

HOUSING & COMMITTEE

DATE: June 22, 2016

TIME: 5:30 pm – 7:30 pm

LOCATION: Council Chambers, 2nd Floor, City Hall

1. 06.22.16 Agenda

Documents: [06.22.2016 HOUSING COMMITTEE AGENDA.PDF](#)

2. Review And Accept Minutes Of Previous Meeting Held On June 8, 2016

Documents: [DRAFT - MINUTES HOUSING COMMITTEE 6.8.2016.PDF](#)

3. Review Of Housing Committee Consent Item List

Documents: [FINAL COMMITTEE MEMO.PDF](#)

3.I. Memo Attachment 1

Documents: [ATTACHMENT 01 ALL ITEMS REVIEWED BY HC WITH NOTES.PDF](#)

3.II. Memo Attachment 2

Documents: [ATTACHMENT 02 HC CONSENT OR YES LIST.PDF](#)

3.III. Memo Attachment 3

Documents: [ATTACHMENT 03 EXCERPTS FROM PREVIOUS HCDC MEETINGS
RE STR.PDF](#)

3.IV. Memo Attachment 4

Documents: [ATTACHMENT 04 AIRBNB LISTINGS MAPS.PDF](#)

3.V. Memo Attachment 5

Documents: [ATTACHMENT 05 7-POINT PLAN DASHBOARD \(2016.03\).PDF](#)

Councilor Jill Duson, Chair

Next Meeting Date: July 13, 2016



HOUSING COMMITTEE

DATE: June 22, 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 June 8, 2016.
2. Review of Housing Committee Consent Item List of Potential Actions – See enclosed memorandum from Jeff Levine, Mary Davis and Kristin Styles.
3. Housing Committee member discussion and next steps.

Councilor Jill Duson, Chair

Next Meeting Date: Wednesday, July 13, 2016
Location – City Hall, City Council Chambers

Housing Committee

Minutes of June 8, 2016 Meeting

A meeting of the Portland City Council's Housing Committee (HC) was held on Wednesday, June 8, 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, Councilor Nick Mavodones, and Mayor Ethan Strimling. City staff present included Housing & Community Development Division Director Mary Davis, Planning and Urban Development Department Director Jeff Levine, Housing Planner Tyler Norod, and Kristin Styles, HCD Program Manager.

Item 1: Review and accept Minutes of previous meeting held on May 11, 2016.

On motion made and seconded the minutes were accepted unanimously.

Item 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.

Dr. Jack Kartez introduced his report on the May 25th meeting. He indicated that the meeting was very productive. He spent some time reviewing the overarching themes of meeting: (1) housing insecurity and (2) increasing housing supply. In addition, he indicated that there were three cross-cutting issues affecting the two themes – (1) regulating Air BnB (2) senior housing and living (3) transit access to housing and in general.

Item 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.

Tyler Norod introduced the results from the staff Housing Working Group. He discussed the work

of the group and how staff recommendations were made. He indicated that the staff recommendations were made prior to receipt of the results of the community meeting. The staff recommendations fell into roughly the same categories as the community meeting – (1) housing insecurity and (2) housing supply were the major themes.

Item 4: Housing Committee member discussion and next steps.

Dr. Kartez indicated that 88 worksheets were returned at the end of the community meeting; five were blank and two were not interpretable; an additional 3 were submitted after the meeting. Thirty-one of the 135 items received 21 or more responses and are highlighted. He then led the HC through a systemic review of the charts that designated the items highlighted by the community, the staff and the overlapping from both lists. He asked the HC to review lists for consensus of which items should move forward for further review.

Councilor Mavodones suggests that some items will need legal analysis and suggests that staff consult with Corporation Counsel before they spend too much time researching each item. Councilor Brennerman would like to see an analysis of the extent of problem/items on the list. Councilor Ray would like to know more about how often these issues or concerns are happening.

Dr. Kartez mentions that once the HC identifies a working list of potential items, staff will begin to research feasibility, timelines, legal implications, financial impacts, effectiveness, etc.

The working list identified by the HC along with the annotations to the community, staff and overlapping lists are included as an attachment to these minutes. Additional written public comment received and provided to the HC is also included.

On a motion made and seconded the meeting was adjourned at 7:50 PM.

Respectfully,

Mary Davis



Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Jeff Levine, Director, Planning and Urban Development Department
Mary Davis, Division Director
Kristin Styles, HCD Program Manager
Housing and Community Development Division

DATE: June 17, 2016

SUBJECT: Housing Policy Work Plan

At the June 8th Housing Committee meeting, the Committee undertook a facilitated discussion, led by Dr. Jack Kartez, to identify a working list of potential actions items from the “bucket list” of ideas gathered from the staff Housing Work Group and the May 25th Community Meeting. The meeting discussion is annotated on two lists which are attached to this memo.

The first list identifies all the items reviewed by the Housing Committee at the June 8th meeting and includes the committee's decision with some discussion notes.

The second list identifies the Housing Committee's final consent or “yes” list with discussion notes and staff comments. The items from this list are discussed below in more detail. This memo includes additional information and discussion that staff compiled since the June 8th meeting. In some cases, completion timelines or possible Committee actions are noted as well.

1A Rent Control. – Corporation Counsel will provide information on this issue for the July 13 Housing Committee Meeting.

2A Moratorium on No-Cause Evictions. – Corporation Counsel will provide information on this issue for the July 13 Housing Committee Meeting.

3A Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease. – Corporation Counsel will provide information on this issue for the July 13 Housing Committee Meeting.

**4A Ordinance prohibiting landlords from refusing Section 8 or other vouchers.**

– Corporation Counsel will provide information on this issue for the July 13 Housing Committee Meeting.

8 A One-page Tenant Rights Handout.

At a previous Housing Committee meeting staff from Pine Tree Legal Assistance offered to assist in the preparation of a one-page tenant rights handout. HCD staff will work with Pine Tree Legal Assistance on this and should be able to produce a one-page handout no later the Housing Committee's August 24th meeting.

Pine Tree Legal does produce a booklet entitled "*The Rights of Tenants in Maine*" that is available on their website at <http://ptla.org/rights-tenants-maine>.

Housing Replacement Ordinance – see page 161 in the Housing Resource Binder

5B – Housing Replacement Ordinance – Prohibit replacement units from being "luxury".

Portland's current Housing Replacement Ordinance was approved in 2010 and went through major revisions in 2012 and earlier this year. It was based on an ordinance from Burlington, Vermont. The stated purposes of the ordinance are:

- "1. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups;
2. To limit the net loss of housing units in the city; [and]
3. To preserve housing in zones where housing is permitted for in the city for all residents in order to promote the health, safety and welfare of its citizens."

With the passage of the Inclusionary Zoning Ordinance and various upzonings approved in the past few years, the Housing Replacement Ordinance has generally focused on the second and third purposes.

The ordinance does not currently restrict any replacement units – or any existing units – from being "luxury." The only requirement is that the replacement units not be significantly smaller than the ones being replaced. The replacement units are generally significantly higher quality than the units being replaced – and are also therefore generally less affordable.



The only way to prevent replacement units from being “luxury” would be by defining what is meant by luxury. The easiest and most logical way to do so would be to require that replacement units be “Workforce Housing Units for Rent” or “Workforce Housing Units for Sale” as defined in Division 30. That would limit the rents and sales prices of units based on area-wide median income. There would need to be an additional policy decision as to whether to place a deed restriction on the units or simply require the first sale or rental of replacement units to meet that requirement.

Note that units being removed subject to this ordinance have never been “affordable” in any legal sense. Often they are vacant or perhaps de-facto affordable due to being in poor shape

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

This option mirrors an option in Burlington’s Housing Replacement Ordinance. Their language is as follows:

“Replacement units may be provided by the owner or by the owner’s designee fully in any of the following ways ...

c. Subsidy: Creation of affordable housing units that have not been affordable to low-income households for the twenty-four (24) months preceding the date of application for conditional use approval.”

This is language that could easily be adopted into Portland’s ordinance.

7B – Housing Replacement Ordinance – Mandate developers pay into the Housing Trust Fund when replacement units are not at “affordable” levels.

This discussion is similar to that of 5-B above. If units did not meet the definitions of “workforce” housing the ordinance would specify that they do not qualify as replacement units, and a Housing Trust contribution would be required.

At the last meeting, there were also some questions about how to creatively capitalize the Housing Trust. In addition to the past funding through funding in-lieu of replacement units, we are now beginning to see funding through the fee-in-lieu



option for Inclusionary Zoning. Currently we are expecting just short of \$300,000 in funding through that source. There is also currently a one-year policy of funding the Housing Trust through sale of any tax-acquired properties. Some other sources used in other communities include:

- In Portland, Oregon, they have funded their equivalent Trust through use of Tax Increment Financing;
- In Brookline, Massachusetts, a small percentage of any unexpended funds at the end of each fiscal year are placed in their Housing Trust;
- In Boston, Cambridge, and Somerville, Massachusetts, commercial developments pay into their respective Housing Trusts on a per-square-foot basis through a so-called "linkage" ordinance. This amount is determined through a detailed study that documents how commercial development produces a need for affordable housing.

Condominium Conversions – (this item will be added to the Housing Resource Binder)

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

The purpose of the City Of Ordinance Sec. 14-565 Article VII – Condominium Conversion is to 'regulate the conversion of rental housing to condominiums; to minimize the potential adverse impacts of such conversions on tenants; to ensure that converted housing is safe and decent; and to maintain a reasonable balance of housing alternatives within the city for persons of all incomes.'

In this ordinance, a developer must give each tenant a written notice of intent to convert. For tenants living in the same building for 0-4 years, a 120 day notice period is required, an additional 30 day notice period is required for each additional year the tenant has been living in the building, up to 240 days (8 years of occupancy).

The notice is required to contain the following statement:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division,



*Department of Planning and Urban Development, City of Portland, Maine
04101 (telephone: 874-8703).*

For a 60 day period following the giving of the notice, the developer is required to give the tenant an exclusive and irrevocable option to purchase the unit. If the tenant does not purchase the unit during this 60 day period, the developer cannot offer the unit to any other person at a lower price or more favorable terms for an additional 180 days, until the same offer is made to the tenant.

If the tenant does not purchase the unit and qualifies at or below 80% AMI, the developer must make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months.

If within 120 days after a tenant is required by the developer to vacate, the developer records a declaration of condominium without having given notice as required, the developer shall be presumed to have converted in violation of this article. If the developer is found to be in violation, the request for a permit to convert is denied.

As part of the application process, the developer is required to pay an application fee of \$150.00 and \$100.00 Certificate of Occupancy fee per unit. If, at the time of application, any unit is vacant, the Building Inspections division requires the developer to disclose the reason the unit is vacant along with the name, new address and phone number of the previous tenant. This requirement is not part of Sec. 14-565 Article VII.

Ordinance revision suggestions:

1. Revision suggestion for the following portion of Sec. 14-568. Protection of tenants
 - (a) *Notice of intent to convert.* A developer shall give to each tenant written notice of intent to convert at least ~~one hundred twenty (120)~~ one hundred eighty (180) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of ~~two hundred forty (240)~~ three hundred sixty (360) additional days.
2. Require the developer to provide the name, address, and phone number of the



current tenant or most recent tenant of each unit.

This is an item that could be moved forward quickly at the Housing Committee's direction.

Affordable Housing Tax Increment Financing – See Page 7 in the Housing Resource Binder

10B – Continue to provide tax increment financing to housing development projects to help financially support and encourage the development of more low and middle income housing.

This is a tool used by municipalities in Maine to assist in the development of affordable housing projects. The legislation can be found at M.R.S.A. Title 30-A Chapter 206 §5245 through §5250-G. The Maine State Housing Authority is the governing authority.

Under the statute, affordable housing is defined as a "decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area". Income limits are defined by the U.S. Department of Housing and Urban Development.

Designated districts can be site specific or area-wide and must increase the amount of affordable housing or improve the health, welfare or safety of residents. Districts have to be primarily residential with at least 25% of the property within a district that is (1) suitable for residential use; (2) a blighted area; or (3) in need of rehabilitation or redevelopment. Thirty-three percent (33%) of the dwelling units within the district must be affordable.

Existing Affordable Housing TIF

Pearl Place Phase I – Oxford and Pearl Streets;
409 Cumberland Avenue – Forest and Cumberland Avenue;
Thomas Heights - 134 Washington Avenue; and
17 Carleton Street

It is the opinion of staff that the affordability requirements, on-going monitoring and reporting requirements, along with the complicated application process act as a disincentive to the use of this tool by developers of smaller projects or private property owners.



11B – 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.

The TIF application process is complicated and may not be the appropriate tool to address this issue. As a means of determining an alternative solution, HCD staff spoke with the City's Tax Assessor to determine whether an accessory dwelling unit added to an existing residential property and subject to tenant affordability restrictions would qualify for any form of property tax exemption. It is the tax assessor's opinion, with Corporation Counsel's office agreeing after a preliminary review, that this would not be allowable under current state law. They did not find any legislation that would allow the tax assessor to exempt all or a portion of a property under this scenario.

HCD staff asked the tax assessor to estimate the possible tax impact if an accessory unit is added to an existing property. Using the assumption that the added unit would be 500 square feet of living space, including a kitchen and bath, of average quality construction, he determined the additional space might add approximately \$750 to an annual tax bill. The estimate did not consider long term restrictions on affordability, however, the tax assessor indicated that it would be difficult to calculate the affect affordability restrictions may have on the property value. Property assessments are considered accurate if they deviate no more than 10% from the proven market value of the property. Therefore, depending on the amount of consideration given to the restrictions, the net final value may not fall beyond the 10% range.

Additional research would be needed to determine whether current state law would allow a local exemption or credit to address this issue. It is possible that any possible solution may require a change in state law.

As noted above, it is the opinion of staff that the affordability requirements, on-going monitoring and reporting requirements, along with the complicated application process act as a disincentive to the use of this tool by developers of smaller projects or private property owners.

Tax Acquired Properties

3E – Utilize tax acquired properties to capitalize the Housing Trust Fund and restrict long term affordability of the unit prior to sale.



As outlined above, there is a temporary policy of funding the Housing Trust through any sales of tax-acquired properties. In practice, such sales are rare and unlikely to produce any significant funding. Any resale could be subject to an affordability restriction, but any such determination should be balanced against the possible benefit of selling the property without restrictions and simply placing part of the sale price into the Housing Trust directly.

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

Staff has also been evaluating any properties listed as potential tax-acquired property and indicating if the property itself may be appropriate for renovation as affordable housing. In practice, most properties listed are single-family houses that are not always good candidates for permanently 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).

In the recent past, the City has generally offered property for sale with deed restrictions rather than using a Land Trust model of ground leasing land with restrictions. The Land Trust model provides some benefits over the deed restriction model but also involves the City continuing to be a land holder and landlord. Such a model impacts the tax value of the property and can complicate a developer's ability to finance a development. However, the benefits should be considered as well as these drawbacks.

Short Term Rentals - See Page 532 in the Housing Resource Binder

I1 – Regulate Short Term Rentals (STR's) such as AirBnB in an effort to return existing housing stock to the long term rental market.

During the September 30, October 14 and October 28, 2015 meetings of the Council's Housing and Community Development Committee, the committee reviewed staff research on short term rentals along with potential regulation options. Three possible options were reviewed: (1) utilizing the Housing Safety Office to address safety and building code concerns; (2) revision of existing zoning code (Section 1404(e)) to allow for some short term rentals or (3) create a new short term rental section within the existing code. While the members of the HCDC



agreed that option 3 would be the best way to proceed, there was an acknowledgement of the need for a better understanding of the extent of the short term rental problem and as the October 28, 2015 meeting was the last meeting of for the committee year, the committee did not have an opportunity to further review the matter. (The minutes from those meetings are attached).

A current review of the Airdna website, which provides “data and analytics to vacation rental entrepreneurs and investors”, indicates 206 active listings for June, 2016. Of those 206 listings 142 are “entire place” listings and 42 are “private room” listings. The median nightly rate for an entire home was \$150 and \$82 for a private room.

The 2010-2014 American Community Survey 5-Year Demographic and Housing Estimates indicates that Portland has 33,157 total housing units of which 30,107 are occupied (13,157 owner-occupied units and 16,950 renter-occupied units). Based on this data and the data from Airdna, less than 1% of the City’s housing units are being offered as short term rentals. The attached map from Airdna indicates that most of the rentals are located on the peninsula.

As Tyler Norod noted in his October 28, 2015 memo to the HCDC

“..., most of the units offered as STR’s are limited to the Peninsula which may have a disproportionate impact on those neighborhoods. The Peninsula contains approximately 12,000 housing units. Assuming approximately 250 units are being listed mostly on the peninsula this would account for approximately 2% of the Peninsula’s housing stock.

Considering the Peninsula’s extremely low vacancy rate any significant reduction in available housing stock should be a concern for the City. For context, cities around the country with the highest percent of their housing stock being utilized as STR’s are between 6.5% and 1.1% according to AirDnA. The National Association of Realtors defines a landlord’s market as one where vacancy rates are less than 5%. The recently completed 2030 Workforce Housing study by the Greater Portland Council of Governments (GPCOG) estimated Portland’s 2014 vacancy rate at 4.4%. This was for the entire Portland market. It would stand to reason that the Peninsula’s vacancy rate is even lower. Therein it is possible to see how removing an estimated 2% of the housing stock from the Peninsula could have a significant effect on the market.”

**I3 – Add fees/taxes to Air BnB type rentals to help capitalize the Housing Trust Fund**

Reference is made to Tyler Norod's memo of October 28, 2015. In that memo Tyler looked at how other cities were approaching this issue. Savannah, Georgia charges a \$150 registration fee with a \$50 annual renewal fee. Savannah also established fines ranging from \$500-\$1,000 for violations to their ordinance. Santa Monica, California has fines of up to \$500 per day.

The regulation of short term rentals, along with the use of fees or taxes is an item that will require additional time for analysis and review.

K24 - Create more Housing First projects to support long term shelter stayers -
See Page 513 in the Housing Resource Binder

Attached is a report created by the City of Portland's Health & Human Services Department, Social Services Division from March, 2016 which provides an update to the 7-Point Plan to End Homelessness.

Goal #6 refers to the Housing First Program. The City of Portland issued a RFP in February 2014 for proposals from a consultant or consultant team in the field of Permanent Supportive Housing (PSH) development, specifically the development of projects utilizing the "housing first" model. The City received two responses and awarded funding to each proposal (Avesta Housing \$50,000 and Community Housing of Maine \$25,000).

Avesta's proposal envisioned the creation of a traditional Housing First development. Their use of the pre-development funding resulted in a development proposal for a project at 72-78 Bishop Street which will create thirty (30) efficiency units. The development includes the construction of a new three story building containing the 30 units, along with a reception area and staff rooms. Site work and the installation of foundations has begun. The expected completion date of the project is April, 2017.

Community Housing of Maine's (CHOM) proposal envisioned "blending the population quickly and seamlessly into a combination of rehabilitated existing small multifamily apartment buildings and larger Low Income Housing Tax Credit and/or Historic Tax Credit funded properties aimed at serving the general public."



Their use of the funds resulted in a development proposal for four units of supportive housing for homeless populations, targeting long-term shelter stayers. The City of Portland will partner with CHOM and will provide referrals and support services to each individual housed. The project will be located in an existing 4-unit dwelling at 548 St. John Street and is financed by funding through Maine State Housing Authority and the City's CDBG and HOME programs.

The City Council's 2016 Common Goals includes as a goal for the Housing Committee to plan for five new "housing first" projects. To help meet this goal, the City's 2016-2017 Affordable Housing Development HOME Funds Application identified Housing First developments as a priority. The application was released on May 2nd with an initial due date for proposals of June 10. To date the HCD office has received three applications. However, none of those applications are Housing First proposals.

There are two housing first developments in the City of Portland. Logan Place and Florence House were both developed by Avesta Housing. In a presentation to the Housing and Community Development Committee (HCDC) in February, 2013, Dana Totman of Avesta Housing noted that there are three steps to the creation of a housing first development – (1) find a site (2) secure development funds and (3) secure operating funds for both the building and the resident services. As noted in the HCDC minutes, Mr. Totman indicated that securing funds for the resident services and garnering neighborhood support for the development were two of the more difficult aspects of developing housing first projects.

A Note on Zoning Changes

At the last meeting there was some discussion about whether to wait for a planned comprehensive zoning rewrite before advancing any zoning changes. While significant changes to the Zoning Ordinance are best handled at a comprehensive level, we continue to refine and rewrite the existing ordinance to make improvements. These interim changes are valuable pilots to help determine what changes may be expanded and adopted as part of a new code.

A 1	Rent Control – limiting rent increases to a certain set amount in a certain period of time	Yes	Yes- all Councilors
A 2	Moratorium on No-Cause Evictions	Yes	Yes- all Councilors
A 3	Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease	Yes	Yes- all Councilors
A 4	Ordinance prohibiting landlords from refusing Section 8 or other vouchers	Yes	Yes- all Councilors
A 8	One page Tenant Rights Handout	Yes	Create (1) a one page tenants rights handout and (2) 1 page landlord rights handout.
B 5	Housing Replacement Ordinance – Prohibit replacement units from being “luxury”	Yes	(1). Define 'luxury' (Councilor Mavodones) - Add to list with 6B and 3E
B 6	Housing Replacement Ordinance – Instead of paying fee, owners can make a market rate unit in another building affordable to low income households	Yes	study along with 5B, 7B, and 3E. Councilor Mavodones- look into creative capitalization of the fund. Do general research on the Housing replacement fund. Address specific options on the list and in the email given to the council members.
B 7	Housing Replacement Policy – Mandate developers pay into the Housing Trust Fund when replacement units are not at “affordable” levels.	Yes	
B 9	Tighten up condo conversion regulations to clarify tenant rights, proof of notification, and timing to better capture future intent of landowners.	Yes	Yes- all Councilors
B 10	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	Yes	Already doing this, how can we improve the implementation of it. Why have so few used this tool?
B 11	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	Yes	Not sure if this is legal. Council would like it looked at, IF Corporation Council approves the legality of it.
E 3	Utilize tax acquired properties to capitalize the Housing Trust Fund and restrict long term affordability of the unit prior to sale	Yes	Add to 6B- already being done
E 4	Work with non-profit like Habitat for Humanity to rehab city-owned tax acquired properties to turn them into affordable housing	Yes	Add to 18 C
E 5	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)	Yes	Already in our tool kit
I 1	Regulate Short Term Rentals (STR's) such as AirBnB in an effort to return existing housing stock to the long term rental market	Yes	Update the information and data that has already done on this.
I 3	Add fees/taxes to AirBnB type rentals to help capitalize the Housing Trust Fund	Yes	Update the information and data that has already done on this.
K 24	Create more Housing First projects to support long term shelter	Yes	The city had a task force that looked into this. It was determined we need more housing first projects. - add to list and look into how successful the program has been.

E 9	Work with local universities to encourage the development of more student housing	No	
E 11	Strengthen local Housing Land Trust to help create and preserve affordable housing	No	
F 3	All manners of City commerce, bills, taxes, fees, etc. should be dealt with via a single online platform	No	No the Housing Committees role
F 12	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	No	Probably not legal
G 1	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	No	
G 4	Comprehensive Plan to outline housing goals for the City over 3, 5 and 10 year periods	No	Already doing it
H 3	Lobby state government to release \$15 million in voter approved bonds for affordable senior housing development	No	
K 22	Focus on the creation of new middle class/family housing – both rental and home ownership	No	already working on this.
K 23	Encourage/support the creation of additional low income and workforce housing	No	
K 31	Do not over-react to short term market fluctuations with over-regulation and maintain a long term perspective on policy goals	No	Great idea
K 33	Increase the speed at which new development projects and renovation projects can get through the City approval/permitting process	No	Already doing it
K 34	Increase Tenant Based Rental Assistance (TBRA) voucher funding to support extremely low income households at risk of homelessness	No	Gets looked at annually
B 1	Increase inclusionary zoning to require more than 10% of all new development units to be reserved as affordable	Later	The Mayor and Councilor Ray would like these looked at. The other councilors think it is too soon, they would like this looked at the one-year mark from the original council approval date.
B 2	Revise inclusionary zoning ordinance to support lower income levels (currently available to households earning below 100-120% of the area median income)	Later	The Mayor and Councilor Ray would like these looked at. The other councilors think it is too soon, they would like this looked at the one-year mark from the original council approval date.
B 4	Inclusionary zoning is a good idea. Remove its six year sunset clause	Later	JD-too soon to review. NM agrees
C 1	Examine potential for more Accessory Dwelling Units (ADU's), similar to in-law units, to be allowed in all residential zones	Later	Examine 1c and 2c together, add aging in place/senior housing to this. Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 2	Allow for more accessory apartments (attic, basement, garage, expansions) in East Bayside	Later	Examine 1c and 2c together, add aging in place/senior housing to this. Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 3	Locate higher density/larger buildings along neighborhood edges and transit corridors	Later	Examine 3C and 4C together, zoning along transit corridors . Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 4	Encourage the creation of denser village centers/nodes off-peninsula	Later	Examine 3C and 4C together, zoning along transit corridors . Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 5	Get rid of parking and height requirements in zones within walking distance of downtown	Later	Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 6	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	Later	Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 7	The City should allow for greater density and height while lowering parking requirements to encourage more affordable housing development	Later	Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 14	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	Later	Look into R-6 as well as R-5. Look at 11C as well. The planning dept. is already doing this in the Con Plan. Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 18	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.	Later	Add 4E to this. Look into this, but with consideration of location. Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 20	Update housing definitions within zoning ordinance	Later	Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
C 21	Update and condense entire zoning ordinance for overall clarity and ease of use	Later	Look at zoning, parking and density at a later point in time. This is already being looked at as part of the Comprehensive Plan. It is important to look at what the city has already done.
D 6	Clarify role and responsibilities of various inspection offices within the City to promote efficiency and minimize overlap	Later	
E 2	Embrace the redevelopment of schools or other institutional buildings into housing	Later	Councilor Ray- not needed for the next meeting. Councilor Mavodones- we are already doing this. Councilor Brennerman- Some of the buildings are better used for Economic Development. Are there missed opportunities?

Housing Committee Consent (Yes) List with discussion notes and staff comments (One Page)

Category Num Action			Housing Committee notes	Status/Details/Staff Notes
A 1		Rent Control – limiting rent increases to a certain set amount in a certain period of time	Yes- all Councilors	Corporation will provide additional information at the July 13 HC meeting
A 2		Moratorium on No-Cause Evictions	Yes- all Councilors	Corporation will provide additional information at the July 13 HC meeting
A 3		Increase notification minimums from landlords to tenants for rent increases or non-renewal of any lease	Yes- all Councilors	Corporation will provide additional information at the July 13 HC meeting
A 4		Ordinance prohibiting landlords from refusing Section 8 or other vouchers	Yes- all Councilors	Corporation will provide additional information at the July 13 HC meeting
A 8		One page Tenant Rights Handout	Create (1) a one page tenants rights and responsibilities handout and (2) 1 page landlord rights and responsibilities handout.	The HCD Office will request assistance from Pine Tree Legal; should have ready by August
B 5		Housing Replacement Ordinance – Prohibit replacement units from being “luxury”	(1). Define 'luxury' (Councilor Mavodones) - Add to list with 6B and 3E	See Housing Reference Binder Page 161 and staff memo; needs further direction from the Committee
B 6		Housing Replacement Ordinance – Instead of paying fee, owners can make a market rate unit in another building affordable to low income households	study along with 5B, 7B, and 3E. Councilor Mavodones- look into creative capitalization of the fund. Do general research on the Housing replacement fund. Address specific options on the list and in the email given to the council members.	See Housing Reference Binder Page 161 and staff memo; needs further direction from the Committee
B 7		Housing Replacement Policy – Mandate developers pay into the Housing Trust Fund when replacement units are not at “affordable” levels.		See Housing Reference Binder Page 161 and staff memo; needs further direction from the Committee
B 9		Tighten up condo conversion regulations to clarify tenant rights, proof of notification, and timing to better capture future intent of landowners.	Yes- all Councilors	See staff memo with suggestions for possible revisions to ordinance; needs further direction from the Committee
B 10		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	Already doing this, how can we improve the implementation of it. Why have so few used this tool?	See Housing Reference Binder Page 7 and staff memo; needs further direction from the Committee
B 11		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	Not sure if this is legal. Council would like it looked at, IF Corporation Council approves the legality of it.	See Housing Reference Binder Page 7 and staff memo; needs further direction from the Committee
E 3		Utilize tax acquired properties to capitalize the Housing Trust Fund and restrict long term affordability of the unit prior to sale	Add to 6B- already being done	See Housing Reference Binder Page 46 and staff memo; needs further direction from the Committee
E 4		Work with non-profit like Habitat for Humanity to rehab city-owned tax acquired properties to turn them into affordable housing	Add to 18 C	See Housing Reference Binder Page 46 and staff memo; needs further direction from the Committee
E 5		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)	Already in our tool kit	See Housing Reference Binder Page 46 and staff memo; needs further direction from the Committee
I 1		Regulate Short Term Rentals (STR's) such as AirBnB in an effort to return existing housing stock to the long term rental market	Update the information and data that has already done on this.	See Housing Reference Binder Page 532 and staff memo; needs further direction from the Committee
I 3		Add fees/taxes to AirBnB type rentals to help capitalize the Housing Trust Fund	Update the information and data that has already done on this.	See Housing Reference Binder Pages 46, 532 and staff memo; needs further direction from the Committee
K 24		Create more Housing First projects to support long term shelter	The city had a task force that looked into this. It was determined we need more housing first projects. - add to list and look into how successful the program has been.	See Housing Reference Binder Page 513 and staff memo

of points for high priority and priority activities; and (5) goals and priorities for the 5-Year Consolidated Plan.

On a motion made and seconded the Committee voted 3-0 to recommend the above list to the City Council for approval. Councilor Marshall recused himself prior to the beginning of the discussions and vote on this item.

Item #3: Review of short term rental ordinance options for regulating short term lodging sites such as AirBnB, HomeAway, Flipkey, VRBO, Craigslist, and others.

Jeff Levine described staff approach and that staff is looking for further guidance from the committee. Housing Planner Tyler Norod introduced this item and described the challenges of enforcement of a rapidly changing industry and discussed the potential impact of any policy on the industry.

Mr. Norod explained that he has been looking at short term rental websites since the summer and has estimated approximately 250 listings in Portland on Airbnb, however it is difficult to determine full time and occasional listings. Professionalization of short term rentals is becoming a problem.

Mr. Norod outlined three proposed options (1) maintaining the status quo and continue to monitor; (2) impose a ban which would level the playing field, maintains housing stock, but would be difficult to enforce and create a burden on city resources; it also denies homeowners the ability to earn additional income; (3) allow some level of short term rentals in primary dwelling units; discourage the use as a professional tool.

Councilor Donoghue indicates a preference for looking at option 3 as options 1 and 2 are the outlining extremes.

Councilor Marshall indicated at last meeting he wanted to see what already exists in state law and regulations and believes DHHS has some exemptions already in place along with requirements when life safety codes kick in.

Councilor Donoghue would like to figure out where what is going on fits into already established regulations and suggests that the new rental registration and inspection process may help with this. Mr. Levine indicated that the new process would not identify if a unit is a short term rental. Councilor Donoghue suggested that perhaps this is an opportunity to recognize this new use and have the new system adopt guidelines that will help.

Councilor Marshall agreed that the City could put enforcement around this issue within the new housing safety office which might force users to go through the licensing requirements at the state level.

Mr. Levine acknowledge the Committee's suggestion and that as the City launches the new housing inspection program it may be able to incorporate this into the process.

Councilor Marshall would like to utilize existing systems to address the safety issue. Councilor Donoghue agreed that this should be integrated with the rental registration program to encourage and enforce existing ordinances.

Councilor Brenerman agrees that it would be best to utilize registration and inspection program but feels that he does not have enough information to see if there is significant evidence that this type of use is creating a problem. Councilors Marshall and Donoghue both indicate that they have personal knowledge of this happening.

Councilor Donoghue asked if issues with state laws and regulations would be within the new inspection and registration process. Mr. Levine explained that the program is still being defined and is not sure if it will include use issues.

Councilor Donoghue would like a summary of what codes we have now that would be of use and how these issues can be integrated into the new housing registration and inspection program. A better understanding of what uses are legal now would help to clarify how to move forward.

Item 4: Review of Housing Replacement Ordinance.

Director Jeff Levine introduced this item to the Committee and explains that the current ordinance has been in effect for approximately 5 years. He indicated that people are finding ways to avoid paying into the fund which are often legal but not in line with the intent of the regulation. He is looking for feedback on ways to tighten up the language to limit loopholes. Mr. Levine outlined a few examples of loopholes and possible options to limit the loopholes.

Councilor Donoghue suggested the removal of the option to create units off-site and Councilor Marshall agreed with the suggestion. Councilor Brenerman asked for clarification on why allowing units to be built off-site would be a problem.

Mr Levine indicated that a fair amount of units are being torn down, but mostly for more housing. Requiring units to be built within certain distance could be a good middle ground and help limit some of the loopholes.

Councilor Donoghue opened the item for public comment. Chris O'Neil suggested a prohibition on replacing the units off-site but suggested a reduction in the replacement fee if a developer chooses not to create units.

Councilor Donoghue indicated he believes the fee is already too low.

Councilor Brenerman suggested that staff bring two options forward at the next meeting including a prohibition and limiting the area in which the replacement units can be created.



Housing & Community Development Committee

Minutes of October 14, 2015 Meeting

A meeting of the Portland City Council's Housing and Community Development Committee (HCDC) was held on Wednesday, October 14, 2015 at 5:30 p.m. in Room 209 on the second floor of Portland City Hall. Present from the HCDC was its Chair Councilor Kevin Donoghue, and members Councilors David Brenerman, David Marshall, and Nicholas Mavodones. City staff present included Housing & Community Development Division Director Mary Davis, Planning and Urban Development Director Jeff Levine and Housing Planner Tyler Norod.

Item 1: Review and accept Minutes from previous meeting held on September 30, 2015.

On motion made and seconded, the Committee voted unanimously 3-0 to accept the minutes as published. Councilor Marshall was not present at the time of the vote.

Item 2: Consideration of potential regulation reform of short term rentals (STR's) for lodging sites such as AirBnB, HomeAway, Flipkey, VRBO, Craigslist, and others.

Councilor Marshall entered the meeting as the discussion of this item began. Mr. Norod introduced the item with highlights of the committee's direction from the last meeting. Mr. Norod reviewed the state requirements and indicated that much like the city ordinance, the state regulation is somewhat confusing. Mr. Norod talked about city ordinance 14-404(e), which is an existing ordinance that allows for the letting of up to two rooms within an existing dwelling unit.

Mr. Norod talked about current city zoning definitions and what is allowed under the existing ordinance and explained that much of what is in the city's ordinance does not address the short term rental problem. Mr. Norod also talked about the ability of the city to enforce short term rental usage. The new housing safety office is not ready to take on this task as they are focusing on getting the new registration and inspection process off the ground.

Mr. Norod asked for clarification from the committee regarding the level of oversight the Committee is looking for (ie what type of limits and parameters would the committee like to see?).

Councilor Mavodones asked if Staff did any research on other communities that regulate short term rentals. Mr. Norod indicated that best practices have not yet been established as this is a new issue and it is hard to judge the success in communities that do have regulations in place. Councilor Mavodones asked if any of these regulations might be applicable for Portland. Mr. Norod indicated that many might be relevant to Portland.

Councilor Donoghue indicated that he would like to take public comment even though the committee will not be taking action tonight. Would like to have the public hearing at the next meeting after giving staff further clarification.

Councilor Brenerman stated that it sounds like the housing definitions in the city code are not clear and asks if we need to address other types of housing definitions and clarify some of that along with the AirBnB question. Mr. Norod indicated that creating a separate definition or clarifying what is already allowed on 14-404(e), which wasn't intended to address this short term rental issue, may address some of these issues.

Councilor Donoghue asked which current housing definitions address minimum lease terms. Mr. Norod referenced Attachment A in the packet information which makes note of

where lease terms are addressed. Councilor Donoghue asked where the ordinance requires the owner or on-site manager be present or reside on-site.

Councilor Marshall read 14-404(e) and referenced the use of the word unit instead of building and stated that it seems to be a broad definition of what is allowed.

Councilor Donoghue opened the floor to public comment.

Sean Turley, 62 Vesper Street, currently rents through 14-404; he rents out a room that would not otherwise be rented long term, a guest bedroom; his ability to do this might be compromised if 14-404 sets a minimum time frames. He indicated that licensing was a struggle and took about two months and wonders if there might be a more appropriate separate avenue that might expedite the process.

Crandall Toothaker, 54 E. Prom; owns several hundred units in the city and many are rented on a short term basis, weekly and monthly. He does not list his units on AirBnB. He indicates that 95% of his short term tenants have cars. He employs two full time maintenance/cleaning people and pays state housing tax. He has his tenants' sign all regular tenant disclosures (lead paint, carbon monoxide detectors). He suggests that any regulations should be drafted carefully to not negatively impact this type of important rental use in the city.

Beth Angle, has tenants who rent out rooms in their apartments to off-set high rents in Portland. She states that she has owned property in the West End for 35 years. If city limits this use it will make it hard for the tenants to afford the rent on their units. Every time the city raises taxes, rents are increased.

Scott Fuller-Beatty, 140 Chadwick Street identified himself as the owner of the Chadwick Bed and Breakfast. He states that as a B&B owner he earns a modest income. B& B owners or managers live on the property. An article in the weekend paper regarding AirBnB

brought him to this meeting. He owns and operates a four room B&B. State and city regulations are confusing and even inspectors are confused. Does not think Air BnB is a problem but thinks it is a problem that they do not have to follow the same rules (alcohol use, city and health safety regulations, no local lodging tax, insurance regulations, workers comp, property tax fairness, utility costs, guest visitor safety). Wants fair application of the rules.

Councilor Donoghue closes public comment and asked for additional committee questions or comments. He indicates interest in addressing the use of dwelling units that are taken off of the housing market – dwelling units used for short term rentals.

Councilor Mavodones indicated he is still trying to understand the issue better and shares Councilor Donoghue's concerns but doesn't want to see any unintended consequences. He states that the City needs to be mindful of safety implications without putting undue burden on owners. He reports that he received an email from a resident that suggested an online inspection process. He would like to hear more from owners who are listing property for this use.

Councilor Marshall is concerned about the city's ability to regulate an ordinance like this. He believes it would be easier to regulate the building instead of trying to regulate whether or not the property is owner occupied or the hosts' primary residence. Councilor Marshall believes that life-safety codes are the best way to regulate and believes that the City should focus on existing codes. He indicated that he is also concerned with loss of rental stock.

Councilor Brennerman states that his initial thoughts were that the City should only allow short term rentals in owner occupied properties but after public comment he is not sure. He would like to see ordinances from other communities and believes it will take more than one additional meeting to settle this issue. He indicates that the City should better define housing uses in the code but agrees that item is part of a bigger issue.

Councilor Donoghue hears some agreement from Committee members that they do not want to interfere with those using short term rentals to help pay rent or housing costs and that more information on how other communities regulate short term rentals that remove units from market would be helpful. He indicates his chief interest is to allow people to afford to live in their homes and afford to purchase their home.

Councilor Mavodones suggests a side by side analysis of other communities, how many actual buildings and units are being taken off the market. He indicates the information would be helpful in determining how much of a problem there really is.

Councilor Mavodones asked if it would be possible to identify the number of renters who rent out rooms in their rental unit.

Councilor Brenerman questions if the new housing safety ordinance registration process will include units and not just buildings. Mr. Norod indicates this could be a long term goal. Mr. Levine describes that any rental unit needs to be registered and that anyone who rents out a unit is supposed to register. Councilor Brenerman would like the comparison communities to be places similar to Portland.

After a review of the AirBnB report showed for August which showed 260 active listings, Councilor Marshall believes the crisis the City is facing is in the way the codes are written and the City should clarify the language and make it enforceable.

Mr. Norod indicates that clarifying the current code is possible and believes the direction from the Committee is to look at best practices and then review the current zoning – what is allowed and what should be allowed.

Councilor Mavodones asked if there is other information that staff needs that have not talked about already. Mr. Norod mentioned limiting time frames which Councilor Mavodones indicates he is not interested in doing.

Councilor Donoghue indicates his interest in minimum lease terms for dwelling units and asks if a dwelling unit is defined by monthly occupancy. He inquired about the current vacancy rate and would also like to see the cost of public subsidy of new affordable housing.

Staff reviews the tasks requested by the Committee – look at safety codes, no intention of making it harder to rent out primary dwelling units, no ceiling on the number of days of short term rentals, comparison of similar cities that share character and markets, registration guidelines that might create conflicts.

Councilor Donoghue noted that item will come back in two weeks with opportunity for additional public comment.

Item #3: Review and Possible Recommendations to City Council – Revisions to the Housing Replacement Ordinance.

Jeff Levine introduced the item with a review of the committee recommendations from the last meeting and talked about the two draft options outlined in the current memo. Councilor Mavodones asked how public notice of this meeting was done. Mr. Levine said the noticing followed the normal process.

Councilor Brenerman asks staff to outline the problem the Committee is being asked to solve and how many units does this include? Mr. Levine indicates the need for clarification because of inquires made in the last year by developers who believe if they invest an amount



Housing & Community Development Committee

Minutes of October 28, 2015 Meeting

A meeting of the Portland City Council's Housing and Community Development Committee (HCDC) was held on Wednesday, October 28, 2015 at 5:30 p.m. in Room 209 on the second floor of Portland City Hall. Present from the HCDC was its Chair Councilor Kevin Donoghue, and members Councilors David Brenerman and Nick Mavodones. City staff present included Economic Development Director Greg Mitchell, Planning and Urban Development Director Jeff Levine, Housing & Community Development Division Director Mary Davis, and Housing Planner Tyler Norod.

Item 1: Review and accept Minutes from previous meeting held on October 14, 2015.

On motion made and seconded, the Committee voted unanimously 3-0 to accept the minutes as published.

Item 2: Review and consideration of regulation reforms of short term rentals (STR's) for lodging sites such as AirBnB, HomeAway, Flipkey, VRBO, Craigslist, and others.

Councilor Donoghue indicated that the Committee would not be taking action on this item but would allow public comment. Mr. Norod introduced the item with highlights of the committee's direction from the last meeting. He reviewed best practices from other communities with similar characteristics to Portland along with other data outlined in the memo for this item.

Mr. Norod discussed three possible options. Option 1- utilizing the Housing Safety Office to address safety and building code concerns. However, this option presents limitations regarding staff workloads, inspections and enforcement tied to complaints.

Option 2 - revision of existing zoning code Section 1404(e) which limits the number of people per room, requires STR use to be registered with the City, is allowed in owner-occupied buildings; allow this use in other zones (currently allowed in all residential zones)

Option 3 – Mr. Norod indicates this might be cleaner and easier for the public to understand. The staff memo outlines 15 potential items to include in this option. Mr. Norod mentions that this may not be an appropriate option for the islands right now. Councilor Donoghue asks for additional clarification of the difference.

Mr. Norod indicates that enforcement and regulation will be imperfect; any action will need to be continually adjusted as best practices are further identified.

Mr. Levine indicates that any process will need to address ability to create and implement a system to oversee regulation and the City would want to make sure that it has the resources to properly implement an oversight regulation.

Councilor Brenerman asked several questions: (1) Has staff reviewed the AirBnB website and do we know what a typical length of an AirBnB rental is. Mr. Norod indicates it is difficult to determine by reviewing the site but it seems to be typically 3-4 day stays; (2) Why the requirement to notify neighbors? Mr. Norod identifies neighbors' concerns of strangers in the neighborhood; (3) Why require the property owner to be present? Mr. Norod talked about possibly making requirement that owner or representative be available or reachable.

Councilor Donoghue questions if Sec. 1404 is the appropriate section to regulate this use.

Councilor Donoghue opens the item for public comment.

Crandall Toothaker asks for the definition of STR in Portland and questions how this discussion can proceed without that definition? He indicates that he has invested millions of dollars on the East End, Parkside and Bayside to make the areas safer. STRs help him to offset expensive cost of rehabbing these buildings; he does not ask for subsidies to complete this work. He would define a STR as less than a 30 day stay. He has many tenants who started as a STR renters and have continued to live in his units or gone on to purchase property in the city. He feels the new landlord registration process should help to identify properties used for STRs. He questions if there is a problem if less than 1% of rental properties are being used as STR.

Ralph Baldwin identifies himself as a retired and describes how AirBnB makes it possible to make up financial losses in his life. He has three AirBnB units that he rents from two landlords who are aware of what he is doing; he pays slightly higher than market rate rents in these units. He sees short-term renters as people interested in moving to Portland and hears a wide range of reasons why people utilize this service.

Wendy Harmon believes the fire task force regulations will require AirBnB units to be registered. She indicates that her family owns a seasonal property on Peaks Island that rents for

short terms and AirBnB is a necessity and that island/seasonal properties should not be included in any new regulations.

Beth Angle is a real estate broker and owns apartment buildings in the City. She feels the percentage of condo conversions is much greater than the percentage of rental units in use as STRs. She indicates that landlords in Portland are already struggling with rising costs and the City should keep in mind landlords are not bottomless pockets.

Ken Thomas is a property owner and he uses AirBnB to help offset the costs of rehabbing the buildings. He indicates requiring owners to be on site would be difficult and suggests that owners should be easily reachable. He believes that people who visit Portland and use AirBnB may not visit if this option is taken away.

Jim Harmon believes these concerns can be addressed with the new housing safety registration process which would allow the City to gather the information on these types of rentals. As an island property owner he needs to rent out his property for financial reasons. People are already taking registrations for rentals next summer, any regulations might impact those commitments.

Councilor Donoghue closed public comment and asks Committee members if they have questions.

Councilor Mavodones indicates a preference for Option 3. Regulations should be simple and easy to understand and the City needs to be able to manage and enforce any new requirements. He believes the new registration process contemplated these types of rentals. He would be ok with islands not being included but likes the idea of the registration form identifying who to call in case of problems.

Councilor Brenerman thanks the public for their input and feels he has a better understanding of the difficulties of owning and maintaining property in Portland. The hotel and lodging industry have reached out to him with different views on this issue. He would like to better understand the extent of the STR problem; if STRs represent 1% or less of the rental units he wonders if we need to act quickly or can we take time to figure out the issue in a fair and creative way.

Councilor Donoghue indicates the materials provided by staff are helpful and agrees that Option 3 would probably be the way to start. The City should review the impact on the marketplace when determining fees; any solution should be narrow but impactful. He believes

that renting out units for less than a week in non-owner occupied buildings is a problem and believes that 1% or 2% impact is significant in a constrained market.

Item #3: Communication: FYE 2015 HCDC Accomplishment Report for forwarding to City Council as a communication.

Jeff Levine and Greg Mitchell reviewed the Committee's accomplishments and discussed the items remaining on the work plan.

Item #4: Communication: FYE 2015 TIF Annual Report for forwarding to City Council as a communication.

Greg Mitchell reviewed the report with the Committee, indicating that this is the third year the report has been provided. This is a calendar year report based on prior year numbers. Mr. Mitchell highlighted the changes in the report– reduced Arts TIF district area, establishment of an area wide Downtown Transit TIF, expanded boundaries for the Bayside TIF; two TIFs terminated during the year; report now includes prior year numbers to help track trends.

Item #5: 2015 HCDC Work Plan for Review and Discussion.

Reviewed outstanding items with staff. This was the last HCDC meeting for 2015. Committee adjourned at 7:35.

Respectfully,

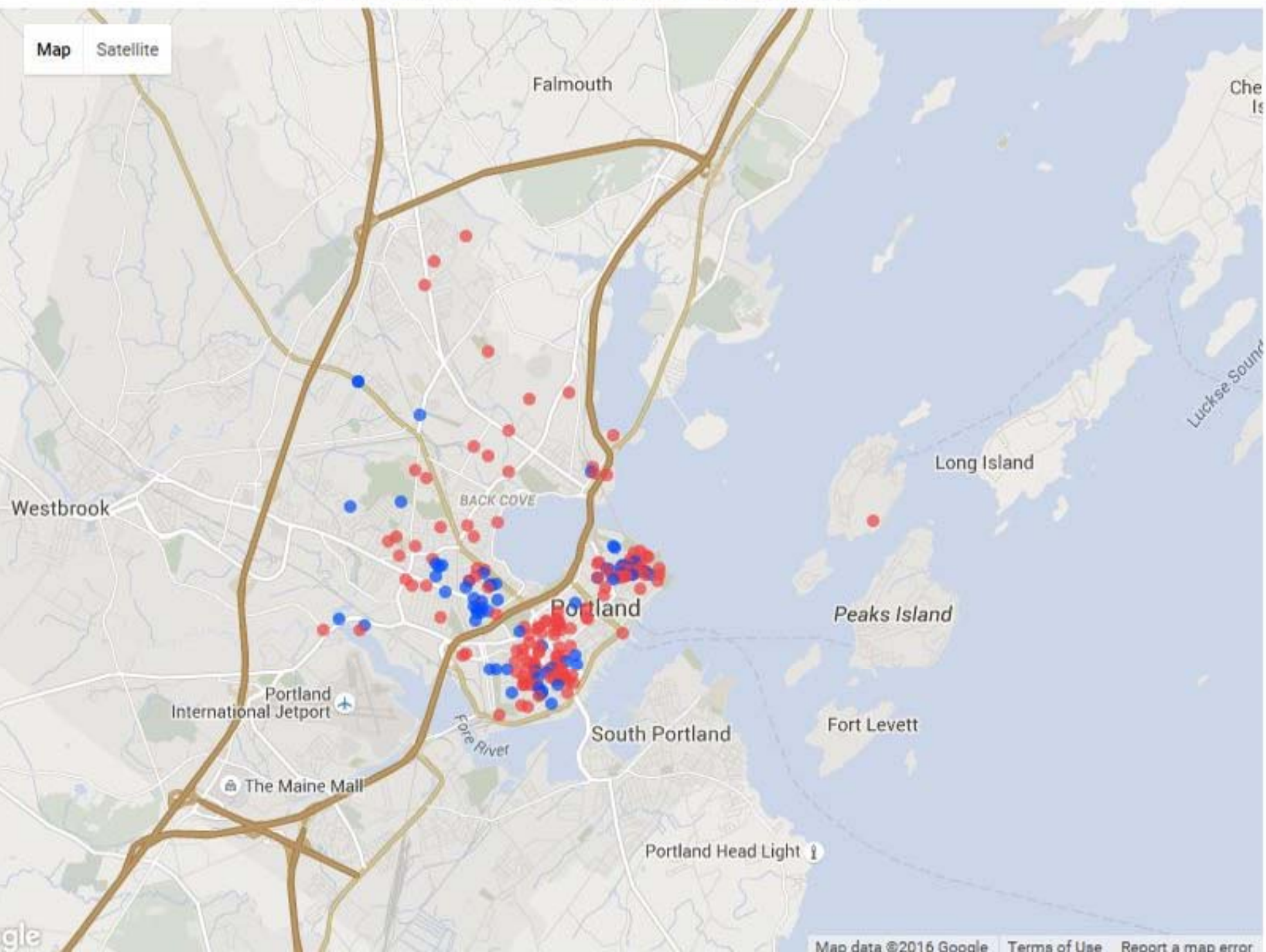
Mary Davis

Active Airbnb rentals in Portland, Maine

☒ Entire place ☒ Private room ☒ Shared room



Map Satellite



Active Airbnb rentals in Portland, Maine

☒ Entire place ☐ Private room ☐ Shared room



Map

Satellite

Westbrook

Falmouth

BACK COVE

Portland

Long Island

Peaks Island

Fort Levett

South Portland

Portland Head Light

Portland International Jetport

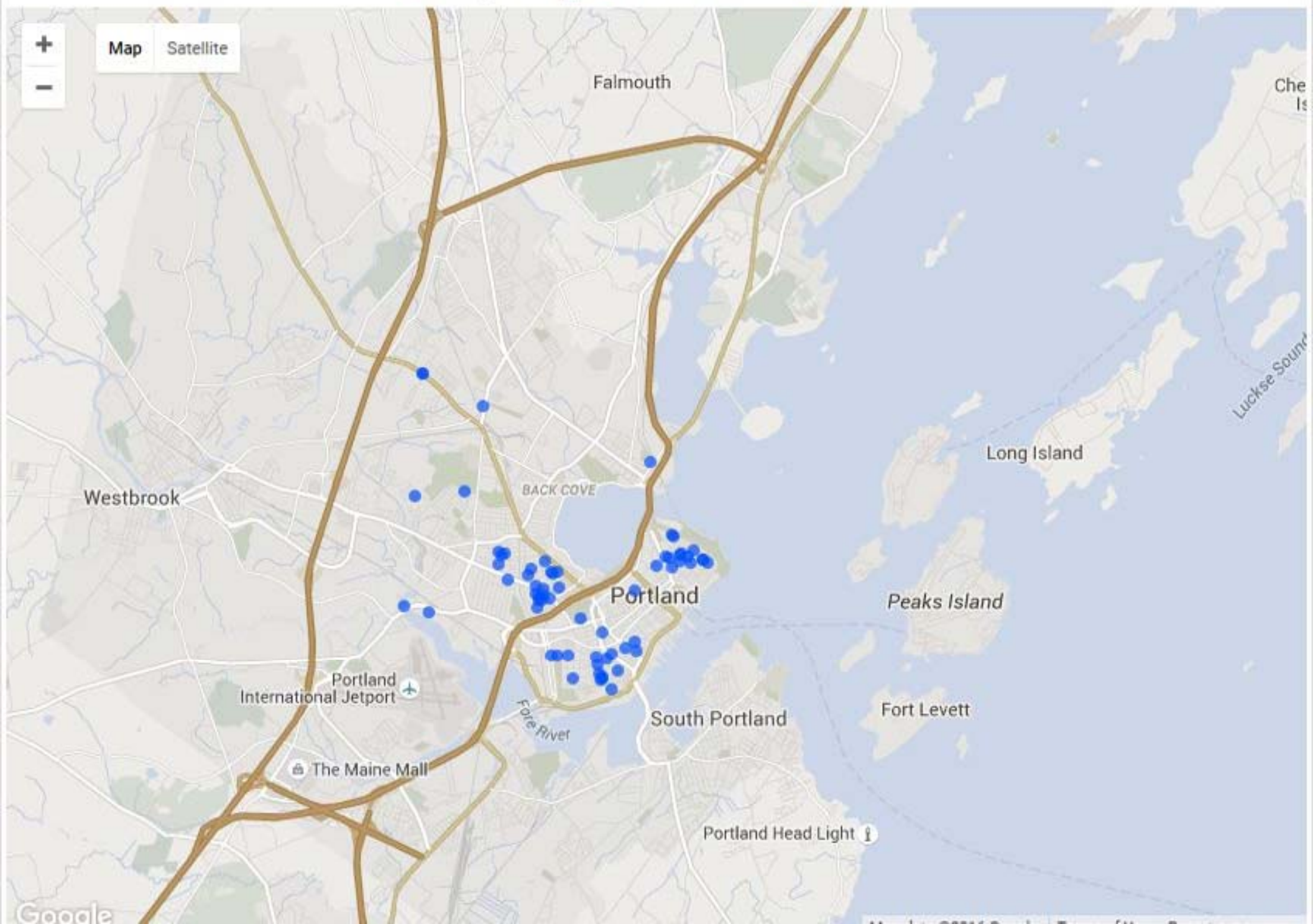
The Maine Mall

Fore River

Luckse Sound

Active Airbnb rentals in Portland, Maine

☐ ● Entire place ☒ ● Private room ☐ ● Shared room



**PUBLIC SAFETY, HEALTH & HUMAN SERVICES COMMITTEE
7 POINT PLAN TO END HOMELESSNESS**

**UPDATE
MARCH, 2016**

**GOAL #1
CASE MANAGEMENT**

The Task Force recommends case management services be expanded to people who are homeless and those case management delivery systems follow client needs, rather than reimbursable service delivery models

Oxford Street Shelter

	Mar. 2015	Mar. 2016
Housing Placements	17	24
Individuals Served	628	544
Shelter Occupancy	168%	166%
Veterans Served	38 505 Bed nights	25 347 Bed Nights

Family Shelter

	Mar. 2015	Mar. 2016
Housing Placements	16 Families/ 61 Individuals	17 Families/ 63 Individuals
Individuals Served	46 Families/ 169 Individuals	48 Families/ 169 Individuals
Shelter Occupancy	163%	103%
Veterans Served	1 Family 3 Individuals	0 Family 0 Individuals

**Occupancy is over for both shelters due to overflow facilities being utilized.*

**GOAL #2
RAPID REHOUSING**

The task force recommends a focus on providing appropriate permanent housing and support in the community for individuals, families and youth as quickly as possible.

70 initial Long Term Stayer Single Adults in need of Permanent Housing

- 9 remaining
 - 2 are in the process of securing housing.

72 December, 2015 Cohort of Long Term Stayer Single Adults in need of Permanent Housing (40 from OSS, 17 campers, and 15 from Milestone)

- 45 remaining
 - 18 left from OSS
 - 13 Milestone
 - 14 campers
 - 6 are in the process of securing housing.

TBRA

- TBRA has exhausted its funding until the new fiscal year.

Home To Stay

- 66 Active Cases
- 5 Subsidies Provided

**GOAL #3
INCREASED OUTREACH**

Goal: Conducting assertive, community-based outreach

HOME Team

- 1263 Encounters
- 349 Transports
- 169 Individuals Served

GOAL #4 ZONING CONSTRAINTS

Goal: Explore Portland's zoning requirements so that all neighborhoods are equal candidates for emergency shelters, dispersed service locations or specialized care housing as a conditional use.

Study/Assessment of commercial corridors R-6 & R-7

*Planning & Urban Development Department
Ann Machado, Zoning Specialist*

**Zoning has been changed on Bishop Street to accommodate the Housing First Program*

GOAL #5 SPECIAL POPULATION HOUSING

Goal: Coordinate behavioral and primary care treatment for people in the shelter system. Increase housing opportunities for people who are homeless and are struggling with addiction. Increase employment opportunities for people who are homeless and are struggling with addiction and mental illness.

United Way Feasibility of Medical Respite Program

- Dan Coyne, United Way

	Mar. 2014	Mar. 2015
York County Shelter (YCS) Placements	2	1

GOAL #6 HOUSING FIRST PROGRAM

Goal: Reduce the number of long term/chronically homeless in Portland. Increase specific housing options to include transitional and permanent supportive housing models.

Update on \$50,000 RFP for Housing First Program

Avesta Housing Project

GOAL #7 SECTION 8 HOUSING VOUCHERS

Goal: Work in partnership with landlords to increase access to housing stock which will increase available rental opportunities for people who are homeless. Create/expand resources for landlords to work through issues with tenants.

Section 8 Housing Vouchers made available by:

- Portland (40- primarily CLIP vouchers)
- Westbrook (unspecified amount)
- South Portland (2)