

## **Proposal to the City of Portland**

### **Next Steps for Dignity Village: July 1 and beyond**

June 5, 2002

#### **I. INTRODUCTION**

Over the past 17 months, Dignity Village has steadily evolved and matured to become a uniquely cost-effective, yet very valuable, resource for addressing the homelessness crisis in Portland. Increasingly, social service agencies and public safety officers alike are referring homeless people to the village -- indeed, many more than the village can reasonably accommodate. This fact alone illustrates how important it is to the whole community that the village be allowed to continue making progress towards realizing its vision for creating a permanent sustainable urban living facility.

Dignity Village is grateful to the City and to Larson Legacy Foundation (which donated \$20,000 for rent to offset city costs) for being able to occupy the city-owned property at the Sunderland Yard leaf composting facility for the past 9 months. This has proven to be a period of relative stability and development, both internally and in terms of relations with the larger community. Unfortunately however, Dignity now faces yet another deadline to vacate its current location by July 1st. This proposal is designed to proactively address this impending deadline by proposing a cooperative strategy which we believe will work both for the city and for Dignity.

Below is a summary Dignity Village's development capacity and action plan for addressing the July 1 deadline, along with several requests to the City of Portland that we believe are necessary to insure that the plan is successfully implemented in the most timely manner possible.

#### **II. DIGNITY'S ACTION PLAN FOR SITING THE VILLAGE (July 1, 2002 - April 1, 2003)**

##### **A. Technical Capacity & Support Team:**

The Dignity Village Site Selection Committee has assembled a Technical Support Team to work alongside Village representatives to provide the necessary technical expertise needed to successfully site the Village. Most of those listed below have been working for over 6 months now to identify potential sites and follow up on leads. The people serving in this capacity include:

- Marc Jolin, Attorney - Oregon Law Center
- Eli Spevak, Affordable Housing Developer - Housing Development Center
- Mark Lakeman, Urban Redesigner - City Repair Project
- Renee France, Attorney - Ball Janik
- Tim Merrill, Architect - Merrill Architects
- Lee Larson, Larson Legacy Foundation
- Jack Tafari, Chairman - Dignity Village
- David Columbus, Realtor - Portland Properties, Inc.
- Kate Lore, Social Concerns Director - First Unitarian Church
- Frank McDonald, Real Estate Attorney - Ball Janik
- Ibrahim Mubarak, Secretary - Dignity Village
- Kristin Udvari, Land Use Attorney - Ball Janik
- Peter Fry, Land Use Consultant - Fry Consulting
- Tim McCarthy, Outreach Coordinator - Dignity Village
- Dana Krawczuk, Attorney - Ball Janik
- Jeff Maag, Environmental Specialist
- Gaye Reyes, Treasurer - Dignity Village
- John Hubbard, Community Organizer - Sisters Of The Road/street roots, inc.

**B. Ongoing site search process/criteria:**

The Site Selection/development Committee developed a set of criteria to guide the site search. Using these criteria, over the past 8 months, the Site Selection Committee has investigated over 40 potential sites (see attached list entitled “Sites Considered”). Each of these parcels was ultimately eliminated from consideration due to a fatal flaw (e.g. strong neighborhood opposition, unwilling sellers, etc). A number of other specific sites (both short-term and long-term) that are *not* on this list are still under active consideration by the Site Committee. The site criteria for the permanent site are:

- adequate size (at least 1.5 acres of level ground)
- environmentally sound (soil/water not contaminated, not prone to flooding, minimal wetlands, no endangered species, etc.)
- separation from existing residential homes
- zoning code compatibility/feasibility
- affordable price (\$300,000 - \$600,000 range)
- near the downtown core area (preferably within 2 miles of the core)
- on or very near a bus or transit line
- reasonably near basic retail outlets.
- aesthetics of the site/surroundings
- access for vehicles/wheelchairs/fire lane
- utility infrastructure reasonably nearby to minimize costs

These criteria change only slightly for shorter-term (18 month) sites, as some of the criteria (such

as proximity to downtown, esthetics, zoning, separation from existing homes, etc.) may not be as compelling for a temporary situation.

### **C. Plans for Addressing July 1 and Beyond - Time Line:**

There are currently two tracks (short-term and long-term) being followed related to planning for the July 1 deadline and siting the village into the future.

#### **Track I - Addressing July 1 deadline (short-term):**

- July 1 through Sept. 2002: The Village is requesting an extension of its stay at Sunderland composting facility from July 1 through September 30th, to allow time to identify an interim place to relocate for the next 18 months. If an interim site is identified sooner than expected, Dignity Village would be agreeable to moving sooner than September 30.
- Oct. 2002 - Apr. 2004: The village will relocate to private or public temporary site(s) for 18 months to allow for time needed to work with the City of Portland to resolve zoning/code barriers to permanent site occupancy (see Codes/zoning Issues section below for details).

#### **Track 2 - Acquisition of Perma-site (long term)**

- Feb. 28th, 2003: *Target date* for gaining site control (option/earnest money agreement) for a permanent site. Earnest money/option may provide for direct purchase by Dignity Village or for purchase by/through a third-party/donor.
- Oct. 1, 2003: *Target date* for acquisition (closing on purchase) of permanent site. Dignity plans to close the purchase of a site by no later than Oct. 1, 2003. If the city and the village have succeeded in addressing zoning/code issues by Oct. 1, then Dignity would seek permission to use/occupy the parcel on an “as of right” basis with semi-permanent structures at that time. If conditional use or other permits are still pending, or if some pre-occupancy work (such as grading, utility infrastructure, fencing, etc.) is required prior to occupancy, Dignity will aim to meet these requirements before April 1, 2004.
- Apr. 2004: *Target date* for occupancy of permanent site. Initial occupancy of the permanent site will use high quality semi-permanent or temporary/”recreational” structures (such as yurts, domes, etc.) for meeting and living spaces. From this stage of development, the Village will continue to incrementally develop the site in stages or phases, as funding allows, under appropriate permits from the City of Portland.

### **D. Community Involvement in the Siting Process:**

The Outreach Team has held informational meetings with over 10 neighborhood groups, initiated one neighborhood-wide meeting with mediators and public involvement specialists, sponsored a teach-in and numerous press conferences. Dignity remains committed to working with all interested members of the community to make sure that concerns are adequately addressed and the public is included in the siting process (please also see related section III, C “Neighborhood issues” below).

**E. Hiring a Community Organizer / Coordinator:**

The village had a paid full-time community organizer from July 1, 2001 until April 1, 2002. That person (John Hubbard) has since moved out of the area, and the village hopes to hire a replacement on a contract basis with any funds donated that are restricted to that purpose. At least one donor has indicated a possible interest in funding this position. Filling this position will provide the additional internal capacity needed to move this process forward in a timely manner. The target date for filling this position is July 1, 2002.

**III. SITING ISSUES ADDRESSED BY DIGNITY VILLAGE**

Successfully siting Dignity Village requires that multiple issues and obstacles be addressed simultaneously. These include zoning/code issues, structuring the land purchase, neighborhood issues, environmental issues, and advanced planning for the actual move. Each of these issues is addressed below:

**A. Zoning / Codes and Related Legal Issues:**

The Village and its supporters have worked very hard over the past months to lay the legal foundation for acquiring and lawfully occupying a permanent site. Recently, the Village took a significant step forward in this regard when the law firm Ball Janik agreed to represent it on a pro bono basis in its land acquisition and land use compliance efforts. With the help of this firm's skilled land use and real estate attorneys, the Village is aggressively pursuing various options that would ultimately permit it to lawfully occupy a privately owned site permanently. It is exploring possibilities for conforming to certain existing land use and building code standards, and the possibility of a legislative text amendment to the city zoning code.

At this time, the latter option appears to be the most promising. Oregon Revised Statute 446.265 authorizes municipalities to commit up to two parcels within their urban growth boundaries to "transitional housing campgrounds" for individuals who cannot otherwise locate housing. This land use category closely tracks the Village's long-term mission and -- if adopted into the city zoning code -- would create the best possibility of the Village obtaining the necessary permits to lawfully operate its camp. The Village's expectation is that, with cooperation from the City of Portland, it will be able to secure the necessary permits for lawful occupancy of a private site within 12 to 18 months. (Copy of full text of ORS 446.265 is included in attachments )

**B. Structuring a Land Purchase:**

The Village is pursuing a variety of creative strategies for securing an ownership interest in an appropriate private site. Options include purchasing a right of first refusal on a parcel, purchasing an option contingent on land use approval, having benefactors and donors purchase property outright and grant the Village a long-term option to buy the land, and a straight purchase by the Village. All but the first option (the least desirable) will ensure that if the Village is able to maintain its organizational capacity during the transition period and raise the necessary funds, it is assured

of having a permanent place to settle at the time that it receives land use approval. Which of the acquisition alternatives the Village chooses will depend, in part, on the outcome of pending grant proposals, ongoing discussions with potential benefactors, and several upcoming fundraising initiatives.

At this time, the Village is focusing its efforts on finding a property owner who will grant the Village an extended-term option to purchase. For a variety of reasons, this appears to be the Village's best option.

### **C. Neighborhood issues:**

While at Sunderland, Dignity's Neighborhood Outreach Team has made formal presentations to more than 10 neighborhood groups and/or boards of directors. These meetings have tended to focus on neighborhoods closer in to the downtown core. The most common questions and concerns of those neighborhoods are noted below, along with the answers/responses provided (*in italics*).

**Q1.** How many people live at Dignity Village?

*A: Dignity is mandated by the city to have no more than 60 contracted members. (see Q6 below for details of Admittance Agreement/contract). Occasionally, Dignity also hosts a few visitors or guests, but typically no more than 4-6 at any one time.*

**Q2.** Where does the money come from to support the Village?

*A: Financial support comes from individuals and private foundations. Dignity receives many smaller donations of \$50 - \$500 on a regular basis from individual supporters. Larger amounts of \$600 - \$15,000 have been received from a variety of sources, including OSPIRG, Larson Legacy Foundation, War Tax Resisters League, Don and Chrissy Washburn, and First Unitarian Church.*

**Q3.** What about the zoning laws?

*A: We have a team of attorneys and land use planners working on ensuring that the Village is able to comply with zoning and building code requirements. Oregon law permits cities to create transitional housing encampments on (up to two) parcels within their urban growth boundaries. We are encouraging the City to exercise its authority under this state law.*

**Q4.** Does anyone at the village have jobs outside the village?

*A: Work is a regular part of life at Dignity. There are at least 5 residents working at Saturday Market regularly, and at least 10 others working part-time at various places. 10-12 villagers are also now working at DigsVille Farm. To date, over 150 former residents have found employment and moved away from the village into conventional housing.*

**Q5.** What about the people you kick out of the village? Where do they go? What happens if they stay in our neighborhoods?

*A: Dignity Village intends to enter into a Good Neighbor Agreement with its neighborhood to*

*proactively address such issues. The village has always maintained good relations with its neighbors and with the police precincts in which it has located. Specifically, Dignity's Security Team is prepared to work closely with local Neighborhood Watch programs and inform them of any unwanted or suspicious people in the area.*

**Q6.** What about drugs and alcohol ?

*A: In our admittance agreement we have five basic rules: 1) No violence to self or others, 2) No alcohol or illegal substances on the premises, 3) No theft, 4) Everyone must contribute to the well-being of the village, 5) No constant disruptive behavior. Breaking any of these rules is grounds to be removed from the village.*

**Q7.** What about theft and property crimes?

*A: Within the context of our Good Neighbor Agreements, Dignity's Security Team would work closely with the Neighborhood Watch to regularly patrol the neighborhood to help prevent such crimes. The Outreach Team would also participate actively in the neighborhood associations to insure that there is good communication and coordination of our efforts.*

#### **D. Environmental issues:**

In it's "perma-site" configuration, Dignity Village could potentially be a working model for a new type of truly sustainable, high density and mixed use, organically developing urban village model. If developed according to Dignity Villages wishes, the village would enhance Portland's reputation as being the most green city in America. Dignity Village hopes to become a demonstration site for solar and wind power, permaculture, environmental restoration, stormwater and greywater reuse and innovative use of recycled materials and alternative building techniques for construction. Dignity Village already leads the City in creative use of recycled building materials in its construction, as supervised by professional architects such as Mark Lakeman and Tim Merrill, and recently testing has begun on a small windmill to supply some electricity to the village.

Dignity Village has been very active in environmental education, particularly at the Sunderland site, including working with students from the Environmental Middle School and Americorps volunteers on the garden projects. Additionally Dignity Village has maintained a recycling program on site since it's inception.

Dignity has retained the pro-bono services of several well known local environmental visionaries, a professional environmental consultant, a geotechnical engineer, and several professional architects. These professionals have assisted Dignity Village in some technical matters associated with site selection to ensure that the site selection is being done in the accepted professional manner that would be expected by the City with any development project, including a coordinated public involvement effort.

Dignity Village is committed to becoming a leader in sustainable, ecologically visionary development in Portland and across the United States.

### **E. Planning for the Move: Dignity’s Transition Team**

With so many common areas built, a bus, a semi-portable shower unit, and all the individual structures and belongings that have accumulated at Sunderland, the village’s next move is obviously going to involve a lot more than simply another “shopping cart parade”. Just in terms of volume and logistics, this move promises to be much more challenging than any move in the past. To address this, Dignity Village has convened a Transition Team -- including several villagers and a number of supporters -- who have already begun organizing and planning for the move. The Team’s priority is a safe and well-organized move that retains a spirit of unity and keeps the village together, wherever they go next.

## **IV. DIGNITY’S FRIENDS, PARTNERS & SUPPORT BASE**

In addition to others specifically noted elsewhere, the following organizations and individuals all play an important role in the ongoing success of Dignity Village. Apologies to anyone who may have been inadvertently omitted, as the Village receives so much diverse and varied support from the community that it has been a challenge to keep track of everyone. Sincere thanks to everyone (mentioned or not) for their important contributions of skills, funding, prayers, and in-kind assistance.

- Sisters Of The Road Cafe, Inc.
- Legal Aid Services of Oregon
- Larson Legacy Foundation
- Tim Merrill, Architect
- JOIN - A Center for Involvement
- Stumptown Coffee Roasters
- Oregon Food Bank
- Sustainable Communities NW
- Portland Nursery
- Ecumenical Ministries of Oregon
- Rose City Awning Co.
- Oregon Sustainable Agricultural Land Trust (OSALT)
- OSPIRG
- Northwest Medical Teams
- Washington State University
- Lee and Kathy Larson
- Rear-Guard (PSU)
- Crossroads Organizing Project
- Community Alliance of Tenants (CAT)
- KBOO Community Radio
- Oregon Law Center
- City Repair Project
- Don and Chrissy Washburn
- William Temple House
- Friendly House
- Northwest Waste Management
- War Tax Resisters League
- *street roots, inc.*
- Rebuilding Center
- City of Portland
- Jobs with Justice
- First United Methodist Church
- First Unitarian Church of Portland
- Radical Cheerleaders
- Environmental Middle School
- Kwamba Productions Inc.
- Interstate Alliance to End Displacement
- Americorps volunteers
- Germundson & Nuttall, LLP
- Neighborhood Health Clinics, Inc.

Please note that there are also an estimated 360 signatures on attached petitions, by individuals from the larger community and many faith-based supporters who signed in support of this proposal. Signatories include many pastors, priests and other religious leaders in the community.

## **V. REQUESTED ACTIONS BY THE CITY OF PORTLAND**

The city requested that Dignity submit a written proposal for how it plans to deal with the July 1 deadline at Sunderland, and how it intends to accomplish its long-term goals of obtaining and developing a permanent site. Our response to this request appears in above sections. The city also asked Dignity to identify specific and reasonable actions that the city could take that are necessary to the success of Dignity's strategy. In response to that request, Dignity asks that the City take the following 4 actions:

### **A. Extension at Sunderland:**

Dignity requests that the city grant a 2-month extension for the village to remain at Sunderland from July 1 - Sept. 30. This would allow time needed to find another temporary site (or sites) for next 12-18 months. A number of potential temporary sites are now under active consideration; and the village's Site Selection Team is hopeful that this extension will provide adequate time to secure one of these sites.

### **B. Adoption of amendment to zoning codes**

Dignity requests that the appropriate City Commissioners and bureaus work with Dignity's legal council to expedite the adoption of the authority granted by Oregon Revised Statute 446.265, or to propose an alternate strategy that all parties agree would accomplish the same ends.

### **C. Fee waivers for development-related applications, permits, etc.**

Dignity Village requests that the city grant fee waivers (for SDC's, building permits, rezoning applications, conditional use permits, etc.) for development or pre-development activity related to Dignity's acquisition/development of its permanent site. This request is for the same waivers that are granted to other non-profits addressing homelessness and/or developing housing affordable to people in the 0-30% of median income range.

### **D. Access to another publicly-owned site during 18 month interim period**

Dignity requests that the city extend *temporary* access for the interim 18 months (Oct. 2002 - Apr. 2003) to another publicly-owned site that is underutilized, undeveloped, and substantially meets the site selection criteria.

### **ATTACHMENTS:**

- 1) "Sites Considered" list of over 40 sites investigated by the Site Selection Committee, but which proved unworkable for one reason or another. Ownership and "fatal flaws" for each are noted.
- 2) Copy of Oregon Revised Statute 446.265, Transitional housing accommodations; regulation and



limitations; definition

- 3) Petitions of support from community
- 4) Petitions of support from faith-based community

COMPANION DOCUMENT

June 5, 2002 Report to the City of Portland, *Successes at Sunderland*