

I oppose the S2HC draft recommendations on alternative shelter options, particularly the proposal to allow outdoor shelter villages “by right” in multifamily zones. The proposed code governing new villages gives operators too much leeway to determine the quality of facilities and level of services they will offer. The elastic code language is more likely spur the creation of low-cost, low-amenity villages than it is to engender professionally constructed, amenity-rich ones resembling those the Council established in recent years using its waiver powers. The S2HC memo glosses over the potentially serious livability consequences of this outcome and sidesteps the obvious question of whether outdoor shelters even belong in the zoning code—since they typically consist of temporary structures that are not constructed by licensed professionals.

In light of these shortcomings and the widespread public opposition to facets of the plan, I urge the Council to hit the pause button—even though doing so would necessitate a new housing emergency ordinance. Receding COVID risks make now a good time to call such a time out, in order to reassess the city’s homeless challenges and shelter space needs. This stocktaking exercise would position the Council to commission a new S2HC draft—one that offers a clearer, less controversial, and more credible path to improving the status quo for Portland’s unhoused and housed residents.

A Spin Job on Outdoor Shelter Villages

The current draft’s lack of candor regarding the elastic standards proposed for outdoor shelter villages is troubling.

—The S2HC FAQ memo on outdoor shelters suggests the goal is to make it easier to establish and site well-run, high-amenity villages. The memo gives that impression by spotlighting the Kenton Women’s Village and St. John’s Village as examples of outdoor shelters. These villages are known for their: well-designed and professionally-constructed facilities, including fully operational kitchens and showers; extensive wraparound support services; and experienced operators hailing from established nonprofit organizations.

—Strikingly, the code changes S2HC proposes do not require the new villages to possess any of these attributes. Rather, the plan gives outdoor shelter operators leeway to decide the quality of facilities and the level of services they will provide. Volume 2 of the S2HC draft states, “Outdoor shelters **may** include food and hygiene facilities and other services, but the range of services **can vary**.” This formulation—especially the choice of the word may rather than the word must—opens the door to amenity-light villages that consist of little more than makeshift sleeping structures and porta-potties, surrounded by a fence. The draft is silent on whether there will be a certification process that sets, for example, minimum funding or operator experience requirements.

Cost considerations no doubt will lead most new nonprofit outdoor shelter operators to take advantage of the S2HC’s elastic standards and offer bare-bones facilities and few, if any, support services. As a result, Portland’s landscape likely would end up dotted with just-the-basics outdoor shelter villages—many of them clustered in multifamily zones in East Portland, where there are a large number of low-cost vacant lots.

An outdoor shelter village ecosystem dominated by poorly-funded, low-amenity shelters certainly would yield fewer benefits and pose more risks than proponents assert. Supporters’ claims that S2HC proposals would reduce livability complaints appear to assume that well-run and generously funded villages will be the norm once S2HC is enacted. A low-amenity village ecosystem would even render moot the shelter-to-housing continuum concept itself: low-

amenity shelters are unlikely to provide the services needed to play the “front door” role in the transition to permanent housing that the plan envisions.

– Even if just-the-basics outdoor shelters—with access to at least rudimentary hygiene facilities, a modicum of security, and a sense of resident empowerment—appeal to many who are now camping on Portland’s sidewalks, they do not appear to be a viable way station to permanent housing.

– The outdoor villages as proposed may well increase—rather than reduce—the city’s current livability woes. Low-amenity shelters run by inexperienced operators on a tight budget are highly likely to defer maintenance and degenerate into modern-day shantytowns, creating serious livability issues for neighbors. Even amenity-rich shelters pose potential problems that S2HC does not address or provide solutions for: shelter options attractive to houseless individuals outside the region are likely to lure more to Portland than the new shelters can accommodate, worsening the city’s unregulated camping problem.

Thoughts on A Way Forward

Although rapid recalibration of S2HC outdoor shelter standards might mitigate many of these risks, opting for a quick fix strikes me as unwise. Additional research and analysis are needed to determine whether similar standard-related problems bedevil other elements of the S2HC. Even more time will be required to assess whether even a strengthened code for “by right” villages will undercut the city’s other multifamily zoning code initiative, “Better Living by Design.”

Setting the current draft aside would permit city officials not only to wrestle with these issues but also to re-conceptualize the S2HC initiative toward more lasting solutions. Should the Council opt to follow this start afresh path, I encourage it to identify ways to:

– Ensure the process for revising code proposals is transparent and includes representatives from homeless advocacy groups and from entities with extensive livability concerns. The current plan’s opaque drafting process and one-sided engagement strategy, focused almost exclusively on groups with ties to the homeless community, have proven to be divisive and counterproductive.

– Press those crafting and publicizing any revised S2HC draft to candidly present the likely benefits and potential livability downsides of key proposals. It would also help residents if any new draft does the following: flags the experience of other cities that have enacted measures similar to those Portland is considering; specifies the metrics the city intends to use to gauge the effectiveness of the plan; and previews certification guidelines and enforcement plans that eventually will accompany the plan.