

ORDINANCE NO. 189323

\* Conditionally exempt the creation of certain mass shelters and short-term housing facilities from Parks and Recreation, Environmental Services, Transportation, and Water system development charges (Ordinance; amend Code Title 17, Chapter 21.16, Chapter 30.01 and add Section 30.01.096)

The City of Portland ordains:

Section 1. The Council finds:

1. The last count of Multnomah County residents experiencing homelessness was February 22, 2017. The Point-in-Time report is prepared in collaboration between the Population Research Center and the Survey Research lab at Portland State University for the City of Portland, the City of Gresham, Multnomah County and the Coordinating Board of A Home for Everyone.
2. The 2017 Point-in-Time report (hereafter referred to as “the count”) found the number of people counted sleeping outside in the worst conditions and with the least safety, dropped nearly 12 percent since 2015 to 1,668 people. The count found more people sleeping in emergency shelters than outside, a first in all the years of the federally-required count.
3. Despite progress, there remains an insufficient number of emergency shelters and affordable permanent housing options to accommodate the number of people experiencing homelessness and to provide safe and habitable shelter for vulnerable populations.
4. The 2035 Comprehensive Plan includes Policy 5.46 Housing Continuum which aims to prevent homelessness and reduce the time spent being homeless by allowing and striving to provide a continuum of safe and affordable housing opportunities and related supportive services including permanent supportive housing, transitional housing, micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds/rest areas.
5. The development of new mass shelters, campgrounds/rest areas and short-term housing (hereafter referred to as “transitional housing”) is assessed Systems Development Charges (SDCs). These City of Portland fees are assessed to new development, additions and changes of use. They are collected to help offset the impact the project will have on the City’s infrastructure of storm and sanitary sewer systems, parks and recreation facilities, water, and street systems.
6. SDCs integrally contribute to the City’s expansion and service of Portland’s infrastructure; however, they can apply significant additional cost to new transitional housing facilities and complicate the urgent need to extend safe and habitable shelter opportunities for persons experiencing homelessness. The additional cost and time associated with SDCs for transitional housing can delay or could prohibit new transitional housing.

7. Substantial rent increases in recent years and increases in people using emergency shelters, including those who report being homeless for less than six months, further exemplifies the need for City action and utilization of available tools and processes to expand the provision of transitional housing and related social services.
8. Racial disparities for those experiencing homelessness exist, in Portland and Multnomah County as well as nationally. The most recent Point in Time count found 10.2 percent of those experiencing homelessness to be Native American, compared to Native Americans accounting for 4.1 percent of the county population overall. The count also found 16.2 percent of those experiencing homelessness to be African American, compared to 14.0 percent of the county population overall.
9. This combination of factors related to Portland residents experiencing homelessness and a shortage of transitional housing capacity contributes to an on-going need to reduce barriers that impact provision and expansion of transitional housing, including waiving SDCs.
10. Transitional housing often occupies sites and buildings for a temporary period of time by locating in under-utilized city-owned properties, vacant buildings undergoing renovation or leased space. Provision of transitional housing also has greater urgency during cold and wet weather months. For these reasons, transitional housing facilities may relocate, expand or contract over time and therefore the need address barriers such as the waiver of SDCs will continue beyond the end of the housing emergency. For these reasons as well, the waiver of SDCs is not intended to run with the land and when non-transitional housing uses occupy the site of a former transitional housing facility, SDCs will be assessed accordingly.
  - ii. Affected bureaus developed a process to waive SDCs for transitional housing, identifying the Joint Office of Homeless Services (JOHS) as the agency tasked with tracking the amount of SDCs waived and the transitional housing facilities utilizing the waiver. The process identified requires the transitional housing facility to have a working agreement with JOHS.

NOW THEREFORE, the Council directs:

- a. Portland City Code is amended as shown in Exhibits A-C, attached.

Section 2. This Council declares that an emergency exists because there is a critical need to facilitate additional transitional housing capacity to respond to the Council's declared Housing Emergency; therefore, this ordinance shall be in full force and effect on the date of passage by Council.

Passed by Council: DEC 19 2018

Mayor Ted Wheeler  
Prepared by: Matt Wickstrom, BDS  
DATE, 2018

Mary Hull Caballero  
Auditor of the City of Portland

By

*Susan Parsons*  
Deputy

Agenda No. **189323**  
**ORDINANCE NO.**  
 Title

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INTRODUCED BY Commissioner/Auditor: <b>Mayor Wheeler</b>	CLERK USE: DATE FILED <u>DEC 11 2018</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - <i>Saltzman</i> Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy  ACTION TAKEN:
BUREAU APPROVAL Bureau: Bureau of Development Services Bureau Head: <i>Rebecca Esau</i> Prepared by: Colleen Poole Date Prepared: December 5, 2018 Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> City Auditor Office Approval: Yes required for Code Ordinances <i>Toni</i> City Attorney Approval: Yes required for contract, code, easement, franchise, comp plan, charter <i>PAK</i> Council Meeting Date <u>12/19/18</u>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: _____ Total amount of time needed: <u>30 minutes</u> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>20 min</u> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. <i>Saltzman</i> Hardesty	✓	
4. Eudaly	_____	
Wheeler	✓	