

IMPACT STATEMENT

Legislation title: *Amend Transportation and Parking Demand Management Code, and Ordinance No.188956, to exempt Affordable Dwelling Units from the Multimodal Incentive Fee, to reflect the Title 33 Transportation Demand Management requirement for multi-dwelling zones adopted through the Better Housing by Design legislative process (Ordinance; amend Code Chapter 17.107; amend Ordinance No. 188956)

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Purpose of proposed legislation and background information:

On December 18, 2019, City Council adopted changes to Portland Zoning Code, through the Better Housing by Design project, Ordinance No. 189805. These changes go into effect on March 1, 2020. One of the changes adopted by City Council was apply the existing TDM requirement (33.266.410) to the multi-dwelling zones.

This ordinance implements Council direction in Ordinance No. 189805 by making a few language changes to Title 17.107 to be consistent with the adopted and soon to be effective Title 33.266.410 changes.

Additionally, on May 24, 2018 City Council adopted Ordinance No. 188956 to exempt the affordable units subject to the TDM requirement in commercial/ mixed-use zones to the Multimodal Financial Incentive Fee through June 30, 2020.

The ordinance extends what is currently required of specific new development in the commercial/ mixed use zones to similar types of development in the multi-dwelling zones. Specifically, regarding the fee exemption for defined affordable housing units.

Financial and budgetary impacts:

- PBOT charges a Multimodal Incentive Fee per unit, and Title 17.107 and the Transportation Fee Schedule (TRN 3.450) distinguishes between Market Rate Units and Affordable Units and assesses different fees, \$1,100 and \$308 per unit, respectively.
- Previously, through Title 33.266.410, development sites subject to TDM were only in the commercial/ mixed use zones. With the Zoning Code changes adopted by City Council on December 18, 2019 through the Better Housing by Design legislative process, the TDM requirement is expanded to multi-dwelling zones.
- PBOT retains 5% for administrative costs and the rest is returned to the site in the form of transportation options incentives (transit pass, bikeshare value, scooter passes, etc.) for the tenants.
- Additionally, Council adopted Ordinance No. 188956 to exempt the affordable units subject to the TDM requirement in commercial/ mixed-use zones to the Multimodal Financial Incentive Fee through June 30, 2020.

- Since May 24, 2018 PBOT has reviewed 49 development sites that are subject to the TDM requirement, of which eight development sites have received a Building Permit and have paid the Multimodal Incentive Fee. Total collected to date is \$288,200.
- The TDM requirement is a relatively new standard, however this change could lead to a doubling of the number permits required to meet the TDM requirement and thus potentially doubling the amount collected and distributed by PBOT – if all those applicants choose the pre-approved standards options in 17.107.

Community impacts and community involvement:

Through the Better Housing by Design project there was extensive community engagement and outreach.

This ordinance is an administrative action to facilitate the implementation of the Title 33 Zoning Code Changes that were made as part of the Better Housing by Design legislative process.

Budgetary Impact Worksheet**Does this action change appropriations?**

YES: Please complete the information below.

NO: Skip this section

mjc 3-2-2020