

ATTACHMENT 1

Staff Analysis

Current Conditions and the Role of the Safe Parking - Safe Shelter Pilot

An analysis of current housing conditions in Humboldt County points to a continued housing crisis, with affordable housing practically unavailable. Indications from homeless service providers suggest that homelessness has increased since the last Point in Time Count (PIT) in 2019. At that time, the PIT identified 1402 unsheltered persons in the County, about one third of whom were located in unincorporated areas. The same PIT estimated that 454 of the total persons counted slept in vehicles, RVs or vans, and 147 in tents or makeshift shelters.

As of 2020 there were 6 shelter facilities in the County with 239 shelter beds, according to Department of Health and Human Services (DHHS) data. Only one of those facilities is located in unincorporated Humboldt County, with a capacity of 20 beds. As the 2019 PIT showed, the needs of unhoused people are not limited to urban areas but are dispersed throughout the mostly rural county. Likewise, the PIT observed that people residing in vehicles, vans or RVs were dispersed throughout the County. These facts illustrate that even though the Legislature recognizes the crisis and has accelerated funding available to address homelessness, the construction of traditional shelters, transitional housing, and supportive housing is inadequate to keep up with the immediate needs of those experiencing homelessness. In addition, those traditional shelter types do not address the challenge for people living in their vehicles. It is noted that safe parking and safe shelter programs make enforcing COVID protocols easier due to better separation of participants.

A Humboldt County Grand Jury found in 2019 that a need exists for both permanent affordable housing and short-term sheltering needs, and recommended implementing supervised safe parking programs as safe, temporary spaces for vehicle dwellers. The Pilot Program proposed here is intended to supplement and not replace traditional shelter programs by providing alternative housing types to meet the immediate needs of people experiencing homelessness.

Barriers to Development and Recommended Solutions

Currently, emergency shelters are principally permitted in five zones. Despite availability of sites, no additional facilities have been built. Barriers to emergency shelter development include environmental constraints and zoning on designated county-owned lands, barriers for potential service providers around grant application, staff and monitoring costs, and complex and onerous regulations associated with grant funds. Planning and Building staff noted in the 2019 Housing Element Update that the main obstacle to siting small shelters in a dispersed fashion around the County is that it is often prohibitively expensive, especially for insurance, on-site staffing, and security.

The Pilot Program proposed here attempts to reduce barriers by:

- (1) adopting a Shelter Crisis Ordinance to access the shelter declaration provisions that reduce the cost of new emergency shelter development;
- (2) defining a "Low Barrier Model" option for providers who wish to operate service-intensive sites without the cost or time to build traditional shelters;
- (3) defining a "Village Model" that is inexpensive, flexible, portable to rural areas, and tailored to available local resources. These features could let many more organizations participate. The Village Model is designed for small programs, for example 15 or fewer vehicles or shelters. This model has 24/7 operations and uses a staff person from the client population to eliminate the need for some on-site staffing, and may be funded and serviced through a local church or non-profit;

- (3) defining a “Minimal Requirements Model” that is inexpensive, flexible, portable to rural areas, and tailored to available local resources. This model operates overnight only, with minimal services and is best suited to vehicles. Cost is kept low by reduced staff requirements;
- (4) incorporating best practices into the ordinance in order to guide and assist providers; and
- (5) developing Model Management Plans for all three types, Minimal Requirements, Village, and Low Barrier projects, based on input from local service providers, as well as a sample Plot Plan and non-vehicle shelter standards.

Chronology

The Board of Supervisors declared a Shelter Crisis on February 27, 2018 through Resolution 18-15.

- On August 31, 2019 the County adopted its Housing Element Update, including Implementation Measure H-IM56, directing Planning and Building to implement a safe parking pilot program through an enabling ordinance or resolution.
- The 2019 Point in Time Count counted 1402 homeless individuals, and estimated that 454 more were living in vans, cars, or RVs. About one third of individuals counted in the PIT were located in unincorporated Humboldt County.
- A 2019 Grand Jury Report, *Like Home? No Place* found that safe parking and tent areas can act as short-term staging areas to mitigate health and safety threats to homeless individuals while preventing sanitation and environmental problems associated with concentrations of unhoused people.
- On September 25, 2020 the California Legislature passed AB 2553, expanding the scope of the Shelter Crisis Act, and requiring a jurisdiction that adopts an ordinance under the Shelter Crisis Act to ensure compliance with minimal building standards in California Residential Code Appendix X, and California Building Code Appendix O, among other requirements.

Funding

A survey of potential funding sources suggests that the State of California offers possibilities for funding through the Continuum of Care. Some of these funds have been used for Safe Parking in other jurisdictions. Federal funds from the Department of Housing and Urban Development are not available for safe parking at this time. The table below lists current and past funding opportunities. California Local Early Action Planning (LEAP) funds are available for planning activities.

Table 1. Possible Funding For Safe Parking - Safe Shelter Pilot Program

	Type	Source of Funds	Limitations
Current and Past Funding	FED/CA	Emergency Solutions Grants – Coronavirus (ESG-CV)	Emergency shelter operations, outreach and services. Expires July 30, 2022
	CA	HEAP - Homeless Emergency Aid Program	Expired June 2021; require shelters crisis declaration, immediate emergency homeless assistance, included shelters, toilets and showers
	CA	HHAP - Homeless Housing, Assistance and Prevention	Requires data and vacancy rate monitoring. Path to permanent housing required.
	CA	PHLA – Permanent Local Housing Allocation	Competitive and non-competitive portions, must connect to permanent housing
	CA	LEAP - Local Early Action Planning	Non-competitive grants for planning and housing element compliance

	Type	Source of Funds	Limitations
Future Funding Opp.	Private	Religious institutions	Limits set by donor; often land b/c of legal protections for religious institutions
	Private	Local or private funds	Limits set by funder
	FED/CA	ESG-CV (Emergency Solutions Grants – Coronavirus)	May fund outreach workers and portable toilets; ends 7/30/2022
	CA	HHAP-3 and 4 - Homeless Emergency Aid Program	Notice of Funding coming soon; some restrictions on facilities and other regulations similar to previous
	CA	PLHA - Permanent Local Housing Allocation	Competitive and non-competitive parts

Funding from the State of California is subject to various regulations including Housing First principles, meaning persons are moved to permanent housing as quickly as possible, with adherence to evidence-based practices like making services voluntary; harm reduction philosophy; no withholding of services for sobriety, substance addiction, or lack of money; and low barrier strategies like accommodating pets, partners, and possessions. Logically, if no permanent housing is available, those same evidence-based practices should apply to temporary emergency shelters like Safe Parking and Safe Shelter programs proposed here.

Estimated Program Cost

Research based on existing and past safe parking programs in other jurisdictions shows that costs range from \$22,000 to \$860,000 per year, depending on program type. In general, expenses are proportional to the number of participants and services provided, with low barrier programs being most costly. The biggest expenses in all programs tend to be staff and case management, security, and insurance. Government funds generally come with heavy regulation, especially for staff, monitoring and reporting, which add complexity and cost. Smaller programs that can leverage local funding and services are less expensive and may be better suited for remote areas of the county.

Sites that provide an overnight safe parking or shelter space and minimal services have relatively lower cost and correlate with the proposed Minimal Requirements Model in the Pilot. The average operating costs are between \$22,000 and \$286,000 per year. An intermediate program correlates to the Village Model Plan; it provides minimal case management and services, leverages private and religious funding, and depends on volunteers and participants to keep costs low. The programs examined that resemble the Village Model operate for \$45,000 to \$74,000 per year. Opportunity Village in Eugene is a well-known example; it started as a pilot in 2013 and has operated continuously since then. Sites with higher levels of services, case management, and more intensive onsite staff, which correlate with the Low Barrier Model in this Pilot, require from \$159,000 to \$850,000 per year in operating funds. Budget comparisons are shown below, with more complete details included in Exhibit A, Table 1.

Table 2. Program Cost Examples

LOCATION	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Ventura CA	Safe Sleep	Minimal requirements	\$22,000	2017	Yes as of 2018	15	2 church lots
Eugene OR	Opportunity Village	Village Model	\$45,000	2020	Yes	35	city site
San Diego CA	Dreams for Change	Minimal requirements	\$286,000	2019	Yes	78	2 church sites

LOCATION	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Monterey	One Starfish	Minimal requirements	\$100,000	2016	Yes	27	4 church lots, one city
Longmont CO	HOPE	Low barrier	\$100,000	2020	Yes	8	not disclosed
Long Beach	Safe Parking 2020	Low barrier	\$100,000	2021 proposal	Yes	13	1 church lot
Los Angeles	LAHSA	Low barrier	\$205,000	2021	Yes	25	1 church lot, moved to 1 city lot
Seattle	Road to Housing	Low barrier	\$250,000	2019	Yes	25	3 church lots, one city
Santa Barbara	New Beginnings	Low barrier	\$270,000	2017	Yes	129	23 (5-15 spaces per)
LOCAL PROGRAMS	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Eureka	AHHA Sanctuary Vill. 2016	Village Model	\$74,000	2016 proposal	No, Proposal	30	Eureka city site
Arcata	AHP Covid tent camp	Low Barrier Model	\$286,000*	2020	No, 4 months only	34	2 sites, reduced to 1

*Four month COVID shelter

The following links provide more information about five of the programs in the table above. The Santa Rosa Safe Parking Pilot does not appear in the table.

[Santa Rosa, Safe Parking Pilot](#)

[Santa Barbara, New Beginnings](#)

[San Diego, Dreams for Change](#)

[Long Beach, Safe Parking 2020](#)

[Seattle, Road to Housing Program](#)

[Eugene OR, Opportunity Village](#)

Supporting the Local Network of Non-Profits, Agencies, and Churches

As part of an active effort to secure locations for sheltering options, including safe parking, DHHS published a Request for Information (RFI) on July 8, 2021 inviting homeless services and shelter providers to submit Letters of Interest. The purpose of the RFI was to understand the type of low-barrier shelter services that potential providers would be able to provide. Four organizations replied, three of whom are local to Humboldt County. Humboldt County has a network of non-profits and religious institutions already engaged with those experiencing homelessness. Staff's coordination with agencies, local service providers and advocates suggests that funding and expertise are available. The County can facilitate in several ways to remove barriers to development by improving land access and by adopting the shelter-friendly ordinances proposed here. Positive steps that can be taken now are: (1) adopt the Pilot ordinance; (2) donate

and/or lease land for safe parking and safe shelter programs under the Shelter Crisis Ordinance; and (3) collaborate with providers and acquire funding where possible.

Implementation

Streamlining the ministerial approval and review process for the Safe Parking – Safe Shelter Pilot Program will be facilitated by staff training, inspection procedures, availability of public information accessible in the form of Frequently Asked Questions and web materials, and a code compliance process. Long Range Planning will develop application forms and instructions for counter staff. Initial and annual inspections will be routed by referral to the Building Department. Frequently Asked Questions for providers and interested members of the public will be available as handouts and on the County website. Staff will ask the Board of Supervisors to allocate funds sufficient to fund a part time or full-time staff position to cover inspection and code compliance issues associated with the Pilot Program. A report summarizing the Pilot Site's operation, and its capacity and persons served, will be compiled annually in consultation with the Housing Trust Fund and Homelessness Solutions Committee. The report will be presented to the Board of Supervisors annually as part of the Housing Element Annual Report.

Best Practices

Although safe parking programs are short-term solutions for participants, the need for emergency shelter remains. Successful safe parking programs that have endured for years or decades tend to follow some common best practices. These practices have evolved over time as incidence of homelessness has intensified. Problems associated with early sanctioned camps and safe parking programs included the perception of increased crime and theft (often rebutted by evidence from local police), complaints from nearby businesses, and insufficient services. To achieve longevity, programs must be well managed, with plans to cover ongoing expenses like sanitation, garbage collection, and security. Staff took an in-depth look at the common characteristics of seven long-running programs, and surveyed best practices for the longest-running program, New Beginnings in Santa Barbara. In addition, staff looked at lessons learned from a locally executed tent camp. The results are attached to this staff report as Exhibit A, Tables 2 and 3. The main findings and best practices are summarized below.

Program Characteristics

All programs examined have a lead agency or organization that recruits partners, coordinates services and distributes information to partners, the public, and potential participants. Successful programs advise that a non-profit or agency with expertise in serving homeless people is best situated to execute on-the-ground operations. Planning and zoning agencies contribute to success by adopting an ordinance that at least suspends police enforcement against participants, and at best creates a set of rules, guidelines and information to facilitate continued and future safe parking programs.

Some programs found it easier to get funding by targeting subpopulations of participants (using non-discriminatory criteria like families, youth, veterans, domestic violence victims). Program costs varied widely with the level of services provided. Leveraging local resources is a common theme; for example, one long-running program in Oregon uses neighborhood groups and non-profits to find and evaluate safe parking sites. Hosts tailor their program parameters (type of vehicle, population, number of spaces, levels of service) according to site and neighborhood conditions, and make site rules accordingly. The programs examined used funding from various sources. Agencies and non-profits who act as coordinators or providers usually secure and monitor grants for the services they provide. Local agencies often administer and distribute funds. State and Federal funds tend to dictate program parameters.

Best Practices Summary

The New Beginnings safe parking program has been operating for 18 years in Santa Barbara, and has assembled a manual for prospective safe parking providers. Locally, Arcata House Partnership

presented information about their 2020 safe tent site in Arcata, in the form of lessons learned. Best practices from these two sources are summarized below.

General Program Advice

Most pilots started with 5-15 spaces, and scaled up when success was achieved. Advice includes:

- Depend on existing staff skilled at serving the homeless population;
- Have weekly community/partner meetings;
- Charging participants a small fee failed miserably;
- Establish exit protocols for participants;
- Use participants as champions;
- Use multiple funding sources for different project components;
- Make staff available for stakeholder presentations;
- Involve police early; designate a liaison to interact with and educate police.

Sites and Vehicles

- Start small and expand; stick to using 10-20% of available spaces;
- Require that vehicles are licensed, registered, insured, and able to drive away from the site under the vehicle's own power;
- Keep a wait list; provide a letter to applicants verifying they are on a wait list (may avoid tickets);
- Have a grievance policy & procedure;
- Paid, trained staff must supervise;
- Limit the number of vehicles or shelters in lots close to homes.

Operations

- Apply rules consistently;
- Use volunteers, but set clear boundaries and limits for tasks; successful clients may make good volunteers;
- Take an anonymous client satisfaction survey every 90 days for clients receiving services;
- The 6-month participant limit is inadequate for most; on the other hand, no time limit leads to gridlock (no open spaces).

Model Management Plans

Three Model Management Plans are proposed as part of the zoning clearance application process for providers who want to participate in the Safe Parking - Safe Shelter Pilot. The Low Barrier Model, Village Model, and Minimal Requirements Model were drafted to accommodate different site, funding, and operation types. An Appendix is to be included with the application if tents, cabins, or other non-vehicle shelters are allowed. The Appendix incorporates the required elements from California Emergency Housing Standards (California Residential Code Appendix X, and California Building Code Appendix O). All four documents are presented as Attachment 5 to this staff report.

Partner and Agency Collaboration

The Safe Parking - Safe Shelter Pilot ordinance and Model Management Plans were drafted with input from other agencies and community groups experienced in providing services to individuals experiencing homelessness. Among those consulted are the Department of Health and Human Services (DHHS), the Humboldt Housing Trust Fund and Homelessness Solutions Committee; the Humboldt County Undersheriff, Affordable Housing and Homeless Alternatives (AHHA); and Arcata House Partnership (AHP).

Potential Partners and Providers.

Before drafting the Pilot Program, a number of agencies and potential partner organizations were interviewed to get suggestions and observations based on their expertise relating to homelessness. Department of Health and Human Services staff expressed a preference that resources be

directed at permanent housing. However, given the current shortage and extended timeline, they recognize that short-term strategies like safe parking can serve as harm reduction.

In general, service providers identify several subpopulations of unhoused people: families in vehicles seeking a safe place to sleep; adults living in RVs which may or may not function; and working adults needing a place to sleep. Some prefer separating populations based on the types of services needed. Humboldt County Undersheriff Justin Braud noted in a phone interview in July of 2021 that there is significant overlap among the groups, as well as additional factors like animals they are unwilling to lose, spotty function, resistance to shelter, and too many possessions. Based on his camp outreach, he observes that there is always a combination of people with different needs at any site. He thinks camps with separate sections for groups and subgroups would work.

There is general agreement that a model is needed that allows churches and smaller non-profits to provide services at a scale that they can manage with limited staff and resources. Professional providers agree that six months is not long enough to transition people to permanent housing, even if such housing was available. Therefore, flexibility on the length of stay in the Pilot Program is preferred. There is general agreement that requiring unhoused people to leave the shelter site during daytime hours is an unreasonable hardship on unhoused people without vehicles, and one that works counter to stabilizing their situations.

Comments on the Draft Ordinance by County Agencies

Humboldt County Code enforcement staff expressed concerns about the Pilot Program citing the potential for abandoned vehicles and accumulated trash that may remain after the use ceases at one or more sites that would then have to be removed at the county's expense. Their recommendation is to require a bond of posted by operators of the Safe Parking – Safe Shelter sites in an amount sufficient to cover cleanup costs should that become necessary. Another alternative would be for the County to set aside an amount in the contingencies budget for the term of the ordinance to cover site restoration costs.

The Planning Commission may include either or both of these alternatives in the resolution of approval for the project. However, the requirement of a bond likely exceeds the authority specified in State planning code; local regulation of emergency shelters is limited to development or management standards that apply to residential or commercial development within the same zone, or objective standards listed in parts (i) through (viii) of that section. (Gov't. Code 65583(a)(4)(a)). In addition, under the Housing Accountability Act, a local jurisdiction may not “condition approval [of an emergency shelter] in a manner that renders the project infeasible” unless it makes at least one of five specific written findings based on substantial evidence in the record (Government Code Section 65589.5).

Other recommendations include (1) a cap on the number of Pilot sites permitted, and (2) removing an allowance for Safe Parking/Safe Shelter programs at sites with existing churches in other zones. The revised draft ordinance includes a cap of ten (10) Safe Parking – Safe Shelter Pilot sites countywide. The revised draft incorporates recommendation number 2, but proposes the original allowance as an alternative. In response to other expressed concerns about code enforcement, more details of Pilot implementation are included in all three Management Plans.

Public Works Land Division offered five conditions of approval and 6 information notes, some of which are incorporated in the operating plans already, and some of which are addressed in staff's response (see Attachment 6).

Tribal Consultation and Collaboration

Members of the Housing Trust Fund and Homelessness Solutions Committee conferred informally with Tribal members during drafting and review of the Safe Parking – Safe Shelter ordinance. In addition, staff solicited input from Tribal organizations by mail and email in order to better coordinate service to residents in rural areas where government resources and services are less likely to be available. The Bear River and Wiyot Tribes have responded as of this writing. The Bear River response includes a request to review site plans for potentially significant effects once locations are proposed. Referral to those Tribes of submitted applications will be built into the staff procedures for implementing the ordinance.

Public Comment

Partner agencies and organizations were encouraged to share drafts with their contacts and partners. A public draft was made available on the Planning Department's Housing Element website at <https://humboldt.gov.org/3200/SAFE-PARKING-SAFE-SHELTER-PILOT-PROGRAM>. Notice of the public hearing was published in the newspaper on January 19, 2022, and text notifications and emails were sent to interested parties.

Comments received from the public so far have been from those participating in community activities to help unhoused people. The one written comment received agrees that the Pilot Program would be an important part of the system, and that evidence-based practices of housing first should still apply (voluntary services; harm reduction philosophy; no withholding services for sobriety, substance addiction, or lack of money). However, she suggests that shelter be provided under normal tenancy agreements.

Attachment 6 includes both Partner and Agency input and public comments received for this project to this date. Additional comments will be included in supplemental materials as they are received.

Shelter Crisis Ordinance

Pursuant to Government Code Section 8698, the Board of Supervisors declared a Shelter Crisis on February 27, 2018 through its Resolution 18-15. Under the Shelter Crisis Declaration, emergency shelter sites located on county-owned or county-leased land are exempt from CEQA, may waive liability for ordinary negligence, are subject to minimal emergency building codes, and are entitled to other benefits. Therefore, in order to facilitate emergency shelter development, including the Safe Parking - Safe Shelter Pilot Program, an ordinance is proposed that would enable use of the Shelter Crisis Declaration, as well as comply with 2020 legislative requirements amending the Shelter Crisis Act (AB 2553).

Conclusion and Recommendation

Safe Parking - Safe Shelter is a temporary, lower cost step on the road to rehousing. Because of Humboldt County's diversity of geography, population, and infrastructure, a flexible ordinance is needed that accommodates Minimal Requirements, Village, and Low Barrier program types. Minimal Requirements and Village type sites are designed for remote and rural areas because they are cost-efficient and can leverage local partners and non-profit organizations. The County is well situated to support the success of a safe parking and safe shelter program by (1) facilitating development through a Pilot ordinance; (2) donating and/or leasing land for programs under the Shelter Crisis Ordinance; and (3) collaborating with providers and acquiring funding where possible. Staff recommends all the above actions as a temporary solution to shelter the County's unhoused population.

Alternatives

The Planning Commission could choose not to recommend approval of either or both ordinances, or propose changes to either or both. Or the Planning Commission could recommend approval of both ordinances but reject or propose changes to the Model Management Plans, or recommend different plans. These alternatives are not recommended because of the recognized urgent need for emergency shelter options, and the staff-level coordination needed for development of and changes to the model plans. Also, agency and public comment received have already been addressed by changes to the proposed ordinances and model plans and plot plans, so based on the comments received to date, there is no need for the Planning Commission to reject or modify the ordinance.