

Shelter to Housing Continuum: Questions and Answers for Commissioner Mapps's Office

3/10/21

What factors did BES consider during the S2HC process regarding access to sanitation for people living in RVs and tiny houses?

Access – Would provisions support ongoing access to sanitation for people dwelling in RVs, tiny homes and outdoor shelters?

Costs – What would be the near-term and ongoing costs for people needing access to sanitation? What would be the cost implications for BES and its ratepayers?

Logistics – How convenient or practical would it be for people to access sanitation? Would the provisions work if an RV or tiny house was inoperable? Would people be dependent on others for support? How much assurance would they have that ongoing access would be maintained?

Public health and water quality – How would the provisions prevent impacts to public health? Would the provisions limit the likelihood of illicit discharges of sanitation to Portland streets, green street facilities, stormwater pipes that discharge to the Willamette River or streams, or soak into the ground?

Environmental compliance – How easy or difficult would it be for BES to ensure that sanitation is being handled safely and in accordance with City, state, and federal requirements? How will the City respond if someone makes an illicit discharge? How will the City respond to the person responsible for the discharge? Will the City's existing enforcement and clean-up programs be adequate to respond to illicit discharge complaints and clean up pollutants?

Where are/can occupied RVs and Tiny houses be located? How is sanitary service provided?

ROWs – Many RVs are currently occupied within ROWs. While this is technically not allowed by City code, the City is limiting enforcement actions to situations with serious health and safety issues.

Sanitation: Typically, RV dwellers find sanitation on their own. This week, BES started a pilot program to provide mobile sanitary service to residents of RVs at no cost to them. Participants in the program are identified by staff at PBOT and BES personnel, though anyone can call to ask for the service.

Church parking lots – State laws allows people to sleep in RVs, tiny houses and other vehicles on the property of churches and other places of worship, as a form of shelter. This allowance is not impacted by the S2HC code.

Sanitation: RV dwellers may have access to facilities on the site. The hosting place of worship determines the type of facilities and hours of access.

Other parking lots – While RV dwellers sometimes use parking lots as temporary places to stay, occupied RVs are not considered an allowed land use in parking lots (other than at places of worship). This situation is not impacted by the S2HC code.

Sanitation: RV dwellers have to find sanitation on their own. Depending on their location, they may have access to facilities in an adjacent business, park or community use.

RV parks and campgrounds – Portland zoning code allows campgrounds to operate on commercially-zoned properties. An RV or tiny house can legally be in a campground. Several tiny house hotels in Portland are permitted this way. State licensing requirements for campgrounds are triggered when there are more than two campsites (RVs or tiny houses) on a property.

Sanitation: Campgrounds are required to have sanitary service.

Residential properties – The new S2HC provision allow residential properties where there is a house to host one RV or tiny house on wheels.

Sanitation: RVs and tiny houses without indoor plumbing will not be required to be connected to sanitary service. RVs and tiny houses with indoor plumbing will be required to connect to the sanitary line serving the home via a campground-style dump station.

Outdoor shelters – The S2HC provisions allow shelter residents to live in occupied vehicles, including RVs and tiny houses in an outdoor shelter managed by a government agency, nonprofit or charitable service organization, with the purpose of supporting unhoused people by providing a safe place to sleep and associated services.

Sanitation: The type of sanitation is determined by the organization managing the shelter. For some sites, sanitation may be provided by port-a-potties. Longer term outdoor shelters may be served by shared restroom facilities.

RV and/or tiny house communities – A group of people living in a cluster of multiple RVs or THOWS paying monthly rent would be a residential use rather than an Outdoor Shelter. This kind of community could be operated as nonprofit housing entity or a for-profit residential rental. Currently the zoning code doesn't specify where these types of residential villages would be allowed and under what conditions. This is something that BPS may consider as part of the Residential Infill Project (RIP) Phase 2, which will address Cottage Cluster concepts, which are similar to RV communities.

Sanitation: These details would be determined as part of the RIP 2 process.

What options exist for RV dwellers to get sanitary service?

Mobile sanitary services: Mobile services charge about \$85 a visit for on-call services. BES has initiated a pilot project to operate through June 30th that provides mobile sanitary service free of charge to occupied RVs located in ROWs. The pilot project has a budget of \$10,000. RVs getting standard service on an established route will be serviced at a cost to BES of \$40 per visit; emergency visits will cost \$85 per visit. A key objective of the pilot program is to develop a better understanding of the demand for this type of service and to understand the specific elements needed to support this type of service.

Public dump stations: The closest public dump station is operated by Clean Water Services and is located in Tigard. It is available for public use at a cost of \$5 on a self-serve basis. The annual costs of accessing the dump station could be up to \$130 annual, not including the cost of gas. Public or private campgrounds in the Metro area may also provide dump facilities, though access to these is probably limited to campground guests. BES is currently investigating the option of locating a public dump station within the Portland city limits. This option is only viable for occupied RVs that are operable.

Sanitary totes – Sanitary totes are storage containers for holding wastewater and are regulated by DEQ. Though they are sometimes used by private entities within the city of Portland, their use isn't legal here and DEQ does not allow them to be serviced in the city.

What options were considered for sanitary service for RV dwellers on residential properties?

BES worked with BDS, BPS and other members of the Housing Continuum Work Group (HCWG) to develop recommendations to ensure ongoing sanitary service (as well as access to washing and hygiene) for people living in RVs and tiny houses. The following options were considered:

Access through the adjacent home – RVs and tiny houses without plumbing are expected to be used like external bedrooms, with sanitation access to be provided by the home on the hosting property. RVs and

tiny houses with plumbing offer residents the potential to live independently in a standalone unit. This includes having the ability to do washing, hygiene and toileting where they live. As a result, residents will not have to rely on permission from the resident of the hosting home to meet their daily needs. If an RV has the convenience of internal plumbing, it seems unlikely that the RV resident will access the adjacent home for all their dishwashing, hygiene and toileting needs.

Pumping through a mobile service – For occupied RVs being serviced on a regular route, the cost of mobile sanitary service is about \$40 per service. For individual calls, the cost is \$85 per service. For RVs requiring weekly service, the annual costs would be about \$1,040 for service every other week or \$2,080 for weekly service.

Connection to the public sewer system – The S2HC proposal calls for RVs and tiny houses with internal plumbing to be connected through a campground style dump station to the existing sanitary line serving the home on the hosting site. The connection will be permitted through a plumbing permit, which is quickly processed and has minimal fees. No System Development Charges (SDCs) will be levied. For sites where a connection can be easily made, the costs could be as low as a couple of hundred dollars. More complex connections could cost a few thousand dollars, depending on the site, including the location of connection in relation to the RV/tiny home location, topography, and other site issues. Once the connection is made, the costs to the RV dweller will be minimal or nothing. Any costs would be associated with the additional water used by the RV resident and charged to the property's water/sewer bill.

What can be done to help people living in RVs and tiny houses get access to affordable sanitation?

Sanitary connections – BES has two loan programs for homeowners who are required to connect to the sanitary system. The homeowner hosting an RV or tiny house could potentially access a loan to finance private plumbing costs. The Safety Net loan program, for income qualified homeowners, has a 1.5% interest rate and allows deferral of repayment for at least 5 years. Homeowners age 62 or older can defer repayment until the point of sale. (Please see the separate info sheets on these programs.) BES recommends expanding these programs to serve RV and tiny house connections, as called for in the S2HC project.

Pumping service – BES could investigate developing a program to pay for mobile pumping for RVs and tiny houses on residential properties. The approximate annual costs to BES of serving 200 RVs would be between \$260,000 and \$520,000 for services provided on set schedules and routes, depending on service frequency. Repairs, emergency services and individual calls would increase these costs.

Technical assistance – Problems with water, sanitation, and other basic needs may make it difficult for people to live in RVs in a safe and healthy way. The HCWG might consider developing a coordinated technical assistance program to provide help in securing and maintaining water, garbage and other utilities. BES would be open to expanding staffing expertise to participate in such a program.

Why require a sanitary connection for RVs and tiny houses on residential properties?

We expect that some RVs and tiny houses will be used as outdoor bedrooms, while others will be used as independent homes. Within the constraints of the zoning code it would be difficult to develop regulations that distinguish between these situations. To allow the code to be easily implemented, its provisions need to be able to be clearly applied on a broad basis and to a variety of situations. To be

protective of public health and safety, the S2HC provisions call for a sanitary connection for RVs and tiny homes with plumbing. No connection is required for RVs/tiny houses without plumbing.

These factors were also a consideration in developing the recommendation:

- Access to safe and dignified sanitation is a basic human right.
- There isn't a way for the City to ensure that the resident of an RV will have ongoing and unlimited access to facilities in the adjacent home for dishwashing, hygiene and toileting.
- Without a connection to the sanitary system, there is a significantly increased risk of illicit discharge of sewage to the ROW and stormwater facilities (including green streets, stormwater pipes that discharge to streams and UICs/sumps that soak stormwater into the ground). This is a significant environmental and public health concern.
- Illicit discharges and concerns about sanitation could be a concern to neighbors, which could undermine neighborhood support for occupied RVs being located on residential properties.
- While there are costs to making the initial connection to the sanitary system, there are little ongoing costs for sanitary service once that connection is made (other than that associated with water use on the property). Mobile service or taking an RV to a dump station has ongoing costs either to the RV dweller or to the City (if such a program was put in place).
- When food carts initially became popular, BES allowed them to be served by mobile sanitation. Unfortunately, there was a high incidence of illicit discharges (often late night and early morning dumping to street inlets that people may have mistakenly assumed discharged to the sanitary or combined sewer, but often they discharged to a storm sewer and the river). Due to the dramatic increase of this type of illicit discharge and the significant public health and environmental risks they pose, BES now requires food carts to be served by a dump station that is connected to the sanitary sewer.

(More information is provided on the info sheet on sanitary connections.)

What does BES recommend regarding the placement of temporary outdoor shelters in open space zones and/or natural areas?

BES supports the amendment to prohibit temporary outdoor shelters in natural areas (as defined in the proposed amendments) to avoid impacts to natural resources and water quality, and to reduce potential flood risks for campers living near streams and rivers during flood season (which is a significant problem along Johnson Creek and could be a problem along other rivers and streams).

BES hasn't taken a position on the suitability of locating temporary outdoor shelters in open space zones because of the complexity of the issue. We appreciate and support PP&R's interest in avoiding impacts that outdoor camps can have on parklands. In some limited situations, there may be Open Space zoned properties that are not actively used as parks or may be land banked until environmental restoration is conducted. These types of properties may have existing land management challenges such as dumping, illegal activities or unauthorized camping. In these situations, the properties may be easier to manage if an active use, such as a managed outdoor shelter, is located on the site until it is developed to its final intended use. There are probably a limited number of sites that would meet these conditions.

Are there other locations that would be appropriate for outdoor shelters?

A potentially overlooked option for locating outdoor shelters is brownfields. BES's brownfields coordinator provides the following information about their potential use as locations for outdoor shelters:

- Because the term "brownfield" includes sites where the mere possibility of contamination is a barrier to redevelopment, almost any vacant site in the city could reasonably be considered a brownfield.
- The (human) concern on a brownfield is exposure pathways between contamination and people using the site. For people sleeping in RVs and even tent camping, if the site is paved there is often minimal or no exposure pathway. In fact, open-air use is potentially safer on an unmitigated brownfield than a structure, because you avoid vapor intrusion causing contaminants inside buildings.
- On large industrial sites, it's common that the contamination is in one specific isolated area of the site, and other areas of the site are completely unaffected.
- The relative risk to unhoused people of minimal short-term contaminant exposure on a safe, managed camping site with outdoor shelters may be lower than the risks of living in unsanctioned dispersed camps that lack basic services.