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COMMUNITIES

Life in Cooperative Culture

COMMUNITY and the LAW

Neighbor Nightmare

A Squat Law Journey

May the Circles Be Unbroken

The Scarborough Street 11 Speak Out

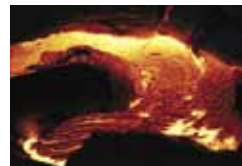
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Breitenbush Community members Charlie and Gael wrap their arms around an old-growth Douglas fir in the Willamette National Forest. Through a lawsuit, public education, and civil disobedience in the 1980s and '90s, community members were instrumental in winning permanent legal protection of the wilderness from logging. Photo by Tom Robinson.

COMMUNITIES

Life in Cooperative Culture

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Laird Schaub



Sky Blue



Christopher Kindig



Aurora DeMarco

Sky's the Limit

After 28 years in the saddle of the FIC's lead horse, I'm turning the reins over to a trio of younger trail bosses. From 2016 forward, FIC will be led by Christopher Kindig (the Business Manager since May 2013), Aurora DeMarco (the Development Director since February 2015), and Sky Blue (the incoming Executive Director, effective the end of the year).

Back in the spring of 1987, I can remember going out to dinner with the folks who lingered after the inaugural FIC Board meeting, noting that all those present were in their 30s: Charles Betterton, Dan Questenberry, Suzanne Riordan, Allen Butcher, and myself. While all of those players (excepting Dan and me) moved on from the FIC scene shortly afterwards—which can sometimes be the way with younger people—I remember distinctly the sense that FIC was a young initiative.

The wheel turns and now it's time for a new generation of leadership. I'm now in the old guard and it's time to turn over the helm to Sky, who's in the same decade of his life today that I was back in 1987. In addition to the trio named above, we added two women under 30 to our Board last spring: Janel Healy and Cynthia Tina.

The Road Already Traveled

This point of transition is a good time to pause and take stock of what FIC has accomplished so far. Here are half a dozen milestones:

—We've established ourselves as the unquestioned source for up-to-date, comprehensive information about intentional communities, specializing in North American. We tell you who's doing what and where. Today, three quarters of the visits to our website are to view our online Directory with its searchable database.

—We've gathered, articulated, and disseminated information about social sustainability, drawing on the hard-earned lessons of intentional communities. We do this through our Directory, COMMUNITIES magazine, the offerings of Community Bookstore, and the community-focused events that we host or help others produce. While there are only about 100,000 people in the US who live in some form of self-identified intentional

community, we figure there may be 100 *million* people in the US who crave more civility, connection, and sense of neighborliness in their lives. We believe that the principal value of intentional communities to the wider society is as a source of information and inspiration about how to create and nurture cooperative culture, offering blueprints for a positive future.

—We've provided unstinting technical support to forming and beleaguered groups. Either our staff knows the answer (from the depth of our experience) or we know who does. While this tends to be quiet, behind-the-scenes work, it can make all the difference in the world to the struggling group.

—We built a network from the ground up, relying mainly on user fees for our products and services, augmented by membership income and broad-based donor support. While we never run out of ideas about new things to try, we've diligently managed to keep our dreams in line with our finances.

—We walk our talk as an organization focused on cooperative culture. We make decisions by consensus and consider relationships more important than appearances or gate receipts. Over the years we have forged myriad partnerships with sister organizations to host joint events, to carry out team projects, to market each other's products, and to conduct research. When we get complaints about listed communities (we don't get many, but we get a few) we work hard to clear up misunderstandings and to clarify misleading information.

—We work steadily to provide a consistent message to the mainstream about the overwhelmingly benign nature of community living and its hopefulness for a better world. We handle press inquiries at a clip of two or three per month and are constantly writing and speaking about our experience.

The Road Ahead

Here are half a dozen challenges queued up for the next generation:

I. Building a better business model for our website and online Directory

When we first started out, the internet had not yet come into its own and our first two *Communities Directories* (in 1990 and 1995) sold like hotcakes—18,000 copies of each edition. Then, beginning in 2000, we noticed a marked erosion in sales as the public increasingly resisted paying for information. Never mind that it took 1000 hours to gather, collate, and publish a book that would change their lives. To be sure, people still wanted the information—they just didn't want to pay for it.

Swallowing hard we made the decision to make our database available online for free in 2004. We still sold the Directory in book form (complete with maps and a cross-reference chart of the most commonly used search criteria), but never again so many. For years we struggled with how to make our online presence pay the bills. While staff (first under the supervision of Tony Sirna and more recently under Christopher Kindig) has done wonders to turn that around through advertising, we still need more revenue from our main products to cover the salaries of the staff devoted to keeping the information current and easily accessible.

What worked in the past is no longer working today and we need to adapt.

II. Getting this magazine into the black

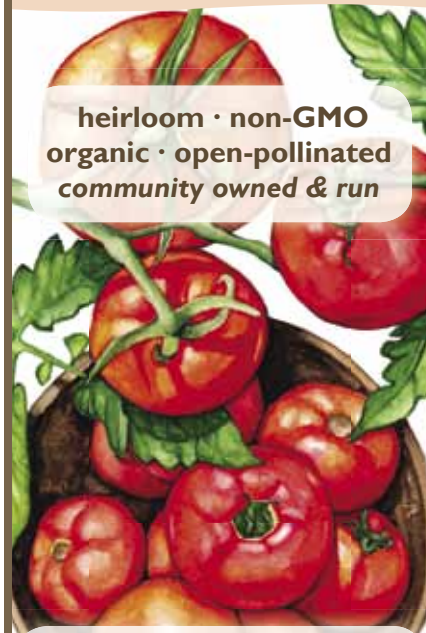
FIC took over as publisher of *COMMUNITIES* in 1992. It was dead in the water at the time and we resurrected it as a regular quarterly publication in 1994. In all those years, however, we have finished the year with a net gain only a few times. Mostly we have bled money, subsidizing operations with profits earned elsewhere. As we expect all program areas to carry their own weight, the magazine has been a problem child in that regard.

To be clear, we *love* publishing it and what it does in service to our mission to help get the word out about the inspiration and ideas of cooperative culture—but we've had a devil of a time figuring out how to generate enough revenues to finish the year above water.

Just as he helped with the website, Christopher Kindig has been a dynamic Ad Manager whose work has helped generate new sources of ad revenue, and we've struck gold

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Acorn Community celebrates our 22nd anniversary this year. Prospective members and interns are welcome to write to us to request to visit, especially during the summer months.

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COMMUNITIES Editorial Policy

COMMUNITIES is a forum for exploring intentional communities, cooperative living, and ways our readers can bring a sense of community into their daily lives. Contributors include people who live or have lived in community, and anyone with insights relevant to cooperative living or shared projects.

Through fact, fiction, and opinion, we offer fresh ideas about how to live and work cooperatively, how to solve problems peacefully, and how individual lives can be enhanced by living purposefully with others. We seek contributions that profile community living and why people choose it, descriptions of what's difficult and what works well, news about existing and forming communities, or articles that illuminate community experiences—past and present—offering insights into mainstream cultural issues. We also seek articles about cooperative ventures of all sorts—in workplaces, in neighborhoods, among people sharing common interests—and about “creating community where you are.”

We do not intend to promote one kind of group over another, and take no official position on a community's economic structure, political agenda, spiritual beliefs, environmental issues, or decision-making style. As long as submitted articles are related thematically to community living and/or cooperation, we will consider them for publication. However, we do not publish articles that 1) advocate violent practices, or 2) advocate that a community interfere with its members' right to leave.

Our aim is to be as balanced in our reporting as possible, and whenever we print an article critical of a particular community, we invite that community to respond with its own perspective.

Submissions Policy

To submit an article, please first request Writers' Guidelines: COMMUNITIES, 23 Dancing Rabbit Ln, Rutledge MO 63563-9720; 660-883-5545; editor@ic.org. To obtain Photo Guidelines, email: layout@ic.org. Both are also available online at ic.org/communities-magazine.

Advertising Policy

We accept paid advertising in COMMUNITIES because our mission is to provide our readers with helpful and inspiring information—and because advertising revenues help pay the bills.

We handpick our advertisers, selecting only those whose products and services we believe will be helpful to our readers. That said, we are not in a position to verify the accuracy or fairness of statements made in advertisements—unless they are FIC ads—nor in REACH listings, and publication of ads should not be considered an FIC endorsement.

If you experience a problem with an advertisement or listing, we invite you to call this to our attention and we'll look into it. Our first priority in such instances is to make a good-faith attempt to resolve any differences by working directly with the advertiser/listener and complainant. If, as someone raising a concern, you are not willing to attempt this, we cannot promise that any action will be taken.

Please check ic.org/communities-magazine or email ads@ic.org for advertising information.

What is an “Intentional Community”?

An “intentional community” is a group of people who have chosen to live or work together in pursuit of a common ideal or vision. Most, though not all, share land or housing. Intentional communities come in all shapes and sizes, and display amazing diversity in their common values, which may be social, economic, spiritual, political, and/or ecological. Some are rural; some urban. Some live all in a single residence; some in separate households. Some raise children; some don't. Some are secular, some are spiritually based; others are both. For all their variety, though, the communities featured in our magazine hold a common commitment to living cooperatively, to solving problems nonviolently, and to sharing their experiences with others.

with the completely revised *Best of COMMUNITIES* reprint collections we released last year, now available both digitally and in print. The next focus will be on boosting subscriptions.

III. Developing a robust business model for community events

Hosting community-focused events is one of the most fun things FIC does. Participants get information about community and a taste of it at the same time. Beginning in 1997 we pioneered a weekend event styled Art of Community, which we've refined over the years to be a consistently wonderful experience for attendees and presenters alike. The problem is keeping the event affordable while at the same time generating enough income to decently compensate core staff (the people handling overall coordination, program, registration, marketing, and volunteer management).

It's mostly been hard to get all of the following four pieces to fit together in the same event: a) acceptable venue costs; b) accessible attendance fees; c) high enough attendance; and d) enough income after expenses to pay key staff a living wage. Solving this conundrum will be a significant challenge for the new leadership, because asking event staff to volunteer is not sustainable.

IV. Promoting greater cooperation among organizations with a core value of cooperation

While we made progress on this already (see above) there's more work to be done. We are two years into exploring a joint relationship with the Global Ecovillage Network (GEN) of the US, the Ecovillage Network of Canada, and NextGEN-North America to create GEN-North America. Part of the work is sorting out who will do what and exactly how many unique entities are required to accomplish it all.

Parallel to this, FIC has strong ties to the Cohousing Association of the US, the Federation of Egalitarian Communities (both Sky and I come out of this tradition and cut our networking teeth under the aegis of the FEC), North American Students of Cooperation, the Arthur Morgan Institute for Community Solutions, and the US Federation of Worker Cooperatives. In fact, before this year is out either Sky or I will have participated in conferences hosted by every one of these partners.

Maybe it's time to get representatives of all these groups into one room for a long weekend, to discuss mutual interests and the potential for greater levels of collaboration—to test the waters for more cooperation among cooperators. (What a concept, eh?)

V. Creating community where you are

We need to stay the course as we strive to establish the relevancy of intentional communities to the wider culture as the R&D centers where we're pioneering how to live cooperatively—information and skills that there is a growing hunger for in neighborhoods, schools, churches, and workplaces everywhere.

It is often not immediately obvious to more mainstream groups why the exotic world of intentional communities has something of value to offer—but we do. Our challenge is to figure out how to better package what we have so that it's more appealing and usable to these potential allies.

VI. Legitimizing the intentional community experience

We aim to increase our collaboration with researchers to help collect and analyze the data that provides academic and scientific rigor, backing up the anecdotal claims that people are happier living in community, and that no matter what the question is about the future, community is the answer. Greater gains here will simultaneously augment our work with the previous goal.

In tandem with this, we will need to keep working closely with the press and social media, as well as through our own publications, to help get the word out about the findings. We need to be the good news folks in a world going to hell in a hand basket.

• • •

Our new leadership has their work cut for them, but they're all experienced in their areas and eager for the challenge. Sky, the last member of the trio to be selected, will be the center of the hub as Executive Director. Though only 35, he's been living in community since he was 19 and is an experienced facilitator, networker, and bridge builder all of

which will serve him well in the job ahead.
 How far will we go? With apologies to Willie Nelson, I suggest the following theme song:

*Blue skies smilin' at me
 Nothin' but blue skies do I see
 Blue days, all of them gone
 Nothin' but Sky Blue [and his friends] from now on* 🌿

Laird Schaub is Executive Secretary of the Fellowship for Intentional Community (FIC), publisher of this magazine, and co-founder of Sandhill Farm, an egalitarian community in Missouri. He currently lives in Chapel Hill, North Carolina where he is exploring community building with two close friends. He is also a facilitation trainer and process consultant, and authors a blog that can be read at communityandconsensus.blogspot.com.

Correction



The credit for issue #167's cover photo, for which we didn't have complete information at the time of publication, should have read:
 Photo by Alex Cicelsky,
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 Thanks Alex!

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It's the Law

I usually find myself getting very involved with a COMMUNITIES theme as we're assembling an issue. This is often just a natural outgrowth of soliciting, reading, and editing articles on the theme, perhaps writing one myself, and talking about the upcoming magazine with other people. Seldom, however, has a theme struck so close to home—literally—as “Community and Law” has in my personal life over the past six months.

For at least 20 of the past 30 years, most of those in intentional community, I have lived in dwellings that were not exactly...well, legal. They were built without permits and not according to code. They lacked many of the bells and whistles that building codes generally require of modern homes, and also had much smaller ecological footprints. They were do-it-yourself dwellings whose construction and occupancy were basically victimless crimes—and indeed, no one seemed to be bothered that I was living, for most of the past dozen-plus years, in an unpermitted yurt and attached cabin. Our intentional community had several non-code-compliant dwellings and since no one complained about them, our county government's over-extended land-management division turned a blind eye.

When we submitted a new site plan application, however, the county could no longer turn a blind eye. In early spring, I received word from our community's liaison to the county that I ought to plan to vacate my yurt within two months.

The gears at the county have ground more slowly than projected—thankfully. It's taken me until mid-summer to complete renovation of a tiny-home-on-wheels that is allowing me, for the first time in a long time, to live in a space that is actually *legal*, approved by the authorities.

For the last several months I have spent at least as much time dis-

assembling things, cleaning surfaces, planning, measuring, cutting boards, driving screws, affixing insulation, etc., as I have working on the magazine—all because the crosshairs at the intersection of Community and the Law were aimed at me and my home. (This has introduced some very early mornings and very late nights into my daily routine, since the amount of work it takes to produce the magazine has not diminished.) Ironically, the ability to live as I have for so long in unpermitted, non-code-compliant dwellings has helped me to afford to do such things as survive on a COMMUNITIES magazine editor's salary while dreaming up topics to cover like Community and the Law.

Fortunately, the opening-up of the tiny home route as a legally allowed option, while requiring some initial outlay (probably a year's salary invested into my new home), will allow me to continue to live frugally without the kinds of household expenses that drive many people to separate their work from their passions and vision.

• • •

I've experienced the theme in other ways as well recently. Three communities with which I have close ties have all encountered serious legal challenges especially over the last few months. And over the last three decades, I've been witness to and even a part of a range of legal issues related to different communities. Many of these challenges are mirrored by other stories in these pages. A few of them are unique or sufficiently different that they merit mentioning here, since no feature article describes them in detail.

One area perhaps under-represented in this issue is “Legal Challenges from Within.” More than one community has run afoul

legally of disgruntled ex-members (or even, in one case I know of, a disgruntled aspiring member) who bring lawsuits whose outcome is a “settlement,” arrived at because the group (or its insurance company) finds it less expensive to settle (hand over some money, even if the lawsuit is not justified by facts) than to fight the lawsuit in court or through further mediation.

In cases where a community has activities that generate an income stream (perhaps as part of an educational nonprofit), ex-volunteers have sued to be paid for work that they had done voluntarily; ex-staff have sued to be paid, retroactively, higher wages than they had agreed to work for and than anyone else in the cooperative group made; ex-provisional-staff have sued for breach of contract, wrongful termination, defamation of character, and infliction of emotional distress—because, after their trial period, the group declined to hire them into a position for which they were judged to be a poor fit. The merits of some of these cases never got a chance to be tested, simply because the high cost of lawyers made a settlement the least expensive option.

In a litigious society, cooperative groups are not immune to these kinds of unexpected legal actions taken against them; in fact, they may be particularly vulnerable. Their members may tend to be (and also proudly aspire to be) more trusting than suspicious, more open than self-protective, more likely to expect honesty, integrity, and efforts at harmony than deceit, betrayal of trust, and antagonistic actions. Cooperative groups may also be stretched thin in both staffing and funding, and their businesses may have less-than-optimal investment or professionalism in their Human Resources departments, which might otherwise intercept such problems before they blew up into legal complaints.

An added twist occurs when the community has buildings that violate code, uses unpermitted humanure or graywater systems, or engages in some other activities that are not considered fully legal. I have seen a disgruntled resident, on the way out of a community, successfully pressure a group into allowing a longer stay than the group was comfortable with, by threatening to turn them in for various infractions. I have witnessed mysterious (but never indisputably correlated) code enforcement activities against a group immediately following the departure of a member who'd had a major falling-out with them. While circumstances are often murky surrounding cause, effect, and intention in these situations, it is clear that the law can be—and sometimes is—used as a weapon (or,

depending on your perspective, a tool) when conflicts that occur within a group erupt beyond the point of internal resolution.

I have also seen the law be brought in to resolve internal disputes in a more effective way than the group itself could manage. In one case, an embattled Board of Directors who'd defied the wishes of a powerful member (and suffered the consequences: a lawsuit against them brought by that member and a rogue Board of Directors) took legal action that established their own legitimacy and allowed a paralyzed organization to move forward. Using the legal system may—for good reason—be the strategy of last resort within groups who are attempting to develop and model more cooperative ways to resolve conflicts (and to find win-win solutions when differences arise)...but it *can* be an appropriate strategy when every other approach fails.

It can also be an appropriate strategy when facing “Challenges from Without”—though it is not guaranteed to be effective. One group had its access road blocked off by a new neighbor who'd bought a property through which that community had a driveway easement. (That same neighbor had turned in various unpermitted buildings at the community as well—buildings the county officials had been inclined to let stand until the neighbor compelled them to enforce regulations.) The group's lawsuit established that the easement was legal and that the neighbor had no right to block the driveway. The neighbor responded by blocking it even more thoroughly, with very large boulders. Finally the community reached an agreement with the neighbor which involved improvement of an alternative route—but the neighbor prevailed in his wishes to shut down the established access road, despite losing in court.

• • •

Neighbor problems are just one variety of legal challenges coming from outside the community, but they may be the most potent one. Several articles in this issue describe variations on that common story. Challenges from neighbors become even thornier when they are being funded, albeit covertly, by a multinational corporation. This was another story we aren't able to present in full in this issue, though we hoped to. But imagine this scenario:

Two forest-protection activists organize the public against spraying within the forests, thereby making enemies of an economically powerful herbicide manufacturer (which, on the side, also genetically engineers and patents seeds and plant varieties). The corpora-



tion funds the establishment of a “grassroots” organization within the state to advocate, nominally, for “food and shelter” (but actually, against any restrictions on the use of insecticides, herbicides, or GMOs). That group then gets active in various rural locales, including in the neighborhood of the forest activist couple, whose efforts they actively oppose.

The couple acquires additional forest land in order to protect it, including a parcel that contains abandoned conference center facilities. The couple then gifts use of that land to an educationally-focused intentional community group in search of a home. This new community revives the conference center site to empower people to learn about and practice ways of living that are more organic and earth-friendly (meaning, among other things, free of synthetic chemicals and GMOs). The corporation’s “grassroots” front group (many of whose members have no idea that they are being funded by that corporation) then kicks into high gear locally, bringing repeated complaints and legal challenges against the educational nonprofit community.

These intentional community members had no idea what they were stepping into when they accepted the gift of the land—or that a network was already set in place to exact retribution against the activist couple and also against anyone connected to them or their land.

• • •

It would be easy to become cynical in the face of a scenario like that one (even if, for argument’s and legalities’ sakes, it was only an “imagined” one)—or in the face of the many stories of dashed hopes and thwarted efforts at community, all at the hands of the “law.”

But the law can be changed, and people can change as well. It may be true that “the law doesn’t hurt people...people hurt people”—the law is just a tool. As some of these stories also show,

the law can be an instrument to promote *more* community, *more* sustainable ways of living, *more* of the kind of society many of us aspire to and work toward. A number of groups and organizations exist to help people work with the legal system to not only allow but promote this kind of cooperative future, for individuals and small groups and also for society at large.

One organization which stands out in this regard is the Sustainable Economies Law Center, whose website (www.theselc.org) offers many helpful resources in the area of “community and the law.” Among their services are the Resilient Communities Legal Cafe, which provides “direct legal support to individuals and groups who are working to create new solutions for resilient local economies.” Volunteers specialize in serving cooperatives, nonprofits, cottage food businesses, social enterprises, urban farms, complementary currencies, time banks, and small businesses to help them make their communities a better place to live and thrive—while doing so legally.

Another standout organization is City Repair (www.cityrepair.org), based in Portland, Oregon, as well as its outgrowth, Planet Repair (planetrepair.org). Numerous other groups around the country are also working to empower people to create new codes and laws that encourage rather than discourage both community and sustainability, from Recode (www.recodenow.org) to the Community Environmental Legal Defense Fund (celdf.org).

Both within our groups and in the larger society, we do have the power to make agreements and establish legal norms that enhance rather than detract from our ability to live as responsible planetary citizens in healthy human communities. Obstacles to this that abound today also offer lessons we will need to create a more resilient future.

Please enjoy this issue! 🌱

Chris Roth edits COMMUNITIES.



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Americorps Welcome!

My Intentional Community and the Law

By Peter Moore

Right up front, I confess I am a bit of a scofflaw at heart. If I can do it myself, I'd rather do it in a good way that makes sense in the situation than have to apply some one-size-fits-all solution to a unique situation. And living in community is unique, to be sure; anyone who does knows what I am talking about.

In 1968, as a student at San Francisco State College, I came to know a local guru named Stephen Gaskin. He offered a thing called "Monday Night Class" in his living room in the Haight-Ashbury neighborhood, near where I lived. This was at the height of the Hippie era, with hundreds of communes, cults, and conspiracies flowering in the City. It was at one of his talks where he said (in essence): when you live around dinosaurs, and you know they're existentially unsustainable, your best survival strategy is to neither fight with them nor live under them. Why? If you fight a giant, cold-blooded body that's bigger than you with lots of teeth, you don't stand a chance. And when that unsustainable body inevitably falls, you don't want to be under it, for obvious reasons. Better to just do your own thing, live your life by your terms, and not attract too much attention.

It was a useful metaphor for countercultural colleagues collaborating on a collective vision beyond normative institutions of the day, during that particular Age of Aquarius (think War on Drugs, the Draft, Viet Nam, Sexual Revolution, Civil Rights Movement, Women's Liberation, Stonewall, Kent State, City and Country Communes, etc.). Stephen eventually led an exodus of a hundred hippie vehicles, out of the City on an odyssey, all the way from the coast of California to establishment of The Farm in Tennessee. This became a truly successful intentional community that lived by its own rules while maintaining relationships with "authorities" on an as-needed and need-to-know basis.

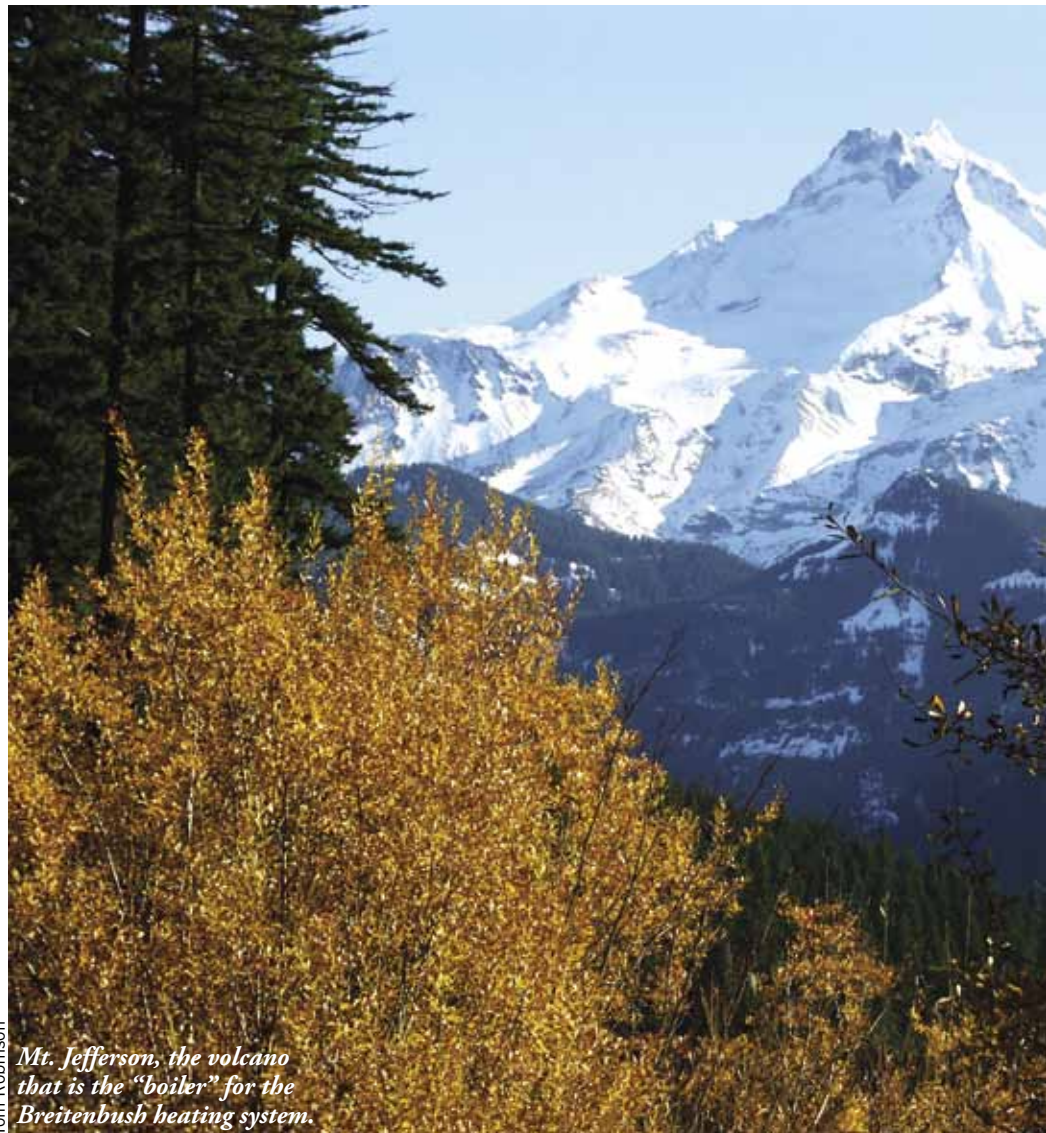
So what is authority? For the purposes of this essay, there are three definitions. One: authority is "The Man," a person or institution with power to enforce compliance to rules established by other authorities; two: authority is a person or institution with ac-

knowledged expertise in a particular subject; and three: authority is a knowing that comes from within, when you know what is right for you and you make a commitment to manifest just that, no matter what. To be really successful managing the imprecise zone that characterizes intentional community and the law, we need to know how to identify and work successfully with all three kinds of authority. Sometimes that is not so easy, but always it is an experiment in the laboratory that is your own life.

Consider a few sketches and skeletons from my community's closet.

"Every Code Started As An Obituary"

Early on in the development of our community at Breitenbush Hot Springs Retreat and Conference Center (near Detroit, Oregon), one of the county inspectors was up looking at some installation we'd just done. He told me, "Every code started as an obituary," i.e., the laws are there to protect human health and safety, and each code was formulated to address some danger that caused the death of someone some time ago. I pointed out that some



Tom Robinson
Mt. Jefferson, the volcano that is the "boiler" for the Breitenbush heating system.



Hikers on a log bridge over the river, on a trail built by the Breitenbush community to get the public into the wilderness.

Tom Robinson

codes appear more the result of successful lobbying by interest groups who stand to make a profit, e.g., product manufacturers and contractors. The discussion/debate ended up in the philosophical territory of Spirit vs. Letter of the Law.

Over the more than three decades since that conversation, we, the Breitenbush Community, have engaged in many discussions/debates amongst ourselves, and with authorities, about how to interpret existing laws, how to apply them, and, occasionally, how to seek variance from them. Sometimes you win, sometimes you lose. And sometimes it takes a long time for relevant laws to catch up to what is actually happening in the lives of real people in the real world, when what is happening in that real world represents a better world than what the law allows or limits.

Minimum Wage, or Else

The first few years of Breitenbush was all work and no pay, literally. We had money only for building materials, tools, and permit costs, not for labor, thus the early adopters (people, like me, who joined the community at its inception during the late 1970s) made no money at all in exchange for their work. (You might wonder how workers afforded to eat, and that is an interesting story, but not the subject of this article.) Eventually, we began to pay ourselves \$1/day for our labor. After the first year we gave ourselves a raise to \$50/month, and slowly our compensation increased for the next few years, up to about \$100/month.

But in 1987, we were outed to the Bureau of Labor and Industries. The Breitenbush Co-op was promptly fined \$10,000 for exploitation of human labor and ordered to pay Oregon minimum wage, or be shut down by order of the State. We argued that We the Workers were actually We the Owners, and as responsible owners, we were paying ourselves, as willing workers, wages commensurate with our slowly increasing income stream. After all, it takes a long time to build a business. The State responded they could empathize with the dilemma we faced as We the Owners, but that *their* job was to protect We the Workers, so comply or die.

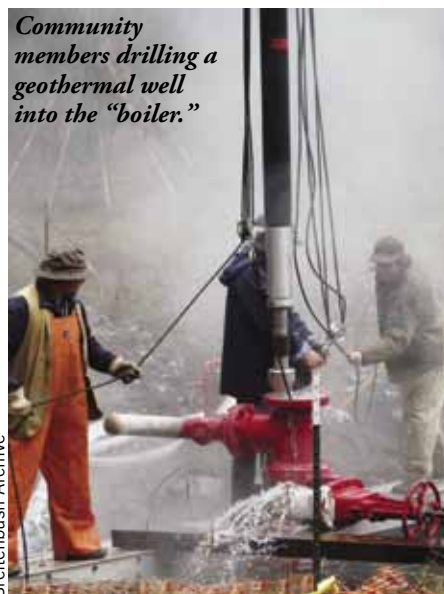
We lost that battle, but as with every loss, there is a gain. The upside was, overnight, We the Workers suddenly became minimum wage earners. Fortunately for We the Owners, our guests supported the drastic uptick in rates necessary to pay for it all.



Gwen Healy



Some refurbished cast iron radiators sitting outside guest cabins at Breitenbush Hot Springs awaiting installation into cabins and connection to the District Heating System.



Community members drilling a geothermal well into the "boiler."

Breitenbush Archive

The Law Is Illegal; Break It

The '80s were years of engaged social activism, particularly related to Oregon's forests. Breitenbush joined the struggle to keep our forests vertical and alive, instead of horizontal and dead. As a private inholding, set deep in the forest, surrounded by millions of acres of public lands, we committed ourselves to two strategies: 1. Educate the public about the abuses happening on their public forestlands; and 2. Oppose the industrialized logging that was laying waste to vast tracts of wilderness. We raised tens of thousands of dollars by direct appeal to our guests to fund a lawsuit against the government, challenging the legality of existing laws, policies, and practices. These practices allowed the US Forest Service to sell multiple units (e.g., 60-acre sections of ancient forest) within the same watershed to bidders who turned these units into massive clearcuts and obscene profits.

Yet the law allowed the public to challenge this carnage in court only on a clearcut-by-clearcut basis, thus protecting industry and government from having to be confronted by, or take responsibility for, the *cumulative* impacts of all clearcuts in a single watershed. As you may imagine, a single 60-acre clearcut in a large watershed will have miniscule bad effects. But, the cumulative impacts of dozens of 60-acre clearcuts in that same watershed are devastating to soil, plants, riparian zones, water, fish, animals...everything. Our lawsuit contended that cumulative impacts must be recognized and assessed to understand the magnitude of actual outcomes, and that the existing laws, policies, and practices, though "legal," were in fact illegitimate. As far as we were concerned, the law was worth breaking.

Thus, beyond the lawsuit itself, we made common cause with Earth First! and other environmental protection organizations to engage in civil disobedience, e.g., climbing and occupying trees in logging units, building stone walls across access roads, and other activities. Years passed during which there was a very tense standoff between environmentalists and the US Forest Service, local loggers, and nearby small towns dependent on logging revenues. Law enforcement agencies, the press, and the public all reacted. Meanwhile, we sought counsel from authorities such as professional foresters, wildlife biologists, and attorneys, to understand and sharpen our knowledge of

the ecosystem, our place in it, and the legal case.

Eventually, these horrific forest practices were mitigated and peace returned, little by little, to the wilderness. During this period, in order to amend the law, we both broke the law and used the law to change the law. One of the takeaways is that, in addition to finding knowledgeable authorities from "without" (lawyers, foresters, etc.) to change the law by working "within" the system, sometimes it's necessary to find the authority "within" our own moral code to counter illegitimate authority imposed from "without," by "The Man."

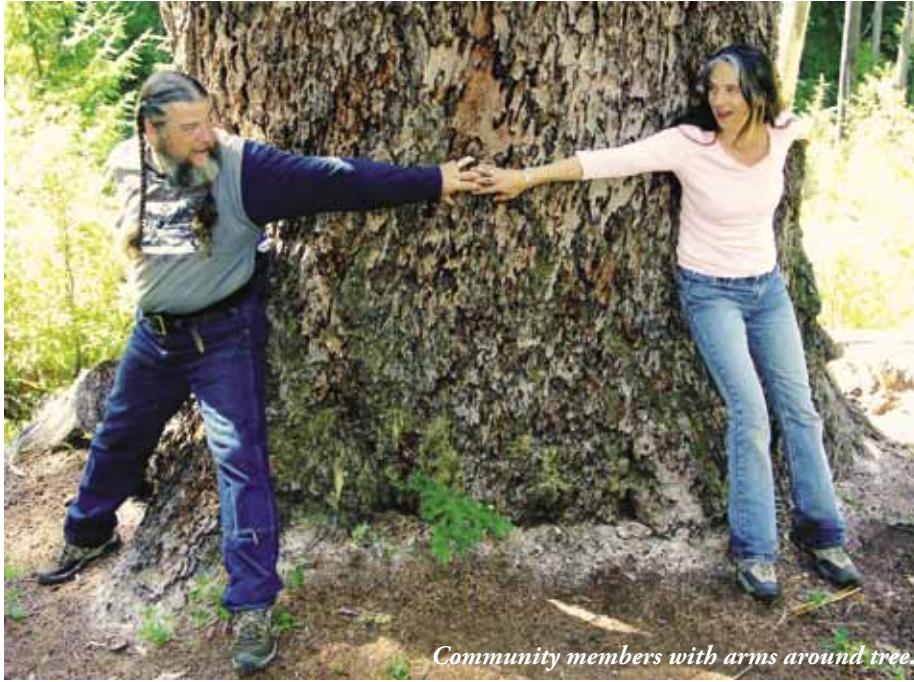
But in every heroic story there is an irony, and here's another takeaway. Sometimes the solution to a seemingly impossible problem comes in a completely unexpected form. It was our strategy to educate the public that in fact led to the key to cessation of logging in these mountains. We figured the best way to educate the public was to get them into the middle of the wilderness, which meant we had to create trail systems deep into those ancient, pathless places for the public to walk and directly experience the power and the magic of nature.

Trail building requires tools, and a lot of work. One of our members refused to use a chainsaw, as he considered that tool to be symbolic of the forest industrialists. Instead, he used a simple bow-saw and pruners. Predictably, he was very slow in creating his part of the trail, so everyone else went out ahead in the forest, building further trail sections. Quietly, he worked until, in one moment, he noticed a family of Spotted Owls peering at him through the lower canopy from a few feet away. They were curious about this calm, slow-moving person and so had come down out of the high canopy to observe, something

Old-growth forest surrounding Breitenbush, saved by efforts of the Breitenbush community and others through "inner" authority challenging "outer" authority.



Tom Robinson



Community members with arms around tree.



Rainbow Radiators connected to the heating system and warming the dining room.



Forest activists, arrested on logging road near Breitenbush Hot Springs in about 1987.

they never would have done had he wielded a chainsaw.

His discovery of that mated pair (or rather their announcing themselves to him) eventually led to closure of the forests around Breitenbush to future logging operations. This saved thousands of acres from the motorized saw. Such an outcome was only made possible by his simple, Luddite approach to the sacred work of citizenship, plus one of the best laws on any set of books, anywhere in the world, the Endangered Species Act.

“Boiler? I Don’t Got To Show You No Stinkin’ Boiler”

When I got to Breitenbush, there was no electricity, heat, running water, septic system, or communications capacity. We had to build all of that. Between 1977-1981 we worked hard on utilities, which included drilling wells to tap into subsurface geothermal aquifers (hot water) to use for space heating. We first found heat at Well #1 (near the Lodge) and soon began installation of our district heating system by connecting the heat (190° F hot water) through buried pipes leading into and out of the 100 or so buildings of the old resort. It was a huge project for us, requiring several years of drilling wells, digging trenches, laying pipes, collecting and connecting cast-off cast iron radiators, etc.

The only qualitative difference between what we were installing and a conventional district heating system you might find in an apartment complex or government building is that all those old systems had pipes connecting to a boiler in the basement, that heated the water or steam, that heated the radiators in the rooms. We didn't have a boiler in the basement because, at Breitenbush, the boiler is the local volcano, Mt. Jefferson. Our problem was that building codes for residential/sleeping quarters contain specific requirements for paraphernalia on boilers, such as the Hartford loop (the Hartford Insurance Company of America got tired of paying out for death and destruction based on preventable boiler explosions back in the 1890s—see obituary subtitle above), to make sure boilers and nearby people don't get blown up.

Having a volcano for a boiler is anything but typical—no near-boiler piping, no Hartford loop, no low-water cutoff, no pressure-reducing valve, no expansion tank, no boiler venting, no mud leg, no BTU output or efficiency ratings printed on the side of the boiler as required by law...nothing. And yet, these are precisely the things that an inspector comes up to inspect. The first time a code inspector came out to inspect our new district heating system and asked to see the boiler, I pointed towards the mountain and said, it's over there. After a few frustrated attempts to correlate the required paperwork to the existing system, they gave up and approved the heating system and "boiler connection" anyway.

This scene has been replayed several times through the decades and only recently has the county finally written a variance for this code compliance issue. Which just goes to show that a mountain is bigger than a molehill located near a basement boiler, and sometimes a one-size-fits-all law doesn't fit all applications, after all.

Seeking Variance: Spirit of the Law vs. Letter of the Law

Just because there is a legal definition or requirement doesn't mean you have to live by it, especially if you live in an unconventional way. And, as I observed in the first paragraph, those of us who live in an intentional community can be anything but conventional. There is the Letter of the Law of course, and duly authorized representatives of county, state, and federal agencies have a duty to engage and enforce compliance. By the way, I respect "The Man," don't get me wrong, and always treat representative authorities with honor and kindness. These people have a lot to teach us—but that doesn't mean they're right all the time. Letter of the Law advocates often lose sight of the original intent of the law, and will sacrifice the Spirit of the Law without regard for consequences or better outcomes. And that is where individuals and intentional communities have to get creative.

There are many examples I can think of that serve to demonstrate such creativity, but I'll touch on only a couple here. Obviously, prohibition laws come to mind, and I am reminded of a quote attributed to President Abraham Lincoln that nicely sums it up: "Prohibition... goes beyond the bounds of reason in that it attempts to control a man's appetite by legislation and makes a crime out of things that are not crimes... A prohibition law strikes a blow at the very principles upon which our government was founded." Here Lincoln articulates the Spirit of the Law that is shredded by any subsequent law that "makes a crime out of things that are not crimes."

The War on Drugs has been in effect, one way or another, since

long before I was born, with many problematic outcomes for society, not to mention devastating outcomes for millions caught in its trap. I generally consider it a War on People. Thus, in solidarity with Lincoln's logic, and giving a nod to another 19th Century writing, Henry David Thoreau's "On the Duty of Civil Disobedience," I have broken the law a number of times since 1968. And here too I can report vindication. Earlier in this essay I wrote, "And sometimes it takes a long time for relevant laws to catch up to what is actually happening in the lives of real people in the real world." It took 78 years for prohibition of marijuana to be abolished in our state of Oregon. As Bob Marley said, "It's just a plant, man!"

Seeking variance to an established law is usually done by "legitimate means," meaning we must present a case to established authorities, who may rule in favor or against our petition for change. At Breitenbush, we have petitioned numerous times for one kind

It took persistence on our part, but finally we were granted the zoning we sought.

of variance or another. For example, we asked that Oregon's State-wide Planning Goals, which designate that rural property be zoned "Timber Conservation," be set aside in favor of what we held to be a higher use for 40 acres of our land. We followed procedure and asked the authorities, in this case our County Commissioners, to rezone these acres as "Public," allowing us to eventually develop community housing and geothermally-heated greenhouses, among other uses.

It took years of our community dreaming into it, followed by formal planning, followed by Public Hearings, but finally, by unanimous vote of the three (Republican) Commissioners, we were granted a new Conditional Use Permit with the zoning we sought. When the decision was announced by one of the Commissioners, she stated she was persuaded that our community planning represents a profound and sustainable vision for the future, not just for Breitenbush, but for humanity at large. In this, and virtually all cases in which we have sought variance from established law, what we had to prove was that what we requested was reasonable, and in fact made more sense than what the Letter of the Law limited or allowed.

The essential point here is this: we must start by understanding existing law, and the difference between it and what we're going for. We must then articulate that difference, and petition the authorities for precisely what we want. Often we can convince those authorities of the merit of our proposal, hence the validity for granting variance. As previously stated, sometimes you win, sometimes you lose—but as Wayne Gretzky, the great ice hockey pro once said, "You miss 100 percent of the shots you don't take." So go for it and take a few shots. Gretzky also said, "When you win, say nothing, when you lose, say less." But I say, when you win, celebrate, when you lose, learn from it and try again. Let's all keep on keeping on for a better world. 🍷

Peter Moore is the Business Director of Breitenbush Hot Springs Retreat and Conference Center. He can be reached at bd@breitenbush.com.

It Takes All Kinds TO RAISE A VILLAGE

By Melanie Rios

Dome Village is home to a half-dozen people living at Maitreya Ecovillage in Eugene, Oregon who share a one-bedroom apartment while sleeping in their personal bedrooms made of cardboard and old political signs that the original residents of Dome Village built a decade ago. Their monthly expenses and ecological footprint are a small fraction of their neighbors', and they are happily living with their friends, yet their lifestyle is illegal. In 2009 the ecovillage received a notice from the city code enforcement department that we had one week to remove their bedrooms or face a \$400 per day fine for illegal camping. Five years later elected officials were on hand for the ribbon cutting of "Opportunity Village," a city-approved collection of small bedrooms and shared common kitchen to provide temporary shelter to homeless people, and Dome Village was still thriving at Maitreya. What led to this happy outcome?

The short answer is that a healthy balance of strategies and a committed community were able to create a cultural shift that supported the emergence of creative responses to some of the challenges of our times, including climate change, social isolation, and a lack of affordable housing. Just as a healthy garden contains a variety of plants rather than a monoculture, a healthy activist community is populated by people playing a variety of roles. There were visionary leaders, early adopters, social organizers, advocates, inventive builders, resource contributors, government supporters, street occupiers, journalists, academics, and many others who played a role in this shift of culture.

Here I tell the part of this story that I personally witnessed, aware that this is just a small part of a much larger tale. There are many people not mentioned here who have contributed to the creation of these villages, and the emergence of Dome Village and Opportunity Village is part of an unfolding process that will likely

eventually lead to legalizing and creating many more affordable, communal, and ecological places to live.

One thing that inspired me when I moved to Maitreya in 2002 was the nearby Dharmalaya Center, a beautiful strawbale building that was being built in the backyard of a family's house with the help of many community volunteers. Once built, the center hosted yoga classes, permaculture courses, and neighborhood gatherings. Frustratingly, a few years later the folks at Dharmalaya received a notice that this center operated in violation of city land use codes. A six hour public hearing took place in which almost 100 people spoke on behalf of Dharmalaya, with no one speaking against them. I noticed that the officials representing the government in this hearing seemed to be sinking into their chairs, not happy to be spoiling the fun of so many enthusiastic supporters. The outcome

of this hearing was that Dharmalaya was allowed to continue operating their center with some restrictions. Possibly as a result of this legal encounter, Dome Village was later supported by city code enforcers, an unanticipated ripple I will describe in a moment.

Upon moving to Eugene I was also inspired by my new neighbor, Finn Po, who built the first dome at Maitreya. He voiced his dream of people living lives of voluntary simplicity close to the earth while sharing resources, and talked about the joy of living "house free" with low financial overhead and plenty of friends nearby. He slept in the dome he had built for \$18, preferring this cozy nest to the indoor bedroom that he used for an office. Early adopters asked Finn to teach them how to build their own domes, and Finn invited them to share his kitchen and bathroom while they built and then lived in their dwellings. Within a few years there were a half-dozen tiny bedrooms clustered in a plum orchard near his rented apartment.

I played the role of "social or-



Melanie Rios and Finn standing in front of a dome.

ganizer” in this village creation by facilitating meetings amongst those sharing Finn’s apartment and helping them integrate into the larger Maitreya community. Some of the “dome villagers” had been homeless prior to living there, some were students and activists appreciative of low-budget housing, and some were seeking a way to live authentic and simple lives in community. Challenges arose and were resolved through interpersonal conflict resolution as well as policy formation. Some policies were set by the landlord, such as banning candles and smoking in the domes and requiring dry-wall interior walls to improve fire prevention. Other policies were made by those living there, such as how long guests could stay. I wrote an article documenting why and what we were doing at Dome Village for *Permaculture Magazine* in

preparation for addressing potential city concerns. (See sidebar for a description of a typical evening at Dome Village.)

At the same time, I worked with a Landscape Architecture class at the University of Oregon to design a model village for a three-acre property in Eugene, and these beautiful designs were displayed for a couple of months in the lobby of the city building department. I submitted a proposal for “ecovillage zoning” to the city that would make it legal to build this village. While the proposal was not approved and the village was not built, these ideas and images for creating a simple, ecological, and beautiful village percolated in the minds of those who passed through the building department and those who read the proposal.

Amidst all the hopeful developments, the moment arrived when

Robert Bolman, who owned the land where Dome Village was located, received a letter from the city requiring him to dismantle Dome Village within a week. A neighbor had become disgruntled by noise emanating from our chicken coop, and called the city to complain about that and our “illegal camping.” Rob and I went downtown to talk with a code enforcer, where we reported that we had already moved the chickens to a location farther away from neighbors.

Regarding the citation of “illegal camping,” we acknowledged the important role the code enforcer played in making sure people were not exploited and were safe in their housing, and described

how we manifested these values at Dome Village. We said we were creating a demonstration model of how people could make the whole planet safer by decreasing our eco-

logical footprint through shared simple living. We talked about the importance of pilot experiments for responding to a possible influx of climate refugees to the Pacific Northwest. We appreciated her for doing her part from within the government to protect people’s lives, and said we were consciously operating outside the law with similar goals. We handed her a copy of the article I had written about Dome Village.

When we requested a hearing even though we knew that Dome Village was illegal, her eyes grew big. In this moment, I realized the lasting impression that the Dharmalaya hearing had likely made on the city code enforcers. Within 24 hours of our meeting they sent out an inspector who simply asked us to pick up the fallen plums on the ground around the domes. While the domes were not de-

The inspector simply asked us to pick up the fallen plums on the ground around the domes.

Brian Hurley at the Dome Village.



Melanie Rios

clared officially legal, it became clear that they could remain, which encouraged friends throughout the city to build dome bedrooms in their own yards. The neighbor's complaint turned out to be a blessing in disguise, an important step in this social movement to live collectively and lightly on our planet.

The impact of our work did not end here, thanks in part to the next player in our story, Erik DeBuhr, one of the folks who built a dome modeled on Finn's design. He experimented with new ways of creating small stand-alone bedrooms that were roomier and easier to build, founding a nonprofit called Community Supported Shelters to build these spaces he calls "conestoga huts."

In the meantime, the occupy movement arose, with hundreds of people in Eugene sleeping in a nomadic village that moved from street corners to parks and back. Many were homeless folks who came out of their cars and hiding spots in bushes to gather with activists taking a break from their homes, and through this process, consciousness rose in the city around the issue of homelessness. After the occupiers dispersed, the issue of homelessness remained alive, and city council meetings became packed with people expressing a desire to address the problem. The city council approved the creation of Opportunity Village and several other related initiatives.

People attended fundraising events with music and delicious meals and offered money and supplies for building conestoga huts. Churches allowed homeless people to stay in conestoga huts placed on their properties while folks were waiting for Opportunity Village to be approved and built. And this isn't the end of the story. There's a movement afoot to create more places like Opportunity Village in Eugene, as well as a village of tiny houses where people can live permanently. Other locales are citing the successful operation of Opportunity Village as they lobby for similar initiatives in their towns.

I've sometimes heard people arguing about what activist roles are most important, with some people declaring other people to be slackers, inflammatory, delusional, or enemies. Yet in the same way that our gardens rely on different plants to host beneficial insects, synthesize nitrogen, and prevent erosion, our movements rely on a wide assortment of contributors.

Our wisest social transformation guides are pointing to a different perspective that deemphasizes a sense of separation and judgment towards others. There is a need, they say, for those who take to the streets, for supportive public officials, for journalists, for artists and inventors, and for visionary edge-walkers and their followers. Musicians, cooks, facilitators, graphic artists, and conscious law-breakers also play their parts. There is room for those who oppose our ideas, for in responding to their concerns we become stronger, just as wind and drought can help plants grow deep roots.

Our power to transform the world multiplies when each of us collaboratively contributes that which is at the intersection of our gifts, our passions, and what the world needs. 🌱

Melanie Rios is an urban gardener, musician, and intentional community consultant who lives in Portland, Oregon. One of her current passions is creating terra preta soil to sequester carbon, increase garden fertility, and establish a healthy sanitation system. She recently founded the Village Singers, a choir that leads work-party volunteers in singing harmony while they create gardens and cob structures. Melanie offers workshops and coaching in sociocracy, social permaculture, conflict resolution, culture shift, composting, and other resiliency-promoting topics.

Life in Dome Village

Dome Villagers say what they value most about their home is their relationships with their fellow villagers, and they seem to have created a culture where people contribute generously to each other. "Whenever someone needs help, I offer," says Jesse, "and folks help me when I have a need, whether it's to build a dome or bring in firewood." On one recent evening, a few people traded massages on top of sleeping bags rolled out in front of the stove. Coral said she was hungry for calzones, and Rafael offered to cook enough for everyone... A neighbor came by to ask if anyone wanted to help make a brochure informing our urban neighborhood about a "city repair" project he's organizing, and John volunteered. Later, a visiting traveler from Germany started playing some upbeat music, and some folks started dancing.

—Quoted from "Alternative America" by Melanie Rios, *Permaculture Magazine: Solutions for Sustainable Living*, Issue #56, Summer 2008.

How to Change a Law

A few ways to help change a law:

- Consider the law you wish to change. What is its intended purpose? What needs and values does the law support? What consequences of this law are a problem, and for whom?
- Consider solutions to these problematic consequences that still support the intended consequences of the law, assuming you support those intentions.
- Experiment with implementing these solutions, even if it means breaking the law. Keep refining your experiment to decrease what isn't yet working well.
- Document how and why you're conducting this experiment, and tell this story in person, in print, using social media, and through creative expression such as songs and theater.
- Support people who are creatively and productively breaking problematic laws by testifying at hearings and contributing resources.
- See the good in everyone, as this brings out the best in them.
- Nurture those who are on the front lines with food, friendship, and shelter.
- Take to the streets with signs and leaflets.
- Support change from within institutions.
- Listen deeply to those who disagree with you, and look for ways that their ideas can improve your work.

—M.R.

INTENTIONAL COMMUNITIES: Informing the Next Generation of Land Use Law?

By Robert Boyer and Rhonda Lambert French

The United States is a majority “urban” nation. About 80 percent of the US population lives in or near cities. The US population transitioned, officially, from mostly rural to mostly urban about a century ago (some time in the year 1917) and it is around this time that American citizens and elected officials began to see housing as an off-the-shelf consumer product rather than as a craft product built by-and-for its future inhabitants.

Throughout the last century, multiple public and private institutions have distanced citizens from the design and construction of their future homes and discouraged community-oriented design. These overlapping financial, regulatory, moral, and industrial structures—detailed below—are amongst the greatest challenges to forming an intentional community today. In addition, their reinforcement of low-density, automobile-dependent, sprawling development patterns has contributed indirectly to global environmental problems and the erosion of social capital in the US since the end of World War Two.¹

According to the US Census Bureau, in the year 2014, about 71 percent of new homes built in the United States were “built for sale”—that is, they were built by a developer and sold as a finished product to future inhabitants who had minimal-to-zero involvement in the home’s design or construction. “Self-built” homes and “contractor-built” homes—which afford future inhabitants much more discretion—constituted the remaining 29 percent. The proportion of homes “built for sale” has increased in the last century, growing from a mere one-third in 1920, to one-half in 1950, to its current level of 71 percent.² This trend corresponds with the ascent of a small number of large, national-scale home builders that construct neighborhoods at economies of scale, much like the fabrication of automobiles on an assembly line.

Since the conclusion of World War Two, large homebuilders (e.g., Levitt & Sons) have taken advantage of low-interest construction loans, highly specialized employees, and the publicly-funded interstate highway system to build tracts of inexpensive single-family homes on inexpensive land.³ While this process is arguably responsible for relatively affordable single-family housing in the US, it overlooks the diversity of household types and income levels that could benefit from more diverse forms of housing.



Zoning as a Fragmenting Force

One critical tool that local governments have used to perpetuate the production of low-density, single-family homes is zoning. While zoning was developed in the early 20th century to ameliorate the health and safety impacts of industrial cities (e.g., smog, noise, disease, and general congestion), it has evolved over many decades as a tool to exclude certain forms of housing, and therefore, certain groups of people. Historian Kenneth Baar documents how urban planners and other housing reformers have worked for over a century to project multi-family housing as morally repugnant, a literal evil to society.⁴

This project culminated in the 1920s, with zoning ordinances that created separate categories for single-family dwellings and multi-family dwellings, providing local planners a legal tool to include certain forms of housing (i.e., single-family homes), but not others. Zoning and subdivision regulations—which I discuss in greater detail in another article in this issue—also encourage very fragmented development; that is, they require elements like parking, sewage, and open space on a unit-by-unit basis rather than at the community scale. Writing in 1965, legal scholar Jan Krasnowiecki commented, “Current subdivision controls... assume that the entire site (excepting streets and drainage rights of way) will be distributed in lots for

the individual enjoyment of each home. In fact, however, the lots are frequently used in common by the children and sometimes even by the adults.”⁵

Fast forward to present day, and the communities movement offers a head-on grassroots challenge to the ubiquity of zoning in urban areas. While rural communities—in certain states but not others—can take advantage of lax or zero zoning requirements, urban and suburban intentional communities looking to build new structures often confront challenging regulatory barriers. Contemporary zoning regulations are poorly suited for designs typical in the cohousing and ecovillage movements—designs that share open space, share infrastructure, and tend to cluster residences on the site rather than spread them evenly across the landscape.

How do intentional communities circumvent these requirements?

The principle tool used by US and Canadian intentional communities to circumvent zoning requirements appears to be PUDs or planned unit developments, also known as planned developments (PDs), planned residential developments (PRDs), or special land use districts (SLUDs). PUDs have existed since the creation of the first zoning ordinance, but have grown in popularity in recent decades, especially amongst more innovative developers looking to incorporate a mix of residential and commercial uses on a single site. A PUD is effectively a customized zoning category, crafted in negotiations between the property owner and the municipality—typically a city or county.

A PUD allows a property owner to pursue an out-of-the-box design that standard zoning categories forbid, while offering municipal planners an opportunity to influence details of private property development over which they typically have little discretion. The outcome is generally higher-quality urban development. The challenge, of course, is that negotiating the parameters of a brand new zoning category requires extra time, and perhaps the assistance of professional consultants and lawyers.

Ecovillage at Ithaca (EVI), for example, worked with local Town of Ithaca (New York) planners for 11 months to co-create a special land use district (SLUD) that reconciled the nascent ecovillage’s vision and the building and safety standards of the jurisdiction. These negotiations took place in the early 1990s, when cohousing and ecovillages were both relatively new phenomena, so community members had to work to counter some unfavorable assumptions. Explains one resident, “Some people feared that [we] were just a group of hippies...trying to create a cult on the hill or something.”

The SLUD—16 pages long—cites favorably the community’s variety of housing styles while detailing requirements for infrastructure like sewer, water, road connectivity, occupancy limits, and emergency vehicle access. The SLUD has been amended multiple times to accommodate changes in the ecovillage’s second and third neighborhoods. These amendments became easier, as municipal officials observed how well the first clustered neighborhood worked. In 2010, EVI teamed up with county planners to win a grant from the US Environmental Protection Agency to “showcase” their innovative model to the rest of the world. This funding has inspired the creation of a new potential zoning category that would allow cohousing-style development in the mainstream housing market.

Similarly, OUR Ecovillage founder Brandy Gallagher explains that early members of the community (on Vancouver Island, Canada) entered the project with high expectations, but with little understanding of the arduous legal process required to achieve their idealistic vision. The community’s 25 acres was situated in land with agricultural zoning that restricted the level of housing density the founders imagined. Explains Gallagher:

“Everyone and anyone came to tell OUR development team 1) what an ecovillage ‘should be,’ 2) what sustainability means, and 3) what should happen on our particular 25 acre farm that was designated to be a ‘Regenerative Living Demonstration Site and Education Centre.’ Call us crazy but still we stated we would work to make it legal! From ‘handsculpted buildings,’ to ‘closed loop systems,’ we seriously had no idea what we were getting our team into. Any one of us would tell you now that we would have run the other direction if we knew what kind of legal work we were in for!”

The group ended up working with Cowichan Valley planners to draft a Comprehensive Development Zone that allowed for a mix of residential and commercial uses on one portion of the site and relatively high-density housing on another part. Perhaps most encouraging is that this example has paved the way for future ecovillage development. Gallagher continues:

“After two-plus years of legal and political work there was a land use and ‘rezoning’ ex-

ample which opened up an opportunity, not only for OUR, but for all other projects in Canada to build from.”

While PUDs, SLUDs, and Comprehensive Development Zones appear to have worked for these communities and many others, the fact that innovative, high-quality design is the exception rather than the rule is troublesome. Zoning codes served an important function at their inception during the industrial revolution, but the fact that high-quality, perhaps more sustainable design requires a sort of “boutique” zoning category reflects the outdated nature of today’s land use regulations.

A growing number of municipalities have adopted “form-based codes” that encourage more pedestrian-friendly, human-scale design by focusing upon the physical outcome of urban development. But even form-based codes may not offer the creative latitude necessary for context-sensitive, community-centered design common in ecovillages and cohousing projects.

Rather than approach outdated land use regulations as an obstacle, the intentional communities movement may have a chance to leverage larger changes in the mainstream by offering working examples of inclusive, affordable, and environmentally low-impact communities. Ecovillages and cohousing projects are willingly experimenting with new ways of working and living together. Perhaps in partnership with enlightened local lawmakers, intentional communities have an opportunity to inform a new generation of land use law. 🍷

Robert Boyer is an Assistant Professor of Geography and Earth Sciences at the University of North Carolina at Charlotte. He received both a Masters and Ph.D. in urban planning from the University of Illinois at Urbana-Champaign, and has researched ecovillages and cohousing initiatives around the world.

Rhonda Lambert French is a graduate student in the Department of Geography and Earth Sciences at the University of North Carolina at Charlotte.

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1. Putnam, *Bowling Alone: The Collapse and Revival of American Community*.
 2. Harris, “The Birth of the Housing Consumer in the United States, 1918–1960.”
 3. Checkoway, “Large Builders, Federal Housing Programmes, and Postwar Suburbanization.”
 4. Baar, “The National Movement to Halt the Spread of Multifamily Housing, 1890–1926.”
 5. *Ownership and Development of Land, Cases and Materials*, p.47.

MY STRUGGLE TO Legalize Sustainable Living

By Graham Ellis

“We shall require a substantially new manner of thinking if mankind is to survive.”

—Albert Einstein

“**T**his reminds me of how I grew up,” said Hawaii County Mayor, Billy Kenoi, as he toured the rustic facilities of Bellyacres, an ecovillage in the Puna jungle of Hawaii. After hearing how just a few complainers had been able to cripple our community development model, he told me he learned at law school that the purpose of the law was to serve as a shield, not as a weapon. This has not been my experience.

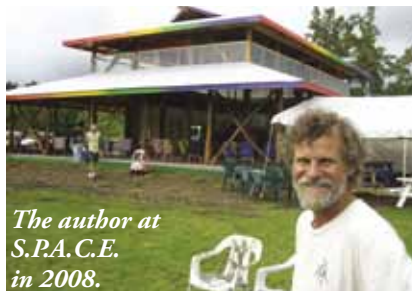
Persistent complaints from a handful of people over the last five years have destroyed our chances of living the vision we shared when we created our community in 1987. We were a group of idealistic, anarchistic jugglers; not at all your typical demographic for community builders. We minimally cleared our land, planted tropical fruit orchards, built houses, jungalows, and community facilities, lived 100 percent from solar power, used catchment water, harvested our own lumber, raised chickens, and used horses for weed control and fertilizing. We built S.P.A.C.E. (www.hawaii.space.com), a 7,000 sq. ft. community arts center that became home to a charter school, a farmers’ market, arts classes, community events, and performances. In 2008, I wrote that “we may be the most sustainable community development project in the US.”

The problem is that the Special Permit I obtained in 2000 only allowed performance arts workshops and farm activities with building permits for S.P.A.C.E., four houses, and a workshop. Over nearly three decades, we had built a dozen jungalows, community kitchen, sauna, showers, and three extra houses, plus almost every service we provided our broader community was non-compliant. Being this far outside the law, we became severely vulnerable to attack from anyone with any kind of a grudge against our organization, our activities, or our personalities. In a world where it is impossible

Joe Hoffman, Isla Ellis, and Graham take a juggling break while building S.P.A.C.E.



Brad Lewis



The author at S.P.A.C.E. in 2008.



Isla Kral Ellis, daughter of the author, feeding chickens at 10 months old.

Photos courtesy of Graham Ellis



Allison Erickson Photography

to keep everyone happy all the time, especially irrational neighbors, we were an easy target and we have now literally broken apart under the weight of the laws that have been used as weapons against us.

It is my belief that the complaint-driven system of enforcement has been at the root of our collapse. This process, which exists almost everywhere in the US, enables alternative groups like ours the freedom to live in non-compliance with building and zoning codes and activities until someone files a complaint. The system gives amazing amounts of power to the complainer(s). The original complaint that brought our demise was instigated by a newcomer to our neighborhood who said applause at our shows “interrupted his TV viewing.” He boasted he was “at war” with us and, since he hired a top local law firm, the Planning Department issued us a “cease and desist” order.

To this day, our ecovillage has never received a single warning or citation from the police for any noise ordinance violations or disturbances; ironically, the only person arrested by the police was this same neighbor for domestic violence. One month after launching his “bombs,” our new neighbor moved away to work in the Pentagon (honestly). Within a year, he sold his house with a promise that the war was still on and he would file a contested case hearing. He left our whole community to deal with the fallout.

We were encouraged that 979 of our ecovillage supporters responded immediately by signing a petition; many also called the Mayor, and 423 supporters later submitted written testimony and spoke at hearings praising our ecovillage. We became a test case for the legalization of sustainable community living on our island, which caused us to be subjected to continual opposition and road blocks from County and State agencies. It has been five years and at least three feet of legal paperwork and we still have not had our Planning Commission hearing. We learned that once complaints have been filed (and if they continue to be filed, even from a very few vocal opponents) the authorities feel duty-bound to impose the law to its full extent to eliminate all non-compliant behaviors. They need to do this to protect themselves from being sued for not doing their legal duty. This applies even if they are aware that the complaints are frivolous, fraudulent, or purely vindictive, which dozens were. My six-year-old daughter’s birthday party, which was attended by 30 of her kindergarten friends and finished at 5:30 pm on a Sunday, had a complaint filed, as did a memorial service for a 21-year-old resident killed by a hit-and-run that ended at 7:30 pm, also on a Sunday.

As the ecovillage founder and point person for all legal and financial issues, I have spent 18 busy years, and way too much of my energy, struggling to bring our organization into compliance, either by modifying our buildings and activities to fit into existing legal boxes or applying for Special Permits and State Land Leases or by attempting to get new laws adopted through the democratic process. I have now stopped this futile pursuit: I left my home of 28 years, moved with my family of seven, and found a good job as a development consultant for another nonprofit in an affluent community that has a legal structure and permits for its activities. I feel that I can now focus on building community instead of struggling with the law.

The sad fact is that grassroots sustainable community developments seldom conform to existing building codes or zoning codes. Even sympathetic and supportive members of the government bureaucracy have no boxes to put us in to rubber stamp our activities. Years of wishful searching online for models of legalized sustainable living that we could adopt produced just a few exciting prospects. I found examples of groups circumventing laws through the grace of



An unpermitted jungalow built in 1992, recently condemned.



Bellyacres interns Silver Luwick and Lyla Gibbons prepare sustainably home harvested native Obia trees for building S.P.A. C.E.



This homebuilt yurt was the author’s bedroom from 1987-1997.



A circus arts camp at S.P.A. C.E. taught by world champion and Cirque Du Soleil artist Annetta Lucero, but no performances permitted!

Photos courtesy of Graham Ellis

Seaview Performing Arts Center for Education under construction in 2007; volunteer labor and sustainable building materials helped us keep the cost to about \$280,000 for 5,000 square feet.

Photo courtesy of Graham Ellis



supportive local government officials, I found councils that passed bills to allow a specific alternative development, and I found Earthship's Sustainable Development Testing Sites Bill (which has benefited only them). I found alternative building codes in Humboldt, Cochise, Nevada, Mendocino, and other counties for single family residences. I researched worldwide and all I found were communities like us struggling to find solutions to legalize truly sustainable lifestyles.

My research also unearthed endless government rhetoric spouting the benefits and challenges of sustainability. Hawaii State government adopted a grandiose "Sustainability 2050 Plan" in 2008, and has implemented very little, while Hawaii County adopted a resolution in 2009 that realistically warned "from a sustainability perspective, the problem is that we are creating ongoing structural barriers that actually prevent people from being able to meet their own needs. These barriers... include the abuse of political power and discriminatory government policies." Hopeful that local officials actually supported sustainability principles and would be excited about models practicing sustainability, I brought every elected official I could to visit our ecovillage and see what we were doing. It seemed like everyone was impressed.

We received recognition letters from our State Governor, Lt. Governor, two Federal Senators, and two Congressional Representatives. The Chairman of the County Council testified before a 2012 hearing, initiated to revoke our Special Permit, saying "This is exactly the kind of community development that should be duplicated around the island, not shut down." The Chairman of the Planning Commission had also visited our ecovillage and was another supporter. We had a partial victory: our existing permit was not revoked. We were front page news in our local newspaper two consecutive days and the struggle continued.

We had hired the best lawyer in town and together we worked hard on a creative application to amend our Special Permit to include all the activities our local community desired us to provide. We also proposed modifying the system for dealing with complaints. We engaged in numerous lengthy meetings and endless dialogues with our neighbors, County officials, and other local groups confronted with similar situations to ourselves. The Planning Department and the Department of Public Works were uncooperative: just when our lawyers thought our application was complete, they asked us for an unnecessary "Traffic Impact Analysis Report," then took forever to review it and request changes. It appeared they had every intention of stalling us until we died.

We recognized that the Special Permit process itself was flawed and so I founded and became President of the Hawaii Sustainable Community Alliance, an association of like-minded people (see www.hawaiisustainablecommunity.org) with a mission to change existing laws. We had powerful and productive board meetings every other week, and built a coalition of over 600 sustainable community advocates and 30 local organizations. Being

highly motivated, we successfully petitioned our County Council to pass a resolution in 2011 requesting our building department "to establish an alternative building code." We submitted a draft bill and even got a County Council member elected on the basis of his support for this reform; however, nothing ever happened. The administration just ignored it, claiming it was under review (apparently indefinitely).

In 2012, we succeeded in the passage of our second County Resolution, which requested the State legislature to support a Sustainable Living Research Site bill. We campaigned hard to get our local health food store owner elected as our State Senator. He's been a consistent supporter of all sustainability efforts, he plays Jerry Garcia in our community Grateful Dead cover band, and he introduced our Sustainable Living bill in the State Judiciary. That season, the bill passed through all four committees in the House, but was tragically killed by the chairwoman of the first Senate committee, who had a severe dislike for Grateful Dead-loving Senators.

In 2014, after a lengthy, tiring, and well fought campaign by our HSCA membership, the bill passed, almost unanimously, through all eight committees in the State House and the State Senate. We were jubilant and excited at the prospect, not only of having the first legislation of its kind in the country, but at the thought that it would enable all ecovillages and sustainable communities in Hawaii a chance of becoming legal without compromise. Sadly, it failed because the same Senator that killed the bill previously was chairman of the conference committee assigned to resolve minor amendment issues and she refused to give it a hearing, thereby killing it again. That event ended any faith I still had in the democratic process.

Concurrently with this process, we had an ongoing application with the Hawaii Department of Land and Natural Resources to lease a parcel of land adjacent to our community upon which we had illegally encroached with driveways, a horse corral, and a few jungalows in the early 1990s. The lease could have resolved these legal issues and given us a productive means to work within the system. I had successfully completed this application in 1998 and it went to the State Board for approval, but was tabled due to a review of nonprofit leases. It soon appeared to be forgotten so we let sleeping dogs lie and all was well for the next 14 years.

In 2010, a disgruntled ex-employee of our organization decided to use our encroachment on the State land as ammunition against us and, after he recruited the help of two loud and unsavory political wannabes, some complaints were filed and we reinstated the lease process. With the requirement for a detailed environmental impact assessment and opportunity for public input, the lease proved impossible due to the intensity of complaints by the same small faction lodged against us. It was irrelevant that the complaints were mostly frivolous, fraudulent, and vindictive, and we submitted great rebuttal letters. We initially had the cooperation of State officials who visited and

would take any action to comply with their judgment against us. The basis for this is the growing education taking place in Hawaii regarding the fact that under US law there never was a treaty of annexation with the Hawaiian Kingdom to make it a State of the Union and under international law there is a presumption that the sovereign State of Hawaii still exists under occupation by the US. This may be hard for anyone subjected to the official US version of history to accept; however, if you go to www.hawaiiankingdom.org/blog you can learn about the true legal status of Hawaii and current initiatives to rectify the illegalities. Our ecovillage membership was totally divided on this issue and we never reached a consensus-minus-two agreement in accordance with our bylaws. The fun that originally brought us together had been replaced by fear.

There is a fear amongst some that continuing complaints from the tireless few would cause the authorities to make us remove every single unpermitted structure on our land. Our own members have now demolished structures: perfectly good, sustainable cabins and community facilities in the face of fines and threats of further government action. The impact of our struggle for legalization has worn us down, stressed us out, destroyed our morale and, over time, created such a climate of fear amongst many of our ecovillage members that they have voted against us even having our own family birthday parties or celebrations on our own property—all totally legal activities. Without the fun community gatherings that originally brought us together and glued us together for nearly three decades, our intentional community experiment is dying.

The fun that originally brought us together has been replaced by fear.

admired our community project, but eventually, when they faced being exposed for bending the rules and risking their jobs to help us, they turned against us and we ended up being fined \$53,000 and were given 90 days to remove all encroachments.

This, of course, was seen as absurd by everyone in our neighborhood, except a tiny minority, but it became the final blow in our community's effort to survive. Adding to the fear factor were erroneous Ethics Commission charges filed against our nonprofits, the HSCA, the Senator who introduced our bill, and the Planning Commission Chairman who had previously supported us. Needless to say, the charges were all dismissed; however, they caused us considerable stress and some feared that other threats made by complainers would even result in one of our members getting deported from the US.

Our ecovillage land trust has had a consensus-minus-two decision-making process since 1987 but we never had to deal with anything like the major issues that this State judgment brought upon us. About two-thirds of our 30 geographically-dispersed members who participated in the email dialogue chose to acquiesce to the demands of the State Land Use division. About a third of us believed that we should at least attempt to stall them by using the law as a defense. We proposed sending a letter asking the State of Hawaii to prove that they had legal jurisdiction and clear title to this parcel before we

Along with the three dozen members of my ecovillage and the hundreds of community neighbors, interns, and visitors who lived with us, I believe that we were pioneers in a movement that the world needs in order to thrive sustainably.

The struggle for legalizing sustainable living is happening in many sectors of society by many people, in many ways. My greatest hope is that others will continue with this work and find success, because ecovillages and intentional communities have huge contributions to make to society's search for better sustainable lifestyle practices. 🌱

Graham Ellis was an idealistic visionary when he founded Bellyacres ecovillage in 1987. He also founded Jugglers for Peace, Hawaii's Volcano Circus, the HICCUP circus, and the Hawaii Sustainable Community Alliance. He has been a champion for grassroots developments and has had great adventures pursuing a community-based sustainable lifestyle for 28 years. He now lives happily with his family of seven in a conventional home and works for a mainstream nonprofit organization that operates 100 percent legally.



Allison Erickson Photography

S.P.A.C.E. Farmers' Market, voted the best on the island from 2008-14, now closed down.

ZONING NIGHTMARE: Hartford's Scarborough Street House

By Dave Rozza, Hannah Simms, Josh Blanchfield, Julia Rosenblatt, Kevin Lamkins, Laura Rozza, Maureen Welch, and Simon Raahauge DeSantis

Somehow or another, our smallish urban intentional community of 11 has found itself at the center of a zoning brouhaha that none of us could have anticipated.

We are longtime friends who have been involved in community activism over the years. As our bonds deepened through our collective work and struggles, we developed a plan to live together as an intentional community in our city of Hartford, Connecticut. Over time, the concept of our extended family evolved and the core group solidified. Several of us lived first in an artist community, then in a purchased home together elsewhere in the city. We celebrated the births of our children and suffered the deeply painful loss of a community member to lung cancer.

When we began looking for a bigger house to fit all of us, we realized that we needed a total of nine bedrooms, a rare find in our city. We were committed to staying within Hartford city limits, and as we scouted for houses, there simply weren't many homes that fit the bill. In the spring of last year, we found the foreclosed mansion on Scarborough Street, a home with exactly nine bedrooms and two acres of land. It was still well outside our price range, but over the following three months, the price dropped \$100,000. The stars aligned and we bought the house.

The house on Scarborough Street was, by far, the largest purchase any of us have ever made. We are "all in," both financially and emotionally, and it was important to us to make sure all *i*'s were dotted and *t*'s crossed, legally speaking. Though only two of us could be on the mortgage, we worked with a lawyer to draft a partnership agreement that makes us all legal owners of the home. We have a shared bank account and we make household purchases like food collectively.

As we moved forward, we were aware that the city's zoning codes could have been an issue for us. But any person who takes the time to really pore over the zoning regulations would find the exact same thing that we found: ambiguous zoning language that doesn't make any sense in a modern context. One of the main selling points of the house was that it resides on over two acres of land. This section of the city is designated as R-8, a "single family zone"; however, there is a density clause within the language that allots for 3.6 families per acre. Though we live and operate as a single family, we figured that if issues arose, we would be covered under that portion of the code.

The Hartford zoning regulations' definition of family reads:

"Family means, one (1) person; a group of two (2) or more persons living together and interrelated by consanguinity, marriage, civil union, or legal adoption; or a group of not more than two (2) persons who need not be so related, occupying the whole or part of a dwelling unit as a separate housekeeping unit with a common set of cooking facilities. The persons constituting a family may also include foster children; the number of which shall be in accordance with general statutes as amended and live-in domestic employees. For the purposes of determining density, a roomer, boarder or lodger shall not be considered a member of a family."

This definition allows for an unlimited number of domestic servants. So clearly, the code was not written with the sole purpose of controlling population density within the neighborhood. Dating from the late 1960s, its design seems to have been more about controlling who could afford to live there.

At no point in the buying process did we try to hide the makeup of our group and at no point did anybody advise us not to purchase this property because of the zoning ordinances.

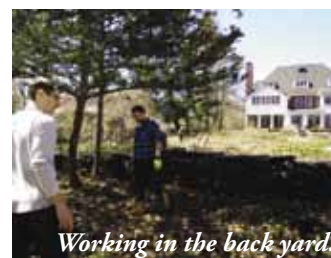
Family photo.



Fixing a window.



Kid committee game night.



Working in the back yard.

We moved in and began the difficult work of fixing the house up. Renovating a nine-bedroom historic home that had been empty for at least four years took all the time, energy, and money we had. We brought the electrical up to code and began to repair the plumbing. We went out of our way to consult with our neighbors about outdoor aesthetics and checked with them about the type of fencing we wanted to install for the dog. Studies demonstrate that empty houses contribute to neighborhood decline and reduced property values. We hoped that because we were purchasing and caring for an abandoned home, our neighbors would be happy to have us, even if our family structure isn't quite traditional. Interactions with the neighbors were very positive and we breathed a sigh of relief and let our guard down a little.

The first inkling we had that some of our neighbors were less than pleased with our arrival came about two months in, when a neighbor told us that there were "phone calls going up and down the street" about the number of cars we had. We had eight cars when we first moved in, one for each adult in the house. We had always planned to downsize and share vehicles but with the chaos of moving and renovation, we hadn't made it a top priority. Our driveway was small and we had been parking cars on the street (a call to Hartford Parking Authority confirmed that this is, in fact, legal, though apparently not the neighborhood norm). As soon as we were told this was an issue, we started parking only in our driveway. We sold two cars and moved driveway expansion to the top of the repair list. Although we remedied the situation, the damage had been done.

The neighbors convened a meeting to discuss our house (we were not invited). At this meeting, attended by 20 or so people, they decided to send a letter to the City of Hartford. Although we moved in wanting only to live quietly and happily, we are not ones to shy away at the first sign of trouble. We love each other, we love our home, and we will do anything we need to do to keep it.

We received a letter from the city stating that we "may be in violation of zoning." As requested, we contacted them right away to set up an inspection date. In the meantime, we drafted an email to our neighbors introducing ourselves and our living situation. We sent it to some neighbors who had been friendly towards us and asked them to forward it on to others on the street. This email was then forwarded to the city and we received a cease and desist order, stating that they had completed an "inspection via email."



Snow day.



Halloween.

Setting the Record Straight

A few things we've been wanting to share:

- It's not lost on us that we are fighting to stay in our beautiful mansion while others among us struggle each day for their lives, living under racism and other systems of oppression. White privilege plays a huge role in every aspect of our situation and we never forget that.

- Though some have drawn parallels and we are honored by the comparison, our struggle in no way compares to what our LGBTQIA brothers and sisters have endured and continue to endure. Marriage equality is only the first step on the long road to equality for all people.

- While we are not polyamorous, there are many poly families out there who have been forced to live in the shadows. Nobody should ever have to hide their consensual, loving relationships. Family is who you love, who you care for in your everyday life. If, collectively, we as humans stopped looking at the nuclear family as the point to strive toward and instead, began shaping our own definition of family and healthy relationships, what would the world look like?

- It is important to mention that a few of our neighbors have been absolutely wonderful to us, bringing us welcome baskets and inviting us over to their home for drinks. Their kindness means more than we could ever say.

- There are effective ways to allow for "functional families" while disallowing boarding houses, frat houses, and the other fears that our neighbors have. The Town of Bellevue, Washington just passed fantastic updates to their zoning ordinances that accomplish just that:

Bellevue, Washington's Definition of "Family":

Not more than four adult persons, unless all are related by blood, marriage, or legal adoption, living together as a single housekeeping unit. A group of related persons living in a household shall be considered a single housekeeping unit. Provided: a group of more than four unrelated adult persons living together in a dwelling unit may also be included within the definition of "family" if they demonstrate to the Director that they operate in a manner that is functionally equivalent to a family. Factors that shall be considered by the Director include whether the group of more than four unrelated persons:

- Shares the entire dwelling unit or acts as separate roomers;
- Includes minor, dependent children regularly residing in the household;
- Can produce proof of sharing expenses for food, rent, or ownership costs, utilities, and other household expenses;
- Shares common ownership of furniture and appliances among the members of the household;
- Constitutes a permanent living arrangement, and is not a framework for transient living;
- Maintains a stable composition that does not change from year to year or within the year;
- Is not a society, fraternity, sorority, lodge, organization or other group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary; or
- Can demonstrate any other factors reasonably related to whether or not the group of persons is the functional equivalent of a family.

The Director shall issue a written determination of whether a group of more than four unrelated adult persons are operating in a manner that is functionally equivalent to a family.

Bellevue's "Rooming House" Definition:

A non-owner-occupied dwelling that is subject to multiple leases or in which rooms are offered for rent or lease on an individual room basis.

—L.M.R.

We hired an accomplished attorney who is also a fellow activist and friend. We had a number of options before us:

- We could try to get a variance, which is essentially an exemption from the zoning law. Variances are difficult to obtain, at least in Hartford, and it wouldn't improve the situation for anybody else affected by outdated zoning regulations.
- Adult adoption is legal in Connecticut, but the judge who would decide the case lives in our neighborhood.
- We could have hired each other as servants, but we were worried about tax implications, not to mention that we don't want to hide behind a technicality.

Ultimately, the zoning regulations as they are currently written affect far more people than just us. We decided to challenge the definition of family within the city's zoning regulations.

There has been a great deal written about how zoning laws have been, and continue to be, used to oppress communities. There are many others in situations similar to ours who are forced to fly under the radar. In our city, which is one of the poorest in the country, many families are forced to remain silent while their landlords keep their homes in deplorable conditions, because the first question landlords ask is how many people are living within the dwelling and whether they are related by blood.

It is far past time to change Hartford's definition of family, not just for us, but for people in our city and beyond.

Simultaneous to the city's actions, our neighborhood civic association, WECA, convened a hearing to discuss our house. The WECA hearing kicked everything into high gear and made our situation very public. Op-eds and editorials started appearing in the newspaper and local news stations took notice. From there, national news outlets picked up the story and it was shared widely on social media. We were, and continue to be, completely surprised and overwhelmed by all the attention our situation has received.

We then faced the zoning board of appeals. The board was able to rule only on whether the cease and desist order was issued appropriately, not whether the definition of family itself should be changed. All eight adults and one of the three children spoke at the hearing. We shared how we live as a family day to day, how we love and care for each other, how we support each other in happy times and hard times, how we live as more of a tight unit than most "typical" families do. At this hearing, many neighbors spoke against us, arguing that we are changing the character of the neighborhood and if they allow us, it will open the door to boarding houses which are—without question and for many reasons—a big problem in our city. These arguments are all easily addressed with well-written, thoughtful zoning language, and there have been attempts made by friendly folks within the city to do just that (attempts that were quickly shot down). Out of the five who heard our case, three board members were fully on our side and believe that the ordinance needs to be changed. They were saddened that they did not have the power to do so, and that they could not, in good faith, find the grounds to dismiss the cease and desist order. Two of those three were moved to tears that they couldn't help us.

With heavy hearts, we took the next step of filing a lawsuit in federal court against the city.

The day before we were set to announce our federal lawsuit against the city, the city, in turn, filed a preemptive lawsuit against us in state court.

Around this same time, the zoning board quietly changed the code

to limit to three domestic servants, clearly an attempt by a few on the board to make our court case harder to pursue.

In a city where zoning violations are routinely ignored, where the blighted properties list is pages and pages long, and the slumlords who own properties in Hartford's low-income communities of color routinely get away with ongoing and repeated violations, why was a minor infraction to an unclear zoning ordinance enforced so heavily?

The case is currently in court, with our lawyer and the city's lawyer battling it out behind the scenes. We don't anticipate that there will be any significant progress made until the fall and in the meantime, we are not facing any mounting penalties and we are thrilled to have a little quiet time to simply enjoy family dinners, garden, celebrate birthdays, and play some epic games of hide and seek in our giant home.

We are worn out and exhausted. But at the same time, we are deeply hopeful. The amazing support we have received from friends, loved ones, and fantastic strangers gives us strength. We are sustained by the fact that our situation has allowed us to share with the world how joyful, fulfilling, practical, and sustainable intentional community life is. What keeps us going is the hope that we can change the definition of family for many more than just us. In the end, it's not the house that's the prize, it's our community. This is worth fighting for and we aren't going to let anyone tear us apart. 🍷

Dave Rozza, 37, likes things and stuff. Dave is super proud of his two awesome kids and adores his smart, beautiful, talented partner in crime, Laura...without her he would likely be lying in a ditch somewhere.

Hannah Simms, 31, is (as Tessa likes to remind her) the household's youngest grown-up. She works with Julia at theatre company HartBeat Ensemble, does a bunch of freelance theatre gigs and projects, and grows an overabundance of zucchini.

Josh Blanchfield, 37, is a social studies and history teacher, husband to Julia, and father to Tessa and Elijah. LOL is a literal term for Josh and his sense of humor keeps us snarfing our juice.

Julia Rosenblatt, 40, is (as Tessa likes to remind her) the household's oldest grown-up. She is the Artistic Director of HartBeat Ensemble, the mother of Tessa and Elijah, the wife of Josh, and a lover of sleep.

Kevin Lamkins, 38, is Associate Professor of English at Capital Community College in Hartford. He loves playing and listening to music, hockey, bikes, and zombie stuff. He also loves animals, especially his 13-year old calico, Rosa.

Laura Rozza, 37, works in the grants department for the Town of East Hartford. Things that make her happy include her partner Dave, who is amazing in every possible way, her son Milo, her step-son Joshua (not Josh Blanchfield), and her fluffy kitty Tater Tot.

Maureen Welch, 34, is a therapist and general feelings enthusiast. She enjoys drinking coffee with Simon, wearing rompers, and playing drums in the indie rock band The Lonesome While.

Simon Raahauge DeSantis is a 34-year-old Latin teacher originally from Massachusetts. His passions include rowing, bicycles, retired racing greyhounds, Mazda Miatas, and Maureen Welch. His loyal and lazy dog is Sofie.

Zoning Squabble: Family Is What Family Does

By the Hartford Courant Editorial Board

Editor's Note: This opinion piece originally appeared in the November 21, 2014 edition of the Hartford Courant, published in Hartford, Connecticut, and is reprinted with the Courant's permission. See also "Zoning Nightmare: Hartford's Scarborough Street House," on page 26).

What is a family? That question is at the core of a zoning dispute that has roiled Hartford's West End in recent weeks, one that could—and should—result in a change in the city's zoning code.

The focal point is a large and elegant nine-bedroom brick mansion at 68 Scarborough St., a long block of stately homes between Asylum and Albany avenues.

The house had been empty for some time, but in August a group of people bought it and moved in. One of the residents described the arrangement as a group of longtime friends—eight adults and three children—coming together to live as a family. They share monthly expenses and take turns cooking dinner and doing other chores. The group consists of two couples with children, one couple with no children and two individuals. They work and are involved in the community, and appear to be perfectly nice people.

Neighbors concede as much, but say they are in violation of city zoning regulations for single-family homes. Those rules prohibit three or more unrelated people from living in the same dwelling, and defines family as those related by blood, marriage, civil union or legal adoption. A group of neighbors protested. City zoning officials filed a cease-and-desist against the home's owners about three weeks ago, saying the arrangement doesn't meet the city's definition of a family.

The owners have filed an appeal with the zoning board of appeals.

Great Street

It's hard not to be sympathetic with residents of Scarborough Street, a street the city should be proud of, both for its elegance and its marvelous diversity. Residents have had to fight over the years to protect the single-family character of the street, and are understandably concerned about prying open a door they fear might lead to boarding houses, fraternity houses or whatever.

The question is whether the city's definition of a family effectively protects the street. It is easy to envision situations where it would not. For example, if they met other requirements, the related members of an organized crime family or motorcycle gang could move in—but, say, four or five unrelated clergy could not.

At least a half-dozen states have

found traditional definitions of family such as Hartford's unconstitutional under their state constitutions. In the words of a New York court, "restricting occupancy of single-family housing based generally on the biological or legal relationships between its inhabitants bears no reasonable relationship to the goals of reducing parking and traffic problems, controlling population density and preventing noise and disturbance."

New York courts have focused more on the question of whether an unrelated group of people function as a family.

Zoning Code

Hartford is in the process of revising its zoning regulations, and needs to take a close look at this. The world has changed since the Ozzie and Harriet era when baby boomers were young. The birth-rate is at an all-time low, *The New York Times* reported last year. There are fewer marriages and fewer women becoming mothers, and more nontraditional families. Zoning cannot live in the past if it is to be effective.

And as a practical matter, with smaller families now the norm, what's going to happen to these very big houses in Hartford and almost everywhere else if creative ways aren't found to use them?

There are ways to protect the character of Scarborough Street with a different zoning approach. Poughkeepsie, N.Y., offers an example. Under its zoning ordinance, a group of four or more unrelated people living in a single dwelling are presumed not to constitute the functional equivalent of a traditional family. But the group can rebut the presumption by showing the zoning administrator that it shares the entire house, lives and cooks together as a single housekeeping unit, shares household expenses, and is permanent and stable.

Under that definition, the Scarborough 11 would be home free. 🐦

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NEIGHBOR NIGHTMARE in Northern California

By Chris Roth

Editor's Note: Some details in the story below have been altered to preserve anonymity.

Joan and Michael (not their actual names) have been cultivating community for most of their adult lives. A decade ago Joan moved to a rural intentional community in California's redwood country, where she met Michael, who'd been a long-term resident and facilitator of workshops focused on self-awareness, communication, and group connection. After a couple years of life together in community they moved into the nearest town to co-create a socially and ecologically responsible business, one of whose core values was also cultivating and giving back to their broader community. They eventually sold the business to another local couple and moved back to the country, finding a piece of rural land just outside of town where they started to host occasional gatherings and workshops at their house.

They soon decided to create a separate gathering space inside an old equipment barn. A core team created the design and did much of the work, and a series of work parties enlisted hundreds of people in helping build the earthen structure. Many artists, artisans, and eco-builders lent their touches to the central circular space and its outer rooms. It became a vibrant gathering place for an extended network of people interested in the offerings presented there—music, yoga, meditation, and workshops on communication, personal growth, and various forms of spirituality. Hundreds of people participated in events in the space during its first year of use, and it became an important force for “community” among those drawn there.

However, those golden days did not continue; use of Om Space (an initially half-facetious name which stuck) is now on indefinite hold.

I interviewed Joan over the phone recently. We hope her story will offer a cautionary tale and valuable lessons to others sharing similar visions who may aspire to enact them more easily.

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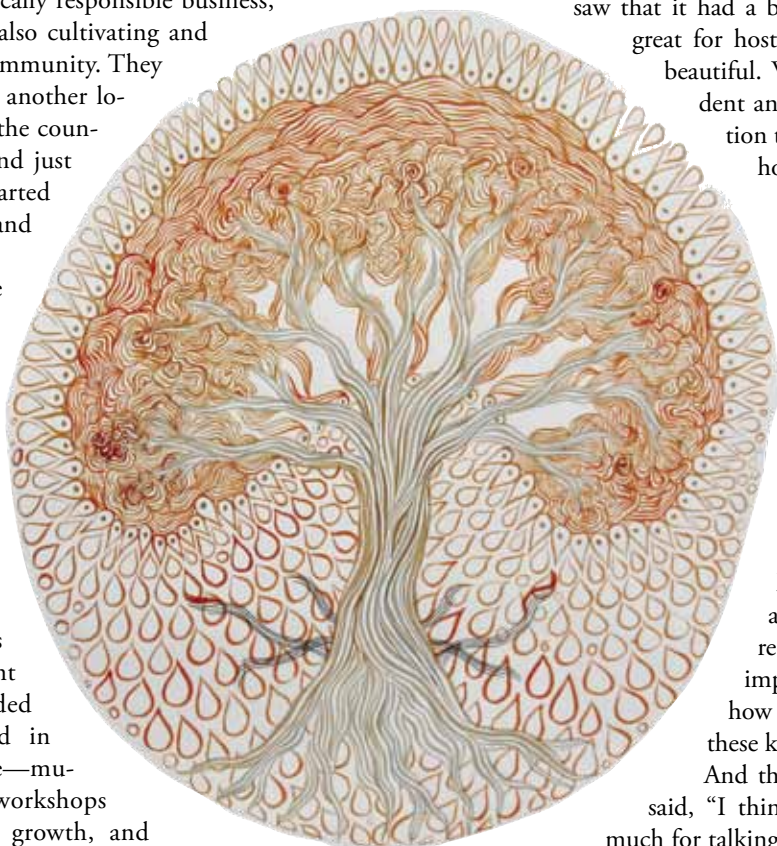
What was your vision when you bought the land?

We wanted to go back to our roots of having a land-based lifestyle and being in community again. We had gotten very used to hosting and giving, because we developed a lot of abundance with the business in town. When we chose our place, we saw that it had a beautiful house that seemed great for hosting, and the land was also beautiful. We were feeling very confident and excited to be in the position to have a community and to host gatherings.

Our biggest priority was to be close to town, so distance would not be a barrier for most people to come. We went around to the neighbors before we bought it and said, “Hey, this is what we want to do: we are social, involved in the community, and we want to have some gatherings, house concerts, workshops, and things like that, but we recognize that could have an impact and we want to know how you feel about our hosting these kinds of things.”

And the neighbors that we visited said, “I think it's great—thank you so much for talking to us.” They also had some harsh things to say about the previous owners. At the time we were thinking, “Oh, wow, well of course we're not going to be like that.” But now I understand more the phenomenon of when meeting somebody new and they start talking about other people and how things have been bad or hard, it's kind of a red flag—though it is easy to dismiss it as, “Wow, they just haven't had someone to talk to about this.”

We had blinders at that point, we really did. We thought, “How could anything go wrong?” Things had been going so well in our lives and we're so steeped in the philosophy of open-hearted, hon-



est, transparent communication, we must have been assuming unconsciously that if we're that way, and we're drawn to this land, it meant that things would go well. You could call it denial, or magical thinking, and in looking at it now it seems that way. But it did feel OK at the time.

We actually did not visit the one neighbor we're having the most difficulty with, because we couldn't even see his house; it was so far away and he has lots of land between it and us. We approached neighbors if we could see them. Looking back, we made some big mistakes in not understanding that a lot of people move out of town to the country because they want a particular way of life that usually involves having more control or more privacy—which is understandable.

Did you look into the legalities of what you were allowed to do on the land? Or how many people were allowed to live there, things like that?

We really did not look into that very much, to be totally honest.

Was that because of the general culture where people do a lot of things that aren't technically permitted? That was part of the culture of the intentional community you'd been in as well.

I think so, I think we had a lot of trust in ourselves for being caring and considerate, and our experience with that is with this bubble of community in which we all have a trusting understanding that even if something is difficult, we work it out. We didn't recognize that some people have no interest in doing that. And not only that, if they get rubbed the wrong way, they are going to be antagonistic, for reasons that don't make any sense to me.

We were also imagining being low-key. Then, when we started creating the gathering space, several people involved were masterful designers and builders and it became a really incredible community project. It created something for the community that was very beautiful. As we went along we got swept up in that and didn't pay attention to what could go wrong.

Had there been any problems before you built Om Space? And what was your vision for it? How did it come about?

No, there were no problems. We were having gatherings and workshops in the house. But when Michael's aging mom moved in with us, we considered her health concerns and how large groups of people in our house impacted her, and realized it would be much better to have some separation between the home space and these other things that we wanted to do. So we decided to have another space on the land—an Om Space.

We got involved with a friend who was a very dynamic designer, and our creative juices all started to merge in a fun and exciting way. In our minds we thought, "Well, you know, we talked to the neighbors before we bought the place, and everyone we talked to was supportive." We did a lot of research in terms of talking to designers, builders, architects, other community people, but we didn't actually research or understand all the laws, because we understood that there's a bunch of gray area. Everyone always said it's all about the neighbors, and so in our minds we thought, "Oh, we did that."

Looking back on all this recently, we have been grieving together about our naivete. Michael was afraid that our decision-making had come from a lot of arrogance in him, and maybe

there is some, but overall I think it came from positivity, and trust, and naivete for sure.

Were there any problems as Om Space was being built?

One of the neighbors who is closest expressed concern that there were people driving by and not saying hi—they found that really offensive, and requested that we ask our guests to say hi when passing neighbors on the driveway. They also asked that people drive slowly, that we put a stop sign at the end of the driveway, and also that we plant a screen shielding their property from ours. So we had a friend come who is very experienced and skilled and we planted over 300 trees. No matter what happens, I'm so happy

that we planted that forest.

I feel we had a good relationship at that point with that neighbor; that was a good communication.

Later, once the space was completed, that same neighbor told us there was a complaint. We don't know who it was from—we're pretty sure it was from this one neighbor who is going gangbusters on shutting everything that we do down in every way. Then the County got in touch with us and said, "Hey, it's been brought to



Illustrations by Anna Helena Jackson

our attention that you're having stuff going on here and that there's money being exchanged"—which there was; we had a couple of concerts and we collected money and paid the musicians. Apparently, to do that you need what is called a Home Occupation permit. We had not known that, and so we found this great guy who is a land use specialist and hired him to start applying for this permit. As part of that process, the permit application goes out to all the neighbors.

And the neighbors who complained about the stop sign and the driveway and all that stuff said that once it became formal, once it became a matter of its potentially being certified as legal, they stopped feeling good about it. If it had not become a legal issue, if they had not gotten a notice saying we were going to do this, they would have been totally fine with it. But they felt that they were in danger because if it became legal, and they agreed to anything, then we would not feel the same need to communicate with them any more.

We thought, "Oh my god, we're all about communication, we even lead workshops in it, and we want everything to be cool—but they don't know us or have that experience of us." And once they made their decision, it seemed set in stone. They became kind of unfriendly at that point.

That was the first indicator that we and our neighbors were operating in really different ways. A lot of neighbors were frightened when they got that application request, and wrote in opposition to us having a Home Occupation.

One problem, when we applied for the Home Occupation, was that the notice to neighbors from the County specified what we'd be *allowed* to do. We'd be allowed to have 70 people this many times a week and to have this many cars, and that was all spelled out. But that wasn't the level of activity that we intended; it was just the maximum that was allowed by law. We explained this afterwards to the neighbors but by then they already seemed to have made up their minds.

Feelings also started to be relayed to us about the nature of what we were doing. People were pretty careful about how they said it, but basically they reacted to the fact that we were doing yoga, and chanting, and that we had *murtis*, which are deity statues, and things like that.

I think we still were in this bubble of thinking, "God, there's just got to be a way to connect about all this," so we decided to have an open house and invite everybody over to our place to see it and talk about it. I tell you, that was so hard for me. I did not like that ex-

perience. I understood why were doing it, and Michael felt open to it. But all these people were looking at Om Space who had no understanding or appreciation, and it felt really strange to me.

Some of what we wanted to do was to open to all these people that we didn't know. So it became really ironic that our neighbors, our literal neighbors, were starting to dislike us and feel threatened by what we were doing. It was the opposite of what we wanted.

You were hoping to contribute to the neighborhood or build the neighborhood.

Yeah, and when we had the open house I was thinking, "Yes, we're doing this for our community." We invited them to have their own gatherings in it too. I feel stupid now in some ways. We were just so clueless as to how some people were really feeling about it—they were like, "God, I don't like this."

There was a lot of judgment or just not being able to relate.

When you put in for the Home Occupation permit, you got all these objections. What was the next step?

Well, we tried addressing all the concerns, but it seemed like the feeling was not very good, so ultimately we withdrew the Home

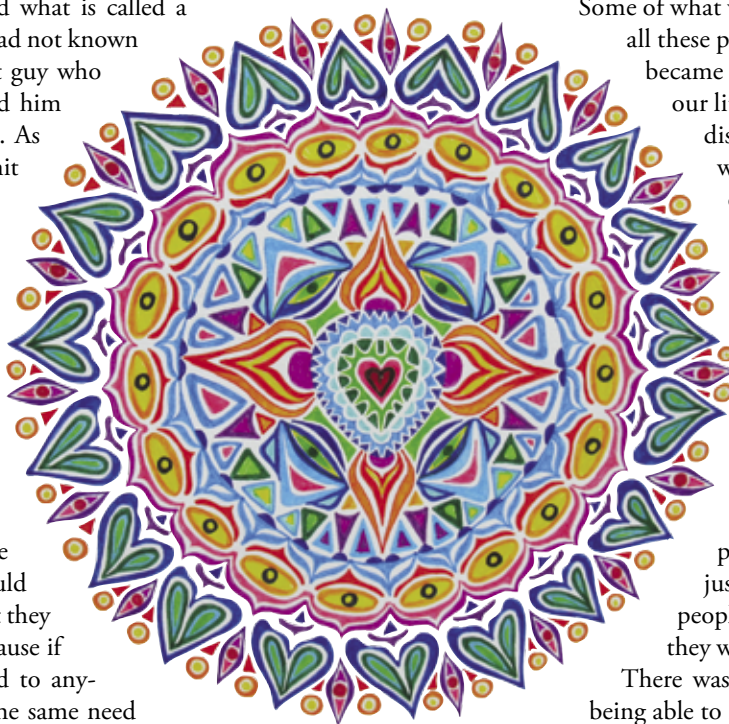
Occupation application and concluded that "Yeah, OK, we got excited about this because we have this incredible space, but people are really

not wanting it. So let's just permit this beautiful building and we'll be able to use it and have gatherings and not have it be a business in any way. It'll just be something that we can still enjoy and do yoga and kirtan and some concerts in." So we started pursuing that route.

When you built it, you built it without a permit, expecting that you would have to get a permit at some point?

Yes. The building that contains it, the old barn, already existed, so it was kind of a build-out situation. We decided that we would do it and then get it permitted after—but not before, because of the timing of the creative process. We asked a lot of people and it seems that the County does of course want you to do the permitting first, but that can take a really long time, and lots of people do something and then get the permit. So we paid very special attention to doing everything to code.

One of the things that this one very antagonistic neighbor is saying is, "You have to be punished, because you did something without a permit, and now there's just no way that this can happen." I



Our neighbors were starting to dislike us. It was the opposite of what we wanted.

mean we didn't know that we needed a Home Occupation permit. We were aware that when you do a building project you need some building permits, but we also thought, "This is an existing building and we're doing something inside the building."

And it was really only while it was happening that we started thinking of it as a possible business. We thought, "Wow, we're spending a lot of money on this, more than we expected, way, way more—and why not? It's a great resource for the community and it could help us reclaim some of the money we put into it." And actually the land use specialist told us that we're allowed to have a Home Occupation; the zoning is totally fine for having that. We just decided to withdraw it because it was becoming really intense.

So you withdrew it but that wasn't the end of the problems.

Nope. At that point I think whatever feathers were ruffled were still ruffled, especially in the case of one neighbor who, you know, the words that come out of his mouth are "This is not going to happen, I'm sorry, but this is not going to happen," whatever that means. I think he thinks that he has more power than he does, but he also has deep pockets and is willing to move forward in his opinion.

How did the other neighbors feel?

The other neighbors seemed a lot less willing to talk to us about what was OK or not OK. Our driveway has an easement on one of the neighbors' land, and actually that's a huge other piece... looking back, considering just even that alone, we would choose a different site. Basically we were advised that we had a 50/50 chance of getting the Home Occupation permit. It's allowed and legal in our zone, but the only reason it wouldn't be granted is because of the easement with the driveway, if that neighbor objected. My advice now is: if there's a driveway easement, don't have a community there.

So we decided to just go for getting the building permitted, and now this one especially antagonistic neighbor is hiring attorneys and filing appeals, which he has to pay for—because it seems like he does not want to us to be able to save and use the building at all, for anything. It really has become a power struggle at this point.

We're applying for the building to be permitted as an accessory structure to the house, and it's a little bit farther away from the house than is normally approved as an accessory structure. Before

we can get the actual building permit, we need to get this accessory structure permit. An accessory structure can be a workshop space, a dance space, a studio, a play room, a place where people sleep over... It's not a residence, but you could think of it as another room of your house—it's just not attached to your house.

The neighbor is saying that it was an existing barn and that there's a law that says you cannot convert an existing barn to an accessory structure. But that is a new law that passed recently, and I think it's because people have been converting their barns into huge wedding venues and things like that. In any case, it turns out the building was never permitted at all, as a barn or anything else. So the land use permitting board recommended that they pass our application; they said yes, it's an accessory structure, and yes, it's farther away than normal but we see no good reason not to approve the application. But the neighbor is really going for it now with the lawyers and he showed up at the hearing

and said because the board is not doing their job we all have to show up here and spend money and time doing this.

My advice now is: if there's a driveway easement, don't have a community there.

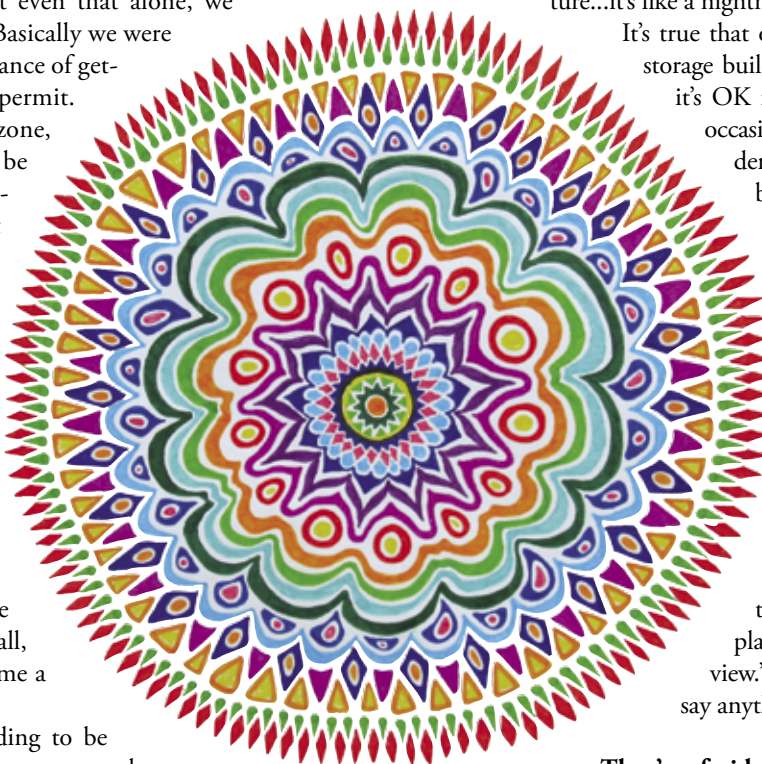
Has there been any pushback against this neighbor?

Well here's the thing. I have a little studio that happens to be 204 square feet, where I play my music and prepare for teaching. The legal limit of a studio is 200 square feet. He decided that this space is a schoolhouse, and he reported it, and said there's a schoolhouse here that's being operated. He also reported the other storage building that is near Om Space, that our friend uses as a studio—he claimed it was a residence. So he's really reporting us, and every structure...it's like a nightmare.

It's true that our friend was sleeping in the storage building, but not very often. And it's OK for someone to sleep in there occasionally; it just can't be a residence, which means it can't have a bathroom and other things like that, and it doesn't. The point is that he's looking at these structures and he's turning them in. And meanwhile the other neighbors all have structures that are being used as residences but not legal ones. My opinion is that he's in a position where he's being a bully, and these other neighbors are thinking, "Whoa, he's turning them in, he sees our places too, he has a perfectly good view." And now they don't want to say anything...they're scared.

They're afraid of opposing what he's saying and doing.

Exactly, why would they oppose him? They will sort of go along



with him so that he doesn't report them.

It's gotten into the realm of harassment, for me, to have this person who is watching, and keeping track, and then saying these things about us that aren't true. I talked to our lawyer about it, and he said it is harassment: he's slandering you and making things up about you, and I can send him a letter.

So you have a lawyer who is attempting to stop him?

Yes, we have a lawyer and a land use specialist who work really well together, and we like them and trust them. They keep reassuring us that what this neighbor is claiming and how he's going about it don't have much to stand on. At the hearing this neighbor and his lawyer presented a really, really thick—like phone-book-sized—document about us, and I think part of his claim is that we had a business in town, and so our intentions are...well, what they kept murmuring and muttering behind us was "bait and switch, bait and switch." They think that we are just trying to get away with something surreptitiously. It's a complete lack of trust, and I don't see how we could gain that trust at this point. So it's been a lot of emotional stress and grief and regret, really. I feel like if we could do it all over again we wouldn't have done this.

You would have chosen a different place.

Yes. And then we would have done it a different way too.

What would you say to someone who doesn't want to end up in this situation? One is: don't get a property with an easement through someone else's land.

Right. And I think we would buy land where the neighbor presence is pretty much nonexistent—where you don't really see the neighbors or interact with them or share a driveway with them. And then we would do things low-key. Maybe we would still make a building like this but I think we wouldn't be as trusting; we wouldn't think that we could just put this out to all the neighbors out of town and they'd all be like, "Great, this is great, yea!" It's sobering that a lot of people don't want change, they don't want something new, and they don't care about the same things that we do. That's just part of how it is.

Have there been any complaints about noise?

No, you can't hear anything coming from inside the space; it's totally sound-insulated with earthen walls. The biggest effect, and it is a real effect, is cars, coming and then parking when we have an event or gathering. We totally understand that. I wish there was a way that we could say, "Hey we're really sorry, we get it that you don't want this here, but what *would* be fine?" But we've basically tried that, and

so far the neighbors aren't willing to say they're fine with *anything*. So now we're in a position where our neighbors are dictating our lifestyle. Because the issues got raised and it has gone through the permitting and the County, everyone has a say now in the lifestyle that we're living. That feels really weird to me. If we lived in town, we could hold parties and have people over and do yoga and not worry about the neighbors stopping that.

I've heard that you have a couple neighbors who blast really loud music for long periods of time...

Yes, and there's absolutely nothing to say about that, legally. They blast very loud music, just broadcasting it out to the whole valley, and those same neighbors and others nearby have dogs that bark incessantly, and some other neighbors recently cut down the whole forest of trees on their land—and they are all allowed to do those things. Meanwhile, it feels like our activities are open to total scrutiny, and that feels terrible; I hate it. It's definitely not what I was imagining.

My hope at this point is that we'll keep slogging through and we'll get the accessory building permit and we'll be in a position where

there's not this constant attack; that we'll just be able to use the space again and then hopefully the issue will just kind of fade away.

Because the issues got raised, everyone has a say now in how we're living.

Do you still see any possibilities for cultivating residential community on your land?

We are allowed to have five unrelated adults living in the house, and we also have another lot on the same land and are allowed to build another house. We spent so much money on this project I'm not sure how we'd go about that, but there probably still is a way to have community and to grow more food and do more permaculture projects. My sights have been turning more towards the land and how we can use the land, because I'm just not interested in living in a big house out in the country with my small family—that was never my intention. I want to have community in some way, but I've been told that using that word isn't always so good, it's like a red flag a little bit...

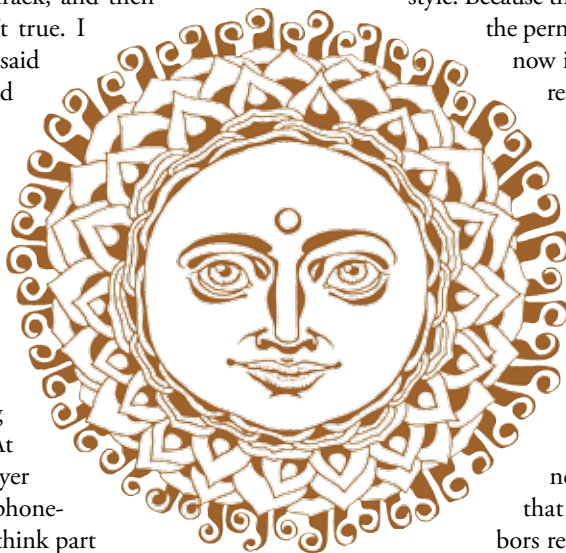
"Community"?

Yeah...that's just incredible.

So that's a red flag among the kind of neighbors you have?

Yes. I just didn't think that this would happen. 🐼

Chris Roth has been witnessing, navigating, and occasionally running smack up against the legal obstacles to living in community (especially ecologically responsible community) for nearly three decades now.



May the Circles Be Unbroken: LIFE IN WETHERWEED

By Michael Bridge

Editor's Note: In the midst of compiling the sometimes-dystopian stories that comprise this issue, we received an unsolicited submission with the mysterious title "Wetherweed." It had a decidedly more uplifting story to tell, albeit a futuristic, fictional, visionary one, describing a society where sustainable community is foremost and legal obstacles to it have apparently faded away. It turned out to be a chapter from Michael Bridge's book *Pillow Mountain: Notes on Inhabiting a Living Planet*, published by Times Change Press, Ojai, California in 1991. Michael later sent us a copy of this beautifully hand-drawn and illustrated book, now out of print. To contact Michael, please write pillowmountain@gmail.com.

As we learn to view human society more as a creative medium and less as an inherited condition, we cease to be victims of existing society's inequities and become evolution's pathfinders, the architects of destiny, the artists of ourselves, instead. And so it is in Wetherweed.

The purpose of architecture isn't to enclose space but to liberate spirit. The strategy of "circular collectivity" is to embrace the Earth, the cosmos, and each other in one brief statement; to formulate human closeness and cooperation into a constant factor without undermining the integrity of private space; to explore an architecture that fits the dimensions of our aspirations for community like a sacred shoe. With attached housing running in a continuous circle surrounding (and opening to) a large dome in the middle, the integrity of individual dwellings is secured by separating them from each other with alternating and attached greenhouses.

The traditional isolation of private dwellings that normally reduces our lives to plays plagued by a scarcity of roles and creative options disappears with the placement of a simple door. The door that opens from each unit into the central dome is a continuing call to adventure. Stepping through into the dome is like stepping into a magical closet that opens to another dimension. Many of the restrictions we used to place on the free grazing rights of young children in wide-open spaces are written off the books. In the space between the child, the family, and the rest of the world, all our demons creep. The idea of circling is to fill that space with love, light, and Nature's wisdom.

The healing and creative powers of circles, of mandalas, have been known for a long time, so we built our village in circles and circles of circles. We made it a living mandala to heal the spirit and the Earth and tap the psychic roots of being. The idea made sense

to us so we gave it a try. Circles work. Circles last. Look how long things keep going round. Look how well the heavens stay in place. The universe thought up the idea of circles long ago and many people have learned to put them to good use.

Anyone can call a seminar on any book or subject for any time

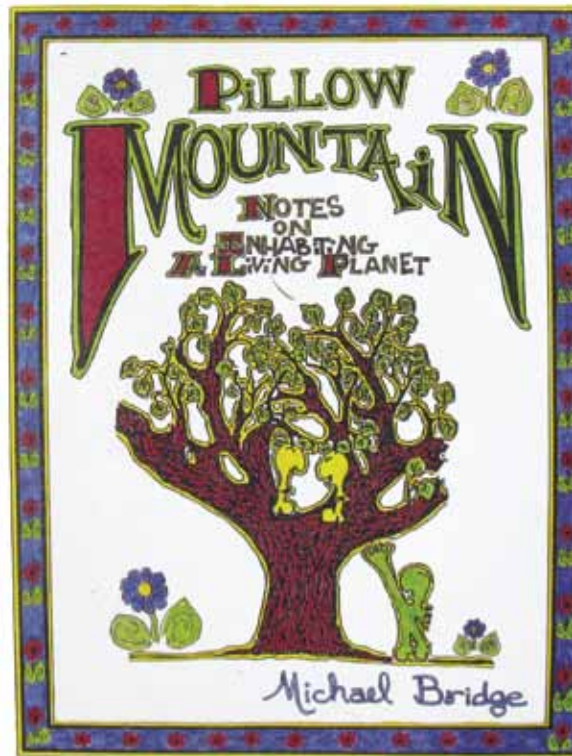
by putting a notice up on the S.I.B. (sleep in bunches) and seminar board next to the dining area in the center of the dome or by passing the word around. Sometimes there's a book or subject you don't want to try managing alone. Sometimes you want to give a book or subject the added dimension a seminar provides. Sometimes you do it for protection. (Some authors can be tyrants when they get you in their clutches, tempting and cajoling you, unraveling you until you don't know who you are anymore. To make a show of force, it's a good idea sometimes to bring an army with you.)

In Mead, as in most circles, the sleep in bunches department is a popular place for winding down the day and planning out tomorrow. Mead was the first circle completed in the Cordeville Cluster, the cluster that guards the wilderness on the northwest border of Wetherweed. (A cluster is a circle of circles.) One

of the children accidentally said "wetherweed" instead of "we thee wed" during a marriage ceremony with the Earth. We liked the name and kept it for the name of the village. The village is our wedding with the Earth. The circles of the village form the wedding ring we wear. The circle of life is the wedding ring the Earth wears.

There are twenty-three hundred and forty-seven people in the village. There are two hundred and forty in our cluster, and thirty-six (including transient children) in Mead.

We'll often use the sleep in bunches format for framing a seminar. Or when a seminar is going well around the talking table in the dining area or in one of our private dwellings surrounding our



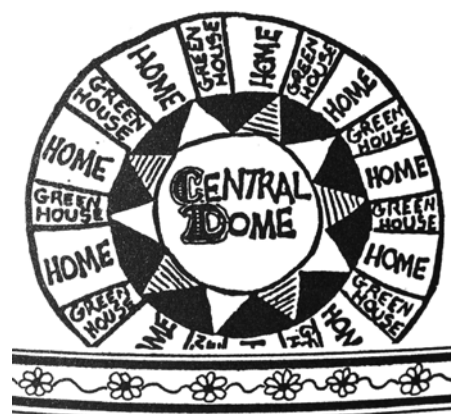
dome, we'll sometimes shift it over to the S.I.B. department when our discourse starts running out of steam. Sometimes it doesn't feel quite right marching off to our own separate hovels after sharing the intimacies of insight and revelation with each other so we'll amble over to the sleeping mat, climb into our sleeping bags, and settle in for the night.

Every Meadian has a cubby with a sleeping bag, toothbrush, and pillow in it over in S.I.B. so whenever an S.I.B. shift is called, we can make the move with the least possible distraction. Our S.I.B. department is a giant sleeping mat in the middle of our dome, separated from the dining area by a green belt, an enclosure of leafy beings. The leafy beings have white spirits that help us see in the shadows of the evening. They create a feeling of closeness even in the middle of the wide-open expanse of the dome. In the starlight, after the pedestal lamps that hide in the greenery have been turned off, their leafy forms speak more softly than our kindest thoughts. They tune the undertones of discourse as though our thoughts were the strings of a harp. In our sleep, they do the same thing for our dreams.

Each dwelling surrounding the dome has a window and a door opening inward to the common area. Through the window, through the door, through the greenery, an S.I.B. session looks like a campfire in the woods. The sight is a magnet to the spirit and to the children who aren't staying overnight in Canopy Hill (the children's house in the center of the Learning Complex). The children will hide among the leaves and watch and listen in the silence of their own thoughts as a prelude to snuggling in with us on the slumberland express. We'll sense their presence and bait them with our dialogue. Much of the children's learning lives takes form as they hide in the greenery, listening and watching.

Drawing the children out into the open eventually turns into a game—a kind of a cross between fishing and hide-and-seek. We call it "interplay with the unseen child" and it usually turns into telling jokes and stories and dimming the lights. When the children do come out into the open, it is a silent coming forth, like shadows stepping into bodies. They rarely speak. Sometimes they do, but it seems they get their fill of us in hiding. Fed to the full, they melt with us into the closeness of the evening. We drop off to sleep like a litter of puppies, watching the stars through the crystal ceiling of the dome.

The children are good about splitting their time between Canopy Hill and their home circles. Canopy Hill is designated as the children's territory, though not in a restrictive

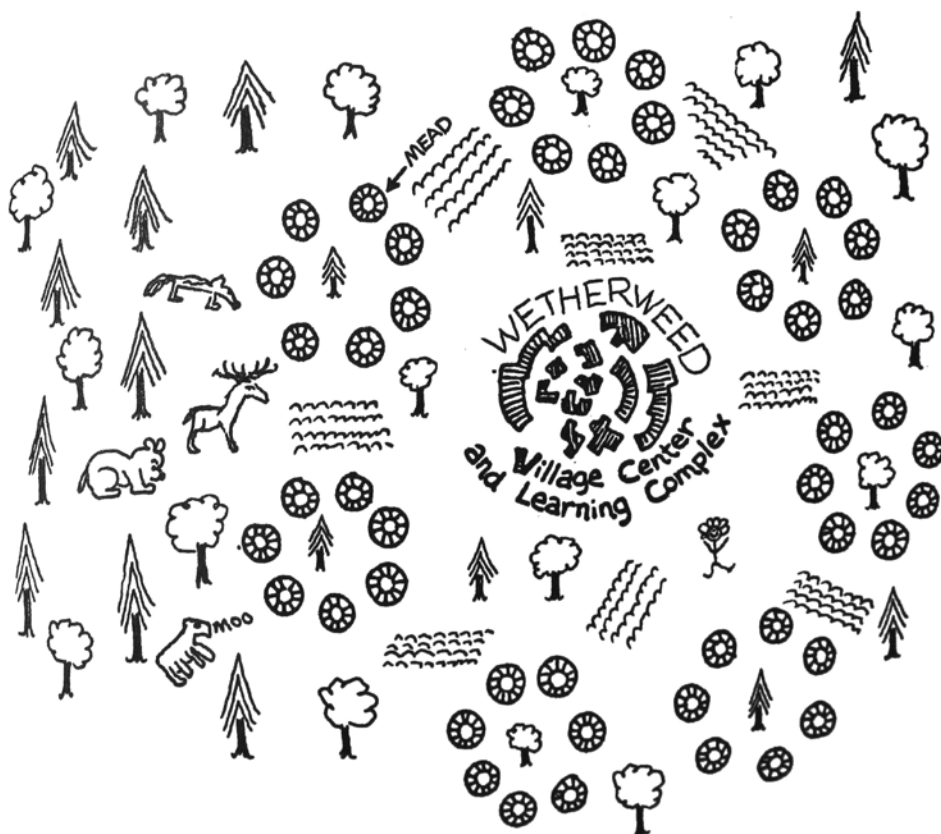


sense. Canopy Hill is an integral part of the life of the village. Everyone spends time there and many of us lived there while the first circles were being built.

So Canopy Hill is full of memories of the beginning. Every loft, every hidden stairway, every secret door and room, every nook, cubicle, and compartment, every slide and tunnel is a link with the first spirit that captured us. We decided unanimously that the first thing we built would be for the children. That decision set the tone for our whole adventure. We looked at each other differently after that, like we had done something right and had nothing to hide. It wasn't unusual after that for us to look at each other and start laughing for no reason at all. That's how Canopy Hill got nicknamed The Laughing Academy.

There are seven circles in the Cordeville Cluster with an average of thirty people to a circle. We named our circle after Margaret Mead because of a story about her and Buckminster Fuller. Bucky was giving a lecture at the Museum of Natural History in New York City and he was running on and on as he was inclined to do and Ms. Mead raised her hand from the audience. When he called on her, she stood up and said, "Bucky, will you please shut up?" The former civilization was more masculine in nature. Wetherweed is more feminine. The incident became a symbol for us of the advance of the feminine and the retreat of the masculine.

To resist the expansion of population beyond a certain point (there was always some confusion about what that point should be, depending on how we decided to accommodate population in the central body of the village), we gave a great deal of thought to designing natural controls into the ethic, the organization, and structure of Wetherweed. We decided the best way to do this



was by allowing only inward expansion. The decision was consistent with the pact we made with the Earth never to grow beyond the outer circle of the village. We call the pact The Earth Charter and it says we'll crowd ourselves out with our own poor planning before overstepping boundaries conceived in good conscience. We're hoping the interplay between our principles, our architecture, and our passions will help us maintain a population honed to scale with the geography and the need. Natural controls were always our ideal.

"Art is prayer." These three words are chiseled into a big granite rock in the center of the village. The circle is itself a work of art, a masterwork of creation, a portal of transit between all the different planes of existence. We speak of the circle as our most important teacher. Round was chosen for the shape of the Earth because when it's round, everyone sits at the head of the table. The circle is our teacher and our prayer. Living in circles, we live our prayer. We're immersed in it so saying grace before a meal feels redundant and strange. We call the rock "the grounding stone."

Next to the grounding stone, a ledge of metal, stone, and wood starts rising slowly out of the ground. It reaches a height of five feet then levels off and heads for Canopy Hill. It enters the childrens' house through a stone arch a short distance away. Where the ledge levels off is where the time line begins and the time line has just enough time to tell one of our favorite creation stories before it passes through the arch. The story is sculpted into the ledge and it begins with a raised circle that we call "the before and the after." Then there's a depressed circle that we call "the sooner or later." The two circles meet and in the place between where they meet (which is more active) and the place where they come into balance with



each other (which is less active), the universe takes form.

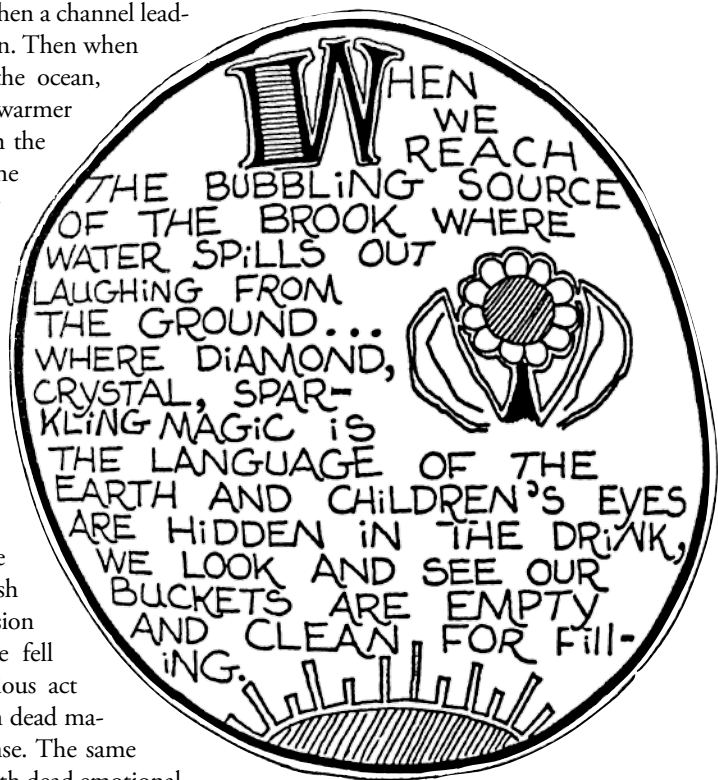
The time line is done in painting and relief and it weaves its way all through Canopy Hill. The universe changes into an ocean when a giant fish comes swimming through among the planets and stars. (The way we explain it is the fish represents the idea of a fish and the introduction of the idea is what brings on the transformation.) The stars start changing into cells and joining together, clumping and lumping together until they form a ball. Then the ball suddenly expands like a balloon, contracts, and goes shooting off. (The way we explain it is some of the cells in the middle of the ball die and start decomposing and the cells around the decomposing material start moving away, making an inner cavity and then a channel leading back out to the ocean. Then when the channel opens to the ocean, the ocean rushes in, the warmer inner cells contract from the cold wash, increasing the volume of the cavity until it rebounds like a blow-up balloon. The ocean is forced back out, the dead cells are ejected, and the first excretory system, the first stomach, the first mouth, the first gullet, the first breath, the first circulatory system, the first gulp, the first flush toilet, and jet propulsion are all invented in one fell swoop. The first conscious act being a withdrawal from dead material kind of makes sense. The same principle would work with dead emotional material—only with emotional material, the channel opens inward to the ocean inside of us.)

The time line has fun with evolutionary fantasies before it moves into prehistory and history, paralleling different courses and events and suggesting relationships between them. We decided to keep the time line free of words to encourage inquiry among the children and an oral tradition has grown around it. It's interesting how the absence of words here and the presence of words there will both serve the same purpose.

Circling is a good idea. When we're not in a circle, it's easy to get stuck in the center of your life. The stuckness turns into egos and things that aren't as healthy and friendly as they might be. The circle doesn't lessen the power of the individual, but unleashes it by making us more accessible to each other and to our inner lives. We use tilts and mirrors so dwellings on the north side of each circle get the same light as dwellings on the south side. I live on the north side of Mead. I have a big outside mirror that shines like the sun and follows its movement through the sky.

We introduced hand signs into our conversational lives so the person who's talking can no longer dominate and control the space. Our unspoken inner lives find their way easily into every conversation so silence is very connective and eloquent in every give and take. We protect personal power. Our principle loves calling itself radical equality and the non-surrender of power.

As it turns out, circling seems to be the equivalent of a mathematical operation, doing for people what summing does for numbers, the idea being to combine the members of a diverse conglomeration of relationships into a unified conglomeration of relationships so you can work with them more easily. What summing does is to create a nice, neat,



(continued on p. 75)

Land Use Regulations, Urban Planners, AND INTENTIONAL COMMUNITIES

By Robert Boyer



We love our property rights in the United States. The first English settlers on the North American continent left their homeland, in part, to escape an archaic and feudal land holding system. Later, the authors of the US Constitution offered the Fifth Amendment to protect private property owners from arbitrary government “takings.” Yet over the centuries, governments at the federal, state, and local level have crafted rules that circumscribe private property rights in order to mitigate conflict and address public health issues that accompany higher density urban living (note: the majority of Americans lived in rural areas until around 1917). Today, this delicate balance between the rights of individuals and the public well-being manifests in institutions like zoning, subdivision regulations, and comprehensive planning.

Every aspiring intentional community confronts this vast maze of laws, including communities that strategically *evade* these laws by settling in sparse rural regions. Below, I discuss some of the most important tools that planners and municipal governments use to both *restrict* and *enable* development, and the obstacles that these tools might pose to aspiring or existing intentional communities. Then, drawing from research I’ve conducted in the cohousing movement, I discuss strategies that aspiring community founders can take to navigate this maze and strategies that intentional community advocates can take to ease the passage of community formation in the future.

Infrastructure

Infrastructure is the engine of urban growth. A typical property owner may have the

right to build a residential subdivision on her land, but she’s unlikely to do so without connections to public infrastructure. This includes “hard” infrastructure like roads and sewers, as well as “soft” infrastructure like schools, police departments, libraries, and hospitals. In some cities with innovative growth management programs, developers are required to subsidize public infrastructure to offset the public costs of new development. For example, a city might require a residential developer to pay for a new school if the development is likely to attract families with children.

As a general rule, home buyers and businesses expect to connect to these basic public services unless they’re willing to pay to have them installed independently, and municipalities can immediately influence the likelihood of development on its fringes by expanding its infrastructure. Similarly,

cities can encourage redevelopment of its older neighborhoods by updating existing infrastructure. One of the major reasons the US has transformed into a predominantly suburban nation in the past century is the installation of the Interstate Highway System, beginning in 1956. Now over 46,000 miles long, the Interstate Highway system is the largest peacetime public works project...ever. In addition to linking cities across the nation, the system has opened access to countless acres of previously inaccessible rural parcels. In other words, we can all thank this infrastructure system (amongst changes in housing financing) for sprawl.

Public infrastructure alone is unlikely to thwart the development of an intentional community, but public infrastructure tends to coincide with zoning, subdivision regulations, and, of course, higher land values. If your plan is to build a community on cheap land, and you're willing to experiment with technologies like humanure, rainwater harvesting, and micro-power, you might search for a rural parcel without sewer infrastructure. But buyer beware: you may have to adhere to land use regulations later in time, if urban growth approaches your vicinity.

Zoning

If infrastructure is the engine of urban growth, then zoning is the steering wheel. Zoning divides a municipality's land into "districts." Each district has its own set of rules that explicate, for example, permitted land uses (e.g. residential, commercial, industrial), the maximum density of dwelling units or intensity of commercial space, minimum parking requirements (often a certain number of spots per dwelling unit), maximum height, setback requirements (which dictate how far from the street a building must lie), signage restrictions, and more. Zoning ordinances—often hundreds of pages long—also contain detailed rules about how to *change* zoning and how/when property owners can ask for exceptions to the rules, called "variances."

The first citywide zoning ordinance was adopted by New York City in 1916. Its principle objective was to limit the shadow cast by skyscrapers, and it contained only four types of districts: residential, commercial, manufacturing, and unrestricted. In the early 1920s, with some urging from

the federal government, states began to allow their towns and cities to adopt their own zoning codes. Despite complaints that the practice violated private property rights, the tool was ultimately upheld by the landmark 1926 Supreme Court ruling, *The City of Euclid, Ohio v. Ambler Realty*. The court's main rationale for upholding zoning was that municipal governments have the responsibility to protect the health, safety, and welfare of its inhabitants and that residences ought not have to deal with toxic and disruptive land uses in their vicinity.

Since *Euclid*, the Supreme Court has upheld zoning powers in dozens of cases, and the practice has diffused to nearly every incorporated jurisdiction in the United States (Houston, Texas is one notable exception). Many states require its cities to draft zoning ordinances, and today, even relatively simple zoning ordinances contain dozens of districts, including multiple *types* of residential, commercial, industrial, institutional, mixed use, and special districts. My birthplace of Northbrook, Illinois (population 33,170) has nine different residential districts, for example, ranging from very low-density to higher-density

Zoning is perhaps the most pernicious obstacle to intentional community formation, especially in western states.

multi-family districts. Today, more enlightened cities adopt zoning categories that allow for a mix of uses in the same district, which planners use to encourage pedestrian-friendly, vibrant urban spaces.

Zoning is perhaps the most pernicious obstacle to intentional community formation, especially in western states with strict growth management programs. In the region surrounding Portland, Oregon, for example, an urban growth boundary restricts housing density to a maximum of one home per 40 acres *outside* the boundary, while encouraging relatively high densities on the *inside* of the boundary, so rural or semi-rural enclaves are



Robert Boyer.

almost impossible. Zoning regulations may also restrict at-home gardening to back yards, which is a challenge if you have a north-facing lot. Scholar Edna Sussman (2008) details how some cities used zoning ordinances to restrict the installation of solar panels in the 1970s. This was apparently for aesthetic purposes: solar panels weren't nearly as sleek as they are today. Some of these municipalities have updated their rules to allow or even encourage solar panels, but many have not. In the vein of energy production, height restrictions tend to forbid the installation of wind turbines, although some cities are beginning to make exceptions to this rule as well.

Zoning poses obvious challenges to cohousing communities, which tend to cluster homes in ways that defy density maximums, setback requirements, and parking minimums. Since cohousing is neither exactly single-family housing nor exactly multi-family housing, it resides in a legal “no-man’s land.” Common houses may also fall outside the list of structures permitted by zoning. In my discussions with cohousing founders, almost every community has had to invest time and money into working with city planners to create a customized zoning category, typically called a “planned unit development” (PUD) or a “planned residential development” (PRD). Exceptions to this rule include communities founded decades ago in rural areas and some communities in urban centers. PUDs and PRDs are not terribly uncommon. Innovative residential developers use PUDs to accomplish mixed-use projects that do not fit neatly inside any single zoning category. PUDs are also used across the intentional communities movement, but they take months or even years to co-create with city planning staff.

Subdivision Regulations

Another important steering mechanism employed by cities is subdivision regulations. Subdivision regulations are rules about the installation of neighborhood infrastructure—that is, where and which types of infrastructure a developer must include with new homes. Such rules are important for a number of reasons: if residential streets are a standard size, a city doesn't have to worry about whether fire trucks, garbage trucks, or snow plows will fit down them. Most critically, once a developer completes a project, they typically leave maintenance of on-site infrastructure to the municipality, and it is important that this new infrastructure meets certain standards and is easy to find underground. Subdivision regulations also dictate elements like the maximum length and width of a block, the spacing of street lighting, storm water drainage, fire hydrants, street naming conventions, the width of sidewalks, amongst many other requirements.

Subdivision regulations pose an obstacle to any community interested in sharing neighborhood infrastructure amongst households or pursuing unconventional design.

Understanding a comprehensive plan is important because it is the legal justification for changes to the zoning ordinance or subdivision regulations.

A pedestrian-oriented community that places parking on its margins and clusters homes together at the center has no need for sidewalks, but sidewalks are typically required by subdivision regulations. One cohousing founder I spoke with explained that subdivision regulations in his Midwestern city required that each home build a separate sewer connection to the municipal sewer line. This is not an unreasonable expectation in neighborhoods with socially fragmented homes, but it is unnecessary in a community that can manage infrastructure collectively.

Comprehensive Planning

If infrastructure is the engine of urban growth, and zoning and subdivision regulations are the steering wheel, then comprehensive planning is the road map. Comprehensive plans (or “general plans” in California) typically articulate a 10-20-year vision for a city. They take years to create, and more enlightened cities invest heavily in public engagement strategies to ensure the plan reflects the will of its population. Cities use comprehensive planning to address long-term city-wide challenges, set goals, and identify strategies for meeting those goals in the coming decades. Comprehensive plans are often a compilation of many smaller plans, and this compilation allows city leaders to see how many little plans fit together into a (hopefully) coherent whole. Goals for sustainability and climate mitigation are often embedded *inside* comprehensive plans, although many cities have begun to create distinct plans for sustainability and climate change as well (Saha and Paterson 2008; Wheeler 2008).

For a potential community founder, understanding a comprehensive plan is important because it is the legal justification for changes to the zoning ordinance or subdivision regulations. A city cannot make changes to a zoning ordinance or subdivision regulations on a whim, lest it risk a lawsuit. Changes to these codes require some “rational basis”—in other words, a city council must cite some justification for the change, which they can find inside the city's comprehensive plan.

If you own an unrestricted rural parcel and you are concerned that it might one day be annexed by the city (subjecting it to zoning and subdivision regulations), you'd best check the “future land use” section of the comprehensive plan. Where does the city imagine urban growth occurring in the coming 10 or 20 years? Would you be comfortable with a 250,000 square foot retail store in your back yard? Conversely, intentional community members can take advantage of the comprehensive planning process to advocate for including its design elements and goals in municipal regulations. As I detail below, the cohousing model resembles clustered housing strategies that progressive cities are interested in pursuing anyway. *Explicating* cohousing as an actual housing alternative as part of a comprehensive plan—placing it on the

city's metaphorical road map—may offer the city council a rational basis for permitting cohousing projects in the future.

City Planners as Allies, and the Latent Demand for Cohousing

In the past year, I have conducted interviews with founders of cohousing communities around the United States as part of a larger research project on the social, financial, and practical hurdles that cohousing initiatives confront in metropolitan development contexts. My interviews attempt to elicit the founding stories of cohousing communities, including the resources that founders use to navigate a complex urban development approval process. While the story of each cohousing project is unique, I have discovered several trends with regard to the role of municipal officials that I'd like to "preview" below.

First, in a surprising number of cases, cohousing initiatives find critical allies in the city planning office. Of course, urban planners have a responsibility to uphold municipal regulations and ensure that urban development proceeds lawfully, but planners are human—they can see beyond the strict letter of the law—and most of them can see how permitting cohousing can help a city achieve social and environmental objectives. Explains one cohousing founder outside Seattle: "We met a woman in the planning department of the county who had been to a conference on cohousing, so she got it. She understood what we were trying to do and was very helpful along the way."

Similarly, another cohousing founder expresses how municipal planners in their jurisdiction had learned about the concept of cohousing at a conference, and saw value in pursuing the strategy locally: "City planners were all going to their conferences and cohousing was starting to bubble up...so when we went to the city planning department they said, 'We want to support this.

We were just at the conference and this is something that's happening and we would like to help your path be smooth.'"

In other interviews community founders explain that even though cohousing was new to their municipality, it achieved many of the city's goals, and perhaps even more encour-

In a surprising number of cases, cohousing initiatives find critical allies in the city planning office.

aging, it has inspired municipal leaders to change elements of their existing zoning code. One cohousing founder from New England recalls: "[Our project] violated local zoning in 10 or 11 different ways, but at each step of the way the planning commission looked and said, 'Wait a minute, this is what we want to encourage.' The town subsequently changed their zoning codes." Similarly, explains another cohousing founder: "[The county] stated it at the public meeting...this is the type of development that we really wanted to see; this was our intention with PRDs."

Lessons

What can aspiring cohousing founders learn from all this?

- First: start communicating with planning staff in your jurisdiction *as early as possible*. The more they understand the objectives of your project and how those objectives align with the city's overall vision, the more rationale planners and city council members will have when it comes time for development approval. This leads to another important lesson:

- Know your city's plans inside and out. Begin by perusing the most recent version of the city's or county's comprehensive plan—they're often available online. You might not have to dig deeply to find that elements of the plan correspond with the vision of your intentional community. The more you can craft your goals to resemble the city's goals, the better.

- Finally, advocates of cohousing and other intentional communities can work with planning professionals to cite alternative neighborhood models *explicitly* in documents like comprehensive plans, best practice manuals, and planning conferences. Most states have their own chapter of the American Planning Association. These chapters tend to hold yearly state-wide conferences where professionals discuss new ideas in the profession. You have nothing to lose by proposing a presentation. Advocates of intentional community might be surprised by the supportive audience at these conferences. And who knows, you might just find a new neighbor. 🌱

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AN UPDATE from the Lemonade Stand

By Kees Kolff

“*A* community of people living in harmony with each other and with the earth, exploring together ways to live more sustainably,” and continuing to make lemonade...

“No, no!” we insisted, “Don’t take out those two giant street trees!” “Well...OK,” said the City. “We’ll simply wiggle the sidewalk around one and narrow the street for the other, but if they die from root compression the EcoVillage must pay to have them removed.” They’re still doing fine five years later and the photo is proof!

Nine years ago we reported on our deliberations regarding a Limited Liability Company (LLC) cooperative, a Land Trust, or a Homeowners’ Association (HOA) as the legal structure for Port Townsend EcoVillage. (See “To Be or Not to Be an LLC: Changing Horses in Mid Stream,” COMMUNITIES #133, Winter 2006). We settled for a rather traditional HOA for financial reasons, in a process we don’t recommend. (See “Money, Power, and Process: How We Pulled the Plug on Consensus,” COMMUNITIES #148, Fall 2010). Three years ago we reported on lemons we encountered in negotiating our Planned Unit Development with the City. (See “Vision and Reality in Ecotopia: Making Lemonade out of Lemons at the Port Townsend EcoVillage,” COMMUNITIES #156, Fall 2012).

In spite of the many constraints we have encountered in our urban ecovillage development, we still believe our location is the right one for us. The benefits of living a bike-able and walkable distance to the amenities we frequently use, like schools, stores, restaurants, and theaters, for us far out weigh the constraints we have had to accept. We have listed most of them in the accompanying tables for easy reference. We have also listed issues

we have with our Homeowners’ Association structure. Since several of our members rely on bank mortgages, we have made lemonade out of that one as well.

And then there is the recurring problem of getting affordable insurance coverage, which the City requires us to have. Are we a farm? No, but we grow much food. Are we a developer? No, but we own some undeveloped lots. Does our 25-year old, jointly-owned rental house have new plumbing and wiring? No, but the lights work and the water flows! But maybe INSURANCE is a topic for another article.

As for the future, a membership priority for us is affordability, especially as it relates to families with children. We still have four lots waiting for creative development, and two of them are earmarked for low-income housing. We are exploring collaboration with Habitat for Humanity and wish there were a strong local Community Land Trust. There is some optimism emerging as the City begins this year to review its “Comprehensive Plan.” With the increasing urgency to address climate disruption, affordable housing, and income inequity in this community, we hope the City will consider additional strategies that allow for lower impact, lower cost, and more sustainable developments in the future. Meanwhile, we’ll continue to make lemonade whenever we can. 🐦



Photos courtesy of Kees Kolff

LEGAL/FINANCIAL ISSUES

Homeowners' Association State Law Constraints	Creativity in Our CC&Rs (Covenants, Conditions, and Restrictions) and Regulations
Only one class of membership (a land owner) allowed in an HOA and renters have no legal rights.	We allow renters in private or commonly owned housing to apply for FULL decision-making rights though they aren't legal owners.
No full control over new memberships since any homeowner can legally sell to any buyer.	We require prospective members to attend a meeting, get to know us and apply, but this may not hold up in a court of law or with financial lenders if legally challenged.
No resale price restriction allowed by lending institutions and this threatens future affordability.	We require a two percent of sale payment to the EcoVillage and 50 percent profit sharing. These funds could be used to help people buy into that or a different home.
State law requires most HOAs to have expensive professional Reserve Fund asset assessment process if more than ten lots.	We won't pay a professional since we can do it ourselves. Shouldn't be a problem UNLESS someone challenges us in court.

PHYSICAL INFRASTRUCTURE

What We Could Not Get	Comments
Detached bedrooms without sewer or water connections, sharing amenities in a nearby building.	Even though commonly done in the City and County, we could not get these permitted.
Homes off the electric grid.	Even if all energy is created with solar panels, there must be electrical grid backup.
Homes without sewer connection.	Composting toilets must have sewer connection for potential liquid overflow.
Homes sharing water taps.	Each lot must have its own water tap.
Greywater systems for reuse of waste water.	None permitted yet in Jefferson County. Regulations from State Department of Health complicated. Expensive to install.
Home occupations grouped in a building, so that homes could remain smaller and facilities shared.	Can only be in any one individual home.
A simple produce stand that did NOT require utilities and classification as "commercial" development.	If we have one it will require major infrastructure including additional road paving.
Local use of composted human waste.	All human waste compost must be sent to the City sewage composting facility for high-temperature recomposting.
Windmills.	Not allowed in the City due to height limits and potential noise.

PHYSICAL INFRASTRUCTURE

What We Could Get	Comments
Phased-in perimeter plantings.	Did not have to do all plantings up front.
Grass parking areas.	No paving or gravel required.
No need to have cars parked near each home.	Many homes have parking 200 feet from parking areas.
Parking spaces phased in with new homes.	Can delay making final parking spaces.
No internal path paving requirements.	We can use grass and/or gravel.
Path locations not specified.	Paths can be located according to use over time, as in <i>A Pattern Language</i> .
Saved a pair of three-foot diameter Douglas Fir street trees.	City allowed a street section to be narrower and sidewalk wiggled, but we take responsibility for health of the trees.
Rain garden shared by neighboring lots.	Allows enough water for blueberry plants.
Keep one of the City streets used for access as gravel.	Needed to upgrade to "fire truck standard" for weight and width capacity.
Duplex option spanning two private lots.	Generally "zero lot lines" not allowed in the City.
Unique building materials.	We have the first permitted light clay straw house in the City and County.
Innovative energy designs.	We have a "Trombe Wall" made with 48 solar-heated hot water bottles as part of a private home heating system.
Earth berms and living roof.	One house under construction is partially below grade and will have a north side earth berm as well as a living roof.



Kees Kolff, along with his wife Helen, is cofounder of the Port Townsend EcoVillage. He is a retired pediatrician and former mayor of Port Townsend. He is currently president of the ReCyclery, a nonprofit bike shop and bike education organization, "promoting bicycle use for a healthier and more sustainable community."

THE LAW AS BAD PARENT: Oppressive Governmental Regulation of Citizens and Small Groups

By Colin Doyle

In US society, government at local, state, and national levels has taken up the role of parent of the people, deciding what citizens can do and can't do. This is in the realm of public life that can be broadly referred to as regulation. It is mostly a situation of one-directional power, in which the government and the individuals that comprise it attempt to control everything from sexual behavior to pond building, and compel compliance by force (fines, taxes, and prison).

Some regulation is of large corporations, a class well-known to carry out unethical and unsafe activities to maximize their profit. Without strong governmental push-back against them, I believe transnational corporations could overrun citizens everywhere. But central regulation of individuals and small groups is a type of poor parenting, enforcing semi-arbitrary rules with a monopoly on legal coercion. Employees that make up local, state, and federal governments may mean well in the creation of laws to disallow a broad range of actions, but the effects are largely negative and very disempowering. Regulation negatively affects intentional communities in specific ways, namely zoning, site plans, building codes, and permitting.

Watch out, Daddy's coming... I'm scared to ask him, because he might make me do extra work... Daddy, can I, pleasee?... He won't tell me why, he just says I have to...

Zoning

I live at Meadowsong Ecovillage in western Oregon (site of Lost Valley Education and Events Center). Our baseline zoning is F-2 (Impacted Forest Lands Zone), which limits the number of unrelated adults to five. Luckily, we inherited a wonderful zoning exception (Non-Conforming Use) from the previous owners that allows us large numbers of residents, students, and visitors. I have been told by multiple people that

Meadowsong has the only such exception on the West Coast. Without it this community could never have existed without constantly risking the strong hand of Daddy.

Because of such zoning restrictions, countless other communities have been forestalled. Communal living is generally illegal in this country—*Daddy doesn't want us to share*. Such zoning may be meant to limit urban sprawl, but severely limits intentional community outside cities. No wonder people run to Missouri or Costa Rica where there is no zoning disallowing certain uses of land, fleeing “the land of the free” to find freedom.

Site Plans

We at Meadowsong want to develop the residential community in ways that weren't foreseen decades ago by our predecessor Shiloh Youth Revival Center, so we submitted a master site plan application to our county. The idea is to frontload the work so when we want to build a structure in the coming decades we can refer to the approved master plan and Daddy will give us Permission quicker. This process involved neighbor input and further research on systems such as water and septic. Including this research time, though, the application has sat on the county's desk for over two years and as of writing they still haven't made a decision. In the meantime the supplicant community has to just wait. *You can't tell Daddy he's going too slow, because he'll get mad. You just have to wait.*

This unilateral delay mechanism affects all landowners, not just intentional communities, and is a passive way of taking wind out of the sails of people who want to proactively create something. If “justice delayed is justice denied,” what is approval delayed?

Building Codes

Building codes regulate most structures in the United States. Such rules are primar-

ily designed to ensure safety, such as railings to prevent children from falling and strong framing so buildings won't collapse. These surely do a fair amount of good, making Daddy's kids act right. There is a downside, through—certain infrastructure is mandated, whether the users want it or not. For example, a dwelling isn't considered legally rentable unless it is wired for electricity, yet the inhabitant might be happy without it (we have one example at Meadowsong). In most states such requirements also hinder strawbale or other natural building techniques that eco-communitarians want to use. A few years ago, a Meadowsong resident named Jeff helped build a house in Joshua Tree (San Bernardino County), but it had to be overbuilt by 100 percent to reach the minimum square footage requirements of the local Daddy. Otherwise he would not grant Permission. Thus the owner and the hefting workers constructing the house out of earthbags had to do twice the dirt-packing and money-outlaying to make the house large enough that it could jump through a senseless hoop.

One current loophole in the law are movable tiny houses—mini homes on wheels that don't need to conform to typical building codes because they are classified as RVs instead of permanent dwellings. Individuals around the country are flocking to tiny homes in part because Daddy isn't looking there yet. *Psst, over here...*

Natural building (using clay, sand, straw, and wood) is the traditional human dwelling type worldwide but is permitted only if citizens persistently demonstrate its safety, going out of their way to show skeptical Daddy it's actually OK. This seems backwards. Sadly, in this era of manufactured materials, most citizens have lost the knowledge and ability to build for themselves in safe ways (or at all), so we may be forced to decide between the status quo and semi-experimental natural buildings before

more builders relearn these techniques.

Septic systems are also a requirement of new homes in most of this country, even if residents use well-functioning compost toilets that are much more ecologically responsible. *Daddy says we have to pay a special man to put lots of plastic pipes in the ground.* Even in a fecophobic society good sanitation does matter, so this is (like natural buildings) a domain in which knowledge of safe and very simple systems needs to spread.

Compelling citizens making new housing to employ things like septic tanks and dry-wall is like channeling foreign aid through a corrupt government—it merely reinforces a dysfunctional status quo. In this case, it channels business to certain specialists, mandates extensive infrastructure, and suppresses the population's power to house themselves. Communities can choose not to abide by building codes, but risk Daddy finding out and punishing them; Dharmalaya in Eugene, Oregon ran into this situation, and is coming into compliance. *Daddy's no fun, and doesn't really make sense.*

Permits

If an ecologically-minded person or community surmounts the hurdles that discourage using the most natural and traditional materials they can find, they still have to deal with a permitting bureaucracy that is slow to adapt to more ecologically responsible systems. For example, I recently looked into getting permits for two grey-water systems at Meadowsong. They are both very small systems, appropriate for demonstration of homescale “wastewater” treatment. After considering our situation, however, the Oregon Department of Environmental Quality determined that we would need to do a site-wide wastewater treatment plan including all septic and greywater systems we want (or would want in the future). This plan would be a lot of work, plus push the permit up to a higher tier, rocketing the permitting cost from \$90 to well over \$1000 (just for Daddy to not penalize us, in addition to the real cost of construction). This is just plain unreasonable, so we dropped the idea. *Sometimes Daddy won't let you do what you want unless you give him lots of candy. But if he catches you avoiding him, you're in trouble, too.*

A System of Distrust

All of the examples above—zoning, site plans, building codes, and permits—illu-

minate a system that is based on distrust. Regulation of large companies is most definitely necessary, but turned onto the population at large, the mentality is one in which citizens can't be trusted to do what they like with a site, conduct appropriate activities in reasonable amounts or places, do a safe and sufficient job of constructing a dwelling, or take care of their needs in a responsible way. Daddy disempowers his kids by making all these actions go through him. Because of his overbearing demeanor, his kids either give up/in or quietly run off and do what he doesn't want. Parental governance is both stifling and backed with a constant low-level threat. It relocates the traditional center of power from neighborhoods to formal government, and is therefore anti-communitarian. Sadly, it is one example of the centralization of almost everything in our society (another example is bureaucratic, for-profit insurance companies replacing social support as the traditional insurance).

Furthermore, my experience is that what the United States does, most of the world follows. In this case, the model of centralized government of all land on Earth has been established, but in many cases it is carried out worse than in the US. Instead of mediocrity being the high-water mark, regulation abroad can be even slower, require payoffs, and be unequally applied. This is more reason to transform regulation of the population, for its potential spinoff effect around the world.

Positive Present and Future

Certainly there is an upside of regulation as it relates to intentional communities. Daddy's rules are of some benefit because they help with safety (in housing, “waste” treatment, etc.), as well as preventing the type of willy-nilly sprawl that I have seen clog many a road in West Africa. These upsides need to be acknowledged. But bad parents also do some things well, like providing warm lodging while emotionally abusing their children. It is a mixed bag, but I believe regulation of citizens and collectives is more a hindrance to free and re-



sponsible living (in the communal and ecological senses) than a support of it. *Oh, Daddy...*

Codes and their interpretation can be changed over time, given reasoned arguments and plenty of patience. An example is at Maitreya Ecovillage in Eugene, Oregon: the city cracked down on a series of unpermitted mini-domes there, but after Maitreya leaders made a convincing case for their approval, the domes were indeed allowed by the city (see “It Takes All Kinds to Raise a Village,” page 17). Meadowsong is also interested in pioneering a new ecovillage type of zoning that would remove the current zoning prohibition on community living in rural Oregon. But this approach is backwards: instead of improving a dysfunctional system of permits/zoning/codes, it should be changed to be a functional system.

I propose safety-based specifications that are advisory in nature to facilitate the creation of functional and ecologically responsible systems for living individually or collectively. Instead of enforcement via taxes, fines, and prison, regulation of individuals and small groups can be consultative, establishing a horizontal peer-peer relationship instead of a vertical parent-child one. Releasing Daddy’s kids from the ever-present background threat of governmental crackdown can put citizens at ease and open the door to more collaboration and requests for assistance. This would be based on mutual trust and respect between citizens and their elected advisors, not the current model rooted in fear and mandate. Daddy becomes knowledgeable Brother.

Unfortunately, the public has gotten used to government at various levels being the decider and enforcer of laws and fairness.

Local communities should no longer abdicate responsibility to a central government, but own their inherent power to collectively care for their area. This re-assertion of active citizenry can move the locus of power back from county, state, and national capitals to neighborhoods and towns where people actually live.

Huge companies need macro-regulation from a powerful central government, but regular citizens, local collectives, and intentional communities would be much better served through ultra-local regulation. So the challenge lies both with decision-makers in government to loosen the knots, and with citizens to step up. As citizens stumble in finding their voice, an interim step can be municipal government filling this collective-regulation role, as it is the most local level of government and already exists with clear structure and election/appointment mechanisms. This can give way over time to organically developing local groups.

Yay, we’re friends now! 🌱

Colin Doyle lives at Meadowsong Ecovillage and is a staff member of Lost Valley Education and Events Center (both on the same land in Dexter, Oregon; see www.lostvalley.org), where he is the administrator of educational programs and outside events and a long-standing community member. He enjoys thoughtful conversation, hiking, and big mountains.



Anna Helena Jackson

A Dysfunctional Reliance on Lawyers

In US society most law (including regulation) is created and tended to by attorneys. These are VERY expensive specialists. Daddy’s rules have gotten so complicated that regular citizens often cannot advocate for themselves—they’re just kids. This situation discriminates against those who are not elite in knowledge or money. It also separates individuals from each other, undermining community—for example, a friend of mine was sued by her next-door neighbor over a few feet of fence. The distrust that exists between government and citizens bleeds into distrust between Daddy’s kids themselves, a second layer of dysfunction.

We at Meadowsong have had to defend ourselves from two lawsuits in the past year. This kind of litigation corrodes the cooperative spirit at the heart of intentional community and saps precious energy and money (unless we have elite connections ourselves to swoop in and help us). No matter the outcome, if we revert to lawyers we have already lost some of our power and dignity. One goal of my proposal of community self-regulation utilizing governmental advisers is to bring neighbors together via dialogue and cooperation, not split them apart via legal action. Lawyers are a paltry fill-in for mature citizens.

—C.D.

The Changing Landscape of the Law: EXPERIENCES IN COHOUSING

By JT Hinds

David Clements rents out the apartment above his home at Westwood CoHousing, but current laws limit the number of renters he can have in a 30-day period.



When individuals choose to live and work with others, they give up a degree of autonomy and agree to abide by certain restrictions on their behavior so that the group can function smoothly and accommodate the needs of all its members. How the balance is struck between the needs of the group and the preferences of the individual members differs from one community to another, but this tension is inherent in a free society.

Laws, rules, and agreements are attempts to codify expectations (e.g., we don't steal from each other), anticipate problems (e.g., health and sanitation requirements designed to prevent food-borne illnesses due to improper handling), clarify our intentions (I agree to provide certain services and you agree to pay me a certain amount), and send would-be offenders a message about the severity of the offense (a sentence for murder is more severe than a fine for a parking violation).

Depending upon the nature of our activities—operating a business or nonprofit, practicing in a field that requires a license, raising a family, or hosting large gatherings in our homes—we are subject to a variety of rules and regulations that dictate which activities are permissible, that set forth requirements for permits and exceptions, and that prohibit certain behaviors and conditions.

People who live in intentional communities are expected to comply with the laws of the country and region where they live as well as any additional agreements imposed by the community. Members may agree to duties and restrictions that contribute to creating a certain kind of environment, even though no external laws apply to

the behavior—a spiritual community might expect members to actively participate in a regular group practice like meditation or yoga, whereas an ecovillage might expect residents to refrain from using products that pollute the environment.

As people's needs change—individually and collectively—laws and behaviors also change. Small communities can often respond to changing circumstances faster than governments and institutions that are responsible for the welfare of large and diverse groups of people. The careful and considered approach to rule making, which may require studies by experts and input from the people likely to be affected by the proposed rules, results in a process that can be slower than we might like.

When new approaches don't fit easily into old categories, the flexibility of the system is tested. Can the system allow an exception, expand its definitions, or alter its procedures? If not, the project may fail—or need to relocate, if that's an option.

Planned Unit Developments (PUDs) allow an entire development to be planned from the outset (instead of houses being built lot by lot) and offer flexibility in site design, permitting a mixture of single-family and multifamily dwellings that may otherwise be prohibited by zoning ordinances.

Westwood CoHousing was the first PUD in Asheville, North Carolina. "The PUD designation allowed us to take the number of units that were permissible within the zoning in this neighborhood and cluster them together rather than spreading them out each on its own lot as was required before," said founding member Elana Kann.

The number of units per acre remained the same, but the cluster design, which allows for the preservation of communal green space, was new at the time.

Some governments will be more receptive than others to cooperating with entrepreneurs and trendsetters to find workable solutions, but even the most repressive governments will ultimately fail if they attempt to impose overly restrictive regulations that stifle creativity and innovation.

A Pioneering Spirit: Cohousing

As cultures evolve, some people seem destined to be at the forefront of change. Their ideas, services, and activities spawn new industries and practices that revolutionize the way we live, interact, and do business. They recognize opportunities and are willing to take risks. They explore uncharted territory, often making up the rules as they go.

Early adopters are excited by the possibilities presented by these leaders and visionaries; they see the potential of new approaches and technologies and are open to change. If the venture is successful, it can serve as a model for others to replicate. When the essential features are better understood, variations can add unique characteristics while still embracing the main concept and overall design, and nonessential features can be tailored to suit the specific needs of different groups.

The cohousing model is an example of a form that allows for flexibility in design while still retaining the essential features of a cohousing community. Cohousing is characterized by private ownership of homes (including apartments and townhouses) and collective ownership of common spaces and shared facilities. Homeowners and residents develop the policies that govern the use of common space and join together for recreation and other collaborative endeavors, including accomplishing the tasks that keep the community functioning.

More than 100 cohousing communities have been built in the United States, with many more in the planning and development stages. The common house generally serves as the hub for community life; it often includes a kitchen and dining area for use by residents, laundry facilities, accommodations for overnight guests, a play room, sometimes a teen room or tv room, and an office area. A workshop may be housed in the common house or in a separate building. Some cohousing communities plant gardens and keep chickens or goats; others build swimming pools and tennis courts. Multigenerational communities are likely to include a playground, and families may share childcare. Neighbors look out for each other and learn to cooperate as they find solutions to the problems and challenges they encounter.

The cohousing model encourages interaction and sharing but allows for variations to suit different conditions. A group building a community in a rural area might prefer more space between houses than would be possible in a trendy urban neighborhood. Many communities require community service by members and residents, but a community with wealthier residents might decide to hire workers to take care of the lawn and clean the common house. Some cohousing communities are designed and built by professional development companies, but a group of energetic and skilled craftsmen could form a legal entity, purchase a plot of land, and build their own homes from the ground up.

The people drawn to cohousing communities are often interested in sustainability and an energy-efficient design, but the needs and interests of residents in a senior cohousing community may differ from the needs and interests of young families or busy professionals. A group could incorporate a focus on artistic or holistic endeavors or be committed to permaculture or spiritual development if the founders design the community with specific goals and intentions and are able to attract enough members to join the project, but the typical cohousing community brings together a diverse group of people who were probably strangers before undertaking to build (or join) a community.

Questions arise—and obstacles must be surmounted—when new designs and methods such as cohousing are introduced into society. Can a new form of community obtain funding or insurance? Is it permitted by zoning laws? If public hearings are part of the approval process, will the would-be neighbors oppose the development?

Approximately a quarter of a century has now passed since the first cohousing commu-

nity was built in the US. Individuals who are interested in joining an existing community and groups looking to build new communities can benefit from the experience of the communities that have been in existence for years. Laws—and lawyers—are involved early in the process, as group members choose a form of organization, sign legal agreements, and research local requirements and regulations. Members are bound to each other for the duration of their memberships, and legal issues continue to affect various aspects

If a neighbor—or your group's governing body—is breaking the law, do you report it?

of community life after the building phase is complete.

Westwood CoHousing

West Asheville's Westwood CoHousing was completed in 1998. Twenty-three townhouses plus the original farmhouse are clustered around pedestrian walkways, gardens, and a common house. Owners are members of the Westwood CoHousing Homeowners Association, which owns the common house and common property. A Board of Directors oversees the community's legal and financial affairs.

I spoke with several members of Westwood about some of the legal challenges and hurdles faced by the community, both past and present. As with any multifamily development in Asheville, zoning regulations and building codes specify requirements for the building phase (e.g., the size of the spaces in the parking lot) and regulate residents' activities (e.g., requirements for operating a home business).

Community member David Clements noticed a potential hazard to pedestrians after settling concrete created a two-inch step along a walkway near the common house. He brought his concerns to Westwood's general maintenance team, and a ramp was installed to remedy the problem, but David thought the slope of the ramp was too steep to be accessible to people using wheelchairs. When the deck around the common house was expanded several years later, David expected city inspectors would require modification of the ramp to meet handicapped accessibility requirements, but the deck passed inspection.

David again brought his concerns to the general maintenance team, requesting that adjustments be made—a fix that he thought would require only a minimal additional expenditure. The team agreed to consider his request, but no action was taken.

David thought about contacting city inspectors to determine whether the slope of the ramp was in compliance with building codes.

“I would have been able to get my way with the community by taking that action,” he said, whereas he believed that internal procedures for raising issues through community meetings or by contacting the appropriate team were likely to be ineffective.

He decided to let go of the issue. “I didn’t really like the idea of me as an individual strong-arming my way to get what I want just because it happens to be the law.”

Ensuring that common spaces would be accessible to individuals with physical disabilities was not a priority at the time Westwood was designed and built, and local laws didn’t require handicapped accessibility features in order to pass inspection. Any new construction, however, has to comply with current building codes and regulations, including accommodations such as wheelchair access.

As residents age (more than half of the adult owners and long-term residents of Westwood are age 65 or older), modifications may need to be made to ensure the safety and ease of access by all residents when using common spaces. And if the community decided to, say, make the guest rooms in the common house available to travelers through a site like airbnb.com, the building’s classification could change and modifications to comply with regulations governing handicapped accessibility might be required.

Complaints, Compliance, Complicity

Many ordinances and regulations are enforced only when someone complains about a hazard or violation. Nothing prevents citizens from reporting to authorities the nuisances or hazardous conditions their neighbors are creating, whether actual or imagined, but the close relationships that can form in an intentional community may cause a member to think twice before doing so. After all, people join cohousing communities because they want to share resources and participate in the life of the community. Members of Westwood CoHousing, for example, join together for meals (organized weekly meals that are prepared at the common house as well as potlucks that are held at members’ homes), work days, and other social events and business meetings.

If one of your neighbors—or the governing body of the community—is breaking the law, whether through action or inaction, do you report the offense to outside authorities and risk creating resentment, divisions, and alienation within the community, or do you tolerate the behavior and look the other way?

A Westwood homeowner who wished to remain anonymous had discussed the issue of neighbors policing neighbors with other community members, some of whom shared her concerns. “It would feel like a Gestapo, if I had to live like that, with people saying, ‘Here’s where you are breaking the law.’”

Yet that same homeowner considered calling health inspectors to complain about a roach problem that developed, she suspected, because of conditions in the townhouse adjoining hers. (The neighbor subsequently moved away, eliminating the need for action.)

A concerned resident needs to consider a variety of factors in determining whether to contact government officials about a potential violation occurring within the community. Does the behavior or condition endanger any person (or tree or animal or the community as a whole—including the community’s reputation)? What is the likelihood of obtaining a remedy through procedures set up for resolving conflicts and complaints within the community? Has a reasonable amount of time passed since the concern was raised? How imminent is the threat or danger? How strongly does the person feel about the issue? Is he (or she) willing to put principles above popularity in pressing the point—and seeing it through to a conclusion?

Laws change; we may or may not be aware of the changes when we make judgments about what “the law” does and does not require—if we ever really understood the requirements to begin with. Some laws take an individual’s intent into consideration; some regulations create obligations that apply whether the individual is aware of the regulations or not. (Try telling an agent for the Internal Revenue Service that you didn’t realize you were supposed to pay taxes and see if your debt is excused. More likely, you’ll be fined and interest will be added to the total!)

Emerging Trends: Short-Term Rentals

Though their property boundaries may be clearly defined, intentional communities are not completely separate from the larger social, economic, and environmental forces that



The guest rooms on the upper floor of the common house are not handicapped accessible.



Photos courtesy of JT Hinds

affect other individuals and communities in the region and, increasingly, the world, as the interconnectedness of financial markets increases and the ease of international communication, travel, and commerce transforms the way we live, work, and obtain goods and services.

Asheville is a popular tourist destination, and several residents of Westwood are interested in offering guest accommodations in their homes through sites like airbnb.com. Currently, local laws prohibit short-term rentals* (less than 30 days) in residential areas, unless the home qualifies as a bed and breakfast operation. (“Homestays” are the exception to this prohibition, but only homes of at least 2,500 square feet are currently eligible, and property owners must obtain a permit to offer rooms in homes they occupy. None of the dwellings at Westwood qualify.)

Like many municipalities throughout the US, the City of Asheville is considering how to regulate homestays. Commercial lodging establishments such as hotels and inns object to the unfair competition that exists when homeowners who are (illegally) offering rooms for overnight stays do not pay occupancy taxes, and policymakers are concerned about the adverse impact of homestays on the availability of affordable housing in the area (as well as the safety of visitors staying in homes that don’t satisfy building code requirements).

Some residents of Westwood have raised concerns about the potential for negative impacts to the community if short-term rentals are permitted on an ongoing basis. The Westwood CoHousing Homeowners Association invited interested individuals to discuss the issue in a series of meetings.

Not all of the City’s concerns are shared by residents of Westwood, but parking is a consideration when short-term rentals are permitted in residential urban areas, and Westwood is no exception. (Currently, several spaces in the communal parking lot are allocated to visitor parking. Resident parking is assigned by the parking team.) Other concerns include increased traffic (which may result in additional noise) and the introduction of outsiders who have no connection to the community and who may or may not have any interest in the cohousing philosophy and way of life. Because the expense of heating water is shared by all residents—as is the water bill—the cost of additional water usage by short-term renters is also a consideration.

As the City of Asheville grapples with the question of how to handle homestays that don’t meet the current requirements, Westwood adopted its own policy on short-term rentals, requiring homeowners to notify the community of their intention to offer a short-term rental—whether a room, an apartment, or an entire house—and to track the number of days they have renters so that their utility bills can be adjusted accordingly. The common house, including the kitchen and laundry areas, is off limits to short-term renters unless they are accompanied by a member of the community. Hosts must notify the parking team if renters will be staying for more than two weeks.

Homeowners who offer homestays recognize that, until the City of Asheville changes its regulations, they run the risk of discovery if anyone complains to local authorities. Violators are subject to a fine of \$100 per day if they continue renting their property after receiving a notice of violation. That’s a risk that David Clements and Evan Richardson, and some other members of Westwood, may be willing to take.

David and Evan have sometimes rented out the (separate) furnished apartment above their home. Thus far, they have limited rentals to one per month in an attempt to comply with city regulations prohibiting stays of less than 30 days when the owner does not reside in the home. Now that the community has decided in favor of allowing short-term rentals, they are considering making the apartment available for shorter stays.

Like many other regulations, enforcement by the City is complaint-driven. Knowing that the City’s policy is under review—and that the risk of a complaint is low—alleviates their main concerns.

“We were waiting to see if short-term rentals would be acceptable to the community,” David said.

The Westwood community, that is.

Westwood residents are encouraged to bring any complaints and concerns about short-term rentals to the community. If problems arise, limits on the number of renters permitted each month—or the number of homes that can offer short-term rentals at any given time—might be imposed. Many of the same considerations (i.e., parking, noise, traffic,

cost of utilities) would arise if some homeowners had frequent *nonpaying* guests; an intentional community might decide to impose restrictions on behaviors, or require fees (e.g., for parking), even if the behavior is not “illegal.”

Finding Balance, Moving Forward

Overly restrictive regulations can inhibit the development of creative approaches to the challenges that accompany a society’s growth and evolution, but the lack of planning and oversight can create its own problems, such as urban sprawl and environmental pollution when individuals haphazardly undertake activities without considering the long-term consequences or the impact on the larger community.

Policymakers attempt to balance competing interests by passing legislation that imposes requirements and restrictions on businesses and individuals. Sometimes laws favor development and commercial enterprise; sometimes the balance is struck in favor of preserving the environment and safeguarding the rights of individuals (and municipalities—local governments are not always free to pass and enforce laws that contradict state and federal laws). Incentives such as rebates and tax deductions can motivate people to adopt practices and behaviors that policymakers want to encourage, like installing energy efficient appliances. Experimentation allows for innovation, and successful programs can serve as models for other groups and communities as we collectively identify the methods and designs that are most effective.

The idea of a “sharing economy” is not new to members of intentional communities, but its widespread adoption by large segments of the population signals the dawn of a new era and requires governments to adapt to changing times. 🍷

JT Hinds, J.D., M.A., has lived in several intentional communities (and visited many more) but is not a member of Westwood CoHousing.

*The definition of “short-term rental” used by the City of Asheville differs from that used by Westwood CoHousing in developing its policies and procedures. The City uses “short-term rentals” to mean property rentals for overnight stays of less than 30 days when the owner does not reside in the home. For Westwood’s purposes, “short-term rental” refers to overnight stays of less than 30 days, whether the home is owner-occupied or a vacation rental.

Immigrating to a COHOUSING PROJECT

By Katharina Jones

I come from Berlin, Germany. Berlin is currently a very popular town. Whoever I talk to who has visited it has been impressed by its liveliness and its history and attractions. Berlin, however, is also the town where you can sometimes see stickers in the underground trains: “be friendly,” “be considerate.” The senate spends a lot of money to introduce some basic rules of decency in a town that all over Germany enjoys a reputation of being pretty gruff and gritty. Being greeted by a Berlin public bus driver or receiving a smile from a stranger: be aware, tourist, that such events are rare enough to be marked in your calendar.

Last year I moved to Oregon with my then partner, now husband. He wanted to go back to his country after five years in Germany, and I was ready for a big change in my life. We were looking for some place where English is spoken that would still remind us of Berlin: a little kinky, more original than beautiful, alive, insubordinate, cheeky, and creative. We ended up in Eugene.

In this place where we knew nobody else, it was a necessity to find ourselves a community. And so we did: it was love at first sight. The lot was a meadow by the river, right next to a bicycle path—15 minutes to downtown. On the meadow a dozen or so people welcomed us with friendly openness.

Many people in Europe know that Americans in general are very nice. They are so nice that Europeans get irritated: this can't be genuine. They are so superficial, those Americans.

Not true. I didn't see any more false friendliness here than I had seen in Europe. And wherever it comes from, in comparison to Europeans Americans are a lot more accessible to the stranger. They smile more, and they approach others and just start talking to them. In a few weeks I had more conversations here with complete strangers than in an average year in Berlin.

Most Americans would meet a stranger with a friendliness and openness that is as big and wide as their country. As a stranger you can arrive here amazingly fast.

Unless you have to deal with the US Customs and Immigration Service.

First, we had to apply for a fiancée visa in Germany. It took seven months, cost about 1000 bucks, and included correspondence with the USCIS and the embassy, visits to doctors, and a trip to Frankfurt/Main to finalize the visa application. I got the visa. I don't know what would have happened if I had been diagnosed tuberculosis or AIDS—although, wait a minute, HIV was not checked. I think the whole test frame still comes from the days of Ellis Island.

I have worked for many years with immigrants to Germany. Like the rest of Europe, our country has a discriminatory immigration system. If you come from a rich country and have either a lot of money in your pocket or a job offer, you are fine. If you come from Northern Africa with no money, the immigration system will do its best to get you out of the country asap. However, none of the immigrants, no matter where they are from, is ever being asked for a health check in order to get a visa. It's not very flattering when the country of your dreams is sending you to a doctor on first encounter. The results of the blood and X-ray tests are delivered to the applicant in a sealed envelope. If you open it to



find out what it looks like, you can forget the whole visa application.

After all this, and after we had gotten properly married in Eugene, I thought the rest of it—getting the Green card—would be an easy walk. Yes, I had to send in another application with a lot of papers. But after all, what should happen now?

Well, *nothing* happened, basically, for the entire six months ever since I applied. I was invited to leave my fingerprints at USCIS in Portland. And the system has been telling me since late December that my husband and I will be scheduled for an interview. Other than that, nothing. Nada. Nichts.

Consequently, I don't have a Social Security number. I can't get a credit card, and can't build up a credit history in the US. My income would be important for us to get a mortgage for our unit in the cohousing project—luckily I have been able to continue to work remotely for my German employer—but without my credit history my income doesn't count. My driver's license is a temporary one and won't be extended any more this summer—unless I come up with a Green card. It took me about 10 calls to get a health insurance plan without a Social security number. I am not allowed to work for a US employer.

But the worst part for me is: I am not allowed to leave the country as long as I haven't received the Green card. I can apply for permission if I can deliver a good reason why I need to leave. This reminds me of the country I grew up in. I wasn't allowed to leave it either, and there was a wall around it. However, that was a whole other society, and which one, I won't mention, because it would be a godless comparison. But I will stick to the rule. A friend of mine in the very same situation, years ago—before 9/11—had not read the fine print and left the US for a visit in Germany. When re-entering she found herself being arrested and handcuffed, and sent back on the very next plane to Germany.

I learned later that I should have applied for a work permit and permission to leave the country when I applied for the Green card. Somehow I missed that. I thought why apply for this all, when I get it with the Green card anyway? Now I know. The Green card takes so long, that it pays to apply for parts of it before, because these parts take only about three months. I don't know if it still pays for me to do that. For sure it would cost me, and I still wouldn't have a Social security number.

I know that my experience is nothing in comparison to what people from other countries and those who are not married to a US citizen go through. I think of the immigrants from the South more often since I have applied. How must it be for them, if this is what I have to put up with? I feel uprooted and the long path to becoming a legal alien is uncomfortable, but there are millions who don't even see a chance to ever be legal, or it takes them many years.

I like to be here. I wait, and in many other aspects I am arriving here pretty well. I feel welcome. I love the width of this country. I believe I even smile more often. And when I don't feel like smiling, it's also ok. Because it's just not true, that they are so superficial, these Americans. 🌸

Born 1970 in East Berlin, Katharina Jones grew up with four siblings and a constant flow of visitors in her parents' house—her first taste of community. She worked as a nurse, telegram messenger, surveying assistant, waitress, foreign language secretary, trainer, caregiver, social worker, consultant, teacher, translator, and writer while living singly and in flat-sharing communities, mostly in the city, before moving from the Berlin area to the US in 2014 to join a cohousing community. Nearly a month and a half after writing this article, she received her Green card!

A visit to the future site of Katharina's cohousing community.



Cohousing project cohort.



Author Katharina Jones.

Photos courtesy of Katharina Jones

Raven Rocks and Fracking

By Susan Jennings



Photos courtesy John M. Morgan

Energy is threaded throughout the history of Raven Rocks, a community in southeastern Ohio near the border of Pennsylvania and West Virginia. Nineteen friends founded Raven Rocks in 1970 to protect 850 acres of Appalachian forest and ravines from strip mining. The purchase and reclamation of the land demonstrated the same mindfulness and tenacity that are now thrusting members of the community into a national debate about fossil fuel depletion and fracking.

Raven Rocks is 15 miles from Barnesville, a town of 4,200 people, 20 percent of whom are below the poverty line. Barnesville is an historic coal town with poor soils and few industries. It's also home to Olney Friends School. Founded in 1837, the school aims to "provoke questions of conscience, and nurture skills for living in community." So when a group of former students, faculty, and their spouses learned that the Raven Rocks property might be sold for strip mining, they formed a corporation to buy the land. At that time, 80 percent of the county land had been leased or sold to stripping operations. But Raven Rocks, with its stunning outcroppings, ravines, and forest, held a special place for the group and generations of area residents. A sacred site to Native Americans, the ravines in later times attracted walkers, picnicking families, and Olney students on camping or study trips.

The previous owner of the Raven Rocks property had planted some 45,000 Christmas trees a few years before deciding to sell the property. The Olney group borrowed money and started to reclaim the land and tend the Christmas trees to pay for it. Early on, they lived elsewhere, working on evenings and weekends as their lives allowed. Over the years many of the group began to reclaim and build houses on the property, start businesses and families, and make acquaintance with the broader community. Today eight-plus people live on and care for the 1250 acre Raven Rocks Property, most of which is in a conservation easement.

Although their purchase of Raven Rocks protected it from strip mining, the community did not own all the mineral rights. The Pittsburgh #8 coal seam was sold off by previous landowners early in the 20th century, and bought early in the 21st by Murray Energy Corporation. By then, "longwall mining" had been introduced in Ohio. Longwall is a form of underground mining where large blocks of coal a few miles long and several hundred yards wide are completely removed. And, as in removing a layer from the middle of a cake, so the overburden of soil and rock from land that's been mined can subside or cave into

the breach, causing damage to natural and manmade structures at the surface.

Rich Sidwell says: "We wouldn't take Murray to court and tell them they couldn't mine the seam, but we asked them what would happen if you subside the cliffs at Raven Rocks, and they said 'we don't know.' Over a period of months we visited with senior officials from the coal company and the senior officials visited the owner. The owner grew up and courted his wife at Raven Rocks and the net result of all the meetings was that he made this huge publicity thing saying 'we're not going to mine under Raven Rocks, we're giving up millions of dollars of coal to save it.'

"John Morgan printed a large photo of Raven Rocks, thanking the owner and company for the consideration. It got good publicity, and we've always had good relations with all of the people from the mine, even though we knew coal wasn't the future."

Sidwell continues: "We know we're part of the problem because we have coal-generated electricity. We're working to do things a different way. We weren't saying they were evil for being in the coal business. It was cordial and we still have good relations with the business."

This willingness to see energy issues systematically sets the Raven Rocks community

apart from the start. Cited by newspapers as “a renewable energy technology, environmental education, and ecological preservation laboratory,” the community has been experimenting with renewable energies, sustainable building techniques, and land restoration. They live in earth-sheltered or retrofitted homes, give preference to walking and bicycle riding over the automobile, and continue to nurture the land through organic gardening and reforestation.

Raven Rocks and Barnesville lie over the Marcellus and Utica shales, organic-rich shale deposited almost 400 million years ago. Lauded for its contribution to America’s “energy independence,” shale gas is now being tapped in several states through hydraulic fracturing, a process in which millions of gallons of water, sand, and chemicals are pumped underground to crack shale, and free oil and gas trapped within it.

While several countries, communities, and states have banned fracking, others are welcoming it for the unexpected money and jobs shale gas seems to be inviting into previously impoverished areas. Sidwell says: “Shale gas is new but the companies involved moved swiftly and leased about 80-90 percent of the county. Under cloud cover, the town just roars at night.”

New roads, fracking pads, pipelines, and trucks carrying water and waste now crisscross the area. Like other communities affected by the boom, Barnesville faces a number of potential issues, including earthquakes, stress on roads and other infrastructure, and a drain on water resources. Fracking shale gas wells in Ohio consume an average of six million gallons of water per well.

In addition to the fracking wells, Barnesville and other Ohio communities are also contending with an influx of injection waste wells. Much of the fracking waste generated in neighboring states

is being trucked to Ohio for disposal because of the state’s lack of regulation. In the winter of 2014, Lea Harper, founder of the Freshwater Accountability Project Ohio, challenged the legality of Ohio’s permits, including the permitting of a waste site next to Barnesville. She sought a local resident to serve as a legal plaintiff in a suit against the Ohio Department of Natural Resources. John Morgan from Raven Rocks volunteered.

A researcher and writer used to drawn-out processes both by disposition and also through the Raven Rocks community experience, Morgan started to investigate both the fracking and the waste wells. Over the past two years he’s researched the environmental and legal issues, attended hearings, written letters to the editor, called politicians, and been instrumental in the formation of CBAR, Concerned Barnesville Area Residents, along with Jill Hunkler, who says of Morgan: “More than anybody I know, he’s walking the

talk—meaning he’s not only fighting the fights and making a stance against the disposal of waste, but he’s also living very frugally off the land, growing his own food. He doesn’t go anywhere unless there’s a good

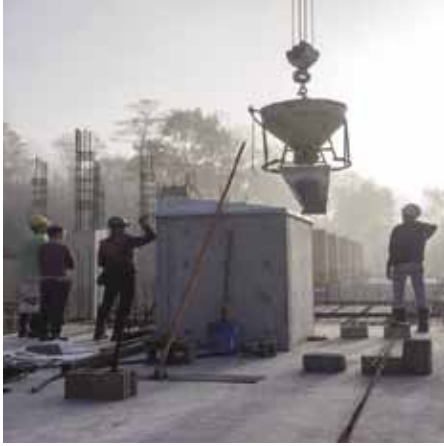
Barnesville faces a number of potential issues, including earthquakes, stress on roads and other infrastructure, and a drain on water resources.

reason.” Sidwell says that no one in Barnesville really knew John before the fracking controversy. But in the past few years he’s been featured in newspaper, radio, and television articles about Barnesville and fracking.

Harper’s lawsuit failed. The court ruled that Morgan and the others had no standing because they couldn’t prove that residents had been harmed or were in imminent danger of being harmed. Morgan says: “The Supreme Court has made it harder and harder for citizens to achieve ‘standing’ in environmental cases.”

Morgan questions the efficacy of the legal approach in environmental cases where the legal process is increasingly stacked in favor





of industry. There may also be a tendency for people to stop being active politically once there is a lawsuit in play, assuming that the courts will settle the matter. Instead, he says, citizen activism is a crucial component of change agency. CBAR, for example, was able to stop the proposed waste facility near Barnesville by placing ads in the local paper and conducting a petition drive that convinced the company to withdraw their application rather than risk the Belmont County Port Authority voting the project down.

CBAR continues to try to mediate the community fracking conversation. Sidwell notes that the group keeps kicking themselves and their local officials asking “Why didn’t we do this two years ago when leasing happened? We can’t go back, but we’re looking at what we can do to protect the resources and the health of community and citizens now, and what we can share with others.”

Sidwell is in a position to do a lot. Over the years since the formation of Raven Rocks, he’s held several positions at Olney, the last one as Head of School. In that position, and in his current position as chair of the Captina Conservancy land trust, he and other members of the Raven Rocks community have been able to save thousands of acres from being fracked. It’s a key model for Barnesville residents.

Hunkler, a cofounder of CBAR and one of the few community holdouts to fracking leases, says that Morgan presented evidence of water contamination risks from fracking to the Olney Friends School and to Ohio Yearly Meeting, which owned several hundred acres of land. None of the parcels were leased.

She notes that the community of Raven Rocks has been a shining light: “Raven Rocks knew all along that they wouldn’t lease. They’ve turned down millions of dollars and have not leased.”

Sidwell says of drilling that “everybody has leased and everyone is surprised that we’ve passed up the money. They can’t comprehend. If you had a chance to win the lottery why wouldn’t you? Of course now that it’s starting to happen a number of people are unhappy.”

But the Raven Rocks’ community experience has mediated how

the group deals with the fracking companies as well as their neighbors who have leased.

“One of the questions that has come up in CBAR is how can we be effective, and I brought up the negotiations we had with the coal companies as an example of a way to work with the companies and the politicians.”

There are several open questions. Barnesville is currently being sued by a fracking company over the fact that the town sold water rights to two different companies and may not have enough for either. And Hunkler and other holdouts are getting hemmed in and may lose their land without leasing it. But there are bright spots,

including the community that has been built through the process. CBAR is now looking at the development of a Community Rights Bill that lifts environmental and community rights over corporate

rights—a model that’s been adopted in several Ohio communities.

Through all the work happening in Barnesville, Raven Rocks’ residents are playing a pivotal role. Sidwell says: “Early on people would ask us if we were an intentional community and we said yes and no. Eventually we said that we were a community of purpose; we got together to do things that we cared about.”

Laird Schaub, Executive Secretary of FIC, says that “intentional communities are important to the wider culture not just as alternatives to a mainstream lifestyle that is materialistic and unsustainable, but because they are pioneering the day-to-day skills needed to create and sustain cooperative culture, the learnings from which can be exported to neighborhoods, schools, churches, and workplaces—any place where people hunger to move away from the alienation and disconnection of hierarchy and adversarial dynamics.” At a time when we have surpassed the limits to growth, and discussions about community resources are becoming increasingly fractious, communities like Raven Rocks are likely to continue to serve leadership roles. 🌱

The citizens’ group was able to stop the proposed waste facility by placing ads in the local paper and conducting a petition drive.

Susan Jennings is Executive Director of the Arthur Morgan Institute for Community Solutions; see www.communitysolution.org.

My Squat Law Journey

By Steven DeCaprio

I am a squatter who passed the bar without going to law school. I did this after transforming my personal struggle with homelessness into an effort to fight displacement in my community.

In 1999 my punk band Lesser of Two (lesseroftwo.bandcamp.com) toured Europe. This was a do-it-yourself tour. We had to save up money to pay for tickets and travel expenses. We had to quit our jobs in Oakland, California, which wasn't uncommon especially given the high turnover in service industry jobs at that time. Additionally, we had to move out of our homes, because we could not afford to pay rent for the seven months we planned to be away.

During that tour in Europe I was exposed to European squats. My exposure to the squat scene and the friends I made along the way had a tremendous impact on me, and opened my eyes to organizing possibilities I had never previously considered.

The squats in Europe at that time included many large social centers which hosted many concerts where Lesser of Two performed. These squats also provided housing as well as a space for numerous projects such as libraries, cafés, movie theaters, gardens, and schools. Many of the occupations served as part of a community-building and organizing ecosystem.

At that time I believed that such a movement was possible only in Europe, and that squatting in the US for political organizing was impossible due to negative attitudes about squatters as well as much more aggressive law enforcement.

I returned to Oakland with the intention of returning to my job and renting a room. Before I left Oakland my supervisor had informed me that he would rehire me upon my return. I had also secured a room with some friends which would be available upon my return. Even though our tour was not a financial success I had planned ahead, setting aside sufficient funds for rent. Accordingly, my housing upon my return seemed secure. What I did not realize was that upon my return the dot-com boom

would reach a fever pitch, causing wave after wave of evictions.

I returned to my work to apply for my old job. Unfortunately my supervisor had left, and the new supervisor wouldn't rehire me. I subsequently found it surprisingly difficult to find stable work. Despite this I had been frugal enough to set aside sufficient funds to pay my rent and bills. Unfortunately, we were evicted while I was in the midst of a job search, causing me to become houseless for what turned out to be a significant period of time.

The timing could not have been much worse. I was unemployed and homeless during a time when rents were rising as dot-com profits soared. Many of my friends were leaving town in search of more stable and affordable housing. The music and art scene I was a part of began fracturing. It was at this point that I decided to try squatting. This decision was based as much on my need for housing as it was my desire to push back against the forces of displacement generally.

It was difficult to find people to join me in this effort, but I was able to generate enough interest to identify abandoned properties, research the ownership records, and begin work on properties deemed viable.

Hellarity and Banana House

While I was working on setting up a squat I began residing at a house called Hellarity.



This house had been established as part of a “Green Plan” of collective houses designated by the owner to be used to house organizers as well as members of a vegan restaurant collective. The rhetoric for the idea sounded excellent, but it fell apart due to personal dynamics. At Hellarity I became a member of the household collective. The house had an open-door policy, but our collective required consensus (a.k.a. unanimous decision) for inclusion. This duality within the house made it very difficult to resolve problems. To further complicate things the collective was comprised of individuals who came to live together by circumstances rather than by choice. Although the process was technically consensus-based, every other aspect of decision making was haphazard at best. It was at Hellarity that I realized that requiring consensus to reach a decision was not enough to have a functional collective.

I learned that collectives had to be formed on a basis of trust, communication, and common goals, which unfortunately our collective often lacked. I endeavored to not repeat the mistakes we made at Hellarity but I found that difficult in the midst of a prolonged housing struggle.

In 2004 I was part of a small group that was able to get one of the properties I had previously researched to a state where it was minimally suitable to provide shelter. I moved into that house, which we called Banana House.

That same year then-mayor Jerry Brown passed the Nuisance Eviction Ordinance, which made it even easier to evict tenants. Before the ordinance was voted on I appeared with many other Oaklanders to speak out in opposition. It was clear that the city council viewed my friends and me as the “nuisance” they wanted to push out.

Soon after I began residing at Banana House the police started arriving to remove me. I did not make it easy for them.

A Crash Course in Squat Law

Prior to confrontations with law enforcement at Banana House we had begun research-

ing the law. We learned that there was a legal concept called adverse possession. In California adverse possession allows a squatter to acquire title to land if they occupy the land for five years openly and exclusively and pay the taxes. As I continued my research I was surprised to find out just how many rights I had. I began to believe that it could be possible to build a movement here in California similar to what I had seen in Europe.

During my time at Banana House a pattern emerged where the police would remove me from the house and issue a citation. I would later return and move back in. I researched the law and would show up in court, which resulted in the initial citations being dismissed. Despite the fact that the first citation was dismissed, the police would return and repeat the process. They did this despite the fact that they had been informed that previous citations had been dismissed and that the District Attorney did not have enough evidence to prosecute.

Some of these confrontations were filmed in the documentary *Shelter: a Squatumentary*. As the campaign to remove me intensified I was proportionally increasing my knowledge of the law.

I learned that there couldn't be a conviction of trespassing without a property owner requesting enforcement beforehand or occupying the property at the time of the entry. I learned that the law states that anyone occupying a property is presumed to be the owner until proven otherwise. I learned that there are a number of ways for a squatter to establish in the public record they are occupying land for the purpose of making a claim of adverse possession later. I learned that a burglary prosecution against a squatter isn't valid and that “breaking and entering” is not a crime outside of burglary.

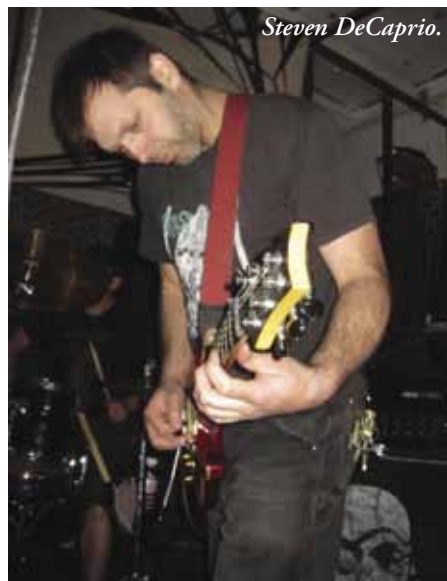
I also learned that there is no law requiring the courts to follow the laws. Because of that, I was convicted of a crime regardless of my knowledge of the law.

It was during this first series of legal battles that I was introduced to David Beauvais, who is an attorney who decided to let me study for the California Bar Exam as an apprentice participating in the Law Office Study Program.

My occupation of Banana House finally ended when the police decided to arrest me and put me in jail. In order for me to be released from jail the court issued a stay-away order pending trial. After being re-



Working on a garden box.



Steven DeCaprio.



Banana House standoff.

leased from jail I began sleeping in my van in front Hellarity. After I had left the Hellarity collective they tried to purchase the property by working with a nonprofit in an effort to officially transform it into a housing co-op. The owner refused to sell the property and eventually went bankrupt causing the property to be sold to a speculator who outbid the nonprofit supporting the residents.

On the first day that I parked my van in front of Hellarity after my release from jail, I woke up to see one of the house guests on the sidewalk in front with a confused look on his face. He held a piece of paper in his hand. I asked him what it was, and he said, "We've been sued." As he said this he thrust the paper into my hand, and from that point on I began fighting the eviction at Hellarity while at the same time fighting my criminal conviction at Banana House.

Lawsuits, Land Resources, and the Bar Exam

As these legal battles expanded I spoke to David Beauvais often, and began studying the law under the Law Office Study Program. In California a person can fulfill their legal education requirements to take the State Bar Exam by studying law in a law office for four years under the supervision of an attorney. David agreed to mentor me because I was already studying law for my own litigation. He was also supportive of my housing advocacy and social justice work. Because I shared David's concerns about social justice, my education would allow me to work on issues that are often overlooked by the legal profession due to economics.

Helping poor people is not a lucrative career choice for an attorney. Because of this, many attorneys take better-paying jobs to pay off their student loans. With no student loans, I would be enabled to pursue my passions without the same economic pressures of many new lawyers entering the field today.

I ended up representing myself in criminal court because there was confusion regarding my eligibility for representation by the Public Defender's Office. I had been working part-time at the California League of Conservation Voters, and the income there was sufficient to render my eligibility with the Public Defender's Office uncertain. I was in a position where I wasn't poor enough to get a public attorney, but I also was in a position where I lacked sufficient funds to hire an attorney.

I asked the judge to appoint counsel, and he refused. Rather than waive my right to a speedy trial I decided to represent myself. That was one of many mistakes I made as I navigated the court system while also studying for the California Bar Exam.

While fighting these lawsuits I continued to work on rehabilitating a property that I had discovered. Eventually, this house became minimally habitable, and I have been residing there ever since. I have established all the elements of adverse possession, and I am currently petitioning the court to grant me full ownership rights of the property. I know that I have all the evidence I need to support my case, but I am still nervous because I know

that there is no law requiring the judges to follow the law.

In 2011 I established the nonprofit Land Action (land-action.org) to use my experiences to help environmental and social justice organizers to access land resources for establishing housing and projects. This experience has allowed me to help urban gardeners prevent evictions and then to begin working with land trusts as well as city and county leaders to establish Land Action's urban microfarming project, with the goal of establishing 100 farms in five years in Oakland.

As I studied the law and prepared for the Bar Exam I realized more and more that the law I was studying and my experiences navigating legal process and applying these laws were extremely different. I had to re-learn the law for the exam.

The first time I took the Bar Exam I





Home and garden which is the prototype for the 100 farms in 5 years campaign; see www.indiegogo.com/project/preview/9078500d#story.



Harvesting eggs at the urban microfarm prototype project.



Garden lot, post-mulch.

failed. I threw myself back into my studies, and on May 16, 2014 I was informed that I passed the February Bar Exam.

Unfortunately, even though I passed the exam and fulfilled all the educational requirements under the Law Office Study Program, my application to practice law was denied. In the letter denying my application it was stated that my trespassing conviction was part of the grounds for determining that I lacked sufficient “positive moral character.” I am hopeful that as I appeal this decision the State Bar will understand that my involvement in housing struggles for the past 15 years will add value to the legal profession.

With that in mind I have joined a group establishing the Association of Legal Apprentices (likelincn.org) to advocate for and support those studying law in the Law Office Study Program as well as those who have completed the program such as myself. By supporting this traditional form of legal education we can remove the economic barrier to the legal profession, thus increasing economic, racial, and social diversity. Also attorneys studying within this program won't need student loans and thus may choose career paths that benefit under-served and marginalized communities. 🍀

Steven DeCaprio is the CEO and Founder of Land Action. He is originally from the Florida Gulf Coast and came to Oakland, California to be involved in music and political organizing. For over a decade he has been involved in housing struggles and advocacy in the Bay Area. He is known as an expert on occupying, improving, and repurposing abandoned property for the benefit of the community at large and for providing resources to environmental and social justice organizers. He was featured in the film Shelter: a squatumentary, has been featured in numerous publications, and was named one of 12 Visionaries of 2012 by Utne Reader.

Nobody Likes Bosses

By Molly Shea

The law. In my anti-authoritarian household, the law isn't always held with the utmost regard. There's good reason for that. Here in what we now call the United States, our laws enforce racist standards and we put black communities in prison at alarmingly high rates. Women are prevented from making choices about their own bodies and their own safety. Cops are allowed to murder innocent (often brown) people. It is legal to pay folks with developmental disabilities below minimum wage. Queers and trans folks are often confronted with hate and violence. Migrants from other countries are deemed "illegal" and forced into detention centers. The list of unjust laws created and upheld by society could go on and on. Luckily, throughout history and today as well, brave folks have taken action to intentionally break, rewrite, and create alternatives to unjust laws.

If it's not obvious, I encourage you to do the same. If I believed in a higher power, I'd thank it for putting the fight for justice inside so many kind souls. With everything inside of me, I sincerely thank those who have fought for justice and who fight for it now.

While collective action is needed to create large-scale, systemic change, intentional communities like mine can become the seedbed for exploring and exemplifying the world we envision. The challenges of the "real world" impact us and forms of oppression come in through the back door, but we also have room to create systems that promote equity. As an intentional community, we've chosen to create our own laws, our own agreements, and our own cultural norms that help bend us towards a fair and liberated shared experience. While that sounds easy—to decide your own rules together and then choose to collectively enforce them—it's proven to be complicated and not always straightforward.

Here in our Columbus, Ohio-based community, the Midden, we're a group of folks with good intentions who care about each other and the world. While that's a solid foundation, it doesn't mean we always have the tools, time, and energy to really show up for each other. For a long time, our household chose to systematically build a culture of empathetic communication. We agreed on a check-in system, where every member was

"required" to check in (have some one-on-one time where both folks got to chat and share what's going on with them and how things have been together) with every other member of our household. Sometimes, we did this well and it served us. Sometimes, we upheld this agreement, but it didn't really serve us. More often, we didn't create the time to connect with folks in that way.

Having an agreement like that, and watching it go by the wayside, can actually be more hurtful than simply never checking in. We tried to rework it a few times, tried to recommit, but right now, we've just stopped. For now, that's how we've chosen to enforce it: by letting it go. It's a bit more organic now; we regularly share with each other before we get down to business at our house meetings, and as a small household, we often have a sense of what's going on with folks. Ideally, we even know how and choose to support each other.

In our community, part of our budget is set aside to help cover health and wellness



needs of individuals. Folks can use it to pay for a doctor's visit, for vitamins, for travel expenses to a support group, or whatever else folks need to take care of themselves. When we first set this up, we had an approval process. Folks would say what the expense was, and we'd all agree or disagree to help pay for it. Part of the intention was to get our wellness out of the dark hole of shame and into our collective consciousness that would allow us to support each other through our ailments. What actually happened, though, was a lot different. Folks felt judged for what they needed and felt like we were putting each other on trial for the very personal choices we make about how to tend to ourselves. After a lot of hurt feelings and additional shame, we decided to alter, or amend, that agreement. We didn't ditch the whole thing, and we chose to keep our wellness fund. Now, folks use it however they see fit. There is no approval process. If you have a wellness expense, you can have the house help you cover it. We have lost some of the intention to know what's going on with each other, but not all of it. We still see it as an expense if we want and i think we are more comfortable talking and sharing about our physical and mental health. While in many ways, this was a small change to our agreement, it has had substantial impacts in our community.

We've had a long-standing divide in our labor—the ways folks contribute to our shared home. We contribute in a variety of ways; much of that (like emotionally or energetically participating in each other's lives) can't possibly be calculated, and for the most part we've chosen not to. We've tried a variety of ways to account for the

tasks that keep our home running—tending a garden, fixing the roof, walking the dog, cleaning the counter, etc. We've dug into those systems and have plenty of history and lessons to share, but more recently we've found ourselves focused in on how we pay our bills.

Bills in an intentional community that rejects capitalist principles?! Yes, of course. We have to pay off our house and pay our utilities, but we also choose to help cover shared food, tools, supplies, and other odds and ends. The question is, how do we do that in a way that a) covers our bills and b) creates equity amongst ourselves? We've had a variety of systems and agreements to help us achieve that. Most of our norms have helped us reach those goals in some ways, and failed in others. In our attempts to hold ourselves accountable, we've remade and we've significantly reworked our agreements. Right now, we're trying out an income percentage contribution system. It's working, but not perfectly. And to be frank, the hard part is how it *feels*. How it feels to folks to pay in at a certain rate, how it feels to have some people pay more or less than you, to cover expenses you wouldn't personally choose, to not be able to decide you'd rather cut back that month to save up for whatevertheheck. How it feels to have a set of agreements, of laws, that tells you what to do with *your money*. In all of our agreements, that's been the hard part.

Nobody likes bosses. Even when you are the boss. Even when you decide to get rid of bosses and share the rulemaking together. We don't like being told we're doing it wrong, that we're not doing what we agreed to, that we are prioritizing ourselves individually over our shared, collective selves. Actually, I think we just don't like being told what to do. Even worse than bosses? Laws. Once we put them in place, we have to choose how and if we are going to enforce them. And if we're not going to enforce them, do they even exist? But without them, can we coexist and even thrive? While I'm still a firm believer in a need for rules, norms, agreements...*laws*...the lesson I keep learning is that those things don't create cultural change. We create cultural change, and without that, our good intentions and our laws don't take us that far. There is some magical balance out there, an equilibrium between the law and the culture. Here at the Midden, we're striving to find it. We'll keep striving, but if we come up with the solution, we'll be sure to let ya'll know. 🐦

**Without cultural change,
our good intentions and our laws
don't take us that far.**

Molly Shea is a member of the Midden, in Columbus, Ohio. She's also a cooperative owner of Pattycake Bakery, teaches self-defense, works with the Beehive Collective, is an anti-sexual assault advocate, and is part of a radical cheerleading squad. Occasional reflections on her life can be read on her blog, www.moreadventuroustoday.blogspot.com.

ACCOUNTABILITY: Conflating Task Monitors with the Police

By Laird Schaub

One of the most challenging topics for cooperative groups to tackle is accountability. What do you do when someone doesn't deliver on a promise or is perceived to be breaking an agreement?

For the most part cooperative groups simply hope the problem will go away—and fortunately, it largely does. That is, most members will voluntarily be good citizens on their own recognizance. They'll do their chores, help out on Work Days, and mostly follow through on commitments to the group—all without anyone sending out reminders or looking over their shoulder.

However, good intentions are not enough. Some will forget, some will be too busy, some chafe at expectations of any kind, some will purposefully step back from commitments because of a story they have about how they were wronged and it's never been addressed, etc. So the question is not whether it's going to happen, but how you're going to handle it.

The short answer is that you're going to have to learn how to talk about it, because here's the deal—it doesn't go away on its own. In fact, unaddressed it's a cancer on the good will and cohesion of the group. So the stakes are high.

Hint: While there's no doubt that noncompliance and deficient performance are a problem, that does not necessarily mean that the responsibility lies wholly with the person perceived to have broken the rule or failed to have kept an agreement.

Let's look over some of the potential factors in this dynamic, any number of which may be in play:

- **Ambiguous Requests**

Are you confident that what the accuser believes to be the understanding is the same thing that the accused understands? There's a reason for the adage: there's many a slip 'twixt the cup and the lip. This potential for unclarity is all the greater if the agreements are oral and not captured in writing. In any event, we may be talking about a misunderstanding or mishearing more than willful negligence or defiance.

- **Undefined Flexibility**

All groups I know allow for the possibility of extenuating circumstances to allow reasonable relief from commitments when people are overwhelmed by other factors in their life (compromised health, family emergency, loss of job, etc.). The problem is that the limits of flexibility or how exceptions are invoked are rarely pinned down and the accuser may be interpreting their appropriate application differently than the accused. Uh oh.

- **Shame and Guilt**

A good bit of the paralysis that surrounds accountability relates to people's fear of feeling shame or guilt in a public forum. Some can't imagine the embarrassment of being called out; others want no part of subjecting others to something they imagine to be that painful. As such they are unwilling to take even the first steps down that road. Some don't want to impose their personal standards on others, while others can't seem to wait for an opportunity to do so.

A lot of what's in place here relates to the role of shame and guilt in one's family of origin, and that experience is likely to be all over the map—making it damn hard to know what demons you're letting out of the box once you invoke their energy.

- **Fear of Consequences**

Another factor is what to do if it's determined that someone is out of account. Is moral suasion enough, or do you need a club in the closet for serious offenders? Some groups are flat-out allergic to punishments (fines, say) while others seem altogether willing to go there if someone misses a chore cycle and doesn't make it up. To be sure, the backdrop in which this occurs is that the group (and the members who comprise it) always have recourse to the protection and rights extended to them by civil authorities in instances of lawbreaking and public safety, but that only happens in rare and extreme cases (thank god).

The main point I want to make is that you can commit to talking about accountability without embracing a set of consequences (or, for that matter, deciding that you won't have consequences).

• **Police State Anxiety**

Amazingly, it is common among cooperative groups to have no one (I prefer a committee) designated to handle task monitoring, which seems weird to me. For the most part, I've come to understand this as: a) a fear of people passing judgment on each other (no one wants the Work Police knocking on their door asking where they were on the afternoon of November 12, while everyone else was raking leaves and getting the houses ready for winter); and b) a lack of confidence in the community's willingness to work constructively with upset—which is where they suspect conversations about noncompliance are likely to go.

As no one wants to live in a police state, the topic of accountability becomes anathema.



While I get that those are real fears, are you liking the alternative any better—where the complaining goes on behind people's backs, and others are left to shoulder more of the work to cover those doing less? Not much of a bargain, is it?

Without advocating for or against consequences, I urge groups to commit to talking about it whenever a member is viewed as being out of account. However, since we want this to be constructive, and minimally disruptive, I advocate that this be distributed among the standing committees, where each is responsible for agreements and tasks in their arena.

Then, whenever someone has a concern about noncompliance, they'd be encouraged to follow a sequence such as this (until the matter is settled):

1. Talk with the person directly.
2. Talk with the person with the help of a mutually acceptable third party (or parties).
3. Ask the relevant committee for help (with the Conflict Resolution Team backing up the committee if it gets hairy).
4. Take it to the plenary.

At each point along the way, a good faith effort should be made to accommodate the preferences of both the accuser and the accused about setting, timing, and who's present in the way of support. While these may be facilitated conversations, participation should be voluntary with no one being coerced to accept another's viewpoints or conclusions.

If it is not clear which committee's bailiwick the matter falls into, then the Conflict Resolution Team will play centerfield, handling all requests that come along until and unless they're handed off to another committee.

A big advantage of *expressly* giving committees the job of task monitoring in their purview is that it becomes a license to initiate conversations about work or compliance with agreements. Absent the assignment of such authority, the person who shows initiative is susceptible to being labeled a busybody. The point of this is not to embarrass or shame: it's to get information and troubleshoot at the least expensive level. Remember: we're creating *cooperative* culture; not recapitulating the combative, competitive culture of the mainstream.

While it's possible for a matter to go all the way to plenary (the court of last resort), that will rarely happen if committees are doing their job about compassionately talking with folks who are perceived to not be doing theirs. 🐦

No one wants the Work Police knocking on their door asking where they were on the afternoon of November 12.

Laird Schaub is Executive Secretary of the Fellowship for Intentional Community (FIC), publisher of this magazine, and cofounder of Sandhill Farm, an egalitarian community in Missouri. He currently lives in Chapel Hill, North Carolina where he is exploring community building with two close friends. He is also a facilitation trainer and process consultant, and authors a blog that can be read at communityandconsensus.blogspot.com. This article is adapted from his blog entry of April 9, 2015.



SEEING RED FLAGS: When a Community's Biggest Threat Comes from Within

By Peter McGugan

This is a very important time in human history. It is a social/economic turning point and an environmental tipping point.

Do we continue to let greed-addicted, egomaniacal people run quality of life into the ground? Or do we see the danger signs, raise the red flags, and become our own community's solution for itself?

Control and depopulation agendas are playing out as egoic/control economics. And I've been very saddened to see similar egoic agendas weakening several intentional communities I've produced retreats and film festivals with.

The victims are the heart-centered people who truly exemplify the soul of thriving community. I write this article to help us all see the red flags.

Here are danger signs:

- A shift from personal empowerment and authentic spirituality to hierarchal domination, influencing, judgments, exiling, and cultured fear.
- Community members are told to publicly pledge their unwavering loyalty and allegiance to their leaders. If they don't, they're gone.
- Personal empowerment from a charismatic leader becomes public humiliations, servitude, and my way or the highway.
- Humiliations and expulsions of clear-headed people.
- A weakened board, financial, and administrative staff populated by unqualified, meek, and obedient followers. The insiders are *on-the-take* dependents with few other options.
- Restricting the travel and family contact of community members, saying it would not be good for them to be interacting with "the outside world."
- The selling off of assets with murky fiscal accountability.

A corrupting leader typically uses the following tactics:

- They become the sole channel of spirituality, belief, finances, housing, security, and righteousness.
- Their words form the new Bible and laws, and ties with outside experts are severed.
- They tell us not to lose sleep over things that aren't our job, and that the management team is on it.
- Their staff is inexperienced, emotionally wounded mismanagers. Quickly, the fresh flow of resources, energies, business, and clear-thinking personalities is blocked.
- They poison the potentials of clear-thinking outspoken individuals.
- Their doctrine teaches us that feeling doubt, frustration, anger, or disrespect are spiritual failure.
- They foster slow, sabotaging, non-responsive vagueness and unprofessionalism.
- Why we passively support corruption:
 - We've publicly pledged allegiance.
 - We need to believe in our own community's righteousness.
 - We're in too deep and lost in the darkness, so we kid ourselves into ignoring the truth.
 - Our income, home, and false sense of security flow from the top. We're on the take too!
 - The smart, wise, and trustworthy people have been exiled or humiliated. So who can we trust?
 - There are spies and tattletales among us. So we fear sharing our fears and wonder what others feel.
 - The leader's inner circle of reassurers say, "There, there, you'll see. Everything will be okay."
 - We become cowardly and trust *trust*, rather than evidential truth; we hope we won't be damaged by the fallout.
 - Our egos believe that heroic loyalty, even to a corrupted cause, is what good soldiers do. [Up to a point it is, but where is that point for you? How bad does it get before you'll live the truth and get organized to save your community?]

- We all have a bad-enough point and a corrupting leader will push that so far out, with their writings and sermons, that they'll put a whole community into a hypnotized state of perpetual meditation. Surrender feels good, until it doesn't.

The corrupting leadership might sell the land out from under the weakened community.

Here on Schoolhouse Earth, we thrive or perish together. I sincerely believe intentional communities are vital laboratories and classrooms for sustainable thriving.

With the global economy, we now have a greed-addicted aristocracy using militarized shock and awe strategies. They own the media, they control our schools, and they've created a dumbing-down system that numbs us as it stratifies wealth, influence, and control upward at unprecedented rates.

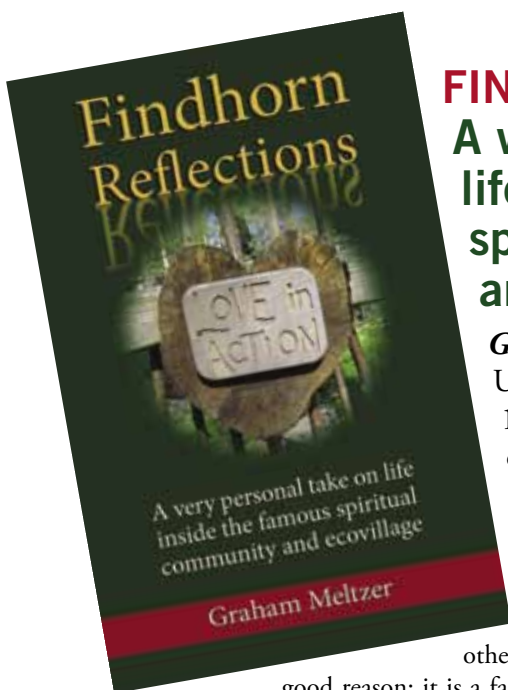
To be good stewards of quality of life on Earth, let's be aware of danger signs and not lose our minds, our hearts, or our spiritual centers. Let's access our heart's knowing of what is right and what is wrong, and empower what is simply good for life as we weaken what is bad.

Let's honor what Africa's Zulus call "The Mother Mind." It sends signals from our heart's wisdom, and our gut's grounded instincts.

Sustainability and quality of life do not happen at extremes. They happen at the center, the heart of community.

History does not repeat itself; greed-addicted people repeat history. So take heart, stay strongly activated, and heed the danger signs. 🌱

As a Canadian TV journalist Peter McGugan discovered that the truth sets us free to be thriving communities, and trusting illusion creates disillusionment. He's a best-selling author, documentary filmmaker, and film festival producer. Corporate meeting planners rated him among the nation's top 10 speakers. His newest book is Occupy Consciousness.



FINDHORN REFLECTIONS: A very personal take on life inside the famous spiritual community and ecovillage

Graham Meltzer,

UK: KDP/Createspace, 2015,
136 pages, \$US3/£2 (Amazon.com
download) or US\$7/£5 (paperback),
ISBN-13: 978-1512006513

The 53-year-old Findhorn Foundation and community has perhaps been studied and reported more than any other contemporary intentional community. And for good reason: it is a fascinating place with an incredible story. By any measure it is one of the most successful intentional communities, with a global reach through various NGOs, Colleges, Universities, and even the United Nations.

According to Dr. Graham Meltzer, author of the new book *Findhorn Reflections*, communal living should be humanity's "default setting," since "it's the most natural way for human beings to cohabitate." Unfortunately, though, "only a tiny (but happily, not irrelevant) proportion of the world's population will be privileged enough to live in sustainable (intentional) communities like ours." Hence the need to spread the message.

Many books and innumerable articles have been written about Findhorn Foundation and community, some scholarly, such as Carol Riddell's *The Findhorn Community*, some almost hagiographical, such as Paul Hawken's *The Magic of Findhorn*, and others scathingly critical, such as Steven Castro's *Hypocrisy and Dissent Within the Findhorn Foundation*. *Findhorn Reflections* fits into none of these categories.

The author has been an academic and architect, as well as a life-long intentional community junkie. His Ph.D. thesis was about cohousing, and led to the well-known book, *Sustainable Community: Learning from the cohousing model*. He has researched and lived in a wide range of intentional communities ranging from hippie communes in Australia to Israeli kibbutzim and Danish cohousing.

Findhorn Reflections opens with the author telling us that he joined Findhorn *in spite of* its well-known spiritual reputation. "I didn't take readily to some of the more esoteric aspects of the culture. I came to Findhorn seeking a socially satisfying, ecologically benign community life, not to deepen a spiritual journey or to communicate with nature spirits."

Fortunately, what he sought he has apparently found, since he happily remains there a decade later, enjoying "what I can only describe as a 'field of love.' It feels as if I'm immersed in a culture where love is freely, constantly and generously expressed. The open-heartedness of my relationships with so many people is without doubt my primary motivation for living at Findhorn."

There are also many practical benefits from living at Findhorn which most intentional communities miss out on, usually through lack of courage and imagination. One is their carpool where 70 members share 10 cars. Another is being able to dine every day with fellow communards, thereby saving him the time to prepare his own meals while providing excellent cuisine in a comfortable, socially and culturally rich environment. Of course Graham does his once-per-week turn, like everyone, at cleaning up, but even that becomes enriching rather than a chore.

As a retired academic researcher, Meltzer offers many well-reasoned observations about

intentional community life, where "the collective can support the individual to become who they wish to be. And of course, it's reciprocal—the members serve the collective." In his view, "The Findhorn Foundation and Community, like most intentional communities, is in many ways very conservative." And: "In terms of lifestyle, I believe that our community is about the closest thing to kibbutz outside of Israel."

Just to clarify my own position, I have known and worked with Graham Meltzer, and have been a Findhorn Fellow, for about 20 years, so I might be thought to have a conflict of interest in this review—but I am being as objective as I can on a subject about which I am passionate.

Meltzer's life-long involvement with intentional communities has made him sceptical of "social technologies" for decision-making such as voting, consensus, and Sociocracy, arguing that "successful governance is less dependent on a chosen methodology and much more reliant on deeper, underlying levels of trust and openness in the group." My own research leads me to heartily agree with him. He goes on to describe "the level of grace" which pervades most Findhorn meetings, and contrasts that to his former academic life with "faculty meetings driven by inflated egos, hidden agendas and intellectual one-upmanship."

Meltzer has found that "a group with relationships of trust and goodwill doesn't need to overlay their meetings with structure (i.e. use consensus, Sociocracy or something similar). Indeed it's better off without." Sociocracy has been proposed for Findhorn meetings, but Meltzer provocatively asserts that not only do they not need this but that "it could do more damage than good. It has the potential to stifle the free flowing conversational style that is enabled by our underlying trust and goodwill."

I shall conclude this review by quoting Meltzer's own passionate and touching conclusion: "If we are to regain our basic humanity then the specious satisfaction offered by consumption needs to be replaced by satisfactions that are non-material. Communal settlements are the perfect setting for replacing psychological attachment

(continued on p. 77)


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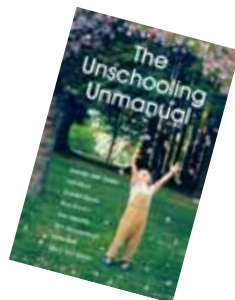
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VALVERDE COMMONS, A SENIOR COHOUSING COMMUNITY IN BEAUTIFUL AND ARTY TAOS, NM, has eight lots still available for purchase. Located in a pastoral setting, it is walking distance to the library, shopping and the famous Taos Plaza. We have a stunning commons/meeting hall where classes, book club, meetings and potlucks are held regularly, and a barn which stores our gardening equipment and tools and has a workshop for ceramics and woodworking. We boast soaring views of Taos Mountain from our homes and common buildings. - Our town is small and charming, nestled in the Sange de Cristo mountains, and only an hour and a half from Santa Fe. We don't have big box stores but we do have 7 museums, countless galleries and a rich cultural life. We even have a brand of the University of NM where seniors can take courses for a pittance. - Singles and couples have built sustainable houses of all sizes from 750 sf to over 2,000, and we will assist new members in building their dreamhouses. Visit our website at www.valverdecommons.com, and plan to visit our community. Email us at valverdecommons@aol.com or call Carolyn Schlam at 575-751-3751 for further information. Join Us!

HEATHCOTE COMMUNITY, FREELAND, MARYLAND. We are an intentional community living cooperatively on 44 acres of land held in trust with School of Living. We have a permaculture farm and demonstration site. Our mission is to live sustainably and share with others through education and service. Heathcote was one of the first "hippie communes" and we are celebrating our 50th Anniversary in 2015! We are seeking new members who want to live cooperatively, engage in permaculture and sustainable farming, and contribute to our educational work. We have rooms available in shared houses and one more building site available for a new residence. We also seek participants for our education programs, which include Visitor Days, workshops, and internships in farming and carpentry. For details see www.heathcote.org. Contact: 410-357-9523; info@heathcote.org.

BOULDER, COLORADO MORE AFFORDABLE, URBAN "CO-HOUSE-HOLDING" OPTION: Boulder Creek Community is offering rent (\$600 to \$900/month per bedroom, starting 8/1/15) and/or rent-to-buy, shared living opportunities in our Common House for: community-focused persons, families or couples looking for short or long term community housing. We are inviting self-aware, heart-centered, service-oriented community members. Being located next to an exceptional Health Club, to Boulder Creek bike/hike path, parks, 2 universities, on-site car-share and bus options, frees community members to enjoy a better quality of life exploration... in community with others. See BoulderCreekCommunity.com or call Greg at 303-417-1690

FAIR OAKS ECOHOUSING, EAST OF SACRAMENTO, CA - Fair Oaks EcoHousing is a family-friendly, intergenerational group of households committed to creating an earth-friendly cohousing community. We're building 30 homes on 3.5 acres, with start of construction planned for fall 2015. We're seeking others who share our vision to join us! We're pleased to be working with Charles Durrett of McCamant & Durrett Architects and Katie Mc-

Camant of CoHousing Solutions, both leaders in environmental sustainability. Fair Oaks is 18 miles east of downtown Sacramento. The site is within easy walking distance of the 23-mile American River Parkway, deemed the "jewel of Sacramento." Nearby attractions include charming Fair Oaks Village, the Sacramento Waldorf School and Bannister Park. Being located on the eastern side of the valley provides access to the Sierra Foothills, with opportunities for hiking, skiing, rafting and kayaking. Interested in learning more? We'd love to talk with you! Learn more at www.FairOaksEcoHousing.org.

LITTLE RIVER TENANCY IN COMMON IS ON THE OLYMPIC PENINSULA, NEIGHBORING OLYMPIC NATIONAL PARK. Our 132 acres have Little River running through on the way to the newly undammed Elwha River. We have five resident members, and one vacant membership tied to a home for sale. The land is owned in common but members have exclusive rights to their homes. Most of our land is dedicated to forest growth with stewardship the main goal; sustainable commercial uses are possible in our Forest plan. Decisions are governed by our Agreement although consensus is very typical. We highly value participation in group designated projects which maintain our infrastructure, our forestry and garden projects. The available home is two story, one bath, two bedroom (or three, counting the finished attic). It has wood siding outside and wood paneled walls downstairs inside, sheetrock upstairs. Wood heat from a Finnish/Russian style cooktop stove heats the house with about 3 cords wood per year. Included are an unattached two car garage with additional area of workshop plus a rustic cabin with power and water (cold). The Tenancy membership would be about \$35,000 and the home \$150,000. CONTACT: Bob, at 360-452-4768 or e-mail: ruumax@outlook.com

BELFAST ECOVILLAGE IN MIDCOAST MAINE IS A 36-UNIT MULTI-GENERATIONAL COMMUNITY ON 42 ACRES. The super energy efficient homes are clustered to preserve open space for recreation, agriculture and wildlife. Automobile access is limited and the houses are connected by a pedestrian path, making it a safe place for young children. A 4,000 square foot common house is nearly complete, and will have several voluntary shared meals weekly. Many homes have solar systems, making them near net zero. Members gather weekly to harvest food from the 3-acre worker share community farm and there are two multi-household flocks of laying hens. Members come from all walks of life and include educators, naturalist, carpenters, medical professionals, social workers, musicians, and artists. Belfast Ecovillage is located two miles from the quaint coastal town of Belfast, with a harbor, library, YMCA, schools, employers, and health food coop. For more information visit: Mainecohousing.org or call 207-338-9200

SANTA ROSA CREEK COMMONS, Santa Rosa, California. We are an intergenerational, limited equity, housing cooperative 60 miles north of San Francisco. Although centrally located near public transportation, we are in a secluded wooded area beside a creek on two acres of land. We share ownership of the entire property and pay monthly charges that cover the usual expenses of home ownership. We have kept our costs reasonable by sharing all of the responsibilities of our cooperative and much of its labor. All members serve on the Board of Directors and two committees oversee the welfare of the community. We enjoy a rich social life and a mutual concern for the natural environment. Contact: Membership 707-575-8946.

DANCING RABBIT ECOVILLAGE, Rutledge, Missouri. Come live lightly with us, and be part of the solution! Dancing Rabbit Ecovillage is an intentional community and educational non-profit focused on living, researching, and demonstrating sustainable living possibilities. We live, work and play on 280 acres of lovely rolling prairie, and welcome new members to join us in creating a vibrant community and cooperative culture! Together we're living abundant and fulfilling low-carbon lives, using about 10% of the resources of the average American in many key areas. Our ecological covenants include using renewable energy, practicing organic agriculture, and no private vehicles. We use natural and green building techniques, share cars and some common infrastructure, and make our own fun. We welcome individuals, families, and sub-communities, and are especially seeking women, as well as people with leadership and communication skills. Join us in living a new reality: sustainable is possible! 660-883-5511; dancingrabbit@ic.org

SEEKING COMMUNITY

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Contact: Leonie Brien (603) 331-1669

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SEEKING AN INTENTIONAL COMMUNITY - ECOVILLAGE IN THE GREATER EUGENE, OR AREA. I am an energetic & alive 60 year old woman.... a hiker and bicyclist who has taught Conflict Resolution all over the country and in Canada for the past 32 years and does not have the word retire in my vocabulary. In my past I cheffed in New Orleans and love to cook for a group of people. In addition, I have a small practice as an alternative practitioner (Consulting Kinesiologist & Neuro linguist who works with people in transformation.) Have lived in co-housing in NC for the past 3.5 years and loves living in community. I seek to rent a small one bedroom space and or/house share in a beautiful quiet, light-filled space. Non-smoker, focused on healthy lifestyle and food. My time frame is around early fall. Would also be open to building a small house in a community open to small houses (about 650-700 square feet.) Please contact me at: shipper@mindspring.com, (919)572-2215 cell. Blessings, Stephanie Shipper

EVENTS

SCHEMATA WORKSHOP - EMPOWERING COMMUNITIES THROUGH ARCHITECTURE - www.schemataworkshop.com - Are you part of a new community and wanting to know the next steps to build your dream? Do you need a community space to better serve your community life? Do you want to work with a professional who will listen to you and your unique community needs? Is your community growing and looking for ways to better use the space you currently have? Schemata Workshop is an architecture firm founded in 2004 with a passion for empowering communities through architecture. We have extensive experience facilitating collaborative workshops and in designing multi-family projects with a strong focus on community. Through working with cohousing groups on completed and current projects we have developed a successful practice based on honest collaboration, creating meaningful spaces, and optimizing our clients' budget. To see more of our projects please visit <http://www.schemataworkshop.com/> or email info@schemataworkshop.com with any questions you may have.

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PUBLICATIONS, BOOKS, WEBSITES, WORKSHOPS

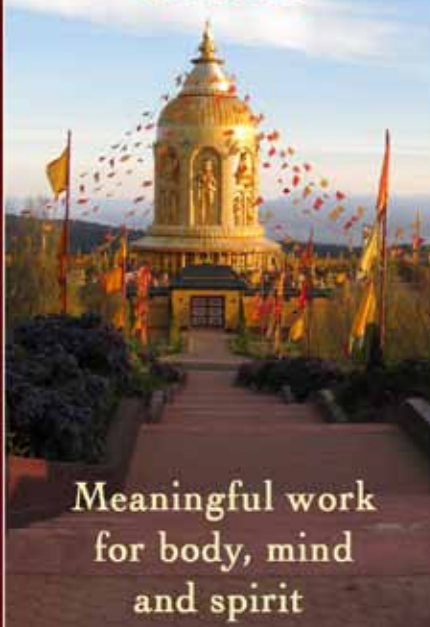
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COHOUSING COACHES / COHOUSING CALIFORNIA / AGING IN COMMUNITY: Hi, we're Raines Cohen and Betsy Morris, longtime communitarians living at Berkeley (CA) Cohousing. We've both served on the FIC board and have collectively visited over 100 cohousing neighborhoods, lived in two, and helped many. We have participated in the Group Pattern Language Project (co-creating the Group Works Deck) and are on the national cohousing advisory board. Betsy has an urban planning/economic development background; Raines wrote the "Aging in Community" chapter in the book Audacious Aging. We're participating with the Global Ecovillage Network and helping communities regionally organize in California. We'd love to help you in your quest for sustainable living. Let's talk about how we can help you make your dream real and understandable to your future neighbors. <http://www.CohousingCoaches.com/> 510-842-6224

FREE GROUP PROCESS RESOURCES at Tree Bressen's website: www.treegroup.info. Topics include consensus, facilitation, blocks and dissent, community-building exercises, alternative formats to general discussion, the list goes on! Articles, handouts, and more - all free!

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DO YOU COHOUSEHOLD? See Cohousing.org.com

FRIENDS JOURNAL is a monthly Quaker magazine for spiritual seekers. Our mission is to communicate the Quaker experience in order to deepen spiritual lives. Read Friends Journal in print and online, Watch QuakerSpeak videos, Listen to free podcasts of articles. Subscriptions start at just \$28/year. Thank you for reading!

SOLAR POWER WITHOUT THE COSTS! What if you could have a solar system installed without the upfront costs, guesswork, maintenance, and long term return on investment? FIC has partnered with Sungevity Solar to offer you a free consultation. (Available in AZ, CA, CO, CT, DC, DE, MA, MD, NC, NJ, NM, NY, VT). If you like the results of the consultation, they will install a complete solar system for you for ZERO COST. Instead you can pay less than you would for the solar energy the system produces than you would for conventional dirty energy from the grid. PLUS - you'll receive your first \$1,000 of solar energy for free, and Sungevity will donate \$1,000 to FIC! :) To receive your consultation, please visit here: <http://www.sungevity.org/intentionalcommunity>

FORMING COMMUNITIES

SEEKING OTHERS FOR CREATING 55+ AFFORDABLE INTENTIONAL COMMUNITIES founded on the values of kindness, service, resourcefulness, creativity, integrity, and "simple living and high thinking." The goal: Vibrant and active communities for those who live independently, as well as loving alternatives to conventional institutional care associated with aging. Write Liz at cosmosgarden@live.com.

FORMING COMMUNITY. 20 ACRES RURAL MISSOURI. Need honest, helpful, responsible, willing, permanent residents to learn to care for the place and help each other in exchange for living here with no rent. Must support yourselves. The land will not be sold. Combination duties to care for the place: inside, outside, clerical, bookkeeping, learn legal property care, learn to play guitar/sing for Country Gospel Music, Bluegrass Gospel Music/Hymns on stage. I sing harmony. I have much to teach you. I need some who can play guitar now. Protect the place and property but not change the rules. Want vegetarians, can be vegan, meat eaters have to stop eating meat. Eat a wide variety of natural foods (along with your junk food). Ambitious for sustainability and make electricity. Represent my place with honor and respect, groom yourself and dress decent. I will be drilling a second well soon. You build a shop or office for you to make a living here. I can buy tools if you protect, replace

and repair them. No smoking, No drinking, No drugs, No chewing. No hunting. Non-animal profit. What are your talents and skills? I live here. 417-399-1032 Shirley

REAL ESTATE

STRAWBALE INN AT DANCING RABBIT ECOVILLAGE - The Milkweed Mercantile Eco Inn is for sale! This beautiful and versatile building has many use options; continue running the Inn and Café (a turn-key business); use as a family or cooperative home; co-working space; or café/store with living quarters upstairs. Features include: screened wraparound porch, certified commercial kitchen, dining room, upstairs lounge, handicapped ramp. Four bedrooms, two showers, commercial composting toilet (one of each is accessible). Gorgeous reclaimed floors, community storm shelter in small basement, cistern and filter system for rainwater collection. Solar panels and wind turbine (grid tied). Full (non-transferable) liquor license. Wonderful location. The Milkweed Mercantile has a loyal following with built-in clientele; hundreds of people visit Dancing Rabbit each year (see reviews on TripAdvisor.com). Current owners are not leaving Dancing Rabbit, just hoping to retire, and will be available to train. Please see more details on our website: <http://bit.ly/1gf1t1Z>

LIVE YOUR DREAM - AND HELP FIC! -- An incredible property is now for sale which includes a \$10,000 donation to FIC when it is sold! Mention FIC to receive a free stay and dinner for serious inquiries. This amazing property for sale in the mountains of Western NC has everything needed to start and sustain an Intentional Community for anywhere from 35-40 core members in cabins and other hard lodging, and 50-150 others in primitive cabins, RV's, and tents. This 80 acre retreat includes Canopy zip line business in place, apple and asian pear orchard, honey bees, trout farm, blueberries, currants, 1500 daylily plants, numerous sheds and shop spaces, 3 bath houses, 3 greenhouses, laundry facilities, work-out room, 21 KW hydro generator, chicken coop, pig sty, 3 picnic shelters, 18 hole disc golf course, hiking & biking trails, and much more! \$1,250,000. Owner financing available with 25% down. Contact Cleve Young @ 828-765-9696 for more info, or email ads@ic.org to be put in touch via email.

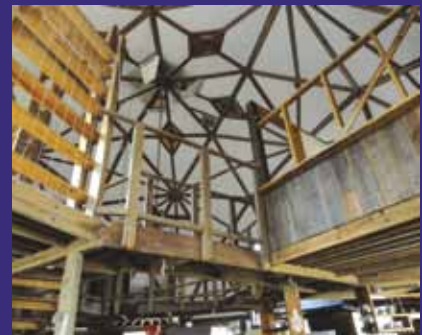
FAMILY FARM WITH ROOM TO GROW MINUTES FROM EUGENE, OR - Wonderful opportunity to own a beautiful 67.4 acres farm minutes from Eugene! Two residences, first house built in 1910, the second in 1975. Two barns, two wells, detached art studio, 2-car garage, green house and pond. Views of surrounding mountains and valley. One hay barn is 93x40, second barn is 85x36 with 4 stalls. Additional farm building once used for dairy farm. Flat cross fenced pasture with irrigation well rated 250 gal/min, 2nd well 45 gal/min when wells last tested. Buyer to check all uses with county. Minutes from Eugene Pleasant Hill Schools! Shown by appointment only. Call today! John Davis: 541-222-9477 or john@ineugener.com. Visit InEugeneRE.com or johndavisbroker.com

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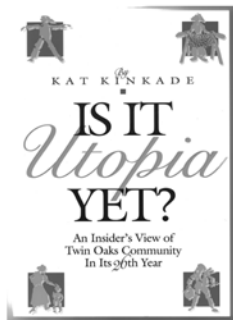
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An Insider's View of Twin Oaks Community in its 26th Year by Kat Kinkade

Is it Utopia Yet? is a lively, first-hand account of the unique struggles and triumphs of the first 25 years of Twin Oaks Community, one of America's most prominent and successful communes. This thoughtful and entertaining 320 page book from the author of *A Walden Two Experiment* is illustrated with 16 photographs and 60 cartoons.

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**MAY THE CIRCLES
BE UNBROKEN:
LIFE IN WETHERWEED**

(continued from p. 37)

manageable column out of a scattered collection of numbers. Then it transforms them all as if by magic, into a single number so you can pay for everything in one lump sum. Yet the column is still there and the full value of each of its members remains intact. Somehow each member of a column of numbers retains its assets and at the same time surrenders its assets to the creation of an entirely new number—a whole new idea called a sum. The introduction of summing introduced an exciting new freedom into our relationship with numbers, clearing the way for our adventure into higher mathematics. Circling takes the idea of sharing and weaves it intimately, architecturally, ideologically, implicitly into the fabric of our lives, introducing us to a new freedom in our relationships with ourselves and with each other, clearing the way for our adventure into a higher humanity. The more we share, the less we need, the less we use, and the more we have to give back to the Earth to heal her wounds. 🌿

Michael Bridge lives in Sebastopol, California. He sells his art and writings at farmers' markets and fairs and searches for community and for himself. "In my visionary village we teach the children their two most important works of art are their solitude and their community," he says. "You can't have one without the other. We teach them our souls live in Nature and Nature is the community of everything, so community is the natural spirituality of everything...it is its own religion."



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FINDHORN REFLECTIONS: A VERY PERSONAL TAKE ON LIFE INSIDE THE FAMOUS SPIRITUAL COMMUNITY AND ECOVILLAGE

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to material gain with location-based social fulfillment and cultural rejuvenation. Anti-consumerist values are, in fact, common amongst members of intentional communities and axiomatic for many sectarian, egalitarian and alternative lifestyle groups. Intentional communities model a more humane, pro-social, values-based way of life. In so doing, they encourage a return to a more modest, measured and, dare I say, spiritual way of life.

"Findhorn is an enduring, practical example of exactly this kind of values inversion and lifestyle transformation. As such, it inspires change and transformation in thousands of visitors every year and is a 'beacon' for many more around the world. And of course we are not perfect; far from it. But we are constantly working on it, striving for the 'highest and the best.' And we are doing so with love! I hope this book has offered a wee glimpse of life inside our community, both the joys and the challenges."

Findhorn Reflections is a readable, informative, enjoyable, and inspiring book by a witty and well-informed author. It is well worthwhile reading for anyone interested in any form of intentional community. I heartily endorse it. 🌱

Dr. Bill Metcalf, of Griffith University, Australia, is the author of numerous scholarly and popular articles, plus seven books, about intentional communities, the most recent being The Findhorn Book of Community Living. He is Past President of the International Communal Studies Association and has been COMMUNITIES magazine's International Correspondent for many years.

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ESTABLISHING A COMMUNITY: PERSPECTIVES FROM THE FEC

(continued from p. 80)

invest in a forming community that doesn't provide members with a place to live, and hence the community can't get enough income-generating hands on deck to establish critical mass. Almost all new communities make it past this hurdle only through the generosity of others or the sweat and sacrifice of true believers who are willing to work for years in order to make their ideal community a physical reality.

Building power is one of the areas in which the FEC has done its best work to help establish new communities. Members of established FEC communities are often willing to expend large chunks of their time and expertise to help the movement grow. The FEC's expansion fund has also been able to provide loans to thoroughly vetted groups that are in line with the FEC's values. These loans have allowed that first critical beginning in a physical space to happen for more than one community.

Establishing Credibility

This brings us to perhaps the trickiest field of community establishment: how to create credibility, both internally and with the outside world. This aspect is twofold: members (and especially new members) have to believe in the integrity of what they're bending their efforts toward, and the community must be sufficiently established, legally and on paper, to enable itself to do business and relate to the greater society of laws that it must necessarily be surrounded by.

Member security is largely a practical assurance of ideological consistency. If the community is to attract more members (and retain current ones), then it must create some sort of structure that ensures members that the community will live up to its stated principles. Having clearly written agreements of what those principles are is a great first step.

Who will own common property? How will income be shared? What does the community provide for its members? What are members expected to contribute to community, in terms of both labor and income/property? How will decisions be made? How will records of decisions and finances be kept? If a community is expecting an in-

coming member to jump out of the mainstream and into communal life, then the community needs to provide clear answers to these questions, and assure incoming members that all the agreements discussed or hinted at above are on the level.

One great way to do this, especially if your group is income- and property-sharing, is to establish a corporate framework. Creating a corporation that holds the community's property and describes the community's decision-making process is a great way to safeguard principles and interests of both the members and the community itself. Bylaws can clearly spell out what kind of community the group intends to create; at the same time they give potential recruits a clear idea of what they're getting into and allow the security afforded by the expectation that written agreements are likely to be followed.

For new and old members to feel comfortable throwing their lives into their new home, two things need to be abundantly clear: how decisions are made, and how money is handled. It is also important to clearly spell out any specific agreements if you intend them to be integral characteristics of your community. If your group is "fossil fuel free," create a document that spells out precisely what that means in practical terms, and maybe even an explanation of how such a rule's integrity will be guaranteed (meaning how you intend to ensure it doesn't just fall by the wayside).

Establishing some sort of legal identity also creates a context for the community to relate to the outside world. Who pays your utility bills? What's the common bank account held as? How do you present your organization to the "locals"? Having a ready-made answer of "Your Community, Inc." is easily more comprehensible to middle Americans than a long explanation that always seems to have to include the word "commune." The phrase "cooperatively owned" comes in handy when trying to wrap the head of, say, a truck driver around exactly what it is he's delivering stuff to. And, most especially if your community has a common business, it often transforms the new community in the area from potentially dangerous hippie radicals into that nice group of people with a farm and a cottage industry (at least in the eyes of most Americans). Most community-minded people are generally anti-corporation, but by incorporating, a community is able to take advantage of the public respectability that it lends and use it to gain the acceptance it needs to relate to its neighbors.

Another advantage to establishing credibility through clear agreements and legal frame-



work is that it helps to prevent blowback and radical change from new members. If a community is to actually become something like the community it initially sets out to be, it has to find a way to create some sort of “cultural buy-in” among new members. If you’re looking to create a certain type of culture, you need to find a way to communicate that subtly, and to adapt people into that culture in a way that allows them to feel included and not controlled. It helps to accept that not everyone who wants (or thinks they want) to come to community will share the community’s values. Some people just aren’t going to fit.

For the people who do fit, it’s also important to create a dynamic whereby they believe they can take on responsibility and have a positive impact on the community. This inevitably means accepting new and different opinions. Doing so is important in keeping the community a vital organization, but it’s also important to create a culture that maintains its core values, and can assimilate new members without over-constraining their energy and new ideas.

At the same time, a community isn’t really a community if it doesn’t have a collective sense of togetherness, a real belief that the community is a whole which will take

care of its individuals and vice versa. This is probably the most important sense in which a community is a community, and is (for me, anyway) the result toward which all the legal, monetary, and communicative processes bend themselves. A community becomes a Community when it can credibly establish a sense of whole togetherness, when members can buy into an “all for one and one for all” mindset without having to try too hard.

• • •

Let’s face it: starting a new intentional community is hard. It’s also one of the most worthwhile things you can do with your life in this modern mess we’re in. Hopefully some of the ideas presented here were helpful to anyone reading this who might try their hand at community building (even if they’re useful only because they help you to realize that you reject them entirely). And don’t forget that there are organizations out there like the Federation of Egalitarian Communities whose purpose it is to try to make this difficult process easier. 🐣

Matthew Cullen has lived in FEC communities for seven years. He currently lives at Sapling Community in Louisa, Virginia.

Principles of the FEC

The Federation of Egalitarian Communities is a network of communal groups spread across North America. We range in size and emphasis from small agricultural homesteads to village-like communities to urban group houses.

Each of the FEC communities:

1. Holds its land, labor, income, and other resources in common.
2. Assumes responsibility for the needs of its members, receiving the products of their labor and distributing these and all other goods equally, or according to need.
3. Practices nonviolence.
4. Uses a form of decision making in which members have an equal opportunity to participate, either through consensus, direct vote, or right of appeal or overrule.
5. Actively works to establish the equality of all people and does not permit discrimination on the basis of race, class, creed, ethnic origin, age, sex, sexual orientation, or gender identity.
6. Acts to conserve natural resources for present and future generations while striving to continually improve ecological awareness and practice.
7. Creates processes for group communication and participation and provides an environment which supports people’s development.

—thefec.org

Consider the 501(d)

If your group intends to be an FEC-type community, or at least will share income and have a common treasury, then I always recommend incorporating as a 501(d) according to IRS categorization. This is a category created by good ol’ Uncle Sam to suit the Shakers and similar religious groups. It fits more income-sharing communities than one might immediately assume. Is your group formally committed to nonviolence or providing for all the needs of its members? In the eyes of the law, you’ve got a religious precept. It often helps to adopt a “statement of faith” with your bylaws if you’re going this route, but most communal statements of faith I’ve seen don’t mention deities and really only restate the more ethereal of the group’s principles (nonviolence, sharing, harmony with the earth, creating togetherness, the veneration of a Bob Marley tapestry, whatever it is you’re into).

—M.C.



Photos courtesy of Matthew Cullen





ESTABLISHING A COMMUNITY: Perspectives from the FEC

The Federation of Egalitarian Communities is an organization that exists to help communities who want to create a lifestyle based on equality, cooperation, and harmony with the earth. At our most recent annual Assembly, delegates from the seven FEC communities and three newer communities in dialog with the FEC found ourselves discussing a question we're happy to be faced with: how do we as an organization give more help to forming groups that want to become new communities?

In recent years, the number of new groups who want to form an intentional income-sharing community (and of older groups who want to reorganize into something more in line with the FEC model) has exploded. The established FEC communities couldn't be more pleased by this, and have offered energetic and widespread support to several new communities.

We brainstormed about ways in which new groups can make themselves into established, functioning communities. We identified three basic categories of processes that need to happen simultaneously: planning, building power, and establishing credibility. As often happens in community, all of the recommendations that follow should be understood to be happening all at once. These sections don't represent a sequential roadmap, but an amalgam of what needs to be going on in a coalescing community. In fact, doing just about any of these things should make doing almost all of the other things easier.

The FEC can be thought of as the "orthodox" communities within the wider movement: our ideals regarding sharing are much more strict than most other types of groups in the communities movement. The assembled delegates created this framework for FEC-type communities (see sidebar) who want to share power and income as equally as is practicable. However, almost all of what follows could be applied to any group that wants to form a successful community.

Planning

Not surprisingly, a good plan is an essential early step to starting a community. Any number of individuals involved can have

any number of different ideas about exactly what they want the new community to be. In order for a group of individuals to come together and form a cohesive whole, it is first (and perhaps most) critical that they identify common purposes. I have never met the group in which all individuals want exactly the same thing in their community. Keeping that in mind, the importance of identifying goals, visions, and values that are important to all or most of the participants is hard to overstate.

Numerous and specific conversations about vision should happen before a group embarks on its journey toward a functioning community. One way this prefiguration process might best be approached is to ask each group member to "imagine what the life you want to have is going to be." Try to focus on accentuating commonalities in your respective dreams that you can build on together, but don't just skip over major differences. If members have vastly different conceptions of what ideals and practices are important to the community, this will be a constant source of conflict later on.

Building Power

The next kind of process that is critical in a new community is finding a way to get building power: the hands, money, and infrastructure creation necessary to make the community a physical reality.

Hopefully, if you have a group that is interested in forming a community, then you already have some willing hands prepared to get themselves dirty. Hands are also often the easiest help for a new community to get. If you can spread your name and your mission ideas out into the wider world, you may be surprised at the good will prepared to manifest itself in the form of a hard day's work, from a recent stranger, for free. It is also much easier to make this happen if you're farther along in the establishing credibility processes discussed below.

Having land (or a house) and places for people to live is the next area of building power necessary, and it goes arm in arm with money. Many new communities are faced with the conundrum that you can't get land without money, and it's hard to get people to

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