXTURE (1 ft. c. min, max)
- ⊙ EXIT SIGN FIXTURE
- XX QUANTITY EXIT CAPACITY OF EXIT
- XXV FIRE EXTINGUISHER @ 8' AFF. IN CABINETS RATING OF 2A 10BC 1.0A

THIS DRAWING MUST NOT BE SCALED
The contractor shall verify all break, during construction. All errors and omissions must be reported to the architect and/or engineer immediately.
This drawing is the exclusive property of the architect and shall not be reproduced without the written permission.

REVISIONS

NO.	DATE	DESCRIPTION	ISSUES
1	NOV 02 2017	FOR APPROVAL	
2	NOV 02 2017	FOR APPROVAL	
3	NOV 02 2017	FOR APPROVAL	

PROFESSIONAL ENGINEER
BL GRITZ & ASSOC
ARCHITECTURAL PROJECTS

PROJECT TITLE
MT. VERNON SDA CHURCH
4520 East College Way
Mt. Vernon, WA

SHEET TITLE
GENERAL PLAN
DATE 5/18/16
DRAWN 1/1/16
DESIGN big
CHECKED
SCALE 1/8"=1'-0"

BL GRITZ & ASSOC
ENGINEERING for ARCHITECTURAL PROJECTS
1003 OLDGLAND ST. SUITE A
MT. VERNON WA 98573
(253) 536-5065

DRAWING NO. A-1.0
PROJECT NO. A193
REVISIONS

OFFICE COPY



December 7, 2017

Skagit Valley Hospitality Association
DBA: Friendship House
Attention: Ms. Tina Tate
P.O. Box 517
Mount Vernon, WA 98273

Reference: Seventh Day Adventist Temporary Emergency Shelter, PL17-131, Technically Complete Determination – **SENT VIA EMAIL**

Dear Tina:

The application materials submitted on November 21, 2017 for the above-captioned proposal have been deemed 'technically complete' for processing.

The items you submitted for this application have been reviewed by the City departments responsible for approving different aspects of your application. The following request for additional information is the result of this review.

- Additional information with regard to the procedures and protocols that will be practices and implemented to make sure the individuals sleeping in the church are able to quickly exit this structure are necessary. Please recall the City is asking for this information after receiving the attached fire flow statement from Skagit Public Utility District #1 indicating that the Seventh Day Adventist church building is 1,690 gallons per minute short of the required fire flow.

Pursuant to Mount Vernon Municipal Code (MVMC 14.05.130) a hold is placed on this application and the time it takes you to respond to this request for information is excluded in calculating permit processing timeframes.

If you have any questions about the contents of this letter; or if you need additional information, please do not hesitate to call me at (360) 336-6214; or to email me at: rebeccab@mountvernonwa.gov
Thank you,

A handwritten signature in blue ink that reads "Rebecca Lowell".

Rebecca Lowell,
Principal Planner

C: Mount Vernon Seventh Day Adventist Church

**PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY
STATEMENT OF FIRE SUPPRESSION FLOW CAPACITY**

Date: November 16, 2017

From: Chris Shaff, P.E., Planning Engineer

Re: FIRE SUPPRESSION FLOW CAPACITY at 4520 East College Way

Mount Vernon – P24796 – 7th Day Adventist Church

Customer name: Ann w/ Sunrise Apartments

1. Definitions:

- Fire Flow. That volumetric water flow available for fire suppression from a water distribution system as measured at a residual pressure of 20 pounds per square inch (psi) at the fire hydrant(s).
- Fire Suppression Flow: That volumetric water flow available from a water distribution system, limited by the District's design criteria in some way, resulting in a residual pressure greater than 20 psi at the fire hydrant(s).

2. The District has performed a hydraulic analysis of the District's existing water distribution system to determine its capacity, and what improvements would be required (if any), to support fire suppression flows for the referenced project. The analysis was performed by District staff using

a computer-generated hydraulic model of the distribution system

manual hydraulic calculations

assuming peak hour water demands, a fully functional distribution system, and a fire suppression flow of 3,750 gpm, based on the Fire Marshal's requirements and/or Skagit County Coordinated Water System Plan Regional Supplement minimum flow requirements. Actual flows and pressures may vary from the flows and pressures projected here depending on the combination of actual domestic flow demands, actual fire suppression flow demands, and the condition of the distribution system at the time of review.

3. The analysis indicates that, under the stated conditions:

- a. the static pressure at the FH at P24796 can be expected to be 68.8 psi.
- b. the existing distribution system can be expected to support 2,060 gpm fire suppression flow from an existing Fire Hydrant located at P24796 at a residual pressure of 66.5 psi.

This flow:

meets the desired flow quantity in full compliance with District waterline-sizing design requirements.

is limited by District pressure design requirements (20 psi at all points within the distribution system).

is limited by District water velocity design requirements of (select one):

8 fps in the _____ distribution waterline

10 fps in the 8-inch Ductile Iron distribution waterline

At P24796

STATEMENT OF FIRE SUPPRESSION FLOW CAPACITY FOR:

Mount Vernon – P24796 Date: November 16, 2017

- 4. The existing infrastructure is:
a. [X] adequate to support 2,060 gpm fire suppression flow without further improvements to the water system. Verify with the fire marshal the requirement for fire suppression flow.
b. [X] not rated by the District to safely deliver the desired fire suppression flow per the District’s required criteria. Additional analyses indicate that to attain the required flow, the existing distribution system must be improved by implementing ONE the following Improvements: Replace approx.. 40 LF of 8-inch Ductile Iron pipe w/ 12-inch D.I. at P24796 at the PRV vault to the fire hydrant.

Once these Improvements are incorporated into the existing distribution system, the Customer can expect the upgraded distribution system to have the capacity to provide 3,785 gpm fire suppression flow at 66.5 psi residual pressure, in full conformance with all District waterline-sizing design requirements.

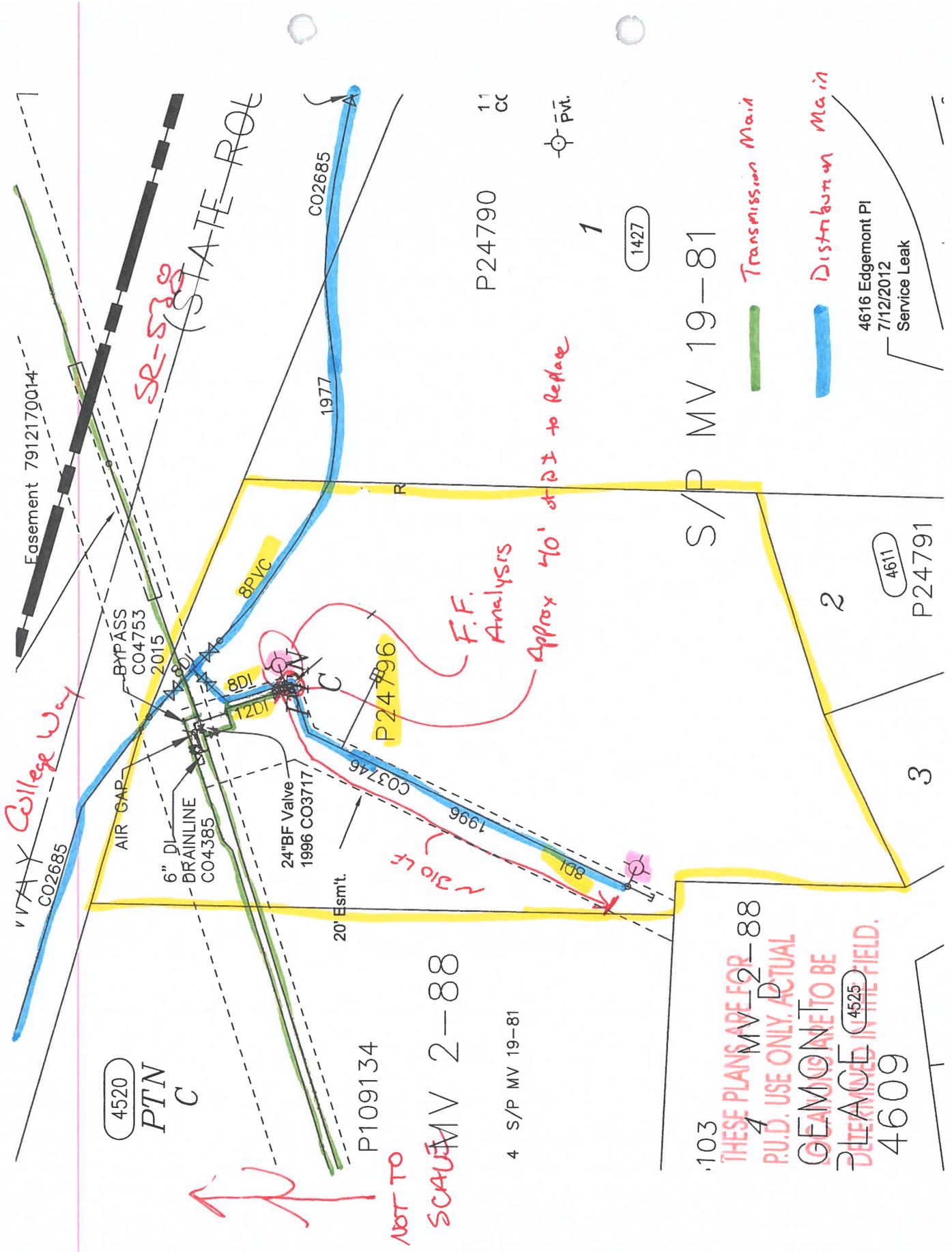
- 5. If Block 4.b is checked above and the Improvements are NOT constructed, the existing distribution system might be expected to support 3,785 gpm Fire Flow from the fire hydrant located at P24796 at a residual pressure of 65.7 psi.

HOWEVER: The Fire Flow indicated in paragraph 5 above would result in water velocity in excess of 20.0 fps in the waterline(s), could result in catastrophic failure of the waterline(s) due to surge pressures, would violate the District’s development regulations (design requirements) and is in no way endorsed by the District. By allowing the proposal to proceed without replacing the length(s) of waterline indicated above, against the policies and over the objection of the District, the Fire Marshal and his/her governing body is assuming the liability for actual and consequential damages arising from the failure of the water pipelines in that area under Fire Flow conditions at the proposed site.

- 6. In Summary:
[X] static pressure is 68.8 psi.
[X] the existing infrastructure can support 2,060 gpm fire suppression flow at 66.5 psi residual.
[X] water system improvements are addressed above.
[X] Fire Flow at 20 psi cannot be achieved at that site without violating District regulations and transferring the associated liability to [X] the City of Mount Vernon [] Skagit County.
[] Attached pages (qty: _____)

Copy to:
Project File (CO _____)
[] Customer
[] Engineer
[] Fire Marshal (please acknowledge receipt below and return a copy to the District.)
Receipt acknowledged by Fire Marshal:

PRINTED NAME SIGNATURE



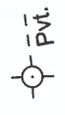
4520
PTN
C

P109134

NOT TO
SCALE
MV 2-88

4 S/P MV 19-81

P24790 11
CC



1

1427

S/P MV 19-81

103
THESE PLANS ARE FOR
MV 2-88
P.U.D. USE ONLY. ACTUAL
LOCATION ARE TO BE
DETERMINED IN THE FIELD.
4525
4609

Transmission Main

Distribution Main

4616 Edgemont PI
7/12/2012
Service Leak

2
4611
P24791

3

Hawney, Kirsten

From: Danforth, Alan
Sent: Monday, November 27, 2017 2:19 PM
To: Hawney, Kirsten
Subject: RE: Seventh Day Adventist Temporary Homeless Encampment PL17-131

Good Afternoon Kirsten,

Engineering has no comments at this time regarding the subject line.

Best Regards,

Alan Danforth

Development Services Engineering Manager
City of Mount Vernon
Development Services Department
Phone: (360)336-6214
For Inspections Call (360)336-6243
Web Site: <http://www.mountvernonwa.gov>

From: Hawney, Kirsten
Sent: Wednesday, November 22, 2017 4:12 PM
To: Hawney, Kirsten <KirstenH@mountvernonwa.gov>; Danforth, Alan <aland@mountvernonwa.gov>; Chesterfield, Blaine <blainec@mountvernonwa.gov>; Riggs, Steve <stever@mountvernonwa.gov>; Prosser, Rick <RickP@mountvernonwa.gov>; Wepler, James <jamesw@mountvernonwa.gov>; Duranceau, Gary <GaryD@mountvernonwa.gov>; Hanson, Andy <andyh@mountvernonwa.gov>; Demers@skagitpud.org; Dodd, Jerry <JerryD@mountvernonwa.gov>
Cc: Phillips, Chris <cphillips@mountvernonwa.gov>; Lowell, Rebecca <rebeccab@mountvernonwa.gov>
Subject: Seventh Day Adventist Temporary Homeless Encampment PL17-131

11/22/2017

Dear Reviewers,

An activity has been assigned to you for **Permit Number PL17-131**.

This is required to be completed by **December 6th, 2017**

Comments: Application materials are being routed

Thanks



NOTICE OF APPLICATION & NOTICE OF PUBLIC MEETING

This Notice of Application is being posted and sent to those property owners who are located within 600 feet of the project site described within this notice.

DATE: | December 8, 2017

LAND USE NUMBER: | File No. PL17-131

APPLICATION NAME: Seventh Day Adventist Temporary Emergency Shelter

PROJECT DESCRIPTION: The Seventh Day Adventist Church wishes to host a temporary emergency shelter for the homeless within the Church gymnasium at their below-described site. The shelter will be contained inside the church and the applicant states they will have trained staff supervising the homeless individuals at all times.

City staff has created a page on the City’s website where the materials for this application can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on ‘Departments’ then ‘Development Services’ then ‘News Notices’ and scroll down this webpage until you see the project name/number for this application.

ENCAMPMENT HOST:

Mount Vernon Seventh Day Adventist Church

4520 East College Way

Mount Vernon, WA 98273

253-307-0954

pastor@mountvernonwa.com

ENCAMPMENT MANAGER & SPONSOR:

Skagit Valley Hospitality Association, dba
Friendship House

P.O. Box 517

Mount Vernon, WA 98273

360-336-6138

tina@skagitfriendshiphouse.org

PROJECT LOCATION: The project site is located at 4520 East College Way. The parcel numbers are P109134 and P24796 and the site is located within the SE ¼ of Section 15, Township 34 North, Range 04 East, W.M. Please see the vicinity map below.

PUBLIC MEETING: A public meeting to provide information and answer questions will be held on this application on **THURSDAY, DECEMBER 14, 2017 AT 6:30 P.M.** at the Seventh Day Adventist Church (4520 East College Way, Mount Vernon)

Comments on the Notice of Application must be submitted, in writing, no later than **5:00 P.M. ON DECEMBER 21, 2017**. Comments should be as specific as possible. Any person may comment on the application, receive notice of and request a copy of the decision once it is made. Questions about this proposal, requests for additional notification by mail and/or appeal procedures should be directed to the contact person listed herein. Any person who submits written comments will automatically become a ‘party of record’ and will be notified of any decision made regarding this proposal. The application and supporting documentation are available for review at the Development Services Department located at City Hall. Copies will be provided upon request at the cost of reproduction.

VICINITY MAP



DETAILS:

Permit Application Date:	November 21, 2017	Counter Complete: Technically Complete	November 21 2017 December 7, 2017
Permits/Review Requested:	Temporary Homeless Encampment Permit	Other Permits that may be Required:	None Known

CONSISTENCY OVERVIEW:

Zoning:	Public (P)	Comprehensive Plan:	Church (CH)
Environmental Documents that Evaluate the Proposed Project:	None Required. This project is categorically exempt from the threshold determination and Environmental Impact Statement Requirements of SEPA per WAC 197-11-800.		
Development Regulations Used for Project Mitigation:	MVMC Chapter 17.110 Rebecca Lowell, Principal Planner Development Services Department City of Mount Vernon P.O. Box 809 / 910 Cleveland Avenue Mount Vernon WA 98273 Telephone - 360-336-6214; Facsimile - 360-336-6283		
To receive additional information regarding this project contact the Department and ask to become a party of record:			



AFFIDAVIT OF MAILING

I, **Linda Beacham**, hereby declare as follows:

1. I am an employee of the City of Mount Vernon, Mount Vernon, Washington, a United States citizen, over the age of eighteen years, and am competent to testify to the matters set forth herein.
2. On **December 8, 2017** I mailed via the United States mail, to the following parties the **PL17-131 Seventh Day Adventist Temporary Emergency Shelter Notice of Application & Notice of Public Meeting**
See attached lists

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed in Mount Vernon this **8th** day of **December, 2017.**



Linda Beacham



AFFIDAVIT FOR LAND USE SIGN POSTING

Property located at: 4520 E College Way

Project Name/File No: _____ P#: _____

I, Tina Tate hereby certify that I have posted the subject property as described below.

Date Notice posted: 12-8-17

Attached hereto is a copy of the notice that was posted.

Applicant Signature: Tina Tate Date: 12-11-17

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this, the 11 day of December, 2017 before me personally appeared Tina Tate known to me to be the same person whose name is subscribed to the within instrument and acknowledged that he/she voluntarily executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Krista Jewett
Notary Public in and for the State of
Washington residing at Skagit
My Appointment Expires 2-18-2020



Community & Economic Development Department
P.O. Box 809 / 910 Cleveland Ave. - Mount Vernon, WA 98273
(360) 336-6214 - www.mountvernonwa.gov

Beacham, Linda

From: John McGhee <pastor@mountvernonsda.com>
Sent: Thursday, December 21, 2017 8:29 PM
To: Larry Otos
Cc: Lowell, Rebecca; Beacham, Linda
Subject: Re: COMMENT ON PL17-131 SEVENTH DAY ADVENTIST TEMP. EMERGENCY SHELTER

Hi Larry,

Your comments are seasoned with wisdom. Thank you so much for your support.

Our church board has already decided to invite the community, on a monthly basis, to talk together, listen to each other, and be updated with regard to the temporary shelter.

And, certainly, a more thorough evaluation process would be highly desirable after the experimental 90-day project is completed in 2018.

With Appreciation,

Pastor John

On Thu, Dec 21, 2017 at 9:31 AM, Larry Otos <lotos@comcast.net> wrote:

Greetings,

I am Larry Otos and live at [4601 Monte Vista Dr. Mount Vernon WA, 98273](#) in the Monte Vista Terrace neighborhood development just South of the proposed project.

I support the efforts of the Seventh Day Adventist church with some reservations. While everyone needs to help address the homeless issue, only time will tell what will be the right location for a shelter.

The proposed project (PL17-131) has been promoted as a Temporary Shelter. Which means if this project doesn't work and the neighborhood or other areas are negatively affected then the City, neighborhood and others will have a right to address the issue again. I am not clear to what the term Temporary means in this situation. If "Temporary" is during the cold months (November to March) or years 2017-18 to ????.

I would ask that the regulations stipulate that after the first term of service (cold months) that this project be reevaluated with public input. This project may be the right location for inside accommodations for warming the homeless, but it may not be the right location as well.

I am not an authority on housing, however, the staffing levels that have been provided seem inadequate for a shelter that allows individuals to reside who may or may not be clean and sober.

As long as all the activity is housed **inside** (as stated) of the facility there should be no outside indication that there is activity going on at night.

Again, I would request a reevaluation of this project after the first term to take testimony as to the impacts of the temporary emergency shelter at the Seventh Day Adventist Church.

Respectfully submitted,

Larry Otos

[4601 Monte Vista Dr.](#)

[Mount Vernon, WA. 98273](#)

Beacham, Linda

From: shawnylou@gmail.com
Sent: Thursday, December 21, 2017 4:11 PM
To: Beacham, Linda
Subject: Mount Vernon Seventh Day Adventist shelter site

Today was cold . I cannot imagine the elements that these people go through. Seattle has had programs near homes , near schools, and have not had anything big happen. They tended to monitor the sites and keep things in order . This issue is placed out of paranoia , and ignorance . The people , PEOPLE , have a right to a warm place to stay at night. No one knows what the homeless go through. I am not talking about sex offenders . But I am talking about the mentally ill who walk our streets, I do talk about the meth, and crack, heroin. Yes, all illegal , and they are ill. They self medicate . Most are handled like humans in these cases . They are ill . We would need at least 4 volunteers , not 2. There are some people who get sick , need help, and 2 extra people advised .

I am in The Skagit Highlands , I will be more than happy and secure in helping out. I feel that some folks are over reacting. The places these people want to place these people are along the railway tracks. I have not seen these buildings, but I do know the more reclusive, the more problems. I believe that staying at the church is safe . I believe that we have normal patient people who really care , no judgmental in there belief systems would be perfect for this work. I also believe that the stays overnight go into spring . Why do we want people exposed to hypothermia ? Death sentence right there. I believe we need to have more faith in the human element . People running scared because they are sure their homes will be broken into , they will be harmed , or their children is highly over exaggerated . If Seattle can do major tent cities and have them come out mostly good, and people in churches at night , we as human beings can be more humane. Putting them just anywhere is sad.

I am willing to volunteer my time. I have worked the streets years ago when my daughter was missing. It turned out she was an addict and remained one for 25 years. I raised both her boys. I have had the homeless in my own home. Mostly kids, who have been thrown a way. I have had the worst of the wordt in 25 years . I know the emotional side to this. I beg you to allow 7th Day Adventists to allow this. We are talking only 20 people .. please listen , and know things will be ok.

Shawn L Blumenfeld
567 Monarch Boulevard
Mount Vernon , WA. 98273
360-982-2144

Sent from [Mail](#) for Windows 10

From: [Larry Otos](#)
To: [Lowell, Rebecca](#); [Lowell, Rebecca](#)
Cc: [Beacham, Linda](#); pastor@mountvernonnsda.com; [Larry Otos](#)
Subject: COMMENT ON PL17-131 SEVENTH DAY ADVENTIST TEMP. EMERGENCY SHELTER
Date: Thursday, December 21, 2017 9:31:57 AM

Greetings,

I am Larry Otos and live at 4601 Monte Vista Dr. Mount Vernon WA, 98273 in the Monte Vista Terrace neighborhood development just South of the proposed project.

I support the efforts of the Seventh Day Adventist church with some reservations. While everyone needs to help address the homeless issue, only time will tell what will be the right location for a shelter.

The proposed project (PL17-131) has been promoted as a Temporary Shelter. Which means if this project doesn't work and the neighborhood or other areas are negatively affected then the City, neighborhood and others will have a right to address the issue again. I am not clear to what the term Temporary means in this situation. If "Temporary" is during the cold months (November to March) or years 2017-18 to ????.

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As long as all the activity is housed **inside** (as stated) of the facility there should be no outside indication that there is activity going on at night.

Again, I would request a reevaluation of this project after the first term to take testimony as to the impacts of the temporary emergency shelter at the

Seventh Day Adventist Church.

Respectfully submitted,
Larry Otos
4601 Monte Vista Dr.
Mount Vernon, WA. 98273

**Beacham, Linda**

From: amy gadsden <amy.e.gadsden@gmail.com>
Sent: Tuesday, December 19, 2017 7:25 PM
To: Beacham, Linda
Subject: Re: SDA cold weather shelter information.

Thank you Linda.

After talking with Tina Tate, director of Friendship House, this evening, I have multiple concerns which she could not accurately answer or the answers were not enough to make me feel safe.

1. People currently under the influence of drugs and alcohol WILL be allowed to be bussed to the church shelter.
2. Since they are allowing overnight smoke breaks with a supervised security/staff, that would leave one person to handle 22 people.
3. Since not allowing people to leave is considered 'false imprisonment' there is no legal way they can keep people from leaving. This would mean they CAN be roaming our neighborhood.
4. There is inadequate street lighting on College Way past 76, and around Monte Vista. This poses a danger to the residents if troubled people did leave.
5. Background checks / sex offender checks may not be done if they don't give ID.
6. This is a rural neighborhood.

Tina addressed my questions and said there was NO compromise available.

1. She said that law enforcement would help escort people out if need be. Again, usually when incidents happen involving drug and alcohol, it's more than one person and usually very out of control. Asking for people to be clean and sober at the time of shelter taking is for the safety of not only neighborhood families but also the Friendship House volunteers and security staff.
2. I asked about more security especially with the chances that people drunk and on drugs could be there and she assured me the two would make it safe. I said especially with one person possibly being outside for the majority of the time, it seems like an unsafe ratio.
3. Tina stated "if a person wanted to leave, they would call them a taxi for downtown". Again, you can not force someone in a taxi. It's not safe for either party and borderline assault. We know that people under the influence of ANYTHING often make poor choices. If they walk out of the building, they will not be able to chase, confine and take them elsewhere. This WILL make these people in our neighborhoods. This location being 1.5 miles from a bus stop just makes it an even more poor location since they will have no where else to go easily.
4. There is going to be no additional lighting. Tina stated they are increasing police patrol but failed to comment when I asked about these problems they are anticipating then.

5. This is easily changed since they are having a meal at the Friendship House first, they could have their names and background checks done in ample time.

6. In order to get the 4.5 miles down to SDA church from the Friendship House, you need to pass multiple vacant buildings in prime, well lit, well populated, non-residential areas. A few examples are the open storefront by Goodwill, next to the Labor and Industries job help and Value Village, the college way Thrifty Foods, and so forth with have even bigger means to accommodate more people with the same amenities outside of an isolated neighborhood.

There is also the Skagit County jail that has common areas no longer in use that could be adequately transformed and used and would not even require bussing from the current Friendship House locations.

I feel the city has not adequately addressed the multitude of problems at hand involving possibly 23 alcohol/drug induced adults with a ratio to two supervisors (and the reality of it being 22:1 when someone is smoking or the possibility of 21:0 when someone is smoking and someone's dog needs to pee at the same time) Working in the hospital and on an ambulance, I know the strength of people under the influence of drugs and alcohol and it's not a standard strength. If it was a truly drug/alcohol induced rage or fight or outburst, one to two adults would most likely not be adequate.

I don't think this has been properly explained to the residents on the surrounding neighborhoods as well properly in the flyer that was left on some doors.

The double standard for the Friendship House living (clean/sober/background checks) versus this shelter (currently using/drunken/no checks) does not seem safe. She could not give me a reason why a compromise that the same standards would uphold, except that this is short term. This short term is a 0.2 mile stroll from my driveway every morning.

This is also along the Mount Vernon School district bus stop where my son waits for the bus every morning. Since there is no real threat if the people were to leave, which they are legally free to, and camp out in the hugely wooded area around the church, I would fear for the safety of the students waiting for the bus.

I would love a way to extend the deadline to go door to door in the neighborhood and truly hand out the proposal paperwork and let the neighbors weigh in before bussing in people past plenty of other vacant spots that could easily handle the same situation.

Please feel free to contact me anytime through this email or my cell (214) 435-9152.

Thank you,
Amy Gadsden

On Tue, Dec 19, 2017 at 12:23 PM Beacham, Linda <lindabe@mountvernonwa.gov> wrote:

Hi Amy,

Yes, you have the correct email. I'll add your name and comments to the record. Feel free to contact me if you have questions.

Linda Beacham

Beacham, Linda

From: Ted McIlvain <tedlynn4517@gmail.com>
Sent: Wednesday, December 20, 2017 10:10 PM
To: Beacham, Linda
Subject: Homeless Shelter at Seventh day Adventist Church College Way

I would like to add my concerns for the planned shelter. The neighborhood here took on a lot just having two churches so close. Their traffic and the events. I don't think anyone here doesn't want to help people in need. Our neighborhood for the most part is a quiet peaceful sanctuary. I question if it is wise to have shelters ever in or close to a neighborhood. Why is there no checks as to drugs/alcohol abusers staying here. Most shelters require that. I'm not sure the church understands that though 22 sounds like a small number it is a large number to keep an eye on all night with only 2 people. There are so many empty spaces not in neighborhoods that just seem like a easier and safer place for all. Bless everyone for trying to figure this out. More safety measures are needed!

Thank you,
Teddy McIlvain
4517 Edgemont Place

From: [LINDA NALIN](#)
To: [Beacham, Linda](#)
Subject: No
Date: Wednesday, December 20, 2017 2:24:37 AM

Please, no! Too close to where I live. We moved here to escape the same problems this is likely to cause.

Administrative Assistant

Development Services

360-336-6214, ext. 2104

From: amy gadsden [mailto:amy.e.gadsden@gmail.com]
Sent: Tuesday, December 19, 2017 11:58 AM
To: Beacham, Linda <lindabe@mountvernonwa.gov>
Subject: SDA cold weather shelter information.

Hi Linda,

I am just trying to make sure I have the correct info for you in regards to the Seventh-day Adventist cold weather shelter that is proposed to open. There was not a comment section about this on the website as reported by SVHerald.

Thanks

Amy

From: [Kailey Olin](#)
To: [Beacham, Linda](#)
Subject: Cold weather shelter
Date: Wednesday, December 20, 2017 1:24:51 AM

Hi Linda,

I just bought a house here in Mount Vernon in march. This cold weather shelter will be just over a mile from my house. Not entirely close but living near the Kulshan trail it's a bit worrisome. I already don't feel comfortable walking the trail at night. That in itself should be addressed. But the shelter organization and plans are flat out wreck less. Simply the church does not understand what they're getting themselves into. I work in downtown Seattle. I have a lot of clients who work in emergency response and shelters. They're planning to be under staffed and without an emt on staff they'll just be using tax dollars to get aid to assist them. The problem with this is the drug addicts will use too much before going in at night because they know they won't be able to use again for xyz amount of hours. Then they OD at the church. Now do you OD on the streets and city aid has to assist. Sure. I listen to the scanner. I hear it. But these situations as wonderful as they sound...actually end up causing more OD because of what I mentioned above. They really need to set up an appt to meet with the staff in Seattle and have some over nights so they're prepared for what they're getting into.

Homelessness is an issue. Drug addiction is an issue. But this is not how solving it needs to go about. Unfortunately I can see this ending very badly in the near future. Someone is going to get hurt or killed from this. This does not belong in our neighborhoods!

Thank you,
Kailey

Sent from my iPhone

Beacham, Linda

From: Valerie Moore <vmoore10@comcast.net>
Sent: Tuesday, December 19, 2017 5:31 PM
To: Beacham, Linda
Subject: SDA Coldweather shelter

I am a resident of the Monte Vista Neighborhood in Mount Vernon. I attended the informational meeting at the church, Thursday night.

I do not want the Cold Weather Shelter set up in the SDA Church. These people are not allowed at the Friendship House if they are drunk or on drugs, but they will be allowed to go to this shelter.

The ratio of 23 homeless people to 2 Security guards is not adequate coverage. This is a quiet neighborhood which will become a magnet for the homeless if this shelter is allowed.

I believe we are enabling many of these homeless people by offering all the free programs offered. Why try to find a job if you are offered many things free.

I realize that some of these people are mentally ill, so why not use the money to help these people?

It only takes one person to wander away from the shelter to cause a tragedy in our neighborhood. Would you want this Shelter in your neighborhood?

Please reconsider this program.

Sincerely, Valerie Moore

Sent from my iPhone

Beacham, Linda

From: mike Ullom <treetr2@hotmail.com>
Sent: Tuesday, December 19, 2017 7:18 PM
To: Beacham, Linda
Subject: SDA homeless shelter

Hello

I am sure you are recieveing plenty of emails against this cold weather shelter opening. This isn't one, I agree with it, give it a chance see if it works, if not then reevaluate the situation.....I live in the area of laventure and college way so I am in the vicinity.....good to see this type of support going on for the homeless community

Mike

Sent from my T-Mobile 4G LTE device

From: Beacham, Linda
To: ["T. Hotaling"](#)
Subject: RE: Proposed New Cold Weather Shelter
Date: Wednesday, December 27, 2017 3:05:00 PM

Hello,

Your comments have been added to the record. In response to your questions:
A background check through the Washington State Patrol is done on the individuals.
Individuals under the influence may be allowed to stay at the shelter. A bus will transport them in the morning to the Friendship House.

Linda Beacham
Administrative Assistant
Development Services
360-336-6214, ext. 2104

From: T. Hotaling [mailto:trinahotaling@yahoo.com]
Sent: Tuesday, December 26, 2017 3:10 PM
To: Beacham, Linda <lindabe@mountvernonwa.gov>
Subject: Proposed New Cold Weather Shelter

Hello,

I recently learned that a new cold weather shelter could be opening on College Way in the Seventh Day Adventist church. Some of the facts shared on Nextdoor.com concern my family and I. We own a home between N 18th & Fir, right off College Way, near the walking trail and Little Caesars. We've had issues with homeless living in the woods on the trail, and recently had an incident with an individual shooting up drugs in our driveway (which was reported to police).

We greatly empathize with the homeless situation in our county, and want there to be options in the community to help them. However two things shared on Nextdoor.com are really troubling for us.

1. Is it true that individuals may stay at the cold weather shelter without having a background/sex offender check? We have two school age children, and this is extremely troubling to us if it's true.
2. Is it true that individuals under the influence will be bused to and allowed to stay at the shelter? If yes, when the shelter closes in the morning - will they be bused back downtown, or left to roam our residential neighborhoods high and drunk?

Thank you for your time,
Trina Hotaling, Voter & Homeowner

From: [T. Hotaling](#)
To: [Beacham, Linda](#)
Subject: Proposed New Cold Weather Shelter
Date: Tuesday, December 26, 2017 3:10:07 PM

Hello,

I recently learned that a new cold weather shelter could be opening on College Way in the Seventh Day Adventist church. Some of the facts shared on Nextdoor.com concern my family and I. We own a home between N 18th & Fir, right off College Way, near the walking trail and Little Caesars. We've had issues with homeless living in the woods on the trail, and recently had an incident with an individual shooting up drugs in our driveway (which was reported to police).

We greatly empathize with the homeless situation in our county, and want there to be options in the community to help them. However two things shared on Nextdoor.com are really troubling for us.

1. Is it true that individuals may stay at the cold weather shelter without having a background/sex offender check? We have two school age children, and this is extremely troubling to us if it's true.

2. Is it true that individuals under the influence will be bused to and allowed to stay at the shelter? If yes, when the shelter closes in the morning - will they be bused back downtown, or left to roam our residential neighborhoods high and drunk?

Thank you for your time,
Trina Hotaling, Voter & Homeowner

From: [Susie Wilson](#)
To: [Beacham, Linda](#)
Subject: Re: Automatic reply: Cold Weather Shelter
Date: Saturday, December 23, 2017 6:47:19 PM

I wondered if that might be you! Hope you have a good Christmas, especially since you will be presumably sleeping in a warm bed!

Susie Wilson

On Sat, Dec 23, 2017 at 5:17 PM, Beacham, Linda <lindabe@mountvernonwa.gov> wrote:

Hello - I'm out of the office through December 27th. If you need immediate assistance please call [360-336-6214](tel:360-336-6214). Thank you.

From: [Susie Wilson](#)
To: [Beacham, Linda](#)
Subject: Cold Weather Shelter
Date: Saturday, December 23, 2017 5:17:09 PM

I am responding to a post on Nextdoor from a resident of Monte Vista who is worried about the safety of her neighborhood when the shelter is open. She suggested emailing you with our opinions but didn't say anything about what department you are with or what your relationship with the Shelter is. At any rate, I wanted to say that after having worked in the Community Well Shelter on numerous occasions, I don't think she has any significant worries. The density at the old location was greater than by the new church and I wasn't aware of any neighbor complaints there. I suspect this may be better organized even than the other place and sounds like there will be a permanent night time staff to offer more continuity for knowledge of the clientele. I fully support the shelter, it's location and the coordination of various organizations trying to offer a short term solution to some individuals.

Susie

Friendship House/Seventh Day Adventist Church Emergency Winter Shelter Fire Safety Plan

The implementation of the Fire Safety Plan helps to ensure effective utilization of life safety features in a building to protect people from fire. This official document is to be kept readily available at all times for use by staff.

General Fire Safety Related Duties

- Keep the doors in fire separations closed at all times.
- Keep access to exits inside and outside, clear of any obstructions at all times.
- Do not permit combustible materials to accumulate in quantities or locations that would constitute a fire hazard.
- Promptly remove all combustible waste from areas where waste is placed for disposal, if applicable.
- Keep access roadways, fire routes and fire department connections clear and accessible for fire department use.
- Maintain the fire protection equipment in good operating condition at all times.
- Have a working knowledge of the building fire and life safety systems.
- Conduct fire drill each night upon arrival to make guests know where the exits are how they are to exit and where to meet. Staff will have the list of guests with them, so they can check to make sure everyone is accounted for.
- The Security guard will conduct regular fire watch checks and maintain a log of those checks.

Procedures for Staff in Case of Fire

- Leave fire area immediately and close doors if appropriate. Alert occupants.
- Sound Fire Alarm and follow the fire alarm evacuation procedures.
- If it is safe to do so, supervise the evacuation of all occupants, including those requiring assistance.
- Ensure that other staff and guests have been notified of the emergency conditions.
- Call 9-1-1 from a safe location.
- Exit the building via the nearest exit.
- Gather occupants at an outside safe location
- Await the arrival of the Fire Department at the gather point.
- Upon the arrival of the firefighters, inform the fire officer of the conditions in the building and coordinate the efforts of the Supervisory staff with those of the Fire Department.
- Provide access and information to the firefighters as to location of persons and fire, etc.

ORDINANCE NO. 3721**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, DECLARING AN EMERGENCY, ADOPTING AND RENEWING INTERIM REGULATIONS AND A WORKPLAN TO ESTABLISH PERMANENT REGULATIONS TO ADDRESS TEMPORARY HOMELESS ENCAMPMENTS AFTER STUDY AND PUBLIC PROCESS.**

WHEREAS, on January 25, 2017 the Mount Vernon City Council (Council) adopted Ordinance 3707 declaring an emergency and adopting interim control regulations for temporary homeless encampments; and

WHEREAS, consistent with RCW 35A.63.220 Council held a public hearing on March 27, 2017 and adopted Ordinance 3710 that ratified, renewed, confirmed, and continued the interim land use regulations adopted through Ordinance 3707; and

WHEREAS, due to the complexities involved with drafting regulations involving temporary homeless encampments, and to ensure a thorough and robust public process the Development Services Department has created a work plan and is requesting Council adopt this work plan; and

WHEREAS, a public hearing and notice was published in the Skagit Valley Herald on July 24, 2017 providing notice of a public hearing on temporary homeless encampments to be held at a regularly scheduled meeting of the City Council on July 26, 2017; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390, as well as interpretative judicial decisions, authorize adoption of interim zoning controls and regulations with certain limitations, including the requirement to hold a public hearing on the adopted interim zoning controls/regulations at the time of adoption or within 60 days of its adoption and adopt findings of facts justifying its action and, if appropriate, a work plan; and

WHEREAS, On July 26th, 2017, the City held a public hearing regarding the interim controls proposed herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION ONE. Recitals Incorporated. That the City Council adopts the recitals set forth above as findings justifying adoption of this Ordinance and incorporates those recitals as if set forth fully herein.

SECTION TWO. Findings. That the City Council adopts the following as additional findings of fact justifying adoption of this Ordinance enacting the interim and official controls herein. The Council may adopt additional findings in the event that additional public hearings are held or evidence presented to the City Council.

1. RCW 35A.63.220 and RCW 36.70A.390 authorize cities to adopt interim zoning and interim official controls to preserve the public safety, health, welfare, economic vitality and continued economic growth of the City while new plans and regulations are considered and prepared and to hold a public hearing at the time of adoption or within 60 days of the commencement of the interim zoning and interim official controls. The City adopted such an emergency ordinance on January 25th, 2017 by adoption of Ordinance 3707 and has held a public hearing on its continuance within 60 days on March 22nd, 2017 at a regularly scheduled hearing. The City has not completed its study of the issue and needs more time to consider and prepare new plans and regulations regarding homeless encampments; and

2. After hearing all public testimony, reviewing staff reports, the City's Comprehensive Plan and the legislative record in its entirety the City Council ratifies and re-adopts all findings of fact previously adopted within Ordinance 3707 in their entirety (including recitals therein) justifying that: i) an emergency exists and ii) the continuance of interim controls regulating temporary homeless encampments is justified until the City can fully study the issue and that permanent development regulations be adopted through the City's normal process; and
3. That without the continuance of interim controls set forth herein, there is great potential that unregulated temporary homeless encampments and uses could be sited or allowed to operate in an unregulated manner resulting in well recognized adverse direct and secondary impacts including but not limited to negative impacts to: noise, light pollution, sanitation; traffic, crime, violence, transportation levels of service, litter, risk of fire, risk to vulnerable classes of persons such as children under the age of 18, and parking, and
4. As set forth in its findings adopted in Ordinance 3707 which are hereby incorporated in this Ordinance, the City Council affirms that, pending completion of permanent development regulations pertaining to temporary homeless encampments and the adoption of permanent zoning and permitting regulations, that temporary homeless encampments without regulation tailored to public safety, health, and welfare issues has and will continue to cause direct, secondary, and cumulative negative impacts in the community. Specifically, staff has reported to Council and Council finds unregulated homeless encampments have resulted in unregulated discharges of sewerage (including human waste) into critical habitat such as streams or there associated buffers, trespass onto public and private property, large volumes of litter, the prevalence of discarded drug paraphernalia, the construction and erection of unsafe structures, risk of fire, and expenditure of substantial public resources in cleaning, monitoring, and/or removing such encampments; and
5. That full public participation and thorough study of the temporary homeless encampments impacts in the community have not been completed and are ongoing; and
6. That the City continues to compile data regarding or related to temporary homeless encampments including but not limited to GIS data on locations of encampments, public safety, health, welfare, and environmental impacts, clean-up costs, and homelessness in the City in general; and
7. That in the absence of adoption of this ordinance current city regulations do not address transitory accommodations such as tent encampments or mitigate their health and safety impacts to the satisfaction and protection of both the homeless residents and the surrounding neighborhoods; and
8. That an emergency exists within the City, and that adoption of the proposed interim regulations herein is necessary for the immediate preservation of the public peace, health, safety, welfare, economic vitality and continued economic growth of the City until additional review has been completed and any necessary code revisions have been adopted by the City Council and is a legitimate exercise of the City's police power.

SECTION THREE. Work Program. The City Council hereby directs that the Development Services Department continue their study of the issue of temporary homeless encampments within the City and including drafting proposed permanent regulations to be considered through the City's public participation process including allowing for public input and providing for public hearings at both the Planning Commission and City Council. Additionally, the City Council adopts the work program accompanying this Ordinance identified as Exhibit A and hereby incorporates this work program as if set forth fully herein.

SECTION FOUR. Interim Regulations Adopted. That the City Council adopts the following interim land use regulations.

1. **A new Chapter 17.210, Temporary Homeless Encampments, is added to the Mount Vernon Municipal Code as follows:**

Temporary Homeless Encampments

Sections:

- 17.210.010 Purpose.
- 17.210.015 Definitions
- 17.210.020 Application for temporary homeless encampment permit.
- 17.210.030 Requirements for approval and operation.
- 17.210.040 Hardship exception
- 17.210.050 Decision criteria
- 17.210.060 Revocation of permit.

17.210.010 Purpose.

The purpose of this chapter is to regulate homeless encampments within the city of Mount Vernon in compliance with the requirements of RCW 35.21.915. The standards and requirements in this chapter are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of religious organizations regarding the location of housing or shelter for homeless persons on property owned by such religious organizations.

17.210.015 Definitions. The following words used in this Chapter are defined as follows:

- A. **Director.** The Director of the City of Mount Vernon's Community and Economic Development Department or Designee.
- B. **Encampment Host.** A religious organization (including but not limited to an owner, tenant, or lessee) that has the legal right to occupy the site of a Temporary Homeless Encampment. An "Encampment Host" may be the same individual, group, organization, or entity as the Encampment Sponsor or the Encampment Manager of a Temporary Homeless Encampment.
- C. **Encampment Manager.** An individual, group, organization, or entity that organizes, manages or operates a Temporary Homeless Encampment. An "Encampment Manager" may be the same individual, group, organization, or entity as the Encampment Host or the Encampment Sponsor of a Temporary Homeless Encampment.
- D. **Encampment Sponsor.** An individual, group, organization, or entity which, in conjunction or by agreement with the Encampment Host or Encampment Manager, provides services or support on an ongoing basis for the residents of a Temporary Homeless Encampment. An "Encampment Sponsor" may be the same individual, group, organization, or entity as the Encampment Host or the Encampment Manager of a Temporary Homeless Encampment.
- E. **Temporary Homeless Encampment.** Means a temporary encampment for homeless persons on property owned or controlled by a religious organization, whether within buildings located on the property or elsewhere on the property outside of buildings.

17.110.020 Application for temporary homeless encampment permit.

A. A temporary homeless encampment is an allowed use only on property owned or controlled by a religious organization that is acting as either the Encampment Host or the Encampment Sponsor, or both, for the temporary homeless encampment.

B. Temporary Homeless Encampments shall not be permitted within the City except as an accommodation of religious exercise by an Encampment Host or Encampment Sponsor. Each Encampment Host, Encampment Manager and Encampment Sponsor of a Temporary Homeless Encampment shall jointly apply for a permit under this Chapter, and shall jointly certify compliance with all applicable use requirements and conditions of this part in the application.

C. An application for a Temporary Homeless Encampment permit shall be submitted to the Director or designee on a form approved by the Director. The application shall contain an Encampment Management Responsibility Plan. An application that does not contain an Encampment Management Responsibility Plan shall not be considered complete. The Encampment Management Responsibility Plan shall contain, at a minimum, all of the following information:

1. The name, address, and telephone number of the encampment host, and the telephone number and e-mail address for a designated representative of the encampment host; and
2. The name, address, and telephone number of the encampment sponsor and encampment manager, and the telephone number and e-mail address for a designated representative of the encampment sponsor and encampment manager; and
3. The proposed location of the temporary homeless encampment and information as to whether the temporary homeless encampment will be located inside a building or outside a building on property owned or controlled by the encampment host; and
4. The date on which temporary homeless encampment is proposed to move onto the proposed location and the date on which the temporary homeless encampment is proposed to vacate the proposed location; and
5. The maximum number of residents proposed; and
6. A site plan showing the proposed location of the facilities required by MVMC 17.210.030; and
7. A statement demonstrating how the temporary homeless encampment will meet the requirements of MVMC 17.210.030.
8. A description of the security measures that the Encampment Host, Encampment Sponsor and Encampment Manager intend to employ at the proposed location, including criteria for rejection as a resident, a code of conduct, neighborhood security patrols, if any, whether and how they will implement outstanding warrant or registered sex offender background checks, and whether and how any Temporary Homeless Encampment residents or prospective residents may be ejected from the Temporary Homeless Encampment based on the results of such checks.
9. A transportation plan demonstrating compliance with MVMC 17.210.030

D. The application for a temporary homeless encampment permit must be accompanied by an application fee of \$525.00.

E. An application for a temporary homeless encampment permit must be filed at least 30 days before the date on which the temporary homeless encampment is proposed to move onto the proposed location; provided, that the Director may agree to a shorter period in the case of an emergency beyond the control of the encampment host and encampment sponsor.

F. An application for a temporary homeless encampment permit shall be processed as a Type II “Temporary Homeless Encampment Permit” under Chapter 14.05 MVMC subject to administrative appeal and final administrative decision by the City Hearings Examiner.

G. In addition to the requirements for a Type II permit under Chapter MVMC 14.05, the following additional procedures apply:

1. **Public Meeting Required.** The Director shall hold an informational public meeting. The public meeting shall be held as early in the review process as possible for the application. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. Prior to the public meeting, the Encampment Host shall meet and confer with the Mount Vernon Police Department regarding the proposed security measures. At the public meeting, a representative of the Encampment Host shall present in writing and describe the proposed Encampment Management Responsibility Plan, and any input or comment received on the plan, including any comment or input from the Mount Vernon Police Department, or comment or input from schools and/or child care services under subsection 2 of this section. The public meeting shall be attended by all applicants of the proposed Temporary Homeless Encampment Permit.
2. **Additional Mailed Notice.** The requirements for mailed notice of the application set forth for Type II Permits under Chapter 14.05 shall be expanded to include owners of real property within 600 feet of the project site. Prior to the decision of the Director on a Temporary Homeless Encampment Permit, the Encampment Host, Encampment Sponsor, or Encampment Manager shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within 600 feet of the boundaries of the proposed Temporary Homeless Encampment site, and shall meet and confer with the operators of any known child care service within 600 feet of the boundaries of the proposed Temporary Homeless Encampment site. The Encampment Host and the school administration and/or child care service operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address school and/or child care concerns regarding the location of a Temporary Homeless Encampment within 600 feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the Director for consideration for inclusion within the Temporary Homeless Encampment Permit. In the event the parties fail to agree on any conditions, either party may provide the Director with a written summary of the parties’ discussions, which the Director may consider in evaluating whether the criteria for the Temporary Homeless Encampment Permit are met, or the need for additional conditions upon the Temporary Homeless Encampment Permit based on the applicable decision criteria.
3. The applicant shall provide notice of the application by posting two Land Use Change signs on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The Director shall establish standards for timing of installation and removal of the signs.

H. The Director shall coordinate review of the temporary homeless encampment permit with appropriate city staff and with other appropriate public agencies, including, but not limited to, Skagit County Public Health Department and the Mount Vernon Fire Department. The Director may issue the temporary homeless encampment permit if the application demonstrates that:

1. All of the requirements of MVMC 17.210.030 are met; and
2. The temporary homeless encampment will not be materially injurious to the public health, safety, and welfare or materially injurious to the property or improvements in the immediate vicinity.

I. Decisions of the Director granting, granting with conditions, or denying a temporary homeless encampment permit shall be subject to one open record administrative appeal to the Hearing Examiner who shall render a final administrative determination. The Hearing Examiner's decision shall be subject to appeal to the Skagit County Superior Court as provided in Chapter 36.70 RCW. In the event of any conflict with any other provisions of the Mount Vernon Municipal Code, this provision shall control notwithstanding MVMC 14.05.020.

17.110.030 Requirements for approval and operation.

A. A Temporary Homeless Encampment must meet all of the following requirements in addition to any other requirements imposed by this chapter:

1. The property or building must be of sufficient size to accommodate the proposed number of tents and residents and the on-site facilities required by this section.
2. Adequate provision must be made for the provision of drinking water, disposal of human waste, disposal of garbage and other solid waste, and the provision of other services, including, but not limited to, the following facilities:
 - a. Sanitary portable toilets or other restroom facilities in the number required to meet health regulations for the residents and staff of the temporary homeless encampment; and
 - b. Hand washing stations by the toilets or restrooms and by food service areas; and
 - c. Refuse receptacles meeting the requirements of the city's solid waste division; and
 - d. A food service tent or other food service building or facility meeting health department requirements; and
 - e. A management tent or other management office or facility providing administrative and security services and readily identifiable to residents and visitors.
3. The temporary homeless encampment shall meet all setbacks for the zoning district in which the property is located; provided, that where the temporary homeless encampment abuts property containing residential uses, the temporary homeless encampment shall be set back 20 feet from the property line or the minimum setback provided in the Mount Vernon Municipal Code, whichever is greater.
4. A six-foot-tall sight obscuring fence shall be provided around the perimeter of the temporary homeless encampment unless the Director determines that there is sufficient vegetation, topographic variation, or other site conditions to provide equivalent screening of the use from adjacent properties.
5. Any and all exterior lighting for the temporary homeless encampment shall be directed downward and away from adjacent properties to minimize light impacts.
6. The maximum number of residents within a temporary homeless encampment shall not exceed 100.
7. Parking for at a minimum five vehicles shall be provided and otherwise comply with Chapter 17.84 of the MVMC.
8. No children under the age of 18 shall be allowed in the temporary homeless encampment. If a child under the age of 18 attempts to reside at the temporary homeless encampment, the Encampment Sponsor, the Encampment Host, or the Encampment Manager shall immediately contact Child Protective Services.
9. No animals shall be permitted in the temporary homeless encampment, except for service animals.

11. The Encampment Sponsor and/or the Encampment Host shall submit a code of conduct for the temporary homeless encampment and a statement describing how the code of conduct will be enforced. The code of conduct shall, at a minimum, contain the following:
 - a. A prohibition on the possession or use of illegal drugs or alcohol.
 - b. A prohibition on the possession of guns, knives with blades in excess of three inches, and weapons of all kinds.
 - c. A prohibition on violence.
 - d. A prohibition on open flames.
 - e. A prohibition on trespassing into private property in the surrounding neighborhood.
 - f. Hours during which quiet is to be observed.
12. A transportation plan must be submitted providing for access to transit. All temporary homeless encampments must be located within one-half mile of transit service. This measurement shall be taken in a straight line from the closest property line where the temporary homeless encampment is proposed to the existing transit service provided by Skagit Transit. During hours when public transportation is not available, the Encampment Sponsor, Encampment Host, or Encampment Manager shall also make transportation available to anyone who is rejected from or ordered to leave the Temporary Homeless Encampment.
13. The Temporary Homeless Encampment must comply with all regulations of Washington State, the City of Mount Vernon, and the Skagit County Public Health Department. The Temporary Homeless Encampment shall comply with the requirements of the International Fire Code and Washington Cities Electrical Code as adopted by the city of Mount Vernon. The Encampment Sponsor and Encampment Host shall permit inspections at all reasonable times by appropriate public officials from the agencies enforcing these codes for code compliance.
14. The Encampment Sponsor shall take all reasonable and legal steps to obtain verifiable identification from prospective residents of the temporary homeless encampments and use the identification to obtain sex offender and warrant checks from the appropriate agency. If the warrant and sex offender check reveals that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the Encampment Sponsor shall reject the prospective resident or evict the existing resident.
15. Adequate access for fire and emergency medical apparatus shall be provided.
16. Adequate separation between tents and other structures shall be to limit fire exposure and provide for emergency exiting by residents.
17. Temporary homeless encampment permits may be approved for a time period not to exceed 90 days on any single property regardless of whether or not an Encampment Manager or Sponsor is different. No temporary homeless encampment shall be permitted on any single property for more than 90 days in any calendar year. In addition, minimum of 120 days must lapse before an encampment can be allowed to locate on a site previously occupied by a temporary homeless encampment.

17.210.040 Hardship exception

An Encampment Host, Encampment Sponsor, or Encampment Manager may petition the Director for an exception from any of the Specific Use Requirements of MVMC 17.210.030 or other condition imposed by the Director upon grounds of hardship. In considering whether a hardship exception should be granted, the Director may consider whether the provision or provisions at issue substantially burden the siting or hosting of a Temporary Homeless Encampment at a particular location or by a particular Encampment Host, Encampment Sponsor, or Encampment Manager, the effects on health and safety of residents and the community should the exception be granted, and whether a less restrictive, alternative means to achieve the health and safety objectives is proposed and/or is reasonably available.

17.210.050 Decision criteria.

The Director may approve or approve with modifications an application for a Temporary Encampment Permit if:

- A. The Temporary Homeless Encampment complies with the Use Requirements set out in MVMC 17.210.030 and other applicable requirements of this Chapter; and
- B. The Temporary Homeless Encampment will not be materially detrimental to the public health, safety or welfare of the Temporary Homeless Encampment residents or the surrounding community; and
- C. The imposition of a condition under which the City reserves the right to impose additional conditions or to reconsider the Temporary Homeless Encampment Permit within a certain timeframe from approval date, based on substantiated complaints filed with the City.

17.210.060 Revocation of permit.

The Director may revoke a temporary homeless encampment permit for violation of any of the requirements of this Chapter. A decision of the Director to revoke a temporary homeless encampment permit is a Type II decision processed in the same manner as a Type II "Temporary Homeless Encampment Permit" decision that may be appealed to the Hearing Examiner for final determination provided in Chapter 14.05 MVMC. The decision of the Director to revoke a temporary homeless encampment permit shall be stayed during any appeal to the Hearing Examiner, but the stay will be lifted if the Hearing Examiner upholds the revocation. Decisions of the Hearing Examiner on a temporary homeless encampment permit revocation may be appealed to the Skagit County Superior Court as provided in Chapter 36.70 RCW.

2. Amendment. That Section 14.05.050, Permit Types, of the Mount Vernon Municipal Code is hereby amended to read as follows:

14.05.050 Permit types.

A. Permits Classified by Type. Applications for development permits shall be categorized and processed as one or more of the six permit types described in subsection B of this section. Where applications are categorized as more than one type, the code that pertains to the application needs to be evaluated as more than one procedural process is available depending on specific circumstances particular to that application. Applications shall be classified in accordance with the table in MVMC 14.05.060; provided, that shoreline permits under the shoreline management master program shall be processed as described in that program; and that annexations shall be processed according to Chapter 35A.14 RCW. Annexations shall also be subject to additional city specific submittal and procedural requirements as outlined within this chapter.

B. Permit Types.

1. **Type I – Administrative Review without Notice.** Type I applications are those applications where a final decision is made by the director or the director’s designee without public notice or a public hearing. That decision may be appealed in an open record appeal hearing to the hearing examiner. The hearing examiner decision may be appealed in a closed record appeal to the city council. An applicant can file an appeal to the building code board of appeals following the director’s decision for matters concerning the suitability of alternative building materials, the suitability of alternative methods of construction, or interpretation of building regulations.
2. **Type II – Administrative Review with Notice.** Type II applications are those applications where a final decision is made by the director or the director’s designee after public notice, but without a public hearing. That decision may be appealed in an open record appeal hearing to the hearing examiner. The hearing examiner decision may be appealed in a closed record appeal to the city council; for all type II Permits except permits authorizing Temporary Homeless Encampments which shall be subject to appeal to the Skagit County Superior Court as provided in Chapter 36.70 RCW.
3. **Type III – Hearing Examiner Review with Public Hearing.** Type III applications are those applications that require an open record hearing before the hearing examiner and for which the hearing examiner makes the final decision. For all applications except variances, the hearing examiner decision may be appealed in a closed record appeal to the city council. Appeals for variances go to superior court, except appeals of hearing examiner shoreline variance decisions go to the city council.
4. **Type IV – Council Review with Public Hearing.** Type IV applications are those applications that require an open record predecision hearing before the hearing examiner or planning commission, and for which the hearing examiner or planning commission action is only a recommendation to the city council. The city council shall make the final decision after a closed record hearing on Type IV actions.
5. **Type V – Council Review without Hearing.** Type V applications are those applications that do not require a public hearing and for which a final decision is made by the city council.
6. **Type VI – Legislative.** Type VI applications are those applications that require legislative action by the city council at an open record hearing after one or more open record public hearing(s) and a recommendation from the planning commission, with the exception of street vacations which shall only have one open record public hearing before the city council.

C. Permits Not Classified by This Chapter. If this chapter does not expressly provide for review using one of the six types of procedures and a specific procedure is not specified by law, or if there are conflicting procedural requirements, the director shall classify the application as one of the six procedural types and it will be processed accordingly. Questions about what procedure is appropriate shall be resolved in favor of the type providing the greatest public notice and opportunity to participate.

3. Amendment. That Section 14.05.060, Permit Classification Table, of the Mount Vernon Municipal Code is hereby amended to read as follows:

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Administrative Conditional Use Permit		X				
Conditional Use Permit			X			
Conditional Use Permit for EPTs				X		
Critical Area Ordinance Reasonable Use Exception, Variances and Appeals per MVMC 15.40.130			X			
Design Review with Building Permit	X					
Design Review with Hearing Examiner Land Use Permit			X			
Design Review Waiver per Chapter 17.70 MVMC	X		X			
Development Regulation Text Amendments to Chapter 3.40 MVMC and MVMC Titles 15, 16 and 17						X
Development Regulation Text Amendments to Chapters I except Chapter 3.40 MVMC and MVMC Titles 15, 16 and 17					X	
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit I	X					
Fill and Grade Permit II		X				
Floodplain District Development Permit				X		
Historic Structure – Designation				X		
Historic Structure – Exterior Alteration		X				
Home Occupation – Type I or Exemption	X					
Home Occupation – Type II		X				
Land Clearing Permits and Management Plans		X				
Land Clearing Moratorium Removal			X			
Land Clearing Single-Family Residential Moratorium Exception		X				
Landscape Modifications per MVMC 17.93.080	X					

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Lot Certification	X					
Major Modification	X	X	X	X		
Master Plan Approval per MVMC 17.30.090				X		
Minor Modifications	X					
Model Home Permit	X					
Nonconforming Use – Ordinary Maintenance or Repair	X					
Nonconforming Use – Certificate of Use or Occupancy	X					
Nonconforming Use – Special Permission to Enlarge, Expand, or Reconstruct				X		
Plat, Preliminary				X		
Plat, Final					X	
Planned Unit Development				X		
Rezoning Consistent with Comprehensive Plan				X		
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Site Plan Approval	X					
Site Plan Approval per MVMC 17.39.150				X		
Special Use Permit			X			
Special Use Permit for ADUs		X				
Street Vacations Subject to Procedural Requirements Outlined in Chapter 35.79 RCW						X
Street Design Modifications per Chapter 16.16 MVMC	X					
Temporary Homeless Encampment		X				
Temporary Use Permit Per Chapter 17.92 MVMC	X					
Transfer of Development Rights – Certificate of Available Rights	X					
Transfer of Development Rights – Approval to Utilize	X					
Transportation Concurrency when > 75 PM Peak Hour Trips Are Generated				X		
Variations			X			
Waivers per MVMC 14.10.110, Chapter 16.20 MVMC, and MVMC 17.84.130				X		

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Zoning Boundary Determination per MVMC 17.09.040			X			
Zoning Variances Not Exceeding 20 Percent of Lot Width, Setbacks, Lot Coverage, Building Height, Parking, and Landscape Buffers		X				

4. Amendment. That Section 14.05.070, Summary of Permit Processes, of the Mount Vernon Municipal Code is hereby amended to read as follows:

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
Pre-Application Meeting	No	Required for short plats, building permits with street improvements, and all other non-single-family residential actions	Required, unless waived by director	Required, unless waived by director	Required, unless waived by director	Required, unless waived by director	Required, unless waived by director
Letter of Completeness	Required	Required	Required	Required	Required	Required	Required
Notice of Application	No	Required, unless exempted by MVMC 14.05.040	Required, unless exempted by MVMC 14.05.040	Required, unless exempted by MVMC 14.05.040	Required, unless exempted by MVMC 14.05.040	Required, unless exempted by MVMC 14.05.040	See Chapter 35A.14 RCW, Annexation by code cities, or the shoreline master program (SMP)
Notice of Hearing	Not Applicable	Not Applicable	Required	Required	Required	Required	See Chapter 35A.14 RCW or the SMP
Open Record Pre-Decision Public Hearing	No	No	Yes, before hearing examiner to render final decision	Yes, before hearing examiner or planning commission, as noted in MVMC 14.05.080 to make recommendation to city council for final decision at a closed record hearing	No	Yes, before planning commission to make recommendation to city council for final decision at a closed record hearing except for street vacations which shall be heard only before the city council	See Chapter 35A.14 RCW or the SMP

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
Administrative Appeal	Yes, open record appeal hearing before the hearing examiner or the building code board of appeals	Yes, open record appeal hearing before the hearing examiner	Yes, closed record appeal hearing before city council except for variances	No	No	No	See Chapter 35A.14 RCW or the SMP
Notice of Decision	Required, pursuant to MVMC 14.05.150	Required, pursuant to MVMC 14.05.150	Required, pursuant to MVMC 14.05.150	Required, pursuant to MVMC 14.05.150	Required, pursuant to MVMC 14.05.150	Required, pursuant to MVMC 14.05.150	See Chapter 35A.14 RCW or the SMP
Recommendation Made By	Not Applicable	Not Applicable	Not Applicable	Review authority noted in MVMC	Review authority	Planning commission	See Chapter 35A.14 RCW

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
				14.05.080	noted in MVMC 14.05.080	except for street vacations	or the SMP
Final Decision Made By	Community and economic development director subject to administrative appeal	Community and economic development director subject to administrative appeal	Hearing examiner subject to administrative appeal except for variances	City council	City council	City council	See Chapter 35A.14 RCW or the SMP
Judicial Appeal	See MVMC 14.05.190	See MVMC 14.05.190	See MVMC 14.05.190	See MVMC 14.05.190	See MVMC 14.05.190	See MVMC 14.05.190	See Chapter 35A.14 RCW or the SMP

5. Amendment. That Section 14.05.180, Appeals to Council, of the Mount Vernon Municipal Code is hereby repealed and reenacted, with the new section to read as follows:

A. Decision Subject to Appeal. Type II and III decisions listed within MVMC 14.05.060 (except variances and permits for Temporary Homeless Encampments) may be appealed to the city council, in writing and must contain the information outlined in MVMC 14.05.160(C)(3). However, Type II decisions may only be appealed to the city council after they have been appealed to the hearing examiner; and the appellant is appealing the hearing examiner decision to the city council.

B. Time for Appeal. Any such appeal must be filed by a party of record aggrieved by the decision and shall submit the appeal to the CEDD, within 14 days from the date of the report decision. The appeal must contain the information outlined in MVMC 14.05.160(C).

C. Transmittal of Record to Council. The CEDD shall forward to the members of the city council all of the pertinent documents, including the written decision, findings and conclusions of the examiner, the notice of appeal, and additional letters submitted by the parties of record.

D. Council Review Procedures. No open record public hearing shall be held by the city council. All meetings of the Mount Vernon city council shall be in accordance with Chapter 42.30 RCW, and all persons shall be permitted to attend any meeting of the city council except as otherwise provided in Chapter 42.30 RCW.

E. Council Evaluation Criteria. The consideration by the city council shall be based solely upon the record, the hearing examiner report, the appeal and additional submissions by parties.

F. Closed Record Hearing – Additional Evidence. No or limited new evidence or information will be allowed to be submitted and only appeal argument allowed. New or additional evidence or testimony shall be accepted by the city council only upon a showing by the party offering the evidence that the evidence could not reasonably have been available at the time of the hearing before the examiner; or that relevant information that, in the opinion of the council, was improperly excluded by the examiner. Appellants who believe that information was improperly excluded, or that they have new evidence that could not reasonably have been available at the time of the hearing below, must specifically request, in writing, prior to the closed record appeal hearing, that the information be made part of the record. The request shall describe the information excluded, its relevance to the issues appealed, the reason(s) that the information was excluded by the hearing body/officer, why the hearing body/officer erred in excluding the information, or why it could not reasonably have been available at the time of the hearing below. No reference to excluded information shall be made in any presentation to the city council on the merits, written or oral, until the city council has determined that the information should be admitted. If the council determines that additional evidence is required, the council shall remand the matter to the examiner for reconsideration and receipt of additional evidence. The cost of transcription of the hearing record shall be borne by the appellant. In the absence of an order by the city council authorizing new or additional evidence or testimony, and a remand to the hearing examiner for receipt of such evidence or testimony, it shall be presumed that no new or additional evidence or testimony has been accepted by the city council, and that the record before the city council is identical to the hearing record before the hearing examiner.

G. Council Action. If, after examination of the project record for an appeal of a decision of the hearing examiner, the council determines that a substantial error in fact or law exists in the record the council may remand the application to examiner for reconsideration, modify the decision, or reverse the decision.

H. Decision Documentation. The decision of the city council shall be in writing and shall specify any modified or amended findings and conclusions other than those set forth in the report of the hearing examiner. Each material finding shall be supported by substantial evidence in the record. The burden of proof shall rest with the appellant.

I. Council Action Final. The action of the council approving, modifying or rejecting a decision or recommendation of the examiner shall be final and conclusive unless appealed within the time frames established under MVMC 14.05.190.

SECTION FIVE. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

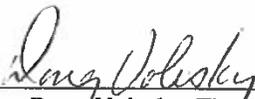
SECTION SIX. Savings Clause. All previous ordinances which may be repealed in part or their entirety by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION SEVEN. Effective Date and Declaration of Emergency. The City Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by a majority plus one of the whole membership of the Council, and that the same is not subject to a referendum. Without an immediate interim regulation on the City's acceptance of business licenses, building applications, permits or other types of land use/development permits/approvals, such applications could become vested under regulations subject to change by the City in this comprehensive review and regulation amendment/adoption process. This Ordinance will not affect any existing rights, or any vested applications previously submitted to the City. This Ordinance, including but not limited to the interim controls, zoning, and regulations contained within and all attachments shall be effective for a six month period of time (unless renewed or extended subsequent to an additional public hearing and findings as required by law) or when the City's comprehensive review and possible amendment/adoption of regulations have been completed repealing the interim regulations and controls, whichever is sooner. The City Council shall make this decision to terminate the interim controls and regulations by ordinance, and termination shall not otherwise be presumed to have occurred. The City shall hold all necessary public hearings and adopt new findings as required under RCW 35A.63.220 and RCW 36.70A.390 if necessary and justified to continue the imposition of the interim regulations until the City's review has been completed.

SECTION EIGHT. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, this Interim Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

PASSED AND ADOPTED this 26th day of July, 2017.

SIGNED AND APPROVED this 27th day of July, 2017.



Doug Volesky, Finance Director



Jill Boudreau, Mayor

Approved as to form:



Kevin Rogerson, City Attorney

Published _____

**EXHIBIT A
WORK PROGRAM**

MILESTONES	DESCRIPTION	APPROXIMATE TIMING
Impact Analysis	Assessment of consequences correlated with temporary homeless encampments	July-August 2017
Regulatory Options	Study of regulation schemes implemented by others to determine how effectively others have implemented different types of regulations	August-September 2017
Interviews with Stakeholders	Identify, collect data and interview stakeholders including, but not limited to: agencies, companies, and individuals that provide services, interact, and/or could be potentially impacted by homeless encampments	September 2017
Regulatory Analysis	Determine if regulation options previously outlined provide adequate options to present to City Council for their review and guidance	September-October 2017
Public Involvement	Craft an on-going public outreach and communication process for the review of recommended regulations.	September 2017
City Council Guidance	Present to Council the results of the impact analysis, regulation options, and interviews. Request Council guidance with regard to refining regulatory options and goals.	October 2017
Planning Commission Guidance	Present to the Commission results of the impact analysis, regulation options, and interviews. Request Council guidance with regard to refining regulatory options and goals.	October 2017
SEPA Analysis	Development Services staff to compile the data necessary and then complete a SEPA checklist for a non-project action.	October 2017
SEPA Process	Development Services staff to complete the process necessary to comply with the SEPA process.	November 2017
Commerce Review	Draft regulations remitted to the WA State Department of Commerce to commence their required review.	November 2017
Public Noticing	Public hearing notices distributed, published, and placed on the City's website	November 2017
Planning Commission Updates and Involvement	Throughout the process the Planning Commission will receive updates and will be asked to provide recommendations.	Throughout
City Council Updates and Involvement	Throughout the process the City Council will receive updates and will be asked to provide recommendations.	Throughout
Public Hearing(s) before Planning Commission	Open record public hearing(s) before the Planning Commission for them to make recommendation(s) to the City Council.	December 2017- January 2018
Public Hearing(s) before City Council	Open record public hearing(s) before the City Council for them to make final decision(s) on the new development regulations.	January 2018



AFFIDAVIT FOR HOMELESS ENCAMPMENT PERMIT ISSUANCE

The undersigned Homeless Encampment Host, Manager, and Sponsor do hereby agree, acknowledge, and stipulate to all of the following conditions of approval.

CONDITIONS OF APPROVAL:

**HOST
INITIALS:**

**SPONSOR &
MANAGER
INITIALS:**

The Encampment shall be operated consistent with the Encampment Management Responsibility Plan, accompanying this document permit identified as Exhibit 2, and all of the additional requirements outlined below that are conditions of approval for this permit.

ME

[Signature]

A hardship exemption per MVMC 17.210.040 with regard to having animals at the encampment has been hereby granted subject to all of the following:

- a. All animals must be pre-screening by the Encampment Manager to ensure that the subject animal is not a threat to people, other animals, property, and can be controlled by their owner.
- b. Animals shall be required to be kept on-leash at all times.
- c. The Encampment Manager is responsible for providing on-site crates to contain animals.
- d. A designated and supervised outdoor area where pets can urinate and defecate shall be created by the Encampment Manager. Animals shall be taken inside after urinating/defecating and shall not be outside of the church building for any other reason.

ME

[Signature]

A hardship exemption per MVMC 17.210.040 with regard to complying with Building and Fire codes has been granted subject to all of the following:

- a. Occupants and encampment staff, during encampment hours, shall not occupy the educational wing, sanctuary, lobby or administrative offices.
- b. A minimum of two (2) qualified personnel shall be on duty when the encampment is open. One of the staff members is to remain in the sleeping area at all times. The other member is required to walk the building every 30 minutes and complete the below-described activity log.
- c. An activity log shall be maintained by encampment staff/manager. The activity log shall include all of the following.
 - i. Name of the person completing the log
 - ii. Date and time of activity
 - iii. Inspection of exit doors for operation, clear pathways, and to make sure they are not locked or blocked from the inside. These inspections shall occur every 30 minutes.
 - iv. Inspection of unoccupied and occupied areas. These inspections shall occur every 30 minutes.
 - v. Inspection of fire extinguishers before the encampment opens every evening.
 - vi. Inspection and testing of emergency lights and exit signs before the shelter opens every evening.
 - vii. Garbage cans emptied daily while the encampment is in operation.
 - viii. Inspection to make sure that emergency evacuation plan is posted at all exits in the sleeping area before the encampment opens every evening.
 - ix. Verify that the emergency evacuation plan is practiced by occupants each and every day the encampment is in operation.
 - x. Verify that information is compiled in writing and provided to the staff in charge that lists/describes each of the occupants at the encampment every day the encampment is in operation. This form will be used to account for everyone in the building in the event of an emergency
- d. The two encampment staff on duty shall have certified fire extinguisher training in the last 12 months. Each member shall have their card upon request.

- e. No cooking in the church kitchen will be allowed for encampment occupants or staff.
- f. No smoking or open flame allowed in building. Smoking may take place at least 25 feet from the building. Smoking materials to be placed in an approved metal container. Smoking signs to be posted in areas where occupants are permitted
- g. The buildings fire alarm shall be operational at all times, if the fire alarm becomes inoperable for any reason the encampment shall be closed until the alarm is repaired.
- h. Occupant load - The maximum occupant load for the encampment will be 25. The occupant load is based on residential allowances of table 1004.1.2 of the International Fire Code. A sign listing this occupancy shall be posted within the sleeping area.
- i. Partitions used shall be non-combustible or limited so that it is not easily ignited by open flame.

ME 

A hardship exemption per MVMC 17.210.040 with regard to complying with the code requirements for background checks has not been granted and the encampment manager/sponsor shall take all reasonable and legal steps to obtain verifiable identification from prospective residents of the encampment. The encampment manager/sponsor shall obtain sex offender and warrant checks from appropriate agencies. If the warrant and sex offender checks reveal that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the Encampment Manager/Sponsor shall reject the prospective resident or evict the existing resident.

ME 

The encampment will be allowed to operate for 90 days at the subject site. The 90 day period shall toll from the first day the encampment opens following approval of the subject permit and shall run consecutively. For example, if the encampment opens for the first time on December 29, 2017 it can continue operating until March 28, 2018.

ME 

The Encampment Manager/Sponsor shall call the City for an inspection of the encampment facility for compliance with this permit prior to becoming operational for the first time.

ME 

The Encampment Manager/Sponsor shall submit reports with supplemental evidence verifying that all conditions of approval of this permit are being complied with including, but not limited to, background checks and activity logs described within condition 3 (above). These reports shall be submitted to the City every 30 days while the encampment is in operation.

ME 

The people signing below do certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 28th day of December, 2017

Signature:  _____

Printed Name: Mark Everett

Signature:  _____

Printed Name: Tina Tate

Signature: _____

Printed Name: _____