

Temporary Encampment Workshop and Study Report

Prepared for:

Washington Chapter of the American Planning Association

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TABLE OF CONTENTS

List of contributors1

Introduction.....3

 Nabil Kamel – Associate Professor, Western Washington University

Homeless Crisis Response Systems4

 Kayla Schott Bresler – Assistant Director, Skagit County Health Department

Planning for Temporary Encampments5

 Oskar Rey – Legal Consultant, Municipal Service and Research Center (MSRC)

Temporary Encampments in Bellingham.....7

 Lisa Pool, AICP – Senior Planner, City of Bellingham

Tiny House Villages - A Crisis Solution to Homelessness9

 Sharon Lee – Executive Director, Low Income Housing Institute

 Brad Gerber – Tiny House Special Projects Manager, Low Income Housing Institute

Olympia’s Approach to Temporary Interim Housing.....11

 Amy Buckler – Downtown Programs Manager, City of Olympia & Colin DeForrest – Homeless Response
 Coordinator, City of Olympia

City of Everett Permanent and Permanent Interim Housing.....13

 Rebecca McCrary – Housing and Community Development Director, City of Everett

Permanent Supportive Housing.....14

 Sharon Lee – Executive Director, Low-Income Housing Institute

Exercise Summary.....15

Conclusion and Epilogue.....17

 Nabil Kamel – Associate Professor, Western Washington University

Endnotes.....25

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(in alphabetical order)

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Amy Buckler holds a Master in Public Administration from The Evergreen State College. Currently Amy is the Downtown Programs Manager with the City of Olympia. Her team is engaged in coordinating Olympia's Downtown Strategy, implementing vibrancy projects, parking strategies and the City's response to homelessness. Amy is currently staffing a process to develop a community-led homeless response plan, which will determine how the City along with regional partners will respond long-term to homelessness and its impacts. Amy believes in civic engagement and the value it brings to local governance. She is the former staff liaison to the Olympia Planning Commission and Parking & Business Improvement Area Board (made up of downtown business owners).

Nabil Kamel, Associate Professor of Environmental Studies | Western Washington University

Dr. Nabil Kamel earned a Ph.D. in urban and regional planning from UCLA where he was affiliated with the Institute of Transportation Studies, North American Integration and Development Center (NAID), the Lewis Center for Regional Policy Studies, the Anderson Forecast, and other leading research and policy centers. He taught at UCLA and ASU prior to joining WWU in 2015. Dr. Kamel's academic interests address issues of social and environmental justice, uneven urban development, and urban informality. As a professional consultant, his areas of expertise include housing and community development, urban design, regional and international development, and long-term post-disaster recovery planning.

Sharon Lee, Executive Director | Low Income Housing Institute (LIHI)

Sharon Lee is the founding (1991) Executive Director of the Low Income Housing Institute (LIHI), a non-profit organization based in Seattle. LIHI develops and operates housing for low-income and homeless people, and provides a range of supportive service programs to assist tenants in maintaining stable housing and increasing self-sufficiency. Sharon oversees a staff of 248 engaged in housing development, management, advocacy and supportive services. LIHI staff has developed over 4,000 units of rental and homeownership housing in Washington State, including transitional, permanent, and housing first. LIHI owns 2,400 units serving individuals, families, seniors, homeless people and those with special needs. LIHI sponsors and operates 12 tiny house villages and operates 3 Urban Rest Stops to meet the hygiene needs of homeless people. LIHI is a leader in developing green affordable housing. Lee holds a Master of Architecture and a Master of City Planning from M.I.T. and a B.A. with honors from the University of Pennsylvania. LIHI's housing has won numerous national and local awards for design excellence and environmental sustainability.

Rebecca "Becky" McCrary, Housing and Community Development Program Manager | City of Everett

Becky has worked on housing policy issues for over 20 years both as a senior planner at the City of Woodinville, Snohomish County, and as Planning Director for the City of Lake Stevens. She co-led the creation of the Alliance for Housing Affordability, a consortium of Snohomish County, 11 cities, and the Housing Authority of Snohomish County to collaborate on housing issues. This year was the Alliance's first year establishing a housing trust fund to provide contributions to affordable housing projects. Becky currently works for the City of Everett as the Housing and Community Development Program Manager facilitating the City's Community Development Block Grant, HOME Investment Partnership funds, and Human Needs Grant funding for the Community. She also represents the City in several regional affordable housing and homelessness solution efforts.

Lisa Pool, AICP, Senior Planner | City of Bellingham

Lisa Pool, AICP, is a Senior Planner with the City of Bellingham. Lisa's 15-year planning career has included development review, design review, code changes and long-range planning at the city, county and regional levels. Most recently, she developed regulations for temporary shelters and processed the city's first two temporary tent encampment permits under the new regulations. She is also drafting new regulations for interim housing. She holds a Bachelor of Arts in environmental policy and a Master of Urban Planning, both from the University of Kansas in Lawrence, Kansas.

Oskar Rey, Legal Consultant | Municipal Research and Service Center (MRSC)

Oskar Rey has been a Legal Consultant at MRSC since 2016. Oskar has practiced municipal law since 1995 and served as Assistant City Attorney for the City of Kirkland from 2005 to 2016, where he worked on a wide range of municipal topics, including land use, public records, and public works. Oskar is a life-long resident of Washington and graduated from the University of Washington School of Law in 1992.

Kayla Schott-Bresler, Assistant Director | Skagit County Public Health Department

Kayla Schott-Bresler is the Assistant Director of Skagit County Public Health. Previously, Kayla managed the Housing & Community Services programs for Skagit County, including oversight of homeless system design and funding. Prior to coming to Skagit County, she was the Policy Manager at the Housing Development Consortium, the lead affordable housing advocacy organization in King County. Kayla holds a Master's degree in History from the University of Washington and a Bachelors from Occidental College.

Rick Sepler, AICP, Planning and Community Development Director | City of Bellingham

Rick Sepler is currently the Planning and Community Development Director for the City of Bellingham, Washington. As Bellingham's Director, he supervises a staff of 45. Prior to joining Bellingham in November 2015, he was the Community Services Director for the City of Port Townsend, Washington, a position he held for 8 years. Concurrent with his position as Planning Director for Bellingham, Mr. Sepler is also an Affiliate Faculty member of the Department of Urban Design and Planning at the University of Washington, where he has taught courses on comprehensive and site planning and subdivision design. Rick is the current President of the Washington Chapter of the American Planning Association.

INTRODUCTION

NABIL KAMEL – ASSOCIATE PROFESSOR, WESTERN WASHINGTON UNIVERSITY

This report provides an overview of presentations and activities during the “Temporary Encampment Workshop” that took place at Western Washington University (WWU) on May 10, 2019, from 9:00 am to 4:00 pm. The workshop was sponsored by the Washington Chapter of the American Planning Association WA APA, the City of Bellingham (CoB), Municipal Research and Services Center (MRSC), and Western Washington University. I wish to personally acknowledge the City of Bellingham Planning and Community Development Department Director, Rick Sepler, and Senior Planner, Lisa Pool, for giving Western Washington University (WWU) the opportunity to join their efforts and address the needs of the unsheltered population in the state of Washington. I also wish to recognize Huxley College staff, in particular Ed Weber, the college graduate program and internship coordinator, for managing the logistics of the workshop.

The workshop started by acknowledging that the gathering took place on the ancestral homelands of the Coast Salish Peoples, who have lived in the Salish Sea basin, throughout the San Juan Islands and the North Cascades watershed, from time immemorial; and by expressing the deepest respect and gratitude for the indigenous neighbors, the Lummi Nation and Nooksack Tribe, for their enduring care and protection of our shared lands and waterways.

This workshop was one of multiple and ongoing collaborative activities between the City of Bellingham, WWU, and advocacy groups. Preparations started in summer 2018 with research, meetings, and recruiting that continued into fall 2018. Winter 2019 activities included recruiting six students for internships with the City of Bellingham to conduct research and synthesize lessons from across the nation, as well as preparation, scheduling, and organizing the workshop in May 2019.

Workshop activities brought together professionals, advocates, and public officials who shared their experiences with over 80 attendees and participants that included other public officials, organizers, community members, as well as WWU faculty and students. The workshop was organized in two parts. The first part included speakers and presentations, followed by questions and comments from the audience. The second part consisted of an applied exercise identifying opportunities to better serve the unsheltered and explore effective, innovative practices.

The workshop was a particularly rich learning experience for WWU students, many of whom are involved with local organizations and advocacy groups, while continuing to pursue research, service, and internships. This report was made possible by the contribution of Landon Jackson, a senior in the Urban Planning program at WWU, who interned with the CoB to produce this report. This report is prepared for public dissemination through WA APA, CoB, and other participants.

The contents of this report are organized to reflect the activities of the workshop in the order they were carried out. The various sections provide summaries of the presentations made during the workshop and the concluding brainstorming exercise. A concerted effort was made to remain faithful to the arguments presented. Video recordings of the workshop presentations are available online at:

www.washington-apa.org/2019-workshop-planning-for-temporary-encampments

Opinions contained therein are those expressed by the speakers.

HOMELESS CRISIS RESPONSE SYSTEMS

KAYLA SCHOTT BRESLER – ASSISTANT DIRECTOR, SKAGIT COUNTY HEALTH DEPARTMENT

This section details how counties in Washington collaborate with the state and local governments to provide crisis responses to shelter people experiencing homelessness. Implementation of these response systems, local homeless housing programs, and financial resources available to counties are covered as well.

LOCAL HOMELESS HOUSING PLANS

Every county in Washington must produce and regularly update a Local Homeless Housing Plan (LHHP), with the goal of making homelessness rare, brief, and one time. Plans are reviewed by the Washington State Department of Commerce and set the goals and priorities for the use of local and state homelessness assistance dollars. Money received may be spent on a wide range of shelter, housing, and supportive services activities aimed at preventing and addressing homelessness. Plans operate on a five-year update cycle.

Department of Commerce local plan guidelines include:

- 1) Quickly identify and engage people experiencing homelessness.
- 2) Prioritize housing for people with the highest needs.
- 3) Move people into permanent housing through crisis response.
- 4) Address racial disparities and focus on actions, partnerships, and success measures.

These plans do not typically address issues such as trash accumulation and informal encampments. Rather, the plans are aimed at bringing people into permanent housing and indoor shelter.

CRISIS RESPONSE SYSTEMS

Skagit County has successfully shifted toward a “coordinated entry” program that targets the most vulnerable unsheltered population. Skagit’s system functions to “divert” people from entering the system and attempts to address people in crisis in a timely manner.

Though Skagit County acknowledges that actions to relieve suffering for people experiencing homelessness are important, building permanent housing remains the primary focus of its efforts. Other humanitarian programs complement county efforts and provide safe storage, bathrooms, parking, hygiene facilities, and alternative shelter models. These measures alleviate suffering and improve the quality of life for those living on the streets.

Funding for homeless housing and services comes from various sources. The Department of Commerce contracts with counties for specific activities outlined in the LHHP, while the county’s local funds are often distributed to nonprofits to provide housing, shelter, and case management. Additional resources available to counties include real-estate excise funds, behavioral health sales tax, veteran’s assistance funds, and voter approved levies¹.

Washington counties may have plans to address homelessness. Many lack the budget, however, to subsidize affordable permanent housing or supportive services. There is also the structural issue of a general lack of affordable housing units to meet demand. An environment that supports ending homelessness needs to provide for affordable housing, community education and advocacy, and support for siting shelters.

PLANNING FOR TEMPORARY ENCAMPMENTS

OSKAR REY – LEGAL CONSULTANT, MUNICIPAL SERVICE AND RESEARCH CENTER (MSRC)

This section details the legal groundwork for enforcement ordinances adopted by cities in Washington. It also provides background information on the legal basis for regulating encampments considering recent case law.

ANTI-CAMPING AND SIT/LIE ORDINANCES

Martin v. Boise (2018)¹ is a recent United States Court of Appeals for the Ninth Circuit decision in a civil rights action brought by homeless individuals against the City of Boise. The case applied the Eighth Amendment’s cruel and unusual punishment clause to enforcement of public camping ordinances. The court ruled in favor of the plaintiffs and established a precedent for how cities may enforce ordinances. The court found that the cruel and unusual punishment clause of the Eighth Amendment places substantive limits on what the government may criminalize. The state may not “punish an involuntary act or condition if it is the unavoidable consequence of one’s status or being.”² While a city is not required to provide adequate shelter for the homeless, there must be adequate shelter space available if city-wide ordinances are to be enforced. However, “conditional ordinances” that prohibit sitting, lying, or sleeping outside at certain times and/or in certain locations may be permissible. If there are certain sections or areas of the city that one could alternatively sleep in, or if there is available shelter space, an ordinance may prohibit right-of-way obstruction or the erection of certain types of structures for shelter. The case does not apply to individuals who do have access to shelter but choose not to use it.

LESSONS

LEGAL: Cities may not enforce ordinances that prohibit sleeping or camping on a city-wide basis under *Martin v. Boise* if no shelter space is available. Enforcement may be permissible if alternate areas for sleeping or camping are available. Clarity is important when crafting enforcement ordinances. An ordinance should regulate a place, and not the condition of being homeless. In order to enforce city-wide anti-camping or sleeping ordinances, cities must show that they have available shelter space. To do this, cities have the option of establishing a system for tracking shelter space availability. A tracking system would require ongoing efforts since the number of shelter beds and the homeless population will fluctuate over time. Counts would have to be updated in real time, which is challenging logistically. Additionally, shelters operated by religious organizations cannot require participation in religious activity or instruction as a prerequisite to receive shelter.

UNOFFICIAL ENCAMPMENTS: In clearing encampments, municipalities must meet certain due process requirements regarding seized property³. Unattended property does not necessarily mean it is abandoned. A municipality also may not summarily remove the property of a homeless person without notice and an opportunity to be heard. A municipality may not summarily destroy seized property. Seized property should be maintained in a secure location for a certain period; 60 days is common. Unattended belongings left in public space by homeless individuals often contain important documents, keepsakes, or other valuables. Confiscation of these belongings can be devastating to the individual and prolong homelessness. A recent Washington Court of Appeals case⁴ found that tents and shelters on public property are also protected from unreasonable searches under the state constitution. The court found that the search of a homeless person’s shelter required a search warrant under article I, section 7 of the Washington constitution.

¹ *Martin v. City of Boise*, 902 F.3d 1031, 1035 (9th Cir. 2018), amended by 920 F.3d 584.

² Holding, *Martin v. City of Boise*, 902 F.3d 1031, 1035 (9th Cir. 2018), amended by 920 F.3d 584.

³ *Lavan v. City of Los Angeles*, 693 F.3d 1022 (9th Cir. 2012).

⁴ *State v. Pippin*, 200 Wn. App. 826, 403 P.3d 907 (2017).

REGULATED ENCAMPMENTS AND TENT CITIES: The WA legislature passed statutes authorizing regulated temporary encampments in 2010. This legislation allows religious organizations to provide shelter to homeless persons, as it is a component of religious ministry. Local regulations must be necessary to protect public health and safety and must not substantially burden the decisions or actions of a religious organization. Any permit fees must be limited to the actual cost of the review and approval of the permit applications. When temporary encampments are operated by religious organizations, they are protected by federal law⁵. A municipality may impose some regulations, such as zoning provisions, but they need to relate to health and safety, and cannot unduly burden religious exercise. In the case of non-religious organizations hosting encampments, local government has greater discretion to regulate. Nonprofits do not hold the same legal status as religious organizations. As such, traditional zoning principles apply to nonprofits, and local governments have more latitude to regulate whether and where such a use would take place and what conditions could be imposed.

SAFE PARKING PROGRAMS: Safe parking programs allow individuals living in vehicles to park in off-street parking lots. Such programs are often provided by religious organizations as part of their efforts to help those in need. Municipalities may regulate safe parking programs to protect public health and safety and should ensure that conditions imposed do not substantially interfere with religious exercise.

PERMANENT FACILITIES AND THE BUILDING CODE: By their nature, a temporary use may be exempt from building codes that apply to permanent structures. Providing shelter on a permanent basis may require building code compliance in a way that would not apply to a temporary useⁱⁱ. This allows for a limited exemption for certain types of existing structures.

DISCUSSION

Topics of discussion included when tenant laws could apply to encampments, to what extent seizure case law applies to certain entities, and the types of sanctions that the *Martin v. Boise* case dealt with. In the case of trespassing residents of regulated encampments, Washington tenant laws may apply, though it likely depends on the duration of stay and services provided. There may be some ways to avoid tenant status, but it is unclear. To the extent that seizure case law applies, it only covers government entities, and not on-site managers or nonprofit organizations. The constitutional prohibition on seizures may not apply if the seizure is not a governmental action (but there may be other legal consequences if property is seized by non-government entities). *Martin v. Boise* only applied to criminal sanctions. Civil citations are not addressed by the case.

⁵ Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) 42 U.S.C. 2000(cc).

TEMPORARY ENCAMPMENTS IN BELLINGHAM

LISA POOL, AICP – SENIOR PLANNER, CITY OF BELLINGHAM

In the fall of 2018, the City of Bellingham began issuing temporary shelter permits as a response to a rise in homelessness counts both in the city and in Whatcom County. This is a Type II permit that allows encampments to occur on private or public properties. The permit covers four types of temporary shelters: building encampments, safe parking areas, tent encampments, and tiny home encampments. To be approved, all temporary shelter permits need to include a sponsor and managing agency, which can be religious institutions, nonprofit organizations, or government entities. The approval of these permits is an administrative decision made by the planning director.

REGULATIONS FOR ALLOWED TYPES OF TEMPORARY SHELTERS

TEMPORARY BUILDING ENCAMPMENT REGULATIONS: These encampments allow for a conversion of a building. Zoning restrictions apply for encampments on land owned or controlled by nonprofits and government entities. However, restrictions do not apply to religious institutions. No more than 300 people city-wide may occupy temporary building encampments. The permit may be approved for up to five years, a longer period than the other types discussed. All functions, including outdoor waiting, must take place in the building or site. The site also must be open at all hours to limit outdoor waiting and prevent crowding in the vicinity.

In the case of the drop-in center, the City issued an exemption from the building code for five years, per state legislationⁱⁱⁱ. This provision was part of a larger effort by the state to incentivize the construction or conversion of buildings into temporary building encampments. While this may be a more consistent form of temporary emergency housing, the City does acknowledge that this use is not ideal for this building in the long term.

TEMPORARY TENT ENCAMPMENT REGULATIONS: This encampment type expires after 90 days, underscoring the temporary nature of the site, though an additional 90-day extension may be allowed if it is approved by the planning department. A temporary encampment allows for a maximum of 100 people on-site, though this regulation is based within the context of the site. A determination on the number of residents allowed is made in the planning stages of the encampment. The permit requires a suite of health and safety provisions. These include: restrooms, no open flames, fire extinguishers, a designated smoking area, a code of conduct that includes no alcohol or illegal drugs, fence with gates to control access, resident list checked by police department for those with active felony warrants, a 24-hour accessible point of contact, and on-site supervision. This encampment type is considered high-barrier. This means that there are more barriers to entry than other types of encampments. They are not self-managed, and a governmental, religious, or nonprofit agency must assume managing responsibility.

TEMPORARY TINY HOME ENCAMPMENT REGULATIONS: The 100 people per site maximum occupancy restriction applies to this encampment type as well. This type may be approved for between 90 days and two years. There are additional safety measures for tiny homes, mostly tailored to meet building fire codes. Due to their square footage, these tiny homes are not considered a dwelling unit, and thus do not require a building permit.

TEMPORARY SAFE PARKING AREA: This type of shelter is intended to provide safe, temporary off-street parking areas for people living in their vehicles. The same 100-person maximum occupancy restriction and 90-day timeframe as the tent encampment and tiny home encampment apply. They have the same health and safety provisions as other temporary shelters. No RVs are allowed, however, as they were determined to pose different considerations than other vehicle types.

BELLINGHAM TEST CASES

WINTER HAVEN: Issued in January 2019, this was the first permit for a temporary tent encampment in Bellingham. The encampment was located in the parking lot of City Hall and chosen because it was well served by transit and social services. There was little neighborhood opposition as the site was in a primarily civic area. The encampment was managed by HomesNow, a local nonprofit organization. The encampment consisted of 18 tents that housed between 18-20 residents at a time. On-site amenities included a kitchen, dining area, shower truck, garbage, recycling, toilets, storage, heaters, and a small RV unit for the on-site manager. However, tents proved to be inadequate in harsh weather. A winter storm hit Bellingham in February and tents did not provide sufficient warmth. Private donors stepped in to provide hotel accommodations for residents. Throughout the duration of the encampment, there was an observed decrease in criminal activity in the area. The encampment permit lasted until March 2019, and the City began looking for other encampment sites to continue service in the winter of 2019.

SAFE HAVEN: In February 2019, the City of Bellingham issued a permit for a second temporary tent encampment. This encampment was located in the parking lot of the Whatcom 911 dispatch center in the Sunnyland neighborhood. Also managed by HomesNow, the site had similar amenities and management to the Winter Haven encampment. Some neighborhood opposition occurred in the planning stages of this encampment, though no major complaints were filed throughout the duration of the encampment. Later, the permit was amended to include tiny homes at this site. The City took the lessons from Winter Haven that something more durable and comfortable is necessary during the winter.

LIGHTHOUSE MISSION MINISTRIES' DROP-IN CENTER, TEMPORARY BUILDING ENCAMPMENT: In 2018, the City issued permit for a low-barrier temporary building encampment. In addition to basic shelter for up to 70 people, the Mission provides access to counseling, health services, legal services, and meals. The encampment permit was appealed by a nearby business owner who documented adverse impacts on their business from the encampment. The city was successful in upholding the permit. This was because the city was able to demonstrate that the conditions included in the permit were able to mitigate the impacts caused by the encampment and were able to ensure the safety of those impacted by it.

CHALLENGES

Main challenges faced by the City of Bellingham in providing temporary shelters and encampments were related to public process and the logistical issues of implementing temporary encampment programs. Neighborhoods often approve the permits in concept only, and NIMBYism becomes a prevalent issue as implementation gets closer. This brings up the question of the extent of public participation during an emergency. Site planning can also prove to be very difficult, as different locations present different challenges. Securing amenities that uphold the dignity of residents beyond basic shelter at these sites is another difficult problem. Temporary encampment permits require significant planning staff time and communication with managing agencies to ensure encampments are meeting permit conditions. Particularly for Safe Haven, effort was put on the reputation of a positive relationship in early encampments to build upon for future permits.

DISCUSSION

Questions arose concerning the use of a managing agency for encampments. In the case of residents being trespassed because of breaches to the code of conduct, HomesNow tried to find other arrangements and connect these individuals with other services. Another challenge concerned the entry practices at the sites. Coordinated entry, such as the centralized intake program that Whatcom County uses, must serve the most vulnerable first. As such, there is somewhat of an issue with managing agencies handling intake outside of coordinated entry. For example, HomesNow has an incentive not to serve the most vulnerable and choose residents most likely to succeed in order to bolster its program outcomes.

TINY HOUSE VILLAGES - A CRISIS SOLUTION TO HOMELESSNESS

SHARON LEE – EXECUTIVE DIRECTOR, LOW INCOME HOUSING INSTITUTE

BRAD GERBER – TINY HOUSE SPECIAL PROJECTS MANAGER, LOW INCOME HOUSING INSTITUTE

Tiny house villages constitute the majority of LIHI's efforts. LIHI has constructed 12 encampments around the greater Seattle area, and operates them all. The process of constructing and implementing each village has been improving by learning from each experience.

THE NEED FOR TINY HOUSES

The Tiny House Program evolved as a more durable way of providing basic shelter than tents, which are inadequate for shelter in terms of overall security and protection from inclement weather. Tiny houses also provide for increased privacy compared to large shelters. The goal of the Tiny House Program is to serve the range of people who face barriers to accessing shelter.

LIHI believes that tiny house villages are needed due to the severe lack of shelters and affordable housing in the Seattle area. Moreover, traditional shelters can pose barriers and may not serve the needs of special population groups, such as families below middle income, LGBTQ+ individuals, couples, LGBTQ+ couples with children, immigrant and refugee households, undocumented households, single men with children, people with pets, and people with warrants. There is also a lack of trust in shelters among homeless populations, mainly because of safety concerns and theft.

CONSTRUCTION

LIHI's tiny houses are about 8 feet by 12 feet in size. Because they are built on skids, they are easily transportable on flatbed trucks, and can be moved without a forklift. This allows the units to be constructed offsite and easily transported to the desired site. The building materials for a single unit cost about twenty-seven hundred dollars, and everything can be bought at a home improvement store such as Home Depot and delivered within four days. They are meant to take about three days to build, with a journey-level carpenter being able to finish a unit in about 24 work-hours. The design of the units encourages creativity and can be modified easily. The tiny houses often look professionally made, and some have won awards for their designs.

The construction of LIHI's tiny homes are unique in that they are built almost solely through community partnerships. The units were designed with the idea that partnering with apprenticeship and trade programs, students can learn hands-on skills while constructing affordable shelters. LIHI has partnered with schools, faith-based groups, corporations, construction companies, and individual groups to build tiny houses. LIHI also published a Tiny House assembly instruction packet to make it easy for anyone to organize and construct tiny houses.

OPERATION OF LIHI'S TINY HOUSE VILLAGES

While some of the villages are managed by LIHI staff, others are self-managed. In the self-managed villages, residents hold weekly meetings and vote on decisions and issues. The villages have a strict code of conduct, which includes enforcement of sobriety and non-violence. Each village features security workers and daily litter patrols. Where LIHI offers case management, it can help prioritize people moving into LIHI's permanent housing program. Additional services such as employment search, daycare, bus passes, and basic food are also offered.

OUTCOMES

Over the course of a year, about 1,000 individuals are served by LIHI's tiny house villages, with thousands of others in permanent low-income housing at other LIHI buildings. Tiny house villages are more effective than other types of shelter, and a relatively high percentage of their residents move to permanent housing (34%), to transitional housing (42%), or are reunited with family and friends. These rates translate into direct point-in-time count reductions.

LESSONS

Tiny homes are an interim solution and enhancement from the traditional shelter system and provide a pathway toward permanent housing. They provide a safe and durable alternative to tent encampments and offer shelter to those who cannot access traditional shelters. LIHI's model also increases participation and community engagement.

DISCUSSION

In response to questions about why there are better exit outcomes in LIHI's tiny house villages than traditional shelters, LIHI provided several explanations. For example, shelters do not always have case management. Case management in tiny house villages contributes significantly to moving people into more permanent housing. Though shelters typically serve the most difficult populations to move to permanent housing, some tiny house village residents scored the highest in the coordinated entry and were considered among the most vulnerable. LIHI considers "Coordinated Entry" in King County to be an inadequate system and chose not to use it to select residents.

OLYMPIA'S APPROACH TO TEMPORARY INTERIM HOUSING

AMY BUCKLER – DOWNTOWN PROGRAMS MANAGER, CITY OF OLYMPIA &
COLIN DEFORREST – HOMELESS RESPONSE COORDINATOR, CITY OF OLYMPIA

On July 17, 2018, the City of Olympia made a declaration of Public Health Emergency amidst growing homelessness. At the time, there were 320 unsheltered in downtown Olympia within a three-block radius, and hundreds more adults and children unsheltered in Thurston County. Rising concern over these numbers led the City to pursue mitigation actions.

DECLARATION OF EMERGENCY

This was a policy strategy to help the City take tactical steps toward addressing homelessness. It not only provided a factual basis for public health emergencies, but also enabled the City to act quickly. This action also allowed the City to defer tax dollars toward emergency spending, expedite bidding and contracting, and exempt State Environmental Policy Act for encampment sites.

EMERGENCY HOUSING FACILITIES ORDINANCE, OMC 18.50

This ordinance establishes temporary use permits that allow faith-based, nonprofit, and government entities to host temporary housing facilities for homeless individuals on sites they own or control. These encampments may either take the form of tents or small structures. They are valid for one year and can be extended for up to two years. Entities may reapply after extensions expire.

Permit requirements include upholding the health and safety of the encampments, mostly in terms of fire codes and hygiene standards. Encampments under this permit require 'reasonable and legal' steps to obtain a verifiable identification (ID). These IDs are used to conduct background checks for sex offenders and felony warrants, thus creating a higher barrier to entry than mitigation sites. Amenities such as garbage pickup, storage, and parking are required. A minimum 1,000-foot buffer between sites and located within a quarter mile of a bus stop are also required.

REGULATED ENCAMPMENTS IN OLYMPIA

DOWNTOWN MITIGATION SITE: The site was previously an unregulated encampment on city property and provided an opportunity to create something positive in its place. The objective of this site was to establish a temporary, legal camping site that provides a level of order, safety, dignity, and cleanliness to the unsheltered. The site is also intended to reduce human suffering and address public health and safety impacts associated with unmanaged camping. It is designed to be transitional, with the idea of being an entry point to allow people to access more stable housing. For the city, it serves as an alternative to traditional dispersal techniques, and functions to direct people to regulated and legally provided shelter. No case management occurs at the site, due to lack of staff and funds. A key purpose of the mitigation site is triage and stabilization. As such, it is a low-barrier site with no ID requirements. The site sheltered 115 people, cost fifty to seventy thousand dollars to set up, and had an annual operating cost of two hundred thousand dollars.^{iv}

PLUM STREET VILLAGE: The objective of this tiny home encampment was to provide residents who are ready to take the next positive step with the stability and services they need so they can transition to a relatively more permanent housing situation as quickly as possible. The encampment housed approximately 40 individuals on-site, each in an 8-foot x 12-foot structure. There are also case management services onsite to meet specific needs. The village is leased on city-owned property and contracts with the Low-Income Housing Institute to manage the program. Though the cost of setup is relatively high, the annual cost per individual living in the village is only sixteen thousand dollars. Almost every person in Plum Street was originally a resident of the mitigation site. No complaints from the public have been filed since the site was opened.

OBSERVATIONS AND LESSONS

Throughout this process, the city has learned how to help the public understand where the project fits within the continuum of housing and homelessness response. The city's experience shows that resources need to be directed toward emergency/temporary housing, even though it may go against plans that prioritize permanent housing solutions. Exit strategies should be planned for, as these facilities are temporary. Quality, accurate data is generally difficult to obtain. However, emergency housing facilities can provide more information about populations being served and are more informative than point-in-time counts. Emergency interventions also require ongoing management and resources.

The city also found that it can be challenging to address negative behaviors in a trauma-informed way while also being responsive to public health and safety concerns. There is a behavioral health component to siting and managing this type of housing that is not within the typical training and experience of everyday planners.

Finally, emergency housing facilities can help prepare people for the next step toward permanent housing. However, for temporary housing to work to that effect, they must be part of a system that brings people into incrementally more stable housing. They are not the solution unto themselves.

DISCUSSION

Discussion addressed the difference in cost between the mitigation site and tiny home village, which can be mostly attributed to case management and setup costs. The mitigation site could also feature case management, though services available at the mitigation site are not comprehensive by design. Because a main purpose of the site is to mitigate health and safety hazards, comprehensive services were deemed nonessential at the encampment. Regarding community reception to the camps, there was some initial litigation from the business community, though the concerns have calmed since. The city views the mitigation site as also serving the enforcement and deterrence of other behaviors in the city.

CITY OF EVERETT PERMANENT AND PERMANENT INTERIM HOUSING

REBECCA MCCRARY – HOUSING AND COMMUNITY DEVELOPMENT DIRECTOR, CITY OF EVERETT

In recent years, the City of Everett has been transitioning its homelessness response to a model of “Housing First”. The goal is to provide shelter unconditionally and before rehabilitation. The idea is that once people have stable housing, then other needs are more easily and effectively addressed. As such, permanent housing is the focus of these efforts.

PERMANENT INTERIM HOUSING

Most permanent housing projects in Everett have been apartment buildings due to the limited land available for development. Apartments are the most cost-effective way of using the land that is available. They are also the most efficient way of providing critical services for the most vulnerable. The challenges of these projects so far have been the availability of land, construction costs, time for completion, and *NIMBYism*.

RECENT PROJECTS

PERMANENT HOUSING: The City of Everett has constructed several permanent housing buildings in recent years. St. Claire’s Place opened in June 2019 and is a low-barrier permanent supportive housing that features 65 units for chronically homeless individuals. Another recent permanent housing project, HopeWorks, opened in September of 2019. The HopeWorks building also features 65 units with the objective of serving people re-entering the workforce. These projects are for individuals and families who are ready and willing to work and feature a workforce development center on-site. The Cocoon House-Colby Ave Youth Center is a different type of project since it is a converted motel, not a newly constructed building. Opened April 2019, it is dedicated to unsheltered youth, and has 20 units for youth under 18 and 20 units for 18-24-year-olds. Another project, Compass Health, has 85 units. It is currently in the process of securing funding and is projected to open in the fall of 2020.

INTERIM FACILITIES: There are advantages to interim facilities to address immediate need for shelter. They are generally compact and offer a focal point to connect people with services. Everett Gospel Mission is a unisex shelter that has a 90-day maximum stay. The Salvation Army currently operates a cold weather shelter, though its location next to a private catholic school is not ideal. In general, Everett lacks shelter space, underscoring the need for permanent housing. Siting is one of the major issues when adding more interim facilities, and proposed sites usually face intense opposition.

LESSONS

Permanent housing takes a long time and is an uphill battle. Projects need to be continuously being worked on to reach completion and to add more projects. Otherwise, the homeless numbers will continue to rise. There is a challenge in diverting resources from permanent housing to interim solutions while also funding permanent housing. It is important to try and find a balance between interim and permanent housing because the city will not be able to build its way out of the homelessness problem fast enough.

PERMANENT SUPPORTIVE HOUSING

SHARON LEE – EXECUTIVE DIRECTOR, LOW-INCOME HOUSING INSTITUTE

The Low-Income Housing Institute (LIHI) is a nonprofit that, in addition to tiny house villages, develops, owns, and operates affordable housing for homeless and low-income people in Washington State. The institute currently owns or manages 2,400 rental units in Washington counties. LIHI primarily builds and operates low-income and permanent supportive housing in areas of Seattle that are well-suited for transit, shopping, and schools.

HIGHLIGHTS OF PROJECTS

A notable LIHI supportive housing building, The Marion West, has 49 units for homeless young adults and low-wage workers. It also houses the U-District Food Bank and features a street-level coffee shop that provides work training for residents. Another building, the Tony Lee, has 70 workforce units, an 80-child preschool, and is the location of the Refugee Women’s Alliance. LIHI also constructs and operates Urban Rest Stops, or hygiene centers for the homeless, in Ballard, the U-district, and Downtown. These rest stops provide for basic living standards and hygiene needs that are often not met for homeless individuals. They offer free laundry, showers, restrooms, and toiletries, serving more than 800 people every day.

LESSONS

LIHI strives to build quality housing that exceeds minimum standards, believing that “the best defense against NIMBY is to hire really good architects and really good contractors.” Other anti-NIMBY efforts have been made through community meetings. In these meetings, LIHI invites law enforcement and formerly homeless individuals to give testimonials on how affordable housing reduces crime and improves lives.

Adaptive reuse to convert existing non-residential buildings into affordable housing units, is more cost-effective than constructing new housing. LIHI currently owns two motels for this purpose. Also, adaptive reuse and conversion displace fewer residents than taking over existing residential structures.

The average cost of a LIHI affordable housing unit in Seattle is around three hundred thousand dollars. Permitting, impact fees, and construction costs are the primary drivers of this cost. In general, all costs associated with the building have increased. Cities can address these issues by lowering permit costs or contributing to building supportive housing in their budgets.

DISCUSSION

There was concern about the per unit cost. In some cases, the cost of these multi-family affordable housing units exceeds the market rate cost of single-family housing costs. LIHI’s response is that its goal is to build housing that is better than market rate. Costs could be reduced by sacrificing quality, but LIHI believes that the benefit of building quality exceeds the associated cost. Also, housing production by market developers can be vertically integrated, which means that they own firms for materials manufacturing, building and contracting, architecture and engineering, and capital management. By controlling a large share of the housing market and owning several components of the production chain, market developers can benefit from economies of scale and reduce construction costs.

With respect to increasing mixed-use opportunities at LIHI buildings and adding commercial space to generate revenue, LIHI includes some in-house and childcare services. However, commercial space should be added only if when there is sufficient market demand. Otherwise, the commercial space will be wasted. Since per capita car ownership is often lower for residents of affordable housing than city averages, affordable housing cost can be reduced by providing parking variances for sites near transit.

EXERCISE SUMMARY

A group exercise took place at the end of the workshop. Participants were divided into small groups and made lists along a series of prompts given by the moderator, Rick Sepler. Participants were asked to come up with ideal conditions, approaches, principles, standards, and practices for a temporary encampment program. The intention was to gather ideas that would be true in any jurisdiction facing homelessness and seeking temporary encampments as a response. These lists were the product of insights gained from the workshop as well as from personal and professional experiences. Responses were then shared with the larger group. The lists below reflect these contributions.

PROMPTS

PURPOSE: Why is establishing temporary encampments important to your community?

PRINCIPLES: What are the rules we need to follow to successfully establish temporary encampments? What are the “must do’s” and “must not do’s”.

PARTICIPANTS: Who must be included to achieve the purpose?

STRUCTURE: How do we organize the process to allow all to participate fairly?

PRACTICES: What are we going to do? What will we offer to our community? How are we going to do it?

PURPOSE

- the safety of the individual and the greater public
- reduce suffering and increase human welfare
- there are consequences of inaction
- it is necessary to provide a pathway out of homelessness and a framework for what that path can look like
- implement these types of programs on a larger scale, small prototypes are needed to create positive examples and to refine practices
- relief from a life of subsistence and basic survival
- minimize the environmental impact of homelessness
- reduce fire risk
- encourage individuals to take a positive step toward stability and eventually permanent housing

PRINCIPLES/PROCEDURES

FEATURES

- type and style of on-site management
- accessibility to first responders
- code of conduct
- access to resources
- well-maintained facilities, especially hygiene facilities
- mitigated environmental site impacts

IMPLEMENTATION

- offer services that are comprehensive, humanizing, and consider the experience of people experiencing homelessness
- adequately integrate encampments within communities and neighborhoods
- involve all stakeholders with inclusive, representative, and advocacy participants

- early engagement with the community, with clear expectations and transparency in planning encampments

EVALUATION

- consensus on metrics of success, such as time, outcomes, and community acceptance are starting measures
- measure success both quantitatively and qualitatively
- fine tune definitions of success for on-site and off-site conditions
- assessment by type of management and levels of autonomy at encampments, such as on-site management, semi-autonomous, or a democratic community

PARTICIPANTS

As a rule, participants suggested the RACI matrix of who should be Responsible-Accountable-Consulted-Informed

- the community
- the unsheltered and previously unsheltered
- local government organizations, such as fire, police, planning, public works, elected officials, health department, and courts
- service provider organizations
- housing authorities
- faith-based organizations
- business community
- workforce organizations
- mental health service providers
- minority groups that are overrepresented in unsheltered populations but underrepresented in planning stages of homelessness response
- voices of unsheltered population, specifically those who may be overlooked
- mediators or people familiar with conflict resolution

STRUCTURE

- there is not a *one-size-fits-all* model for temporary encampments, and different needs can be met by different structures
- when starting a new encampment program with limited experience, it may be necessary to adopt more restrictive regulations
- more experienced providers may be exempted from some requirements
- offer flexibility and options for scaling up encampments
- education is required for dispelling misconceptions and reduce apprehension
- youth groups can participate in construction and management
- all stakeholders need to participate, including grassroots and advocacy organization movements
- adopt a proactive stance to avoid issues that arise from reactive decisions

PRACTICES

- build stability and scaling: temporary encampments work best they are part of a system that incrementally adds stability
- temporary encampments are only one piece of a comprehensive strategy for homelessness: combine temporary encampments with other efforts to ensure housing and stability for everyone
- building alliances is critical: encampments will only be accepted if they arise out of multi-party collaboration

CONCLUSION AND EPILOGUE

NABIL KAMEL – ASSOCIATE PROFESSOR, WESTERN WASHINGTON UNIVERSITY

This report is the product of research work that started in summer of 2018 and culminated with the workshop conducted in spring 2019. The workshop reflected an understanding of homelessness as a national and state emergency and included several experiences that addressed the planning, response, and management of this emergency with an emphasis on temporary encampments.

Little did we know at the time of starting this project that the homelessness emergency will be folded into an all-encompassing and global disaster caused by COVID-19. In the US, the COVID-19 crisis amplified the magnitude of health and social service needs of the unsheltered. Moreover, historic unemployment and loss of income meant that a significant portion of the sheltered population has become at risk of losing their homes. While federal, state, and local ordinances have placed a temporary moratorium on evictions for missed payments, payments are merely deferred and will have to be paid. The magnitude of the forthcoming wave of homeless is daunting. Nationally, in the months of April to July, 2020, over 30% of households missed their housing payment for one or more months.⁶ As a result, the homeless population is estimated to increase in 2020 by up to 45% from 2019 levels.⁷ It is worth noting, that a common misconception is that homeless people are unemployed and single. The reality is that the rate of the homeless population that is employed full-time is estimated to be as high as 25% and an additional 40% to 60% that are temporarily employed or have part-time jobs.⁸ Similarly, on average, families account for 37% of the total homeless population and 50% to 70% of the population in shelters.⁹

In the state of Washington, this crisis is likely to be no less acute than the rest of the nation. As of August 2020, and as shown in Table 1 below, the state of Washington experienced similar or worse effects than national average on several indicators. Also with 33% of its workforce filing for unemployment, the 4th highest unemployment claims since mid-March, and an unemployment rate above 15%, a large segment of the state's population is likely to face prolonged financial difficulties.¹⁰

Household Pulse Survey indicator ¹¹	State of Washington	United States
Percentage of adults in households where someone had a loss in employment income since March 13, 2020.	51%	51%
Percentage of adults who expect someone in their household to have a loss in employment income in the next 4 weeks.	36%	35%
Percentage of adults in households where there was either sometimes or often not enough to eat in the last 7 days.	10%	12%
Percentage of adults who delayed getting medical care because of the COVID-19 pandemic in the last 4 weeks.	46%	40%
Percentage of adults who missed last month's rent or mortgage payment, or who have slight or no confidence that their household can pay next month's rent or mortgage on time.	20%	27%

Table 1: Effects of COVID-19 on households, United States and Washington 2020.¹²

⁶ www.apartmentlist.com/research/july-housing-payments

⁷ community.solutions/analysis-on-unemployment-projects-40-45-increase-in-homelessness-this-year/

⁸ Multiple sources in: parade.com/643064/beckyhughes/working-homeless-population-grows-in-cities-across-the-u-s/

⁹ www.doorwaysva.org/our-work/education-advocacy/the-facts-about-family-homelessness/;
parade.com/643064/beckyhughes/working-homeless-population-grows-in-cities-across-the-u-s/

¹⁰ www.bls.gov/data/#unemployment

¹¹ The Household Pulse Survey is a recent tool deployed by US Census Bureau to track the effects of COVID-19 on households.

Given the above considerations, the next sections synthesize findings from the research and workshop and situate these findings in the context of the emerging reality of the COVID-19 crisis. These findings are grouped into three broad categories that deal with:

1. the general framework and municipal approaches for addressing homelessness
2. funding, coordination, and legal dimensions
3. bigger-picture issues with city planning revealed and amplified by the COVID-19 crisis

MUNICIPAL APPROACHES TO THE HOMELESSNESS PROBLEM

The consensus among participants from the various backgrounds was that permanent housing is the desired and preferred solution. However, the reality and the magnitude of the unsheltered problem is that there are not sufficient funding available to provide temporary shelters to all the unsheltered, let alone permanent housing and the associated services. As such, a combination of temporary and permanent housing is what most municipality tend to pursue.

Within this combination, municipalities vary in terms of the emphasis placed on temporary versus permanent, as well as in term of types of housing accommodation within each. For example, municipalities may favor a “Housing First” and prioritize the production of affordable subsidized housing through grants, incentives to private developers, and/or non-profit sector. While the outcomes from such approaches tend to be favorable, their scope is relatively limited in terms of units produced and unsheltered serviced relative to the demand for housing. Providing permanent housing that meets the need of the large unsheltered population in most of Washington cities faces unsurmountable challenges due to the cost of housing production, the time needed to produce it, scarcity of available funding, and siting difficulties due to neighborhood and community objections.

Other municipalities, favor addressing the immediate needs of the unsheltered by providing as much shelter for as many people as quickly as possible. This approach relies on a patchwork of strategies that range from expanding the capacity of shelters, to creating temporary encampments. This approach as well includes significant variations in terms of the type of arrangements among governmental agencies and non-profit organizations, size of shelters and encampments, and management style and degree of autonomy. Variations exist also in terms of the type of shelter within temporary encampments, which may include tiny homes, parking lots for RV’s or cars, tents, or other forms of short-term shelters. This approach, while relatively more flexible, expeditious, and cost-effective on the short-term, also has limitations and faces obstacles. Expanding formal shelters capacity is costly and requires the provision and coordination of complementary services. For temporary encampments, finding adequate sites that are not subject to community opposition is a major challenge. Additionally, temporary encampments are, by definition, short-term provisional solutions and their residents are subject to recurrent displacement, increased uncertainty and instability, and significant variations in terms of quality of housing and site management.

The COVID-19 Dimension

In light of the impacts of the COVID-19 crisis and the likelihood of a surge in the number of unsheltered, an approach that relies on providing immediate temporary shelter is both necessary and inadequate. Such approach is necessary because the delivery of long-term permanent housing solutions have lagged behind *current* sheltering needs. A dramatic increase in the number of displaced and unsheltered would require immediate action to avoid a humanitarian crisis. However, temporary solutions – whether in shelters, cars, tents, or tiny homes – are inadequate because they tend to have higher densities with populations in close proximity than permanent housing. These solutions are not easily amenable to conform to social distancing, disinfection, isolation, and other

¹² US Bureau of the Census, www.census.gov/data-tools/demo/hhp/#/

health guidelines under COVID-19. As a result, temporary solutions can become hot spots from which contagion can spread.

A short-term approach would have to address the homelessness crisis from the combined perspective of a humanitarian disaster and a public health crisis simultaneously. To do so, cities need to:¹³

- expand current capacity to provide immediate shelter with the inclusion of health and social services in order to test, track, and isolate potential COVID-19 cases.
- provide shelter dedicated to isolated COVID-19 cases, with income relief for quarantined people, and social service, educational, childcare, and family support for their dependents.

These strategies deal with the immediate needs amplified by the COVID-19 pandemic. Additional strategies are needed for the longer-term and are integrated in the next sections.

FINANCIAL, ORGANIZATIONAL, AND LEGAL DIMENSIONS

All participants also agreed on the following three challenges to addressing the homelessness question:

- Financial:
 - Resources available lag chronically behind the size and range of needs associated with homelessness in the State of Washington.
 - While funding for the homeless varied in different years, it has consistently been below municipal needs to address the wide range of services, shelter, and rehabilitation needs on the unsheltered.
 - Funding comes from a variety of sources, each with specific application process, eligibility requirements, approved uses, time constraints, etc.
 - Accessing these funds is labor intensive, time consuming, and requires advanced and specialized knowledge of the various programs.
- Organizational:
 - The multifaceted challenges of homelessness require complex and often challenging coordination among agencies with various responsibilities ranging from housing, to mental health, social services, education, and more; among agencies with similar responsibilities but at different jurisdictional levels – federal, state, and local; and among public, non-profit, and private sector participants.
 - Not only funding requires knowledge and coordination among the various programs and tools available to municipalities, but also the development, implementation, management, and evaluation of homeless program requires advanced coordination, knowledge, and skills. These are non-routine and non-codified skills that reside with few dedicated and experienced agency staff.
 - Coordination needs can be beyond the capacity of small agencies and organizations with limited human and material resources.
- Legal:
 - Given the above financial and organizational limitations, along with the chronic need of the unsheltered, municipalities have resorted to innovative solutions to maintain a semblance of urban order and to provide a modicum of safety and dignity to the unsheltered.
 - This can result in a legal “gray space” in which municipal actions and planning for the homeless take place and that can compound the difficulties that municipal agencies face.

¹³ These recommendations are supported by guidelines from the National Health Care for the Homeless Council: nhhc.org/wp-content/uploads/2020/03/Issue-brief-COVID-19-HCH-Community.pdf

- For example, temporary encampments have emerged as one of the lowest cost solutions but remain at the “clinical trial” and experimental stages to a great extent. On one hand, and by definition, they are not permanent structures, therefore do not have to conform to building code standards and have relatively higher flexibility and adaptability in their deployment. On the other hand, they are used for human habitation for extended periods of time – often several months – which means that their dwellers are entitled to equal housing need considerations. Moreover, dwellers in temporary encampments are not only entitled to the same provision of safety, health, sanitation, wellbeing as everyone else, but they also require specialized services – often on-site – to ensure such provisions are met.
- Moreover, neighborhood and community resistance to include temporary encampments can be equal to or exceed resistance to shelters or affordable housing.
- The tension between operating in uncharted territory, with limited legal guidance and precedence, and ensuring the safety and welfare of individuals and communities presents serious risks to municipal agencies.

The COVID-19 Dimension

The climate and conditions that started to emerge in the aftermath of the COVID-19 outbreak suggest that there could be a dramatic change in the urban landscape. Municipal agencies and non-profits dealing with homelessness should carefully understand the dynamics of these new conditions and adjust their long-term plans and goals accordingly. In some case, as in all disasters, new conditions emerge and can present new opportunities that can be seized for addressing homelessness needs – both short- and long-term. For example:

- business closures in key locations can provide valuable space for additional shelters.
- cities, counties, and state agencies can highlight the health and safety concerns associated with an increasing homeless population and garner political support to augment state and federal spending for homelessness and housing under the various COVID-19 budget allocations.
- even though municipalities have seen their revenues slashed due to losses in sales taxes and other revenues streams, cities can take advantage of current market conditions and use bonds and loans to explore land banking and property acquisition for future affordable housing development.
- the coordination and funding of homeless programs can be further integrated in the crisis response in ways that reduce the burden on agencies staff and provide a streamlined approach to the development and management of these programs.
- given the strong correlation between homelessness and other forms of social marginalization, cities can build strong coalitions with advocacy groups and align with emerging social justice voices to educate the general public and create support for homelessness programs and strategies.
- cities and counties can use the extraordinary and emergency conditions imposed by the health crisis to expedite planning and implementation of shelter and temporary encampments.

CITY PLANNING IN THE BIGGER PICTURE

The goals of this project were to share the experience of agencies and communities in Washington in dealing with homelessness and to initiate a discussion and process for improving existing practices. We believe these goals were achieved. This final section provides a discussion about city planning in the “bigger picture.” Although this discussion was not part of the project scope, the synthesis of the broad range of perspectives presented in this project reveals two important aspects of planning for homelessness that remain by and large unquestioned. These two aspects are:

- An undeniable and chronic humanitarian crisis, yet a fragmented response and distributed responsibility
 - There was a consensus among participants regarding the magnitude and severity of the homelessness problem in the state. There was also a recognition of close correlation with

- employment stability, minority races and ethnicities, housing costs, and access to mental and physical care services.
- As mentioned above, the challenge of meeting the needs of the homeless is compounded by the complexity of coordinating among multiple actors at various jurisdictional levels. The research and experiences presented by participants suggest that the fragmentation of resources and responsibilities not only slows the response and reduces its efficiency, but also diffuses accountability.
- Yet the organizational structure of responding to homelessness remains ill-suited to the scale and scope of the crisis.
- Understanding and responding to homelessness
 - Another aspect of the homelessness crisis that can be gleaned is that there is not a consensus or a clear position as to whether the homelessness problem is to be treated as an “accidental” and unintended consequence of a political economy of urbanization or as one of its inherent and unavoidable bi-products. In other words, whether homelessness is an outcome that is structurally built-in in the urbanization process or whether it is an outcome that can be avoided while retaining the fundamental principles and forces guiding urbanization processes. This question may appear as “academic”, but in reality, it has implications for how the homelessness crisis is approached and what framework guides the response.
 - Homelessness continues to be dealt with in a reactive rather than proactive manner. The dominant framework has been one of crisis management and of reforming existing policies and practices to minimize and mitigate its effects.
 - This is expected for as long as the homeless remain socially marginalized and lack strong support from mainstream society, their needs will remain low on the spectrum of political and funding priorities.

The COVID-19 Dimension

In order to situate the intersection of the COVID-19 and homelessness crises within the context of city planning in the “bigger picture”, it is appropriate to position municipal city planning in the political economic environment in which it has settled. Historically, in the U.S., market forces are the preferred mechanism to guide development in general, and more specifically to address societal needs – from health and education, to welfare and housing. Accordingly, and with respect to housing, the planning model adopted in the US since its inception relied on market signals and private development for the provision of housing quantity, type, price, and location.

While throughout the U.S. history this approach has proven inefficient, unfair, and costly, it nevertheless has been further solidified since the late 1960s with the defunding of public programs for housing, dismantling public housing projects, and cuts to social services and welfare programs. These programs were primarily urban programs and the reductions in federal spending not only negatively affected low-income communities, but also since the 1970s, resulted in severe and ongoing urban fiscal crises across the nation. Municipalities, in order to generate sufficient revenue and sustain municipal services, resorted to competing with one another – regionally, nationally, and globally – to attract the “right kind” of investments, jobs, and people. In order to gain a competitive edge, municipal governments also resorted to public-private partnerships whereby the public provides subsidies to incentivize private development. Finally, and in terms of municipal finances, cities increased their reliance on sales taxes.

While these strategies kept city budgets afloat, they were just barely so and at the cost of high inequities within and across cities. These inequities further disenfranchised low-income and minority communities who suffered from reduced services, loss of stable employment, and diminished upward mobility opportunities. Low-income and minority communities also were more likely to experience gentrification and displacement, and ended up spending a larger share of their income on basic needs such as food and housing.

With respect to housing, housing affordability is recognized as being central to the well-being of cities and of their residents. It is also central to the rhetoric that legitimizes planning as the bulwark of “public interest” in a democratic society. Nevertheless, and given the above political economic imperatives, affordable housing remains an “add-on” aspect of city planning that is addressed indirectly by relying on the availability, vagaries, and “bottom-line” of private investments. As a result, 31% of the nation households pay more than 30% of their income on housing. Moreover, as Table 2 below shows, the percent of households spending 30% or more their income on housing is significantly higher than the average among low-income households.

Income group	Percent of households spending 30 percent or more of their income on housing			
	United States	Washington	Washington Urban	Whatcom County
Average	31%	32%	33%	35%
Less than \$20,000	83%	86%	87%	91%
\$20,000 to \$34,999	63%	73%	77%	75%
\$35,000 to \$49,999	41%	55%	58%	54%
\$50,000 to \$74,999	23%	34%	36%	24%
\$75,000 or more	7%	8%	9%	8%

Table 2: Percent of households spending 30 percent or more of their income on housing¹⁴

As a result, it should not come as a surprise that, even before the COVID-19 crisis, the Point in Time (PIT) count of the homeless population was 567,715 people for the United States total, and 21,577 for the state of Washington.¹⁵ These figures translate to 1.7 homeless persons per 1,000 persons for the state of Washington compared to 2.8 for the United States average. In other words, relative to its population size, the state of Washington has 60% more homeless persons than the United States average. It is worth noting that the PIT count is a relatively conservative estimate compared to the US Department of Education, which reported in 2018-2019, the number of homeless children and youth enrolled in public schools were 1.4 million, of which 41,000 were in the state of Washington.¹⁶

A more comprehensive analysis of the period from 2013 to 2019 reveals further limitations of the approach to housing and homelessness:

- Between 2013 and 2019, the total number of year-round beds in the state declined by 24%, with the biggest decline reported in the number of beds for households with children (-43%).¹⁷
- During the same period, while the United States total number of homeless *declined* by 4%, in the state of Washington it *increased* by 22%.
- Similarly, during the same period, the state total population grew by only 9%.
- These were also years of exceptional economic growth for the state. Between 2013 and 2019, Gross Domestic Product (GDP) for the state’s private industries grew by 32%, almost double a national average of 17%.¹⁸

¹⁴ US Bureau of the Census, ACS 2018 Table S2503, Housing, Financial Characteristics.

¹⁵ www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/

¹⁶ www2.ed.gov/about/inits/ed/edfacts/data-files/school-status-data.html

¹⁷ www.hudexchange.info/resource/5948/2019-ahar-part-1-pit-estimates-of-homelessness-in-the-us/

¹⁸ Bureau of Economic Analysis, www.bea.gov/data/gdp/gross-domestic-product, data updated April 7,2020.

The implication drawn from the above points is that the urban development model adopted regionally and nationally has failed to respond to the needs of most vulnerable social groups and needs to be corrected. The notion that economic growth correlates with prosperity does not hold true for a significant share of our society. In fact, the years of economic growth in Washington were paralleled with increases in cost of living, in cost of housing, and homelessness (see Figure 1 below).

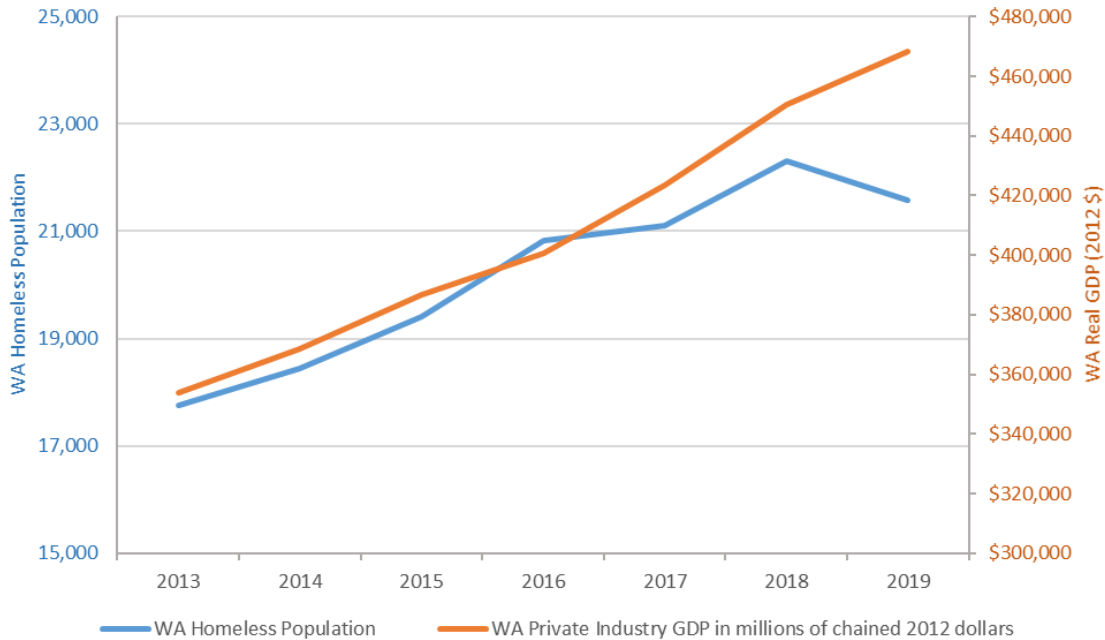


Figure 1: State of Washington homeless population and private industry real gross domestic product in 2012 dollars

As mentioned above, the homeless population is expected to increase up to 45% or an additional 250,000 people.¹⁹ As such, the “bigger picture” urban landscape in which city planning in general, and planning for homelessness in particular, take place will be altered in several ways:

- Public health and safety:²⁰
 - Inadequate housing and service options for the homeless means that the homeless will experience increased rates of infection and death, and will be further set back in their path to recovery.
 - Increased homelessness will also create human reservoirs of the virus. As significant percentage of them are employed, and homeless children attend schools, the virus will not be contained within the homeless population.
 - The result is a recurrence of flare-ups of cases and deaths that mandate large-scale emergency responses, from vaccinations to quarantines and business closures.
- Economic viability and quality of life:
 - The recurrence of infection spikes and emergencies creates an urban environment characterized by heightened uncertainty for business, restricted entertainment, recreation, and education opportunities, and a diminished social life.

¹⁹ community.solutions/analysis-on-unemployment-projects-40-45-increase-in-homelessness-this-year/

²⁰ See CDC concerns and guidelines here: www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html

- Undermining core elements of urban vitality will override other competitive advantages of Washington cities.
- Increased awareness of latent and amplified social and racial inequalities
 - Cities across the nation and the state have witnessed an increased awareness brought about by the Black Lives Matter (BLM) movement and expanded to a range of political and economic issues that intersect with race and class – from voting rights to affordable housing.
 - Under the current urban regime, the health crisis is likely to amplify existing inequalities. As inequities in deaths, diseases, debts, and displacements increase, so will increase urban social and political instability.

Where to go from here and next steps

The above does not have to be the scenario that unfolds in the United States or in Washington cities. Major disasters and disrupting events such as the COVID-19 crisis can also be opportunities for transformative change. For municipal city planning to be a force of change in the direction of social justice and equity, it has to relinquish its deferential stance and embrace more closely the letter and spirit of code of ethics of the American Institute of Certified Planners (AICP)²¹, especially the oath that:

- f) we shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.*

We realize that planners do not operate in a vacuum and are subject to political and cultural pressures. This is why it is important that, in order to protect and empower planning professionals who practice in political environments that are resistant to change, planners have to act collectively and engage the support of planning professional associations, of their regional chapters, and of educational institutions.

Similarly, they need to build strong coalitions with their local communities and mobilize their support. As the renowned urban planning scholar, Peter Marcuse²², points out, in order to advance the rights of the historically disenfranchised and achieving a more just city, planners need to use all their professional skills and tools to:

- expose the root causes of existing injustices through careful analysis and clear communication with other agents of change and the public;
- propose alternative solutions by working closely with those affected by injustices and develop programs and strategies to redress them; and
- mobilize political support by paying attention to organizing strategies by preparing and mobilizing resources, people, and communities at various scales and locations; as well as seeking common ground and building tactical alliances with developers, policymakers, investors, consumers, and media, and revising notions that treat them like homogenous and monolithic blocks.

It would be a grave mistake if planners fail to recognize the historical moment that the world is living through, with all its challenges and opportunities – social, environmental, and technological. If they do not realize the extraordinary uniqueness of this moment, they will not only have missed a chance they are unlikely to see again for a very long time for actualizing transformative progressive change, they will ultimately undermine the profession's relevance.

²¹ www.planning.org/ethics/ethicscode/

²² Marcuse, Peter (2009) 'From critical urban theory to the right to the city', *City*, 13: 2, 185-197.

ENDNOTES

i SKAGIT COUNTY HOMELESS HOUSING PLAN: Funding for homeless services varies from year to year as sources depend on grants and tax revenue but estimates for 2019 are included below. The funding sources for homeless housing services in Skagit County include the following:

- *DOCUMENT RECORDING FEES (local)*: Skagit County is eligible for and receives fees authorized by RCW 36.22.178 and RCW 36.22.179. Skagit County intends to award funds for projects that employ strategies established in the Homeless Housing Plan. Program guidelines are partially set by the Washington State Department of Commerce. Skagit County must adhere to these guidelines in administering the grant. In 2019, this funding source amounted to approximately 1.1 million dollars.
- *CONSOLODATED HOMELESS GRANT (state)*: Skagit County is a “Lead Agency” for the Consolidated Homeless Grant Program (CHG). CHG combines state homeless resources into a single grant opportunity under the administration of the Washington State Department of Commerce. Program guidelines are set by the Washington State Department of Commerce, and Skagit County must adhere to these guidelines in administering this grant. In 2019, this funding source amounted to approximately seven hundred fifty thousand dollars.
- *0.1% BEHAVIORAL HEALTH SALES TAX (local)*: Skagit County collects funds under RCW 82.14.460. These funds must be used for the purpose of providing for the operation or delivery of chemical dependency or mental health treatment programs and services. Programs and services include housing and case management that are components of a coordinated chemical dependency or mental health treatment program or service. In 2019, this total funding source amounted to approximately seven hundred fifty thousand dollars, with two hundred twenty-nine thousand dollars specifically allocated to homeless housing projects, such as winter shelter and rental assistance vouchers.
- *HOUSE BILL 1406 (local)*: As previously stated, this funding source allows cities and towns around Washington State to withhold a portion of sales tax to be specifically allocated to homeless prevention within these jurisdictions. Enacted in 2019, the effects of these funds have yet to be realized as cities and towns are presently deciding how to utilize them.

Skagit County. (2019). *5-YEAR HOMELESS HOUSING PLAN: Skagit County Homeless Crisis Response System Action Plan, 2019-2024*. Retrieved from:

www.skagitcounty.net/HumanServices/Documents/Housing/Skagit%20County%202019%20Homeless%20Housing%20Plan%20Draft.pdf

ii RCW 19.27.042

- (1) Effective January 1, 1992, the legislative authorities of cities and counties may adopt an ordinance or resolution to exempt from state building code requirements buildings whose character of use or occupancy has been changed in order to provide housing for indigent persons. The ordinance or resolution allowing the exemption shall include the following conditions:
 - (a) The exemption is limited to existing buildings located in this state;
 - (b) Any code deficiencies to be exempted pose no threat to human life, health, or safety;
 - (c) The building or buildings exempted under this section are owned or administered by a public agency or nonprofit corporation; and
 - (d) The exemption is authorized for no more than five years on any given building. An exemption for a building may be renewed if the requirements of this section are met for each renewal.

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- (2) By January 1, 1992, the state building code council shall adopt by rule, guidelines for cities and counties exempting buildings under subsection (1) of this section.
- iii RCW 19.27.042 see full text above
- iv It is worth noting that, effective April 2020, the City implemented changes to the management of the mitigation site. These changes involve:
- New service provider with more resources and experience using Coordinated Entry.
 - Oversight of the camp is no longer provided by homeless peers. While they did the best they could, it proved a significant challenge for peers to effectively address unwelcome behaviors.
 - More wrap around services. Case management now available, but not required
 - Reduced guests to 85. Found that 115 people is too much to manage.
 - Tighter restrictions on entry to the facility.
 - Use of Medicaid Foundational Community Supports program.
 - Addition of two hygiene trailers, with a total of 6 shower, sink and toilet stalls (2 of which are ADA) that will replace portable toilets. Cost of trailers was \$75k each plus hook up.
 - New contract costs \$575k annually to manage.