

1. Housing Committee Agenda - June 8, 2016

Documents: [06.08.2016 HOUSING COMMITTEE AGENDA.PDF](#)

2. Housing Committee Minutes - May 11, 2016

Documents: [MINUTES HOUSING COMMITTEE 5.11..2016.PDF](#)

3. Brief Summary Of Public Feedback Received At The May 25th Housing Committee Meeting
- See Enclosed Memorandum From Lead Facilitator Jack Kartez, Ph. D., Emeritus
Professor Of Community Planning & Development, Muskie School Of Public Service

Documents: [FACILITATORS REPORT MEMO 6.3.2016.PDF](#)

4. Brief Summary Of Feedback On The Bucket List Of Ideas Gathered From The Housing
Working Group Consisting Of Staff Representatives Of Several City Departments - See
Enclosed Memorandum From Tyler Norod, Housing Planner, Housing & Community
Development Division.

Documents: [HOUSING WORKING GROUP MEMO 6.2.2016.PDF](#)

5. Housing Committee Discussion And Next Steps



HOUSING COMMITTEE

DATE: June 8, 2016 (Wednesday)
TIME: 5:30 p.m. – 7:30 p.m.
LOCATION: City Hall, City Council Chambers

A G E N D A

1. Review and accept Minutes of previous meeting held on May 11, 2016.
2. Brief summary of the public feedback received at the May 25th Housing Committee Meeting – See enclosed memorandum from lead facilitator Jack Kartez, Ph.D., Emeritus Professor of Community Planning & Development, Muskie School of Public Service.
3. Brief summary of feedback on the bucket list of ideas gathered from the Housing Working Group consisting of staff representatives of several City departments - See enclosed memorandum from Tyler Norod, Housing Planner, Housing & Community Development Division.
4. Housing Committee member discussion and next steps.

Councilor Jill Duson, Chair

Next Meeting Date: June 22, 2016, Location – City Hall, City Council Chambers

Housing Committee

Minutes of May 11, 2016 Meeting

A meeting of the Portland City Council's Housing Committee (HC) was held on Wednesday, May 11, 2016 at 5:30 p.m. in the City Council Chamber in Portland's City Hall. Present from the HC was its Chair Councilor Jill Duson, Vice Chair Councilor David Brenerman, and members Councilor Spencer Thibodeau, Councilor Belinda Ray, and Councilor Nick Mavodones. City staff present included Director of the Planning and Urban Development Department Jeff Levine, Housing & Community Development Division Director Mary Davis, Housing Planner Tyler Norod and intern Andrew Clark.

Item 1: Review and accept Minutes of previous meeting held on April 27, 2016.

Motion to accept the minutes as revised by Councilor Brenerman, motion seconded by Councilor Ray, minutes accepted unanimously.

Item 2: Presentation of Indexed Policy Binder outlining existing housing related reports, policy tools, and funding sources currently being utilized by the City of Portland. Presented by Tyler Norod, Housing Planner, Housing & Community Development Division; Andrew Clark, University of Southern Maine, Muskie School of Public Service, Masters Candidate 2017

Tyler Norod introduced the project along with Andrew Clark, an intern from the Muskie School who assisted with compilation of the binder. Andrew explained that packet includes several examples of items included in the binder. Andrew explains the purpose of the cover sheet on each item and how the data for each item was pulled together. Each member of the Committee expressed appreciation for the information and acknowledged how helpful this project will be to the councilors, public and others.

Item 3: Memorandum outlining the public process for the upcoming Housing Committee's Community Priority & Policy Discussions forum scheduled for Wednesday, May 25th. Tyler Norod, Housing Planner, Housing & Community Development Division; Jack Kartez, Ph.D., Emeritus Professor of Community Planning & Development, Muskie School of Public Service.

Tyler introduced the item and explained that the past few months of meetings resulted in about 135 possible policy actions. He provided a brief explanation of the proposed outline for the meeting and how the dialogue, breakout sessions, etc. will work; he noted that facilitators for the breakout sessions will be from outside city hall. Tyler reiterated that the forum will not be a decision making process but a means to assist the Committee in determining direction and to provide assistance with filtering the list to something more manageable. Themes and responses will be summarized for the Committee in June. Jeff Levine talked about a housing working group made up of city staff who will be doing a staff review and prioritization of the list.

Councilor Duson asked for clarification of the role of Committee members during the meeting. Tyler explained that the Chair could open the meeting with an introduction and other Committee members will be there to listen.

Councilor Thibodeau asked if this meeting is designed to prepare the Committee to begin taking action or choosing items they want to work on.

Councilor Ray asked if items can be added to the list prior to the meeting and indicated that she would email several items to Tyler for inclusion on the list.

Jack Kartez explained that the nature of meeting is not to get a vote and indicated that it is his job as the meeting facilitator to make the meeting purpose clear to attendees and to make clear that the meeting is not about voting or tallying. Jack will help the committee and constituents to understand the challenges and range of needs. Jack indicates that he lined up four facilitators to assist with the breakout sessions.

Councilor Ray asked about outreach for meeting and Tyler indicated that he will make contact with previous Committee meeting attendees and interested organizations with an e-mail blast along with a City press release and posting on the City website.

Councilor Mavodones suggests including the Society of Architects.

Councilor Duson would like the committee see summary from May 25th, see staff working group suggestions at the 1st meeting in June so that the Committee can have a meaningful discussion at that time. She asks the Committee members to come to the 1st June meeting with preliminary thoughts on items to proceed with. Jack offered to facilitate at the 1st June meeting and requested a meeting with the Committee Chair and Vice Chair prior to the May 25th meeting.

Councilor Mavodones indicated that he was anxious for to begin work but cautions that the Committee should be deliberate with prioritization so that the Committee makes good decisions.

Councilor Duson asked if outreach could be made to those communities that participate in regional housing forum.

Tyler express appreciation to Jack for his assistance in coordinating the May 25th meeting.

Councilor Duson opened the item to public comment. Jim Harmon noted that list has similar/redundant items and hopes that list will be adjusted before May 25 meeting. Mr. Harmon also suggested that outreach include accessing the new housing registry to reach out to landlords and request that landlords post notice for their tenants.

Item 4: General Public Comment

No general public comments were received.

Item 5: Discussion of distribution options for Housing Committee Packets for Committee Members. Tyler Norod, Housing Planner, Housing & Community Development Division

Tyler described staff suggestions about paperless options for distribution of Committee packets and

information such as google drive options. Staff made note of Committee member preferences.

Item 6: Housing Committee Member discussion and next steps

Councilor Thibodeau asked that list for May 25th remove repetitive items. Tyler explained that the list would be broken down into themes and would try to be sensitive to synthesizing participants thoughts or ideas while finalizing the list.

Councilor Brenerman indicated that it may be difficult to identify the meaning behind some of the items on the list; Tyler explained that in some cases he was not entirely clear on the intent of the item submitted but wanted to make sure that people could identify their input in the process. Jack suggested that we should keep those items on the list and make sure those in attendance on May 25th understand how the list was created.

Councilor Mavodones indicated that he was comfortable leaving list the way it is for the May 25th meeting and then the Committee can make decisions about consolidation of items after the meeting

Councilor Ray indicated that she felt the idea about people seeing their fingerprints on the process was very important.

On a motion made and seconded the meeting was adjourned at 6:30 PM.

Respectfully,

Mary Davis

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Dr. Jack Kartez, Lead Facilitator

DATE: June 8, 2016

SUBJECT: Facilitator's report on the special Housing Forum of the City Council's Housing Committee held on May 25th, 2016.

I. Overview:

This report focuses on some over-arching themes from the structured public meeting as a way to aid the Housing Committee with evaluating, prioritizing and pursuing a workable set of possible actions from the large set of ideas and proposals collected to date. There is a facilitator's assessment of the process, my summary of the information from the four breakout discussions and the individual facilitator's room notes, and the information from the "worksheets" or Housing Policy List that attendees were asked to mark up if possible, as a piece of supplementary information.

II. The Process:

Over one hundred people attended and participated for most or all of the breakout sessions. Eighty-eight (88) worksheets were returned to a collection point at the end of the evening, with five blank and two others not interpretable and as of June 1 three additional worksheets had been submitted to the HCD staff and included here, although a couple are from people who did not attend the process .

This was a tremendous effort by the attendees with a challenging task, which virtually all worked hard to honor. Those results are discussed later in this initial report and may be helpful to organizing the Committee's start of deliberations. There were a couple of written comments that expressed some frustration with a structured process rather than direct testimony about extreme needs. That message however does come out clearly in this report and Councilors should, if I may, be confident that this event added to the access that constituents have to address these issues to you and with you, not lessened it.

My impression of the attendance is that there were a large proportion of advocates for and those affected by availability of low-cost housing and emergency housing services and housing transition services (e.g., Housing First). There was perhaps less apparent a large showing of landlords of all kinds and for my part this has underscored to me that Portland's housing supply relies on smaller landlords to a significant degree. Other attendees included social and housing service providers, a small showing of nonprofit and other housing developers and other interests that Councilors may identify from their districts and the city at-large.

As said, these people worked very hard on this in limited time and many of those with a particular focused concern or priority also visibly listened to and discussed other aspects of the housing situation in Portland. In at least one discussion group I was struck however by the lack of knowledge of what the City is already undertaking in terms of land use and zoning by some of those with general knowledge of those topics as well as those without such general background. My impression from this is that the City perhaps has opportunities to more assertively communicate about these matters to more constituencies. Closely

related to this was the often-voiced comment that it is not clear what the City's over-arching housing goals are. While the City has existing policy and programs, of course, this comment taps into the sustained need for public communication and education vital to efforts to deal with citywide housing matters. This comment comes out in the breakout discussion reports and in the worksheet results.

III. Over-Arching Themes:

To help the Committee make use of the results—a large amount of information—this report starts with a summary of the core themes that emerged at a broad level, and then with more detail from each breakout discussion and then the worksheet results so you can “drill down” in detail. This summary is the result of discussion among the facilitators, their notes and the worksheets. You have the source information before you.

The two big themes are

1. Dealing with housing insecurity and emergency situations, and;
2. Increasing housing supply of all kinds in Portland, on- and off-peninsula, and in the Greater Portland region as well.

Within each of these there are many moving parts of course, especially #2:

1. Housing Insecurity: The proposals range from rent control and eviction moratoria to other measures to support tenant rights, provide ways to prevent affordable housing losses or to replace losses, and provide means to ease housing losses such as longer eviction notifications, as well as addressing homelessness through expanding Housing First and other efforts.
2. Increasing Housing Supply: This incorporates short-term and longer-term actions including: expanding inclusionary zoning and housing replacement requirements; using city fiscal and resource tools including TIFs, public lands and bonding; reducing cost and regulatory barriers to new housing delivery; reducing failed projects due to public opposition (NIMBYism) and long permitting processes; increasing density in strategic locations along corridors, but also protecting neighborhood character during change.

There were also three cross-cutting issues that affect the two large themes above which received great attention, one of which was inadvertently poorly highlighted in the Housing Bucket List.

3. Regulating AirBnB to reduce withdrawals from the residential market;
4. Addressing Senior Housing in terms of not only units but also aging-in-place resources; and
5. Increasing Transit Access to Affordable Housing and in general.

The above is a compact summary of the sense of the meeting.

IV. Discussion Sessions (More detailed facilitator notes attached—these are most prominent items)

- A. (Hutchins): Immediate need to deal with evictions, rising rents (1-4A); Increase housing supply as rapidly as possible through allowing more density, reducing regulatory barriers and oppositional blocking of projects, flexibility for ADUs, and regulation of AirBnBs; (esp. C1-7, 11C, 13C); Pointed concern about senior housing and senior community needs (H3, H5-6); Need to improve transit routes.
- B. (Grommes Pulaski): Need for comprehensive goals and vision for enough and diverse housing, increasing density, more incentives for redevelopment; take some emergency measures now; Address rent control, discrimination in Sec. 8, tenant rights re: evictions; expand existing tools (i.e., inclusionary zoning), create more incentives (e.g. via expanding form-based zoning, use of new TIFs) and remove disincentives (parking, etc.); Better dialogue to get through NIMBY situation; Use AirBnB fees for affordable housing efforts; Need better data on displacement, units lost and need to drive policy; Sec. 8 process needs better organization/support; Need better transportation access including with surrounding communities affordable housing.
- C. (Coxe): Four overarching themes in room: Housing Supply & Affordability (B 1-3, C1, C3, C4, C5, C7, C8, C9, E6, E7); Housing Insecurity (A1, A2, A4); Neighborhood Form & Character; and Need for Comprehensive, Goal-Based Approach (G2, G4, G9) and solutions scaled to problem; Also concerns about housing safety and senior support.
- D. (Pistrang): Three big themes in room: Increase housing supply; streamline the permitting process; Equitable access to housing. Supply/Permitting—Increase diversity of housing mix, and transportation access, incentivize ADUs, use TIFs and city-owned lands (E6), increase density around villages and nodes (all C items), regulate AirBnB to reduce residential losses, use a bond to fund more housing. Equitable Housing Access—Extend housing eviction notice periods and involve City, close loopholes on Replacement policy (B6), Prohibit Sec. 8 discrimination (A4), address needs for adequate shelters (K24) and tenant-based rental assistance (TBRA—K34).

V. Worksheet Summary

Attached after the four Facilitator Room Reports is a copy of the Housing Bucket List with the tallied number of times each item has been checked off by attendees of the public meeting as having the “highest value.” Remember that this is partly a function of who attended and the challenging task of working through about 130 items in an hour’s discussion. As noted there were 88 worksheets collected with five blank and another three not interpretable (notes but not specific choices). This is a remarkably high participation rate. Note that three (3) responses turned in to the HCD office have been added to the tally but did not change the pattern markedly.

You have the full results here—to help review them, the items with 21 or more responses (about one-fifth of the attendees) have been highlighted, resulting in 31 items out of more

than 135. The items are largely consistent with the discussion room reports but some are very broad and some very specific. Of course, this does not mean that items getting 20 or even a few less choices are not important. For example, NONE of the housing safety inspection and regulation items received more than 17 and two-thirds got less than 10—but everyone would agree this is a high priority area for City efforts. The worksheet information reflects the “sense of the room” from concerns at the meeting.

Additionally, the final column labeled “staff” in the attached list represent feedback from members of the City’s Housing Working Group which consists of City staff representing a variety of departments within the City. More information about the Housing Working Group is available as a separate memo for tonight’s meeting. In an effort to emulate the process experienced by attendees of the special May 25th public forum, the items in this column marked with an “X” represent ideas that received interest from multiple members of the Working Group. To help bring additional clarity to the Committee, items that received overlapping interest from staff and the public were highlighted in the list.

A) Tenant/Landlord Regulations

(i) Amendments to Rental Regulations

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
1 A	Rent Control - limiting rent increases to a certain set amount in a certain period of time	34	
2 A	Moratorium on No-Cause Evictions	34	
3 A	Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease	26	X
4 A	Ordinance prohibiting landlords from refusing Section 8 or other vouchers	27	X
5 A	Clarify tenant rights in foreclosed buildings	17	
6 A	Ordinance providing long-term residents of rooming houses protection under Maine's eviction statute	15	
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	16	

(ii) Education, Mediation, & Understanding

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
8 A	One page Tenant Rights Handout	10	X
9 A	Tenant/Landlord Ombudsmon to mediate disputes	18	
10 A	Improve public understanding of tenant and landlord responsibilities	11	
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	18	
12 A	The City should offer regular classes for landlords that provide information on inspection/safety regulations	13	

B) Expanding Existing Policy Tools

(i) Inclusionary Zoning

<u>#</u>	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
1 B	Increase inclusionary zoning to require more than 10% of all new development units to be reserved as affordable	27	
2 B	Revise inclusionary zoning ordinance to support lower income levels (Currently available to households earning below 100-120% of the area median income)	23	
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	13	
4 B	Inclusionary zoning is a good idea. Remove its six year sunset clause	17	X

(ii) Housing Replacement Ordinance

<u>#</u>	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
5 B	Housing Replacement Ordinance - Prohibit replacement units from being "luxury"	23	
6 B	Housing Replacement Ordinance - Instead of paying fee, owners can make a market rate unit in another building affordable to low income households.	11	X
7 B	Housing Replacement Policy - Mandate developers pay into the Housing Trust Fund when replacement units are not at "affordable" levels	24	

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

<u>#</u>	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
8 B	Increase the condo conversion fee	5	
9 B	Tighten up condo conversion regulations to clarify tenant rights, proof of notification, and timing to better capture future intent of landowners.	8	X
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	25	X

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	21	
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	11	

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

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

#	Potential Policy	# Times Checked at Public Forum	Staff
1 C	Examine potential for more Accessory Dwelling Unit (ADU's), similar to in-law units, to be allowed in all residential zones	34	X
2 C	Allow for more accessory apartments (attic, basement, garage, expansions) in East Bayside	27	X
3 C	Locate higher density/larger buildings along neighborhood edges and transit corridors	35	X
4 C	Encourage the creation of denser village centers/nodes off-peninsula	37	X
5 C	Get rid of parking and height requirements in zones within walking distance of downtown	24	
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	24	
7 C	The City should allow for greater density and height while lowering parking requirements to encourage more affordable housing development	27	
8 C	Revise zoning codes where appropriate to allow new development to better reflect the beloved historic development patterns of certain neighborhoods	12	
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.	6	
10 C	Allow for more density in East Bayside in areas that are not directly adjacent to single family homes	10	
11 C	Locate R-6 zones in off-peninsula neighborhoods to encourage housing development	17	

(ii) Zoning Policies: Amend to Protect Existing

#	Potential Policy	# Times Checked at Public Forum	Staff
12 C	The recently revised R-6 zone has helped fuel a development frenzy on Munjoy Hill and should be reconsidered	9	
13 C	The City should increase housing density limits within existing buildings within all zones	16	
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	11	X
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	6	
16 C	Larger housing developments threaten the existing character of neighborhoods	7	
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	4	

(iii) Zoning Policies: Other Items

#	Potential Policy	# Times Checked at Public Forum	Staff
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.	20	X
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	4	
20 C	Update housing definitions within zoning ordinance	3	X
21 C	Update and condense entire zoning ordinance for overall clarity and ease of use	17	X
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)	8	

D) Housing Safety/Quality

#	Potential Policy	# Times Checked at Public Forum	Staff
1 D	Stricter enforcement of existing health & safety laws	16	
2 D	Regular schedule for inspecting all units	17	
3 D	Develop protocol for emergency complaints	12	
4 D	Occupied rental units in foreclosure inspected monthly	4	
5 D	Ordinance making building owner and party bringing foreclosure complaint jointly liable for maintaining the building	5	
6 D	Clarify role and responsibilities of various inspection offices within the City to promote efficiency and minimize overlap.	9	X
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.	4	
8 D	Address the potential for overcrowding by revising allowable number of unrelated tenants per dwelling	3	
9 D	Gain control and rehab abandoned properties	16	
10 D	More strenuous code enforcement of rental units and stricter penalties for unresponsive/absentee landlords	16	
11 D	Improve communication about brownfield remediation programs/needs for developers in certain areas of the City such as East Bayside	2	
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	7	
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	9	

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

(i) City Owned

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
1 E	Examine Loring House property for residential development potential	9	
2 E	Embrace the redevelopment of schools or other institutional buildings into housing	25	X
3 E	Utilize tax acquired properties to capitalize the Housing Trust Fund and restrict long term affordability of the unit prior to sale	7	X
4 E	Work with non-profit like Habitat-for-Humanity to rehab city-owned tax acquired properties to turn them into affordable housing	19	X
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).	12	X
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	14	
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	12	

(ii) Privately Owned

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
8 E	Examine zoning for Jewish Community Center/School near Noyes & Ashmont Streets to encourage housing development on those sites	4	
9 E	Work with local universities to encourage the development of more student housing	22	
10 E	New ordinance to penalize dilapidated abandoned buildings and incentivize maintenance	8	
11 E	Strengthen local Housing Land Trust to help create and preserve affordable housing	22	

F) Taxes & Fees

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
1 F	Reduce real estate related fees and taxes which harm fixed income households and cause landlords to pass along higher expenses to tenants	14	
2 F	Create tax incentives for landlords to maintain/update units	14	
3 F	All manners of City commerce, bills, taxes, fees, etc. should be dealt with via a single online platform	6	X
4 F	Rising cost of taxes/fees needs better justification from the City	10	
5 F	Adopt an anti-speculation/anti-flipping tax	9	
6 F	Support tax abatement for low income households or landlords who rent income restricted units	14	
7 F	Support tax abatement for landlords who voluntarily rent to low income tenants	20	
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	27	
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	13	
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.	10	

G) Studies, Data, & Communication

(i) Studies & Data

#	<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
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	28	
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	12	

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	11	
4	G	Comprehensive Plan to outline housing goals for the City over 3, 5, and 10 year periods	21	
5	G	Rental unit data collected through registration should identify ownership type and unit make up. Data should be available to the public	7	
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	7	

(ii) Communication

#		<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
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	
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	13	
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.	15	
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	2	
11	G	Promote greater awareness of all the work already being done by the City to help alleviate housing concerns	9	

H) Senior Housing

#		<u>Potential Policy</u>	<u># Times Checked at Public Forum</u>	<u>Staff</u>
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	12	

2	H	Promote/support age-in-place efforts to make the community even more "age-friendly"	18	
3	H	Lobby state government to release \$15 million in voter approved bonds for affordable senior housing development	23	X
4	H	The City should help seniors participate in their communities	4	
5	H	The City should help neighborhoods retain their intergenerational flavor	12	
6	H	The City should support and encourage the creation of volunteer based "villages" to help aging seniors stay in their communities longer	15	
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	17	

I) Short Term Rentals (AirBnB)

#	Potential Policy	# Times Checked at Public Forum	Staff
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	27	X
2	I Increase General Assistance maximums to match Portland rental market funded through increased AirBnB fees	15	
3	I Add fees/taxes to AirBnB type rentals to help capitalize the Housing Trust Fund	29	X

J) Open/Green/Community/Retail Space

#	Potential Policy	# Times Checked at Public Forum	Staff
1 J	Provide greater access to green space and greater protection for existing large trees to better integrate nature into the urban environment	12	
2 J	There is a need for greater access to open spaces for leisure and sport in East Bayside	3	
3 J	The creation of community spaces within new large development projects to support a variety of community uses	8	
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	10	
5 J	Increase small retail spaces in new development projects	5	

K) General - Suggestions, Comments, Complaints

#	Potential Policy	# Times Checked at Public Forum	Staff
1 K	Strengthen and clarify sober house regulations	5	
2 K	Make regulations easier to convert a single family residence into a multi-family home	15	
3 K	Remove barriers to expanding/renovating older homes	15	
16 K	Support the creation tiny homes to increase the housing supply	18	
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)	8	
18 K	Develop mechanisms and incentives for long term affordability restrictions	9	
19 K	Limitations should be placed on how close registered sex offenders can live in proximity to schools	7	
20 K	The City should support housing availability for sex offenders previously incarcerated as they begin to reintegrate into society	4	
21 K	Regional approach to housing demand with benchmarks for each community for the creation creation of new housing	9	
22 K	Focus on the creation of new middle class/family housing - both rental and home ownership	11	X
23 K	Encourage/support the creation of additional low income and workforce housing	30	X
24 K	Create more Housing First projects to support long term shelter stayers	21	X
25 K	Improve communication channels with local universities to help place local students/faculty in extra bedrooms of existing Portland residents	9	
26 K	City should support the creation and funding of a home ownership program to help households buy homes and fix up dilapidated properties	16	
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	10	
28 K	The City should be more supportive of new housing development projects despite the potential for neighbors being against a project	19	
29 K	Small landlords should not be perceived as small businesses	7	

30	K	New developments need to be held to higher architectural standards in terms of design, materials, and connective space	9	
31	K	Do not overreact to short term market fluctuations with overregulation and maintain a long term perspective on policy goals	22	
32	K	Restrict medical marijuana grow operations from residential zones	2	
33	K	Increase the speed at which new development projects and renovation projects can get through the City approval/permitting process	21	
34	K	Increase Tenant Based Rental Assistance (TBRA) voucher funding to support extremely low income households at risk of homelessness	29	
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)	12	

Portland Housing Workshop

May 25, 2016

Room A Breakout (Jennifer Hutchins Facilitating)

Approximate attendance: 45-50

1. Rental Regulations (Section A - noted by several attendees as their priority)

MOST NOTED: 1A: rent stabilization, 2A

ALSO NOTED: 3A: Increased Notifications, 4A: Vouchers refused, 9A

Other comments:

- Disabled and Senior Community Needs a concern cited by 3-5 attendees
- Suggestion for Relocation services to possibly be the responsibility of the landlord
- Need for IMMEDIATE ACTION (i.e. moratorium on condominiums)

2. General recommendations (Section K)

MOST NOTED: 31. maintain long-term view and 33. increase speed of regulatory process

Also NOTED: **Housing trust fund:** create cooperative unity to purchase low-income

3. Building New Housing ("It's an issue of supply and demand.")

MOST NOTED: Fix zoning laws to allow for higher density,

Address short-term rental problem (regulate Air B&B)

MOST NOTED: Section C. 2; 3-7, 11 along transit corridors

Finding innovative solutions to promote density (i.e. homesharing, cooperatives)

C1&2 Accessory Dwelling Units

C13 Encourage supply rapidly

Help facilitate getting projects done and having developers work with community

NIMBYism prevents new housing/increased density, which affects supply

Multi Unit Development

- Encourage "issue friendly" housing; so, people can stay in their homes
- Cooperative/cohousing solutions

4. Senior Housing

MOST NOTED: H. 3,5,6 Need for tenant/landlord relationship regulations

Other comments:

- Concern for mounting health & safety issues for seniors in public housing (i.e. renting to younger than 55 and "addicts")
5. One suggestion w/ others agreeing: **G1. Redefine Affordable** with more focused data for specific neighborhoods
 6. **E.11. strengthen land trust** – so as to create affordable housing
 7. **Transit Routes (noted by several people as missing from original list but a priority)**
Increase access to supply off peninsula
 8. F12 – progressive tax on luxury apts.

Notes from Housing Committee Forum

Facilitator: Amy Grommes Pulaski

Policy comments

- What is the overall policy goal?
- Housing is a human right, not a choice
- Take some Emergency Measures to address the crisis at hand
- Develop a long term vision and goal of housing for Portland
- Make Large Bold Steps toward BIG Solutions
- Jobs and Housing go hand in hand
- A diversity of housing is needed (on the peninsula)
- Address NIMBYism

Create More Units

- Create housing for all
 - Low income
 - Moderate income
 - Workforce housing to sustain economy
 - (H) Elderly/ Aging in place
- (C) Have a neighborhood focus because each neighborhood has different values and can accept different types of projects
- Increase the number of housing first facilities

A) Tenant/ Landlord Regulations

- Support Tenants Rights No Cause Evictions
- No Discrimination for Section 8 vouchers
- Rent Control

B) Expanding Existing Policy Tools

- Inclusionary zoning should be more than 10%, should be 50%
- There should not be an opt-out for Inclusionary Zoning or Housing Replacement
- Create form based incentives
- Don't create regulations that discourages what we want to encourage
- Implement tools that create affordability but do not cause displacement
- Address Homeless issue in Bayside

C) Land Use Patterns

- Increase density
- Review density, R6 and Parking requirements

E) Encourage Development & Redevelopment

- Incentivize development on existing surface parking lots or add housing above parking, then create a TIF district to pay for improved transportation

G) Studies, Data & Communication

- Data:
 - Let data drive policy for vulnerable population.

- o Collect data about displacement
- o Q. How many units would have been built had it not been for the threat of litigation?
- o Q. How many units have left the market due to Air BNB? A. AirBNB are mostly rooms within houses to rent. Right now there are 108 active units on AirBNB today. And these may only be available for some dates throughout the year (which means the owners are living in the units and renting them when they go away).
- Communication: Comments on NIMBYism
 - o Neutralize NIMBYism
 - o Open dialogue
 - o NIMBYism leads to less units being built

I) Short Term Rental

- Create an AirBNB fee to pay for TBRA or new affordable housing.

K) General Other

- Comments on Subsidies
 - o Voucher providers should pay landlords on time
 - o Organize Section 8 holders so they are competitive for housing units (they are sometimes disorganized, they don't have the documentation or information needed to rent, they don't return calls, and by that time the unit is gone).
- Beyond Portland
 - o Improve transportation to expand area access
 - o Collaborate with nearby towns to increase transportation and housing options
 - o The region is engaged and ready to add more affordable housing
- Perceptions
 - o There is an increasing elderly population
 - o We are Loosing Units
 - o There are smaller households
 - o Need more affordable housing
 - o Need more housing units overall, which will allow for more income variant housing

Notes from Portland Housing forum – May 25, 2016
Breakout section C (Hugh Coxe Facilitating)

Themes

At least four overarching themes arose from the group:

- Housing supply and affordability
- Housing insecurity
- Neighborhood form and character
- Comprehensive approach and goal setting

Notes (*Items reflect statements made by individuals and in some instances discussions in which several participants contributed. They are not an indication of group consensus or agreement.*)

- Emphasize density particularly on bus routes; reduce parking minimums
 - o C: 3,4,5, and 7 recommendations are of high value
- We need to watch the language that we use. What exactly do we mean when we talk about “housing crisis,” etc.
- Property taxes are too high. We don’t want to be Boston or New York.
- People who work in Portland all too often can’t afford to live in Portland.
- Portland’s population is growing; Affordability is linked to parking requirements which should be reduced or eliminated to reduce the cost of building new housing.
- There isn’t a housing shortage off the peninsula – just because people want to live on the peninsula does not mean that we are having a housing crisis.
- Some of the city’s current regulations make affordable housing development very difficult.
 - o C: 7 and 8; E: 6 and 7 recommendations are of high value
- The city’s development regulations and policies should align with the state policies to help ensure adequate financing for affordable housing.
- The focus should be on increasing housing supply.
 - o E: 6 and 7 recommendations are of high value

- Discussion about housing insecurity – tenants are at-will and can have the rent raised or be evicted anytime and without reason. Makes people reluctant to invest time, resources, or effort in their neighborhood and leads to instability in families and lives.
 - A: 1, 2 and 4 recommendations are of high value
- Portland's landlord tenant policies should be compared with jurisdictions that have "just eviction" policies such as Oakland and Seattle.
- Tenants need to have greater protections than those that currently exist.
 - Sections A and C recommendations are of high value
- Several people stated that the city can add supply and provide more housing security and affordability.
- The group discussed housing replacement policies. Some felt the inclusionary zoning and replacement ordinances infringe too much on property rights, some felt they are not consistently administered or are subject to political whim, some felt they were too weak to achieve the desired policy goals.
 - Section B i and ii received a lot of attention and seemed to be of high value
- One participant expressed the opinion that some of the city's regulations constitute a takings.
- The minimum lot size regulation on Peaks Island limits housing supply. It was instituted in the 1980s with the intent of excluding affordable housing. There should be zoning for workforce housing.
 - C: 9 recommendations are of high value
- The city owned land could provide opportunities for housing development.
- TIFs should continue to be part of the strategy for providing affordable housing.
 - B iii recommendations are of high value
- Landlords don't like section 8 inspection requirements; Harmonize inspection regulations for all housing whether section 8 or not. Examples to draw on exist in other parts of the country.
 - Several section D recommendations are of high value

- Historically the city has found appropriately scaled solutions to spikes in housing demand. An example was providing housing for Liberty Ship workers. A contemporary solution might be more Accessory Dwelling Units or a homeshare program.
 - C: 1 and H: 7 recommendations are of high value
- Discussion about the form and function of village centers/ dense mixed-use nodes within the city. With denser development and a mix of commercial and residential in close proximity parking space could be reduced.
- All parking requirements should be removed.
- The city needs to develop a vision and a plan for housing – scale and type. Should have a comprehensive approach so the city doesn't promote policies that result in unintended consequences such as a housing bubble.
 - G: 2, 4 and 9 recommendations are of high value

Portland Housing Forum – 5/25/16

Notes from Maeve's room (Facilitator: Pistrang)

Three big themes emerged from the discussion in my room:

1. The need to increase the housing supply in Portland
2. The need to streamline the permitting/development process for housing
3. Issues of social equity and equitable access to housing

Supply and Permitting/Development

- Increase the diversity of housing types available e.g. larger units for families, student housing, senior housing, low-income housing
- Increase the diversity of transportation modes to access diverse types of housing
- Prioritize “Aging in Place” and senior village models of housing (H1 and H6)
- Encourage off-peninsula development
- Incentivize the creation of accessory dwelling units (ADUs), either through tax breaks or a TIF-like tool
- Make city-owned land available for development (E6)
- Change zoning and policies around residential density to allow for greater density, particularly around arterials, transit, and neighborhood “nodes” (section C)
- Expedite zoning changes for affordable housing developments
- Increase the timeliness in the planning and permitting process overall
- Revise the inclusionary zoning ordinance to be more in line with federal standards to make obtaining the subsidy for affordable housing possible; those developments need those federal subsidies in order to move forward.
- Extend form-based codes to other areas of the City
- Issue municipal bonds for a revolving loan fund that could fund new affordable development
- Regulate Airbnb units so that housing is available for residents not visitors (I1,2,3)

Social Equity

- Tenant/Landlord regulations need to be addressed, specifically no cause evictions
 - Extend notification period for no-cause evictions to 90 days
 - When landlords are evicting multiple units, the City should be notified as well as tenants
- The City should close the loopholes on the Housing Replacement Ordinance that result in the loss of affordable units (B6)
- Prohibit landlords from refusing Section 8 and other vouchers (A4)
- The shelter system in the City is inadequate and there needs to be an increase in the housing options for the very lowest income brackets, not just the median and the wealthy. Housing First models should be used. (K24)
- Increase tenant based rental assistance (TBRA) (K34)



Mary Davis

Division Director, Housing & Community Development Division

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Tyler Norod, Housing Planner
Housing and Community Development Division

DATE: June 8, 2016

SUBJECT: Housing Working Group feedback on the Housing Committee's "bucket list" of ideas

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 result of this public process was over 135 policy recommendations for the consideration of the Committee. In an effort to help Committee members filter through this extensive list Committee held a special meeting on May 25th to solicit comments from the public as to which items on this list may provide the most value to the City.

Working in concert with the efforts by the Committee, the City Manager formed a Housing Working Group in January of 2016 consisting of staff from the Planning Department, Health & Human Services, Housing & Community Development, Economic Development, and the City Manager's Office. The Working Group was designed to examine potential housing policies that may help alleviate pressures within the local housing market from an interdepartmental perspective. This memo outlines feedback from Working Group members on the same extensive list of more than 135 policy recommendations recently presented to the Housing Committee and the public. The goal of this memo is to provide another source of information to help the Committee filter the list to a more manageable and actionable size.

Feedback from the Housing Working Group can be broken down into two themes: 1) Housing insecurity and safety; 2) Housing supply and creation of affordable units. Some of the recommended items such as AirBnB regulations extend across these two themes. Broken out below are items identified by multiple members of the Working Group as potential ideas that should be examined by the Committee in greater detail.

It is important to note that there were a lot of ideas within the list that are worthy of more in depth examination. However, as was asked of the public, the Working Group was tasked with identifying a condensed list of potential policies that might provide the greatest value to the City. Again, this is not recommendation for things that should be done, but rather ideas that warrant examination in greater detail. Members of the Committee are also recommended to highlight other items not listed here for further analysis.



Mary Davis

Division Director, Housing & Community Development Division

Items with a * next to the identification number signify items that received significant interest from both the Working Group and participants in the May 25th public forum.

A) Tenant / Landlord Regulations

3A* – Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease

4A* – Ordinance prohibiting landlords from discriminating against Section 8 or other vouchers

8A – One page Tenants Rights Handout

B) Expanding Existing Policy Tools

4B – Inclusionary Zoning is a good idea. Remove its six year sunset clause.

6B – Housing Replacement Ordinance – Instead of paying a fee, owners can make a market rate unit in another building affordable to low income households.

9B – Tighten up condo conversion regulations to clarify tenant rights, proof of notification, and timing to better capture future intent of landowners.

10B* – 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.

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

1C* – Examine potential for more Accessory Dwelling Units (ADU's), similar to in-law units, to be allowed in all residential zones.

2C* – Allow for more accessory apartments (attic, basement, garage, expansions) in East Bayside

3C* – Locate higher density/larger buildings along neighborhood edges and transit corridors

4C* – Encourage the creation of denser village centers/nodes off-peninsula



Mary Davis

Division Director, Housing & Community Development Division

14C – 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.

18C – 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 size restrictions for allowing development on these smaller lots.

20C – Update housing definitions within zoning ordinance

21C – Update and condense entire zoning ordinance for overall clarity and ease of use

D) Housing Safety/Quality

6D – Clarify role and responsibilities of various inspection offices within the City to promote efficiency and minimize overlap

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

2E* – Embrace the redevelopment of schools or other institutional buildings into housing

3E – Utilize tax acquired properties to capitalize Housing Trust Fund and restrict long term affordability

4E – Work with non-profit like Habitat for Humanity to rehab city-owned tax acquired properties to turn them into affordable housing

5E – 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)

F) Taxes and Fees

3F – All manners of City commerce, bills, taxes, fees, etc. should be dealt with via a single online platform



Mary Davis

Division Director, Housing & Community Development Division

G) Studies, Data, & Communication

N/A

H) Senior Housing

3H* – Lobby state government to release \$15 million in voter approved bonds for affordable senior housing.

I) Short Term Rentals (AirBnB)

1I* – Regulate Short Term Rentals (STR's) such as AirBnB in an effort to return existing housing stock to the long term rental market

3I* – Add fees/taxes to AirBnB type rentals to help capitalize the Housing Trust Fund

J) Open/Green/Community/Retail Space

K) General – Suggestions, Comments, Complaints

22K – Focus on the creation of new middle class/family housing – both rental and home ownership

23K* – Encourage/support the creation of additional low income and workforce housing

24K* – Create more Housing First projects to support long term shelter stayers