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190523

Emergency Ordinance

***Amend Affordable Housing Preservations and Portland Renter Protections Code to implement the Design Review Procedure Certification for Affordable Housing Developments as directed by the Design Overlay Zone Amendments project and make technical changes to clarify Housing Bureau rule-making authority (amend Title 30)**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In June 2021 Council adopted the Design Overlay Zone Amendments project of changes to Title 33 Zoning Code that directed in part to allow buildings or sites that meet certain affordable housing criteria the option to choose either a Type II or Type III Design Review Procedure to be in effect on August 1, 2021.
2. The Design Overlay Zone Amendments project defined the affordable housing criteria for the Design Review Procedure Type option as buildings or sites with at least 50 percent of the residential units located on site affordable to households earning 60 percent of the area median family income for a minimum of 30 years.
3. In the Design Overlay Zone Amendments project, Council identified the Portland Housing Bureau as the entity to certify buildings or sites eligibility of the affordable housing criteria for the Design Review Procedure Type option.
4. The amendments proposed to Title 30, as shown in Exhibit A, enable the Portland Housing Bureau to implement processes and procedures to verify eligibility for the Design Review Procedure Type option.
5. The proposed city code language delegating rule making authority to the Portland Housing Bureau is derived from updated model

Changes

[Ordinance Number 190523](#)

August 1, 2021

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Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Housing Bureau](#)

Prepared by

Jessica Conner

Date Prepared

June 28, 2021

Requested Agenda Type

Regular

Changes City Code

language. This change is based on guidance from the City Attorney's Office.

6. Given the use of updated rule making authority code language for new programs, and to ensure a member of the public does not misread historic code language and interpret it as providing narrower rule making authority, select technical corrections to existing Title 30, as shown in Exhibit B, must also be made.
7. Changes must also be made to an already adopted but not yet effective ordinance (190093) as reflected in Exhibit C.

NOW, THEREFORE, the Council directs:

- A. Add Code Section 30.01.170 as follows in Exhibit A.
- B. Amend code Subsections 30.01.095 G., 30.01.120 B.2., 30.01.130 D., 30.01.150 B.2., and 30.01.160 B.2. as follows in Exhibit B.
- C. Amend Code Section 30.01.140 in accordance with Exhibit C to incorporate technical code updates clarifying rule making authority, with an effective date of August 1, 2021.

Section 2. The Council declares that an emergency exists because the Title 33 Zoning Code changes, including the Design Review Procedure Type option, will go into effect on August 1, 2021; therefore, this ordinance shall be in full force and effect from and after August 1, 2021.

Documents and Exhibits

 [Exhibit A](#) (107.73 Kb)

 [Exhibit B](#) (105.09 Kb)

 [Exhibit C](#) (107.82 Kb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
July 28, 2021

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (169.98 Kb)

Agenda Items

616 Regular Agenda in [July 28-29, 2021 Council Agenda](#)

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

General information

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City of Portland, Oregon



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