

WRITTEN FINDINGS AND DECISION

**Maple Park Extreme Weather Shelter
(TNT-09864-2021)
November 16, 2021**

I. Application Name and Number

File Name: Maple Park Extreme Weather Shelter

Proposal: To use an existing church as an extreme weather shelter.

Applicant: Lisa Utter
On behalf of Cold Weather Shelter
18828 46th Ave W
Lynnwood, WA 98036
Eldt61@yahoo.com

Location: 17620 60th Ave W

Staff Reviewer: Kirk Rappe, Associate Planner
krappe@lynnwoodwa.gov; (425)670-5408

II. Findings

1. A request for a temporary use permit was submitted on September 30, 2021.
2. The applicant proposes to use an existing church as an extreme weather shelter in accordance with Title 21.74 LMC. The shelter will be open at night when temperatures are anticipated to drop below 34 degrees. A guest agreement form provided to the City requires guests to be drug and alcohol free while on premise, have no weapons on them while inside the shelter, indicates there will be designated smoking areas used only at designated times, and other requirements to safeguard operations within and outside the shelter premise.
3. There is also a Covid screening tool that includes questions for the guest about potential Covid symptoms, if the volunteer can take their temperature, and require guests that pass the Covid screening to mask and sanitize hands. The Covid screening is completed prior to the guests entering the vehicles for transport to the church.

4. The property is located at 17620 60th Ave W, which is home to Maple Park Church. The property is zoned RS-8. The site is developed with a church and surface parking lot. The site is surrounded by single-family development.
5. The public comment period for this request ended on November 3, 2021.
6. Extreme Weather Shelters are permitted in the RS-8 zone pursuant to LMC 21.74, subject to all applicable City codes, including the requirements of the City's adopted International Building Code (IBC).

21.74.030 Requirements.

B. Extreme weather shelters may be permitted in non-residential zoning districts and in religious institutions in residential zoning districts. Shelters may be placed within existing buildings meeting current state and local life/safety codes for the extreme weather shelter. Shelters in buildings unable to meet current codes shall be permitted in accordance with the following standards.:

1. *The extreme weather shelter facility shall provide bathroom facilities sized for the demand.*
Staff response: Bathrooms provided at the church and are adequate for proposal.
2. *Smoke and carbon monoxide alarms shall be provided in each room used for sleeping accommodations. At a minimum, battery powered units are acceptable, as determined by the director.*
Staff response: The site plan shows adequate smoke and carbon monoxide alarms.
3. *Sleeping areas must have at least two means of egress.*
Staff response: Two means of egress are identified on the plan.
4. *The sponsor shall insure that a "fire watch" of awake and capable adults is provided and trained in how to call in emergency services.*
Staff response: Information provided by the applicant states an overnight host will be present to keep fire watch and monitor the shelter. The overnight host will perform walk-throughs every 30 minutes and will supervise all smoke breaks.
5. *The sponsor or managing agency shall provide the City with information on what conditions will cause the shelter to open (i.e. weather extremes).*
Staff response: Information provided by the applicant states the decision to open the shelter will be made by 9 am that day. The notice will be posted on their website, www.weallbelong.org. The shelter will be open when the temperature is predicted to drop below 34 degrees Fahrenheit during nighttime hours. The shelter will be open starting at 7:00pm, except for Wednesdays when the shelter opens at 8:00pm. Shelter closes the following morning at 7:00am.

III. Exhibits

1. Summary of Submittal Documents Updated, received October 15, 2021
2. Emergency Cold Weather Shelter Orientation Packet Revised, received October 15, 2021
3. Site plans showing location of extreme weather shelter, received September 30, 2021.
4. Sample Guest Agreement, received September 30, 2021.
5. Transportation Plan, received September 30, 2021.
6. Covid 19 Screening, received September 30, 2021.
7. Vicinity Map, received, September 30, 2021.
8. Property photos, received September 30, 2021
9. Affidavit of Ownership, received September 30, 2021

IV. Decision

The owner/applicant has shown and provided commitment that the proposed extreme weather shelter meets the requirements of LMC 21.74.030.B. Staff recommends approval, subject to all applicable provisions, requirements, and standards of the Lynnwood Municipal Code, and the conditions listed below.

A. Approval Criteria and Conditions

Approval Criteria

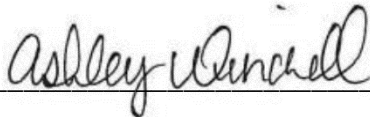
1. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed encampment or shelter;
2. The proposed use shall meet the performance standards that are required in the zoning district the encampment or shelter will occupy and the requirements of this chapter;
3. The proposed use shall be in keeping with the goals and policies of the comprehensive plan; and
4. All measures have been taken to minimize the possible adverse impacts which the proposed encampment or shelter may have on the area in which it is located.

Conditions

1. A fire and building inspection must be completed to confirm all life safety requirements are met.

2. All overdue deficiencies related to the sprinkler systems must be corrected including the overdue 5-year inspections. Contact Chris Burt with South County Fire.
3. Any changes to the operations plan shall be shared with the City of Lynnwood for review for compliance with Title 21.74.
4. The sponsor and/or the managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective residents.
5. Individuals shall be encouraged to leave the site by vehicle to prevent loitering in the surrounding neighborhood.
6. Individuals rejected or ejected from the site shall be removed from the site by vehicle.
7. Provide and maintain up-to-date points of contact information to Sergeant Langdon and Commander Fagan at the Lynnwood Police Department.
8. The extent of this approval is valid for two years from the date of approval.

Planning Manager:



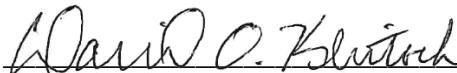
Ashley Winchell, AICP

Date: 11/16/21

B. Director's Decision

Based on the above Findings, the Community Development Director grants approvals of the Maple Park Extreme Weather Shelter, TNT-009864-2021, subject to the above code requirements and conditions.

Development and Business Services Director:



David Kleitsch

Date: 11/16/21

V. Right of Appeal

Administrative decisions of the director may be appealed by filing a written request for appeal with the Community Development Department within 14 calendar days. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

VI. Other Permits

The approval of Project Design Review does not in any way replace, modify or waive any requirement for the compliance of the proposal with other applicable codes, standards, or regulations, including, but not necessarily limited to, those of the Public Works, Permit & Inspections and Fire Departments.

VII. Revisions after Approval

The determination that the proposal meets the criteria for a subsequent modification exception is based on all plans, details, catalogue cuts, specifications, renderings, notes, materials and color samples submitted for design review. Any changes to the design of the project as indicated by the above submitted materials **will require additional review** and may delay issuance of subsequent development permits for the proposal and/or inspections during construction.

PARTIES OF RECORD

- Emily O'Neill
- Lisa Utter
- Jim Rice (on behalf of Lutheran Brethren)