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Portland Planning and Sustainability Commission

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Dear Mayor Wheeler and City Commissioners:

The Planning and Sustainability Commission (PSC) enthusiastically offers our support for the Shelter to Housing Continuum project, currently scheduled to come before Portland City Council in March. The PSC voted unanimously on January 26, 2021 to recommend the associated Zoning Code amendments.

The Shelter to Housing Continuum project includes four primary elements:

1. Code changes to make it easier to site homeless shelters and associated services;
2. A new community service use in the Zoning Code - Outdoor Shelters – to support emerging alternative shelter models;
3. More flexible housing options that allow a broader range of household types to live together than is allowed under current code; and
4. Legal occupancy of a recreational vehicle or a tiny house on wheels on residential property.

The staff recommendation for this project included three volumes. Volume 1: a general overview of the proposal; Volume 2: Zoning Code amendments; and Volume 3: supporting amendments in other City Titles, including Titles 8, 15, 17, and 29. The PSC reviewed and heard testimony about all of this material, but our formal recommendation to City Council concerns the Zoning Code amendments (Volume 2).

The Commission held public hearings on December 8 and 15, 2020. In accordance with COVID-19 protocols, the hearings were held remotely using Zoom. Twenty-one people testified in person, and the Commission received 196 written comments. During a work session the PSC heard from two panels — the first composed of shelter providers, and the second composed of people who have experienced a loss of housing and who have lived or are living in shelters. In recommending more flexibility for shelter sizes, the commission would encourage both the Joint Office and shelter providers to experiment, particularly in outdoor shelters, with different combinations of services, resident autonomy and self-governance to create conditions that our unhoused community members will prefer over unsanctioned camping.



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The PSC made several changes to the staff recommendation, including:

- Increasing the number of shelter beds allowed without a Conditional Use review in several zones;
- Changing the description of the household living use from a dwelling with up to six bedrooms to a dwelling with up to eight bedrooms;
- Clarifying that residential base zone dwelling unit density standards do not apply to occupied recreational vehicles or tiny houses on wheels, and that occupancy of such a vehicle on a site does not reduce the number of allowed accessory dwellings units on the site;
- Amending the “visitability” standards that currently apply in the multi-dwelling zones and will apply to middle housing in the single-dwelling base zones when RIP goes into effect (a cleanup requested by BDS to delete a reference to ICC standards); and
- Recognizing motorized vehicles in addition to recreational vehicles as allowed accommodations in the new outdoor shelter use category, in anticipation of the Safe Parking programs.

The Commission spent some time discussing temporary and permanent shelters as they relate to the Open Space zone and several natural resource overlay zones (environmental, greenway, scenic, floodway, etc.), with the goal of ensuring geographic distribution of shelters. Several amendments were discussed, and through those conversations the Commission determined that there is sufficient distribution of potential sites throughout the city without expanding provisions for shelters in Open Space zones at this time. Ultimately, the Commission supported the initial staff recommendation, which would continue the present prohibition on permanent shelters in the Open Space zone and prohibit permanent outdoor shelters in the environmental and scenic overlay zones and in the floodway. Council would retain the authority to site temporary shelters in any location during a declared emergency. The Shelter to Housing Continuum package also includes new code that allows shelter providers to open temporary seasonal shelters without a declaration from Council. We commend the Joint Office and service providers for taking both shelter residents' needs for access to services and neighborhood distribution into account when choosing sites, and we urge them to continue to work with all stakeholders while implementing these code provisions. Specifically, we urge all to ensure that shelters are not disproportionately sited in East Portland; closer-in neighborhoods have a greater abundance of amenities, such as parks and frequent transit.

The project has been staffed by several agencies, including the Bureau of Planning and Sustainability, Bureau of Development Services, Housing Bureau, and the Joint City/County Office on Homeless Services. Other bureaus have provided input, including the bureaus of Environmental Services, Transportation, Police, Fire and Parks. The staff work group reviewed the feedback received through the PSC process and is in the process of updating Volume 3 for Council’s consideration. The PSC did not make a formal recommendation on Volume 3 because those codes fall outside of our authority, but we offer several observations of how accompanying amendments to Title 29 could support the goals of this project.



In particular, the PSC urges City Council to take a more permissive approach related to tiny houses on wheels and RVs by:

- Not requiring the vehicles to have sewer connections or meet specific industry standards. Many existing tiny houses on wheels do not meet these standards. These changes are consistent with how the city has handled tiny homes since enforcement was paused in 2017.
- Not limiting the occupancy allowance to lots with houses, manufactured homes — we would like this option to be available on lots with duplexes and other “Middle Housing”; and
- Allowing more than one occupied vehicle on a lot.

In conclusion, we urge you to adopt the Shelter to Housing Continuum package without delay. The scale of homelessness and housing insecurity is a humanitarian crisis that demands immediate bold action. These changes will remove zoning barriers and allow community-based shelter and housing providers to accomplish more.

Sincerely,



Eli Spevak
Chair

