



Shelter Standards/Guidelines

January 19th, 2011

ABetterSite.org



Where we are

- Council asked Planning Board for Shelter Guidelines since SUP...
 - Provides no Guidance to developers
 - Provides no Protections/Assurances for Neighbors
- Planning Board
 - Says SUP process is fine
 - Says no specific guidelines are necessary for developers in advance
 - Says consultant needed for meaningful guidelines
 - Did not consider any public process issues with a site receiving \$1M -\$2M in public assistance or with town's involvement in siting & leasing



Town Council Guidance

- Members asked for ordinances as well as guidelines
- Members asked for specificity with guidelines
- Members asked for best practices
- Mayor Kleinschmidt said:
 - “If we are going to move forward directing the planning board to do these guidelines, we have to have something that is going to be useful”
 - “Look at best practices of other communities to see how they do things”
 - Facilities like Freedom House should be covered by these guidelines



Recommended Action For Tonight

■ Town Council

Should Not Approve These Guidelines

- Major Issues need to be resolved
- Advisory boards have not been consulted
- As written, these guidelines are not implementable and contain provider names

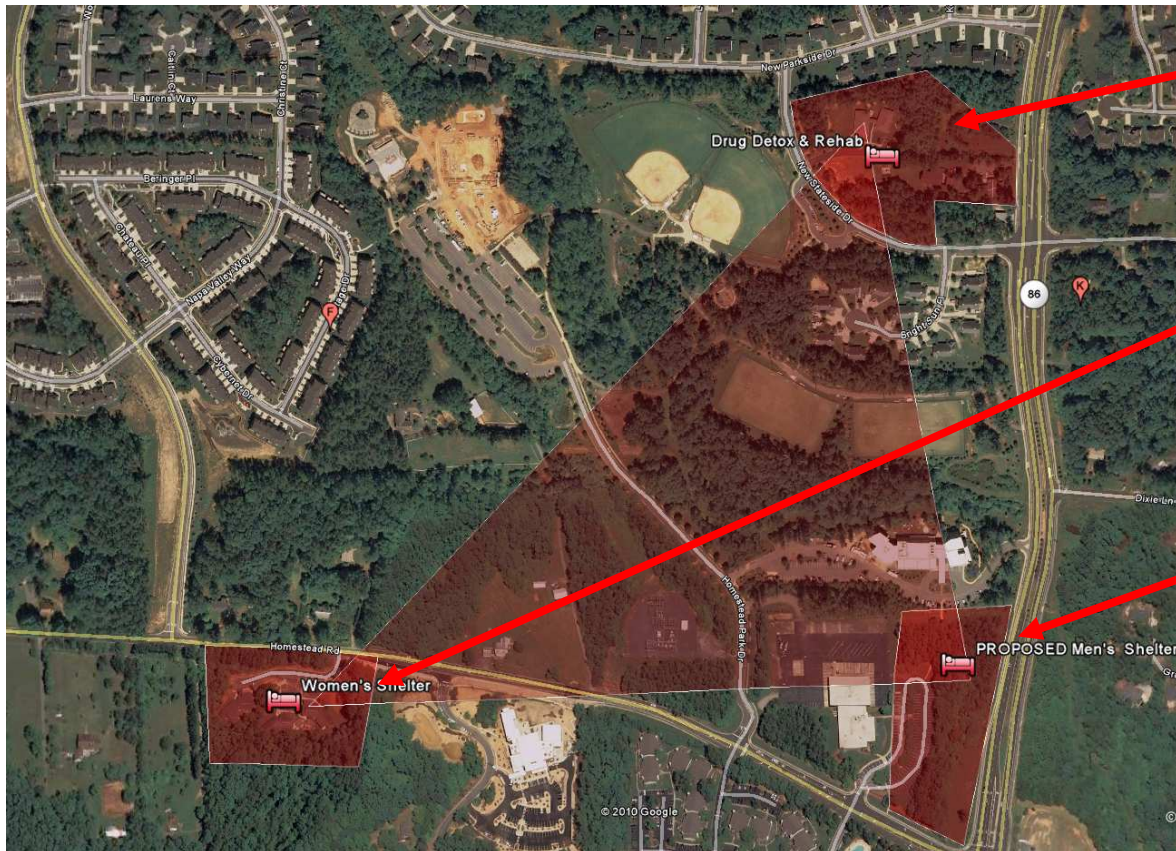
Need to address items shared

- In this presentation
- In the marked-up guidelines being submitted tonight

Clustering

Encourage Fair Share

Current and Proposed Developments



- Freedom House
 - 22 bed half-way house
 - 850 Detox clients per Year
 - 50% Not Orange Co. Residents

- Women's Shelter
 - 56 Beds
 - 16 Are Emergency Beds

- Men's Shelter
 - 20 Emergency Beds
 - 32 Contract Transition Beds
 - 17+ White Flag Night Wet Shelter Beds

The red Triangle is one tenth of a square mile
Too small an area to house all services

No Responsible Growth for North Chapel Hill

Guidelines encourage clustering around existing services, North Chapel Hill will be home to all at-risk social services

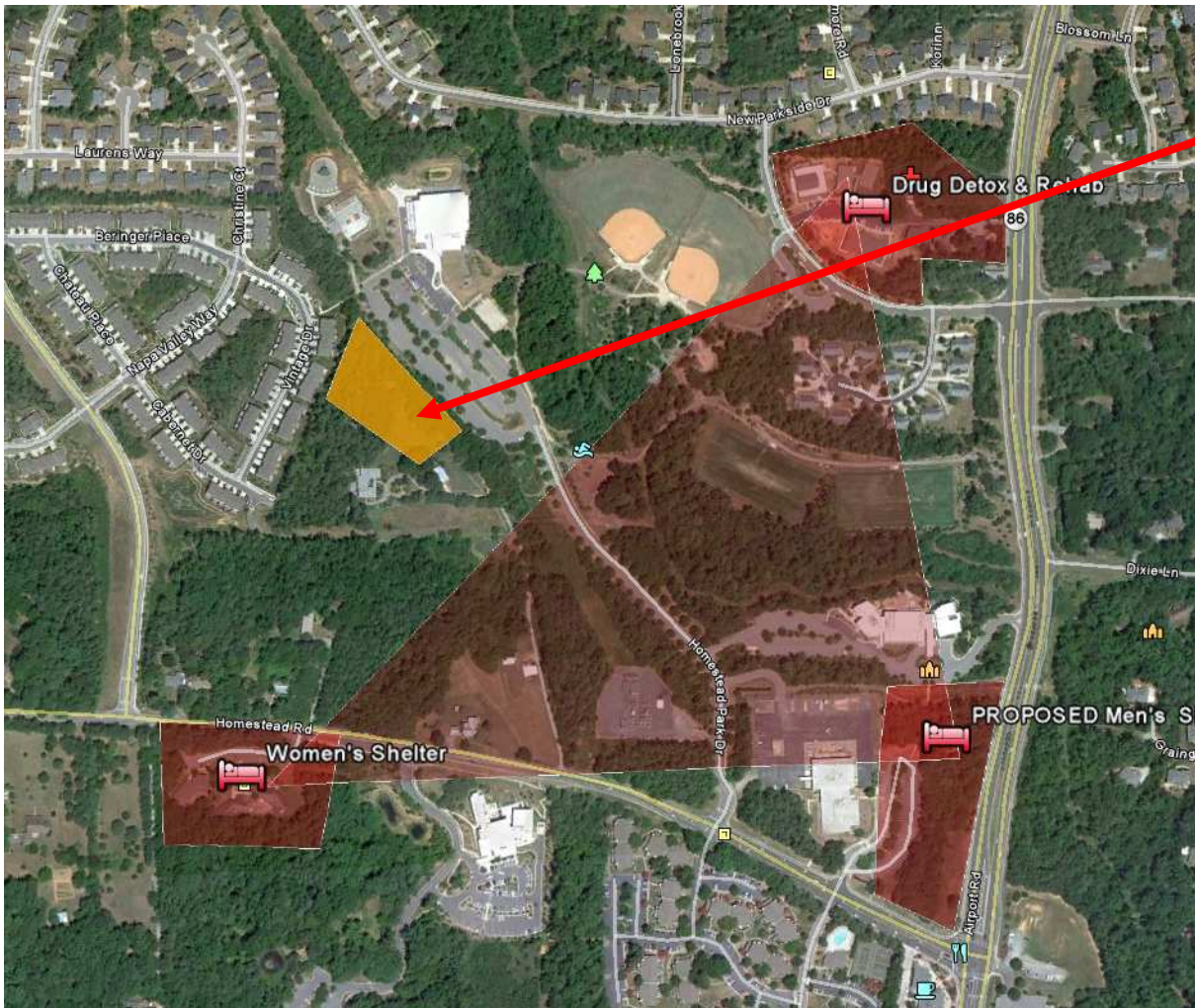


Services should be distributed throughout the community in a “scattered site approach”

Chapel Hill has no “fair share” rules to prevent over concentration of supportive housing in neighborhoods.

Useful Guidelines?

What If a Fourth At Risk Facility

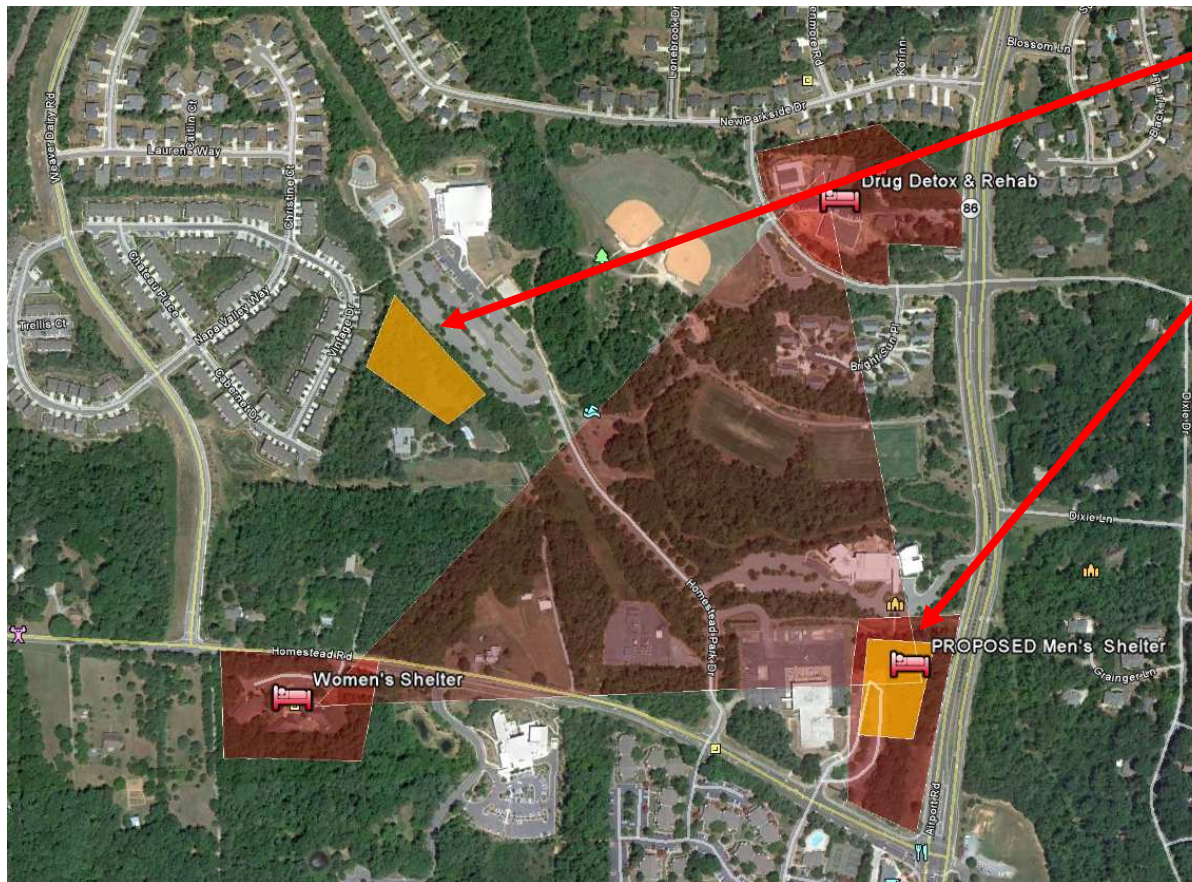


Men's Housing First Shelter

Factor	Shelter Guidelines
4 th Facility in 1/3 Square Mile	No Restriction
Beside Park	No Restriction
Adjacent to Neighborhoods	No Restriction
If 200 Men?	No Restriction
If 300 Men?	No Restriction

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Too small an area to house all services

Useful Guidelines? What If Expansion



Men's Housing First Shelter

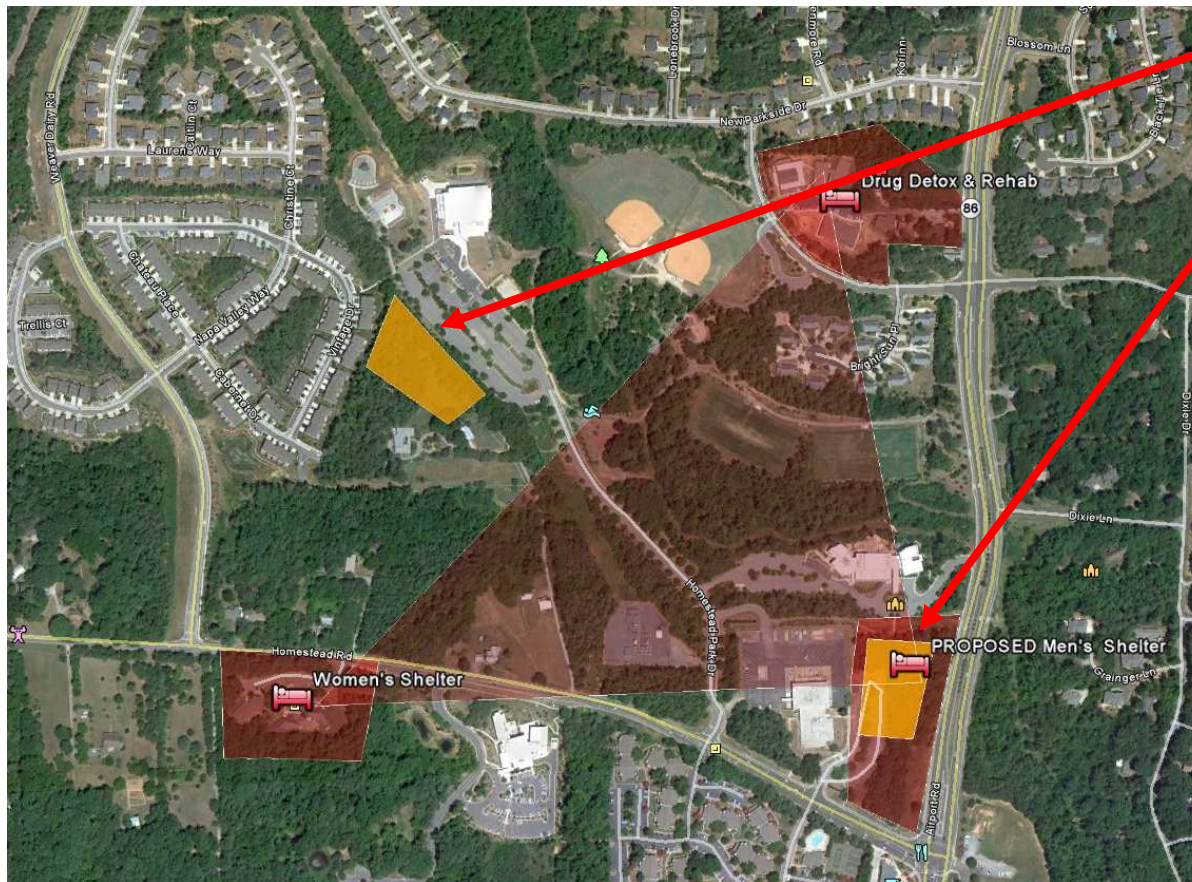
Add 50 Beds

The red Triangle is one tenth of a square mile
Too small an area to house all services

Factor	Shelter Guidelines
5 th Facility in 1/3 Square Mile	No Restriction
500' from Park	No Restriction
115' Neighborhoods	No Restriction
Add 100 Men?	No Restriction
Add 200 Men?	No Restriction

Useful Guidelines?

What If a Soup Kitchen



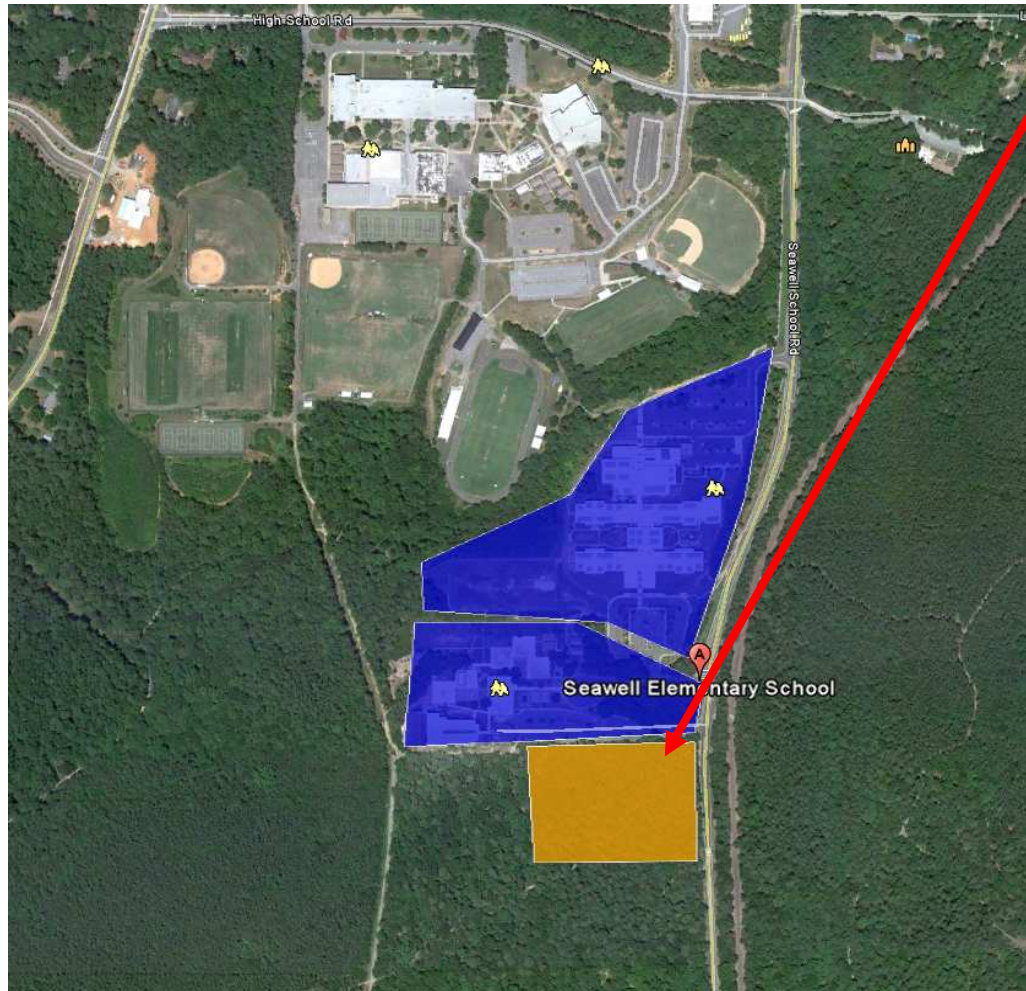
Men's Housing First Shelter

Soup Kitchen

Factor	Guidelines
5 th Facility in 1/3 Square Mile	No Restriction
Soup Kitchen	Not a Defined Service

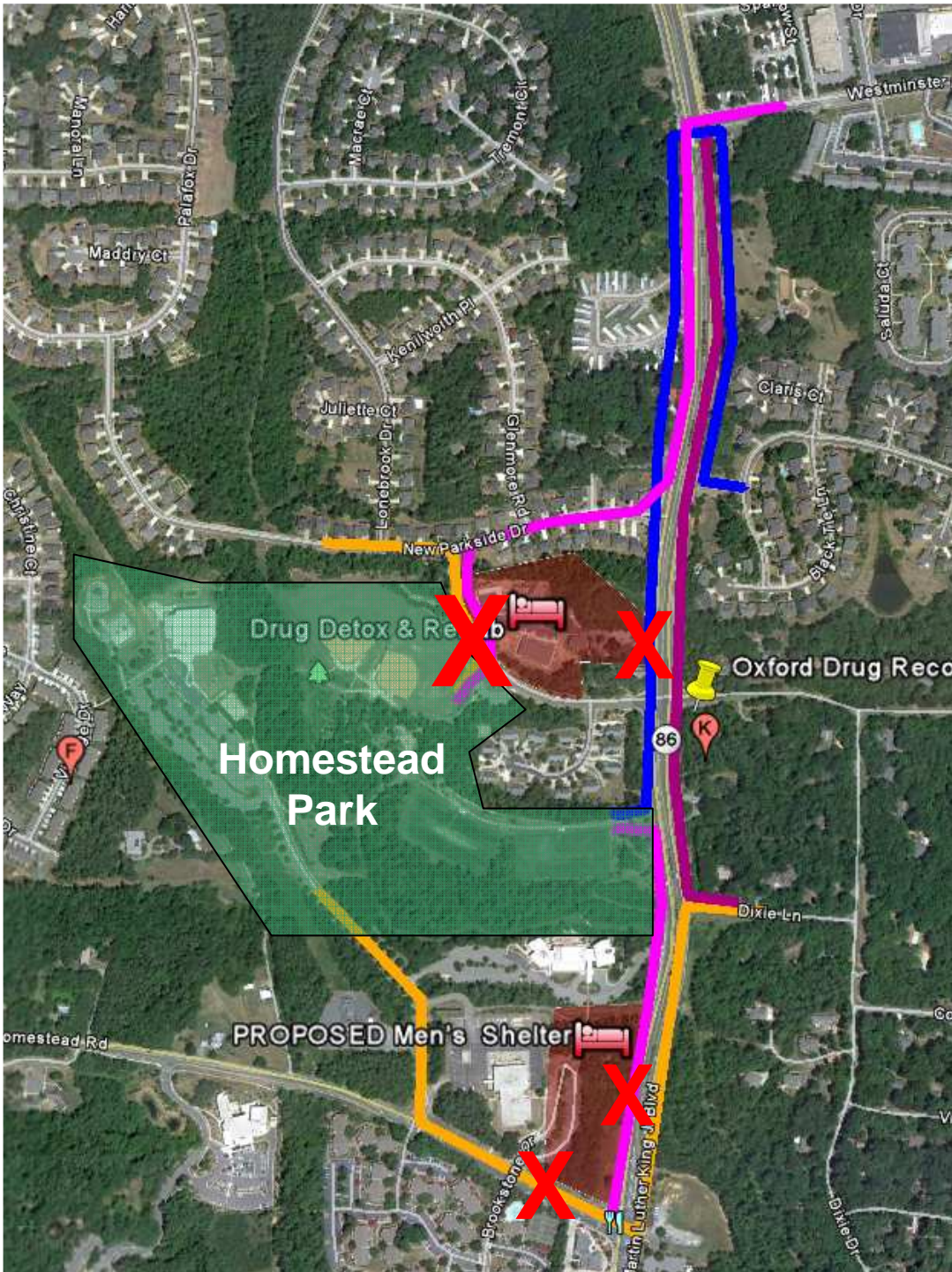
The red Triangle is one tenth of a square mile
Too small an area to house all services

Useful Guidelines? What If a Seawell Shelter



- Men's Housing First Shelter
- 100 Men
 - Drunk and High Men Allowed

Factor	Guidelines
Wet Shelter Adjacent to School	No Restriction
Will Sex Offenders have a place to stay on cold or rainy or snowy nights?	Not in Orange County
If 200 Men?	No Restriction
If 300 Men?	No Restriction



Useful Guidelines?

All Routes Pass At-Risk Facilities

Every Kid Walking or Biking to the park must pass a drug detox center or a homeless shelter, regardless of what entrance they use.

Factor	Guidelines
Kid Walk-ability	No
Kid Bike-ability	Consideration
Park Safety For Kids	No Consideration



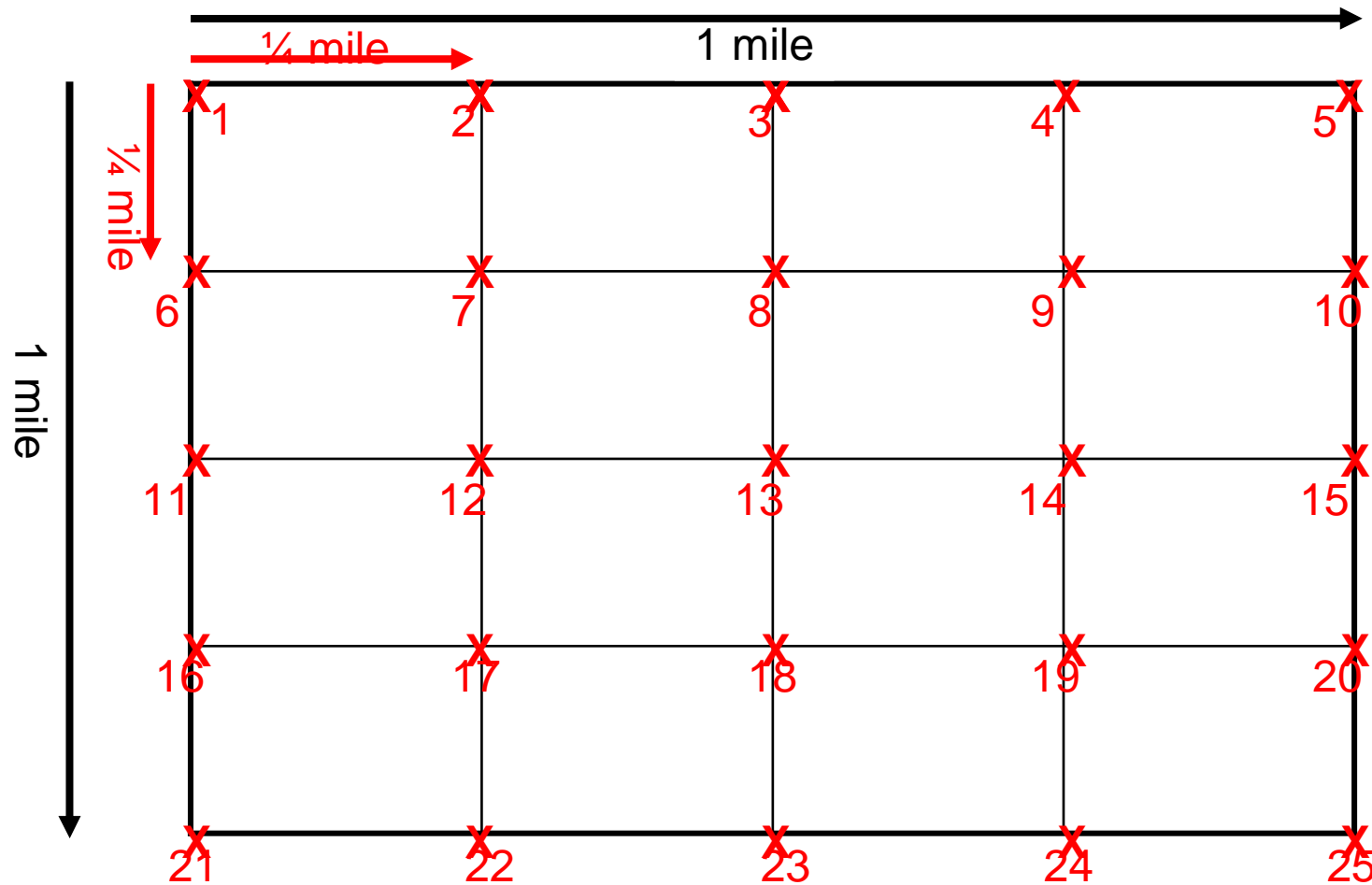
Useful Guidelines?

“Identify social service uses within 0.25 mile of proposed use and consider how existing net benefit or net burden of those services might be impacted by the potential net benefit or net burden of the proposed facility.”

- What does this mean?
- How does this address concentration in neighborhoods?
- Talks about Service to Service
 - Ignores Schools, Parks, Neighborhoods
 - ¼ Mile is arbitrary and insufficient

Allow 25 Shelters per square mile?

With no notification in SUP?






Sex Offenders Left Out in Cold

- Where are sex offenders going to receive transitional housing or emergency shelter services if facilities are sited near schools?
- Where are sex offenders going to stay on the 200+ white flag nights per year?
- Should a facility with \$1M or \$2M in public funding be leaving these men out?




Best Practices – American Planning Association

- Zoning Practice, American Planning Assoc, Jan 2010 – provided by planning board
 - Over 75% (34 of 45) of the communities in the study have distance separation requirements for zoning.
 - Zoning cannot regulate people’s behaviors or activities that occur on the streets or sidewalks, but it can regulate land uses where these behaviors occur and control their proximity to sensitive uses such as SCHOOLS, PARKS, and RESIDENCES.
 - “The over-concentration of social services may lead to fewer positive impacts for both residents and those seeking social service programs, which is the opposite of the positive impacts expected from efficiencies of scale when like services are provided in close proximity.”



Best Practices – Gilroy California

- Gilroy, California was cited by the planning board for their qualities for desirable and undesirable shelter locations in the Location Considerations section.
- However, the board left out the following Gilroy criteria:
 - 1. Homeless shelters may be located in any zoning district.
 - 2. Homeless shelters serving Singles should be located a minimum of 1,000 feet from schools, parks, day care centers, and adult businesses.
 - 3. Homeless shelters should be located a minimum of 600 feet from other homeless shelters. It is preferable that homeless shelters are located a minimum of 2 miles from other homeless shelters.
 - 4. Homeless shelters should be located within 0.25 miles of a public transportation system.
 - 5. Homeless shelters should be located near job development centers, medical clinics, and food banks.



Best Practices – Gilroy California

- Gilroy, California was cited by the planning board for their qualities for desirable and undesirable shelter locations in the Location Considerations section.
- However, the board left out the following Gilroy criteria:
 - Alcohol and Drug Use Prohibited: All homeless shelters shall create a zero tolerance policy for alcohol and illicit drug use among its clients and staff. The policy shall include a provision that shelter clients who are suspected to be under the influence of illicit drugs and/or alcohol shall be subject to drug testing, as allowed by State and Federal law. A copy of this policy shall be provided to the Planning Division for review and approval.



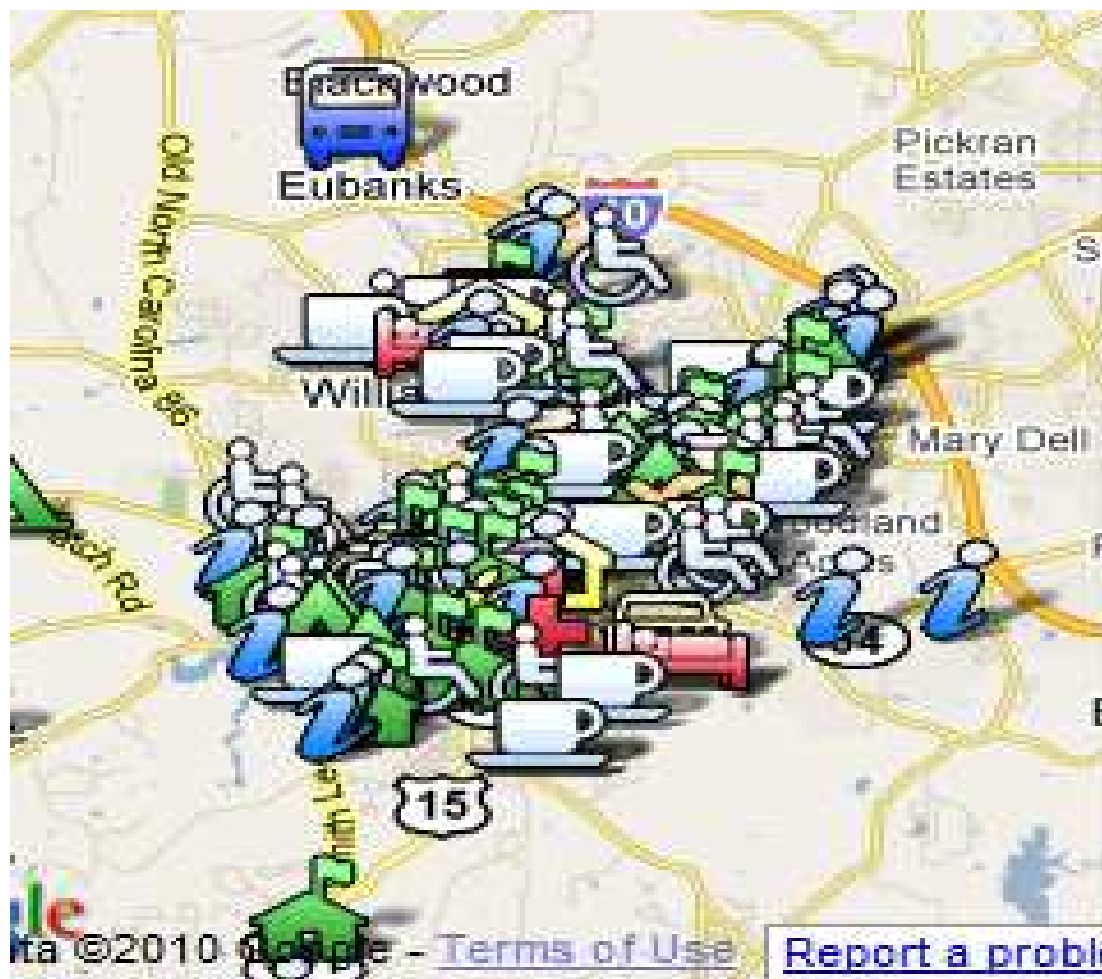
NCDs vs Shelter Guidelines

- Neighborhood Conservation District (NCD) Ordinances are full of specificity
 - Lot sizes
 - House sizes
 - Setbacks
- NCDs are regulations, Shelter Guidelines are not
- The Shelter Subcommittee selectively applied a “fact” requirement
 - Used it to ignore neighbor input
 - Used it to ignore crime at at-risk facilities
 - Used it to ignore crime at destination neighborhoods
 - Made recommendations NOT based on finding of fact, eg – not near adult establishments, not near bars
- NCDs would not be possible using shelter guideline approach

IFC Map Includes All Things

Map Includes...

- A handicapped home with 6 or less clients
- A clinic with only daytime hours for patients
- A social service administrative office
- The Ronald McDonald House
- Churches
- DWI Counseling

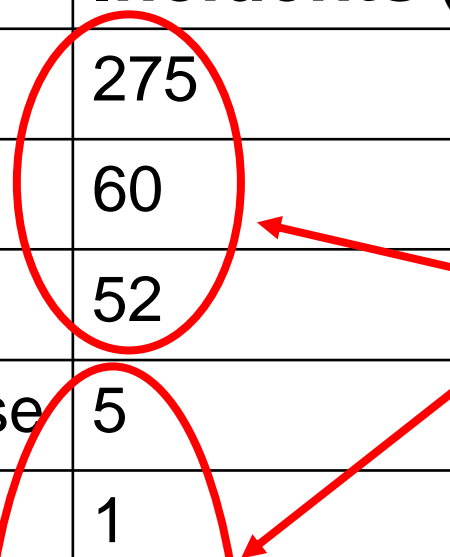


Clearly the Impacts Vary

CHPD Reported Incidents 2003-2009

Address	Incidents (no EMS calls)
Men's Shelter	275
Women's Shelter	60
Freedom House	52
Ronald McDonald House	5
RSI Umstead Rd	1
"Teacch" Division	0
Turning Point Counseling	3
Fountain Ridge Group Home	1
OPC Tasc	15

BIG Differences
between At-Risk
versus other
facilities





Public Information Sessions Not Held

One of many public process issues

- “The goal of the Planning Board’s efforts shall be to present a clear and coherent set of **guidelines** and/or standards that can be used to guide the successful establishment of shelters in the town of Chapel Hill.”
- “That the process include at least two public information/comment sessions, at least one to fall before any **guidelines** and/or standards are drafted and at least one to fall after the **guidelines** and/or standards have been proposed by the Planning Board”

(Underlines/Bold Added for Emphasis)

Report from Shelter Design Guideline Subcommittee - May 26, 2010

<http://www.townofchapelhill.org/Modules/ShowDocument.aspx?documentid=7194>



Decision Making Issues

- The subcommittee did not live up to its promise of fact-based decision making
 - Police interview was provided second hand, despite requests to have interview at meeting or information in written form
 - Facts about existing crime burden ignored
 - Dozens of ordinances ignored
- NONE of the neighbor comments or presentations were given to planning board for November 2nd meeting
- New Articles and Draft Studies presented at last minute
 - Several articles were mentioned on Nov 2 and the links could not later be provided
 - Some articles did not support the quotes used (see later slides)
 - Relied upon draft studies with no data disclosure (no transparency)

Hundreds of other localities use Common Elements to Guide At Risk Siting

	City	Separation	Facility Type	Comments
1	Covington, Kentucky	One mile. 500 Ft.	Homeless Shelter from another shelter. Homeless Shelter from a school.	
2	Dallas, Texas	One mile.	Homeless Shelter from another shelter.	
3	Palmdale, California	1,320 Ft. 500 Ft. 150 Ft.	Shelter from another shelter. Shelter from a school. Shelter from any single-family residential zone.	
4	Cleveland, Ohio	500 Ft. 500 Ft. 2,000 Ft.	Shelter from any residential zone. Halfway House from lots occupied by a playground, public park, public recreation center, church, public library, pre-school, daycare, primary or secondary school. Halfway House from another correctional halfway house	no more than two correctional halfway houses shall be located in any police district.
5	Lacey, Washington	300 Ft.	Halfway House from licensed daycare center, public or private school.	The requirement can be waived by daycare operator if the property is adjacent to the host agency.
6	Broward County, Florida	500 Ft.	Homeless Shelter from any residentially zoned district.	
7	Miami, Florida	2500 Ft	Community base residential facility from like facility	Also has population ratios

Chapel Hill Chose to use NONE of these elements



Recommendation: Definition

- Asheville, NC definition is good
 - “Shelter means a nonprofit, charitable, or religious organization providing boarding and/or lodging and ancillary services on its premises to primarily indigent, needy, homeless, or transient persons.”
- Chapel Hill definition has loopholes that allow shelters in unintended circumstances



Recommendation: Proximity Specificity

- Site should legally allow sex offenders
- 1000' from school, preschool, daycare with exception possible for exclusively family shelter
- 2500' from another shelter or drug detoxification facility or similar facility
- 500' from a neighborhood
- If you look at a map of Chapel Hill/Carrboro as well as Orange County, it should be apparent that shelters and drug detox facilities are reasonably scattered throughout
- Planning board should look at crime in proposed area and at proposed facility



Recommendation: Standards/Uses

- Create Ordinance Standards

- Standards have flexibility and can be overridden by a simple public finding
- Guidelines have no teeth at all
 - They do not require a public finding
 - They can simply be ignored

- At Risk Uses To Consider in Proximity

- From Affordable Housing Document
 - Drug Detox & Rehab Facilities
 - Homeless Shelters
 - Transitional Shelters
 - Soup Kitchens
- Additional
 - Detention & Jail Facilities



Public \$\$ → Public Search

- Public site selection process required for any >20 person at-risk overnight social service facility or soup kitchen where town is
 - Lessor or owner
 - Funding source
 - Funding approver
- Site selection criteria must be publicly vetted
- Site winnowing process must be public with stated reasons
- Multiple sites must be brought for final selection
- Site must serve all within the gender or type of facility (men, women, family, teen).
 - Ie – Not exclude sex offenders



Recommended Action For Tonight

■ Town Council

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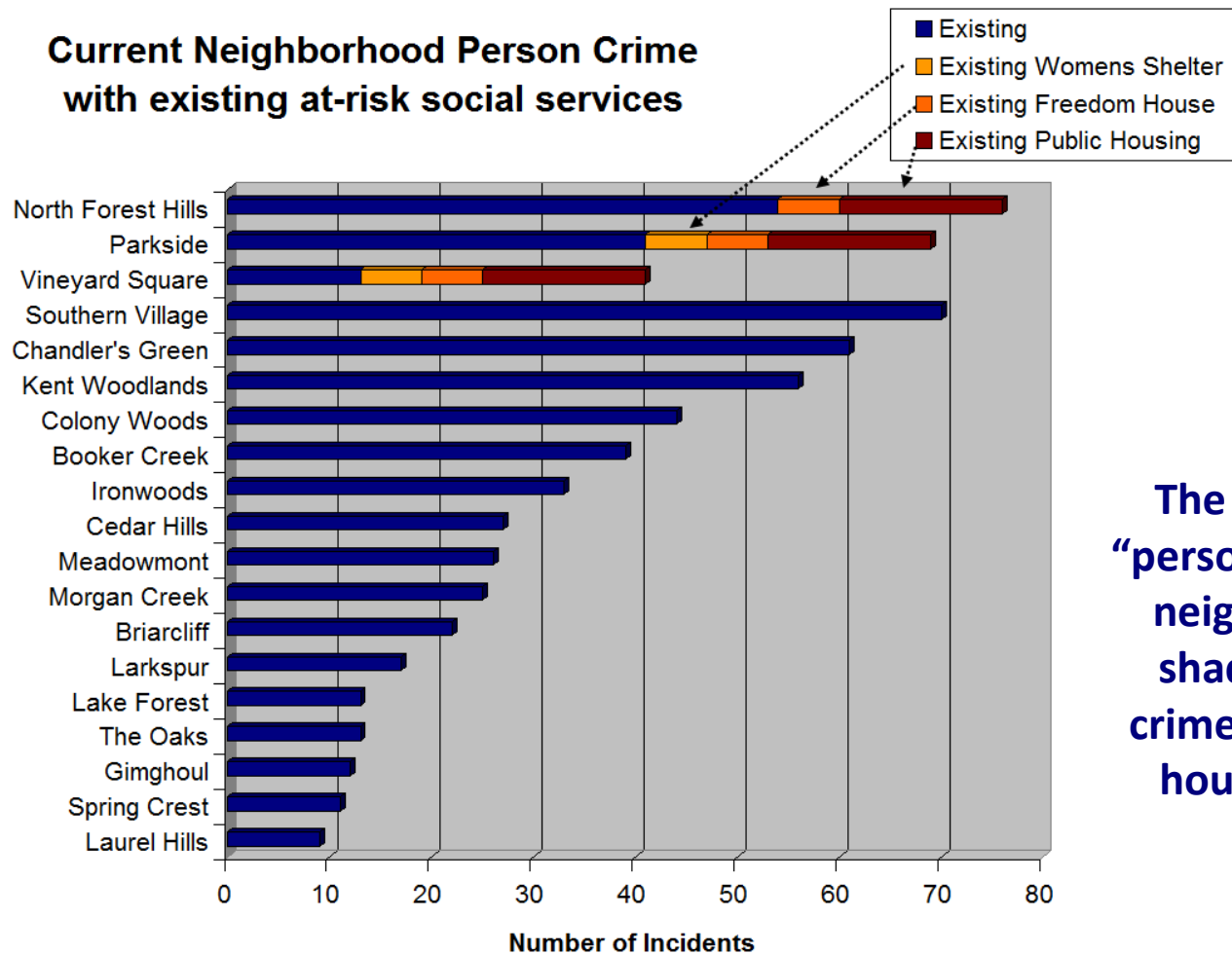
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Neighborhood Crime

Neighborhood	Person Crimes	Property Crimes	Robberies	Assaults	Involuntary Commitments	Breaking Entering	Vandalism	Trespasses	Disturbances
North Forest Hills	188	855	17	116	36	241	159	63	130
Parkside	178	876	20	118	38	262	176	76	140
Briarcliff	135	520	8	94	20	199	112	30	107
Colony Woods	133	456	4	100	20	164	123	23	93
Vineyard Square	101	484	7	71	36	158	109	41	91
Larkspur	90	431	10	60	31	100	61	45	65
Southern Village	83	484	2	60	7	97	193	15	30
Kent Woodlands	83	398	5	60	6	131	109	16	26
Lake Forest	83	753	5	48	13	217	130	44	80
Spring Crest	81	575	1	62	4	137	119	33	35
Booker Creek	73	596	2	52	14	247	110	26	88
Ironwoods	73	330	4	53	8	126	64	28	33
Chandler's Green	68	475	3	48	4	69	101	36	19
Meadowmont	50	428	2	30	7	140	61	13	29
Cedar Hills	46	409	6	28	5	125	114	9	37
Morgan Creek	38	197	1	28	1	92	21	8	24
Gimghoul	25	269	3	14	4	124	43	15	8
Laurel Hills	20	129	1	14	4	64	14	5	4
The Oaks	20	193	1	11	1	77	33	3	13

The Existing Burden of At Risk Social Services on 3 neighborhoods



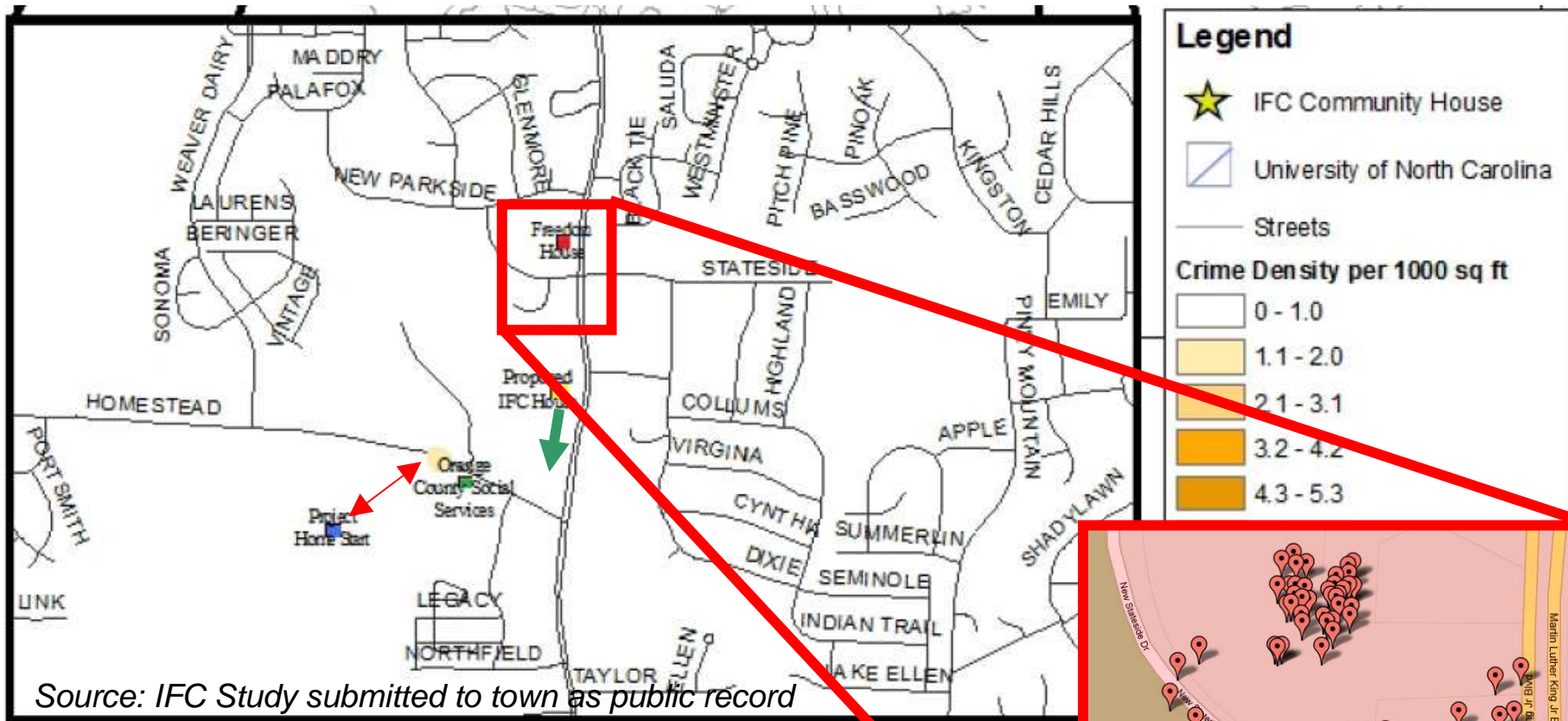
The blue bars show “person” crime for each neighborhood. The shadings represent crime added by public housing and at risk facilities

*Comparison area for each neighborhood is one half of a square mile

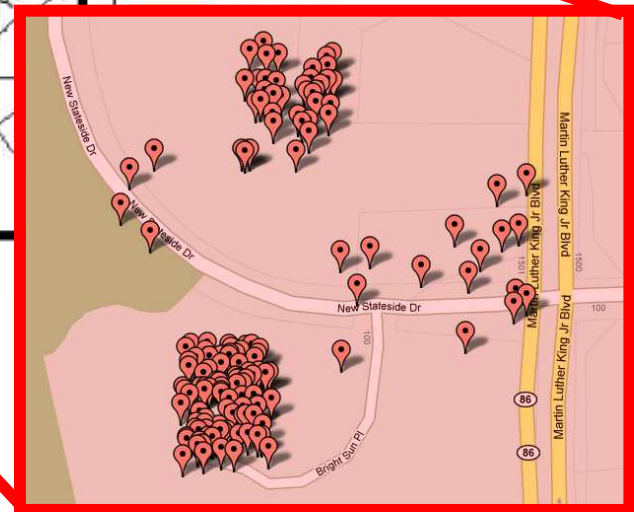
Source: www.nccrime.us

crime since 2003

Crime Study is MISSING CRIME



- Where did the crime go?
- Other major issues documented at www.abettersite.org




Source: CHPD records



Overconcentration

- “The over-concentration of social services may lead to fewer positive impacts for both residents and those seeking social service programs, which is the opposite of the positive impacts expected from efficiencies of scale when like services are provided in close proximity.”
- Source: Zoning Practice, American Planning Assoc, Jan 2010 – provided by planning dept



It All Adds Up – Density Issues

Hundreds of beds within a few minutes walk

Women's Shelter	40 transitional beds 16 emergency beds
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Freedom House	16 detox beds 22 half way beds
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4 Oxford Houses	29 half way beds
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123 current beds

Proposed Men's Shelter	32 transitional beds 20 emergency beds 17-70 white flag night beds*
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242 possible beds

* Ordinances in other jurisdictions say 50-100 sq ft per resident. 16,000 sqft = 160-320 residents



Town Site Selection of Recent Site

[Email from Roger Stancil]

Attached is the site criteria list that was developed in the Fall of 2007 when the IFC was looking for shelter relocation options. At that time Town staff looked at a variety of possibly available sites to determine which, if any of them, would meet the developed criteria. This was primarily a map search. Sites considered included:

- Town Operations Center (front section of Transit site)
- Town Operations Center (3 acres across railroad tracks)
- Carolina SportArt site (Vineyard Square)
- 2 Town owned sites on Erwin Road near I-40
- 2 Available lots on 15-501 south of Southern Community Park
- Fire Station 5 site (above existing station)
- Old Growin' Green site (MLK Blvd near Taylor Street)
- Old Duke Energy site (MLK Blvd near Homestead)

The list of available properties was then narrowed down to the last two options (highlighted) that most nearly met all of the listed criteria. Simple building templates were overlaid on the lots to determine if either of them could accommodate the building program. Through this process the IFC staff determined that if a lease could be put together for a section of the Old Duke Energy site and a shared access agreement secured with the adjacent church that it would be the only feasible option of those available and considered at that time.



Private Criteria used for Publicly Funded Project

INTERFAITH COUNCIL
MEN'S SHELTER RELOCATION
SITE SELECTION CRITERIA

September 17, 2007

Design Program:

- 12,000 – 20,000 sf building(s)
- 12 – 20 parking spaces
- Public transit accessible
- Public utilities available
- Out of downtown preferred
- Convenient to Project Homestart preferred
- Affordable land acquisition
- Cost effective site design

The town wants the shelter out of downtown?



Planning/Zoning Considerations:

- Supportive adjacent property owners
- Limited neighborhood opposition
- Single zoning jurisdiction
(Chapel Hill)
- No rezoning required
- Use by right preferred
(SUP ideally not required)
- Meets all Town LUMO regulations
(Council exceptions not required)

[Criteria document created by Curtis Brooks, Public Works Department, Town of Chapel Hill]



Draft Olson Study

- Mike Collins' quote from 11/2/2010:
“Homeless individuals have a much lower arrest rate than domiciled persons for violent and property related crimes”
- What Olson's paper says:
 - “The few studies that focus solely on the homeless and the types of crimes they commit have found that when a homeless person is arrested they have a more involved history of criminal activity than an arrested domiciled person”
 - “For Part I1 property offenses, which included burglary, larceny-theft, and auto-theft, homeless people had a significantly higher arrest rate than domiciled people. In addition, the Part II arrest rate was almost five times higher for homeless people than domiciled people”

BOTTOM LINE: If the committee is going to rely on the Snow and Delisi reports, then it needs to make those available to the public for first hand analysis.



Draft Olson Study

- “The regressions described above point to the distance from the homeless shelters as the best predictor variable for larceny and ordinance violations.”
- “the normalized distance of the three homeless shelters have strong correlations to larceny and ordinance violations”
- “found that the normalized distance of the homeless shelters is the only predictor of the frequency of larceny and ordinance violations.”
- “with these strong findings it is possible to conclude that the location of these homeless shelters affect the frequency of larceny and ordinance violations”
- the Part II arrest rate was almost five times higher for homeless people than domiciled people (Snow et. al 1989).



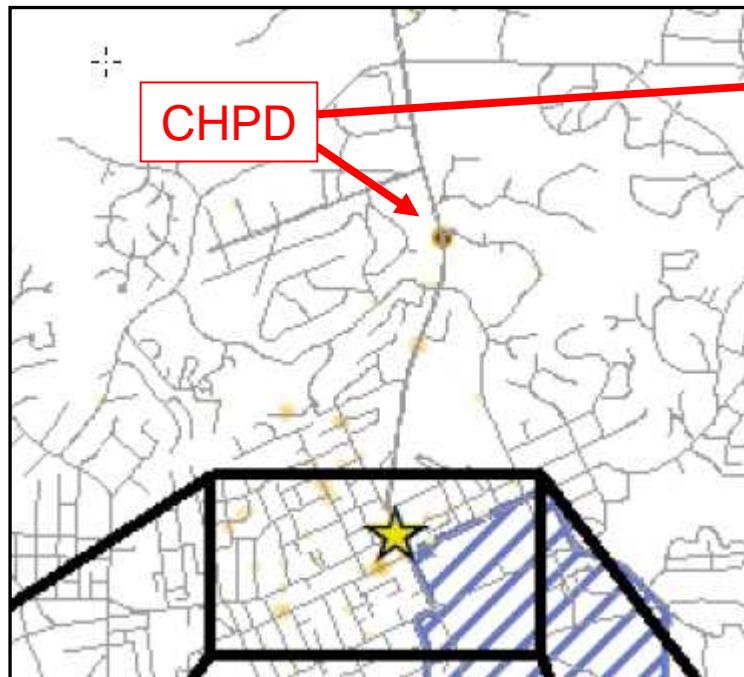
New York City

- Del Snow: “The NY city police department was unable to provide any statistics between homeless centers and rising crime”
- Here’s how the article actually completes the sentence:
“...before the story deadline”
- **Serious error**
 - Would not have been caught without public records request

(at 1:15:50 in 11/2 planning board meeting)

Although concerns about crime arose frequently during the forum, with some community members saying the NYPD had expected a rise in crime, all evidence was anecdotal. The NYPD Office of the Deputy Commissioner of Public Information was unable to provide statistics marking any correlation between homeless service centers and rising crime before the story deadline.

Based on Olson's study, more sex crimes occur at the Chapel Hill Police Station than anywhere else.



From Figure 1

“The highest levels of sexual crime density is near the intersections of Martin Luther King Jr. Blvd and Bolinwood Dr. and Estes and Willow Drives, with a value of 0.094 to 0.11 sexual crimes in a 1,000 square feet area or about one sexual crime every 10,000 square feet over the time period of 2003 to 2009. As for sexual crimes the IFC Community House is located in the third lowest level of density, which is between 0.035 and 0.046 sexual crimes in a 1,000 square feet area over the 6.5 year time period.” [IFC Study]



Unwritten Shelter Siting Rules

- Away from economic development zones
 - Downtown
 - Much pressure from downtown merchants and Kidzu patrons
 - UNC's \$46M purchase of U-Square & Redevelopment
 - Lot 5 Redevelopment
 - Hwy 54 Corridor with expensive office space
- See the Criteria the Town used to offer primarily Town owned land using on IFC's criteria at the end of this presentation.



Draft Studies & Impacts

- The Planning Board chose to rely on a draft study that was not peer reviewed and made no detailed data available for validation.
 - Then the board cherry-picked observations and conclusions

- What are the impacts of the at-risk facilities?
 - Example – Olson study (*draft, not peer reviewed*)
 - Indicates significant increase in larcenies and ordinance violations.
 - Clearly states that public spaces are impacted

- What is the carrying capacity of neighborhoods for
 - Example – How many larcenies are acceptable?
 - How out of balance can person and property crime be and still be acceptable?

- What are the existing crime situation in the neighborhood? (see neighborhood crime stats)