

1. Housing Committee Agenda - 05.25.2016

Documents: [05.25.2016 HOUSING COMMITTEE AGENDA.PDF](#)

2. Housing Committee's Community Priority & Policy Discussion - Memo & Master List Of Ideas

Documents: [HOUSING COMMITTEE PACKAGE WITH MASTER LIST OF IDEAS - 5.25.2016.PDF](#)



HOUSING COMMITTEE

DATE: May 25, 2016 (Wednesday)
TIME: 5:30 p.m. – 8:00 p.m.
LOCATION: USM - Portland Campus
Wishcamper Center
34 Bedford Street, Portland

A G E N D A

1. Introductions – Committee Vice-Chair, Councilor David Brenerman.
2. Presentation on existing City housing policies and funding resources by Tyler Norod, Housing Planner.
3. Overview of tonight's process and goals by lead facilitator Jack Kartez, Ph.D., Emeritus Professor of Community Planning & Development, Muskie School of Public Service.
4. Break out sessions to discuss the list of ideas compiled over the last four months of public input.
5. Reassemble all attendees for brief reports on the main thematic issues raised in each group and further discussion– facilitated by Jack Kartez, Ph.D., Emeritus Professor of Community Planning & Development, Muskie School of Public Service.
6. Closing Statements – Committee Chair, Councilor Jill Duson

Councilor Jill Duson, Chair

Next Meeting Date: June 8, 2016

Location: City Hall, Council Chambers, 2nd Floor, 389 Congress Street, Portland, Maine



Housing Committee's Community Priority & Policy Discussions Forum

In an effort to identify and address housing related issues in Portland, the Housing Committee has been soliciting feedback from various stakeholders over the past four months. The Committee has heard from national leaders on housing policy, concerned residents, real estate lawyers, tenant advocates, landlords, state officials, affordable housing developers, social service providers, senior housing advocates, advocates for the homeless, neighborhood associations, and general members of the public.

The Committee is taking a comprehensive approach to understanding all issues prior to making any policy recommendations. Attached to this memo is a master list of more than 135 recommendations, organized into seventeen themes, representing all ideas received to this point.

This special meeting asks attendees to engage in an organized discussion about what parts of that list merit priority attention for a more detailed analysis by the City. There will be smaller discussion groups with facilitators to support the dialogue as well as a concluding session with the Committee and all attending. This departure from the traditional hearing-style input to the City will help the Committee deliberate on priorities beginning in June. No decisions are being made at this community discussion meeting and the Committee will be there to listen to reactions to the results of the last four months.

It is important to note that this process is not meant to be an opportunity to lobby for a particular issue nor is it intended to be a final vote on whether or not a recommendation is enacted. The Committee is asking for the public's help to filter this list for more detailed consideration.

After the staff makes a presentation on existing housing policy efforts by the City and the overall scope of the ideas in the list, the lead facilitator (Dr. Jack Kartez) will explain the discussion process and its goal. To the extent possible within the evening, we aim to get



perspective from all the attendees on which types of ideas in the list could have the most value for meeting Portland's housing needs. There is sure to be diversity of opinion but there is great benefit to identifying areas of broad interest during discussions.

There will be ground rules for all participants shared by the facilitators to support productive and civil discussion, including one that asks that people not testify to elected officials but focus on the action items that need support. Facilitators will ask that Council members honor a supporting ground rule of their own: Councilors' role at the meeting is to listen. If pressed to voice their judgment, and with due courtesy, Councilors should defer to that listening role. The Committee will soon have to establish priorities and will need insights from the discussions here to help inform those priorities.

As part of the subsequent June 8th Housing Committee meeting, the Committee will review the feedback received at the May 25th meeting and from staff. It is intended that at the June 8th meeting, Committee members will consolidate the comprehensive list of recommendations into a manageable list for the further in-depth examination that will be needed.

Housing Policy Master List

A) Tenant/Landlord Regulations

- i. Amendments to Rental Regulations
- ii. Education, Mediation, & Understanding

B) Expanding Existing Policy Tools

- i. Inclusionary Zoning
- ii. Housing Replacement Ordinance
- iii. Other Policies: Condo Conversion & Tax Increment Financing (TIFs)

C) Land Use Patterns – Zoning, Density, etc.

- i. Zoning Policies for More Flexibility on Accessory Units, Parking, Lot Size, & Density
- ii. Zoning Policies: Amend to Protect Existing
- iii. Zoning Policies: Other items

D) Housing Safety/Quality

E) Encourage Development & Redevelopment on City Owned Land & Private Development

- i. City Owned
- ii. Privately Owned

F) Taxes & Fees

G) Studies, Data, & Communication

- i. Studies & Data
- ii. Communication

H) Senior Housing

I) Short Term Rentals (AirBnB)

J) Open/Green/Community/Retail Space

K) General – Suggestions, Comments, Complaints

A) Tenant/Landlord Regulations

(i) Amendments to Rental Regulations

<u>#</u>	<u>Potential Policy</u>	<u>Highest Value</u>
1 A	Rent Control - limiting rent increases to a certain set amount in a certain period of time	
2 A	Moratorium on No-Cause Evictions	
3 A	Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease	
4 A	Ordinance prohibiting landlords from refusing Section 8 or other vouchers	
5 A	Clarify tenant rights in foreclosed buildings	
6 A	Ordinance providing long-term residents of rooming houses protection under Maine's eviction statute	
7 A	New ordinance prohibiting new development projects receiving City funding from denying tenants access to low-income units due to poor-credit history if tenant can demonstrate sufficient current income to pay the rent	

(ii) Education, Mediation, & Understanding

<u>#</u>	<u>Potential Policy</u>	<u>Highest Value</u>
8 A	One page Tenant Rights Handout	
9 A	Tenant/Landlord Ombudsmon to mediate disputes	
10 A	Improve public understanding of tenant and landlord responsibilities	
11 A	Encourage property owners to take a long term view when renovating older homes through federal tax incentives and increased energy efficiency in an effort to improve units while keeping rents stable	
12 A	The City should offer regular classes for landlords that provide information on inspection/safety regulations	

B) Expanding Existing Policy Tools

(i) Inclusionary Zoning

<u>#</u>	<u>Potential Policy</u>	<u>Highest Value</u>
1 B	Increase inclusionary zoning to require more than 10% of all new development units to be reserved as affordable	
2 B	Revise inclusionary zoning ordinance to support lower income levels (Currently available to households earning below 100-120% of the area median income)	
3 B	Amend inclusionary zoning to target income levels of existing residents in each neighborhood/census block/peninsula rather than using federal standards for the Portland area	
4 B	Inclusionary zoning is a good idea. Remove its six year sunset clause	

(ii) Housing Replacement Ordinance

<u>#</u>	<u>Potential Policy</u>	<u>Highest Value</u>
5 B	Housing Replacement Ordinance - Prohibit replacement units from being "luxury"	
6 B	Housing Replacement Ordinance - Instead of paying fee, owners can make a market rate unit in another building affordable to low income households.	
7 B	Housing Replacement Policy - Mandate developers pay into the Housing Trust Fund when replacement units are not at "affordable" levels	

(iii) Other Policies: Condo Conversion & Tax Increment Financing

<u>#</u>	<u>Potential Policy</u>	<u>Highest Value</u>
8 B	Increase the condo conversion fee	
9 A	Tighten up condo conversion regulations to clarify tenant rights, proof of notification, and timing to better capture future intent of landowners.	
10 B	Continue to provide tax increment financing (TIF) to housing development projects to help financially support and encourage the development of more low and middle income housing	
11 B	Create a TIF for individual property owners who create affordable units within their properties as a means of financially encouraging the creation of more affordable units	
12 B	TIF projects should require units that are reserved affordable to average income levels of local residents in the surrounding neighborhood/census block rather than income levels of the entire City/metro area	

C) Land Use Patterns - Zoning, Density, etc.

(i) Zoning Policies for More Flexibility on Accessory Units, Parking, Lot Size, Density

#	<u>Potential Policy</u>	<u>Highest Value</u>
1 C	Examine potential for more Accessory Dwelling Unit (ADU's), similar to in-law units, to be allowed in all residential zones	
2 C	Allow for more accessory apartments (attic, basement, garage, expansions) in East Bayside	
3 C	Locate higher density/larger buildings along neighborhood edges and transit corridors	
4 C	Encourage the creation of denser village centers/nodes off-peninsula	
5 C	Get rid of parking and height requirements in zones within walking distance of downtown	
6 C	Parking in new developments that are in central locations, close to public transportation should have parking ratios of less than one space per new unit	
7 C	The City should allow for greater density and height while lowering parking requirements to encourage more affordable housing development	
8 C	Revise zoning codes where appropriate to allow new development to better reflect the beloved historic development patterns of certain neighborhoods	
9 C	Allow for greater development on undersized lots on Peaks Island in the IR-1 and IR-2 so long as the development can provide its own septic and is restricted as affordable.	
10 C	Allow for more density in East Bayside in areas that are not directly adjacent to single family homes	
11 C	Locate R-6 zones in off-peninsula neighborhoods to encourage housing development	

(ii) Zoning Policies: Amend to Protect Existing

#	<u>Potential Policy</u>	<u>Highest Value</u>
12 C	The recently revised R-6 zone has helped fuel a development frenzy on Munjoy Hill and should be reconsidered	
13 C	The City should increase housing density limits within existing buildings within all zones	
14 C	Amend the R-5 zone (Deering Center, Oakdale, and others) to allow for more housing development in a way that is consistent with the historical development patterns of the existing neighborhoods	

15	C	Develop policies to incentivize the retention, improvement, and replacement of 1, 2, and 3 unit housing structures along the streetscapes where they currently are the dominant housing typology	
16	C	Larger housing developments threaten the existing character of neighborhoods	
17	C	Provide greater clarity in the B2b zone language as it relates to how development in the B2b should relate to surrounding properties in abutting zones	

(iii) Zoning Policies: Other Items

#		<u>Potential Policy</u>	<u>Highest Value</u>
18	C	Partner with organizations like Habitat for Humanity to allow for the creation of affordable units on smaller lots than what is currently allowed under zoning. Should consider having affordability and unit/building size restrictions for allowing development on these smaller lots.	
19	C	Amend zoning ordinances to include and clarify protections for abutting residences bordered by commercial/industrial uses to help mitigate conflicts involving lighting, parking, noise, and pollution	
20	C	Update housing definitions within zoning ordinance	
21	C	Update and condense entire zoning ordinance for overall clarity and ease of use	
22	C	Amend the ILB Zone for industrial uses in East Bayside to encourage new business development in an effort to attract more living wage jobs to the neighborhood (but not national chains)	

D) Housing Safety/Quality

#		<u>Potential Policy</u>	<u>Highest Value</u>
1	D	Stricter enforcement of existing health & safety laws	
2	D	Regular schedule for inspecting all units	
3	D	Develop protocol for emergency complaints	
4	D	Occupied rental units in foreclosure inspected monthly	
5	D	Ordinance making building owner and party bringing foreclosure complaint jointly liable for maintaining the building	
6	D	Clarify role and responsibilities of various inspection offices within the City to promote efficiency and minimize overlap.	
7	D	The Housing Safety Office registration should include information on the type of rental (furnished, airbnb, etc) so that the public can have a better idea of who is around them.	

8	D	Address the potential for overcrowding by revising allowable number of unrelated tenants per dwelling	
9	D	Gain control and rehab abandoned properties	
10	D	More strenuous code enforcement of rental units and stricter penalties for unresponsive/absentee landlords	
11	D	Improve communication about brownfield remediation programs/needs for developers in certain areas of the City such as East Bayside	
12	D	City should require copies of all inspections done by outside parties of subsidized housing units to ensure that standards are being met that support clean, dignified, safe, affordable housing	
13	D	Incentivize improvements to rental units in older housing stock by offering landlords reimbursements for that brings buildings up to code in return for deed restrictions regulating a units affordability	

E) Encourage Development & Redvelopment on City Owned Land & Private Property

(i) City Owned

#		<u>Potential Policy</u>	<u>Highest Value</u>
1	E	Examine Loring House property for residential development potential	
2	E	Embrace the redevelopment of schools or other institutional buildings into housing	
3	E	Utilize tax acquired properties to capitalize the Housing Trust Fund and restrict long term affordability of the unit prior to sale	
4	E	Work with non-profit like Habitat-for-Humanity to rehab city-owned tax acquired properties to turn them into affordable housing	
5	E	The City should enter into long term ground leases for City owned land as a means of supporting long term affordability rather than selling land outright to a developer (both for-profit and non-profit developers).	
6	E	Put City owned land out to bid to encourage diverse types of housing stock of numerous sizes and for a variety of populations	
7	E	The City should purchase a large tract of land and act as the developer to create a model neighborhood/village with a mix of uses and building typology that will be great places to live/work/play and showcase how quality development can happen off-peninsula	

(ii) Privately Owned

#	Potential Policy	Highest Value
8 E	Examine zoning for Jewish Community Center/School near Noyes & Ashmont Streets to encourage housing development on those sites	
9 E	Work with local universities to encourage the development of more student housing	
10 E	New ordinance to penalize dilapidated abandoned buildings and incentivize maintenance	
11 E	Strengthen local Housing Land Trust to help create and preserve affordable housing	

F) Taxes & Fees

#	Potential Policy	Highest Value
1 F	Reduce real estate related fees and taxes which harm fixed income households and cause landlords to pass along higher expenses to tenants	
2 F	Create tax incentives for landlords to maintain/update units	
3 F	All manners of City commerce, bills, taxes, fees, etc. should be dealt with via a single online platform	
4 F	Rising cost of taxes/fees needs better justification from the City	
5 F	Adopt an anti-speculation/anti-flipping tax	
6 F	Support tax abatement for low income households or landlords who rent income restricted units	
7 F	Support tax abatement for landlords who voluntarily rent to low income tenants	
12 F	Progressive property tax on new "luxury" developments that would charge a higher real estate tax rate to new units sold or rented at "luxury" levels	
13 F	Capture a portion of new property taxes for "luxury" units for a certain time period (first two years?) and place that money in the Housing Trust Fund	
14 F	Create a property tax work-off program where senior citizens can work for the City for a predetermined number of hours to get some tax relief on their home.	

G) Studies, Data, & Communication

(i) Studies & Data

#	Potential Policy	Highest Value
1 G	Redefine how affordability is determined using more focused data on specific neighborhoods/census blocks instead of the industry standard of the City's metro area as employed by most federal housing programs	
2 G	The City should evaluate the evolution and impact of changes in its demographic mix as well as housing stock. The study should not just focus on trends but also determine what the desired mix is for the City in terms of demographics and housing typology	
3 G	Creation of new City Housing Board comprised of a wide range of stakeholders to carry forward additional research, advise the City, and make policy recommendations	
4 G	Comprehensive Plan to outline housing goals for the City over 3, 5, and 10 year periods	
5 G	Rental unit data collected through registration should identify ownership type and unit make up. Data should be available to the public	
6 G	Housing Safety Office should track additional landlord data such as pricing, amenities, bedrooms, past violations, etc. and make the information public to help prospective tenants more informed before signing a lease	

(ii) Communication

#	Potential Policy	Highest Value
7 G	More frequent public communication about current and proposed developments including signage at proposed sites that provide sense of scale with surrounding neighborhood	
8 G	Encourage/facilitate a better public process. Needs to be a way to encourage greater public participation and not just listen to the loudest voices who may not represent the needs of the larger community	
9 G	The City should facilitate a larger public dialogue about the overall type of development that is appropriate for Portland. Focus should be on scale of development and how urban in character Portland should be.	
10 G	The City should create a new position within the City to help interested parties understand the maximum development potential for various private properties throughout the City	
11 G	Promote greater awareness of all the work already being done by the City to help alleviate housing concerns	

H) Senior Housing

#	Potential Policy	Highest Value
1 H	The City should hire an aging in place specialist to help seniors navigate the complex zoning and home modification requirements at the state and local levels	
2 H	Promote/support age-in-place efforts to make the community even more "age-friendly"	
3 H	Lobby state government to release \$15 million in voter approved bonds for affordable senior housing development	
4 H	The City should help seniors participate in their communities	
5 H	The City should help neighborhoods retain their intergenerational flavor	
6 H	The City should support and encourage the creation of volunteer based "villages" to help aging seniors stay in their communities longer	
7 H	Institute a homeshare program for seniors to help share costs of their home by finding "appropriate adult guests" to live with them so that they may remain in their homes	

I) Short Term Rentals (AirBnB)

#	Potential Policy	Highest Value
1 I	Regulate Short Term Rentals (STR's) such as AirBnB in an effort to return existing housing stock to the long term rental market	
2 I	Increase General Assistance maximums to match Portland rental market funded through increased AirBnB fees	
3 I	Add fees/taxes to AirBnB type rentals to help capitalize the Housing Trust Fund	

J) Open/Green/Community/Retail Space

#	Potential Policy	Highest Value
1 J	Provide greater access to green space and greater protection for existing large trees to better integrate nature into the urban environment	
2 J	There is a need for greater access to open spaces for leisure and sport in East Bayside	
3 J	The creation of community spaces within new large development projects to support a variety of community uses	
4 J	City should partner with the non-profit organization that works on edible landscaping to design roof top gardens or raised bed gardens as part of new project designs	
5 J	Increase small retail spaces in new development projects	

K) General - Suggestions, Comments, Complaints

#	Potential Policy	Highest Value
1 K	Strengthen and clarify sober house regulations	
2 K	Make regulations easier to convert a single family residence into a multi-family home	
3 K	Remove barriers to expanding/renovating older homes	
16 K	Support the creation tiny homes to increase the housing supply	
17 K	Revise thresholds of commercial building codes to start at buildings larger than three units (currently a three unit building falls within commercial code instead of residential code)	
18 K	Develop mechanisms and incentives for long term affordability restrictions	
19 K	Limitations should be placed on how close registered sex offenders can live in proximity to schools	
20 K	The City should support housing availability for sex offenders previously incarcerated as they begin to reintegrate into society	
21 K	Regional approach to housing demand with benchmarks for each community for the creation creation of new housing	
22 K	Focus on the creation of new middle class/family housing - both rental and home ownership	
23 K	Encourage/support the creation of additional low income and workforce housing	
24 K	Create more Housing First projects to support long term shelter stayers	
25 K	Improve communication channels with local universities to help place local students/faculty in extra bedrooms of existing Portland residents	
26 K	City should support the creation and funding of a home ownership program to help households buy homes and fix up dilapidated properties	
27 K	City should encourage more homeownership development as a means of reducing demand on the rental housing stock and helping to build stable long term communities	
28 K	The City should be more supportive of new housing development projects despite the potential for neighbors being against a project	
29 K	Small landlords should not be perceived as small businesses	
30 K	New developments need to be held to higher achitectual standards in terms of design, materials, and connective space	
31 K	Do not overreact to short term market fluctuations with overregulation and maintain a long term perspective on policy goals	
32 K	Restrict medical marijuana grow operations from residential zones	

33 K	Increase the speed at which new development projects and renovation projects can get through the City approval/permitting process	
34 K	Increase Tenant Based Rental Assistance (TBRA) voucher funding to support extremely low income households at risk of homelessness	
35 K	The City should come up with a policy for dealing with the closure and potential demolition of hotels by changing ordinances to encourage their use as single room occupancy (SRO's)	