

# Persistence Pays

## CASA of Oregon Overcomes NIMBY to Develop Farm Labor Housing

by Bob May

In Oregon, the development of new multifamily housing for year-round agricultural workers and their families is rarely well received. CASA of Oregon, a private nonprofit organization, has repeatedly encountered resistance to proposed farm labor housing developments. CASA has been successfully overcoming this opposition and developing decent, affordable housing for agricultural workers throughout rural Oregon for over 10 years.

I mention this only to convince you that at CASA we understand the sensitive issues surrounding the development of this type of special needs housing. We have learned over the years to gauge the impact that our proposals for affordable housing will have on a community. We have also learned to predict the extent of opposition our projects might generate. Consequently, we have refined our ability to announce our intentions tactfully to cities and to communities at large.

I like to think of our process as the "Teddy Roosevelt" approach, only we keep our stick hidden and only use it when absolutely necessary. We prefer to take a non-threatening approach and generate community acceptance of our projects by providing detailed information to interested community members. Despite this, we expect, and usually receive, some degree of opposition to our type of housing.

In early summer in 1996, I arranged for a local housing authority to obtain an option to purchase a five-acre parcel of land for a proposed 32-unit farm labor housing development. By mid-July the whole town of 2,500 residents was in an uproar. The city manager and I agreed that an "informational

meeting" should be held to dispel the rumors and misinformation that had begun to circulate around town.

So, on a balmy evening in 1996, CASA staff presented our vision of 32 new units of multifamily housing to the city council of a small rural Willamette Valley community. Also in attendance were about 50 concerned citizens. Another 50 or so people milled around the parking lot because there was no more room in the small concrete block city hall. We began by explaining who CASA was and showing off enlarged photos of other housing we had developed in similar communities. We explained how successful and well managed these projects had been over the years. We also encouraged people to visit our other developments or to at least call the respective city staff to ask if there had been any problems with our developments over the years. Our architect then took the floor to show his site plan and design, complete with a color sketch of the proposed housing.

At the conclusion of the architect's presentation, I arose to field questions. One of the seven councilors asked why we were there wasting everyone's time. It was obvious to her and to everyone in the room (in her opinion) that this housing was neither wanted nor needed in their town and that we should all just leave and not bother them again. She stated that we were foolish and incompetent people if we could not see that our proposed housing should be sited either on a farm somewhere or in some other town. One of the male members of the council then stood up, red-faced and angry, pointed his finger and screamed at me that this housing would be built only over his dead body and that he would do everything in his power to stop it. The cheering from the now agitated crowd went on for quite a while. We departed the building as

gracefully as possible, ignoring the jeers and expletives aimed our way. It was a bad beginning, but we were determined to proceed with our project.

Once we started the land use approval process, the battle raged on for nearly a year with subsequent meetings being held in the local grade school cafeteria. The city hall was too small to accommodate the 150 angry, impassioned citizens opposing our farm labor housing project. During the ensuing months, while the financing was being secured for the project now known as Abbey Heights, we tried everything we could think of to calm the populace and dispel the misinformation being spread. We had very little success.

The opposition seemed to have many leaders. There was of course the usual inflammatory petition being circulated and signed stating that our housing was racially discriminating. Recall petitions were also being discussed if any planning commission or city council member should be so foolish as to support or even seriously consider our project. Despite all this turmoil around us, we proceeded with our development plans.

Once the financing was secured, and the plans and specifications had been completed, we applied for land use approval. Since the property we had by now purchased was zoned for multifamily housing, we did not need any special variances. The city's staff recommended approval of our plans by the council, since there was no legal basis for denial. This however did not seem to matter to the planning commission. They stalled the process over and over by giving weight and credence to endless testimony from the audience. They listened patiently to hours of repetitive

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testimony which had no relevance to the narrow range of issues which could actually be used to deny our land use.

After a second meeting that lasted late into the evening with no resolution in sight, we decided to retain a very prominent land use and civil rights attorney from the Portland area to assist us.

Our attorney finally convinced the city's attorney that we were deadly serious about our development and that we were not going to go away or give up. The attorney also made it clear to the other side that if they persisted in continuing with their obstructionist hearings, we were prepared to proceed with whatever litigation we deemed necessary to win our approvals and that we would expect compensation for this insane waste of time and money.

Ultimately there were four planning commission meetings. The final lasted until 1:30 am. Eventually, even though the city staff and attorney explained to the commission that they had no basis for denial, we were denied approval for our project.

We then appealed to the city council and at the next regularly scheduled meeting our approval was granted. The city council had been threatened with a lawsuit by both the opponents and the proponents so it was not an easy decision for them to make, but eventually they voted 4 to 3 to approve our project. The mayor had to cast the deciding vote. The opposition never did follow up with any litigation, there being no legal basis for a denial of our request. Petitions were circulated to recall those council persons that had voted for our project, but eventually they fizzled out. We went ahead, finally, with our project.

We began to hear rumors around town of how our project was going to be terrorized, with equipment being destroyed and buildings being vandalized or burnt.

In August 1997 we broke ground. Our excavating crew was led by a man named Clovis Gibson. Clovis has a Paul Bunyan or even a Babe the Blue Ox look about him. He is a huge man with an ever present smile and hands the size of hams. Clovis became the friend of everyone in town just by being himself. Unbeknownst to us, he was hauling excess dirt to the city park to help

the city construct a skate board park. He was also using his equipment to help the public works department complete some of their projects. Clovis was gradually ingratiating himself with the local populace.

Soon the rumors of terrorist opposition to our project died down. The city residents were not going to bother Clovis and his excavating equipment, but would wait until some of the buildings were framed and then burn them to the ground.

By the time we finished construction of our slab on grade footings, foundation walls, and slabs, the city populace that had opposed us had mentally moved on. They were upset about new issues with which they now had to contend.

Besides that, our project was no longer in the abstract. They could observe its progress. They could now see how the physical structures would be laid out. They could now understand how the design issues that the architect had spoken of so many months before were going to benefit the neighborhood. Little by little the rumors changed from the negative to the positive. The housing itself was becoming a reality and was being accepted.

The fact that the housing is to be occupied by non-migrant agricultural workers and their families, who are mostly Hispanic, does not seem to be a problem anymore. It obviously was a problem in the beginning, but, now that they can see the housing, it no longer elicits such negative passion. I do not understand, but I am grateful. All I know is that I have witnessed two extraordinary occurrences which, to me, spoke volumes.

One was a planning commission meeting. An expansion of the local grade school was being discussed. The city planner was explaining how an expansion of the cafeteria would be beneficial to the community. For example, it could be used for large meetings. The planning commission chair and all the rest of the planning commission people turned in unison toward me in the audience and said, "well yes, that's true. Remember all those meetings we had about Abbey Heights. Ha! Ha! Ha!". Believe it or not they were all grinning as though it was a fond memory and one they hope to relive again. After the meeting they chatted with

me as if I was an old friend.

This obvious change in attitude prompted me to make a request of the city council that no one would have previously thought possible. In an attempt to get the rents as low as possible I had long wanted to access \$150,000 in Community Development Block Grant (CDBG) funds which can be used for infrastructure improvements in support of affordable housing. The catch had always been that in rural Oregon only cities or counties could apply for these funds. The thought of this city applying for CDBG money, which would help the farmworker project, had heretofore been unthinkable. In fact, it was the hint of this request that had prompted a council member, many months ago, to shake his finger at me and state that the project would be built over his dead body.

After lengthy discussions with the city manager and a few of the council members, I had reason to believe that the council might receive my request without animosity. I was totally unprepared, however, when the motion to approve the request was made by the "over my dead body" guy and another former anti-project zealot, who turned to me after the unanimous vote and said "You may proceed with our blessing." I was stunned by their warmth and sincerity.

Our relationship with the city is now one of partnership. Problems and concerns that crop up during this final phase of the project are now discussed in a cooperative fashion.

The current attitudes, both ours and theirs, are based on trust. They now trust that we are not liars out to destroy their town and that we will manage the units in the manner we described. We trust that they are not terrorist bigots out to destroy the human rights of the population we are intent upon serving.

The city has a new city manager now and a few new city council members. New attitudes prevail. I could not be working with a more amenable group and I am grateful beyond words.

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