

ORDINANCE No. 190319 As Amended

*Amend the Comprehensive Plan Map and the Zoning Map to implement the Expanding Opportunities for Affordable Housing – Package B (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

General Findings

1. Portland has grown by more than 75,000 households since 2000, but housing supply has not come close to meeting the demand. The resulting low vacancy rates and price increases have had severe consequences. Between 2006 and 2015 the Oregon Office of Economic Analysis estimated that the Portland housing market was under-built by approximately 23,000 units of housing - insufficient just to keep up with population growth.
2. The number of people experiencing homelessness in our community increased to over 4,000 according to the most recent 2019 Point in Time Count.
3. On October 7, 2015, the Council, declared a housing emergency for a period of one year, with Ordinance 187371. Council subsequently extended the emergency through Ordinances 187973, 188627, and 189387; through April 4, 2021.
4. Through the 2035 Comprehensive Plan the City Council established the goal to developing at least 10,000 regulated affordable housing units by 2035.
5. There are approximately 450 institutions regulated thorough the Zoning Code as “Conditional Uses” in residential zones. This includes many faith-based institutions (churches, synagogues, mosques, etc.), fraternal organizations, community services, and schools. Together these institutions occupy about 1,400 acres of land. A growing number of these institutions are exploring how they can use their available land on their properties to address the affordable housing crisis.
6. On June 17, 2020, City Council adopted the Expanding Opportunities for Affordable Housing (EOAH) Project (Ordinance 190000), which amended Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, the Portland Comprehensive Plan Map, and the official Zoning Map.
7. The EOAH Zoning Code amendments allowed more flexibility for institutional uses that are regulated as “Conditional Uses” to add affordable housing and allowed removal of some parking for the development of housing.
8. The EOAH project also included rezoning and changing the Comprehensive Plan map designations on 19 community-based sites to further housing opportunities.
9. The EOAH adopting ordinance (Ordinance 190000) deferred consideration of certain sites and included a directive for “BPS to prepare a recommendation for Council's consideration by September 2020 regarding the following sites, following appropriate notice to DLCDD, property owners, and neighbors:
 1. 120 and 130 NE Knott St
 2. 4515 N Mississippi Ave, and adjacent 4505 N Mississippi Ave

3. 2800 N Vancouver Ave
 4. 6161 SE Stark St
 5. Property east of 6140 SW Boundary St
10. The Expanding Opportunities for Affordable Housing – Package B (EOAHB) is a continuation of the EOAH process that considers the deferred portions of EOAH and meets the City Council directive to study the five properties noted above for map amendments.
 11. During the fall of 2020, BPS staff conducted a targeted outreach process for each of the above noted properties, including meeting with property owners, neighbors, members of the community that testified about the properties during the EOAH process, and other interested stakeholders.
 12. Based on what was heard during the community outreach process, staff drafted a report with recommendations for City Council’s consideration. The recommended EOAHB amendments include rezoning and changing the Comprehensive Plan map designations on two sites to further housing opportunities. These two sites are 120/130 NE Knott Street and 4505/4515 N Mississippi Avenue.
 13. The Expanding Opportunities for Affordable Housing – Package B Staff Report was released for public review on February 5, 2021.
 14. On January 27, 2021 notice of the Proposed Draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-0020.
 15. On February 5, 2021 notice of the March 3, 2021 City Council public hearing was mailed to those who participated in the targeted outreach process for the EOAHB.
 16. The Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A as findings.
- b. Adopt the commentary in Exhibit B, the Expanding Opportunities for Affordable Housing - Package B Staff Report dated February 2021 as legislative intent and further findings.
- c. Amend the Portland Comprehensive Plan Map and the official Zoning Map, as shown in Section II of Exhibit B, the Expanding Opportunities for Affordable Housing – Package B Staff Report, dated February 2021.

Section 2. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. The Council declares an emergency exists because it is in the public interest and any delay would adversely affect opportunities to seek funding for future affordable housing. Therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: March 10, 2021

Commissioner Carmen Rubio
Prepared by: JP McNeil and Eric Engstrom
Date Prepared: February 12, 2021

Mary Hull Caballero
Auditor of the City of Portland
By *Megan Lehman*
Deputy

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Commissioner Rubio</p>	<p>CLERK USE: DATE FILED <u>February 23, 2021</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Keslan McClymont</i></u> Deputy</p> <p>ACTION TAKEN: March 3, 2021 Passed to Second Reading March 10, 2021</p>
<p>Mayor—Finance & Administration - Wheeler</p>	
<p>Position 1/Utilities - Rubio <i>Commissioner Rubio</i></p>	
<p>Position 2/Works - Ryan</p>	
<p>Position 3/Affairs - Hardesty</p>	
<p>Position 4/Safety - Mapps</p>	
<p style="text-align: center;">BUREAU APPROVAL</p>	
<p>Bureau: BPS Bureau Head:</p>	
<p>Prepared by: JP McNeil Date Prepared: <u>2/12/2021</u></p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>LR</i></p>	
<p>Council Meeting Date March 3, 2021</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>2:00 pm</u> Total amount of time needed: <u>2 hours</u> (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Rubio	✓	
2. Ryan	✓	
3. Hardesty	✓	
4. Mapps	✓	
Wheeler	✓	