

# Cora Potter

**#256903 | February 22, 2021**

## Testimony to **Portland City Council** on the **Shelter to Housing Continuum Project, Recommended Draft**

First, I would like to say that I am supportive of the proposed zoning amendments that allow modest increases in existing shelter capacity, provide for safe use of tiny homes on wheels on residential properties and update the definitions of households and congregate living. I do have considerable concerns about using a base zoning map that is historically inequitable and currently producing inequitable outcomes for people of color, immigrants and low income households who predominately live, work, learn and play in East Portland. The current zoning and development pattern predisposes East Portland to be the location of a disproportionate number of sites that will allow outdoor shelters and shelters on institutional sites within R zones. Of particular concern is the allowance of outdoor shelters by right in already struggling / emerging business districts. And I would like to underscore these allowances within the Commercial and Employment zones are property rights being granted to property owners. Even within the definition of Outdoor Shelter, there is enough leeway that any person/group/association could easily register a non-profit corporation with minimal effort and establish an outdoor shelter / tent camp with no public input. The mitigation being presented is that JOHS will be intentional about sites and there is not enough public funding to provide a large number of shelters in any given area. This assurance is a moot argument. Any private group would still have by right allowance to establish a shelter. JOHS has no regulatory oversight over private groups/non-profits exercising the property rights that are being granted with these amendments. And, with the definition of "management" being left to self-governance, the occurrence of ad-hoc non-profits setting up shop where the land is cheap or the property owners are absentee then poorly managing outdoor shelters is inevitable. There is already a history of this happening in an unsanctioned/illegal fashion. There is no doubt the ability to establish camps with nothing more than a business registration and the property owner's permission will be exercised. If the availability of sites throughout the city already reflected a proportionate and equitable distribution, this may not be a concern. Unfortunately the current proposal is not proportional nor equitable - because the basis for applying the changes is in a zoning and development pattern that is already recognized as inequitable due to systemic racism and disinvestment reflected in the current map of the city. The sheer number of qualifying sites coupled with the depressed land values and capitalization rates in East Portland greatly increase the probability that outdoor shelters will be sited here. JOHS cannot prevent that from happening. They have no statutory authority to deny property rights granted within the zoning code to title holders or their lessees. The recommended changes proposed by the Shelter to Housing Continuum project may

reflect an intent that aims for equity, but the unintended outcome of further burdening East Portland with the majority of the externalities that accompany poorly managed shelters and outdoor camps is not only highly probable, it's almost guaranteed. A relatively simple way to resolve this problem would be to add an overlay to all qualifying zones/parcels east of 82nd that creates conditional use and design review requirement for any outdoor shelters proposed in the area. This would resolve the issue of East Portland sites being the path of least resistance for outdoor shelter siting and ensure that any outdoor shelter that is sited in the area is an asset to the community and not an additional drain on the already strained economic, social and emotional resources of East Portland residents and businesses.

Testimony is presented without formatting.