I. Purpose
The purpose of this plan is to create a resolution process for siting all homeless shelters. The idea is to have homeless shelters pre-sited in the comprehensive plan. This process consists of three basic components: (a) the coalition building process, (b) the mediation initiation, and (c) the mediation sessions.

II. The aim of this process is to make the siting of a homeless a more amicable process by having a county wide coalition in place that would deal with siting issues long before they become contentious disputes. This coalition will consist of county officials, homeless service providers, along with state and federal agencies addressing homeless issues such as DCA, and DCF.

III. Need
This process is needed to reform the way that we address the issue of homeless shelters. Shelters are not a public nuisance but rather a societal need. This process would be a federal driven by HUD. Funds could flow through various programs such as the Comprehensive Housing Assistance Strategy.

IV. Time frame
The process would run concurrently with the comprehensive plan as the pre-selection would be a requirement of the plan.

Summary of the Steps in the Homeless coalition process

I. The County commission will place the issue of siting a homeless shelter on their meeting agenda.
II. Notices of this meeting will be sent to citizens of the county.
III. Once this issue has been made public DCA will contract with a mediating entity.
IV. The mediating entity will then survey the environment for the siting of the homeless shelter.
V. The mediating entity will hold workshops and public forums to create the criteria for an appropriate shelter site.
VI. The mediating entity will form work groups that will make possible site recommendations.
VII. The site recommendations will be submitted to the commissioner for acceptance.

VIII. Selected sites will be added to the comprehensive plan.

Process Management
This process will be managed by the mediating entity. The federal, and local government funds.

Process Institutionalization
The steps needed to get acceptance for this process will be driven by the federal governments desire to remove the barrier that is associated with developing affordable housing facilities. Making this pre-siting apart of the comprehensive plan gives a homeless shelter siting legal backbone.

New Trends
The lands that are being pre-selected as sites for shelters will be paid for by the government and seized through the power of eminent domain. This process reclassifies homeless shelters as essential infrastructure rather than a LULU or NIMBY. The public trust doctrine states that certain elements of our society such as water and air are held in trust for our citizens by the state. I believe this doctrine is going to run side by side with the public welfare principle. There are two co-existing interest with trust lands, the first is jus publicum which is the public’s right to use and enjoy trust lands and jus privatum which is the private property owners right that may exist in the use and possession of trust lands. The taking issue lay in the states ability to convey the jus privatum to private owners, but this private interest is subservient to the public interest. The public trust doctrine can be used to justify a taking just as the public welfare or public health doctrine can be used. The reclassification of shelters and the federal government removal of the extensive regulations that delay build construction for years and increase the cost will in success in this process.

The Review Process
The mediation process is designed to bring experts to the so that these site selections will be the best possible sites. With federal direction in this process the states will have greater incentives to revamp the current process as funds for redevelopment from HUD are at stake as well as being in violation of federal regulations.
THE ALL BEGINS WITH A FEDERAL MANDATE TO HAVE SHELTERS IN THE COMP PROCESS.

The entire process will begin with a new federal initiative aimed at removing the barrier to affordable housing.

FEDERAL SUPERVISION (Each state is subject to federal review for funding)