

ORDINANCE NO. 189137 As Amended

*Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 32-Signs and Related Regulations to create the Residential Manufactured Dwelling Park designation and base zone (Ordinance; amend Code Title 33, and Code Sections 18.04.040, 32.12.020 and 32.32.010)

The City of Portland ordains:

Section 1. The Council finds:

General Findings

1. Portland's continued population and economic growth have had a significant impact on rental housing, resulting in a more than 30% increase in average rents from 2012-2016. As noted in the City's 2017 State of Housing Report, after four consecutive years of seeing rent increases of 5 percent or more, Portland saw a smaller overall rent increase in 2017 of 2 percent. However, rents for larger units continued to rise—5 percent for two bedrooms and 10 percent for three bedrooms. At the same time, when adjusted for inflation, renter incomes are still below their pre-recession levels.
2. In Oregon, manufactured housing plays a small but important role in the affordable housing market. There are nearly 140,000 manufactured homes in Oregon, accounting for 7.6% of the total housing stock and housing 8.3% of the population.
3. Portland has 57 manufactured dwelling parks citywide, providing affordable homes for nearly 3,000 Portland households with an ownership element for many, for residents that are more vulnerable, have lower incomes, have lower education attainment, and tend to be people of color more than Portland as a whole.
4. 2035 Comprehensive Plan Policy 5.37 specifically refers to encouraging the preservation of manufactured dwelling (mobile home) parks.

Policy 5.37, Mobile Home Parks. Encourage preservation of mobile home parks as a low/moderate-income housing option. Evaluate plans and investments for potential redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate-income housing option. Facilitate replacement and alteration of manufactured homes within an existing mobile home park.

5. Statewide Planning Goal 10 requires Portland and all other cities to enact land use measures that “encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.” “Needed housing” includes manufactured dwellings.

6. Preservation of existing affordable housing is one of the most cost-efficient actions the City of Portland can take that will have an immediate impact on the ability of lower income families to stay in their current homes and communities, and for their children to stay in their local schools.
7. Residents who are displaced from manufactured dwelling parks may be forced to leave their homes behind if the structure is not stable enough to be moved or if they cannot find another park that will accept their home. In some cases, residents may still be responsible for a mortgage on a home that they are forced to abandon. This can result in not only a loss of their asset, but may put them at even further financial risk.
8. The zoning code currently allows manufactured dwelling parks in the R2 and R3 zones. However, manufactured dwelling parks are currently located in a wide variety of other residential, commercial and employment zones where they are considered a non-conforming use.
9. The *Manufactured Dwelling Parks Proposed Draft* was released on May 8, 2018 for review by the public and the Portland Planning and Sustainability Commission (PSC). The proposal was revised to add additional amendments to chapters in Title 33 on May 30, 2018. The PSC conducted a public hearing on June 12, 2018. The PSC voted on July 10, 2018 to forward to City Council their *Manufactured Dwelling Parks Recommended Draft*.
10. On May 8, 2018 notice of the *Manufactured Dwelling Parks Proposed Draft* was filed with the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020. A revised notice, reflecting the revised *Proposed Draft*, was filed on May 31, 2018. A revised notice, reflecting Planning and Sustainability Commission *Recommended Draft*, was sent to the Department of Land Conservation and Development on August 13, 2018.
11. On May 8, 2016, a notice of the June 12, 2018 Planning and Sustainability Commission public hearing on the *Manufactured Dwelling Parks Proposed Draft* was sent to the project's mailing list, individuals and organizations who requested such notice, and other interested parties.
12. On May 8, 2018, approximately 2,800 notices of the *Manufactured Dwelling Parks Proposed Draft* and the June 12, 2018 Planning and Sustainability Commission hearing were sent to all property owners potentially affected by the changes, as required by ORS 227.186. Property owners received a separate notice for each property potentially affected by the proposal. In addition, approximately 2,700 courtesy notices were sent to all occupants of the manufactured dwelling parks, as required by Title 33.855.040.
13. On August 13, 2018, BPS published the Planning and Sustainability Commission's *Manufactured Dwelling Parks Recommended Draft* (Exhibit B).

14. A public notice of the August 22, 2018 Portland City Council public hearing on the *Recommended Draft* was sent on August 8, 2018 to those who testified to the Planning and Sustainability Commission, individuals and organizations who requested such notice and other interested parties.
15. 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 additional findings.
- b. Amend the *2035 Comprehensive Plan* to add the policy amendments (Section II) of the *Manufactured Dwelling Parks Recommended Draft*, as shown in Exhibit B.
- c. Adopt the commentary in Exhibit B, *Manufactured Dwelling Parks Recommended Draft* (Section IV), dated August 13, 2018, as legislative intent and further findings.
- d. Amend Title 33, Planning and Zoning, as shown in Exhibit B, *Manufactured Dwelling Parks Recommended Draft* (Section IV), dated August 13, 2018.
- e. Amend Title 18, Noise Control, as shown in Exhibit C, *Manufactured Dwelling Parks Recommended Draft*, dated August 13, 2018.
- f. Amend Title 32, Signs and Related Regulations, as shown in Exhibit D, *Manufactured Dwelling Parks Recommended Draft*, dated August 13, 2018.
- g. Amend the Comprehensive Plan Map as shown on Exhibit E (Map 1).
- h. Amend the official Zoning Map to apply the changes shown on Exhibit F (Map 2).

Section 2.

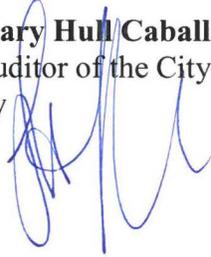
The Council declares that an emergency exists due to the fact that Portland's continued population and economic growth have had a significant impact on rental housing, resulting in a more than 30% increase in average rents from 2011-2017 and consistently low vacancy rates between 1.7% and 3.3% from 2011-2017 and manufactured dwelling parks play a small but important part in providing affordable housing and, therefore, the incentives to promote this housing type should be available immediately; therefore, this ordinance shall be in full force and effect from and after August 22, 2018, at 11:59 P.M.

Section 3.

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.

Passed by the Council: AUG 22 2018

Mayor Ted Wheeler
Prepared by: Tom Armstrong
Date Prepared: August 13, 2018

Mary Hull Caballero
Auditor of the City of Portland
By 

Deputy

Agenda No.
ORDINANCE NO. 189137 As Amended
 Title

*Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-(Planning and Zoning, Title 18-(Noise Control), Title 32-(Signs and Related Regulations), to create the Residential Manufactured Dwelling Park designation and base zone. (Ordinance); *amend Code Title 33 and Code Sections 18.04.040, 32.12.020 and 32.32.010*

<p align="center">INTRODUCED BY Commissioner/Auditor: Ted Wheeler <i>Eudaly & Fritz</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz <i>Amal Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly <i>Dw CE</i></p> <p align="center">BUREAU APPROVAL</p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>Susan Anderson</i></p> <p>Prepared by: Tom Armstrong Date Prepared: 8/13/2018</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 checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances <i>TA</i></p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>RAK</i></p> <p>Council Meeting Date 8/22/2018</p>	<p>CLERK USE: DATE FILED <u>AUG 14 2018</u> 32, 32, 010</p> <p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
---	--

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: 2:00pm</p> <p>Total amount of time needed: 3 hours (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	