

Boulder Shelter
Development Review Application
December 8, 2023

The Boulder Shelter for the Homeless (hereafter referred to as “Shelter”) requests to amend its current approved land use. Specifically, the Shelter proposes to support a request from the City of Boulder by opening during the day to provide comprehensive services to people experiencing homelessness in our community. This application responds to City code requirements 9-6-4(e) pertaining to shelters. It also includes proposed revisions to the Shelter’s current management plan that explain how day operations will be consistent with code.

For the past four decades, the Shelter has provided a variety of services to meet the needs of people experiencing homelessness in our community. Since 2003, that has primarily consisted of nightly shelter for up to 160 people. In addition, the Shelter has provided day services at various points. In the 1990s, the Shelter was open daily throughout the year. More recently, the Shelter has offered services in the mornings at its current location, including at the express request of City staff during the COVID crisis. Thus, in responding to a need that Boulder’s City Council identified as “a priority” in its 2022 retreat, the Shelter draws upon a robust history.

This application requests:

- The Shelter’s hours be extended.
 - Current – Clients may be in the building from 5:00 pm to 8:00 am
 - Request – Shelter will serve clients between 8:00 am and 5:00 pm as well
- Day services provided to people experiencing homelessness may include:
 - Basic needs services such as showers, laundry, lunch, lockers, etc.
 - Case management services
 - Services provided by partner agencies
- Shelter plans include sufficient staffing, parking, and other needs required by code
- There is no need to change the external structure, parking, lot, or other aspects of the existing property

We believe that this change in building use will create few, if any, additional negative impacts on the immediate neighborhood. Moreover, by providing additional services that are currently unavailable to people experiencing homelessness in Boulder, the Shelter’s new use promises to have significant positive impact on the entire community.

Below please find specific information related to applicable review criteria.

Application also includes:

- Management Plan – Revised and redlined
- Map of the Shelter’s vicinity
- Drawings of the site and building
- Building floor plan
- Utility Plan (in lieu of Improvement Survey)

9-6-4. Specific Use Standards - Public and Institutional Uses. COMMUNITY, CULTURAL, AND EDUCATIONAL

(e) Day Shelters, Emergency Shelters, and Overnight Shelters:

- 2.A The Shelter will participate in public meetings with neighbors to hear their concerns and will then revise that management plan accordingly before submission of a final application.
- 2.B.i The Shelter will never be open without at least a minimum number of staff sufficient to supervise and oversee the space. In the hours between 7:00 am and 10:00 pm, there will be a minimum of one (1) staff for every 32 clients in the building. During lights-out hours, there will be at least three (3) staff on duty.
- 2.B. ii At no time will clients be encouraged or allowed to queue in public right-of-ways. The Shelter has spaces sufficient to allow waiting outside of the right-of-way and will continue to use those and/or similar spaces in the future. The Shelter has been operating by this principle for the past two decades, and day services will not change that practice.
- 2.B. iii The Shelter has outdoor spaces that are screened from surrounding properties and outside the right-of-way that it uses for clients who have been admitted to Shelter services. The Shelter will continue to use such spaces to provide opportunities for clients to spend time outdoors while also not infringing on neighbors or the public right-of-way.
- 2.B.iv The Shelter anticipates that most clients will not have cars and existing spaces will be adequate to meet the need. The Shelter has been approved to operate at a capacity of 160 residents in the evening hours. That approval required a minimum of 23 parking spaces. Using identical calculations, the addition of 20 clients to a limit of 180 individuals would require the minimum number to be 24 parking spaces. With 29 existing spaces, there are more than sufficient parking spaces to meet city requirements.
- 2.C.i Not applicable
- 2.C.ii The Shelter anticipates that most clients will not have cars and existing spaces will be adequate to meet the need. The Shelter has been approved to operate at a capacity of 160 residents in the evening hours. That approval required a minimum of 23 parking spaces. Using identical calculations, the addition of 20 clients to a limit of 180 individuals would require the minimum number to be 24 parking spaces. With 29 existing spaces, there are more than sufficient parking spaces to meet city requirements.
- 2.C.iii According to the existing city code, the Shelter would be eligible to have maximum occupancy of more than 190. Currently, the Fire Marshal has approved night occupancy of 180, which is the limit the Shelter currently uses for Critical Weather events. The Shelter believes that 180 is a maximum number for safe operation.
- 2.D.i The Shelter will never be open without at least a minimum number of staff sufficient to supervise and oversee the space.
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- 2.D.iv According to the existing city code, the Shelter would be eligible to have maximum occupancy of more than 190. Currently, the Fire Marshal has approved night occupancy of 180, which is the limit the Shelter currently uses for Critical Weather events. The Shelter believes that 180 is a maximum number for safe operation.

ATTACHMENT A
Management Plan for the Boulder Shelter for the Homeless
4869 N. Broadway
Submitted February 25, 2002
Updated and Approved January, 2018
Updated and Submitted December, 2023

This plan was created to meet the requirements called out in the City of Boulder ordinance #7132, which amends the Land Use Regulations, Section 9- 1- 3, B. R. C. 1981.

This management plan is one of the requirements of the application to operate an overnight shelter and services in the City of Boulder.

The Boulder Shelter for the Homeless (Shelter) will offer Housing-Focused Shelter, for up to ~~160~~ 180 qualified residents at any given time, on a year-round basis. Qualified residents are those persons who become eligible for Shelter services through the countywide Coordinated Entry process.

1. Hours of Operation

Operating hours will be up to 24 hours a day, seven days a week providing for services both during the day and overnight. General check-in for overnight services will end at 7:00 pm nightly. Residents who are pre-approved for late check-in may do so after 7:00 pm (for instance, late arrival due to work or referral by a qualified agency or service partner). Check-in for overnight shelter will take place every evening between 5:00 pm and 7:00 pm. The Shelter will continue its strong policies that keep residents in the facility from 7:00 pm until the next morning. Any resident that insists on leaving the Shelter after 7:00 pm without ~~pre~~-approval from Shelter staff will be in violation of Shelter behavioral policies (See Glossary of Terms). ~~These hours of operation, and corresponding hours of ingress and egress of Shelter residents, may be modified by the recommendation of the Neighborhood Shelter Action Group (see Section 11) to accommodate such things as school schedules.~~

~~Qualified residents, who spent the previous night at the Shelter, may be permitted in the Shelter during the day. Multiple unauthorized exits and entries by residents during the day will not be allowed.~~

Day Shelter entry and exits will be unlimited. Future limits may be placed on daytime entry and exits in order to promote effective, safe use and delivery of services.

2. Morning Services

~~Starting May 1, 2018, the Shelter will only offer morning services, such as breakfast and showers, to those residents who spent the previous night at the Shelter.~~

3. Delivery and Trash Collection Times

Precise delivery and trash collection times may be variable based on service contracts, however, the Shelter will strive to schedule these services between 8: 00 am and 5: 00 pm. In addition, most deliveries will come by passenger car and not by truck.

4. Noise Impacts

The Shelter is a quiet place. All overnight residents will be in the building by 7:00 pm with mandatory lights out at 10: 00 pm, as is current policy. Exceptions may be made for qualified residents who have evening commitments, such as work or school. Most residents do not have cars, so additional traffic noise will be minimal.

The Shelter may have accommodations for residents who bring their dogs with them to the Shelter. The Shelter requires residents with dogs to sign a contract that assures their pets will behave and not be disruptive. A breach of this contract is a violation of Shelter behavioral policies.

Guests who conduct themselves in a disruptive manner while on Shelter property will be in violation of Shelter behavioral policies.

5. Security

The Shelter uses its own staff to provide security for the facility. The Shelter staff also relies on a strong relationship with the City of Boulder Police, which includes working with a dedicated Police liaison on a regular basis. The Shelter will not allow overnight residents to come and go from the Shelter. Once residents check into the Shelter for the night, they may not leave and return without prior permission. Noncompliance of this rule by any resident will be a violation of Shelter behavioral policies. In some cases, such as family emergencies or the securing of other accommodations, residents may leave without consequence.

Any resident with any kind of potential weapon must relinquish it at check-in. The Shelter considers any knife and most tools (such as box cutters and screwdrivers, etc.) as potential weapons. Failure to relinquish these items at check- in will be a violation of Shelter behavioral policies. This personal property will be returned to the resident, unless Shelter staff deems it unsafe to do so, when the resident leaves the Shelter.

Illegal weapons turned in at check-in will be turned over to the Police. Any resident found with an illegal weapon in the Shelter will be in violation of Shelter behavioral policies.

Firearms of any kind are not allowed on the Shelter premises.

Any guest participating in disruptive/abusive/harassing/threatening/violent behavior will be in violation of the Shelter behavioral policies.

6. Turn away Management

Any resident who is denied services due to capacity issues, or expelled from the Shelter for a behavior violation will need to leave the property immediately. Guests will be strongly

encouraged by Shelter staff to accept a free bus ride ~~, via cab or Boulder County Cares BCC), or transportation from community outreach resources~~ to the destination of their choice. If the ~~denied resident refuses to work with the Shelter staff in finding suitable transport out of the area, they will be in violation of Shelter behavioral policies.~~ If the denied resident leaves on foot and is considered a danger to themselves or others, community outreach resources or the Police will be called.

If a person is denied entry due to behavior resulting from intoxication, Shelter staff will work with the denied resident to find them transport from the area. The first option offered by staff will be a strong recommendation that the denied person be transported to the Addiction Recovery Center (ARC). The denied resident will be offered a free ride, via bus, community outreach resources, or BPD. ~~cab or BCC, to the ARC.~~ If this offer is refused, they will be offered a free bus ride ~~, via cab or BCC,~~ to a the location of their choice. ~~If the resident refuses to work with the Shelter staff in finding suitable transport out of the area, they will be in violation of Shelter behavioral policies.~~ If the denied resident insists on leaving the Shelter property by foot, the Police will be called. If the Police are called, Shelter staff will try to maintain visual contact with the individual until the police have arrived. ~~Shelter staff will call the Police if any person, known to staff to be a sex offender registered with the City of Boulder Police Department, is turned away from the Shelter for any reason.~~

The Shelter supports the neighborhood's desire for a Boulder City Police annex in the area.

7. Drug and Alcohol Policies

The Shelter does not require absolute sobriety as a condition of admittance but has strict rules for behavior and self-care, which if violated, can result in denial of Shelter services.

See "Turn-away Management" in Section 6 for procedures if a person is denied services due to behavior resulting from intoxication.

Alcohol and illegal drugs in the Shelter are not permitted. Any resident found with illegal drugs or alcohol in the Shelter will be in violation of Shelter behavioral policies.

~~No resident will be allowed to have alcohol or drugs in the Shelter.~~

~~Any resident found with illegal drugs in the Shelter will be in violation of Shelter behavioral policies.~~

8. Loitering

Camping on public or private property is illegal and all neighbors are encouraged to call the Police if they encounter such behavior. Loitering on Shelter property, ~~such as including~~ sleeping on Shelter grounds outside of the building, is a violation of Shelter behavioral policies. Likewise, loitering on any private property immediately around the Shelter is, and will be, a violation of Shelter policy.

The Shelter expects to work with the neighborhood, as part of the Neighborhood Shelter Action Group, to address any loitering issues not addressed by the above policies.

The Shelter will work with guests to encourage that they leave the property and immediate neighborhood if they are not utilizing services. The Shelter works closely with community outreach resources and the Police ~~also ask Boulder County Cares to assist any homeless persons, that are not staying at the Shelter, in securing transportation out of the area. The Shelter also expects to work closely with the Police~~ to address any loitering issues that may arise.

9. Transportation

Many residents will come and go from the Shelter by bus, which greatly reduces the possibility of loitering. The Shelter will offer free transport, to and from the downtown area of Boulder, on a scheduled basis, for all residents who want a ride. This service will be provided by the Shelter and/ or by Via Mobility Services. These shuttles will load and unload directly in front of the Shelter intake door. Residents can also travel on the SKIP and limited, free SKIP tokens will be available to residents.

10. Shelter Employee Education

All new client-facing Shelter employees are required to go through a 60-hour training program that includes instruction in areas such as: de-escalation, trauma-informed care, one-on-one communication skills, setting professional boundaries, recognizing and responding to mental illness, recognizing and responding to substance abuse and alcoholism, medical problems and emergencies including CPR/AED/overdose, women victimization's issues, interagency relationships, and all of the Shelter's written policies and procedures.

11. The Shelter's Responsibility as a Good Neighbor

The Shelter is committed to being a good neighbor and maintaining a well-kept and clean environment including: daily trash pick-up in the areas adjacent to the Shelter grounds; daily snow removal on the sidewalks along Broadway and maintenance of an aesthetically pleasing landscape around the facility.

The Shelter desires to be part of a Police sponsored neighborhood watch group and will host such meetings if asked.

12. Neighborhood Outreach and Methods for Future Communication

Neighbors can gather information and communicate with the Shelter through its web site: www.bouldershelter.org.

In the past, the Shelter has used a committee called the Neighborhood Shelter Action Group (NSAG) to serve as the primary vehicle for ongoing Neighborhood Shelter communications that have arisen. If needed, or specifically requested by the neighborhood, the NSAG will be convened and include Shelter Board members, Shelter staff and representatives from the surrounding neighborhoods. This group would have a maximum of (10) members and can be convened at the request of either the Shelter or the neighborhood representatives. The purpose

of this committee will be to offer recommendations to the Shelter Board and/or to the neighborhood associations on how either can become better neighbors, develop options for engaging the neighborhood in Shelter activities, and, if necessary, Shelter Neighborhood dispute resolution.

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13. Dispute Resolution

Neighbors will be asked to call the on-duty Shelter staff for problem resolution. If the staff person cannot resolve the problem, the complaint will be elevated, in a timely manner, to the Shelter's ~~Executive Director~~ of Shelter Services. If a suitable understanding cannot be reached, the neighbor or Director may elevate the discussion to the Chief Executive Officer. ~~the Executive Director~~ If the CEO and the neighbor cannot come to agreement, the issue can be elevated to the Shelter's Board of Directors. If the Shelter Board and the neighborhood representatives cannot resolve the issue, either party may request third party mediation and/or file a grievance with the appropriate City agency.

14. Other Issues

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~~a-~~ The Shelter will offer Housing-Focused Shelter and Day Services for up to ~~160-180~~ people in the facility at 4869 Broadway. If the Shelter wishes to ~~increase the number of residents spending the night in this facility beyond 160, the Shelter~~ change any element of this agreement, it will ~~will notify the neighbors and~~ hold a good neighbor meeting per City of Boulder ordinance. In addition, the Shelter will re-submit ~~its any change to this~~ management plan to the City Planning Department for re-approval ~~at the higher density~~. The Shelter is also required, by land use code, to resubmit its management plan to the City Planning Department every three years for review. _____

~~b-~~ The Shelter will support neighborhood efforts to prevent Front Range Drive from connecting to 10th Street in the Dakota Ridge neighborhood.

~~c. The Shelter will visually screen smoking areas and solar panels (if used) from the surrounding area.~~

~~d-~~ The Shelter will not knowingly serve Sexually Violent Predators (SVP) who are on Parole, and the Shelter will discontinue services to all SVPs if an alternative sheltering option for this

population becomes available in Boulder County. ~~Through attrition, t~~The Shelter will reduce its SVP population to a maximum of one person.

15. Glossary of Terms

Behavioral policies – The Shelter maintains behavioral policies which are enforced to ensure the safety of Shelter residents, staff and volunteers. All potential Shelter residents must sign a Conditions of Stay contract in order to use Shelter services. An example of this contract is attached.

Behavior violation – Inappropriate behavior, as determined by Shelter behavioral policies and Shelter staff, may result in denial of Shelter services for that resident. The severity of the violation determines the length of the consequence. For example, ~~crude language might result in a warning. Violent behavior may result in the guest being barred permanently. multiple missed chores may result in a single night out while a threat of physical violence may result in a 90-day consequence.~~

Conditions of Stay – *Conditions of Stay* is a contract that must be signed by any potential resident in order to receive Shelter services. An example of this contract, which may be modified outside of the land use approval process, is attached.

Coordinated Entry – Coordinated Entry is the countywide gateway to the adult homeless services system, which assesses and matches people with the most appropriate service and resources as quickly as possible. Standardized assessments are completed at limited, defined community entry points.

Dog contract – The contract a resident must sign to be allowed to bring a dog into the kennel area of the Shelter. The contract states that the owner is responsible for behavior of the animal.

Housing-Focused Shelter – Temporary shelter with the goal of exiting residents into sustainable housing as quickly as possible.

Illegal weapons – Weapons that are determined to be illegal by the City of Boulder Police Department.

Neighborhood – The 600 feet around 4869 N. Broadway. See attached map.

One day – A 24- hour period.

Qualified residents – Those persons who are determined eligible for Shelter services through the countywide Coordinated Entry process. Eligibility criteria are developed and approved by the countywide Regional Homeless Systems Management Boards.

~~Significantly impaired – Any individual who cannot perform the basic tasks of life.~~

Unauthorized exits and entries—Exits and entries not associated with meeting residents' needs, such as case management appointments, job interviews, housing searches, medical appointments, etc.