

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
**IN SUPPORT OF RESOLUTION NO. 2022-38**

1. **Impact on foot traffic.** The Court directed the City to address the potential increase in unsheltered individuals not associated with the micro-shelter in the vicinity of the site, who may be attracted to the site due to access to services, and how those potential impacts would be mitigated.
  - a. The use of 1280 Center Street NE as a micro-shelter village is not expected to substantially impact foot traffic in the vicinity of the site or create congregations surrounding the site, because the operator of the village, Church at the Park, will not provide services to anyone other than residents of the village, and will redirect any visitors to other services within the city. Further, residents at the village will be selected in advance, and the village will have a closed campus policy restricting guests. *See*, Church at the Park’s website: [SHELTER | Church@thePark \(church-at-the-park.org\)](https://shelter.church-at-the-park.org) and letter from Church at the park Exhibit C; COS0049, COS0052, .
  - b. There has been no proliferation of unmanaged camping near existing managed sites. Exhibit B; COS0350. The village will be buffered by slatted, opaque fencing, and 24/7 DPSST certified site security and other staff will monitor the vicinity of the Site on a regular basis and coordinate with the appropriate authorities to avoid having unmanaged individuals congregating around the site and avoid exacerbation of any criminal activity both in and around the site. Exhibits C, E.
  - c. Church at the Park will also provide 24/7 security patrol of the vicinity of the site, and a site manager who is on site during the work week and on call at other times. The site manager and other staff and providers at the site, all of whom will engage with unsheltered individuals in the area to assist individuals with identifying resources, including referrals to the appropriate authorities and facilitating transportation if appropriate. If outreach is unsuccessful, law enforcement will be contacted to address illegal camping or trespassing. Exhibits C, E.
  - d. In the spring of 2022, the City Council appropriated funds for the creation of the City’s HOST Team, dedicated to unsheltered issues. This team includes two police officers, one supervisor/coordinator, and four staff assigned to litter and trash removal, and cleaning. The City is in the process of finalizing staffing for this team, and the police officers who are now in place are already fulfilling their assignments on this team. It is expected that this team will be staffed and fully operational by August, 2022. The HOST Team will enable the City to more quickly and efficiently respond to unmanaged camping, and the trash and behavioral issues that are often attendant to unmanaged camps or individuals. The HOST Team will prioritize the vicinity of the Site, to address the unmanaged camping, trash and behavioral issues that arise, whether attributable to the micro-shelter village or not. Even with this additional resource focused on this area, it is impossible to ensure that there will be no camping, littering, or unwanted

behavioral issues in this area. Based on prior experience with managed micro-shelter villages that have been operating in Salem, it is not anticipated there will be an increase in unmanaged camping near the site, nor a material increase in crime or litter commonly associated with unmanaged camps. However, the additional attention to the vicinity provided by the HOST Team will mitigate potential impacts from the site. Exhibit E.

City Council finds that the proposed micro-shelter village will not create a substantial increase in foot traffic in the vicinity, nor an increase in unmanaged camping in the area, nor an increase in unsheltered individuals congregating in the vicinity. Any increase will be adequately mitigated by the village manager and staff and the City's HOST Team and enhanced patrols from police in the vicinity, and therefore the use will not create an unreasonable risk to public health or safety.

2. **Vehicular Traffic.** The use is not expected to have a significant impact on vehicular traffic in the area, given that few village residents will have a vehicle. In addition, the site plan for the village provides for 25 parking spaces and has been modified to add an additional vehicle access. Traffic to and from the site will be directed to limit potential impacts on Center Street and the surrounding transportation system. The City's traffic engineer has analyzed the use, the site and transportation system conditions, utilized the City experience with similar existing shelters, and indicates the proposed village can operate safely at this location.

City Council finds that the proposed micro-shelter village will not create an unreasonable risk to public health and safety due to vehicular traffic.

3. **Railroad safety.**

The village will be separated by a parking area and fencing from the railway, and the railway has fencing along its length adjacent to the Site, mitigating the potential for village residents or others to attempt to cut across the tracks. As noted by the Public Works Department, the railway in this area has enhanced safety improvements, including a fence separating the multi-use path along 12<sup>th</sup> Street, and enhanced pedestrian crossing at rail-street intersections. Further, Church at the Park will include language address rail crossing safety in its site standards for the village.

City Council finds that the proposed micro-shelter village will not create an unreasonable risk to public health and safety due to proximity to a railroad.

4. **Public Safety.** The Court directed the City to address how the Site will interact with the Police to ensure any additional foot and vehicular traffic to the site will not exacerbate criminal activity both in and around the Site, and how any exacerbation or impact will be mitigated by Policy or Site security.

Salem Police provided information about crime rates near the existing micro-shelter villages, which generally mirrors citywide crime rates and indicates there has not been any substantial increase near the existing sites. Exhibit E. Additionally, site management, and the 24/7 security team will monitor and patrol the Site and vicinity, and interact with the HOST Team and the police to ensure any additional foot and vehicular traffic to the site to mitigate the potential for criminal activity both in and around the site. Exhibits C, E.

Further, Salem Police have committed to providing enhanced patrols to the vicinity through the HOST Team, and further as resources are available, and will respond to calls for service consistent with current policies.

City Council finds that the proposed micro-shelter village will not cause an increase in crime in the vicinity due to the nature of the use and because additional resources will be devoted to monitoring the vicinity, and therefore will not create an unreasonable risk to public health or safety.

#### **5. Behavioral Standards for Village Residents.**

The proposed micro-shelter village is a “low-barrier” shelter, meaning accepted residents are not required to maintain sobriety while a resident of the village, but are prohibited from possessing drugs or alcohol at the village. Church at the Park maintains rules of conduct for village residents and takes a progressive enforcement approach to conform behavior.

Church at the Park requires residents to agree to site expectations before they arrive, and performs 30-day certifications to ensure that residents are engaging in case management and working on a transition plan. Residents must conform to behavioral requirements for their certification to be renewed. Disruptive, dangerous, or disrespectful behavior will not be tolerated. Prohibited behavior, whether caused by intoxication or other reasons will be grounds for removal from the village. Exhibit C.

Village residents are required to engage with services, including mental health and addiction services as warranted. Failure to maintain that engagement will result in removal from the village. Exhibit C.

Church at the Park will enhance the focus on maintaining the sobriety of its residents and compliance of the residents with applicable mental health treatment plans through regular checks on residents, weekly wellness checks, coordinating with navigators to offer additional visits as may be available, providing bus passes for transportation to appointments, and providing transportation where possible and appropriate. Exhibit C;

Church at the Park will oversee and ensure enforcement of site behavioral requirements including no possession of alcohol, enforcing requirements related to behavior at the site whether that behavior may be related to intoxication or not. Exhibit C. Church at the Park will investigate reported incidents at the village and enforce code of conduct requirements. Exhibit C

Church at the Park works with and keeps open communications with service providers, police, and neighbors to address issues that occur off-site. Their security team is DPSST certified and have been trained to work with individuals suffering from mental health issues or under the influence of substances.

Church at the Park micro-shelter program has an impressive record in assisting unsheltered individuals to move out of homelessness to stable housing or other positive outcomes. 41% of Village of Hope clients and 58% of clients at the Catholic Community Services shelter have moved on to stable housing or other positive outcomes, including permanent housing, transitional housing, residential care or substance abuse treatment facilities. Exhibit E.

City Council finds that the proposed micro-shelter village will not create an unreasonable risk to public health and safety due to the behaviors of the village residents, and that Church at the Park's plan for addressing behavioral issues, and enhanced presence of the HOST Team will adequately mitigate any behavioral issues from village residents that occur. Exhibits C, E.