

Shelter to Housing Continuum (S2HC) Amendments – Amanda Fritz 3/25/21

Many of the proposed amendments significantly improve the Code, and staff in Council offices should be commended for their work with Planning staff to craft them. Two key additional changes are needed.

The latest draft says Temporary Outdoor Shelters may be anywhere in the OS zone during declared Emergencies, and the Mayor announced there will be an extension for one year of the Housing Emergency. If that stands, we're back to the same problem on which 100+ people united in testimony at the hearing, opposing allowing even temporary outdoor shelters in parks for the next year. Allowing Temporary Outdoor Shelters in the OS zone with the renewal of the Housing Emergency would be utterly disingenuous, given the overwhelming public testimony at the hearing with all sides opposing use of parks and natural areas for Temporary Outdoor Shelters. **I request that the Zoning Code specify that the current Housing Emergency, adopted with my support under Mayor Hales and renewed multiple times since, does not qualify as an Emergency allowing use of properties in the OS zone for Temporary Outdoor Shelter.**

The second issue is the amendment exempting parking lots from the prohibition of Temporary Outdoor Shelters in the OS zone. Commissioner Rubio stated in the hearing that there would need to be safeguards if park parking lots are used for Outdoor Shelters, to ensure that people with mobility challenges can still park and use the park/community center. There is no parking "required" for most neighborhood parks, but the Code does require parking for golf courses and driving ranges, pools, community centers, sites with multiple sports fields, and a few other features that could draw larger numbers of people. The Amendments don't address these requirements, it simply waives them. Per Commissioner Rubio, the Amendment must consider the parking needs of park users. The Amendment states:

1.2 PROHIBIT TEMPORARY OUTDOOR SHELTERS IN THE OPEN SPACE ZONE EXCEPT ON PAVED PARKING AREAS

Amend 33.296.030.H: H. Mass and outdoor shelters. 1. Mass shelters. Mass shelters are allowed as a temporary activity for up to 180 days within a calendar year. 2. Outdoor shelters. Outside of OS zones, outdoor shelters are allowed as a temporary activity for up to 180 days within a calendar year on a site with an institutional use. **Within OS zones, outdoor shelters are allowed as a temporary activity for up to 180 day within a calendar year when the outdoor shelter is located in an existing paved parking area.**

Amend 33.296.040.B: B. Temporary activities may not cause the elimination of required off-street parking, except for outdoor shelters, and Farmers Markets. **Required parking may be temporarily occupied by an outdoor shelter. Required parking may be temporarily occupied by a Farmers Market, as follows:** 1. The market may occupy up to 3 required

spaces or 30 percent of the required spaces, whichever is more; or 2. If the market occurs at a time other than a peak time for the primary use on the site, the market may occupy all of the required spaces.

It makes no sense to have requirements for Farmer's Markets using a lot one day a week, and none for taking over a park parking lot for an Outdoor Shelter for up to a year. If the Council wants to allow Temporary Outdoor Shelters in park parking lots, standards are needed to make sure there is parking for people with mobility challenges, for parents with strollers, etc., when park lots are used. **It seems reasonable to state in the Zoning Code that at a minimum, the parking spots marked for people with disabilities in the OS zone remain accessible.**

A better alternative would be to set the standard the same as for Farmers' Markets, that the Outdoor Shelter may take up 30% of the spaces. This would ensure parking for park users who don't have official Disability tags, and would also tend to direct Outdoor Shelters to larger sites like PIR, the Expo Center, etc.

I further recommend evaluating whether Temporary Outdoor Shelters might be appropriate on large sites with gravel (rather than paved) parking areas, if the Council wants to allow precious recreational spaces to be compromised at all for Temporary Outdoor Shelter use.

A cleaner, clearer, simpler option would be to remove the exemption on Temporary Outdoor Shelters for parking lots in the OS zone, knowing that required parking is generally needed for the site to function as intended, and that the BPS analysis showed there is sufficient capacity for Temporary Outdoor Shelters without using OS-zoned land. Also, if a particular site becomes a good candidate for a Temporary Outdoor Shelter, the Council can waive the Code after a hearing on a specific proposal to allow it.

I support the proposal to evaluate specific OS-zoned sites that could be declared Surplus and rezoned. **I vigorously oppose amending the Surplus Property Disposition Policy that Commissioner Fish worked so hard to adopt.** Land owned by the public is not "free" land. Many park properties became public property by donation or purchase with grant or bond measure funds. Many properties owned by the Water Bureau or Environmental Services were purchased with ratepayer dollars. These bureaus shoulder responsibilities to use the land for their intended purpose. **If the Housing Bureau or Joint Office desire to acquire City-owned property for Shelter use, the Council must be prepared to pay Fair Market Value from the General Fund.** Commissioner Fish's policy specifies that all bureaus and public agencies get the first option, and also ensures that the public is compensated appropriately for the use of the land changing. It's a good policy, adopted after bitter struggles with community advocates. Changing it would "borrow trouble", as we say in Yorkshire, UK.

The Council has been presented with near-unanimous agreement on the S2HC policy. Portlanders support providing more options for temporary and permanent shelter for people experiencing houselessness and living outside. Portlanders love our parks and natural areas, and want to use and maintain them with good investments. We support using Community Centers for indoor shelter during weather and natural disaster emergencies. We support identifying underutilized non-park, non-utility land to provide managed shelter options by rezoning. We support spending taxpayers' and ratepayers' money wisely, and leveraging those dollars by partnering with community organizations to provide services for people living outside. Please consider my suggestions for how to bring the S2HC policy home – a home for everyone.