

Lower SE Rising Area Plan: Anti-Displacement Tools (DRAFT)

Project Goals

Working with the community and local businesses, we seek to:

- **Increase commercial opportunities and neighborhood-serving businesses**, considering whose commercial needs are least served and the relative ability to have their needs met elsewhere.
- **Increase housing affordability and choices** to help end houselessness and housing insecurity. Increase affordable housing and housing types, the location of housing near services, first-time homeownership opportunities, and local support for houseless individuals.
- **Expand active and green transportation access** to ensure that everyone, especially renters, low-income people, and BIPOC communities can access future jobs, education, and services; and to reduce heat islands and improve air quality.
- **Improve public amenities in deficient areas accompanied by anti-displacement strategies**, focusing on BIPOC home, property, and business ownership and other wealth opportunities.
- **Welcome collaboration for policy, technical expertise, and funding** so that project recommendations are both equitable, community-focused, and actualized.

Proposed Anti-Displacement Regulations and Tools

Housing Affordability and Stabilization

- **New affordable units.** Provide expanded multi-dwelling and commercial mixed use zoning to allow for Inclusionary Housing opportunities to create new regulated affordable housing.
- **Preservation of existing low-cost apartments.** Consider using housing preservation zoning code approaches, such as applying the low-scale RM1 multi-dwelling zone to locations with existing low-cost apartment buildings/complexes (CoStar ranked sites of two stars or less) to avoid the redevelopment pressures that larger-scale zoning could contribute toward.
- **Affordable housing opportunity sites.** Identify and reach out to faith-based and non-profit owned sites in the project area as potential opportunity sites for affordable housing (could involve applying multi-dwelling zoning to facilitate affordable housing development).
- **Local preference policy.** Consider a local preference policy for affordable housing projects receiving City funding in the area / 82nd Avenue corridor (address concerns that new affordable housing may not otherwise prevent displacement of local residents).

Home-Based Businesses – Opportunities for Expansion Along Corridors

- In multi-dwelling zones along Neighborhood Corridors (e.g., SE Woodstock Blvd, SE 52nd and SE 72nd avenues), allow the opportunity for small businesses (such as retail and office) in conjunction with housing, facilitating the ability of homeowners living along corridors to stay in place while establishing and growing small businesses (beyond the constraints of home-based business limitations).

Commercial and Mixed Use Development

- Explore zoning that supports the continuation of existing small businesses in the vicinity of SE Flavel and 82nd (the easternmost portion of the potential neighborhood center), including considering zoning changes to prevent their replacement by Self-Service Storage or Quick Vehicle Serving uses (allowed in the EG1 zone that applies in this portion of at 82nd).

- Grow awareness of the affordable commercial space bonus as an incentive for new development in commercial/mixed use zones to include affordable commercial spaces (gaining additional scale in exchange for providing affordable commercial space).

Community Development & Homeless Prevention

- Identify opportunity sites for affordable housing development.
- Partner with affordable housing providers/CDCs (e.g., ROSE CDC, Hacienda CDC, Proud Ground etc.) on development initiatives or land banking in the area.
- Work with non-profits on possibilities for creating affordable businesses incubator space, as a pathway for lower-income/BIPOC/immigrant community members to establish businesses.
- Work with businesses and workforce development organizations on connecting lower-income/BIPOC/immigrant community members to living-wage jobs in the area.
- Recommend the proposed 72nd & Flavel Neighborhood Center be considered for a future Neighborhood Prosperity Initiative (NPI), like the Jade District or Division Midway NPIs, with Prosper Portland.

Community Resilience Center

- Support an expanded role for the Brentwood-Darlington Community Center in serving as a resource hub that connects residents to critical resources and services, including housing, employment, childcare, and public benefits, in order to contribute to residential, economic, and community stability.
- Work with community partners and recommend allocation of resources so that the Brentwood-Darlington Community Center can serve as a Resilience Center for the community during emergencies and extreme-weather events, functioning as a warming/cooling center, temporary shelter, with resilient energy sources to provide charging stations for mobile phones and other needs.
- Recommend the funding of ImpactNW staff at their Brentwood-Darlington Community Center site through the Joint Office of Homeless Services to directly serve residents in the project area, and work with Portland Public Schools and Multnomah County on long-term arrangements for the continuation of the center.

Coordination with 82nd Avenue Planning Efforts (Build a Better 82nd Plan)

There is natural connection between anti-displacement work happening along 82nd Avenue as part of the Build a Better 82nd Plan and the Lower Southeast Rising project area, especially given the location of the potential neighborhood center within the 82nd Avenue corridor.

- Coordinate with the Build a Better 82nd planning effort on approaches for housing stability and small businesses stability.
- Coordinate on workforce development efforts to provide workforce training and career pathways for corridor residents most at risk of displacement, including those living in the Lower Southeast Rising Plan area near 82nd Avenue.
- Coordinate between project teams on how to engage residents in the area on both projects, and discuss benefits and burdens comprehensively.
- Raise awareness of how multi-dwelling zoning in the Lower Southeast Rising area provide an important low-cost housing resource in the southern portion of the 82nd Avenue corridor and ensure that the area is part of any housing strategy for the 82nd Avenue corridor.

Existing Anti-Displacement Regulations and Tools

Housing Table 1: Existing Tenant Protection Regulations

Regulation	Description	Agency
1. Temporary Eviction	Extended until June 30, 2021 (As of publication date. May be extended further.)	State Emergency Response, 2020
2. Rent Stabilization	Statewide rent control limits rent increases to a maximum of 7% per year, plus inflation (adopted February 2019). Primarily limits large rent increases. City plays no role in enforcement.	State statute
3. Just Cause Eviction	Tenants who have been in their rental unit for at least a year cannot be evicted without a reason.	State statute
4. Fair Access In Renting (FAIR)	Moratorium Regulates security deposit, move in fees, and screening criteria that may be used to select tenants	PHB, 2020
5. Mandatory Relocation Assistance	Requires landlords to pay relocation assistance to renters under some conditions	PHB, 2017

Source: *Anti-Displacement Action Plan*, [Foundation Report Appendix E](#) (p. 15)

Housing Table 2: Existing Affordable Housing Preservation and Development Regulations

Regulation	Description	Agency
Increased funding for Affordable Housing	Portland Housing Bond (\$258 million) passed in 2016	PHB, 2016
	Portland's share (\$211 million) of the Metro Bond (\$652.8 million) passed in 2018	PHB, Metro, 2018
	The updated Affordable Housing Set-Aside Policy requires that 45% of urban renewal area TIF funding to go to affordable housing.	Prosper Portland, PHB, 2015
Inclusionary Housing	Requires affordable housing be built as part of private developments with 20+ units.	PHB, 2017
Short-Term Rental Ordinance	Requires inspection and fee to obtain STR permit. Passed new ordinance to get information from STR platforms.	BDS, 2014, 2019

Regulation	Description	Agency
Manufactured Dwelling Park Regulations	Manufactured home parks rezoned to new RMP zone reserved for manufactured dwellings. Zoning code prevents redevelopment of manufactured home parks in the RMP zone from being redeveloped to other uses.	BPS, PHB, 2018
SDC waivers for ADUs and Mass Shelter	Lowers the cost of ADU development with the requirement that they not be used as short-term rental units.	BES, PBOT, Parks, 2018
Increasing Opportunities for Affordable Housing	Zoning code change to allow community-based organizations to build housing on properties zoned conditional use in residential areas Affordable housing incentives included in the Residential Infill Project and Better Housing by Design projects, updates to the single-dwelling and multi-dwelling residential zones, respectively.	BPS, 2020 BPS, 2020

Source: *Anti-Displacement Action Plan*, [Foundation Report Appendix E](#) (p. 16)

Commercial Table 1: Current Commercial & Workforce Anti-displacement Regulations and Programs

Current Program	Description	Agency
Prosper Emergency Grant and Loans	Grants and loans for businesses or nonprofit organizations affected by public health emergency closures.	Prosper Portland
Inclusive Business Resource Network	Contracts with CBOs to provide technical assistance. Connects small businesses to financing and lending partners who work with unbanked or new small businesses.	Prosper Portland and community partner nonprofit lenders
Affordable Commercial Tenanting Program	Discount on commercial leases to businesses in city funded developments.	Prosper Portland
Small Business Empowerment Program	Assists POC-owned businesses who need help navigating permitting and other regulatory processes.	BDS
Portland Brownfield Program	Provides assistance to small business owners dealing with legacy environmental issues on their properties.	BES
Prosperity Investment Program	Matching grant program to support commercial businesses and property owners. Makes investments in line with	Prosper Portland

Current Program	Description	Agency
	community plans and Prosper Strategic Plan.	
Enterprise Zones	Allows for property tax exemptions designed to encourage existing and new businesses to invest in major capital outlays and to create or retain quality jobs in certain designated areas.	Prosper Portland

Source: *Anti-Displacement Action Plan*, [Foundation Report Appendix E](#) (p. 27-29)