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WHEN RECORDED PLEASE RETURN TO:

SOUTH SALT LAKE CITY
220 E. MORRIS AVE SUITE 200
SOUTH SALT LAKE CITY, UT 84115

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RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF SOUTH SALT LAKE
220 E MORRIS AVE
SLC UT 84115
BY: DSP, DEPUTY - WI 35 P.

FIRST AMENDED CONDITIONAL USE PERMIT

Location: 3380 South 1000 West
Use: Homeless Shelter
Zone: A-1
APN: 152637702
Fee Title Owner: Shelter the Homeless
File Number:
Date: 7 November 2019

Permit Issued to: Shelter the Homeless
310 South Main St.
Salt Lake City, UT 84101

Findings of Fact:

1. On December 29, 2017, Shelter the Homeless ("Applicant") submitted an application for a Conditional Use Permit ("CUP") to develop a 79,055 square-foot emergency homeless shelter on 2.46 acres located at 3380 South 1000 West.
2. 3380 South 1000 West is situated within the Agricultural Residential (A1) District.
3. A homeless shelter is a conditional use in the Agricultural Residential (A1) District.
4. The proposed shelter would provide temporary emergency shelter for up to 300 persons.
5. The proposed shelter is designed and built for limited-stay use by a single-sex population.

6. The Applicant currently owns and operates a low-barriers-to-entry homeless shelter within the Rio Grande area of Salt Lake City.
7. The Applicant has selected The Road Home to manage all elements of its Rio Grande area shelter.
8. The Road Home is a private, non-profit, social services agency in Salt Lake City, focused on providing assistance to homeless and low-income individuals and families.
9. The Road Home was established as the Travelers Aid Society in 1923 with the mission of providing assistance to stranded travelers, unescorted youth, and runaway minors.
10. As the emphasis of the agency changed toward providing emergency services, self-sufficiency programs, children's programs, and assistance to the homeless population of Utah's urban center, the agency's Community Advisory Board and Board of Trustees voted to change the name to "The Road Home, support and shelter for overcoming homelessness".
11. The Road Home operates out of The Salt Lake Community Shelter, the largest homeless shelter in Utah, which is located in the Rio Grande area, west of Salt Lake City's historic central business district.
12. The Rio Grande area shelter offers overnight shelter for a largely unregulated homeless population of up to 1,100 men and women.
13. Each morning, The Road Home staff evacuates the Rio Grande shelter and locks out its homeless residents during daylight hours to allow The Road Home to clean the overcrowded facility in an attempt to prevent the spread of vectors and pathogens among the homeless population.
14. During daylight hours, The Road Home Shelter residents are on their own. While some residents find work in the community, most of The Road Home residents seek life sustaining assistance from the broader community. Many receive meals at a neighboring soup kitchen. Some receive medical attention at the nearby Fourth Street Clinic. Many seek monetary support from the kindness of strangers. Some sell blood at collection centers for meager compensation. More become victims of violence or the prey of drug dealers.
15. All residents at the Rio Grande shelter have convenient access to public transportation, with several free fare bus and Trax stops within walking distance.
16. Each evening, prospective residents form a long queue that extends into the public right of way in hope of receiving a bed in the shelter. This queue forms without fail, no matter how hot the summer day nor how cold the winter eve.

17. The Rio Grande area has been plagued by lawlessness, which has generated a dense concentration of human tragedy and loss.
18. Lawlessness, human tragedy, and loss have also depreciated property values in and around the Rio Grande area and have imposed an impossibly large public safety and public health burden on the residents of Salt Lake City.
19. Public safety calls to The Road Home shelter are very high, averaging 3.8 calls per bed per year. This unacceptably high call volume is in contrast to the more moderate call volume of .5 public safety calls per bed per year at the Family Shelter in Midvale, another shelter operated by The Road Home.
20. In an effort to avoid any repetition of the human tragedy, social decline, and public health and safety hazards associated with the Rio Grande District, the state legislature mandated closure of the Applicant's Road Home Shelter in the Rio Grande District and has funded the construction of three smaller, better managed, Homeless Resource Centers.
21. The largely unregulated homeless services model in the vicinity (quarter mile radius) of the existing Road Home shelter fostered rampant criminal drug activity, violence, predation on and abuse of the homeless population, and widespread degradation of the community.
22. From the date of the state mandate to the present, the state Department of Public Safety and the City of Salt Lake have spent over \$70 million dollars to support a virtual army of public health and safety personnel to curb the derivative lawlessness centered around the existing Road Home Shelter and to relieve widespread human suffering.
23. The enhanced state and local public health and safety efforts have reduced the spread of suffering, disease, and lawlessness in the Rio Grande area, but have also dispersed both homelessness and criminal behavior into the broader community, including the foothills, the Jordan River Parkway, and neighboring communities, including South Salt Lake City.
24. The Applicant and other community partners, including the State Legislature participated in a collaborative process to seek solutions for a new homeless service system. One aspect of the new system is the creation of smaller, better-resourced Homeless Resource Centers and closing down the large multi- population facility in the Rio Grande area. The State Legislature has funded a portion of the cost of the new, smaller Homeless Resource Centers.
25. The new homeless service delivery model includes standards for a Coordinated Entry System that will rapidly connect people to interventions that will end their homelessness.

26. A third-party organization (currently, Utah Community Action Network) operates a diversion program to help people avoid shelter and a Coordinated Intake program to streamline access to Homeless Resource Centers when diversion is not possible.
27. Coordinated Intake will connect individuals with other residential service programs when indicated and appropriate, including residential substance use disorder, detoxification and mental health treatment facilities. The Coordinated Entry System operates under a Housing First approach with strong emphasis on connections to all types of housing, supportive housing, and housing stability resources.
28. Each of the newly mandated Homeless Resource Centers has been designed to function within a broader Continuum of Care for the homeless and near-homeless that will provide an independent Coordinated Entry System, staffed by the Utah Community Action Network, to place near-homeless and homeless individuals into:
 - a. family supported care;
 - b. deed-restricted affordable housing;
 - c. professional residential substance abuse treatment facilities;
 - d. professional residential mental health treatment facilities;
 - e. permanent supportive housing;
 - f. smaller affinity group homes;
 - g. professional residential detox facilities;
 - h. transitional housing; or, as a last “first step” option, into
 - i. the proper Homeless Resource Center; or
 - j. a more traditional homeless shelter.
29. Each new Homeless Resource Center has been assigned a specific homeless population by the State Homeless Coordinating Committee, who will be allowed to stay in a secure, sanitary, facility at all hours of the day and throughout the night during a short period of emergency shelter.
30. Each Homeless Resource Center is proposed to include an onsite, secure, secluded interior courtyard space to provide outdoor amenities for the homeless guests and to protect them from the criminal predation that was rampant in the Rio Grande area.
31. To prevent adverse offsite impacts from an underserved homeless population within the Homeless Resource Center, the newly proposed facility at 1000 West is designed and funded to address the full range of needs of its residents.
32. To prevent re-creating the adverse conditions in the Rio Grande area, the Homeless Resource Center model serves three separate and specific subgroups of the broader homeless population who cannot otherwise be diverted from shelter residency.

33. The Planning Commission reviewed three state legislative audits recounting the current adverse impacts experienced at and around each of the homeless shelters currently operated by the Applicant's chosen operator (The Road Home) for the 1000 West shelter.
34. The state legislative audits spotlight the potential for adverse offsite impacts of a large, low barriers to entry shelter and of the concentration of a broad array of homeless services in a single neighborhood, highlighting South Salt Lake City's challenge to place conditions of approval on the Applicant's proposed use that will prevent the adverse effects of concentrating a large homeless population from reoccurring on 1000 West in South Salt Lake City.
35. Independent of its obligation to propose best management practices to prevent unsafe conditions for the homeless residents and an unfair burden on the taxpayers of South Salt Lake City, the Applicant's initial challenge was to create a development lot served by adequate public infrastructure.
36. The 1000 West site was agricultural land that had not been subdivided or improved to support the large multifamily housing project that the Applicant proposed to build.
37. As such, the Applicant applied to improve and dedicate sufficient public infrastructure to accommodate the substantial increase in density resulting from the proposed project, as is routine in all similar developments in South Salt Lake City.
38. Prior to the Planning Commission's determination of the public improvement requirements for the new subdivision and prior to determining conditions of approval for a CUP, each Applicant must define the maximum intensity of use for a particular proposed development.
39. The Applicant proposed to the City of South Salt Lake that the maximum intensity of use for the project was up to 300 overnight guests and up to 55 support staff and volunteers to serve them.
40. The Applicant proposed that the new Homeless Resource Center would serve only registered overnight guests and would not serve a supplemental daytime population.
41. The City has relied on the Applicant's proposals regarding maximum intensity of use and its proposal that it will not serve a non-resident homeless population in evaluating the potential adverse impacts of the proposed facility and the adequacy of mitigating conditions of approval for the use.
42. A facility designed for maximum occupancy of 300 overnight guests equates to 137 equivalent residential units (ERUs) and a density of 56 ERUs per acre.
43. The South Salt Lake City Code prohibits more than ten (10) ERUs on a dead-end street.

44. As a part of the subdivision process, the Applicant was required to upgrade public infrastructure in 1000 West and at the intersection of 1000 West and 3300 South that had initially been designed to serve very low-density residential development, in order to accommodate a tenfold increase in demand on the system.
45. At the time of application, 1000 West from 3300 to 3600 South had not been subdivided. The road was characterized by substandard pavement width, an undedicated right-of-way, and no storm water system. The proposed location on 1000 West had inadequate water supply and both the road and the water line terminated in a dead end.
46. The standard residential right-of-way width in South Salt Lake City is 66 feet.
47. The closest bus stop to the shelter is on the north side of 3300 South, with peak period bus service in the area every 15 minutes and every 30 minutes after 6:00 p.m. There is no controlled pedestrian crossing from the north to the south side of 3300 South at the bus stop.
48. One block east, the intersection of 3300 South and 900 West has experienced the highest incidence of auto/pedestrian casualties in South Salt Lake City.
49. With strong support from the state legislature, the Applicant proposed to install a much narrower, less expensive, and non-standard, right-of-way profile for 1000 West that excluded required landscaping and bicycle lanes. The 1000 West profile also eliminated the standard sidewalk that would have been located on the east side of the 1000 West right-of-way.
50. The Planning Commission allowed the new, narrower road profile in the Applicant's subdivision approval based on the Applicant's Phase I CUP representations that:
 - a. the Applicant will provide comprehensive on-site services for its guests (including three meals per day, clothing, health care, job search, job skills training, transportation, a barber shop, and counseling);
 - b. it will not provide accommodations for a daytime population that is in addition to its overnight resident population;
 - c. a portion of the guests will have their own vehicles; and
 - d. the Applicant will provide adequate van service/transportation for the guests and persons who are recommended for transport to and from points of coordinated entry.
51. In addition to a new looped water line designed to provide adequate fire-flow to the new facility and a new Lot 2 that would be improved and dedicated to the City for storm water detention, the Applicant's proposed subdivision included improvement and

dedication of a new private road with perpetual public access from 1000 West to 900 West at 3550 South.

52. The 3550 South road dedication eliminated the dead-end status of 1000 West from 3300 South to 3550 South.
53. Acknowledging that the 1000 West Homeless Resource Center would result in twice the maximum density than has been allowed anywhere else in the City, the Applicant proposed significant onsite infrastructure, enhanced onsite amenities, and operations-related commitments to mitigate the potential that the proposed facility would replicate the adverse impacts associated with the homeless campus services model in the Rio Grande area.
54. However, because the Applicant had not fully-developed operations details essential to support a complete application for a CUP for a Homeless Resource Center before it had petitioned to subdivide 9.07 acres on 1000 West and had developed and submitted site plans and construction drawings for the new facility, the Planning Commission separated the Applicant's subdivision application from its CUP application and bifurcated the CUP approval process into a construction design and physical amenities phase (Phase I) and the more typical operations phase (Phase II).
55. CUP Phase I considered appropriate conditions to the Applicant's proposed infrastructure improvements, subdivision, physical site design, minimum area for designated residential uses, minimum area designated for amenities and compliance with design standards established for the building form/intensity of use.
56. The Planning Commission deferred consideration of the Applicant's proposed mitigating conditions of operation and management of the Homeless Resource Center, and any conditions staff recommends, to supplement the Applicant's proposed mitigating conditions, to this Phase II of the CUP process.
57. On May 29, 2018 the Planning Commission approved a three (3) lot subdivision of 9.07 acres and the Applicant's proposed improvement and dedication of one public road and another private road—with perpetual public access to transform 1000 West from a dead-end road to a thoroughfare—and the construction and dedication of storm water detention facilities on a newly subdivided Lot 2.
58. The Planning Commission conditioned its May 29, 2018 subdivision approval¹ as follows:
 - a. The Applicant will continue to work with City staff to make all corrections to the final plat mylar as detailed in this staff report;
 - b. The Applicant will complete the water line and improve secondary access to an all-weather surface prior to issuance of the building permit;

¹ See Exhibit J

- c. Prior to plat recordation and occupancy of any new development within this plat, the Applicant must update the final plat mylar to include notarized signatures of owners' consent to dedication consistent with item 1 above; obtain signatures of all entities indicated on the subdivision plat attached hereto;
- d. The Applicant will complete the required landscaping and infrastructure improvements prior to any plat recordation or occupancy of new development or post an adequate improvement completion assurance to the satisfaction of the Office of the City Attorney;
- e. All site improvements will meet the requirements of the South Salt Lake City Municipal Code;
- f. Notarized signatures of current (as of the date of final plat recordation) property owners' consent to dedication of 1000 West, consistent with UCA §10-9a-603 and UCA §75-2-103(a);
- g. All required improvements, easements and property dedicated to South Salt Lake City shall be free of all liens and superior encumbrances;
- h. The Applicant will amend proposed road improvement profiles to reflect installation of 4" of asphalt and an 8"-12" subbase depending on the results of the Applicant's geotechnical report, and work with City staff to make all technical corrections prior to recording; and
- i. All items in the staff report.

59. Status update on the subdivision improvements:

a	The Applicant will continue to work with City staff to make all corrections to the final plat mylar as detailed in this staff report;	Completed
b	The Applicant will complete the water line and improve secondary access to an all-weather surface prior to issuance of the building permit;	Completed
c	Prior to plat recordation and occupancy of any new development within this plat, the Applicant must update the final plat mylar to include notarized signatures of owners' consent to dedication consistent with item 1 above; obtain signatures of all entities indicated on the subdivision plat attached hereto;	Completed
d	The Applicant will complete the required landscaping and infrastructure improvements prior to any plat recordation or occupancy of new development or post an adequate improvement completion assurance to the satisfaction of the Office of the City Attorney;	Uncompleted
e	All site improvements will meet the requirements of the South Salt Lake City Municipal Code;	Uncompleted

f	Notarized signatures of current (as of the date of final plat recordation) property owners' consent to dedication of 1000 West, consistent with UCA §10-9a-603 and UCA §75-2-103(a);	Completed
g	All required improvements, easements and property dedicated to South Salt Lake City shall be free of all liens and superior encumbrances;	Completed
h	The Applicant will amend proposed road improvement profiles to reflect installation of 4" of asphalt and an 8"-12" subbase depending on the results of the Applicant's geotechnical report, and work with City staff to make all technical corrections prior to recording; and	Completed
i.	All items in the staff report.	Uncompleted

60. Completion of all subdivision improvements, dedications, and plat recordation is essential for the development, occupancy, and successful operation of the facility.
61. On May 24, 2018, the Planning Commission issued to the Applicant a Phase I CUP approval limiting building occupancy based on the Applicant's maximum proposed intensity of use:
- a. 300 temporary residents;
 - b. 40 employees and 15 volunteers (at the highest intensity shift of 9:00 am to 5:00 pm);
 - c. no overflow or additional use is allowed;
 - d. no non-current resident services to be provided.
62. Conditions of the Planning Commission's May 24, 2018 Phase I CUP approval² were:
- a. Building limited to the following square footage by required use and area:

Required Use	Level	SF
Intake Area	1	3,153
Client Storage	1	2,235
Courtyard	1	5,261
Client Services	1	5,827
Clinic	1	1,915
Dining & Kitchen	1	8,056
Donation	1	3,374
Commons	1	4,752
Administration	2	5,565
Sleeping & Hygiene	2	17,293

² See Exhibit J

Program Space	2	5,365
Client Laundry	2	273
Indoor Balcony	2	338
Mechanical, Janitorial Circulation	1	5,150
Mechanical, Janitorial Circulation	2	2,042
Total		70,599 ³

- b. Applicant will further provide all necessary operational information for Planning Commission consideration and approval of the Phase II Conditional Use Permit-Operational Criteria in accordance with South Salt Lake City Municipal Code Chapter 17.09 Conditional Uses. The Planning Commission’s Phase II CUP review and action shall commence promptly and is a condition precedent to occupancy.
- c. The building shall be constructed consistent with the plans attached as Exhibit A, the conditions established herein, and is at all times subject to the Multi-Family Housing Design Standards for an urban-style multifamily building form.
- d. The site shall be improved consistent with the plans attached as Exhibit A, conditions established herein and is subject to Title 17.27, Parking, Access, and Circulation Standards, with one additional ADA compliant parking stall on the site plan.
- e. The site is subject to Title 17.25, Landscape Site Improvements and must be improved as conditioned herein.
- f. Outdoor storage is not permitted at this location.
- g. Recreational vehicle overnight parking is not permitted at this location.
- h. The owner and operator shall meet and maintain compliance with the requirements of 17.27.100 offsite and off-street parking for a minimum of 38 additional parking stalls.
- i. All perimeter fencing and walls shall be constructed with an “anti-graffiti” surface.
- j. The owner and operator shall meet all requirements of the South Salt Lake Building Official, the South Salt Lake Fire Marshal, and the South Salt Lake City Engineer.
- k. The owner shall apply for a building permit prior to any site or building modifications that require a permit.
- l. The owner shall supply Best Management Practices to ensure the sewer hookups provided for the 4th Street Clinic Mobile Medical Unit do not affect the storm water storage facility on the western boundary of the site.
- m. The owner shall obtain a sign permit for any building signage. No monument sign is allowed. The site shall be signed to inform the public that non-monetary donations are prohibited at the site.

³ 11% grossing factor

- n. All items of the Staff Report.
 - i. Detailed landscaping plan in accordance with SSL standards.
 - ii. Location of all CCTV cameras.
 - iii. Table of Staff Analysis of Phase I Requirements/Elements/Criteria (Exhibit B)
- o. The required lighting plan is deferred to Phase II of the CUP process.
- p. A 5 percent parking reduction from 130 required stalls to 124 required stalls with the following conditions:
 - i. Submittal of a fully-executed offsite parking agreement,
 - ii. Construction of pedestrian improvements linking the offsite parking location to the HRC location, and
 - iii. All improvements constructed to South Salt Lake City standards.

63. Status of Phase I Conditional Use Permit conditions:

a.	Floor plan correlates to approved use (See Table Above 53.a)	To be verified prior to C of O
b.	Applicant will further provide all necessary operational information for Planning Commission consideration and approval of the Phase II Conditional Use Permit-Operational Criteria in accordance with South Salt Lake City Municipal Code Chapter 17.09 Conditional Uses. The Planning Commission's Phase II CUP review and action shall commence promptly and is a condition precedent to occupancy.	To be complete upon approval and signing of the Phase II CUP
c.	The building shall be constructed consistent with the plans attached as Exhibit A, the conditions established herein, and is at all times subject to the Multi-Family Housing Design Standards for an urban-style multifamily building form.	To be verified prior to C of O
d.	The site shall be improved consistent with the plans attached as Exhibit A (with one additional ADA compliant parking stall), conditions established herein and is subject to Title 17.27, Parking, Access, and Circulation Standards.	To be verified prior to C of O
e.	The site is subject to Title 17.25, Landscape Site Improvements and must be improved as conditioned herein.	To be verified prior to C of O
f.	Outdoor storage is not permitted at this location.	Subject to ongoing monitoring
g.	Recreational vehicle overnight parking is not permitted at this location.	Subject to ongoing monitoring
h.	The owner and operator shall meet and maintain compliance with the requirements of 17.27.100 offsite and off-street parking for a minimum of 38 additional parking stalls.	Subject to ongoing monitoring
i.	All perimeter fencing and walls shall be constructed with an "anti-graffiti" surface.	To be verified prior to C of O
j.	The owner and operator shall meet all requirements of the South Salt Lake Building Official, the South Salt Lake Fire Marshal, and the South Salt Lake City Engineer.	To be verified prior to C of O
k.	The owner shall apply for a building permit prior to any site or building modifications that require a permit.	Subject to ongoing monitoring

l.	The owner shall supply Best Management Practices to ensure the sewer hookups provided for the 4 th Street Clinic Mobile Medical Unit do not affect the storm water storage facility on the western boundary of the site.	Uncompleted
m.	The owner shall obtain a sign permit for any building signage. There shall be no monument sign and the property must be posted to inform the public that non-monetary donations may be accepted on-site.	Uncompleted
n.	All items of the Staff Report. i. Detailed landscaping plan in accordance with SSL standards. ii. Location of all CCTV cameras. iii. Table of Staff Analysis of Phase I Requirements/ Elements/Criteria (Exhibit B)	Uncompleted
o.	The owner shall submit a lighting plan for staff review and comment. All required lighting shall be installed prior to occupancy.	To be verified prior to C of O
p.	A 5 percent parking reduction from 130 required stalls to 124 required stalls with the following conditions: i. Submittal of a fully-executed offsite parking agreement, ii. Construction of pedestrian improvements linking the offsite parking location to the HRC location, and iii. All improvements constructed to South Salt Lake City standards.	To be verified prior to C of O

- 64. The Applicant has represented that residents at The Road Home shelter in the Rio Grande area stay in that facility for an average of 39 days.
- 65. While residents will be allowed to leave the 1000 West facility, the Applicant represents that it will not require residents to leave (with minor exceptions including the obligation to transfer a resident to an assigned service or facility in the Continuum of Care, or to a court process) during their temporary stay.
- 66. The 1000 West facility is inconveniently located in an agricultural district, far from regional transportation hubs.
- 67. There are no nearby places of benign interest, employment centers, service providers, or entertainment centers.
- 68. There are no employment opportunities, nor beneficial services in the vicinity of the 1000 West site.
- 69. There is a new elementary school under construction just south of the 1000 West shelter.
- 70. The Applicant proposes that each resident will have adequate access to a case manager to ensure that the resident is ready for the next level of housing, employment, and healthcare opportunities within the Continuum of Care.

71. A component of assisting each resident in transitioning to housing and employment is prompt resolution of any outstanding citations, arrest warrants, and required court appearances.
72. The Applicant has proposed to facilitate transportation for residents to enhance their employment opportunities, enable guests to attend required court appearances, and facilitate rapid rehousing throughout the Salt Lake Valley, away from the 1000 West facility environment.
73. The Applicant's facilitation of transportation services will minimize offsite migration of the shelter residents, the potential for criminal predation on pedestrians within the homeless community, and the potential for adverse impacts to the surrounding community that were occurring under the old homeless services model in the Rio Grande area.
74. The overwhelming majority of the projected emergency shelter residents do not originate from South Salt Lake City.
75. The 1000 West facility is not conveniently located near anything.
76. The Applicant warranted that its residents will be selected as appropriate for and will be referred to the 1000 West emergency shelter via a new, objective, Coordinated Entry System.
77. The diversion program is designed to direct homeless individuals into a detoxification facility or inpatient treatment, as needed, and to the greatest extent possible, to divert the homeless into housing ("Housing First") as the preferred alternative to residency in an appropriate emergency shelter within the Continuum of Care throughout the Salt Lake Valley.
78. As a result of its isolation, minimized public infrastructure, site design, and role within the broader Continuum of Care, the 1000 West emergency shelter is not an appropriate place for homeless individuals who have not been screened through the Coordinated Entry System.
79. The Applicant has identified a third-party organization to provide diversion and Coordinated Intake into Homeless Resource centers.
80. The overall Coordinated Entry System (diversion and Coordinated Intake) is designed to make appropriate connections and facilitate transportation whenever possible.
81. The Applicant's initial third-party organization to serve as the Coordinated Entry system provider is the Utah Community Action Network.
82. To the greatest extent possible, the Applicant will coordinate with the Utah Community Action Network to help ensure that persons referred to the shelter through the

Coordinated Entry System will be transported to the facility from their point of entry into the system.

83. To reinforce the effectiveness of the Applicant's Coordinated Entry System and to prevent the re-creation of the Rio Grande homeless services paradigm, the Applicant has represented that it will only accept new residents referred to the facility through the Coordinated Entry System.
84. Any "walk ins" to the 1000 West facility that have not been referred through the Coordinated Entry System will be evaluated in the Waiting and Intake Area by a diversion specialist provided by of the third-party Coordinated Entry System provider in the Intake area in an attempt to divert that person from shelter.
85. If diversion is not possible, a third-party Coordinate Entry System Intake Specialist will assess the individual in the Waiting and Intake Area and refer the individual to the appropriate facility within the Continuum of Care.
86. The Applicant shall facilitate transportation of that individual to the appropriate facility within the system and will allow entry beyond the Intake Area and residency of that individual at the 1000 West facility only if the third party evaluation determines that the 1000 West facility is the appropriate point of entry into the Continuum of Care.
87. The Applicant has proposed to provide an indoor Waiting and Intake Area that will be staffed by the facility operator, a staff member of the third-party Coordinated Entry System provider (either in person, or on call), and private security or current law enforcement personnel.
88. The Applicant represents, and the Planning Commission finds, that it is essential that the Waiting and Intake Area be provided, equipped, and adequately staffed to:
 - a. prevent the need for any outside queuing;
 - b. verify that each new resident has properly been referred to 1000 West facility through the Coordinated Entry System and if not, facilitate interaction with the Coordinated Entry System within the Waiting and Intake area to assess the prospective resident for entry into the 1000 West facility, and provide the prospective resident transportation to the proper facility within the Continuum of Care, or if appropriate, back to their appropriate place of origin;
 - c. create a Coordinated Services Card or device for new residents;
 - d. verify the identity of each person entering the facility;
 - e. search each resident's person and personal belongings upon each entry and reentry for, and confiscate weapons, drugs of any kind, drug paraphernalia, alcohol, corrosives, explosives, etc. (hereafter "Contraband") (search will include

use of metal detector to ensure the safety of facility personnel, each resident, and public safety personnel that may be called into the facility in response to an incident or to otherwise inspect the facility for compliance with law);

- f. confiscate any unlabeled prescription medication and prescription medication issued to a person other than that resident, and store each resident's prescribed controlled substance medication in the facility's medical commissary or other separate and similarly-secured location (for resident access at the prescribed intervals to prevent the proliferation of an active drug market in the facility);
 - g. provide separately secured storage for a limited amount of each resident's oversized or excess belongings;
 - h. call South Salt Lake City Police Department to report reasonable suspicion of criminal activity in and around the shelter;
 - i. facilitate transport of people with substance abuse disorders who have been assessed and approved for a treatment program to an appropriate facility within the Continuum of Care and away from the 1000 West homeless shelter, when there is space available in any other facility within the Continuum of Care;
 - j. call South Salt Lake City Police Department upon discovery of any Contraband;
 - k. call South Salt Lake City Fire Department upon discovery of any explosives;
 - l. report persons intoxicated to the point that they are a danger to themselves or to the community to the South Salt Lake Police Department or facilitate transport of the influenced resident into an appropriate facility within the Continuum of Care, outside the City of South Salt Lake;
 - m. maintain a daily list of current residents that is available to the City of South Salt Lake upon request;
 - n. inform each resident of the facility's services, amenities, and attached Standards for guest conduct within and around the facility;
 - o. enforce the attached Expectation Protocols; and
 - p. post signage and clearly inform each person that anyone entering the facility and well as their belongings is subject to a canine search.
89. To prevent outside queuing, loitering, or breach of security protocols, and subject to certain exceptions provided herein, all persons must enter the 1000 West facility through a 3,153 square foot Waiting and Intake Area depicted in the first-floor plans attached hereto and be properly screened prior to entry into the facility and onto site beyond the Waiting and Intake area.

90. The Applicant represented that it requires at least 3,153 square feet of Waiting and Intake Area to provide screening services and to prevent residents from forming a queue outside of the facility.
91. The Applicant represented that it needs at least 2,235 square feet within the facility for monitored and secure temporary storage of the residents' qualified personal belongings as depicted on the floor plans attached hereto.
92. The Applicant represented that it will not store weapons or Contraband and the Applicant will confiscate from its residents and will properly dispose of any grocery cart brought to, or lingering in the vicinity of, the facility.
93. The Applicant proposed 5,261 square feet of enclosed, but otherwise unsheltered, patio space as an on-site recreational amenity to meet the needs of its residents, as depicted in the first-floor plans attached hereto.
94. The 5,261 square foot enclosed patio is one of several on-site amenities that will provide minimal outdoor recreation space during three seasons annually to offset the potentially adverse impacts of the unusually dense and intensely used facility living space.
95. The Applicant has designated 5,827 square feet of the facility to house a comprehensive array of wrap-around support services (including life skills, case management, non-complex medical and behavioral health services, periodic tonsorial services, housing support, job skills, and job search) essential to minimizing documented adverse offsite impacts that are associated with the Rio Grande homeless shelter and to provide sufficient project amenities required for this form of development.
96. The Applicant's floor plans attached hereto depict the area (5,827 square feet) devoted to required support services and project amenities
97. All of the Applicant's designated 5,827 square feet of space devoted to wrap-around support services for the residents is essential to offset the potentially adverse impacts of the unusually dense and intensely used Homeless Resource Center environment.
98. The Applicant has designated 1,915 square feet of the facility as a clinic from which the Applicant shall provide basic medical services to residents on a periodic basis.
99. The Applicant shall also furnish regular, periodic medical services for residents, through 4th Street Clinic staff and outfitted by the 4th Street Clinic's mobile unit.
100. Without the designated 4th Street Clinic mobile unit and its staff, there are no medical facilities in the vicinity to serve the Applicant's residents.

101. Without the designated 4th Street Clinic mobile unit and its staff, the Applicant's proposed Homeless Resource Center use would place unreasonable demands on the City's public safety personnel, especially its EMS personnel and equipment.
102. The Applicant has constructed a Mobile Health Unit parking area on the west side of the facility to accommodate frequent visits from a Mobile Health Services provider.
103. The Applicant's clinic space and Mobile Health Unit parking area are depicted in the first-floor plans attached hereto.
104. The Applicant has designated 8,056 square feet as the minimum kitchen, food storage, and dining space required for the proposed use. At this time, the Applicant proposes that it will not prepare food at the facility, but instead it will receive prepared food from another location, and then will warm and serve the prepared food onsite to 1000 West emergency shelter residents. Those responsible for onsite food service will be limited to current residents and facility staff.
105. The Applicant's proposal to serve its residents food that has been prepared at another location will minimize the residents' exposure to lethal kitchen utensils and will lessen the potential waste stream generated at the facility by the intensity of the proposed use, as well as the risk to public safety personnel.
106. The area devoted to kitchen, food storage, and dining space is depicted on the first-floor plans attached hereto.
107. The Applicant has proposed to limit food delivery to two deliveries each day.
108. The area devoted to kitchen, food storage, and dining space is the minimum area required to provide adequate and cost-effective food services to the homeless shelter residents.
109. The Applicant has proposed a 3,374 square foot area as the minimum area required to receive and display clothing donations for the resident population.
110. The Applicant proposed that (except for monetary donations) public donations will not be accepted, nor will donated drop offs be permitted, at the 1000 West facility. All donations were to be delivered by an institutional donor, who accepts donations at a remote location and will deliver only those items that will support the specific qualified current resident population served by the facility.
111. The Applicant's initially proposed management of donations would lessen the potential waste stream generated by the use of the facility and would reduce potential adverse traffic impacts on the substandard 1000 West road platform.

112. However, the Applicant's initial operator would like to accept public donations at the facility and warrants that it is skilled in accepting donations in a manner that will generate no additional waste or disruption at the facility.
113. The Applicant's proposed donation area is depicted on the first-floor plans attached hereto.
114. Non-residents will not have access to receive any donations or shelter services at (or near) the facility.
115. The Applicant has proposed 4,757 square feet of internal "commons" area as the minimum area devoted to the daytime use of residents that is required to support trauma-informed design for the up to 300 residents.
116. The internal commons area is a required amenity for this building form design type and the proposed intensity of use.
117. The Applicant's internal commons area is depicted on the first-floor plans attached hereto.
118. The Applicant has proposed 5,565 square feet of space for up to a 40-person facility staff and administration at any given time.
119. The Applicant has proposed to use up to 15 volunteers at any given time.
120. The facility is not capable of accommodating more than 40 employees and 15 volunteers during a single shift.
121. The administrative space is depicted on the second-floor plans attached hereto.
122. The Applicant has represented that the designated administrative space is the minimum required area for managing and administering the 1000 West facility.
123. The Applicant has proposed 17,293 square feet of space as the minimum required area for hygiene and sleeping for the up to 300 residents.
124. The resident hygiene and sleeping areas are depicted on the second-floor plans attached hereto.
125. The Planning Commission is concerned that 17,293 square feet of space is inadequate for resident hygiene and sleeping for 300 residents.
126. 17,293 square feet of space for 300 residents' hygiene and sleeping is adequate only in the context of the large, 79,000 square foot homeless resource center, with the remaining space, services, and amenities onsite that render the totality of the space and limited occupancy humane for up to 300 residents.

127. Such densely inhabited space presents public health and safety challenges and will require a larger public safety response than is typical of staff responses to multi-family residential housing.
128. The Applicant has offered to:
 - a. use licensed, insured, and bonded private security to assist with intake and address 24-hour security needs;
 - b. dedicate a 24-hour phone service to receive complaints and to hear of neighborhood issues;
 - c. report all reasonably suspected criminal activity at the shelter or perpetrated by a current shelter resident to the South Salt Lake City police department;
 - d. meet regularly with South Salt Lake City public safety personnel to minimize the need for a public safety response at the facility; and
 - e. revise its management practices, as necessary, based on ongoing feedback from the neighborhood and South Salt Lake City.
129. To protect both the residents and first responders, South Salt Lake City expects to respond with six (6) law enforcement officers to any report of a crime in progress with a threat to human safety, and at least five (5) emergency medical service providers and at least two (2) police officers to any request for medical assistance.
130. South Salt Lake City expects to dispatch at least 16 fire department personnel and at least two (2) police officers to respond to any fire alarm at the facility.
131. South Salt Lake City may require a mutual aid response from available public safety personnel from adjoining jurisdictions.
132. The Applicant proposes that its operation and management plan and the commitments of this CUP will sufficiently mitigate adverse offsite impacts such that the facility operation will not create a disproportionate burden to South Salt Lake City residents by placing inordinate demands on public safety personnel nor by degrading the potential for beneficial community development in the area.
133. The Applicant is a non-profit organization that pays no property or sales tax to offset the South Salt Lake City community's cost of the public safety personnel that may be required to respond to the facility.
134. The Applicant has proposed 5,365 square feet of second-floor space for resident programs, including job search, time management, physical and emotional wellness, and staff facilitated, resident-only, AA and CA meetings. These classes will not be offered to members of the public and are limited to current residents only.

135. The resident program space is essential to mitigate potential adverse offsite impacts and may be inadequate to service 300 residents.
136. The Applicant's proposed resident program space is depicted on the floor plans attached hereto.
137. To facilitate successful use of the resident program space, the full breadth of the resident program space should be operated and programmed for resident enrichment for a substantial period each day.
138. The focus of the Applicant's resident program services is both to enrich residents and to curtail shelter residents' congregation on the Jordan River Parkway and in the vicinity of the shelter.
139. The Applicant will host regular community coordination meetings with residents and businesses affected by daily shelter operations and management and will adjust its practices to mitigate adverse impacts on the community from shelter operations.
140. The Applicant has proposed 273 square feet for a dedicated laundry area for clothing.
141. The dedicated laundry facility is inadequate to launder bedding when the Shelter is operated at or near its authorized capacity.
142. Applicant has represented that it will launder linens offsite and will regularly sanitize them to prevent the proliferation of vectors and the spread of disease.
143. At least 273 square feet of laundry area is necessary to launder residents' clothing to prevent a chronic bedbug and lice infestation and the spread of disease at the facility.
144. The Applicant has proposed 338 square feet for an indoor second-floor balcony.
145. The Planning Commission finds that the indoor balcony will provide required on-site common area for the residents and provides essential relief in the building design.
146. The Applicant has proposed to devote 7,192 square feet of the facility to mechanical, janitorial, and circulation (hallway, elevator, and stairs) uses. The Applicant's architects testified that all 7,192 square feet are required to support the maximum proposed intensity of use.
147. The Planning Commission finds that the mechanical, janitorial, and circulation portions of the facility are essential to trauma informed design and the proper functioning of the facility.
148. The Planning Commission compared the Applicant's building plans and areas designated within the plans for specific uses to the City of South Salt Lake's Code required amenities for far less dense multifamily projects and found that, taken together as a

149. Prior to their evaluation of the Applicant’s description of its project design and proposed operations plan to mitigate adverse offsite impacts, both staff and the Planning Commission were concerned that the design of the facility allocated insufficient area for resident hygiene and sleeping space.
150. However, the Applicant testified that the proposed facility size and design provides the minimum area required for specific essential services that are necessary to create a healthy atmosphere and to prevent the potential replication of another Rio Grande homeless services atmosphere.
151. While the hygiene and sleeping space is less than ideal, based on both the City’s design standards and Applicant’s proposed and required mitigating measures, the following table describes the area dedicated to specific mitigating measures:

Required Use	Level	SF
Intake Area	1	3,153
Client Storage	1	2,235
Courtyard	1	5,261
Client Services	1	5,827
Clinic	1	1,915
Dining & Kitchen	1	8,056
Donation	1	3,374
Commons	1	4,752
Administration	2	5,565
Sleeping & Hygiene	2	17,293
Program Space	2	5,365
Client Laundry	2	273
Indoor Balcony	2	338
Mechanical, Janitorial Circulation	1	5,150
Mechanical, Janitorial Circulation	2	2,042
Total		70,599

152. None of the allocated space for the facility has been designed for occupation by animals.
153. Residents will be allocated to one of six (6) rooms with up to 50 beds in each room.
154. A public safety response to a reported disturbance within one of the fully occupied sleeping rooms will be disorienting for both shelter residents and a resident’s service animal.
155. To the extent required by the Americans with Disabilities Act, the facility can safely be operated in a manner that can reasonably accommodate a service dog that has been trained and certified to assist a disabled resident and is managed in a manner that will not create a hazard for public safety personnel responding to requests for service at the facility.

156. The facility was scheduled to commence operations in July of 2019.
157. Significant cost overruns, funding difficulties and unanticipated construction issues have delayed the intended opening date.
158. The Applicant proposed that it would employ onsite security personnel at a ratio of .35 state-licensed, insured, and bonded private security guards (or off-duty public safety officers) per 30 residents and will require such security personnel to patrol the site and the surrounding neighborhood, to prevent loitering near the facility and the potential for adverse offsite impacts from the shelter use.
159. The Applicant's proposed private security guard ratio will help mitigate the risk of violent or unlawful behavior at the shelter and will reasonably reduce the need for extraordinary public safety responses at the facility.
160. The Applicant proposed a staff to resident ratio at the facility of 1 staff member per 30 residents during the day and 1 staff member per 40 residents at night. These ratios include private security personnel.
161. The Applicant's proposed staff to resident ratio at the facility will help ensure that the site and facility is safe, clean, well-operated, and capable of offering substantial assistance to its residents in the transition from homelessness to housing.
162. The Applicant and the State of Utah are engaged in a sincere effort to break the cycle of human suffering, crime, and community degradation experienced in the Rio Grande area.
163. Homelessness is not a crime and the homeless should not be scapegoated nor considered as criminals.
164. Excellent facility management and a program that diverts:
 - a. qualified people to appropriate available housing as a first option;
 - b. people with substantial mental health issues to separate, offsite, specialized residential treatment centers within the Continuum of Care;
 - c. violent people to jail; and
 - d. active substance abusers to offsite detox and/or offsite, specialized residential treatment facilities in the Continuum of Care;

will allow the 1000 West facility to operate without many of the public safety problems and community degradation experienced in the Rio Grande area.

165. Under the best of circumstances, however, it is realistic to expect that some portion of the guests of the 1000 West facility will have outstanding warrants or other matters to resolve within the state and local judicial systems. Others may be registered sex offenders who have an obligation to inform neighboring property owners of their presence at the shelter.
166. In the past, nearby jurisdictions have reported instances in which the shelter operators or their staff have been unwilling to cooperate with the legal system.
167. Few emergency shelters currently transport residents to required legal proceedings.
168. Public safety personnel report valid concerns that some emergency shelter staff have disregarded subpoenas to appear as witness to criminal incidents at or near the Applicant's emergency shelters.
169. Public safety personnel recently reported concerns that shelter parking lots have become occupied by recreational vehicles or other modes of shelter that have been occupied by the homeless.

Conclusions of Law:

1. The use, as specifically conditioned below, is consistent with the South Salt Lake City General Plan.
2. The proposed Phase II CUP application, as specifically conditioned below, is consistent with the uses allowed in the Agricultural District.
3. The proposed Phase II CUP application, as specifically conditioned below, complies with the requirements of the South Salt Lake City Code.
4. The design and proposed management and operation of the use of the new facility, and assumption of public costs, as specifically conditioned:
 - a. is moderately compatible with surrounding structures in use, scale, mass, design, and circulation;
 - b. does not compromise the health, safety, or welfare of:
 - i. persons employed within or using the proposed development;
 - ii. those residing or working in the vicinity of the proposed use or development; or
 - iii. property or improvements in the vicinity of the proposed use or development; and
 - c. does not impose disproportionate burdens on the citizens of the City.

5. The effects of any differences in use or scale of the project have been mitigated by the Applicant's project design or can be mitigated with the following Conditions of Approval.

Conditions of Approval:

1. Prior to recording any notice or document on the property subdivided as Lot 1, the Applicant shall record this Phase II CUP on Lot 1 of the Shelter the Homeless Plat;
2. A list of conditions of subdivision and Phase I CUP approval are attached hereto as Exhibit J. The Applicant must comply with all uncompleted conditions of subdivision approval and Phase I CUP approval, including the following items that overlap both subdivision and Phase I CUP approvals and are modified, in part as follows:
 - a. Because the only UTA bus stop in the area is on the north side of 3300 South, near 1000 West, and because the 3300 South and 900 West intersection has the highest incidence of auto/pedestrian casualties in South Salt Lake City, the Applicant shall identify and recommend to its residents safe routes to the facility from the UTA bus stop on the eastbound lane of 3300 South and shall work with UDOT to ensure that a pedestrian triggered, lighted crosswalk at 3300 South and 1000 West, or such other UDOT-endorsed solution is installed and operable as soon as practicable;
 - b. Applicant shall install and monitor 24-hour CCTV for the facility site, including property lines bordering the adjacent open space and Jordan River Trail as well as inside the facility (excluding the restrooms/shower) in such a manner that minimizes unmonitored blind spots; and
 - c. Applicant shall record, shall provide adequate electronic storage capacity for, and shall maintain the integrity of, all information recorded from each livestream of the CCTV footage for at least 21 days from the date of each live recording for the benefit and use of the Applicant and the South Salt Lake Police Department.
3. The Applicant may occupy and operate an emergency homeless shelter of up to 79,055 gross square feet (70,599 net occupiable area), plus parking, on Lot 1 of the HRC Plat, subject to the following conditions:
 - a. The proposed facility is limited to a population of up to 300 individuals who may receive shelter at the facility for a period averaging no more than 90 days, unless the Mayor of South Salt Lake City declares an emergency, justifying a specified temporary extension of the average period of stay;
 - b. The Applicant shall track the average length of stay of its residents and shall report that average to South Salt Lake City staff on a quarterly basis;

- c. If the average length of stay exceeds 50 days, the Applicant and South Salt Lake City staff will cooperate in good faith to implement changes to the Coordinated Entry System and the Applicant's practices and procedures to reduce the average length of stay;
- d. All individuals housed at the facility must be referred to the facility through the Coordinated Entry System, or by the South Salt Lake City Police Department. If the Applicant staffs the Waiting and Intake area with qualified third-party Coordinated Entry System personnel, the Coordinated Entry System referral may occur from the Waiting and Intake area at the 1000 West facility; if after evaluation by a qualified third-party Coordinated Entry System staff member at the 1000 West facility, a homeless person that arrived at the 1000 West facility is referred to a separate facility within the Continuum of Care, 1000 West facility personnel may provide that person with limited services while that person remains in the Waiting and Intake area and awaits transport to the proper facility within the Continuum of Care. (This service shall be terminated if it effects the support of homeless campsites in South Salt Lake City in any manner);
- e. No walk-in or non-current resident may receive any benefit or service from the facility except as otherwise specifically provided herein;
- f. Except as otherwise specifically authorized herein, all persons must enter the secured area site with valid entry identification and must enter the secured areas of the facility through the secure Waiting and Intake Area;
- g. The Waiting and Intake Area must be staffed by the facility operator and either licensed, insured, and bonded private security personnel or current law enforcement officers;
- h. Except as otherwise specifically provided herein, all persons entering or reentering the secure areas of the site and the facility must be registered, provided and display their Coordinated Services Card, and (excluding the operator's full time staff, security personnel, 4th Street Clinic personnel, and qualified delivery personnel who do not penetrate the secure area of the facility) shall be searched for weapons and Contraband;
- i. To ensure compliance with the foregoing conditions of approval, the Applicant must:
 - i. Verify that each new resident is currently referred to the 1000 West facility through the Coordinated Entry System or the South Salt Lake City Police Department;
 - ii. Facilitate registration of convicted sex offenders in accordance with state law;

- iii. Create a Coordinated Services Card or other identification device for each resident;
- iv. Maintain a daily record of all current residents, complete with photo identification (or in rare circumstances, the functional equivalent of photo identification). This daily record of residents will be made available to South Salt Lake City personnel to the greatest extent allowed under the Housing and Urban Development's 2004 Homeless Management and Information Systems (HMIS) Data and Technical Standards Final Notice, 69 Fed. Reg. 146 (July 30, 2004), <https://www.hudexchange.info/resource/1318/2004-hmis-data-and-technical-standards-final-notice/>. The Applicant will provide a monthly Safety and Security Report to South Salt Lake City law enforcement;
- v. Verify the identity of each person entering or reentering the facility;
- vi. With the assistance of current law enforcement officers or licensed, insured, and bonded private security personnel, use a metal detector and search each Guest and their personal belongings upon entry, and each reentry, for weapons and Contraband. (Applicant may propose a reasonable protocol, accepted by the South Salt Lake City Police Department, that will provide limited exceptions to this condition for 4th Street Clinic personnel, staff, volunteers, and regularly scheduled deliveries by qualified drivers who do not penetrate the secure areas within the facility);
- vii. Refer all persons with obvious Contraband to the South Salt Lake City Police Department for disposition;
- viii. Refer all corrosives and explosives to the South Salt Lake City Fire Department for handling and safe disposition;
- ix. Refer all persons with known outstanding warrants to the South Salt Lake City Police Department to facilitate their required participation in the judicial system;
- x. Confiscate any unlabeled prescription medication or any prescription medication issued to a person other than the person in possession.
- xi. To discourage/prevent both substance abuse and the distribution of the prescribed medication in an active drug market, store each resident's prescribed controlled substance medication in: (A) secured storage lockers assigned to individual residents within a video monitored and easily-visible portion of the secured area of the facility, outside of the dormitory area; or (B) the facility's medical commissary;

- xii. Provide and manage a secured room for separated storage of residents' personal belongings;
 - xiii. Refer, and facilitate transport of, persons who are a danger to themselves or others to law enforcement or off-site medical personnel;
 - xiv. Facilitate transportation of obviously active, illicit drug users to an appropriate and available drug treatment facility, detoxification facility, or other form of care, housing, or shelter;
 - xv. Prohibit entry onto the site and within the facility in excess of the maximum intensity of use authorized by this permit (no system "overflow" use at this facility);
 - xvi. Report any person who is intoxicated to the extent that the person presents a reasonable danger to himself or others ("publicly intoxicated") to the South Salt Lake City Police or facilitate transport of publicly intoxicated residents to an appropriate facility within the Continuum of Care, away from the 1000 West shelter;
 - xvii. Inform each person of the facility's services, amenities, procedures, Guest Expectations, Shelter Guidelines, and List of Prohibited Items (together, "Standards") within and around the facility, and the consequences of violating the Standards, attached hereto;
 - xviii. Enforce the attached Expectation Protocols);
 - xix. With the attached Standards and Expectation Protocols operating as a baseline, regularly update and improve on the Standards and Expectation Protocols, based on input from service providers, the operator, private security and law enforcement regarding the efficacy of the Standards and Expectation Protocols in maintaining a safe shelter environment and preventing the proliferation of an illegal drug market or other crime or degradation in the shelter vicinity (quarter mile radius); and
 - xx. Ensure that any and all persons in occupying the facility participate in safety protocol training and monthly emergency drills.
- j. Applicant shall ensure that:
- i. All persons check oversized or excess belongings into secure, limited access storage for the duration of their stay at the facility, subject to the following:
 - I. No weapons of any kind shall be allowed in the facility;

- II. Staff must provide direct supervision of the client storage area at all times;
 - III. Only authorized staff may access the storage area, residents will be supervised while accessing their individual storage container through a check in/check out protocol;
 - IV. All residents accessing their storage bin must be rescreened/ searched prior to returning to the secure area of the building; and
 - V. All residents must deposit all prescribed controlled substance medication into the medical commissary or other similarly separate and secured area for access by the prescribed resident to the medication and monitor each resident's consumption of secured prescribed medication to discourage/prevent both substance abuse and the distribution of the prescribed medication in an active drug market;
- ii. The operator must relocate any person who is in obvious need of specialized professional residential:
 - I. substance abuse treatment; or
 - II. mental health treatment

from the 1000 West Shelter to another facility within the Continuum of Care as soon as possible;
 - iii. Each resident is assigned a case manager to assist the resident's transition from emergency shelter into housing;
 - iv. The Applicant shall report resident behavior associated with obvious illegal drug use to the South Salt Lake City Police Department;
 - v. No person may receive meals, soft goods or services at the 1000 West facility that is not a current, registered overnight guest at the 1000 West facility. (Except as otherwise provided herein, no services of any kind are allowed for persons who are not properly allowed entry into the 1000 West facility as residents);
 - vi. No person in excess of the maximum intensity of use authorized by this permit shall be allowed entry into the facility or sheltered on site. (There is no broader homeless system "overflow" use permitted at this facility);
 - vii. The facility shall be open as emergency shelter for properly registered, compliant guests throughout all hours of the day and the night for an

average period of stay of up to 90 days, which limitation may be extended for a specified period upon declaration of emergency by the Mayor of South Salt Lake City; and

- viii. All staff shall cooperate fully with lawful requests from public safety personnel and the applicable Court systems;
- k. At all times, the Applicant shall employ and ensure the presence of two (2) onsite security personnel that are state-licensed, insured, and bonded private security guards (or off-duty public safety officers) and shall require such security personnel to patrol the site and, as time allows, regularly patrol the surrounding neighborhood (quarter mile perimeter), to prevent loitering near the facility and the potential for adverse offsite impacts from the shelter use;
- l. The Applicant shall ensure that the operator's staff to resident ratio at the facility is at least 1 staff member per 40 residents from 6 a.m. to 10 p.m. and at least 2 staff members from 10 p.m. to 6 a.m. The staff to resident ratio does not include coordinated entry system personnel nor security personnel;
- m. The Applicant shall subject all operators and service providers, and their employees to pre-employment background checks and shall ensure, at a minimum, that all volunteers and employees are trained, periodically re-trained in, and adhere to, the attached Standards and Expectation Protocols, as well as the facility's operating rules and procedures, are not sexual predators, are reasonably capable of identifying drug and alcohol abuse, and are well-versed in public health and safety procedures;
- n. The Applicant shall ensure that staff informs all residents of the emergency exit procedure and performs emergency exit drills at least once a month;
- o. The Applicant shall coordinate with law enforcement agencies, homeless outreach teams, the Salt Lake County Health Department and others to prevent adverse offsite impacts associated with the operation of the shelter;
- p. The Applicant shall provide comprehensive on-site services for its residents (including, at a minimum, three meals per day, clean clothing, access to health care, periodic men's tonsorial services, and case management);
- q. The Applicant shall enforce the baseline minimum Standards and Expectation Protocols attached hereto, and as they may be further revised to improve the health and safety of residents and the public, based on collaboration with service providers, the operator, private security and law enforcement personnel to maintain a safe shelter environment and to prevent the proliferation of an illegal drug market or other crime arising as an adverse offsite impact of the shelter's operation;

- r. The Applicant shall facilitate van service/transportation for facility residents from Coordinated Entry System points of entry and to and from off-site activities, to enhance residents' employment opportunities, to resolve obligations to the judicial system, and to facilitate rapid rehousing throughout the Salt Lake Valley;
- s. The Applicant shall enforce (outdoor) quiet hours on the entire site from 10:00 p.m. to 7:00 a.m.;
- t. The Applicant shall limit all food, client service and soft goods deliveries to the hours between 8:00 a.m. and 5:00 p.m.;
- u. The Applicant shall minimize the waste stream to the greatest extent practicable and shall schedule waste pickup between the hours of 8:00 a.m. and 5:00 p.m.;
- v. The Applicant shall regularly sanitize soft goods and disinfect hard surfaces in the facility;
- w. The Applicant may allow private donations on site, to the extent that the Applicant limits delivery to the hours of 8:00 a.m. to 7:00 p.m. and manages the process to prevent the proliferation of on-site waste generation or any outdoor storage or accumulation of donated items.
- x. The Applicant shall convene regular coordinating meetings with neighboring property owners and residents;
- y. The Applicant shall coordinate with the City of South Salt Lake and adjust its operating practices to new information and circumstances, to prevent adverse offsite impacts and transferring the statewide burden of homeless services to the residents of the City of South Salt Lake;
- z. The Applicant shall not allow anyone to store obviously stolen goods or illegal drugs on or near the facility property;
- aa. The Applicant will confiscate from its residents and will properly dispose of any grocery cart brought to, or lingering in the vicinity (quarter mile radius) of, the facility;
- bb. The Applicant has complied, and must maintain compliance, with the required amenities for Urban Style Multifamily housing detailed in the City's design guidelines, by designating certain floor area within the shelter and patio space outside of the shelter on a detailed floor plan.
- cc. Similarly, the Applicant shall provide certain specific on-site services for homeless residents in certain designated areas on a detailed floor plan. The Applicant must provide a comprehensive array of wrap-around support services in the facility, offered only to residents, to provide life skills, and physical and

emotional wellness training, AA and CA meetings, case management, tonsorial services, non-complex medical and behavioral health services, as needed, housing support to transition residents from the facility, and may provide job skills, job search and time management training;

dd. As proposed, the Applicant has committed the following area to specific required amenities and resident services mitigation efforts:

Use	Level	SF
Intake Area (resident services)	1	3,153
Resident Storage (resident services)	1	2,235
Courtyard (resident recreation)	1	5,261
Resident Services (resident transition services)	1	5,827
Clinic (resident health)	1	1,915
Dining & Kitchen (resident services)	1	8,056
Donation (resident services)	1	3,374
Commons (resident recreation)	1	4,752
Administration (resident services)	2	5,565
Sleeping & Hygiene (resident services)	2	17,293
Program Space (resident recreation)	2	5,365
Resident Laundry (resident services)	2	273
Balcony (resident recreation)	2	338
Mechanical, Janitorial Circulation (resident health)	1	5,150
Mechanical, Janitorial Circulation (resident health)	2	2,042
Total		70,599

ee. These space allocations are not fixed for all time and may be modified upon the Applicant's demonstration to the Community Development Director that the proposed modification will not violate the City's design standards nor diminish the Applicant's efforts to substantially mitigate the potential for adverse effects of the shelter on its residents or the community.

ff. The Applicant shall offer its residents at least three nutritious meals per day;

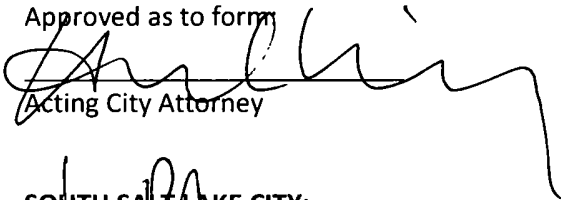
4. The Applicant shall promptly report to the South Salt Lake Police Department the identity and circumstances of any resident leaving the facility who the operator/staff reasonably believes presents a danger to himself or others;
5. The Applicant shall instruct its private security provider to inform:
 - a. Any persons loitering near the facility that there is no loitering allowed near the facility, or in the surrounding neighborhoods/vicinity (quarter mile radius); and

- b. The South Salt Lake City Police if the persons loitering near the facility do not heed security personnel's warning;
6. The Applicant shall not allow any portion of the site or facility to be occupied by animals except as required by the reasonable accommodation provision of the Americans with Disabilities Act or other federal or state law;
7. The Applicant shall install and staff a 24-hour phone number dedicated to reporting and resolving disturbances caused by the homeless population in the vicinity (quarter mile radius) of the shelter;
8. The Applicant shall develop and implement a dispute resolution system intended to de-escalate dangerous or volatile situations that may arise at the facility;
9. The Applicant shall not allow any person to use or occupy any vehicle, outdoor area, tent, or enclosure located on the shelter site or within its required off-site parking area, as a shelter for any period of time.
10. The Applicant, and all facility staff and service providers, shall allow for and facilitate periodic, unannounced searches by a canine accompanied by public safety personnel.
11. The Applicant shall post notice within the facility that all persons are subject to unannounced canine searches, as a condition of their occupancy;
12. The Applicant, and all facility staff and service providers, shall fully cooperate with law enforcement to encourage 1000 West facility residents to comply with lawful searches, lawful requests from law enforcement and to participate in the judicial system;
13. The Applicant and all facility staff and service providers shall, in coordination with the South Salt Lake City Court, facilitate transportation of residents to and from and encourage residents to attend all required court appearances;
14. The Applicant and all facility staff and service providers shall appear and testify, when subpoenaed, for any applicable court matter involving the 1000 West facility or its residents in any manner;
15. Regularly, and at least on a quarterly basis, the Applicant shall review actual public safety call volumes, identity of residents who need additional targeted services, and implement additional prevention efforts to mitigate the impact and severity of circumstances in the vicinity (quarter mile radius) of the facility that burden South Salt Lake City public safety resources.
16. These permit conditions have been mutually negotiated by both parties; and
17. The Applicant and the South Salt Lake City shall execute and record the Conditions of Approval imposed by this permit with the County Recorder's Office prior to occupancy.

Exhibits (available on file with South Salt Lake City Community Development Department):

- EXHIBIT A: Legislative Audits (Shelter the Homeless/Homeless Services) (3)
- EXHIBIT B: CUP Phase I, CUP Phase I Application and Supporting Materials
- EXHIBIT C: Site Plan
- EXHIBIT D: Matrix analysis of mitigating conditions of approval
- EXHIBIT E: CUP Phase II Application and Supporting Materials
- EXHIBIT F: Subdivision Plat and Conditions of Approval
- EXHIBIT G: Standards
- EXHIBIT H: Expectation Protocols
- EXHIBIT I: Public promises re: shelter operations
- EXHIBIT J: Conditions of Subdivision and Phase I CUP approvals

Approved as to form


 Acting City Attorney

SOUTH SALT LAKE CITY:

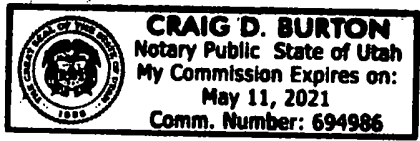

 Laura Vernon, Planning Commission Chair

State of Utah)
) ss.
 County of Salt Lake)

On this 7th day of NOVEMBER, in the year 2019, before me, CRAIG D. BURTON a notary public, personally appeared Laura Vernon, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged she executed the same.

Witness my hand and official seal.







DocQuery

Parcel Number • 15-26-377-021-0000

Active Parcel Number

Acreage • 2.3600

Address • 3380 S 1000 W • SOUTH SALT LAKE • 84119

Owner(s) of Record

SHELTER THE HOMELESS, INC.

Property Description For Taxation Purposes Only

LOT 1, HRC SUBDIVISION.